

## 3. RESOURCES AND OPPORTUNITIES

This chapter of the Housing Element provides an overview of the following to preserve housing and provide for new housing units:

- 1. Land Resources:** Including an overview of the legislative context and Regional Housing Needs Allocation (RHNA) requirements, residential land inventory to meet the RHNA and methodology for the development of the sites inventory
- 2. Financial and Administrative Resources:** Including discussion of the City’s administrative and financial resources to be used to implement the housing goals, policies, and programs described in Chapter 4 to develop adequate housing to meet the needs of all economic segments of the community, to conserve and improve the condition of the existing affordable housing stock, and to affirmatively further fair housing opportunities for all persons regardless of age, sex, race, ethnic background, income, marital status, disability, family composition, national origin, sexual orientation, or gender.
- 3. Providing for a Variety of Housing Types and Special Needs:** Including a summary of the existing and planned zoning and programs to provide for a variety of housing types to meet special needs populations.

### 3.1 LAND RESOURCES

#### 3.1.1 LEGISLATIVE CONTEXT FOR THE SITES INVENTORY AND OVERARCHING CONSIDERATIONS

Government Code Section 65583(a)(3) requires that the Housing Element include “an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.” Per Section 65583.2(a), the inventory “...shall be used to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction’s share of the regional housing need for all income levels...”.

##### 3.1.1.1 Meeting the Regional Housing Needs Allocation (RHNA)

As indicated in the previous chapter, State Housing Element law requires that a local jurisdiction accommodate its share of the region’s projected housing needs for the planning period, the RHNA. The RHNA and is provided for each jurisdiction and is specific to economic segments of the community. Compliance with this requirement is measured by the jurisdiction’s ability to identify adequate sites to accommodate the RHNA.

Brisbane’s RHNA for this sixth cycle Housing Element update is 1,588 housing units and is allocated by income category as a percentage of Area Mean Income (AMI) as shown on Table 3-1 ~~below~~.

Where a jurisdiction does not have adequate sites to meet the RHNA with existing zoned sites, the jurisdiction must include a program to rezone adequate sites within 3 years of the beginning of the planning period, by January 2026, per Government Code Section 65583.2(c). Brisbane does not have

adequate sites to meet the RHNA and a program is included for rezoning on the Baylands, via adoption of a specific plan which is currently under review by the City.

**TABLE 3-1 BRISBANE'S REGIONAL HOUSING NEEDS ALLOCATION**

	Very-Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
Percentage of AMI	<50%	51-80%	81-120%	>120%	-
2023-2031 RHNA (Cycle 6)	317	183	303	785	1,588

Source: Association of Bay Area Governments' RHNA Plan, 2021.

not have adequate sites to meet the RHNA and a program is included for rezoning on the Baylands, via adoption of a specific plan which is currently under review by the City.

Other Housing Element laws and guidance provide parameters on how sites may be claimed for lower income housing based on minimum density standards established by the City and site size. Where such standards are not established in current zoning or there is no program to establish such standards, then the City must provide realistic unit capacity calculations, based on the jurisdictions development trends of existing or approved residential developments at a similar affordability level in that jurisdiction, as well as the cumulative impact of standards such as maximum lot coverage, height, open space, parking, and floor area ratios. The capacity methodology must also account for any limitation as a result of availability and accessibility of sufficient water, sewer, and dry utilities.

To meet the targets set by the RHNA, note that the Baylands subarea is designated as a Priority Development Area (PDA) in Plan Bay Area and is ideally located for new residential development both from a city and regional perspective, due to its proximity to and planned enhancements to public transit corridors (Caltrain and San Francisco's Muni light rail) and easy access to Highway 101. Completing the rezoning of this site pursuant to the pending Specific Plan, as described in Chapter 5, will provide it is the a key site in meeting the City's RHNA by dint of its size, its location, its vacant status and the planning that has already been done to prepare this site for development within this 6<sup>th</sup> cycle plan period.

After years of careful planning and community engagement, in 2018 the City Council approved General Plan amendments (affirmed by the voters via Measure JJ) to allow a range of 1,800 to 2,200 housing units in the northwest quadrant of the Baylands subarea, centered on the Bayshore Caltrain station.

In 2022, the property owner submitted a draft specific plan for the Baylands proposing development of 2,200 housing units and up to seven million square feet of commercial development. The City is actively processing the applicant's specific plan submittal to meet the statutory deadline for rezoning to accommodate its 2023-2031 RHNA and has a motivated applicant in the Baylands property owner. An area of emphasis in the specific plan will be to ensure that a substantial component of lower income and special needs housing units are accommodated within the plan area. The estimated schedule for the development of the Baylands during this plan period is as follows:



**Baylands Estimated Schedule:**

Key CEQA processing dates:

- October 2023: Draft Environmental Impact Report (EIR) Publication
- January – December 2024: Public Review of Draft EIR and hearings on Final EIR/Specific Plan

Site Preparation:

- January 2025 – April 2027: Site grading and remediation for entire residential area and commercial areas west of the Caltrain right-of-way

Entitlements:

- January 2025- April 2027: Subdivision map and nondiscretionary housing development permit (ministerial review to confirm compliance with objective standards established in the Specific Plan)

Developer's Proposed Construction Schedule:

- 2027: 362 dwelling units, plus 1.42M square feet of commercial space
- 2028: 1,108 dwelling units
- 2029: 333 dwelling units, plus 1.98M square feet of commercial space
- 2030: 108 dwelling units
- 2031: 289 dwelling units, plus 1.1M square feet of commercial space

Note that the schedule above represents a best estimate based on known conditions at the present time. In the event unforeseen issues beyond the City's control occur in regard to permitting requirements of state, regional, or other outside agencies, the schedule may be subject to potential revision. Thus, while the City has and continues to work with the developer in completing the entitlement and permitting processes, the City is not in a position to guarantee the tentative schedule outlined above will be achieved.

Further details on the Baylands rezoning work are provided in the sections below.

**3.1.1.2 Affirmatively Further Fair Housing (AFFH) Considerations**

New requirements to Affirmatively Further Fair Housing (AFFH; AB 686) dictate that the City avoid, to the extent possible, the location of potential affordable housing in the inventory in a manner that would exacerbate existing concentrations of poverty, as well as contribute to increasing the number of lower -income households in lower-income neighborhoods. The City must also consider locating housing away from environmental constraints such as sea level rise, and near areas of higher or

highest opportunities, including quality schools, parks, and educational opportunities. The State indicates that jurisdictions need to consider the following factors when determining the best locations for affordable housing:

1. Proximity to transit.
2. Access to high performing schools and jobs.
3. Access to amenities, such as parks and services.
4. Access to health care facilities and grocery stores.
5. Locational scoring criteria for Low-income Housing Tax Credit (TCAC) Program funding.
6. Proximity to available infrastructure and utilities.
7. Sites that do not require environmental mitigation.
8. Presence of development streamlining processes, environmental exemptions, and other development incentives.

One measurement tool to evaluate neighborhood amenities and resources is the TCAC Opportunity Area Map. The entirety of Brisbane is listed as a Moderate Resource area per the mapping tool. Accordingly, the Sites Inventory, which includes properties citywide complies with these requirements as the sites identified as suitable for lower income housing in Brisbane are located in a moderate resource area.

### 3.1.2 SITES INVENTORY

Vacant and non-vacant, underutilized parcels in Brisbane were inventoried to determine what land is available for development at various levels of density per Government Code Section 65583.2(a). Types of sites included:

1. Vacant sites zoned for residential use.
2. Vacant sites zoned for nonresidential uses that allow residential development.
3. Residentially zoned sites, including non-vacant sites, underutilized sites, and non-residentially zoned sites with a residential overlay, that are capable of being developed at a higher density.
4. Sites zoned for nonresidential use that can be redeveloped for residential use and for which a program is included in Chapter 5 to rezone the site to allow residential use.

Each site or aggregation of sites was analyzed to determine the likelihood and feasibility of development during the period 2023-2031. Factors such as underperforming or vacant uses, owner or developer interest, age and size of current improvements, site size, and site constraints were taken into account in determining realistic development capacity.

Most of the City's inventory for meeting the RHNA falls within a large, multi-parceled site in the Baylands subarea with extraordinary potential for residential development. The site is owned by a single landowner/developer who is actively pursuing development of the site with housing via a Specific Plan currently under review by the City that proposes 2,200 housing units in addition to significant commercial and parkland development. This vacant site requires substantial



environmental clean-up, for which Remedial Action Plans have been approved by both the State Department of Toxic Substances Control<sup>1</sup> and the Regional Water Quality Control Board, with an estimated clean-up timeframe of three to four years.<sup>2</sup> Although the owner of this site is actively pursuing development, the site is not categorized as a “pipeline” project under state housing law, but it is a rezoning site per Government Code Section 65583.2(a)(4), which will be accomplished via Specific Plan adoption (see the estimated schedule in Section 3.1.1.1, above).

The City’s General Plan allows for the development of 1,800 to 2,200 residential units within the Baylands subarea, and a Specific Plan is currently under review by the City to rezone the site to allow residential development by-right, consistent with the General Plan, as well as objective design standards also to be established by the Specific Plan. The City will adopt the Baylands Specific Plan within the first three years of the plan period in accordance with Government Code Section 65583.2(c) (see Chapter 5, Housing Plan, Program 2.A.2). After extensive environmental investigations and given the approved remedial action plans, there are no known environmental conditions that would preclude residential development as provided for in this Housing Element cycle, nor are there or other conditions that would preclude development.

The next largest group of sites with housing development potential are those within the Parkside overlay districts (PAOZ-1 and PAOZ-2 districts), adopted in 2018 during the 5<sup>th</sup> Housing Element Cycle to accommodate a previous shortfall in the 4<sup>th</sup> Housing Element cycle. The sites within this district are non-vacant sites zoned for by-right residential development at minimum densities of 20 and 24 du/ac without discretionary design approval, provided projects comply with the objective design standards established in the district regulations and the accompanying Parkside at Brisbane Village Precise Plan. These sites are strategically located near downtown Brisbane, the Community Park, and other community amenities. Due to the age of current structures on the sites, low intensity of existing warehouse and office uses, and developer interest, the City considers these sites to have high potential for redevelopment within the planning period. Detailed analysis regarding the availability and suitability of these sites is provided in Appendix B, Section 4.4, and Table B.7.4.

There are also a number of infill sites in the greater Central Brisbane area, including Brisbane Acres and Southwest Bayshore, that are generally smaller and have some development potential. Some sites in these areas have little or no opportunity for aggregation and/or are heavily constrained sites and were considered, but ultimately not identified in the sites inventory towards meeting the RHNA due to these constraints. This especially pertains to the vacant upper areas of the Brisbane Acres that are not served by existing infrastructure.

While the City has seen an increase in the production of Accessory Dwelling Units (ADUs) in recent years, due to a number of recent ordinances that have made development of these units more feasible, they still make up the smallest group in the sites inventory.

The development potential provided for this 6<sup>th</sup> Cycle RHNA was determined to total 2,220 housing units, as detailed by subarea and income category in Table 3-2, which provides a high-level summary

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<sup>1</sup> Adopted by DTSC on 10/5/2021; View Documents ([ca.gov](http://ca.gov))

<sup>2</sup> Adopted by RWQCB on December 17, 2021; Brisbane Baylands OU-2 Electronic Repository ([baylandsou2.com](http://baylandsou2.com))

of the sites listed on the Sites Inventory broken down by income. Figure 3-1 shows a map of where each site is located within the city and the housing opportunity areas.

**TABLE 3-2 SITES INVENTORY AND AFFORDABILITY BREAKDOWN**

Subareas	Total Units	Very-Low	Low	Moderate	Above Moderate	Pipeline
Baylands	1,800	145	82	287	1,286	-
Parkside	246	159	87	0	0	-
Central Brisbane	134	1	2	4	127	39
ADUs	40	12	12	12	4	-
<b>Totals</b>	<b>2,220</b>	<b>317</b>	<b>183</b>	<b>303</b>	<b>1,419</b>	<b>-</b>

Source: Housing Resources Sites Inventory (Appendix B).

In summary, the Sites Inventory was developed to meet all applicable statutory requirements and provide a realistic and achievable roadmap for the city to meet and exceed its RHNA. The Sites Inventory is summarized as follows:

1. The housing sites are spread throughout the city, with all located in a moderate resource area, to meet AFFH requirements.
2. The housing projections utilize existing land use and zoning densities.
3. It includes conservative production and density assumptions for the identified housing sites.
4. The City has a significant rezoning project that is anticipated to be completed by the end of this housing cycle via adoption of a Specific Plan to allow by-right development of 1,800 to 2,200 housing units at densities of at least 20 du/ac.
5. The housing projections do not have any reliance on new units developed under Senate Bill (SB) 9.
6. The housing projections have a low reliance on new ADU production.
7. Less than 50% of the low income RHNA is accommodated on nonvacant sites.

The analytical process that went into creating the Sites Inventory and the justification for commercial site redevelopment are fully detailed in Appendix B, Sites Inventory Approach and Methodology and the full list of sites adequate for housing development identified by the City is included in as Table B.7.2.

Brisbane’s Sites Inventory for future housing includes property zoned for development of single and multi-family that is currently vacant as well as land that is otherwise underutilized or non-residentially zoned and/or vacant. All of the city’s below market rate housing would be developed on land that is underutilized or vacant, with 51% coming from vacant land within the Baylands subarea, as shown in Table 3-3<sup>3</sup>.

**TABLE 3-3 PERCENTAGE OF LOWER INCOME RHNA ON NONVACANT SITES**

Brisbane’s Lower Income RHNA	500
Units in Pipeline Projects	2
ADUs	24
Capacity on Vacant Sites	227
<b>Total Capacity of Lower Income RHNA (Not Related to Nonvacant Sites)</b>	<b>253</b>
Capacity on Nonvacant Sites to be Rezoned	247
<b>Percentage of Lower Income RHNA Capacity on Nonvacant Sites</b>	<b>49%</b>

Source: Housing Resources Sites Inventory (Appendix B).

### 3.1.3 COMMITMENT TO FAIR HOUSING

State Assembly Bill (AB) 686 requires an analysis of sites identified to meet RHNA obligations for their ability to affirmatively further fair housing. A detailed analysis of the City’s sites inventory from an AFFH lens is provided in Appendix C, Section V. Table B.7.4 of Appendix B provides a summary of the information available through ABAG’s HESS mapping tool for evaluating the fair housing impacts of the RHNA sites chosen. In brief, per ABAG’s HESS mapping tool, Brisbane has no substandard housing, no racially or ethnically concentrated areas of poverty or affluence, and the displacement risk is “stable moderate/mixed income.” Furthermore, 37% of households earn less than 80% AMI, 9% of households have a disability, 29% of households are cost burdened, and 1% of households are over-crowded.

Generally, the City’s projected low-income housing capacity are in areas with equal access to existing resources in the city, and greater access to planned improvements and resources in the Baylands subarea (e.g., enhanced public open spaces, high quality transit access, and new residential neighborhoods) than the remainder of Central Brisbane.

### 3.1.4 DISTRIBUTION OF UNITS BY AFFORDABILITY AND “NO NET LOSS”

Because of new rules in the Housing Accountability Act’s “No Net Loss” provisions (SB 166 of 2017), the land inventory and site identification programs in the Housing Element must always include sufficient sites to accommodate the unmet RHNA, in terms of the number of housing units, as well as the level of affordability. When a site identified in the Housing Element as available for the

<sup>3</sup> Refer to Appendix B for a more complete analysis showing the City of Brisbane does not rely on nonvacant sites to accommodate 50 percent or more of its housing need for lower income households.



development of housing to accommodate the lower-income portion of the RHNA is developed at a higher income level, the locality must either:

1. Identify and rezone, if necessary, an adequate substitute site, or
2. Demonstrate that the land inventory already contains an adequate substitute site.

Brisbane's Sites Inventory includes capacity for 2,220 units, for an excess capacity of 632 units, or a buffer of 40% over the City's RHNA to accommodate unmet RHNA throughout the planning period. The Sites Inventory also includes the minimum number of 1,800 units allowed on the Baylands, consistent with Measure JJ and the General Plan. This provides a secondary buffer of another 400 units since a total of 2,200 units could be permitted in the Baylands subarea and is currently proposed by the developer. If 2,200 units are ultimately approved with the Specific Plan adoption, a buffer of 65% would be provided, well beyond HCD's recommended 15 to 30%.

## 3.2 REGULATORY AND FINANCIAL RESOURCES

This section describes the inventory of resources available to help the City of Brisbane meet the community's housing needs, as required by Government Code Section 65583(a). These administrative and financial resources implement the housing goals, policies, and programs described in Chapter 5, Housing Plan. They are to develop adequate housing to meet the needs of all economic segments of the community, to conserve and improve the condition of the existing affordable housing stock, and to affirmatively further fair housing opportunities for all persons regardless of age, sex, race, ethnic background, income, marital status, disability, family composition, national origin, sexual orientation, or gender. Cross references to applicable programs found in Chapter 5 are provided in the subsections below.

Brisbane's regulatory and financial resources fall into four types, as described below:

1. Encouraging housing production.
2. Subsidizing housing cost.
3. Fair housing anti-displacement.
4. Housing quality.

### 3.2.1 ENCOURAGING HOUSING PRODUCTION

As demonstrated in the adequate sites analysis and rezoning program described above, the city's zoning will accommodate residential development at densities and household income levels that would meet the community's housing needs. However, with zoning established, the real estate market then dictates where investment will go and therefore what types of units are produced at any given time. In Brisbane and the Bay Area in general, housing produced by the market ("market-rate") is priced far above what very-low, low- and moderate-income households can afford. Critically, the cost of building housing in the San Francisco Bay Area remains one of the greatest constraints to housing availability at all income levels for all household types. Lack of affordable housing particularly affects those with special needs, including seniors, persons with disabilities, and large and single-parent households.