



decreasing the housing capacity of any site, such as through downzoning, if the decrease would preclude meeting the RHNA housing targets. It prohibits moratoria or similar restrictions on housing development. It prevents jurisdictions from establishing non-objective standards and requires demolition of housing units to be accompanied by a project that would replace or exceed the number of units demolished, including replacement of lower-income units.

- **Surplus Land Act Amendments. AB 1486 and AB 1255 (2019):** AB 1486 updates the Surplus Land Act to provide clarity and enforcement intended to increase the supply of affordable housing. It requires the City to include specific information relating to surplus lands in the Housing Element and annual progress reports and to provide a list of sites owned by the City that have been sold, leased, or otherwise disposed of in the prior year. AB 1255 requires the City to create a central inventory of surplus and excess public land, to be reported to HCD and available to the public upon request. The City must also send a description of the notice and negotiations for the sale of land to HCD for review.
- **Housing Impact Fee Data. AB 1483 (2019):** AB 1483 requires jurisdictions to publicly share information about zoning ordinances, development standards, fees, exactions, and affordability requirements and update such information within 30 days of changes.
- **Housing Element Site Inventory Forms. SB 9 (Chapter 667, Statutes of 2019):** Jurisdictions are now required to provide the Housing Element site inventory on forms developed by HCD and send electronic version of their adopted Housing Element to HCD.
- **Housing Opportunity and More Efficiency (HOME) Act, SB 9 (2022):** SB 9 requires jurisdictions to allow up to two residential dwelling units and residential lot splits in single-family zoning districts. It allows for reduced standards, such as setbacks, parcel dimensions and parking. The City must apply objective zoning standards that do not preclude construction of up to two 800 square foot units. To prevent displacement, projects may not demolish any affordable or rent controlled housing, or housing that has been occupied by a tenant within the last 3 years. Projects that meet the criteria must be ministerially approved.

### 1.3 PUBLIC PARTICIPATION

Community engagement is essential to the City's Housing Element planning process. The City must "make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element."<sup>4</sup> The City undertook numerous and varied means to solicit community input:

- **Monthly Citywide Newsletter:** Monthly articles were published through the City's monthly newsletter, the Brisbane STAR, which is mailed to all residents and businesses and published on the City's website. These STAR articles provided status updates, announced upcoming events and opportunities to engage in the process, information on how to reach staff, where to find information on the City's website and how to sign up to be on the notification email list.
- **Weekly Citywide Email Blast:** Workshop and public meeting announcements were included in the City's weekly "Blast" sent to over 1,300 residents, business representatives, and other community members.

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<sup>4</sup> Government Code Section 65583(c)(9).

- **Email Notification List:** A dedicated email notification list (288 subscribers) was compiled of local and regional stakeholders, based upon input from the 21 Elements countywide Housing Element Update collaboration project, plus other interested parties who proactively signed up to be notified of Housing Element news and public meetings.
- **City Website:** The Community Development Department maintained a webpage devoted to the Housing Element Update process, with links to additional sources of information. Notice of each study session and public hearing was posted on the City’s website and weekly blog.
- **City Signboards:** The City also utilized the two billboard-style, electronic signboards, which are located at the edge of Old County Road/Community Park and at the intersection of Mission Blue Drive and North Hill Drive, to announce workshops and public hearings and other engagement opportunities to reach pedestrians and motorists along these key thoroughfares.
- **Citywide Mailers:** To target a broad range of moderate to lower-income households, notices were sent to all multi-family residential addresses prior to the Planning Commission’s initial workshop series beginning in December 2021, upon the release of the draft Housing Element in August 2022, and again to publicize the City Council’s public hearing on the Draft Element on October 6, 2022.
- **In-Person Engagement:** Leading up to the publication of the Housing Element, Communications and Planning staff tabled at weekly Farmer’s Markets in the Community Park in July and August 2022.
- **Social Media:** The City used its Facebook, Nextdoor, and Instagram social media accounts to push out Housing Element meeting announcements and updates throughout the process.

The draft Housing Element was made available for public review for more than 30 days, from August 8, 2022 to September 9, 2022, prior to the October 6, 2022 public hearing at City Council. The draft Housing Element was submitted to HCD on October 7, 2022 for review. Following receipt of HCD’s comments on January 4, 2023, HCD’s comments were made available to the public on January 6<sup>th</sup> and proposed edits to the Housing Element in response to those comments were made available to the public 7 days prior to City Council’s public hearing and adoption of the Housing Element on February 2, 2023. All comments received during and after the 30-day formal comment period were compiled for the City Council’s consideration consistent with Government Code Section 65585(b) (AB 215, Statutes of 2021). Those comments and the City’s responses to them are attached to Appendix E. New and modified programs resulting from public review are reflected in Chapter 5.

Following the City Council’s self-certification and adoption of the Housing Element on February 2, 2023, the Element was submitted to HCD. Then on April 5, 2023, HCD provided additional comments to be addressed prior to their certification. HCD’s April 5 comment letter along with the redlined edits were posted for the public review and comment on the City’s website, emailed to the interested parties list and posted on the City’s social media on May 5. Paper copies of these materials were also made available at City Hall and at the Brisbane Library on May 8. This was more than 7 days prior to City Council’s public hearing on May 18 on the proposed revision to Housing Element and the subsequent resubmittal to HCD for state certification, consistent with the Gov’t Code.

All of the Planning Commission and City Council meetings were video recorded and broadcast live on Zoom, the City’s YouTube channel, and the City’s cable television channel. The video recorded



meetings are available on demand on YouTube and were rebroadcast a number of times on the City's cable channel, as well as archived on the City's website, to provide greater outreach and opportunities for the public to watch. A list of workshop meeting events and public hearings is provided in Appendix E, Public Participation.

### 1.4 CONSISTENCY WITH OTHER ELEMENTS

State law requires that all elements of the General Plan be internally consistent. A number of General Plan elements are related to the Housing Element. The Land Use element identifies subareas designated for housing and the density standards and types and intensity of other types of uses. Three other elements address environmental or man-made factors that limit the location or type of housing that can be developed: Safety, Noise, and Conservation. The Safety and Noise Elements address hazards that should be avoided in the location of housing or may require mitigation. The Conservation Element identifies sensitive lands or waterways that should be protected. The Circulation Element establishes the location and scale of streets, freeway connections and other transportation routes that provide access to residential neighborhoods.

To address the requirement for consistency between the various General Plan elements, this Housing Element has been evaluated against the other elements to ensure that no conflicts occur.

Pursuant to SB 162 and SB 244, the City will review and update as necessary, its Land Use, Safety, and Conservation Elements upon completion of the Housing Element to address flood hazards and management, and the provision of services and infrastructure. Pursuant to SB 379, the City will also review and update as necessary its Safety or Local Hazard Mitigation Program (LHMP) and Land Use elements to add information specific to Very High Hazard Severity Zones, as required by SB 182. (See related Program under Goal 4 to "Protect residents from displacement," Chapter 5, Housing Plan.)