



Adoption of the Sixth Cycle Housing Element and General Plan, Specific Plan, and Zoning Ordinance Amendments

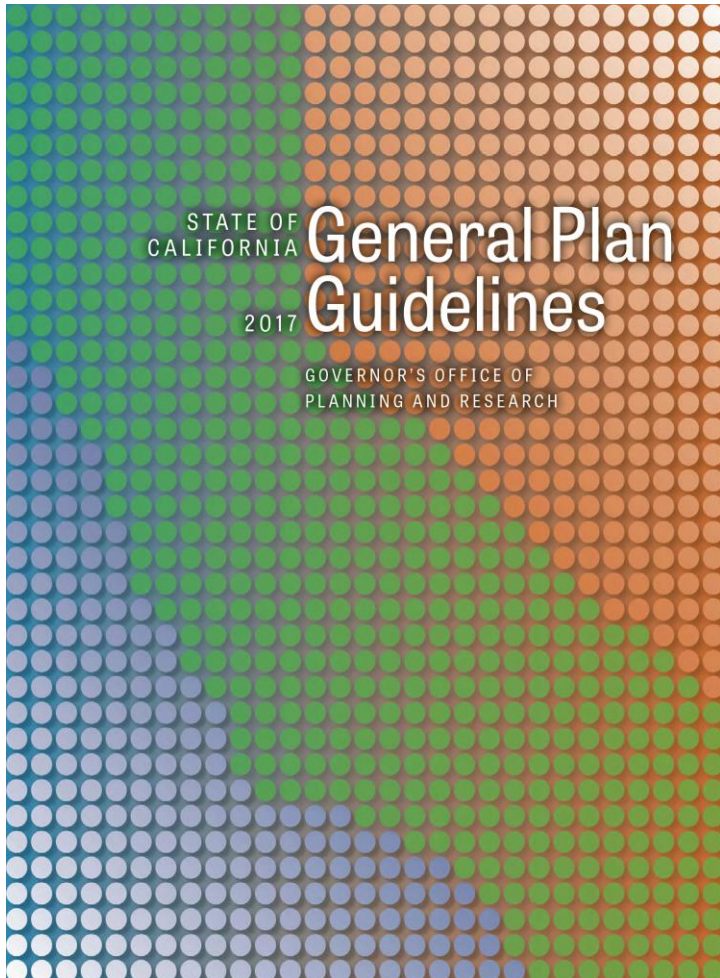
November 12, 2024, Castro Valley MAC



For Final Draft Housing Element, Maps and spreadsheet of Sites Inventory, links to agendas, and the Mitigated Negative Declaration:

<https://bit.ly/HEDraft2024>





General Plan Required by State Law

(Government Code Section 65300 et seq.)

Required Elements:

- Land Use
- Circulation
- Housing
- Open Space
- Conservation
- Safety
- Noise
- Environmental Justice (separate element or integrate policies throughout other elements)



PLANNING DEPARTMENT

First Draft Housing Element Submittal

- **October 6, 2023** - County submitted Draft Housing Element to State HCD for 90-day review.
- **January 4, 2024** - County received HCD's comments and began revisions to address comments.

Second Draft Housing Element Submittal

- **May 10, 2024** - County submitted revised Draft Element to State HCD for 60-day review.
- **July 9, 2024** - County received HCD's comments and began revisions to address comments.

Third Draft Housing Element Submittal

- **September 30, 2024** - County submitted revised Draft Element to State HCD for up to 60-day review.
- **October 10, 2024** - County received comments on the third Draft Element and submitted revisions on **October 21, 2024** to respond to comments.



Contents of the Draft Element

Section I

overview of the document and relevant regulations.

Section II

summary of the projected housing need

Section III

summarizes adequacy of available housing sites and housing resources

Section IV

Housing Plan - contains goals, policies, and actions related to housing in the County



Housing Element Appendices

A - Housing Needs Assessment

B - Sites Inventory and Methodology

C - Housing Constraints

D - Existing Programs Review

E - Public Participation Summaries

F - Affirmatively Furthering Fair Housing Assessment

G - Housing Resources



Proposed Program Revisions to Respond to October 10th State HCD Comments on Third Draft

Program 1.C - Added more detail to the description of the County's current process to coordinate with the City of San Leandro and BART to prepare for development of the Bay Fair BART parking lot.

Program 1.D - Clarified timeline and process for development of the current Sheriff's substation site.

Program 1.O - Updated timeline for the preparation of the Castro Valley BART Station for future development.

Program 1.Q - Added new program to clarify timelines and commitments for development of additional public sites listed in the sites inventory.

Programs 2.F, 2.G, 5.B, 6.P, 6.Q - Updated and clarified timeframes, geographic targets, and quantified objectives.

Program 4.H - Added new action to further encourage development of supportive housing for persons with disabilities and updated quantified objective.



Unincorporated Alameda County Residential Housing Need Allocation (RHNA)

Housing Element Cycle	Very Low Income (<50% of Area Median Income)	Low Income (50-80% of Area Median Income)	Moderate Income (80-120% of Area Median Income)	Above Moderate Income (>120% of Area Median Income)	Total Required Units
2015-2023	430 units	227 units	295 units	817 units	1,769
2023-2031	1,251 units	721 units	763 units	1,976 units	4,711
% Increase	191%	218%	159%	142%	166%



Draft Sites Inventory Summary

- 536 total sites throughout Unincorporated Area
 - 111 parcels proposed for rezoning either to increase the density allowed or to add housing as an allowed use,
 - 24 parcels identified as underimproved,
 - 182 vacant parcels, and
 - 219 parcels with “pipeline” projects (application for a housing development has been submitted or has already been approved.)
- Distribution of Units
 - approximately 44.6% of units are in the Eden Area
 - approximately 33.3% of units are in Castro Valley
 - remainder of units are in Fairview and East County
- 427 ADUs counted toward meeting the RHNA



Estimated Sites Inventory Units by Community

	Total Proposed Units	Above Moderate Income Units	Moderate Income Units	Low and Very Low Income Units	% Units from Rezones	% Units from Permitted Projects
<i>Eden Area</i>	2,358	772	401	1,185	76.0%	13.9%
<i>Ashland</i>	1,489	351	282	856	80.6%	10.1%
<i>Cherryland</i>	197	56	54	87	43.7%	7.8%
<i>San Lorenzo</i>	614	352	41	221	75.6%	24.4%
<i>Hayward Acres</i>	58	13	24	21	65.5%	22.4%
<i>Castro Valley</i>	1,777	716	344	699	67.1%	17.5%
<i>Fairview</i>	524	489	26	9	78.8%	5.2%
<i>East County</i>	772	553	3	92	0.0%	100.0%
Projected ADU count	427	42	128	257	-	-
Total (no ADU projections)	5,289	2,530	774	1,985	62.5%	26.7%
Total (with ADUs)	5,716	2,572	902	2,242	-	-
RHNA	4,711	1,976	763	1,972	-	-



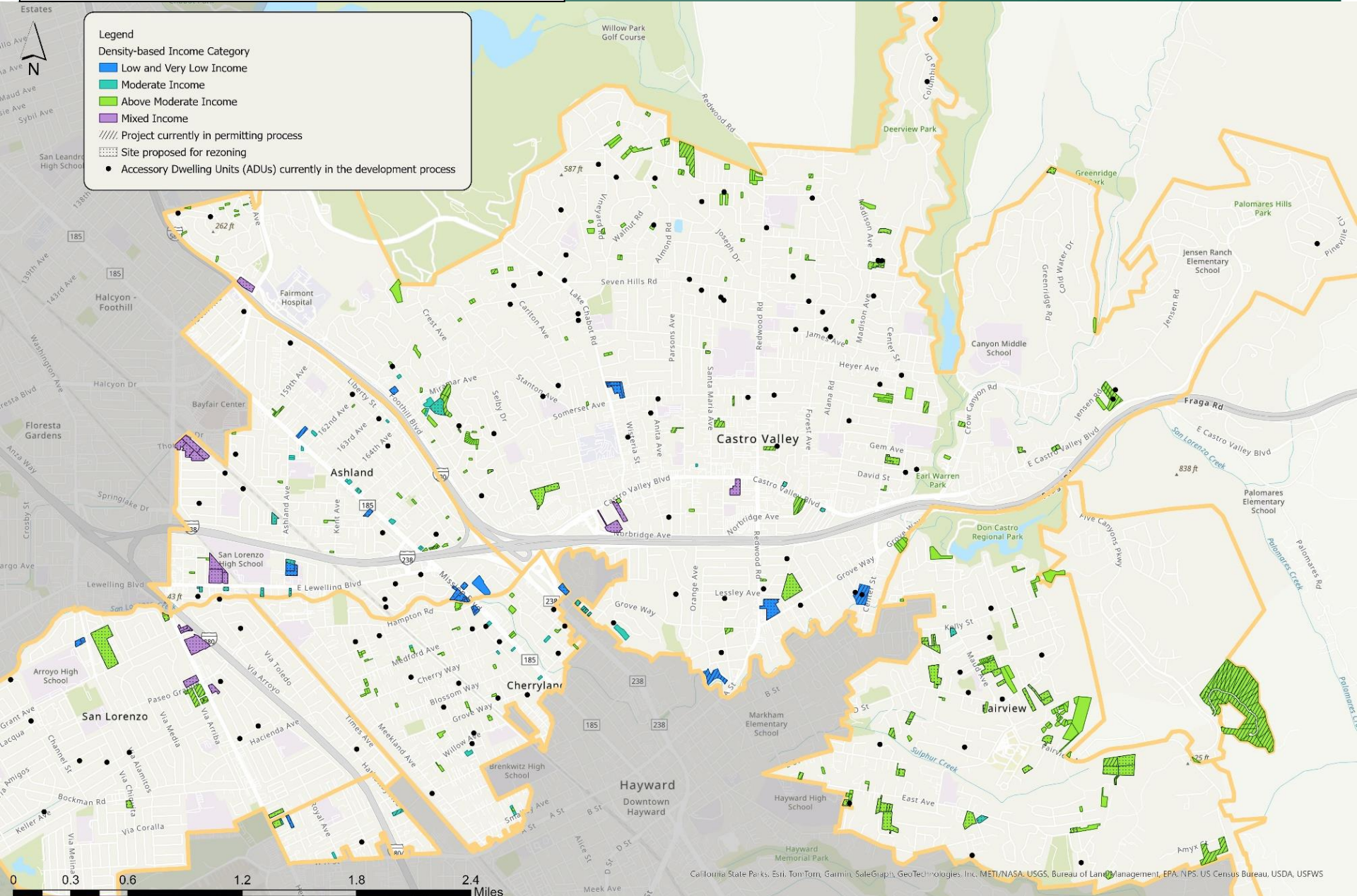
Castro Valley Sites in Specific Plan Areas

- Castro Valley Central Business District Specific Plan Area
 - 12 parcels (estimated 522 units) in the sites inventory
 - 4 parcels (83 units) in the permitting process
 - 6 parcels (436 estimated units) are proposed for rezoning to 40-86 units/acre
- Madison Avenue Specific Plan Area
 - 5 parcels (estimated 7 units) in the sites inventory,
 - 2 parcels (4 units) in the permitting process
 - 3 parcels (3 units) included at current zoning
- Castro Valley BART Station
 - Not on Sites Inventory but will be rezoned to comply with state law AB 2923, including updating the allowed residential density to 75-86 units per acre.

Castro Valley Sites Outside Specific Plan Areas

- 111 sites (239 units) have projects in the permitting process. 65 units are Accessory Dwelling Units (ADUs).
- 91 parcels (293 estimated units) are included in the sites inventory with the existing zoning. 86 (280 units) are vacant residential sites.
- 30 parcels (703 estimated units) are proposed for rezoning.
 - Sheriff's Substation (96 estimated units at 75-86 units/acre, adjusted for proximity to fault line and freeway)
 - Closed school site at 2652 Vergil Ct will be removed from inventory.
 - 12 parcels in northern Castro Valley (proposed for up to 17 units/acre). None are located in Very High Fire Hazard areas.

Map 1: 3rd Draft Housing Element Sites Inventory, Urban Unincorporated Communities August 21st 2024



Legend

Density-based Income Category

- Low and Very Low Income
- Moderate Income
- Above Moderate Income
- Mixed Income

Project currently in permitting process

Site proposed for rezoning

- Accessory Dwelling Units (ADUs) currently in the development process

California State Parks, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc., METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS



Legend

Density-based Income Category

Low and Very Low Income

Moderate Income

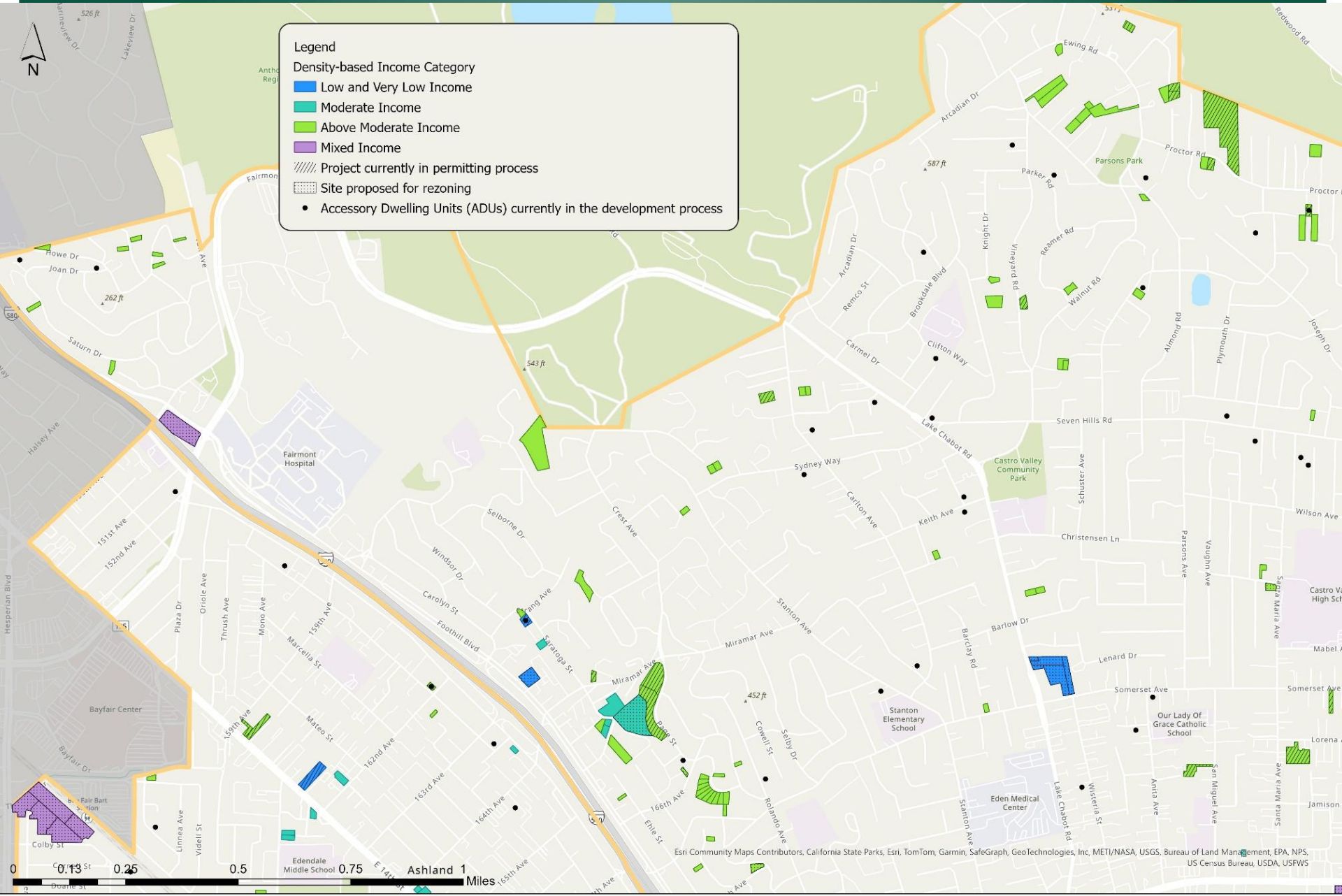
Above Moderate Income

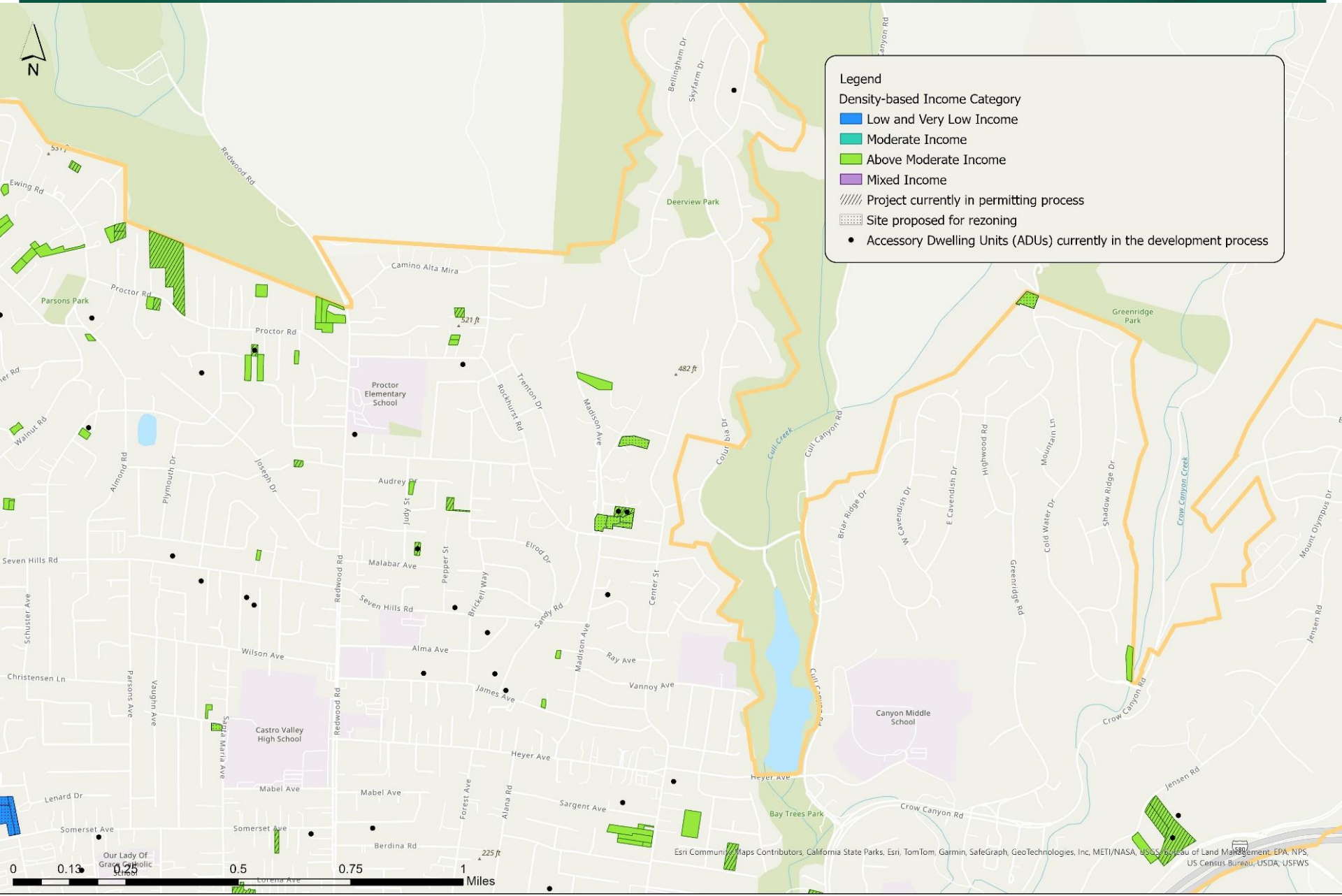
Mixed Income

Project currently in permitting process

Site proposed for rezoning

- Accessory Dwelling Units (ADUs) currently in the development process





Legend

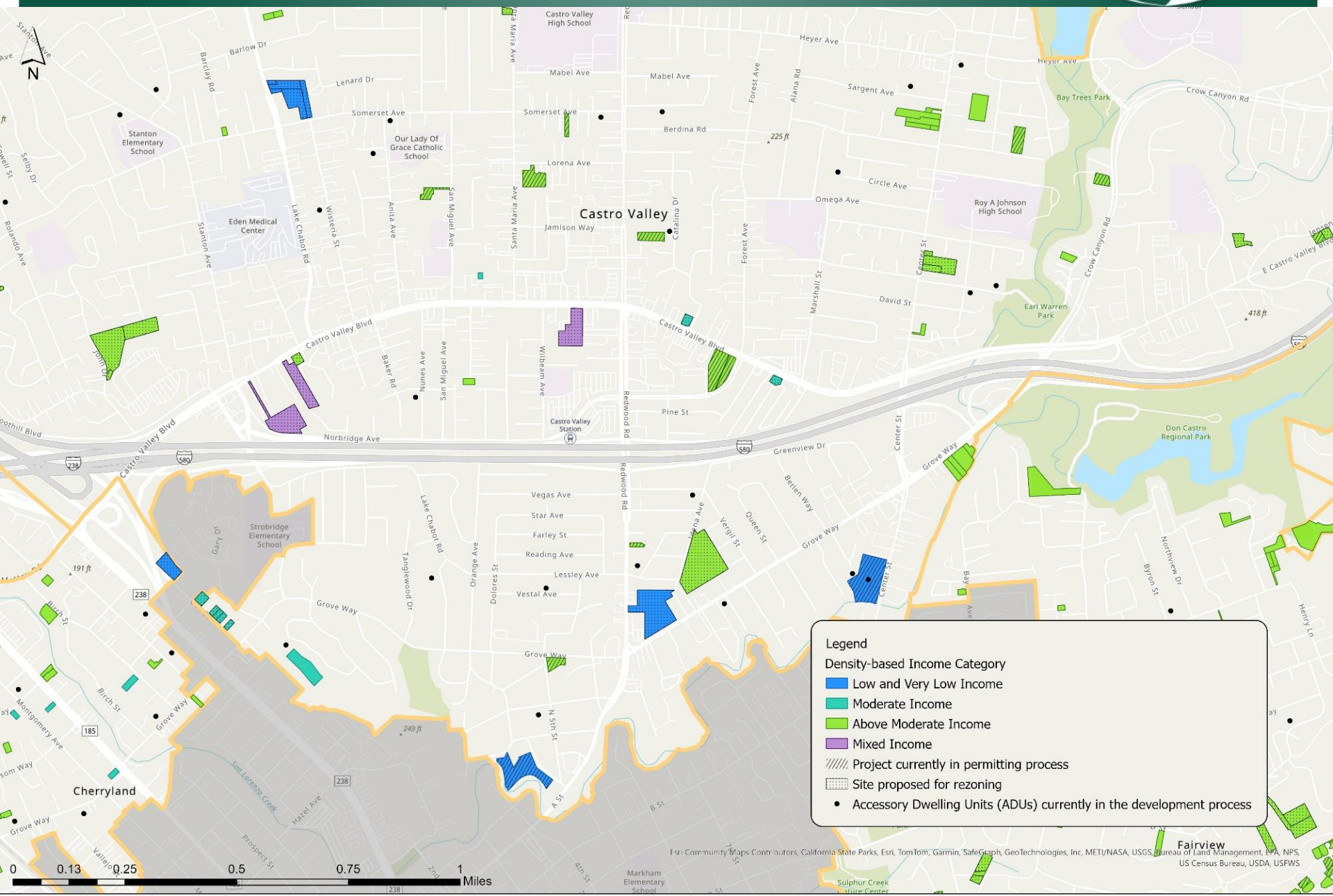
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////// Project currently in permitting process

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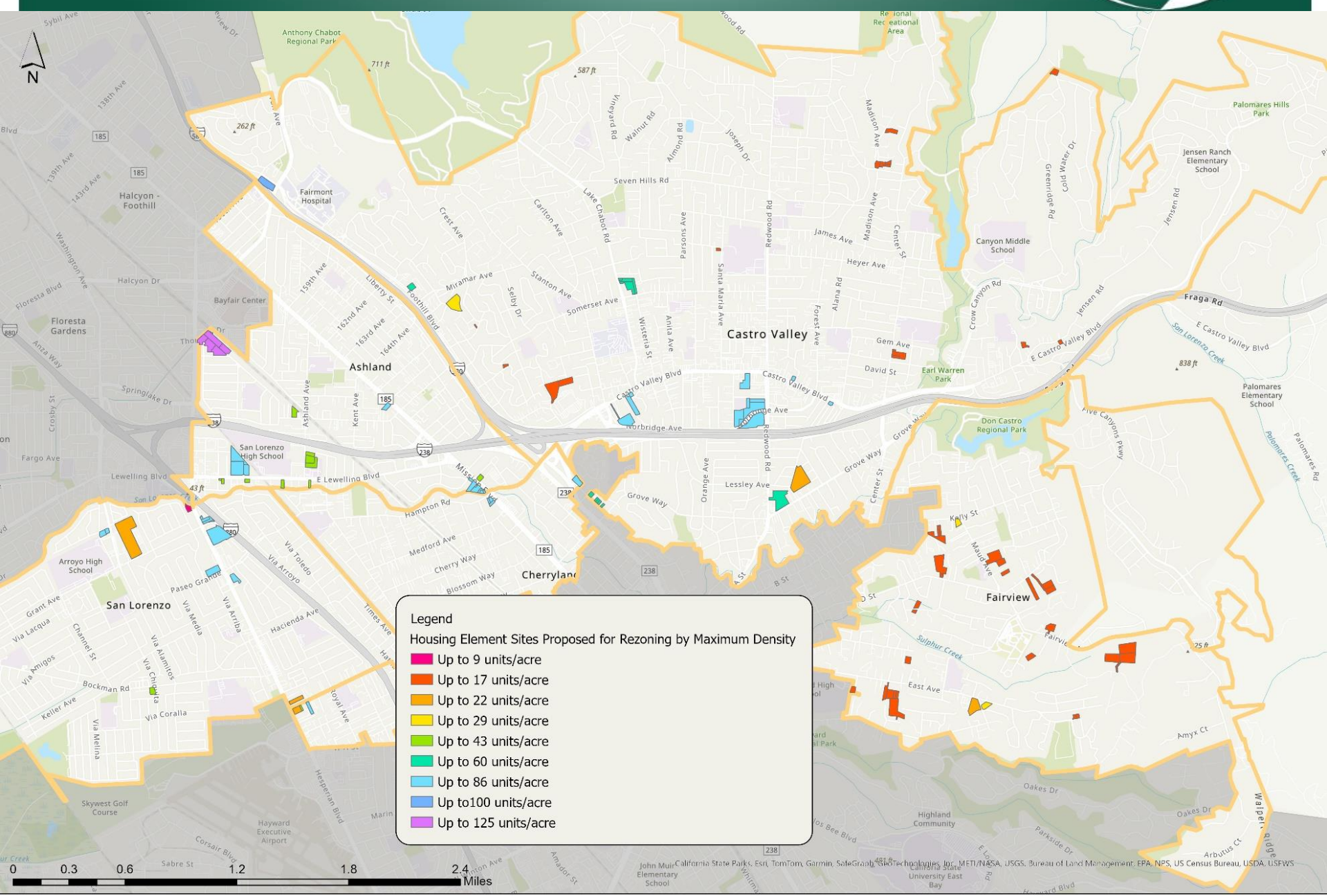
Density-based Income Category

- Low and Very Low Income
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- Above Moderate Income
- Mixed Income

Project currently in permitting process

Site proposed for rezoning

- Accessory Dwelling Units (ADUs) currently in the development process



Legend
Housing Element Sites Proposed for Rezoning by Maximum Density

- Up to 9 units/acre
- Up to 17 units/acre
- Up to 22 units/acre
- Up to 29 units/acre
- Up to 43 units/acre
- Up to 60 units/acre
- Up to 86 units/acre
- Up to 100 units/acre
- Up to 125 units/acre



Castro Valley General Plan Amendments

- Amend “Residential Land Use Classifications” to add references to the Housing Element Zoning Overlay which would apply to parcels on the Housing Element Sites Inventory.
 - Higher residential density would be allowed in specified land use designations.
 - New “Residential 60” and “Residential 100” land use designations would apply to certain sites listed in the Sites Inventory that are located outside of the CBDSP.
- Amend “Commercial and Central Business District Land Use Classifications” to allow residential as a primary use on sites listed in the Housing Element Zoning Overlay at densities specified for each land use designation.
 - Neighborhood Commercial Mixed Use and Community Commercial designations would allow 30-60 units per acre.
 - Downtown Community Commercial and the Core Pedestrian Retail designations would allow 40-86 units per acre.



Castro Valley General Plan Amendments

- Policy 8.4-7, regarding zoning for parcels with the “School” land use designation, currently allows residential development at the density allowed on surrounding properties. Proposed changes to this policy would allow residential development on school sites listed in the Sites Inventory at a higher density than what is allowed on surrounding properties.
- General Plan land use designation changes:
 - 13 parcels would be changed to “Residential Small Lot RSL-17.”
 - 10 parcels would be changed to “Residential 60.”
 - One parcel would be changed from “Schools” to “Residential-Low Density Multifamily.”



CBD Specific Plan Amendments

- Add explanation of AB 2923 which added zoning requirements on BART-owned property within a half-mile of stations.
- Add a new “Land Use Group F: Castro Valley Transit Area (CTA)” to bring development standards on the BART site into compliance with AB 2923.
- Add a new “Land Use Group G: Very High Density Residential” to allow residential uses as the primary use up to a density of 86 units per acre on designated parcels.
- Add a new “Castro Valley Transit Area (CTA)” designation to apply to 5 BART-owned parcels



CBD Specific Plan Amendments

- Add text on page 84 regarding future development of the BART station site to reference “Land Use Group F.”
- Amend Program 5.1.1 to add references to the BART Transit Oriented Development Work Plan and “Land Use Group F.”
- Add “Land Use Group G (Very High Residential Development)” as an allowed use in Sub Areas 2, 7, and 10.



Proposed Amendments to County Zoning Ordinance

- Change the residential density or allow residential uses on specified parcels listed in the Sites Inventory that are not located within a specific plan area. A table with a full list of the parcels proposed for rezoning is attached to the staff memo.
- Add a new section to the Zoning Ordinance to establish standards for residential development within the Housing Element Zoning Districts, which apply to parcels listed in the Sites Inventory.



Housing Element Zoning Overlay Combining District

- HE District would be combined with the existing base zoning district on parcels listed on the Sites Inventory
- Intended to incentivize the production of housing at all income levels by providing a streamlined permitting process for development.
- Provides guidelines and approval procedures for the development and improvement of land.
- Table 1 in the draft text includes the applicable zoning standards, development standards, planning permit required, and procedure based on the density permitted by the applicable General Plan, Specific Plan and/or Zoning designations.



Revised Parking Requirements

Section 17.30.32 Required Parking Spaces

Projects in Zoning Districts based on the Single-Family R-1 Districts shall follow zoning or specific plan requirements which normally require more than 1 space per unit. Projects with proximity to transit stations/stops may have reduced parking requirements based on State laws pertaining to such matters. In all other cases the parking requirement shall not exceed:

- a. Studio Units: one (1) parking space per unit
- b. One-bedroom units: one and one-half (1.5) parking spaces per unit
- c. Two-bedroom or more units: two (2) parking spaces per unit, one of which can be tandem and/or uncovered

Guest Parking: Projects in Zoning Districts based on the Single-Family R-1 Districts shall follow zoning or specific plan requirements. In all other cases the Guest parking requirement shall not exceed: .25 per unit.

In no case shall the parking requirement for projects above 9 units per acre exceed 2.25 per unit, inclusive of guest parking.



California Environmental Quality Act

- Initial Study (IS) found no substantial evidence that the proposed amendments will have a substantial effect on the environment.
- Based on the Initial Study, a Mitigated Negative Declaration (MND) was prepared.
- IS-MND was released for public review November 3, 2023 through December 4, 2023.
- Because of changes to the number and location of properties listed on the Sites Inventory, a revised IS-MND was prepared and recirculated for public review from September 13, 2024 through October 14, 2024.
- Recirculated IS-MND determined that the proposed project would not result in additional or substantially more severe impacts than those analyzed in the previous Draft IS-MND.



Consequences of not having a Certified Housing Element

- **Loss of eligibility for state and regional grants** such as MTC’s One Bay Area Grants for transportation projects
 - \$9.21 million OBAG 3 grant for Upper San Lorenzo Creekway Trail in jeopardy if Housing Element not approved by the end of the year.
- **Litigation from State HCD, housing advocates, or developers**
 - Mandatory compliance – The court may order the county to bring the Element into compliance within 120 days or may appoint an agent to bring the Housing Element into compliance.
 - Financial penalties through court-issued judgements (up to \$100,000 per month) if County fails to comply
 - Suspension of authority to issue building permits or grant zoning changes, variances or subdivision map approvals.
 - Court approval of housing developments
 - Potentially responsible for plaintiff’s attorneys' fees
- **Potential “Builders’ Remedy” projects**
 - Housing Accountability Act (Government Code Section 65589.51) requires a local jurisdiction that does not have a compliant housing element to approve housing developments with 20 percent of the total units available to lower income households or with all units available for moderate- or middle-income households, regardless of zoning.



TENTATIVE PUBLIC MEETING SCHEDULE

November 7	Fairview MAC
November 12	Castro Valley MAC
November 12	Eden Area MAC
November 18	Planning Commission
December 2	Board Transportation & Planning Committee
December 12	Board Planning Meeting (GPA approval and 1 st reading of ordinance amendments)
December 17	Regular Board Meeting (2 nd reading of ordinance amendments)



REMAINING STEPS IN THE PROCESS AFTER MAC MEETINGS

- Received letter from HCD November 7th finding Element meets state statute.
- Present Final Draft Housing Element, and rezonings and GPAs to implement the sites inventory to Planning Commission and request recommendation for approval.
- Present Final Draft Housing Element, and rezonings and GPAs to implement the sites inventory to Board of Supervisors and request approval.
- Receive certification of compliance from State HCD after Board approval.



Staff Recommendation:

- Staff requests that your Council hear a presentation by staff, take public testimony, and recommend that the Board of Supervisors adopt the 6th Cycle Housing Element and approve the proposed text and map amendments to the Castro Valley General Plan, the Castro Valley Central Business District Specific Plans, and County Zoning Ordinance to implement the Housing Element.
- If some changes are desired, a conditional approval is acceptable, and those changes will be explained at subsequent meetings with the Planning Commission and the Board of Supervisors.



For more information:

- Project Webpage to view documents, find more information, and sign up for listserv:
<https://www.acgov.org/cda/planning/housing-element/housing-element.htm>
- Project email to ask questions and submit comments:
housing.element@acgov.org.