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# **Town of Hillsborough**

## **Housing Element, 1999-2006**

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JUNE 27, 2002

As Adopted July 8, 2002; Resolution # 02 - 59

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## **PART I: HOUSING NEEDS, RESOURCES, AND CONSTRAINTS**

### **1. Introduction**

#### **Purpose of the Housing Element**

The Housing Element of the Hillsborough General Plan is intended to plan for the housing needs of the Hillsborough community while meeting the State's housing goals as set forth in Article 10.6 of the California Government Code. The Housing Element analyzes housing needs in Hillsborough, the resources available to meet those needs, and the governmental and non-governmental constraints that tend to work against increasing the supply of affordable housing. Goals, policies, and action programs have been crafted to facilitate the Town's use of its limited financial resources and buildable land to maximum advantage.

The Hillsborough Housing Element represents a sincere and creative attempt to meet local and regional housing needs in a community that doesn't meet the urban norms around which the State Housing Element law was created. The Town has developed innovative ways to provide housing for all segments of the population, within the constraints of very limited land availability, the extreme steepness of the terrain, and the extraordinarily high cost of land in Hillsborough.

#### **History of the Town**

In 1824, 16-year-old William Davis Merry Howard, son of a wealthy Hillsboro, New Hampshire shipping magnate, sailed on one of his father's ships from Boston around Cape Horn to the West Coast. Upon returning home, he convinced his father of the fortunes to be made in the West and returned to California some 15 years later. Howard became a partner in a general merchandising firm in 1845.

The following year, he purchased Rancho San Mateo from the Mexican Governor, Pio Pico. The Rancho was a tract of land that became the City of San Mateo. He paid \$25,000 for the tract, or approximately \$3.88 an acre. For the next few years, Howard and his wife, Agnes, lived a comfortable life on the isolated Peninsula. They built a fine home which they called El Cerrito and made San Mateo a successful working ranch.

When the Gold Rush began a few years later, the thousands of prospectors flooding California needed provisions, and only a few outlets were present. In a short time, Howard and his partner became wealthier than even the most successful gold seekers.

Mexican rule ended legally in 1848, and California became a state in 1850. Although Howard died in 1856, his children and his wife's family "set the pattern for genteel living down on the Peninsula," according to historian Frank Stanger. The Howards, the Poetts, and several other

families became the leading members of the community. By the late 1860s, parcels of the Howard estate had been sold in chunks large enough to provide ample estate property for the new generation of founding families.

The area also became attractive to many San Francisco businessmen who wanted to live in a relaxed, uncrowded country setting while working in the city.

As San Mateo and Burlingame continued to grow, the need for money to make improvements became acute, and the residents began to show interest in annexing the estate owners' lands. The owners of the estates were not well disposed to contributing tax dollars toward the improvement of neighboring city life; nor were they interested in any of the benefits incorporation would bring, e.g., sidewalks and other amenities which would detract from the atmosphere of the area. Accordingly, in 1910, residents filed incorporation papers with the County Board of Supervisors, and on April 25th of the same year, by popular vote of 60-1, the Town of Hillsborough was born. The Town had 89 registered voters at the time out of an estimated population of 750. (Women did not have the franchise to vote.) Hillsborough was incorporated on May 5, 1910.

Between 1910 and 1938, Hillsborough's population grew from an estimated 750 to over 2,500, but the era of unusually large estates was coming to a close. Uplands, Home Place, La Dolphine, and other classic estates were gradually subdivided into smaller lots, usually leaving the original house and several acres intact.

Hillsborough's zoning laws varied throughout the earlier years, but the policies behind the laws basically stayed the same: preserve the character of Hillsborough. In 1953, the Town reduced its lot size minimum to one-half acre single-family lots, and its frontage minimum to 150 feet, which are the limits in force today.

One of the main attractions that Hillsborough has for homebuyers is its charm, which is not always captured in newer developments. In that regard, Hillsborough resembles other similar communities in Northern California such as Atherton, Los Altos Hills, and Woodside, and still offers escape from the pressures of the city. In addition to its generally quiet atmosphere, Hillsborough has excellent, award winning public schools, public works, and stability. These are qualities that have formed the character of the town for over 100 years.<sup>1</sup>

## **Review of Accomplishments of Previous Housing Element**

Since 1910, the town has developed entirely through the construction of single-family houses. The Town's previous Housing Element, adopted in 1995, established an overall objective of 148 dwelling units from mid-1994 through mid-2002: 22 Very-low Income, 18 Low Income, 24 Moderate Income, and 84 Above-moderate Income units. As shown in Figure 6, those numbers were not achieved; through June 30, 2001, 65 net new units were constructed. The effectiveness

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<sup>1</sup> Adapted from town of Hillsborough web site.

of the Town's Goals, Policies, and Programs as adopted in 1995 and set forth on pages 21-30 of the 1995 Housing Element, is summarized below:

**Goal 1 Increase housing opportunities in Hillsborough and surrounding communities.**

***Policy 1-A Actively participate in meeting the housing needs of the community.***

Program 1-A1 Create a Hillsborough Housing Commission to advise and assist the Town Council on housing issues. ***Not completed.***

Program 1-A2 Assist the private sector in the normal housing development process in Hillsborough. ***Done. 75 Above-moderate units were projected for the planning period through 2002; 65 new (net) housing units have been constructed through June 30, 2001. The prompt processing of subdivision applications and building permits resulted in average construction rates consistent with projected demand for housing in Hillsborough.***

Program 1-A3 Continue the Town's contribution to the San Mateo County Homeless and Transitional Housing Trust Fund. ***\$3,460 was disbursed to the Shelter Network of San Mateo in seven grants between October 1996 and October 2000. \$6,653 was disbursed to the San Mateo County Homeless Shelter Program of the Peninsula Community Foundation in November 1994.***

***Policy 1-B Use vacant land on the periphery of Hillsborough to increase housing opportunities.***

Program 1-B1 Actively pursue annexation of land adjacent to Hillsborough when owners express an interest in housing development. ***The Quantified Objective was 16 Moderate Income units. Together with 12 acres in Hillsborough, 3.3 acres were annexed, resulting in a total of 14 lots for Above-moderate income housing in the Stonebridge Subdivision. Two of the approved lots are in the area annexed.***

Program 1-B2 Pursue joint development with the County, adjacent cities, and non-profit housing developers for land that cannot be annexed to Hillsborough. ***Not accomplished.***

**Goal 2 Provide housing consistent with maintaining the character of the community.**

***Policy 2-A Allow subdivision of existing vacant lots larger than one acre.***

Program 2-A1 Modify the zoning ordinance to permit subdivision of vacant parcels that are large enough to accommodate two or more half-acre lots, but which cannot meet street frontage or lot width requirements. ***Not accomplished. The Quantified Objective was 5 Above-moderate Income units.***

*Policy 2-B Use a density bonus to create duplexes on some lots in future subdivisions.*

Program 2-B1 Adopt a density bonus ordinance to encourage developers to provide duplexes, consistent with the architectural character of the other units in the subdivision. **No ordinance was drafted or adopted. The Quantified Objective was 3 Low Income units, and 12 Above-moderate Income units.**

*Policy 2-C Allow the conversion of single-family homes to duplexes where it would not compromise the character of the neighborhood.*

Program 2-C1 Create an overlay district in appropriate areas of town where larger homes could be converted to duplexes with a use permit. **No ordinance was drafted or adopted. The Quantified Objective was 2 Low Income units.**

**Goal 3 Provide a continuum of housing opportunities for the members of the Hillsborough community in all stages of life.**

*Policy 3-A Allow board and care facilities for elderly Hillsborough residents who wish to remain in the community.*

Program 3-A1 Continue to allow, in accordance with State law, Health and Safety Code §1568.031, board and care facilities for six or fewer residents. **The Quantified Objective was four units serving 24 Very-low Income residents. No applications were received.**

Program 3-A2 Create a zoning overlay district to allow residential care facilities for seven or more residents in specific areas as may be approved by the Town. **Under this program, the Quantified Objective was two residential care facilities for seven or more persons each. The residential care facilities would have required a use permit and would have been permitted only in designated areas where any impacts on the town or neighborhood could be minimized. The Town determined that high land costs made the overlay infeasible, and the zoning overlay was not created.**

*Policy 3-B Permit the renting of rooms in Hillsborough homes to provide additional housing opportunities for single people.*

Program 3-B1 Allow the renting of individual rooms in Hillsborough houses with use permit. **The Quantified Objective was five rental spaces for Very-low Income residents. The renting of rooms is not specifically permitted in Hillsborough, but there is anecdotal evidence that it occurs. Rentals are not regulated, making it impossible for the Town to monitor the extent and price range of the activity.**

Program 3-B2 Support and promote the shared housing concept (in which residents who have available surplus space share that space or rent it in return for income or care). **The Town promoted shared housing with a Newsletter article and the continuing provision of resource materials at Town Hall. Whether the Quantified Objective for five Very-low Income households was met is unknown. However, the Hillsborough School District notes that, over the past five years, it hired eight new teachers who were raised in Hillsborough and now live with their parents in Hillsborough.**

*Policy 3-C Allow secondary units within the existing building area of Hillsborough homes.*

Program 3-C1 Modify the zoning ordinance (in accordance with Government Code §65852.2) to allow distinct living units to be created within existing homes without increasing building size or altering the external appearance in any major way. **The Quantified Objective was six Very-low Income units and nine Low Income units. The Zoning Ordinance was not modified, but Town planning staff encouraged the construction of secondary units where feasible and consistent with local Code. Two new units were constructed, and ADRB approvals were given for two additional units in December 2001.**

*Policy 3-D Allow existing secondary units to be used for rental housing whether the unit is attached to the main house or is a separate detached unit.*

Program 3-D1 Create a process to legalize existing second units. **This was not done, primarily because legalized pre-existing secondary units do not count toward meeting the Town's RHND obligations. The Quantified Objective was to conserve 15 existing Very-low Income units and five Low Income units.**

*Policy 3-E Permit institutions located within Hillsborough to provide housing for employees.*

Program 3-E1 Modify the zoning ordinance to permit employee housing on institutional property in Hillsborough with a use permit. **The Quantified Objective was one Very-low Income unit and three Low Income units. Nueva School has received City Council approval for one Moderate Income housing unit (for the director). However, the school has not yet submitted the building permit application.**

**Goal 4 Eliminate discrimination in housing based on age, race, color, religion, sex, marital status, national origin, ancestry or occupation.**

*Policy 4-A Develop a process for receiving and processing complaints of housing discrimination.*

Program 4-A1 Designate a Town official or appropriate non-profit organization to receive and investigate housing discrimination complaints. **The City Attorney's Office was designated to handle complaints. There weren't any complaints during the previous Housing Element period.**

## State Housing Element Law

State Planning and Zoning Law requires that cities update their housing elements every five years (with some variation). For cities (like Hillsborough) within the purview of the Association of Bay Area Governments (ABAG), a deadline of December 31, 2001, was set for adoption of a housing element for the seven-and-a-half-year planning period from January 1, 1999, through June 30, 2006.

**Public Participation.** Government Code §65583(c)(6)(B) requires the Town to “make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element.” In order to meet this requirement, the Mayor, in October 2001, appointed a broad-based Steering Committee “... to include citizens from different geographic areas and economic segments within the Town, financial and real estate professionals, decision-makers, etc., to identify key policies and develop strategies.” The steering committee met six times from November 2001 through June 2002. In addition, in May 2002, the consultant facilitated a Community Workshop on the Housing Element. Community members were given the opportunity to ask questions and recommend changes to the draft Housing Element.

In addition to input from the Steering Committee, nine Stakeholders were identified by the Town as having special knowledge of the community and its housing issues, and who should be interviewed by the consultant before the updating of the Housing Element. The consultant interviewed each in person after first preparing a survey instrument and mailing it to each Stakeholder. The results were used to inform the preparation of realistic housing goals, policies, programs, and quantified objectives.

**HCD Review.** Because the legislature found “... the availability of housing is of vital statewide importance,”<sup>2</sup> the Housing Element is subject to specific State legal requirements in addition to what the law spells out for other general plan elements. The Town is required to submit the Housing Element to the State Department of Housing and Community Development (HCD) for review. HCD is required to review the element within 60 days for compliance with State housing element law (Government Code Article 10.6) and related guidelines, and to provide written comments to the Town along with a determination as to whether, in the opinion of HCD, the element is in substantial compliance with the requirements of State law.

This Housing Element was submitted to HCD on April 11, 2002. In a letter of June 11, 2002, HCD responded that the element would be found in substantial compliance with Article 10.6 once it had been revised to address a small number of additional requirements. The Town received the HCD comments and made changes to the Housing Element to accommodate HCD’s comments.

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<sup>2</sup> Government Code §65580

Accordingly, the City Council, on July 8, 2002, adopted this Housing Element by Resolution No. 02-59.

### **Consistency with Other General Plan Elements**

State law requires all elements of the General Plan to be consistent, each with the other. The adoption of the Goals, Policies, and Programs of this Housing Element may require minor changes to other elements of the General Plan. The Town will immediately review those inconsistencies and amend the General Plan to be consistent with the Housing Element.

Section 65580(e) of the Government Code reads: “The Legislature recognizes that in carrying out this responsibility [to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community], each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the state in addressing regional housing needs.”

## **2. Housing Needs Analysis**

By State law, the Hillsborough housing needs assessment is based on an analysis of regional housing needs prepared by the Association of Bay Area Governments (ABAG). ABAG determines the overall housing needs of the Bay Area based on projections of population and job growth, and then allocates a “fair share” of the regional needs to each of the Bay Area’s cities and counties. After three iterations, the regional determinations were certified by the ABAG Executive Board in March 2001. (See “**Need for additional units,**” immediately below, and page 8, Figure 2.)

In addition to looking at ABAG’s assessments, this Housing Element also analyzes groups of people with special housing needs.

### **Existing Need**

Under State law, a housing element is required to analyze each of the subjects below.

**Need for additional units.** The ABAG Regional Housing Needs Determinations (RHND) provide an estimate of the number of units required to meet the expected demand from new households in all income categories. ABAG estimated that, as of January 1, 1999, Hillsborough needed an additional 84 housing units. The need is further subdivided by income category (see page 8 and Figure 2).

**Level of Payment Compared with Ability to Pay.** Housing in Hillsborough is, by any standard, very expensive. For 62 completed home sales in Hillsborough in the first half of 2001, the average listing price was over \$2.8 million and the median was \$2.35 million.<sup>3</sup>

The ability to afford ownership housing depends on current interest rates as well as household income. Even with mortgage interest rates in 2001 at historic lows of approximately 6.75 percent for a 30-year fixed rate mortgage, purchasing the lowest priced home in Hillsborough in 2001 (\$795,000) would have required an income of about \$200,000.

There is a limited amount of rental housing that is more affordable. The limited data available from Census 2000 shows that 159 units (or 4.3 percent of the 3,689 occupied units in Hillsborough) were renter-occupied. (Census 2000 also found 115 vacant and vacation housing units, for a total of 3,804 units in Hillsborough.)

According to current State and federal housing policy, households that pay more than 30 percent of their income for housing are overpaying. ABAG, in 1989, estimated that 64 percent of Hillsborough's lower-income homeowners were overpaying and 15 percent of lower-income renter households were overpaying. According to 1990 census figures, 202-235 lower-income owners and 13-25 lower-income renters were overpaying for housing. Overpayment is not considered to be as much of a problem for households above the lower-income level (80 percent of the Area Median Income) because higher-income households may be voluntarily spending more of their additional income on housing. At the opposite extreme, households with very-low incomes (less than 50 percent of area median) are presumed to be sacrificing other necessities in order to meet their housing payments.

**Overcrowding** is measured by a standard of more than one person per room (excluding kitchens and bathrooms) and is not a problem in Hillsborough. Only 29 houses in 1990 (less than 1 percent) had more than one person per room. Given the large average unit size in Hillsborough in 1990 (8.4 rooms), the problem of overcrowding for those 29 households likely stemmed from an inability to afford sufficient space rather than a lack of units of adequate size.

## Projected Need

**ABAG Projections.** ABAG uses a computer model of the Bay Area economy to project future growth in jobs and housing. The model incorporates national and regional economic trends and local development policies and infrastructure constraints to predict the location and types of jobs, and the expected increase in the number of households for the nine Bay Area counties, for each of the cities, and for the unincorporated areas. These projections are updated periodically; the latest edition is *Projections 2002* (see Figure 1).

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<sup>3</sup> R.E.InfoLink, MLS statistics, July 5, 2001. <http://www.reil.com/mlsstats/2001/smcc1s01.asp>

**FIGURE 1. ABAG PROJECTIONS FOR HILLSBOROUGH, 2000-2025**

	2000	2005	2010	2020	2025
Population	10,825	11,100	11,300	11,700	11,800
Household Size	2.93	2.96	2.97	2.98	2.93
Households	3,689	3,750	3,810	3,930	4,030
Employed Residents	5,220	5,400	5,500	5,700	5,800
Jobs	1,210 <sup>4</sup>	1,240	1,280	1,340	1,360
Jobs/Employed Residents Ratio	0.23	0.23	0.23	0.24	0.23

Source: ABAG, Projections 2002

**Need by Income Category.** In order to meet State goals to provide housing for all economic segments of the community, ABAG allocates the overall fair share need among four different income categories. The categories and the number of units are:

**FIGURE 2. ABAG HOUSING NEEDS DETERMINATIONS, HILLSBOROUGH, 1999 TO 2006**

Income Categories	No. of units
Very low Income = less than 50 percent of Area Median Income	11
Low Income = 50 to 80 percent of Area Median Income	5
Moderate Income = 80 to 120 percent of Area Median	14
Above-moderate Income = more than 120 percent of Area Median	54
TOTAL:	84

Source: ABAG, Regional Housing Needs for the San Francisco Bay Area, 2001-2006 Housing Element Cycle, June 2001

In January 2002, the median income for a family of four in San Mateo County was established by HUD at \$86,100. Based on the 2002 median, the maximums for each of the income categories listed above would be: Very-low Income, \$43,050; Low Income, \$ 68,880, and Moderate Income, \$103,300. However, in some areas (where housing costs are high relative to area incomes), HUD raises the Very-low Income limits. In 2002, for San Mateo County, HUD's four-person limit for Very-low Income was increased to \$50,900. HUD's four-person limit for Low Income is 80/50 of the Very-low Income limit, or \$81,450.<sup>5</sup> The Moderate Income limit remains

<sup>4</sup> The ABAG estimate is considered unrealistically high by Town officials.

<sup>5</sup> HUD Memorandum of January 31, 2002.

at \$103,300. Figure 3 shows the purchase price and rent levels affordable to households at these income levels.

**FIGURE 3. HOUSING AFFORDABILITY, 2002**

<b>Income Level</b>	<b>Annual Income*</b>	<b>Affordable Rent**</b>	<b>Affordable Purchase Price***</b>
Very-low (50 percent)	\$50,900	\$1,273	\$217,992
Low (80 percent)	\$81,450	\$2,036	\$348,829
Moderate (120 percent)	\$103,300	\$2,583	\$442,407

\* Household gross income for a household of four as established by HUD for 2002 for SF PMSA.

\*\* Affordable rent assumes 30% of income for rent, including utilities. If utilities are paid separately, the appropriate amount should be subtracted from the affordable rent.

\*\*\* Affordable purchase price assumes a 10% downpayment and a 30-year fixed mortgage at 6.75% interest. Assumes 30% of income (GMI) for principal and interest.

Source: Income figures from HUD, rents and purchase prices from Naphtali H. Knox & Associates, Inc.

### **Jobs/Housing Balance**

The lack of affordable housing and the Bay Area's ever-increasing traffic congestion have brought attention to the concept of "jobs/housing balance" (providing an adequate number of appropriately located housing units to accommodate all of the Bay Area's jobs). The jobs/housing balance is usually measured by the number of jobs in a community divided by the number of employed persons living in that community. As shown in Figure 1, using the ABAG projections, Hillsborough has a jobs-to-employed residents ratio of 0.23, indicating that the town is providing a considerable proportion of its housing for people who work elsewhere. In terms of the overall Bay Area jobs/housing imbalance, a community (such as Hillsborough) with a ratio below 1.0, is alleviating rather than aggravating the Bay Area's housing shortage.

ABAG's job estimates (Figure 1) are considerably higher than estimates made by others. Figure 4 shows the actual number of non-home-based jobs (567) based on a Town survey of employers in Fall 2001.

**FIGURE 4. EMPLOYMENT IN HILLSBOROUGH, 2001**

<b>Employer</b>	<b>Full-time Employees</b>	<b>Part-time Employees</b>	<b>Total Employees</b>
Town of Hillsborough	104	8	112
Hillsborough School District	125	49	174
Burlingame Country Club	55	45	100
Nueva Learning Center	70	29	99
Crystal Springs/Upland School	72	10	82
<b>Total Employment</b>	<b>426</b>	<b>141</b>	<b>567</b>

Source: Town of Hillsborough, 2001

Data on where local residents work is not yet available from the 2000 Census. The 1990 census found that 4,844 Hillsborough residents, age 16 and over, were employed. As shown in Figure 5, 87.4 percent of Hillsborough's employed residents worked in San Francisco or San Mateo County. San Francisco was the most common destination, followed by San Mateo and Burlingame. Only 12 percent of Hillsborough's employed residents commuted outside of the San Francisco PMSA (San Francisco, Marin and San Mateo Counties).

**FIGURE 5. WHERE HILLSBOROUGH RESIDENTS WORKED, 1990**

<b>Destination</b>	<b>Number</b>	<b>Percent</b>
San Francisco	1,430	29.5%
San Mateo County	2,806	57.9%
San Mateo	806	16.6%
Burlingame	556	11.4%
South San Francisco	212	4.3%
Redwood City	91	1.9%
Menlo Park	57	1.2%
Other San Mateo County	1,084	22.3%
Marin County	25	0.5%
Outside PMSA	583	12.0%
<b>Total</b>	<b>4,844</b>	<b>100.0%</b>

Source: U.S. Census, 1990

## Special Needs

In addition to examining the number of units needed to accommodate the projected number of households, this Housing Element analyzes six groups that have special housing needs because of disabilities, age, or other special conditions. Data are from the 1990 census because detailed housing-related data are not yet available from Census 2000.

**Disabilities.** The 1990 Census distinguishes three types of disabilities that may affect a person's ability to find suitable housing: mobility limitations, self-care limitations, and work disabilities. Persons with mobility and self-care limitations may require special housing modifications to enable them to live independently. Such limitations are much more common among the elderly than among those of working age. For those age 16 to 64 in 1990, only 99 Hillsborough residents (1.4 percent) had mobility or self-care limitations. Of those over 65, however, 218 persons (12.2 percent) had such limitations. The Town has continued to provide modest financial support to organizations, such as the Center for Independence for the Disabled, that provide housing modifications as needed.

Persons with a work disability may have difficulty affording housing because of limited incomes. Of those age 16–64, only 161 Hillsborough residents (2.3 percent) had work disabilities in 1990. (The 1990 census does not indicate work disabilities for persons over 65.) People with work disabilities may be helped by lower cost housing. Some, however, also suffer from mobility or self-care limitations and require special modifications to their housing.

**Elderly.** According to the 1990 census, Hillsborough had 1,797 residents over 65 (16.8 percent of the population). Data from the 2000 census show an increase in that number to 2,014 (18.6 percent of the population). The number of households occupied in 1990 by at least one elderly resident was 1,072 (many of these households have more than one elderly resident). In 2000, the number had increased sharply to 1,337 households (36.2 percent of all households in Hillsborough.) The 1990 census indicated nearly all (99 percent) of the elderly households were homeowners. The proportion of elderly in San Mateo County is expected to grow, and housing the elderly will be a continuing concern. Although many elderly can continue to live in their own homes, particularly if structural modifications are made to help them cope with the disabilities that accompany aging, there will nevertheless be an increasing demand for specialized care facilities.

**Large Families.** In 1990, Hillsborough's 487 large households—those with five or more residents—made up 13.4 percent of all Hillsborough households. In 1990, Hillsborough had an average of 2.94 persons per household, considerably higher than the county average of 2.64, and Census 2000 shows the figure constant at 2.93. Housing for large families is not a problem, because of the large size of most housing units in Hillsborough.

**Female Heads of Households.** In 1990, Hillsborough's 172 families with a female head made up only 5.4 percent of all families and 4.7 percent of all households. In 2000, the number had grown to 182 female-headed households (4.9 percent of all households). (The Census distin-

guishes between a “household,” which is any group of people living together in a housing unit, and a “family,” in which one or more persons are related to the householder by birth, marriage, or adoption.) Female-headed households frequently have lower incomes, and hence, more difficulty in finding affordable housing. They also may have greater needs for child care facilities and public transit.

**Persons and Families in Need of Emergency Shelter.** A 1990 study found that 8,655 men, women, and children had experienced an episode of homelessness in San Mateo County in the year between March 1989 and February 1990.<sup>6</sup> The Town made an effort to get 2001-2002 local information about homelessness. These data are kept by the Hillsborough Police Department, and the department indicates there is no evidence of any homelessness in Hillsborough. The Town has no commercial land uses and no social services, so it has not proven to be a destination for the homeless.

Hillsborough joined with other San Mateo County cities to work jointly toward a solution to the problem of homelessness. In accordance with the recommendations of the Blue Ribbon Commission on Homelessness, the County established a trust fund to provide funding for homeless shelters and transitional housing. Each city in the county was asked to contribute to this trust fund, based on its share of county population. Hillsborough was one of the first cities to make a contribution to this fund, giving \$6,653 in 1992 and the same amount in 1994.

The most recent information available on homelessness was collected by 15 San Mateo County agencies for 1998, and summarized by the San Mateo County Human Services Agency. The report counted 4,545 homeless men, women, and children.<sup>7</sup>

**Other Special Needs.** ABAG has determined that housing for farmworkers is not relevant to housing needs in the urbanized portion of the San Francisco Bay Area. No other special housing needs have been identified.

### 3. Housing Resources

#### Existing Housing

**Number of Units.** Census 2000 shows 3,804 housing units in Hillsborough, an increase of only 18 units from 3,789 in 1990 (an increase of under one half of one percent). Of the 3,804 housing units, 3,689 were occupied and 115 were vacant. Of the 3,689 households, 159 were renters (up 16 percent from 137 renters in 1990) and 3,530 were owners.

The Hillsborough Building Department shows a substantially larger net increase in housing units from just mid-1994 through mid-2001 (see Figure 6). Department records show a base of 3,831

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<sup>6</sup> Hunger and Homeless Action Coalition, *Homelessness in San Mateo County: Myths and Realities*, 1990.

<sup>7</sup> 1998 Unduplicated Homeless Count, October 2000, San Mateo County Human Services Agency.

dwelling units as of July 1994, a total of 3,896 units in July 2001. The Department records reflect 87 more units than the April 2000 Census figure of 3,804.

**FIGURE 6. HOUSING UNIT CONSTRUCTION, FY 1994-2001**

Year	Actual Construction	Demolitions	Net Increase
94-95	12	2	10
95-96	9	1	8
96-97	16	3	13
97-98	14	4	10
98-99	22	13	9
99-00	15	5	10
00-01	26	21	5
<b>Total</b>	<b>114</b>	<b>49</b>	<b>65</b>

Source: Town of Hillsborough, Building Dept.

**Rate of Construction.** Figure 6 shows that Hillsborough has experienced a period of concentrated home construction since mid-1996; however, there was a large number of demolitions in FY 99 and FY 01. (Demolitions in Hillsborough are not usually the result of poor housing condition, but are instead a result of the desire of new households for larger and more modern homes.)

If sustained, the average net rate of construction between 1994 and 2001 (9.3 units per year) would result in an additional 46 units by mid-2006.<sup>8</sup> This rate of construction would not accommodate the projected RHND of 84 units between 1999 and 2006; rather, the net yield would be only 61 units. The Vacant Land Table, however (Figure 7), shows a remaining capacity for 98 units, without any rezoning.

**Housing Condition.** The housing stock in Hillsborough is in good condition. According to the 1990 census, 721 units were built before 1950, but due to the high value of Hillsborough homes and the generally high incomes of residents, these older homes are generally well-maintained. The 1990 census found only two units that were boarded up or abandoned. Over 1,000 units were built in the 1950s, the decade of most rapid growth in Hillsborough. Substantial construction continued in the 1960s and 1970s, but the rate of growth slowed in the 1980s and 1990s. As homes age, they need rehabilitation. In Hillsborough, this need is adequately met through private efforts and does not require a government program to maintain the quality of the housing stock.

<sup>8</sup> Mid-2006 represents the final year of the housing element planning period.

## Land Availability

Although substantially built out, Hillsborough has sites available for new housing construction. No land in Hillsborough is designated for commercial development. Except for 220 acres designated for open space and some sites currently used for schools, the country club, and Town facilities, all of the vacant buildable land is zoned for residential.

Figure 7 shows sites that may be available for additional housing between 2001 and 2006. Of the 85 acres in available sites, all but two acres can be subdivided to produce lots for 38 units; the remaining 58 sites would accommodate one lot each. In total, the approximately 130 acres of available land in Hillsborough (see Figure 7) could accommodate about 138 additional housing units. The sites available are therefore sufficient to meet the projected demand for housing in Hillsborough for the Housing Element period from January 1, 1999, through June 30, 2006.

Single-family dwellings are the only type of housing permitted in Hillsborough (plus second units and residential care facilities serving six or fewer persons, as provided for and preempted by State law). No sites are zoned for multifamily housing. Mobile home parks are not permitted. (However, State law requires that any residential lot may be used for a single manufactured home under specific circumstances.<sup>9</sup>) There are no sites in Hillsborough that allow for homeless shelters or transitional housing.

Some land in unincorporated county areas adjacent to Hillsborough may have potential for additional housing. This land, however, is not in the Hillsborough Sphere of Influence (SOI). Housing development on these lands would require substantial effort on the part of the Town government to alter SOI boundaries and annex land to the Town.

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<sup>9</sup> Government Code §65852.3

**FIGURE 7. VACANT LAND SUITABLE FOR HOUSING, 2001-2006**

Quad No. <sup>10</sup>	Location <sup>11</sup>	Acreage	Zoning	Constraints	Probable Units
<b>Vacant lots in subdivisions &amp; subdividable sites</b>					
B01	Scott Court subdivision (Note: 3 of 4 lots remain, in various stages of approval.)	4.96	residential	slope, oak trees, drainage	3
C12	Robinwood (Pullman Building Co.)	20.0	residential	slope, limited street frontage	3
C18	Hillsborough Highlands (Crystal Springs road at Tartan Trail; tentative map approved)	20.0	residential	slope	8
D03	Forest View (portion of Regan estate)	5.0	residential	slope	4
D14	1300 Black Mountain Road	5.5	residential	slope	3
D20	End of Brooke Court (Adjacent to CSM)	11.0	residential	slope, limited street frontage	3
E06	New Place Rd. (Adjacent to Crocker School)	1.5	residential	none	1
E12	Lot adjacent to 1110 Hayne Road	1.91	residential	slope	1
G18	Yew St. (Stonebridge Subdivision)	<u>15.37</u>	residential	Creek, riparian habitat, trees	<u>14</u>
	<b>Subtotal</b>	<b>84.8</b>			<b>40</b>
	58 Individual Lots	<u>46.0</u>	residential	various	<u>58</u>
<b>TOTAL</b>		<b>130.8</b>			<b>98</b>

Source: City Planner, Town of Hillsborough, October 11, 2001

### Potential Subdivision of Large Estates

Hillsborough began as a community of estates, with large homes occupying large parcels of several acres. As early as 1916, some of these estates were subdivided into residential neighborhoods with lots ranging from one-half acre to two acres in size. The estate subdivision process continued into the 1990s with construction on the former Tobin Clark estate at the southern end of town. In 2001, the Town approved a 14-lot subdivision of the former L. C. Smith estate (now called "Stonebridge"). Hillsborough's subdivision ordinance will permit the conversion of the remaining estates into new residential neighborhoods consistent with the Town's requirements (in effect since 1953) for one-half acre minimum sized lots. Two remaining large estates, the Regan property of 49 acres and the De Guigne property of 47 acres are identified in the Land Use Element of the General Plan as "Potentially Subdividable Estates." The Town, however, has received no indication that the owners of these estates intend to subdivide by mid-2006 (the time frame of this Housing Element). Further, the ability of these sites to accommodate new dwellings

<sup>10</sup> Quad Numbers refer to the Official Map of the Town of Hillsborough in the pocket at the front of the General Plan.

<sup>11</sup> Addresses are approximate and subject to change at the time of actual construction.

is limited by the need to provide road access and to increase lot size on steeply sloping land. As a result of these limitations, the Regan and De Guigne estates would be expected to eventually accommodate only 20 additional units. These two estates are not included in Figure 7, above.

### **Availability of Services**

Water and sewer services are available for the number of housing units contemplated by the RHND. The northern and southern halves of the Town are served by two different sewer districts. The only potential concern is a limitation of 200 additional units in the northern part of town served by the Burlingame sewage treatment plant. First, that potential limit applies to capacity, rather than infrastructure, and will not have any negative effect on the Town's ability to meet the Summary of Quantified Objectives as set forth in Figure 9 on page 34. Second, General Plan build-out in the north is not expected to exceed 200.

### **Financial Resources**

Hillsborough has limited funds available for housing assistance. It does not receive housing assistance (such as CDBG and Emergency Shelter Grants) directly from the federal government. However, the Town has an administrative agreement with the County, which receives such funds for jurisdictions like Hillsborough that are too small to apply to the federal government directly. If opportunities are found to create lower cost housing, the Town could work with the County to access some federal assistance.

Without retail sales and transient occupancy taxes, the Town's budget operates mainly from property tax revenues. In the past, the Town has supported Samaritan House, Shelter Network, Center for the Independence of the Disabled, Hunger and Homeless Action Coalition, and the San Mateo County Homeless Trust Fund. Total Town expenditures on these housing-related programs averaged \$1,165 annually from 1990 to 1994 and \$1,194 in the seven years since.

### **Existing Subsidized Units at-Risk**

There are no government-assisted subsidized housing units within the Town limits.

## **4. Governmental Constraints**

### **Land Use Constraints**

Hillsborough's zoning ordinance requires a minimum of one-half acre lots. Typically, lots of this size are considered large enough to act as a constraint to affordable housing. However, the purpose for the minimum lot size is to preserve the environmental stability and town character of Hillsborough. Where the Town has been subdivided and built at this density, a higher density can not be achieved without drastic alterations to the existing street system, which was designed for a very low volume of traffic. The narrow streets follow the contours of the many hills and canyons. Indeed, many homes and entire neighborhoods are served only by cul-de-sacs. In these

and other parts of the town, the steep terrain makes it impossible to widen streets or to construct connections between existing streets. For these reasons, it is not feasible in the foreseeable future to increase density in already developed parts of town.

In those few areas which have some future development potential, similar constraints apply. Many of the undeveloped parcels lie high in the hills or deep in the canyons, where higher density development would challenge the terrain and increase traffic on existing residential streets.

Development is also limited by the Town's requirement for 150 feet of continuous street frontage for each lot. This regulation prevents the subdivision of lots larger than one acre that could otherwise accommodate two or more half-acre lots. The subdivision ordinance, however, provides for an exception to the 150-foot frontage requirement for lots fronting on the turnaround area of a cul-de-sac. For lots on cul-de-sac turnarounds, a frontage of 75 feet may be permitted if a longer frontage is impractical and less frontage is desirable to produce a satisfactory street pattern.<sup>12</sup>

The Municipal Code provides additional flexibility by allowing petitions for exceptions to the lot frontage and size restrictions. If the shape of the lot, its physical condition, or natural obstacles make fulfilling the 150-foot lot frontage, 100-foot minimum width, or one-half acre minimum lot size requirements impractical or difficult to fulfill, the owner may apply for an exception. The City Council decides, in a public hearing, whether to grant the exception.<sup>13</sup>

The potential for new units is also limited by the Town's "Hillside Development Standard." In order to retain the scenic quality of hillsides and reduce the risks of erosion and landslide, density is reduced on all slopes greater than 10 percent. The permitted density is limited according to the degree of slope, from 2 units per acre on slopes of less than 10 percent to 0.5 units per acre on slopes greater than 40 percent.

Prior to submitting a final subdivision map, a subdivider must file a preliminary soils report with the City Engineer.

To ease some of the difficulties associated with subdividing land in Hillsborough, the Town developed a preliminary review process for subdivisions on land with a slope greater than 10 percent or resulting in five or more lots. This review aids developers in preparing the necessary environmental documentation and an acceptable tentative map.<sup>14</sup>

## **Building Restrictions**

Building regulations can increase the cost of housing. Three such constraints have been identified:

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<sup>12</sup> Hillsborough Subdivision Ordinance §16.08.020

<sup>13</sup> Hillsborough Municipal Code §1.24.010

<sup>14</sup> Hillsborough Subdivision Ordinance §16.06.020

**Minimum Floor Area.** The Hillsborough zoning ordinance requires newly constructed houses to have a minimum of 2,000 square feet of living space. The Town's Architectural and Design Review Board (ADRB) evaluates all new development proposals to insure consistency with existing neighborhood character. The requirement for a minimum size dwelling and the review by the ADRB may increase the cost of housing, but these requirements are consistent with the aim of the General Plan to maintain the character of the community.

**Noise Insulation.** Policy 11-C of the General Plan encourages noise insulation measures for new homes in areas subject to high noise levels (primarily those areas near Interstate 280).

**Parking Requirements.** Houses with three or fewer bedrooms must have a two-car garage; houses with four or five bedrooms must have one additional parking space, and houses with six bedrooms must have two additional parking spaces. These additional parking spaces are not required to be in a garage. The effect of these parking requirements on housing affordability cannot be determined, as all cities in the area have similar requirements.

### **On- and Off-site Improvements**

Hillsborough does not require sidewalks; however, for new construction and substantial remodeling, the Town requires the installation of a parking strip adjacent to the street. All streets within the subdivision and one-half of the width of streets adjacent to the subdivision are the responsibility of the developer. Because most future housing will be constructed on infill lots where streets are already in place, the street improvement requirement will not be a significant constraint to affordable housing.

Developers are also required to provide water and sewer connections and storm drainage facilities. These are not considered constraints to housing development because they are necessary to safe and sanitary housing and are generally required in all other cities in San Mateo County.

The General Plan Open Space and Conservation Element notes that Hillsborough may, in the future, require dedication of land for parks.

Slope stabilization measures are required for new construction on all sites with slope gradients above 15 percent.

### **Codes and Enforcement**

Hillsborough regularly adopts the latest edition of the Uniform Building Code to ensure the health and safety of residents of newly constructed housing. The Town enforces the building code through its Building Department. Inspections and approvals are completed promptly and do not add unnecessary delays in the construction of new housing.

## Fees

Local governments typically assess more than a dozen different types of residential development fees. These include planning fees, building permit and related fees, and capital facilities fees.<sup>15</sup> Figure 8 compares fees for construction of new housing in Hillsborough with fees in four other San Mateo County cities, plus Brentwood, and Saratoga. Hillsborough's fees are for 2001 and are higher than in some other cities because they are based on a typical Hillsborough house size of 5,000 sq. ft., whereas fees in the other cities are based on a 2,500 sq. ft. house. (Building and school fees are based on the square footage of the house.) The fees for the six other cities were obtained from a 1999 study by the Institute of Urban and Regional Planning of the University of California, Berkeley, commissioned by HCD, and referenced in the footnote. Despite the much larger average size of the typical Hillsborough house, total fees in Hillsborough were lower than in Brentwood and only slightly higher than Half Moon Bay.

**FIGURE 8. FEES FOR HOUSING CONSTRUCTION, SELECTED CITIES, 1999 & 2001**

City	Per Unit Value	Planning Fees	Plng. & Building Check Fees	School Fees	Impact & Dedicat-ion Fees	In lieu: Quimby Fees & Taxes	Utility, Meter & Other Fees	Total Fees
Brentwood	\$188,432	\$1,173	\$2,568	\$10,428	\$29,250	\$8,800	0	\$52,219
Brisbane	251,722	0	4,760	3,750	33	0	3,000	11,543
Half Moon Bay	337,000	1,625	4,398	4,825	22,205	0	7,170	40,223
Redwood City	229,200	50	5,273	4,825	3,463	0	100	13,711
San Mateo	193,400	0	10,988	4,750	4,511	720	1,691	22,660
Saratoga	332,500	3,500	9,719	4,600	1,000	0	0	18,819
Hillsborough	1,600,000	1,200	23,259	8,600	0	0	13,182	46,241

Source: Hillsborough fees from Town of Hillsborough, 2001, based on 5,000 sq. ft. house plus 400 sq. ft. garage; all others based on 2,500 sq. ft. house plus 400 sq. ft. garage, from Appendix B-3, Infill House Fees, "Pay to Play, Residential Development Fees in California," Institute of Urban and Regional Planning, University of California, Berkeley, 1999.

Not shown on Figure 8 are potential monitoring fees for waste reduction plans. In March 1998, the Hillsborough City Council passed a resolution, later followed by an ordinance, to meet the goals of the California Integrated Waste Management Act of 1989. The Act requires all California cities and counties to divert 50 percent of waste they generate away from landfills. Prior to demolition and building permit issuance, applicants must complete a recycling and Waste Reduction Plan. All recycling, reuse and disposal must be documented by receipts, weight tags or

<sup>15</sup> California Dept. of Housing and Community Development, 1999  
<[http://housing.hcd.ca.gov/hpd/pay2play/pay\\_to\\_play.html](http://housing.hcd.ca.gov/hpd/pay2play/pay_to_play.html)>

other records in compliance with the Waste Reduction Plan. Fees to cover monitoring costs may be required. Before a permit is granted, the applicants must submit a Diversion Summary Sheet and the related documentation. Possible penalties for non-compliance include up to 10 times the permit fee.

### **Permit Processing Times**

There are two basic means by which housing is developed in Hillsborough: through the construction of individual houses on existing lots, and through the subdivision of larger parcels. A Design Review approval and building permit for construction of a single house on an individual lot can be obtained in about 7-9 weeks, depending on the design quality.

The subdivision process takes longer. Obtaining approval of a subdivision map requires about 10-11 weeks, and an Environmental Impact Report takes about a year. (Both time frames depend on the completeness and accuracy of the materials submitted.) These time periods are reasonable by Bay Area standards. The Town processes subdivisions and building permits as efficiently as possible and is not aware of any changes that could be made to speed up this process.

### **Second Units**

As of 2001, Hillsborough had not enacted an ordinance to deal specifically with “second units.” Detached units have not been permitted, and attached second units are permitted only if they are to be occupied by domestics or employees of the occupants of the main residence. State law, however, requires cities to either adopt an ordinance permitting and regulating second units, or to abide by State regulations.<sup>16</sup> State regulations permit attached second units whose additional floor area does not exceed 30 percent of the existing living area of the house, and detached second units up to 1,200 square feet.

## **5. Non-governmental Constraints**

### **Land Availability and Cost**

For over a century, San Mateo County in general and Hillsborough in particular have been a highly desirable place to live. People from around the United States and the world, who have the means to choose where they want to live, continue to choose Hillsborough. The result is a high demand for Hillsborough residences, with land and housing prices pushed up beyond what would be generated from local pressures alone. This makes it particularly difficult for local employees to afford housing in Hillsborough or for the town to provide housing for lower-income households. Because of the international demand for housing in Hillsborough, the cost of land and housing is well beyond the ability of local government to influence.

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<sup>16</sup> Government Code §65852.2

## Environmental Constraints

Land use is further restricted by the steep terrain. Aptly named, Hillsborough is literally a borough of hills, with relatively few level building sites. Construction on steep hillsides requires careful siting to insure safety and prevent soil erosion, limiting the number of dwellings that can be built and increasing their cost.

In some parts of Hillsborough, storm drainage problems can be a constraint to housing development. Construction of housing increases the impervious surface and limits absorption of storm waters, increasing runoff. Some areas of Hillsborough drain into areas served by City of San Mateo, Burlingame, and San Mateo County drainage facilities or unregulated private systems. Development in these areas requires the cooperation of the Town, San Mateo County, and individual homeowners.

Because of the combination of steep slopes and abundant vegetation in Hillsborough, wildfires may threaten residences. Policies 7-A through 7-C of the General Plan provide for Fire Department review of building plans, inspection of homes upon request, and guidelines for fire prevention landscaping. All new homes are required to have Class-A fire resistant roofs and fire sprinklers.

## Construction Costs

The cost of constructing housing has risen enormously throughout the United States since 1970, and Hillsborough is no exception. The steep terrain adds further to the costs of construction. The engineering of foundations, construction of retaining walls, and the grading necessary for access roads, all push up the cost of building in Hillsborough. The difficulty of building in Hillsborough virtually guarantees that, even in the absence of governmental constraints, housing in Hillsborough will be very expensive. It is extremely unlikely that housing affordable to low and moderate income households can be constructed in Hillsborough under any circumstances without considerable subsidy, public or private.

## Financing

Financing is needed at three stages of the housing construction process: (1) *Predevelopment*. The developer must have financing to purchase the land and pay for planning, architecture, engineering, and holding the land (carrying costs) during the approval process. (2) *Construction*. The builder needs financing to pay for the costs of labor and materials. (3) *Purchase*. The homebuyer usually needs mortgage financing to purchase the completed dwelling. The availability of financing and the rate of interest can greatly affect the ability of developers and builders to produce housing and of consumers to purchase it. Lower interest rates generally result in more housing construction, while higher rates depress the rate of construction.

The cost of construction is aggravated in areas like Hillsborough with difficult building conditions. Developers incur substantially higher predevelopment costs.

## **Pollutant Discharge**

The federal government, under the 1974 Clean Water Act, implemented a permit system regulating water discharge: NPDES (the National Pollutant Discharge Elimination System). Local jurisdictions are responsible for obtaining a permit and for enacting implementation measures to maintain compliance with the permit. The County of San Mateo and all of the individual jurisdictions within the county joined together to have a permit issued to the City/County Association of Governments (C/CAG). It is expected that severe restrictions related to runoff, triggered with any new development, will be adopted – similar to restrictions adopted in Santa Clara County. There, all pollutants must be removed from onsite storm runoff before the storm water leaves the property. Such regulations may significantly limit the developable area of any given parcel and may also increase the costs of residential development.

## **6. Fair Housing**

Hillsborough supports fair access to housing for all persons without regard to race, color, religion, sex, marital status, national origin, or ancestry, and has a specific mechanism for dealing with issues of housing discrimination.

## **7. Opportunities for Energy Conservation**

The Town of Hillsborough enforces current state standards for energy efficiency in new construction. All new construction must conform with the State of California's residential building standards for energy efficiency (Title 24 of the California Administrative Code). Title 24 Standards were established in 1978 to insure that all new construction meets a minimum level of energy efficiency standards.

All proposals for new houses and major additions in Hillsborough are required to be accompanied by a landscape plan, including a 2:1 replacement schedule for any trees to be removed. In addition, a tree removal permit is required when trees greater than 36" in diameter are removed. The Town's Architecture and Design Review Board recognizes that homeowners can save up to 25 percent of a household's energy consumption for heating and cooling with the proper siting of trees to allow sun exposure in the winter and shade in the summer.

In February 2001, the City Council passed a resolution indicating that energy conservation was of utmost importance to the Town. The resolution reflected the methods already employed by the Town to achieve a 5 percent reduction in the amount of electricity used, and it included a commitment to reduce by 7 percent the amount of electricity used in the future.

In March 1998, the Town adopted a resolution, and an ordinance was later adopted, requiring the recycling and salvaging of construction and demolition materials. This has reduced the amount of materials going to landfills and it conserves energy through the reuse and recycling of these materials.

Pacific Gas and Electric Company (PG&E), which supplies all of the electric and gas service to the Town, offers an assortment of programs that provide residents with the opportunity for energy conservation. The State Energy Commission also offers rebate programs and other programs for low income residents.

## PART II: HOUSING GOALS, POLICIES, AND PROGRAMS

### 1. What is a Goal?

Goals are long-range in nature; policies and programs are intermediate or short-range. *Goal*, *policy*, and *program* are defined below, printed with the typeface used in the Hillsborough Housing Element.

**“Goal: A general, overall, and ultimate purpose, aim, or end toward which the Town will direct effort.”**

***“Policy : A specific statement of principle or of guiding actions which implies clear commitment but is not mandatory. A general direction that the Town elects to follow, in order to meet its goals.”***

**“Program: An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal.”**

“Language that is needed to further explain a particular goal, policy, or program immediately follows it and is indented in this manner. The clarifying language has the same force or obligation as the policy or program it explains.”

In summary, goals determine *what* should be done, and *where*. Policies and programs establish *who* will carry out the goals, *how*, and *when*. Text often explains *why*.

***Quantified Objectives*** are required by §65583(b) of the Government Code to “establish the maximum number of housing units by income category that can be constructed, rehabilitated, and conserved over a five-year time period.” This Housing Element provides, for each Program where applicable, a Quantified Objective that estimates the number of units that can be created during the effective time period of this Housing Element, January 1, 1999, through June 30, 2006. Section 65583(b)(2) of the Government Code reads: “It is recognized that the total housing needs identified [by ABAG] may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65300). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category that can be constructed, rehabilitated, and conserved over a five-year time period.”

The majority of the Goals, Policies, and Programs adopted in the 1995 Hillsborough Housing Element have been retained. However, based on the Town's experience since 1994, a few Programs have been dropped; others have been added; and a number of changes have been made to the text. The town's current policies include:

- Town ordinances, including those related to housing, do not discriminate on the basis of race, religion, age, gender or country of origin.
- The current minimum one-half acre lot size and single-family zoning has not changed since 1953 and is fundamental to the character of the Town.
- The City Council is committed to the protection of Hillsborough's fragile ecological and geological environment.
- The City Council is sensitive to the housing needs and opportunities of the area and will continue to work with adjoining communities on housing solutions.

## 2. Goals, Policies, and Programs

### **Goal 1 Increase housing opportunities in Hillsborough and surrounding communities.**

#### ***Policy 1-A Actively participate in meeting the housing needs of the community.***

Program 1-A1 Create an advisory committee to advise and assist the City Council on housing issues. The committee would:

1. Work with other communities on cooperative solutions to regional housing problems. (For example, work with nearby communities to explore subregional housing needs and solutions; work with similar communities to explore legislative needs and changes.)
2. Develop innovative ideas for increasing the availability of housing.

*Responsibility: City Council*

*Time Frame: 2003*

*Quantified Objective: Not Applicable (NA)*

#### ***Policy 1B Cooperate with other jurisdictions in meeting the housing needs of the Peninsula.***

Program 1-B1 Work with nearby communities to explore subregional housing needs and solutions.

*Responsibility: City Council*

*Time Frame: Begin cooperative planning, 2003*

*Quantified Objective: Not Applicable (NA)*

Program 1-B2 Evaluate and report annually to the City Council on progress in developing cooperative solutions to regional housing problems.

*Responsibility: City Council*

*Time Frame: Annually, 2003-2006*

*Quantified Objective: NA*

Program 1-B3 Assist the private sector in the normal housing development process in Hillsborough.

The prompt processing of subdivision and design review applications and building permits has resulted in average construction rates consistent with projected demand for housing in Hillsborough. The Town will continue to assist in the housing development process.

*Responsibility: City Council*

*Time Frame: 1999-2006*

*Quantified Objective: 54 Above-moderate Income units*

Program 1-B4 Continue Town contributions to San Mateo County homeless and transitional housing programs.

In the 1990s, Hillsborough joined other San Mateo County cities and the County in funding homeless shelters and transitional housing. Continuing to address this problem on a regional basis is the most effective way to meet the special housing needs of those who are homeless and at-risk of becoming homeless.

*Responsibility: City Council*

*Time Frame: 1999-2006*

*Quantified Objective: \$6,600 annual funding.*

***Policy 1-C Use vacant land on the periphery of Hillsborough to increase housing opportunities.***

Program 1-C1 Consider annexations of land adjacent to Hillsborough that permit housing opportunities.

The Hillsborough town limit is coterminous with the LAFCO-defined sphere of influence (SOI). Annexation of land would require petitioning LAFCO to change the SOI boundary and would depend on cooperation from neighboring cities. Nevertheless, because some landowners recognize the advantages of annexing their land into Hillsborough, the Town will consider such annexations in order to increase housing opportunities, including affordable housing.

*Responsibility: Planning Department, City Council*

*Time Frame: 1999-2006*

*Quantified Objective: 8 Moderate Income units.*

**Goal 2 Provide housing consistent with maintaining the character of the community.**

***Policy 2-A Allow subdivision of existing vacant lots larger than one acre.***

Program 2-A1 Modify the subdivision ordinance to permit subdivision of vacant parcels that are large enough to accommodate two or more half-acre lots, but which cannot meet street frontage or lot width requirements.

There may be some parcels that have enough total area to provide two or more half-acre residential lots, but which cannot be subdivided under current regulations. These lots are either of unusual shape or are oriented so that the side of the lot fronting the street is not wide enough to provide two lots with the required 150-foot street frontage. By modifying the subdivision ordinance to permit subdivision of these lots, Hillsborough can accommodate additional housing units without altering the large-lot residential character of the community. Any and all proposals to subdivide lots will be reviewed by the City Council on a case-by-case basis. Applicants for subdivision will be expected to show that lot splits will not adversely affect neighboring properties. In developing the ordinance, the Town will consider an overlay district to limit subdivision to specific areas where impacts can be minimized.

*Responsibility: City Council*

*Time Frame: Ordinance change 2002-2003; Units 2003-2006*

*Quantified Objective: Five Above-moderate Income units*

***Policy 2-B Use a density bonus to encourage the creation of affordable housing in future subdivisions.***

Program 2-B1 Adopt a density bonus ordinance to encourage affordable or senior housing or both.

California Gov. Code 65915 provides that a local government shall grant a 25 percent density bonus and one additional incentive to any development that includes “at least (1) 20 percent of the total units of a housing development for lower income households or ... (3) 50 percent of the total dwelling units of a housing development for qualifying residents as defined in Section 51.2 of the Civil Code.” (Section 51.2 refers to and defines “seniors.”) When and if a developer proposes a development that meets the requirements of Gov. Code 65915(b)(1) and (3) above, the Town must adopt an ordinance to “either (1) grant a density bonus” of at least 25 percent “and at least one of the incentives identified in Section 65915(h) or (2) provide other incentives of equivalent financial value based upon the land cost per dwelling unit.” Incentives identified in Section 65915(h) include, among other things, “(1) A

reduction in site development standards or a modification of zoning code requirements or architectural design requirements ...” The Town may adopt standards and design guidelines to ensure that any and all units constructed under the density bonus will be consistent with the character of the neighborhood.

*Responsibility: City Council*

*Time Frame: Ordinance 2002-2003; units 2003-2006*

*Quantified Objective: Three Low Income units; three units for Moderate Income seniors*

**Goal 3 Provide a continuum of housing opportunities for the members of the Hillsborough community in all stages of life.**

The Town intends to disseminate information with respect to the housing opportunities described below through the Town’s Newsletter and website. In addition, the Town will seek to display the information at libraries, and at nearby community and senior centers and social services offices, and in other public locations.

***Policy 3-A Allow board and care and related facilities, especially for elderly residents who wish to remain in the community.***

Program 3-A1 As required by state law, continue to allow, board and care facilities for six or fewer residents and transitional housing.

State law<sup>17</sup> provides that a residential care facility (defined as a facility serving six or fewer persons) is a residential use and must be permitted wherever residential uses are allowed. Similarly, state law (Government Code §65583(c)(1)), also requires provisions for transitional housing. According to the 1990 census, Hillsborough had 1,797 residents over 65 (16.8 percent of the population). Data from the 2000 census show an increase in that number to 2,014 (18.6 percent of the population). The number of households occupied in 1990 by at least one elderly resident was 1,072 (many of these households have more than one elderly resident). In 2000, the number had increased sharply to 1,337 households (36.2 percent of all households in Hillsborough.) The proportion of elderly is expected to grow, and housing them adequately will be a continuing concern on the Peninsula. Although many elderly can continue to live in their own homes, particularly if structural modifications are made to help them cope with the disabilities that accompany aging, there will nevertheless be an increasing demand for specialized care facilities. This program will allow for transitional housing and provide housing opportunities for some long term Hillsborough residents who can no longer remain in their homes to continue living in Hillsborough.

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<sup>17</sup> Health and Safety Code §1568.031

*Responsibility: City Council*

*Time Frame: 2002-2006*

*Quantified Objective: Four units serving 24 seniors*

***Policy 3-B Permit the renting of rooms in Hillsborough homes to provide additional housing opportunities for single people.***

Program 3-B1 Allow the renting of individual rooms in Hillsborough houses.

As the Hillsborough population has aged, many homes now house fewer residents than they were originally designed for. At the same time, Hillsborough provides no housing for Hillsborough's own single people (for example, recent college graduates, teachers, or recently divorced persons). Allowing the renting of individual rooms—subject to Town standards and securing a Town Business License—can make existing surplus space legally available to people who are not, under current Town ordinances, allowed to be housed in Hillsborough.

The Town will expand its outreach efforts to the school community and to existing shared housing organizations within the county, so that the community and the support organizations know that the renting of rooms will be allowed. The intent is to develop, as part of a marketing outreach, a database of rooms for rent (and second units) that can easily be accessed by those organizations and persons seeking such accommodations.

*Responsibility: City Council*

*Time Frame: Ordinance 2002; units 2002-2006*

*Quantified Objective: NA*

Program 3-B2 Support and promote the shared housing concept.

Some residents who have available surplus space may wish to share that space or rent it in return for income or care, but may be reluctant to rent to strangers. Shared housing programs, such as the one administered in San Mateo County by the non-profit Human Investment Project, match persons needing housing with those who have available space. The Human Investment Project interviews applicants and providers and negotiates terms to assure a proper match between individuals' lifestyles. Allowing sharing and/or rentals of this type, subject to Town standards, would help to reduce the concerns of potential housing providers and thus provide affordable housing. The Town will work with shared housing organizations to promote their services in Hillsborough.

*Responsibility: City Council*

*Time Frame: 1999-2006*

*Quantified Objective: Five units housing the Very-low Income*

***Policy 3-C Allow both attached and detached second units within the existing allowable Floor Area Ratio of Hillsborough homes.***

Program 3-C1 Modify the zoning ordinance to allow “second units” to be (1) created within existing homes; (2) created by converting existing detached accessory buildings (freestanding cabanas or pool houses); (3) developed as new detached accessory buildings to existing homes; or (4) developed as part of newly constructed single-family residences – either as detached units or incorporated within the main house. It is the intent of this program that overall building size and external appearance (existing or proposed) will not be changed in any major way.

A “second unit” means a smaller but independent unit on the same site as a new or existing single family house. The second unit can be part of the main house or it can be located in a detached building. Since 1987, State law<sup>18</sup> has required cities to either adopt an ordinance regulating second units or to permit such units in accordance with State rules. Current State regulations allow *detached* units up to 1,200 sq. ft. or *attached* units as large as 30 percent of the existing (main house) living area. These units are permitted in all residential zoning districts. By adopting its own second unit ordinance, Hillsborough can incorporate relevant standards on second units, including design standards, limits on the size and location of units, and a maximum permissible number per year.

Hillsborough currently does not permit “second units” as they are defined by State law. Hillsborough’s Zoning Ordinance permits only one dwelling unit per lot, with an exception for living quarters for domestic workers. These “servants quarters” may have their own separate kitchen, but the servants quarters must be attached to and accessible from the main dwelling unit. By modifying the zoning ordinance to identify and qualify existing units and to permit new second units, which are not limited to domestics and which may be detached from the main dwelling, Hillsborough can provide a few additional housing opportunities.

The Ordinance will include a Second Unit Program that specifies that the units may be rented, and it will not establish development standards that would become barriers (e.g., special parking requirements) to the development of second units. The ordinance will establish incentives to encourage the second units to first be offered to households earning less than 80 percent of the Area Median Income for a defined time period. The incomes of lower-income households occupying the units will be monitored by the Town or its designee.

The modifications to the zoning ordinance can be written to insure that the additional units will not alter the lot coverage or appearance of the host structure except in minor detail. Those provisions will be assured by requiring second units to follow the Town’s design re-

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<sup>18</sup> Government Code §65852.2

view process. In addition, the Second Unit Program will include a marketing component to encourage existing residents to consider the development of second units on their properties.

*Responsibility: City Council*

*Time Frame: Ordinance 2002; units 2002-2006*

*Quantified Objective: Six Very-low Income units, six Low Income units, six Moderate Income units*

***Policy 3-D Allow existing second units to be used for rental housing whether the unit is attached to the main house or is a separate detached unit.***

Program 3-D1 Create a process to legalize existing second units.

Prior to 1983, Hillsborough permitted “Detached Servant’s Quarters” with a use permit. Owners who held valid permits at that time could continue to use the units for housing domestic workers until 2013, by registering the units and submitting an annual declaration. No owners complied with the registration provisions, so all previously issued permits for detached servants quarters have expired. In no case were these units permitted to be used for rental purposes. By enabling owners of existing second units to legalize (obtain permits for) these units, and by permitting the units to be rented and to be renovated to include a separate entrance and kitchen, the Town can enhance the safety of occupants while maintaining the availability of existing rental units.

(It is thought that many of Hillsborough’s existing second units do not conform to the State’s definition of “dwelling unit” because they do not now have a kitchen. If renovated to provide a separate entrance and include a kitchen, sleeping, eating, cooking, and sanitation facilities, such units will be counted as additional units under the Housing Element law. Further, to the extent that the affordability provisions outlined in Program 3-C1 above are also applied, the units can be counted toward meeting the Town’s fair share of the RHND for lower income units.)

*Responsibility: City Council*

*Time Frame: Ordinance 2002; units 2002-2006*

*Quantified Objective: 15 Very-low Income units, 5 Low Income units.*

***Policy 3-E Allow institutions located within Hillsborough to provide housing for employees.***

Program 3-E1 Modify the zoning ordinance to permit employee housing on existing institutional properties in Hillsborough.

The Burlingame Country Club and the two private schools provide a total of three housing units for employees. By modifying the zoning ordinance to change the definition of private school and country club to include the provision of housing for employees, such institutions

will be able to build multifamily units which would not be subject to the half-acre minimum lot size. The Town can thus create opportunities for a small number of employees of these institutions to live on-site, in Hillsborough. Such housing, in a modest way, can help to reduce commute traffic.

*Responsibility: City Council*

*Time Frame: Ordinance 2002; units 1999-2006*

*Quantified Objective: Eight Very-low Income units; six Low Income units; one Moderate Income unit*

#### **Goal 4 Ensure equal housing opportunities for all.**

***Policy 4-A Eliminate discrimination in housing based on age, race, color, religion, sex, marital status, national origin, ancestry or occupation.***

Program 4-A1 Continue to designate the City Attorney as the appropriate City official to receive and investigate housing discrimination complaints.

The Town's Fair Housing Program is advertised annually in the Town Newsletter. In addition, the Town will assemble and promote the distribution of information to landlords regarding Fair Housing, emphasizing the tie between Fair Housing and the Housing Element's new emphasis on second units and the renting of rooms. Information will also be made available on the Town's website. (The City Attorney's Office did not receive any discrimination complaints during the previous Housing Element period.)

*Responsibility: City Council*

*Time Frame: Ongoing*

*Quantified Objective: NA*

Program 4-A2 Review the Zoning Ordinance to identify provisions that could pose constraints on the development of housing for persons with disabilities, and amend the ordinance as needed to expedite retrofit efforts to comply with the Americans with Disabilities Act (ADA), require ADA compliance in all new development that is subject to ADA, and provide adequate flexibility in the development of housing for persons with disabilities.

### 3. Summary of Quantified Objectives

Figure 9 summarizes the Town's quantified objectives for the housing programs listed above.

The Housing Needs Analysis section of this Housing Element identified a need for 84 units to accommodate additional households by 2006. The Summary of Quantified Objectives shows a possible total of 106 newly constructed units, which will adequately meet the projected housing needs for the period (84). In addition, 20 of the 49 projected rehabilitation units meet the HCD and census definition of a new "housing unit." I.e., through rehabilitation, they will become new housing units not previously in the town, and will provide new opportunities for affordable housing, even though they are not "new construction." The 20 units are shown in Figure 9 under "Rehabilitation." They are units expected to be added under Program 3-D1 which provides for the conversion of some existing servants quarters, by the addition of cooking and sanitation facilities as necessary to qualify them as "second units."

**FIGURE 9. SUMMARY OF QUANTIFIED OBJECTIVES, 1999 TO 2006**

Action Statement	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total Objective
<b>New Construction</b>					
1-B3 Assist normal development process				54	54
1-C1 Pursue annexation of adjacent land			8		8
2-A1 Subdivide vacant parcels for 2+ lots				5	5
2-B1 Adopt density bonus ordinance		3	3		6
3-C1 Allow second units	6	6	6		18
3-E1 Employee hsg on institutional lands	8	6	1		15
<b>Total New Construction</b>	<b>14</b>	<b>15</b>	<b>18</b>	<b>59</b>	<b>106</b>
<b>ABAG RHND for Hillsborough</b>	<b>11</b>	<b>5</b>	<b>14</b>	<b>54</b>	<b>84</b>
<b>Rehabilitation</b>					
3-A1 Board and care for elderly		6	12	6	24
3-B2 Promote shared housing	5				5
3-D1 Legalize existing second units when upgraded to dwelling unit status	15	5			20
<b>Total Rehabilitation</b>	<b>20</b>	<b>11</b>	<b>12</b>	<b>6</b>	<b>49</b>

## APPENDIX A: GLOSSARY OF HOUSING TERMS

### 1. Abbreviations

**ABAG:** Association of Bay Area Governments, the Bay Area's COG

**AMI:** Area Median (Household) Income

**BMR:** Below-market-rate dwelling unit

**CDBG:** Community Development Block Grant

**CEQA:** California Environmental Quality Act

**CHFA:** California Housing Finance Agency

**CIP:** Capital Improvements Program

**COG:** Council of Governments

**CRA:** Community Redevelopment Agency

**EIR:** Environmental Impact Report

**FAR:** Floor Area Ratio

**FY:** Fiscal Year

**GMI:** Gross Monthly Income

**HCD:** Housing and Community Development Department of the State of California

**HUD:** U.S. Dept. of Housing and Urban Development

**LAFCO:** Local Agency Formation Commission

**NA:** Not Applicable

**PUD:** Planned Unit Development

**PMSA:** Primary Metropolitan Statistical Area

**RHND:** Regional Housing Needs Determination (ABAG)

**SOI:** Sphere of Influence

### 2. Definitions

**Acres, Gross:** The entire acreage of a site. Most communities calculate gross acreage to the centerline of proposed bounding streets and to the edge of the right-of-way of existing or dedicated streets.

**Acres, Net:** The portion of a site that can actually be built upon. The following generally are not included in the net acreage of a site: public or private road rights-of-way, public open space, and flood ways.

**Adverse Impact:** A negative consequence for the physical, social, or economic environment resulting from an action or project.

**Affordability Requirements:** Provisions established by a public agency to require that a specific percentage of housing units in a project or development remain affordable to Very-low and Low Income households for a specified period.

**Affordable Housing:** Housing capable of being purchased or rented by a household with very low, low, or moderate income, based on a household's ability to make monthly payments necessary to obtain housing. Housing is considered affordable when a household pays less than 30 percent of its gross monthly income (GMI) for housing including utilities.

**Agency:** The governmental entity, department, office, or administrative unit responsible for carrying out regulations.

**Air Rights:** The right granted by a property owner to a buyer to use space above an existing right-of-way or other site, usually for development.

**Alley:** A narrow service way, either public or private, which provides a permanently reserved but secondary means of public access not intended for general traffic circulation. Alleys typically are located along rear property lines.

**Annex, v:** To incorporate a land area into an existing district or municipality, with a resulting change in the boundaries of the annexing jurisdiction.

**Apartment:** (1) One or more rooms of a building used as a place to live, in a building containing at least one other unit used for the same purpose. (2) A separate suite, not owner occupied, which includes kitchen facilities and is designed for and rented as the home, residence, or sleeping place of one or more persons living as a single house-keeping unit.

**Appropriate:** An act, condition, or state that is considered suitable.

**Architectural Control; Architectural Review:** Regulations and procedures requiring the exterior design of structures to be suitable, harmonious, and in keeping with the general appearance, historic character, and/or style of surrounding areas. A process used to exercise control over the design of buildings and their settings. (See "Design Review.")

**Area; Area Median Income:** As used in State of California housing law with respect to income eligibility limits established by the U.S. Department of Housing and Urban Development (HUD), "area" means metropolitan area or non-metropolitan county.

**Assisted Housing:** Generally multifamily rental housing, but sometimes single-family ownership units, whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs including, but not limited to Federal Section 8 (new construction, substantial rehabilitation, and loan management set-asides), Federal Sections 213, 236, and 202, Federal Section 221(d)(3) (below-market interest rate program), Federal Section 101 (rent supplement assistance), CDBG, FmHA Section 515, multifamily mortgage revenue bond programs, local redevelopment and in lieu fee programs, and units developed pursuant to local inclusionary housing and density bonus programs. All California Housing Elements are required to address the preservation or replacement of assisted housing that is eligible to change to market rate housing within 10 years.

**Below-market-rate (BMR) Housing Unit:** (1) Any housing unit specifically priced to be sold or rented to low- or moderate-income households for an amount less than the fair-market value of the unit. Both the State of California and the U.S. Department of Housing and Urban Development set standards for determining which households qualify as "low income" or "moderate income." (2) The financing of housing at less than prevailing interest rates.

**Buffer Zone:** An area of land separating two distinct land uses that acts to soften or mitigate the effects of one land use on the other.

**Building:** Any structure used or intended for supporting or sheltering any use or occupancy.

**Building Height:** The vertical distance from the average contact ground level of a building to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge

for a gable, hip, or gambrel roof. The exact definition varies by community. For example, in some communities building height is measured to the highest point of the roof, not including elevator and cooling towers.

**Buildout; Build-out:** Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

**California Environmental Quality Act (CEQA):** A State law requiring State and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an Environmental Impact Report (EIR) must be prepared and certified as to its adequacy before taking action on the proposed project. An Environmental Assessment may be prepared for housing elements, leading to a Declaration of No Environmental Impact.

**California Housing Finance Agency (CHFA):** A State agency, established by the Housing and Home Finance Act of 1975, which is authorized to sell revenue bonds and generate funds for the development, rehabilitation, and conservation of low-and moderate-income housing.

**Capital Improvements Program (CIP) :** A program, administered by a town or county government and reviewed by its planning commission, which schedules permanent improvements, usually for a minimum of five years in the future, to fit the projected fiscal capability of the local jurisdiction. The program generally is reviewed annually, for conformance to and consistency with the general plan.

**Census:** The official decennial enumeration of the population conducted by the federal government.

**Character:** Special physical characteristics of a structure or area that set it apart from its surroundings and contribute to its individuality.

**Clustered Development:** Development in which a number of dwelling units are placed in closer proximity than usual, or are attached, with the purpose of retaining an open space area.

**Community Care Facility:** Elderly housing licensed by the State Health and Welfare Agency, Department of Social Services, typically for residents who are frail and need supervision. Services normally include three meals daily, housekeeping, security and emergency response, a full activities program, supervision in the dispensing of medicine, personal services such as assistance in grooming and bathing, but no nursing care. Sometimes referred to as residential care or personal care. (See "Congregate Care.")

**Community Development Block Grant (CDBG):** A grant program administered by the U.S. Department of Housing and Urban Development (HUD) on a formula basis for entitlement communities, and by the State Department of Housing and Community Development (HCD) for non-entitled jurisdictions. This grant allots money to cities and counties for housing rehabilitation and community development, including public facilities and economic development.

**Compatible:** Capable of existing together without conflict or ill effects.

**Condominium:** A structure of two or more units, the interior spaces of which are individually owned; the balance of the property (both land and building) is owned in common by the owners of the individual units. (See "Townhouse.")

**Congregate Care:** Apartment housing, usually for seniors, in a group setting that includes independent living and sleeping accommodations in conjunction with shared dining and recreational facilities. (See "Community Care Facility.")

**Consistent:** Free from variation or contradiction. Programs in the General Plan are to be consistent, not contradictory or preferential. State law requires consistency between a general plan and implementation measures such as the zoning ordinance.

**County:** County with a capital “C” generally refers to the government or administration of a county. County with a lower case “c” may mean any county or may refer to the geographical area of a county (e.g., the county’s 15 cities).

**Covenants, Conditions, and Restrictions (CC&Rs):** A term used to describe restrictive limitations that may be placed on property and its use, and which usually are made a condition of holding title or lease.

**Criterion:** A standard upon which a judgment or decision may be based. (See “Standards.”)

**Density, Residential:** The number of permanent residential dwelling units per acre of land. Densities specified in the General Plan may be expressed in units per gross acre or per net developable acre. (See “Acres, Gross,” and “Developable Acres, Net.”)

**Density Bonus:** The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location. Under California law, a housing development that provides 20 percent of its units for lower income households, or 10 percent of its units for Very-low Income households, or 50 percent of its units for seniors, is entitled to a density bonus.

**Density, Control of:** A limitation on the occupancy of land. Density can be controlled through zoning in the following ways: use restrictions, minimum lot-size requirements, floor area ratios, land use-intensity ratios, setback and yard requirements, minimum house-size requirements, ratios comparing number and types of housing units to land area, limits on units per acre, and other means. Allowable density often serves as the major distinction between residential districts.

**Design Review; Design Control:** The comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, architecture, materials, colors, lighting, and signs, in accordance with a set of adopted criteria and standards. “Design Control” requires that certain specific things be done and that other things not be done. Design Control language is most often found within a zoning ordinance. “Design Review” usually refers to a system set up outside of the zoning ordinance, whereby projects are reviewed against certain standards and criteria by a specially established design review board or committee. (See “Architectural Control.”)

**Developable Acres, Net:** The portion of a site that can be used for density calculations. Some communities calculate density based on gross acreage. Public or private road rights-of-way are not included in the net developable acreage of a site.

**Developable Land:** Land that is suitable as a location for structures and that can be developed free of hazards to, and without disruption of, or significant impact on, natural resource areas.

**Developer:** An individual who or business that prepares raw land for the construction of buildings or causes to be built physical building space for use primarily by others, and in which the preparation of the land or the creation of the building space is in itself a business and is not incidental to another business or activity.

**Development:** The physical extension and/or construction of urban land uses. Development activities include subdivision of land; construction or alteration of structures, roads, utilities, and other facilities; installation of septic systems; grading; deposit of refuse, debris, or fill materials; and clearing of natural vegetative cover (with the exception of agricultural activities). Routine repair and maintenance activities are exempted.

**Development Fee:** (See “Impact Fee.”)

**Development Rights:** The right to develop land by a land owner who maintains fee-simple ownership over the land or by a party other than the owner who has obtained the rights to develop. Such rights usually are expressed in terms of density allowed under existing zoning. For example, one development right may equal one unit of housing or

may equal a specific number of square feet of gross floor area in one or more specified zone districts. (See “Interest, Fee.”)

**District:** (1) An area of a town or county that has a unique character identifiable as different from surrounding areas because of distinctive architecture, streets, geographic features, culture, landmarks, activities, or land uses. (2) A portion of the territory of a town or county within which uniform zoning regulations and requirements apply; a zone.

**Diversity:** Differences among otherwise similar elements that give them unique forms and qualities. E.g., housing diversity can be achieved by differences in unit size, tenure, or cost.

**Duplex:** A single building under single ownership that is designed for occupation as the residence of two families living independently of each other. No part of a duplex is considered a “second unit.”

**Dwelling Unit:** A room or group of rooms (including sleeping, eating, cooking, and sanitation facilities, but not more than one kitchen), which constitutes an independent housekeeping unit, occupied or intended for occupancy by one household on a long-term basis.

**Elderly Housing:** Typically one- and two-bedroom apartments or condominiums designed to meet the needs of persons 62 years of age and older or, if more than 150 units, persons 55 years of age and older, and restricted to occupancy by them. (See “Congregate Care.”)

**Emergency Shelter:** A facility that provides immediate and short-term housing and supplemental services for the homeless. Shelters come in many sizes, but an optimum size is considered to be 20 to 40 beds. Supplemental services may include food, counseling, and access to other social programs. (See “Homeless” and “Transitional Housing.”)

**Encourage, v:** To stimulate or foster a particular condition through direct or indirect action by the private sector or government agencies.

**Enhance, v:** To improve existing conditions by increasing the quantity or quality of beneficial uses or features.

**Environmental Impact Report (EIR):** A report required of general plans by the California Environmental Quality Act and which assesses all the environmental characteristics of an area and determines what effects or impacts will result if the area is altered or disturbed by a proposed action. (See “California Environmental Quality Act.”)

**Exaction:** A contribution or payment required as an authorized precondition for receiving a development permit; usually refers to mandatory dedication (or fee in lieu of dedication) requirements found in many subdivision regulations.

**Fair Market Rent:** The rent, including utility allowances, determined by the United States Department of Housing and Urban Development for purposes of administering the Section 8 Existing Housing Program.

**Family:** (1) Two or more persons related by birth, marriage, or adoption [U.S. Bureau of the Census]. (2) An individual or a group of persons living together who constitute a bona fide single-family housekeeping unit in a dwelling unit, not including a fraternity, sorority, club, or other group of persons occupying a hotel, lodging house or institution of any kind [California].

**Feasible:** Capable of being done, executed, or managed successfully from the standpoint of the physical and/or financial abilities of the implementer(s).

**Feasible, Technically:** Capable of being implemented because the industrial, mechanical, or application technology exists.

**Finding(s):** The result(s) of an investigation and the basis upon which decisions are made. Findings are used by government agents and bodies to justify action taken by the entity.

**Floor Area Ratio (FAR):** The gross floor area permitted on a site divided by the total net area of the site, expressed in percent. For example, on a site with 10,000 net sq. ft. of land area, a Floor Area Ratio of 100 percent will allow a maximum of 10,000 gross sq. ft. of building floor area to be built. On the same site, an FAR of 150 percent would allow 15,000 sq. ft. of floor area; an FAR of 200 percent would allow 20,000 sq. ft.; and an FAR of 50 percent would allow only 5,000 sq. ft. Also commonly used in zoning, FARs typically are applied on a parcel-by-parcel basis as opposed to an average FAR for an entire land use or zoning district. In Hillsborough, the maximum permitted FAR is 25%.

**Footprint; Building Footprint:** The outline of a building at all of those points where it meets the ground.

**General Plan:** A compendium of town or county policies regarding its long-term development, in the form of maps and accompanying text. The General Plan is a legal document required of each local agency by the State of California Government Code Section 65301 and adopted by the City Council or Board of Supervisors. In California, the General Plan has 7 mandatory elements (Circulation, Conservation, Housing, Land Use, Noise, Open Space, Safety and Seismic Safety) and may include any number of optional elements (such as Air Quality, Economic Development, Hazardous Waste, and Parks and Recreation). The General Plan may also be called a “City Plan,” “Comprehensive Plan,” or “Master Plan.”

**Granny Flat:** (See “Second Unit.”)

**Group Quarters:** A residential living arrangement, other than the usual house, apartment, or mobile home, in which two or more unrelated persons share living quarters and cooking facilities. Institutional group quarters include nursing homes, orphanages, and prisons. Non-institutional group quarters include dormitories, shelters, and large boarding houses.

**Guidelines:** General statements of policy direction around which specific details may be later established.

**Handicapped:** A person determined to have a physical impairment or mental disorder expected to be of long or indefinite duration. Many such impairments or disorders are of such a nature that a person’s ability to live independently can be improved by appropriate housing conditions.

**Historic; Historical:** A historic building or site is one that is noteworthy for its significance in local, state, or national history or culture, its architecture or design, or its works of art, memorabilia, or artifacts.

**Historic Preservation:** The preservation of historically significant structures and neighborhoods until such time as, and in order to facilitate, restoration and rehabilitation of the building(s) to a former condition.

**Home Occupation:** A commercial activity conducted solely by the occupants of a particular dwelling unit in a manner incidental to residential occupancy.

**Homeless:** Persons and families who lack a fixed, regular, and adequate nighttime residence. Includes those staying in temporary or emergency shelters or who are accommodated with friends or others with the understanding that shelter is being provided as a last resort. California Housing Element law, Section 65583(c)(1), requires all cities and counties to address the housing needs of the homeless. (See “Emergency Shelter” and “Transitional Housing.”)

**Household:** All those persons—related or unrelated—who occupy a single housing unit. (See “Family.”)

**Householder:** The head of a household.

**Households, Number of:** The count of all year-round housing units occupied by one or more persons. The concept of household is important because the formation of new households generates the demand for housing. Each new

household formed creates the need for one additional housing unit or requires that one existing housing unit be shared by two households. Thus, household formation can continue to take place even without an increase in population, thereby increasing the demand for housing.

**Housing and Community Development Department of the State of California (HCD):** The State agency that has principal responsibility for assessing, planning for, and assisting communities to meet the needs of low- and moderate-income households.

**Housing Element:** One of the seven State-mandated elements of a local general plan, it assesses the existing and projected housing needs of all economic segments of the community, identifies potential sites adequate to provide the amount and kind of housing needed, and contains adopted goals, policies, and implementation programs for the preservation, improvement, and development of housing. Under State law, Housing Elements must be updated every five years.

**Housing and Urban Development, U.S. Department of (HUD):** A cabinet-level department of the federal government that administers housing and community development programs.

**Housing Unit:** A house, an apartment, a mobile home or trailer, a group of rooms, or a single room that is occupied as a separate living quarters, or if vacant, is intended for occupancy as a separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building and which have direct access from outside the building or through a common hall. For vacant units, the criteria of separateness and direct access are applied to the intended occupancies whenever possible. (Source: US Census 2000. See also "Dwelling Unit," "Family," and "Household.")

**Impact:** The effect of any direct man-made actions or indirect repercussions of man-made actions on existing physical, social, or economic conditions.

**Impact Fee:** A fee, often called a development fee, levied on the developer of a project by a town, county, or other public agency as compensation for otherwise-unmitigated impacts the project will produce. California Government Code Section 66000 et seq. specifies that development fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged. To lawfully impose a development fee, the public agency must verify its method of calculation and document proper restrictions on use of the fund.

**Impacted Areas:** Census tracts where more than 50 percent of the dwelling units house low- and Very-low Income households.

**Implementation:** Actions, procedures, programs, or techniques that carry out policies.

**Improvement:** The addition of one or more structures or utilities on a parcel of land.

**Infill Development:** Development of vacant land (usually individual lots or left-over properties) within areas that are already largely developed.

**Infrastructure:** Public services and facilities, such as sewage-disposal systems, water-supply systems, other utility systems, and roads.

**In Lieu Fee:** Cash payments that may be required of an owner or developer as a substitute for a dedication of land or construction of below-market-rate housing, and referred to as in lieu fees or in lieu contributions.

**Institutional Use:** (1) Publicly or privately owned and operated activities that are institutional in nature, such as hospitals, museums, and schools; (2) churches and other religious organizations; and (3) other nonprofit activities of a welfare, educational, or philanthropic nature that cannot be considered a residential, commercial, or industrial activity.

**Interest, Fee:** Entitles a land owner to exercise complete control over use of land, subject only to government land use regulations.

**Issues:** Important unsettled community matters or problems that are identified in a community's general plan and are dealt with by the plan's goals, policies, and implementation programs.

**Jobs/Housing Balance; Jobs/Housing Ratio:** The availability of affordable housing for employees. The jobs/housing ratio divides the number of jobs in an area by the number of employed residents. A ratio of 1.0 indicates a balance. A ratio greater than 1.0 indicates a net in-commute; less than 1.0 indicates a net out-commute.

**Land Banking:** The purchase of land by a local government for use or resale at a later date. "Banked lands" have been used for development of low- and moderate-income housing, expansion of parks, and development of industrial and commercial centers. Federal rail-banking law allows railroads to bank unused rail corridors for future rail use while allowing interim use as trails.

**Land Use Classification:** A system for classifying and designating the appropriate use of properties.

**Land Use Regulation:** A term encompassing the regulation of land in general and often used to mean those regulations incorporated in the General Plan, as distinct from zoning regulations (which are more specific).

**Lease:** A contractual agreement by which an owner of real property (the lessor) gives the right of possession to another (a lessee) for a specified period of time (term) and for a specified consideration (rent).

**Leasehold Interest:** (1) The interest that the lessee has in the value of the lease itself in condemnation award determination. (2) The difference between the total remaining rent under the lease and the rent the lessee would currently pay for similar space for the same time period.

**Lot:** (See "Site.")

**Lot of Record:** A lot that is part of a recorded subdivision or a parcel of land that has been recorded at the County Recorder's office containing property tax records.

**Low-income Household:** A household with an annual income usually no greater than 80 percent of the area median income for a household of four persons and based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 Housing Program. (See "Area.")

**Low-income Housing Tax Credits (LIHTC):** Tax reductions provided by the federal and State governments for investors in housing for Low Income households.

**Maintain, v:** To keep in an existing state. (See "Preserve, v.")

**Mandatory Element:** A component of the General Plan mandated by State Law. California State law requires that a General Plan include elements dealing with seven subjects—circulation, conservation, housing, land use, noise, open space and safety—and specifies to various degrees the information to be incorporated in each element.

**Manufactured Housing:** Residential structures that are constructed entirely in the factory, and that since June 15, 1976, have been regulated by the federal Manufactured Home Construction and Safety Standards Act of 1974 under the administration of the U.S. Department of Housing and Urban Development (HUD). (See "Mobile Home" and "Modular Unit.")

**May:** That which is permissible.

**Minimize, v :** To reduce or lessen, but not necessarily to eliminate.

**Ministerial (Administrative) Decision:** An action taken by a governmental agency that follows established procedures and rules and does not call for the exercise of judgment in deciding whether to approve a project.

**Mitigate, v :** To ameliorate, alleviate, or avoid to the extent reasonably feasible.

**Mixed-use:** Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design. A “single site” may include contiguous properties.

**Mobile Home:** A structure, transportable in one or more sections, built on a permanent chassis and designed for use as a single-family dwelling unit and which (1) has a minimum of 400 square feet of living space; (2) has a minimum width in excess of 102 inches; (3) is connected to all available permanent utilities; and (4) is tied down (a) to a permanent foundation on a lot either owned or leased by the homeowner or (b) is set on piers, with wheels removed and skirted, in a mobile home park. (See “Manufactured Housing” and “Modular Unit.”)

**Moderate-income Household:** A household with an annual income between the lower income eligibility limits (usually 80 percent of the area median family income) and 120 percent of the area median family income, usually as established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program. (See “Area” and “Low-income Household.”)

**Modular Unit:** A factory-fabricated, transportable building or major component designed for use by itself or for incorporation with similar units on-site into a structure for residential, commercial, educational, or industrial use. Differs from mobile homes and manufactured housing by (in addition to lacking an integral chassis or permanent hitch to allow future movement) being subject to California housing law design standards. California standards are more restrictive than federal standards in some respects (e.g., plumbing and energy conservation). Also called Factory-built Housing and regulated by State law of that title. (See “Mobile Home” and “Manufactured Housing.”)

**Multifamily Building:** A detached building designed and used exclusively as a dwelling by three or more families occupying separate suites.

**Must:** That which is mandatory.

**Necessary:** Essential or required.

**Need:** A condition requiring supply or relief. The Town or County may act upon findings of need within or on behalf of the community.

**Non-conforming Use:** A use that was valid when brought into existence, but by subsequent regulation becomes no longer conforming. “Non-conforming use” is a generic term and includes (1) non-conforming structures (by virtue of size, type of construction, location on land, or proximity to other structures), (2) non-conforming use of a conforming building, (3) non-conforming use of a non-conforming building, and (4) non-conforming use of land. Thus, any use lawfully existing on any piece of property that is inconsistent with a new or amended General Plan, and that in turn is a violation of a zoning ordinance amendment subsequently adopted in conformance with the General Plan, will be a non-conforming use. Typically, non-conforming uses are permitted to continue for a designated period of time, subject to certain restrictions.

**Objective:** A specific statement of desired future condition toward which the Town or County will expend effort in the context of striving to achieve a broader goal. An objective should be achievable and, where possible, should be measurable and time-specific. The State Government Code (Section 65302) requires that general plans spell out the “objectives,” principles, standards, and proposals of the general plan. “The addition of 30 units of affordable housing by 2006” is an example of an objective.

**Ordinance:** A law or regulation set forth and adopted by a governmental authority, usually a town or county.

**Overlay:** A land use designation on the Land Use Map, or a zoning designation on a zoning map, that modifies the basic underlying designation in some specific manner.

**Parcel:** A lot, or contiguous group of lots, in single ownership or under single control, usually considered a unit for purposes of development.

**Planned Community:** A large-scale development whose essential features are a definable boundary; a consistent, but not necessarily uniform, character; overall control during the development process by a single development entity; private ownership of recreation amenities; and enforcement of covenants, conditions, and restrictions by a master community association.

**Planned Unit Development (PUD):** A description of a proposed unified development, consisting at a minimum of a map and adopted ordinance setting forth the regulations governing, and the location and phasing of all proposed uses and improvements to be included in the development.

**Planning and Research, Office of (OPR):** A governmental division of the State of California that has among its responsibilities the preparation of a set of guidelines for use by local jurisdictions in drafting General Plans.

**Planning Area:** The Planning Area is the land area addressed by the General Plan (and hence, by the Housing Element). For a town, the Planning Area boundary typically coincides with the Sphere of Influence that encompasses land both within the Town Limits and potentially annexable land.

**Policy:** A specific statement of principle or of guiding actions that implies clear commitment but is not mandatory. A general direction that a governmental agency sets to follow, in order to meet its goals and objectives before undertaking an action program. (See “Program.”)

**Poverty Level:** As used by the U.S. Census, families and unrelated individuals are classified as being above or below the poverty level based on a poverty index that provides a range of income cutoffs or “poverty thresholds” varying by size of family, number of children, and age of householder. The income cutoffs are updated each year to reflect the change in the Consumer Price Index.

**Preserve, v:** To keep safe from destruction or decay; to maintain or keep intact. (See “Maintain.”)

**Principle:** An assumption, fundamental rule, or doctrine that will guide general plan policies, proposals, standards, and implementation measures. The State Government Code (Section 65302) requires that general plans spell out the objectives, “principles,” standards, and proposals of the general plan. “Adjacent land uses should be compatible with one another” is an example of a principle.

**Program:** An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal or objective. Policies and action statements establish the “who,” “how” and “when” for carrying out the “what” and “where” of goals and objectives.

**Protect, v:** To maintain and preserve beneficial uses in their present condition as nearly as possible. (See “Enhance.”)

**Recognize, v:** To officially (or by official action) identify or perceive a given situation.

**Redevelop, v:** To demolish existing buildings; or to increase the overall floor area existing on a property; or both; irrespective of whether a change occurs in land use.

**Regional:** Pertaining to activities or economies at a scale greater than that of a single jurisdiction, and affecting a broad geographic area.

**Regional Housing Needs:** A quantification by a COG (the regional planning agency; in the Bay Area it is ABAG, the Association of Bay Area Governments) or by HCD of existing and projected housing need, by household income group, for all localities within a region.

**Regulation:** A rule or order prescribed for managing government.

**Rehabilitation:** The repair, preservation, and/or improvement of substandard housing.

**Residential:** Land designated in the Town or County General Plan and zoning ordinance for buildings consisting only of dwelling units. May be improved, vacant, or unimproved. (See “Dwelling Unit.”)

**Residential, Multifamily:** Usually three or more dwelling units on a single site, which may be in the same or separate buildings.

**Residential, Single-family:** A single dwelling unit on a building site.

**Restore, v:** To renew, rebuild, or reconstruct to a former state.

**Restrict, v:** To check, bound, or decrease the range, scope, or incidence of a particular condition.

**Retrofit, v:** To add materials and/or devices to an existing building or system to improve its operation, safety, or efficiency. Buildings have been retrofitted to use solar energy and to strengthen their ability to withstand earthquakes, for example.

**Reverse Annuity Mortgages:** A home financing mechanism that enables a homeowner who a senior citizen to release equity from his or her home. The senior receives periodic payments that can be put to immediate use. Loans are fixed term and are paid when the house is sold or when the term expires.

**Rezoning:** An amendment to the map and/or text of a zoning ordinance to effect a change in the nature, density, or intensity of uses allowed in a zoning district and/or on a designated parcel or land area.

**Second Mortgage Program:** The lending by a public or private agency of a portion of a required down payment to a developer or first-time homebuyer, usually with restrictions requiring that the units assisted through the program remain affordable to Very-low and Low Income households.

**Second Unit:** A Self-contained living unit, either attached to or detached from, and in addition to, the primary residential unit on a single lot. Sometimes called “Granny Flat.” (See “Dwelling Unit.”)

**Section 8 Rental Assistance Program:** A federal (HUD) rent-subsidy program that is one of the main sources of federal housing assistance for Low Income households. The program operates by providing “housing assistance payments” to owners, developers, and public housing agencies to make up the difference between the “Fair Market Rent” of a unit (set by HUD) and the household’s contribution toward the rent, which is calculated at 30 percent of the household’s adjusted gross monthly income (GMI). “Section 8” includes programs for new construction, existing housing, and substantial or moderate housing rehabilitation.

**Senior Housing:** (See “Elderly Housing.”)

**Seniors:** Persons age 62 and older.

**Shall:** That which is obligatory or necessary.

**Shared Living:** The occupancy of a dwelling unit by persons of more than one family in order to reduce housing expenses and provide social contact, mutual support, and assistance. Shared living facilities serving six or fewer persons are permitted in all residential districts by Section 1566.3 of the California Health and Safety Code.

**Should:** Signifies a directive to be honored if at all possible.

**Significant Effect:** A beneficial or detrimental impact on the environment. May include, but is not limited to, significant changes in an area's air, water, and land resources.

**Single-family Dwelling, Attached:** A dwelling unit occupied or intended for occupancy by only one household that is structurally connected with at least one other such dwelling unit. (See "Townhouse.")

**Single-family Dwelling, Detached:** A dwelling unit occupied or intended for occupancy by only one household that is structurally independent from any other such dwelling unit or structure intended for residential or other use. (See "Family.")

**Single Room Occupancy (SRO):** A single room, typically 80-250 square feet, with a sink and closet, but that requires the occupant to share a communal bathroom, shower, and kitchen.

**Site:** A parcel of land used or intended for one use or a group of uses and having frontage on a public or an approved private street. A lot.

**Specific Plan:** Under Article 8 of the Government Code (Section 65450 et seq.), a legal tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation that may be necessary or convenient for the systematic implementation of any General Plan element(s).

**Sphere of Influence:** The probable ultimate physical boundaries and service area of a local agency (town or district) as determined by the Local Agency Formation Commission of the County.

**Standards:** (1) A rule or measure establishing a level of quality or quantity that must be complied with or satisfied. The State Government Code (Section 65302) requires that general plans spell out the objectives, principles, "standards," and proposals of the general plan. Examples of standards might include the number of acres of park land per 1,000 population that the community will attempt to acquire and improve, or the "traffic Level of Service" (LOS) that the plan hopes to attain. (2) Requirements in a zoning ordinance that govern building and development as distinguished from use restrictions—for example, site-design regulations such as lot area, height limit, frontage, landscaping, and floor area ratio.

**Stock Cooperative Housing:** Multiple-family ownership housing in which the occupant of a unit holds a share of stock in a corporation that owns the structure in which the unit is located.

**Structure:** Anything constructed or erected that requires location on the ground (excluding swimming pools, fences, and walls used as fences).

**Subdivision:** The division of a tract of land into defined lots, either improved or unimproved, which can be separately conveyed by sale or lease, and which can be altered or developed. "Subdivision" includes a condominium project as defined in Section 1350 of the California Civil Code and a community apartment project as defined in Section 11004 of the Business and Professions Code.

**Subdivision Map Act:** Division 2 (Sections 66410 et seq.) of the California Government code, this act vests in local legislative bodies the regulation and control of the design and improvement of subdivisions, including the requirement for tentative and final maps. (See "Subdivision.")

**Subregional:** Pertaining to a portion of a region. The Golden Triangle was a subregional task force.

**Subsidize:** To assist by payment of a sum of money or by the granting of terms or favors that reduce the need for monetary expenditures. Housing subsidies may take the forms of mortgage interest deductions or tax credits from

federal and/or state income taxes, sale or lease at less than market value of land to be used for the construction of housing, payments to supplement a minimum affordable rent, and the like.

**Substandard Housing:** Residential dwellings that, because of their physical condition, do not provide safe and sanitary housing.

**Substantial:** Considerable in importance, value, degree, or amount.

**Tax Credit:** A dollar amount that may be subtracted from the amount of taxes owed.

**Town:** Town with a capital “T” generally refers to the government or administration of a town. Town with a lower case “t” may mean any town or may refer to the geographical area of a town (e.g., the properties in the town.)

**Townhouse; Townhome:** A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common and fire-resistant walls. Townhouses usually have separate utilities; however, in some condominium situations, common areas are serviced by utilities purchased by a homeowners association on behalf of all townhouse members of the association. (See “Condominium.”)

**Transitional Housing:** Housing with supportive service that is limited to occupancy of up to 24 months that is exclusively designated and targeted for recently homeless persons. Transitional housing includes self-sufficiency development services, with the ultimate goals of moving recently homeless persons to permanent housing as quickly as possible, and limits rents and service fees to an ability-to-pay formula reasonably consistent with the United States Department of Housing and Urban Development’s requirements for subsidized housing for low-income persons.

**Undue:** Improper, or more than necessary.

**Uniform Building Code (UBC):** A national, standard building code that sets forth minimum standards for construction.

**Uniform Housing Code (UHC):** State housing regulations governing the condition of habitable structures with regard to health and safety standards, and which provide for the conservation and rehabilitation of housing in accordance with the Uniform Building Code (UBC).

**Urban Services:** Utilities (such as water, gas, electricity, and sewer) and public services (such as police, fire, schools, parks, and recreation) provided to an urbanized or urbanizing area.

**Use:** The purpose for which a lot or structure is or may be leased, occupied, maintained, arranged, designed, intended, constructed, erected, moved, altered, and/or enlarged in accordance with the Town or County zoning ordinance and General Plan land use designations.

**Use, Non-conforming:** (See “Non-conforming Use.”)

**Use Permit:** The discretionary and conditional review of an activity or function or operation on a site or in a building or facility.

**Vacant:** Lands or buildings that are not actively used for any purpose.

**Very Low-income Household:** A household with an annual income usually no greater than 50 percent of the area median family income, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 Housing Program. (See “Area.”)

**Zero Lot Line:** A detached single family unit distinguished by the location of one exterior wall on a side property line.

**Zone, Combining:** A special purpose zone that is superimposed over the regular zoning map. Combining zones are used for a variety of purposes, such as airport compatibility, flood plain or wetlands protection, historic designation, or special parking regulations. Also called “overlay zone.”

**Zone, Interim:** A zoning designation that temporarily reduces or freezes allowable development in an area until a permanent classification can be fixed; generally assigned during General Plan preparation to provide a basis for permanent zoning.

**Zone, Study:** (See “Zone, Interim.”)

**Zoning:** The division of a town or county by legislative regulations into areas, or zones, which specify allowable uses for real property and size restrictions for buildings within these areas; a program that implements policies of the General Plan.

**Zoning Bonus:** (See “Zoning, Incentive.”)

**Zoning District:** A designated section of a town or county for which prescribed land use requirements and building and development standards are uniform.

**Zoning, Exclusionary:** Development regulations that result in the exclusion of low- and moderate-income and/or minority families from a community.

**Zoning, Incentive:** The awarding of bonus credits to a development in the form of allowing more intensive use of land if public benefits—such as preservation of greater than the minimum required open space, provision for low- and moderate-income housing, or plans for public plazas and courts at ground level—are included in a project.

**Zoning, Inclusionary:** Regulations that increase housing choice by providing the opportunity to construct more diverse and economical housing to meet the needs of low- and moderate-income families. Often such regulations require a minimum percentage of housing for low- and moderate-income households in new housing developments and in conversions of apartments to condominiums.

**Zoning Map:** Government Code Section 65851 permits a legislative body to divide a county, a town, or portions thereof, into zones of the number, shape, and area it deems best suited to carry out the purposes of the zoning ordinance. These zones are delineated on a map or maps, called the Zoning Map.