



CITY OF NEWARK

Planning Commission

City Hall, City Council Chambers

Various Locations, Newark, CA 94560 | (510) 578-4330 | E-mail: planning@newark.org

AGENDA

Tuesday, June 8, 2021

7:30 P.M.

Due to technical difficulties related to the move to the new City Hall, this meeting will not be broadcast on Comcast Channel 26.

There will be a live web stream on YouTube and the Zoom Webinar access remains the same.

THIS IS A MEETING BY TELECONFERENCE ONLY. THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN. REFER TO THE END OF THE AGENDA TO REVIEW OPTIONS FOR PARTICIPATING IN THE MEETING REMOTELY OR TO SUBMIT PUBLIC COMMENTS VIA EMAIL.

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the regular Planning Commission meeting of April 13, 2021.**

(MOTION)

C. WRITTEN COMMUNICATIONS

D. ORAL COMMUNICATIONS

Members of the public are invited to address the Planning Commission on any item not listed on the agenda. Public Comments are generally limited to 5 minutes per speaker. Please note that State law prohibits the Commission from acting on non-agenda items.

E. PUBLIC HEARINGS

F. STAFF REPORTS

F.1 Affordable Housing Work Plan Overview.

G. COMMISSION MATTERS

G.1 Report on City Council actions.

H. ADJOURNMENT

IMPORTANT NOTICE REGARDING PLANNING COMMISSION MEETING

Due to the COVID-19 pandemic, the City of Newark made several changes related to Planning Commission meetings to protect the public's health and prevent the disease from spreading locally. As a result of the COVID-19 public health emergency, including the Alameda County Health Officer and Governor's directives for everyone to shelter in place, **the City Council Chambers will be closed to the public.** Members of the public should attempt to observe and address the Planning Commission using the below technological processes.

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online.

Chairperson Aguilar, Vice Chairperson Bridges, and Commissioners Becker, Fitts, Otterstetter will be attending this meeting via teleconference. Teleconference locations are not open to the public. All votes conducted during the teleconferencing session will be conducted by roll call vote.

How to view the meeting remotely:

Livestream online at YouTube – [Streaming Meetings](#)

How to participate in the meeting remotely, via Zoom Webinar:

From a PC, Mac, iPad, iPhone or Android device: <https://zoom.us/j/99055262036>

From a telephone dial 1 669 900 9128, Webinar ID 990 5526 2036

Provide live, remote public comments when the Chairperson calls for comments. Use the raise your hand feature in Zoom to be called upon by the Administrative Support Specialist.

Submission of Public Comments: Public comments received by 4:00 p.m. on the Planning Commission meeting date will be provided to the Planning Commission and considered before Planning Commission action. Comments may be submitted by email to planning@newark.org. Comments may also be submitted via e-mail to planning@newark.org at any time prior to closure of the public comment portion of the item(s) under consideration.

Reading of Public Comments: The Administrative Support Specialist will read aloud email comments received during the meeting that include the subject line "FOR THE RECORD" as well as the item number for comment, provided that the reading shall not exceed five (5) minutes, or such other time as the Planning Commission may provide, consistent with the time limit for speakers at a Planning Commission meeting and consistent with all applicable laws. Matters brought before the Planning Commission that require Council action may be either referred to staff or placed on a future Planning Commission agenda.

Commission Meeting Access/Materials:

The agenda packet is available for review at [Agenda and Minutes](#). The packet is typically posted to the City website the Friday before the meeting, but no later than 72 hours before the meeting.

Pursuant to Government Code 54957.5, supplemental materials distributed less than 72 hours before this meeting, to a majority of the Planning Commission, will be made available for public inspection at this meeting and will be posted, if time allows, at [Agendas and Minutes](#). Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection. For those persons who require special accommodations, please contact the Administrative Support Specialist at least two days prior to the meeting at planning@newark.org or 510-578-4330.



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MINUTES

Tuesday, April 13, 2021

A. ROLL CALL

Chairperson Aguilar called the meeting to order, via teleconference, at 7:30pm. Present were Vice Chairperson Bridges, Commissioners Becker, Fitts, Otterstetter (all via teleconference).

B. MINUTES

B.1 Approval of Minutes of the regular Planning Commission meeting of Tuesday, February 9, 2021.

MOTION APPROVED

Commissioner Becker moved, Commissioner Fitts seconded, to approve the Minutes of the regular Planning Commission meeting on February 9, 2021. The motion passed 5 AYES.

C. WRITTEN COMMUNICATIONS

None.

D. ORAL COMMUNICATIONS

None.

E. PUBLIC HEARINGS

None.

F. STAFF REPORTS

F.1 Overview and Update of Community Development Projects Previously Approved, Under Review and/or Construction – from Community Development Director Turner and Deputy Community Development Director Interiano.

(PRESENTATION ONLY)

Community Development Director (CDD) Turner presented an overview of residential developments in Newark including Bayside Newark, NewPark Mall, Sanctuary Village & West, Timber Street, and other projects.

Commissioner Becker asked whether the Mowry Village project included the 66-acres that the City owns to the east of the Mowry Village project. CDD Turner stated the City property is not included in the Mowry Village project.

Commissioner Fitts asked whether the Peterbilt test track is part of Area 3 & 4 Specific Plan and if there is anything earmarked for that property. CDD Turner stated that the property is part of the Area 3 & 4 Specific Plan. That property is quite narrow and it would be very difficult to develop on it.

Chairperson Aguilar asked if the City is meeting the RHNA guidelines. CDD Turner answered that the City is meeting the housing needs above moderate for affordable homes. There are other parts of the housing goal that the City has not met yet. The City has received an initial allocation for the next housing element cycle in 2023 at about 1,800 units.

CDD Turner presented an overview of commercial developments in Newark including Costco, Hyatt House Hotel, Fircrest Office Building, Thornton Assisted Living, and other projects.

Chairperson Aguilar asked if there have been any interests with tenants in the old Orchard Supply Hardware. CDD Turner stated there is interest in that location but it's difficult to get the property owner, brokers, and businesses to agree to initial leasing agreements and terms.

Vice Chairperson Bridges asked if there's new development with McDonald's. CDD Turner stated approvals have been given for the project but we do not have any new information regarding construction.

G. COMMISSION MATTERS

G.1 Report on City Council actions.

CDD Turner stated that there are no City Council actions on planning and development issues to discuss.

CDD Turner reminded the Commission that May 9 is Affordable Housing Week and at the May 13 City Council meeting, staff will present the Affordable Housing Workplan for Council's consideration.

H. ADJOURNMENT

Vice Chairperson Bridges asked how many Newark residents moved into the Newark Station Senior housing. CDD Turner stated staff is unsure of the city of origin for residents of Newark Station and wasn't sure if staff can ask that. CDD Turner stated staff is taking a different approach with the Timber St project by formally offering the units first to Newark residents. There are studies and legal aspects that will need to be considered and completed regarding fair housing before staff can offer the units to Newark residents.

Chairperson Aguilar adjourned the regular Planning Commission meeting at 8:23 pm.

Respectfully submitted,

STEVEN TURNER
Secretary



DATE: June 3, 2021

TO: Planning Commission

FROM: Steven Turner, Community Development Director

SUBJECT: Affordable Housing Work Plan Overview; Staff Report

On Tuesday, June 8, staff will provide an overview of the Affordable Housing Work Plan that was adopted by the City Council at their May 13, 2021 meeting. The City Council staff report and materials, including the Work Plan summary and the Affordable Housing Briefing Packet, is attached for your reference.

As you are aware, the City conducted one-on-one interviews with the Planning Commission earlier this year to discuss affordable housing priorities. Similar interviews were held with each member of the City Council and Community Development Advisory Committee. The results of these interviews were critical for the development of the work plan.

The City's affordable housing consultant, Mr. Paul Peninger of Baird + Driskell Community Planning, will provide the presentation and will respond to questions and comments at the meeting. This is an informational item. Planning Commission action is not required.



STAFF REPORT

Item F.1.

DATE 05/13/2021
TO Honorable Mayor and City Council Members
FROM Steven Turner, Community Development Director
SUBJECT Adopt a resolution approving the 2021-2023 Affordable Housing Work Plan

RECOMMENDATION

Staff recommends that the City Council, by resolution, approve the 2021-2023 Affordable Housing Work Plan.

EXECUTIVE SUMMARY

This staff report describes the development of a proposed Affordable Housing Work Plan (Work Plan) to supplement the City's current policies and create a number of new programs to proactively meet housing needs for all segments of the Newark community.

In order to help Community Development staff develop and implement an Affordable Housing Work Plan, Newark retained the services of Baird and Driskell Community Planning (B+D), a planning firm specializing in local government housing programs. To help shape the Work Plan, B+D professionals and City staff individually consulted with Council Members, Planning Commissioners, and Community Development Advisory Committee members. The following major housing needs and priority groups were identified for Newark:

- Young families
- Key workers (teachers, first responders, etc.)
- People and families at risk of homelessness
- People with disabilities and other special housing needs
- Low-income senior citizens

The proposed Work Plan presented for Council's consideration and approval has been developed to respond directly to these needs and priorities and includes the following major elements:

1. Updating the City's General Plan Housing Element
2. Conducting an Inclusionary Housing Policy Feasibility Analysis and Adopting a New Inclusionary Ordinance
3. Issuing a Notice of Funding Availability (NOFA) from the City's Affordable Housing Impact Fee Fund to Identify Affordable Housing Development Partners
4. Developing a Feasible Local Preference Policy for Newark Residents and Workers to Receive Priority in New Rental Housing
5. Creating a New First-time Homebuyer Program for Newark Residents and Workers
6. Exploring an Affordable Housing Sites Acquisition Program and Other Ongoing Programs and Strategies

Staff recommends that Council receive this report and adopt a resolution approving the 2021-2023 Work Plan.

BACKGROUND

Housing policy in Newark is currently guided by the [Housing Element of the General Plan](#), last updated and adopted in 2015 for the 2015-2023 planning period. This Housing Element sets forth goals, policies, programs, and actions for addressing the community's housing needs across income levels and household types. As described below, Newark will soon begin the process of updating the Housing Element for the 2023-2031 planning period.

Implementation Progress Under the Current Housing Element

The core of the Housing Element is a plan for meeting the City's Regional Housing Needs Allocation (RHNA) by income level, as defined by the State Department of Housing and Community Development (HCD) and the Association of Bay Area Governments (ABAG). As provided in the 2015-2023 Housing Element, Newark identified sites to accommodate the City's RHNA housing needs, and also set forth a number of related housing policies and

programs to support the creation of affordable housing. The following table shows both the 2015-2023 RHNA and progress in meeting housing needs by income level.

Newark RHNA 5 Housing Allocations, 2015-2023				
Income Category	RHNA		Units Produced, 2015-2020	
	# Units	Percent	# Units	Total Remaining
Very Low Income (up to 50% AMI)	330	30.6%	-	330
Low Income (51-80% AMI)	167	15.5%	-	167
Moderate Income (81-120% AMI)	158	14.7%	36	122
Above Moderate Income (121 AMI+)	423	39.2%	779	
Total	1,078	100.0%	815	619

Source: City of Newark, 2020.

Unfortunately, despite the City's efforts to seek out and partner with Affordable Housing developers, no units serving the lower-income RHNA categories have been produced during the 2015-2023 planning period; although there is currently a 79-unit affordable senior housing development proposed by Eden Housing in the planning review process.

Affordable Housing Impact Fee

While no lower-income units have been produced since 2015, the City has been collecting impact fees from market-rate housing development per the Affordable Housing fee program adopted by Council in 2014. This ordinance is codified in Chapter 17.18 of the Municipal Code. The fee is based on square footage of the project. \$21.52 per square foot of floor area is charged for the first 1,000 square feet and \$8.62 per square foot is charged above 1,000 square feet, excluding garages, carports or common areas. To date, approximately, \$31M in impact fees have been deposited in the Affordable Impact Fee Fund to support projects or programs that preserve and/or increase the supply of affordable housing in Newark.

DISCUSSION/ANALYSIS

Work Plan Development

Staff sought out affordable housing consultants with expertise in local government housing programs and policies to assist with the development and implementation of an affordable housing work plan. In August 2020, City staff issued a Request for Proposals for on-call planning and affordable housing consulting services. Based on their extensive experience assisting local governments in the Bay Area with housing programs, Baird and Driskell Community Planning (B+D) was retained as the City's affordable housing consultant. Council approved the consultant contract with B+D in November 2020.

Key Stakeholder Interviews

As a first step in developing a comprehensive two-year Affordable Housing Work Plan, B+D staff coordinated with City staff to conduct background research and key informational interviews with Council Members, Planning Commissioners, and members of the Community Development Advisory Committee (CDAC) in order to fully understand Newark's housing needs and priorities. B+D developed a briefing packet and a set of guiding questions for these interviews (provided in Attachment B (updated May 2021) and worked with staff to schedule 15 separate interviews conducted over the span of approximately one month. Key questions addressed to all interviewees included:

- What types of housing does the city most need to plan for in the future?
- Taking into account the housing affordability gap faced by households with lower incomes, what are some of the key policy approaches that Newark should consider?
- The need for affordable housing affects all parts of the Newark community, but in your opinion, what types of people and households should Newark's housing policies prioritize?

Over the course of the interviews, several common themes emerged, including that Newark needs more actual production of affordable units, both as part of otherwise market-rate developments, as well as in 100 percent affordable housing developments built in partnership with nonprofit developers. Council Members, Commissioners and CDAC members also stated that the City should work proactively to structure new programs to strategically allocate the City's affordable housing impact fee funds. Grouped by major topic, additional feedback from the interviews that has helped to shape the Work Plan included:

Priority Housing Needs

- Young families
- Key workers (teachers, first responders, etc.)
- People and families at risk of homelessness
- People with disabilities and other special housing needs
- Low-income Senior housing

Priority Housing Types

- Rental Apartments (medium- to high-density in select areas)
- Condominiums and townhomes (including for first-time homebuyers)
- Missing middle housing types (these include housing like duplexes, tri-plexes and four-plexes).

Priority Housing Programs

- Inclusionary Housing Ordinance (requiring on-site production of units rather than allowing the payment of an in-lieu or impact fee);
- Partner with affordable housing developers to develop affordable rental housing (including issuing a notice of funding availability ["NOFA"] to incentivize new developments consistent with the City's goals);
- Acquire sites, potentially with other partners;
- Create affordable homeownership program;
- Local Preference Ordinance.

Draft Work Plan

Building directly on the feedback provided by the Council, Commissioners and CDAC members, the Work Plan is structured as a two-year set of activities to directly advance the identified priorities listed above.

Work Plan Priorities

The major Work Plan priorities are described below and summarized in Exhibit A of the resolution.

1. 2023 – 2031 Housing Element Update

This Housing Element update process is expected to be more time intensive and rigorous than previous cycles for several reasons. First, Newark's Regional Housing Needs Allocation (RHNA) is significantly higher than last cycle: 1,874 compared to 1,078 (see below). Also, because of changes in State law, it will be harder to identify sites that can count towards meeting the RHNA. There are also other new rules, such as Affirmatively Furthering Fair Housing, that will require Newark to take into account issues around equity when evaluating sites and creating programs and policies.

City of Newark Draft RHNA 6 Housing Allocations for Planning, January, 2021				
Income Category	Newark		Alameda County (All Cities)	
	# Units	Percent	# Units	Percent
Very Low Income (up to 50% AMI)	464	24.8%	23,608	26.5%
Low Income (51-80% AMI)	268	14.3%	13,591	15.3%
Moderate Income (81-120% AMI)	318	17.0%	14,438	16.2%
Above Moderate Income (121 AMI+)	824	44.0%	37,362	42.0%
Total	1,874	100.0%	88,999	100.0%

Source: ABAG, 1/21.
https://abag.ca.gov/sites/default/files/draft_rhna_allocation_presentation_to_exec_bd_jan_21.pdf

At the same time, this upcoming Housing Element update provides the Newark community with a once in a decade opportunity to evaluate and update the City's housing policies and programs to ensure that housing needs of all parts of the community are met in the future.

B+D will work with staff to develop a Request for Proposals to retain a Housing Element consultant, and will assist in the community engagement process, sites inventory and analysis and policy and program development. Key milestones for the Housing Element process include, as follows:

Issue RFP and Retain Consultant	Spring/Summer, 2021
Develop engagement strategy	Summer 2021
Complete research/key trends	Summer 2021
Identify scale of rezoning needed	Summer 2021
Begin rezoning/CEQA	Fall 2021
Complete programs/policies	Spring 2022
Complete rezoning	Summer/Fall 2022
Complete rezoning CEQA	Summer/Fall 2022
Draft Plan	Summer 2022
Hold public hearings	July/Aug 2022
State HCD review	Sep 2022
Revise Plan if needed	Oct 2022
Hold Council adoption hearings	Nov 2022
Complete Housing Element CEQA	Nov 2022
Submit for State certification	Dec 2022

Funding: The Housing Element update will cost on the order of \$150,000 to \$250,000 depending on the extent of rezoning needed. Funding will come both from a \$150,000 Local Early Acton Planning (LEAP) grant awarded to the City in January 2021 as well as grant funds from the Regional Early Action Planing (REAP) program. Supplement funding from the Community Development Maintenance Fee fund may also be necessary.

2. Inclusionary Housing Study and Ordinance

In order to ensure the on-site inclusion of affordable units in new developments, B+D and staff will develop a scope of work and RFP to retain a consulting firm to develop a feasible inclusionary housing program for Newark to replace the existing impact fee program. As an outcome of this effort, B+D will work with the consulting team to develop an economically feasible program and structure an ordinance that complies with State law and reflects best practices in inclusionary housing policies from other California cities.

Funding: The inclusionary housing and nexus study is anticipated to cost on the order of \$100,000. Potential funding sources include both the City's Housing Impact Fee fund and Community Development Maintenance Fee fund, and a potential REAP grant funding from ABAG/MTC.

3. Funding for Affordable Housing Partnerships/Projects

The affordable housing impact fee fund represents a critical strategic resource for Newark as the city looks to leverage scarce resources and partner with nonprofit developers to deliver new affordable housing opportunities in the community. An early Work Plan item will be to structure a funding program and issue a Notice of Funding Availability (NOFA) to local developers. An initial NOFA could be issued as early as Fall of this year with award(s) taking place in late 2021 or early 2022.

Funding: A significant portion of the City's Housing Impact Fee fund is expected to dedicated for this priority. Staff estimates that approximately 40% of the fund's balance (\$12.4M) could be used for affordable housing projects. The City could issue multiple NOFA funding rounds over multiple years, depending on community needs and Council's direction. Staff would bring each NOFA proposal, with a detailed budget, to Council for authorization and approval.

4. Local Preferences Policy

Many communities across the Bay Area are interested in developing policies to allow local residents and workers to receive preferential status in applications for new affordable housing rental. Such policies are difficult to structure and enact due to fair housing laws, but efforts are underway currently to link the need for such local preferences to anti-displacement strategies. Staff and B+D will continue to monitor ongoing efforts by Eden Housing and others to develop local preferences policies, and as appropriate and feasible will look to develop a tailored policy for Newark.

Funding: A budget and funding plan for this work plan item has yet to be developed and will depend, in part, on the results of current study efforts. Staff expects that approximately \$50,000 could be needed for consultant work to prepare the policy. Council will be presented with recommendations for funding a local preferences policy study as they are developed.

5. First Time Homebuyer Program

Many Bay Area cities either manage their own first-time homebuyer programs or partner with nonprofit partners to manage local programs. For this work plan item, B+D will conduct a thorough analysis of suitable first-time homebuyer programs and will recommend a program for implementation.

Funding: An initial allocation of \$50,000 would be needed from the Housing Impact Fee fund, with additional annual allocations needed depending on the overall size and structure of the program. Staff estimates that approximately 5% of the fund's balance (\$1.55M) could be used for this program.

6. Sites Acquisition and Other Priorities

Staff and B+D will also proactively work to identify opportunities for partnering with other agencies and landowners to acquire sites for affordable housing, as well as to seek creative ways of partnering with developers to include affordable units in market-rate projects. This item will be implemented on an ongoing basis in parallel with the other above enumerated Work Plan priorities.

Funding: A significant portion of the City's Affordable Housing Impact Fee fund is expected to be dedicated for this priority. Staff estimates that approximately 40% of the fund's balance (\$12.4M) could be used to acquire sites for affordable housing projects. Staff would bring each site acquisition proposal, with a detailed budget, to Council for authorization and approval.

Program Management

The Affordable Housing Work Plan will be overseen and managed by Community Development Department staff with assistance from Baird and Driskell. As mentioned above, funding sources will range from State and Regional Agency grants to the Affordable Housing Impact Fee fund and the Community Development Maintenance Fee fund. Requests for funding each work plan item will be submitted to Council separately.

Initiation of Work Plan

Upon approval by the City Council, staff will immediately initiate work as described in the Work Plan.

FISCAL IMPACT

Adoption of a resolution approving the 2021-2023 Affordable Housing Work Plan will not result in any fiscal impacts to the City. The Work Plan contains activities that would be funded through grants, the Housing Impact Fee fund (the "Fund"), and/or the Community Development Maintenance Fee fund. The resolution does not authorize spending for these activities. Staff would bring funding requests for each Work Plan activity prior to initiation of any consultant work or program.

As described above, the City's Housing Impact Fee fund would be the primary funding source for the Work Plan activities. Although specific funding allocations have not been developed, one possible allocation based upon the funding estimates for each priority is as follows:

- Policy Development (2023-2031 Housing Element preparation, Inclusionary Housing Study and Ordinance, Local Preference Policy): approximately 1-2% of the Fund.
- Funding for Affordable Housing Partnerships/Projects: approximately 40% of the Fund.
- Site Acquisition and Other Priorities: approximately 40% of the Fund.
- First Time Homebuyer Program: approximately 5% of the Fund.
- Reserve funds, for other unforeseen affordable housing opportunities: approximately 13-14% of the Fund.

ENVIRONMENTAL REVIEW

Approval of a resolution adopting the 2021-2023 Affordable Housing Work Plan is not a project under the California Environmental Quality Act. Appropriate environmental review, if required, would take place with each Work Plan activity.

PLANNING COMMISSION

As described above, Planning Commission members participated in interviews with City staff and Baird and Driskell staff, which guided development of the proposed Work Plan. Planning Commission review of the Work Plan was not required prior to City Council's consideration.

REVIEW AND APPROVAL

Prepared by – Steven Turner, Community Development Director
Reviewed by – Kristopher J. Kokotaylo, Interim City Attorney
Approved by – David J. Benoun, City Manager

Attachments

Resolution

Exhibit A - Work Plan

Attachment B - Newark Housing Policy Briefing Package

Presentation revised 05132021

Newark Affordable Housing Work Plan, 2021-2023

		I. Housing Element Update	II. Inclusionary Housing and Nexus Study and Ordinance	III. Funding NOFA	IV. Local Preferences Policy	V. First-Time Homebuyer Program	V. Sites Acquisition and Other
Timeframe/Budget*		\$150,000-\$200,000, depending on extent of rezoning	\$100,000	40% of Housing Fund	\$50K	\$50,000 for Initial Program Structure + 5% of Housing Fund	40% of Housing Fund
Spring/Summer2021		Issue RFP/begin community engagement, review of previous housing element, needs assessment and overall update process	Develop Scope/Issue RFP/Retain Consultant and initiate study process	Develop NOFA outline and determine initiate funding be offered	Coordinate with Eden Housing re: local preferences analysis for proposed 79-unit senior housing development	Develop draft program parameters for first-time homebuyer program.	1) Due diligence and background research for potential acquisition of sites for affordable housing development. 2) assist staff with ongoing real state and affordable housing analysis, developer negotiations other key tasks related to affordable housing.
Fall 2021		Community engagement continues + sites inventory and analysis	Conduct Study	Issue NOFA and review applications	Develop analysis and guidelines for local preferences policy	Conduct additional due diligence for program and present drat program for Council consideration.	1) Develop sites acquisition strategy; 2) affordable housing program and policy support.
Winter 2021/22		Assess rezoning needs	Finalize Study and make recommendations to Council/adopt updated Program/Ordinance	Make funding commitments	Adopt local preferences policy	Adopt and begin implementation of program.	Implementation of sites acquisition strategy; other affordable housing program and analytical tasks.

Newark Affordable Housing Work Plan, 2021-2023

		I. Housing Element Update	II. Inclusionary Housing and Nexus Study and Ordinance	III. Funding NOFA	IV. Local Preferences Policy	V. First-Time Homebuyer Program	V. Sites Acquisition and Other
Spring 2022		Rezoning + Programs and Policies	Implementation	Manage/oversee funding allocations	Implementation	Implementation	Implementation of sites acquisition strategy; other affordable housing program and analytical tasks.
Summer 2022		Public Hearings	Implementation	Manage/oversee funding	Implementation	Implementation	Implementation of sites acquisition strategy; other affordable housing program and analytical tasks.
Fall 2022		Submit Draft to HCD	Implementation	Manage/oversee funding	Implementation	Implementation	Implementation of sites acquisition strategy; other affordable housing program and analytical tasks.
Winter 2022/23		Approve and Adopt Housing Element	Implementation	Manage/oversee funding	Implementation	Implementation	Implementation of sites acquisition strategy; other affordable housing program and analytical tasks.

*Estimated budget or Housing Fund allocaton percentage. Specific funding requests would be reviewed and approved by Council

Newark Housing Policy Briefing Package

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I. Introduction

This briefing document has been prepared by City Staff and Baird + Driskell Community Planning to help inform housing policy discussions with Newark City Council members and Planning Commissioners. In addition to the below guiding questions, the document contains: 1) background information on housing needs in Newark; 2) the upcoming Housing Element update process; and, the City’s existing General Plan and Housing Element policies related to housing.

II. Key Discussion Topics/Questions

1. Newark has long been considered one of the most livable and relatively affordable cities in the high cost Bay Area. As the city continues to change and welcomes more residents and businesses, what do you see as Newark’s most important housing policy priorities? What types of housing does the city most need to plan for in the future?
 - a. Single-family homes?
 - b. Townhouses, duplexes and other multiplex options?
 - c. Medium to higher density ownership and rental housing in specific plan areas near services, jobs and transit?
 - d. Other housing types
2. The median household income in Alameda County for a family of 4 is \$125,600 but many Newark households make much less than this, presenting housing affordability challenges for many of the community’s families. Taking into account the housing affordability gap faced by households with lower incomes, what are some of the key policy approaches that Newark should consider:

- a. Supporting the development of non-profit affordable housing with local gap financing?
 - b. Changing the City’s policies to encourage more on-site affordable housing development rather than allowing the payment of in lieu fees?
 - c. Changing land use and zoning results to allow more and different types of housing throughout the city?
 - d. Creating or supporting a local community land trust program to acquire land for the future development of affordable housing?
 - e. Establishing a new program to provide rental assistance support for low-income renters facing the threat of eviction and displacement?
 - f. Other?
3. The need for affordable housing affects all parts of the Newark community, but in your opinion, what types of people and households should Newark’s housing polices prioritize?
- a. Families
 - b. Seniors
 - c. People with special needs (e.g. those with physical or developmental disabilities)
 - d. Individuals or families at risk of homelessness?
 - e. Other?

III. What is Affordable Housing In Newark?

When we talk about affordable housing we mean homes that are rented or sold at rents or sales prices that are lower than prevailing market rates. In Alameda County, the vast majority of purpose-built affordable housing is built and managed by private and nonprofit developers using a variety of funding and financing sources. Affordable housing programs generally target households who earn 80% or below of the area’s median income (AMI), which for Alameda County is \$119,200 a year for a household of four. Households that pay more than 30% of their monthly income are considered “rent burdened” while families who pay over 50% of their monthly income are considered “severely rent burdened”. Many of the most common jobs in Alameda County don’t pay enough for many households to afford prevailing sales prices or rental rates, underscoring the need for more affordable housing options.

Annual Income (% of Area Median Income For Alameda County)	Household Size (persons per Household)						
	1	2	3	4	5	6	7
Extremely Low Income (up to 30% AMI)	\$28,800	\$32,900	\$3,700	\$41,100	\$44,400	\$47,700	\$51,000
Very Low Income (30-50 % AMI)	\$47,950	\$54,800	\$61,650	\$68,500	\$74,000	\$79,500	\$84,950
Low Income (51-80% AMI)	\$76,750	\$87,700	\$98,650	\$109,600	\$118,400	\$127,150	\$135,950
Median Income (100 % AMI)	\$87,900	\$100,500	\$113,050	\$125,600	\$135,650	\$145,700	\$155,750
Moderate Income (81-120% AMI)	\$105,500	\$120,550	\$135,560	\$150,700	\$162,750	\$174,800	\$186,850

Source: State of CA HCD, 2021.
<https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/income%20limits%202021.pdf>

Job/Occupation	Average Annual Wage	Estimated % of AMI for 3 person HH	% of Monthly income needed to afford average market rent for a two bedroom unit
Dishwashers	\$31,353	29%	86%
Retail Salespersons	\$48,330	45%	56%
Security Guards	\$39,267	37%	69%
Preschool Administrators	\$65,321	61%	41%
Police Officers	\$176,367	164%	15%
Preschool Teachers	\$44,049	41%	62%
Hair Dressers	\$36,250	34%	75%
Medical Assistants	\$48,347	45%	56%
Receptionists	\$38,500	36%	70%

Note: Average market rent data from Apartments.com for Newark as of January, 2021.
<https://www.apartments.com/newark-ca/#guide>

IV. Housing Element Update and Draft RHNA Allocation

The Housing Element is part of Newark’s General Plan and identifies policies and programs to meet the housing needs of the city’s current and future residents. State law (Government Code Sections 65580-65589.8) requires that every city and county in California adopt a Housing Element, approximately every eight years. In addition, the State Department of Housing and Community Development (HCD) reviews and certifies that each jurisdiction’s Housing Element meets all the requirements of the law. Newark’s previous Housing Element was adopted in 2015 and the new document must be adopted by January 2023, but the approval process can take several months.

This Housing Element update process is expected to be more time intensive and rigorous than previous cycles for several reasons. First, Newark’s Regional Housing Needs Allocation (RHNA) is significantly higher than last cycle: 1,874 compared to 1,078 (see below). Also, because of changes in state law, it will be harder to identify sites that can count towards meeting the RHNA. There are also other new rules, such as Affirmatively Furthering Fair Housing, that will require Newark to take into account issues around equity when evaluating sites and creating programs and policies.

Income Category	Newark		Alameda County (All Cities)	
	# Units	Percent	# Units	Percent
Very Low Income (up to 50% AMI)	464	24.8%	23,608	26.5%
Low Income (51-80% AMI)	268	14.3%	13,591	15.3%
Moderate Income (81-120% AMI)	318	17.0%	14,438	16.2%
Above Moderate Income (121 AMI+)	824	44.0%	37,362	42.0%
Total	1,874	100.0%	88,999	100.0%

Source: ABAG, 1/21.
https://abag.ca.gov/sites/default/files/draft_rhna_allocation_presentation_to_exec_bd_jan_21.pdf

This upcoming housing element update provides the Newark community with a great opportunity to evaluate and update the City’s housing policies and programs to ensure that housing needs of all parts of the community are met in the future. City staff will be providing additional updates on the Housing Element update and consultant hiring process in the near future, but the general timeline for the update process is as follows:

Sample Timeline

Start process	Early 2021
Develop engagement strategy	Spring 2021
Complete research/key trends	Spring 2021
Identify scale of rezoning needed	Summer 2021
Begin rezoning/CEQA	Fall 2021
Complete programs/policies	Spring 2022
Complete rezoning	Summer/Fall 2022
Complete rezoning CEQA	Summer/Fall 2022
Draft plan	Summer 2022
Hold public hearings	July/Aug 2022
State HCD review	Sep 2022
Revise plan if needed	Oct 2022
Hold Council adoption hearings	Nov 2022*
Complete Housing Element	CEQA Nov 2022
Submit for state certification	Dec 2022

* This schedule builds in two months of time before the January 2023 deadline

* Alternatively, jurisdictions can adopt the zoning changes at the same time they adopt their housing element.

V. Excerpts from the General Plan and Housing Element



General Plan- Housing Related Policies and Actions

Policy LU-1.3 Jobs-Housing Balance.

Seek to balance housing and job growth. The City should strive to have a roughly equal number of jobs and employed residents, with a mix of housing types that meets the needs of the local workforce.

In 2010, ABAG estimated that the Bay Area had 2,608,000 households and 3,385,000 jobs, or a ratio of 1.30 jobs per household. In Newark, the ratio was 1.33, which is just above the regional average. The City will continue to strive to maintain a jobs housing ratio which is close to the regional average, yielding roughly equal numbers of employed residents and jobs. Job and housing opportunities should be expanded in a complementary manner.

Policy LU-1.7 Executive Housing.

Develop and maintain a range of housing types in the city, including executive housing which provides residents with opportunities for "move up" housing within the city.

Policy LU-1.8 Housing Opportunity Sites.

Ensure that adequate sites are provided for the private and non-profit sectors to develop housing for seniors, persons with disabilities, and lower income households. Such housing should be well designed and managed, and located in a manner that is compatible with existing uses and neighborhood character.

Action LU-1.D Minimum Densities.

Set minimum residential densities in all areas designated on the General Plan Diagram for medium- to high-density residential use, and for mixed-use development. The minimum densities will ensure that this land supply is used as efficiently as possible and will help ensure that the city meets its adopted housing objectives.

Action LU-1.E Civic Center Concept Plan.

Develop a concept plan for the Newark Civic Center which seeks to strengthen the area's role as the center of civic life in the City. The concept plan should accommodate a new Public Library, City Hall, the Police Department, a civic plaza and park, and opportunities for other compatible uses such as multi-family housing. The possibility of co-locating School District Offices in this complex, along with joint use of certain facilities such as the City Council and School Board Chambers, should be explored.

Policy LU-2.6 Scale Transition.

Avoid abrupt transitions from taller buildings to lowrise buildings, especially where commercial and higher density housing abuts neighborhoods characterized by one-story homes. Buildings taller than three stories should be required to step down in height when located adjacent to single-family lots. Overpowering contrasts in scale and height between adjacent lots should be avoided.

Policy LU-2.10 Second Units.

Recognize second units (in-law apartments) as an important part of Newark's housing supply and continue to allow such units, subject to parking, ownership, and size standards that are consistent with State law.

Policy LU-2.12 Group Home and Day Care Uses.

Continue to allow small group homes for disabled persons and seniors in all residential zones, consistent with state housing law. In addition, continue to allow large group homes and large family daycare facilities, subject to use permit requirements which ensure that neighborhood impacts are minimized.

See also Safety Element policies on minimizing exposure to noise and hazardous materials. See the Conservation and Sustainability Element for policies on green buildings.

Policy LU-3.3 Housing Investment.

Encourage continued investment and improvement in Newark's existing housing stock. Property owners should be encouraged to maintain their properties and bring substandard housing units up to building code standards.

Action LU-3.C Housing Rehabilitation and Repair Programs.

Publicize Alameda County's housing rehabilitation and minor home repair programs, and encourage participation in these programs by Newark property owners.

Policy LU-4.3 Urban Centers.

Create locations in Newark which are more urban and pedestrian-oriented in character than they are today. Such areas include the future Dumbarton Transit Oriented Development and Old Town. These areas should be transformed over time into mixed-use centers with retail, office, civic, and higher density housing uses.

Policy LU-4.4 Greater NewPark Area.

Modernize the Greater NewPark Area to create a vibrant regional retail location which provides urban amenities and gathering places. A mixture of higher density housing, office, hotel, entertainment, civic, and other uses should be encouraged, to the extent that these uses enhance regional retail as the primary use and assist in the area's revitalization.

Policy LU-6.1 Dumbarton TOD Land Uses.

Plan for the following activities around the intersection of Willow Street and the proposed Dumbarton Rail Service: (1) a future transit station serving the region as well as neighboring residents; (2) a

neighborhood center consisting of retail, grocery, visitor-serving, and higher-density residential uses; (3) up to 2,500 housing units with a wide range of unit types and affordability levels; (4) necessary infrastructure to support the development; (5) contribution toward an overpass on Central Avenue over the Union Pacific railroad tracks, and (6) A network of open space and parks, including a bayside trail.

Policy LU-6.2 Dumbarton TOD Design Guidelines.

Apply design guidelines to future development at Dumbarton TOD which support the area's development as a "village" comprised of traditional city blocks, vernacular architectural styles, and a mix of housing types.

GOAL LU-7

Develop the Southwest Newark Residential and Recreational Project⁴ as one of the Silicon Valley's premier new neighborhoods, with executive housing and high quality recreation.

Policy LU-7.9 Inclusionary Housing.

Address inclusionary housing requirements consistent with the Area 3 and 4 Development Agreement.

Action LU-8.C Old Town Design Standards.

Revise standards and guidelines for residential areas around Old Town to ensure protection the area's historic character. Guidelines should promote denser mixed-use development along Thornton Avenue and lower density development in the surrounding neighborhoods which reinforces its historic, lowscale context.

For properties along Thornton Avenue, design guidelines should encourage mixed uses which reflect the traditional massing and scale of Old Town while still allowing for contemporary architecture. For properties in the adjacent residential neighborhood, guidelines should encourage massing and design that maintains a single-family presence on the street, even where mixed densities and housing types are present. This could include allowing larger second units rather than duplexes, and encouraging small multi-family developments on individual lots rather than larger developments on aggregated parcels.

Policy LU-9.2 High Density Housing in the Greater NewPark Area.

To the extent that it contributes to the regional retail focus of the area, consider introduction of high-density residential uses in the NewPark Mall vicinity

Policy T-4.3 Co-Location of Housing and Services.

Locate higher density housing and senior housing close to shopping, medical facilities, senior centers, and public transportation as a way of reducing trip lengths and increasing transportation options for residents of such developments.

Policy T-4.4 Mixed-Use Development.

Encourage mixed-use development (such as housing over retail uses) as a way of making it easier to live, work, and shop without owning a car, and as a strategy for reducing the number and length of vehicle trips.

Action T-4.E Commuter Benefits Programs.

Encourage Newark businesses to develop and implement commuter benefit programs, such as transit passes, eco-passes, and pre-tax transit benefits.

See the Economic Development Element for policies on maintaining a jobs-housing balance.

Action T-7.D Variable Residential Standards.

Establish residential parking standards which consider such factors as the number of bedrooms per unit for multi-family development, the occupancy characteristics of future residents, and the proximity of the development to public transportation. Lower parking requirements could apply to senior housing, studio apartments, and other units where the number of vehicles per unit is expected to be lower than conventional market rate housing.

Policy E D-1.3 Revenue Generation.

Support continued expansion of the municipal tax base, including property, transient occupancy, and sales taxes, to ensure adequate funding for public facilities and services. Development should generally have a positive fiscal impact on the City, unless other compelling community benefits will be provided.

An example of a project with a neutral or slightly negative fiscal impact that provides a “compelling community benefit” might be senior housing or childcare. Such uses help create and sustain a strong community but do not necessarily generate revenue for the city.

Policy E D-1.14 Jobs-Housing Ratio.

Encourage a jobs and housing balance that is based not only on the number of jobs and employed residents in the city, but also the ability of Newark residents to live and work within the city. The City will support the development of housing which corresponds to the wages and employment characteristics of projected employment in Newark.

The City will continue to provide sufficient residentially zoned land to meet its Regional Housing Needs Allocation (RHNA) as defined by ABAG, and will work to provide diverse housing choices for Newark residents. An update of the Housing Element is anticipated in 2014 to demonstrate the City's commitment to meeting its housing needs through 2022 and beyond.

Policy E D-2.2 Greater NewPark Mall Area.

Guide the revitalization of the NewPark Mall area so it becomes a world-class retail and entertainment destination. Additional uses such as offices, hotels, and housing should be supported only to the extent that they support retail revitalization.

Action ED-4.D Reducing Commute Times.

In coordination with the Chamber of Commerce, explore programs that result in reduced commute times and a higher percentage of residents who both live and work within Newark. This could include employer-assisted housing, incentives to hire locally, and improved provisions for bicycles at local work places.

See the Transportation Element for actions on the Dumbarton Rail extension and the promotion of bicycle and pedestrian travel within the city.

Policy E D-5.5 Media Relations.

Garner positive media coverage that promotes Newark as a livable city with great weather, a central location, quality shopping and dining choices, diverse housing choices, excellent schools and parks, and an accessible City government.

Policy HW-1.2 Land Use, Transportation, and Air Quality.

Make land use and transportation decisions that reduce tailpipe emissions, including promotion of walking and bicycling, improvements to public transportation, and a jobs-housing balance that reduces vehicle commute miles. Higher density development and mixed commercial and residential uses should be permitted near the proposed Dumbarton Rail Station, and in other areas where high-frequency transit service is proposed.

Policy HW-3.3 New Grocery Stores.

Encourage new grocery stores to locate in those commercial areas nearest to where new housing is planned.

REVIEW AND REVISE

This section contains an evaluation of the 2009-2014 Housing Element Programs.

2009 Program 1: Facilitate the preparation of specific plans for Areas 2, 3 and 4, and encourage development in those areas. General Plan Areas 2, 3 and 4 consist of the only significant vacant land remaining in the City of Newark. City staff has been working to promote development in those areas for several years.

COMPLETED

The Areas Three and Four Specific Plan was approved in 2010 envisioning approximately 1,260 new residential housing units, Although an advocacy group's CEQA litigation has delayed implementation. Legal issues are nearing resolution and the project is expected to proceed in Early 2015. Its first phase, (600 units) is expected in the 2015-22 Planning Period.

The Dumbarton Transit Oriented Development Specific Plan was approved in 2011, It included the Area Two Project Area, a total of 2, 500 new housing units are planned. (1509 Medium density and 74 High Density within the 2015-22 Planning Period.

2009 Program 2: Create mixed use zoning districts in Old Town.

COMPLETED

The zoning districts were adopted and 2009 Element sites G, H, and I were rezoned in 2009.

2009 Program 3: Ensure sufficient land has been designated for housing.

COMPLETED

The City changed the zoning and/or General Plan Designations for 2009 sites B, D, E, J, L, M, O and P in 2009. High Density and Mixed use zoning districts are presently in place for all higher density sites in the site inventory.

2009 Program 4: Address issues with foreclosures by participating in the Neighborhood Stabilization Program and other actions as appropriate.

COMPLETED

The City of Newark through Alameda County Urban County participated in the NSP Program. The foreclosure crisis had abated in Newark prior to project initiation and housing process made the program of limited utility. 2 homes were assisted.

Program 5: Amend the zoning ordinance to allow homeless shelters by right in the RH zoning district.

COMPLETED

Newark amended its zoning ordinance in 2010 to allow homeless shelters in the high density RH zoning district without a conditional use permit or other discretionary action. Despite this change there have not been any additional homeless shelters developed.

2009 Program 6: Continue to support regional efforts to end homelessness, such as Alameda County's EveryOne Home Program

COMPLETED and CONTINUING (Program 2)

Homelessness is a regional problem which needs a regional solution. Newark's City Council has endorsed the EveryOne Home Program for Alameda County, which presents a regional approach to the problem. The EveryOne Home Program sets forth a vision for a housing-first program that focuses on transitional and supportive housing rather than temporary homeless shelters. This effort con

2009 Program 7: Provide ongoing support for the Alameda County Housing Repair and Rehabilitation Programs.

COMPLETED and CONTINUING (Program 3)

Each year, a portion of Newark's CDBG funds is dedicated to the Housing Repair and Rehabilitation Program according to a formula approved by the Urban County jurisdictions. Funds for the program are determined early each year, in January and February. Additional funding will be provided to the program whenever funds are needed and available.

2009 Program 8: Monitor the city's inclusionary housing program and amend as needed.

COMPLETED

Partially as a result of the monitoring process, Newark rescinded the inclusionary housing program in 2013. The programs requirements were onerous in their complexity and lack of certainty. The Inclusionary Housing Program was replaced with an Affordable Housing Fee based on a nexus analysis that assessed the impact new market rate housing has on the demand for affordable housing,

2009 Program 9: Work with non-profit housing developers and organizations to support efforts to create new housing for seniors, people with disabilities, formerly homeless people, households with moderate incomes or below, especially including extremely low income households, and other special needs populations.

COMPLETED and CONTINUING (Program 1)

City staff has worked with a number of organizations in the past few years who are interested in constructing housing for people with special needs. The city has provide information about particular sites, has offered to help to apply for funding and support the funding applications, and offered to expedite the application process.

2009 Program 10: Create a multifamily design review process for all multifamily projects with five or more units to replace the current requirement for a Conditional Use Permit

COMPLETED

Newark developed a new staff level multifamily design review process in 2010 to replace the conditional use permit requirement. The new process was modeled on the existing single-family design review, and does not require discretionary approval.

2009 Program 11: Amend the Municipal Code to comply with revisions to state density bonus law.

COMPLETED

In 2010 Newark amended its zoning code regulations governing density bonuses in order to comply with revisions to Government Code Section 65915.

2009 Program 12: Work with the community and developers to identify a location for a new Civic Complex, and begin project to reuse of the existing City Hall site.

ONGOING (Program 4)

This site has many advantages for housing, including its location next to a park and with good access to transportation and shopping. Developers have already expressed interest in the site. Reuse of the site appears to be feasible within the planning period.

The elimination of the Redevelopment program by the State of California and weakness in the housing market set back this effort. Fortunately the Housing Market has recovered and in Newark it is at its strongest level in more than a decade. This effort will continue as program 4.

2009 Program 13: Transitional and Supportive Housing Zoning Amendments.

State law (SB 2) now requires all cities to treat transitional and supportive housing as a residential use subject only to those restrictions that apply to other residential uses of the same type in the same zoning district. Newark will amend its zoning code to incorporate definitions of transitional and supportive housing, and to comply with these state requirements.

COMPLETED

The zoning ordinance amendments were completed in 2010.

2009 Program 14: Minimum Densities.

To comply with Section 65583.2(h) of the Government Code, the city will amend its zoning ordinance to allow at least 16 units per site at densities of no less than 20 units per acre for all high density sites that are being used to provide housing for low income households.

COMPLETED

In the 2013 General Plan Update the density ranges were amended to be compliant with this program: High Density Residential has a minimum density of 25 units per acre and an upper limit of 60 units per acre,

2009 Program 15: Federal, State and Redevelopment Funds.

The City shall apply for state and federal funds to construct housing, including housing for low income households. For funds that the City controls, such as CDBG jurisdictional funds, the Housing Fund, and Redevelopment Housing Fund monies, projects that would provide housing for extremely low income households will be given preference.

COMPLETED and CONTINUING (Program 8)

A Station Area Planning Grant was applied for and received from the Metropolitan Transportation Commission to partially fund the Planning Process for the Dumbarton Transit Oriented Specific Plan and EIR.

PROGRAMS

Program 1: The City will continue ongoing work with non-profit and for profit housing developers and organizations to support efforts to create new housing for seniors, people with disabilities, formerly homeless people, households with moderate incomes or below, especially including extremely low income households, and other special needs populations. Funding will be prioritized for housing for people with special needs and very low income people.

Status & Timing—Ongoing effort, at least an annual focused outreach to Housing providers.

Expected Results—It is hoped that numerous units of housing can be developed within the planning period

Implementation—The Community Development Department will be responsible for implementing this Program.

Program 2: The City will continue support for regional efforts to end homeless, such as the Alameda County EveryOne Home Program, which prioritizes supportive housing.

Status & Timing—Ongoing

Expected Results—Significant reductions in the homeless population.

Implementation—Alameda County is primarily responsible for this effort. The Newark Community Development Department will assist.

Program 3: Continue Housing Repair and Rehabilitation Program. Each year, a portion of Newark’s CDBG funds is dedicated to the Housing Repair and Rehabilitation Program according to a formula approved by the Urban County jurisdictions. Funds for the program are determined early each year, in January and February. Additional funding will be provided to the program whenever funds are needed and available. In 2014 the entirety of our discretionary allocation was directed to this program.

Status & Timing— Each CDBG funding Cycle the needs of the Housing repair and rehabilitation program will be evaluated.

Expected Results—Full funding of the backlog of projects is expected during the Plan Period 65 rehab projects are estimated to be funded.

Implementation—The Community Development Advisory Committee makes recommendations to the City Council on CDBG funding. The City Council is responsible for the funding decision.

Program 4: Work with the community and developers to identify a location for a new Civic Complex, and facilitate reuse of the existing Civic Center site and change the General Plan Designation of the site to High Density Residential.

The existing Civic Center site has many advantages for housing, including its location next to a park and with good access to transportation and shopping. Developers have already expressed strong interest in the site. Reuse of the site appears to be feasible within the planning period.

Newark staff is starting work to identify possible future locations for City Hall and the library, and in 2015 anticipates beginning a feasibility study/community process to evaluate potential new sites and the project feasibility and financing. The City will then start an RFQ/RFP/ENA process to identify developers who are both interested and able to carry out the project.

Although the site is Zoned for high Density Housing, the General Plan Designation remains Public Institutional. This program includes a General Plan Amendment to change the General Plan land use designation to High Density Housing.

Status & Timing—

A Feasibility Study which includes a community process, for a Civic Center Replacement identifying and evaluating potential new sites for the City Hall and library will begin in 2015. The City

anticipates releasing an RFQ/RFP/ENA to identify developers who are both interested in the project and capable of carrying it out. Construction could start in late 2016. If three years after adoption of this element it is determined that this housing site will not be feasible, the City will identify other locations for high density Housing or accelerating development of other housing sites. The General Plan Amendment would take place prior to sale of the site to housing Developers.

Expected Results—A feasibility Study would be completed by 2016, If successful this program will result in the construction of approximately 284 high density condominiums or apartments during the planning period.

Implementation—The Community Development Department will be responsible for preparing the Feasibility Study.

Program 5: Old Town Development Strategy. Although the Old Town area has been zoned for higher density Housing and with ground floor commercial there are numerous impediments to development, such as park location, land assembly issues, as well as parking and infrastructure needs, that should be addressed to facilitate Development.

Status & Timing—The City will conduct an Old Town Development Strategy in 2016-17 to facilitate development of higher density housing in the Old Town area.

Expected Results—Completed Old Town Development Strategy by 2017. This will speed development of subareas N, M, and O which can yield 228 higher density Housing units by 2022.

Implementation—The Community Development Department will be responsible for implementing this Program.

Program 6: Fair Housing Programs

Status & Timing—The City will formally institute a Fair Housing Ordinance to assist in the implementation of Federal Fair Housing

regulations and to help assure that there is no discrimination in Housing. The ordinance will be developed and approved in 2016. As part of the ordinance the City will either refer or respond to fair housing complaints. In addition, the City will post fair housing materials in numerous places accessible to the public.

Expected Results—The Fair Housing ordinance will clarify and publicize the prohibition against discrimination in Housing.

Implementation—The Community Development Department will be responsible for preparing the Ordinance for City Council Consideration.

Program 7: Encourage development of housing that is accessible to the disabled. Where possible universal design, single story and elevator served projects should be included in proposed housing project. Development evaluation and public funding should address this need.

Status and Timing— The City will develop criteria to encourage for housing accessibility by 2016.

Expected Results—The change in priority should yield greater investment in housing that is acceptable by disabled people.

Implementation—The Newark City Council Sets funding priorities and budgets resources. The Community Development Department will be responsible for providing recommendations to the City Council to implement this program.

Program 8: Seek Federal, State, County and Regional Funds for Affordable Housing.

The City shall apply for state, County, regional and Federal funds to construct housing for low income and special needs households. Funding to provide infrastructure that would support housing development will also be sought.

Status and Timing—The City will evaluate funding at least annually and will apply for funding as appropriate.

Expected Results—The applications for funding, if successful will support lower income housing development.

Implementation—The Community Development Department will be responsible for implementing this program.

Program 9: Adopt Reasonable Accommodation Ordinance

The City will adopt an Ordinance establishing the process for allowing flexibility within the zoning code for reasonable accommodation of access for the disabled. The ordinance would include:

- Formal procedures for reasonable accommodation for housing for persons with disabilities in accordance with fair housing and disability laws. Clear rules, policies, and procedures, for reasonable accommodation in order to promote equal access to housing would be provided. Policies and procedures would be ministerial and include but not be limited to identifying who may request a reasonable accommodation (i.e., persons with disabilities, family-members, landlords, etc.), timeframes for decision-making, and provision for flexibility in the various land-use, zoning, or building regulations that may otherwise constrain the housing for persons of disabilities.
- Regularly monitoring the implementation of the jurisdiction's ordinances, codes, policies, and procedures to ensure they comply with the "reasonable accommodation" for disabled provisions and all fair housing laws.
- Reduced parking requirements for projects serving seniors and persons with disabilities households.

Status and Timing—The City will adopt the Ordinance by January 2016.

Expected Results—Accommodation of improvements to provide access for the disabled will be streamlined.

Implementation—The City Council would adopt the ordinance. The Community Development Department and Public Works Department would cooperative formulate the Ordinance.

Program 10: Rezone Parcels in the Dumbarton Transit Oriented Development (Site Q)

Development in the Dumbarton Transit Oriented Development is governed by a Specific Plan which has numerous requirements and amenities. These important project elements are assured concurrent with the rezoning application. The City will rezone Site Q concurrent with Development Approvals if consistent with the adopted Specific Plan.

Status and Timing—Concurrent with development approval.

Expected Results—Facilitation of development of the Dumbarton Transit Oriented Development (Site Q)

Implementation—The Community Development Department will be responsible for implementing this program.

GOALS, POLICIES, AND ACTIONS

The Goals Policy and Actions that address housing issues were identified in the General Plan Land Use Element. Refer to pages General Plan Pages LU-35 to LU-55.

POLICIES GOALS AND QUANTIFIED OBJECTIVES

The goals, objectives, and programs of this Housing Element Are focused on promoting the development of housing of all types, to attempt to remove any constraints to housing development. With a focus on meeting the needs of special need populations.

The objectives in this update are quantified to meet the RHNA for the City, as prescribed by the Association of Bay Area governments.

TABLE H-42 Quantified Objectives- NEWARK, (2014-2022)

Household Income	% Median Income	# of Units	# of Units Rehabilitated
Very Low	< 51%	330	15
Low	51-80%	167	50
Moderate	81-120%	158	
Above Moderate	> 120%	423	
Units		1,078	65

The City of Newark has six broad housing priorities:

1. Preserve, rehabilitate, and enhance existing housing and neighborhoods.
2. Assist in the development of housing opportunities and accessibility for all economic levels in the City.
3. Remove constraints that hinder the production and conservation of housing projects.
4. Provide and maintain an adequate supply of sites for the development of new housing.
5. Ensure that all housing programs are available without discrimination on the basis of race, color, religion, sex, national origin, ancestry, marital status, age, household composition or size, or any other arbitrary factor.
6. Encourage and enhance intergovernmental, public, and private coordination and cooperation to achieve an adequate supply of housing for all residents of the community.

Based on the trends, goals, policies and objectives outlined above, the City has established the following quantified objectives. Over the next planning period, is the

City's goal to have 1078 new units, constructed, of which 497 will be designated for low

and very low-income households. In addition, through their rehabilitation program, the City's goal is to help 65 low and very low income families rehabilitate their homes. Finally the City hopes to conserve the 201 unit senior housing units for low income housing.

