
SOLANO COUNTY 6TH CYCLE REGIONAL HOUSING NEEDS PLAN

Proposed Final DRAFT

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SOLANO COUNTY

6TH CYCLE REGIONAL HOUSING NEEDS PLAN

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SOLANO COUNTY SUBREGION 6TH CYCLE REGIONAL HOUSING NEEDS ALLOCATION FINAL METHODOLOGY

EXECUTIVE SUMMARY

The Regional Housing Needs Allocation (RHNA) process is mandated by California law and requires all local jurisdictions to plan for their ‘fair share’ of housing units at all affordability levels. This Final RHNA Methodology is part of the Solano Subregion’s 6th Cycle RHNA, covering the period from January 2023 through December 2030, and assigning housing need allocations to the Cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun, Vacaville, and Vallejo, and unincorporated Solano County.

Typically, a region’s council of governments prepares the RHNA methodology for all its member jurisdictions, however, Government Code Section 65584.03 allows for “...at least two or more cities and a county, or counties, to form a subregional entity for the purpose of allocation of the subregion’s existing and projected need for housing among its members...” For the 6th Cycle RHNA, all seven incorporated cities and unincorporated Solano County chose to form a subregional entity for which they designated the City County Coordinating Council (4Cs) to serve as the representative body.

The RHNA process for a subregion consists of several key steps. First, the California Department of Housing and Community Development (HCD) allocates a specified number of housing units to the region (in the Bay Area, the regional allocation is administered by the Association of Bay Area Governments, or ABAG), segmented into four income affordability levels: very low-income, low-income, moderate-income, and above moderate-income. Then the council of governments (ABAG) assigns a share of its allocation to any subregions that form—in the ABAG region, the Solano County Subregion is the only subregion preparing its own methodology for the 6th Cycle RHNA. For this 6th Cycle RHNA, the Solano County Subregion received an allocation of 10,992 units. Next, the Solano County Subregion develops a methodology to allocate units by income level to each jurisdiction within the subregion and incorporates the approved methodology into a RHNA Plan. When the RHNA Plan is complete, local jurisdictions must plan to accommodate the development of their respective allocation of units in each income group through the Housing Element of their General Plans, as required by State law.

California Government Code requires the RHNA methodology to further five specific objectives and incorporate a series of factors. These objectives and factors primarily serve to further fair housing goals and overcome historical income segregation patterns across the state by directing new units in relatively job-rich and high-amenity areas within each region. This Regional Housing Needs Plan (RHNP) summarizes Solano County Subregion RHNA process, describing the planning process, methodologies, and outcomes. **Table 1** shows the final RHNA allocation across jurisdictions in the Solano County Subregion, using the State-approved allocation methodology that incorporates the required objectives and factors.

TABLE 1 FINAL SOLANO COUNTY JURISDICTIONAL ALLOCATION BY INCOME TIER

Jurisdiction	Affordability Tier				Total
	Very Low	Low	Moderate	Above Moderate	
City of Benicia	212	127	123	288	750
City of Dixon	113	62	62	179	416
City of Fairfield	792	464	539	1,274	3,069
City of Rio Vista	79	41	50	157	327
City of Suisun	160	95	98	267	620
City of Vacaville	677	404	409	1,105	2,595
City of Vallejo	690	369	495	1,346	2,900
Unincorporated Solano County	80	50	56	129	315
Total	2,803	1,612	1,832	4,745	10,992

1. INTRODUCTION

1.1 OVERVIEW OF CALIFORNIA STATE LAW, REGULATORY REQUIREMENTS, AND THE RHNA PROCESS

State law requires that all regional governing bodies, counties, and cities work with the California Department of Housing and Community Development (HCD) to participate in the Regional Housing Needs Allocation (RHNA) process. A central goal of the RHNA process is to meet the housing needs of people at all income levels through effective planning at the State, regional, and local levels.

The following describes the RHNA process and the respective duties at the State, regional, subregional, and local levels for the Solano County Subregion:

1. *HCD Provides a Regional Determination*

HCD calculates the regional housing needs assessment, segmented into four income affordability tiers, to accommodate regular growth in the region (in this case the nine-county Bay Area Region). The determination is largely based on regional projections of new household growth from the California Department of Finance (DOF) and consultation with the local council of governments, in this case, the Association of Bay Area Governments (ABAG).

2. *Regional Government Develops Allocation Methodology—OPTIONAL: Local jurisdictions form a Subregion within the Region*

Once HCD provides its determination of regional housing needs, the council of governments (ABAG) normally works in coordination with its member jurisdictions to develop a methodology for allocating the housing needs amongst the region’s jurisdictions by income level. Government Code Section 65584.03 allows for “...at least two or more cities and a county, or counties, to form a subregional entity for the purpose of allocation of the subregion’s existing and projected need for housing among its members...” For the 6th Cycle RHNA, all seven incorporated cities and unincorporated Solano County

chose to form a subregional entity for which they designated the City County Coordinating Council (4Cs) to serve as the representative body. As a result, the Solano County Subregion is responsible for developing the methodology that allocates units by income level to each incorporated jurisdiction in Solano County and the unincorporated County. However, as a subregion, Solano County's subregional housing need determination (the units to be allocated by the subregion, segmented into the four income tiers) is determined by the regional council of governments (ABAG) and those units allocated to the subregion are subtracted from the council of governments regional housing need determination.

3. Local Jurisdictions Adopt Housing Element Policies based on RHNA Allocations

Once local jurisdictions receive their allocation of units, they must update the Housing Element of their General Plans to accommodate their respective allocations over the eight-year RHNA cycle. When each Housing Element is complete, it is submitted to HCD for certification and confirmation that it meets all legal requirements and will accommodate the assigned RHNA.

1.2 RHNA FACTORS AND OBJECTIVES

The role of the Solano County Subregion is the same as that of regional planning agencies in the RHNA, which is to, "develop, in consultation with the department [HCD], a proposed methodology for distributing the existing and projected regional housing needs to cities...and counties within the region..." according to California Government Code Section 65584.04. While the Solano County Subregion is ultimately responsible for shaping the overall methodology used to allocate the regional housing needs determination and can use considerable discretion when doing so, the allocation methodology must further specific objectives and consider specific factors established by State law.

Objectives

California Government Code identifies five objectives that adopted allocation methodologies must "further." These objectives are copied from Section 65584(d) of the Government Code:

- 1. Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very low-income households.*
- 2. Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the California Air Resources Board pursuant to Section 65080.*
- 3. Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.*
- 4. Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey.*

5. *Affirmatively furthering fair housing, which for the purposes of this process means ‘taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.’*

Section 4, *Methodology*, of this report details how these objectives are furthered by the Solano County Subregion’s adopted methodology for the 6th Cycle RHNA.

Factors

While the Government Code’s objectives are goals for the methodology to achieve, factors are specific considerations that must be evaluated when developing the allocation methodology and incorporated in the adopted methodology, where appropriate. There are 15 factors the methodology must consider, outlined in Government Code Section 65584.04(e) and summarized herein. The full text appearing in the Government Code is provided in Appendix 1:

1. Lack of capacity for sewer or water service due to decisions outside jurisdiction’s control
2. Availability of land suitable for urban development
3. Lands protected from urban development under existing federal or state programs
4. County policies to preserve prime agricultural land
5. Distribution of household growth in the Regional Transportation Plan (RTP) and opportunities to maximize use of transit and existing transportation infrastructure
6. Jurisdictional agreements to direct growth toward incorporated areas
7. Loss of deed-restricted affordable units
8. Housing needs of farmworkers
9. Housing needs generated by a university within the jurisdiction
10. Existing and projected jobs and housing relationship, particularly low-wage jobs and affordable housing
11. Households paying more than 30 percent and more than 50 percent of their income in rent
12. The rate of overcrowding
13. Housing needs of individuals and families experiencing homelessness
14. Units lost during a state of emergency that have yet to be replaced
15. The region’s greenhouse gas targets

Items 11 through 15, and the clause in item 10 calling for special consideration of the balance between low-wage jobs and affordable housing, are new requirements for the 6th Cycle RHNA. All other required factors have been carried forward from the 5th Cycle RHNA.

LOCAL JURISDICTION SURVEY ON FACTORS

Government Code Section 65584.04(b) stipulates that the region must survey all member jurisdictions for information regarding the required factors, specifically to “...review and compile information that will allow the development of a methodology based upon the issues, strategies, and actions that are included, as available, in an Analysis of Impediments to Fair Housing Choice or an Assessment of Fair Housing...” prepared for any jurisdictions in the region. The ABAG region conducted a survey in early 2020. Respondents included half of the Solano subregion: the Cities of Benicia, Fairfield, and Vacaville, and Solano County. The results of the survey are included in Appendix 2.

1.3 ORGANIZATION OF THIS REPORT

The following sections of this report describe the 6th Cycle RHNA process specific to the Solano County Subregion:

- Section 1 provides an overview of State law, RHNA factors and objectives, and the organization of this report.
- Section 2 details the process by which HCD calculated the 6th Cycle subregional housing needs determination for the ABAG Region and the process by which ABAG calculated the share of its allocation to attribute to the Solano County Subregion.
- Section 3 details the Solano County Subregion’s oversight of the methodology development and public engagement.
- Section 4 details the adopted methodology with which the Solano County Subregion is allocating the assigned units, segmented by income tier, among each member jurisdiction, including the Cities of Benicia, Dixon, Fairfield, Rio Vista, Suisun, Vacaville, and Vallejo, and unincorporated Solano County.

2. REGIONAL HOUSING NEEDS DETERMINATION

The final Solano County Subregional Housing Needs Determination for the 6th Cycle RHNA is 10,992 units. As is typical, the Determination includes an allocation of units by affordability tier, detailed in **Table 2**.

TABLE 2 SOLANO COUNTY SUBREGIONAL INCOME TIER ALLOCATION

Income Level	Unit Percent	Unit Total
Very low	25.5%	2,803
Low	14.7%	1,612
Moderate	16.7%	1,832
Above Moderate	43.2%	4,745
Total	100.0%	10,992

Note: Due to rounding, percentages may not total precisely.

In June 2020, HCD issued a final Regional Housing Need Determination for the ABAG region, included in Appendix 3. The ABAG region received a total of 441,176 units overall, distributed across the four income tiers (25.9% or 114,442 Very Low-, 14.9% or 65,892 Low-, 16.5% or 72,712 Moderate-, and 42.6% or 118,130 Above Moderate-income units). The 441,176-unit Determination was calculated by HCD using American Community Survey (ACS)

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estimates of the current ABAG region population in residential housing (not living in group quarters, such as dorms) and projections of population and household growth, adjusted based on the following ACS indicators of current unmet housing need: vacancy rates, overcrowding rates, replacement need for decommissioned housing, and cost burden rates of households paying greater than 30 and 50 percent of household income toward housing.

On January 21, 2021, the ABAG Executive Board approved the Final Subregional Share for the Solano Subregion. To distribute units to the Solano Subregion, ABAG followed the same methodology used to distribute units region-wide. This methodology resulted in an allocation by income tier to each individual jurisdiction in the Solano Subregion, which was combined to yield the Final Subregional Share. ABAG’s methodology established a base allocation (similar to the methodology followed by the Solano Subregion) using each jurisdictions’ share of total projected households for the year 2050. The methodology then adjusted each jurisdiction using weighted factors through a two-part process to distribute units to the Low- and Very Low-income tiers using a different set of factors from those used to distribute units to the Moderate- and Above Moderate-income tiers. The ABAG factor weighting is summarized in Table 3. Additional information about ABAG’s RHNA Plan is available in the ABAG Draft RHNA Plan document.

TABLE 3 ABAG SUBREGIONAL SHARE METHODOLOGY FACTORS

Very Low- and Low-Income Units		Moderate- and Above Moderate-Income Units	
70%	Access to High Opportunity Areas	40%	Access to High Opportunity Areas
15%	Job Proximity-Auto	60%	Job Proximity-Auto
15%	Job Proximity-Transit		

3. 6TH CYCLE RHNA OVERSIGHT AND OUTREACH

The 6th Cycle RHNA methodology for the Solano Subregion was informed by input from stakeholders and developed in close coordination with the Solano Planning Directors Group; with guidance and oversight from the City County Coordinating Council, Solano County Planning Directors, Solano Transportation Authority (STA) staff, and County of Solano staff; and in consultation with HCD.

3.1 STAKEHOLDER OUTREACH

STA and County staff, in consultation with member jurisdictions, identified stakeholders to engage in the 6th Cycle RHNA. On December 11, 2020, the Subregion held a RHNA Stakeholder Workshop to review the process and goals of the RHNA and engage in a thoughtful discussion of the factors to be incorporated in the RHNA methodology.

3.2 SOLANO PLANNING DIRECTORS

The Solano Planning Directors served as the technical advisory group for the 6th Cycle RHNA. The Planning Directors convened several times over the two-year RHNA process to review data and draft materials and provide critical input on the RHNA methodology, offering valuable insights and feedback to inform the RHNA Plan throughout its development.

SOLANO COUNTY PLANNING DIRECTORS MEMBERS

Brad Misner, City of Benicia

Raffi Boloyan, City of Dixon

David Feinstein, City of Fairfield

Paul Junker, City of Rio Vista

John Kerns, City of Suisun City

Tyra Hays, City of Vacaville

Gillian Hayes, City of Vallejo

Bill Emlen, County of Solano

Richard Seithel, Solano County LAFCo

Robert Guerrero, Solano Transportation Authority (STA)

3.3 SOLANO CITY COUNTY COORDINATING COUNCIL (4CS)

The City County Coordinating Council, whose membership includes at least one elected representative from each jurisdiction in the Solano Subregion, served as the Subregional entity and decision-making body for the Subregion. The 4Cs therefore served to approve the Draft and Final RHNA methodology. The 4Cs was engaged throughout the methodology development, representing the interests of constituents and working collaboratively to achieve an equitable and mutually agreeable methodology that fulfills all legal requirements.

CITY COUNTY COORDINATING COUNCIL MEMBERS

John Vasquez, Chair, Supervisor, Solano County, District 4

Lori Wilson, Vice-Chair, Mayor, City of Suisun

Steve Young, Mayor, City of Benicia

Steve Bird, Mayor, City of Dixon

Harry Price, Mayor, City of Fairfield

Ronald Kott, Mayor, City of Rio Vista

Ron Rowlett, Mayor, City of Vacaville

Robert McConnell, Mayor, City of Vallejo

Erin Hannigan, Supervisor, Solano County, District 1

Monica Brown, Supervisor, Solano County, District 2

Jim Spering, Supervisor, Solano County, District 3

Mitch Mashburn, Supervisor, Solano County, District 5

3.4 HCD REVIEW

Pursuant to California Government Code Section 65584.04(i), HCD is required to review draft RHNA methodologies to determine whether the methodology furthers the statutory objectives described in Government Code Section 65584(d). On July 2, 2021, the Solano Subregion submitted the Draft Methodology for 60-day review by HCD. On August 31, 2021, HCD responded, finding that “the draft Solano Subregion RHNA Methodology furthers the statutory objectives described in Government Code 65584(d).” HCD’s finding letter is included in Appendix 4.

4. METHODOLOGY

This section describes the Final Methodology to allocate housing units by income tier among the participating jurisdictions of the Solano County Subregion for the 6th Cycle RHNA, the process for developing the Methodology, and how the Methodology addresses the statutory requirements for furthering the five RHNA objectives identified in Government Code Section 65584(d). The Methodology consists of two primary components: the spatial allocation of units to each jurisdiction and the distribution of units by income tier. Following is an overview of the methodology for each component.

4.1 UNIT ALLOCATION METHODOLOGY

The unit allocation methodology applies four weighted factors to distribute the Subregional Share across the Solano Subregion’s eight jurisdictions. To distribute the allocation among the jurisdictions, the methodology starts with assigning a base allocation, which is the jurisdictions’ percent share of the subregion’s 2019 household distribution, multiplied by the total Subregion Share of 10,992 units. The 2019 households distribution is based on the 2019 California Department of Finance (DOF) Table E-5 data.

The base allocation establishes a foundational allocation that recognizes the significant capacity differences between jurisdictions and provides for an allocation that is suitable for each jurisdiction’s existing size. The 2019 share of the households in the subregion reflects these differences. The base allocation is shown in **Table 4**. Note, the tables in this Final Methodology document may not sum to the exact totals displayed due to rounding.

TABLE 4 BASE ALLOCATION

Jurisdiction	Jurisdiction’s Share of 2019 Household Distribution	Base Allocation
City of Benicia	7.2%	791
City of Dixon	4.2%	458
City of Fairfield	25.2%	2,768
City of Rio Vista	2.9%	320
City of Suisun	6.1%	676
City of Vacaville	22.3%	2,456
City of Vallejo	27.5%	3,019
Unincorporated Solano County	4.6%	505
Total	100%	10,992

ALLOCATION FACTORS

Using the base allocation as a foundation, the Final Methodology adjusts each jurisdiction’s regular growth allocation using four weighted factors.

In preparation for choosing the allocation factors, the Solano County Subregion collected and analyzed more than 20 data layers, including:

- High Resource Areas
- Access to High Opportunities
- Cost-burdened Households
- Overcrowded Households

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- Racial Diversity
- Divergence Index
- TCAC/HDC Opportunity Score
- Child Poverty Status
- Educational Attainment
- Existing Jobs
- Future Jobs
- Jurisdiction Job Access
- Jobs-Housing Balance
- Jobs-Housing Fit
- Jobs Proximity-Auto
- Jobs Proximity-Transit
- Priority Development Areas
- Transit Connectivity
- Transit Access
- Future Transit Access
- Vehicle Miles Traveled
- Natural Hazards
- Future Household Growth
- Development Capacity
- ABAG 6th Cycle RHNA Allocation

After thoughtful consideration of all data sets, the Solano Subregion agreed to use six factors in four categories:

- Opportunity:
 - TCAC/HCD Opportunity Score
- Jobs:
 - Jobs-Housing Balance, and
 - Total Future Jobs
- Regional Planning:
 - ABAG 6th Cycle RHNA Allocation
- Transit Connectivity:
 - AllTransit Performance Score, and
 - Transit Connectivity (as measured by ABAG)

Each of these measures is shown in **Table 5** and described in more detail herein.

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TABLE 5 FACTORS AND SCALED SCORES

Jurisdiction	TCAC/HCD Opportunity Score	Jobs-Housing Balance	Total Future Jobs	AllTransit Performance Score	ABAG Transit Connectivity	ABAG Draft RHNA Allocation
City of Benicia	1.50	0.83	0.80	1.00	0.50	0.67
City of Dixon	1.47	0.71	0.85	0.68	0.50	0.50
City of Fairfield	0.87	0.81	1.50	1.32	1.25	1.50
City of Rio Vista	1.48	0.51	0.50	0.86	0.50	0.55
City of Suisun	1.38	0.50	0.51	1.44	1.04	0.60
City of Vacaville	1.28	0.77	1.17	1.48	0.50	1.06
City of Vallejo	0.50	0.67	1.02	1.50	1.50	1.46
Unincorporated Solano County	1.22	1.50	0.53	0.50	1.30	0.71

OPPORTUNITY

TCAC/HCD Opportunity Score

HCD and the California Tax Credit Allocation Committee (TCAC) calculate opportunity scores at the census tract and block group level using 21 indicators: Income, Adult Educational Attainment, Labor Force Participation, Job Proximity, Median Home Value, 12 environmental health/pollution indicators, 4th Grade Math Proficiency, 4th Grade Reading Proficiency, High School Graduation Rate, and Students Living Above the Federal Poverty Level. According to HCD and TCAC, the Opportunity Scores offer “a way to measure place-based characteristics linked to critical life outcomes, such as educational attainment, earnings from employment, and economic mobility”. The Opportunity Score was selected for inclusion in the RHNA methodology to direct more housing to jurisdictions better equipped to support its residents. The Subregional Methodology uses data from the 2020 TCAC/HCD Opportunity Map.

JOBS

Jobs-Housing Balance

The number of jobs in a community relative to the population or number of housing units impacts the economic opportunity available to residents and the likelihood of residents needing to travel longer distances to reach their places of employment, which has implications for quality of life and greenhouse gas emissions. As part of the regional RHNA development, ABAG produced scores for each Solano County jurisdiction measuring the ratio of jobs to housing units, using data from the U.S. Census American Community Survey (2014-2018) and U.S. Census Longitudinal Employer-Household Dynamics (LEHD) (2017). This factor is used to direct more housing units to jurisdictions with a high number of existing jobs, relative to existing housing units.

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Future Jobs

The availability of jobs in a community is an important consideration in siting housing, since residents need access to jobs for economic reasons, and the proximity of jobs to residents minimizes travel time and vehicle miles traveled (VMT). The Future Jobs factor data is derived from each jurisdiction's share of the ABAG region's total future jobs, based on year 2050 projections from Plan Bay Area 2050.

REGIONAL PLANNING

ABAG 6th Cycle RHNA Allocation

In May 2021, ABAG released its Draft RHNA Plan with its Final RHNA Methodology. Though the jurisdictions in Solano County formed a Subregion, ABAG's Methodology includes an allocation for each jurisdiction in the Subregion. Each jurisdiction's allocation under the ABAG Methodology was used as a factor to distribute units in a fashion consistent with the ABAG region.

TRANSIT CONNECTIVITY

Availability of transit service is a key consideration in siting housing because transit allows residents to access jobs and services without being dependent on a personal vehicle or generating vehicle trips. The Solano Subregion considered different measures of Transit Connectivity and found that none accurately represented connectivity as experienced locally. As a result, the Subregion elected to include measures of Transit Connectivity from two different sources: AllTransit and ABAG, to achieve a combined score that was more agreeable locally.

Both measures ranked the Cities of Fairfield and Vallejo highest and the Cities of Benicia, Dixon, and Rio Vista lowest. However, there was more discrepancy between each source's scores of the Cities of Suisun City and Vacaville and Unincorporated Solano County. The Final Subregional Methodology includes both scores as Factors weighted equally, effectively resulting in a combined score that more closely matches the local perception of Transit Connectivity. This pair of factors works to direct more housing units to jurisdictions with better transit connectivity.

AllTransit Performance Score

AllTransit Performance Scores, prepared by the Center for Neighborhood Technology (CNT), consider connectivity, access to jobs, and frequency of service.

ABAG Transit Connectivity

The Connectivity Score produced by ABAG considers each jurisdiction's percentage of the region's total acres within Transit Priority Areas (TPAs). ABAG defines TPAs, following the California Public Resources Code (Section 21099), as areas within 1/2 mile of a Major Transit stop, which could be any of the following: existing rail stations, planned rail stations in an adopted regional transportation plan (RTP), existing ferry terminals with bus or rail service, planned ferry terminals with bus or rail service in an adopted RTP, or intersection of at least two existing or planned bus routes with headways of 15 minutes or better during both the morning and evening peak periods.

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FACTOR NORMALIZATION

Each of these six selected factors is normalized on a scale of 0.5 to 1.5 (as shown in **Table 2**). The normalized scale serves to support ease of computation and comparison of factors among each other, and the range of the scale (0.5 to 1.5) is large enough to impact the distribution of housing units by adjusting them up (any score between 1 and 1.5) or down (any score between 0.5 and 1) from the base allocation, but not so large that the base allocation becomes insignificant.

FACTOR WEIGHTING

Following selection of the factors, the methodology assigns weights to each. These weights establish what percentage of the total allocation will be distributed based on that factor. The Solano County Subregion choose to place the greatest weight on Opportunity to prioritize fair housing goals. The next highest weighting was assigned to the Jobs (Jobs-Housing Balance and Future Jobs) and Regional Planning categories to address the current imbalance of jobs and housing units in the subregion and support alignment with regional planning efforts. Finally, though it was assigned a slightly lesser weight than other categories, Transit Connectivity (AllTransit Performance Score and ABAG Transit Connectivity score) was assigned a 20 percent weighting recognizing the link between transit connectivity and greenhouse gas emissions reduction, quality of life, and equity. The weights assigned to each category and individual factor are shown below:

- Opportunity—30%: TCAC/HCD Opportunity (30%)
- Jobs—25%: Jobs-Housing Balance (13%), Total Future Jobs (12%)
- Regional Planning—25%: ABAG 6th Cycle RHNA Allocation (25%)
- Transit Connectivity—20%: AllTransit Performance Score (10%), ABAG Transit Connectivity (10%)

Table 6 shows the resulting factor-adjusted allocations for each jurisdiction.

TABLE 6 BASE ALLOCATION AND FACTOR ADJUSTMENT

Jurisdiction	Base Allocation	Factor Adjusted Allocation	Net Change
City of Benicia	791	750	(41)
City of Dixon	458	395	(63)
City of Fairfield	2,768	3,069	301
City of Rio Vista	320	262	(58)
City of Suisun	676	604	(72)
City of Vacaville	2,456	2,543	87
City of Vallejo	3,019	2,865	(154)
Unincorporated Solano County	505	504	(1)
Total	10,992	10,992	-

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MANUAL ADJUSTMENTS

Local agreements and practices in Solano County work to concentrate development in incorporated cities, rather than the Unincorporated County as a means of protecting important farmland, reducing sprawl, and only growing in locations with the infrastructure to support added population. To that end, the Subregion made additional adjustments to reduce the Unincorporated County’s allocation to 315 units, reducing the Factor Adjusted Allocation by 189 units and redistributing these among select incorporated jurisdictions, namely Dixon, Rio Vista, Suisun, Vacaville, and Vallejo. The resultant allocations by jurisdiction are shown in **Table 7**.

TABLE 7 FACTOR AND MANUAL ADJUSTED ALLOCATION

Jurisdiction	Factor Adjusted Allocation	Manual Adjustments	Revised Unit Allocation
City of Benicia	750	-	750
City of Dixon	395	21	416
City of Fairfield	3,069	-	3,069
City of Rio Vista	262	65	327
City of Suisun	604	16	620
City of Vacaville	2,543	52	2,595
City of Vallejo	2,865	35	2,900
Unincorporated Solano County	504	(189)	315
Total	10,992	-	10,992

4.2 INCOME ALLOCATION METHODOLOGY

The Subregional Share of housing determined by ABAG includes both a total number of housing units and a distribution of those units across four affordability tiers: very low-income, low-income, moderate-income, and above-moderate income. Once the overall allocation for each jurisdiction is set, each jurisdiction’s housing unit allocation must be distributed among the four income tiers and the sum allocation in each income tier across all jurisdictions must equal the total amount set by ABAG for the subregion. The Solano County Subregional Share by income tier, as assigned by ABAG, is shown in **Table 8**.

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TABLE 8 SOLANO SUBREGIONAL INCOME TIER ALLOCATION

Very Low	Low	Moderate	Above Mod	Total Units
2,803	1,612	1,832	4,745	10,992
25.5%	14.7%	16.7%	43.2%	100.0%

Note: Due to rounding, percentages may not total precisely.

The methodology uses the following process to distribute the units by income tier to each jurisdiction. Each numbered step is accompanied by a bulleted description of the justification and relevant background to that step, where appropriate.

1. Determine the current distribution of household income tiers for each jurisdiction.
 - » This step uses data from the 2014–2019 ACS.
2. Set the Income Adjustment Factor to calculate the percentage of each jurisdiction’s total allocation to be distributed across each income tier, such that the subregion makes progress toward an equal distribution of income tiers over the long-term.
 - » The region aims to move toward an equal housing unit income distribution across all jurisdictions. To achieve this, jurisdictions with the greatest percent of units in any one tier would receive a lesser allocation of units in that tier and vice-versa.
 - » An income adjustment factor set equal to 100% would result in all jurisdictions receiving the same percent allocation of units in each income tier, equal to the percent assigned by ABAG (e.g. 25.5% in the very low-income tier). The higher the Income Adjustment Factor, the greater the shift in income allocations toward a more equal distribution of housing units by income tier.
 - » The Solano County Subregion selected an income adjustment factor of 150%.
3. Adjust the allocations by income tier to ensure that the total of all jurisdictions’ allocations in each income tier is equal to the total assigned in Subregional Share from ABAG.
 - » Step 2 results in an excess of units assigned in the very low- and above moderate-income tiers and a shortage of units in the low- and moderate-income tiers.
 - » To adjust the total very low- and moderate-income allocations, those jurisdictions whose originally assigned percent allocations exceeded the percent allocation of Subregional Share assigned for that tier, received proportional adjustment down based on the following formula: (original tier allocation)-((original tier allocation/sum of all tier allocations to be adjusted)*total excess allocation for the income tier).
 - » To adjust the moderate-income allocations, those jurisdictions whose very low-income allocations were reduced receive increases proportionate to the jurisdictions very low-income reduction.
 - » Finally, the moderate-income allocations were adjusted by simply subtracting the new allocations in the very low-, low-, and above moderate-income tiers from the jurisdiction’s total unit allocation.

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The final distribution of units across all income tiers is shown in **Table 9**.

TABLE 9 INCOME DISTRIBUTIONS BY JURISDICTION

Jurisdiction	Very Low		Low		Moderate		Above Moderate		Total Housing Units
	%	Housing Units	%	Housing Units	%	Housing Units	%	Housing Units	
City of Benicia	28.3%	212	16.9%	127	16.4%	123	38.4%	288	750
City of Dixon	27.2%	113	14.9%	62	14.9%	62	43.0%	179	416
City of Fairfield	25.8%	792	15.1%	464	17.6%	539	41.5%	1,274	3,069
City of Rio Vista	24.2%	79	12.5%	41	15.3%	50	48.0%	157	327
City of Suisun	25.8%	160	15.3%	95	15.8%	98	43.1%	267	620
City of Vacaville	26.1%	677	15.6%	404	15.8%	409	42.6%	1,105	2,595
City of Vallejo	23.8%	690	12.7%	369	17.1%	495	46.4%	1,346	2,900
Unincorporated Solano County	25.4%	80	15.9%	50	17.8%	56	41.0%	129	315
HCD Requirement	25.5%	2,803	14.7%	1,612	16.7%	1,832	43.2%	4,745	10,992

4.3 STATUTORY OBJECTIVES

In compliance with California law, the methodology furthers all statutory objectives, as outlined herein.

Objective 1. *Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very low-income households.*

As described above, the methodology for allocating units in each income tier supports a redistribution of units, such that the jurisdictions that currently have a lesser share of low- and very low-income units receive a larger allocation. The methodology allocates units in all four income tiers to each of the subregion’s eight jurisdictions. The distribution of units overall follows a data-driven process informed by regional priorities to co-locate housing where there is Opportunity (30% weighting for TCAC Opportunity Score), Jobs (25% combined weighting for Jobs-Housing Balance and Future Jobs), alignment with regional planning (25% weighting for the ABAG 6th Cycle RHNA Allocation) and Transit (20% combined weighting for the AllTransit Performance score and ABAG Transit Connectivity score).

Objective 2. *Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region’s greenhouse gas reductions targets provided by the California Air Resources Board pursuant to Government Code Section 65080.*

The methodology allocates a greater share of units to incorporated, urbanized cities. Moreover, 45% of factor weighting prioritizes Transit Connectivity, proximity to Future Jobs, and Jobs-Housing Balance to encourage efficient development patterns and support efforts to minimize vehicle miles traveled and greenhouse gas emissions.

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Objective 3. *Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.*

The methodology concentrates the majority of housing in the jobs-rich cities of Fairfield, Vacaville, and Vallejo and includes both Jobs-Housing Balance and Future Jobs as factors in the methodology to support an appropriate balance of jobs and housing units.

Objective 4. *Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey.*

The methodology's distribution of housing units by income tier allocates a lower proportion of housing units by income category to jurisdictions whose existing share of units in that income tier is larger than the regional average. Similarly, the methodology allocates a greater proportion of units by income category to those jurisdictions whose existing share of units in that income tier is smaller than the regional average. As a result, all jurisdictions are assigned housing units by income tier at levels that would move their share of units by income tier closer to the regional average, once constructed.

Objective 5. *Affirmatively furthering fair housing.*

The Solano County Subregion addresses the objective of affirmatively furthering fair housing by including the TCAC/HCD Opportunity Score as its highest weighted factor (30%) in the methodology. According to the State of California, this objective is also concerned with overcoming "patterns of segregation and fostering inclusive communities free from barriers that restrict access to opportunity." The methodology's use of a 150% Income Adjustment Factor makes great strides to address any existing concentrations of poverty and move the subregion toward a balanced integration of residents of all income levels, thereby enabling better access to opportunities for all residents.

Appendices

1. Excerpts from California Government Code Section 65584
2. ABAG RHNA Summary of Local Jurisdiction Survey Results
3. ABAG Final Regional Housing Need Determination
4. RHNA Methodology Consistency Determination from HCD

APPENDIX 1

Excerpts from California Government Code Section 65584

Appendix 1

Select Excerpts from California Government Code

Section 65584

GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]

(Heading of Title 7 amended by Stats. 1974, Ch. 1536.)

DIVISION 1. PLANNING AND ZONING [65000 - 66301]

(Heading of Division 1 added by Stats. 1974, Ch. 1536.)

CHAPTER 3. Local Planning [65100 - 65763]

(Chapter 3 repealed and added by Stats. 1965, Ch. 1880.)

ARTICLE 10.6. Housing Elements [65580 - 65589.11]

(Article 10.6 added by Stats. 1980, Ch. 1143.)

[65584.](#)

(a) (1) For the fourth and subsequent revisions of the housing element pursuant to Section 65588, the department shall determine the existing and projected need for housing for each region pursuant to this article. For purposes of subdivision (a) of Section 65583, the share of a city or county of the regional housing need shall include that share of the housing need of persons at all income levels within the area significantly affected by the general plan of the city or county.

(2) It is the intent of the Legislature that cities, counties, and cities and counties should undertake all necessary actions to encourage, promote, and facilitate the development of housing to accommodate the entire regional housing need, and reasonable actions should be taken by local and regional governments to ensure that future housing production meets, at a minimum, the regional housing need established for planning purposes. These actions shall include applicable reforms and incentives in Section 65582.1.

(3) The Legislature finds and declares that insufficient housing in job centers hinders the state's environmental quality and runs counter to the state's environmental goals. In particular, when Californians seeking affordable housing are forced to drive longer distances to work, an increased amount of greenhouse gases and other pollutants is released and puts in jeopardy the achievement of the state's climate goals, as established pursuant to Section 38566 of the Health and Safety Code, and clean air goals.

(b) The department, in consultation with each council of governments, shall determine each region's existing and projected housing need pursuant to Section 65584.01 at least two years prior to the scheduled revision required pursuant to Section 65588. The appropriate council of governments, or for cities and counties without a council of governments, the department, shall adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county at least one year prior to the scheduled revision for the region required by Section 65588. The allocation plan prepared by a council of governments shall be prepared pursuant to Sections 65584.04 and 65584.05.

(c) Notwithstanding any other provision of law, the due dates for the determinations of the department or for the council of governments, respectively, regarding the regional housing need may be extended by the department by not more than 60 days if the extension will enable access to more recent critical population or housing data from a pending or recent release of the United States Census Bureau or the Department of Finance. If the due date for the determination of the department or the council of governments is extended for this reason, the department shall extend the corresponding housing element revision deadline pursuant to Section 65588 by not more than 60 days.

(d) The regional housing needs allocation plan shall further all of the following objectives:

(1) Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very low income households.

(2) Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.

(3) Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.

(4) Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey.

(5) Affirmatively furthering fair housing.

(e) For purposes of this section, "affirmatively furthering fair housing" means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

(f) For purposes of this section, "household income levels" are as determined by the department as of the most recent American Community Survey pursuant to the following code sections:

(1) Very low incomes as defined by Section 50105 of the Health and Safety Code.

(2) Lower incomes, as defined by Section 50079.5 of the Health and Safety Code.

(3) Moderate incomes, as defined by Section 50093 of the Health and Safety Code.

(4) Above moderate incomes are those exceeding the moderate-income level of Section 50093 of the Health and Safety Code.

(g) Notwithstanding any other provision of law, determinations made by the department, a council of governments, or a city or county pursuant to this section or Section 65584.01, 65584.02, 65584.03, 65584.04, 65584.05, 65584.06, 65584.07, or 65584.08 are exempt from the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(Amended by Stats. 2018, Ch. 989, Sec. 1.5. (AB 1771) Effective January 1, 2019.)

[65584.01.](#)

For the fourth and subsequent revision of the housing element pursuant to Section 65588, the department, in consultation with each council of governments, where applicable, shall determine the existing and projected need for housing for each region in the following manner:

(a) The department's determination shall be based upon population projections produced by the Department of Finance and regional population forecasts used in preparing regional transportation plans, in consultation with each council of governments. If the total regional population forecast for the projection year, developed by the council of governments and used for the preparation of the regional transportation plan, is within a range of 1.5 percent of the total regional population forecast for the projection year by the Department of Finance, then the population forecast developed by the council of governments shall be the basis from which the department determines the existing and projected need

for housing in the region. If the difference between the total population projected by the council of governments and the total population projected for the region by the Department of Finance is greater than 1.5 percent, then the department and the council of governments shall meet to discuss variances in methodology used for population projections and seek agreement on a population projection for the region to be used as a basis for determining the existing and projected housing need for the region. If agreement is not reached, then the population projection for the region shall be the population projection for the region prepared by the Department of Finance as may be modified by the department as a result of discussions with the council of governments.

(b) (1) At least 26 months prior to the scheduled revision pursuant to Section 65588 and prior to developing the existing and projected housing need for a region, the department shall meet and consult with the council of governments regarding the assumptions and methodology to be used by the department to determine the region's housing needs. The council of governments shall provide data assumptions from the council's projections, including, if available, the following data for the region:

(A) Anticipated household growth associated with projected population increases.

(B) Household size data and trends in household size.

(C) The percentage of households that are overcrowded and the overcrowding rate for a comparable housing market. For purposes of this subparagraph:

(i) The term "overcrowded" means more than one resident per room in each room in a dwelling.

(ii) The term "overcrowding rate for a comparable housing market" means that the overcrowding rate is no more than the average overcrowding rate in comparable regions throughout the nation, as determined by the council of governments.

(D) The rate of household formation, or headship rates, based on age, gender, ethnicity, or other established demographic measures.

(E) The vacancy rates in existing housing stock, and the vacancy rates for healthy housing market functioning and regional mobility, as well as housing replacement needs. For purposes of this subparagraph, the vacancy rate for a healthy rental housing market shall be considered no less than 5 percent.

(F) Other characteristics of the composition of the projected population.

(G) The relationship between jobs and housing, including any imbalance between jobs and housing.

(H) The percentage of households that are cost burdened and the rate of housing cost burden for a healthy housing market. For the purposes of this subparagraph:

(i) The term "cost burdened" means the share of very low, low-, moderate-, and above moderate-income households that are paying more than 30 percent of household income on housing costs.

(ii) The term "rate of housing cost burden for a healthy housing market" means that the rate of households that are cost burdened is no more than the average rate of households that are cost burdened in comparable regions throughout the nation, as determined by the council of governments.

(I) The loss of units during a state of emergency that was declared by the Governor pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), during the planning period immediately preceding the relevant revision pursuant to Section 65588 that have yet to be rebuilt or replaced at the time of the data request.

(2) The department may accept or reject the information provided by the council of governments or modify its own assumptions or methodology based on this information. After consultation with the council of governments, the department shall make determinations in writing on the assumptions for each of the factors listed in subparagraphs (A) to (I), inclusive, of paragraph (1) and the methodology it shall use and shall provide these determinations to the council of governments. The methodology submitted by the department may make adjustments based on the region's total projected households, which includes existing households as well as projected households.

(c) (1) After consultation with the council of governments, the department shall make a determination of the region's existing and projected housing need based upon the assumptions and methodology determined pursuant to subdivision (b). The region's existing and projected housing need shall reflect the achievement of a feasible balance between jobs and housing within the region using the regional employment projections in the applicable regional transportation plan. Within 30 days following notice of the determination from the department, the council of governments may file an objection to the department's determination of the region's existing and projected housing need with the department.

(2) The objection shall be based on and substantiate either of the following:

(A) The department failed to base its determination on the population projection for the region established pursuant to subdivision (a), and shall identify the population projection which the council of governments believes should instead be used for the determination and explain the basis for its rationale.

(B) The regional housing need determined by the department is not a reasonable application of the methodology and assumptions determined pursuant to subdivision (b). The objection shall include a proposed alternative determination of its regional housing need based upon the determinations made in subdivision (b), including analysis of why the proposed alternative would be a more reasonable application of the methodology and assumptions determined pursuant to subdivision (b).

(3) If a council of governments files an objection pursuant to this subdivision and includes with the objection a proposed alternative determination of its regional housing need, it shall also include documentation of its basis for the alternative determination. Within 45 days of receiving an objection filed pursuant to this section, the department shall consider the objection and make a final written determination of the region's existing and projected housing need that includes an explanation of the information upon which the determination was made.

(d) Statutory changes enacted after the date the department issued a final determination pursuant to this section shall not be a basis for a revision of the final determination.

(Amended by Stats. 2019, Ch. 497, Sec. 146. (AB 991) Effective January 1, 2020.)

[65584.02.](#)

(a) For the fourth and subsequent revisions of the housing element pursuant to Section 65588, the existing and projected need for housing may be determined for each region by the department as follows, as an alternative to the process pursuant to Section 65584.01:

(1) In a region in which at least one subregion has accepted delegated authority pursuant to Section 65584.03, the region's housing need shall be determined at least 26 months prior to the housing element update deadline pursuant to Section 65588. In a region in which no subregion has accepted delegation pursuant to Section 65584.03, the region's housing need shall be determined at least 24 months prior to the housing element deadline.

(2) At least six months prior to the department's determination of regional housing need pursuant to paragraph (1), a council of governments may request the use of population and household forecast assumptions used in the regional transportation plan. This request shall include all of the following:

(A) Proposed data and assumptions for factors contributing to housing need beyond household growth identified in the forecast. These factors shall include allowance for vacant or replacement units, and may include other adjustment factors.

(B) A proposed planning period that is not longer than the period of time covered by the regional transportation improvement plan or plans of the region pursuant to Section 14527, but a period not less than five years, and not longer than six years.

(C) A comparison between the population and household assumptions used for the Regional Transportation Plan with population and household estimates and projections of the Department of Finance.

(b) The department shall consult with the council of governments regarding requests submitted pursuant to paragraph (2) of subdivision (a). The department may seek advice and consult with the Demographic Research Unit of the Department of Finance, the State Department of Transportation, a representative of a contiguous council of governments, and any other party as deemed necessary. The department may request that the council of governments revise data, assumptions, or methodology to be used for the determination of regional housing need, or may reject the request submitted pursuant to paragraph (2) of subdivision (a). Subsequent to consultation with the council of governments, the department will respond in writing to requests submitted pursuant to paragraph (1) of subdivision (a).

(c) If the council of governments does not submit a request pursuant to subdivision (a), or if the department rejects the request of the council of governments, the determination for the region shall be made pursuant to Sections 65584 and 65584.01.

(Amended by Stats. 2008, Ch. 728, Sec. 9. Effective January 1, 2009.)

65584.03.

(a) At least 28 months prior to the scheduled housing element update required by Section 65588, at least two or more cities and a county, or counties, may form a subregional entity for the purpose of allocation of the subregion's existing and projected need for housing among its members in accordance with the allocation methodology established pursuant to Section 65584.04. The purpose of establishing a subregion shall be to recognize the community of interest and mutual challenges and opportunities for providing housing within a subregion. A subregion formed pursuant to this section may include a single county and each of the cities in that county or any other combination of geographically contiguous local governments and shall be approved by the adoption of a resolution by each of the local governments in the subregion as well as by the council of governments. All decisions of the subregion shall be approved by vote as provided for in rules adopted by the local governments comprising the subregion or shall be approved by vote of the county or counties, if any, and the majority of the cities with the majority of population within a county or counties.

(b) Upon formation of the subregional entity, the entity shall notify the council of governments of this formation. If the council of governments has not received notification from an eligible subregional entity at least 28 months prior to the scheduled housing element update required by Section 65588, the council of governments shall implement the provisions of Sections 65584 and 65584.04. The delegate subregion and the council of governments shall enter into an agreement that sets forth the process, timing, and other terms and conditions of the delegation of responsibility by the council of governments to the subregion.

(c) At least 25 months prior to the scheduled revision, the council of governments shall determine the share of regional housing need assigned to each delegate subregion. The share or shares allocated to the delegate subregion or subregions by a council of governments shall be in a proportion consistent with the distribution of households assumed for the comparable time period of the applicable regional transportation plan. Prior to allocating the regional housing needs to any delegate subregion or subregions, the council of governments shall hold at least one public hearing, and may consider requests for revision of the proposed allocation to a subregion. If a proposed revision is rejected, the council of governments shall respond with a written explanation of why the proposed revised share has not been accepted.

(d) Each delegate subregion shall fully allocate its share of the regional housing need to local governments within its subregion. If a delegate subregion fails to complete the regional housing need

allocation process among its member jurisdictions in a manner consistent with this article and with the delegation agreement between the subregion and the council of governments, the allocations to member jurisdictions shall be made by the council of governments.

(Added by Stats. 2004, Ch. 696, Sec. 6. Effective January 1, 2005.)

65584.04.

(a) At least two years before a scheduled revision required by Section 65588, each council of governments, or delegate subregion as applicable, shall develop, in consultation with the department, a proposed methodology for distributing the existing and projected regional housing need to cities, counties, and cities and counties within the region or within the subregion, where applicable pursuant to this section. The methodology shall further the objectives listed in subdivision (d) of Section 65584.

(b) (1) No more than six months before the development of a proposed methodology for distributing the existing and projected housing need, each council of governments shall survey each of its member jurisdictions to request, at a minimum, information regarding the factors listed in subdivision (e) that will allow the development of a methodology based upon the factors established in subdivision (e).

(2) With respect to the objective in paragraph (5) of subdivision (d) of Section 65584, the survey shall review and compile information that will allow the development of a methodology based upon the issues, strategies, and actions that are included, as available, in an Analysis of Impediments to Fair Housing Choice or an Assessment of Fair Housing completed by any city or county or the department that covers communities within the area served by the council of governments, and in housing elements adopted pursuant to this article by cities and counties within the area served by the council of governments.

(3) The council of governments shall seek to obtain the information in a manner and format that is comparable throughout the region and utilize readily available data to the extent possible.

(4) The information provided by a local government pursuant to this section shall be used, to the extent possible, by the council of governments, or delegate subregion as applicable, as source information for the methodology developed pursuant to this section. The survey shall state that none of the information received may be used as a basis for reducing the total housing need established for the region pursuant to Section 65584.01.

(5) If the council of governments fails to conduct a survey pursuant to this subdivision, a city, county, or city and county may submit information related to the items listed in subdivision (e) before the public comment period provided for in subdivision (d).

(c) The council of governments shall electronically report the results of the survey of fair housing issues, strategies, and actions compiled pursuant to paragraph (2) of subdivision (b). The report shall describe common themes and effective strategies employed by cities and counties within the area served by the council of governments, including common themes and effective strategies around avoiding the displacement of lower income households. The council of governments shall also identify significant barriers to affirmatively furthering fair housing at the regional level and may recommend strategies or actions to overcome those barriers. A council of governments or metropolitan planning organization, as appropriate, may use this information for any other purpose, including publication within a regional transportation plan adopted pursuant to Section 65080 or to inform the land use assumptions that are applied in the development of a regional transportation plan.

(d) Public participation and access shall be required in the development of the methodology and in the process of drafting and adoption of the allocation of the regional housing needs. Participation by organizations other than local jurisdictions and councils of governments shall be solicited in a diligent effort to achieve public participation of all economic segments of the community as well as members of protected classes under Section 12955. The proposed methodology, along with any relevant underlying

data and assumptions, an explanation of how information about local government conditions gathered pursuant to subdivision (b) has been used to develop the proposed methodology, how each of the factors listed in subdivision (e) is incorporated into the methodology, and how the proposed methodology furthers the objectives listed in subdivision (e) of Section 65584, shall be distributed to all cities, counties, any subregions, and members of the public who have made a written or electronic request for the proposed methodology and published on the council of governments', or delegate subregion's, internet website. The council of governments, or delegate subregion, as applicable, shall conduct at least one public hearing to receive oral and written comments on the proposed methodology.

(e) To the extent that sufficient data is available from local governments pursuant to subdivision (b) or other sources, each council of governments, or delegate subregion as applicable, shall include the following factors to develop the methodology that allocates regional housing needs:

(1) Each member jurisdiction's existing and projected jobs and housing relationship. This shall include an estimate based on readily available data on the number of low-wage jobs within the jurisdiction and how many housing units within the jurisdiction are affordable to low-wage workers as well as an estimate based on readily available data, of projected job growth and projected household growth by income level within each member jurisdiction during the planning period.

(2) The opportunities and constraints to development of additional housing in each member jurisdiction, including all of the following:

(A) Lack of capacity for sewer or water service due to federal or state laws, regulations or regulatory actions, or supply and distribution decisions made by a sewer or water service provider other than the local jurisdiction that preclude the jurisdiction from providing necessary infrastructure for additional development during the planning period.

(B) The availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, and opportunities for infill development and increased residential densities. The council of governments may not limit its consideration of suitable housing sites or land suitable for urban development to existing zoning ordinances and land use restrictions of a locality, but shall consider the potential for increased residential development under alternative zoning ordinances and land use restrictions. The determination of available land suitable for urban development may exclude lands where the Federal Emergency Management Agency (FEMA) or the Department of Water Resources has determined that the flood management infrastructure designed to protect that land is not adequate to avoid the risk of flooding.

(C) Lands preserved or protected from urban development under existing federal or state programs, or both, designed to protect open space, farmland, environmental habitats, and natural resources on a long-term basis, including land zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts conversion to nonagricultural uses.

(D) County policies to preserve prime agricultural land, as defined pursuant to Section 56064, within an unincorporated area and land within an unincorporated area zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of that jurisdiction that prohibits or restricts its conversion to nonagricultural uses.

(3) The distribution of household growth assumed for purposes of a comparable period of regional transportation plans and opportunities to maximize the use of public transportation and existing transportation infrastructure.

(4) Agreements between a county and cities in a county to direct growth toward incorporated areas of the county and land within an unincorporated area zoned or designated for agricultural protection or preservation that is subject to a local ballot measure that was approved by the voters of the jurisdiction that prohibits or restricts conversion to nonagricultural uses.

- (5) The loss of units contained in assisted housing developments, as defined in paragraph (9) of subdivision (a) of Section 65583, that changed to non-low-income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions.
- (6) The percentage of existing households at each of the income levels listed in subdivision (e) of Section 65584 that are paying more than 30 percent and more than 50 percent of their income in rent.
- (7) The rate of overcrowding.
- (8) The housing needs of farmworkers.
- (9) The housing needs generated by the presence of a private university or a campus of the California State University or the University of California within any member jurisdiction.
- (10) The housing needs of individuals and families experiencing homelessness. If a council of governments has surveyed each of its member jurisdictions pursuant to subdivision (b) on or before January 1, 2020, this paragraph shall apply only to the development of methodologies for the seventh and subsequent revisions of the housing element.
- (11) The loss of units during a state of emergency that was declared by the Governor pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2), during the planning period immediately preceding the relevant revision pursuant to Section 65588 that have yet to be rebuilt or replaced at the time of the analysis.
- (12) The region's greenhouse gas emissions targets provided by the State Air Resources Board pursuant to Section 65080.
- (13) Any other factors adopted by the council of governments, that further the objectives listed in subdivision (d) of Section 65584, provided that the council of governments specifies which of the objectives each additional factor is necessary to further. The council of governments may include additional factors unrelated to furthering the objectives listed in subdivision (d) of Section 65584 so long as the additional factors do not undermine the objectives listed in subdivision (d) of Section 65584 and are applied equally across all household income levels as described in subdivision (f) of Section 65584 and the council of governments makes a finding that the factor is necessary to address significant health and safety conditions.
- (f) The council of governments, or delegate subregion, as applicable, shall explain in writing how each of the factors described in subdivision (e) was incorporated into the methodology and how the methodology furthers the objectives listed in subdivision (d) of Section 65584. The methodology may include numerical weighting. This information, and any other supporting materials used in determining the methodology, shall be posted on the council of governments', or delegate subregion's, internet website.
- (g) The following criteria shall not be a justification for a determination or a reduction in a jurisdiction's share of the regional housing need:
- (1) Any ordinance, policy, voter-approved measure, or standard of a city or county that directly or indirectly limits the number of residential building permits issued by a city or county.
 - (2) Prior underproduction of housing in a city or county from the previous regional housing need allocation, as determined by each jurisdiction's annual production report submitted pursuant to subparagraph (H) of paragraph (2) of subdivision (a) of Section 65400.
 - (3) Stable population numbers in a city or county from the previous regional housing needs cycle.
- (h) Following the conclusion of the public comment period described in subdivision (d) on the proposed allocation methodology, and after making any revisions deemed appropriate by the council of governments, or delegate subregion, as applicable, as a result of comments received during the public comment period, and as a result of consultation with the department, each council of governments, or delegate subregion, as applicable, shall publish a draft allocation methodology on its internet website and submit the draft allocation methodology, along with the information required pursuant to subdivision (e), to the department.

(i) Within 60 days, the department shall review the draft allocation methodology and report its written findings to the council of governments, or delegate subregion, as applicable. In its written findings the department shall determine whether the methodology furthers the objectives listed in subdivision (d) of Section 65584. If the department determines that the methodology is not consistent with subdivision (d) of Section 65584, the council of governments, or delegate subregion, as applicable, shall take one of the following actions:

(1) Revise the methodology to further the objectives listed in subdivision (d) of Section 65584 and adopt a final regional, or subregional, housing need allocation methodology.

(2) Adopt the regional, or subregional, housing need allocation methodology without revisions and include within its resolution of adoption findings, supported by substantial evidence, as to why the council of governments, or delegate subregion, believes that the methodology furthers the objectives listed in subdivision (d) of Section 65584 despite the findings of the department.

(j) If the department's findings are not available within the time limits set by subdivision (i), the council of governments, or delegate subregion, may act without them.

(k) Upon either action pursuant to subdivision (i), the council of governments, or delegate subregion, shall provide notice of the adoption of the methodology to the jurisdictions within the region, or delegate subregion, as applicable, and to the department, and shall publish the adopted allocation methodology, along with its resolution and any adopted written findings, on its internet website.

(l) The department may, within 90 days, review the adopted methodology and report its findings to the council of governments, or delegate subregion.

(m) (1) It is the intent of the Legislature that housing planning be coordinated and integrated with the regional transportation plan. To achieve this goal, the allocation plan shall allocate housing units within the region consistent with the development pattern included in the sustainable communities strategy.

(2) The final allocation plan shall ensure that the total regional housing need, by income category, as determined under Section 65584, is maintained, and that each jurisdiction in the region receive an allocation of units for low- and very low income households.

(3) The resolution approving the final housing need allocation plan shall demonstrate that the plan is consistent with the sustainable communities strategy in the regional transportation plan and furthers the objectives listed in subdivision (d) of Section 65584.

(Amended (as amended by Stats. 2018, Ch. 990, Sec. 3.7) by Stats. 2019, Ch. 335, Sec. 4. (AB 139) Effective January 1, 2020.)

[65584.05.](#)

(a) At least one and one-half years before the scheduled revision required by Section 65588, each council of governments and delegate subregion, as applicable, shall distribute a draft allocation of regional housing needs to each local government in the region or subregion, where applicable, and the department, based on the methodology adopted pursuant to Section 65584.04 and shall publish the draft allocation on its internet website. The draft allocation shall include the underlying data and methodology on which the allocation is based, and a statement as to how it furthers the objectives listed in subdivision (d) of Section 65584. It is the intent of the Legislature that the draft allocation should be distributed before the completion of the update of the applicable regional transportation plan. The draft allocation shall distribute to localities and subregions, if any, within the region the entire regional housing need determined pursuant to Section 65584.01 or within subregions, as applicable, the subregion's entire share of the regional housing need determined pursuant to Section 65584.03.

(b) Within 45 days following receipt of the draft allocation, a local government within the region or the delegate subregion, as applicable, or the department may appeal to the council of governments or the delegate subregion for a revision of the share of the regional housing need proposed to be allocated to

one or more local governments. Appeals shall be based upon comparable data available for all affected jurisdictions and accepted planning methodology, and supported by adequate documentation, and shall include a statement as to why the revision is necessary to further the intent of the objectives listed in subdivision (d) of Section 65584. An appeal pursuant to this subdivision shall be consistent with, and not to the detriment of, the development pattern in an applicable sustainable communities strategy developed pursuant to paragraph (2) of subdivision (b) of Section 65080. Appeals shall be limited to any of the following circumstances:

(1) The council of governments or delegate subregion, as applicable, failed to adequately consider the information submitted pursuant to subdivision (b) of Section 65584.04.

(2) The council of governments or delegate subregion, as applicable, failed to determine the share of the regional housing need in accordance with the information described in, and the methodology established pursuant to, Section 65584.04, and in a manner that furthers, and does not undermine, the intent of the objectives listed in subdivision (d) of Section 65584.

(3) A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted pursuant to subdivision (b) of Section 65584.04. Appeals on this basis shall only be made by the jurisdiction or jurisdictions where the change in circumstances has occurred.

(c) At the close of the period for filing appeals pursuant to subdivision (b), the council of governments or delegate subregion, as applicable, shall notify all other local governments within the region or delegate subregion and the department of all appeals and shall make all materials submitted in support of each appeal available on a publicly available internet website. Local governments and the department may, within 45 days, comment on one or more appeals. If no appeals are filed, the draft allocation shall be issued as the proposed final allocation plan pursuant to paragraph (2) of subdivision (e).

(d) No later than 30 days after the close of the comment period, and after providing all local governments within the region or delegate subregion, as applicable, at least 21 days prior notice, the council of governments or delegate subregion shall conduct one public hearing to consider all appeals filed pursuant to subdivision (b) and all comments received pursuant to subdivision (c).

(e) No later than 45 days after the public hearing pursuant to subdivision (d), the council of governments or delegate subregion, as applicable, shall do both of the following:

(1) Make a final determination that either accepts, rejects, or modifies each appeal for a revised share filed pursuant to subdivision (b). Final determinations shall be based upon the information and methodology described in Section 65584.04 and whether the revision is necessary to further the objectives listed in subdivision (d) of Section 65584. The final determination shall be in writing and shall include written findings as to how the determination is consistent with this article. The final determination on an appeal may require the council of governments or delegate subregion, as applicable, to adjust the share of the regional housing need allocated to one or more local governments that are not the subject of an appeal.

(2) Issue a proposed final allocation plan.

(f) In the proposed final allocation plan, the council of governments or delegate subregion, as applicable, shall adjust allocations to local governments based upon the results of the appeals process. If the adjustments total 7 percent or less of the regional housing need determined pursuant to Section 65584.01, or, as applicable, total 7 percent or less of the subregion's share of the regional housing need as determined pursuant to Section 65584.03, then the council of governments or delegate subregion, as applicable, shall distribute the adjustments proportionally to all local governments. If the adjustments total more than 7 percent of the regional housing need, then the council of governments or delegate subregion, as applicable, shall develop a methodology to distribute the amount greater than the 7 percent to local governments. The total distribution of housing need shall not equal less than the regional housing need, as determined pursuant to Section 65584.01, nor shall the subregional

distribution of housing need equal less than its share of the regional housing need as determined pursuant to Section 65584.03.

(g) Within 45 days after the issuance of the proposed final allocation plan by the council of governments and each delegate subregion, as applicable, the council of governments shall hold a public hearing to adopt a final allocation plan. To the extent that the final allocation plan fully allocates the regional share of statewide housing need, as determined pursuant to Section 65584.01 and has taken into account all appeals, the council of governments shall have final authority to determine the distribution of the region's existing and projected housing need as determined pursuant to Section 65584.01. The council of governments shall submit its final allocation plan to the department within three days of adoption. Within 30 days after the department's receipt of the final allocation plan adopted by the council of governments, the department shall determine if the final allocation plan is consistent with the existing and projected housing need for the region, as determined pursuant to Section 65584.01. The department may revise the determination of the council of governments if necessary to obtain this consistency.

(h) Any authority of the council of governments to review and revise the share of a city or county of the regional housing need under this section shall not constitute authority to revise, approve, or disapprove the manner in which the share of the city or county of the regional housing need is implemented through its housing program.

(i) Any time period in subdivision (d) or (e) may be extended by a council of governments or delegate subregion, as applicable, for up to 30 days.

(j) The San Diego Association of Governments may follow the process in this section for the draft and final allocation plan for the sixth revision of the housing element notwithstanding such actions being carried out before the adoption of an updated regional transportation plan and sustainable communities strategy.

(Amended by Stats. 2019, Ch. 634, Sec. 4. (AB 1730) Effective January 1, 2020.)

APPENDIX 2

ABAG RHNA Summary of Local Jurisdiction Survey Results

REGIONAL HOUSING NEEDS ALLOCATION



TO: Housing Methodology Committee
 FR: Deputy Executive Director, Policy
 RE: Summary of Local Jurisdiction Survey Results

DATE: March 12, 2020

Overview

Housing Element Law requires each Council of Government (COG) to survey its member jurisdictions during the Regional Housing Needs Allocation (RHNA) process to gather information on factors that must be considered for inclusion in the methodology.¹ Recent legislation also requires ABAG to collect information on jurisdictions' fair housing issues and strategies for achieving fair housing goals.² ABAG staff presented the Housing Methodology Committee (HMC) with a draft of the survey in November 2019. Staff revised the survey to incorporate feedback from HMC members, local jurisdiction staff, and other stakeholders, and the ABAG Regional Planning Committee approved the survey in December 2019. The survey became available online on January 8, 2020. A survey link was emailed to city managers, county administrators, community development and planning directors, and housing staff in all 109 ABAG jurisdictions. The deadline for completing the survey was February 5, 2020, at which point ABAG received 71 responses, a response rate of 65%. Table 1 shows the response rates for each of the nine Bay Area counties.

Table 1. Local jurisdictions survey response rate by county.

County	Responses	Response Rate
Alameda	9	60%
Contra Costa	14	70%
Marin	8	73%
Napa	3	50%
San Francisco	1	100%
San Mateo	14	67%
Santa Clara	13	81%
Solano	4	50%
Sonoma	6	60%

Survey Responses

The survey consisted of 53 questions in two sections. This memo summarizes the responses to the first section, which contained questions related to the statutory housing and land use factors. This section included 36 questions divided into four topics: Relationship Between Jobs and Housing, Housing Opportunities and Constraints, Housing Affordability and Overcrowding, and Housing Demand. ABAG Staff will present responses for the second section of the survey, which focused on fair housing issues, goals, and actions, at a future HMC meeting.

¹ See State of California [Government Code Section 65584.04\(b\)\(1\)](#).

² See State of California [Government Code Section 65584.04\(b\)\(2\)](#).

Topic 1: Relationship Between Jobs and Housing

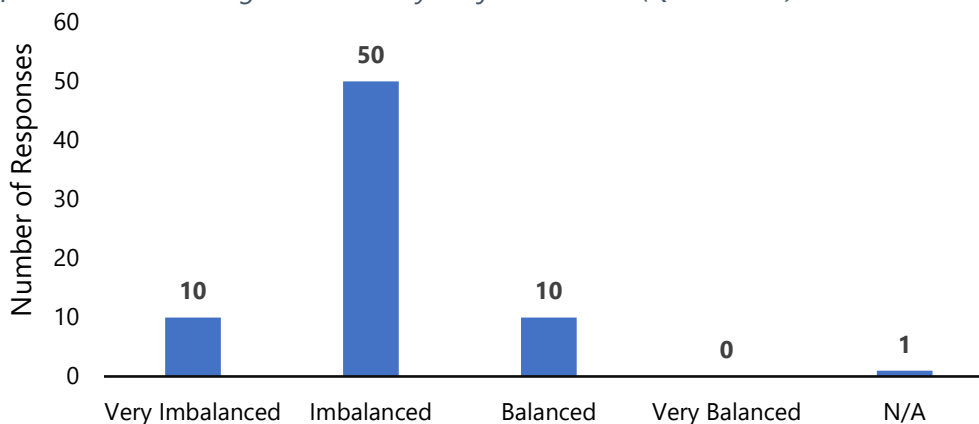
The six questions in this topic area centered on jurisdictions' issues related to jobs-housing fit, which measures the relationship between a jurisdiction's low-wage jobs and homes affordable to low-wage workers. The first question presented each jurisdiction's jobs-housing fit ratio and included a data visualization comparing a jurisdiction's jobs-housing fit ratio to other jurisdictions throughout the region. Respondents were asked to reflect on the jobs-housing fit in their community using both their own perceptions and the data provided. Additionally, respondents had the opportunity to consider the impacts of this balance or imbalance, and they could comment on what strategies might be helpful for addressing issues related to an imbalance between low-wage workers and affordable housing.

Key Takeaways from Respondents' Comments

Suggestions for measuring jobs-housing fit: Several jurisdictions commented the rent threshold the survey used for units affordable to low-wage workers excludes many of the deed-restricted affordable units that currently exist in their communities or are in the development pipeline. Multiple respondents provided data on the number of deed-restricted affordable units in their jurisdictions. It is worth noting that, for the jobs-housing fit factor presented to the HMC for the March 2020 meeting, the thresholds for low-wage jobs and low-cost rental units were set higher than the values used for the survey.³ However, staff and the HMC will take these survey comments into account when deciding how to define the jobs-housing fit ratio and what data sources to use if this factor is selected for the RHNA methodology.

Imbalance between low-wage jobs and affordable housing in the region: 60 jurisdictions (85%) stated the ratio between low-wage jobs and affordable homes in their jurisdiction is imbalanced or very imbalanced, while only 10 (14%) indicated their jurisdiction is balanced (see Figure 1). Responses varied by county, as no jurisdictions in Marin, San Mateo, or Santa Clara Counties reported a balance in their jobs-housing fit ratios. These same counties also contained all of the jurisdictions who stated their jobs-housing fit ratio is very imbalanced.

Figure 2. How would you rate the balance between low-wage jobs and the number of homes affordable to low-wage workers in your jurisdiction? (Question 2)

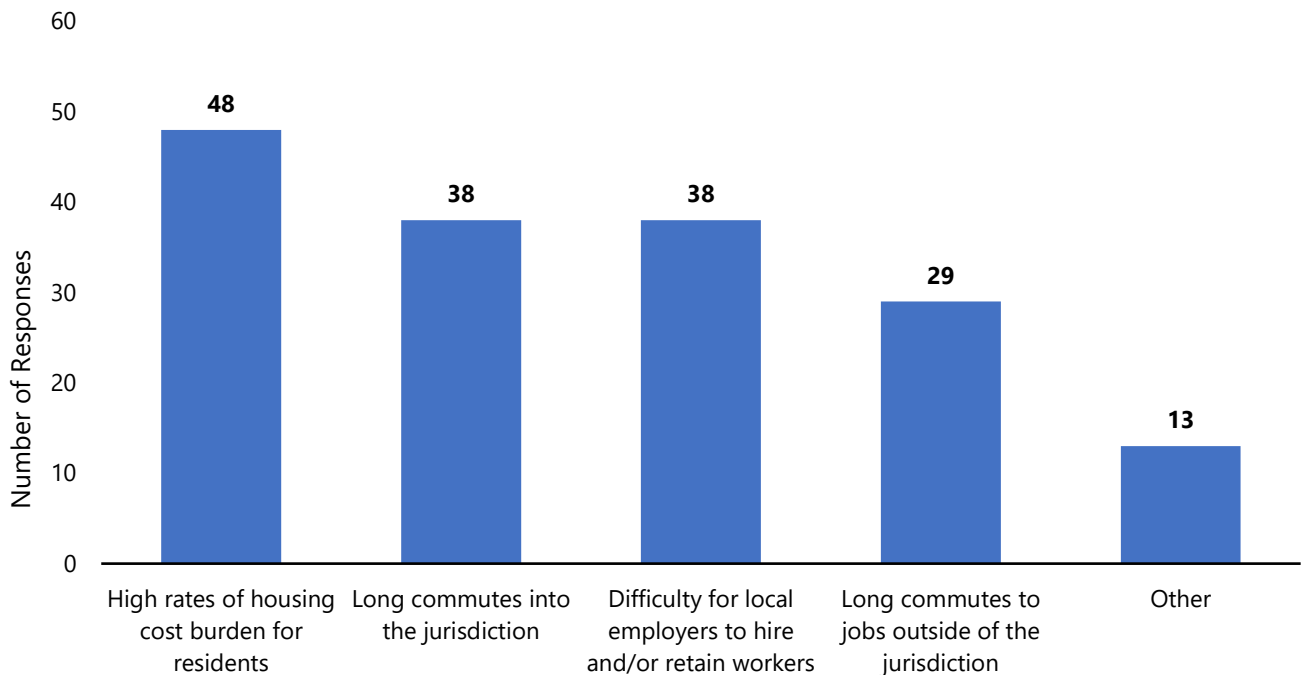


³ For the proposed jobs-housing fit factor, the threshold for a low-wage job is set at \$3,333 per month and low-cost rental units are defined as those renting for less than \$1,500 per month.

Reasons for imbalance in local jobs-housing fit ratio: Respondents mentioned a lack of rental housing, state policy limiting deed restrictions for ADUs, high land prices, a lack of land available for development, and limited resources for producing affordable housing due to the end of redevelopment agencies as reasons for the jobs-housing fit imbalance. Multiple jurisdictions noted that, while their jobs-housing fit ratio suggested an imbalance, it was comparable to many other jurisdictions in the region, suggesting a broader regional problem. Lastly, some respondents noted potential for future improvements in their jobs-housing fit ratio based on recent rent stabilization policies, ongoing ADU production, or affordable housing units in the development pipeline.

Impacts of imbalance in local jobs-housing fit ratio: Jurisdictions indicated that the most common impact of an imbalance between low-wage workers and affordable housing is high housing cost burden for residents (see Figure 2). The majority of respondents also noted impacts on employers and workers in their jurisdictions, with 38 respondents (53%) stating that the imbalance between low-wage workers and affordable housing results in long commutes into the jurisdiction and hinders employers’ ability to hire or retain workers. Beyond the options listed on the survey, respondents wrote that displacement and overcrowding are also local issues related to an imbalance in jobs-housing fit.

Figure 2. Which of the following impacts does the balance or imbalance of low-wage workers to homes affordable to low-wage workers have on your jurisdiction? (Question 4)



Usefulness of jobs-housing fit data: 51% of respondents indicated their jurisdiction uses jobs-housing fit data to inform policy decisions, including:

- Updating Housing Elements, General Plans, and other long-range plans
- Revising land use policies, such as industrial zoning
- Approving development projects

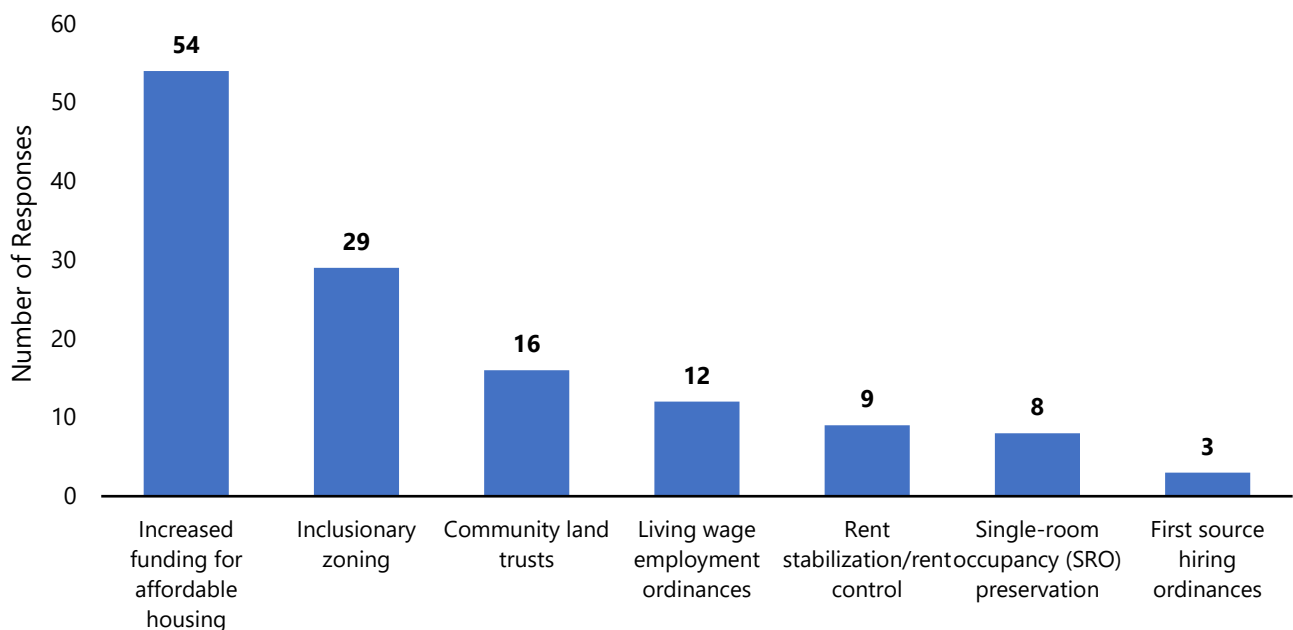
- Recruiting new businesses
- Designing affordable housing policies such as inclusionary zoning, commercial linkage fees, and rent stabilization

Jurisdictions that do not use jobs-housing fit data explained why this data is not as relevant to their communities. Some noted a jobs-housing balance metric is more useful, particularly in communities where there is more housing relative to jobs. Others noted that more data collection is needed to examine jobs-housing fit issues in their jurisdiction. Lastly, some felt other data are more relevant for housing affordability issues, such as comparing overall housing cost and wage data. The HMC can take these comments into account when considering jobs-housing fit as a factor in the RHNA methodology. The survey results indicate using jobs-housing fit as a RHNA factor would align with policymaking in many jurisdictions, but there are also other data sources that could potentially be a factor for the relationship between jobs, housing, and affordability.

Strategies for addressing jobs-housing fit imbalance: Jurisdictions focused on policies to produce and preserve affordable housing to address a jobs-housing fit imbalance (see Figure 3). Increased funding for affordable housing received the most support from respondents (76%) followed by inclusionary zoning (41%) and community land trusts (23%). Beyond the options listed on the survey, jurisdictions commented that they support the following strategies:

- Policies to encourage production of ADUs and allow for rent-restrictions in ADUs
- Increased housing density
- Policies to incentivize affordable housing production, such as density bonuses
- Funding to acquire and preserve affordable housing that currently exists on the market without subsidy

Figure 3. If your jurisdiction experiences an imbalance in the jobs-housing fit for low-wage workers, which of the following policies, programs, or strategies would be most helpful for your jurisdiction to implement to help address this imbalance? (Question 6)



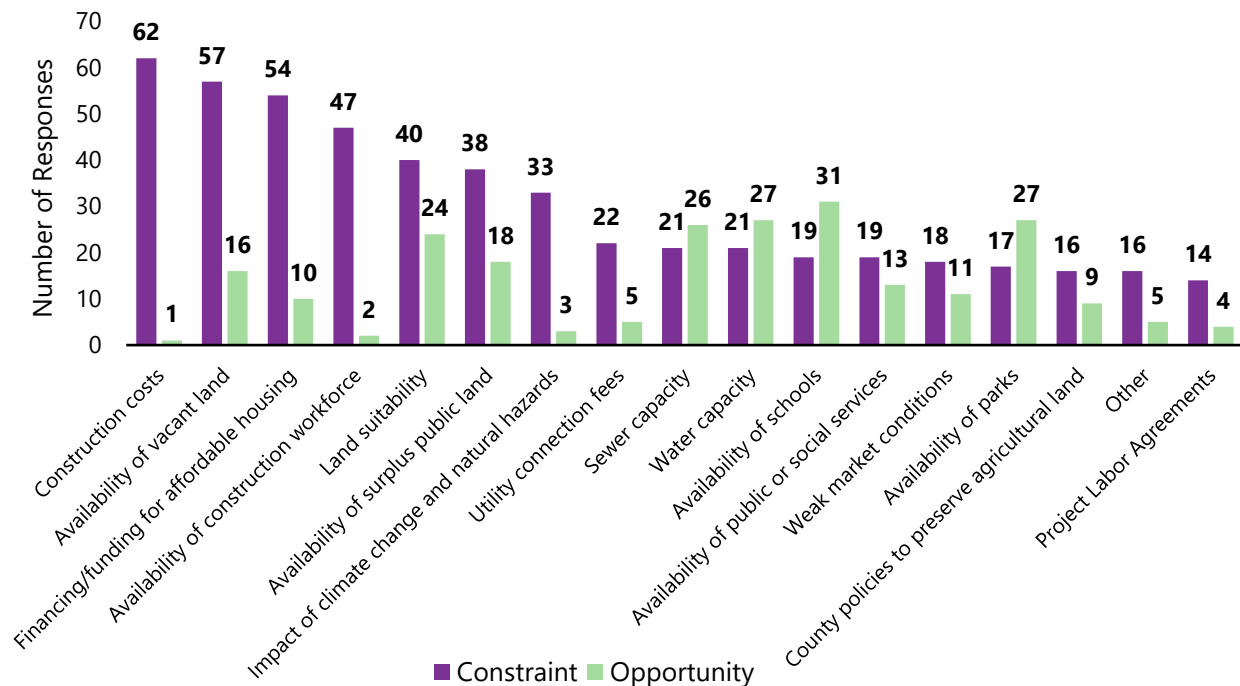
Topic 2: Relationship Between Jobs and Housing

The seven questions within this topic area focused on factors within jurisdictions that create opportunities or constraints for developing more housing. These questions also focus specifically on opportunities and constraints for encouraging jobs and housing near transit, developing housing near job centers, and minimizing greenhouse gas emissions.

Key Takeaways from Respondents' Comments

Opportunities and constraints for developing housing: Jurisdictions' constraints for developing new housing centered on issues related to costs and land. Nearly all respondents (87%) cited construction costs as a constraint (see Figure 4). Other constraints reported by more than 50% of jurisdictions were the availability of vacant land, funding for affordable housing, availability of construction workforce, land suitability, and availability of surplus public land. There was less of a regional consensus around opportunities for developing housing, with no single factor being cited as an opportunity by most respondents. Factors considered to be opportunities related largely to infrastructure and community amenities, with the most common opportunities being the availability of schools, availability of parks, water capacity, and sewer capacity. These four factors were also the only factors listed more commonly as opportunities than as constraints.

Figure 4. Which of the following apply to your jurisdiction as either an opportunity or a constraint for development of additional housing by 2030? (Question 7)



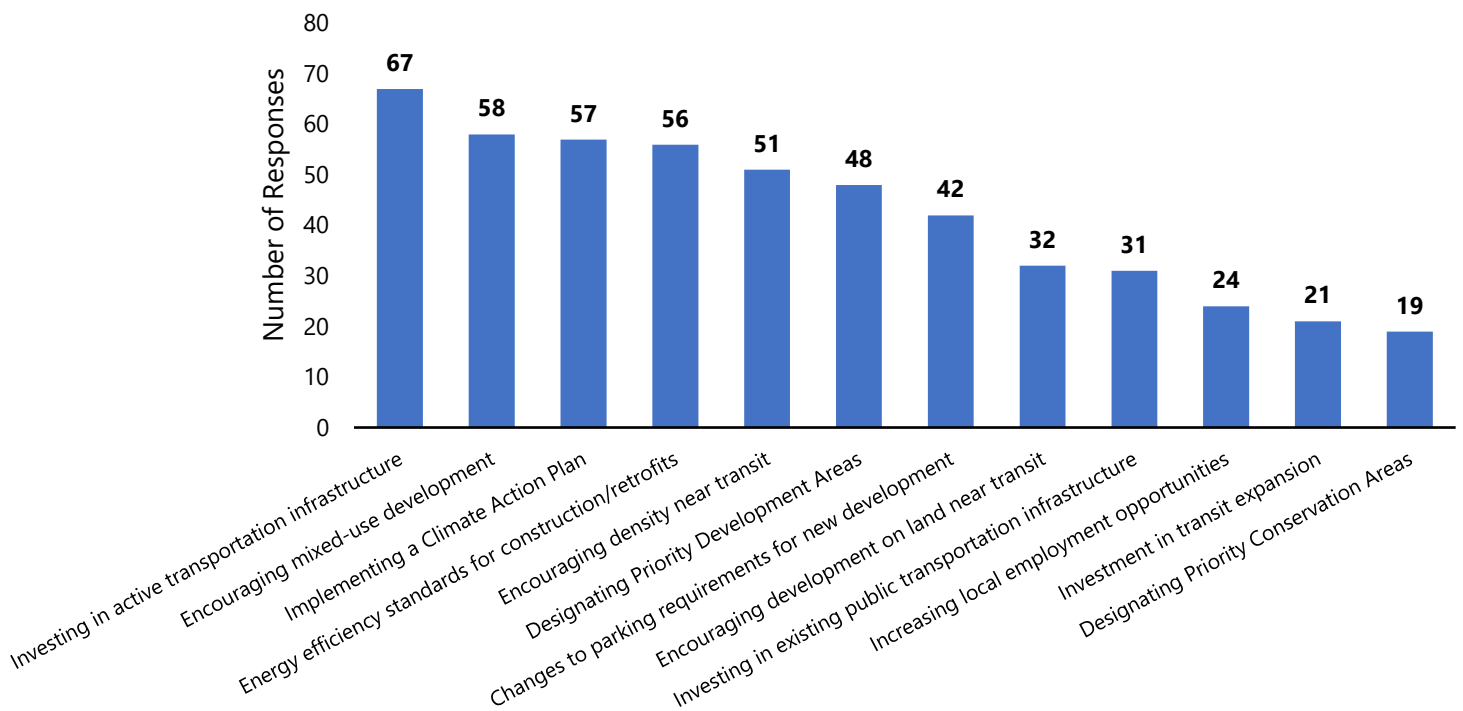
Opportunities and constraints for encouraging housing near transit and jobs: 57

jurisdictions (80%) stated they encounter opportunities or constraints in encouraging jobs and housing near existing transportation infrastructure, while 50 (70%) reported having opportunities or constraints for encouraging housing near job centers. In their responses to these questions, jurisdictions reported a mix of both opportunities and constraints for developing housing near

jobs and transit, with some respondents noting that both opportunities and constraints exist simultaneously in their jurisdictions. Jurisdictions in Alameda, Contra Costa, Marin, Napa, and San Mateo counties noted that specific plans for areas around bus and rail transit centers provide opportunities for greater density and mixed-use development near transportation infrastructure, which can encourage housing near jobs and transit. Similarly, jurisdictions in Santa Clara County discussed how rezoning efforts near job centers can create opportunities for more housing near jobs. Some of the obstacles listed by jurisdictions echo what was mentioned in the previous questions related to opportunities and constraints for developing housing in general: limited vacant land, high construction costs, and construction labor shortage. Additionally, jurisdictions throughout the region stated that a lack of existing transit service prevents them from encouraging jobs and housing near public transportation infrastructure. Likewise, respondents across the region also noted that their jurisdictions lack job centers, which prevents them from locating housing near jobs. Lastly, some jurisdictions noted that while they do have job centers, the land near these jobs is not zoned to allow for residential construction.

Strategies for reducing greenhouse gas (GHG) emissions: Seven of the policies listed in this question have been adopted by a majority of respondents. The most widespread strategy (94% of respondents) is investing in active transportation infrastructure to support biking and walking (see Figure 5). Other popular strategies for reducing GHG emissions include encouraging mixed-use development and density near transit, adopting energy efficiency standards for new construction, designating Priority Development Areas, and changing parking requirements. This information could potentially assist staff and the HMC in designing a RHNA methodology that satisfies the statutory objective to encourage efficient development patterns and achieve GHG reduction targets.

Figure 5. What land use policies or strategies has your jurisdiction implemented to minimize greenhouse gas emissions? (Question 13)



Topic 3: Housing Affordability and Overcrowding

The eight questions within this topic area discussed issues jurisdictions face related to high housing costs, data jurisdictions use to assess these issues, and barriers that jurisdictions face in meeting their RHNA targets for lower-income households.

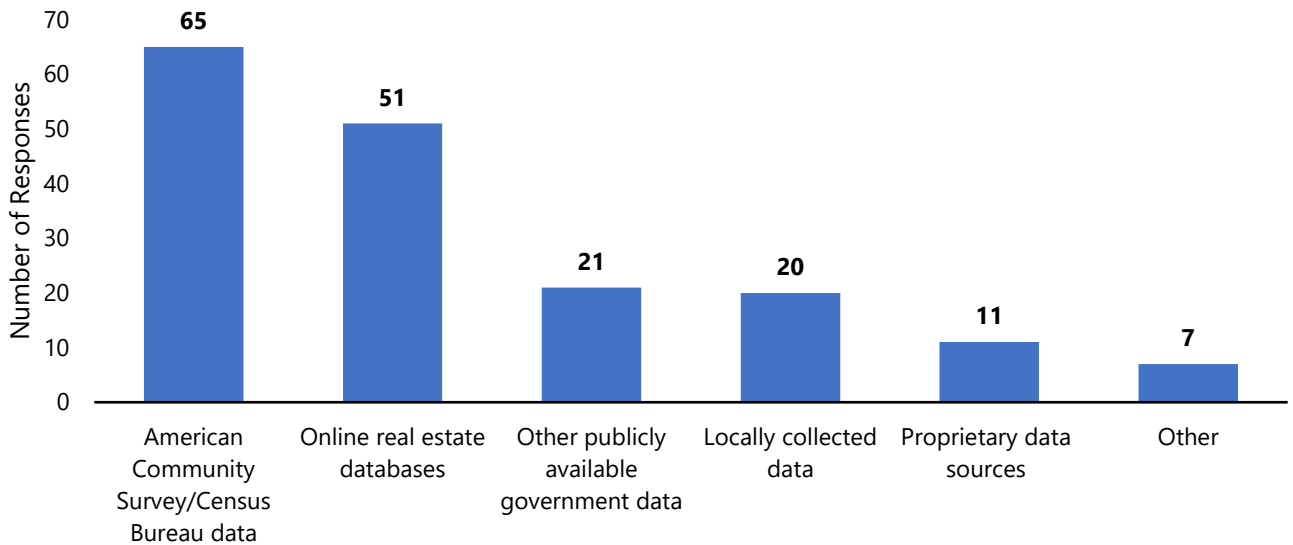
Key Takeaways from Respondents' Comments

Policymaking related to housing costs and overcrowding: 51 respondents (72%) have considered impacts of housing costs and high rates of rent burden⁴ on residents. However, only 33 respondents (46%) stated they have considered the impacts of overcrowding on residents. Specifically, jurisdictions noted they examine issues related to housing costs and overcrowding when updating their Housing Elements, completing Consolidated Planning processes required by HUD, and creating affordable housing policies such as inclusionary zoning and rent stabilization.

Data collection on housing costs and homelessness: Jurisdictions largely rely on Census Bureau data (65 respondents, 92%) and online real estate databases, such as Zillow or Trulia (51 respondents, 72%), to examine housing costs (see Figure 6). 30% of jurisdictions reported using publicly available data sources in addition to Census Bureau data, which included the county assessor's database, California Department of Finance data, HUD's CHAS dataset, and data provided by ABAG. Approximately 30% of respondents also reported using locally collected data such as building permit records, local rental registries, and local surveys of landlords, apartment communities, and first-time homebuyers. Lastly, about 15% of respondents use proprietary data sources to examine housing costs, which include products like CoStar, RealQuest, DataQuick, and Axiometrics. The vast majority of respondents noted that housing costs in their jurisdiction are increasing. However, a few jurisdictions stated that prices have been stabilizing in the past year after increasing sharply in recent years, while two jurisdictions reported that rental prices declined in the past year. Also, a few jurisdictions stated that prices of for-sale homes have leveled off while rents continue to rise. In terms of data collection on homelessness, 40 respondents (56%) indicated their jurisdictions collect data on the occurrence of homelessness within their boundaries. Nearly all these jurisdictions noted their data collection on homelessness is a part of bi-annual countywide efforts related to the Point-in-Time counts required by HUD.

⁴ HUD defines households as rent-burdened if they spend more than 30% of their income on rent. For more information on this measure, see https://www.huduser.gov/portal/pdredge/pdr_edge_featd_article_092214.html.

Figure 6. What data sources does your jurisdiction use to examine local trends in housing costs? (Question 16)



Barriers to meeting lower-income RHNA goals: The most common barriers to affordable housing production identified by survey respondents were gap financing and land availability. Both of these obstacles were selected by 50 respondents (70%), while no other barrier was selected by the majority of respondents (see Figure 7). Other barriers identified by respondents were similar to factors mentioned in earlier questions related to obstacles to housing development generally, such as construction costs and high prices for land, materials, and labor. Respondents also mentioned a lack of funding and staff resources for the implementation of affordable housing programs, particularly due to the dissolution of redevelopment agencies.

Additionally, 20 respondents provided an estimate for how many affordable units could be built in their jurisdictions if ample gap financing was available. In total, these 20 jurisdictions estimated that 12,000 units of housing affordable to low- and very low-income households could be built if they had the necessary funding. Similarly, multiple jurisdictions stated that they would be able to accommodate their entire low- and very low-income RHNA if given the gap financing to enable construction of these affordable units. Jurisdictions' estimates for the funding needed to build these units ranged from \$200,000 to \$500,000 per unit.

Similarly, jurisdictions indicated financing for constructing new affordable housing was the support they would most desire from the Bay Area Housing Finance Authority, with 65 jurisdictions (92%) selecting this option (see Figure 8). Financing for preservation of both subsidized affordable housing and affordable housing that exists on the market without subsidy were the next most popular options for financial support from BAHFA. Most jurisdictions also noted they would like technical assistance with complying with HCD's pro-housing designation and other state regulations, as well technical assistance for Housing Element outreach. ABAG staff may be able use the information provided from local jurisdictions for designing the technical assistance programs that will be provided as part of the Regional Early Action Planning grants program.

Figure 7. What are the primary barriers or gaps your jurisdiction faces in meeting its RHNA goals for producing housing affordable to very low- and low-income households? (Question 19)

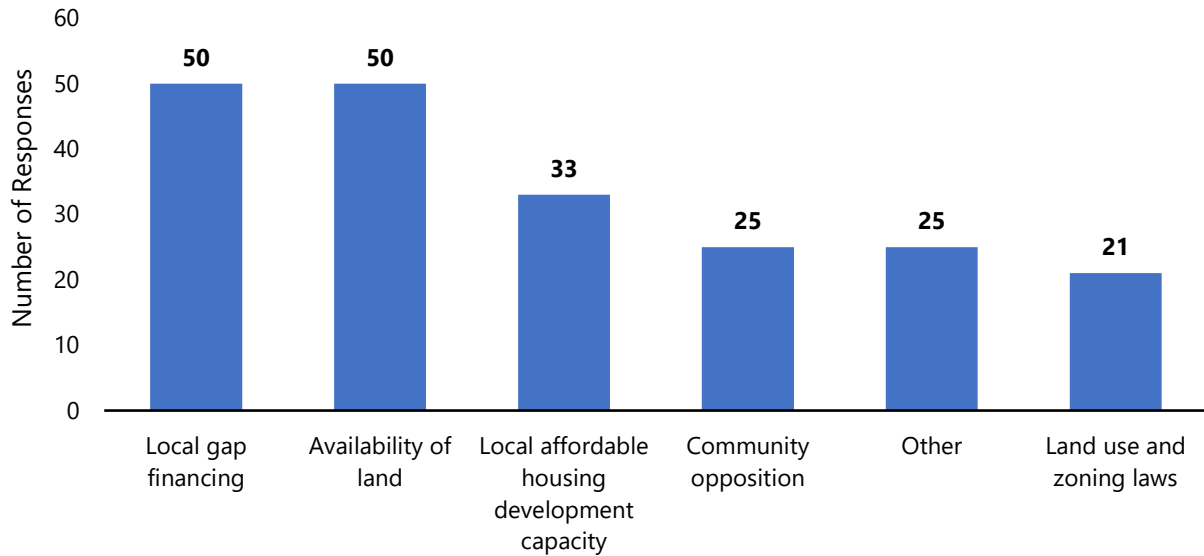
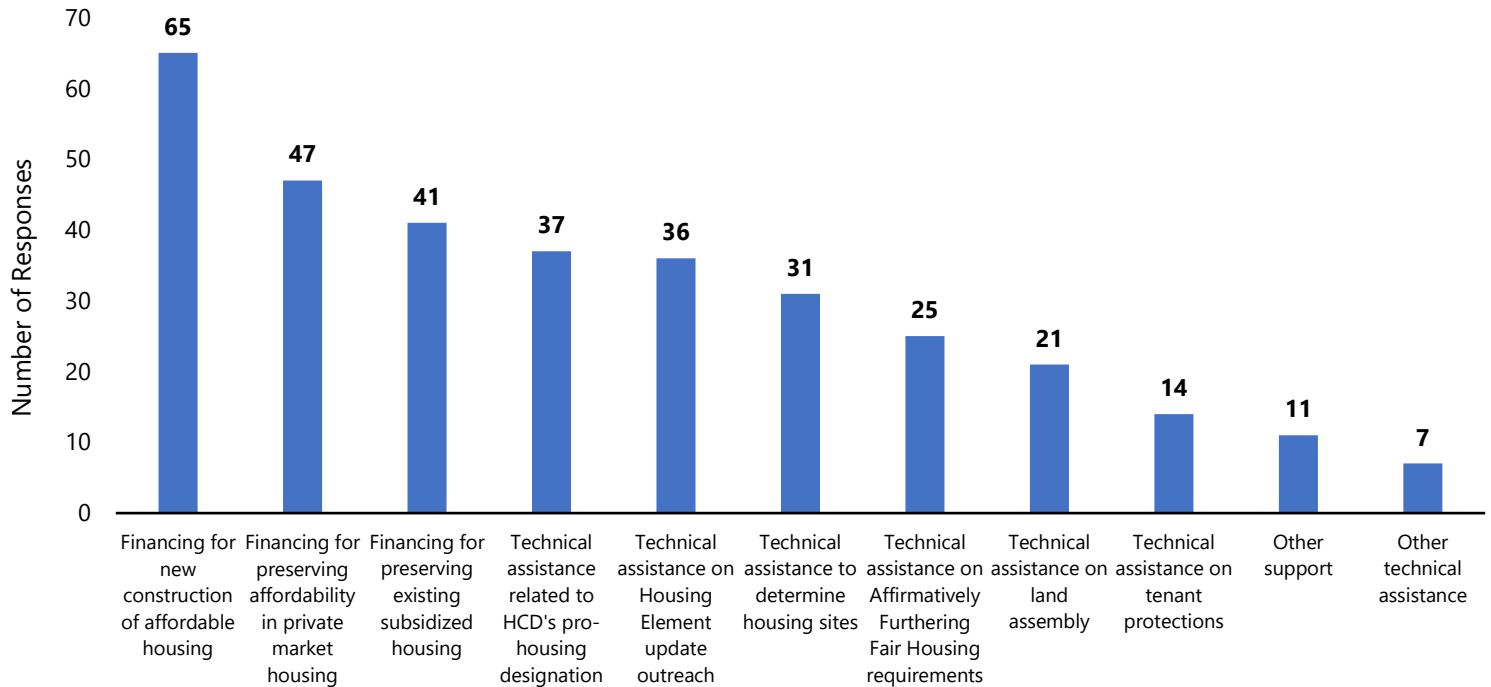


Figure 8. What types of support would your jurisdiction like to see the Bay Area Housing Finance Authority (BAHFA) provide to help your jurisdiction meet its RHNA goals and comply with the requirement to affirmatively further fair housing? (Question 21)



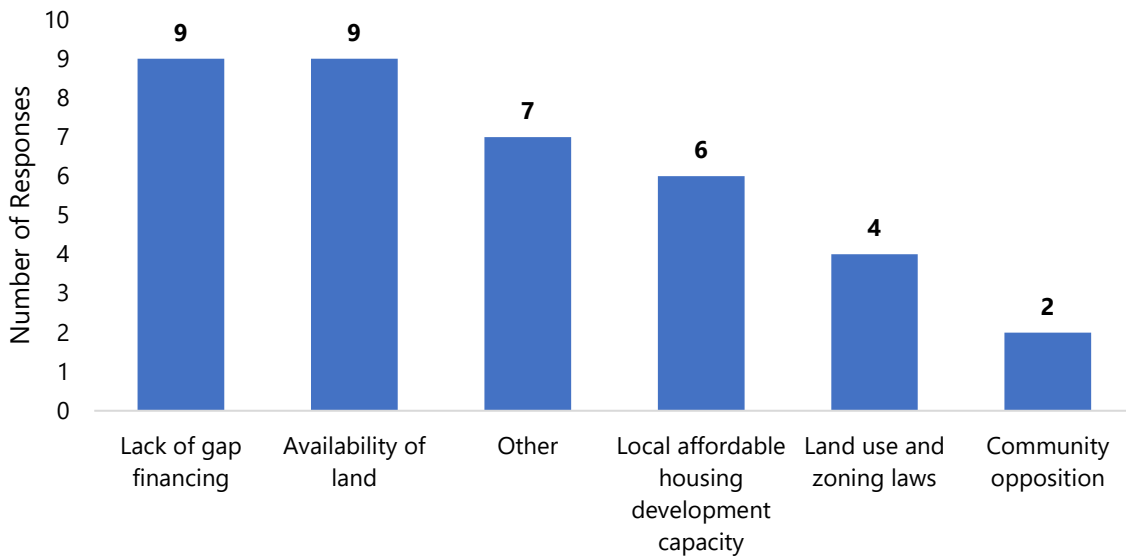
Topic 4: Housing Demand

The 15 questions within this topic area focused on demand for housing created in jurisdictions by farmworkers, nearby postsecondary educational institutions, the loss of subsidized housing units due to expiring affordability contracts, and state-declared emergencies.

Key Takeaways from Respondents' Comments

Housing needs for the region's farmworkers: Only 16 respondents (23%) identified a need for farmworker housing in a typical year. Of those, six provided an estimate of local housing need for farmworkers, which totaled approximately 5,000 units. Data sources for estimates included interviews with farmworkers and farm owners, the USDA Census of Agriculture, Napa County Farmworker Housing Needs Assessment, Santa Clara County Planning Department survey, and the California Employment Development Department. The most common barriers to meeting demand for farmworker housing are similar to barriers to developing affordable housing generally. Among the 16 respondents with a need for farmworker housing, the most common barriers are a lack of financing and limited availability of land (see Figure 9).

Figure 9. If your jurisdiction is not currently meeting the demand for farmworker housing, what are the main reasons for this unmet demand?? (Question 24)



Housing demand created by postsecondary educational institutions: Responses to questions about housing demand created by postsecondary educational institutions indicate a need for better data collection on this issue. Only 8 respondents (11%) were able to provide an estimate for this housing need. Several more jurisdictions indicated there is significant housing demand created by nearby postsecondary educational institutions, but the number of housing units needed to meet this demand is unknown. The three jurisdictions that were able to estimate the housing demand created by postsecondary educational institutions stated that the data for their estimates came from surveys conducted by these institutions, but several more jurisdictions indicated they have not been able to obtain this information from local colleges and universities.

Loss of subsidized affordable housing: 19 respondents (27%) stated their jurisdictions had lost subsidized affordable housing units in the past 10 years due to expiring affordability contracts or other issues facing at-risk affordable housing units. Most of the data for these responses came from internal sources. Jurisdictions noted their awareness of affordable housing built with redevelopment funds that converted to market-rate due to expiring regulatory agreements, and

respondents also stated they were aware of below-market-rate units built through inclusionary housing programs that had lapsing affordability requirements.

A larger number of respondents expected to lose affordable housing units in the next 10 years, with 23 respondents (32%) noting that they anticipated these future losses. These respondents also referred to internal city records that indicated the pending expiration of regulatory agreements. Notably, one jurisdiction stated that 68% of existing below-market-rate rental units in its Below Market Rate Housing Program are set to expire in 10 years. Additionally, another respondent commented that the number of affordable units owned by for-profit owners in their jurisdiction is high according to research by the California Housing Partnership, which indicates a high risk for losing these affordable units in the future.⁵ These survey responses indicate that helping cities prevent the loss of affordable housing because of expiring affordability requirements could be a potential focus of ABAG's Regional Early Action Planning grants program. Additionally, the variety of data on at-risk affordable units collected by both individual jurisdictions and the California Housing Partnership points to a need to compile this data if the HMC were to consider using the loss of affordable units as a RHNA methodology factor.

Loss of housing units due to state-declared emergencies: Only six respondents (8%) stated their jurisdiction had lost housing units during a state-declared emergency (such as a fire or other natural disaster) that have not been rebuilt. These jurisdictions are in Napa, San Mateo, Santa Clara, Solano, and Sonoma counties. Two jurisdictions in Sonoma County were able to provide precise data on the number of units lost in recent fires. Another Sonoma County jurisdiction noted that they did not lose any housing in the fire but have experienced increased demand in housing because of lost units in surrounding communities. Additionally, two jurisdictions in Marin County noted that, while they have not lost units recently, they expect that units lost in the future due to sea level rise and increased flooding may not be replaced.

Next Steps

As the HMC continues its process to develop the RHNA methodology, HMC members and ABAG staff can consider what they have learned from the local jurisdiction survey. The themes that emerged from the survey may point to which factors have readily available data across the region or which factors best align with current policy concerns in local jurisdictions. Additionally, information from the survey may be relevant beyond the RHNA process and shape how ABAG designs technical assistance and grant programs in the future to better respond to local concerns.

⁵ For more information on the California Housing Partnership's research on at-risk affordable housing in California, see https://1p08d91kd0c03rlxhmtydpr-wpengine.netdna-ssl.com/wp-content/uploads/2020/02/2020-Affordable-Homes-at-Risk_CHPC-Final.pdf.

TO: Housing Methodology Committee

DATE: April 27, 2020

FR: Deputy Executive Director, Policy

RE: Fair Housing Issues, Strategies, and Actions in the Bay Area

Background

Housing Element Law requires each Council of Governments (COG) to survey its member jurisdictions during the Regional Housing Needs Allocation (RHNA) process to gather information on the statutory housing and land use factors.¹ Recent legislation also requires ABAG to collect information on jurisdictions' fair housing issues and strategies for achieving fair housing goals.² In addition to surveying local jurisdictions on these topics, ABAG staff reviewed the fair housing reports that jurisdictions submit to the federal government if they receive block grant funding from the Department of Housing and Urban Development (HUD). Appendix A contains a summary of responses to the fair housing section of the Local Jurisdiction Survey, while Appendix B discusses common themes from Bay Area jurisdictions' fair housing reports.

Issues

The data and information collected in the Local Jurisdiction Survey can help Bay Area jurisdictions understand the framework needed for assessing fair housing issues, which state law now requires for the next Housing Element update in 2022. Notably, several jurisdictions reported in the survey that they lack data on segregation patterns and have not previously set goals in their Housing Elements related to removing barriers to housing choice. However, this type of analysis will likely be needed for the upcoming Housing Element update. Accordingly, the survey results can help ABAG staff identify assistance that they can offer through the Regional Early Action Planning (REAP) grants program to help local jurisdictions comply with new Housing Element requirements. Additionally, both the Local Jurisdiction Survey and the review of Bay Area jurisdictions' fair housing reports to HUD identified regional themes regarding both barriers to fair housing choice and strategies to further fair housing. This knowledge can inform how ABAG designs technical assistance and grant programs in the future to help local jurisdictions implement successful fair housing strategies.

¹ See State of California [Government Code Section 65584.04\(b\)\(1\)](#).

² See State of California [Government Code Section 65584.04\(b\)\(2\)](#).

Appendix A. Summary of Survey Responses

Overview

ABAG staff presented the Housing Methodology Committee (HMC) with a draft of the Local Jurisdiction survey in November 2019. Staff revised the survey to incorporate feedback from HMC members, local jurisdiction staff, and other stakeholders, and the ABAG Regional Planning Committee approved the survey in December 2019. The survey became available online on January 8, 2020, and city managers, county administrators, community development and planning directors, and housing staff in all 109 jurisdictions were notified by email.

The deadline for completing the survey was February 5, 2020, at which point ABAG received 72 responses, a response rate of 66%.³ Table 1 shows the response rates for each of the nine Bay Area counties.

Table 1. Local jurisdiction survey response rate by county.

County	Responses	Response Rate
Alameda	9	60%
Contra Costa	14	70%
Marin	8	73%
Napa	3	50%
San Francisco	1	100%
San Mateo	14	67%
Santa Clara	13	81%
Solano	4	50%
Sonoma	7	70%

Survey Responses

The survey consisted of 53 questions in two sections. At the HMC's March 2020 meeting, staff presented a summary of the first survey section, which contained questions related to housing and land use factors.⁴ The following is a summary of responses to the second survey section, which collected information on local jurisdictions' fair housing issues as well as strategies and actions for achieving fair housing goals. This section included 14 questions divided into three topics: Fair Housing Planning and Data Sources; Diversity/Segregation, Access to Opportunity, and Housing Needs; and Fair Housing Goals and Actions.

³ The summary of survey results presented at the HMC's March 2020 meeting reported 71 responses to the survey. However, an additional printed survey response was received via mail after the March 2020 summary was prepared. This response was postmarked before the survey deadline, and its responses are included in this summary.

⁴ See <http://mtc.legistar.com/gateway.aspx?M=F&ID=6b572dad-e960-4c4f-8bff-27a5650bc534.pdf> for the memo containing this summary.

Topic 1: Fair Housing Planning and Data Sources

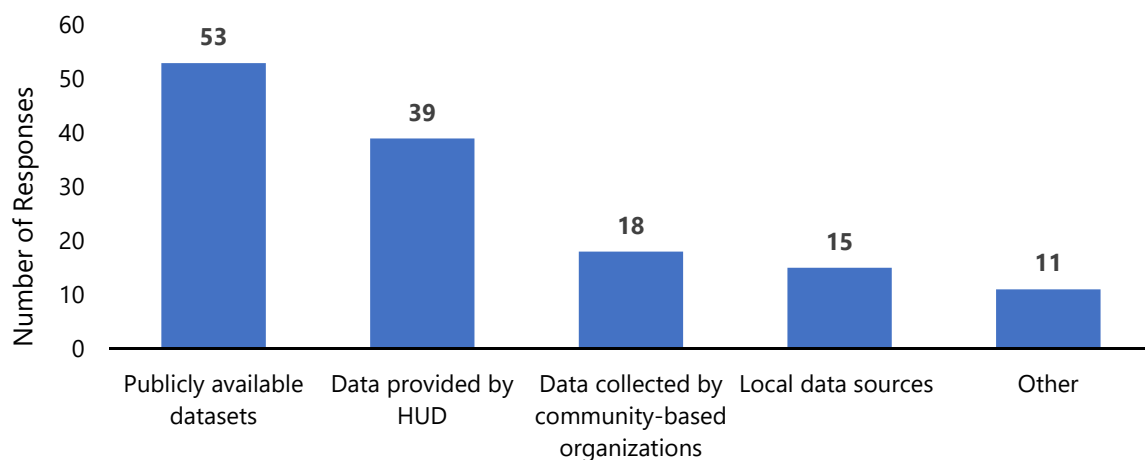
The eight questions in this topic area centered on jurisdictions' processes for assessing fair housing issues in their communities. Federal law obligates jurisdictions receiving block grant funding from HUD to submit a Consolidated Plan to HUD every five years, and this process requires jurisdictions to assess local fair housing issues (see Appendix B for more details on federally mandated fair housing reporting). While the Local Jurisdiction Survey did ask whether jurisdictions currently submit fair housing reports to HUD, all questions on the survey could be applicable to jurisdictions regardless of whether they participate in federal fair housing reporting. This portion of the survey also asked about the data jurisdictions use for fair housing planning and the efforts they have made to elicit public participation in their fair housing planning processes.

Key Takeaways from Respondents' Comments

Fair housing reporting to HUD: According to the results of the local jurisdiction survey, 37 respondents (51%) have submitted a fair housing report to HUD. Because these reports are submitted as part of five-year planning cycles, most of these jurisdictions recently submitted a report for the years 2020-2025 or are currently working on a report for this cycle, though a few jurisdictions' Consolidated Plans are on a different timeline. While some reports are submitted to HUD by individual jurisdictions, this reporting can also be completed as a collaborative effort between a county government and local jurisdictions within the county.

Data sources for fair housing planning processes: Jurisdictions primarily rely on publicly available datasets (e.g. data from the Census Bureau) to assess fair housing issues, with 74% of respondents indicating they use this data source. The other data source that a majority of respondents reported using was data provided by HUD (see Figure 1). In addition to the options listed on the survey, respondents noted that they collect and maintain various data sources to inform fair housing planning, including rental vacancy surveys, inventories of affordable housing, landlord registries, code enforcement complaints, surveys of residents, and data from community outreach. Beyond the data collected by jurisdictions themselves, respondents also discussed using data collected by local nonprofits providing fair housing services as well as analyses prepared by county governments and Public Housing Agencies.

Figure 2. Which of the following data sources does your jurisdiction maintain or use to assess fair housing issues in the community? (Question 39)

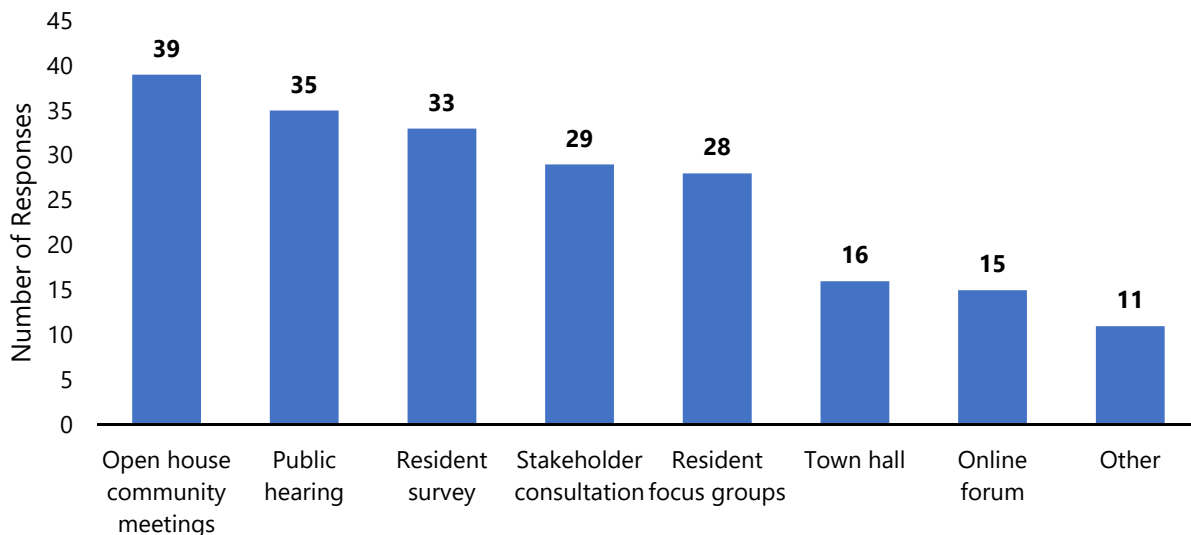


Community participation in fair housing processes: Jurisdictions were most likely to use public forums to incorporate community participation in their fair housing planning, with open house community meetings (54%) and public hearings (49%) being the most common outreach activities reported by respondents. Respondents were also likely to solicit information directly from residents, with 46% using resident surveys and 39% using resident focus groups. Additionally, 40% of respondents reported consulting with stakeholder groups during fair housing planning processes (see Figure 2). Based on information respondents shared in their surveys, jurisdictions most often worked with the following types of stakeholder groups:

- School districts
- Faith-based groups
- Community-based organizations and neighborhood associations
- Advocacy organizations representing the following constituencies:
 - People of color
 - People with disabilities
 - Immigrants and people with limited English proficiency
 - Seniors
 - Youth
- Affordable housing providers and residents
- Homelessness services providers
- Housing Choice Voucher applicants
- Nonprofits providing fair housing services
- Legal aid organizations
- Healthcare and social services providers

15 respondents noted that they collected demographic information for community members who participated in the fair housing planning process. This demographic data typically included data on participants’ racial/ethnic background, English language proficiency, age, income, household size, and housing situation.

Figure 2. Which of the following outreach activities has your jurisdiction used to encourage community participation in planning processes related to fair housing? (Question 40)



The survey also provided respondents with an opportunity to discuss their goals for the community outreach process and their success with achieving these goals. According to the survey responses, jurisdictions' goals for community outreach during fair housing planning can be summarized as the following:

- Gather input from a broad and diverse range of residents and community groups.
- Encourage participation from those most impacted by fair housing issues.
- Engage community members who may face barriers to participation, such as those with limited English proficiency.
- Build trust with community members and encourage future participation in planning processes.
- Ensure that federal fair housing reports and other housing planning processes reflect community conditions.
- Obtain data to effectively assess fair housing barriers.
- Develop targeted and feasible fair housing goals and strategies for achieving them.

Respondents indicated that they were largely successful in achieving their goals for community outreach during fair housing planning (see Figure 3). Notably, one-third of respondents did not answer this question, which could indicate a hesitancy to comment on the success of community outreach efforts. It is also possible that jurisdictions who do not engage in planning processes explicitly focused on fair housing skipped this question rather than selecting "N/A." Respondents who did answer also described the reasons their jurisdictions were able to achieve their goals for the community outreach process as well as the factors that inhibited success with these goals. Table 2 below provides a summary of these reasons.

Figure 3. How successful was your jurisdiction in achieving its goals for the process to elicit community participation for fair housing planning? (Question 43)

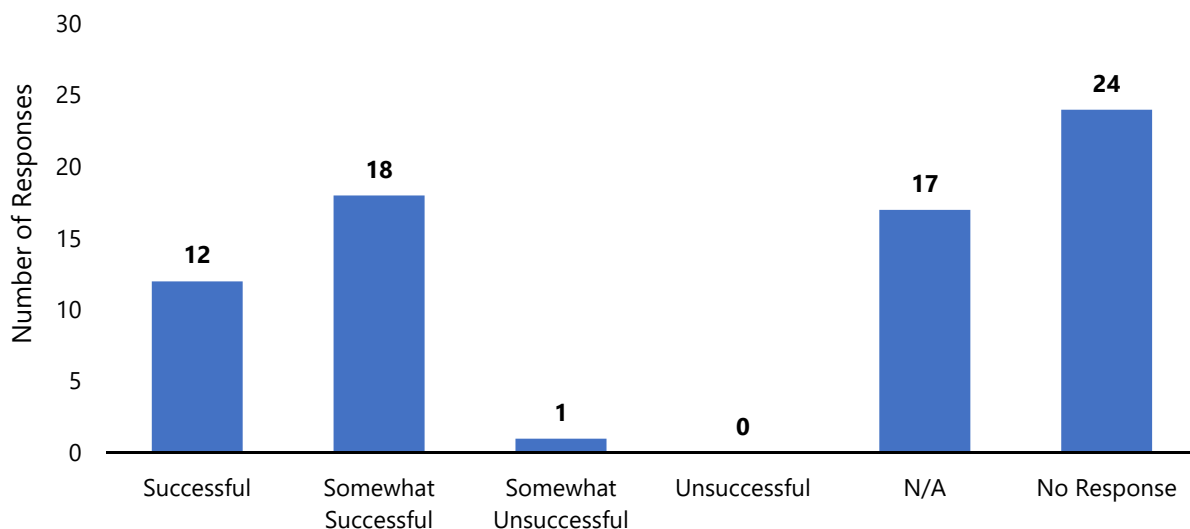


Table 2. Describe the reasons for the success or lack of success of your jurisdiction's community engagement efforts. (Question 44)

Factors enabling success in achieving community outreach goals:	Factors preventing success in achieving community outreach goals:
<ul style="list-style-type: none"> • Reaching out to a diverse group of community stakeholders • Effective marketing efforts that broadly distributed information throughout the community • Dedicated staff and resources for the outreach and engagement process • Multiple opportunities to participate throughout engagement process • Variety of ways to participate in multiple settings (online surveys, community meetings, small group discussions, etc.) • Partnerships with nonprofit organizations providing fair housing services 	<ul style="list-style-type: none"> • Event attendees disproportionately from certain segments of the community, such as long-term homeowners • Difficulty engaging populations with less housing stability, such as renters or people experiencing homelessness • Outreach does not reflect opinions of those who have been excluded from the community due to high cost of housing • Lack of housing staff and resources • Need for a variety of participation formats as well as more outreach online and using social media • Limited time for completing a robust outreach process • Residents lacking time and resources to participate in community meetings • Lack of childcare provided at meetings • Confusion about the fair housing topics discussed at meetings

Topic 2: Diversity/Segregation, Access to Opportunity, and Housing Needs

The two questions within this topic area focused on the conditions that restrict fair housing choice and access to opportunity in Bay Area jurisdictions. These questions focused on four fair housing issues: limited access to housing in a jurisdiction, segregated housing patterns and concentrated areas of poverty, disparities in access to opportunity, and disparities in housing cost burdens and overcrowding. The survey sought to contextualize respondents' answers by providing each respondent with data specific to their jurisdiction on geographic concentrations of poverty and race-based disparities in access to opportunity, housing cost burden, overcrowding, and segregated housing patterns. For more information on the impediments to fair housing that Bay Area jurisdictions have described in their fair housing reports to HUD, see Appendix B.

Key Takeaways from Respondents' Comments

Factors contributing to fair housing issues: Respondents most commonly reported that fair housing issues in their jurisdictions stem from factors related to displacement, affordable housing, and barriers to development (see Table 3, which shows how many respondents indicated whether a factor contributes to each of the four fair housing issues). When the factors are ranked in terms of which were selected by the most jurisdictions for each fair housing issue, there are three factors among the five most selected across all four fair housing issues: community opposition to development, displacement due to increased rents, and displacement of low-income and/or person-of-color (POC) residents. Two other factors ranked in the top five for three out of four of the fair housing issues: availability of larger affordable units and land use/zoning laws. These five factors are highlighted in Table 3 below.

The survey results show the most consensus around factors contributing to limited access to housing in jurisdictions as well as disparities in housing cost burdens and overcrowding. 32 respondents (44%) indicated that the availability of larger affordable units contributes to a lack of access to housing in their jurisdiction. Additionally, displacement due to increased rents, displacement of low-income residents and/or residents of color, and community opposition to development were all listed by more than one-third of jurisdictions as contributing to limited housing access. These same four factors were also the most commonly indicated causes of disparities in housing cost burdens and overcrowding, with 42% of respondents stating that displacement due to increased rents contributes to these disparities.

For the issues of segregated housing patterns/concentrated areas of poverty and disparities in access to opportunity areas, no contributing factor was selected by more than 12 respondents (17%). However, respondents did report similar causes for these fair housing issues: displacement due to increased rents, displacement of low-income residents and/or residents of color, community opposition to development, location of affordable housing, and availability of larger affordable units.

Table 3. Which of the following factors contribute to fair housing issues in your jurisdiction? Check all that apply. (Question 45)

	Fair Housing Issues			
	Limited access to housing in a jurisdiction	Segregated housing patterns or concentrated areas of poverty	Disparities in access to opportunity areas	Disparities in housing cost burdens and overcrowding
Factors Contributing to Fair Housing Issues				
Access to financial services	5	1	1	1
Access to grocery stores and healthy food options	3	4	7	2
Access to healthcare facilities and medical services	3	2	2	2
**Availability of larger affordable units	32	9	9	18
Availability, frequency, and reliability of public transit	20	5	8	6
CEQA and the land use entitlement process	14	4	6	6
**Community opposition to development	24	10	9	15
Creation and retention of high-quality jobs	8	0	5	7
Deteriorated/abandoned properties	2	2	0	3
**Displacement due to increased rents	30	11	9	30
Displacement due to natural hazards	3	1	1	4
**Displacement of low-income/POC residents	25	12	11	24
Foreclosure patterns	2	3	2	4
Impacts of natural hazards	8	1	2	3
Lack of community revitalization strategies	2	3	2	3
Lack of private investments in low-income/POC communities	6	6	6	5
Lack of public investments in low-income/POC communities	4	3	4	2
Lack of regional cooperation	7	2	6	6
**Land use and zoning laws	20	10	7	9
Lending discrimination	2	2	2	4
Location of affordable housing	16	11	8	7
Location of employers	8	2	3	8
Location of environmental health hazards	2	2	0	2
Location of proficient schools and school assignment policies	3	5	6	4
Occupancy standards limiting number of people per unit	4	0	0	3
Private discrimination	4	2	2	3
Range of job opportunities available	7	0	5	5
Other	2	0	1	1

Respondents were also asked to select the top three factors contributing to fair housing issues in their jurisdiction and to describe the reason for these selections. Below are the factors most commonly listed by jurisdictions as the main contributors to fair housing issues as well as a summary of why respondents selected these factors. The factors appear in order of how frequently they were cited by respondents as top contributors to fair housing issues, with the most frequently listed factors first.

- **Displacement:** Respondents noted that displacement disproportionately affects low-income residents and residents of color, which can result in disproportionate overcrowding for these populations. Additionally, the rising housing costs in communities affected by displacement limit opportunities for racial and socioeconomic diversity and integration.
- **Community opposition to development:** Respondents reported that residents commonly oppose denser housing, affordable housing, or housing with supportive services for formerly homeless residents. This opposition can significantly increase the time to approve new development and drives up costs for both affordable and market-rate projects.
- **Lack of affordable housing, especially larger units:** Respondents described how rising housing costs and a limited supply of affordable housing cause the displacement of low-income residents and prevent low-income households from moving into communities.
- **Land use and zoning laws:** Some respondents noted that their jurisdictions are zoned primarily or entirely for single-family housing, and respondents also mentioned restrictions on multi-family development created by minimum lot sizes, density caps, height limits, and/or minimum parking requirements. These respondents reported that low-density zones cannot accommodate affordable housing, and current land use restrictions result in limited sites for multi-family projects. Consequently, affordable development is nearly impossible in some jurisdictions, while in other jurisdictions affordable developments are concentrated in the few areas with denser zoning. As a result, current land use and zoning codes perpetuate the segregation created by decisions of the past.
- **Barriers to development:** In addition to community opposition and land use laws, respondents described other barriers to development such as the availability of land suitable for development, the California Environmental Quality Act (CEQA) and the land use entitlement process, and the high cost of construction. Respondents discussed how their jurisdictions' approval processes for development and CEQA inhibit housing production. These respondents noted that CEQA slows down the entitlement process and enables groups opposed to development to threaten litigation and create additional delays. The project costs created by CEQA and lengthy entitlement processes can make housing development financially infeasible, particularly for affordable projects. Survey responses indicated that these barriers to development inhibit access to these communities generally and especially for lower-income populations.
- **Location of employers:** Respondents discussed how limited job options within their jurisdictions and lack of access to job centers increase the costs of living there, as residents need to travel farther for work. Additionally, some mentioned that a lack of

high-quality jobs within the jurisdiction prevents local jobholders from affording the high cost of housing.

- **Public transit availability:** Respondents suggested that a lack of public transit options inhibits those living in their jurisdiction from accessing jobs and services if they do not own a car, which makes the jurisdiction less accessible to a diverse range of households.

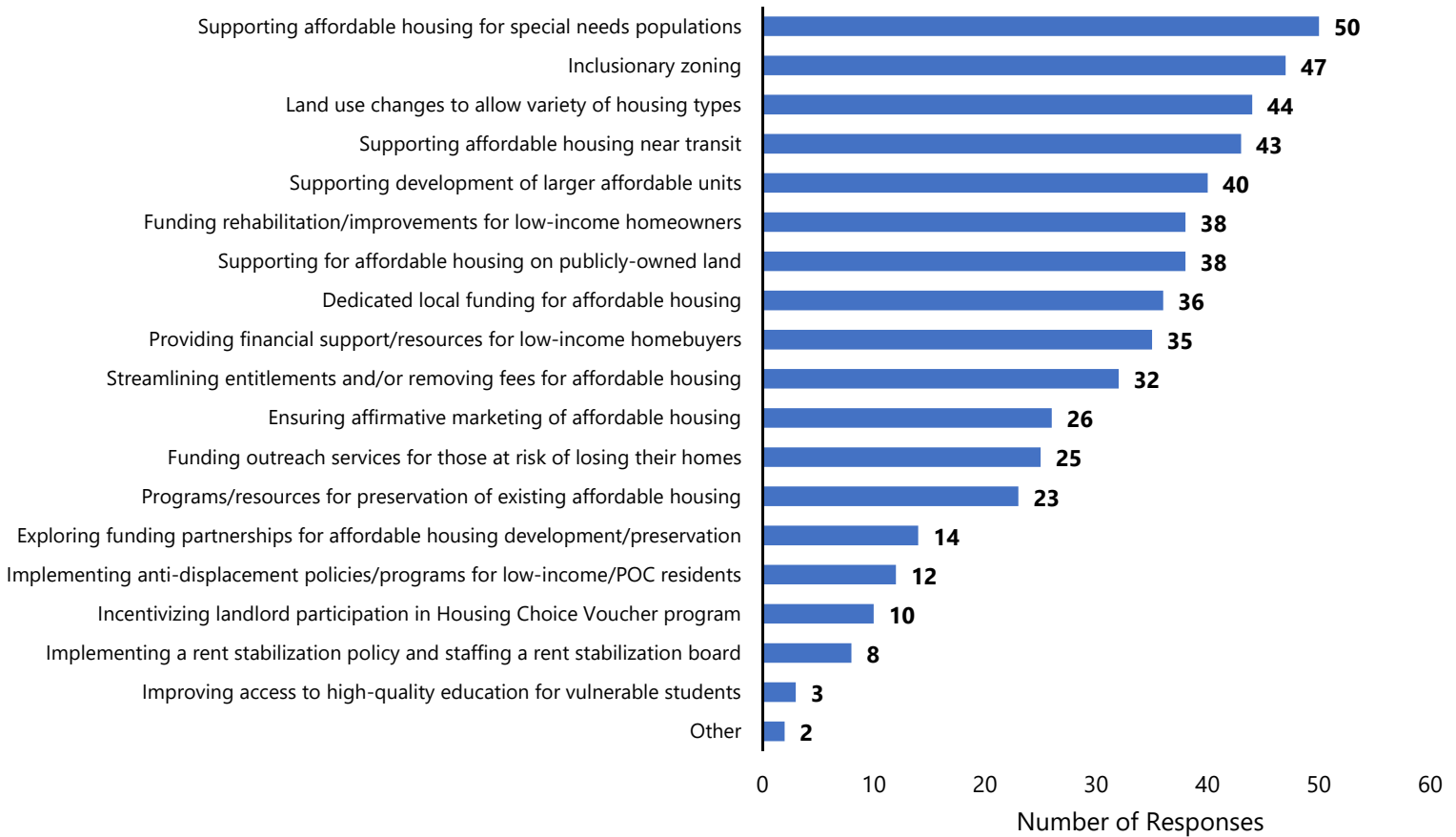
Topic 3: Fair Housing Goals and Actions

The four questions within this topic area discussed the actions jurisdictions have taken to remove barriers to equal housing opportunity and prevent the displacement of low-income households. Respondents were also asked to reflect on their goals for fair housing policies and whether the strategies they have implemented achieve these goals. For more information on the strategies to further fair housing that Bay Area jurisdictions have detailed in their fair housing reports to HUD, see Appendix B.

Key Takeaways from Respondents' Comments

Policies and initiatives to further fair housing: The survey results indicate that there are eight actions that a majority of respondents have taken to address existing segregation and enable equal housing choice (see Figure 4). Most of these actions center on increasing the number of affordable housing units. For example, 69% of respondents have supported the development of affordable housing for special needs populations such as seniors, people with disabilities, people experiencing homelessness, and/or those with mental health issues. The survey responses also indicate that most respondents have sought to increase the supply of affordable housing through inclusionary zoning, land use changes, developing affordable housing near transit, encouraging the construction of larger affordable units, using publicly owned land for affordable development, and establishing local funding sources for affordable housing construction. Other common strategies to advance fair housing focus on low-income homeownership, with 53% of respondents funding home rehabilitation and improvements for low-income homeowners and 49% of respondents providing resources to support low-income homebuyers.

Figure 4. What actions has your jurisdiction taken to overcome historical patterns of segregation or remove barriers to equal housing opportunity? (Question 47)



Goals for fair housing policies: Many of the jurisdictions' survey responses noted that a goal of their fair housing policies is facilitating equal housing opportunities by removing barriers to affordable housing. Specifically, respondents discussed the following objectives for their fair housing policies related to increasing the affordable housing supply:

- Financing affordable housing development through linkage fees and dedicated funding sources.
- Creating new affordable units and mixed-income development using inclusionary requirements for market-rate development.
- Providing support for nonprofit affordable housing developers.
- Preserving the existing affordable housing stock.

Additionally, respondents mentioned the following goals related to overcoming historic patterns of segregation and eliminating barriers to equal housing choice:

- Expanding affordable housing and homeownership opportunities for those who have been directly affected by the historic legacies of housing inequities and discrimination.
- Ensuring that affordable housing is spread throughout all communities.
- Creating affordable housing options in high opportunity neighborhoods.
- Increasing the diversity of housing types throughout all neighborhoods through land use changes.

- Reducing barriers to mobility for low-income households and residents of publicly-supported housing.
- Making fair housing resources more readily available online and coordinating with fair housing services nonprofits to disseminate information and reduce discrimination.

Respondents reported that their jurisdictions' policies and actions were mostly successful for achieving goals related to furthering fair housing (see Figure 5). Notably, one-third of respondents did not answer this question, which could indicate a hesitancy to comment on the success of efforts to further fair housing. It is also possible that jurisdictions who do not engage in planning processes explicitly focused on fair housing skipped this question rather than selecting "N/A." Respondents who did answer also discussed the reasons their jurisdictions were able to achieve fair housing goals as well as the factors that hindered the success of these efforts. Table 4 below provides a summary of these reasons.

Figure 5. How successful were your jurisdiction's past actions in achieving goals for overcoming historical patterns of segregation or removing barriers to equal housing opportunity? (Question 49)

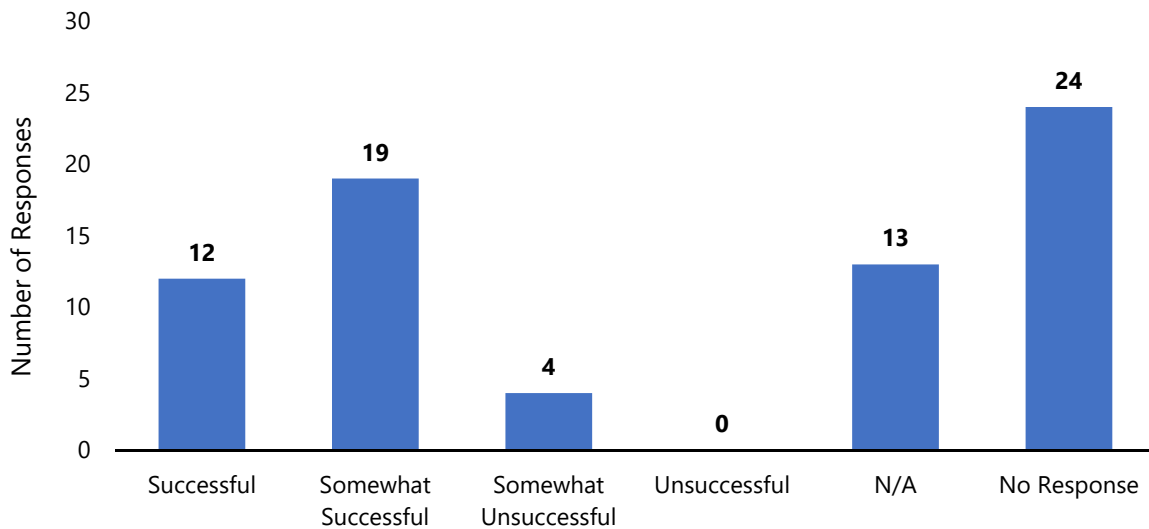


Table 4. Describe the reasons for the success or lack of success of your jurisdiction's actions to overcome historical patterns of segregation or remove barriers to equal housing opportunity. (Question 49)

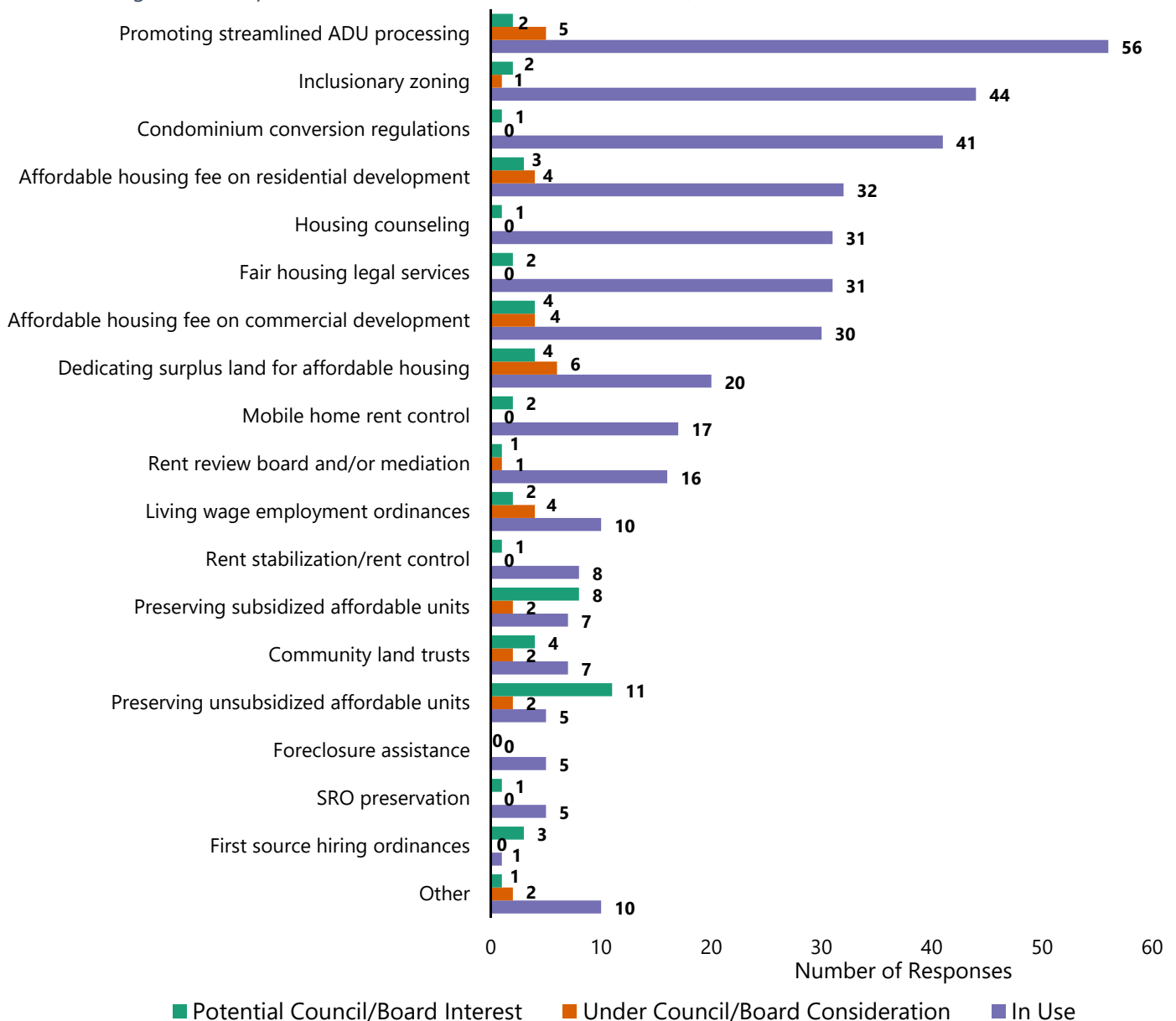
Factors enabling success in achieving fair housing policy goals:	Factors preventing success in achieving fair housing policy goals:
<ul style="list-style-type: none"> • Creation of new local funding sources for affordable housing • Construction of 100% affordable housing developments with local financial support • Streamlined approvals processes for development, particularly for affordable housing and ADUs • Production of new affordable housing through inclusionary zoning • Affordable housing opportunities are not limited to low-income neighborhoods • Rezoning and other policies implemented through Housing Element updates resulting in increased development of both market-rate and affordable units • Ongoing funding for fair housing services providers • Strong leadership, political will, and community support for policies that advance fair housing goals 	<ul style="list-style-type: none"> • Available funding inadequate for meeting the demand for affordable housing and other housing services • Land prices, land availability, and construction costs hamper affordable housing construction • Development of affordable housing cannot keep pace with the need • Longer timeframe required to see the effects of efforts to deconcentrate poverty and make affordable housing available throughout all neighborhoods • Lack of private investment, particularly in historically marginalized communities • Lack of staff to work on policy development and implementation • Community opposition to policies related to furthering fair housing

Anti-displacement policies and initiatives in local jurisdictions: Jurisdictions throughout the region have adopted a variety of policies to prevent or mitigate the displacement of their low-income residents. The most common strategies focus on the production of affordable units as well as policies and programs to help low-income tenants remain in their current housing (see Figure 6). 78% of respondents indicated that their jurisdictions promote streamlined processing for ADU construction. Other policies enacted by the majority of respondents include inclusionary zoning and condominium conversion regulations. Additionally, more than 40% of respondents assess affordable housing fees on residential and/or commercial development, while a comparable number of respondents provide support for fair housing legal services and/or housing counseling. It is worth noting that efforts to preserve subsidized and unsubsidized affordable units have been made by few jurisdictions, but these two strategies were selected by the most respondents as being of potential interest to the councils/boards in their jurisdictions.

In addition to the options listed on the survey, respondents reported that the following anti-displacement policies and programs have been implemented by their jurisdictions:

- Relocation assistance for tenants displaced due to code enforcement actions, condo conversion, and demolition of housing units for redevelopment
- Programs and land use regulations to preserve affordable housing in mobile home parks
- Just cause eviction protections
- Downpayment assistance programs for residents
- Partnering with land trusts to acquire foreclosed homes and other for-sale properties to make them available for low- and moderate-income homebuyers
- Assisting landlords with low-cost loans and grants for property improvements in return for keeping long-time residents in place

Figure 6. Which of the following policies, programs, or actions does your jurisdiction use to prevent or mitigate the displacement of low-income households? (Question 50)



Appendix B. Summary of Bay Area Local Fair Housing Reports

Federally Mandated Fair Housing Reports

Federal law obligates state and local jurisdictions receiving block grant funding from the HUD to submit a Consolidated Plan every five years, and this process requires conducting an Analysis of Impediments to Fair Housing Choice (AI).⁵ In 2015, HUD released a final rule on affirmatively furthering fair housing (AFFH), which provided updated guidelines for assessing fair housing issues and created a new Assessment of Fair Housing (AFH) tool to replace the AI process. HUD's intent for this new process was to improve community planning around fair housing issues, as this new tool required public participation and increased data analysis.⁶ In 2018, however, HUD suspended the AFH tool and reinstated the previous requirement to complete an AI report.⁷ In response to HUD's decision, the California legislature passed Assembly Bill 686 in 2018, which states that AFFH obligations must be interpreted in a manner consistent with HUD's 2015 AFFH rule, regardless of subsequent amendments to or suspensions of the rule.⁸ As a result, some reports submitted by Bay Area jurisdictions for the 2020-2025 cycle are labeled AFH reports, while others are AI reports, but the content and format of reports submitted since the passage of Assembly Bill 686 are likely to be similar, regardless of whether the report is labeled an AI or AFH.

Bay Area Reports

Currently, 41 Bay Area cities and counties participate in the Consolidated Plan process and have submitted AI or AFH reports to HUD. Because these reports are submitted as part of five-year planning cycles, most of these jurisdictions recently submitted a report for the years 2020-2025 or are currently working on a report for this cycle, though reporting in some jurisdictions occurs on a different timeline. While some reports are submitted to HUD by individual jurisdictions, this reporting can also be completed as a collaborative effort between a county government and local jurisdictions within the county.

Below is a summary of the 16 AI and AFH reports, which are the most recently submitted fair housing documents from Bay Area jurisdictions available to the public. These reports cover the following jurisdictions:

- Alameda County collaborative report: the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City as well as Alameda County
- Contra Costa County collaborative report: the cities of Antioch, Concord, Pittsburg, and Walnut Creek as well as Contra Costa County
- Marin County
- City and County of San Francisco

⁵ See <https://www.hudexchange.info/programs/consolidated-plan/consolidated-plan-process-grant-programs-and-related-hud-programs/> for more information on the Consolidated Plan process.

⁶ See <https://files.hudexchange.info/resources/documents/AFFH-Fact-Sheet.pdf> and <https://www.hudexchange.info/programs/affh/overview/> for more information on the 2015 AFFH rule and AFH tool.

⁷ See <https://files.hudexchange.info/resources/documents/FR-Notice-AFFH-AI-Notice.pdf> for the 2018 HUD notice.

⁸ See https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB686 for text of Assembly Bill 686.

- San Mateo County collaborative report: the cities of Daly City, San Mateo, South San Francisco, Redwood City, as well as San Mateo County
- Santa Clara County
- Sonoma County collaborative report: cities of Santa Rosa and Petaluma as well as Sonoma County
- City of Cupertino
- City of Fairfield
- City of Milpitas
- City of Mountain View
- City of Napa
- City of San Jose
- City of Sunnyvale
- City of Vacaville
- City of Vallejo

Reported Fair Housing Impediments, Strategies, and Actions

This summary focuses on common impediments to fair housing experienced by Bay Area jurisdictions, and it also lists specific strategies proposed and actions taken in response to these obstacles. While each AI or AFH report contains extensive city/county demographic information, housing equity history, and details on how the report was produced, including community engagement efforts, this summary does not focus on the individual circumstances of each jurisdiction. Rather, it collates these jurisdictions' most significant barriers to affirmatively furthering fair housing, as self-reported, and lists the strategies they have taken to overcome them, in an attempt to draw out common themes at the regional level.

The top themes to emerge at the regional level are:

1. There is a severe lack of affordable housing amidst already-high housing costs regionwide.
2. The lack of affordable housing leads to displacement and gentrification, impacting access to employment, transportation, and education for low-income people.
3. Communities often oppose new housing construction, especially when it is dense, affordable housing. While framed as an issue of "local control," in some circumstances this opposition to housing may be rooted in implicit discrimination based on race and class/income.
4. Jurisdictional zoning and approval policies and practices reflect this community opposition and contribute to the lack of affordable housing supply.
5. Lack of investment in specific neighborhoods is the result of longstanding explicit housing segregation, leading to racially-concentrated areas of poverty that persist today.
6. Outreach, education, and enforcement of fair housing activities are contracted out to nonprofits with insufficient resources.
7. There are significant accessibility barriers to housing for disabled, non-English-speaking, formerly incarcerated, formerly homeless, and other specific populations.

8. Discrimination in the private housing market is prevalent, both in the rental market and in lending policies and practices that impede home ownership.
9. There is much room for improvement in coordination and cooperation regionwide, both between jurisdictions and among different housing advocacy groups.

Below are more details on these highly interrelated obstacles to fair housing in the Bay Area, as well as actions and strategies that may offer solutions. Nearly all of the reports considered each of the following nine impediments, but they were inconsistent in clarifying whether the strategies noted have actually been implemented or are simply being considered. This high-level summary includes all strategies that local fair housing reports listed as potential solutions to these nine impediments. However, ABAG staff could not determine from these reports how many jurisdictions had implemented each strategy versus how many were considering the strategy but had not yet adopted it. The following list orders both the impediments and the strategies by approximate frequency and importance to the collective jurisdictions (i.e., the most frequently reported, most important ideas across reports are listed first), as interpreted by ABAG staff who compiled the summary after reviewing the reports.

IMPEDIMENT 1: Lack of Affordable Housing

A lack of affordable housing means a lack of racially and ethnically integrated and balanced communities. Every Bay Area jurisdiction examined in this summary reports a shortage of affordable housing for those who need it, in both rental and ownership markets. The inadequate supply of affordable housing creates a severe housing shortage for communities of color, which are disproportionately economically disadvantaged.⁹

Strategies and Actions for Overcoming this Impediment

1. Seek funding for new affordable housing construction

- Pursue dedicated sources of funding for affordable housing (citywide, countywide, or regionwide), including:
 - Affordable housing bonds
 - Local sales tax, transit occupancy tax, or vacant home tax
 - Housing trust funds for affordable housing development
- Explore state and national funding, such as CA Senate Bill 2
- Increase in-lieu fees¹⁰ to reflect actual cost of affordable housing development
- Pool in-lieu fees among cities
- Adopt inclusionary housing policies to bolster funds to support affordable housing

⁹ For more information on economic disparities across racial/ethnic groups in the Bay Area, see An Equity Profile of the Nine-County San Francisco Bay Area Region, by PolicyLink and PERE, the Program for Environmental and Regional Equity at the University of Southern California. Read at:

https://nationalequityatlas.org/sites/default/files/Final_9_County_BayAreaProfile.pdf.

¹⁰ In-lieu fees are fees paid by developers of market rate housing to satisfy affordable housing requirements in jurisdictions with inclusionary housing ordinances. The fee is paid in-lieu of providing on-site affordable housing, and jurisdictions typically use the fee to finance affordable housing development at a different site.

2. Identify new sites for affordable housing

- Prepare and publicize available and easily obtainable maps of all incorporated and unincorporated vacant and underutilized parcels
- Create a public database of potential sites that can be updated regularly

3. Incentivize developers to build new affordable units

- Prioritize the production of affordable housing units in sizes appropriate for the population and based on family size
- Reduce developer fees for affordable housing
- Encourage market rate housing to include affordable units, such as by promoting use of density bonuses
- Identify underutilized parcels to acquire, convert and develop into affordable housing
- Award higher points in housing developer applications to projects that offer units of 3+ bedrooms
- Support [Project-Based Voucher \(PBV\)](#) developments¹¹
- Promote objective development and design standards for housing development projects that qualify for streamlined permit review
- Provide assistance to developers to secure entitlements and county funding for extremely low-income/special needs units
- Coordinate use of housing subsidies to build affordable housing in high-opportunity areas in order to increase low-income households' access to designated opportunity areas with low poverty rates, healthy neighborhoods, and high-performing schools
- Explore the production of units that are affordable by design, such as Accessory Dwelling Units (ADUs) and micro-units

4. Consider existing units: Protect currently affordable housing from becoming market-rate, and/or convert currently market-rate housing to affordable housing

- Provide technical assistance and funding application assistance to retain affordable units at risk of converting to market rate
- Develop and implement a small site acquisition and rehabilitation program that effectively channels fees paid to the city, leveraged with other public and private resources, to the preservation of small buildings serving low-income tenants
- Leverage financial resources from state and federal programs to rehabilitate existing affordable housing projects nearing the end of their affordability restrictions and extend their subsidy into the future
- Donate municipally-owned, tax-foreclosed properties to nonprofit community land trusts to be rehabilitated, as needed, and preserved for long-term affordable housing

¹¹ Under the Project-Based Voucher program, a Public Housing Agency enters into an assistance contract with a development owner. This assistance subsidizes the rents for up to 25% of the units in the development for a specified term. Households living in units subsidized by PBVs pay 30% of their income toward rent, and the Public Housing Agency pays the development owner the difference between the rent the household pays and the gross rent for the unit. PBVs can enable an affordable housing development to charge more deeply affordable rents and better serve extremely low-income households.

IMPEDIMENT 2: Displacement and Gentrification

As defined by the Urban Displacement Project at UC Berkeley, gentrification is a process of neighborhood change in a historically disinvested neighborhood that includes both economic and demographic change. These changes occur as a result of both real estate investment and new higher-income residents moving in, which results in corresponding changes in the education level or racial makeup of residents.¹² Gentrification often causes displacement, which prevents long-term residents from benefitting from new investments in their neighborhood. Moreover, when low-income families are displaced from their homes, they typically move to lower-income neighborhoods, which generally lack options for high-quality employment, transportation, and schools.¹³

Strategies and Actions for Overcoming this Impediment

1. Adopt tenant protections

- Adopt tenant protections, such as relocation costs, increased noticing, just cause for eviction, and rent control ordinances
- Promote new fair housing laws, including AB 1482,¹⁴ including posting information on jurisdiction websites
- Collaborate with regional efforts such as established countywide homeless action plans/goals/programs that may provide one-time rent assistance to low-income people in jeopardy of being evicted due to life emergency or hardship
- Commission market-based rent surveys to seek adjustments to the fair market rents (FMRs) for the federal Housing Choice Voucher program
- Use eminent domain to block home foreclosures
- Fund and support multi-agency collaborative efforts for legal services, including organizations that do not receive Legal Services Corporation funding (federal funds) and are able to represent undocumented residents

2. Prioritize existing and new affordable housing, specifically in gentrifying areas

- Develop displacement mitigation or replacement requirements for any rezoning activities that could displace existing residents
- In tandem with investments in affordable housing development in low-poverty areas, provide funds for the preservation of affordable housing in areas that are undergoing gentrification or are at risk of gentrification, in particular in areas of high environmental health
- Donate municipally-owned, tax-foreclosed properties to nonprofit community land trusts to be rehabilitated, as needed, and preserved for long-term affordable housing

¹² For more information on gentrification, see <https://www.urbandisplacement.org/gentrification-explained>.

¹³ For more information on the impacts of displacement, see <https://www.urbandisplacement.org/pushedout>.

¹⁴ For more information on the statewide rent caps and just cause for eviction protections instituted by AB 1482, see <https://sfrb.org/article/summary-ab-1482-california-tenant-protection-act-2019>.

- Explore the development of policy that will allow a set-aside in affordable housing developments that prioritizes residents who are being displaced from low-income neighborhoods undergoing displacement and/or gentrification
- Offer minor home repair grants to help homeowners remain in their homes

IMPEDIMENT 3: Community Opposition to New Housing

Communities often prefer single-family homes in their neighborhoods, which residents typically describe as based on fear of lowered property values, overcrowding, or changes in the character of the neighborhood. When communities resist new housing, it often results in the exclusion of people of color and low-income households.

Strategies and Actions for Overcoming this Impediment

- Develop growth management programs intended to concentrate urban development and preserve agriculture and open space
- Provide ongoing community engagement to educate, include and inform residents about the challenges with housing, and to highlight the jurisdiction’s prior achievements in developing affordable housing and addressing racial disparities in housing choice
- Develop strategies and talking points to address topics cited in opposition to housing development, including the impact on schools, water, transportation and traffic
- Include and expand the number of participants who engage in discussions about barriers to fair housing and disparities in access and opportunities, and provide opportunities to advance recommendations to address housing challenges

IMPEDIMENT 4: Zoning Practices and Building Approvals

Local land use controls, zoning regulations, and impact fees are major impediments to constructing and preserving affordable housing. Unlike many other impediments to fair housing, jurisdictions have the authority to directly address these issues.

Strategies and Actions for Overcoming this Impediment

1. Evaluate and update zoning

- Evaluate and update existing zoning to ensure compliance with state-mandated streamlining requirements
- Rezone and repurpose underdeveloped areas
- Modify current zoning and other local policies regulating housing development that pose a direct or indirect constraint on the production of affordable housing
- Update zoning and programs to incentivize accessory dwelling units (ADUs)
- Explore revisions to building codes or processes to reduce the costs of ADU construction and/or allow a greater number of ADUs
- Encourage mixed-use transit-oriented development for affordable housing sites that are located near transportation facilities and employment centers by appropriately zoning

for higher density residential and mixed-use developments, maximizing the linkages between employers and affordable housing

- Consider rezoning sites for affordable housing outside of racially segregated areas that are predominantly residents of color
- Consider reduced development standards, specifically parking requirements, to incentivize the development of specific housing types, including units with affordability covenants, units for special needs individuals, higher density residential development, and developments near public transit

2. Evaluate and update fees, processing times, ordinances

- Review existing inclusionary housing in-lieu fees, housing impact fees, and jobs-housing linkage fee programs to maximize number of units, as consistent with current housing market conditions and applicable law
- Evaluate options for streamlined processing of affordable housing developments
- Discourage or eliminate live/work preferences in inclusionary ordinances

IMPEDIMENT 5: Segregation, Lack of Investment in Specific Areas, Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs)

Public and private disinvestment in certain areas has resulted in racially/ethnically concentrated areas of poverty (R/ECAPs). In these neighborhoods, lack of tax revenue and funds for services has led to deteriorated and abandoned properties and areas where communities of color cannot access amenities needed for a healthy life.

Strategies and Actions for Overcoming this Impediment

1. Target economic investment opportunities in R/ECAPS while protecting against displacement

- Fund home-based childcare projects and microenterprise projects with Community Development Block Grant (CDBG) funds
- Provide Family Self-Sufficiency program participants with job training referrals and career networking¹⁵
- Explore financially supporting economic development activities and initiatives in and around R/ECAPs
- Prioritize economic development expenditures in and around R/ECAPs
- Prioritize funding for job training programs in and around R/ECAPs, including industrial jobs
- Prioritize infrastructure and streetscaping improvements in R/ECAPs in order to facilitate local retail development
- Engage with small business incubators to expand to R/ECAPs or to provide technical assistance to start-up incubators

¹⁵ Family Self-Sufficiency is a program that enables HUD-assisted families to increase their earned income and reduce their need for welfare assistance and rental subsidies.

- Explore methods for providing low-interest loans and below-market leases for tax-foreclosed commercial properties to low-income residents seeking to start businesses within R/ECAPs

2. Improve access to home renting and buying for residents in R/ECAPS

- Work with communities to develop a community land trust for low-income residents that creates opportunities for affordable housing and home ownership, with specific inclusion for residents of color with historic connections to the area
- Build affordable housing projects in middle- and upper-income neighborhoods to the maximum degree possible
- Create more standardized screening policies and procedures for city-sponsored affordable housing
- First-time homebuyer down payment assistance programs

IMPEDIMENT 6: Outreach, Education, Enforcement

Nearly all jurisdictions report contracting with nonprofit organizations (partly funded by city and county grants) to provide local fair housing services and education, including counseling, language services, and handling of fair housing complaints. Despite these efforts, the region lacks sufficient housing search assistance, voucher payment standards, landlord outreach, mobility counseling, and education about fair housing rights. Inadequate funding and organizational capacity of the nonprofits providing services plays a role.

Strategies and Actions for Overcoming this Impediment

1. Better fund all fair housing services

- Allocate more federal, state, and local funding for nonprofit organizations providing fair housing services
- Fund and support multi-agency collaborative efforts for legal services, including organizations that do not receive Legal Services Corporation funding (federal funds) and are able to represent undocumented residents

2. Promote better fair housing outreach and education services

- Continue to contract with fair housing service providers to educate home seekers, landlords, property managers, real estate agents, and lenders regarding fair housing law and recommended practices, including the importance of reasonable accommodation under the Americans with Disabilities Act; to mediate conflicts between home seekers, landlords, property managers, real estate agents, and lenders; and to continue fair housing testing and audits
- Implement annual training programs for property managers and residents
- Seek ways to increase resident access to fair housing services, such as improved marketing of services, improved landlord education, and improved tenant screening services to avoid owner bias
- Educate tenants and landlords on new fair housing laws

- Provide financial literacy and homebuyer education classes
- Continue to fund housing placement services for people with disabilities to assist them in finding accessible housing
- Develop and distribute informational brochure on inclusionary leasing practices, including with licenses where applicable
- Continue and increase outreach and education activities for all protected classes
- Include education on new requirements of [Assembly Bill 2413 \(Chiu\), the Right to a Safe Home Act](#), in outreach activities to both landlords and the public¹⁶
- Explore alternative formats for fair housing education workshops such as pre-taped videos and/or recordings, which could serve persons with more than one job, families with young children and others who find it difficult to attend meetings in person

3. Better advertise affordable housing opportunities

- Create a database of all restricted housing units citywide/countywide/regionwide that could be posted online to provide user-friendly information about the location and application process for each development
- Advertise the availability of subsidized rental units via the jurisdictions' websites and or apps, the 2-1-1 information and referral phone service, and other media outlets

IMPEDIMENT 7: Accessibility for Specific Populations

Many jurisdictions report a lack of accessible housing for persons with disabilities, non-English-speaking people, formerly incarcerated people, formerly homeless people, seniors, and other specific populations—all direct fair housing issues.

Strategies and Actions for Overcoming this Impediment

- Fund housing placement services for people with disabilities to assist them in finding accessible housing
- Offer landlord incentives, such as leasing bonuses, for specific populations
- Conduct a research effort in collaboration with an academic institution to better understand the landlord population and create more evidence-based policy initiatives
- Increase marketing efforts of affordable housing units to people that typically face barriers and discrimination in fair housing choice, such as persons with disabilities, people of color, low-income families, seniors, new immigrants, and people experiencing homelessness
- To the extent practicable, use affordable housing funds for the construction of permanent supportive housing in developments in which 10-25% of units are set aside for persons with disabilities. Affirmatively market units to individuals with intellectual and developmental disabilities, their families, and service providers

¹⁶ The Right to a Safe Home Act (Assembly Bill 2413) was passed by the California legislature in 2018 and protects victims of crime or abuse, as well as individuals in emergencies, from being evicted or otherwise penalized for calling law enforcement or emergency assistance.

- Explore methods for nonprofit partners to assist in purchasing or master leasing affordable units within inclusionary market-rate developments, and set a portion of those units aside for persons with disabilities
- Develop and disseminate a best practices guide to credit screening in the rental housing context in order to discourage the use of strict credit score cut-offs and overreliance on eviction records
- For publicly-supported housing, develop protocols to ensure responsiveness to reasonable accommodation requests

IMPEDIMENT 8: Discrimination in Home Ownership and Rental Markets

Over time explicit, legal discrimination has given way to implicit, unwritten biases in mortgage access and lending policies and practices for people of color—specifically in high rates of denial of mortgages for African American and Hispanic households. In the rental housing market, discrimination against low-income people, minorities, immigrants, and LGBTQ people is also prevalent. People using Housing Choice Vouchers also face discrimination for their source of income.

Strategies and Actions for Overcoming this Impediment

- Work with communities to develop a community land trust for low-income residents that creates opportunities for affordable housing and home ownership, with specific inclusion for residents of color with historic connections to the area
- Explore creating incentives for landlords to rent to Housing Choice Voucher holders, such as a leasing bonus, damage claim reimbursement, security deposit and utility assistance
- Streamline Housing Choice Voucher administration so participation is easy for landlords
- Increase outreach to LGBTQ and immigrant stakeholder groups to provide “know your rights” materials regarding housing discrimination
- Emphasize bilingual fair housing services and activities to ensure all members know their housing rights and the benefits
- Proactively enforce source of income discrimination laws¹⁷
- Contract with local service providers to conduct fair housing testing in local apartment complexes
- Modify and standardize screening criteria to ensure access to housing for otherwise qualified applicants with credit challenges or criminal histories
- Educate landlords on criminal background screening in rental housing (using HUD fair housing guidance) and explore the feasibility of adopting ordinances

¹⁷ Senate Bill 329, enacted in 2019, prohibits landlords from discriminating against tenants who use Housing Choice Vouchers or other government assistance to pay their rent.

IMPEDIMENT 9: Coordination and Cooperation

There is fragmentation among jurisdictions and among fair housing advocacy groups. More regional cooperation is needed to address disproportionate housing needs and the jobs-housing balance across the region.

Strategies and Actions for Overcoming this Impediment

- Expand ongoing interagency connections to support weatherization, energy efficiency, and climate adaptation for low-income residents
- Create a shared list of lenders countywide/regionwide that can help buyers access below-market-rate loans and sponsor down payment and mortgage assistance programs
- Collaborate on cross-jurisdictional informational databases or other resources for all aspects of housing
- Consider a sub-regional approach to share resources and possibly units to increase collaboration and production

APPENDIX 3

ABAG Final Regional Housing Need Determination

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
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June 9, 2020

Therese W. McMillan, Executive Director
Association of Bay Area Governments
375 Beale Street, Suite 700
San Francisco, CA 94105

Dear Therese W. McMillan,

RE: Final Regional Housing Need Determination

This letter provides the Association of Bay Area Governments (ABAG) its final Regional Housing Need Determination. Pursuant to state housing element law (Government Code section 65584, et seq.), the Department of Housing and Community Development (HCD) is required to provide the determination of ABAG's existing and projected housing need.

In assessing ABAG's regional housing need, HCD and ABAG staff completed an extensive consultation process from March 2019 through May 2020 covering the methodology, data sources, and timeline for HCD's determination of the Regional Housing Need. HCD also consulted with Walter Schwarm with the California Department of Finance (DOF) Demographic Research Unit.

Attachment 1 displays the minimum regional housing need determination of **441,176** total units among four income categories for ABAG to distribute among its local governments. Attachment 2 explains the methodology applied pursuant to Gov. Code section 65584.01. In determining ABAG's housing need, HCD considered all the information specified in state housing law (Gov. Code section 65584.01(c)).

As you know, ABAG is responsible for adopting a methodology for RHNA allocation and RHNA Plan for the projection period beginning June 30, 2022 and ending December 31, 2030. Pursuant to Gov. Code section 65584(d), the methodology to prepare ABAG's RHNA plan must further the following objectives:

- (1) Increasing the housing supply and mix of housing types, tenure, and affordability
- (2) Promoting infill development and socioeconomic equity, protecting environmental and agricultural resources, and encouraging efficient development patterns
- (3) Promoting an improved intraregional relationship between jobs and housing
- (4) Balancing disproportionate household income distributions
- (5) Affirmatively furthering fair housing

Pursuant to Gov. Code section 65584.04(d), to the extent data is available, ABAG shall include the factors listed in Gov. Code section 65584.04(d)(1-13) to develop its RHNA

plan, and pursuant to Gov. Code section 65584.04(f), ABAG must explain in writing how each of these factors was incorporated into the RHNA plan methodology and how the methodology furthers the statutory objectives described above. Pursuant to Gov. Code section 65584.04(h), ABAG must submit its draft methodology to HCD for review.

Increasing the availability of affordable homes, ending homelessness, and meeting other housing goals continues to be a priority for the State of California. To support these goals the 2019-20 Budget Act allocated \$250 million for all regions and jurisdictions for planning activities through the Regional Early Action Planning (REAP) and Local Early Action Planning (LEAP) Grant programs. ABAG has \$ 23,966,861 available through the REAP program and HCD applauds ABAG's efforts to engage early on how best to utilize these funds and HCD looks forward to continuing this collaboration. All ABAG jurisdictions are also eligible for LEAP grants and are encouraged to apply to support meeting and exceeding sixth cycle housing element goals. While the SB 2 Planning Grant deadline has passed, ongoing regionally tailored technical assistance is still available through that program.

In addition to these planning resources HCD encourages local governments to consider the many other affordable housing and community development resources available to local governments that can be found at <https://www.hcd.ca.gov/grants-funding/nofas.shtml>

HCD commends ABAG and its leadership in fulfilling its important role in advancing the state's housing, transportation, and environmental goals. ABAG is also recognized for its actions in proactively educating and engaging its board and committees on the RHNA process and the regional housing need, as well as creating tools to aid the public understanding in the process. HCD especially thanks Paul Fassinger, Gillian Adams, Aksel Olsen, Dave Vautin, Bobby Lu, Matt Maloney, and Elizabeth Bulgarin for their significant efforts and assistance. HCD looks forward to its continued partnership with ABAG and its member jurisdictions and assisting ABAG in its planning efforts to accommodate the region's share of housing need.

If HCD can provide any additional assistance, or if you, or your staff, have any questions, please contact Megan Kirkeby, Acting Deputy Director, at megan.kirkeby@hcd.ca.gov or Tom Brinkhuis, Housing Policy Specialist at (916) 263-6651 or tom.brinkhuis@hcd.ca.gov.

Sincerely,



Megan Kirkeby
Acting Deputy Director

Enclosures

ATTACHMENT 1

HCD REGIONAL HOUSING NEED DETERMINATION ABAG: June 30, 2022 through December 31, 2030

<u>Income Category</u>	<u>Percent</u>	<u>Housing Unit Need</u>
Very-Low*	25.9%	114,442
Low	14.9%	65,892
Moderate	16.5%	72,712
Above-Moderate	42.6%	188,130
Total	100.0%	441,176
* Extremely-Low	15.5%	Included in Very-Low Category

Notes:

Income Distribution:

Income categories are prescribed by California Health and Safety Code (Section 50093, et. seq.). Percents are derived based on Census/ACS reported household income brackets and county median income, then adjusted based on the percent of cost-burdened households in the region compared with the percent of cost burdened households nationally.

ATTACHMENT 2

HCD REGIONAL HOUSING NEED DETERMINATION: ABAG June 30, 2021 through December 31, 2030

Methodology

ABAG: PROJECTION PERIOD (8.5 years)		
HCD Determined Population, Households, & Housing Unit Need		
Reference No.	Step Taken to Calculate Regional Housing Need	Amount
1.	Population: December 31 2030 (DOF June 30 2030 projection adjusted + 6 months to December 31 2030)	8,273,975
2.	<i>- Group Quarters Population: December 31 2030 (DOF June 30 2030 projection adjusted + 6 months to December 31 2030)</i>	-169,755
3.	Household (HH) Population	8,159,280
4.	Projected Households	3,023,735
5.	+ Vacancy Adjustment (3.27%)	+98,799
6.	+ Overcrowding Adjustment (3.13%)	+94,605
7.	+ Replacement Adjustment (.50%)	+15,120
8.	<i>- Occupied Units (HHs) estimated June 30, 2022</i>	-2,800,185
9.	+ Cost-burden Adjustment	+9,102
Total	6th Cycle Regional Housing Need Assessment (RHNA)	441,176

Detailed background data for this chart is available upon request.

Explanation and Data Sources

- 1-4. Population, Group Quarters, Household Population, & Projected Households: Pursuant to Gov. Code Section 65584.01, projections were extrapolated from DOF projections. Population reflects total persons. Group Quarter Population reflects persons in a dormitory, group home, institute, military, etc. that do not require residential housing. Household Population reflects persons requiring residential housing. Projected Households reflect the propensity of persons within the Household Population to form households at different rates based on American Community Survey (ACS) trends.
5. Vacancy Adjustment: HCD applies a vacancy adjustment (standard 5% maximum to total projected housing stock) and adjusts the percentage based on the region's current vacancy percentage to provide healthy market vacancies to facilitate housing availability and resident mobility. The adjustment is the difference between standard 5% vacancy rate and regions current vacancy rate based (**1.73%**) on the 2014-2018 ACS data. For ABAG that difference is **3.27%**.
6. Overcrowding Adjustment: In regions where overcrowding is greater than the comparable region's overcrowding rate, or in the absence of comparable region the national overcrowding rate. HCD applies an adjustment based on the amount the regions overcrowding rate (**6.73%**) exceeds the comparable region's rate (**3.60%**). For ABAG that difference is **3.13%**. Data is from the 2014-2018 ACS.
7. Replacement Adjustment: HCD applies a replacement adjustment between .5% and 5% to the total housing stock based on the current 10-year annual average percent of demolitions the region's local government annual reports to Department of Finance (DOF). For ABAG the 10-year annual average multiplied by the length of the projection period is .40%, and the minimum **.50%** adjustment is applied.

8. Occupied Units: This figure reflects DOF's estimate of occupied units at the start of the projection period (June 30, 2022).
9. Cost Burden Adjustment: HCD applies an adjustment to the projected need by comparing the difference in cost-burden by income group for the region to the cost-burden by income group for the comparable regions, as determined by ABAG. The very-low and low income RHNA is increased by the percent difference ($66.64\% - 66.00\% = .64\%$) between the region and the comparable region cost burden rate for households earning 80% of area median income and below, then this difference is applied to very low- and low-income RHNA proportionate to the share of the population these groups currently represent. The moderate and above-moderate income RHNA is increased by the percent difference ($16.25\% - 13.10\% = 3.15\%$) between the region and the comparable region cost burden rate for households earning above 80% Area Median Income, then this difference is applied to moderate and above moderate income RHNA proportionate to the share of the population these groups currently represent. Data is from 2012-2016 CHAS.

APPENDIX 4

RHNA Methodology Consistency Determination from HCD

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
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August 31, 2021

Birgitta E. Corsello, County Administrator
Solano County Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533

Dear Birgitta E. Corsello:

RE: Review of Draft Regional Housing Need Allocation (RHNA) Methodology

Thank you for submitting the draft Solano Subregion Sixth Cycle Regional Housing Need Allocation (RHNA) Methodology. Pursuant to Government Code Section 65584.04(i), the California Department of Housing and Community Development (HCD) is required to review draft RHNA methodologies to determine whether a methodology furthers the statutory objectives described in Government Code Section 65584(d).

The draft RHNA methodology begins with the total ABAG regional determination provided by HCD of 441,176 units. Of those units, ABAG allocated 10,992 to the Solano County Subregion. The methodology then provides a base allocation according to each jurisdiction's percent share of the subregion's 2019 household distribution based on Department of Finance (DOF) Table E-5 data. Next, the methodology adjusts that base allocation using four weighted factors: opportunity, jobs, ABAG's initial allocation for each jurisdiction, and transit. Lastly, the methodology applies a manual adjustment that shifts 189 units from the unincorporated county to five of its seven cities. The resulting increase to the cities ranges from 21 units (Dixon) to 65 units (Rio Vista). In terms of percent increase, the range is from 1.2 percent (Vallejo) to 24.8 percent (Rio Vista). Fairfield and Benicia do not receive additional units.

The final step in the methodology is to divide each jurisdiction's allocation by the four income categories: very low, low, moderate, and above moderate. Here, the methodology employs a three-step process. First, the methodology uses American Community Survey (ACS) data to determine the current distribution of households by income tiers. Second, the methodology multiplies the current distribution by a 150 percent income factor to promote jurisdictions within the county moving towards a more equal distribution of households by income. Third, another adjustment is applied to ensure that the total of all jurisdictions' allocations is equal to the total assigned Subregional RHNA.

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HCD has completed its review of the methodology and finds that the draft Solano Subregion RHNA Methodology furthers the statutory objectives described in Government Code 65584(d).¹ HCD commends the subregion for including factors in the draft methodology that direct units toward jurisdictions with better job access and lower vehicle miles traveled (VMT). The methodology also directs more lower income units into high resource areas. In the interest of furthering RHNA statutory objective four (balancing income distributions), the draft methodology makes adjustments that increase the number of lower income units going to higher income areas as a percentage of their total allocation.

HCD encourages regions to limit the factors included in their methodology to those which support furthering the statutory objectives and cautions against the use of non-formula-based factors. HCD is generally supportive of the subregion's decision to reduce the share of RHNA assigned to the unincorporated county to further statutory objectives. However, the redistribution of those units could be based on factors included in other steps of the methodology, such as opportunity, location of jobs, or transit. HCD's analysis found that allocating those 189 units to the cities based on the existing formula and policy-based methodology, instead of the manual adjustment, would result in a more equitable distribution of those units throughout the subregion and would have done more to further objective five, affirmatively furthering fair housing.

Below is a brief summary of findings related to each statutory objective described within Government Code Section 65584(d):

1. Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very low-income households.

On a per capita basis, the methodology allocates roughly the same shares of RHNA to jurisdictions with more low-income households and those with more high-income households. However, due to the income adjustment, these higher income jurisdictions generally receive greater lower income RHNA allocations relative to their existing share of low-income households. On average, higher income cities receive a share of lower income RHNA that is greater than their share of existing lower income households. Lower income cities receive a smaller share of lower income RHNA relative to their existing lower income households.

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¹ While HCD finds this methodology furthers statutory objectives, applying this methodology to another region or cycle may not necessarily further the statutory objectives as housing conditions and circumstances may differ.

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2. Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.

The draft methodology encourages a more efficient development pattern due to its weighted jobs and transit factors that direct more housing units to areas with lower per capita VMT. Jurisdictions with the lowest VMT per capita receive more RHNA per capita than those with the highest per capita VMT. Additionally, the 189-unit reduction of the unincorporated county's allocation encourages more efficient development as the unincorporated area has the second highest per capita VMT, and jobs access – both by car and transit – than most of the subregion's cities.

3. Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.

Most cities in the subregion have a jobs/housing fit between 0.7 and 1.5 and the draft methodology generally maintains these balances with the three largest RHNA allocations going to the three largest job centers. Unincorporated Solano County has the subregion's highest imbalance at 2.7 jobs for every housing unit, but other policy considerations result in allocating more units to cities rather than unincorporated areas. Redistributing the 189-unit adjustment from the unincorporated county to the cities based on the jobs factor included in the overall allocation methodology could have done more to further this objective.

4. Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey.

On average, cities with a larger existing share of lower income units receive smaller allocations of low- and very low-income units as a percentage of their total RHNA. For cities with higher shares of lower income units, the average lower income allocation is 38 percent of total RHNA. The average lower income allocation for cities with smaller percentages of lower income units is 42 percent.

5. Affirmatively furthering fair housing, which means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced

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living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

Jurisdictions with more access to opportunity receive larger lower income allocations on a per capita basis. Jurisdictions where more than 50 percent of households live in low-resource and high-segregation areas receive a share of the lower income RHNA that is, on average, 93 percent of their share of lower income households, compared to 116 percent for higher resourced jurisdictions. The draft methodology allocates less total RHNA to jurisdictions with higher access to resources on a per capita basis. Using the AFFH factor included in the overall allocation methodology to redistribute the 189-unit manual adjustment could help allocate more total RHNA to higher resource jurisdictions.

HCD appreciates the active role of PlaceWorks and local government staff in providing data and input throughout the draft Solano Subregion RHNA methodology development and review period. HCD especially thanks Andrea Howard, David Early, Matt Walsh, Robert Guerrero, Daryl Hall, and the subregion participants for their significant efforts and assistance.

HCD looks forward to continuing our partnership with Solano governments to assist them with meeting and exceeding the planning and production of the county's housing need.

Support opportunities available for the Solano region this cycle include, but are not limited to:

- SB 2 Planning Grants Technical Assistance: Ongoing regionally tailored technical assistance will also remain available throughout the housing element development timeline. Technical assistance information is available at <https://www.hcd.ca.gov/community-development/planning-grants-ta.shtml>.
- HCD also encourages all Solano's local governments to consider the many other affordable housing and community development resources available to local governments, including the Permanent Local Housing Allocation program. HCD's programs can be found at <https://www.hcd.ca.gov/grants-funding/nofas.shtml>.
- Prohousing Designation Program – Ongoing awards distributed over-the-counter to local jurisdictions with compliant Housing Elements and prohousing policies. Those awarded receive additional points or application processing preference when applying to housing and non-housing funding programs including the Affordable Housing & Sustainable Communities (AHSC), Infill Infrastructure Grant (IIG), and Transformative Climate Communities (TCC).

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If HCD can provide any additional assistance, or if you, or your staff, have any questions, please contact Tom Brinkhuis, Housing Policy Specialist at (916) 263-6651 or tom.brinkhuis@hcd.ca.gov.



Tyrone Buckley
Assistant Deputy Director of Fair Housing

cc:

City of Benicia: Erik Upson, City Manager
City of Dixon: Jim Lindley, City Manager
City of Fairfield: Stefan Chatwin, City Manager
City of Rio Vista: Robert Hickey, City Manager
City of Suisun City: Greg Folsom, City Manager
City of Vacaville: Aaron Busch, City Manager
City of Vallejo: Anne Cardwell, Interim City Manager