



Let's Talk Housing
HILLSBOROUGH

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Housing Element Update
Frequently Asked Questions
August 2022

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Q1) What is the Regional Housing Needs Allocation (RHNA) and a Housing Element?

*In state law housing is identified as a matter of “vital statewide importance” and, since 1969, the State of California has required that all local governments (cities, towns and counties, also known as local jurisdictions) adequately plan to meet the state’s housing needs. To meet this requirement, each city or county must develop a Housing Element as part of its General Plan (the local government’s long-range blueprint for growth) that shows how it will meet its community’s housing needs. There are many laws that govern this process, and collectively they are known as Housing Element Law. The Regional Housing Need Allocation (RHNA) process is the part of Housing Element Law used to determine how many new homes, and the affordability of those homes, each local government **must plan for** in its Housing Element. This process is repeated every eight years, and for this cycle the Bay Area is planning for the period from 2023 to 2031, also known as “RHNA 6”.*

Q2) What is the Role of the California Department of Housing and Community Development (HCD)?

HCD identifies the total number of homes which each region in California must plan for in order to meet the housing needs of people across a spectrum of income levels, from very low-income households to market rate housing. This is known as the Regional Housing Need Determination (RHND). HCD is also responsible for reviewing each jurisdiction’s housing plan (a.k.a. Housing Element) to ensure compliance with state statute (a.k.a. Housing Element Law), and to take enforcement action against jurisdictions that don’t comply.

Q3) What is the Role of the Association of Bay Area Governments (ABAG)?

As the Council of Governments (COG) for the nine-county Bay Area, the Association of Bay Area Governments (ABAG) is responsible for developing the methodology for sharing the RHND among all cities, towns, and counties in the region. ABAG does this in conjunction with a committee of elected officials, city and county staff, and stakeholders called the Housing Methodology Committee (HMC). The final allocation that each jurisdiction receives is known as their Regional Housing Needs Allocation, or RHNA.

Q4) What is the Town’s RHNA 6 Allocation?

On December 16, 2021, the ABAG Executive Board adopted the Final Regional Housing Needs Allocation Plan for the San Francisco Bay Area RHNA Cycle 6, known as “RHNA 6” (2023-2031). The Town’s RHNA 6 allocation is 554 net new housing units. The table below shows the Town’s final RHNA allocation by household income category for the 2023-2031 planning period. The Town’s updated Housing Element must provide a plan that demonstrates how it can accommodate its RHNA

<i>Income Level</i>	<i>RHNA 6 Allocation</i>
<i>Very Low Income (0-50% AMI)</i>	<i>155</i>
<i>Low Income (51-79% AMI)</i>	<i>89</i>
<i>Moderate Income (80-119% AMI)</i>	<i>87</i>
<i>Above Moderate Income (120% AMI+)</i>	<i>223</i>
<i>TOTAL:</i>	<i>554</i>

Q5) What is the 20% “no net loss” buffer?

To expand the supply of housing, including affordable housing, and to ensure jurisdictions do not take actions to reduce the potential capacity for new development, the Legislature adopted the No Net Loss Law in 2002. The No Net Loss Law ensures that a jurisdiction maintains a sufficient supply of adequate sites in the Housing Element sites inventory throughout the RHNA planning period. This law was amended by Chapter 367, Statutes of 2017 (Senate Bill 166), that requires sufficient adequate sites to be always available to meet a jurisdiction’s remaining unmet housing needs for each income category. To comply with the No Net Loss Law, as jurisdictions make

decisions regarding zoning and land use, or development occurs, jurisdictions must assess their ability to accommodate new housing on the remaining sites in their Housing Element site inventories. A jurisdiction must add adequate sites if land use decisions or development results in a shortfall of sufficient sites to accommodate its remaining housing need for each income category.

The “no net buffer” can be viewed as a contingency in the event that existing housing or opportunities for housing change over the life of the plan. As recommended by the HCD, a “no net loss” buffer has been added to the Town’s RHNA Cycle 6 allocation. This buffer provides coverage for the Town in the instance that one or more sites do not develop as forecasted. HCD recommends this buffer equal 20% of the Town’s total RHNA 6 allocation and be distributed between income levels in the same percentages as the primary RHNA allocation. The 20% buffer totals an additional 111 units, the income level breakout of which is detailed below:

Income Level	RHNA 6 Allocation	20% “No Net Loss” Buffer by Income Level	RHNA 6 Allocation + “No Net Loss” Buffer
Very Low Income (0-50% AMI)	155	33	188
Low Income (51-79% AMI)	89	17	106
Moderate Income (80-119% AMI)	87	17	104
Above Moderate Income (120% AMI+)	223	44	267
TOTAL:	554	111	665

Q6) Is a 20% “no net loss” buffer required?

While not required, HCD recommends that a “no net loss” buffer equal 20% of the Town’s total RHNA 6 allocation be established, and that it be distributed between income levels in the same percentages as the primary RHNA allocation. Jurisdictions may opt to include the full recommended 20% buffer, a buffer of more or less than 20%, or no buffer at all. HCD will review a jurisdiction’s rationale for their buffer proposal and may accept or reject a jurisdiction’s proposal based on that rationale. The current 20% buffer provides a contingency should a private property owner decide not to add housing or the economics of new housing change over the 8-year cycle.

Q7) Is the Town’s RHNA 6 allocation larger than our neighboring cities? If so, why?

The allocation formula is made up of factors that use data from each jurisdiction in the region to determine each jurisdiction’s share of the total housing need. The allocation formula assigns units based on relative relationships between jurisdictions within the region. For example, a factor to allocate units based on access to jobs would result in a jurisdiction with many jobs being allocated more units and a jurisdiction with fewer jobs will be allocated fewer units. The ABAG HMC (see question #3, above) weighed several factors including access to transit, access to job centers, quality of schools, etc. which resulted in each jurisdiction’s allocation. Given the Town’s proximity to El Camino Real, Highway 101, I-280, SFO, and Caltrain (transit and transportation hubs), location on the Peninsula proximate to employment hubs (access to jobs), and quality schools, the Town did receive a slightly higher allocation than other similarly sized jurisdictions such as Atherton (348), Woodside (328), and Portola Valley (253). The City of San Mateo (7,015) and City of Burlingame (3,257) also saw increased RHNA, both of which are similarly located to jobs and transit.

Q8) Did the Town have an opportunity to appeal/contest the RHNA 6 allocation?

Upon release of the draft RHNA numbers in 2020, then Mayor Shawn Christianson sent a letter to the Association of Bay Area Governments (ABAG) citing the Town's concerns regarding the size of the allocation, impacts on the Wildland Urban Interface (WUI), and impacts that the allocation will have on community character and sustainability. On May 24th, 2021 staff received notification from ABAG that the RHNA appeal period would open on Tuesday, May 25th and that the appeals period would be open for 45 days. At the June 14, 2021 Council meeting, staff presented the appeal timeline to Council and advised council on their options related to the appeal of the RHNA allocation, as follows:

State HE law allows an appeal to be filed only for the following three reasons:

- 1. ABAG failed to adequately consider the information submitted as part of the local jurisdiction survey. Note that ABAG conducted this survey in early 2020 and received responses from 72 jurisdictions.*
- 2. ABAG did not determine the jurisdiction's allocation in accordance with its adopted methodology and in a manner that furthers, and does not undermine, the RHNA objectives identified in Government Code Section 65584(d).*
- 3. A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted as part of the local jurisdiction survey. Appeals on this basis shall only be made by the jurisdiction or jurisdictions where the change in circumstances has occurred.*

Government Code Section 65584.04(g) also specifies criteria that cannot be used as a basis for reducing a jurisdiction's allocation:

- 1. Any local ordinance, policy, voter-approved measure or standard limiting residential development.*
- 2. Underproduction of housing from the last RHNA cycle.*
- 3. Stable population numbers in a jurisdiction.*

State statute requires ABAG to allocate all 441,176 units assigned by the State to the Bay Area. If the appeal of a jurisdiction's draft RHNA allocation is successful, ABAG must redistribute the units to other jurisdictions in the region. The City Council opted not to file an appeal of the initial RHNA allocation. 28 ABAG jurisdictions did file appeals, with all being denied, with the exception of one where there was a mapping error. The 45-day appeal period ended on July 9, 2021.

Q9) What are the repercussions if the Town decides not to participate?

The potential consequences for failing to adopt a compliant Housing Element are severe. Litigation may be brought by any interested party (Gov. Code 65587(b)) or the office of the Attorney General (Gov. Code 65585). If a court finds that the jurisdiction's HE is inadequate, it must include one or more of the following remedies in its order:

- Suspension of the jurisdiction's authority to issue building permits or related permits prior to the issuance of such permits for housing projects (Government Code Section 65755(a)(1));*
- Suspension of the jurisdiction's authority to grant zoning changes, variances, and map approvals (Government Code Section 65755(a)(2-3));*
- Mandated approval of residential housing projects (Government Code Section 65755(a)(4).*

As part of the 2021-2022 state budget, the California Department of Housing and Community Development (HCD) received additional funding to expand its enforcement capability. HCD has since established the Housing Accountability Unit (HAU), which will be responsible for holding jurisdictions accountable for their housing element commitments. Violations can lead to consequences including fines and referral to the California Office of the Attorney General and receivership.

In suits brought by the office of the Attorney General, a court is required to impose fines on jurisdictions that refuse to adopt a compliant housing element. These fines range from a minimum of \$10,000 per month up to \$600,000 per month. If a jurisdiction has not adopted a compliant housing element within 18 months following a court order, the court may appoint a receiver to take all governmental actions necessary to bring the

jurisdiction’s housing element into compliance. (Gov. Code 65585). Additionally, certain State funding programs are tied to having a compliant housing element, including SB 1 (Sustainable Community Planning Grants) and SB 2 (Planning Grants and Permanent Local Housing Allocation, etc.). Funding related to these programs will be suspended until the jurisdiction becomes compliant. Finally, late submittal of an housing element can result in a jurisdiction being required to update to their housing element on a four-year cycle as opposed to the current eight-year cycle.

In addition to suits brought by the State Attorney General, the greater risk is lawsuits that can be filed by private parties, including housing rights groups. In these legal challenges which are occurring in Southern California, the private parties seek recovery of their attorney’s fees which can be costly for cities who are challenged.

Q10) The State didn’t impose penalties last time—why would they do so now?

As part of the 2021-2022 state budget, the California Department of Housing and Community Development (HCD) received additional funding to expand its enforcement capability. HCD has since established the Housing Accountability Unit (HAU), which will be responsible for holding jurisdictions accountable for their housing element commitments. Violations can lead to consequences including fines and referral to the California Office of the Attorney General and potential appointment of a receivership, as outlined above.

Q11) Did we achieve our RHNA 5 allocation requirement?

Between January 1, 2014-December 31, 2021, the Town issued building permits for 192 new units, exceeding the 91 RHNA 5 allocation by 111%. Per the most recent SB 35 Determination Memo issued by HCD on June 30, 2022, the Town of Hillsborough is one of only 38 jurisdictions in the state to have achieved this goal, as outlined by the table below:

Income Level	RHNA 5 Allocation	Current # Of Units	Target Achieved
Very Low Income (0-50% AMI)	32	76	Exceeded by 44
Low Income (51-79% AMI)	17	44	Exceeded by 27
Moderate Income (80-119% AMI)	21	42	Exceeded by 21
Above Moderate Income (120% AMI +)	21	30	Exceeded by 9
TOTAL:	91	192	Exceeded by 101

Q12) Can we “roll-over” our extra units for credit during RHNA 6?

HCD does not currently allow jurisdictions to “roll-over” excess units from one RHNA cycle to another. The Town is currently working with our lobbyists to petition the state to revisit this restriction.

Q13) Can we share our allocation with our neighboring jurisdictions?

In general, the State does not allow municipalities to combine RHNA obligations. The only option for this possibility is through the establishment of a "subregion" where geographically contiguous jurisdictions in the region may partner to conduct an allocation process that parallels, but is separate from, the regional process. This "subregion" establishment must be completed a minimum of 28 months in advance of the region's housing element certification deadline. The ABAG region's certification deadline is January 31, 2023, meaning formal establishment and approval of a subregion would have needed to be complete by September 2020.

Jurisdictions in Southern California are a year ahead of Bay Area Jurisdictions in the RHNA 6 process, giving Bay Area jurisdictions the opportunity to watch the RHNA 6 process roll out in advance of the process beginning here. There was a substantial increase in RHNA 6 allocations assigned to Southern California jurisdictions over RHNA 5 and given this change most Bay Area jurisdictions opted to forego the formation of a subregion amid so much uncertainty. One subregion was formed in Solano County; however, none of the Town's neighboring jurisdictions in San Mateo County expressed interest.

Once the deadline passes for subregion establishment, the option is no longer available, and each jurisdiction is responsible for accommodating their own allocation.

Q14) What approaches are proposed to accommodate the Town's RHNA 6 allocation?

The Draft Housing Element Update proposes the utilization a multi-pronged approach to accommodating the RHNA 6 allocation of 665 units (RHNA 6 units + 20% “no net loss” buffer), as follows:

- 1. Further development of Accessory Dwelling Units (ADUs)*
- 2. Amendments to the Town's zoning and subdivision standards to provide increased residential development opportunities should a private property owner be interested in adding housing units.*
- 3. Reimagining of the Town Hall Campus site at 1600 Floribunda Ave to accommodate housing along with Town uses.*

Additional detail on each of these approaches is included in the Sites Inventory Analysis section of the Draft Town of Hillsborough RHNA 6 Housing Element Update.

Q15) Can we fit the required housing exclusively on Town-owned property?

In June 2022 the Town solicited professional planning and design services to assist in the development of a master plan, conceptual design documents (including preliminary cost estimate/budget, scope and schedule documents) and related community outreach plan to support future redevelopment of the Town Hall Campus site. The Town anticipates completion of this study in the Fall of 2022. Taking into account the needs of the Town Hall and Police Station and other site encumbrances, preliminary study results demonstrate that a minimum of 100 housing units can be accommodated on the site, with possibly as many as 150 units being feasible. This preliminary analysis also demonstrates that the following affordability breakdown could be feasible when Low Income Housing Tax Credits are considered in the development pro forma:

- Very Low Income: 40%*
- Low Income: 20%*
- Moderate Income: 20%*
- Above Moderate Income: 20%*

Q16) Can we meet the required housing units solely through Accessory Dwelling Units (ADUs)?

HCD and ABAG have provided direction regarding a “safe harbor” methodology that jurisdictions may use to estimate how many ADUs are likely to be developed in the RHNA 6 cycle and how to distribute those units among the various RHNA income categories. Detail on this methodology is outlined below:

ADU Safe Harbor Methodology--RHNA 6

Topic	“Safe Harbor” Assumptions
Number of ADUs	<ul style="list-style-type: none"> Determine the average number of ADUs permitted in the last three years Multiply that average by the eight years in the RHNA cycle for estimated 8-year total
Income Category Distribution	<ul style="list-style-type: none"> Very Low Income: 30% Low Income: 30% Moderate Income: 30% Above Moderate Income: 10%

Utilizing this ADU approach, the Town can safely accommodate 280 units of its RHNA 6 allocation via ADUs. As this “safe harbor” methodology has been approved by both entities, the Town has certainty that HCD will allow the counting of 280 ADUs as follows:

Income Level	RHNA 6 Allocation & 20% “No Net Loss” Buffer	Minus ADUs	Remaining Units to be Accommodated
Very Low Income (0-50% AMI)	188	84	104
Low Income (51-79% AMI)	106	84	22
Moderate Income (80-119% AMI)	104	84	20
Above Moderate Income (120% AMI+)	267	28	239
TOTAL:	665	280	385

Jurisdictions may propose other approaches to counting ADUs towards RHNA, however HCD has made it clear that they will not certify Housing Elements which rely solely on ADUs to achieve their RHNA 6 allocation. HCD has not certified any housing elements which propose utilizing that strategy. Specifically, Santa Monica took this approach, and received a Failure to Comply letter which may be viewed on the Town’s Housing Element Update website.

While other communities in the Bay Area may have submitted plans to HCD that propose solely utilizing ADUs to meet their RHNA obligations, given the clear direction received from HCD the Town’s Draft Element proposes an approach that utilizes the HCD approved methodology. As such, the Town is making a good faith effort to ensure that the Town’s housing element is certified by the statutory deadline of January 31, 2023 in order to avoid state enforcement action and/or the risk of private party lawsuits..

Q17) Does construction of an ADU result in an increase in property taxes for the homeowner?

The Assessor is responsible for determining the assessed value of all taxable property located in San Mateo County and calculates the assessed value for all real (land and structures) properties. Each property is assessed on its individual assessed value, which is determined by a number of factors including improvements to the property. When an ADU is constructed the value of the property is re-assessed to include the new ADU structure, however

this does not impact the amount of taxes paid on the primary dwelling itself. Only the assessed value of the ADU is added to the property tax bill. More information can be found here: <https://www.smcacre.org/assessor>.

Q18) Does the Town actually have to build the RHNA 6 housing units?

The Housing Element is the "blueprint" for how the town will grow and develop, but does not require nor approve any development at any specific location. The Housing Element simply demonstrates through policies, goals, and actions, how a jurisdiction plans to facilitate development so that their community might meet the projected need during the RHNA 6 cycle. The Town is not responsible for the construction of or required to develop any RHNA 6 housing units. The Town's HE provides a plan for private property owners to add new housing units if they are interested in doing so, and opportunities for the Town to redevelop the Town Hall campus to accommodate housing with Town Hall and the Police Station.

Q19) What is the Housing Element Advisory Committee (HEAC)?

A 17-person ad-hoc staff advisory committee to the Director of Building and Planning was formed to advise on the development of the Housing Element update. The Housing Element Advisory Committee (HEAC) is comprised of Town residents with a broad range of perspectives, ages, abilities, and backgrounds. HEAC members were selected through an application process that was widely advertised and open to all residents of Hillsborough. The Committee has met six times throughout the course of the update process and has provided invaluable feedback to Town staff that was integral to the development of the housing element. One additional meeting is planned prior to the end of the year.

Q20) Who are our project consultants and how were they chosen?

The Town has selected Houseal Lavigne Associates to provide professional planning services supporting the Town's Housing Element Update. In March 2021, the Town issued a Request for Proposals (RFP) soliciting proposals from Planning consultants who were qualified to assist the Town in undertaking the Housing Element Update. Proposals were evaluated based on firm experience, qualifications, approach to organization and project management, and positive professional references. The Planning firm of Houseal Lavigne Associates was selected based on their previous experience with developing housing element updates for California communities similar in size, land use, and make-up; their experience with targeted, community specific outreach; and their expertise with drafting ordinance amendments. They are supported by a bench of subconsultants who specialize in specific portions of the Housing Element, including safety, environmental and fair housing issues.

Q21) Are we lobbying Sacramento to support the Town's interests?

As a result of the RHNA allocation and the exceptional amount of state legislation related to housing in recent years, in 2020 the Town began working with the Renne Public Policy Group (RPPG) to work on behalf of the Town in Sacramento. Town staff, including the City Manager and Director of Building and Planning meet weekly with RPPG to discuss pending legislation. The City Council's legislative platform guides RPPG legislative advocacy.

Q22) What are the "Policies and Programs" part of the document?

Statute requires that communities include in their Housing Element Updates a program which outlines the policy objectives of the community, the goals that the community has set to achieve those objectives, and a quantifiable action plan. This is known as the "Policies and Programs" section of the draft Update document, which is Section 10. There are eight key policies, supported by goals and related actions. Over the 8-year cycle, staff will report to Council annually on the Town's progress in enacting the policies and achieving the goals through completion of the quantifiable actions outlined in this section.

Q23) When did this process start and how much community outreach has been done to date?

The Town developed a multifaceted outreach approach to ensure that the Hillsborough community was aware of and could contribute to the development of the Housing Element Update. In addition to the establishment of the HEAC discussed above, between May 2020 through August 2022 the Town has:

- *Hosted 40 meetings open to the public where the update was discussed (City Council, Board and Commission meetings, workshops, HEAC meetings, etc.).*
- *Hosted a comprehensive project website which includes a variety of surveys and questionnaires, an online mapping tool, recordings and materials from each meeting of the Housing Element Advisory Committee, City Council, and City Board and Commission meeting where this project was discussed.*
- *Established a Housing Element Update email list*
- *Distributed project information via the Town’s “E-announce” electronic newsletter*
- *Sent community-wide mailings*
- *Contributed articles to the Town’s paper newsletters which are mailed to all Hillsborough residents, the Hillsborough City School District’s newsletter, and Hillsborough Living.*

Feedback received through these many avenues helped to form the foundation of the policies, programs, actions, and identification of the housing opportunity sites described in the Housing Element Update document. Specific outreach metrics are outlined below:

- *Electronic and Mailed Communications*
 - *76 e-announcements (electronic)*
 - *4 Town Newsletter articles (paper; sent to all Hillsborough residents)*
 - *1 Hillsborough Living article (paper and electronic)*
 - *1 informational handout (paper; distributed at Light Up the Town, Celebrate May, and available at the public information counter at Town Hall and the Hillsborough Police Department)*
 - *2 post cards (paper; sent to all Hillsborough residents)*
 - *7 invitations to participate in the public review process sent Hillsborough City School District (HCSD) families (electronic; via the HCSD newsletter)*
- *Virtual Engagement*
 - *2 community-wide questionnaires (online)*
 - *7 Housing Element Advisory Committee meetings (one upcoming)*
 - *11 City Council Meetings*
 - *1 Architecture and Design Review Board (ADRB) Meeting*
 - *3 Citizen Communications Advisory Committee (CCAC) Meetings*
 - *1 community-wide virtual Visioning Workshop*
 - *1 community-wide virtual Open House (upcoming)*
- *In-Person Engagement*
 - *2 in-person Open Houses (August 18th and September 6th)*

Additionally, a 45-day public review and comment period opened on August 4, 2022, allowing the public to review the draft document and provide feedback on the Town’s proposed approach. While HCD requires only a 30-day public review and comment period, the Town has opted to increase this to 45-days to increase the opportunity for community input.

Please visit the Town’s housing element update website, which has recordings, presentation slide decks, and materials for all of the HEAC meetings, as well as staff reports, slide decks and recordings of a variety of other public meetings where this project has been discussed: <https://hillsborough-housing-planning-element-update-hlplanning.hub.arcgis.com/pages/backgroundinformation>

Q24) How many properties in Town are 10+ acres and subject to the potential RD-2 rezoning?

There are a total of 13 properties in town that are 10+ acres. All 13 are proposed to be rezoned to a newly established RD-2 zoning district. An RD-2 zone would provide the option for a private property owner to add additional housing at a higher density than a single family residential zone (RD-1)

Q25) How do these properties differ from the identified “opportunity sites”?

HCD requires jurisdictions to identify specific properties within their boundaries that are the most likely to redevelop during the upcoming RHNA cycle. While all 13 properties that are 10+ acres are proposed to be rezoned to an RD-2 designation, only three of these sites have been identified as ones that are most likely to redevelop during the RHNA 6 cycle. Using HCD’s preferred terminology, the Draft Update identifies these three sites as “opportunity sites.” When including the Town Hall Campus site (which is proposed to be categorized in its own zoning district, RD-3), there are a total of four proposed opportunity sites.

Q26) Can the Town legally select private property as an opportunity site? Does this qualify as a taking?

State law requires that the Housing Element contain an inventory of land suitable for development of all housing types. The sites included in this inventory are referred to as “opportunity sites.” Each opportunity site must be evaluated to assess its development potential and how many of the total number of required units it could accommodate.

The Town has identified four key opportunity sites for future housing development. One is owned by the Town, one is vacant, and two are non-vacant but significantly underutilized sites that are primary candidates for future housing development.

These sites may or may not eventually be developed for housing. Regardless of any current or future zoning designation, the choice to pursue development is, and always will be, that of the property owner. As such, identification of an opportunity site does not qualify as a taking, as a regulatory taking occurs when governmental regulations limit the use of private property to such a degree that the landowner is effectively deprived of all economically reasonable use or value of their property.

Q27) How did this plan consider water restrictions and wildfire risk?

During early phases of the regional RHNA 6 process the Town was proactive in voicing concerns regarding wildfire risk. Upon release of the draft RHNA numbers in 2020, then Mayor Shawn Christianson sent a letter to the Association of Bay Area of Governments (ABAG) citing the Town's concerns regarding the size of the allocation, impacts on the Wildland Urban Interface (WUI), and impacts that the allocation might have on community character and sustainability. However, the methodology behind the RHNA Allocations assigned by ABAG was not reduced or altered in consideration of any of the stated concerns, including water supply constraints or wildfire risk. Multiple other jurisdictions filed appeals based on these same concerns and none of the appeals were successful.

Regardless of the determination of the ABAG methodology committee, the Housing Plan and Programs section of the Town’s draft Housing Element (Chapter 10) outlines several approaches to address these concerns. Namely, the proposed policies, goals, and actions related to wildfire risk include ensuring responsible development in Wildland Urban Interface areas, continuing to support the Central County Fire District (CCFD) WUI Home Inspection Program, and maintaining the Town’s status as a Firewise USA Community as recognized by the National Fire Protection Association (NFPA). The second phase of the Housing Element process will include a safety and environmental analysis (CEQA) that will further determine if mitigation measures will be necessary for proposed development in the plan.

Q28) Has there been a study to determine whether there is adequate existing water, sewer and other city services to accommodate the new units?

The Town's Public Works & Engineering Department develops an urban water management plan, as required by state law. The plan was most recently updated in 2021 and anticipated the RHNA6 allocation and related estimated population increase. The plan may be found here: <https://www.hillsborough.net/263/Water-Supply>. Regarding other Town services, the Central County Fire District (CCFD) is currently undertaking a "Standard of Cover" analysis for each jurisdiction that they serve and are anticipating the population increases as they plan for the future. The Town currently assesses impact fees on new development which are in place to contribute to the cost of additional infrastructure and operating costs. These fees are reviewed on a regular basis to ensure adequacy.

Q29) Has there been a study to determine whether there is adequate room and funding for additional school facilities? Who will pay for this in the future?

The Hillsborough City School District (HCSD) is responsible for analyzing enrollment and projecting facility/amenity needs. School fees are set by the School District and assessed on all new development projects. A representative from the HCSD Board participated as a member of the HEAC, and the project team interviewed representatives from both the HCSD and private schools as a part of the development of the Draft Housing Element.

Q30) What happens if HCD rejects the Town's Draft Housing Element?

The public comment period closes on September 19, 2022, after which the project team will review public feedback and submit the draft document to HCD. Per statute, HCD has 90-days to provide the Town with feedback on the draft, which must be certified by January 31, 2023. If the Town is not certified by the statutory deadline, HCD will require the Town to complete the amendment of its zoning and subdivision standards in one year (as opposed to three), and to rezone enough land to the state's default "safe harbor" density of 20 dwelling units/acre to accommodate the Town's very low-, low- and moderate-income units.