



Community Development Department

39550 Liberty Street | P.O. Box 5006, Fremont, CA 94537-5006

www.fremont.gov

January 20, 2023

State Department of Housing and Community Development
C/O Land Use and Planning Unit
2020 W. El Camino Ave, Suite 500
Sacramento, CA 9583

RE: City of Fremont 2023-2031 Housing Element

Dear State Department of Housing and Community Development staff:

The City of Fremont is pleased to submit an updated adopted version of the City's 2023-2031 Housing Element for review by the State Department of Housing and Community Development (HCD).

The City of Fremont submitted a first draft of the Housing Element to HCD on August 24, 2022, and HCD subsequently issued a findings letter on November 22, 2022. The findings letter indicated that the draft Housing Element met most statutory requirements and identified several areas in which the document would need to be revised in order to comply with statutory requirements.

The City of Fremont has completed revisions to the Housing Element based on HCD's November 22, 2022 findings letter. The revisions are summarized in the document titled "HCD Response Matrix" attached to this cover letter, and are identified in the revised Housing Element in purple underline. The updated Housing Element also includes an expanded "Appendix B – Responses to Public Comments" that provides responses to public comments received since the last submission to HCD. As encouraged strongly by HCD, the City is continuing to actively engage with the community and respond to public comments through the completion of the Housing Element update process.

In accordance with the public participation requirements under AB 215 (Chapter 342, Statutes of 2021), the City of Fremont has made the revised Housing Element available for public review on the City's website and has provided links to interested individuals and organizations through email, as well as through various other communication channels. The revised Housing Element has been available since December 30, 2022, which satisfies the minimum seven-day public posting period required by law.

In accordance with the requirements of SB 6 (Chapter 667, Statutes of 2019), an electronic copy of Fremont's sites inventory has been transmitted to HCD via email to sitesinventory@hcd.ca.gov on the standard form provided by HCD.

A copy of City Council Resolution No. 2023-03, which formally adopted the Housing Element, is attached. Section 5 of Resolution No. 2023-03 (page 32) makes findings that existing uses on the sites identified in the sites inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period and do not constitute an impediment to additional residential development during the 2023-2031 planning period based on substantial evidence.

Building Inspection
510 494-4400 *ph*

Building Permits
510 494-4460 *ph*

Code Enforcement
510 494-4430 *ph*


Housing
510 494-4500 *ph*

Planning
510 494-4440 *ph*

The City of Fremont would like to take this opportunity to convey its appreciation for all of the guidance and support that HCD staff has provided to the City throughout this process. The collaborative process with HCD has resulted in a stronger and more impactful plan to meet the community's housing needs. The City looks forward to continuing to work with HCD through the rest of the certification process, as well as during implementation of the slate of programs contained within the Housing Element.

If you have any questions or concerns, please do not hesitate to contact me at wli@fremont.gov or (510) 494-4453.

Sincerely,

DocuSigned by:

AB8568AC0BB04DF...
Wayland Li, AICP
Principal Planner

Attachments:

2023-2031 Housing Element

Resolution 2023-03

Response Matrix

November 22 HCD Findings Letter

City Responses to HCD Comments

HCD Comment	Pages	City Response
<u>Nonvacant Sites</u> : For your information, since nonvacant sites accommodate 50 percent or more of the lower-income need, the housing element must describe “substantial evidence” that the existing use does not constitute an impediment for additional residential use on the site. Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA.	N/A	A finding that existing uses do not constitute an impediment for additional residential use on inventory sites has been included in the resolution for adoption of the Housing Element.
<u>Program 63 (Prioritize Affordable Housing on Public Property)</u> : While the program commits to promote surplus properties, it should also commit to a specific schedule of actions with discrete timing to facilitate development on public lands. Examples of actions include coordination with property owners, disposing of land or leasing land, removing barriers, assisting in site preparation, facilitating entitlements, assisting with funding, issuing permits and alternative actions if lands do not move forward with development by a specified date. HCD will send sample language under separate cover.	8-33, 2-30	A specific schedule of actions was provided to facilitate the development of the City-owned property located near the intersection of Decoto Road and Fremont Boulevard. Other City-owned sites were deleted from the sites inventory. Additional actions were specified for the Fremont BART parking lot site.
<u>Electronic Sites Inventory</u> : For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.	N/A	An electronic sites inventory will be submitted to HCD with the adopted Housing Element.
<u>Constraints on Housing for Persons with Disabilities</u> : The element must include an analysis of potential constraints on housing for persons with disabilities, as follows: <u>Reasonable Accommodation</u> : The element describes the City’s reasonable accommodation procedure, including listing approval findings. However, the element must analyze the approval findings.	5-15, 2-35	Analysis has been added on page 5-15. On page 2-32, Program 69 has been modified to commit to the development of objective findings for reasonable accommodations. Specifically, the City shall remove language from the fifth finding that currently requires subjective judgement regarding “the substantial detriment of the residential character of that neighborhood.” The

Specifically, the procedure requires a finding that the accommodation does not result in “substantial detriment of the residential character of that neighborhood”. The element should evaluate whether this finding acts as a constraint and add a program to address identified constraints.		objective findings shall facilitate the speedy approval of reasonable accommodation requests to facilitate the development of housing opportunities for people with disabilities.
<u>Definition of Family:</u> The element describes the City’s definition of family and concludes the definition is not a constraint on housing for persons with disabilities. However, the element must include analysis to support this conclusion. For example, the City’s definition requires persons to have made a social, economic and psychological commitment to each other. The element should evaluate potential impacts of this provision on housing for persons with disabilities and add or modify programs to address identified constraints.	5-15, 2-35	Analysis has been added on page 5-14. The City has reviewed published guidance from 21 Elements and Mental Health Advocacy Services, Inc. regarding the definition of a family to support housing for people with disabilities. On page 2-32, Program 69 has been modified to include revision of the definition of “family” to explicitly include the residents of residential care facilities and group homes for people with disabilities. The program has also been revised to address consistency with the Group Home Technical Advisory issued by HCD on December 20, 2022.
<u>Program 69 (Barriers for Large Residential Care Facilities):</u> The program commits to amend zoning to permit group homes for seven or more persons by-right in multifamily and mixed-use zones. However, the program should also commit to allow these uses in lesser intensity residential zones (e.g., single-family) and should clarify these uses will only be subject to objective standards to facilitate approval certainty similar to other residential uses of the same type.	2-35	On page 2-32, Program 69 has been modified to commit to allowing group homes by-right in all residential zones, subject only to objective standards to facilitate approval certainty.
<u>Programs:</u> The element includes many meaningful actions to affirmatively further fair housing (AFFH). However, in most cases, these actions should also include geographic targeting and metrics or numerical outcomes. For example, Program 3 (Minor Home Repair) could geographically target areas of higher need or relatively lower-incomes and include a numerical outcome (e.g., number of units). HCD will send sample program approaches under separate cover.	2-5, 2-5, 2-6, 2-18, 2-21	The City has modified multiple AFFH programs to incorporate additional geographic emphasis and numerical outcomes, as follows: <ul style="list-style-type: none"> • Program 2: Added geographic emphasis on neighborhoods with highest incidence of substandard housing. • Program 3: Added numerical outcome and annual reporting on the geographic distribution of awards to ensure equity. • Program 5: Revised program to prioritize rezonings in neighborhoods with greatest amount of overcrowding.

		<ul style="list-style-type: none"> • Program 33: Further refined geographic emphasis on highest-resource neighborhoods. • Program 39: Added numerical outcome and geographic emphasis on specific LMI neighborhoods.
While the element discusses how internal consistency will be achieved with other elements of the general plan as part of the housing element update (p. 1-1), it should also discuss how internal consistency within the general plan will be maintained throughout the planning period. For example, the element could discuss how internal consistency is evaluated as part of general plan updates or amendments or as part of the annual progress report pursuant to Government Code section 65400.	5-9, 2-44	<p>Additional information has been added to page 5-9 to describe how general plan consistency is analyzed whenever the City Council considers General Plan Updates and Amendments, and as part of the General Plan Annual Progress Report submitted to HCD and OPR pursuant to Government Code Section 65400.</p> <p>A new program (Program 91) has been added to audit the Warm Springs Innovation District zoning and prepare a study to ensure consistency with the general plan designation, which may include allowing housing development by-right within additional WSI zoning districts. The City shall amend zoning to correct inconsistencies. If the City identifies vertical inconsistencies that apply more broadly within other City zoning designations, the City will address those as well.</p>

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



November 22, 2022

Dan Schoenholz, Director
Community Development Department
City of Fremont
39550 Liberty Street
Fremont, CA 94538

Dear Dan Schoenholz:

RE: City of Fremont's 6th Cycle (2023-2031) Draft Housing Element

Thank you for submitting the City of Fremont's (City) draft housing element received for review on August 25, 2022, along with revisions received on November 16, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from YIMBY Law and Greenbelt Alliance, South Bay YIMBY, TransForm and Campaign for Fair Housing Elements and YIMBY Law pursuant to Government Code section 65585, subdivision (c).

The draft element addresses most statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code), as follows:

1. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory... (Gov. Code, § 65583, subd. (c)(1).)

Nonvacant Sites: For your information, since nonvacant sites accommodate 50 percent or more of the lower-income need, the housing element must

describe “substantial evidence” that the existing use does not constitute an impediment for additional residential use on the site. Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA.

Program 63 (Prioritize Affordable Housing on Public Property): While the program commits to promote surplus properties, it should also commit to a specific schedule of actions with discrete timing to facilitate development on public lands. Examples of actions include coordination with property owners, disposing of land or leasing land, removing barriers, assisting in site preparation, facilitating entitlements, assisting with funding, issuing permits and alternative actions if lands do not move forward with development by a specified date. HCD will send sample language under separate cover.

Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

2. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities... (Gov. Code, § 65583, subd. (a)(5).)*

Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities... (Gov. Code, § 65583, subd. (c)(3).)

Constraints on Housing for Persons with Disabilities: The element must include an analysis of potential constraints on housing for persons with disabilities, as follows:

- *Reasonable Accommodation*: The element describes the City’s reasonable accommodation procedure, including listing approval findings. However, the element must analyze the approval findings. Specifically, the procedure requires a finding that the accommodation does not result in “substantial detriment of the residential character of that neighborhood”. The element should evaluate whether this finding acts as a constraint and add a program to address identified constraints.

- *Definition of Family*: The element describes the City's definition of family and concludes the definition is not a constraint on housing for persons with disabilities. However, the element must include analysis to support this conclusion. For example, the City's definition requires persons to have made a social, economic and psychological commitment to each other. The element should evaluate potential impacts of this provision on housing for persons with disabilities and add or modify programs to address identified constraints.
 - *Program 69 (Barriers for Large Residential Care Facilities)*: The program commits to amend zoning to permit group homes for seven or more persons by-right in multifamily and mixed-use zones. However, the program should also commit to allow these uses in lesser intensity residential zones (e.g., single-family) and should clarify these uses will only be subject to objective standards to facilitate approval certainty similar to other residential uses of the same type.
3. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

Programs: The element includes many meaningful actions to affirmatively further fair housing (AFFH). However, in most cases, these actions should also include geographic targeting and metrics or numerical outcomes. For example, Program 3 (Minor Home Repair) could geographically target areas of higher need or relatively lower-incomes and include a numerical outcome (e.g., number of units). HCD will send sample program approaches under separate cover.

4. *The Housing Element shall describe the means by which consistency will be achieved with other general plan elements and community goals. (Gov. Code, § 65583, subd. (c)(7).)*

While the element discusses how internal consistency will be achieved with other elements of the general plan as part of the housing element update (p. 1-1), it should also discuss how internal consistency within the general plan will be maintained throughout the planning period. For example, the element could discuss how internal consistency is evaluated as part of general plan updates or amendments or as part of the annual progress report pursuant to Government Code section 65400.

The element will meet the statutory requirements of State Housing Element Law once it has been revised and adopted to comply with the above requirements.

Public participation in the development, adoption, and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), then any rezoning to make prior identified sites available or accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i). Please be aware, if the City fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until rezones to accommodate a shortfall of sites pursuant to Government Code section 65583, subdivision (c) (1) (A) and Government Code section 65583.2, subdivision (c) are completed.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the responsiveness, dedication, and collaboration the City's housing element team provided during the review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Shawn Danino, of our staff, at Shawn.Danino@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall
Senior Program Manager

Housing Element

*An Eight-Year Plan to
Meet the Housing
Needs of Everyone in
the Community*

SIXTH CYCLE

Adopted by City Council Resolution 2023-03 on
January 10, 2023

2023-2031

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City of Fremont

Housing Element

2023-2031

An Eight-Year Plan to Meet the Housing Needs
of Everyone in the Community

Acknowledgements

City Council

Mayor Lily Mei
Vice-Mayor Raj Salwan
Councilmember Teresa Keng
Councilmember Desrie Campbell
Councilmember Jenny Kassan
Councilmember Yang Shao
Councilmember Teresa Cox

Planning Commission

Chairperson Robert Daulton
Vice-Chairperson Reena Rao
Commissioner Charles Haiyun Liu
Commissioner Yonggang Zhang
Commissioner Jasmine Basrai
Commissioner Craig Steckler
Commissioner Benjamin Yee

Staff Project Team

Wayland Li, AICP, Principal Planner
Courtney Pal, Associate Planner

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Chapter I

Introduction

Purpose

The Housing Element is an eight-year plan to meet the housing needs of everyone in the community. It provides a blueprint for how the City of Fremont can protect the housing stability of existing residents; preserve and improve the existing housing stock; and produce new housing at all income levels.

More technically, the Housing Element is one of seven required elements of the City of Fremont General Plan. Unlike the other elements, it is subject to review and certification by the State of California. The State has determined that housing is a matter of statewide importance because the need for safe and affordable housing crosses regional and jurisdictional lines. Resultantly, each city and county in the state must submit their Housing Element to the Department of Housing and Community Development (HCD). HCD evaluates the document based on specific criteria to determine whether it meets the requirements that have been set by the California Government Code.

While the Housing Element must address specific statutory requirements, it is also intended to reflect local community values and priorities, as outlined in other Elements of the General Plan and via community input.

Housing and General Plan Vision

In 2006, the City launched a comprehensive General Plan update intended to guide growth and development through the year 2035. The City of Fremont General Plan, adopted in 2011, reflects the City Council's vision for meeting the City's housing needs through focused development near public transit. The Plan calls for the transformation of areas around the Fremont BART Station, the Centerville Train Station, the Warm Springs/South Fremont BART Station, and the future Irvington BART station into mixed use communities with new housing, offices, retail shops, public facilities, and open spaces. The General Plan places great emphasis on sustainability and infill development near transit, as well as the preservation and improvement of the City's existing residential neighborhoods. The General Plan provides the policy framework to achieve these goals.

The City's General Plan was prescient in its advocacy for affordable, transit-oriented housing. Today, the shortage of affordable housing is widely recognized as one of the greatest challenges facing Fremont and the Bay Area. The region's housing costs are consistently the highest in the nation, potentially threatening its future economic vitality, environment, and quality of life. The housing shortage crisis has sparked a region-wide effort to make more efficient use of land in established communities and create a land use pattern that supports higher density housing and transit use. The updated Housing Element reinforces the General Plan's emphasis on directing growth toward the core of the City where transit options and other services are more readily available.

Fremont's updated Housing Element reflects the City's continued commitment to increasing the supply of affordable housing. Fremont needs housing that is affordable for teachers, public safety personnel, nurses,

and child care workers and the retail and service workers that are the lifeblood of the local economy. Fremont also needs housing for seniors, people with disabilities, and others with limited mobility and fixed incomes. And the City needs housing for families in crisis and others who cannot find adequate shelter in the local marketplace. The innovative affordable housing policies of the 2015-2023 Housing Element doubled affordable housing production during the previous planning period. The 2023-2031 Housing Element builds on that framework by calling for the development of new policies to further promote the development of affordable housing.

The 2023-2031 Housing Element update is also aligned with other General Plan goals and policies regarding Land Use, Mobility, Community Character and Conservation, as discussed below:

Table 1-1. General Plan Consistency

General Plan Policies	Housing Element Policies
Land Use Policies 2-1.7 through 2-1.11 promoting Transit Oriented Development; Land Use Policy 2-3.8 promoting higher intensities near transit	Housing Element Policy 3.04 promotes intensification of residential development within urban neighborhoods around transit.
Mobility Policy 3-2.1 and 3-2.2, coordinating land use choices and transportation investments to create a community that incentivizes public transportation rather than private automobiles	Housing Element Policies 1.03 and 3.04 encourage intensification of residential development within urban neighborhoods around transit and associated infrastructure improvements to facilitate access to transit.
Community Character Policies 4-3.7 through 4-3.10, encouraging the use of design guidelines to promote attractive developments	Housing Element Policy 3.01 calls for the development of regulations and standards that reflect the community's priorities.
Conservation Policies 7-9.1 and 7-9.2 emphasizing green building and energy efficiency in building and site design standards.	Housing Element Policy 3.01 encourages development of regulations that promote a balance between sustainability goals and housing needs.

Legislative Framework

State law requires that a city's Housing Element demonstrate that the City has adequately planned to meet the housing needs of the community at all income levels. This obligation includes both providing zoned capacity to accommodate a city's allocation of housing and developing policies and procedures to facilitate the development of that housing.

Connection to Regional Planning Initiatives

In 2008, Senate Bill (SB) 375 amended the timing of the Housing Element update process to align with regional transportation and climate planning. Specifically, the Housing Element update timeline was lengthened from every five years to every eight years. The first eight-year planning cycle occurred from January 2007 through 2015. The current Housing Element covers an eight-year planning period from January 2015 to 2023. The updated Housing Element will cover the period from January 2023 to 2031.

The eight-year planning cycle is now aligned with the schedule for adopting Regional Transportation Plans (RTPs) and Sustainable Communities Strategies (SCSs). In the Bay Area, Plan Bay Area 2050 serves as a single, integrated regional planning document that combines transportation, housing, land use, and greenhouse gas emission reduction planning. Plan Bay Area 2050 was adopted in October 2021. The distribution and location of land uses in Plan Bay Area 2050 served as the foundation for the allocation of new housing growth around the Bay Area during the subsequent Regional Housing Needs Allocation process, described below.

Regional Housing Needs Allocation Process

During each Housing Element update, each jurisdiction must plan for its share of housing need for the eight-year planning period. Housing need is determined for households in four income categories: Above Moderate-, Moderate-, Low-, and Very Low- income. State law has established a process for assigning the responsibility for planning for housing production in California to individual cities and counties. This is known as the Regional Housing Needs Allocation (RHNA) process.

The RHNA process consists of two steps. First, HCD determines the total housing need for each region in the state. This is known as the Regional Housing Needs Determination (RHND). The RHND is based on population projections produced by the California Department of Finance. In addition, as of this planning period, the RHND also takes into consideration the current level of “unmet” housing need within a jurisdiction. This means that housing needs for overcrowded households, cost burdened households (those paying more than 30% of their income for housing), and a target vacancy rate for a healthy housing market (with a minimum of 5%) were considered in development of the RHND.

In June 2020, HCD provided the 2023-2031 RHND for the Bay Area, which is 441,176 units. This represents a substantial increase from the previous planning period, during which the RHND was 187,990. The increase in the RHND is mostly due to the additional consideration of unmet housing need as well as the persistently strong housing market in the region.

The RHND is distributed among income levels as follows:

Table 1-2. RHND for Bay Area

Income Category	Percent	Housing Unit Need
Very Low	25.9%	114,442
Low	14.9%	65,892
Moderate	16.5%	72,712
Above Moderate	42.6%	188,130
Total	100%	441,176

After receiving the RHND, the metropolitan planning organization develops a methodology for distributing the RHND among local governments. In the Bay Area, the metropolitan planning organization is the Association of Bay Area Governments (ABAG). ABAG’s RHNA methodology is required to meet six statutory objectives, which ABAG summarizes as follows:

1. Increase housing supply and mix of housing types, with the goal of improving housing affordability and equity in all cities and counties within the region.
2. Promote infill development and socioeconomic equity; protect environmental and agricultural resources; encourage efficient development patterns; and achieve greenhouse gas reduction targets.
3. Improve intra-regional jobs-to-housing relationship, including the balance between low-wage jobs and affordable housing units for low-wage workers in each jurisdiction.

4. Balance disproportionate household income distributions (more high-income allocation to lower-income areas, and vice-versa).
5. Affirmatively further fair housing.
6. Be consistent with the growth pattern from the region's long-range plan for transportation, housing, the economy and the environment, known as Plan Bay Area 2050.

The ABAG Executive Board approved the Final RHNA Methodology and Draft Allocations for the 2023-2031 planning period in May 2021. Consistent with the higher RHND, individual jurisdictions received substantial increases in their RHNA. Fremont's RHNA for the 2023-2031 planning period is 12,897 units. The allocation is divided among income levels as follows:

Table 1-3. RHNA for City of Fremont

Income Category	Percent	Housing Unit Need
Very Low	28.2%	3,640
Low	16.3%	2,096
Moderate	15.5%	1,996
Above Moderate	40.0%	5,165
Total	100%	12,897

Fremont's 2023-2031 RHNA is substantially higher than the RHNA in the 2015-2023 planning period, which was 5,455 units. However, the increase in the allocation was not as significant as those seen in other Bay Area jurisdictions. As discussed in the remainder of this document, Fremont's General Plan anticipated and planned for new housing capacity consistent with the city's RHNA allocation.

Now that Fremont has received its RHNA, it must update the Housing Element to show how it plans to meet its regional housing need in its community. The Housing Element must contain goals, policies, and programs to facilitate the development of housing at the income levels prescribed by the RHNA. For the 2023-2031 Housing Element cycle, updates are required to be completed, with a finding of compliance by HCD, by January 31, 2023.

Recent Legislative Changes

The requirements for a compliant housing element are set by the California Government Code. Since the 2015 Housing Element update, multiple state laws have modified the requirements for a certified housing element. A brief summary of those laws is below:

- **AB 1397** (Low, 2017) established stricter requirements for including non-vacant sites and "re-used" sites carried over from a previous planning period in the Housing Element sites inventory.
- **AB 72** (Santiago, 2017) authorized HCD to review actions by local jurisdictions in the middle of a planning period for consistency with their Housing Element and state law. It provides HCD greater authority to react to violations of Housing Element law, including the imposition of penalties. Specific penalties could include revocation of a previous Housing Element certification and referral of violations to the attorney general for legal action.
- **SB 828** (Wiener, 2018) added additional factors to the determination of the RHND. The RHND now takes into consideration the current level of "unmet" housing need within a jurisdiction in addition to anticipated population growth. This means that housing needs for overcrowded households, cost burdened households (those paying more than 30% of their income for housing), and a target vacancy rate for a healthy housing market (with a minimum of 5%) were considered

in development of the RHND. This resulted in a substantial increase in the RHND for the Bay Area during this planning period.

- **SB 166** (Skinner, 2017) required local jurisdictions to maintain adequate sites to accommodate the remaining RHNA throughout the Housing Element planning period. If a development is proposed on a Housing Element inventory site at a density lower than the intended density in the Housing Element, a jurisdiction must either make findings that the Housing Element's remaining sites have sufficient capacity to accommodate the remaining unmet RHNA by each income level, or identify and make available sufficient sites to accommodate the remaining unmet RHNA for each income category.
- **AB 1771** (Bloom, 2018) required that that metropolitan planning organizations distribute RHNAs with an explicit focus on affirmatively further fair housing on a regional level. This included addressing patterns of racial and socioeconomic inequality by assigning more high-income allocation to lower-income areas, and vice-versa.
- **AB 686** (Santiago, 2018) added a requirement for Housing Elements to analyze and address fair housing issues. Jurisdictions identify and commit to meaningful actions that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.
- **SB 35** (Wiener, 2017) added a requirement that local jurisdictions must allow for a streamlined ministerial approval process when the jurisdiction has not yet made sufficient progress toward their allocation of the regional housing need.
- **AB 1486** (Ting, 2019) added a requirement for housing elements to describe City-owned nonvacant sites and provide information regarding plans to dispose of the property during the planning period in conformance with the requirements of the Surplus Lands Act.

Consequences for Housing Element Non-Compliance

As a result of recent legislative changes, the penalties for having a non-compliant housing element have substantially increased. Jurisdictions without a compliant housing element have historically been ineligible for state administered funding programs, including programs for affordable housing. Recent changes have added additional bases for action against cities with a non-compliant housing element, including:

- Litigation from the State Department of Justice
- Loss of permitting authority
- Financial penalties up to \$100,000 a month
- Court receivership of housing element process

Furthermore, HCD has created a new Housing Accountability Unit (HAU) that is tasked with enforcing Housing Element law throughout the planning period. The HAU intends to review local government actions, or failures to act, that it deems inconsistent with an adopted Housing Element or state law. This includes failure to implement program actions included in a previously-certified Housing Element. HCD may revoke housing element compliance at any point during the planning cycle if it finds that a jurisdiction's implementation actions are not consistent with state law.

Organization of the Housing Element

The Housing Element is organized into the following chapters.

- **Chapter 1. Introduction.**
An overview of the purpose of the Housing Element and a summary of the regulatory and legislative framework guiding the development of the Housing Element.
- **Chapter 2. Goals, Policies and Programs.**
A plan to meet the community's housing needs during the 2023-2031 planning period.
- **Chapter 3. Community Engagement.**
A summary of the community engagement efforts in support of the Housing Element Update.
- **Chapter 4. Housing Needs Assessment.**
An analysis of the demographic characteristics, housing stock and economic conditions in Fremont which affect housing needs.
- **Chapter 5. Constraints Analysis.**
An analysis of governmental and nongovernmental constraints to housing production in Fremont.
- **Chapter 6. Review of 2015-2023 Housing Element.**
A summary of major achievements and an analysis of challenges to implementation during the 2015-2023 Housing Element planning period
- **Chapter 7. Assessment of Fair Housing.**
An analysis of contributing factors and conditions that restrict fair housing choice and access to opportunity.
- **Chapter 8. Sites Inventory and Analysis.**
An analysis of sites to accommodate Fremont's housing needs at all income levels.
- **Appendix A. Community Engagement Documentation.**
Notes, reports and presentations from community engagement activities.
- **Appendix B. Response to Public Comments.**
A summary of written comments received during the public review period for the Draft Housing Element, and responses indicating how comments have been addressed.

Chapter 2

Goals, Policies and Programs

This chapter establishes Fremont's housing goals for the 2023-2031 planning period and sets forth an action plan to implement those goals

Purpose

The purpose of Fremont's 2023-2031 Housing Element is to meet the housing needs of **everyone** in the Fremont community over the next eight years. The Housing Element creates a framework of goals, policies and programs which respond to:

- The community's **values, concerns, priorities, and vision** regarding housing, as captured in Chapter 3, Community Engagement.
- The community's housing **needs**, as outlined in Chapter 4, Housing Needs Assessment.
- The **constraints** to housing in Fremont, as identified in Chapter 5, Constraints Analysis.
- The community's **fair housing challenges**, as identified in Chapter 7, Fair Housing Assessment.

Housing Element Goals and Policies

The 2023-2031 Housing Element contains six goals, as listed below:

- **Goal 1.** Preserve, Maintain, and Improve the Existing Housing Supply
- **Goal 2.** Help Current Residents Maintain Stable and Safe Housing in Fremont
- **Goal 3.** Promote Production of New Affordable and Market-Rate Housing
- **Goal 4.** Maximize Support and Resources for Affordable Housing Production
- **Goal 5.** Address Disparities in Access to Housing and Disproportionate Housing Needs
- **Goal 6.** Maintain a Compliant Housing Element and Zoning Ordinance

Goal 1. Preserve, Maintain, and Improve the Existing Housing Supply

Goal 1 focuses on preserving, maintaining and improving the City's existing affordable housing supply and neighborhoods. Not only is the City's older existing housing stock critical to meeting housing needs, but preserving these buildings is far more environmentally sustainable than replacing them with new construction. Older homes are a source of naturally affordable housing and provides a source of housing in the community for lower-income households. At the same time that the City promotes construction of new housing, it will work to retain the existing supply of affordable housing options.

- **Policy 1.01:** Identify and Remedy Substandard Housing Conditions.
- **Policy 1.02:** Facilitate Improvement of Existing Housing Stock.
- **Policy 1.03:** Improve Infrastructure within Existing Residential Neighborhoods

Goal 2. Help Current Residents Maintain Stable and Safe Housing in Fremont

As detailed in Chapter 4 - Needs Assessment, lower-income Fremont residents are at risk of displacement to a greater extent than lower-income residents in Alameda County overall. Displacement can have a range of negative effects at the individual, household, community, and regional levels. Often, individuals and households that are displaced must move further from their places of work, established childcare arrangements, and social support networks, while children in displaced households may experience a disruption in schooling. Widespread displacement often exacerbates inequalities in access to opportunity and patterns of segregation as lower-income households are increasingly excluded from higher-cost areas. In cities where residents have been displaced, these trends can have a negative impact on the economic, racial, ethnic, and social diversity of the local population.

Goal 2 focuses on preserving the ability of Fremont residents to stay housed within the community.

- **Policy 2.01:** Preserve Existing Housing Options
- **Policy 2.02:** Prevent Displacement due to Rising Housing Costs
- **Policy 2.03:** Prevent Direct Displacement from New Development.

Goal 3. Promote Production of New Affordable and Market-Rate Housing

As detailed in Chapter 8 – Sites Inventory and Analysis, Fremont has adequate General Plan land use designations and zoning in place to meet the community's RHNA targets. However, significant barriers exist to develop enough new housing, in particularly affordable housing, to meet the community's needs. Goal 3 focuses on removing the barriers to the production of affordable and market rate housing in Fremont.

- **Policy 3.01:** Implement Clear Regulations and Standards that Reflect the Community's Priorities.
- **Policy 3.02:** Improve Efficiency of Entitlement Process for Housing Developments.
- **Policy 3.03:** Promote Housing Development in Highest Resource Neighborhoods.

- **Policy 3.04:** Intensify Residential Development within Urban Neighborhoods.
- **Policy 3.05:** Raise Awareness of City Resources and Policies Among Housing Developers.

Goal 4. Maximize Support and Resources for Affordable Housing Production

As detailed in Chapter 5 – Constraints to Housing, construction of affordable housing generally requires large subsidies from Federal, State, County or local government sources in order to be financially feasible, yet there is not nearly enough funding available to subsidize all of the affordable housing needs in the region. The lack of available resources is a significant barrier to the production of affordable housing. Goal 4 focuses on maximizing resources, streamlining processes, and providing incentives to encourage the production of affordable housing.

- **Policy 4.01:** Provide Zoning Incentives for Affordable Housing Production
- **Policy 4.02:** Maximize Financial Resources Available for Affordable Housing
- **Policy 4.03:** Assist Affordable Housing Developers
- **Policy 4.04:** Ensure Affordable Housing Meets Needs of Community
- **Policy 4.05:** Pursue Unique and Innovative Opportunities for Providing Affordable Housing
- **Policy 4.06:** Share Expertise as a Regional Leader in Affordable Housing Production

Goal 5. Address Disparities in Access to Housing and Disproportionate Housing Needs

As detailed in Chapter 7 – Fair Housing Assessment, disparities in housing access and quality exists in Fremont, particularly among low-income people of color. Residents of color are more likely to experience homelessness, cost-burden, and overcrowding. Residents of color are also more likely to be renters than homeowners, which contributes to their disproportionate housing instability. Goal 5 focuses on meaningful actions to address the factors that detract from fair housing access within Fremont.

- **Policy 5.01:** Expand Housing Opportunities for People with Disabilities
- **Policy 5.02:** Provide Services, Shelter, and a Pathway to Permanent Housing for Unhoused Residents
- **Policy 5.03:** Promote a Diversity of Housing Options for Seniors
- **Policy 5.04:** Support Housing Opportunities for Households of All Sizes and Types
- **Policy 5.05:** Ensure Availability of Social Services

Goal 6. Maintain a Compliant Housing Element and Zoning Ordinance

Goal 6 focuses on consistent evaluation of the effectiveness of Housing Element programs during the planning period, and adjusting/adapting to changes in state law, and economic conditions to stay on target with housing goals.

- **Policy 6.01:** Maintain Consistency with Regional and State Housing Plans and Laws.
- **Policy 6.02:** Annually Review Progress Towards Housing Goals.

Implementation Programs

Program 1. Identify and Abate Substandard Rental Housing.

As discussed in Chapter 7 - Fair Housing Assessment, renters, people of color, and lower-income people disproportionately face substandard housing conditions in the City. By dedicating resources to prevent and remedy substandard housing, the City furthers fair housing opportunity for those protected groups impacted by this concern.

The City's Code Enforcement Division is responsible for investigating reports of substandard housing conditions and ensuring that landlords address them in a prompt manner. During the previous Housing Element planning period, Code Enforcement investigated over 300 instances of substandard housing conditions. Code Enforcement is largely completed on a complaint basis. Tenants can file complaints anonymously by phone, email, web form, or through the City app. When staff investigate and determine that a violation is occurring, they work with property owners and tenants to correct the violation in a timely manner with an emphasis on voluntary compliance from landlords and anti-displacement of tenants.

Experience has shown that individual apartments within one building have so much in common with each other that one unit has a likelihood of being representative of the others. Individual apartments at a property were all built at the same time, using the same materials, by the same work crews, and by the same design. The property owner stands to benefit if common problems are dealt with at once. Therefore, the City conducts proactive code enforcement activities when there is a reasonable suspicion that systemic problems exist within an apartment building or complex of buildings. In these cases, the inspector investigates a subset of additional units within the building or complex. The exact sample size depends on the circumstances, including the type/severity of damage and size of the complex. These targeted proactive code enforcement activities maximize the effectiveness of code compliance resources to identify and address substandard housing issues.

Objective	Investigate all reported instances of substandard rental housing to ensure Fremont residents have adequate living conditions.
Implements Policies	Policy 1.01: Identify and Remedy Substandard Housing Conditions.
Responds to Findings	Needs Finding #13, #15 AFFH Finding #6
Timeframe	Ongoing
Responsible Party	Code Enforcement Division
Funding Source	General Fund

Program 2. Training for Apartment Owners and Property Managers.

The City shall provide an annual training to multi-family rental property owners and managers. The training shall educate property owners and managers about their legal responsibilities to providing safe, habitable dwellings and provide an overview of related City programs like code enforcement and the rent review ordinance.

The AFFH Analysis (Chapter 7) found that the neighborhoods of Central Fremont, Parkmont, Sundale, and Irvington had the highest incidence of code enforcement cases related to substandard housing. By training apartment owners and property managers within these neighborhoods regarding their responsibilities, the City can reduce the incidence of substandard housing issues. During the next planning period, the City's Housing Division shall conduct targeted geographic outreach to landlords in these neighborhoods to inform them about the annual training. Targeted outreach may include:

- Hosting in-person trainings within or near these neighborhoods
- Sponsoring social media posts targeting a certain geographic area to advertise the training
- Contacting neighborhood-specific groups to promote the training among their membership
- Mailing flyers directly to landlords within the geographic area to advertise the training

Objective	Educate apartment owners and property manager on legal responsibilities to ensure Fremont residents have adequate living conditions.
Implements Policies	Policy I.01: Identify and Remedy Substandard Housing Conditions.
Responds to Findings	Engagement Theme #7 AFFH Finding #6
Timeframe	Hold one training annually <u>with a geographic emphasis on the neighborhoods of Central Fremont, Parkmont, Sundale, and/or Irvington</u>
Responsible Party	Housing Division
Funding Source	General Fund

Program 3. Minor Home Repair Grant Program.

The City shall continue to partner with a non-profit organization, such as Habitat for Humanity, to provide home rehabilitation assistance to low-income homeowners. Through Habitat's program, qualified homeowners can apply to receive grants of up to \$15,000 to perform deferred maintenance, address code violations, or make small upgrades to their home.

Most of the people assisted through this program live within one of the three mobile home parks within the City, although some single-family homeowners and condominium owners throughout the City also receive assistance. Most of the people assisted through this program are also seniors and people with disabilities. The program provides grant recipients with the opportunity to make accessibility improvements that allow them to remain living independently in their homes. Resultantly, it helps seniors and people with disabilities maintain access to housing.

Objective	Utilize all available CDBG funds to assist low-income homeowners with minor home repairs. <u>Assist 10 low-income households annually, including at least five low-income households where at least one member has a disability.</u>
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Implements Policies	Policy I.02: Facilitate Improvement of Existing Housing Stock.
Responds to Findings	Engagement Theme #8 Needs Finding #6, #14 AFFH Finding #1, #6
Timeframe	Assist ten households annually. <u>Annually report on the total households, total households with a disability, and geographic distribution of households assisted. If analysis demonstrates that awards to condominium and single-family homeowners are not equitably distributed throughout the City during the first half of the planning period (through CY 2026), then the City shall implement a policy for geographic targeting before March 2028.</u>
Responsible Party	Housing Division
Funding Source	CDBG

Program 4. Objective Design Standards for Historic Homes.

The City promotes preservation of historic resources through a program that screens possible historic resources when projects come in for alteration or demolition. There have been several successful large residential projects in the City that incorporated historic resources and allowed them to be adapted into modern housing. Additionally, the City has received much interest from homeowners of individual historic homes in adding an ADU consistent with the City's adopted objective design standards for ADUs on historic properties.

In order to reduce the processing time and uncertainty for applications involving historic resources, the City would develop a set of objective design standards for the review of projects involving historic homes.

Objective	Adopt objective design standards for historic homes
Implements Policies	Policy I.02: Facilitate Improvement of Existing Housing Stock. Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #10 Constraints Finding #5, #7
Timeframe	Within 24 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 5. Comprehensive Review of Single-Family Residential Planned Districts.

The City has over 700+ planned districts, many of which closely mirror the standard single-family residential zoning districts. Some of these Planned Districts have limitations that substantially limit or prohibit additions. As the housing stock continues to age, these restrictions may have an increasingly severe effect on the ability to modernize and adapt the housing stock in these neighborhoods.

City shall complete comprehensive study of existing Planned Districts and develop a program to re-zone some Planned Districts to their most comparable standardized districts. This program will allow additions and modernization of additional single-family housing stock.

The AFFH Analysis (Chapter 7) found that areas of the City generally located west of Mission Boulevard and I-680 and north of Auto Mall Parkway have the greatest incidence of overcrowding within the City. This generally corresponds to the North Fremont, Centerville, Central, and Irvington community plan areas. Resultantly, the City shall prioritize the review and rezoning of single-family Planned Districts located within this area. Additionally, this area includes all but two of the City's tracts with a substantial (>25%) low-income population. By prioritizing these neighborhoods, the City will facilitate home expansion to reduce the incidence of overcrowding within these areas and better meet the needs of lower-income homeowners.

Objective	Review Planned Districts for opportunities to convert to standard zoning. Rezone Planned Districts to standard zoning where feasible.
Implements Policies	Policy I.02: Facilitate Improvement of Existing Housing Stock.
Responds to Findings	Engagement Theme #4, #7 AFFH Finding #10
Timeframe	Review single-family planned districts <u>within identified neighborhoods</u> within <u>18 months</u> of Housing Element adoption. <u>Review single-family planned districts within remaining areas within 24 months of Housing Element adoption.</u>
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 5.5. Encourage Solar Installation on Existing Multifamily Buildings.

Expanding the adoption of solar energy can lower the amount of environmental pollution and decrease the use of fossil fuels. Property owners and tenants can also benefit from cost savings on their utility bill. The City shall encourage the installation of solar panels on existing multifamily apartment buildings. The City shall encourage affordable housing property managers to take advantage of the State of California's Solar on Multifamily Affordable Housing (SOMAH) program, which provides up to 100% of the funding for solar installation on qualifying buildings.

Objective	Achieve solar installation on at least three multifamily properties by 2025
Implements Policies	Policy I.03: Improve Infrastructure within Existing Residential Neighborhoods
Timeframe	By 2025
Responsible Party	Community Development Department
Funding Source	General Fund

Program 6. Citywide Capital Improvements.

Every two years, the City adopts a capital budget, known as the Capital Improvement Program budget (CIP). Separate from the annual city operating budget, the CIP funds public infrastructure projects, including street repair, traffic improvements, and park development/maintenance. Through the Capital Improvement Program, the City identifies and schedules periodic maintenance and improvement of facilities supporting existing residential neighborhoods, such as streets and sidewalks.

Objective	Adopt CIP to fund improvements that support existing residential neighborhoods
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Implements Policies	Policy 1.03: Improve Infrastructure within Existing Residential Neighborhoods
Timeframe	Adopt CIP every two years
Responsible Party	Public Works Department
Funding Source	General Fund leveraged with regional, state, and federal funding

Program 7. Mobile Home Preservation and Rent Stabilization.

Currently, there are 753 mobile homes in Fremont. Mobile homes are disproportionately owned by senior citizens, persons on fixed incomes, and persons of low and moderate income. Mobile home owners, unlike apartment tenants or residents of other rental units, are in the unique position of having made a substantial investment in a residence for which space is rented or leased.

Because mobile home owners are limited in their relocation options, they are vulnerable to sudden unreasonable rent increases. The City's Mobile Home Preservation and Rent Stabilization Ordinance is intended to protect the mobile home owners from unreasonable rent increases and other abusive or disruptive practices by park owners. The ordinance provides limits and a process for rent increases, as well as a process for the conversion of mobile home parks to other uses.

Fremont's three mobile home parks are located within Census tracts designated as High Resource by HCD/TCAC. Preservation of mobile home spaces at an affordable rent allows continued provision of naturally-affordable housing within High Resource neighborhoods.

Objective	Preserve affordability of 753 mobile homes
Implements Policies	Policy 2.01: Preserve Existing Housing Options
Responds to Findings	Engagement Theme #1, 8 Needs Finding #4 AFFH Finding #3, #4, #9
Timeframe	Ongoing
Responsible Party	Housing Division
Funding Source	General Fund

Program 8. Condominium Conversions.

Condominium conversions decrease the supply of rental housing in the community. Older apartments, which may be more naturally affordable, are at greater risk for condominium conversion during strong markets.

In order to discourage the conversion of rental housing stock into ownership housing stock, the City specifies a procedure for applications for condominium conversion and limits the number of units that can be converted each year.

Objective	Limit conversions to 100 units per year
Implements Policies	Policy 2.01: Preserve Existing Housing Options
Responds to Findings	Engagement Theme #1, 4 AFFH Finding #4, #9
Timeframe	Ongoing
Responsible Party	Planning Division
Funding Source	General Fund for annual tracking, Planning application fees for processing conversions

Program 9. Short Term Rental Ordinance.

The City does not currently have an ordinance in place specifically for the regulation of short-term rental units. Based on current estimates, there are more than 300 short term rental units active in the City. Some of these units are full homes or apartments for rent, which removes units from the long-term housing rental market. Others consist of portions of a unit that is occupied by an owner or tenant. The City shall implement a short-term rental ordinance that discourages or disallows short-term rentals that remove housing units from the market. The City shall also consider a program to promote the conversion of short-term rentals into long-term rental housing options, like ADUs.

Objective	Adopt a short-term rental ordinance
Implements Policies	Policy 2.01: Preserve Existing Housing Options Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #1, #4 Constraints Finding #10 AFFH Finding #4, #9
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	SB 2

Program 10. Monitor "At Risk" Affordable Housing Units.

The City shall continue to monitor affordable housing developments that could be at risk for converting to market rate. The City has a database to track the status of at risk units on an annual basis with the intention of working with owners to preserve the affordability of the units.

The City shall contact property owners of units at risk of converting to market-rate housing within three years of affordability expiration. If owners are amenable of retaining the properties as affordable housing, the City shall reach out to a list of qualified non-profit affordable housing developers to determine interested in purchasing and/or managing at-risk units. If necessary and prudent, the City shall utilize its own financial resources (HOME and CDBG, State and Federal funding sources, etc.) to aggressively prevent the conversion of affordable housing units to market rate.

If owners choose to let a property convert, then the City shall coordinate with owners of expiring subsidies to ensure the required notices to tenants are sent out at 3 years, 12 months, and 6 months. The City shall also work with Project Sentinel to provide education regarding tenant rights and conversion procedures pursuant to California law to affected tenants.

Past success in achieving continued affordability of at-risk units has shown that conversion of units can be prevented with minimal investment of the City's limited affordable housing funds and maximum utilization of existing funding sources.

Objective	Monitor and preserve all at-risk units during the planning period
Implements Policies	Policy 2.01: Preserve Existing Housing Options
Responds to Findings	Needs Finding #16 AFFH Finding #9
Timeframe	Monitor annually. Ensure noticing as required by California law.
Responsible Party	Housing Division

Funding Source	General Fund for annual monitoring. Grants and other federal/state/local housing resources for prevention of conversion.
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Program 11. Ensure that Existing Deed-Restricted Housing Complies with Regulatory Restrictions.

Deed-restricted affordable housing complexes require monitoring to ensure that they are being rented in conformance with the requirements of their deed restriction. Ensuring complexes follow their regulatory restrictions is critical to ensuring that existing affordable housing stock is operated correctly.

Objective	Monitor deed-restricted units
Implements Policies	Policy 2.01: Preserve Existing Housing Options
Responds to Findings	AFFH Finding #4, #9
Timeframe	Ongoing
Responsible Party	Housing Division
Funding Source	General Fund

Program 12. Continue to Implement and Annually Review the Rent Review Ordinance.

In 2017, the Fremont City Council adopted the Rent Review Ordinance. The ordinance covers all residential rental units in Fremont, including single family homes. The Rent Review Program provides a review and formal hearing for proposed rent increases in excess of 5% in any 12-month period. A landlord must include information regarding the Rent Review Ordinance when providing notice of a rent increase. The City Council receives an update on the effectiveness of the Rent Review Ordinance each year. Information from that report shall also be provided to HCD within the Housing Element Annual Progress Report.

Currently, over 70% of rent review cases are resolved through mediation prior to a formal Rent Board hearing. Mediation ensures that tenants receive a speedy resolution to rent increase disputes.

Objective	Support 100% of applicants
Implements Policies	Policy 2.02: Prevent Displacement due to Rising Housing Costs
Responds to Findings	Engagement Theme #1 AFFH Finding #4, #9
Timeframe	Ongoing
Responsible Party	Human Services Department
Funding Source	Rent Review Program fee

Program 13. Provide Education on Tenant's Rights.

The City of Fremont contracts with Project Sentinel's Fremont Fair Housing and Landlord/Tenant Services to provide education to tenants regarding their legal rights. Project Sentinel provides fair housing information/education and investigates housing discrimination complaints. Project Sentinel also provides counseling services to tenants upon request. Counseling is provided relating to security deposits, repairs, right to entry, evictions, retaliations, and rent increases. As resources and funding are available, the City shall seek opportunities to expand educational opportunities through providing proactive training events or webinars for tenants.

Objective	Offer landlord/tenant counseling services. Respond to all inquiries
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Implements Policies	Policy 2.02: Prevent Displacement due to Rising Housing Costs
Responds to Findings	Engagement Theme #7 Needs Finding #13, 15 AFFH Finding #1, 6
Timeframe	Ongoing
Responsible Party	Human Services Department
Funding Source	CDBG

Program 14. Implement “Stay Housed” Self-Sufficiency Program.

The Stay Housed program is designed to assist families to avoid eviction and prevent homelessness due to a financial crisis. The program provides time-limited partial rental subsidies to eligible participants as they transition from financial instability to self-sufficiency.

Tenants receiving Stay Housed assistance participate in the SparkPoint Program, which helps low-income households obtain economic success and build assets. Tenants will meet with a financial coach to work toward the goals of increasing income, decreasing debt, improving credit, and managing personal finances.

Objective	Assist 10 families per year
Implements Policies	Policy 2.02: Prevent Displacement due to Rising Housing Costs
Responds to Findings	Engagement Theme #1 Needs Finding #4, #13 AFFH Finding #6, #9
Timeframe	Ongoing
Responsible Party	Human Services Department
Funding Source	HOME

Program 15. Live/Work Preference for Affordable Housing.

The City of Fremont has historically implemented a live/work preference that prioritizes leasing affordable housing units to lower-income families who already live or work in Fremont, to the extent allowed by law. In 2021, the City completed a Residential Displacement Study that indicated that displacement pressure on low-income residents in Fremont is greater than elsewhere in the County. This study further justifies the City’s long-standing live/work policy. The use of a live/work preference will allow existing residents and people who work in Fremont to find permanent affordable housing close to their community. It will also help address the imbalance of low-wage jobs and housing affordable to people working low-wage jobs within Fremont.

Objective	Universally apply live/work preference to leasing process at affordable housing developments.
Implements Policies	Policy 2.02: Prevent Displacement due to Rising Housing Costs
Responds to Findings	AFFH Finding #9
Timeframe	Ongoing
Responsible Party	Housing Division
Funding Source	General Fund

Program 16. Mandatory Replacement of On-Site Units.

Within Fremont, low- and moderate-income households tend to live within transit-oriented neighborhoods that have aging rental housing units. These are areas that the City has designated for new

higher-density residential development. If new housing development occurs on sites with existing naturally-affordable units, it can directly cause displacement of low- and moderate- income residents.

Pursuant to Government Code 65583.2(g)(3), the Housing Element must include a program requiring the replacement of units affordable to the same or lower income level as a condition of any development on a nonvacant site identified in the Housing Element inventory. Replacement units shall be required for sites identified in the inventory that currently have residential uses, or within the last five years have had residential uses that have been vacated or demolished, and were either rent or price restricted, or were occupied by low or very low-income households.

The City shall update the code to incorporate this requirement within 12 months of the adoption of the Housing Element. In preparation of the code update, the City shall consider implementation of a wider-ranging policy to require the replacement of existing low-income units on any existing residential site that is redeveloped within a Transit-Oriented Development (TOD) district. The City shall also consider implementation of a right of return for displaced tenants.

Objective	Adopt code update
Implements Policies	Policy 2.03: Prevent Direct Displacement from New Development. Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	AFFH Finding #4, #9
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 17. Develop and Refine Objective Design Standards Consistent with State Law to Provide a Predictable Basis to Review Housing Projects.

The City shall revise existing design guidelines to encourage the highest level of design quality, while at the same time reducing delays and uncertainty for developers by providing clear direction on the required standards. The “highest level of design quality” refers to development that is safe, aesthetically pleasing, harmonious with its setting, respects privacy and views, preserves valuable community resources such as trees and historic resources, and supports a more sustainable community.

Objective	Adopt updated Design Guidelines
Implements Policies	Policy 3.01: Implement Clear Regulations and Standards that Reflect the Community’s Priorities.
Responds to Findings	Engagement Theme #10 Constraints Finding #5, #6
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	SB 2

Program 18. Develop Objective Findings for Residential Projects.

The City shall develop objective findings to apply when residential projects require discretionary design review.

Objective	Adopt code update
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Implements Policies	Policy 3.01: Implement Clear Regulations and Standards that Reflect the Community's Priorities. Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #10 Constraints Finding #5, #6
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	SB 2, LEAP, General Fund

Program 19. Explore Reach Codes that Balance Sustainability with Housing Production.

With each three-year Building Code cycle, the City can choose to incorporate additional standards for sustainability that exceed the requirements of the standard Building Code. The City shall consider adoption of these code requirements to ensure the sustainability of new housing construction. In developing reach codes, the City shall consider potential additional costs that the codes would add for developers.

Objective	Adopt reach codes that balances sustainability goals with housing goals
Implements Policies	Policy 3.01: Implement Clear Regulations and Standards that Reflect the Community's Priorities.
Responds to Findings	Constraints Finding #8
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Building Division, Planning Division
Funding Source	General Fund

Program 20. Offer Preliminary Review Procedure (PRP) Process.

The City shall continue to offer a "team-based" preliminary review procedure (PRP) process to allow developers to get informal feedback from multiple departments on an application prior to a formal submittal.

Objective	Continue to process PRP applications
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Engagement Theme #9
Timeframe	Ongoing
Responsible Party	Planning Division
Funding Source	General Fund, Planning Application Fees

Program 21. Encourage Early Community Outreach on Large Housing Development Projects.

Community concern regarding housing projects is a constraint to housing production in the City. Oftentimes, the community does not find out about a project until the public hearing is noticed, which can lead to project delays if time is required for community concerns to be addressed. Proactive community outreach can help developers hear and address community concerns earlier in the process.

The City shall encourage developers to consult early in the development process with housing advocates, real estate professionals, the business community, and other stakeholders. The City shall revise application materials and handouts encouraging community engagement,

Objective	Encourage outreach during development review process
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Engagement Theme #5, 9, 10 Constraints Finding #3
Timeframe	Revise handouts within 12 months of adoption of Housing Element. Encourage developers on an ongoing basis
Responsible Party	Planning Division
Funding Source	General Fund

Program 22. Continue to Coordinate Development Review with Outside Agencies.

Outside agencies such as the Alameda County Water District, Union Sanitary District, Pacific Gas and Electric, and the Regional Water Quality Control Board have requirements that must be considered and incorporated into the development review process. Continue to work with outside agencies to establish standards, share information, and provide coordinated information.

Objective	Coordinate with outside agencies during development review process
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Engagement Theme #9
Timeframe	Ongoing
Responsible Party	Planning Division
Funding Source	General Fund, Planning Application Fees

Program 23. Electronic Processing and Permitting.

The City shall continue to offer electronic-only permit reviews. The City shall monitor and upgrade its electronic processing and permitting procedures as issues arise, in order to streamline the process for applicants.

Objective	Monitor effectiveness of review process and implement improvements
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Engagement Theme #9
Timeframe	Evaluate permit review annually. Implement process improvements on an ongoing basis
Responsible Party	Community Development Department
Funding Source	General Fund, Application Fees

Program 24. Offer “Over the Counter” (OTC) Type Plan Checks for Qualifying Residential Projects.

Due to the COVID-19 pandemic, the City had to suspend in-person plan reviews. OTC reviews were popular among applicants and allowed many small housing projects – like attached or conversion ADUs – to be permitted in a single day. The City has since transitioned to electronic plan review, which will require changes to the previous OTC process. The City shall develop a revised protocol for OTC plan reviews or virtual OTC, focused on additions and ADUs, in order to expedite the permit process for applicants

Objective	Implement process
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Engagement Theme #9 Constraints Finding #11
Timeframe	Within 24 months of Housing Element adoption
Responsible Party	Community Development Department
Funding Source	SB 2

Program 25. Review Impact Fee Structure.

Periodically review the City's impact fee structure to assure that fees are equitable and fair in relationship to the infrastructure needs identified in the General Plan and that fees remain consistent with the provisions of the Mitigation Fee Act.

Objective	Review impact fee structure and revise if fees are not fair in relationship to infrastructure needs
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Constraints Finding #4
Timeframe	2026
Responsible Party	Community Development Department / Public Works Department
Funding Source	General Fund

Program 26. Have a Designated "Affordable Housing Ally" to Support Affordable Development Projects.

The City shall appoint a specific staff person to serve as a "Affordable Housing Ally". This individual shall be a point of first contact for potential residential developers exploring affordable housing opportunities in Fremont. They shall monitor the progress of housing developments through the review process and intercede to help address issues when needed.

Objective	Designate ally
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Engagement Theme #1, #2
Timeframe	Designate ally within 12 months of Housing Element adoption. Ongoing support for affordable housing projects
Responsible Party	Housing Division
Funding Source	General Fund

Program 27. Facilitate Environmental Review Process.

The City shall continue to utilize allowable California Environmental Quality Act (CEQA) exemptions for qualified urban infill and other residential projects where site characteristics and an absence of potentially significant environmental impacts allow. Supplemental EIRs for specific planning areas also provide the opportunity for individual projects which fall within the scope of the EIR to tier off the original environmental clearance. The City will advocate for the use of these streamlining measures where appropriate in order to reduce the time and cost of housing development.

Objective	Utilize CEQA streamlining provisions whenever feasible
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Engagement Theme #9
Timeframe	Ongoing
Responsible Party	Planning Division
Funding Source	Planning Application Fees

Program 28. Housing Education Campaign.

Develop an awareness campaign to bolster community support for affordable housing. The campaign would increase awareness of the benefits and need for providing housing within the community, especially for residents at risk of or currently experiencing homelessness. This campaign could include a central website dedicated to all housing-related information from the City; social media content about housing needs, challenges, and resources; informational interviews for reporters with staff who work on housing challenges and programs; and demonstration projects that exhibit how proposed solutions can work in various settings. The campaign could include various messaging frames to communicate the importance of housing, including sharing the fiscal benefits that the City receives from multifamily housing compared to single-family homes.

Objective	Develop and implement outreach strategy
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Engagement Theme #6 Constraints Finding #3
Timeframe	Develop strategy within 12 months of Housing Element adoption; implementation ongoing.
Responsible Party	Planning Division, Housing Division
Funding Source	LEAP, General Fund

Program 29. Identify Potential Historic Resources on Housing Inventory Sites.

Unidentified historic resources may exist on inventory sites and provide uncertainty for potential developers. The City shall identify properties on the sites inventory with buildings older than 50-years of age which may possibly be eligible for listing on a historic register. The City shall work with a qualified historian to evaluate those properties for historic significance, and when found to be eligible for listing on a historic register, provide high level guidance for compatible development adjacent to the resource.

Objective	Identify and evaluate inventory sites with possible historic resources
Implements Policies	Policy 3.02: Improve Efficiency of Entitlement Process for Housing Developments.
Responds to Findings	Engagement Theme #10 Constraints Finding #7
Timeframe	Develop strategy within 12 months of Housing Element adoption; evaluate five properties per year as needed.
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 30. Provide Resources to Encourage Development of Accessory Dwelling Units.

ADUs are predominantly constructed within the City's highest-resource neighborhoods. They provide a lower-cost rental housing option in neighborhoods that would be otherwise unaffordable to people with lower-incomes.

In order to promote the development of ADUs, the City has created a one-stop assistance webpage and a Preapproved ADU Program. The City is currently surveying residents and applicants to determine what future programs would be most helpful to promote ADU production. Following the implementation of the survey in 2022, the City shall implement the suggested programs. Potential ideas include:

- Cost estimate calculator
- Permit process workbook
- ADU webinar series

Objective	Implement programs to enhance ADU production
Implements Policies	Policy 3.03: Promote Housing Development in Highest Resource Neighborhoods.
Responds to Findings	Engagement Theme #1, 2, 4, 9 Needs Finding #6, 10 Constraints Finding #11 AFFH Finding #3, #8
Timeframe	Complete survey in 2022; implement programs within 12 months of Housing Element adoption.
Responsible Party	Planning Division
Funding Source	SB 2, LEAP, General Fund

Program 31. Amend Regulations to Facilitate Production of ADUs.

The City shall amend the zoning ordinance to facilitate the production of ADUs, including removal of unnecessary aesthetics-based standards for rear yard ADUs that will not be easily viewable from the public right of way, and elimination of minimum size requirements to allow for innovative and efficient ADU designs. The City shall consider amending the zoning ordinance and building code to develop standards to allow tiny homes to be permitted in residential districts,

Objective	Adopt code update
Implements Policies	Policy 3.03: Promote Housing Development in Highest Resource Neighborhoods. Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #1, #2, #4, #9 Needs Finding #6, #10 Constraints Finding #11 AFFH Finding #3, #8
Timeframe	Within 24 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 32. Expand Homeownership Opportunities within Existing Highest Resource Neighborhoods.

The new state law SB 9 allows for the construction of duplexes and lot splits within existing single-family residential neighborhoods. The City shall develop a local ordinance implementing SB 9 to create more homeownership opportunities within existing neighborhoods. The City shall also create a one-stop assistance webpage to provide technical assistance for developments under SB 9 and provide resources promoting high standard of design and best practices. As SB 9 units would be located on smaller lots, they would be more affordable by nature than standard single-family dwellings.

Objective	Adopt ordinance
Implements Policies	Policy 3.03: Promote Housing Development in Highest Resource Neighborhoods. Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #1, #2, #4 Needs Finding #10 Constraints Finding #6 AFFH Finding #3
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	General Fund

Program 33. Add Intensity in High Resource Single-Family Neighborhoods near Transit.

The City shall develop a program or overlay designation that allows for the development of additional ADUs within specific high-resource neighborhoods within the City. Neighborhoods will be geographically targeted based on the following criteria:

- High- or highest- access to opportunity
- Proximity to transit
- Proximity to existing sensitive communities facing elevated displacement risk from housing development
- Demonstrated financial feasibility of ADU development, based on past development history

Neighborhoods that may meet these criteria include high-income areas in proximity to the future Irvington BART station, including Kimber/Gomes, Mission Valley, and Cameron Hills; as well as single-family neighborhoods in proximity to the Centerville ACE Station, including areas of Cabrillo, Brookvale, and Parkmont. The specific areas subject to this zoning modification shall be refined as part of the implementing ordinance. The ordinance shall allow at least two (2) ADUs and one (1) JADU on each single-family zoned lot, although staff shall consider allowing additional ADUs as development of the ordinance progresses.

This program shall serve the needs of low-income households sensitive to displacement in transit-oriented neighborhoods, as identified in the fair housing analysis (Chapter 7), page 7-2.

Objective	Adopt code update
Implements Policies	Policy 3.03: Promote Housing Development in Highest Resource Neighborhoods. Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #1, #2 AFFH Finding #3, #4
Timeframe	Within 24 months of Housing Element adoption

Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 34. Eliminate Parking Requirements in TOD Areas.

Consistent with AB 2097, the City shall eliminate minimum parking requirements within TOD, Downtown, City Center, and WSI Districts; as well as all other areas within a half-mile of a major transit stop. The code update shall specify that any residential parking voluntarily provided within these areas shall be unbundled. Concurrently with this code update, the City shall study residential parking minimums for SROs, small units and affordable units throughout the City, and eliminate them if feasible.

Objective	Adopt code update within 12 months of Housing Element adoption
Implements Policies	Policy 3.04: Intensify Residential Development within Urban Neighborhoods.
Responds to Findings	Engagement Theme #3, Constraints Finding #1, #9
Timeframe	Within 24 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 35. Set Density Minimums Outside of TODs.

In order to ensure that inventory sites with a mixed-use zoning district have housing production consistent with the City's projections, the City shall establish a density floor for mixed use development in MX and non-TOD commercial districts, including areas in the Town Centers of Mission San Jose and Niles. By adding density minimums to these areas, the City will promote the development of higher-density housing that is more "affordable by design" within areas of high opportunity. Adding new multifamily housing to these districts would increase access to opportunity and improve the vitality of these town centers.

Objective	Adopt code update
Implements Policies	Policy 3.03: Promote Housing Development in Highest Resource Neighborhoods. Policy 3.04: Intensify Residential Development within Urban Neighborhoods.
Responds to Findings	Engagement Theme #4 Needs Finding #2
Timeframe	Within 24 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 36. Update Mixed-Use Zoning Standards.

Developers have expressed that ground-floor retail requirements require substantial subsidy in order to construct. The City's current mixed-use standards are difficult to understand and apply to non-standard sites. The City shall update the mixed-use standards to enhance clarity and promote thriving retail corridors. The update shall be consistent with SB 330 in that it shall not reduce the density or intensity of residential development permitted on mixed-use sites.

Objective	Adopt code update
Implements Policies	Policy 3.04: Intensify Residential Development within Urban Neighborhoods.

	Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #10 Constraints Finding #1
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	SB2, LEAP, General Fund

Program 37. Update Zoning to Reflect Intensity Permitted Under SB 478.

The City shall update the code to implement the requirements of SB 478, which establishes a 1.5 floor area ratio standard for land zoned for missing middle housing (between 2 and 10 homes). Since the City does not currently use FAR as a residential zoning standard, the City shall revise its residential zoning districts to ensure that projects with 1.5 FAR can be constructed in all districts given the underlying zoning standards such as building height, lot coverage, and setbacks. Furthermore, the City shall update its commercial zoning districts to ensure that the maximum FAR for a mixed-use project is at least 1.5 in all commercial zoning districts.

Complying with the intensities permitted under SB 478 would have the greatest impact on the C-O and C-N zoning districts, which currently limit FAR to 0.60 for a mixed-use project. Areas with these zoning designations are typically “islands” of commercial zoning within established single-family residential neighborhoods. Most are located within areas with the highest opportunity, including areas along Mission Boulevard in the Kimber neighborhood, along Mattos Dr within the Glenmoor neighborhood, and along Washington Boulevard in Mission San Jose.

Objective	Adopt code update
Implements Policies	Policy 3.03: Promote Housing Development in Highest Resource Neighborhoods. Policy 3.04: Intensify Residential Development within Urban Neighborhoods. Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #4, Constraints Finding #6
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 38. Update Community Plans as Needed.

Staff shall periodically review the progress of housing development within community plan areas, particularly the City Center Community Plan and Downtown Community Plan, and update these community plans as necessary.

Objective	Review Community Plans, and update as needed
Implements Policies	Policy 3.04: Intensify Residential Development within Urban Neighborhoods. Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Needs Finding #2
Timeframe	Review annually
Responsible Party	Planning Division

Funding Source	General Fund
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Program 39. Seek Funding for Capital Improvements in Lower-Income Communities.

The City shall seek competitive grant opportunities to improve pedestrian, bicycle, and street infrastructure within the Centerville, Downtown/Central Fremont, and Irvington neighborhoods. As discussed in the AFFH Analysis (Chapter 7), these are the areas of the City that have the greatest LMI populations as well as proximity to transit. Improvements to street safety and multi-modal transit in these areas will benefit existing residents as well as ensure adequate infrastructure for the construction of new housing developments in these neighborhoods.

One funding opportunity that the City shall pursue in this arena is the Affordable Housing and Sustainable Communities (AHSC) program. The AHSC provides funding for affordable housing developments (new construction or renovation) and transportation infrastructure. Typically, applications to this program are a collaboration between local governments, non-profit housing developers, and/or regional transportation agencies. The City shall:

1. Notify all affordable housing applicants of upcoming AHSC funding opportunities; and,
2. Facilitate connections between affordable housing developers and regional transportation agencies (i.e., BART, AC Transit) as required to develop applications; and,
3. Collaborate with interested developers and agencies to develop and submit AHSC applications.

The City shall particularly encourage applications within Centerville, Downtown/Central Fremont, and Irvington. During the first half of the planning period, the City shall pursue partnerships to apply for at least one (1) project in either Centerville or Downtown/Central Fremont before 2026. Once the Irvington BART station opens, it will facilitate more opportunities to pursue AHSC funding in Irvington in collaboration with BART, which would be pursued in the latter half of the planning period.

Objective	Encourage, support, and collaborate on applications for AHSC funding <u>with a particular emphasis on encouraging applications within Centerville, Downtown/Central Fremont, and Irvington.</u>
Implements Policies	Policy 1.03: Improve Infrastructure within Existing Residential Neighborhoods. Policy 3.04: Intensify Residential Development within Urban Neighborhoods.
Responds to Findings	Needs Finding #11 AFFH Finding #8
Timeframe	Annually report on actions taken to encourage or pursue AHSC applications in APR. <u>Submit application for at least one (1) project in either Centerville or Downtown within the first half of the planning period (before 2026).</u>
Responsible Party	Public Works Department, Planning Division
Funding Source	General Fund

Program 40. Promote Inventory of Residential Vacant and Underutilized Opportunity Sites.

In order to help potential residential developers looking for vacant and underutilized sites, the City shall publish a webpage containing the Sites Inventory. The website shall provide information on identified vacant and underutilized sites to aid with facilitating potential housing development. Over 83% of inventory

sites, accounting for 90% of planned inventory units, located within high- or highest- resource neighborhoods. Therefore, promotion of the sites inventory will encourage housing production within the highest-resource neighborhoods of the City.

Objective	Create website and related materials
Implements Policies	Policy 3.03: Promote Housing Development in Highest Resource Neighborhoods. Policy 3.06: Raise Awareness of City Resources and Policies Among Housing Developers.
Responds to Findings	Engagement Theme #6, #10
Timeframe	Within 12 months of adoption of Housing Element
Responsible Party	Planning Division
Funding Source	SB 2

Program 41. Publish Monthly Development Digest with Updates and Information on Multi-Family Housing Standards.

The Development Digest is the City's primary communication tool to reach developers. The Digest disseminates updates about changes to standards, fees, and regulations. It also provides explanations of the City's development processes. The City shall continue to publish the Development Digest each month during the planning period.

Objective	Provide updates and information to the development community through the Development Digest
Implements Policies	Policy 3.06: Raise Awareness of City Resources and Policies Among Housing Developers.
Responds to Findings	Engagement Theme #6, #10
Timeframe	Publish monthly
Responsible Party	Community Development Department
Funding Source	General Fund

Program 42. Consultation with Stakeholders on Housing Policy Changes.

The City shall consult with affordable housing developers, market-rate developers, housing advocates, real estate professionals, the business community, and other stakeholders on proposed housing policy changes. Consultation may include surveys, community meetings, and public comment periods.

Objective	Consult with stakeholders
Implements Policies	Policy 3.06: Raise Awareness of City Resources and Policies Among Housing Developers.
Responds to Findings	Engagement Theme #5, #10 Constraints Finding #3
Timeframe	Ongoing, as policy changes are proposed
Responsible Party	Community Development Department
Funding Source	General Fund

Program 43. Create Online Fee Calculator for Developers.

In order to provide greater transparency and certainty with permitting and development impact fees, the City shall create an online calculator that provides developers with an estimate of such fees for their project.

Objective	Create online fee calculator
Implements Policies	Policy 3.06: Raise Awareness of City Resources and Policies Among Housing Developers.
Responds to Findings	Engagement Theme #10
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 44. By Right Approval of Projects with 20% Affordable Units.

Pursuant to AB 1397, the City shall amend the zoning ordinance to require by-right approval of housing development that includes 20 percent of the units as housing affordable to very-low- and low-income households, on sites being used to meet the 6th cycle RHNA that represent a “reuse” of sites previously identified in the 4th and 5th cycles Housing Element.

Objective	Adopt ordinance
Implements Policies	Policy 4.1: Provide Zoning Incentives for Affordable Housing Production Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #1, #2 Constraints Finding #6 AFFH Finding #2, #3, #7
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 45. Update Zoning to be Consistent with State Density Bonus Law.

The City shall amend the zoning ordinance to incorporate changes in State Density Bonus law under AB 2345.

Objective	Adopt ordinance
Implements Policies	Policy 4.1: Provide Zoning Incentives for Affordable Housing Production Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Engagement Theme #1 Constraints Finding #6
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 46. Offer Additional Flexibility in Satisfying Open Space Requirements.

The City shall amend the zoning ordinance to provide additional flexibility in the manner in which private open space may be provided within a multi-family affordable housing development.

Objective	Adopt ordinance
Implements Policies	Policy 4.1: Provide Zoning Incentives for Affordable Housing Production

Responds to Findings	Constraints Finding #1
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 47. Continue to Allocate Percentage of General Fund Revenue from “Boomerang Funds” to Affordable Housing and Interim Shelter Projects.

“Boomerang funds” represent a portion of tax increment funds from former Redevelopment Agencies that come back to local jurisdictions as both a one-time lump sum from their former Low- and Moderate-Income Housing Fund and as annual property tax distributions. The City of Fremont was one of the first major cities in California to dedicate both one-time and on-going Boomerang Funds received to affordable housing. The boomerang funds are used almost entirely for affordable housing and interim shelter projects in the City. The opportunity to utilize these funds for affordable development projects is noticed and outlined via the City’s Notice of Funding Availability (NOFA) process

Objective	Continue utilizing boomerang funds towards affordable housing and shelter projects
Implements Policies	Policy 4.02: Maximize Financial Resources Available for Affordable Housing Policy 5.02: Provide Services, Shelter, and a Pathway to Permanent Housing for Unhoused Residents
Responds to Findings	Engagement Theme #1 Constraints Finding #2 AFFH Finding #2, #3
Timeframe	Annually through budget process
Responsible Party	Community Development Department
Funding Source	Boomerang Funds

Program 48. Annually Monitor Effectiveness of Affordable Housing Ordinance and Commercial Linkage Fee.

The City recently updated its Affordable Housing Ordinance in January 2022. The updated ordinance requires developers of market-rate housing to contribute to affordable housing by making 15% of the units affordable; by paying an increased “in-lieu” fee that the City can use to subsidize affordable units; or by assisting the City’s affordable housing efforts in some other way, such as via a land donation. All affordable rental units produced through the ordinance must be deed-restricted for a period of at least 55 years.

The City also implemented a Commercial Linkage Fee in 2015, which requires all non-residential developers to pay fees based on the need for affordable housing generated by new commercial and industrial construction.

These two programs are major funding sources for the City’s Affordable Housing Trust Fund. The City shall continue to monitor the effectiveness and success of these programs at providing funding for affordable housing production. A summary of the units and funds produced each year through each program shall be included in the Housing Element Annual Progress Report.

Objective	Monitor effectiveness
Implements Policies	Policy 4.02: Maximize Financial Resources Available for Affordable Housing Policy 6.02: Annually Review Progress Towards Housing Goals.

Responds to Findings	Engagement Theme #1 Constraints Finding #2 AFFH Finding #2, #3
Timeframe	Review annually
Responsible Party	Community Development Department
Funding Source	General Fund

Program 49. Continue to Allow Deferral of Impact Fees for Affordable Housing Projects.

The City's impact fee deferral program allows applicants to defer all City impact fees for 18 months or until final inspection, whichever comes first.

Objective	Offer deferral of impact fees for affordable housing projects
Implements Policies	Policy 4.02: Maximize Financial Resources Available for Affordable Housing Policy 4.03: Assist Affordable Housing Developers
Responds to Findings	Engagement Theme #1 Constraints Finding #2, #4 AFFH Finding #2, #3
Timeframe	Ongoing
Responsible Party	Community Development Department

Program 50. Charge Reduced Impact Fees for Affordable Housing Projects.

The City shall continue to charge Traffic, Parkland, and Park Facilities impact fees for deed-restricted affordable housing units at 50% of the rate for market rate units in accordance with the City's Affordable Housing Ordinance and Resolution 2021-76.

Objective	Charge affordable housing projects reduced development impact fees
Implements Policies	Policy 4.02: Maximize Financial Resources Available for Affordable Housing Policy 4.03: Assist Affordable Housing Developers
Responds to Findings	Engagement Theme #1 Needs Finding #2, #4 AFFH Finding #2, #3
Timeframe	Ongoing
Responsible Party	Community Development Department
Funding Source	General Fund

Program 51. Waive Impact Fees for ADUs.

Although ADUs are not deed-restricted affordable housing, data indicates that they typically provide housing at rents affordable to lower-income and moderate-income households. To facilitate production of these naturally affordable units, the City shall continue to waive development impact fees for ADUs.

Objective	Waive development impact fees for ADUs
Implements Policies	Policy 4.02: Maximize Financial Resources Available for Affordable Housing
Responds to Findings	Engagement Theme #4, #8 Constraints Finding #4, #11

	AFFH Finding #3, #5, #7, #8
Timeframe	Ongoing
Responsible Party	Community Development Department
Funding Source	General Fund

Program 52. Quickly Adapt to New State Funding Resources.

The City is committed to leveraging all available resources to promote affordable housing. The City is constantly exploring new funding resources and opportunities that could bring more affordable housing to Fremont. One example of the City's ability to react quickly to new state funding resources is Project Homekey. In January 2022, the City applied for funding through the Homekey 2.0 program for the conversion of a Motel 6 in Warm Springs into 156 units of permanent supportive housing. While the state did not award funding for the City's project in this round of funding, the City shall submit another application for Homekey 3.0 in order to develop supportive housing in Fremont.

Objective	Leverage all available resources. Apply for Homekey 3.0 funding.
Implements Policies	Policy 4.02: Maximize Financial Resources Available for Affordable Housing
Responds to Findings	Engagement Theme #1, #2 Needs Finding #4 Constraints Finding #2 AFFH Finding #2, #3
Timeframe	Within six months of the release of the Homekey 3.0 NOFA. Ongoing applications to new state funding resources as they become available.
Responsible Party	Community Development Department
Funding Source	General Fund

Program 53. Remain Competitive at Obtaining State Funding Resources for Affordable Housing.

The City shall explore avenues to remain competitive at obtaining state funding resources for affordable and/or supportive housing. One program of particular importance to the City is the Permanent Local Housing Allocation (PLHA), which the City uses to fund its Housing Navigation Center. The City aims to stay abreast of upcoming funding changes to this that could impact the City's ability and preference to obtain funding. Strategies to maintain competitive applications include maintaining a compliant 2023-2031 Housing Element and applying for and receiving the State's Pro-Housing Designation.

Objective	Annually retain eligibility and preference for PLHA funding.
Implements Policies	Policy 4.02: Maximize Financial Resources Available for Affordable Housing
Responds to Findings	Engagement Theme #1, #2 Needs Finding #4 Constraints Finding #2 AFFH Finding #2, #3
Timeframe	Annually, at time of NOFA release. Report annually on PLHA application status in APR.
Responsible Party	Community Development Department
Funding Source	General Fund

Program 54. Advocate for Increased Allocation of Project-Based Section 8 Vouchers from the Alameda County Housing Authority.

Project-based vouchers provide secure, long-term funding sources for affordable housing projects. Recently, Fremont was excluded from the geographic scope in the Alameda County Housing Authority's RFP for project-based vouchers. This affected the City's ability to develop affordable housing. To the greatest extent possible, City staff shall coordinate with the Housing Authority for obtaining vouchers eligible projects within the Housing Element cycle. In particular, the City shall obtain vouchers to support its Homekey 3.0 project.

Objective	Advocate for increased allocation of vouchers. Obtain vouchers for Homekey 3.0 project.
Implements Policies	Policy 4.02: Maximize Financial Resources Available for Affordable Housing
Responds to Findings	Engagement Theme #1, #2, #7 Needs Finding #4, #13 Constraints Finding #2 AFFH Finding #2, #3
Timeframe	Meet with Housing Authority Executive Staff within 12 months of Housing Element adoption
Responsible Party	Community Development Department
Funding Source	General Fund

Program 55. Collaborate with the Bay Area Housing Finance Authority (BAHFA) to Develop Initiatives that will Provide Additional Resources for Affordable Housing.

BAHFA is a new regional finance authority with the mission of raising funds to support preservation and creation of affordable housing. Future financing initiatives sponsored by BAHFA could include a regional ballot measure, state and federal appropriations, as well as philanthropic and corporate contributions. The City shall continue to collaborate with BAHFA to generate additional funding for affordable housing.

Objective	Collaborate with BAHFA as specific projects are identified.
Implements Policies	Policy 4.02: Maximize Financial Resources Available for Affordable Housing
Responds to Findings	Engagement Theme #1, #2 Needs Finding #4, #13 Constraints Finding #2 AFFH Finding #2, #3
Timeframe	Ongoing
Responsible Party	Community Development Department
Funding Source	General Fund

Program 56. Assist Affordable Developers to Acquire Land for Affordable Housing.

The City has identified suitable sites for affordable housing through its Sites Inventory. As feasible, the City shall assist developers with acquiring Sites Inventory land for future development of affordable housing. Assistance may include financial support for land acquisition and leveraging connections with existing property owners.

Objective	Include land acquisition as a qualifying expense in the NOFA process.
Implements Policies	Policy 4.03: Assist Affordable Housing Developers

Responds to Findings	Engagement Theme #1, #2 Needs Finding #4, #13 Constraints Finding #2 AFFH Finding #2, #3
Timeframe	Ongoing
Responsible Party	Housing Division
Funding Source	General Fund

Program 57. Priority Processing for Affordable Housing Development Projects.

The City shall continue to offer an expedited building permit review process for affordable housing developments. Affordable housing developments are reviewed in 15 business days (10 business days each subsequent cycle).

Objective	Expedite building permit reviews for affordable housing developments
Implements Policies	Policy 4.03: Assist Affordable Housing Developers
Responds to Findings	Engagement Theme #1, #2, #9 Needs Finding #4, #13 Constraints Finding #2 AFFH Finding #2, #3
Timeframe	Ongoing
Responsible Party	Community Development Department
Funding Source	General Fund

Program 58. Provide Technical Assistance to Affordable Housing Property Managers.

The City shall provide technical assistance to affordable housing property managers regarding lease-up practices and property management to ensure that affordable housing developments in the City utilize industry best practices.

Objective	Provide technical assistance.
Implements Policies	Policy 4.03: Assist Affordable Housing Developers
Responds to Findings	AFFH Finding #1
Timeframe	Ongoing
Responsible Party	Housing Division
Funding Source	General Fund

Program 59. Prioritize Development of Housing Affordable to Extremely Low-Income Households.

Extremely-low income units require an extensive subsidy, and therefore can be most challenging to build. The City shall prioritize the development of extremely-low income units as one of the criteria in evaluating responses to issued Notices of Funding Availability.

Objective	Prioritize extremely low-income units in NOFA scoring criteria
Implements Policies	Policy 4.04: Ensure Affordable Housing Meets Needs of Community Policy 5.04: Support Housing Opportunities for Households of All Sizes and Types
Responds to Findings	Engagement Theme #1

	Needs Finding #4, #13 AFFH Finding #3
Timeframe	Ongoing, when NOFA is released
Responsible Party	Housing Division
Funding Source	General Fund

Program 60. Prioritize Development of Family Size Affordable Housing Units.

Family size affordable housing units can be difficult to incorporate into a project due to their size, but there is significant need for these apartments in the community. The City shall prioritize the development of family-sized units as one of the criteria in evaluating responses to issued Notices of Funding Availability.

Objective	Prioritize family-sized units in NOFA scoring criteria
Implements Policies	Policy 4.04: Ensure Affordable Housing Meets Needs of Community Policy 5.04: Support Housing Opportunities for Households of All Sizes and Types
Responds to Findings	Engagement Theme #1, #7 Needs Finding #14 AFFH Finding #1, #10
Timeframe	Ongoing, when NOFA released
Responsible Party	Housing Division
Funding Source	General Fund

Program 61. Explore Opportunities to Increase Community Participation in the Funding Process.

The City shall explore ways to provide opportunities for low-income residents to provide feedback on funding of affordable housing projects.

Objective	Develop and implement community input component of NOFA application review
Implements Policies	Policy 4.04: Ensure Affordable Housing Meets Needs of Community
Responds to Findings	Engagement Theme #5 AFFH Finding #2
Timeframe	Prior to release of NOFA
Responsible Party	Housing Division
Funding Source	General Fund

Program 62. Facilitate Hotel Acquisition/Rehabilitation.

In the current economic climate, conversion of hotels and motels into affordable housing has been more feasible than conversion of existing market-rate apartments. In the past planning cycle, the City funded the conversion of the Islander Motel into a 79-unit affordable housing complex. The State of California's successful Homekey program also provides funding for developers to purchase existing hotels and convert them into permanent supportive housing for formerly unhoused individuals. Permanent supportive housing is the most effective solution for reducing unsheltered homelessness. In January 2022, the City applied for funding through the Homekey 2.0 program for the conversion of a Motel 6 in Warm Springs into 156 units of permanent supportive housing. The State did not award funding for the City's project.

As part of the City's process for applying for Homekey 2.0, staff assembled short list of four hotel properties that were available for purchase and scored well on the Homekey 2.0 NOFA siting criteria.

Upon release of the Homekey 3.0 NOFA, the City shall revisit the existing short-list of sites in order to confirm their eligibility and assemble a revised proposal. The City shall also study the possibility to fund a scattered sites approach through the Homekey 3.0 program.

Objective	Apply for funding through Homekey 3.0 program.
Implements Policies	Policy 4.05: Pursue Unique and Innovative Opportunities for Providing Affordable Housing
Responds to Findings	Engagement Theme #1, #2 Constraints Finding #1, #2
Timeframe	Within six months of the release of the Homekey 3.0 NOFA.
Responsible Party	Housing Division
Funding Source	General Fund, Homekey

Program 63. Prioritize Affordable Housing on Public Property.

Given that land costs are a significant constraint to housing development, land already owned by public agencies shall be prioritized for the development of affordable housing.

The City shall regularly review the inventory of City-owned surplus, vacant, or underused land, no longer needed for current or foreseeable future public operations, that should be considered for sale or lease for development of affordable housing and/or shelters. The City shall prioritize the review of sites within high resource areas and comply with all requirements of the Surplus Lands Act.

In prioritizing public land for affordable housing, the City will comply with all requirements of the Surplus Lands Act, which contains requirements and procedures for designating public properties as surplus and selling or leasing those properties. The Surplus Lands Act requires that, before selling or leasing a property, local agencies must send a Notice of Availability to housing sponsors, local public entities, and local, regional and states agencies. Entities have 60 days to respond to the notice and 90 days to negotiate with respondents in good faith. The Surplus Lands Act requires that, during the negotiation process, local agencies cannot prohibit a residential use or limit residential density below what is provided by zoning. When selecting a development partner, cities are generally required to prioritize affordable housing uses. Under the Surplus Land Act, State HCD would review disposition agreements for compliance with state law prior to the execution of a final sale or lease agreement. In addition to complying with the requirements of the Surplus Lands Act, the City will also:

- Promote the City's surplus properties annually through the Housing Element Annual Progress Report process (Program 86)
- Promote the City's surplus properties through the City's online site inventory (Program 40)
- Regularly monitor the inventory of City-owned surplus, vacant, or underutilized land, no longer needed for current or foreseeable public operations, that should be considered for sale or lease for development of affordable housing and/or shelters. The City shall prioritize the review of sites within high resource areas.
- Regularly monitor the status of available land owned by other public agencies and work with developers that may wish to develop such properties for affordable housing and/or shelters.

The City shall commit the designated-surplus 8.4-acre City-owned site located at the intersection of Decoto Road and Fremont Blvd (Site No. 258 and 259 in the Sites Inventory) for residential development during the 2023-2031 planning period. Within 12 months of adoption of the Housing Element, the City shall apply for available grants or identify local funds to assist in the planning of the site to maximize affordable housing development, economic return and community benefits through redevelopment of the

site. Within 24 months of adoption of the Housing Element, the City shall prepare detailed analysis of the development potential of the site, including identification/removal of potential constraints to redevelopment, and prepare conceptual site plans. Within 36 months of the adoption of the Housing Element, the City shall issue a Request for Proposals (RFP) for market-rate and affordable housing developers asking for proposals to redevelop the site. At the conclusion of the RFP process, the City shall select a development partner to proceed with redevelopment of the site and negotiate a purchase or lease agreement. The City shall process planning entitlements prior to the execution of the purchase or lease agreement. The timeframe from executing an agreement with a developer to issuance of building permits is estimated to take approximately 24-36 months. The redevelopment of the site will be guided through a public process, including engagement of community stakeholders.

The City shall also work with other public agencies to prioritize development of affordable housing on their properties and remove barriers to the construction of affordable housing on those lands. The Fremont Bay Area Rapid Transit (BART) Station in particular has an underutilized parking area that could provide an opportunity for affordable housing near transit.

In partnership with BART, the City will strive to encourage transit oriented and equitable development on the BART-owned Fremont BART parking lot site (Site No. 24 in the Sites Inventory) to accelerate housing production, promote transportation options and achieve equitable and inclusive communities. The city will diligently pursue necessary actions to remove barriers and support and promote housing and community development on the BART-owned land in the 2023-2031 planning period, including but not limited to:

Market Readiness & Affordable Housing Funding

- **Affordable Housing Subsidy:** Seek funding to assist in development of the BART-owned land, especially affordable housing subsidy local match (Housing Trust Fund, advocacy for County source, locally generated affordable housing funds, or other).
- **Grant Competitiveness:** Explore avenues to remain competitive at obtaining state funding resources for affordable and/or supportive housing, including potentially the state's Pro-Housing Designation, to accelerate development, as discussed in Program 53.
- **Cost Reduction:** Consider fee waivers or reductions
- **Barrier Removal:** Remove other barriers to development, which include, but are not limited to, site preparation and infrastructure.

Local Support

- **Committed Public Support:** Demonstrate Council action showing prioritization of BART property development, which includes many of the commitments herein. As part of this effort, promote the vision for the Fremont BART parking lot in the City Center Community Plan.
- **Zoning:** Review City Center zoning to ensure that zoning, development standards (including parking, height limits, lot coverage floor area ratios, etc.), permit procedures and other land use measures enable residential development without discretionary action.
- **Policy Alignment:** Ensure alignment from City and BART on Goals and Objectives for development, including consistent agreement on density and height objectives.
- **Streamlining:** Enable streamlining and priority processing of entitlements and issuing permits, by ensuring by right development for the BART site.
- **Objective Standards:** Review objective design standards for the City Center Community Plan area that will apply to the BART property to ensure that it would support streamlined, ministerial review
- **Staff Resources:** Allocate City staff time to support development of BART property

- **Prioritization:** Advocate for reclassifying the Fremont BART Station as a near term project in the BART Transit Oriented Development Program Work Plan when opportunities to amend the document arise throughout the 2023-2031 planning period.

Infrastructure Needs

- Collaborate on reconfiguring access and on-site infrastructure needs, including but not limited to:
 - Options for BART riders to park on- and off-site (such as on-street parking management, coordination with private parking owners)
 - Potential relocation of inter-modal facilities
 - Improvements to walking and biking access
 - Potential relocation or removal of infrastructure, as long as it doesn't impact critical operations and safety

Objective	Facilitate development of affordable housing on publicly-owned land.
Implements Policies	Policy 4.05: Pursue Unique and Innovative Opportunities for Providing Affordable Housing
Responds to Findings	Engagement Theme #1, #2 Constraints Finding #1, #2, #12 AFFH Finding #2, #3
Timeframe	<u>Surplus Lands:</u> <ul style="list-style-type: none"> • <u>Promote City surplus sites annually through Housing Element APR.</u> • <u>Promote public sites through online inventory within 24 months of adoption of the Housing Element.</u> <u>Fremont/Decoto Site:</u> <ul style="list-style-type: none"> • <u>Apply for grant funding or identify local funds for site planning and analysis within 12 months of adoption of the Housing Element.</u> • <u>Prepare detailed analysis of the development potential of the site, including identification/removal of potential constraints to redevelopment, and prepare conceptual site plans within 24 months of adoption of the Housing Element.</u> • <u>Issue a Request for Proposals (RFP) for market-rate and affordable housing developers asking for proposals to redevelop the site within 36 months of adoption of the Housing Element.</u> • <u>Process planning entitlements prior to the execution of a lease or purchase agreement.</u> • <u>Select a development partner and negotiate a lease or purchase agreement within 48 months of adoption of the Housing Element.</u>

	<ul style="list-style-type: none"> • <u>Facilitate development of the site throughout the planning period.</u> <p><u>Fremont BART Parking Lot Site:</u></p> <ul style="list-style-type: none"> • <u>Report on status of public property annually.</u> • <u>Analyze barriers to development and prepare strategies to address barriers within 24 months of adoption of the Housing Element.</u> • <u>Review City Center zoning, objective standards, and procedures to ensure streamlined review consistent with aligned BART and City of Fremont goals within 24 months of adoption of the Housing Element.</u> • <u>Facilitate market readiness and affordable housing funding, enhance local support, and collaborate on infrastructure needs throughout the planning period.</u>
Responsible Party	Community Development Department
Funding Source	General Fund

Program 64. Promote Housing on Underutilized Church Properties.

Many underutilized sites within the Sites Inventory are excess land associated with a religious facility. The City shall provide technical assistance and support to religious organizations interested in subdividing and selling their land for housing development.

Objective	Provide technical assistance to facilitate housing development on church properties
Implements Policies	Policy 4.05: Pursue Unique and Innovative Opportunities for Providing Affordable Housing
Responds to Findings	Engagement Theme #1, #2, #4
Timeframe	Contact organizations within 12 months of Housing Element adoption. Technical assistance ongoing
Responsible Party	Planning Division
Funding Source	General Fund

Program 65. Facilitate Shared Housing Opportunities.

The City partners with Covia to sponsor a home match program. Home Match Fremont helps connect homeowners with extra rooms with people seeking an affordable place to live. Homeowners benefit from additional income, companionship, or help with chores such as grocery shopping, pet care, or yard work. Home seekers benefit from an affordable rent and/or a more flexible form of rental payment.

Home Match expands housing opportunities for lower-income individuals in high-opportunity areas, particularly within existing single-family neighborhoods that may be otherwise unaffordable to people with lower incomes.

Objective	Make 10 matches each year
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Implements Policies	Policy 4.05: Pursue Unique and Innovative Opportunities for Providing Affordable Housing Policy 5.04: Support Housing Opportunities for Households of All Sizes and Types
Responds to Findings	Engagement Theme #2, #4, #8 AFFH Finding #2, #3, #5, #8
Timeframe	Ongoing
Responsible Party	Housing Division
Funding Source	General Fund

Program 66. Participate in Affordable Housing Week.

Staff shall participate in the annual Affordable Housing Week to share best practices and support for affordable housing among other affordable housing professionals and advocates.

Objective	Share best practices and support for affordable housing
Implements Policies	Policy 4.06: Share Expertise as a Regional Leader in Affordable Housing Production
Responds to Findings	Engagement Theme #6
Timeframe	Annually
Responsible Party	Housing Division
Funding Source	General Fund

Program 67. Influence Statewide Affordable Housing Priorities and Legislation.

The City shall proactively collaborate with Bay Area housing organizations to share best practices and influence priorities for affordable housing policy and legislation, based on Fremont's extensive experience with affordable housing promotion and production.

Objective	Share best practices and support for affordable housing, as needed.
Implements Policies	Policy 4.06: Share Expertise as a Regional Leader in Affordable Housing Production
Responds to Findings	Engagement Theme #1, #2, #6
Timeframe	Ongoing
Responsible Party	Housing Division
Funding Source	General Fund

Program 68. Implement Reasonable Accommodations Ordinance.

The City shall continue to implement the City's "Reasonable Accommodations Ordinance" to comply with the federal Fair Housing Act. The ordinance was put in place to provide a process for making and acting upon requests for reasonable accommodation.

Objective	Continue to implement ordinance.
Implements Policies	Policy 5.01: Expand Housing Opportunities for People with Disabilities Policy 5.04: Support Housing Opportunities for Households of All Sizes and Types
Responds to Findings	Needs Finding #14 AFFH Finding #10

Timeframe	Ongoing
Responsible Party	Planning Division, Building Division
Funding Source	General Fund

Program 69. Address Zoning Barriers to Create Housing Opportunities for People with Disabilities.

The City shall make the following changes to the zoning ordinance in order to facilitate development of residential care facilities for people with disabilities:

- Residential facilities for seven or more persons are not currently classified in the zoning ordinance, other than residential care facilities specifically for the elderly. The City shall revise the language of the use categories to create a “residential care facilities” use classification that applies to all residential care uses, regardless of the reason why residents need residential care.
- The City shall revise the zoning permissions for residential care facilities so that they are permitted by-right within all residential zoning districts, including single-family, duplex, and multi-family zoning districts.
- The City shall clarify that all residential care facilities are only subject to objective standards that facilitate approval certainty, similar to other residential uses of the same type.
- The City shall revise the zoning definitions to explicitly state that a “family” includes the residents of residential care facilities and group homes for people with disabilities, in accordance with published guidance from 21 Elements and Mental Health Advocacy Services, Inc.

The City shall make the following changes to the zoning ordinance in order to facilitate the process for reasonable accommodations:

- The City shall revise the findings required for a reasonable accommodation in order to ensure that all findings can be objectively determined. Specifically, the City shall remove language from the fifth finding that currently requires subjective judgement regarding “the substantial detriment of the residential character of that neighborhood.” The objective findings shall facilitate the speedy approval of reasonable accommodation requests to facilitate the development of housing opportunities for people with disabilities.

All zoning text amendments implemented under this program shall be consistent with HCD’s Group Home Technical Advisory released on December 20, 2022.

Objective	Adopt ordinance
Implements Policies	Policy 5.01: Expand Housing Opportunities for People with Disabilities Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Needs Finding #14 Constraints Finding #6 AFFH Finding #10
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 70. Implement Universal Design Ordinance.

Universal Design calls for residences to be built with certain design features that would improve their livability through various life cycles. Housing units that incorporate Universal Design improvements are

more adaptable to persons as they age or face physical challenges so they can still function well in their homes.

In 2011, the City adopted a Universal Design Ordinance that allows greater adaptability and accessibility of housing. During the project review process, the Planning Division notifies applicants of the requirements, and the Building Division verifies compliance during plan review and inspection.

Objective	Continue to implement ordinance.
Implements Policies	Policy 5.01: Expand Housing Opportunities for People with Disabilities Policy 5.04: Support Housing Opportunities for Households of All Sizes and Types Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Needs Finding #14 AFFH Finding #10
Timeframe	Ongoing
Responsible Party	Planning Division, Building Division
Funding Source	General Fund

Program 71. Develop an Accessible Preapproved ADU Design.

The City shall contract with an architect to provide a “pre-approved” ADU design that is fully accessible. The City shall offer the plan set to residents at no charge in order to promote the development of new housing accessible to seniors and people with disabilities.

Objective	Offer accessible design through Pre-approved ADU Program
Implements Policies	Policy 5.01: Expand Housing Opportunities for People with Disabilities Policy 5.04: Support Housing Opportunities for Households of All Sizes and Types
Responds to Findings	Engagement Theme #8 Needs Finding #14 AFFH Finding #10
Timeframe	Within 24 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP

Program 72. Provide Services to Improve the Quality of Life for People Experiencing Homelessness to Meet the Need Identified in the Point-in-Time (PIT) Count.

The City shall expand the services that it provides to people experiencing homelessness, in order to meet the level of need identified within the most recent PIT Count. Current services include:

- A mobile hygiene unit that provides shower and laundry services to those experiencing homelessness at rotating locations
- The Bay Area Community Services Homeless Wellness Center, which provides homeless persons with housing placement and dignity services.

- Creation of the Mobile Evaluation Team (MET) to provide crisis intervention, de-escalation, guidance, encouragement to people experiencing a mental health crisis. MET connects community members needing assistance with local mental health and homeless service providers.
- Additional staff within the Human Services Division dedicated to housing counseling services. Housing counselors can assist people with assembling documents, obtaining benefits, and finding social services that enable them to be more successful at applying for and finding housing.

Objective	Continue to expand services that improve the quality of life of homeless persons
Implements Policies	Policy 5.02: Provide Services, Shelter, and a Pathway to Permanent Housing for Unhoused Residents Policy 5.05: Ensure Availability of Social Services
Responds to Findings	Needs Finding #2, #15 AFFH Finding #6
Timeframe	Ongoing
Responsible Party	Human Services Department
Funding Source	General Fund, HEAP, HHAP, Alameda County

Program 73. Provide A Diversity of Shelter Options to Meet the Need Identified in the PIT Count.

The City shall continue to expand the temporary shelter options to people experiencing homelessness, in order to meet the level of need identified within the most recent PIT Count. Current shelter options include:

- A winter relief non-congregate hotel voucher program
- A faith based-temporary shelter program allowing religious organizations to host people overnight within religious facilities
- A safe parking program allowing faith-based organizations to establish safe-parking sites.
- A Housing Navigation Center, which has 45 shelter beds with supportive services
- Sunrise Village, a shelter for families and individuals run by Abode Services with financial support from the City

Objective	Continue to expand shelter options that provide temporary accommodations to people experiencing homelessness
Implements Policies	Policy 5.02: Provide Services, Shelter, and a Pathway to Permanent Housing for Unhoused Residents
Responds to Findings	Needs Finding #2, #15 AFFH Finding #6
Timeframe	Ongoing
Responsible Party	Human Services Department
Funding Source	General Fund, HOME, HEAP, HHAP, SB 2, Alameda County, HUD

Program 74. Address Zoning Barriers for Low-Barrier Housing Navigation Centers and Emergency Shelters.

Pursuant to AB 101, the City shall amend the zoning ordinance to add low-barrier navigation centers as a use that is permitted by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses, if the center meets certain statutory requirements in Government Code Section 65662. The City shall also amend the zoning ordinance to clarify location and parking requirements applicable to emergency shelters, in compliance with Government Code Section 65583(a)(4)(A)(ii)).

Objective	Adopt code update
Implements Policies	Policy 5.02: Provide Services, Shelter, and a Pathway to Permanent Housing for Unhoused Residents Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Needs Finding #2, #15 Constraints Finding #6 AFFH Finding #6
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	General Fund

Program 75. Participate in the Alameda County IMPACT Program.

Alameda County Impact Supportive Housing Program is operated by Abode Services in collaboration with the City of Fremont, other local cities, and the County EveryOne Home Program. The program services homeless persons who have multiple barriers to housing and who are “frequent users” of public systems, with a focus on chronically homeless who have multiple interactions with law enforcement.

Objective	Provide support to homeless persons through the IMPACT program
Implements Policies	Policy 5.02: Provide Services, Shelter, and a Pathway to Permanent Housing for Unhoused Residents
Responds to Findings	Needs Finding #2, #15 AFFH Finding #6
Timeframe	Ongoing
Responsible Party	Human Services Department
Funding Source	HOME

Program 76. Remove Zoning Barriers for Supportive and Transitional Housing.

The City shall correct a mistake in its zoning ordinance that indicates transitional and supportive housing is not permitted in the D-E zone, when it is in fact permitted by-right. Additionally, the City shall update the zoning ordinance to codify requirements of AB 2162. Per AB 2162, the City must also allow 100 percent affordable projects that include 25 percent, or 12 units of supportive housing, by right where multi-unit and mixed-use development is permitted.

Objective	Adopt code update
Implements Policies	Policy 5.02: Provide Services, Shelter, and a Pathway to Permanent Housing for Unhoused Residents

	Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Needs Finding #2, #15 Constraints Finding #6 AFFH Finding #6
Timeframe	Within 12 months of Housing Element adoption
Responsible Party	Planning Division
Funding Source	LEAP, General Fund

Program 77. Participate in Countywide Planning Efforts to End Homelessness.

In May 2022, the City Council endorsed the Alameda County *Home Together 2026 Community Plan*. The plan lays out the goals, strategies and investments needed to dramatically reduce homelessness by 2026 and reverse racial disparities in homelessness through fully centering racial equity. The plan includes a needs analysis identifying the gap in the current system of homeless services in the type and availability of housing resources.

The Home Together Community Plan is the blueprint for transforming Alameda County's needs analysis, informed by City-level information and data, into an Action Plan to draw down and leverage significant new State funding. The City shall continue to work with its regional and County partners to implement the key findings from the Plan and update the Plan as necessary during the planning period.

Objective	Collaborate with Alameda County jurisdictions on implementation of Home Together Plan
Implements Policies	Policy 5.02: Provide Services, Shelter, and a Pathway to Permanent Housing for Unhoused Residents
Responds to Findings	Needs Finding #2, #15 AFFH Finding #6
Timeframe	Ongoing
Responsible Party	Human Services Department
Funding Source	General Fund

Program 78. Provide Resources on Diverse Housing Opportunities through Age Well Centers.

The City's two Age Well Centers (one in Central Fremont and one in South Fremont) provide resources and information to seniors in the community. The City Planning Division shall ensure that information is available in these centers about different housing options available to seniors, including ADUs, HomeMatch, age-restricted communities, and affordable senior housing.

Objective	Provide resources to seniors through the Age Well Centers
Implements Policies	Policy 5.03: Promote a Diversity of Housing Options for Seniors Policy 5.04: Support Housing Opportunities for Households of All Sizes and Types
Responds to Findings	Engagement Theme #6, #8 Needs Finding #6
Timeframe	Annually verify informational materials are available and up-to-date
Responsible Party	Human Services Department, Planning Division

Funding Source	General Fund
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Program 79. Continue to Implement the Pathways to Positive Aging Project.

The City of Fremont provides extensive support to elders, including paratransit and in-home health and case management services. As part of its Pathways to Positive Aging project, the City is partnering with numerous other service providers and community volunteers to enhance the service network and increase community awareness. This work is funded through a combination of outside grants and local funds.

Objective	Continue to provide support to elders through the Pathways to Positive Aging Project
Implements Policies	Policy 5.03: Promote a Diversity of Housing Options for Seniors Policy 5.05: Ensure Availability of Social Services
Responds to Findings	Engagement Theme #6, #8 Needs Finding #6
Timeframe	Ongoing
Responsible Party	Human Services Department
Funding Source	Human Services Funds

Program 80. Monitor Incentives to Encourage Development of Smaller, More Efficient Units for Single-Person and Small Households.

In 2015, the City established a lower affordable housing fee for rental units under 700 square feet, to recognize that units of this size are more affordable by design. The City shall annually monitor the number of new units under 700 square feet approved and report it as part of the Housing Element Annual Progress Report, to assess the effectiveness of this program.

Objective	Monitor effectiveness of measures in creating smaller units that will be affordable by design, and adopt amendments as needed
Implements Policies	Policy 5.04: Support Housing Opportunities for Households of All Sizes and Types
Responds to Findings	AFFH Finding #5, #10
Timeframe	Annually
Responsible Party	Planning Division
Funding Source	General Fund

Program 81. Continue to Operate the Fremont Family Resource Center.

The City partners with more than 25 government and non-profit organizations in the operation of the Fremont Family Resource Center (FRC), where families can access a variety of supportive services under one roof. FRC programs include housing information, youth and family services, case management, child care resources and referral, and family economic self-sufficiency programs.

Objective	Continue to operate FRC
Implements Policies	Policy 5.04: Support Housing Opportunities for Households of All Sizes and Types
Responds to Findings	AFFH Finding #4, #6
Timeframe	Ongoing
Responsible Party	Human Services Department

Funding Source	General Fund, Other Human Services funds
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Program 82. Encourage Location of Case Management and Other Supportive Services in Affordable Housing Developments and Housing for Seniors.

Research shows that convenient, accessible supportive services are a key to keeping many families housed. Access to support services are also key to assisting older adults to age in place. Where it is feasible, the City will encourage on-site case management, senior services and other support services in affordable housing developments and housing for seniors, or to provide space which would allow services to be brought on site.

Objective	Encourage location of services to keep families housed
Implements Policies	Policy 5.05: Ensure Availability of Social Services
Responds to Findings	AFFH Finding #4, #6
Timeframe	Ongoing, on a case-by-case basis
Responsible Party	Human Services Department
Funding Source	General Fund

Program 83. Funding for Non-Profit Social Service Providers.

The City currently provides funding to local non-profit agencies that offer a variety of supportive services to the community, including homeless assistance, meal programs, domestic violence services, child care services, health services, adult day care, and case management. These services, such as In-Home Assessment and Care Coordination for seniors, paratransit, the Family Resource Center (FRC), and SparkPoint, enable households to stay housed.

Objective	Provide funding for supportive services
Implements Policies	Policy 5.05: Ensure Availability of Social Services
Responds to Findings	AFFH Finding #4, #6
Timeframe	Ongoing
Responsible Party	Human Services Department
Funding Source	CDBG, Human Services funds

Program 84. Inter-Jurisdictional and Regional Planning.

The City shall coordinate with other local jurisdictions, counties, agencies, and regional organizations, such as ABAG, to plan for residential development. When necessary, the City shall update its own plans and ordinances as needed to reflect regional growth priorities.

Objective	Coordinate with other agencies to synergize planning efforts
Implements Policies	Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Timeframe	Ongoing
Responsible Party	Planning Division
Funding Source	General Fund

Program 85. Review and Periodically Amend Zoning Ordinance and Other Planning Documents to Comply with Changes to State Laws.

The City shall strive to update its procedures, public outreach handouts, and ordinances to comply with new state laws adopted throughout the planning period.

Objective	Adopt code updates
Implements Policies	Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Constraints Finding #6
Timeframe	Annually
Responsible Party	Planning Division
Funding Source	General Fund

Program 86. Prepare and Submit Annual Progress Report on Housing to HCD.

The City shall prepare the Housing Element Annual Progress Report (APR) each year in the format specified by HCD. City staff shall present the information contained in the APR to Planning Commission and City Council prior to submittal to HCD.

Objective	Submit APR
Implements Policies	Policy 6.02: Annually Review Progress Towards Housing Goals.
Timeframe	Annually
Responsible Party	Planning Division
Funding Source	General Fund

Program 86.5. Improve Tracking and Enforcement of Tenant Protection Requirements.

The City shall implement procedures to identify projects where protected lower-income housing units are proposed for demolition and redevelopment. The City shall annually track the number of units subject to replacement under Government Code Section 65583.2(g)(3) and SB 330.

Objective	Implement new tracking procedure.
Implements Policies	Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.
Responds to Findings	Constraints Finding #6
Timeframe	Develop improved system for tracking demolished units for 2024 APR. Tracking ongoing.
Responsible Party	Planning Division
Funding Source	General Fund

Program 87. Improve Tracking of No Net Loss.

The City currently tracks compliance with SB 166 (No Net Loss) by hand. To ensure that the City maintains compliance with No Net Loss policies, the City will develop a dependable electronic procedure to annually track:

- Unit count and income/affordability assumed on parcels included in the sites inventory.
- Actual units constructed and income/affordability when parcels are developed.
- Net change in capacity and summary of remaining capacity in meeting remaining Regional Housing Needs Allocation (RHNA).

Objective	Implement new tracking procedure
Implements Policies	Policy 6.02: Annually Review Progress Towards Housing Goals.
Responds to Findings	Constraints Finding #6

Timeframe	Develop improved system for 2024 APR. Tracking ongoing
Responsible Party	Planning Division
Funding Source	General Fund

Program 88. ADU Monitoring.

The City shall track new ADUs that are completed and collect information on the use and affordability of these units on an annual basis as part of the Housing Element Annual Progress Report. Halfway through the projection period (2027), if trends indicate a potential shortfall in meeting the estimated ADUs in the sites inventory, the City shall employ additional strategies to incentivize ADU production, and/or identify additional inventory sites to the extent necessary to accommodate the RHNA.

Potential strategies to incentivize production would vary based on the specific problem identified (i.e. number of permits, affordability, etc.) and input from applicants. Some ideas that the City may consider, which go beyond the ADU initiatives already identified in Programs 24, 30, and 31, include:

- Appointing an “ADU Ally” on staff to facilitate applications (if identified issue is the time to permit ADUs)
- Allowing bonus ADUs (if identified issue is the number of ADUs permitted)
- Developing a deed-restricted affordable ADU program (if identified issue is affordability of ADUs permitted)

Objective	Monitor progress annually as part of Annual Progress Report (APR) to ensure projections are accurate. Determine necessity for adjustments by April 2027 and implement additional strategies by April 2028 if projections are falling short.
Implements Policies	Policy 6.02: Annually Review Progress Towards Housing Goals.
Responds to Findings	Constraints Finding #6
Timeframe	Track progress annually as part of APR. Determine necessity for adjustments by April 2027 (as part of 2026 APR review). Implement additional strategies by April 2028 if projections are falling short.
Responsible Party	Planning Division
Funding Source	General Fund

Program 89. Review Development Standards to Ensure They Allow Maximum Density.

Each year, as part of the Housing Element Annual Progress Report, the City will identify residential development projects that were approved below maximum density and will prepare a qualitative assessment discussing whether development standards precluded development at maximum density. Where development standards have been shown to preclude development at maximum density, the development standard will be modified. The height limit in the Urban Residential zoning district outside of TOD areas will be addressed during the first annual review following the adoption of the Housing Element.

Objective	Assess whether development standards precluded development of approved projects at maximum
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	density. Modify development standards as needed to ensure maximum densities can be achieved.
Implements Policies	Policy 6.02: Annually Review Progress Towards Housing Goals.
Responds to Findings	Constraints Finding #6
Timeframe	Annually
Responsible Party	Planning Division
Funding Source	General Fund

Program 90. Identify New Housing Opportunity Sites Created Through SB 6 and AB 2011.

During the 2022 Legislative Session, the Governor signed two significant pieces of legislation into law, SB 6 and AB 2011, which creates new opportunities for residential development within commercial zoning districts. In Fremont, this creates new opportunities for housing within various districts, including the C-R Regional Commercial Zoning District, the C-G General Commercial Zoning District and the Warm Springs Innovation District. The Housing Element sites inventory was prepared prior to the passage of SB 6 and AB 2011, and therefore does not include the numerous additional sites with housing potential created under the new legislation. The City will identify sites that were made available for housing under SB 6 and AB 2011, and publish them on the City's webpage along with the remainder of inventory sites, as called for under Program 40. These sites will be added to the City's site inventory, as needed, to maintain compliance with the State's No Net Loss Law.

Objective	Identify and publicize housing opportunity sites created through SB 6 and AB 2011
Implements Policies	Policy 6.02: Annually Review Progress Towards Housing Goals.
Responds to Findings	Constraints Finding #6
Timeframe	Within 24 months of adoption of the Housing Element
Responsible Party	Planning Division
Funding Source	General Fund

Program 91. Audit Warm Springs Innovation District for General Plan and Zoning Consistency.

In 2014, the City Council established the 880-acre Warm Springs Innovation District to allow for a range of uses, including heavy industrial, research and development, hotels, and residential, within the vicinity of the existing Tesla manufacturing facility and new Warm Springs/South Fremont BART Station. All areas of the Warm Springs Innovation District have a place-based General Plan designation of Innovation Center. This Innovation Center designation was created by a plan for the area in 2015 and is the city's only General Plan designation based on location rather than a more traditional use-based designation such as commercial, industrial or residential. The Warm Springs/South Fremont Community Plan further specifies the mix of uses allowable within different parts of the plan area, considering distance from hazardous materials uses, proximity to the BART station, and the desire for a complete neighborhood including residential, retail, and employment-generating industrial uses. At full build-out, the Community Plan would target the creation of over 4,000 new housing units and 20,000 new jobs to create a balanced transit-oriented neighborhood with high economic opportunity.

Subsequent to adoption of the Innovation Center general plan designation and Warm Springs/South Fremont Community Plan, state law implemented changes to the relationship between the general plan and zoning regarding permission for residential development. Per state law, if the general plan designation

and zoning of a site are inconsistent regarding permissions for residential development, then cities must allow residential development if it is allowed in the general plan. In other words, cities must allow housing construction within any general plan designation that allows residential, regardless of whether it is permitted within the implementing zoning district.

The City shall continue to work with the Department of Housing and Community Development to better understand how changes to state law should be applied to a place-based general plan designation like the Innovation Center. The City shall audit the Warm Springs Innovation District zoning and prepare a study to ensure consistency with the general plan designation, which may include allowing housing development by-right within additional WSI zoning districts. The City shall amend zoning to correct inconsistencies. If the City identifies vertical inconsistencies that apply more broadly within other City zoning designations, the City will address those as well.

<u>Objective</u>	<u>Report on the Warm Springs Innovation District to ensure consistency between general plan and zoning.</u> <u>Amend zoning to correct inconsistencies.</u>
<u>Implements Policies</u>	<u>Policy 6.01: Maintain Consistency with Regional and State Housing Plans and Laws.</u>
<u>Responds to Findings</u>	<u>Constraints Finding #6</u>
<u>Timeframe</u>	<u>Within 12 months of adoption of the Housing Element</u>
<u>Responsible Party</u>	<u>Planning Division</u>
<u>Funding Source</u>	<u>General Fund; Potential Grants</u>

Quantified Objectives

The table below contains quantified objectives for the maintenance, preservation and construction of housing in Fremont for the 2023-2031 planning period.

Table 2-1. Qualified Objectives

	Extremely Low-Income	Very Low-Income	Low-Income	Moderate-Income	Above-Mod Income	Total
New Construction	2,177	1,463	2,096	1,996	5,165	12,897
Rehabilitation *			80			80
Conservation/Preservation**			234 987			234 987

* See Program 3

** See Programs 7 and 10

Chapter 3

Community Engagement

Participation from a diverse cross section of the population is needed to adequately define the community's housing needs and inform effective housing strategies.

The Importance of Community Engagement

In preparing the 2023-2031 Housing Element, the City of Fremont endeavored to facilitate meaningful public participation from all segments of the community. Public participation is an important component of the Housing Element update process because a diverse cross section of the population is needed to adequately define the community's housing needs and identify effective housing strategies. The Housing Element has been informed by a robust public engagement process. Detailed meeting notes, staff presentations, and outreach materials are provided in Appendix A - Community Engagement Documentation.

Community Engagement Efforts

Online Updates and Resources

- **Housing Element Update Website.** The Housing Element Update [website](#) launched in March 2021. The website is a centralized location where members of the public can learn about the housing element update process and discover convenient ways to provide feedback. The website was updated regularly as new feedback opportunities became available.
- **Housing Element Update Email List.** Concurrent with the website launch, staff also launched an email list for interested residents. The email list received updates on new educational information, community events, and opportunities to provide feedback. A total of five update emails were sent to a total distribution of 283 email addresses.
- **Housing Element Introduction Video.** On February 28, 2022, staff added a 10-minute YouTube video to the Housing Element webpage that introduces the Housing Element and the update process. The video has subtitles available in English, Spanish, Chinese, Punjabi, and Persian. It provides a simplified introduction to Housing Element, the RHNA assignment process, and the timeline for the Housing Element update.
- **Development Digest Articles.** The Development Digest is a monthly newsletter from the City's Community Development Department. The Development Digest is primarily targeted towards developers, builders, designers, and other residents who use the City's Community

Development permitting services. The following Digest articles have been published regarding the Housing Element update process:

- March 2021 – Announcing the launch of the Housing Element website
 - January 2022 – Update on final RHNA number assigned to Fremont
 - March 2022 – Advertising upcoming presentations at Boards and Commissions
 - July 2022 – Advertising upcoming Housing Element open house
- **Fremont Connection Newsletter.** The City of Fremont’s e-newsletter, The Fremont Connection, provides a weekly email about the latest Fremont happenings, including upcoming events, public safety information, job openings, City Council news, community engagement opportunities, and more. It is primarily aimed at City residents.
 - April 1, 2021 – Announcing the launch of the Housing Element website
 - July 15, 2021 – Advertising the Housing Element website and informational materials
 - January 27, 2022 – Advertising upcoming Board and Commission meetings
 - March 25, 2022 – Advertising upcoming Board and Commission meetings
 - April 8, 2022 – Recap of Housing Element presentation to City Council
 - July 29, 2022 – Advertising upcoming Housing Element open house
- **City Newsletter Articles.** The City Newsletter is mailed to all residents in the City of Fremont three times a year.
 - Spring 2021 – Providing introductory background on the Housing Element process and directing residents to the Housing Element website for educational information.
 - Summer 2021 - Introducing the Housing Element process and directing residents to the Housing Element website for community engagement opportunities.
 - Spring 2022 – Update on RHNA assignment and community engagement opportunities.

Council, Board, and Commission Presentations

Staff visited seven City Boards and Commissions, as well as City Council, to present an “Introduction to the Housing Element Update” presentation. The presentation provided elected and appointed officials with background information about the Housing Element Update process, details on the City’s RHNA allocation, and the project timeline. At each meeting, the City solicited input and recommendations from Board and Commission members, as well as public commenters.

- Fremont Unified School District/City Council Liaison Committee (February 7, 2022)
- Human Relations Commission (February 28, 2022)
- CDBG Advisory Committee (March 16, 2022)
- Planning Commission (March 24, 2022)
- Senior Citizens Commission (March 25, 2022)
- Youth Advisory Commission (April 4, 2022)
- City Council (April 5, 2022)
- Recreation Commission (May 3, 2022)
- City Council (July 12, 2022)
- Planning Commission (July 28, 2022)

Community Outreach Events

- **Project Team Office Hours.** Throughout the update process, the Housing Element project team has offered residents the opportunity to sign up for 30-minute one-on-one conversations to discuss the Housing Element update. Staff spoke with 12 residents through these office hour conversations regarding a variety of housing-related topics.
- **Housing Element Workshop Event.** The City partnered with Fremont For Everyone (FFE), Abode Services, and California YIMBY to host an educational event about the Housing Element update on April 27, 2022. Staff provided a short presentation introducing the Housing Element update and answered questions about the process. Staff also listened to presentations from Abode Services and California YIMBY about their suggestions for the Housing Element update process. Finally, workshop participants shared their thoughts on where they would like to see more housing in Fremont during small group break-out sessions that staff attended.
- **Fremont Street Eats Table.** Fremont Street Eats is a popular weekly food truck event held by the Fremont Chamber of Commerce every Friday from May through October. On May 13, 2022, staff had a booth at Street Eats to engage residents in the Housing Element update process. Staff shared a poster about the Housing Element update while tabling and spoke with interested residents.
- **Alameda County Assessor's Office Homeowner Resource Fair.** On May 25, 2022, the City provided a venue for a tri-city (Fremont, Newark and Union City) Homeowner Resource Fair, which was focused on how homeowners could add an ADU to their property. In addition to co-presenting ADU information, staff shared a poster about the Housing Element update and spoke with interested residents.
- **Housing Element Open House.** On August 3, 2022, the City hosted an open house and invited members of the community to discuss the public review draft of the Housing Element with staff.

Outreach to Developers

- **AC Collaborative Developer Panel.** On November 29, 2021, City staff, in partnership with the Alameda County Housing Collaborative, held a developer panel featuring both market-rate and affordable housing developers. Developers spoke about policies and programs that they felt were most effective at stimulating housing production.
- **ADU Developer Focus Group.** On April 15, 2022, the City held a focus group with local ADU developers to better understand the constraints to ADU development in Fremont. A total of eleven designers, representing six different developers, attended the conversation.

Outreach to Housing-Focused Community-Based Organizations

- **Community-Based Organizations Panel.** On April 25, 2022, City staff, in partnership with the Alameda County Housing Element Collaborative, held a panel with representatives from seven local-community-based organizations (CBOs) with a focus on housing issues. Participating CBOs' clientele included members of protected classes, including immigrants and non-English speakers; households with special needs, including persons with disabilities and seniors; and persons who are experiencing fair housing issues. The discussion focused on identifying key barriers and

obstacles to fair housing, strengthening outreach around fair housing and promoting solutions to address fair housing issues.

Outreach to Low-Income Residents

Section 65583 of the Government Code states, "The local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." Recognizing that lower-income residents may have limited accessibility to Board and Commission meetings due to schedules, language barriers, and technology issues, staff brought community outreach directly to residents. Specifically, staff held four separate listening session events at homeless shelters and affordable housing developments:

- **Listening Session at Sunrise Village Shelter.** Sunrise Village is a homeless shelter for families with children and individuals in South Fremont. On May 18, 2022, staff visited Sunrise Village to provide residents with an introduction to the Housing Element Update and hear their feedback on affordable housing and homelessness priorities. The session was conducted concurrent with evening childcare activities at the shelter so that parents could attend. Approximately 10 residents attended. The event was conducted in English.
- **Listening Session at Pauline Weaver Senior Apartments.** Pauline Weaver Apartments is an affordable housing development for seniors in South Fremont. Staff visited the complex on May 2, 2022 to provide residents with an introduction to the Housing Element Update process. Staff returned on May 23, 2022 to conduct a listening session to hear residents' feedback and input regarding affordable housing development in the City. Approximately 10 residents attended. The listening session was conducted primarily in Mandarin Chinese.
- **Listening Session at Cottonwood Place.** Cottonwood Place is an affordable housing development for seniors in Centerville. Staff visited Cottonwood Place on May 4, 2022 to provide residents with an introduction to the Housing Element Update process. Staff returned on May 25, 2022 to conduct a listening session to hear residents' feedback and input regarding affordable housing development in the City. Approximately 12 residents attended. The listening session was conducted primarily in Mandarin Chinese.
- **Listening Session at Oak Gardens.** Oak Gardens is an affordable housing development for seniors, with services intended for seniors who are Deaf and/or hard of hearing. On June 21, 2022, staff visited Oak Gardens to provide residents with an introduction to the Housing Element Update process. Staff returned on July 20, 2022 to conduct a listening session to hear residents' feedback and input regarding affordable housing development in the City. The listening session was conducted in English, Mandarin, and ASL.

Community Engagement Themes

Several themes were identified through the public engagement process that capture the community's vision for meeting its future housing needs. Comments and recommendations related to these themes were integrated into various components of the Housing Element, as summarized in the table below.

Table 3-1. Themes from Community Outreach

Comment	Where Heard	Where Addressed
<p>Engagement Theme #1. Lack of Affordability is Biggest Concern. Among all groups consulted, housing affordability was the largest and most often heard concern. There was a feeling that Fremont is a very desirable place to live, and that resultantly affordable units often see more demand than those in other jurisdictions. There was consensus that the City needed to increase affordable housing production in order to meet the housing needs of the community.</p> <p>There was also a specific concern about “missing middle” housing affordable to those making moderate incomes. There were differing opinions about whether the City should provide a direct subsidy to moderate-income housing or rely on the market to produce “affordable-by-design” units like ADUs, small apartments, and small lot homeownership units.</p>	<p>Boards: Human Relations Commission, Planning Commission, Senior Citizens Commission, Youth Advisory Commission, City Council</p> <p>Events: FFE Workshop, Sunrise Village Listening Session, Pauline Weaver Listening Session, Cottonwood Place Listening Session, Office Hours</p>	<p>Implementation Programs: 5, 7, 8, 12, 28, 30, 31, 32, 33, 40, 41, 44, 47, ,48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63, 64, 65</p>
<p>Engagement Theme #2. Desire to Try Innovative Solutions to Increase Affordable Housing Production. Many expressed concerns that small, measured changes to increase affordable housing production were not adequate to meet the huge need in the community. Zoning modifications to increase feasibility of affordable housing (especially outside of TOD areas) and process streamlining were discussed. Additional methods of providing local funding for affordable housing, such as a bond measure or parcel tax, were also raised.</p>	<p>Boards: Planning Commission, Senior Citizens Commission</p> <p>Events: Developer Panel, FFE Workshop, Sunrise Village Listening Session</p>	

<p>Engagement Theme #3. Unbundled Parking and Lower Parking Minimums in TODs. There is an interest in re-evaluating parking standards within transit-oriented development districts to further lower the minimum parking requirements. There was also a desire for more unbundled parking generally. It was identified that unbundled parking is an equity issue because low- and moderate-income families without a car are unlikely to pay the rent premium for an included parking space that they don't need. These families may then choose not to live in Fremont if this is the only option available. There need to be more opportunities for families with no car or one car to live in the city without having to purchase extra, unneeded parking.</p>	<p>Boards: Planning Commission</p> <p>Events: FFE Workshop</p>	<p>Implementation Program: 34</p>
<p>Engagement Theme #4. Expand Housing Opportunities Throughout the City. There were a number of ideas put forward about how to encourage housing within existing single-family neighborhoods in the city. These included:</p> <ul style="list-style-type: none"> • Allowing for 6-8 units per property in single-family neighborhoods • Providing pre-approved duplex plans for SB 9 projects • Upzoning single-family areas within or near TOD areas • Encouraging more ADUs <p>There was also an interest in providing more housing opportunities within Town Center areas that are not designated TODs, including Niles and Mission San Jose.</p>	<p>Boards: Planning Commission</p> <p>Events: FFE Workshop, Office Hours</p>	<p>Implementation Programs: 5, 7, 8, 9, 30, 31, 32, 33, 37, 51, 64</p>
<p>Engagement Theme #5. Provide More Opportunities for Community Input. It is clearly important to the community that new housing reflects the City's shared values, particularly about sustainability. There was desire for allowing the community to provide more input on future projects and policies, without creating additional hurdles for affordable housing developers. Residents of affordable housing projects also wanted more methods to provide input on the amenities,</p>	<p>Boards: City Council</p> <p>Events: Sunrise Village Listening Session, Pauline Weaver Listening Session, Oak Gardens Listening Session, Office Hours</p>	<p>Implementation Programs: 21, 30, 37, 40, 41, 42, 61, 66 78 79</p>

design, and programming available in both current and future developments.		
Engagement Theme #6. Promote the Importance of Housing to the Community. It was expressed that the City should actively promote the benefits and importance of housing to the public.	Boards: Planning Commission Events: Street Eats Table	
Engagement Theme #7. Address Specific Challenges for Families. People with children, and particularly single parents, identified that it was harder to find affordable housing as a family than as an individual without children.	Boards: Senior Citizens Commission Events: Sunrise Village Listening Session, Pauline Weaver Listening Session, Cottonwood Place Listening Session	Implementation Programs: 2, 4, 13, 54, 60
Engagement Theme #8. Provide Multiple Options for Senior Housing. It was identified that there is no “one-size-fits-all” solution for senior housing. Some seniors in the community are still raising or living with their children. Others may be living alone. Yet others may have medical needs or disabilities that require assisted living. The community identified the following housing strategies to meet the varying needs of seniors: <ul style="list-style-type: none"> • Dedicated affordable and market-rate senior housing • Accessory dwelling units • Additions to existing dwellings to accommodate larger family sizes • Assistance with accessibility improvements to “age in place” • Home matching/sharing programs • Assisted living and residential care facilities 	Boards: Senior Citizens Commission Events: Pauline Weaver Listening Session, Cottonwood Place Listening Session, Oak Gardens Listening Session	Implementation Programs: 3, 7, 51, 65, 78, 79
Engagement Theme #9. Implement Simple Process Improvements. Developers expressed that simple process improvements to increase the speed of permitting could facilitate the creation of additional housing units at a faster pace.	Boards: Events: ADU Developer Focus Group, Developer Panel	Implementation Programs: 20, 21, 22, 23, 24, 27, 30, 31, 37

<p>Engagement Theme #10. Provide Clarity in the Development Process. Developers expressed that being clear and precise about development rules, expectations, and process facilitates the development review process.</p>	<p>Boards:</p> <p>Events: ADU Developer Focus Group, Developer Panel</p>	<p>Implementation Programs: 4, 17, 18, 21, 40, 41, 42, 43</p>
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Chapter 4

Housing Needs Assessment

This chapter analyzes the demographic characteristics, housing stock and economic conditions in Fremont which affect housing needs

Purpose

This chapter describes the general demographic characteristics, housing stock and economic conditions in Fremont. This chapter, along with Chapter 5, Constraints Analysis and Chapter 7, Assessment of Fair Housing, forms the foundation for the housing policies and programs in the Housing Element.

This chapter is separated into various sections, each discussing aspects of the housing needs for Fremont. Each of these sections describes trends in Fremont, but also compares the City's conditions in relation to Alameda County and, where appropriate, the entire San Francisco Bay Area region. Fremont is currently the fourth most populous city in the Bay Area, after San Jose, San Francisco, and Oakland, and therefore plays an important role in regional housing supply.

Much of the data in this chapter is sourced from data from the Census Bureau's American Community Survey or U.S. Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy (CHAS) data.

Overview of Major Findings

The following section highlights key findings from the analysis in this document.

- **Needs Assessment Finding #1. Fremont is part of a growing region.** Generally, the population of the Bay Area continues to grow because of natural growth and because the strong economy draws new residents to the region. From 2000 to 2020, the Bay Area's population grew by 14.8%. Fremont's population growth during that period slightly outpaced the region at 15.1%. Plan Bay Area 2050 forecasts that the Bay Area will add 1.4 million new households, for a total of 4 million households, between 2015 and 2050.
- **Needs Assessment Finding #2. Fremont is part of a region with unmet housing needs.** The Regional Housing Needs Determination (RHND) for the Bay Area for the 2023-2031 Housing Element Cycle is approximately 2.3 times larger than the previous cycle. A major reason for this increase is a change in state law which requires the RHND to consider unmet housing needs, which takes into account vacancy rates, rates of overcrowding, and the share of cost-burdened households.

- **Needs Assessment Finding #3. Fremont is a community that provides for socioeconomic mobility.** The State Department of Housing and Community Development (HCD) and the California Tax Credit Allocation Committee (TCAC) prepared an “Opportunity Map” as a means of measuring place-based characteristics that support positive economic, educational, and health outcomes for low-income families and their children. 91.2% of Fremont residents live in neighborhoods identified as “Highest Resource” or “High Resource” areas in the TCAC Opportunity Map. This means that low-income residents in Fremont generally have access to jobs, quality educational opportunities, a healthy environment, and other factors that promote positive critical life outcomes, such as educational attainment, earnings from employment, and economic mobility.
- **Needs Assessment Finding #4. Fremont is a community with increasingly unaffordable housing.** Since 2001, the typical home value has increased 171.8% in Fremont from \$434,160 to \$1,180,200. Since 2009, the median rent has increased by 64.0% in Fremont, from \$1,550 to \$2,210 per month. These changes are above the changes in Alameda County, and above the changes for the region during the same time period.
- **Needs Assessment Finding #5. Fremont is a community with strong job growth.** Since 2010, the number of jobs located in Fremont increased by 33,790 (39.0%). As job growth outpaced housing growth, the jobs-household ratio in Fremont increased from 1.36 in 2002 to 1.64 jobs per household in 2018. Plan Bay Area 2050 forecasts that the Bay Area will add 1.4 million new jobs, for a total of 5.4 million jobs, between 2015 and 2050. Economic growth increases the need for housing in the region.
- **Needs Assessment Finding #6. Fremont is a community with an aging population.** Since 2000, the median age in Fremont has increased from 33.6 to 38 years as individuals over the age of 65 took an increasingly larger share of the City’s population.
- **Needs Assessment Finding #7. Fremont is a community of color.** In 2020, 20.2% of Fremont’s population was White while 3.0% was African American, 60.1% was Asian, and 12.9% was Latinx. People of color in Fremont comprise a proportion above the overall proportion in the Bay Area as a whole.
- **Needs Assessment Finding #8. Fremont is part of a region where population growth is outpacing housing growth.** The number of new homes built in the Bay Area has not kept pace with the demand, resulting in longer commutes, increasing prices, and exacerbating issues of displacement and homelessness.
- **Needs Assessment Finding #9. Fremont is a community with more low-wage jobs than low-wage residents.** Fremont has more low-wage jobs than low-wage residents (where low-wage refers to jobs paying less than \$50,000). The addition of more affordable housing will place more low-wage residents within proximity to existing low-wage jobs.
- **Needs Assessment Finding #10. Fremont is a community that is missing middle-income housing.** Less than 1% of housing permitted during the previous Housing Element Cycle was deed restricted to be affordable to moderate income households.
- **Needs Assessment Finding #11. Fremont is a community growing with more multifamily housing.** The majority of new housing permitted in Fremont during the

previous Housing Element cycle were multifamily units, a shift from the traditional single-family growth pattern in Fremont. In 2020, 57.8% of all homes in Fremont were single family detached, and 13.2% were single family attached. Between 2010 and 2020, the number of multi-family units increased more than single-family units.

- **Needs Assessment Finding #12. Younger households in Fremont find it challenging to own a home.** In Fremont, 58.6% of householders between the ages of 25 and 44 are renters, compared to 21.5% of householders over 65 being renters.
- **Needs Assessment Finding #13. Lower-income residents in Fremont face significant housing challenges.** 68.2% of Fremont households making less than 30% of area median income (AMI) spend the majority of their income on housing.
- **Needs Assessment Finding #14. Fremont is a community with special housing needs.** Some population groups may have special housing needs that require specific program responses. In Fremont, 7.0% of residents have one or more disabilities and may require accessible housing. Additionally, 11.1% of Fremont households are larger households with five or more people, who likely need larger housing units with three bedrooms or more. 8.0% of households are female-headed families, which are often at greater risk of housing insecurity.
- **Needs Assessment Finding #15. Residents of color in Fremont face significant housing challenges.** Communities of color are more likely to experience overcrowding, poverty, financial instability, and housing insecurity. Black or African American (Hispanic and Non-Hispanic) residents represent the largest proportion of residents experiencing homelessness and account for 48% of the homeless population, while making up 10.6% of the overall population. Hispanic or Latinx residents are the most cost burdened with 25.6% spending 30% to 50% of their income on housing, and American Indian or Alaska Native, Non-Hispanic residents are the most severely cost burdened with 29.7% spending more than 50% of their income on housing.
- **Needs Assessment Finding #16. Several existing affordable rental housing developments may be at risk for conversion to market rate.** Units may be at risk for conversion due to the expiration of various government subsidy programs and/or restrictions on rental rate during the planning period.

Regional Housing Needs Allocation

A starting point for the Housing Element Update process for every California jurisdiction is the Regional Housing Needs Allocation (RHNA) – the share of the region’s housing need assigned to each jurisdiction. For the eight-year time frame covered by this Housing Element Update, Fremont’s RHNA is 12,897 units. Of the 12,897 units in Fremont’s RHNA, 60% are designated for very low-income, low-income, and moderate-income affordability levels.

For RHNA purposes, the housing needs for extremely low-income households (those earning 0-30% AMI) are treated as a subset of very low-income households (those making 0-50% AMI). According to HCD’s RHND for the San Francisco Bay Area, 15.5% of the region’s housing need is for 0-30% AMI households and 25.9% is for 0-50% AMI households. Therefore, extremely low-income households represent 59.8% of households who are 0-50% AMI ($15.5/25.9 = 59.8\%$). Since Fremont’s very low-income RHNA is 3,640 units, Fremont’s housing need for extremely low-income households is presumed to be 2,177 units.

Table 4-1. 2023-2031 Regional Housing Needs Allocation for Fremont

Income Group	Fremont Units	Fremont Percent
Very Low-Income Units (0-50% AMI)	3,640	28.2%
Low-Income Units (50-80% AMI)	2,096	16.3%
Moderate Income Units (80-120% AMI)	1,996	15.5%
Above Moderate -Income Units (120+% AMI)	5,165	40.0%
Total Units	12,897	100.0%

Source: Association of Bay Area Governments Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023, 2031

Affordability levels are set relative to area median income (AMI). For context, the median household income in Alameda County in 2022 was \$142,800 for a four-person household, \$128,500 for a three-person household, \$114,250 for a two-person household, and \$99,950 for a one-person household.

Table 4-2. 2022 Area Median Income Figures, Alameda County

Household Size	Area Median Income*	Acutely Low Income	Extremely Low Income		Very Low Income		Low Income		Moderate Income
		15%	20%	30%	40%	50%	60%	80%	120%
1	\$99,950	\$15,000	\$19,990	\$30,000	\$39,380	\$50,000	\$60,000	\$76,750	\$119,950
2	\$114,250	\$17,100	\$22,850	\$34,300	\$45,700	\$57,150	\$68,580	\$87,700	\$137,100
3	\$128,500	\$19,250	\$25,700	\$38,600	\$51,400	\$64,300	\$77,160	\$98,650	\$154,200
4	\$142,800	\$21,400	\$28,560	\$42,850	\$57,120	\$71,400	\$85,680	\$109,600	\$171,350
5	\$154,200	\$23,100	\$30,840	\$46,300	\$61,680	\$77,150	\$92,580	\$118,400	\$185,050
6	\$165,650	\$24,800	\$33,130	\$49,750	\$66,260	\$82,850	\$99,420	\$127,150	\$198,750
7	\$177,050	\$26,550	\$35,410	\$53,150	\$70,820	\$88,550	\$106,260	\$135,950	\$212,450
8	\$188,500	\$28,250	\$37,700	\$56,600	\$75,400	\$94,250	\$113,100	\$144,700	\$226,200

Source: Department of Housing and Urban Development (HUD) and State Income Limits. Calculation for adjustments by household size made by the City of Fremont Housing Division, June 2022.

Notes: *Due to adjustments by HUD, the income percentages do not correspond with Area Median Income (AMI) figures.

Population Growth Trends

The Bay Area is the fifth-largest metropolitan area in the nation and has seen a steady increase in population since 1990, except for a dip during the Great Recession and net population migration from urban centers to suburban areas during the COVID pandemic. Many cities in the region have experienced significant growth in jobs and population. While these trends have led to a corresponding increase in demand for housing across the region, the regional production of housing has largely not kept pace with job and population growth.

Fremont's population has grown over the past several decades along with the rest of the Bay Area. Since 2000, Fremont's population has increased by 15.1%; this rate is slightly above that of the region as a whole, at 14.8%. In Fremont, roughly 10.6% of the population moved during the past year, a number 2.8 percentage points smaller than the regional rate of 13.4%. Households in Fremont are more stable than in the larger Bay Area.

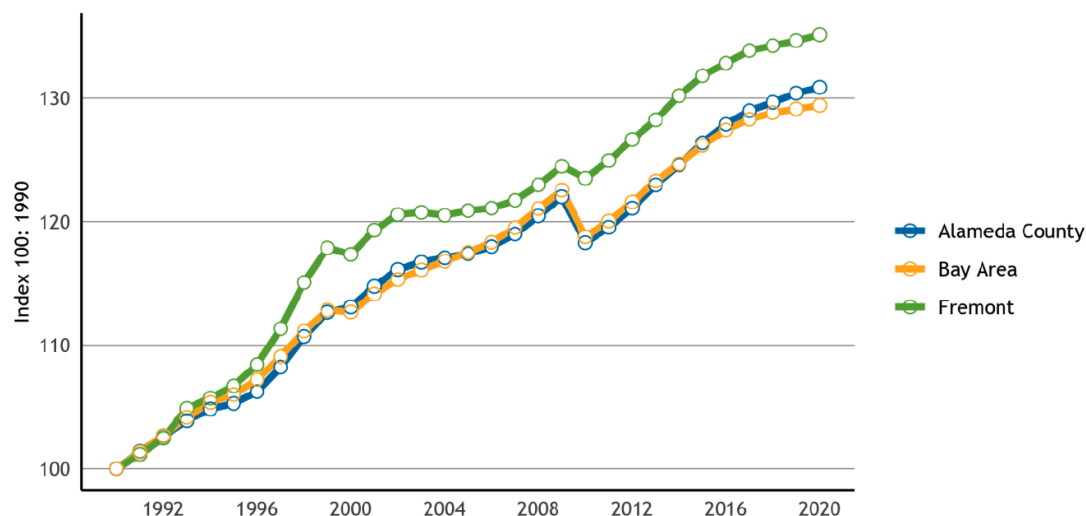
Looking forward, Plan Bay Area 2050 (the Regional Transportation Plan/Sustainable Communities Strategy) forecasts that the Bay Area will add 1.4 million new households, resulting in a total census of 4 million households, between 2015 and 2050. As the region's population continues to grow, so will the City of Fremont's population and its housing needs.

Table 4-3. Population Growth Trends

Geography	1990	1995	2000	2005	2010	2015	2020
Fremont	173,339	184,596	203,413	209,557	214,089	228,474	234,220
Alameda County	1,276,702	1,344,157	1,443,939	1,498,963	1,510,271	1,613,528	1,670,834
Bay Area	6,020,147	6,381,961	6,784,348	7,073,912	7,150,739	7,595,694	7,790,537

Source: California Department of Finance, E-5 series

Figure 4-1. Population Growth Trends



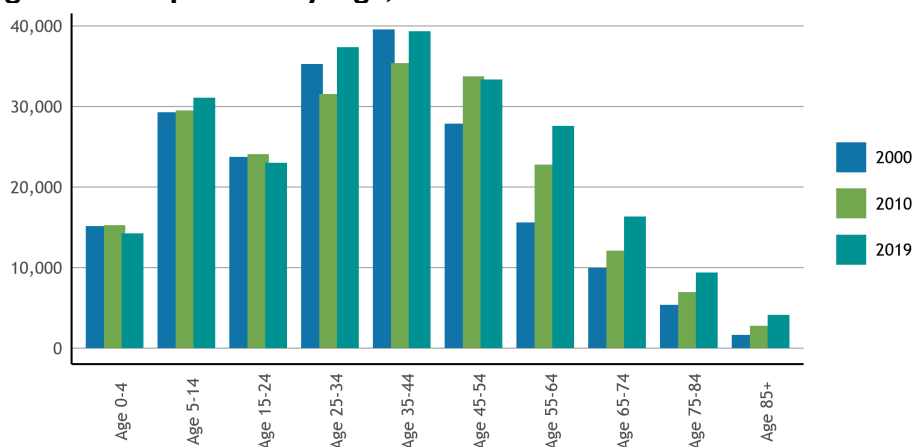
Source: California Department of Finance, E-5 series Note: The data shown on the graph represents population for the jurisdiction, county, and region indexed to the population in the first year shown. The data points represent the population relative to populations in that year.

Distribution of Age Groups

The distribution of age groups in a city shapes what types of housing the community may need in the near future. An increase in the older population means there is a developing need for more senior housing options with senior services, while higher numbers of children and young families points to the need for more family housing options and related services. There has also been a move by many to age-in-place or downsize to stay within their communities, which can mean more multifamily and accessible units are also needed. Accessory dwelling units provide an option for individuals to age in place and support intergenerational households.

In Fremont, the median age in 2000 was 33.6; by 2019, this figure had increased significantly, landing at around 38 years. This increase in median age was largely driven by increases in the 55-and-over population.

Figure 4-2. Population by Age, 2000-2019

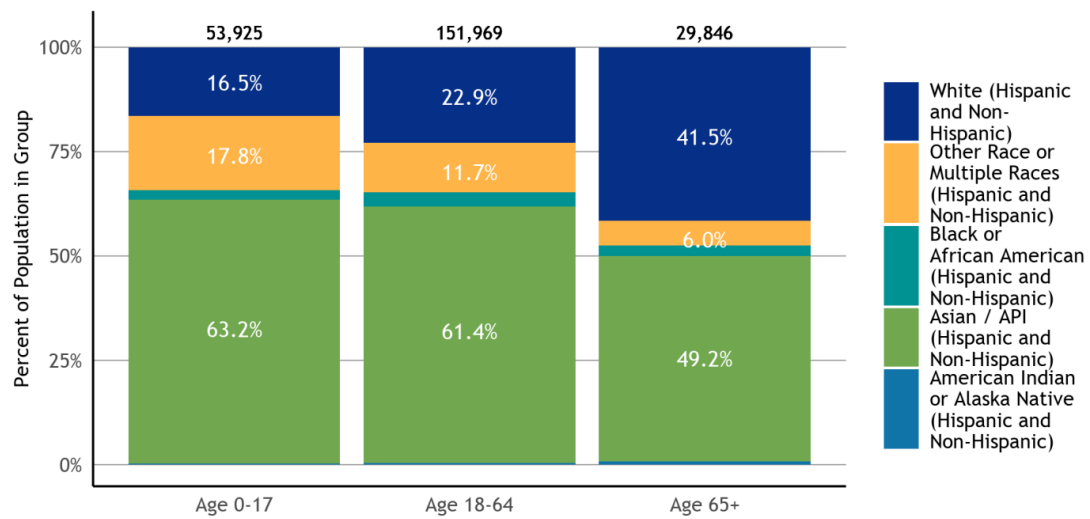


Universe: Total population

Source: U.S. Census Bureau, Census 2000 SF1, Table P12; U.S. Census Bureau, Census 2010 SF1, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001

Looking at the senior and youth population by race can add an additional layer of understanding, as families and seniors of color (non-white racial groups) are more likely to experience challenges finding affordable housing. People of color make up more than half of the senior population (58.5%), although this percentage is less than the percentage of people of color within Fremont's population as a whole (79.8%). An even larger percentage of the youth population (83.5%) are people of color, which indicates that affordable housing needs in the community are likely to grow in later years of the 2023-2031 planning period as those teenagers move into adulthood.

Figure 4-3. Senior and Youth Population by Race



Notes: In the sources for this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity, and an overlapping category of Hispanic / non-Hispanic groups has not been shown to avoid double counting in the stacked bar chart.

Universe: Total population

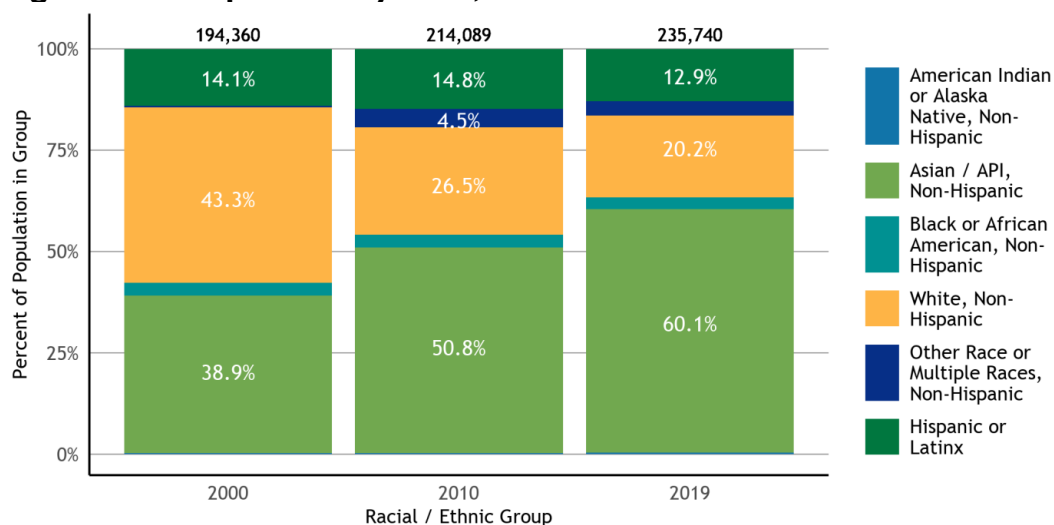
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-G)

Population Race and Ethnicity

Understanding the racial makeup of a city and region is important for designing and implementing effective housing policies and programs. These patterns are shaped by both market factors and government actions, such as exclusionary zoning, discriminatory lending practices and displacement that has occurred over time and continues to impact communities of color today. Since 2000, the percentage of residents in Fremont identifying as White has decreased – and by the same token the percentage of residents of all other races and ethnicities has increased – by 23.1 percentage points, with the 2019 population standing at 47,564. In absolute terms, the Asian / API, Non- Hispanic population increased the most while the White, Non-Hispanic population decreased the most.

As discussed in the previous section, the decrease in the White, Non-Hispanic population occurred primarily among younger members of the community. In 2019, the percentage of the senior population that was White, Non-Hispanic was 41.5%, which is roughly the percentage of the total population that was White, Non-Hispanic two decades earlier, in 2000 (43.3%). As discussed later in this document, younger householders in Fremont are more likely to be renters. Actions to affirmatively further fair housing and increase rental housing options would therefore target the needs of the younger Non-White population.

Figure 4-4. Population by Race, 2000-2019



Notes: Data for 2019 represents 2015-2019 ACS estimates. The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Universe: Total population

Source: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002

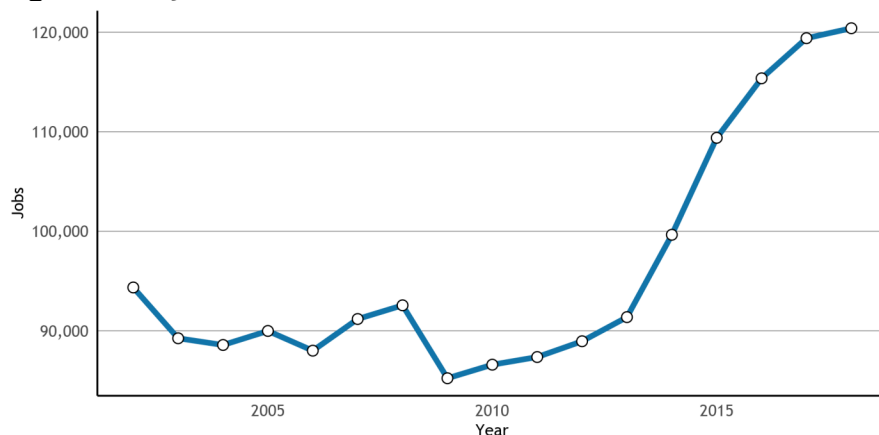
Balance of Jobs and Workers in Fremont

A city houses employed residents who either work in the community where they live or work elsewhere in the region. Conversely, a city may have job sites that employ residents from the same city or employ workers commuting from outside of it. Smaller cities typically will have more employed residents than jobs there and export workers, while larger cities tend to have a surplus of jobs and import workers. To some extent the regional transportation system is set up for this flow of workers to the region's core job centers. At the same time, as the housing affordability crisis has illustrated, local imbalances may be severe, where local jobs and worker populations are out of sync at a sub-regional scale.

One measure of this is the relationship between workers and jobs. A city with a surplus of workers "exports" workers to other parts of the region, while a city with a surplus of jobs must conversely "import" them.

As shown in the figure below, the number of jobs in Fremont increased significantly between 2002 and 2018 by 27.6%.

Figure 4-5. Jobs in Fremont



Universe: Jobs from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment

Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized.

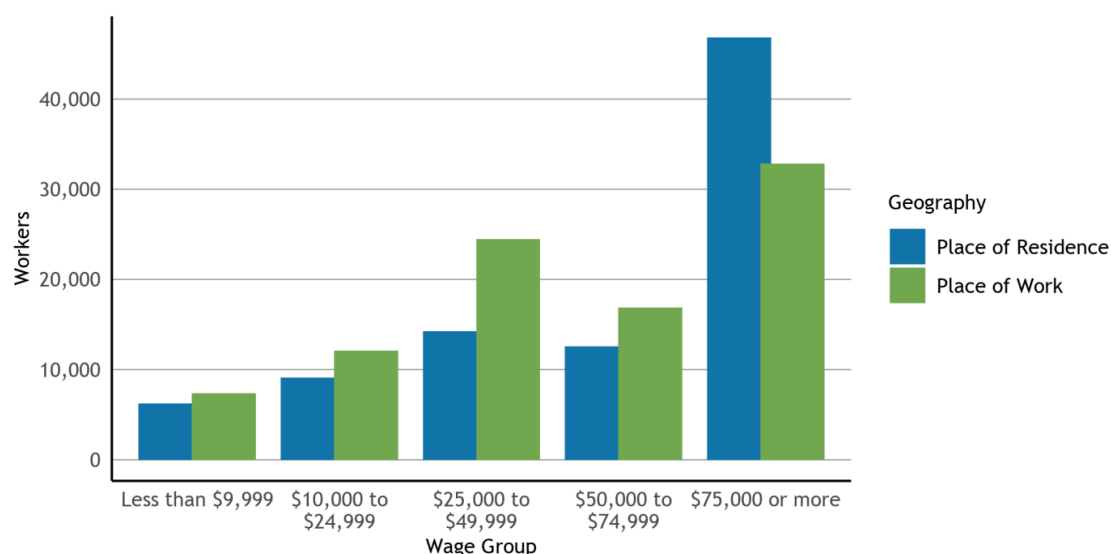
Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2002-2018

There are 89,027 employed residents, and 93,659 jobs¹ in Fremont - the ratio of jobs to resident workers is 1.05; Fremont is therefore a net importer of workers. Plan Bay Area 2050 forecasts that the Bay Area will add 1.4 million new jobs between 2015 and 2050, resulting in a total of 5.4 million jobs. The continuing trend of job growth in the region will continue to place pressure on the housing needs in Bay Area communities.

¹ Employed *residents* in a jurisdiction is counted by place of residence (they may work elsewhere) while *jobs* in a jurisdiction are counted by place of work (they may live elsewhere). The jobs may differ from those reported as the source for the time series is from administrative data, while the cross-sectional data is from a survey.

The following figure shows the balance for Fremont when comparing jobs to workers, broken down by different wage groups, offering additional insight into local dynamics. A community may offer employment for relatively low-income workers but have relatively few housing options for those workers - or conversely, it may house residents who are low wage workers but offer few employment opportunities for them. Such relationships may cast extra light on potentially pent-up demand for housing in particular price categories. A relative surplus of jobs relative to residents in a given wage category suggests the need to import those workers, while conversely, surpluses of workers in a wage group relative to jobs means the community will export those workers to other jurisdictions. Such flows are not inherently bad, though over time, sub-regional imbalances may appear.

Figure 4-6. Workers by Earnings, Fremont as Place of Work and Place of Residence



Universe: Workers 16 years and over with earnings

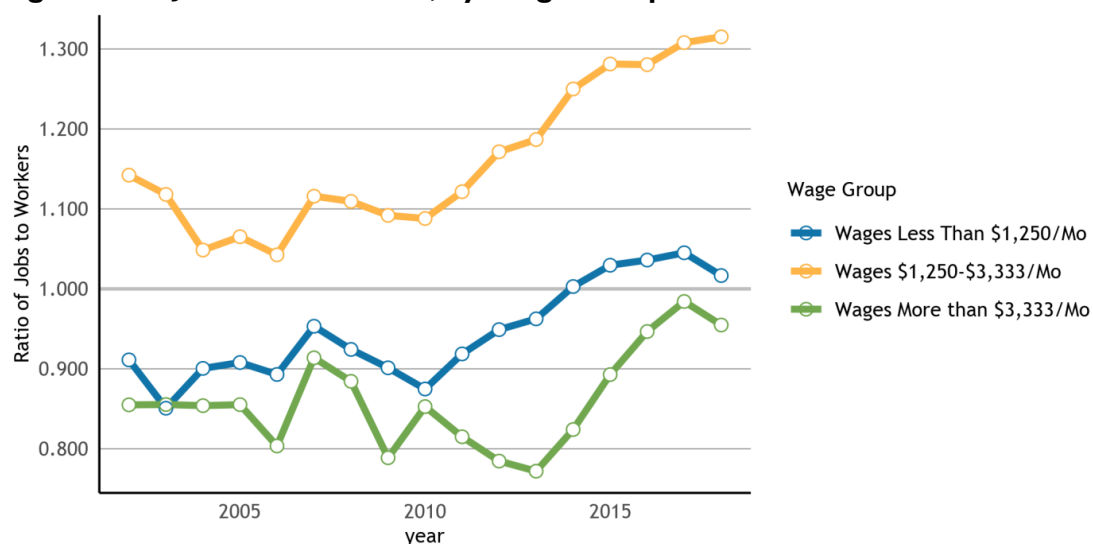
Source: U.S. Census Bureau, American Community Survey 5-Year Data 2015-2019, B08119, B08519

Fremont has more low-wage jobs than low wage residents (where low-wage refers to jobs paying less than \$50,000). At the other end of the wage spectrum, the city has more high-wage residents than high-wage jobs (where high-wage refers to jobs paying more than \$75,000).² This suggests that increasing the availability of affordable housing will create more opportunities for people to live and work in the Fremont community, which also supports the City's goal of reducing vehicle miles travelled and greenhouse gas emissions.

² The source table is top-coded at \$75,000, precluding more fine grained analysis at the higher end of the wage spectrum.

The following figure shows the balance of Fremont's resident workers to the jobs located in Fremont for different wage groups as a ratio. A value of 1 means that a city has the same number of jobs in a wage group as it has resident workers - in principle, a balance. Values above 1 indicate a jurisdiction will need to import workers for jobs in a given wage group. At the regional scale, this ratio is 1.04 jobs for each worker, implying a modest import of workers from outside the region. In Fremont, the jobs-worker ratio is by far the highest in the \$1,250-\$3,333/month (\$15,000-\$39,996/year) work group, where there are approximately 1.3 jobs per worker.

Figure 4-7. Jobs-Worker Ratio, by Wage Group



Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment

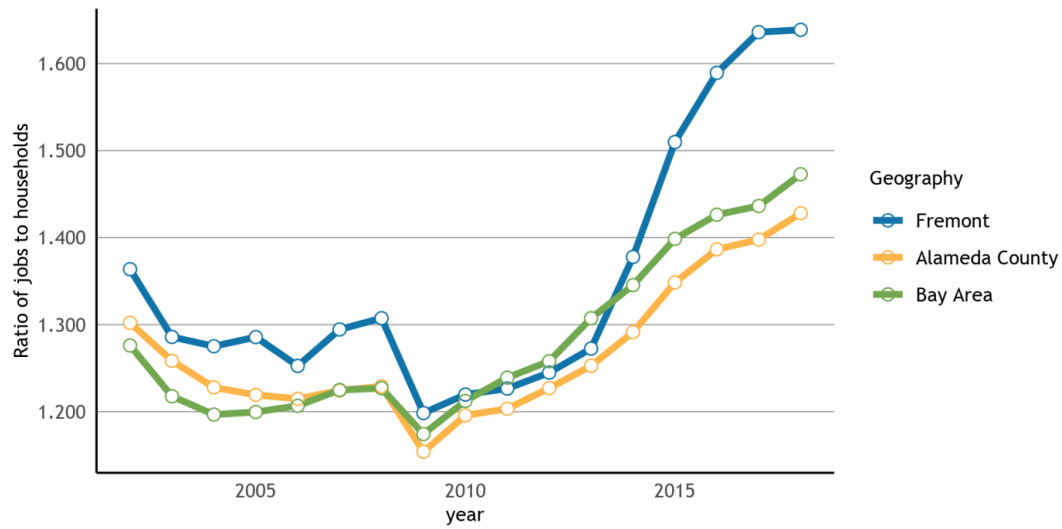
Notes: The ratio compares job counts by wage group from two tabulations of LEHD data: Counts by place of work relative to counts by place of residence. See text for details.

Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs); Residence Area Characteristics (RAC) files (Employed Residents), 2010-2018

The balance between jobs and workers may directly influence the housing demand in a community. New jobs may draw new residents, and when there is high demand for housing relative to supply, many workers may be unable to afford to live where they work, particularly where job growth has been in relatively lower wage jobs. This dynamic not only means many workers will need to prepare for long commutes and time spent on the road, but in the aggregate it contributes to traffic congestion and time lost for all road users. If there are more jobs than employed residents, it means a city is relatively jobs-rich, typically also with a high jobs to household ratio.

The jobs-household ratio in Fremont increased from 1.36 in 2002, to 1.64 jobs per household in 2018, consistent with the increase in jobs in Fremont and the additional units developed over the same time period.

Figure 4-8. Jobs-Household Ratio



Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment; households in a jurisdiction.

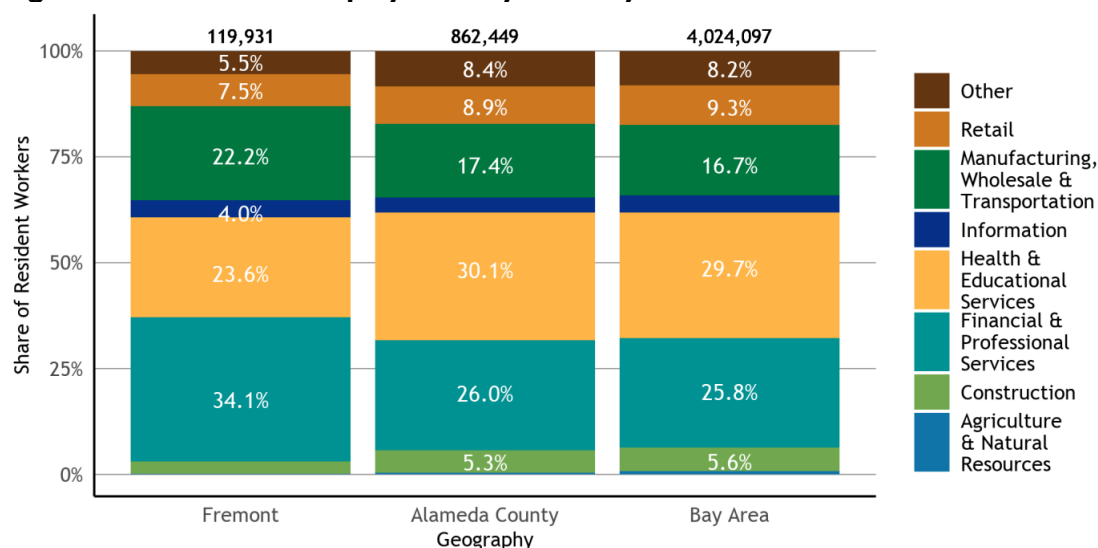
Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized. The ratio compares place of work wage and salary jobs with households, or occupied housing units. A similar measure is the ratio of jobs to housing units. However, this jobs-household ratio serves to compare the number of jobs in a jurisdiction to the number of housing units that are actually occupied. The difference between a jurisdiction's jobs-housing ratio and jobs-household ratio will be most pronounced in jurisdictions with high vacancy rates, a high rate of units used for seasonal use, or a high rate of units used as short-term rentals.

Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs), 2002-2018; California Department of Finance, E-5 (Households)

Sectoral Composition of Fremont Resident Jobs

In terms of sectoral composition, the three primary industries in which Fremont residents work is Financial & Professional Services (34.1%), followed by Health & Educational Services (34.1%) and Manufacturing, Wholesale and Transportation (22.2%). Fremont residents are much more likely to work in the Financial & Professional Services and Manufacturing, Wholesale and Transportation industries than residents of Alameda County and the Bay Area as a whole. The largest sector in which Alameda County residents and Bay Area residents work is the Health & Educational Services industry.

Figure 4-9. Resident Employment by Industry



Universe: Civilian employed population age 16 years and over

Notes: The data displayed shows the industries in which jurisdiction residents work, regardless of the location where those residents are employed (whether within the jurisdiction or not). Categories are derived from the following source tables:

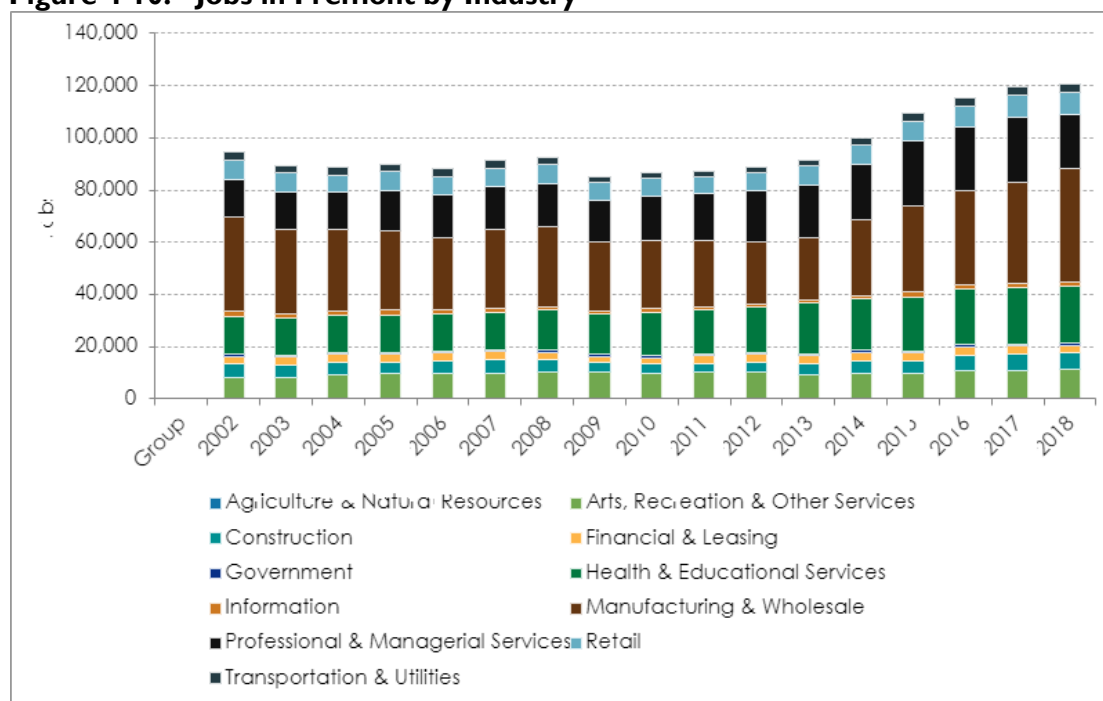
Agriculture & Natural Resources: C24030_003E, C24030_030E; Construction: C24030_006E, C24030_033E; Manufacturing, Wholesale & Transportation: C24030_007E, C24030_034E, C24030_008E, C24030_035E, C24030_010E, C24030_037E; Retail: C24030_009E, C24030_036E; Information: C24030_013E, C24030_040E; Financial & Professional Services: C24030_014E, C24030_041E, C24030_017E, C24030_044E; Health & Educational Services: C24030_021E, C24030_024E, C24030_048E, C24030_051E; Other: C24030_027E, C24030_054E, C24030_028E, C24030_055E

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030

Sectoral Composition of Jobs Located in Fremont

The sectoral composition of jobs located in Fremont differs from the sectoral composition of jobs of Fremont residents. The largest sector of jobs in Fremont is Manufacturing, Wholesale & Transportation, which accounts for more than one-third of all jobs located in Fremont. There is a high concentration of jobs in this industry because Fremont has a strong industrial base supported by major manufacturers such as Tesla.

Figure 4-10. Jobs in Fremont by Industry



Universe: Jobs from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel

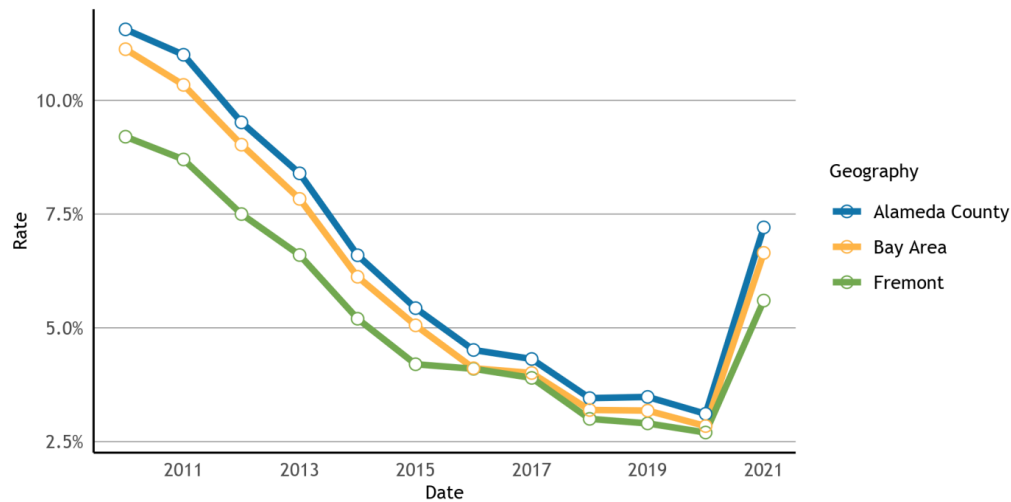
Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized.

Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2002-2018.

Unemployment

In Fremont, there was a 3.6 percentage point decrease in the unemployment rate between January 2010 and January 2021. Jurisdictions through the region experienced a sharp rise in unemployment in 2020 due to impacts related to the COVID-19 pandemic, though with a general improvement and partial recovery in the later months of 2020. The effects of the COVID-19 pandemic on unemployment are uncertain over the next several years, but in the long term, Plan Bay Area 2050 still anticipates strong job growth in the region through 2050. The long-term availability of jobs will attract workers to the region and place pressure on the housing market.

Figure 4-11. Unemployment Rate



Universe: Civilian noninstitutional population ages 16 and older

Notes: Unemployment rates for the jurisdiction level is derived from larger-geography estimates. This method assumes that the rates of change in employment and unemployment are exactly the same in each sub-county area as at the county level. Only not seasonally adjusted labor force (unemployment rates) data are developed for cities and CDPs.

Source: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021.

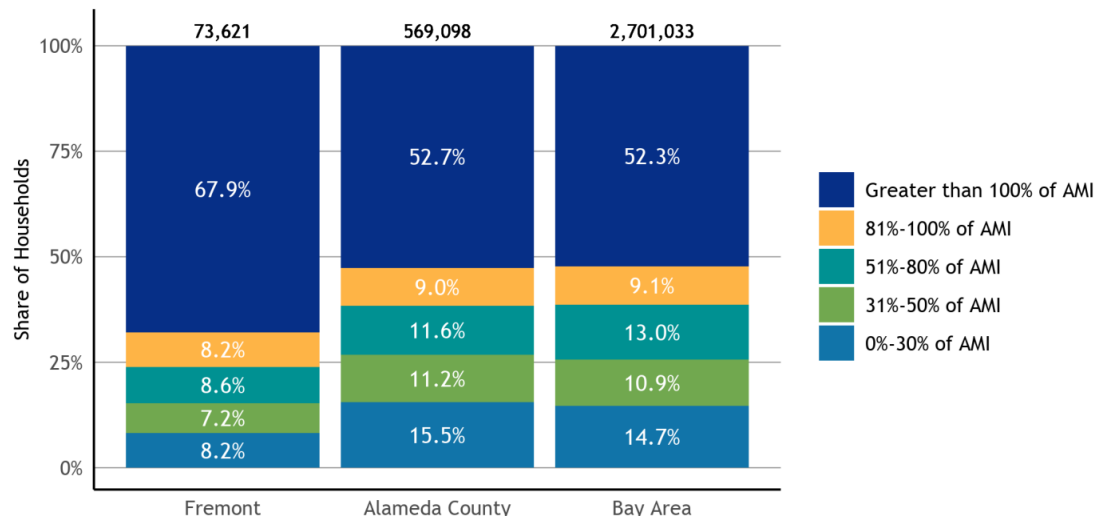
Extremely Low-Income Households

Despite the economic and job growth experienced throughout the region since 1990, the income gap has continued to widen. California is one of the most economically unequal states in the nation, and the Bay Area has the highest income inequality between high- and low-income households in the state³.

There are 75,687 households living in Fremont as of 2019.⁴ Of those, 67.9% make more than 100% of the Area Median Income (AMI), compared to 8.2% making less than 30% of AMI. Regionally, more than half of all households make more than 100% AMI, while 15% make less than 30% AMI. In Alameda County, 30% AMI is the equivalent to the annual income of \$34,850 for a family of four. Many households with multiple wage earners – including food service workers, teachers, farmworkers, and healthcare professionals – can fall into lower AMI categories due to relatively stagnant wages in many industries.

The figure below summarizes the income levels of Fremont households. Fremont has a greater percentage of households earning more than 100% AMI than Alameda County and the Bay Area as whole.

Figure 4-12. Households by Household Income Level⁵



Universe: Occupied housing units

Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, including the Oakland-Fremont Metro Area (Alameda and Contra Costa Counties). The data that is reported for the Bay Area is not based on a regional AMI but instead refers to the regional total of households in an income group relative to the AMI for the county where that household is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Of particular concern for the 2023-2031 Housing Element are the number of extremely low-income households in Fremont. Extremely low-income households are those with an income of less than 30% of

³ Bohn, S. et al. 2020. Income Inequality and Economic Opportunity in California. *Public Policy Institute of California*.

⁴ U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042. Note that some other data on this page uses the 2013-2017 calculation, which reflects a lower count of households.

⁵ Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, including the nine county Bay Area. The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. Households making between 80 and 120 percent of the AMI are moderate-income, those making 50 to 80 percent are low-income, those making 30 to 50 percent are very low-income, and those making less than 30 percent are extremely low-income. This is then adjusted for household size.

AMI (\$42,850 for a family of four in 2022). Of 75,687 households in Fremont, there are currently a total of 6,206 extremely low-income households. During the next planning period, Fremont's housing need for extremely low-income households is 2,177 units. Therefore, the projected number of extremely low-income households in Fremont in 2023 is 8,383 households.

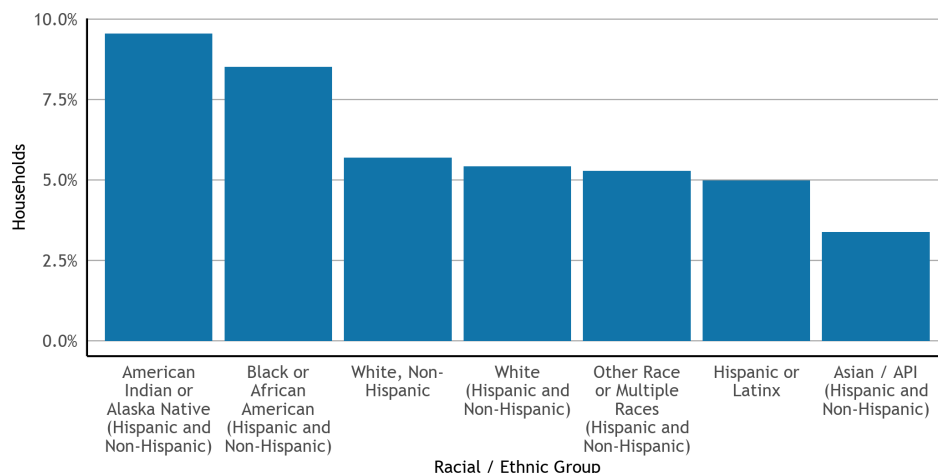
Extremely low and very low-income households are more likely to experience housing challenges than households with higher incomes. Housing challenges include lack of homeownership options, displacement, substandard housing, cost burden, and overcrowding. An analysis of these disproportionate impacts is found in Chapter 7, Fair Housing Analysis, on pages 7-74 through 7-110. A discussion of the effectiveness of past policies to address these disparities and future proposed policies is found on pages 7-111 through 7-114.

Poverty Status by Race

People of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents.⁶ These economic disparities also leave communities of color at higher risk for housing insecurity, displacement or homelessness.

In Fremont, residents in the “American Indian or Alaska Native (Hispanic and Non-Hispanic)” racial or ethnic group experience the highest rates of poverty (9.5%), followed by Black or African American (Hispanic and Non-Hispanic) residents (8.5%). White, Multiple Race and Hispanic or Latinx residents are slightly less likely to experience poverty (between 5% and 5.7%), and Asian/API residents are the least likely (3.4%).

Figure 4-13. Poverty Status by Race



Universe: Population for whom poverty status is determined

Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the population for whom poverty status is determined for this jurisdiction. However, all groups labelled “Hispanic and Non-Hispanic” are mutually exclusive, and the sum of the data for these groups is equivalent to the population for whom poverty status is determined.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17001(A-I)

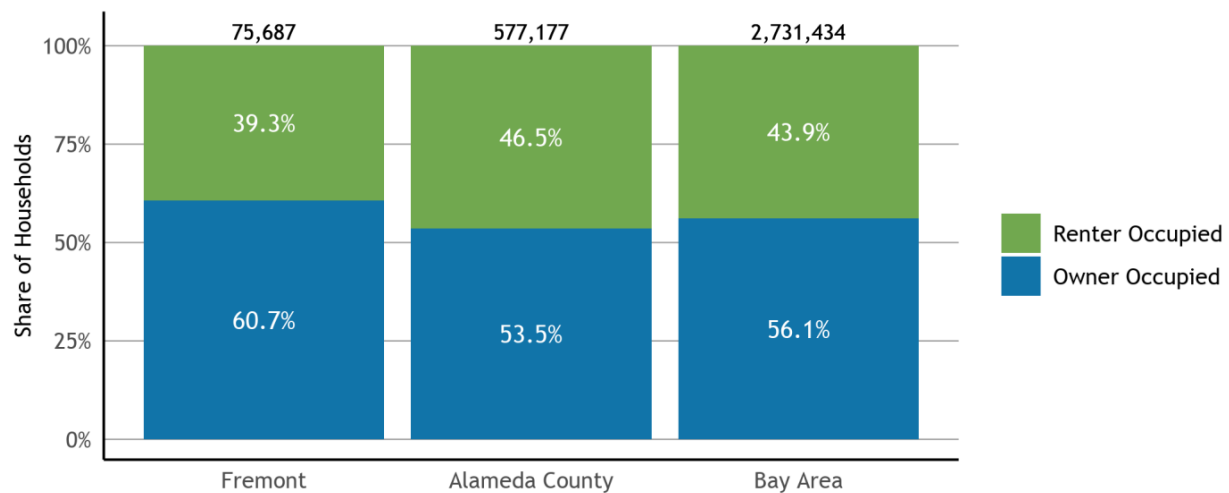
⁶ Moore, E., Montojó, N. and Mauri, N., 2019. Roots, Race & Place: A History of Racially Exclusionary Housing the San Francisco Bay Area. *Hass Institute*.

Housing Tenure of Fremont Residents

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity – ability for individuals to stay in their homes – in a city and region. Generally, renters may be displaced more quickly if prices increase.

In Fremont, there are a total of 75,687 housing units, and fewer residents rent than own their homes: 39.3% versus 60.7%. By comparison, 46.5% of households in Alameda County are renters, while 44% of Bay Area households rent their homes.

Figure 4-14. Housing Tenure



Universe: Occupied housing units

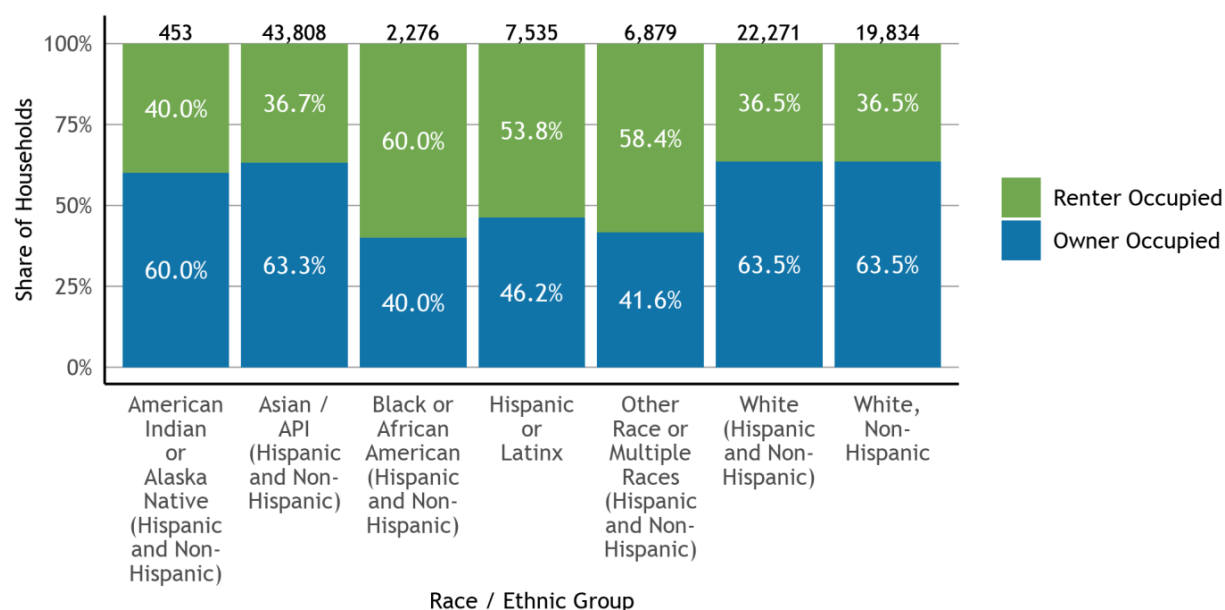
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003

Housing Tenure by Race

Homeownership rates often vary considerably across race/ethnicity in the Bay Area and throughout the country. These disparities not only reflect differences in income and wealth but also stem from federal, state, and local policies that limited access to homeownership for communities of color while facilitating home buying for white residents. While many of these policies, such as redlining, have been formally disbanded, the impacts of race-based policy are still evident across Bay Area communities.⁷

Per Figure 15, 40.0% of Black households in Fremont owned their homes, while homeownership rates were 63.3% for Asian households, 46.2% for Latinx households, and 63.5% for White households.

Figure 4-15. Housing Tenure by Race of Householder



Universe: Occupied housing units

Notes: For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I)

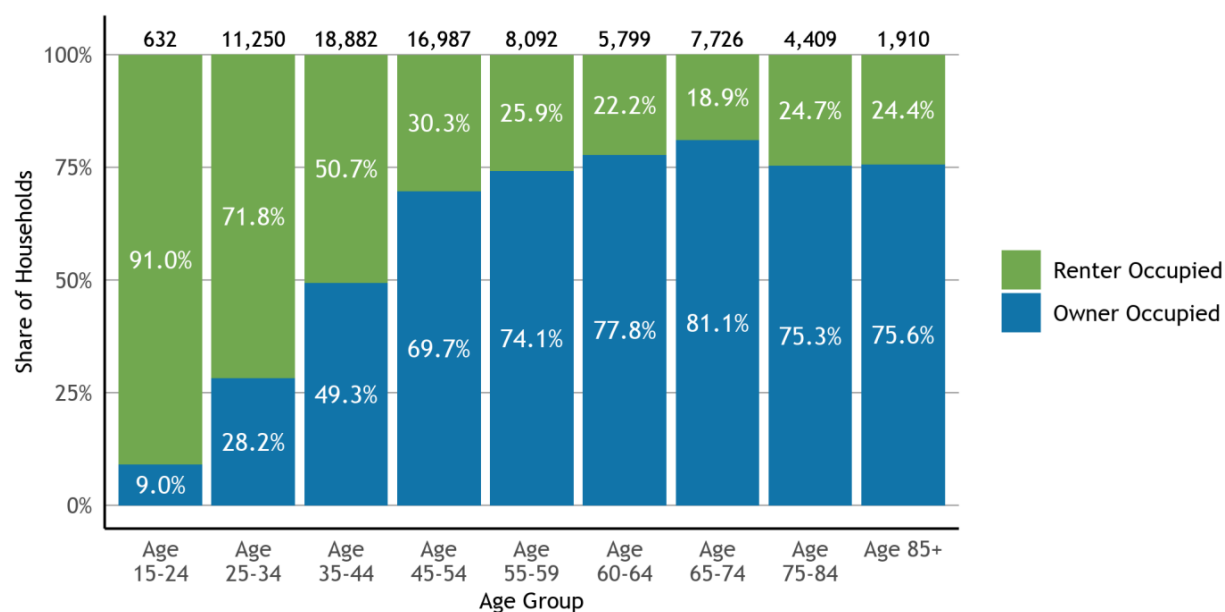
⁷ See, for example, Rothstein, R. (2017). The color of law : a forgotten history of how our government segregated America. New York, NY & London, UK: Liveright Publishing.

Housing Tenure by Age

The age of residents who rent or own their home can also signal the housing challenges a community is experiencing. Younger households tend to rent in higher percentages and often struggle to buy a first home in the Bay Area due to high housing costs. At the same time, senior homeowners seeking to downsize may have limited options in an expensive housing market.

In Fremont, 58.6% of householders between the ages of 25 and 44 are renters, while 21.5% of householders over 65 are renters. This data strongly suggests that younger households are having a difficult time entering the home ownership market.

Figure 4-16. Housing Tenure by Age



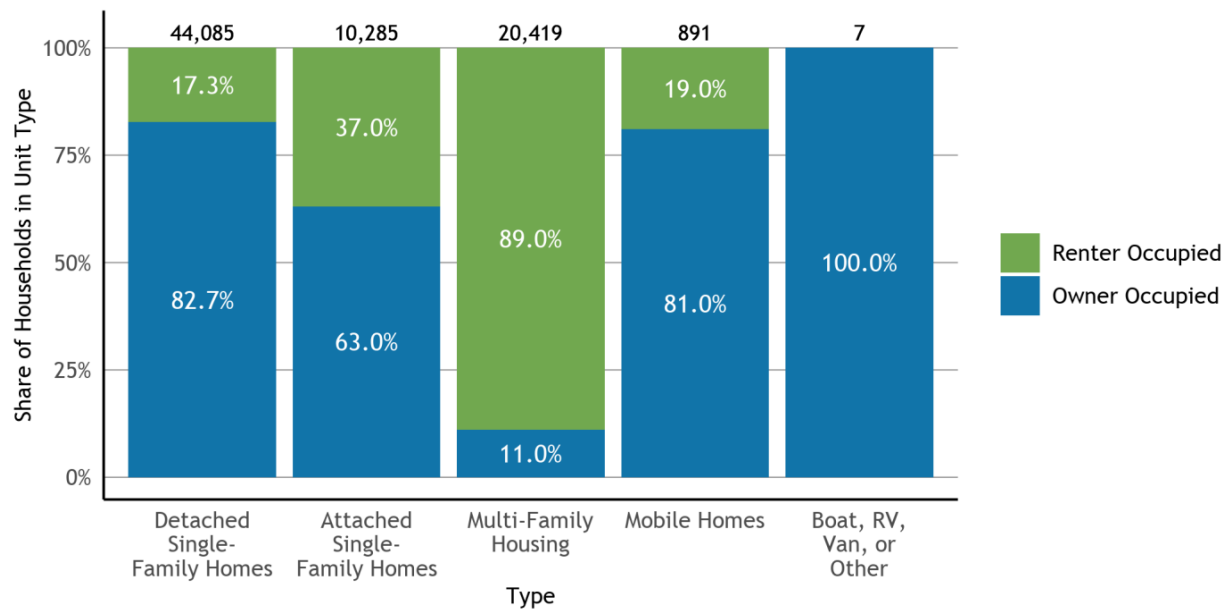
Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25007

Housing Tenure by Housing Type

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. In Fremont, 82.7% of households in detached single-family homes are homeowners, while 11.0% of households in multi-family housing are homeowners.

Figure 17. Housing Tenure by Housing Type



Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25032

Resident Displacement

Displacement can have a range of negative effects at the individual, household, community, and regional levels. Often, individuals and households that are displaced must move further from their places of work, established childcare arrangements, and social support networks, while children in displaced households may experience a disruption in schooling. Widespread displacement often exacerbates inequalities in access to opportunity and patterns of segregation as lower-income households are increasingly excluded from higher-cost areas. In cities where residents have been displaced, these trends can have a negative impact on the economic, racial, ethnic, and social diversity of the local population. In addition, local employers in high-cost areas often have difficulty recruiting and retaining workers for lower-paying jobs that are necessary to support local economic activity. These trends can also lead to workers commuting long distances to jobs in higher-cost communities, creating negative impacts in terms of both equity and the environment.

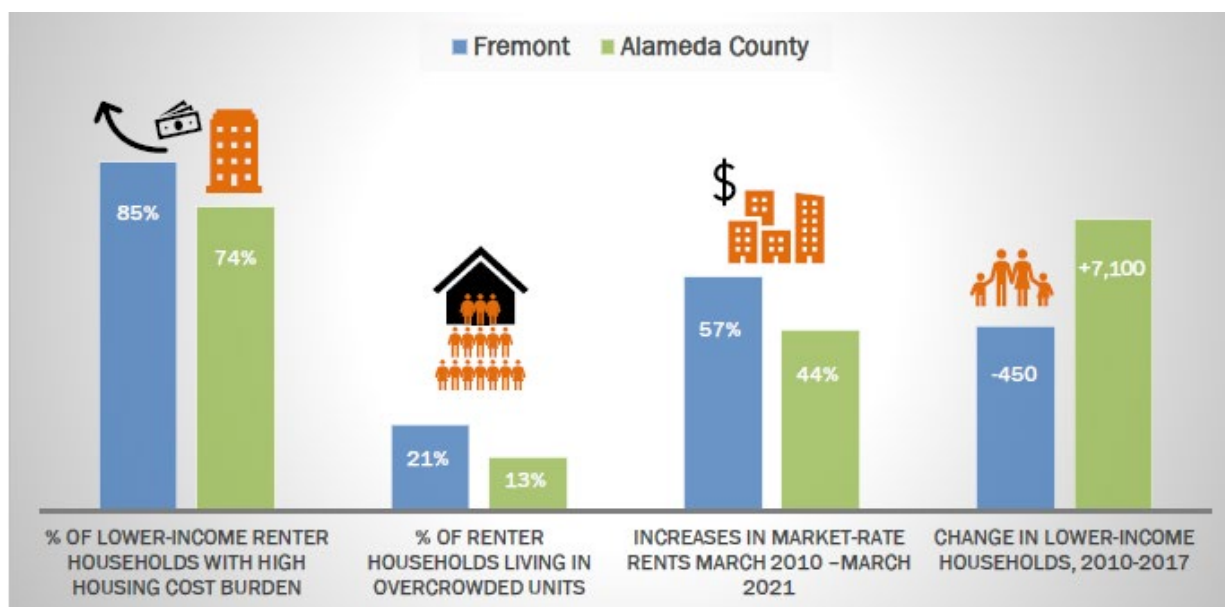
In the context of neighborhood change, the term “displacement” typically refers to existing residents’ involuntary movement out of the community, usually due to increases in housing costs and strong demand for housing coupled with a shortage of options for lower-income households.

While there is a shortage of data that can provide direct information on whether displacement has occurred or whether households are at risk of displacement, there are various data sources that provide information that, taken together, provide an indication of the extent to which households are impacted by displacement. Data that could indicate that households have been displaced or are at risk of displacement include:

- Significant increases in residential rents and sale prices;
- Rents and sale prices that exceed the affordability threshold for lower-income households;
- Low residential vacancy rates;
- Decreases in the number of lower-income households in Fremont over time;
- The presence of lower-income households for which housing costs are equal to an inordinate share of household income;
- Overcrowding in residential units;
- A shortage of units affordable to lower-income households; and
- Changes in commute patterns that demonstrate an increase in workers commuting from longer distances.

In 2021, the City of Fremont completed a Residential Displacement Study (prepared by Bay Area Economics) which analyzed the risk of displacement in Fremont based on the factors noted above. Of note, the Displacement Study identified that lower-income Fremont renters have higher rates of high housing cost burden than the countywide average, renter households in Fremont are more likely to live in overcrowded units than are renter households in Alameda County overall, and Fremont has experienced more significant increases in market-rate rents than Alameda County overall and tends to have a lower rental vacancy rate. Fremont has experienced a decrease in lower-income households during recent years, while the number of lower-income households in Alameda County has increased.

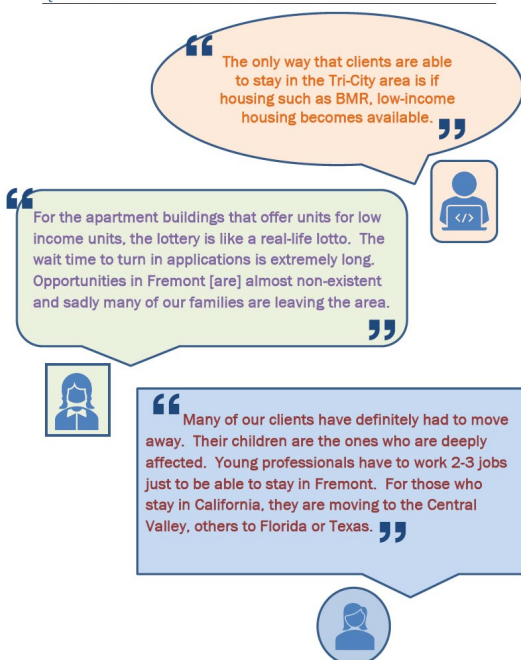
Figure 4-17. Displacement Study Highlights



Source: Residential Displacement Study, Bay Area Economics, 2021

Additionally, 70% of the social service providers in Fremont that responded to a survey related to the Displacement Study indicated that their clients had moved out of Fremont, were at risk of displacement, or were planning to move out of Fremont due to economic hardship or other reasons beyond their control.

QUOTES FROM LOCAL SOCIAL SERVICE PROVIDERS



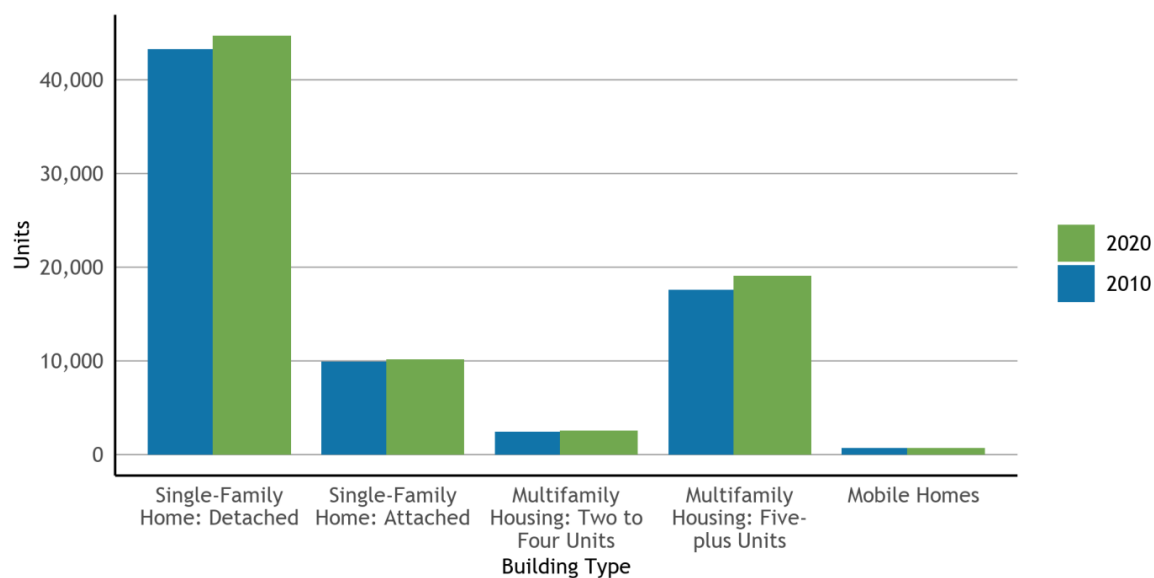
Source: Residential Displacement Study, Bay Area Economics, 2021

Housing Types Trends

The area that would become Fremont began growing quickly after World War II. Following incorporation of the City of Fremont in 1956, the newly formed city government adopted a General Plan that reflected the automobile-centric planning philosophies of the time period and facilitated the conversion of large swaths of agricultural and industrial land into large scale single-family residential subdivisions. As a result, much of Fremont's land area was developed with single-family housing. At the time of the adoption of the 2011 General Plan, approximately 85% of the residentially developed land was developed with single-family homes.

In more recent years, the strategically urban growth framework in the General Plan has led to the development of more multifamily housing and accessory dwelling units (ADUs), and less single-family housing. The housing stock of Fremont in 2020 was made up of 57.8% single family detached homes, 13.2% single family attached homes, 3.3% multifamily homes with 2 to 4 units, 24.7% multifamily homes with 5 or more units, and 0.9% mobile homes. The housing type that experienced the most growth between 2010 and 2020 was Multifamily Housing with five or more units.

Figure 4-18. Housing Type Trends

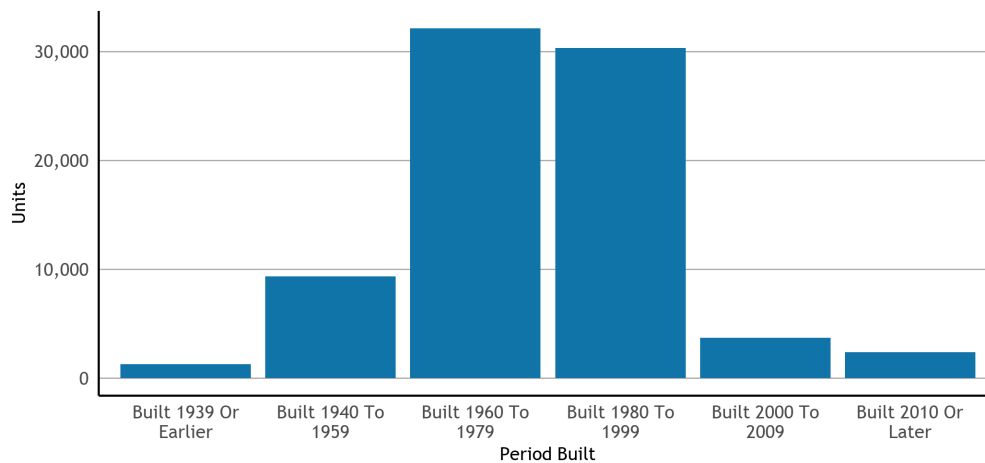


Universe: Housing units

Source: California Department of Finance, E-5 series

Production has not kept up with housing demand for several decades in the Bay Area, as the total number of units built and available has not yet come close to meeting the population and job growth experienced throughout the region. In Fremont, the largest proportion of the housing stock was built from 1960 to 1979, with 32,139 units constructed during this period. Nearly as many units were built between 1980 and 1999, with that period witnessing a growth of 30,330 units. The vast majority (79%) of Fremont's housing stock was built within these two periods. The "Built 2010 or Later" column does not reflect recently constructed units because 2015-2019 ACS data was utilized, but accounting for recently built units would not substantially increase the "Built 2010 or Later" column.

Figure 4-19. Housing Units by Year Structure Built



Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25034

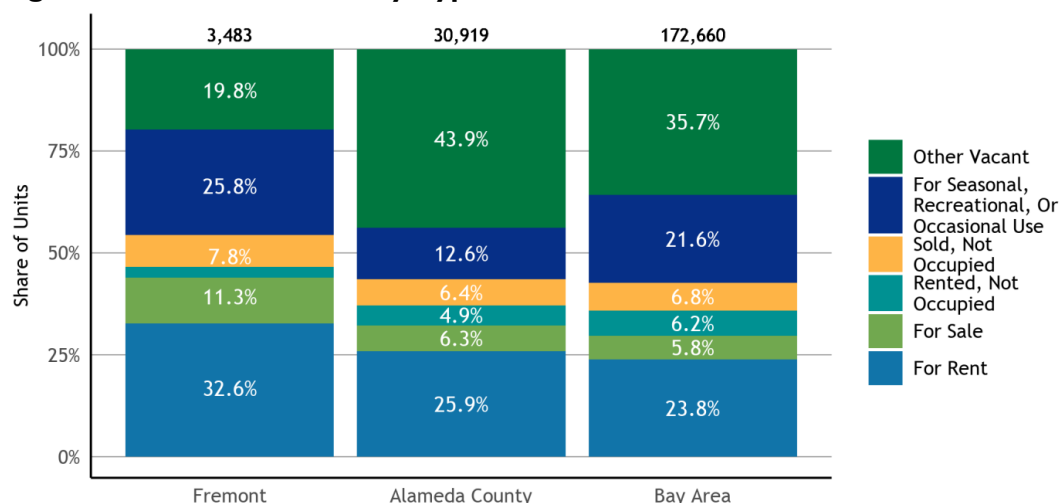
Notes:

Vacant Units

Throughout the Bay Area, vacancies make up 2.6% of the total housing units, with homes listed for rent; units used for recreational or occasional use, and units not otherwise classified (other vacant) making up the majority of vacancies. The Census Bureau classifies a unit as vacant if no one is occupying it when census interviewers are conducting the American Community Survey or Decennial Census. Vacant units make up 4.4% of the overall housing stock in Fremont. The rental vacancy stands at 4.0%, while the ownership vacancy rate is 1.4%. Of the vacant units, the most common type of vacancy is For Rent (see Figure 21).⁸

Compared to Alameda County and the Bay Area, Fremont has a higher proportion of units that are awaiting rent or sale, and a lower proportion of vacant units that are “other vacant”. The Census Bureau classifies units as “other vacant” if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration.⁹ In a region with a thriving economy and housing market like the Bay Area, units being renovated/repared are likely to represent a large portion of the “other vacant” category. Additionally, the need for seismic retrofitting in older housing stock could also influence the proportion of “other vacant” units.¹⁰

Figure 4-20. Vacant Units by Type



Universe: Vacant housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25004

Furthermore, Fremont has a significantly larger percentage of units classified as “for recreational or occasional use” than Alameda County and the Bay Area. Units in this classification are occupied only for short term periods of use throughout the year, such as short-term rentals like AirBnB. There are approximately 900 units in Fremont that could be long-term housing units, that are instead being used for

⁸ The vacancy rates by tenure is for a smaller universe than the total vacancy rate first reported, which in principle includes the full stock (4.4%). The vacancy by tenure counts are rates relative to the rental stock (occupied and vacant) and ownership stock (occupied and vacant) - but exclude a significant number of vacancy categories, including the numerically significant *other vacant*.

⁹ For more information, see pages 3 through 6 of this list of definitions prepared by the Census Bureau:

<https://www.census.gov/housing/hvs/definitions.pdf>.

¹⁰ See Dow, P. (2018). Unpacking the Growth in San Francisco’s Vacant Housing Stock: Client Report for the San Francisco Planning Department. University of California, Berkeley.

these purposes. While many other Bay Area jurisdictions have restricted short-term rentals within recent years, the City of Fremont does not currently have any such regulations. This may explain the relatively large share of short-term rentals within the City, due to the lack of required permitting and regulatory hurdles. In order to encourage the conversion of short-term rentals into long-term housing stock, the City is proposing to develop a short-term rental ordinance during the next planning period. Program 9 would establish a short-term rental ordinance that discourages or disallows short-term rentals that remove permanent long-term housing units from the market. The City shall also consider a program to promote the conversion of short-term rentals into long-term rental housing options, like ADUs.

Assisted Housing Developments at Risk of Conversion

Pursuant to Government Code Section 65583(a)(9), a housing element must identify and analyze affordable housing developments that are “at risk” of reverting to market rate rents as government financing and associated occupancy restrictions expire.

Affordable and At-Risk Units

The table below identifies affordable rental housing developments in Fremont and highlights (bold/underline) the developments that may be at risk of converting to market rate housing units during the 2023 to 2031 timeframe. The data in the table comes from the California Housing Partnership’s Preservation Database, the state’s most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing and is supplemented by records from Fremont’s Housing Division.

Table 4-4. Affordable and At-Risk Housing Units

Name	Address	Affordable Units	Active Program(s) / Eligible Applicants	City Regulated	Exp. Date
34320 Fremont	34320 Fremont Blvd	53	LIHTC	Y	
Archstone Fremont	39410 Civic Center Dr	65	LIHTC / Families, Seniors, Disabled		2030
Baywood Apartments	4275 Bay Street	80	LIHTC; Local / Families; Disabled	Y	2104
Bridgeway East	4145 Bay Street	18	LIHTC; Local	Y	2097
Canyon Flats	44960 Warm Springs Blvd	70	LIHTC / Families, Seniors, Disabled	Y	2074
Century Village Apts	41299 Paseo Padre Pkwy	99	LIHTC; CalHFA; Local / Families, Seniors, Disabled	Y	2094
City Center Apartments	38631 Fremont Blvd	59	LIHTC; HCD / Families, Seniors, Disabled	Y	2073
Cottonwood Place	3701 Peralta Blvd	97	LIHTC; HUD; Local / Seniors, Disabled	Y	2066
Doug Ford Senior	4038 Irvington Avenue	89	LIHTC / Seniors	Y	2073
Fremont Oak Gardens	2681 Driscoll Road	49	LIHTC; CalHFA; Local / Seniors	Y	2055
Geo Apartments	Old Warm Springs Blvd	101	LIHTC / Families, Seniors, Disabled	Y	2072
Glen Haven Apartments	4262 Central Avenue	57	LIHTC; Local / Families	Y	2060
Glenview Apartments	4400 Central Avenue	70	LIHTC; Local / Families	Y	2060
Good Shepherd Residence	1335 Mowry Avenue	32	HUD		Exp
Granite Ridge Apartments	37350 Sequoia Road	72	LIHTC / Families	Y	2074
Innovia	3051 Quantum Drive	287	LIHTC / Families, Seniors, Disabled	Y	2071
Irvington Terrace	4109 Broadmoor Cmn	99	LIHTC; HCD; Local / Families, Seniors, Disabled	Y	2104
Laguna Commons	41152 Fremont Blvd	63	LIHTC; Local / Families, Seniors, Disabled	Y	2070
Lincoln Oaks Apartments	40852 Lincoln Street	10	HCD; HUD; Local / Disabled	Y	2102
Main Street Apartments	3615 Main Street	63	LIHTC; CalHFA; Local / Families, Seniors, Disabled	Y	2066
Maple Square	4163 Baine Avenue	130	LIHTC; HCD; Local / Families	Y	2103
Oroysom Village	43280 Bryant Terrace	59	LIHTC; Local / Families; Disabled	Y	2097

Name	Address	Affordable Units	Active Program(s) / Eligible Applicants	City Regulated	Exp. Date
Oroysom Village Senior	221 Bryant Terrace	40	HUD; HCD; Local / Seniors	Y	2097
Osgood Apartments	41829 Osgood Road	111	LIHTC	Y	2077
Pacific Grove	41247 Roberts Avenue	20	HUD; Local / Disabled	Y	2094
Paragon Apartments	3700 Beacon Ave	45	Local / Families, Seniors, Disabled	Y	2041
Park Vista Apartments	1301 Stevenson Blvd	60	LIHTC; CalHFA; Local / Families, Seniors, Disabled	Y	2095
Pasatiempo Apartments	39548 Fremont Blvd	59	HUD / Seniors; Disabled		Exp
Pauline Weaver Senior	47003 Mission Falls Court	99	LIHTC; Local / Seniors; Disabled	Y	2072
Pickering Place	20 West Pickering Avenue	42	LIHTC; Local / Families, Seniors, Disabled	Y	2094
Rancho Sol Y Luna	3939 Monroe Avenue	38	HUD / Seniors; Disabled		Exp
Redwood Lodge	40767 Fremont Blvd	23	LIHTC; HUD; Local	Y	2087
Reilly Station	44960 Warm Springs Blvd.	60	LIHTC / Families; Disabled	Y	2074
Sequoia Manor	40789 Fremont Blvd	80	LIHTC; HUD; Local / Seniors; Disabled	Y	2087
Stevenson Terrace	39605 Stevenson Place	79	Local / Families, Seniors, Disabled	Y	2072
Sundale Arms	39150 Sundale Drive	130	LIHTC / Families, Seniors, Disabled		2028

Source: California Housing Partnership's Preservation Database, May 2022; Fremont Housing Division

Conversion Risk

The risk of conversion varies significantly from project to project depending on market, ownership, and project-based factors (size of units, location, condition of property, etc.). The California Housing Partnership assesses risk of conversion at a high level according to the following criteria:

- **Very-High Risk:** affordable homes that are at-risk of converting to market rate within the next year that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
- **High Risk:** affordable homes that are at-risk of converting to market rate in the next 1-5 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
- **Moderate Risk:** affordable homes that are at-risk of converting to market rate in the next 5-10 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
- **Low Risk:** affordable homes that are at-risk of converting to market rate in 10+ years and/or are owned by a large/stable non-profit, mission-driven developer.

324 rental units are at moderate to high risk of conversion based on the criteria above. As discussed in the Rent Values section, the median rent in Fremont has climbed significantly in the past decade, which potentially provides more financial incentive for property owners to convert units to market-rate rents when affordability restrictions expire.

Costs of Replacement Versus Preservation for At-Risk Units

The following analysis is intended to discuss whether replacement (new construction) or preservation (acquisition and rehabilitation, and/or direct rental subsidy commitments) would be the most economical approach to preserving at-risk units.

Preservation strategies to maintain the affordability of at-risk unit include providing financial incentives to property owners to extend affordability restrictions, assisting with the purchase of the units to maintain their affordability, or providing local subsidies to offset the difference between the affordable and market rate units. Alternatively, the City could invest resources to the construction of new affordable housing instead of investing in preservation.

Purchase

The City could facilitate the purchase of the property by an affordable housing provider to maintain the affordability of the units. From 2016 to 2020, land sales targeted for medium density development had an average cost of \$66 per land square foot (approximately \$2.9 million/acre)¹¹. The four at-risk properties are a total of 21 acres in size. At \$66 per square foot, the estimated cost to purchase the properties would be \$61 million. This estimate may potentially be low because of the value of the existing buildings and improvements on the properties.

Rental Subsidies

Fair Market Rents (FMR) can assist in estimating the potential cost of providing rental subsidies to preserve the affordability of at-risk units. FMRs are set by HUD to determine payments for housing assistance programs. The area's FMR represents the cost to rent a moderately-priced dwelling unit in the local housing market. FMRs can be compared against monthly incomes for low-income households to estimate potential rental subsidies.

Table 4-5. Fair Market Rents 2022, Oakland-Fremont CA HUD Metro Area

Efficiency	1-bedroom	2-bedroom
\$1,538	\$1,854	\$2,274

Source: HUD, 2022 Fair Market Rent Documentation

Two reasonable scenarios were created to estimate potential rental subsidies.

Using the example of a one-person household earning 50% of AMI and renting a one-bedroom apartment, the household would have a monthly income of \$4,167/month. Assuming 30% of household income is available for housing costs, the household could afford a monthly rent of \$1,250. This would be \$604 less than FMR for a one-bedroom unit.

Using the example of a three-person household earning 50% of AMI and renting a two-bedroom apartment, the household would have a monthly income of \$5,358/month. Assuming 30% of household income is available for housing costs, the household could afford a monthly rent of \$1,608. This would be \$666 less than FMR for a two-bedroom unit.

¹¹ Financial Feasibility Analysis in Support of Fremont Affordable Housing Ordinance, Keyser Marston Associates (KMA), 2020

Depending on the bedroom-mix of the units being preserved, an annual per unit subsidy is estimated to be in the range of \$7,000 to \$8,000 per year. The annual investment towards providing rental subsidies for all 324 at-risk units is estimated to be \$2.3 million to \$2.6 million. Over 55-years (the standard contract term for an affordability agreement for new construction), the investment is estimated to be \$126.5 million to \$143.6 million.

Financial Incentives

Another preservation strategy is to provide financial incentives to incentivize property owners to preserve the affordability of the at-risk units. The cost effectiveness of this strategy will vary based on individual circumstances, but the rental subsidy analysis would be a reasonable estimate for the value for purchasing an affordability covenant to preserve the unit.

New Construction

Instead of investing resources towards the preservation of at-risk units, the City could alternatively invest resources towards the construction of new affordable housing in a different location. In 2021 Fremont issued a Notice of Funding Availability (NOFA) to provide predevelopment and acquisition assistance for new affordable housing developments. The three affordable housing proposals that were selected for funding had estimated development costs ranging from \$652,000 per unit to \$810,000 per unit. Each of those affordable housing developments required substantial subsidies from multiple sources to make the project feasible, including between \$60,000 and \$130,000 per unit in assistance from the City of Fremont's NOFA.

Based on the NOFA proposals, the estimated cost to construct 324 affordable units would be between \$211 million and \$262 million and would involve a \$19.4 million to \$42 million subsidy from the City.

Approach to Preservation

The City will work with apartment managers and owners to implement the following five step strategy:

1. Early and proper notification of affected residents and government agencies
2. Early discussions with apartment managers and owners to discuss potential options and incentives for renewal of affordability restrictions
3. Working with owners and affordable housing developers who might be interested in acquiring the project
4. Serving as a resource and catalyst to seek out resources, including local, state and federal financial assistance programs.
5. In the event that protection is infeasible; working with property owners to ensure impacted tenants receive proper notification and are provided with resources for assistance.

The City will continue to monitor affordable housing developments at risk for converting to market rate, and utilize a case-by-case cost-benefit analysis to determine how the appropriate strategy to pursue financial resources (HOME and CDBG, State and Federal funding sources, etc.) if necessary to aggressively prevent the conversion of affordable housing units to market rate. The City shall also ensure that owners who convert apartment complexes follow laws regarding tenant rights and notification. This commitment is more thoroughly described and documented in Program 10.

Entities Qualified to Preserve At-Risk Units and Financing and Subsidy Resources

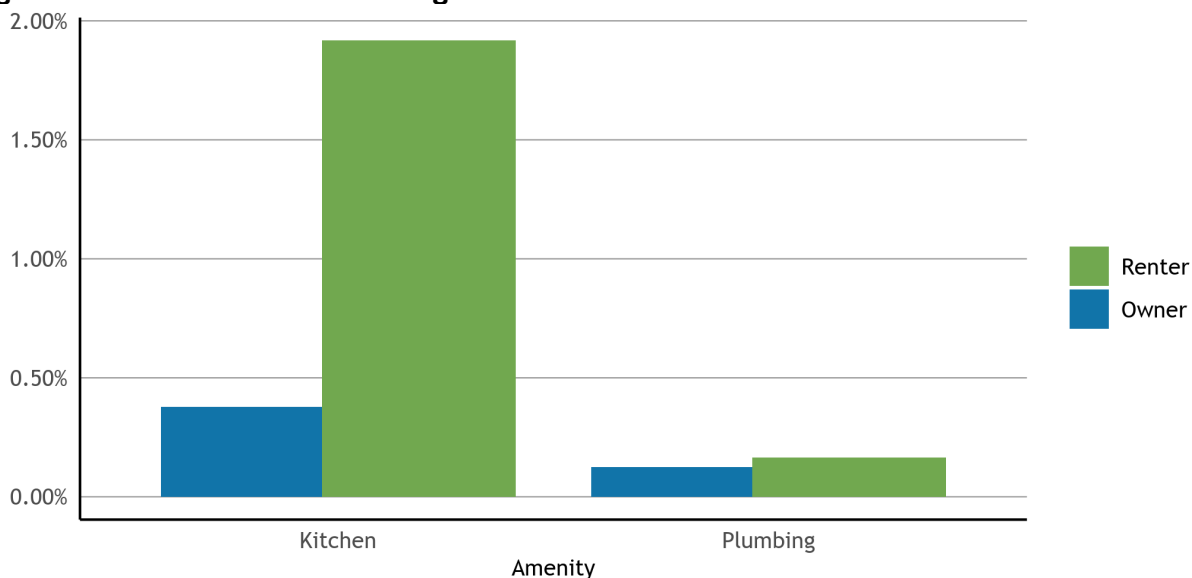
Various local nonprofit corporations and for-profit organizations possess the legal and managerial capacity to acquire and manage at-risk projects and preserve their long-term affordability. A partial list of these qualified entities has been identified and provided below:

- MidPen Housing
- Eden Housing
- Allied Housing
- KDF Communities
- Satellite Affordable Housing Associates
- Resources for Community Development
- St. Anton Multi Family Inc.
- Bridge Housing
- Housing Consortium of the East Bay
- Affirmed Housing
- Essex Properties
- Shangri La Industries

Substandard Housing

Housing costs in the region are among the highest in the country, which could result in households, particularly renters, needing to live in substandard conditions in order to afford housing. Generally, there is limited data on the extent of substandard housing issues in a community. However, the Census Bureau data included in the graph below gives a sense of some of the substandard conditions that may be present in Fremont. For example, 1.9% of renters in Fremont reported lacking a kitchen and 0.2% of renters lack plumbing, compared to 0.4% of owners who lack a kitchen and 0.1% of owners who lack plumbing. Based on the 2019 estimate of 75,697 housing units, this would equate to 1,438 rental units without a kitchen, 151 rental units without plumbing, 303 owner units without a kitchen, and 76 owner units without plumbing. This would indicate that a total of around 2,000 units in need of substantial rehabilitation. Given that this analysis only looks at a limited number of potential housing issues, however, this number is likely an undercount.

Figure 4-21. Substandard Housing Issues



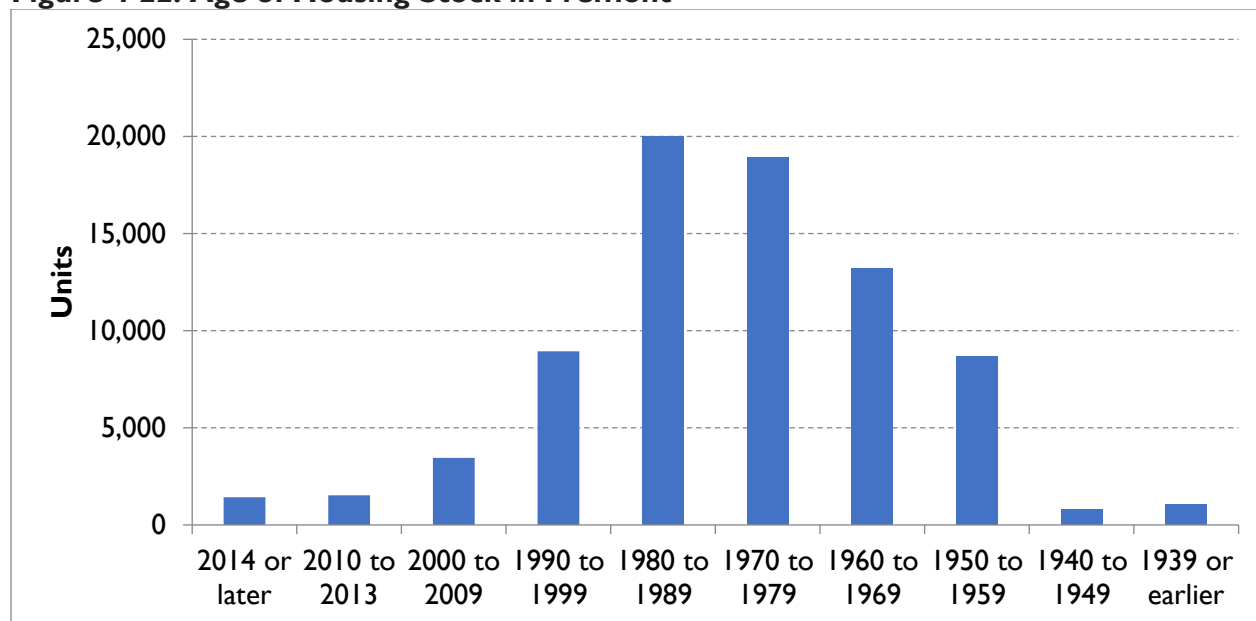
Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049

Because substandard housing issues may not be reported, it can be challenging to understand their true extent. One proxy for substandard housing is the age of housing units within a community. Most housing units in Fremont were constructed between 1960 and 1990, which means that they are between 30 and 60 years old. Homes of this age are getting to the point where substantial renovation or retrofit is required in order to maintain their livability. This may suggest that issues with substandard housing may increase within the jurisdiction during the upcoming planning period as a larger proportion of the housing stock comes due for renovation.

Approximately 23,800 units in the current housing stock are over 60 years old, indicating that they may need substantial renovation or retrofit. However, it is likely that many of these homes have already been remodeled to address habitability issues. In the current housing market, people are willing to pay such substantial money for a home that many existing units are substantially remodeled prior to sale to increase the price. Therefore, looking at the age of homes alone is likely an overcount of units in need of rehabilitation.

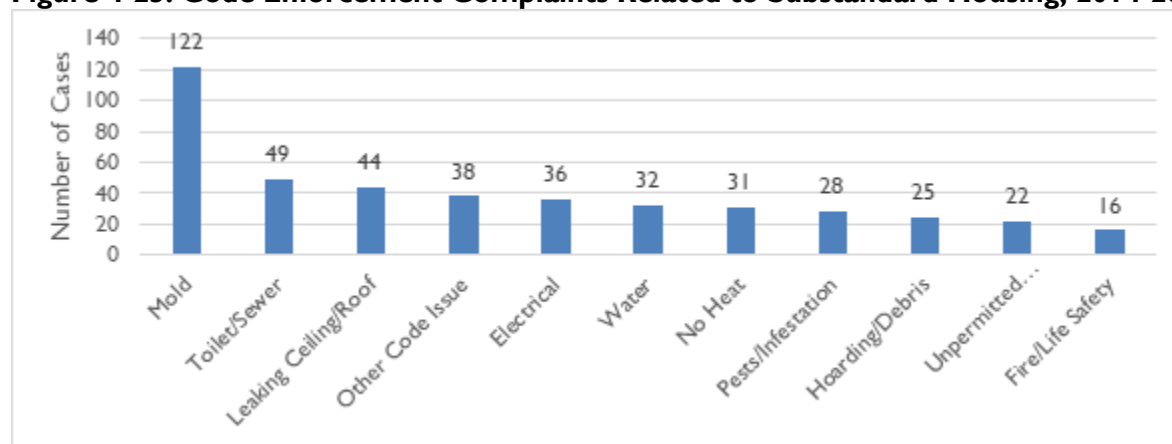
Figure 4-22. Age of Housing Stock in Fremont



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25034

Another way to ascertain the extent of substandard housing issues through local knowledge. The City's Code Enforcement Division handles complaints related to substandard housing. Between 2014-2021, the City addressed over 300 substandard housing complaints. The most common issue addressed was mold, followed by issues with plumbing and roof leaks. These concerns are typically associated with an aging housing stock.

Figure 4-23. Code Enforcement Complaints Related to Substandard Housing, 2014-2021



Source: City of Fremont Code Enforcement Division.

When examining the local Code Enforcement data in the context of other issues, plumbing issues consisted of approximately 11% of issues found by Code Enforcement. If you extrapolate this number to suppose that plumbing issues among ACS respondents (227) represent 11% of the total units in need of replacement, you would determine that around 2,100 housing units need substantial rehabilitation or replacement. In a conversation with the City's Code Enforcement Manager, he suggested that this lower estimate was likely more accurate in Fremont given the high rates of homeownership, financial resources in the community, and permit activity involving renovations before house sales. However, he suggested

that a more accurate number in his experience may be between 5,000 to 10,000 units. This would account for underreporting within the ACS and Code Enforcement data, as not all residents experiencing substandard housing issues contact the City.

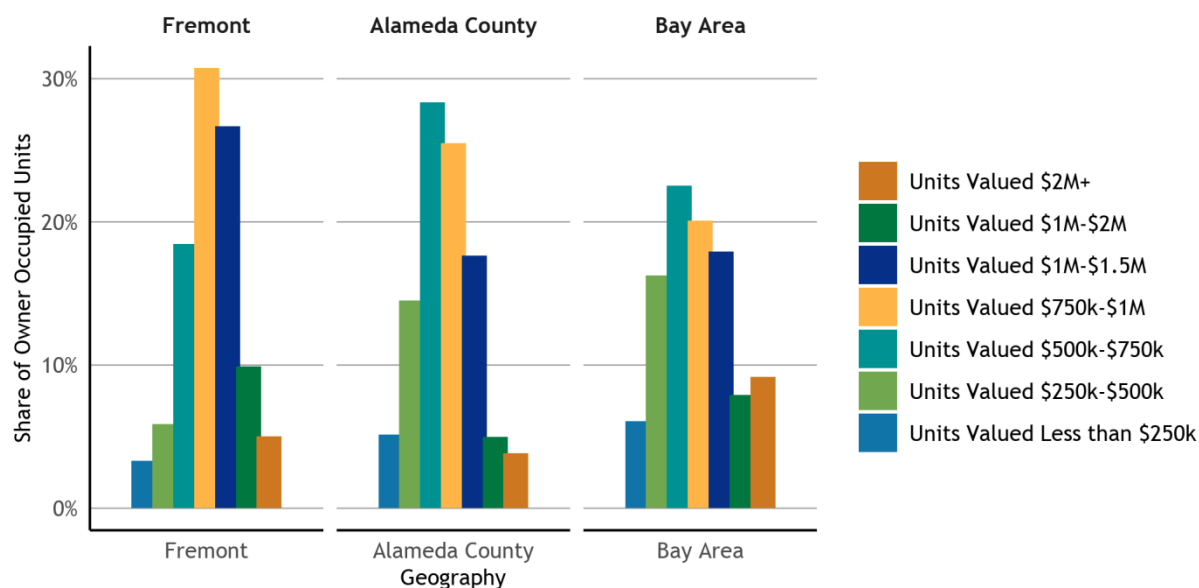
During the upcoming planning period, the City will address substandard housing issues as directed in Policy 1.01: Identify and Remedy Substandard Housing Conditions. The City will conduct proactive code enforcement (Program 1) and offer direct assistance with housing rehabilitation for low-income residents (Program 3). However, the City's available direct investments, which are exclusively funded through CDBG funds, are not sufficient to meet the growing need for housing repairs. Therefore, the City will also encourage private investment in home repair through Policy 1.02: Facilitate Improvement of Existing Housing Stock. Among other programs, the City will relax zoning regulations to allow more single-family remodels (Program 5) and expedite plan checks for residential remodels and additions (Program 24). More detail on these programs can be found in Chapter 2.

Home Values

Home prices reflect a complex mix of supply and demand factors, including an area’s demographic profile, labor market, prevailing wages and job outlook, coupled with land and construction costs. In the Bay Area, the costs of housing have long been among the highest in the nation. The typical home value in Fremont was estimated at \$1,180,200 by December of 2020, per data from Zillow. The largest proportion of homes were valued between \$750k-\$1M (see Figure 23). By comparison, the typical home value is \$951,380 in Alameda County and \$1,077,230 the Bay Area, with the largest share of units valued \$500k-\$750k. The “typical” home value is a smoothed, seasonally adjusted measure of the typical home value and market changes across the region and housing type. and reflects the typical value for homes in the 35th to 65th percentile range.

The region’s home values have increased steadily since 2000, besides a decrease during the Great Recession. The rise in home prices has been especially steep since 2012, with the median home value in the Bay Area nearly doubling during this time. Since 2001, the typical Fremont home value has increased 171.8% in Fremont from \$434,160 to \$1,180,200. This change is above the change in Alameda County, and above the change for the region. Home values are constantly fluctuating, meaning more recent data may be available at time of adoption of the Housing Element.

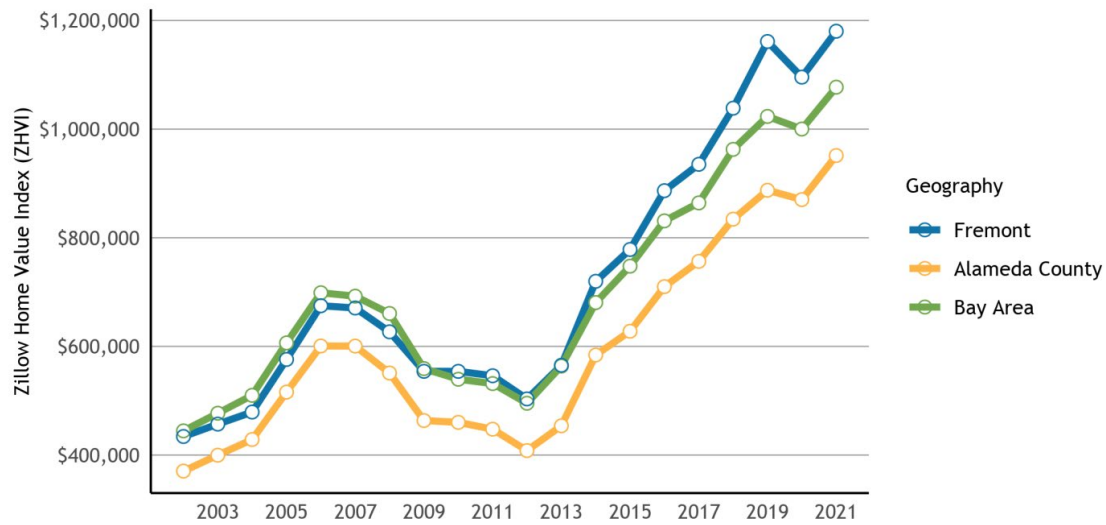
Figure 4-24. Home Values of Owner Occupied Units



Universe: Owner-occupied units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25075

Figure 4-25. Zillow Home Value Index (ZHVI)



Universe: Owner-occupied housing units

Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums. More information on the ZHVI is available from Zillow. The regional estimate is a household-weighted average of county-level ZHVI files, where household counts are yearly estimates from DOF's E-5 series. For unincorporated areas, the value is a population weighted average of unincorporated communities in the county matched to census-designated population counts.

Source: Zillow, Zillow Home Value Index (ZHVI)

A review of homes for sale on Zillow conducted in November 2022 found that the most common price bracket within the community for a new home is between \$1,000,000 and \$1,500,000. Common product types within this price range are single-family detached dwellings and townhomes. Townhomes and apartments are typically cheaper than single-family detached dwellings. A greater proportion of these units are available for under \$1,000,000. However, they are also less common in the community than single-family detached dwellings for sale.

Table 4-6. Homes for Sale on Zillow, November 2022

House Type	Price	Number
All	< \$1,000,000	74
	\$1,000,000 - \$1,500,000	98
	\$1,500,000 - \$2,000,000	41
	\$2,000,000+	28
TOTAL		241
Single-family dwelling, detached	< \$1,000,000	12
	\$1,000,000 - \$1,500,000	40
	\$1,500,000 - \$2,000,000	27
	\$2,000,000+	27
TOTAL		106
Townhomes	< \$1,000,000	43
	\$1,000,000 - \$1,500,000	41
	\$1,500,000 - \$2,000,000	4
	\$2,000,000+	0
TOTAL		88
Apartment, condominium, or other multifamily	< \$1,000,000	19
	\$1,000,000 - \$1,500,000	17
	\$1,500,000 - \$2,000,000	10
	\$2,000,000+	3
TOTAL		47

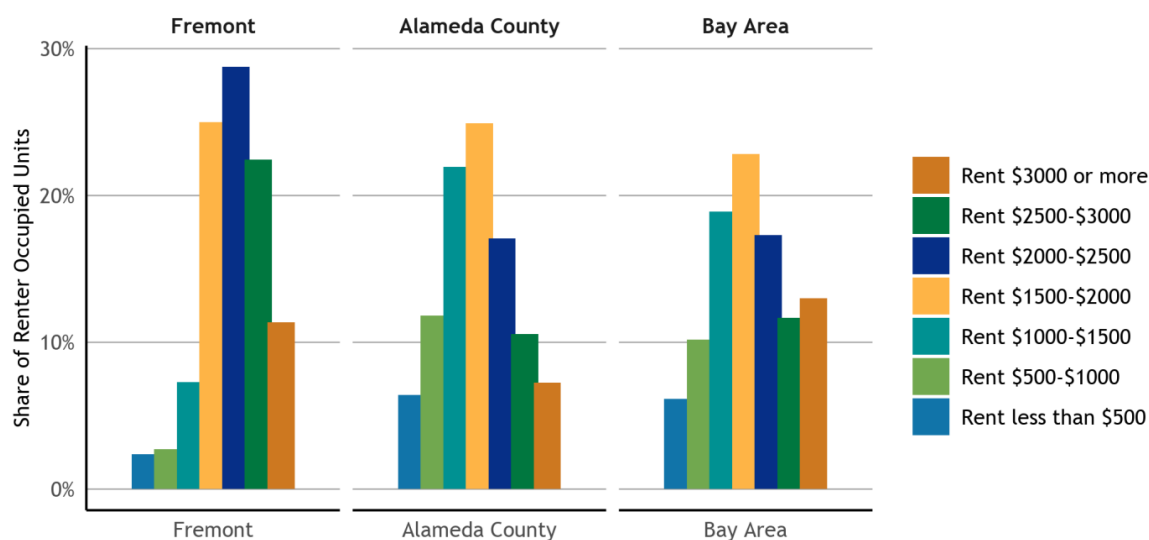
Source: Zillow

While these values are not seasonally adjusted, they reflect what a prospective homebuyer in the community is seeing at this moment. These values add additional credence to the most common concern heard during community outreach, which is the lack of affordable housing options. Additionally, they suggest that certain market-rate product types like townhomes and apartments can create more naturally affordable housing options, particularly for missing middle households (Engagement Theme #1)

Rent Values

Similar to home values, rents have also increased dramatically across the Bay Area in recent years. Many renters have been priced out, evicted or displaced, particularly communities of color. Residents finding themselves in one of these situations may have had to choose between commuting long distances to their jobs and schools or moving out of the region, and sometimes, out of the state. In Fremont, the largest proportion of rental units rented in the Rent \$2000-\$2500 category, totaling 28.8%, followed by 25.0% of units renting in the Rent \$1500-\$2000 category. Looking beyond the city, the largest share of units is in the rent for \$1500-\$2000 category in Alameda County and the Bay Area.

Figure 4-26. Contract Rents for Renter-Occupied Units

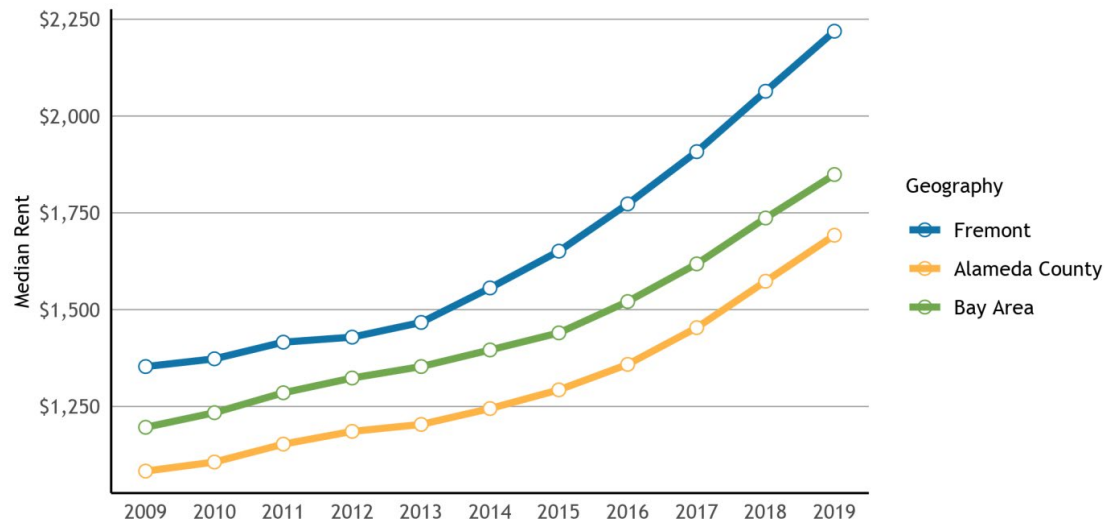


Universe: Renter-occupied housing units paying cash rent

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25056

Since 2009, the median rent has increased by 64.0% in Fremont, from \$1,550 to \$2,210 per month. In Alameda County, the median rent has increased 36.0%, from \$1,240 to \$1,690. The median rent in the region has increased significantly during this time from \$1,200 to \$1,850, a 54% increase.

Figure 4-27. Median Contract Rent



Universe: Renter-occupied housing units paying cash rent

Notes: For unincorporated areas, median is calculated using distribution in B25056.

Source: U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2005-2009 through 2015-2019, B25058, B25056 (for unincorporated areas). County and regional counts are weighted averages of jurisdiction median using B25003 rental unit counts from the relevant year.

A review of homes for rent on Zillow conducted in November 2022 found that the most common price bracket within the community for a new rental unit is between \$3,000 to \$4,000. This is largely influenced by the number of single-family dwellings in the rental market. Single-family homes typically have larger footprints and outdoor open space that increase the rental price of the product type. Comparatively, most apartments rent within the \$2,000 to \$3,000 price range. However, there are less apartments for rent than single-family dwellings.

Table 4-7. Homes for Sale on Zillow, November 2022

House Type	Price	Number
All	Under \$2,000	16
	\$2,000 - \$3,000	110
	\$3,000- \$4,000	170
	More than \$4,000	83
TOTAL		334
Single-family dwelling, detached	Under \$2,000	3
	\$2,000 - \$3,000	8
	\$3,000- \$4,000	99
	More than \$4,000	67
TOTAL		177
Townhomes	Under \$2,000	1
	\$2,000 - \$3,000	15
	\$3,000- \$4,000	25
	More than \$4,000	6
TOTAL		47
Apartment, condominium, or other multifamily	Under \$2,000	12
	\$2,000 - \$3,000	88
	\$3,000- \$4,000	46
	More than \$4,000	11
TOTAL		157

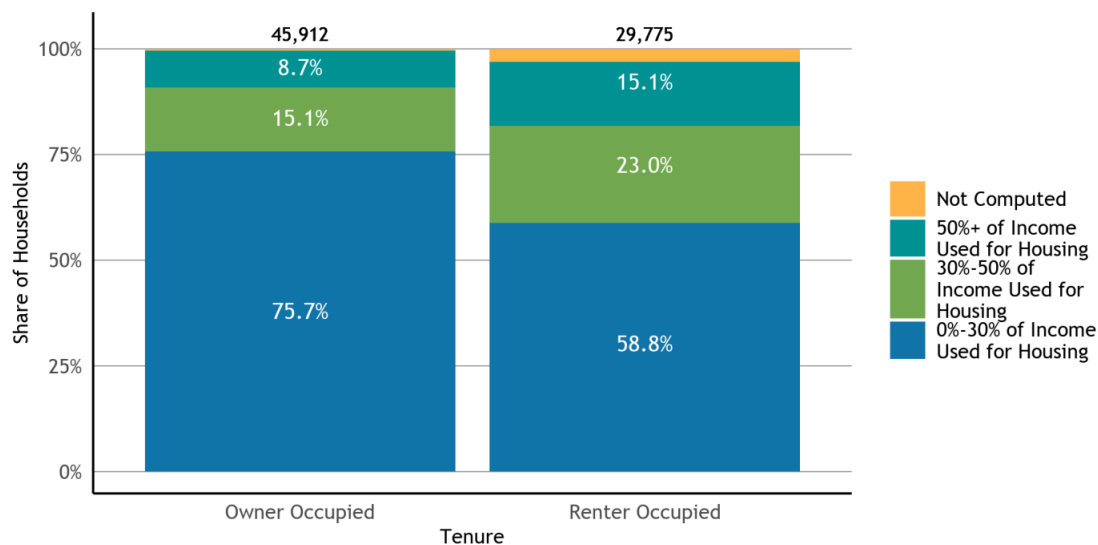
Source: Zillow

During community engagement efforts, staff heard from the Planning Commission that similar feedback that smaller apartment units could provide more naturally affordable housing opportunities. This observation is consistent with this snapshot of local housing prices in Fremont.

Cost Burden by Tenure

A household is considered “cost-burdened” if it spends more than 30% of its monthly income on housing costs, while those who spend more than 50% of their income on housing costs are considered “severely cost-burdened.” Low-income residents are the most impacted by high housing costs and experience the highest rates of cost burden. Spending such large portions of their income on housing puts low-income households at higher risk of displacement, eviction, or homelessness.

Figure 4-28. Cost Burden by Tenure



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs”, which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091

Renters are more likely to experience cost-burden than owners. While the housing market has resulted in home prices increasing dramatically, homeowners often have mortgages with fixed rates while incomes rise over time, whereas renters are more likely to be impacted by market increases. When looking at the cost burden across tenure in Fremont, 23.0% of renters (6,848 households) spend 30% to 50% of their income on housing compared to 15.1% of those that own (6,932 households). Additionally, 15.1% of renters (4,496 households) spend 50% or more of their income on housing, while 8.7% of owners (3,994 households) are severely cost-burdened. Therefore, while renters are more likely to experience cost burden than homeowners, there are a greater number of cost-burdened homeowners in the community than there are renters. There are slightly more severely cost-burdened renters than there are severely cost-burdened homeowners.

Table 4-8. Cost Burden by Tenure

Tenure	0%-30% of Income Used for Housing	30%-50% of Income Used for Housing	50%+ of Income Used for Housing
Owner Occupied	34,763	6,930	4,016
Renter Occupied	17,514	6,841	4,499
Totals	52,277	13,771	8,515

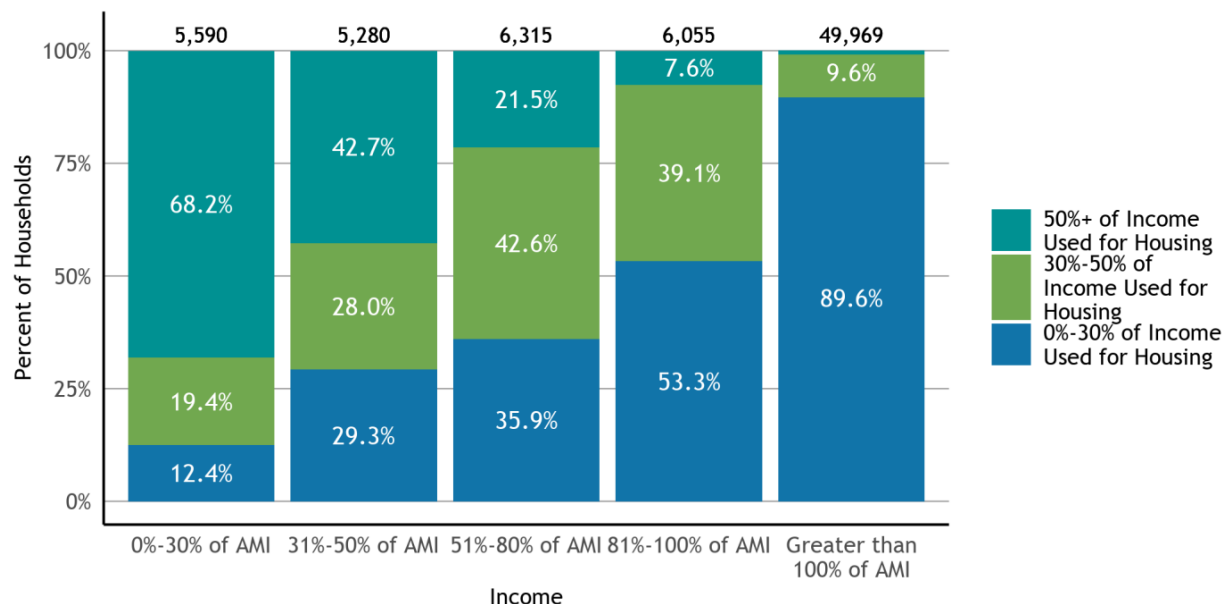
Notes: -Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091

Cost Burden by Income Level

In Fremont, 11.3% of households (8,515 households) spend 50% or more of their income on housing, while 16.9% of households (13,771 households) spend 30% to 50%. However, these rates vary greatly across income categories. For example, 68.2% of Fremont households making less than 30% of AMI spend the majority of their income on housing. For Fremont residents making more than 100% of AMI, just 0.8% are severely cost-burdened, and 89.6% of those making more than 100% of AMI spend less than 30% of their income on housing.

Figure 4-29. Cost Burden by Income Level



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, including the Oakland-Fremont Metro Area (Alameda and Contra Costa Counties). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Lower-income households are more likely to be renters than households that make above-median incomes. Renters are also more likely to experience cost-burden than owners. Lower-income renters therefore have a particularly heightened risk of experiencing cost-burden.

Table 4-9. Cost Burden by Income Level

Income Group	0%-30% of Income Used for Housing	30%-50% of Income Used for Housing	50%+ of Income Used for Housing
0%-30% of AMI	695	1,085	3,810
31%-50% of AMI	1,545	1,480	2,255
51%-80% of AMI	2,270	2,690	1,355
81%-100% of AMI	3,230	2,365	460
Greater than 100% of AMI	44,775	4,780	414
Totals	52,515	12,400	8,294

Notes: -Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

-Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Table 4-10. Tenure by Income Level

Group	Owner Occupied	Renter Occupied
0%-30% of AMI	2,775	3,247
31%-50% of AMI	2,659	2,615
51%-80% of AMI	3,170	3,140
81%-100% of AMI	2,975	3,075
Greater than 100% of AMI	34,340	15,625
Totals	45,919	27,702

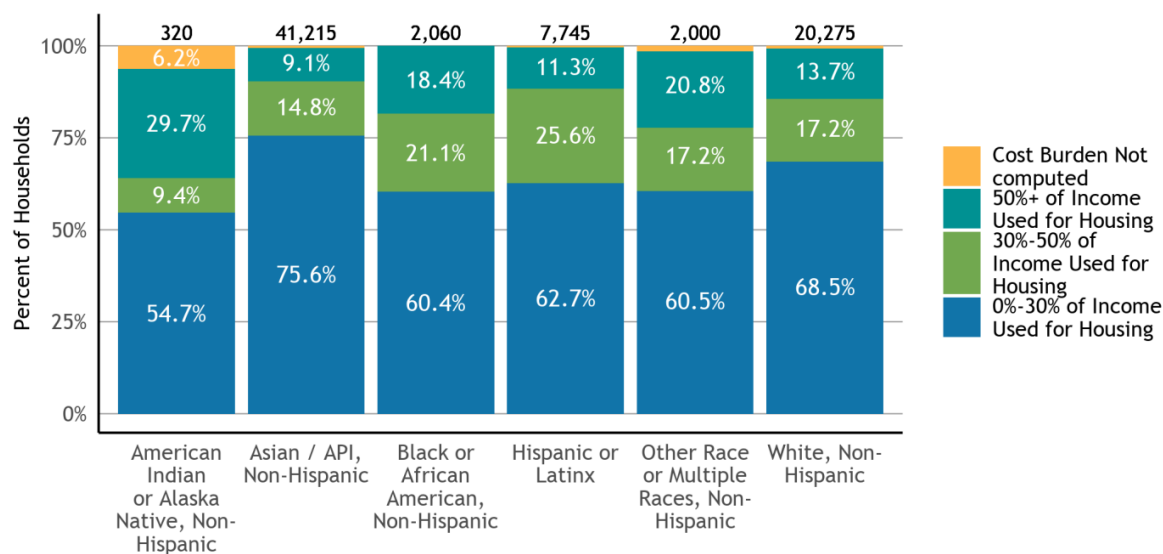
Notes: -Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Cost Burden by Race

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents. As a result, they often pay a greater percentage of their income on housing, and in turn, are at a greater risk of housing insecurity. Hispanic or Latinx residents are more likely to be cost burdened with 25.6% spending 30% to 50% of their income on housing, and American Indian or Alaska Native, Non-Hispanic residents are the most severely cost burdened with 29.7% spending more than 50% of their income on housing.

Figure 4-30. Cost Burden by Race



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs”, which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. For the purposes of this graph, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

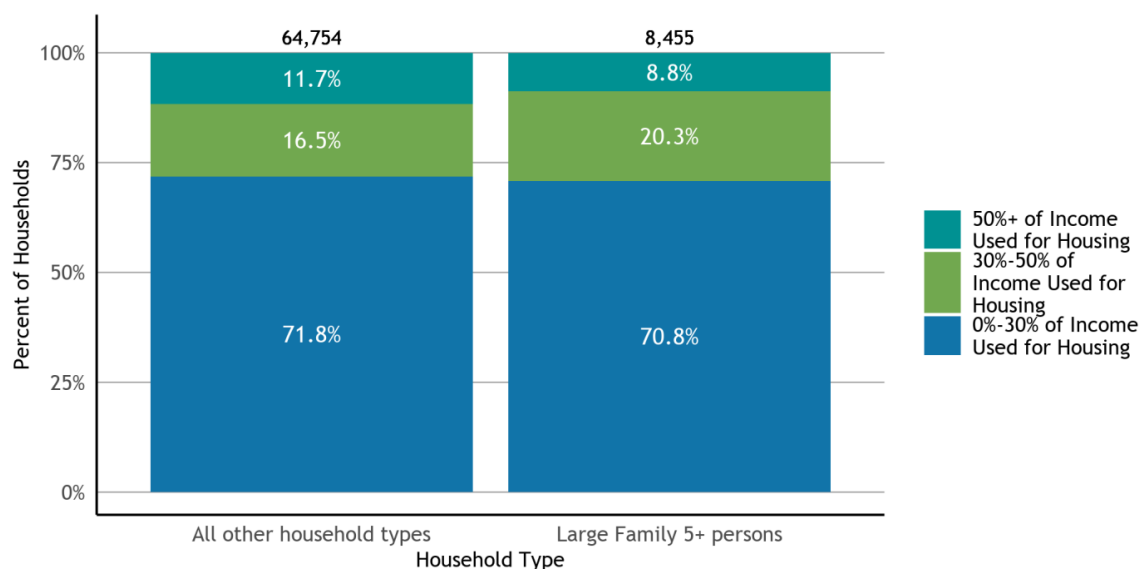
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Cost Burden by Household Size

Large family households (those with five or more persons) often have special housing needs due to a lack of adequately sized affordable housing available. The higher costs required for homes with multiple bedrooms can result in larger families experiencing a disproportionate cost burden than the rest of the population and can increase the risk of housing insecurity.

In Fremont, 20.3% of large family households experience a cost burden of 30%-50%, while 8.8% of households spend more than half of their income on housing. Some 16.5% of all other households have a cost burden of 30%-50%, with 11.7% of households spending more than 50% of their income on housing.

Figure 4-31. Cost Burden by Household Size



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

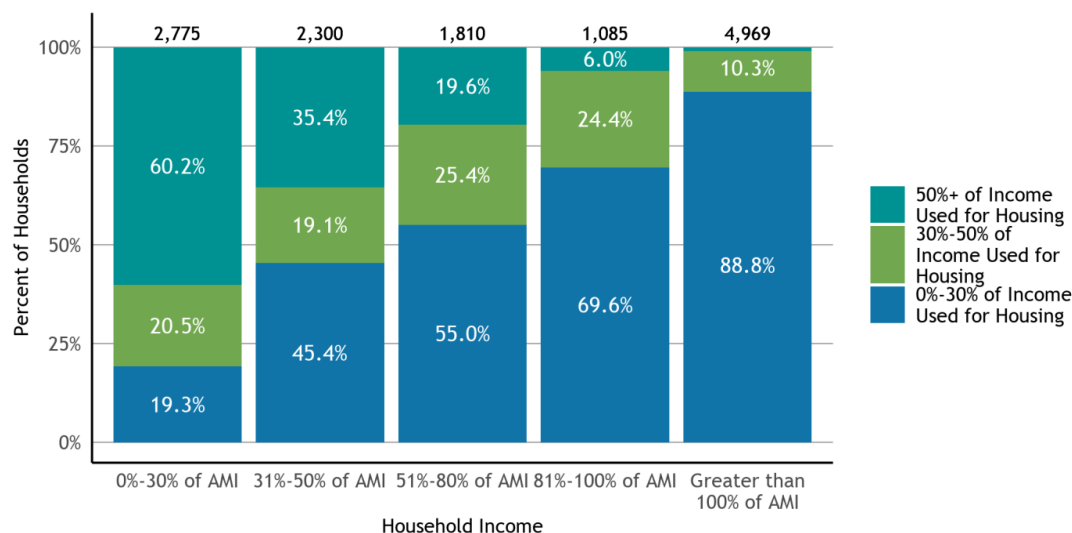
Source: U.S. Department of Housing

Cost Burden for Seniors

When cost-burdened seniors are no longer able to make house payments or pay rents, displacement from their homes can occur, putting further stress on the local rental market or forcing residents out of the community they call home. Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors. In Fremont, 60.2% of seniors making less than 30% of AMI are spending the majority of their income on housing. For seniors making more than 100% of AMI, 88.8% are not cost-burdened and spend less than 30% of their income on housing.

During community outreach, staff heard that seniors in affordable housing complexes also experience cost burden. Rental rates for affordable units are typically set at around 30% of a resident's monthly income. However, residents identified that some "income" sources, such as life insurance policies, could not actually be put towards the rent payment. This made the rent more than 30% of their usable income. Additionally, residents identified that seniors often have higher medical expenses than the population at large. Large medical expenses may prevent seniors from being able to reasonably pay 30% of their fixed income towards rent. Finally, seniors who are on a fixed income may struggle to afford rent increases if they occur. These narratives demonstrate the special housing challenges that seniors face related to housing costs. Further discussion of these issues can be found on page 4-49.

Figure 4-32. Cost-Burdened Senior Households by Income Level



Universe: Senior households

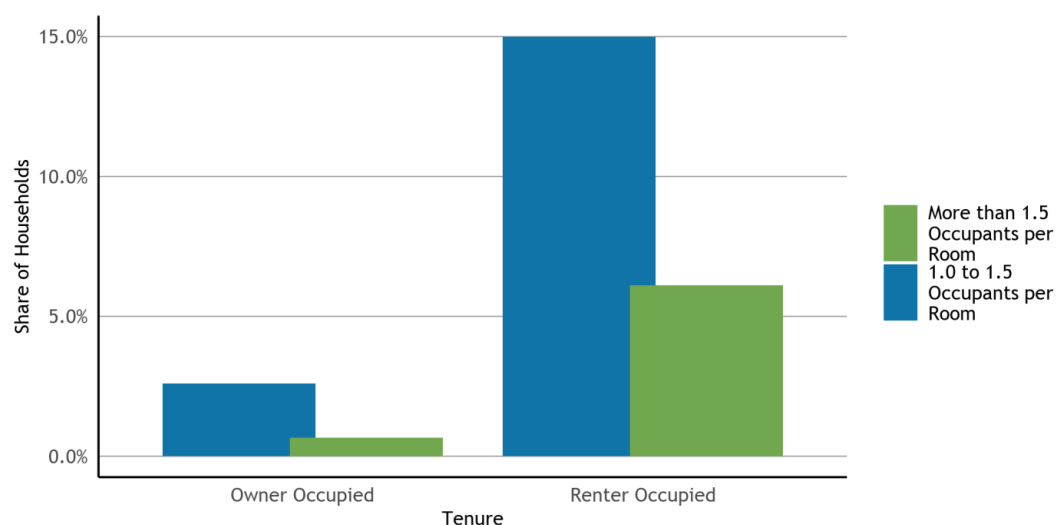
Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, including the Oakland-Fremont Metro Area (Alameda and Contra Costa Counties). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Overcrowding by Tenure and Severity

Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold. There are several different standards for defining overcrowding, but this report uses the Census Bureau definition, which is more than one occupant per room (not including bathrooms or kitchens). Additionally, the Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded. Overcrowding is often related to the cost of housing and can occur when demand in a city or region is high. In many cities, overcrowding is seen more amongst those that are renting, with multiple households sharing a unit to make it possible to stay in their communities. In Fremont, 6.1% of households that rent are severely overcrowded (more than 1.5 occupants per room), compared to 0.7% of households that own. In Fremont, 15.0% of renters experience moderate overcrowding (1 to 1.5 occupants per room), compared to 2.6% for those own.

Figure 4-33. Overcrowding by Tenure and Severity



Universe: Occupied housing units

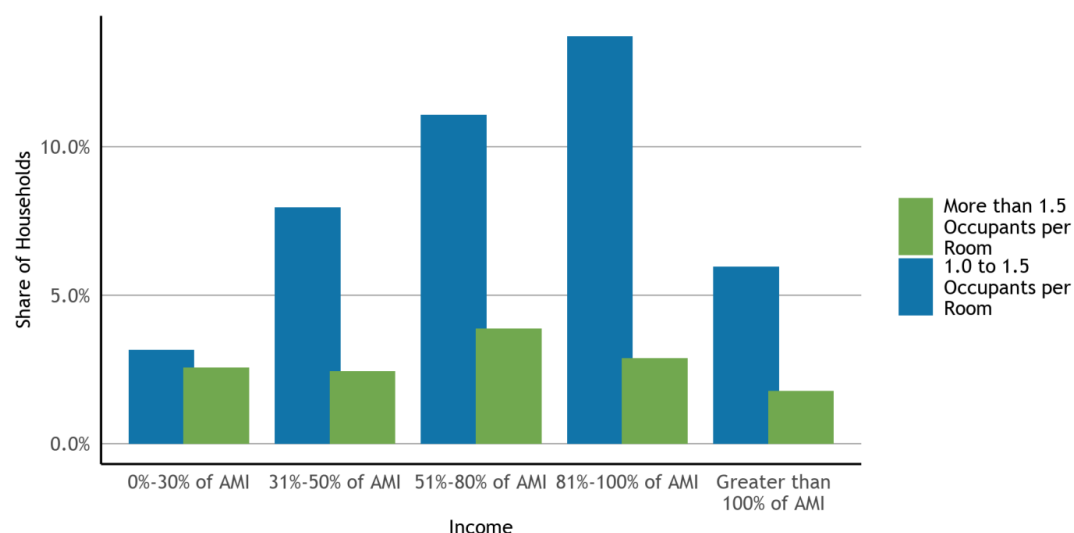
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Overcrowding by Income Level and Severity

Overcrowding occurs when the number of people living in a household is greater than the home was designed. Overcrowding often disproportionately impacts low-income households. 2.6% of very low-income households (below 50% AMI) experience severe overcrowding, while 1.8% of households above 100% experience this level of overcrowding.

Figure 4-34. Overcrowding by Income Level and Severity



Universe: Occupied housing units

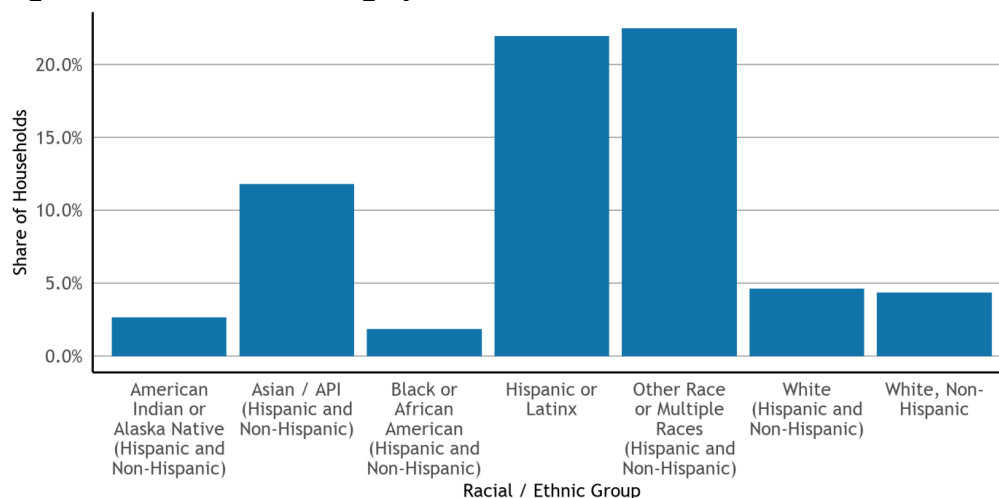
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, including the Oakland-Fremont Metro Area (Alameda and Contra Costa Counties). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Overcrowding by Race

Communities of color are more likely to experience overcrowding similar to how they are more likely to experience poverty, financial instability, and housing insecurity. People of color tend to experience overcrowding at higher rates than White residents. In Fremont, the racial group with the largest overcrowding rate is Other Race or Multiple Races (Hispanic and Non-Hispanic).

Figure 4-35. Overcrowding by Race



Universe: Occupied housing units

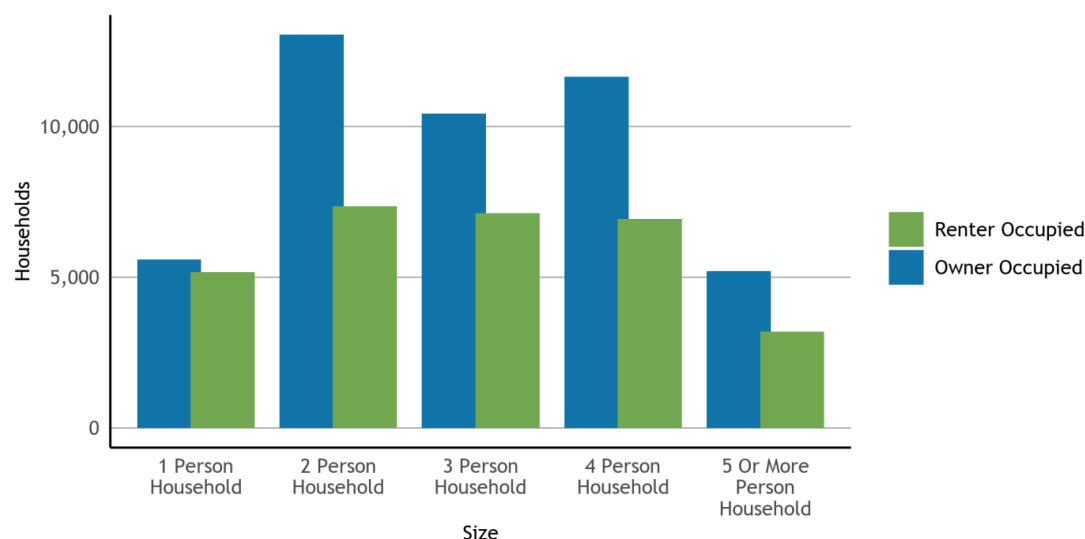
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014

Special Housing Needs of Large Households

Large households often have different housing needs than smaller households. If a city's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions. In Fremont, approximately 11% of households (8,398 households) in Fremont are large households with 5 or more persons, which is consistent with the share of large households in Alameda County (11%) and the Bay Area (11%). In Fremont, the majority of large households (62%) live in owner occupied housing units. Approximately 10.9% of large households are very low-income (earning less than 50% of AMI), which is less than the percent of very-low income households in Fremont overall (15.4%).

Figure 4-36. Household Size by Tenure

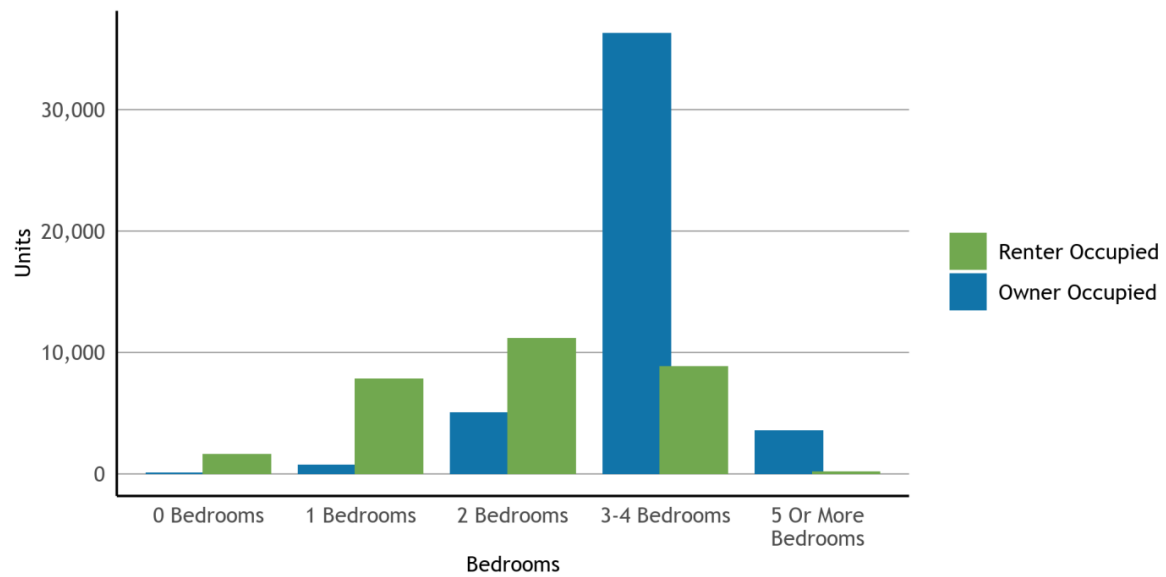


Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25009

The unit sizes available in a community affect the household sizes that can access that community. Large families are generally served by housing units with 3 or more bedrooms, of which there are 49,038 units in Fremont. As detailed in the Housing Stock section of this report, approximately 58% of the City's housing stock consists of single-family homes, which provides large families greater opportunities to access housing units with 3 or more bedrooms. Among large units with 3 or more bedrooms, 18.6% are renter-occupied and 81.4% are owner occupied.

Figure 4-37. Housing Units by Number of Bedrooms



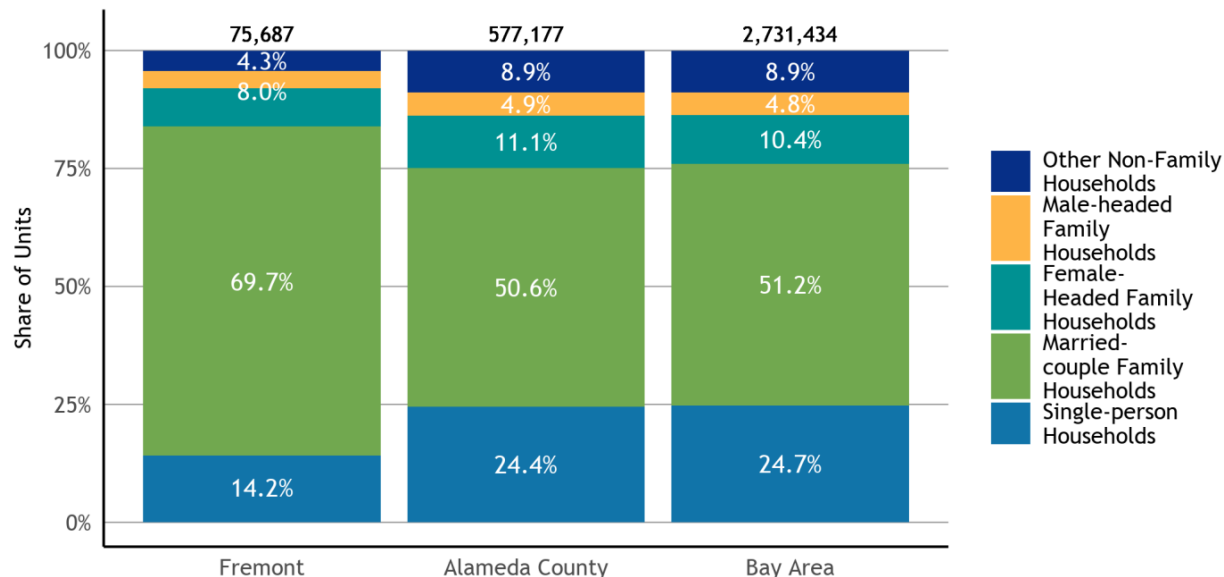
Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042

Special Housing Needs of Female-Headed Households

Households headed by one person are often at greater risk of housing insecurity, particularly female headed households, who may be supporting children or a family with only one income. In Fremont, female-headed households make up 8.0% of all households, which is decline from 2010 when female headed households made up 10% of all households in Fremont. The proportion of female-headed households in Fremont (8%) is less than Alameda County (11.1%) and the Bay Area (10.4%) overall.

Figure 4-38. Household Type



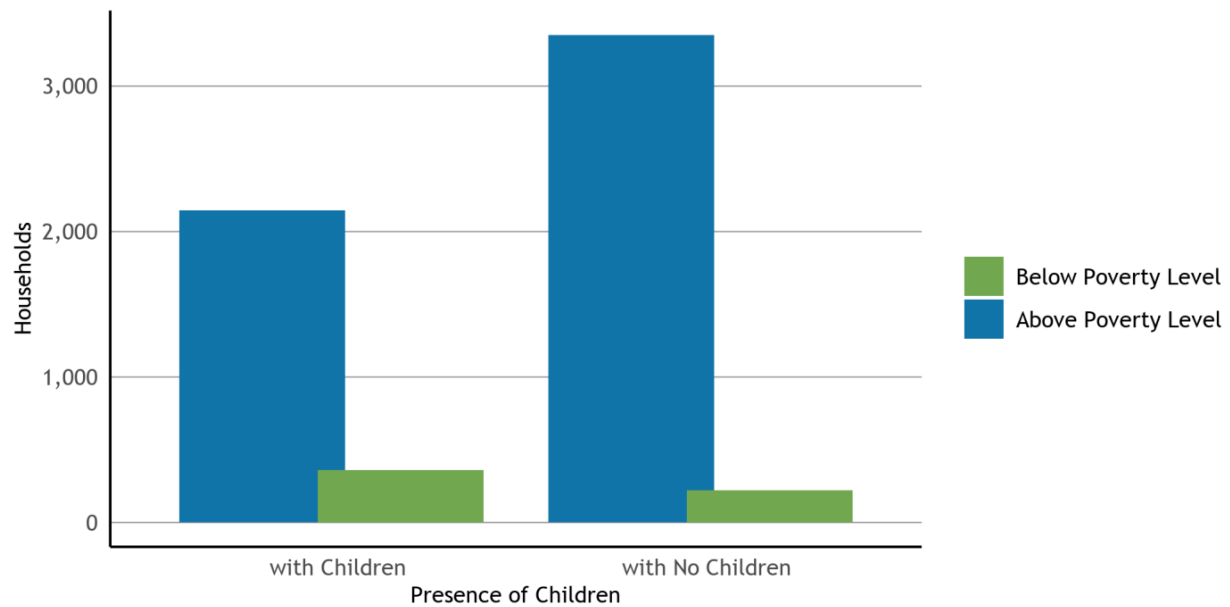
Universe: Households

Notes: For data from the Census Bureau, a “family household” is a household where two or more people are related by birth, marriage, or adoption. “Non-family households” are households of one person living alone, as well as households where none of the people are related to each other.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11001

Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. In addition to lower incomes, single parent households are also more likely to require child care assistance, which reduces the income available for housing. In Fremont, 14.4% of female-headed households with children fall below the Federal Poverty Line, while 6.2% of female-headed households without children live in poverty. The City recognizes the need for assistance of those single-parent households struggling to afford housing in Fremont. The availability of emergency shelters, transitional housing, and other affordable housing options provides housing opportunities to single mothers in danger of becoming homeless due to the rising costs in not only housing, but child and health care.

Figure 4-39. Female-Headed Households by Poverty Status



Universe: Female Households

Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income.

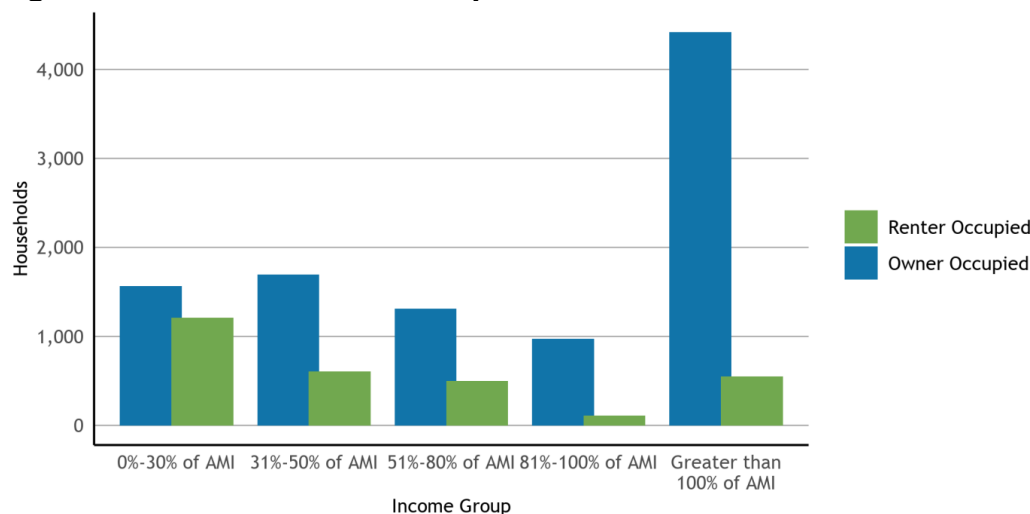
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012

Special Housing Needs of Seniors

Senior households often experience a combination of factors that can make accessing or keeping affordable housing a challenge. They often live on fixed incomes and are more likely to have disabilities, chronic health conditions and/or reduced mobility, and require housing with accessibility and access to services and support.

The community's senior population has significantly increased over the past several decades. This large increase means growing demand for a range of housing types, such as independent living facilities, assisted housing or congregate care facilities, and group homes. Many seniors may have difficulty relocating or may wish to “age in place” and others may wish to remain near family members, friends and health care services. ADUs are a housing type that provides opportunities for seniors to age in place and have convenient access to family members for support. The largest proportion of senior households who rent make 0%-30% of AMI, while the largest proportion of senior households who are homeowners falls in the income group Greater than 100% of AMI. This points to a need for rental housing that is affordable to extremely low-income seniors. Even when able to access affordable housing, seniors may still have difficulty making ends meet. At outreach events at affordable senior housing developments, many residents reported difficulty balancing housing costs with growing health care expenses and other costs, even with below market rate rents.

Figure 4-40. Senior Households by Income and Tenure



Universe: Senior households

Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older.

Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, including the Oakland-Fremont Metro Area (Alameda and Contra Costa Counties). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

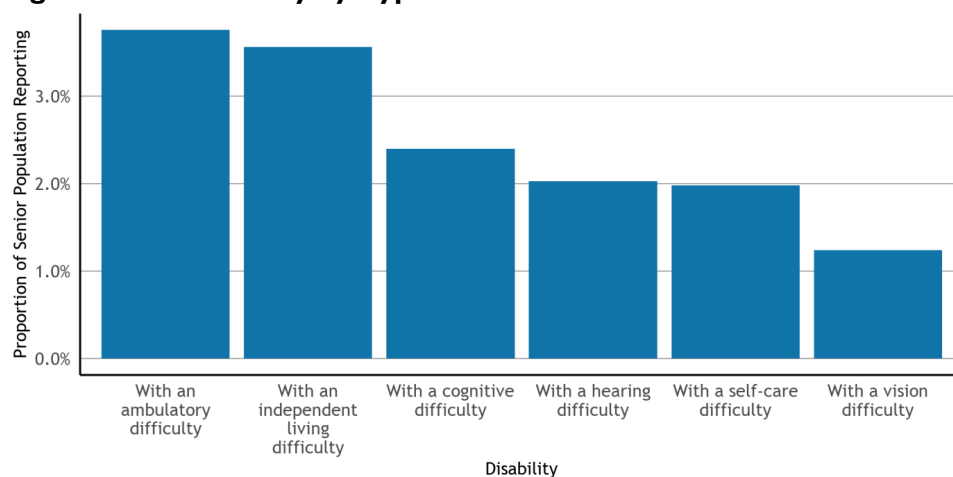
The data suggests that Fremont should take a dual approach to senior housing. On the one hand, it will be important to continue to develop subsidized rental housing that will be accessible to elderly, low-income renters. It will also be important to implement strategies to assist seniors to stay in their existing homes. In some cases, these strategies might involve financial assistance. In others, these strategies might entail programs such as in-home support services that enable seniors to remain in their homes, as well as design features that make it easier for seniors to stay in their homes. As Fremont's population continue to age, both of these strategies will grow in importance.

Special Housing Needs of People with Disabilities

Persons with disabilities often have difficulty finding affordable, adequate and supportive housing that can suit their distinct needs. This segment of the population, which includes those living with mental, physical, and developmental disabilities, needs to have access to affordable and adaptable housing types. The U.S. Census defines a disability as, “a long-lasting physical, mental, or emotional condition (that) can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.” A “developmental disability” is further defined by the State as a lifelong disability caused by a mental and/or physical impairment manifested prior to the age of 18 and expected to be lifelong. Developmental disabilities include mental retardation, cerebral palsy, epilepsy, autism, and other conditions needing services similar to a person with mental retardation. According to the federal definition, a developmental disability is a severe, life-long disability attributable to mental and/or physical impairments, manifested before age 22.

In addition to specific physical housing needs, the majority of persons with disabilities live on an income that is significantly lower than the non-disabled population. Many of these individuals live on a fixed income, severely limiting their choice and ability to pay for housing. Unfortunately, the need typically outweighs what is available, particularly in a housing market with such high demand. People with disabilities are at a high risk for housing insecurity, homelessness and institutionalization, particularly when they lose aging caregivers. The following figure shows the rates at which different disabilities are present among residents of Fremont. Overall, 7.0% of people in Fremont have a disability of any kind.¹²

Figure 4-41. Disability by Type



Universe: Civilian noninstitutionalized population 18 years and over

Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed. The Census Bureau provides the following definitions for these disability types: Hearing difficulty: deaf or has serious difficulty hearing. Vision difficulty: blind or has serious difficulty seeing even with glasses. Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions. Ambulatory difficulty: has serious difficulty walking or climbing stairs. Self-care difficulty: has difficulty dressing or bathing. Independent living difficulty: has difficulty doing errands alone such as visiting a doctor's office or shopping.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.

¹² These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability.

Those with developmental disabilities have special housing needs as well. Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old. This can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe mental retardation. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them. Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

In Fremont, of the population with a developmental disability, children under the age of 18 make up 48.8%, while adults account for 51.2%.

Table 4-11. Population with Developmental Disabilities by Age

Age Group	Value
Age 18+	790
Age Under 18	753

Universe: Population with developmental disabilities

Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2020)

The most common living arrangement for individuals with disabilities in Fremont is the home of parent/family /guardian.

Table 4-12. Population with Developmental Disabilities by Residence

Residence Type	Value
Home of Parent /Family / Guardian	1,206
Community Care Facility	160
Independent / Supported Living	138
Intermediate Care Facility	30
Other	10
Foster / Family Home	10

Universe: Population with developmental disabilities

Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020)

There are several different challenges associated with meeting the housing needs of those who are disabled. Specialized housing must respond to a myriad of different disabilities, recognizing the varying degrees of disability and the progressive stages of disabling illnesses. Housing for the disabled can range from institutional care facilities to facilities accommodating partial or full independence (i.e. group care homes, residential care facilities). Supportive services such as physical therapy and employment assistance may also need to be integrated on-site.

Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

Disabled people with mobility limitations require housing that is physically accessible. Examples of such "universal design" provisions include widened doorways, hallways, ramps and modification to bathrooms and kitchens to accommodate specialized mobility needs. Developers are required by State law to offer such features to buyers of new homes, but there is currently no State requirement to include these features unless requested (and paid for) by the home purchaser.

The City has a number of housing projects that can accommodate a range of age groups and disability types. The City has 22 housing complexes (totaling approximately 850 units) that offer assisted housing specifically to disabled residents. Of these complexes, three are solely open to mentally or physically disabled adults (Lincoln Oaks, Pacific Grove and Redwood Lodge). Housing for the disabled serves those with a variety of special needs. For example, Fremont has a sizeable deaf population, due in part to the presence of the California School for the Deaf. To meet the needs of this population, the city and a non-profit developer partnered to develop Fremont Oak Gardens, a 50-unit development specially designed for deaf seniors. Each housing unit has amenities for deaf individuals including visual cues (flashing strobe lights, video cameras), special telephone and internet wiring, and other features.

However, in addition to physical adaptability for a portion of the disabled population, other supportive services are a key component for helping those living with mental illness and other types of disabilities not recognized by the previous U.S. Census. The City recognizes this vast array of needs among the disabled population, and goals within this updated Housing Element are included to address equal access to housing and also the availability of supportive services to help people stay housed, alongside the existing programs to support and assist with funding affordable housing developments and housing unit rehabilitation or modification.

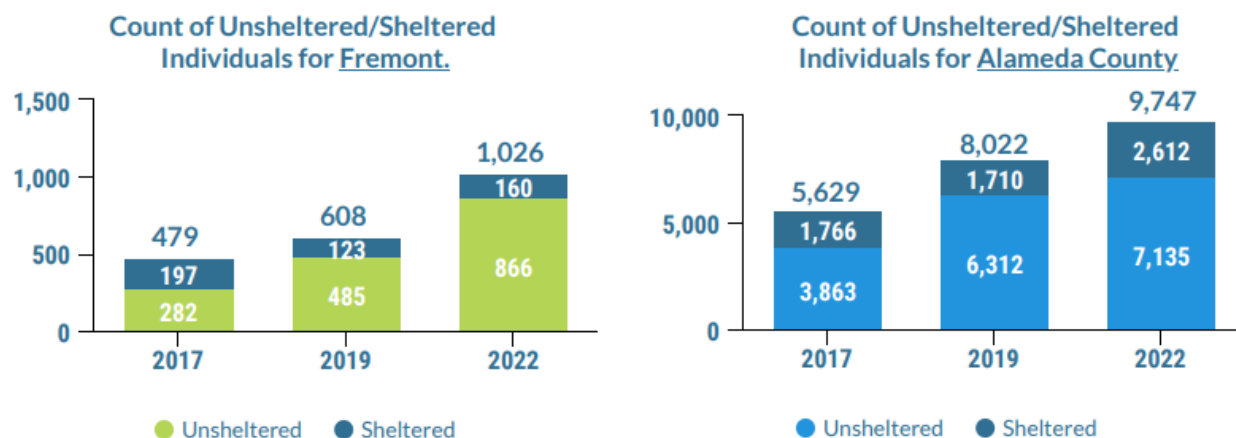
Special Housing Needs of the Homeless

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Far too many residents who have found themselves housing insecure have ended up unhoused or homeless in recent years, either temporarily or longer term. Addressing the specific housing needs for the unhoused population remains a priority throughout the region, particularly since homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction and those dealing with traumatic life circumstances.

Since 2017, the prevalence of homelessness has increased significantly in Fremont and Alameda County. Every two years, Alameda County communities conduct a Point-in-Time Count to measure the prevalence of homelessness. The most recent Point-In-Time Count was conducted on February 23, 2022, which counted 866 unsheltered and 160 sheltered individuals in Fremont. This was an increase from the 282 unsheltered and 197 sheltered individuals counted in 2017, and the 485 unsheltered and 123 sheltered individuals in 2019. The large proportion of unsheltered individuals indicates that there is a need for emergency shelters and affordable housing options in the community.

Alameda County experienced similar increases during this same time period. The 2022 Point-In-Time Count counted 7,135 unsheltered individuals and 2,612 sheltered individuals throughout all of Alameda County. This was an increase from the 3,863 unsheltered and 1,766 unsheltered individuals counted in 2017, and the 6,312 unsheltered and 1,710 sheltered individuals in 2019.

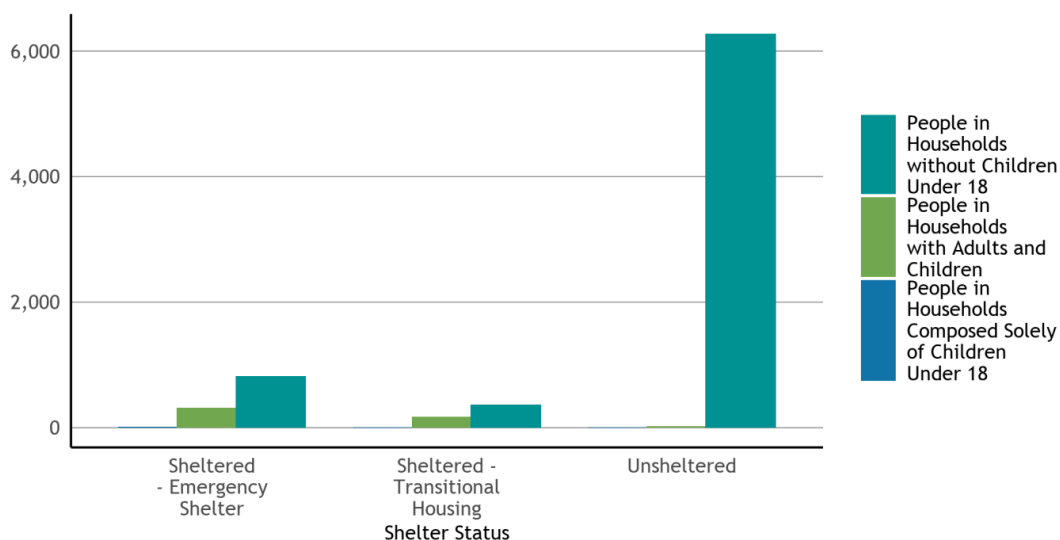
Figure 4-42. Count of Homelessness in Fremont and Alameda County



Source: 2022 Point-in-Time Count

In Alameda County, the most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, 84.0% are unsheltered. Of homeless households with children, most are sheltered in emergency shelter.

Figure 4-43. Homelessness by Household Type and Shelter Status, Alameda County



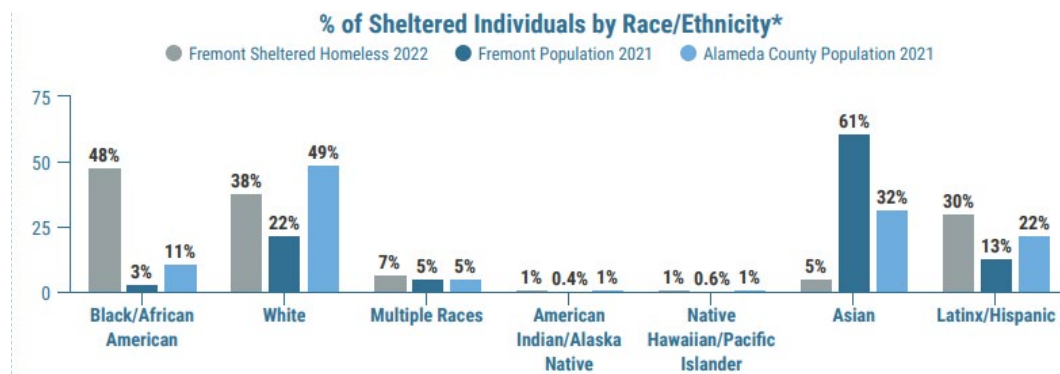
Universe: Population experiencing homelessness

Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level

Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019)

People of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents. Consequently, people of color are often disproportionately impacted by homelessness, particularly Black residents of the Bay Area. In Fremont, Black or African American (Hispanic and Non-Hispanic) residents represent the largest proportion of residents experiencing homelessness and account for 48% of the homeless population, while making up only about 3% of the overall population. The Latinx racial group similarly faces disproportionately high homelessness rates in Fremont. The Latinx racial group represents approximately 13% of the Fremont population but comprises 30% of the homeless population.

Figure 4-44. Racial Group Share of General and Homeless Populations, Alameda County



Source: 2022 Point-in-Time Count; U.S. Census Bureau, 2021 Population Estimates

Many of those experiencing homelessness are dealing with severe issues – including mental illness, substance abuse and domestic violence – that are potentially life threatening and require additional assistance. In Fremont, homeless individuals are commonly challenged by severe mental illness, with 26% of the homeless population reporting this condition. Of those, some 78.3% are unsheltered, further adding to the challenge of handling the issue.

Table 4-13. Characteristics for the Population Experiencing Homelessness, Fremont

Characteristic	Percent of Homeless Population
Chronically Homeless	35%
Veterans	<1%
Mental Health Issue	26%
Substance Use Issue	9%
Fleeing Domestic Violence/Dating Violence	9%

Source: 2022 Point-in-Time Count

In Fremont, the student population experiencing homelessness totaled 145 during the 2019-20 school year and decreased by 27.5% since the 2016-17 school year. By comparison, Alameda County has seen a 18.7% decrease in the population of students experiencing homelessness since the 2016-17 school year, and the Bay Area population of students experiencing homelessness decreased by 8.5%. During the 2019-2020 school year, there were still some 13,718 students experiencing homelessness throughout the region, adding undue burdens on learning and thriving, with the potential for longer term negative effects. The number of students in Fremont experiencing homelessness in 2019 represents 5.1% of the Alameda County total and 1.1% of the Bay Area total.

Table 4-14. Students and Local Public Schools Experiencing Homelessness

Academic Year	Fremont	Alameda County	Bay Area
2016-2017	200	3,351	14,990
2017-2018	146	3,309	15,142
2018-2019	180	3,182	15,427
2019-2020	145	2,870	13,718

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

Permanent supportive housing is the most effective solution for reducing rates of unsheltered homelessness. Permanent supportive housing provides a reliable place to live as well as on-site services to help people stay housed. Most permanent supportive housing is developed by non-profit housing developers, either as a component of a larger affordable housing project or as a stand-alone development. For the next planning period, the City has developed policies and programs to encourage more supportive housing, including Program 62 (Facilitate Hotel Acquisition/Rehabilitation), Program 75 (Participate in the Alameda County IMPACT Program), Program 76 (Remove Zoning Barriers for Supportive and Transitional Housing), and Program 82 (Encourage Location of Case Management and Other Supportive Services in Affordable Housing Developments and Housing for Seniors). These programs and their impact on reducing unsheltered homelessness are discussed in greater detail in Chapter 2.

Special Housing Needs of Farmworkers

Across the state, housing for farmworkers has been recognized as an important and unique concern. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Finding decent and affordable housing can be challenging, particularly in the current housing market.

While overall the Bay Area has shifted away from its historical agricultural economic base, agriculture still plays an important role in the local economy and provides benefits to residents in the area. In 2017, there were only 593 farm workers in Alameda County, which represents about 1.7% of the farmworkers in the Bay Area. The number of permanent farm workers in Alameda County has decreased since 2002, totaling 305 in 2017, while the number of seasonal farm workers has decreased, totaling 288 in 2017.

Table 4-15. Farm Operations and Farm Labor, Alameda County

Type	2002	2007	2012	2017	County (%)
Permanent	577	465	355	305	51%
Seasonal	369	737	449	288	49%
Totals	946	1,202	804	593	100%

Universe: Hired farm workers (including direct hires and agricultural service workers who are often hired through labor contractors)

Notes: Farm workers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.

Source: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor

Migrant workers student population is a metric that also describes farmworker needs in a community. In Fremont, the migrant worker student population is small, totaling 16 during the 2019-20 school year, which has increased from 11 since the 2016-17 school year. The trend for the region for the past few years has been a decline of 2.4% in the number of migrant worker students since the 2016-17 school year. The change at the county level is a 9.6% decrease in the number of migrant worker students since the 2016-17 school year.

Table 4-16. Migrant Worker Student Population

Academic Year	Fremont	Alameda County	Bay Area
2016-2017	11	874	4,630
2017-2018	13	1,037	4,607
2018-2019	18	785	4,075
2019-2020	16	790	3,976

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)

Although Alameda County, and Fremont, have a limited number of agricultural uses and farmworkers, they share the responsibility for farmworker housing with the rest of the region. Per the USDA, farmworkers often commute long distances to work for various employers but are considered permanent workers and residents in their home communities. For these permanent or settled farmworkers, the USDA estimates that these workers commute up to 75 miles for work and then return to their homes.

In many counties, farmworkers choose to live within incorporated cities due to the diversity and availability of housing, proximity to schools and other employment opportunities for other family members, and overall affordability. Therefore, all communities in the Bay Area play a role in meeting the farmworker housing needs of the region.

California farmworkers typically earn low wages, which limits housing choices for this special population.

Table 4-17. Occupational Employment and Wages, May 2020

Occupational Employment and Wages, May 2020	Employment	Employment (per 1,000 jobs)	Location Quotient ⁽¹⁾	Hourly Mean Wage	Annual Mean Wage
Farmworkers and Laborers, Crop, Nursery, Greenhouse (45-2092)	200,130	12.18	5.76	\$14.60	\$30,370
Farmworkers, Farm Ranch and Aquacultural Animals (45-2093)	2,290	0.14	0.53	\$16.54	\$34,400
Agricultural Workers, All Others (45-2099)	1,390	0.08	1.82	\$20.42	\$42,840
Agricultural Equipment Operators (45-2091)	7,060	0.43	0.43	\$16.55	\$34,320

Notes: (1) Location Quotient - Ratio of the area concentration of occupational employment to the national average concentration. A location quotient greater than one indicates the occupation has a higher share of employment than average, and a location quotient less than one indicates the occupation is less prevalent in the area than average.

Source: U.S. Bureau of Labor Statistics – California Farmworker Wages (May 2020)

“Farmworker housing” typically refers to shared manufactured homes provided in the vicinity of agricultural operations; however, a variety of housing types may serve the needs of farmworkers. Within an urban setting, farmworkers may choose to live in group housing for single individuals, such as an SRO, boardinghouse, or shared dwelling where housemates occupy a single unit. SROs and boardinghouses in particular may provide temporary housing options for seasonal workers who will stay in a community on a weekly or monthly basis. Removing barriers to these housing types can provide additional housing options for farmworkers in Fremont.

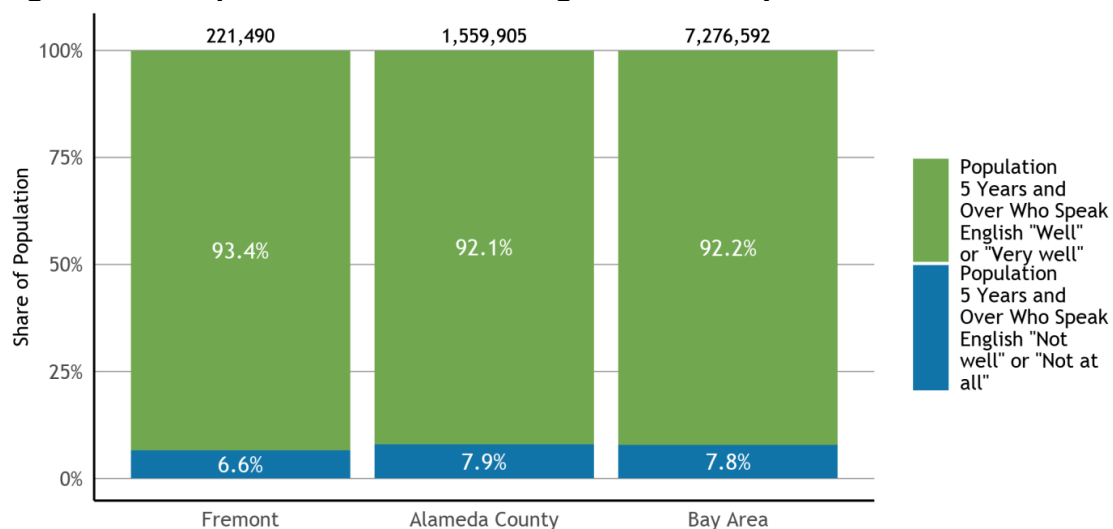
Additionally, as evidenced by the presence of a migrant worker student population, some migrant workers live with their families and children. Due to their size, these households may have greater need for deed-restricted or naturally occurring affordable housing units. The mean annual wages shown above would place a two- or three- person farmworker household within the “Extremely Low-Income” (ELI) bracket. Strategies to increase housing for ELI households, whose needs are discussed on page 4-16, may also support certain farmworker households as well.

Special Housing Needs of Non-English Speakers

California has long been an immigration gateway to the United States, which means that many languages are spoken throughout the Bay Area. Since learning a new language is universally challenging, it is not uncommon for residents who have immigrated to the United States to have limited English proficiency. This limit can lead to additional disparities if there is a disruption in housing, such as an eviction, because residents might not be aware of their rights or they might be wary to engage due to immigration status concerns. Non-English speakers in supportive housing developments and emergency shelters may need translation assistance to receive necessary services. In Fremont, 6.6% of residents 5 years and older identify as speaking English not well or not at all, which is below the proportion for Alameda County. Throughout the region the proportion of residents 5 years and older with limited English proficiency is 8%.

During Housing Element outreach events at two affordable supportive housing developments (Pauline Weaver Senior Apartments and Cottonwood Place) staff observed that residents were comprised mainly of non-English speakers, which highlights the need for translation assistance in supportive housing developments.

Figure 4-45. Population with Limited English Proficiency



Universe: Population 5 years and over

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B16005

Chapter 5

Constraints to Housing

This chapter summarizes known governmental and nongovernmental constraints to housing in Fremont and serves as a basis to form appropriate policy responses.

Purpose

Per California Government Code Section 65583(a)(5-6), a Housing Element should identify nongovernmental and governmental factors (constraints) that inhibit the development, maintenance, or improvement of housing. A thorough understanding of the constraints to housing development helps to inform appropriate policy responses to mitigate constraints and make it easier and more affordable to develop housing. A variety of factors can inhibit or constrain housing development, including environmental and market conditions, and governmental regulations.

Overview of Major Findings

Key findings from this analysis of governmental and nongovernmental constraints are summarized below. These findings were informed by a review of the City's General Plan, development regulations, applicable laws, and community and stakeholder input. Findings from this constraints analysis serves as the foundation for policy responses to address these constraints.

- **Constraints Finding #1. High land costs impact the feasibility of development.** Fremont is located in the San Francisco Bay Area, which is consistently identified as one of the most expensive housing markets in the country. The high cost of acquiring land and construction will continue to be one of the most significant constraints towards the provision of housing, especially affordable housing.
- **Constraints Finding #2. Insufficient government funding exists to subsidize all of the region's affordable housing needs.** Affordable housing developments are not typically financially feasible under current market conditions without receiving subsidies from Federal, State, County or local government sources, and there is insufficient funding available for governments to subsidize all of the affordable housing needs in California. Additionally, affordable housing developers typically rely on multiple sources of funds and tax credits in order to produce an affordable housing development, which adds to the complexity and cost of developing affordable housing.

- **Constraints Finding #3. The community is concerned about housing growth.** In a community survey, 65% of Fremont residents felt that the rate of growth and development in Fremont was “too fast”. A negative perception of growth can fuel community opposition to specific development proposals, which can be a constraint to housing. Although a majority of residents felt that the rate of growth was “too fast”, a vast majority of residents also responded that the cost of housing was an extremely serious/very serious issue (84%), and traffic congestion was an extremely serious/very serious issue (86%).
- **Constraints Finding #4. Reducing development impact fees by 50% for deed - restricted affordable units and waiving development impact fees for Accessory Dwelling Units (ADUs) facilitates the production of these critical housing types.** Development impact fees are a constraint on affordable housing. A 50% reduction on traffic, parkland acquisition and park facilities development impact fees for deed-restricted affordable housing and waiver of development impact fees for ADUs encourages the development of these critical housing types.
- **Constraints Finding #5. Design standards can be complex. Objective design standards are needed as a basis for reviewing housing proposals.** Recent state legislation requires jurisdictions to have “objective” standards in place to serve as the basis for reviewing housing proposals. Fremont has various adopted design guidelines, many of which were created prior to the emphasis on objective standards. Enhancing these standards will be important to appropriately regulate housing proposals in the future.
- **Constraints Finding #6. Rapidly changing state law adds confusion to the development process. Zoning amendments and procedural changes are needed to achieve consistency with expanding state housing requirements.** Facilitating the production of housing continues to be an area of emphasis in the state legislature. Fremont’s zoning regulations should be updated to capture the most recent changes in state law regarding Density Bonus, SB 9 (urban lot splits and two-unit developments in single-family zones), missing-middle housing, and supportive and transitional housing. Record-keeping procedures should be updated to capture new requirements including No Net Loss.
- **Constraints Finding #7. Development involving historic resources is complex.** The City of Fremont is an area rich with historical resources. Fremont’s Historic Resources Ordinance and Historic Overlay District (HOD) Ordinance require Historical Architectural Review for housing projects that affect historic resources/potential historic resources or are located within HODs. Fremont has potential historic resources that have yet to be identified, which can be a constraint to housing. Reviewing a housing proposal involving historic resources against objective standards can also be challenging.
- **Constraints Finding #8. Reach codes in service of sustainability goals increase construction costs. Reach codes should balance sustainability goals with housing production.** With each three-year Building Code cycle, Fremont can choose to incorporate additional standards for sustainability that exceed the requirements of the standard Building Code. Adoption of these code requirements should consider the impact on the feasibility of housing.
- **Constraints Finding #9. Minimum and maximum parking requirements affect the feasibility of housing developments.** Minimum and maximum parking requirements, particularly for affordable housing developments and developments near transit, should be analyzed and updated as needed to encourage the efficient use of land.

- **Constraints Finding #10. Fremont lacks short term rental regulations.** Fremont does not currently have an ordinance in place specifically for the regulation of short-term rental units (rented for less than 30-days), although the Zoning Ordinance specifically disallows them in ADUs. Based on current estimates, there are more than 300 short term rental units active in Fremont. This number may potentially be higher based on the unit vacancy data in Chapter 4, Housing Needs Assessment. Short term rental units may have an incremental impact on the availability of long-term rental housing in Fremont.
- **Constraints Finding #11. Frequently changing ADU regulations/processes adds confusion to the development process. ADU regulations and processes can be enhanced to facilitate production.** During outreach efforts, local ADU developers communicated that increasing predictability in the review process and simplifying standards would help reduce constraints to ADU development. Increasing predictability would include communicating all requirements and expectations up front and having reliable, consistent sources of information.
- **Constraints Finding #12. Development of affordable housing on the Fremont BART Station would require proactive steps.** BART's Transit-Oriented Development (TOD) Workplan states that BART will prioritize their limited resources towards developing housing on sites with clear local support. Although the City Center Community Plan and zoning allows for high density residential development on the Fremont BART site consistent with BART's TOD goals, proactive steps are needed to signal that the City has an interest in encouraging development of affordable housing on BART land, and address constraints.

Nongovernmental Constraints

Nongovernmental constraints are barriers to building housing where the City lacks direct control, including land costs, availability of labor, availability of financing, etc. Although the City lacks direct control, appropriate policy responses may serve to minimize or remove these constraints.

Land Costs

The high cost of acquiring land is a major constraint towards the provision of housing, especially affordable housing. Fremont is located in the San Francisco Bay Area, which is consistently identified as one of the most expensive housing markets in the country. Land values vary considerably from site-to-site and are affected by numerous factors (what can potentially be developed on the lot, and existing uses and improvements, etc.).

In support of the City's Affordable Housing Ordinance update, a financial feasibility analysis was prepared by Keyser Marston Associates (KMA) in 2020, which included land transaction data since 2016 for sample residential development projects. Data was collected from CoStar, a third-party vendor of market data. For land sales targeted for high density development, land was sold for an average price of \$90 per land square foot (approximately \$3.9 million/acre). For land targeted for medium density development, the average cost was \$66 per land square foot (approximately \$2.9 million/acre). For land targeted for low density development, the average cost was \$44 per land square foot (approximately \$1.9 million/acre).

Housing developers will typically prepare a pro forma analysis to determine whether to pursue a development project. The pro forma includes a "residual land value analysis," meaning the pro forma solves for what the project can afford to pay for a development site and then compares this to land costs in the current market. The analysis then evaluates feasibility based on whether the economics of the project are strong enough to afford a site under current market conditions. When land costs are high, as it is in the Bay Area, as documented above, it constrains the number of sites that are available for new housing.

Direct Development Costs

The direct costs of development include all contractor labor and material costs to construct the project including general requirements, contractor fees, and contingencies. The 2020 KMA analysis estimated direct construction costs at between \$349,000 and \$782,000/unit depending upon the unit type and size. Key variables with respect to direct costs include the size of the unit, the type of parking, and overall density. In general, higher density developments are more costly on a per square foot basis than lower density developments. A 2020 Turner Center study, "The Costs of Affordable Housing Production: Insights from California's 9% Low-Income Housing Tax Credit Program" the cost of developing a unit of affordable housing rose by 30% between 2016 and 2019. A 2020 Turner Center study, "The Hard Costs of Construction: Recent Trends in Labor and Materials Costs for Apartment Buildings in California" noted that hard costs for housing projects in California rose by 25% between 2008 and 2018, reflecting rising land, materials, and labor costs. High development costs constrain the feasibility of housing developments.

Indirect Development Costs

Indirect costs of development include architecture and engineering costs, municipal fees and permits costs, taxes, insurance, overhead, debt financing costs, etc. The 2020 KMA analysis estimated indirect

costs to range from roughly \$130,000 to \$380,000/unit. In general, higher density developments tend to have higher indirect costs on a per square foot basis because they have more complex design and engineering issues than single family homes and because they take longer to build. Fremont's strategically urban land use strategy in the General Plan encourages higher density development near transit, which means that indirect development costs will be on the higher range of the range during the planning period.

Availability of Financing

The availability of financing and interest rates greatly affect the cost and supply of housing. Interest rates substantially impact development costs, and fluctuations in rates can drastically change a developer's pro forma. Under current market conditions, interest rates are low relative to historic conditions. If interest rates increase during the planning period, housing development will be constrained as financing for housing development becomes more difficult to obtain, and development costs increase.

Community Concerns

In 2018, a community survey for Fremont residents was conducted, which documented that 65% of residents felt that the rate of growth and development was "too fast". Approximately 59% of respondents indicated that population growth was an extremely serious/very serious issue. This negative perception of housing can fuel community opposition to specific development proposals, which can be a constraint to housing. In community outreach in support of the Housing Element, many residents expressed support for affordable housing development, but not market rate development, in particular townhouse-style developments.

Although a majority of residents felt that the rate of growth was "too fast", a vast majority of residents also responded that the cost of housing was an extremely serious/very serious issue (84%), and traffic congestion was an extremely serious/very serious issue (86%). This suggests that the public generally does not perceive new housing as having a positive effect on housing affordability or traffic congestion issues.

Requests for Housing Developments at Reduced Densities

State law requires a Housing Element to include an analysis of requests to develop housing at densities below those anticipated. During the previous Housing Element cycle, most development projects on the City's sites inventory were at densities at or above the conservative assumption in the Housing Element. Based on an analysis of development that occurred on Housing Element inventory sites during the 2015-2023 planning period (as discussed in Chapter 8 – Sites Inventory and Analysis), sites were developed at densities higher than the conservative assumptions in the Housing Element.

Fremont's residential zoning districts all have a minimum residential density, and estimates in the 2015-2023 Housing Element were conservative, so there was little risk of developing at a lower density than anticipated.

The City's commercial districts generally permit development to occur without a residential use. However, if residential uses are proposed in a commercial district in a TOD Overlay District or within the City Center District, they would be subject to a minimum residential density. Based on an analysis of development that occurred on Housing Element inventory sites during the 2015-2023 planning period, only one parcel in a commercial district was redeveloped without incorporating a residential component. This indicates that the probability of development of a site below anticipated densities in commercial

districts is low. No net loss requirements under State law, requires cities to track development on Housing Element sites to ensure that adequate zoning capacity for residential development is maintained throughout the planning period.

Length of Time between Project Approval and Applications for Building Permits

State law requires an analysis of the length of time between receiving approval for housing development and submittal of an application for building permit. The time between the approval of a housing development application and submittal of an application for building permits varies significantly based on individual circumstances. This period is typically three to nine months.

The length of time often correlates with the complexity of the project. More complex projects will require more complicated plans and application materials, which takes time to prepare. For less complicated projects, the City offers concurrent review of some project types, including ADUs, where zoning review and building permit review may be conducted at the same time.

Availability of an Adequate Construction Workforce

The availability of an adequate construction workforce is necessary to build the numerous residential developments needed to meet the region's housing goals. Program 42 of the Housing Element commits the City to consulting with stakeholders, including representatives from the residential construction industry and representatives from labor organizations, on housing policy changes. This provides an opportunity for discussion and consideration of potential impacts to the supply of construction labor when adopting housing policy changes.

Governmental Constraints

Governmental constraints are barriers to building housing that the governments can exercise some control over through regulatory changes, process improvements, and community planning.

Government Funding for Affordable Housing

Construction of affordable housing requires large subsidies from Federal, State, County or local government sources in order to be financially feasible, yet there is not nearly enough funding available to subsidize all of the affordable housing needs in the region. Plan Bay Area 2050 (the Regional Transportation Plan/Sustainable Communities Strategy for the San Francisco Bay Area) estimates the cost of constructing enough deed restricted affordable homes to meet the needs of low-income households in the Bay Area through 2050 is \$219 billion.

For local context, in 2021 Fremont issued a Notice of Funding Availability (NOFA) to provide predevelopment and acquisition assistance for new affordable housing developments. The three affordable housing proposals that were selected for funding had estimated development costs ranging from \$652,000 per unit to \$810,000 per unit. Each of those affordable housing developments required substantial subsidies from multiple sources to make the project feasible, including between \$60,000 and \$130,000 per unit in assistance from the City of Fremont's NOFA.

The availability of funding for affordable housing at the State and Federal levels is unpredictable, and will change during the planning period, based on market conditions and competing priorities. At the local level, the City of Fremont's affordable housing fund relies on affordable housing fees paid from market rate residential and commercial development projects. If market conditions weaken for market rate residential and commercial development, the availability of local funding to support affordable housing would be impacted as well.

General Plan Land Use

In 2011, the City completed a major comprehensive update of the City's General Plan. The General Plan recognized that, as the City's vacant land supply dwindles, the ability to house our population becomes a challenge. For many reasons—preservation of open space, reducing vehicle miles traveled and greenhouse gas emissions, supporting the vitality of the City's core districts—the General Plan focused most (but not all) future housing growth near transit hubs and corridors, to become more urban in strategic locations. The General Plan recognizes that future growth will need to occur more densely than has occurred in Fremont's past, and a growing share of future growth will need to take place within commercial districts through mixed-use developments. The following are several land use goals and policies from the General Plan that emphasize strategically urban growth to address the community's housing needs:

Goal 2-1: City Form and Structure - A city transformed from an auto-oriented suburb into a distinctive community known for its walkable neighborhoods, dynamic city center, transit-oriented development at focused locations, attractive shopping and entertainment areas, thriving work places, and harmonious blending of the natural and built environments.

Policy 2-1.7: Becoming a More Transit-Oriented City – Plan for Fremont's transition to a community that includes a mix of established lower-density neighborhoods and new higher-density mixed-use neighborhoods with access to high-quality transit.

Policy 2-1.8: Mixed Use Emphasis – Encourage mixed-use development combining residential and commercial uses in transit-oriented development areas and also in select commercial areas as indicated on land use map.

Policy 2-1.11: Infill Emphasis – Focus new development on under-developed or “skipped over” sites that are already served infrastructure and public streets.

Goal 2-3: Complete Neighborhoods - Compact, walkable, and diverse neighborhoods, each with an array of housing types and shopping choices, with parks, schools, and amenities that can be conveniently accessed by all residents.

Policy 2-3.4: Infill Development – Support infill development on vacant and underutilized land in Fremont’s neighborhoods, particularly where there are vacant lots or parcels that create “gaps” in the urban fabric...

Policy 2-3.8: Location of Higher Density Housing – Generally locate new higher density housing in Priority Development Areas and the TOD Overlay where there is good access to transit, proximity to local-serving commercial uses, and to collector or arterial streets

The Land Use Element of the General Plan establishes various land use designations that allow for housing at a variety of types and densities, from rural/hillside areas to high density urban residential. The Land Use Element also includes a Transit Oriented Development (TOD) Overlay Designation, which generally applies to areas within ½ mile of a transit station and allows increased density while minimizing parking. These land use designations focus the highest levels of residential densities around transit hubs and Town Centers, while allowing lower residential densities in areas less served by transit.

The land use designations where the greatest intensity of residential development is expected to occur during the planning period are City Center, Town Center and Urban Residential and Mixed Use.

- **City Center.** The City Center designation applies to the 460+ acre area in the heart of Fremont, anchored by the Fremont Bart Station and the Downtown District. The City Center Community Plan and the Downtown Community Plan provide for a range of uses consistent with an urban, walkable, transit-oriented environment, including multifamily residential uses that are intended to add to the vibrancy of the area. The minimum density of residential development in the City Center is 50 dwelling units per acre, with no maximum density.
- **Town Center.** The Town Center designation applies to the original business districts of Niles, Irvington, Centerville, and Mission San Jose, and a cluster of established neighborhood shopping centers in the Warm Springs District. Each area is intended to be pedestrian-oriented with an attractive and distinct identity, along with amenities such as small parks, public art, and plazas that creates a Main Street ambiance. Residential uses are permitted as part of mixed-use developments to support vibrancy and activity in these centers. The Irvington and Centerville Town Centers are anchored by major transit hubs and are within TOD Overlay Districts that provide for higher density residential development. There are no density maximums in the Town Center designation. Mixed-use are subject to a maximum FAR of 1.25. FAR increases up to 2.5 are permitted where a TOD overlay has been applied. Minimum FARs of 0.5 and minimum residential densities of 30 units/acre also apply when the site is located within the TOD overlay.

- **Urban Residential.** The Urban Residential designation facilitates the construction of apartment buildings and condominiums that are generally four stories or more, with a density range between 30-70 dwelling units/acre (50-70 dwelling units per acre when in a TOD Overlay District). Densities above 70 units per net acre may also be permitted with a density bonus.
- **Mixed Use.** The Mixed Use designation applies to specific areas of the City that may be appropriate for mixed commercial and residential projects, but are not within a TOD overlay. This designation has been applied to areas of the City that are beyond the half-mile radius of the BART and ACE stations, but still would be attractive locations for projects that combine commercial and higher-density residential uses. Housing is permitted but not required; however, a substantially higher FAR is applied to incentivize mixed use development on these properties. The allowable FAR in areas designated Mixed Use ranges from a maximum of 0.50 for non-residential projects to a maximum of 1.25 for mixed-use projects that include residential. There are no density maximums in the Mixed-Use designation. As a program of the Housing Element, a minimum residential density will be established for the Mixed Use designation to ensure that Mixed Use sites are not underutilized for residential purposes.

Table 5-1. Land Use Designations Permitting Residential

Residential Designations	Density (dwelling units/net acre)
Hillside Residential	Less than 8.7 (if previously subdivided); Less than 2.3 elsewhere
Low Density	2.3 to 8.7
Low-Medium Density	8.8 to 14.5
Medium Density	14.6 to 29.9
Urban Residential	30 to 70
Urban Residential/TOD Overlay	50 to 70
Commercial Designations	Density (dwelling units/net acre)
City Center	50 minimum; no maximum
City Center/TOD Overlay	50 minimum; no maximum
Town Center	No minimum; no maximum
Town Center/TOD Overlay	30 minimum; no maximum
General Commercial	No minimum; no maximum
General Commercial/TOD Overlay	No minimum; no maximum
Mixed Use	No minimum; no maximum
Innovation Center	Density (dwelling units/net acre)
Innovation Center (within ¼ mile of BART Station)	50 minimum; no maximum
Innovation Center (outside ¼ mile of BART Station)	30 minimum; no maximum

General Plan Consistency

Internal consistency within the General Plan is maintained throughout the planning period whenever the City Council considers General Plan Updates and Amendments and as part General Plan Annual Progress Report (APR) submitted pursuant to Government Code Section 65400.

General Plan Updates may be periodically proposed by City staff throughout the planning period, typically to comply with new state laws and requirements. When staff propose a General Plan Update, the Update is analyzed for consistency with existing General Plan policies as part of the staff report prepared for the

Planning Commission and City Council regarding the proposed Update. Similarly, when private applicants propose a General Plan Amendment in order to facilitate a private development project, City staff will analyze the consistency of the proposed land use change with existing General Plan policies in the staff report prepared for the Planning Commission and City Council.

Pursuant to Government Code 65400, the City is additionally required to submit a General Plan APR annually to HCD and the Governor’s Office of Planning and Research. The City has complied with this requirement in each year of the 2015-2023 planning period, and in fact updated its General Plan APR template in 2020 to ensure consistency with statutory requirements. The City’s General Plan APR analyzes the City’s compliance with HCD’s General Plan Guidelines; identifies major revisions or updates to the General Plan completed within the past year; and makes note of any General Plan Amendments adopted within the past year. The General Plan APR confirms that the City is maintaining internal General Plan consistency, as well as consistency between the General Plan and specific/community plans, throughout the planning period.

Consistency between the General Plan and Zoning Ordinance is maintained throughout the planning period via periodic zoning clean-ups initiated by City staff. All General Plan land use designations in the City correspond with one or more implementing zoning districts, as documented in the General Plan’s Implementation Element. Since the adoption of the 2011 General Plan, staff has occasionally identified a site where zoning is accidentally mismatched with the underlying General Plan land use designation. When this occurs, staff carefully documents the inconsistency, and resolves the mismatch through a General Plan and/or Zoning “cleanup” package which is brought forward every 12-18 months to address minor issues within the City’s Zoning Ordinance. In the interim, staff apply the requirements of SB 330 for sites with inconsistent General Plan and zoning designations, when applicable. All of the sites identified in the Chapter 8, Sites Inventory and Analysis, have a zoning designation that is consistent with the underlying General Plan Land use designation.

Zoning for a Diversity of Housing Types

The City’s Zoning Regulations accommodate a diversity of housing types in numerous zoning districts to meet the varying needs of the community. The following table summarizes the types of residential uses permitted in the City and the zoning districts in which they are permitted. The City’s zoning regulations allow housing as a principally permitted use in most situations. However, in some cases, a Conditional Use Permit or a Zoning Administrator Permit are required. For example, residential uses are permitted in the C-O (Commercial-Office) and C-N (Commercial-Neighborhood) districts as part of a mixed-use project with a use permit. Conditional Use Permit and Zoning Administrator Permit applications are reviewed on a case-by-case basis, and conditions may be applied to ensure that the use is compatible with surrounding uses and is not detrimental to public health and welfare.

Table 5-2. Zoning for a Variety of Housing Types

Housing Type	Zones Permitting by Right	Zones Permitting with Use Permit
Accessory Dwelling Units	All zones where residential is permitted	None
Caretaker Quarters	Industrial Zones: None	Industrial Zones: All
Continuing care retirement communities and residential care facilities for the elderly	Residential Zones: R-3, R-G	Residential Zones: R-1, R-2
	Commercial Zones: TC-T	Commercial Zones: C-O, C-N, TC-P
	City Center Zones: None	City Center Zones: CC-UO, CC-UN
Duet Dwellings	Residential Zones: R-2	Residential Zones: None
	Commercial Zones: MX, TC-P, TC-T	Commercial Zones: C-O, C-N
Duplex Dwellings	Residential Zones: R-1, R-2	Residential Zones: None

Housing Type	Zones Permitting by Right	Zones Permitting with Use Permit
	Commercial Zones: MX, TC-P, TC-T	Commercial Zones: C-O, C-N
Dwelling Groups	Residential Zones: None	Residential Zones: R-1, R-2
Emergency Shelters	Residential Zones: None	Residential Zones: R-1, R-2, R-G, R-3
	Commercial Zones: None	Commercial Zones: C-O, C-N, C-G, MX, TC-T, TC-P
	City Center Zones: None	City Center Zones: None
	Downtown Zones: None	Downtown Zones: None
	WSI Zones: None	WSI Zones: WSI-1, WSI-3, WSI-4, WSI-8, WSI-9
	Industrial Zones: I-S	Industrial Zones: I-T, I-G
Farmworker Housing	Residential Zones: None	Residential Zones: All
Junior Accessory Dwelling Units	All districts where a single-family residential unit is permitted	None
Live-Work Units	Residential Zones: None	Residential Zones: R-3
	Commercial Zones: None	Commercial Zones: MX, TC-P, TC-T
	City Center Zones: All	City Center Zones: None
	Downtown Zones: None	Downtown Zones: D-MD, D-E
	WSI Zones: WSI-3, WSI-4, WSI-9	WSI Zones: None
Manufactured or Mobile Homes	Residential Zones: All	Residential Zones: None
Multifamily Dwellings	Residential Zones: R-3, R-G	Residential Zones: None
	Commercial Zones: MX, TC-P, TC-T	Commercial Zones: C-O, C-N
	City Center Zones: All	City Center Zones: None
	Downtown Zones: D-CA, D-MD, D-E	Downtown Zones: None
	WSI Zones: WSI-3, WSI-4, WSI-9	WSI Zones: None
Navigation Centers	All Zones	None
Nursing Care Facilities	Residential Zones: None	Residential Zones: R-2, R-3, R-G
	Commercial Zones: None	Commercial Zones: C-N, C-G, TC-T
	City Center Zones: None	City Center Zones: CC-UO, CC-UN
Residential Care Facilities, Special	Residential Zones: All	Residential Zones: None
	Commercial Zones: C-O, C-M, MX, TC-P, TC-T	Commercial Zones: None
	City Center Zones: All	City Center Zones: None
	Downtown Zones: D-CA, D-MD, D-E	Downtown Zones: None
	WSI Zones: WSI-3, WSI-4, WSI-9	WSI Zones: None
Rooming and Boarding Houses	Residential Zones: None	Residential Zones: R-2, R-3, R-G districts
Single-Family Dwelling	Residential Zones: R-1, R-2, R-G	Residential Zones: None
	Commercial Zones: C-O, C-M, MX, TC-P, TC-T	Commercial Zones: C-O, C-N
Single Room Occupancy Units	Residential Zones: R-3, R-G	Residential Zones: None
	Commercial Zones: MX, TC-P, TC-T	Commercial Zones: C-O, C-N
	City Center Zones: All	City Center Zones: None
	Downtown Zones: D-CA, D-MD, D-E	Downtown Zones: None
	WSI Zones: WSI-3, WSI-4, WSI-9	WSI Zones: None
Skilled Nursing Health Facilities	Residential Zones: None	Residential Zones: None
	Commercial Zones: None	Commercial Zones: C-N, C-G, TC-T

Housing Type	Zones Permitting by Right	Zones Permitting with Use Permit
	City Center Zones: None	City Center Zones: CC-UO, CC-UN
Supportive Housing	Residential Zones: All	Residential Zones: None
	Commercial Zones: C-O, C-M, MX, TC-P, TC-T	Commercial Zones: None
	City Center Zones: All	City Center Zones: None
	Downtown Zones: D-CA, D-MD	Downtown Zones: None
	WSI Zones: WSI-3, WSI-4, WSI-9	WSI Zones: None
Transitional Housing	Commercial Zones: C-O, C-M, MX, TC-P, TC-T	Commercial Zones: None
	City Center Zones: All	City Center Zones: None
	Downtown Zones: D-CA, D-MD	Downtown Zones: None
	WSI Zones: WSI-3, WSI-4, WSI-9	WSI Zones: None

Additional discussion regarding how the City regulates certain types of housing is provided in the following sections.

Accessory Dwelling Units

In Government Code Section 65852.150, the California Legislature found and declared that allowing accessory dwelling units (ADUs) in zones that allow single-family and multifamily uses provides additional rental housing and is an essential component in addressing California's housing needs. Over the years, ADU law has been revised to improve its effectiveness at creating more housing units. The most recent changes to State ADU law came into effect on January 1, 2021. The City subsequently adopted a local ordinance (FMC Section 18.190.005) implementing those changes.

The City allows ADUs and Junior ADUs (smaller units less than 500 square feet converted out of space in a single-family home) by-right in all zoning districts where a single-family dwelling, two-family dwelling, or multifamily dwelling is a permitted use wherein a single-family dwelling, two-family dwelling, or multifamily dwelling has been authorized. ADUs are not required to meet the density requirements of the general plan or zoning ordinance and do not count toward the permissible number of units per acre (or required lot area per dwelling).

The City facilitates ADU development in various ways. Notably, the City waives development impact fees for ADUs and JADUs and offers a pre-approved ADU program. The pre-approved ADU program provides preapproved plans for detached ADUs that are submitted by designers, architects, builders, and other qualified professionals. Pre-approved ADU plans can be used throughout Fremont with an expedited plan review timeline and lower permitting costs.

During outreach efforts, local ADU developers communicated that increasing predictability in the review process and simplifying standards would help reduce constraints to ADU development. Increasing predictability would include communicating all requirements and expectations up front and having reliable, consistent sources of information.

Supportive and Transitional Housing

Transitional housing is a type of supportive housing used to facilitate the movement of people experiencing homelessness into permanent housing. A person experiencing homelessness may live in a transitional apartment for a predetermined period of time, however not less than six months while

receiving supportive services that enable independent living. Supportive housing is permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives.

In accordance with Government Code Section 65583(a)(5), the City allows transitional housing and supportive housing in all zoning districts allowing residential uses and only applies restrictions that apply to other residential dwellings of the same type in the same zone. The City has audited its zoning ordinance to ensure compliance with this requirement and found that transitional and supportive housing was unintentionally excluded from the list of permitted uses in the D-E zone. This typo will be corrected in an upcoming zoning ordinance update, as stated in Program 76. Per AB 2162, which became effective on January 1, 2019, the City must also allow 100 percent affordable projects that include 25 percent, or 12 units of supportive housing, by right where multi-unit and mixed-use development is permitted. The requirements of AB 2162 are currently uncodified in the City's Zoning Ordinance. As a program of the Housing Element, AB 2162 will be integrated into the zoning code (Program 76).

Single Room Occupancy Units

A single-room occupancy (SRO) unit is a small dwelling, less than 300 square feet, that serves as a source of affordable housing for individuals and can serve as an entry point into the housing market for people who previously experienced homelessness.

The City's Zoning Code classifies SRO units as a multifamily dwelling unit, and they are therefore permitted in all zoning districts that permit multifamily housing. SRO units are counted as ½ unit for density calculations. In outreach discussions with the development community, most developers were unaware of the significant additional density that SROs could provide. As a program in the Housing Element, the City will develop informational materials and market SRO requirements to the development community through the City's Development Digest newsletter.

SROs also have a reduced parking requirement of 0.5 parking spaces per unit for resident parking, an 0.5 parking spaces per unit for guest parking to facilitate their production. Program 34 calls for studying parking requirements for SROs and eliminating them if feasible.

As discussed in the Fees Section of this chapter, development impact fees and affordable housing fees are significantly less for SROs than standards sized residential units. The City's fee schedule incentivizes development of small units through lower fees.

Manufactured Housing

In accordance with the requirements of Government Code Section 65852.3(a), the City of Fremont's zoning code permits manufactured housing in the same manner and in the same zones as conventional or stick-built structures. FMC Section 18.190.350(g) states that manufactured homes may be located in any residential zoning district provided that the manufactured home conforms to the same development standards applicable to the zoning district in which it is to be located.

Urban Lot Splits and Urban Housing Developments

Senate Bill (SB) 9 (Atkins), which became effective on January 1, 2022, allows property owners within single-family residential zones to build two units and/ or to subdivide a lot into two parcels, for a total of four units.

The bill requires approval of the following development activities:

- Two-unit housing development – Two homes on an eligible single-family residential parcel (whether the proposal adds up to two new housing units or adds one new unit to one existing unit).
- Urban lot split - A one-time subdivision of an existing single-family residential parcel into two parcels. This would allow up to four units (unless a jurisdiction decides to allow additional units).

Jurisdictions may only apply objective zoning, subdivision, and design standards to these projects, and these standards may not preclude the construction of up to two units of at least 800 square feet each. Jurisdictions can conduct objective design review but may not have hearings for units that meet the state rules (with limited exceptions).

SB 9 applies to the City's R-I districts, as well as existing Planned Districts that are based on an R-I district. As a program in the Housing Element, the City will develop technical guidance and a local ordinance to implement the requirements of SB 9 and to create objective standards that will provide greater certainty to property owners considering developing their property under SB 9. Since Urban Lot Splits and Urban Housing Developments will have a substantially different character than standard R-I subdivisions, the local ordinance will involve the creation of development standards which will be different than those which apply to the underlying R-I zoning district. The R-I development standards shown in Table 5-3 would be modified to accommodate SB 9 developments and would therefore not be a constraint to Urban Lot Splits and Urban Housing Developments.

Housing for Persons with Disabilities

Persons with special needs or disabilities have a number of housing needs related to housing accessibility; access to transportation, employment, and commercial services; and alternative living arrangements that include on-site or nearby supportive living services.

The City's Zoning Ordinance allows small group homes (limited to six or fewer persons) in all residential zones as a permitted use. The City's Zoning Ordinance uses the term "Special Residential Care Facilities" for these small group homes. The Ordinance defines Special Residential Care Facilities as: "Any state authorized, certified or licensed family care home, foster home or group home serving six or fewer persons with disabilities, children, or the elderly that provide care on a twenty-four-hour-a-day basis." Residential care facilities for seven or more persons are classified as rooming houses and boarding houses and are allowed in the R-2, R-3 and R-G zoning districts with a conditional use permit. Program 69 would create a separate zoning category specifically for all "residential care facilities", regardless of the reason why residents need residential care. The new zoning permissions would be consistent with the current category of "residential care facilities for the elderly" and would permit residential care facilities by-right within all residential zones. There are no geographical spacing or siting requirements for group homes or residential care facilities. Additionally, continuing care retirement communities, nursing care facilities, and skilled nursing facilities are permitted by right, or permitting conditionally through a CUP or a ZAP in a variety of zoning districts. These uses support a range of services to persons with disabilities requiring a range of needs.

The Fremont Municipal Code defines "family" in FMC 18.25.1060 as, "one person living alone, or two

or more persons living together who have made social, economic and psychological commitments to each other and who constitute a bona fide single housekeeping unit.” This definition treats housing for groups that are not related by blood or marriage but are living as a single household in the same manner it treats related households. For example, residential care facilities, group homes, housemates, and combined households are all considered families under this definition.

The City has reviewed published guidance from 21 Elements and Mental Health Advocacy Services, Inc. regarding the definition of a family to support housing for people with disabilities. The City’s current definition of a family is in substantial compliance with the recommended definitions provided in this manual, in that it does not distinguish between related and unrelated persons and does not include a numerical limitation on the number of people in a family. However, the recommended definitions also suggest that cities explicitly state that residents of residential care facilities and group homes for people with disabilities are considered a family. Program 69 has been modified to commit to revision of the definition of “family” in accordance with this published guidance from 21 Elements and Mental Health Advocacy Services, Inc. This revision will not functionally change the definition of a family that the City employs, but it will provide greater clarity during implementation of the zoning ordinance.

Currently, Fremont has no specific land use regulations (parking, open space, etc.) applicable specifically to housing for persons with disabilities. Land use and zoning regulations apply as they would to other applications for development. In certain situations, zoning and land use requirements can be reduced for housing units for persons with disabilities.

The City has a Universal Design Ordinance (FMC Chapter 15.67) for new construction, which is intended to make housing accessible and adaptable to the needs of inhabitants as they age or encounter physical challenges. The City’s Universal Design Ordinance requires builders to offer certain accessibility features to consumers as an upgrade option. Incorporating these features at the building stage adds minimal cost to a new home and saves the need for future retrofits.

The City also has a Reasonable Accommodations Ordinance (FMC Chapter 18.265). Its purpose is to provide reasonable accommodation in the application of zoning regulations for persons with disabilities seeking fair access to housing. The ordinance was amended in 2004 to provide for exemptions to public hearing requirements on routine requests (e.g., setback exemptions for accessibility improvements and reduced parking for those where the disability clearly limits or precludes driving). The City does not charge a fee for processing reasonable accommodation requests. The ordinance provides that any person may request a reasonable accommodation in the application of the City’s zoning laws, based upon the disability of the residents in the project. Thus, not only persons with disabilities may apply for a reasonable accommodation but also a housing provider could make the request for the accommodation on behalf of persons with disabilities who will reside in the project. The decision made on the Reasonable Accommodation request must be supported by written findings and the applicant must be notified in writing of the action taken. The required findings for approval a Reasonable Accommodations request are as follows:

- The housing will be used by a disabled person;
- The requested accommodation is necessary to make specific housing available to a disabled person;
- The requested accommodation would not impose an undue financial or administrative burden on the city;
- The requested accommodation would not require a fundamental alteration in the nature of a city program or law, including land use and zoning; and

- The requested accommodation would not result in a concentration of uses otherwise not allowed in a residential neighborhood to the substantial detriment of the residential character of that neighborhood.

The approval authority for a Reasonable Accommodations request is the City's Community Development Director. His/her decision can be reviewed and appealed to the City Council. While consistency with Fair Housing Act is of course implied, the Ordinance does not specifically state that all findings and decisions will be consistent with the Act.

In practice, the current approval findings have not been a constraint on Reasonable Accommodation approvals, as the City approved all Reasonable Accommodation requests that it received during the past planning period. However, the findings for a Reasonable Accommodation currently include some subjective judgements. For example, finding number five requires staff to make subjective judgements regarding what consists of a "concentration" of unpermitted uses and what consists of a "substantial detriment of the residential character" of a neighborhood. These subjective findings may reduce approval certainty and discourage people from applying for a Reasonable Accommodation in the first place. To remove this potential constraint, the City shall revise the Reasonable Accommodation findings to make them objective, as discussed in Program 69. The objective findings shall facilitate the speedy approval of reasonable accommodation requests to facilitate the development of housing opportunities for people with disabilities.

Live/Work Units

Live/work units consist of both commercial and residential components within a single unit, which are used as the primary dwellings and business locations by the occupant(s). The Zoning Ordinance requires that at least one tenant of each live/work unit obtain and keep current a city of Fremont business license. The types of commercial uses allowed in a live/work unit are limited to avoid conflicts. For example, businesses that involve the use hazardous materials are not permitted. Live/work units are permitted by right in all of the City Center zoning districts, and the WSI zoning districts that permit housing.

Live/work units are a principally permitted use in the City Center zoning districts. They are also conditionally permitted in the R-3 (multifamily residential) zoning district, several Downtown Districts (D-E and D-MD), and various commercial districts (MX, TC-P and TC-T). When part of a mixed-use development, the zoning code does not allow a live/work unit by itself to satisfy the commercial space requirement under FMC Section 18.45.040.

Live/work units are subject to the provisions of the zoning district in which they are located, the special provisions in Section 18.190.290, and as the permitted uses may be modified by the approval authority to ensure compatibility of uses.

Housing for Farmworkers

While the City of Fremont has a minimal number of residents employed in the agricultural sector, providing farmworker housing is a matter regional concern. Per the USDA, today's farmworkers can commute up to 75 miles to the workplace. Based on this, the need for housing for agricultural workers is a regional responsibility, not just the areas with a robust agricultural economy. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Workers often need access to group housing or temporary (non-emergency) shelter. Finding decent and affordable housing can be challenging, particularly in the

current housing market.

California Health and Safety Code Section 17021.5 generally requires employee housing for six or fewer persons to be treated as a single-family structure and residential use. Fremont treats housing for groups that are not related by blood or marriage but are living as a single household in the same manner it treats other single housekeeping units. Therefore, farmworker housing for groups less than six would be permitted in any zone permitting a single-family residence.

California Health and Safety Code Section 17021.6 requires that farmworker housing of no more than 36 beds in a group quarters or 12 units shall be deemed an agricultural use. No conditional use permit, zoning variance, or other discretionary zoning clearance shall be required of this housing that is not required of any other agricultural activity in the same zone. Agricultural uses are permitted with a Zoning Administrator Permit in the Open Space zoning district (within General, Hillside, Private, and Resource Conservation/Public designated areas), as well as within R-1 and R-2 zoning districts. Consistent with State law, FMC Section 18.190.350(c) allows agricultural mobile homes for employees and relatives of the proprietor of a principal agricultural use where a Zoning Administrator Permit was approved for the agricultural use.

The City's zoning ordinance also allows a variety of housing types that could support farmworkers including multifamily, SROs, emergency shelters and ADUs, which are described in more detail in other sections.

Mobile Home Parks

FMC Section 18.190.350(g) states that mobile homes may be located in any residential zoning district provided that the manufactured home conforms to the same development standards applicable to the zoning district in which it is to be located.

The City currently enforces a Mobile Home Space Rent Stabilization Ordinance (FMC Chapter 9.55), which is intended to protect mobile home owners from unreasonable rent increases and other abusive or disruptive practices by park owners. The Ordinance provides limits and a process for rent increases.

This Ordinance was established because mobile homes are often owned by senior citizens, persons on fixed incomes, and persons of low and moderate income, significant rent increases fall upon these individuals with particular harshness. Mobile home owners, unlike apartment tenants or residents of other rental units, are in the unique position of having made a substantial investment in a residence for which space is rented or leased. Alternative sites for the relocation of mobile homes are difficult to find due to the shortage of vacant mobile home spaces, the restrictions on the age, size, or style of mobile homes permitted in many mobile home parks and requirements related to the installation of mobile homes, including permits, landscaping and site preparation. Additionally, the cost of moving a mobile home is substantial and the risk of damage in moving is significant. Thus mobile home owners are limited in options, and during times of soaring rents can be subject to sudden unreasonable rent increases.

Short Term Rental Units

The City does not currently have an ordinance in place specifically for the regulation of short term rental units (rented for less than 30-days), although the Zoning Ordinance specifically disallows them in ADUs. Based on current estimates, there are more than 300 short term rental units active in the

City. This estimate may potentially be low based on the unit vacancy in Chapter 4, Housing Needs Assessment. This is not a significant percent of the City's total housing stock, but does have an incremental impact on the availability of long term housing. As a program in the Housing Element, a Short Term Rental Ordinance will be prepared to encourage long term rental units by limiting the use of residential units for short term rentals.

Emergency Homeless Shelters

As required by Government Code Section 65583(a)(4), the City must identify at least one zoning district where emergency shelters are allowed as a permitted use without a conditional use permit or other discretionary action. Emergency shelters, both permanent and temporary, are a permitted use (by-right, no discretionary approval) in the I-S (Service Industrial) zoning district. Emergency shelters are also permitted with a conditional use permit in various commercial, industrial, and VSI zoning. Lands designated I-S are in close proximity to major arterials, transit and neighborhood services. Notably, much of the City's I-S zoned land is located along Osgood Road, which is the City's primary north-south transit corridor and is in close proximity to the future Irvington BART Station. The I-S zoning district is the City's lowest-intensity industrial zone and is intended to be compatible with nearby commercial and residential districts. Other sensitive uses allowed in the I-S zoning district include religious facilities, elementary/secondary schools, and indoor recreation facilities. The minimal presence of hazardous materials and heavy industrial processes make the I-S zone appropriate for human habitation at an emergency shelter.

To provide additional flexibility in the siting of emergency shelters, under Resolution No. 2018-60, the City declared a local Emergency Shelter Crisis on September 18, 2018. Under the Shelter Crisis Act, the City is authorized to provide emergency housing, shelters, bridge housing communities and other services to the homeless. The law provides that, "... any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crises." Furthermore, the law states the governing body may take such action as is necessary to carry out the provisions of the Shelter Act. In addition, upon a declaration of a shelter crisis, the city would be immune from liability for ordinary negligence relative to the "conditions, acts, or omissions directly related to, and which would not occur but for, the provision of emergency housing." While land use and zoning may be considered for informational purposes, City Council is not restricted by the location of the shelter due to broadened and more flexible land use compliance standards likely applicable during a declared shelter emergency as described above. The City will continue to recognize the Emergency Shelter Crisis declaration until the City's unsheltered population has significantly improved. The City will be opportunistic in taking advantage of the additional flexibility for shelter placement provided for under the emergency declaration.

The Sunrise Village emergency shelter located at 588 Brown Road provides 66 beds with supportive services on a two-acre parcel (the shelter building itself is 17,500 square feet). Using Sunrise Village as an example, it can be conservatively assumed that a shelter can provide 33 beds/acre. The 2022 Point-in-Time Count, conducted on February 23, 2022, identified 1,026 homeless individuals in Fremont, 866 of which were unsheltered. In order to shelter Fremont's entire homeless population at 33 beds/acre, this would require 26 acres of land. Of the 473 acres in the I-S zoning district, 37 acres have been identified as being suitable for conversion or development or conversion to an emergency shelter due to the lack of buildings and large physical improvements on the site. With the additional flexibility for siting of emergency shelters in any zoning district provided under Fremont's Emergency Shelter Crisis declaration, there is sufficiently zoned land to meet Fremont's estimated emergency shelter need.

California Government Code Section 65583(a)(4) limits regulation of emergency shelters to only development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

- The maximum number of beds or persons permitted to be served nightly by the facility.
- Sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.
- The size and location of exterior and interior onsite waiting and client intake areas.
- The provision of onsite management.
- The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.
- The length of stay.
- Lighting.
- Security during hours that the emergency shelter is in operation.

Consistent with State law, FMC Section 18.190.150 provides objective performance standards for emergency shelters for the above to facilitate the permitting process. The objective standards provide for the following:

- Proximity to Other Emergency Shelters. Three hundred feet from any other emergency shelter.
- Hours of Operation. Facilities shall establish set hours for client intake and discharge.
- Maximum Number of Beds. Limited to 100 beds.
- Parking. A minimum of three parking spaces, plus one additional parking space per 10 beds. In addition, one parking space per 250 square feet for supportive services and offices.
- Yards. Yards shall conform with the zoning district yard requirements in which it is located.
- On-Site Management. On-site personnel shall be provided at all times.
- Waiting and Client Intake Area. A waiting and client intake area of not less than 100 square feet shall be provided.
- Lighting. Facilities shall provide security and safety lighting in the parking lot, and on buildings and pedestrian accesses.
- Security. Facilities shall provide secure areas for personal property.
- Life Safety and Security. All projects shall be evaluated for compliance with building codes, fire codes and local building security regulations.

The City's Zoning Ordinance permits temporary shelters by a quasi-public faith-based organization at existing religious facilities that assure compatibility of shelter activities with surrounding uses and provide a safe place for individuals and families to obtain temporary shelter. Faith-based temporary shelters are a permitted use within any zoning district, provided, that they are located at an existing religious facility, subject to the requirements of a faith-based temporary shelter permit as provided in FMC Section 18.190.155.

The City's Zoning Ordinance also allows safe parking sites as an ancillary use at properties with permitted assembly uses, quasi-public facilities (operated by a private, nonprofit educational, religious, recreational, charitable or medical institution with the primary purpose of serving the general public), and public facilities. Safe parking sites are locations that provide homeless individuals and/or families

living in a vehicle a dedicated, safe place to park.

AB 101, which became effective on January 1, 2020, requires that a Low Barrier Navigation Center development be a use by right in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets specified requirements. AB 101 defines a “Low Barrier Navigation Center” as a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. The bill would define the term “use by right” in this context to mean that the local government’s review of the Low Barrier Navigation Center development may not impose certain requirements, such as a conditional use permit or other discretionary review or approval. The City’s Emergency Shelter Crisis declaration allows the siting of a Low Barrier Navigation Center in any zoning district, but the requirements of AB 101 have not yet been codified in the Zoning Ordinance. As a program in the Housing Element, the zoning code will be amended to integrate the requirements of AB 101.

Residential Uses in Commercial Zones

Standalone Commercial Developments

In commercial zoning districts where residential uses are permitted, the City’s zoning regulations allow for commercial-only developments without a residential component. The development of a commercially zoned site without a residential component could potentially reduce the amount of land available in the City for housing development. However, commercial-only development occurred infrequently during the previous planning period, and will continue to be unlikely to occur during the current planning period.

During the 2015-2023 planning period, a total of 15 parcels in the Housing Element sites inventory, accounting for 26.86 acres, were developed within zones that allowed for commercial uses without a residential component. 14 out of 15 parcels were permitted with residential development, which accounted for 98% of the total acreage. With the current weakness of the commercial sectors of the economy, commercial-only development in the City’s commercial zones is anticipated to continue to be infrequent.

Additionally, developers are incentivized to include a residential component because commercial-only development is subject to discretionary review. The developer would be provided greater certainty in the review process by providing a residential component and receiving the protections provided under the Housing Accountability Act. As detailed in the Fees Section of the chapter, commercial developments are also subject to a “commercial linkage fee,” a per square foot fee that funds affordable housing development. This assists in advancing the City’s housing goals through commercial development.

The site capacity analysis in Chapter 8, Sites Inventory and Analysis, documents an adjustment factor utilized to account for the potential for commercial-only development in commercial zones in the City’s sites inventory.

Minimum Residential Density

Commercial districts within a TOD Overlay District have minimum residential density requirements. In commercial districts outside of a TOD, there is no required minimum residential density. A program is included in the Housing Element (Program 35), which would set a minimum density in these areas to promote the efficient use of these sites for housing.

Development Standards

The City regulates type, location, and scale of residential development primarily through the Planning and Zoning Code (FMC Title 18). Zoning regulations are designed to protect and promote the health, safety, and general welfare of residents, implement General Plan policies, and ensure development intensities called for in the General Plan are achieved.

The table below provides an overview of primary development standards that affect the maximum development intensity of a housing project, including density, height, setbacks, and floor area ratio (FAR). This table does not describe every applicable development standard, nor does it capture development requirements for customized Planned Districts that allow deviation from standard regulations where a development project is consistent with the General Plan and meets other community objectives. The City has over 700 Planned Districts, many of which closely mirror the standard single-family residential zoning districts. Some of these Planned Districts have limitations that limit or prohibit additions, whereas state law provides for additions to provide for an ADU. As the housing stock continues to age, these restrictions may have an increasingly severe effect on the ability to modernize and adapt the housing stock in these neighborhoods. A program has been included in the Housing Element (Program 5) which calls for a complete comprehensive study of existing Planned Districts and development of a program to re-zone some Planned Districts to their most comparable standardized districts. This program will allow additions and modernization of additional single-family housing stock.

The development standards listed below are appropriate to accommodate the maximum residential intensity provided for under the City's General Plan and Zoning Ordinance. If a particular development standard is determined to constrain development to the maximum residential intensity, the City will amend that zoning standard to allow for maximum residential intensity. As a program of the Housing Element (Program 89), each year, as part of the Housing Element Annual Progress Report, staff will identify residential development projects that were approved below maximum density and will prepare a qualitative assessment discussing whether development standards precluded development at maximum density. Where development standards have been shown to preclude development at maximum density, the development standard will be modified.

All zoning regulations and development standards are posted online on the City's webpage and immediately updated when a change occurs.

Table 5-3. Major Development Standards in Zoning Districts that Permit Housing

Zoning District	Max Units	General Plan Designation	Max Height (feet)	Min Setbacks (feet)	Max Lot Coverage (percent)	Max FAR (percent)	Min Site Area (sq ft)
R-I-6	1 unit/lot	Res-Low; Res-Hillside	30	Front: 20	40	None ¹	6,000/lot
				Rear: 25			
				Interior Side: 5			
				Exterior Side: 12			
				Total Sides: 12			
R-I-6 (GG)	1 unit/lot	Res-Low; Res-Hillside	17	Front: 20	40	40	6,000/lot
				Rear: 25			
				Interior Side: 5			
				Exterior Side: 12			
				Total Sides: 12			
R-I-8	1 unit/lot	Res-Low; Res-Hillside	30	Front: 25	40	None ²	8,000/lot
				Rear: 25			
				Interior Side: 5			
				Exterior Side: 12			
				Total Sides: 12			
R-I-8 (MP)	1 unit/lot	Res-Low; Res-Hillside	27	Front: 20	40	None ³	8,000/lot
				Rear: 25			
				Interior Side: 5			
				Exterior Side: 12			
				Total Sides: 12			
R-I-8 (MR)	1 unit/lot	Res-Low; Res-Hillside	27	Front: 20	40	None ⁴	8,000/lot
				Rear: 25			
				Interior Side: 5			
				Exterior Side: 12			
				Total Sides: 12			
R-I-10	1 unit/lot	Res-Low; Res-Hillside	30	Front: 20	40	None ⁵	10,000/lot
				Rear: 25			
				Interior Side: 5			
				Exterior Side: 12			
				Total Sides: 12			
R-I-20	1 unit/lot	Res-Low; Res-Hillside	30	Front: 20	40	None ⁶	20,000/lot
				Rear: 25			
				Interior Side: 5			
				Exterior Side: 12			
				Total Sides: 12			
R-I-40	1 unit/lot	Res-Low; Res-Hillside	30	Front: 20	40	None ⁷	40,000/lot
				Rear: 25			
				Interior Side: 5			
				Exterior Side: 12			
				Total Sides: 12			

Zoning District	Max Units	General Plan Designation	Max Height (feet)	Min Setbacks (feet)	Max Lot Coverage (percent)	Max FAR (percent)	Min Site Area (sq ft)
R-2	2 units/lot	Res-Low; Res-Hillside	30	Front: 20	40	None ¹	6,000/lot
				Rear: 25			
				Interior Side: 5			
				Exterior Side: 12			
				Total Sides: 12			
R-3-10	8.3-10 du/ac	Res-Low/Med	30	Front: 15	40	None	6,000
				Rear: 10			
				Side: 10			
R-3-11	8.8-11 du/ac	Res-Low/Med	30	Front: 15	40	None	6,000
				Rear: 10			
				Side: 10			
R-3-14	11.1-14.5 du/ac	Res-Low/Med	36	Front: 15	45	None	6,000
				Rear: 10			
				Side: 10			
R-3-15	13-15 du/ac	Res-Low/Med	36	Front: 15	45	None	6,000
				Rear: 10			
				Side: 10			
R-3-18	14.6-18 du/ac	Res-Med	36	Front: 15	50	None	6,000
				Rear: 10			
				Side: 10			
R-3-23	18.1-23 du/ac	Res-Med	45	Front: 15	50	None	6,000
				Rear: 10			
				Side: 10			
R-3-27	25-27 du/ac	Res-Med	45	Front: 15	55	None	6,000
				Rear: 10			
				Side: 10			
R-3-30	23.1-29.9 du/ac	Res-Med	45	Front: 15	55	None	6,000
				Rear: 10			
				Side: 10			
R-3-35	30-35 du/ac	Res-Urb	52	Front: 15	55	None	6,000
				Rear: 10			
				Side: 10			
R-3-50	35.1-50 du/ac	Res-Urb	52	Front: 15	65	None	6,000
				Rear: 10			
				Side: 10			
R-3-70	50.1-70 du/ac	Res-Urb	52 ²	Front: 15	75	None	6,000
				Rear: 10			
				Side: 10			

Zoning District	Max Units	General Plan Designation	Max Height (feet)	Min Setbacks (feet)	Max Lot Coverage (percent)	Max FAR (percent)	Min Site Area (sq ft)
R-G-40	4,000 sf/unit	Res-Low/Med	45	Front: 25	50	None	7,500
				Rear: 10			
				Side: 10			
R-G-29	2,900 sf/unit	Res-Med	45	Front: 25	50	None	7,500
				Rear: 10			
				Side: 10			
R-G-24	2,400 sf/unit	Res-Med	45	Front: 25	50	None	7,500
				Rear: 10			
				Side: 10			
R-G-19	1,900 sf/unit	Res-Med	45	Front: 25	50	None	7,500
				Rear: 10			
				Side: 10			
R-G-16	1,600 sf/unit	Res-Med	45	Front: 25	50	None	7,500
				Rear: 10			
				Side: 10			
R-G-15	1,500 sf/unit	Res-Med	45	Front: 25	50	None	7,500
				Rear: 10			
				Side: 10			
C-O	None	Com-Gen	35	Front: None	None	60	10,000
				Side/Rear: None, except 10 adjacent to residential			
C-N	None	Com-Gen	35	Front: None	None	60	10,000
				Side/Rear: None, except 10 adjacent to residential			
MX	None	Com-MX	65	Front: None	None	30 125	20,000
				Side/Rear: None, except 10 adjacent to residential			
TC-P	None	Com-TC	65 ⁸	Front: None	None	125	None
				Side/Rear: None, except 10 adjacent to residential			
TC-T	None	Com-TC	45 ⁸	Front: None	None	125	20,000
				Side/Rear: None, except 10 adjacent to residential			

Zoning District	Max Units	General Plan Designation	Max Height (feet)	Min Setbacks (feet)	Max Lot Coverage (percent)	Max FAR (percent)	Min Site Area (sq ft)
CC-TN	None	City Center	145	Front: 10	None	None	None
				Side: None			
				Rear: 10			
CC-UO	None	City Center	120	Front: 10	None	None	None
				Side: None			
				Rear: 10			
CC-UN	None	City Center	75	Front: 10	None	None	None
				Side: None			
				Rear: 10			
D-CA	None	City Center	8 stories	None	None	None	None
D-MD	None	City Center	8 stories	None	None	None	None
D-E	None	City Center	8 stories	None	None	None	None
WSI-3	None	Innovation Center	135	None	None	None	None
WSI-4	None	Innovation Center	240	None	None	None	None
WSI-9	None	Innovation Center	240	None	None	None	None

Notes:

- 1 Second stories limited to 50% of first story, or 1,000 sq ft, whichever is less
- 2 Second stories limited to 50% of first story, or 1,250 sq ft, whichever is less
- 3 35% if two stories
- 4 30% if two stories
- 5 Second stories limited to 50% of first story, or 1,500 sq ft, whichever is less
- 6 Second stories limited to 50% of first story, or 3,000 sq ft, whichever is less
- 7 Second stories limited to 50% of first story, or 6,000 sq ft, whichever is less
- 8 40 feet in Mission San Jose or Niles
- 9 Height may be increased to 65 feet maximum when within one-half mile of a transit station, and only for those portions of the building that have a step back of 100 feet from any property with a less dense residential general plan designation.

Setbacks

In R-1 single-family residential zoning districts, the vast majority of residential development during the planning period are anticipated to occur through ADUs and SB 9 Urban Lot Splits and Urban Housing Developments. These development types are not required to observe setback requirements for the underlying zoning district. As a program of the Housing Element, a local SB 9 ordinance will be prepared to provide specific development standards for SB 9 projects. A standard residential subdivision in an R-1 district would not be constrained from achieving maximum density by setback requirements.

In R-3 multifamily residential zoning districts, front setback requirements are waived for attached housing types, including condominiums, apartments, row homes, and attached townhomes. These are the predominant types of multifamily housing produced in Fremont. Other setback requirements are minimal to allow for site circulation and utilities. In commercial districts and the Downtown and City Center Districts, setbacks are either not required or minimal to allow for site circulation and utilities.

Lot Size

In single-family residential zoning districts, the vast majority of residential development during the planning period are anticipated to occur through ADUs and SB 9 Urban Lot Splits and Urban Housing Developments. These development types are not required to observe minimum lot size requirements for the underlying zoning district. The lot size requirements in single family zones typically reflect the development pattern of the surrounding subdivision.

Minimum lot size requirements do not affect the development potential of multifamily developments which allow multiple units to be constructed on a single parcel.

Height

Height limitations are intended to allow projects to achieve the maximum allowable density, while also being responsive to community character. The districts that provide the highest densities for residential development also provide for the highest maximum heights, including the City Center District which has no maximum height, and the Downtown District which allows up to eight stories. The height limits in these districts are not a constraint to maximizing residential density. In other districts, height limits are reasonable to allow the maximum density and range of product types that are typical in these zones. Projects are also able to exceed height limits with density bonuses.

In Low Density residential zoning districts, the maximum height limits allow for the construction of typical two-story homes. In Low-Medium Density and Medium Density residential districts, the maximum building heights allow for the construction of a three-story townhomes and stacked flats, which are typical for these zoning districts. In Urban Density residential districts, the height limit is 52 feet, except that the height limit increases to 65 feet when within ½ mile of a transit station. As a program in the Housing Element, the 65 foot height limit would be extended to properties outside of ½ mile of a transit station to facilitate development to maximum density. Development projects within the Urban Density residential district during the current planning period were generally developed below maximum height limits: City Center Apartments (47 feet), Walnut Residences (48 feet), Laguna Commons (49 feet), Serra Apartments (60 feet), and Osgood Residences (60 feet). The Osgood Apartments South project was approved at 73 feet in height but utilized a density bonus to

achieve a density of 129 dwelling units per acre.

Height limits in commercial zoning districts range from 35 feet to 65 feet in height, which allows for three-story townhomes and stacked flats at the lower range to 5-6 story apartments or condominiums in the upper range. There is no maximum density in commercial zoning districts, which will encourage smaller units, which are more affordable by design, within the allowed height limits.

Design rules and development standards regarding massing at the street, solar access preservation, and upper floor setbacks restrict building heights at certain locations within the buildable area of a lot, but would not preclude a building from being designed in a manner that could achieve maximum height, size or density. The solar access preservation ordinance does not apply in areas of the City where intense residential development is anticipated, such as the Downtown, City Center, and Urban Residential districts.

Parking

The following table discusses parking requirements typically required for residential projects.

Table 5-4. Residential Parking Standards

Use	Required Resident Covered Spaces	Required Resident Covered/Uncovered	Required Guest Spaces
ADU and Junior ADU	n/a	None for studio units or JADUs, otherwise one per unit, except as exempted under State ADU law	n/a
Dwelling, single-family, two-family			
4 or fewer bedrooms	2 per unit	n/a	n/a
5 or more bedrooms	3 per unit	n/a	n/a
Multifamily Dwelling			
Studio and 1 bedroom units	1 per unit	n/a	0.5 per unit
2 or more bedroom units	1 per unit	0.5 per unit	0.5 per unit
Live/work units	1 per unit	n/a	1.5 per unit
Senior citizen housing	0.5 per unit	n/a	0.5 per unit
Efficiency apartment/SRO	0.5 per unit	n/a	0.5 per unit
Boardinghouse/rooming house	0.5 per unit	n/a	0.5 per unit
Mobile home park			
Mobile homes	n/a	2 per unit	1 per homes
Community building	n/a	n/a	1 per homes
Mixed-use developments	Base requirement for residential and commercial uses unless within special parking district. Also see Section 18.183.090.		

Within the City's Transit Oriented Development (TOD) Overlay District, the parking requirements for residential developments are reduced to a minimum of 1 space per unit, plus 0.25 spaces per unit for guest parking. A maximum of 1.5 spaces per unit plus .25 guest spaces per unit would also apply. For mixed use projects, the minimum parking requirement is reduced to one space per unit for the residential component and two spaces per unit for the commercial component. A maximum of one

space per unit would apply for the residential component and three spaces per unit for the commercial component. As a program of the Housing Element (Program 34), the City will review and modify parking requirements for small units (studios and one-bedroom units), and SROs as needed to ensure that excessive parking is not being required for these units and that production of small units are being incentivized.

Table 5-5. TOD Overlay Parking Requirements

Type of Use	Minimum Parking	Maximum Parking
Multifamily residential (per unit)	1 covered, plus 0.25 guest per unit	1 covered, 0.5 covered or uncovered plus 0.25 guest
Mixed-use developments:		
Multifamily residential component	1 covered per unit	1 covered per unit
Commercial component	2 per KSF	3 per KSF

In the Downtown and City Center zones, reduced parking requirements are also applicable.

Table 5-6. Downtown and City Center District Parking Standard

Zone	Minimum (Nonexclusive Use)	Minimum (Exclusive Use)	Maximum
Downtown	0.75 space/dwelling unit	1 space/dwelling unit	2 spaces/dwelling unit
CC-UO	0.75 space/dwelling unit	1 space/dwelling unit	2 spaces/dwelling unit
CC-UN	0.75 space/dwelling unit	1 space/dwelling unit	2 spaces/dwelling unit
CC-TN	0.50 space/dwelling unit	0.75 space/dwelling unit	1 space/dwelling unit

In the City's TOD Overlay Districts and much of the City Center District, minimum parking standards will be eliminated pursuant to the requirements of AB 2097 (2022), which specifies that cities may not apply minimum parking requirements on new development within ½ mile of a major transit stop, which includes the City's BART stations, the Centerville Train Station, and bus stops with routes with planned 15-minute headways). As a program of the Housing Element (Program 34), the City will adopt an ordinance removing minimum parking requirements in these locations.

Tandem parking configurations, and mechanical parking systems in the Zoning Ordinance provide additional flexibility in the manner in which parking is provided. The City Center Community Plan, Downtown Community Plan, Warm Springs/South Fremont Community Plan, and Irvington BART Station Area Plan allow for unbundled parking (separating the cost of a parking space from the rent of a residential unit), but standards for unbundled parking are not integrated into the zoning code. Program 34 will provide unbundled parking standards within the zoning code.

Several affordable housing developments were approved during the 2015-2023 planning period with parking ratios at or below one space per unit, which is the parking standards for multifamily residential development in a TOD Overlay District:

- Allied Housing, 34320 Fremont Boulevard (54 units, 35 parking spaces)
- Laguna Commons, 41152 Fremont Boulevard (64 units, 64 parking spaces)
- Osgood Apartments South, 41911 Osgood Road (100 units, 52 parking spaces)
- Osgood Apartments, 41829 Osgood Road (112 units, 72 parking spaces)

- Islander Motel Redevelopment, 4103 Mowry Avenue (128 units, 91 parking spaces)
- Irvington Senior Apartments, 2048 Irvington Avenue (90 units, 42 parking spaces)
- City Center Apartments, 38631 Fremont Boulevard (60 units, 30 parking spaces)

Parking standards were adjusted through the utilization of reduced parking standards for qualifying affordable housing projects located within one-half mile of a transit stop, consistent with AB 1763, which the City has codified in its Density Bonus Ordinance. Some affordable housing projects alternatively utilized waivers or concessions pursuant to the Density Bonus Ordinance in order to reduce parking. The frequency in which the parking standard was reduced suggests that parking standards for affordable housing developments may need to be readjusted. As a program in the Housing Element, the parking standards for affordable housing developments will be evaluated and adjusted where parking requirements are currently excessive. This will include an analysis of the City's standards for sharing parking spaces when multiple types of uses are proposed as part of a singular development.

Open Space

In the City's R-3 (multifamily residential) and commercial zones, the City requires a minimum of 500 square feet of common open space for a residential project. For each unit over five units, the City requires an additional 50 square feet. The minimum open space dimension for a common open space area is 15 feet. Small multifamily projects of 12 units or less are exempted from providing common open space if they exceed private open space area design requirements. Private open space requirements for multifamily projects are 60 square feet on balconies with a minimum interior dimension of six feet, and 100 square feet for private yards with a minimum interior dimension of 10 feet. In the Downtown District, no common open space is required. In the City Center District, zoning requires 15% open space for larger buildings over 20,000 square feet.

Several affordable housing developments (including Osgood Apartments South and Islander Motel) received reductions or waivers of private open space requirements during the 2015-2023 planning period, citing high costs for construction of balconies, and issues with long term maintenance. During a Developer Panel in support of the Housing Element, affordable housing builders similarly expressed that construction of balconies for private open space were problematic in affordable developments. The applicant for the Osgood Apartments South project estimated the additional cost for private balconies to be \$10,000 per unit. As a program in the Housing Element (Program 46), private open space requirements be amended to provide flexibility to provide open space through other means. This adjustment will provide developers with an opportunity to provide open space in a more space-efficient and cost-effective manner, while still meeting open space needs of future residents.

Minimum Commercial Component and Floor Area Ratio in Commercial Zones

In several commercial zoning districts, residential uses are permitted as part of a mixed-use development with a substantial commercial component. A substantial commercial component must consist of at least 50 percent of the total ground floor building area that is located within 50 feet of a street frontage, with a minimum commercial space depth of 50 feet. The requirement was designed in consultation with economic development professionals as the minimum amount of commercial space necessary to allow for commercial viability. The remainder of the floor area permitted by zoning may be utilized for residential units, as follows:

Table 5-7. Floor Area Ratio (FAR) Standards in Commercial Districts

Zoning District	C-O	C-N	MX	TC-P	TC-T
Floor Area Ratio Maximum	0.6	0.6	1.25	1.25	1.25

SB 478, which became effective on January 1, 2022, prohibits local agencies from imposing a FAR standard that is less than 1.0 on a housing development project that consists of 3 to 7 units, or less than 1.25 on a housing development project that consists of 8 to 10 units. As a program in the Housing Element, the FAR for the C-O and C-N zoning districts will be modified to allow for the minimum FAR required by SB 478.

In TOD Overlay Districts, FAR maximums in commercial district are increased, facilitating additional residential development, as follows:

Table 5-8. Floor Area Ratio (FAR) Standards in TOD Overlay Districts

General Plan Land Use Designation	City Center	Town Center	Commercial-General
FAR Maximum	3	2.5	1.25
FAR Minimum	1.25	0.5	No minimum
Minimum Density (du/ac)	50	30	30
Maximum Density (du/ac)	None	None	None

Fremont's mixed use regulations (FMC Section 18.45.040) do not provide specificity regarding which street frontages require a commercial component in certain situations, such as when a development site is a through lot, or has street frontages on all sides. As a program in the Housing Element, the mixed use regulations will be amended to clarify requirements.

Design Guidelines

The City has various Design Guidelines and plans to promote high quality development and address the relationship of buildings to their surrounding context. They provide direction to ensure that development is safe, aesthetically pleasing, harmonious with its setting, respects privacy and views, and supports the goal of a more sustainable community. Some design guidelines apply Citywide, and address a certain type of development, such as:

- Citywide Design Guidelines (single-family residential, commercial component of mixed-use developments)
- Small Lot Design Guidelines (small-lot single-family residential)
- Multifamily Residential Design Guidelines (multifamily residential, residential component of mixed-use developments)
- Community Character Element Place Types Manual (all development types)

Other Design Guidelines and plans apply to certain geographic areas of the City to promote a certain character of an area, including

- Niles Design Guidelines (applies to the core of the Niles Town Center)
- Mission San Jose Design Guidelines (applies to the core of the Mission San Jose Town Center)

- Irvington BART Station Area Plan (applies to Urban Residential and Town Center properties within the Irvington BART TOD Overlay District)
- Warm Springs/South Fremont Community Plan (applies to the Warm Springs Innovation District)
- City Center Community Plan (applies to the City Center District)
- Downtown Community Plan (applies to the Downtown District)

Recent State housing legislation has emphasized the use of objective design standards as the basis for reviewing housing projects. As a program of the Housing Element, the City will be updating Design Guidelines to ensure that design rules are sufficiently objective to be consistent with the requirements of the Housing Accountability Act, and to ensure that conflicts do not exist where multiple design guidelines apply.

Density Bonus Ordinance

State Density Bonus law (Government Code Section 65915-65918) facilitates the production of housing (particularly affordable housing) by requiring local jurisdictions to approve density bonuses for housing developments that contain specified percentages of affordable housing units or units restricted to occupancy by seniors. A density bonus is the allocation of development rights that allows a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned. Projects that qualify for a density bonus are also eligible for reduced parking standards and additional concessions, or incentives.

The City's Density Bonus Ordinance (FMC Chapter 18.165) is updated periodically to reflect changes in State Density Bonus law. A recent change to State Density Bonus law, under AB 2345, modified the percentages of affordable units required to qualify for a density bonus. As a program of the Housing Element, the City's Density Bonus Ordinance will be amended to comply with the most recent changes in State law.

Environmental Constraints

Development capacity in Fremont is limited by a number of environmental constraints.

Hill Area Development Limitations

One of Fremont's signature characteristics is its "Open Space Frame" consisting of the hills to the east and the bay wetlands to the west. Both the hills and the wetlands can also be viewed as constraints to development. Development in the hills has been limited by voter initiative, but capacity there was already minimal due to the steep slopes and risk of landslides.

Geologic Hazards

The Hayward Fault and several fault traces underlie Fremont, constraining housing development in these locations. The Hayward fault bisects Fremont and generally runs north and south through the City and could cause major damage and displacement due to its prominent location.

General Plan Safety Element Policy 10-2.2 prohibits the construction of structures for human occupancy within 50 feet of an identified main fault trace, unless a setback less than 50 feet is approved through site specific geologic studies and associated peer review.

Historic Resources

Although Fremont is a relatively young city, it has a rich human history dating back thousands of years. The City has been home to indigenous Native Americans, early European settlers and missionaries, post-Gold Rush era American settlers and farmers, and 20th Century innovators in the film industry and technology. Past inhabitants have left a legacy of structures, sites, and places that give context to contemporary Fremont, connect residents to their histories, and help influence the City's character and identity.

The City of Fremont has a local historic register for use in preservation planning, education, and implementation. The list is officially adopted by the City Council and contains 153 listed resources as of 2010. Some of the sites are also on the National Register of Historic Places and/or the California Register of Historic Resources. The City also contains potential register resources that may be identified as future additions to the Register. The City's Historic Resources Ordinance (FMC Chapter 18.175) and Historic Overlay District (HOD) Ordinance (FMC Chapter 18.135) require Historical Architectural Review for housing projects that affect historic resources and potential historic resources or are located within HODs to ensure conformance with the Secretary of the Interior's Standards for Treatment of Historic Resources and/or compatibility with the historic setting of an HOD. As a program of the Housing Element, objective design standards will be developed to allow for objective review of residential developments involving historic resources or historic districts.

Fire Hazard Areas

Fremont has locally designated Fire Hazard Severity Zones which recognize that these areas have higher exposure to wildfires and limited Fire Department access. The City's Fire Hazard Severity Zones are primarily located in the hillside areas east of Mission Boulevard and I-680, and designated Open Space or Hillside Residential in the General Plan. The Fire Hazard Severity Zone designation does not prohibit the construction of new housing. Instead, it requires that new construction utilizes fire-resistant materials to reduce fire hazards. Designing buildings to be more fire resistive may add to the overall cost of construction of new housing, but is not a significant constraint.

Infrastructure

Utilities

Utility capacity for development is not a significant constraint to residential development in Fremont. Utility service providers and the City's Engineering Division have designed infrastructure to accommodate the General Plan build-out and, as such, all development makes direct improvements or pays for necessary additional infrastructure with fees. These fees are relied upon to meet level of service standards established by the General Plan. Consequently, additional mitigation is rarely necessary. Services are provided by the following agencies:

- Water Service: Alameda County Water District (ACWD)
- Sanitary Sewers: Union Sanitary District (USD)
- Storm Drainage: Alameda County Public Works
- Alameda County Flood Control and Water Conservation District
- Telephone Service: AT&T and various wireless carriers
- Natural Gas/Electric: Pacific Gas and Electric Company

Because the development review process involves these agencies, the City coordinates, from the outset of an application to provide an opportunity for issues to be addressed and resolved early on. The City refers development applications to external agencies for their comment during the entitlement process.

Fremont's water services provider (ACWD) and sanitary sewer service provider (USD) grant priority for service allocations to proposed developments that include housing units affordable to lower-income households, consistent with the requirements of SB 1087 (Government Code Section 65589.7). This requirement is intended to improve the effectiveness of the law in facilitating housing development for lower-income families and workers. Per the requirements of SB 1087, the adopted Housing Element will be distributed to the City's water and sanitary sewer service providers upon adoption.

Street Dedication and Improvements

The City's Engineering Division requires that developers dedicate frontage to the City when it is required for the construction of public right-of-way improvements, such as roadways and sidewalks. The City requests the minimum dedication necessary to bring the adjacent street and sidewalk into conformance with the geometry called for within the General Plan. Developers are also required to fund and construct street improvements along the project street frontage, including curb, gutter, and sidewalk. A review of recent cost estimates provided by applicants determined the following market prices for typical street improvement work:

Table 5.8.5. Cost of Common Required Street Improvements

Type of Work	Cost per Unit	Unit
Demolition of existing sidewalk	\$4.00	SF
Demolition of curb/gutter	\$20.00	LF
Construction of new driveway	\$7,000.00	Each
New curb and gutter	\$20.00	LF
New sidewalk	\$10.00	SF
Street trees	\$500	Each

Data taken from cost estimates provided for two recent residential projects, Alder Residences (ENC2022-01012) and Osgood Apartments North (ENC2022-00484).

The total cost of constructing street improvements varies considerably depending on the type of improvement needed, circumstances of the site, market conditions for construction and the amount of street frontage. However, compared to other development costs, street improvement costs are rarely significant. For example, a lot with 80 feet of frontage would require \$19,000 of street improvements to demolish existing improvements and construct a single driveway, curb, gutter, and sidewalk. As required by state law, the City exempts certain types of development, including accessory dwelling units, from street dedication and improvement requirements, to help facilitate their production.

Community Facilities Districts

Community facilities districts (CFDs) are special tax districts that allow the City to obtain additional funding for various infrastructure improvements. In some cities, CFDs are used similar to development impact fees in that new residential developments are required to enter a CFD in order to fund anticipated infrastructure maintenance. There are currently two CFDs within Fremont: one in Pacific Commons and another in Warm Springs. Both CFDs contain exclusively commercial and industrial parcels. The Housing Element does not require or anticipate the establishment of any additional CFDs

for residential development. The Housing Element does not propose any new parcel taxes or other taxes on residential development.

Building Codes

The State of California adopts a set of new construction codes every three years referred to as the California Building Standards Code. Building codes regulate construction to protect the public from unsafe conditions. The 2019 California Building Standards Code (2019 CBC) was adopted by the Fremont City Council on November 5, 2019. The 2019 CBC became effective on January 1, 2020. The City did not adopt any local amendments to the CBC that could have the potential to constrain housing production.

The 2022 Building Code was adopted by the City Council in November 2022 and will become effective at the end of 2022. In adopting the 2022 Building Code, the City Council did not adopt any additional local “reach codes” (amendments to the California Energy Code and Green Building Code). Fremont is currently preparing a Climate Action Plan, which will create a framework to lower greenhouse gas (GHG) emissions resulting from activity in the energy, water, waste, and transportation sectors, and sequester—or draw down—carbon dioxide and other GHGs from the atmosphere, so that by the year 2045, no new net greenhouse gases will be emitted. Local amendments to the CBC may be considered following adoption of the City’s Climate Action Plan. As a program of the Housing Element, the adoption of local amendments to the CBC will include a cost-benefits analysis so that the City can appropriately balance sustainability and housing goals. No other local amendments to the 2022 Building Code were adopted which would add significant cost or constraints to housing production.

Building code standards are initially enforced through the City’s building permit plan review process, which involves a detailed review of permit plans to ensure that building and safety codes are met, and accessibility requirements are integrated into the design. After permit issuance, the City’s building inspection program identifies code deficiencies and construction issues prior to the issuance of a certificate of occupancy for a building. After a housing development is completed, building codes are enforced through the City’s Code Enforcement Division. Code enforcement actions are typically complaint-driven. Code Enforcement staff prioritizes health and safety issues, works collaboratively with property owners to find solution to address violations, and helps to educate property owners on code requirements.

Affordable Housing Ordinance

On November 2, 2021, the City adopted a new Affordable Housing Ordinance in order to address the need for affordable housing related to market-rate housing production and to foster an adequate supply of housing in Fremont for all persons at all economic levels. The Affordable Housing Ordinance applies to residential developments that create two or more new net units. The Affordable Housing Ordinance was informed by a Residential Nexus Study and a Financial Feasibility Study to ensure that the requirements of the Affordable Housing Ordinance are not a constraint to housing.

The Affordable Housing Ordinance establishes a 15% inclusionary requirement consisting of 5% moderate-income units and 10% low-income units for for-sale residential developments and a 10% low-income inclusionary requirement for rental residential developments. The ordinance also includes provisions for alternative compliance for rental developments, allowing developments that include both for-sale and rental components fulfill their obligation under the ordinance by providing

affordable rental units. The ordinance requires 7.5% low-income units and 7.5% very low-income units for a total of 15% set-aside rental units.

An in-lieu fee option is available for developers to pay affordable housing fees instead of including on-site affordable units. The in-lieu fee will phase in from January 2022 through January 2024. A “hybrid” option is available where developers may produce on-site moderate-income units and submit a partial fee payment. Collection of affordable housing in-lieu fees from for-sale projects, instead of on-site construction of affordable housing, can be used to leverage outside funding sources for higher-density, 100 percent affordable projects, resulting in a greater number of affordable housing units that are affordable to households with extremely low, very low, and low incomes.

The current in-lieu fee is summarized below.

Table 5-9. Affordable Housing Fees, January 2022

Residential Projects		
For-Sale Housing Fees – In-lieu fee due when no inclusionary units are provided on-site	Fee per SF¹	
	1/2/22 - 12/31/22	Each Jan. 1 thereafter
• For-sale units, except stacked flats	\$35.00	\$44.00
• Stacked flats	\$27.00	\$27.00
For-Sale Housing Fees – In-lieu fee due for low-income units when inclusionary moderate units are provided on-site²	Fee per SF²	
	1/2/22 - 12/31/22	Each Jan. 1 thereafter
• For-sale units, except stacked flats	\$20.00	\$29.00
• Stacked flats	\$12.00	\$12.00
For-Sale Housing Fees - In-lieu fee due for fractional moderate units when required moderate income units are provided on-site and applicant elects to pay an affordable housing in-lieu fee for a fractional moderate unit	Fee per SF³	
	1/2/22 - 12/31/22	Each Jan. 1 thereafter
• For-sale units, all, including stacked flats	Fractional unit/total affordable unit requirement x \$15.00 x total habitable square footage in the project	Fractional unit/total affordable unit requirement x \$15.00 x total habitable square footage in the project
For-Sale Housing Fees - In-lieu fee due for fractional low-income units when required low-income units are provided on-site and applicant elects to pay an affordable housing in-lieu fee for a fractional unit	Fee per SF⁴	
	1/2/22 - 12/31/22	Each Jan. 1 thereafter
• For-sale units, except stacked flats	Fractional unit/total affordable unit requirement x \$20.00 x total habitable square footage in the project	Fractional unit/total affordable unit requirement x \$29.00 x total habitable square footage in the project
• Stacked flats	Fractional unit/total affordable unit requirement x \$12.00 x total habitable square footage in the project Fractional unit/total affordable unit requirement x \$12.00 x total habitable square footage of the project	
Rental Housing Fees – In-lieu fee due when no inclusionary units are provided on-site	Fee per SF⁵	
	1/2/22 - 12/31/22	Each Jan. 1 thereafter

• Rental units over 700 SF	\$17.50	\$17.50
• Rental units up to 700 SF	\$8.75	\$8.75
• With underlying subdivision map	\$27.00	\$27.00
Residential for-sale projects deemed complete between June 7, 2015 and December 2, 2021	Fee per SF	
	1/2/22 - 12/31/22	Each Jan. 1 thereafter
• Attached units	\$30.03	Rate Indexed ⁶
• Detached units	\$28.91	Rate Indexed ⁶
Non-Residential Projects		
Land Use	Fee per SF^{6,7}	
	1/2/22 - 12/31/22	Each Jan. 1 thereafter
Light industrial, manufacturing, ⁸ and warehouse	\$4.64	Rate Indexed ⁶
Hotel, office, ⁷ R&D, and Retail/Service	\$9.27	Rate Indexed ⁶

Notes: "SF" = Square Feet

1. Fee per habitable square foot of market-rate housing in for-sale residential projects in lieu of construction of affordable units on-site as permitted by Fremont Municipal Code Section 18.155.080(a).

2. Fee per habitable square foot of market-rate housing in for-sale residential projects to mitigate the cost of construction for low-income units as permitted by Fremont Municipal Code Section 18.155.080(b).

3. Fee per habitable square foot of market-rate housing in for-sale residential projects in lieu of construction of fractional moderate-income unit, as permitted by Fremont Municipal Code Section 18.155.080(b) and prescribed by 18.155.090(b).

4. Fee per habitable square foot of market-rate housing in for-sale residential projects in lieu of construction of fractional low-income unit, as permitted by Fremont Municipal Code Section 18.155.030(a)(4) and prescribed by 18.155.090(b).

5. Fee per habitable square foot of rental housing to mitigate the project's impact on the need for affordable housing.

6. Fees adjusted annually on January 1 of each year to reflect annual changes in construction costs as measured by the Engineering News Record McGraw-Hill Construction Weekly Building Cost Index for San Francisco but in no case higher than justified by the applicable Nexus Study.

7. Non-residential affordable housing fees will be collected on a per gross square foot basis exclusive of:

a. Parking garages, trash enclosures, equipment yards, external covered walkways, and atriums. Stairwells, elevator shafts, storage areas and similar spaces, however, shall count.

b. Additions to existing nonresidential buildings where the addition represents less than 1,000 square feet.

c. Supportive services within the non-residential portion of a mixed-use project that are linked to a supportive housing project.

d. Development for public use on property owned by and serving federal, state, or local government, including hospital, park, school, and utility district purposes.

e. Class A Office Space 8 within the Warm Springs Community Plan area only and Headquarter Office8 citywide shall be exempt from payment of this fee through January 1, 2020.

f. Advanced Manufacturing Space

8 shall only pay for the first 100,000 gross square feet of space within the building. 8. See definitions for special subtypes: "Advanced Manufacturing," "Class A Office," and "Headquarter Offices."

Fees

Land development within the City of Fremont is subject to direct fees imposed by the City, fees collected by the City on behalf of another governmental agency, and/or fees imposed by another governmental agency within the City boundaries.

All fees imposed by the City on a residential development project are posted on the City's webpage and immediately updated when a change occurs.

Development Impact Fees

As allowed by State law, Fremont imposes fees on new development to support capital investments related to Parks, Transportation, and Civic Facilities. The City has five fee programs: two related to Parks (parkland acquisition, park facilities), one for Transportation (also known as the Traffic Impact Fee), and two for Civic Facilities (fire facilities/equipment, other city buildings/infrastructure/equipment).

In recognition of the great need to build affordable housing and missing middle housing in the community, Fremont's Development Impact Fee program provides for several notable exceptions to encourage and incentivize certain housing types. Fremont specifically exempts all Accessory Dwelling Units from development impact fees requirements, acknowledging the critical role they play in meeting Fremont's housing needs. Fremont also specifically allows deed-restricted affordable housing units to only pay Traffic, Parkland, and Park Facilities fees at 50% of the required rate.

In 2021, the City adopted an update to the City's Development Impact Fees, which includes five fee programs: two related to Parks (parkland acquisition, park facilities), one for Transportation (also known as the Traffic Impact Fee), and two for Civic Facilities (fire facilities/equipment, other city buildings/infrastructure/equipment). Impact fees pay for improvements that are absolutely necessary to maintain public safety and adequate circulation, as well as improvements that are related to quality of life, such as parks, community centers, etc. On the "necessary" side of the equation are the fire, traffic and circulation facilities required to mitigate a project's cumulative impacts. Without these fees, the City would not meet established levels of service set forth in the General Plan nor would identified environmental impacts be mitigated. On the "desired" or "quality of life" side of the equation are the capital (community center and other city facilities) as well as parkland and park facilities that the community desires. As part of the process for updating the City's development impact fees, the City reached out to development industry stakeholders, and held a meeting to receive feedback. The primary feedback received was support for the fee reduction for affordable housing projects and support for keeping the fees relatively consistent. The adopted update was consistent with that feedback.

Fremont's Development Impact Fees are a reflection of community values. Fremont residents consistently rate parks as a high priority. For example, as part of the General Plan update, the City conducted an on-line survey that asked residents, "Considering the following qualities or characteristics of the City of Fremont, indicate - by priority- - what you feel the City should focus on during the General Plan Update." An overwhelming 85 percent of respondents identified Parks and Open Space as a high priority for the General Plan Update, the highest percentage for any of the categories.

Development impact fees collected for parkland helps the City to achieve the equity-based goal in its Parks and Recreation Master Plan (adopted in 2022) of placing a park within a 10-minute walk of every residence in the City.

The current Development Impact Fee rates for residential development were informed by a Comprehensive Development Impact Fee Study which ensured that rates would not be a constraint to housing. The current rates are provided below.

Table 5-10. Development Impact Fees, January 2022

Land Use	Capital Facilities	Fire Facilities	Traffic	Parkland	Park Facilities
0 bedrooms	\$1,366	\$256	\$2,382	\$4,859	\$5,776
1 bedroom	\$1,847	\$347	\$2,382	\$7,529	\$8,663
2 bedrooms	\$2,743	\$515	\$2,661	\$10,353	\$12,129
3 bedrooms	\$3,512	\$659	\$2,661	\$12,678	\$15,017
4 bedrooms	\$4,120	\$773	\$4,051	\$15,846	\$18,482
Per additional bedroom > 4	\$815	\$153	See note	\$2,921	\$3,465

Note: Under the Traffic fee, residential units with more than four bedrooms pay the fee applicable to a 4-bedroom unit

Development Impact Fees are typically due upon issuance of building permits, but Fremont's Development Impact Fee program allows for affordable housing projects to enter into an agreement with the City to pay impact fees at the time of issuance of a certificate of occupancy or 18 months from the date of permit issuance, whichever occurs first. The City's deferral policy is designed to allow affordable housing developments with more flexibility to accommodate their typically complex funding structures and rigid schedules. [In December 2022, the City Council directed staff to explore the feasibility for deferring payment of development impact fees for market rate housing developments as well.](#)

Planning Fees

For entitlement applications, the City of Fremont charges applicants for actual costs for staff time according to individual hourly rates and service/material costs, such as public hearing notice publication and postage related to mailing public hearing notices. actual staff time spent processing a request. "Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or in writing to inquiries from the applicant, the applicant's representatives, neighbors, and interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence. Processing charges are therefore proportional to the complexity of an individual application.

Staff collects a deposit at application submittal based on an estimate for each application type. Actual charges may be more or less than the deposit, depending on the complexity of the application and other factors. Current deposit amounts for application types that could apply to a residential development are below:

Table 5-11. Planning Application Deposits

Application Type	Deposit
Preliminary Review Procedure	\$10,000
Rezoning	\$10,000
Planned District (Preliminary Site Plan)	\$12,500
Planned District (Precise Site Plan)	\$12,500
General Plan Amendment	\$16,000
Conditional Use Permit	\$7,000
Zoning Administrator Permit	\$4,600
Planned Unit Development	\$3,840
Variance	\$4,000
Modification of Zoning Standards	\$7,500
Design Review (PC/ZA Hearing)	\$20,000
Minor Design Review	\$4,000
Limited Design Review	\$3,120
Historical Architectural Review	\$7,500
Preapproved ADU Review	\$1,000
Tentative Tract Map	\$20,000
Tentative Parcel Map	\$10,000
Lot Line Adjustment	\$4,300
Lot Combination	\$5,000
Environmental Impact Assessment	\$5,400

Building Permit Fees

Fees for building permits are charged based on construction valuation, as shown below.

Table 5-12. Building Permit Fee Schedule Valuation Table

Valuation	Building Permit Fee
\$25,001 - \$50,000	\$664.47 for the first \$25,000 plus \$10.34 for each additional \$1,000, or fraction thereof
\$50,001 - \$100,000	\$664.47 for the first \$25,000 plus \$10.34 for each additional \$1,000, or fraction thereof
\$100,001 - \$500,000	\$664.47 for the first \$25,000 plus \$10.34 for each additional \$1,000, or fraction thereof
\$500,001 - \$1,000,000	\$664.47 for the first \$25,000 plus \$10.34 for each additional \$1,000, or fraction thereof
\$1,000,001 +	\$664.47 for the first \$25,000 plus \$10.34 for each additional \$1,000, or fraction thereof

Other fees charged at building permit issuance include:

Table 5-13. Building Permit Fees

Fee	Fee
Community Planning Fee	15% of permit fee
Building Standard Administration Special Revolving Fund	\$1-\$25,000 valuation: \$1 \$25,001-\$50,000 valuation: \$1 \$50,001-\$75,000 valuation: \$1 \$75,001-\$100,000 valuation: \$1 Every \$25,000 or fraction thereof above \$100,000 valuation: Add \$1
SMIP and Seismic Hazard Mapping Fee, Category 1	Construction 0 to 3 story: permit valuation x 0.00013
SMIP and Seismic Hazard Mapping Fee, Category 2	Construction over 3 stories: permit valuation x 0.00028
Construction Tax	New Single-Family Dwelling: \$2,357 New Two-Family Dwelling: \$2,017 Multiple Dwellings: \$1,774 Additions: \$0.76 per square foot added
Plan Check Fee	All occupancies: 100% of building permit fee Tract homes with repetitive plans: \$114/lot Tract homes in hillside with repetitive plans: \$138/lot Revisions to approved plans: \$89.70/hour

Art District Fees

The City of Fremont has established Art District programs within the City Center, Downtown, Warm Springs, and Ardenwood Technology Park areas. These programs are intended to promote the arts, provide art education, and spur economic development by creating an attractive pedestrian environment. The current Art District Fee is set at \$0.62 per gross square foot of new construction in all Art Districts. This fee is subject to an annual automatic escalation based on the Consumer Price Index (CPI). For construction projects with more than 100,000 square feet of gross area, the developer may choose to provide on-site artwork, of equivalent value, in lieu of paying up to 50% of the fee.

Fremont Unified School District Developer Fees

Developer fees are charged by the Fremont Unified School District (FUSD) for new residential construction, including additions of 500 sq. ft. The current rate is \$4.79 (Level I) per square foot of residential development, effective May 23, 2022.

Alameda County Water District and Union Sanitary District Charges

The Alameda County Water District provides water services and the Union Sanitary District is responsible for the collection and treatment of wastewater, including the permitting and inspection of sanitary sewers outside of a building, for the tri-cities of Newark, Union City, and Fremont. The Alameda County Water District collects a per unit connection charge in order to allow a new unit to connect to a water main. The connection charge is currently \$8,556 for a single-family home and \$7,125 for a multifamily residence, which includes ADUs.

The Union Sanitary District collects a connection fee for new residential units as well. The connection charge is currently \$9,331 for a single-family home, and \$8,030 for a multifamily residence. ADUs are charged per-square foot capacity fee [\$4.72/square foot].

Estimated Fees for Prototype Projects

The following are example fees for prototype residential development project types:

Table 5-14. Estimated Fees for Prototype Projects

	Single-Family Subdivision	JADU	ADU	Townhome	Apartment	Affordable Apartment
Project Characteristics						
Affordability	Market-rate	Market-rate	Market-rate	Market-rate	Market-rate	Affordable
Rent / Sale	Sale	Rent	Rent	Sale	Rent	Rent
# Units	10	1	1	8	100	100
Avg # Beds	3	0	1	3	2	1
Avg. Sq ft Per Unit	2500	500	800	1500	1200	700
Project Fees						
Affordable Housing ¹	\$87,500	0	0	\$420,000	\$2,100,000	0
Development Impact Fees ^{2,3}	\$345,270	0	0	\$276,216	\$2,840,100	\$1,148,100
Planning Fees	\$55,400	\$3,120	\$3,120	\$50,000	\$30,000	\$30,000
Building Fees	\$60,000	\$4,000	\$4,000	\$60,000	\$400,000	\$400,000
Engineering Fees	\$15,000	0	0	\$15,000	\$1,000	\$1,000
FUSD	\$102,000	0	\$3,264	\$48,960	\$489,600	\$285,600
ACWD ⁴	\$85,560	0	0	\$57,000	\$712,500	\$712,500
USD	\$93,310	\$2,360	\$3,776	\$64,240	\$803,000	\$803,000
Total						
TOTAL PROJECT	\$1,631,54	\$9,480	\$14,160	\$991,416	\$7,376,200	\$3,380,200
TOTAL PER UNIT	\$163,154	\$9,480	\$14,160	\$123,927	\$73,762	\$33,802

Notes:

1. Assumed that all projects pay in-lieu fee
2. Fremont waives development impact fees for ADUs
3. Fremont reduces traffic, parkland acquisition and park facilities development impact fees by 50% for affordable housing units
4. Assumes that ADU projects do not install separate water lines. If any applicant choose to add a separate water line, there is a \$8,556 connection fee

In the above table, the prototype JADU, ADU and affordable apartment projects paid the least amount in fees, while the single-family residential subdivision paid the most. This is consistent with the City's goals to incentivize the production of JADUs, ADUs, affordable housing developments, and small multifamily units to address the City's moderate-income and lower-income housing needs.

Permits and Processing

Processing and permit procedures can affect the time and cost of developing a residential project. Ineffective or unclear processing and permit procedures may also discourage a developer from taking on the risk of proposing a housing project altogether.

In an effort to become more efficient and sustainable, the Community Development Department has begun implementation on a number of key process changes to conduct more business electronically. This includes implementation of a new permit tracking system, and electronic plan review system. All development applications (including pre-application submittals, entitlement review, and building permits) are now submitted electronically, and plan reviewed electronically. These efforts were accelerated due to the COVID-19 pandemic and additional improvements are planned to refine these processes.

Pre-application Review

The City offers a Preliminary Review Procedure (PRP) application that allows an applicant to get early feedback from a multidisciplinary team of City staff on a proposed development, prior to submitting a formal application. This affords a developer flexibility to determine the feasibility of a project prior to preparing detailed plans and paying the more extensive entitlement. The City finds that many developers take advantage of this process to get early feedback and to reduce review time and costs in the future. An applicant typically receives comments back on a PRP application within about 30 days.

In addition to a PRP application, the City also has a process that allows developers to submit a Preliminary Application pursuant to SB 330 (the “Housing Crisis Act of 2019”). The Preliminary Application “freezes” applicable fees and development standards while application materials for a formal entitlement submittal are being prepared. The project remains vested unless the development proposal is significantly altered, or if the developer fails to submit a formal application within 180 days.

The City also has a General Plan Amendment Screening process, where General Plan Amendment proposals are presented to the Planning Commission and City Council for feedback prior to a formal application. The overall process is intended to screen and/or prioritize applications for review and identify applications the City Council has no interest in pursuing. Developers are therefore informed early on if a General Plan Amendment would not be supported. General Plan Amendment Screening requests are presented together twice a year to the Planning Commission and City Council. The General Plan Amendment Screening Process will expire at the end of 2022. The screening process benefits developers by providing early feedback from decision makers, but is also an additional procedural step which has the potential to extend development timelines and increase development costs.

Ministerial Review

The Zoning Code sets forth permitting requirements for residential development. All new residential developments require approval of a Design Review Permit, either a Ministerial Design Review Permit or a Discretionary Design Review Permit. The Design Review Permit may be considered in conjunction with other entitlement requests (e.g., a Conditional Use Permit, a Zoning Administrator Permit, Variance, Tentative Tract Map, Planned Unit Development, Rezoning, etc.) as needed. If multiple entitlement requests are needed for a development proposal, the City’s zoning regulations allow for the different requests to be bundled together for review as a single consolidated item. For example, a Design Review Permit and a Tentative Tract Map for a residential condominium development could be reviewed and approved at the same time.

Some proposed housing projects are only subject to ministerial review, meaning they are approved at a staff level without exercising discretion. Accessory dwelling units, two-unit developments under SB 9, and new single-family homes (less than 7,500 square feet) are among the types of residential development types that can be approved at a staff level through a Ministerial Design Review permit when permitted by the underlying zoning district. For less complicated projects, such as ADUs, the City offers concurrent review, where zoning review and building permit review may be conducted at the same time. After an application is submitted, a multi-disciplinary review team would review the proposal for compliance with objective rules. If the application is determined not to satisfy an objective rule, a comment letter would be issued describing the issue that needs to be resolved and advising the applicant to submit corrected project plans. All review cycles are completed in less than 30-days. If all objective rules are satisfied, staff would approve the application without a public hearing via the issuance of a formal approval letter. If a building permit application was reviewed concurrently,

building permits could be issued at the same time as the zoning approval. If a building permit application was not processed concurrently, the applicant would apply for building permits following receipt of their approval letter.

Additionally, SB 35 (Government Code Section 65913.4) requires cities and counties to streamline review and approval of eligible affordable housing projects through a ministerial approval process, which exempts these projects from environmental review under the California Environmental Quality Act (“CEQA”). Review of an SB 35 application is limited to an assessment of whether the proposal complies with adopted objective standards. SB 35 applies to cities and counties that have not made sufficient progress toward meeting their affordable housing goals for above-moderate and lower income levels as mandated by the State. Since Fremont has exceeded its above-moderate target, but not its lower income targets, during the current Housing Element cycle, development projects in Fremont are eligible for SB 35 streamlining when with 50% or more of the total number of units are restricted as affordable units. Prior to submitting an entitlement application under SB 35, an applicant must first submit a Preliminary Application to allow the opportunity for Native American Tribal consultation prior to the application. The City processes SB 35 applications ministerially in conformance with all requirements in SB 35, consistent with the ministerial approval process described above.

Per the requirements of AB [1397](#) (2017), a program (Program 44) is included in the Housing Element to create a by-right approval process for reused Housing Element sites that include at least 20 percent of units as affordable to lower-income households. The by-right process will provide for non-discretionary staff-level review and approval, consistent with the ministerial approval process described above.

Discretionary Review

Projects that are not eligible for Ministerial Design Review require Discretionary Design Review Permit approval at a public hearing, including single-family homes greater than 7,500 square feet, multifamily residential developments, mixed-use developments, and residential projects that involve some kind of discretionary entitlement. Other types of discretionary entitlements that may be part of a housing development proposal include:

- **Conditional Use Permit.** A process for reviewing land uses which may be compatible with the zoning district, but whose effect on the site and surroundings cannot be determined before being proposed for a specific location. Such uses may be suitable in a zoning district only in specific locations or only if designed in a particular manner or subject to specific conditions. The approval authority for a Conditional Use Permit is the Planning Commission.
- **Zoning Administrator Permit.** A process with the same purpose as a Conditional Use Permit, but where the approval authority is the City’s Zoning Administrator.
- **Rezoning or General Plan Amendment.** A legislative change to the zoning district and/or General Plan Land Use designation of a site.
- **Planned District.** A rezoning to a Planned District with custom development standards with the purpose of encouraging and providing a means for effectuating desirable development, redevelopment, rehabilitation and conservation in the city.

- **Planned Unit Development.** A permit to allow variations to development standards for small infill development projects involving five or fewer residential units wherein superior and context sensitive design solutions offset any variations to the development standards in the established zoning district.
- **Variance or Modification of Zoning Standards.** Processes which allow deviation from development standards.
- **Tentative Tract Map.** Subdivision of a parcel into five or more parcels.
- **Tentative Parcel Map.** Subdivision of a parcel into four or fewer parcels.

Findings for approval generally include conformity with General Plan and zoning/development standards as well as basic public health, safety and general welfare concerns. Program 18 in the Housing Element commits the City to refining the findings for discretionary design review for housing developments to reflect the objective nature of reviewing development applications for new housing. The approval authority applies discretion in considering the proposal, except that the Housing Accountability Act (HAA) (Government Code Section 65589.5) does not allow for the approval authority to deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards. In staff reports for development proposals subject to the HAA, language is provided which defines the limits to the approval authority's discretion under the HAA. Although the approval authority does have the ability to deny a housing application subject to the HAA based on health and safety findings, the City has never denied an application subject to the HAA based on health and safety grounds. Although the City's discretion over development applications subject to the HAA are very limited, the City values public hearings to better inform the public about development proposals and to provide a greater level of transparency in the approval process._

The Zoning Administrator (a staff person) is the approval authority for a Discretionary Design Review application, except:

- The Planning Commission is the approval authority when an application for design review is submitted in conjunction with another permit where the Planning Commission is the approval authority (e.g., a Tentative Tract Map, Conditional Use Permit).
- The Historical Architectural Review Board is the approval authority (or will make a recommendation to the approval authority) in instances where a development project is located within a historical overlay district (HOD) or when a project may affect a Historic Resource or Potential Historic Resource. The Historical Architectural Review Board would review conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and/or HOD Design Guidelines, as applicable.
- Any Design Review application that is submitted in conjunction with a legislative action (e.g., a Planned District, Rezoning, General Plan Amendment), would be subject to review and approval by the City Council.

Prior to review at a public hearing, discretionary applications are reviewed by a multi-disciplinary team of City staff against applicable policies and standards. A proposal may require multiple review cycles depending on whether the application is complete and whether the proposal

adequately addresses requirements.

Unlike ministerial applications, discretionary actions may require environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA). Depending on specific individual circumstances, a housing proposal may require preparation of a Negative Declaration (ND), Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR) to analyze potential environmental impacts.

Environmental review is a major determining factor for the length of time needed to process a development application. When a project is not subject to environmental review, the processing time can be significantly shortened. When a project is subject to environmental review, additional time may be required to complete technical studies, evaluate the applicability of exemptions, and potentially prepare an Initial Study document. Environmental determinations are also subject to judicial challenge. Projects subject to CEQA may be additionally held up by lawsuits challenging the adequacy of environmental documents. Within the past planning period, there was one CEQA lawsuit filed against a housing project within the City of Fremont. This indicates the slight, but real, possibility of such challenges and associated delays. The City utilizes streamlining provisions under CEQA to expedite the review of housing projects wherever feasible.

Typical processing times are shown below. Review times can vary dramatically depending on the varying disciplines involved with a project review, the complexity of a project, and the level of preparedness and responsiveness of a project applicant. The timelines below account for multiple review cycles of up to 30-days, and a 1-2 months of lead time for public hearings to allow for the preparation of a staff report and public noticing. The Zoning Administrator, Historical Architectural Review Board and Planning Commission typically hold one regularly scheduled meeting per month. The City Council typically holds three regular meetings per month. Actions of the Zoning Administrator, Historical Architectural Review Board and Planning Commission may be appealed within 10 days of a decision. If an appeal is filed, a new hearing will be held, which would extend the approval timeline by 2-3 months.

Table 5-15. Typical Timelines for Approval or Permit Types

Application Type	Typical Processing Time (weeks)	Approval Body
Zoning Administrator Permit	4-8	Zoning Administrator
Conditional Use Permit	12-24	Planning Commission
Planned District (Preliminary Site Plan)	20-40	City Council
Planned District (Precise Site Plan)	20-40	City Council
Zone Change	20-40	City Council
General Plan Amendment	20-40	City Council
Planned Unit Development	12-24	Planning Commission
Modification of Zoning Standards	12-24	Planning Commission
Variance	12-24	Planning Commission
Design Review (PC/ZA Hearing)	12-24	Planning Commission/Zoning Administrator
Minor Design Review (e.g., new SFD)	4-8	Staff
Limited Design Review (e.g., new ADU)	4-8	Staff
Tentative Tract Map	12-24	Planning Commission

Application Type	Typical Processing Time (weeks)	Approval Body
Tentative Parcel Map	4-8	Planning Manager
Lot Line Adjustment	4-8	Planning Manager
Lot Combination	4-8	Planning Manager
Environmental Impact Report	36-52	Concurrent with entitlements
Initial Study	16-24	Concurrent with entitlements

Building Permit Review

Similar to entitlement reviews and PRPs, building permit applications are reviewed through a multidisciplinary team-based process, which allows the City to provide a coordinated and thorough response to an applicant regarding potential project issues. Once an application is received, staff from various departments/divisions, i.e. Fire, Traffic, Planning, Public Works/Engineering, Environmental Services coordinate to review plans and discuss issues and solutions. Comments and plan revisions are coordinated through the Team lead. Having one contact person or liaison reduces the confusion for the applicant and avoids conflicting information.

Each cycle of team-based review is typically completed within thirty days. The timeline to complete the review process and receive building permits is typically driven by the number of review cycles. Simple ADUs and single-family homes may receive approval within one or two cycles, whereas more complex multifamily residential buildings often require four or more cycles of review.

Review of Housing Developments on Fremont BART Parking Lot Site

Although most housing that will be developed during the 2023-2031 planning period will be on private property, the Housing Element sites inventory identifies public land that is suitable for housing as well, including existing parking area at the Fremont BART Station. Land at the Fremont BART Station has been in Fremont's Housing Element Sites Inventory for multiple cycles, and the underlying City Center Land Use Designation allows for housing development. Since the early 1990s, BART has worked in partnership with cities and counties to develop BART-owned property with housing to further BART's Board-adopted TOD goals.

BART's TOD Workplan states that BART will prioritize their limited resources towards developing housing on sites with clear local support. Although Fremont has adopted a Community Plan and zoning which allows for high density residential development consistent with BART's TOD goals, Fremont has not taken proactive steps to signal that the City has an interest in encouraging development of affordable housing on BART land or taken steps to partner with BART on a plan for the site. As described under Program 63 of the Housing Element, Fremont will proactively engage with BART to identify and reduce barriers to construction of affordable housing on the Fremont BART site. The City will actively pursue development interest in the parcels, including soliciting developer input on the feasibility of developing affordable housing on the Fremont BART site.

Chapter 6

Review of 2015-2023 Housing Element

This chapter reviews the progress towards implementation of the goals, policies, and programs in the 2015-2023 Housing Element planning period, including major accomplishments, and identifies areas in which Fremont faced challenges that resulted in falling short of stated goals. This chapter also identifies which programs will be retained in service of the next Housing Element's goals.

Purpose

Per California Government Code Section 65588(a), a Housing Element must review the outcomes of the previous element's goals, objectives, policies, and programs. For each program, the Housing Element must compare the differences between what was projected or planned in the element and what was achieved. The 2023-2031 Housing Element will need to incorporate what has been learned from the results of the previous element and community feedback. Resultantly, this analysis will help inform the process of developing the goals, objectives, policies, and programs for the 2023-2031 Housing Element.

The 2015-2023 Housing Element contains eight goals, which align with the values and vision established in the City's 2011 General Plan:

- | | |
|---------------|---|
| Goal 1 | Preserve, Maintain, and Improve the Existing Affordable Housing Supply and Neighborhoods |
| Goal 2 | Ensure Availability of High Quality, Well-Designed, and Environmentally Sustainable New Housing of All Types and Income Levels Throughout the City of Fremont |
| Goal 3 | Facilitate the Development of Affordable and Market-Rate Housing in Order to Meet the City's Regional Housing Need Allocation (RHNA) |
| Goal 4 | Ensure that all Persons Have Equal Access to Housing |

Goal 5	Promote Regional Collaboration to Maintain and Expand the Range of Housing Alternatives in Fremont
Goal 6	Ensure Availability of Supportive Services to Help People Stay Housed
Goal 7	Address and Mitigate Constraints to Housing Challenges
Goal 8	Maintain an Updated Housing Element that is Reviewed, Updated and Effectively Implemented

In order to implement these goals, the 2015-2021 Housing Element included 22 policies and 69 programs. The policies and programs outlined specific actions that the City would take to further the identified goals. Responsibility for implementation programs spanned multiple City departments, including the Human Services Department, Community Development Department, Economic Development Department, and Police Department. The City reported on the status of each program in its Housing Element Annual Progress Report each year during the Housing Element cycle.

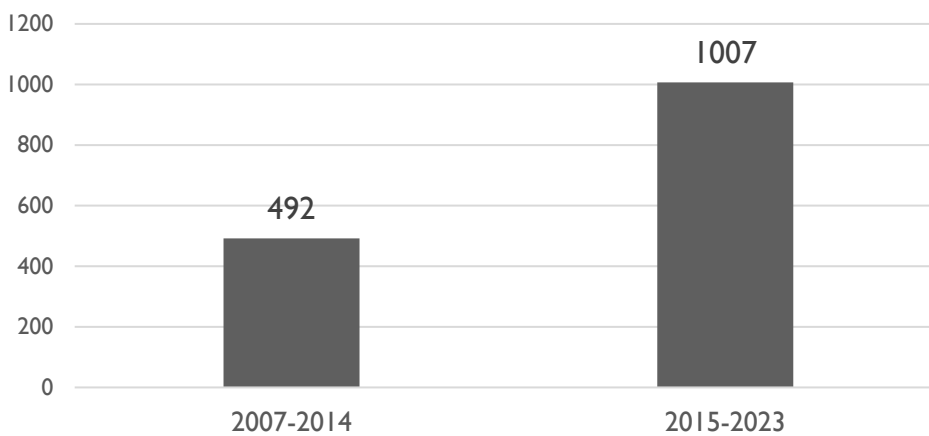
This memorandum summarizes the major accomplishments under each goal during the 2015-2022 Housing Element cycle, reviews the effectiveness of the existing policies, and proposes revisions to policies for inclusion in the 2022-2031 Housing Element.

Major Accomplishments by Area of Focus

Affordable Housing Production

Many of the programs in the 2015-2023 Housing Element are intended to promote affordable housing development within the City. In the previous 2007-2014 Housing Element planning period, affordable housing production was constrained due to the economic circumstances of the Great Recession. In this planning period, market conditions and new policies have been much more favorable for affordable housing development. Figure 6-1 shows that affordable housing production in the 2015-2023 planning period is more than double that of the previous period.

Figure 6-1: New Affordable Housing Units Constructed by Planning Period



Among the factors driving the increase in affordable housing production was a comprehensive update to the City's Affordable Housing Ordinance in 2015. The update expanded the options available to developers to satisfy their affordable housing requirements (*Program 3.01-B*). Payment of in-lieu fees by market-rate housing developers generates funding for the City's Affordable Housing Trust Fund. Other developers have chosen to utilize the option to provide below-market rate units on-site as part of their developments, such as the Innovia Apartments, Reilly Station Apartments, and Fairfield Apartments projects in the Warm Springs Innovation District (*Program 4.03-B*). The City additionally established a new commercial linkage fee in 2015, which also supports the Affordable Housing Trust Fund (*Program 3.01-G*). The Affordable Housing Trust Fund has been used to issue three Notices of Funding Availability (NOFAs) during the planning period to provide gap funding for affordable housing developments (*Program 5.02-A*).

Additional policies aim to reduce cost for affordable housing developers. Since 2021, affordable housing developments pay Parkland Acquisition, Park Facilities, and Transportation impact fees at a rate that is 50% of market-rate development projects (*Program 7.01-E*). Affordable housing developers also have the option to defer payment of impact fees until building permit final, rather than building permit issuance (*Program 3.01-E*). Finally, the City has codified recently-modified provisions in State Density Bonus Law that provide development waivers, concessions, and incentives to qualifying affordable housing projects in order to facilitate their development (*Program 7.01-A*). The following list indicates all the 100% affordable housing projects issued building permits during the planning period:

- Laguna Commons: 64 units (2015)
- Stevenson Place: 80 units (2017)
- Innovia: 287 units (2017)
- Pauline Weaver Senior Apartments: 89 units (2017)
- Fairfield Geo Apartments: 102 units (2018)
- Central Commons: 19 units (2018)
- Reilly Station and Canyon Flats Apartments: 130 units (2019)
- City Center Apartments: 59 units (2020)
- Granite Ridge Apartments: 72 units (2021)
- Doug Ford Senior Apartments: 60 units (2021)

Despite the success of the City's affordable housing programs, overall production of affordable housing remains below the community's housing need. The City has continued to advocate for additional state and regional funding initiatives that provide additional resources for affordable housing, including the Alameda County Measure A housing bond, Senate Bill 2, Proposition 1 (Veterans and Affordable Housing Act), and Proposition 2 (No Place Like Home bond) (*Program 5.03-B*). Identifying resources and policies to build affordable housing to match the community's housing needs will be a major question for the 2023-2031 Housing Element update.

Transit-Oriented Development Focus

The City has also continued to support housing development located near major transit stations, to further our sustainability goals and reduce vehicle traffic in the City. Most housing development within the past planning period was high-density, multifamily development within the Warm Springs/South Fremont Community Plan Area (*Program 3.04-A*). Within that plan area, the City approved multiple master plans that implement a complete streets network that provides safe bicycling facilities and pedestrian pathways to the nearby Warm Springs/South Fremont BART station for residents of the new developments (*Program 2.02-A*). In other areas of the City well-served by bus transportation, the City implemented a new mixed-

use zoning district in 2015 to encourage high-density commercial and residential developments (*Program 2.02-B*).

Housing for the Formerly Homeless

The role of local jurisdictions in responding to homelessness has significantly expanded over the past planning period, and the City's own response has expanded with it. In addition to the provision of additional supportive and shelter services, the City has focused on providing permanent, supportive housing for people exiting homelessness. People experiencing homelessness are often considered "acutely low income", which corresponds to an income of 0-15% AMI (less than \$13,200/year for an individual). The lowest income category that the City tracks in its Housing Element is extremely low income, which corresponds to an income of 0-30% AMI (less than \$28,800/year for an individual). During the past planning period, the City specifically targeted housing for extremely low-income individuals and families as part of its Notice of Funding Availability process (*Program 3.01-C*). The following permanent supportive housing opportunities for extremely low-income (ELI) households were issued permits during the 2015-2023 Housing Element cycle:

- Laguna Commons: 32 ELI units (2015)
- Stevenson Place: 16 ELI units (2017)
- Pauline Weaver Senior Apartments: 24 ELI units (2017)
- Reilly Station and Canyon Flats Apartments: 26 ELI units (2019)
- City Center Apartments: 34 ELI units (2020)
- Granite Ridge Apartments: 15 ELI units (2021)
- Doug Ford Senior Apartments: 45 ELI units (2021)

The City has also sought additional funding to construct housing specifically intended for formerly homeless individuals. In January 2022, the City applied for funding from the Department of Housing and Community Development under the Project Homekey 2.0 Program to support the conversion of a hotel into a 156-unit permanent supportive housing development. All units in the development would be available to acutely low-income individuals experiencing homelessness.

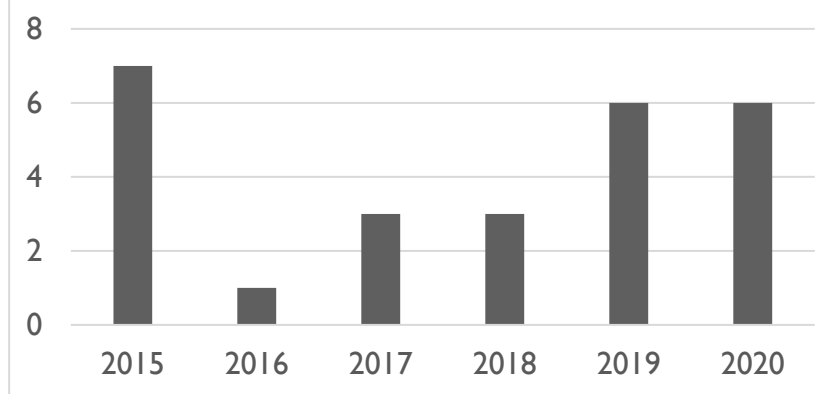
The total number of extremely low-income units constructed between 2015-2021 is 192. The City's identified need for ELI households was 832 units. The City will need to continue to pursue innovative solutions to develop housing affordable to homeless individuals in order to meet the community's housing needs.

Housing for Seniors

While seniors in the City may have different housing needs depending on their household type/size, ownership or rental status, and income, all seniors have special housing needs that the City tries to address through the Housing Element policies.

Seniors who own their homes may need support to successfully "age in place". Seniors may find that their homes need accessibility improvements as they age, such as ramps or grab bars. The City uses Community Development Block Grant (CDBG) funding to provide grants of up to \$15,000 to individuals to perform accessibility upgrades to their homes (*Program 4.02-B*). As you can see in Figure 6-2, the City met this goal during most years of the Housing Element planning period. Shortfalls were due to a lack of funding for the Minor Home Repair Grants program as a whole and staffing shortages at Habitat for Humanity, which runs the program on behalf of the City.

Figure 6-2 - Minor Home Repair Grants Issued for Accessibility Annually



The City has continued to encourage the production of accessory dwelling units (ADUs) (*Program 3.03-B*). ADUs may help seniors in several different ways. Seniors may construct an ADU and rent it out to supplement a fixed income; or they may choose to rent out the main home and live in a more accessibly-constructed ADU; or, they may choose to live with their extended family on the property, with the ADU as an independent-but-close living space. During the planning period, the City has waived all development impact fees for ADUs of any size, initiated a Preapproved ADU Program to facilitate streamlined construction of units, and completed timely ordinance updates to reflect state law changes regarding ADUs. As a result, the number of permits issued for ADUs has increased from 34 in 2018 to 77 in 2021.

For seniors who do not own their homes, affordable rental housing is often required in order to allow them to stay in the community. During the 2015-2023 Housing Element planning period, two affordable housing complexes specifically for seniors have been constructed. Pauline Weaver Senior Apartments, finished in 2019, provides 90 units of supportive senior housing within the Warm Springs District. The Doug Ford Senior Apartments project is currently under construction in the Irvington District. It will provide 89 units of supportive senior housing when it is completed. These developments also provide on-site resident services for seniors to help them continue to live independently (*Program 6.02-A*).

Housing for People with Disabilities

The City continues to implement its Universal Design Ordinance, which requires that all new residential developments provide alternative floor plans that facilitate the addition of accessible features to be available to home buyers (*Program 2.01-C*). The City maintains a webpage with information about the Universal Design Ordinance, including a Universal Design brochure that provides a summary of the benefits of universal design as well as accessibility options that can be incorporated into new development. During the project review process, the Planning Division notifies applicants of the requirements during the entitlement phase, and the Building Division verifies compliance with universal design requirements during plan review and inspection.

The City also implements a Reasonable Accommodation Ordinance to comply with the Federal Fair Housing Act and provide a process for acting upon requests to vary zoning standards in order to accommodate accessible features (*Program 4.01-D*). During the current planning period, three requests for reasonable accommodation were received and granted administratively, without a public hearing. While the reasonable accommodation process is straightforward for applicants to navigate, the low usage of the process indicates that it may not be widely publicized among the disabled community.

Disproportionate Housing Needs of Extremely Low-Income Households

Extremely low-income households are disproportionately impacted by housing challenges such as substandard housing, cost burden, and overcrowding. The City's 2015-2023 Housing Element included policies that address these housing challenges. Some programs focused on the creation of new, code-compliant housing for low-income families. The City's Notices of Funding Availability (NOFAs) for affordable housing projects awarded extra points for the construction of new, large housing units to reduce overcrowding among larger families (*Program 3.03-C*). Other programs focused on the retrofit of existing units to reduce the incidence of housing issues. The City's Minor Home Repair Grant Program offers one-time grants of up to \$15,000 for low-income homeowners to address substandard housing and accessibility issues in their homes (*Program 1.01-A*). The City also promoted County and State funding programs that help lower-income households achieve greater housing stability and affordability (*Program 1.04-A, Program 4.03-C*). While these programs helped households who were able to access them, their effectiveness was limited by a lack of funding. Many programs utilized holdover money from Redevelopment that ran out during the latter half of the planning period. A mix of public funding and incentive for private investment is required to offset the more limited amount of funding that the City receives from County and State agencies.

In addition, displacement of low-income households was identified as a major issue in the previous housing element. A suite of policies was proposed in order to address this concern, including:

- Program 1.05-B: Long-Term Affordability Restrictions
- Program 1.05-D: Mobile Home Preservation and Rent Stabilization
- Program 1.05-E: Continue to Implement Condominium Conversion Ordinance
- Program 1.05-F: Monitor and Address Housing Displacement as a Result of New Development Activity
- Program 4.01-A: Continue Implementation and Administration of Residential Rent Increase Dispute Resolution Ordinance.
- Program 4.01-C: Administration of Landlord/Tenant Counseling Services and Eviction Prevention Services.

The City's 2021 Displacement Study found that despite these programs, a total of around 450 low-income households were displaced between 2010 and 2017. While these programs are important to retain, additional programs must be considered in order to further lower displacement rates.

Major Accomplishments by Housing Element Goal

Goal 1: Preserve, Maintain, and Improve the Existing Affordable Housing Supply and Neighborhoods

- **Program 1.01-B: Training for Apartment Owners and Property Managers.** This program involves providing yearly trainings to multi-family rental property owners and managers. The trainings educate property owners and managers about their legal responsibilities to providing safe, habitable dwellings and provide an overview of related City programs like code enforcement and the rent review ordinance. The City partnered with the Rental Homeowners' Association to provide trainings every year during the planning cycle. Attendance ranged from 40 to 100 participants depending on the specific event.
- **Program 1.05-D: Mobile Home Preservation and Rent Stabilization.** There were no losses of mobile home spaces in Fremont during the 2015-2023 Housing Element planning period. The City continued to implement its Mobile Home Rent Stabilization Ordinance, which limits rent increases for tenants in mobile home parks to prevent displacement.
- **Program 1.05-E: Continue to Implement Condominium Conversion Ordinance.** In order to discourage the conversion of "naturally-affordable" rental housing stock into ownership housing stock, the City specifies a procedure for applications for condominium conversion and limits the number of units that can be converted each year. The City did not receive any applications for condominium conversion during the 2015-2023 Housing Element planning period, indicating that the current ordinance is successful at dissuading potential conversions.

Goal 2: Ensure Availability of High Quality, Well-Designed, and Environmentally Sustainable New Housing of All Types and Income Levels Throughout the City of Fremont

- **Program 2.01-A: Apply Residential Design Guidelines and Standards to Encourage Highest Level of Design Quality.** This program involves the development of design guidelines that encourage the highest level of design quality, while at the same time reducing delays and uncertainty for developers by providing clear direction on the required standards. During the previous Housing Element cycle, the City diligently updated its design guidelines and implemented new design guidelines as appropriate. Highlights from this work include:
 - *Citywide Design Guidelines update:* In 2016, the Citywide Design Guidelines were updated to provide more objective standards related to privacy and second-story massing on new homes and additions within existing single-family neighborhoods.
 - *Multifamily Design Guidelines update:* In 2018, the City updated its Multifamily Design Guidelines to provide clear, objective design rules in conformance with recent amendments to the Housing Accountability Act.
 - *Irvington BART Station Area Plan Design Guidelines adoption:* In 2019, the City adopted a new set of design guidelines intended to guide high-density, urban development within the vicinity of the anticipated Irvington BART Station.
- **Program 2.03-B: Mixed-Use Zoning.** The City successfully updated its zoning ordinance to include a new Mixed Use (MX) zoning district in 2015.

Goal 3: Facilitate the Development of Affordable and Market-Rate Housing in Order to Meet the City's Regional Housing Need Allocation (RHNA)

- **Program 3.01-B: Update Affordable Housing Ordinance.** The City completed an update of its affordable housing ordinance twice during the planning period, during 2015 and 2021. The 2021 ordinance update simplified the options available to developers and sought to encourage production of inclusionary units to further fair housing goals. The Affordable Housing Ordinance has generated significant income for the Affordable Housing Trust Fund since 2015.
- **Program 3.01-F: Assist Affordable Developers to Acquire Land for Affordable Housing.** This program involves identifying suitable sites for affordable housing and, as feasible, either acquiring or assisting developers with acquiring land for future development of affordable housing. The City has assisted with the purchase of land for affordable housing through a variety of mechanisms. In 2015, the City sold a surplus 2.3-acre site to MidPen Housing for the development of the Stevenson Family Apartments project. In 2017, 2018, 2019, and 2021, the City approved site acquisition loans to assist developers with the purchase of land for affordable housing projects. Throughout the planning period, City staff have provided early consultation to affordable housing developers regarding potential affordable housing sites.
- **Program 3.03-D: Explore Incentives to Encourage Development of Smaller, More Efficient Units for Single-Person and Small Households.** In 2015, the City established a lower affordable housing fee for rental units under 700 square feet, to recognize that units of this size are more affordable by design. The City has also waived impact fees for all accessory dwelling units (ADUs), which tend to be affordable by design, since 2016.

Goal 4: Ensure that all Persons Have Equal Access to Housing

- **Program 4.02-C: Provide Shelter Services to Homeless in Need.** This goal refers to operation of the Winter Warming Center and other shelter options. The role of local jurisdictions in responding to homelessness has significantly expanded over the past planning period, and the City's own response has expanded with it. This program did not anticipate the breadth of the City's activities in providing shelter services during the past planning period. The City now offers a diversity of effective shelter programs, each tailored to a different need. The City significantly expanded access to shelter services throughout the past planning period. Key accomplishments include:
 - Transitioned the Winter Warming Center into a Winter Shelter to provide overnight shelter to unhoused residents.
 - Adopted ordinances allowing faith-based organizations to establish temporary shelters and safe-parking sites at existing religious facilities.
 - Facilitated the expansion of the Bay Area Community Services Wellness Center into a Homeless Wellness Center to provide housing placement and dignity services.
 - Adopted a Shelter Crisis Resolution, which better positions the City to receive State funds to address homelessness and provides greater flexibility in prescribing standards of housing, health and safety when necessary to expedite the use facilities for shelter.
 - Established the Housing Navigation Center, which has 45 shelter beds and supportive services, providing clients with shelter for up to six months.
 - Transitioned the Winter Shelter program into a non-congregate hotel voucher program in Winter 2021-22, in response to the COVID-19 pandemic.

Goal 5: Promote Regional Collaboration to Maintain and Expand the Range of Housing Alternatives in Fremont

- **Program 5.02-B: Inter-Jurisdictional and Regional Planning.** This program involves coordinating with other local jurisdictions, counties, agencies, and regional organizations to plan for residential development. For example, the City participated in a multi-jurisdiction affordable housing nexus study with jurisdictions in Santa Clara County and Alameda County regarding the feasibility of a commercial linkage fee. The study allowed the City to proceed with implementing its own commercial linkage fee in 2015. Additionally, the City collaborated with regional planning partners to update the City's Priority Development Areas (PDAs) to reflect recently updated amendments to the Regional Growth Framework adopted by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC). The City's active collaboration with regional stakeholders has benefitted local planning activities.

Goal 6: Ensure Availability of Supportive Services to Help People Stay Housed

- **Program 6.01-A: Funding for Non-Profit Social Service Providers.** For the duration of the planning period, the City provided annual grants to over 20 non-profit agencies. These agencies operate unique programs to provide a wide array of social services which include, but are not limited to, shelter services, basic needs services, domestic violence intervention, health services, family counseling services, and senior services. Examples of these agencies are Abode Services, Tri-City Volunteers, SAVE, Kidango, Tri-City Health Center, and Bay Area Legal Aid. These programs served around 60,000 people per year.
- **Program 6.02-A: Encourage Location of Case Management and Other Supportive Services in Affordable Housing Developments and Housing for Seniors.** The City completed three affordable housing developments that provide on-site supportive services during the planning period. Laguna Commons, a 64-unit development in downtown Irvington serving formerly homeless residents and veterans, was completed in 2016. Pauline Weaver Senior Apartments, an 89-unit project constructed as part of the Mission Falls development in 2018, provides on-site supportive services for its resident seniors. Finally, City Center Apartments, was recently completed in 2021 and has 60 units with on-site services. Supportive services are also a planned component of other affordable housing projects in the development pipeline.

Goal 7: Address and Mitigate Constraints to Housing Challenges

- **Program 7.01-A: Review and Periodically Amend Zoning Ordinance and Other Planning Documents as Needed to Reduce Constraints to Affordable Housing Production.** During the past planning period, multiple state laws have been passed to address constraints to affordable housing production. To implement and build upon these state regulations, the City completed multiple updates to facilitate affordable housing development during the past planning period, including:
 - Allowing supportive/transitional housing by-right in all residential zoning districts (2015)
 - Update to density bonus regulations (2016, 2020)
 - Updates to accessory dwelling unit regulations (2016, 2020)
 - Updates to develop objective standards for development projects (2018)

- **Program 7.01-B: Implement Modifications to Parking Requirements as Appropriate.** This program involved evaluating the opportunities for unbundling and reducing parking in areas near transit. During the past planning period, the City implemented targeted parking reductions:
 - The Warm Springs/South Fremont Community Plan, adopted in 2014, does not have any parking minimums for the majority of uses within the planning area, which is generally located within a half-mile of the Warm Springs/South Fremont BART Station.
 - The City Center Community Plan, adopted in 2015, promotes unbundled parking.
 - The zoning ordinance was amended in 2016 and 2020 to facilitate use of tandem parking in residential projects in order to reduce the amount of space dedicated to parking and provide additional flexibility to developers.
- **Program 7.01-E: Review Fee Structure.** This program involves periodically reviewing the City's impact fee structure in order to ensure that fees accurately reflect the demand for additional City services from new housing. The City completed comprehensive reviews of its fee structure in 2015 and 2020. In the 2015 update, the City changed its fee structure for residential projects so that fees were calculated based on bedroom count, in order to accurately capture the impact of large units (typically single-family attached or townhomes) versus small units (typically part of multi-family developments). In the 2021 update, the City lowered the Parkland Acquisition, Park Facilities, and Transportation fees for qualifying affordable housing units to 50% of the typical rates. This reflects the City's ongoing commitment to reducing fees for affordable housing developers.

Goal 8: Maintain an Updated Housing Element that is Reviewed, Updated and Effectively Implemented

- **Program 8.01-A: Annual Progress Report on Housing.** This program calls for the City to prepare a Housing Element Annual Progress Report (APR). Consistent submission of the APR qualifies the Community Development Department for funding from the state Department of Housing and Community Development (HCD) to support various planning initiatives. The City submitted an annual progress report during each year of the planning period.

Housing Production Review

Housing production in the City is driven by many factors, among the City housing policies. During the past planning period, the City exceeded its total Regional Housing Needs Allocation (RHNA). However, production did not match the affordability ratios specified in the RHNA because production of affordable housing trailed the RHNA targets. As of 2021, the City has completed only 25% of its assigned affordable housing targets. An additional 18% of the affordable housing need has secured entitlements and is working on obtaining its permits for construction.

The following table summarizes Fremont's housing production during the past planning period:

Table 6-1. Permitted Units Issued by Affordability

Income Category	RHNA	2015	2016	2017	2018	2019	2020	2021	2022 ²	Total Units	Total Remaining RHNA
Very Low ¹	1,714	64	2	217	34	78	51	140	–	586	1,128
Low	926	0	0	249	68	52	8	21	–	398	528
Moderate	978	1	0	0	19	2	1	–	–	22	956
Above Moderate	1,837	382	452	1,601	1,742	955	251	700	–	6,084	-
Total RHNA	5,455	447	454	2,067	1,863	1,087	311	861	–	7,090	

¹Units serving extremely low-income households are included in the totals for very low income. Building permits were issued for 32 extremely low-income units in 2015, 40 extremely low-income units in 2017, 26 extremely low-income units in 2019, 34 extremely low-income units in 2020, and 60 extremely low-income units in 2021.

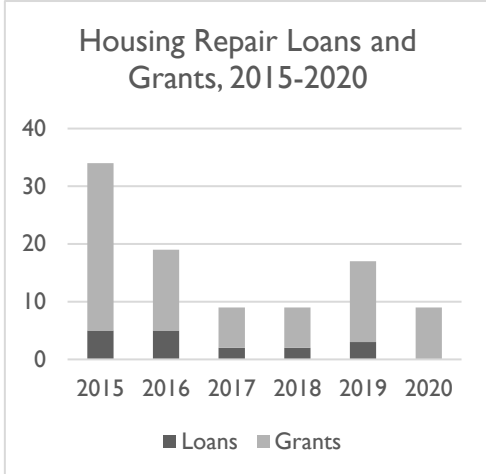
²Permit data for calendar year 2022 is not yet available.

2015-2023 Housing Element Summary Table

The following table summarizes the City's accomplishments under each program included in the 2015-2023 Housing Element. Additional columns provide an analysis of the effectiveness of each program, as well as a proposal for whether the program should be retained, modified, or removed in the 2023-2031 Housing Element update. In addition to analysis of new housing constraints and housing needs, as well as public input, this table will be used to develop a list of programs for the 2015-2023 Housing Element.

Goal #1: Preserve, Maintain, and Improve the Existing Affordable Housing Supply and Neighborhoods

Goal #1 focuses on the importance of preserving, maintaining and improving the City's existing housing supply. Much of Fremont's housing stock and infrastructure is more than fifty years old. Fremont's existing housing stock contains more than 1,000 rental units that are income restricted as well as almost 800 mobile homes that can provide an affordable housing option for families. Preserving and maintaining this existing housing stock is critical to meeting housing needs.

Program	Accomplishments	Analysis of Effectiveness	Status in 2023-2031 Housing Element																					
<p>Program 1.01-A: Neighborhood Home Improvement Program. The City utilizes Community Development Block Grant (CDBG) funding to support home improvements through the Housing Rehabilitation Loan Program, Emergency Minor Home Repair Program, and the Energy Efficiency Program.</p> <p>Objective: Assist 30 households annually.</p>	<p>The City helped a high of 34 homeowners in 2015, and a low of 9 homeowners in 2017, 2018, and 2020.</p>  <table><caption>Housing Repair Loans and Grants, 2015-2020</caption><thead><tr><th>Year</th><th>Loans</th><th>Grants</th></tr></thead><tbody><tr><td>2015</td><td>5</td><td>29</td></tr><tr><td>2016</td><td>5</td><td>14</td></tr><tr><td>2017</td><td>2</td><td>7</td></tr><tr><td>2018</td><td>2</td><td>7</td></tr><tr><td>2019</td><td>3</td><td>14</td></tr><tr><td>2020</td><td>0</td><td>9</td></tr></tbody></table>	Year	Loans	Grants	2015	5	29	2016	5	14	2017	2	7	2018	2	7	2019	3	14	2020	0	9	<p>The City met the stated goal in only one year during the planning period. This is primarily because the amount of funding for the program stayed constant while construction costs escalated during the Housing Element planning period. The City chose to fund qualified applicants' full grant requests (up to the program maximum of \$15,000) for a lower number of repairs, rather than only partially fund a greater number of repairs.</p> <p>This program was particularly effective at addressing the needs of seniors and disabled people. Most funded home improvements were related to household accessibility (see Program 4.03-B).</p>	<p>Now Program 3.</p> <p>This goal has been modified to more accurately reflect funding capacity and the specific benefits to seniors and disabled people.</p>
Year	Loans	Grants																						
2015	5	29																						
2016	5	14																						
2017	2	7																						
2018	2	7																						
2019	3	14																						
2020	0	9																						
<p>Program 1.01-B: Training for Apartment Owners and Property Managers. This program involves providing yearly trainings to multi-family rental property owners and managers. The trainings educate property owners and managers about their legal responsibilities to providing safe, habitable dwellings and</p>	<p>Through a partnership with the Rental Housing Association, City staff provided trainings for rental property owners in all years during the planning period except 2016 and 2020. In the latter year, trainings were scheduled but cancelled due to COVID-19. Attendance steadily increased throughout the planning</p>	<p>This program is effective at reaching landlords to educate them about their legal responsibilities, as demonstrated by the consistency of the trainings and the increasing year-over-year attendance.</p>	<p>Now Program 2.</p> <p>This goal has been retained.</p>																					

<p>provide an overview of related City programs like code enforcement and the rent review ordinance.</p> <p>Objective: Train 80-90 managers annually.</p>	<p>period, from only 40 attendees in 2015 to over 120 attendees in 2021.</p>		
<p>Program 1.02-A: Citywide Capital Improvements This program requires passage of a Citywide Capital Improvement Program budget (CIP) to fund public infrastructure projects, including street repair, traffic improvements, and park development and maintenance.</p> <p>Objective: Identify periodic maintenance and improvement of residential facilities such as streets, sidewalks, etc.</p>	<p>The CIP has been developed and adopted bi-annually throughout the past planning period.</p>	<p>This program was written to reflect a general City process, which was effectively completed during the past planning period. However, the goal is generally not written in a way that effectively promotes the preservation or construction of housing.</p>	<p>Now Program 6 and Program 39.</p> <p>This goal has been retained and expanded to include efforts to seek funding for targeted infrastructure improvements in addition to the CIP.</p>
<p>Program 1.03-A: Liaison with Business and Neighborhood Associations This program requests that City staff maintain regular contact with business/neighborhood associations, to hear their concerns and assist in private initiatives to improve neighborhood.</p> <p>Objective: Attend 1-2 meetings annually and share information.</p>	<p>City staff attended quarterly meetings with the Chamber of Commerce and district business associations throughout the planning period.</p>	<p>This program was written to reflect the City's desire to incorporate community input and foster collaboration with existing community organizations, which was effectively completed during the past planning period. However, the goal is not written in a way that effectively promotes the improvement of existing housing.</p>	<p>Now Program 28 and Program 21.</p> <p>This goal has been consolidated into other programs to facilitate community engagement in housing development.</p>
<p>Program 1.03B: Community Engagement This program focused on the National Night Out, Neighborhood Crime Watch, and Community Emergency</p>	<p>The National Night Out was held every year during the planning period, including in 2020 when it was held virtually due to the COVID-19 pandemic.</p>	<p>While the program was completed successfully each year, the program itself does not have a strong, direct connection to the goal of promoting and improving housing.</p>	<p>This goal has been removed due to its insufficient connection to the goal of promoting</p>

<p>Response Team programs sponsored by the Fremont Police Department.</p> <p>Objective: Hold National Night Out annually.</p>			and improving housing.																				
<p>Program 1.04-A: Promote Home Ownership.</p> <p>This program involves promoting federal, state, and local homebuyer assistance programs and leveraging the efforts of real estate professionals to promote home ownership in Fremont.</p> <p>Objective: Ongoing promotion.</p>	<p>The City maintained a webpage with links to resources for first time homebuyers for the duration of the planning period.</p> <p>The City also facilitated construction of the Habitat for Humanity Central Commons project, which provided homeownership opportunities for 11 low-income families and 19 moderate-income families.</p>	While the City reported meaningful actions to promote homeownership during the past planning period, the text of this program itself does not include specific actions or policies to promote homeownership, which limits its effectiveness.	<p>Now Program 32.</p> <p>This program has been modified to identify specific actions to promote homeownership.</p>																				
<p>Program 1.05-A: Monitor "At Risk" Affordable Housing Units.</p> <p>This program involved identification of properties at risk of conversion to market-rate, and pursuit of diligent efforts to prevent those conversions.</p> <p>Objective: Preserve all 131 at-risk units.</p>	<p>The 2014-2021 Housing Element identified 131 units in four affordable housing complexes that were at-risk of conversion into market-rate units during the last Housing Element cycle. Of those units, 97 were preserved as long-term affordable units and 34 were converted back into market-rate:</p> <table border="1"> <thead> <tr> <th>Complex</th><th>Exp. Date</th><th>#</th><th>Status</th></tr> </thead> <tbody> <tr> <td>Pasatiempo</td><td>2022</td><td>59</td><td>Preserved</td></tr> <tr> <td>Amber Court</td><td>2020</td><td>34</td><td>Converted</td></tr> <tr> <td>Rancho Luna</td><td>2020</td><td>26</td><td>Preserved</td></tr> <tr> <td>Rancho Sol</td><td>2020</td><td>12</td><td>Preserved</td></tr> </tbody> </table>	Complex	Exp. Date	#	Status	Pasatiempo	2022	59	Preserved	Amber Court	2020	34	Converted	Rancho Luna	2020	26	Preserved	Rancho Sol	2020	12	Preserved	<p>The City made diligent efforts to engage the owner of the converted properties and seek to retain the affordable units. Ultimately, the owner was not interested in retaining any below-market-rate units on site. The City is not able to compel a private property owner to retain affordable units beyond the terms of the existing affordability covenant, and therefore was unable to prevent these units from being converted to market-rate.</p>	<p>Now Program 10.</p> <p>This program has been retained to identify units at risk during the 2023-2031 planning period.</p>
Complex	Exp. Date	#	Status																				
Pasatiempo	2022	59	Preserved																				
Amber Court	2020	34	Converted																				
Rancho Luna	2020	26	Preserved																				
Rancho Sol	2020	12	Preserved																				
<p>Program 1.05-B: Long-Term Affordability Restrictions.</p>	<p>The City maintained minimum affordability restrictions of 55 years for rental units and 30 years for home</p>	<p>The City codified this requirement in the affordable housing ordinance.</p>	<p>Now Program 48.</p>																				

<p>This program required that the City maintain long-term affordability covenants of 55-years for rental units and 30 years for ownership units.</p> <p>Objective: Ongoing.</p>	<p>ownership units for the duration of the planning period.</p>		<p>This program has been consolidated into a single program regarding review of the City's affordable housing ordinance.</p>
<p>Program I.05-C: Apartment Acquisition/Rehabilitation. This program specifies the City's intention to fund affordable housing projects that acquire, renovate, and deed-restrict existing market-rate apartment units.</p> <p>Objective: Rehabilitate 50 units during the planning period.</p>	<p>The City solicited proposals for projects involving rehabilitation within its Notice of Funding Availability (NOFA) in 2017, 2019, and 2021.</p> <p>The City did not participate any rehabilitation projects that involved the conversion of market-rate apartments into affordable units during the planning period. The City has had greater success in rehabilitating hotels into apartments. The Islander Motel project was funded through the City's NOFA in 2017. In 2021, the City is pursuing Homekey funding for a rehabilitation and hotel conversion project at the Motel 6 in the Warm Springs Innovation District.</p>	<p>The City did not receive any proposals for apartment rehabilitation from affordable housing developers. Based on conversations with affordable housing developers, apartment rehabilitation projects are challenging due to market conditions, funding sources, and complications with relocating existing non-qualifying tenants.</p>	<p>Now Program 62.</p> <p>This program has been modified to include hotel acquisition and rehabilitation programs.</p>
<p>Program I.05-D: Mobile Home Preservation and Rent Stabilization. This program relates to the City's continued implementation of its mobile home preservation ordinances.</p> <p>Objective: Ongoing.</p>	<p>The City continued to implement its Mobile Home Rent Stabilization Ordinance, which limits rent increases for tenants in mobile home parks to prevent displacement. There were no losses of mobile home spaces in Fremont during the planning period.</p>	<p>This program was effective in preventing the loss of mobile home spaces.</p>	<p>Now Program 7.</p> <p>This program has been retained.</p>
<p>Program I.05-E: Continue to Implement Condominium Conversion Ordinance. In order to</p>	<p>The City did not receive any applications for condominium conversion during the planning period.</p>	<p>The lack of applications for condominium conversion suggests that</p>	<p>Now Program 8.</p>

discourage the conversion of “naturally-affordable” rental housing stock into ownership housing stock, the City specifies a procedure for applications for condominium conversion and limits the number of units that can be converted each year. Objective: Ongoing.		the current ordinance is successful at dissuading potential conversions.	This program has been retained .
Program I.05-F: Monitor and Address Housing Displacement as a Result of New Development Activity. This goal involved monitoring displacement within priority development areas and adopting policies to address displacement where it is found to be occurring. Objective: Ongoing.	None of the anti-displacement policies identified in this goal were implemented during the planning period.	This program did not specify actions that would be implemented displacement, which limited its effectiveness. Actions taken within the planning period were covered under separate programs (i.e. monitoring and preventing conversion of existing deed-restricted affordable units).	Now Program 15 and Program 16. This program has been modified to reflect the City’s commitment to implement state laws preventing displacement.
Program I.05-G: Work with Legislators and HCD to Allow Rehabilitated and Preserved Housing Units to Count Towards Regional Housing Need. Objective: Ongoing.	While the City has continued to advocate for these changes, the state legislature has not passed legislation to allow rehabilitated and preserved affordable housing units to count towards the RHNA.	The effectiveness of the program cannot be assessed given that the legislature has not adopted the recommended program.	Now Program 67. This program has been consolidated with other programs regarding legislative advocacy.

Goal #2: Ensure Availability of High Quality, Well-Designed, and Environmentally Sustainable New Housing of All Types and Incomes Levels Throughout the City of Fremont

Goal #2 recognizes that throughout its history, Fremont has valued high-quality residential development. The City’s comprehensively updated General Plan, adopted in 2011, calls for reducing the City’s environmental footprint while continuing to offer a high quality of life, becoming more “strategically urban” by focusing future housing growth near transit hubs and corridors, embracing diversity by making housing available for people across the economic spectrum, and creating well designed and safe urban landscapes. Goal #2 ensures that new housing development continues to meet Fremont’s high standards.

Program	Accomplishments	Analysis of Effectiveness	Status in 2023-2031 Housing Element
<p>Program 2.01-A: Apply Residential Design Guidelines and Standards to Encourage Highest Level of Design Quality. This program involves the development of design guidelines that encourage the highest level of design quality, while at the same time reducing delays and uncertainty for developers by providing clear direction on the required standards.</p> <p>Objective: Ongoing.</p>	<p>During the previous Housing Element cycle, the City diligently updated its design guidelines and implemented new design guidelines as appropriate. Particular highlights include:</p> <ul style="list-style-type: none"> • <i>Citywide Design Guidelines update:</i> In 2016, the Citywide Design Guidelines were updated to provide more objective standards related to privacy and second-story massing on new homes and additions within existing single-family neighborhoods. • <i>Multifamily Design Guidelines update:</i> In 2018, the City updated its Multifamily Design Guidelines to provide clear, objective design rules in conformance with recent amendments to the Housing Accountability Act. • <i>Irvington BART Station Area Plan Design Guidelines adoption:</i> In 2019, the City adopted a new set of design guidelines intended to guide high-density, urban development within the vicinity of the anticipated Irvington BART Station. 	<p>The City has updated its design guidelines to comply with state laws requiring use of objective design rules, which has been effective in creating certainty for housing developers.</p>	<p>Now Program 17.</p> <p>This program has been modified to emphasize diligent updates to design standards and highlight the benefits of this change for housing developers.</p>

<p>Program 2.01-B: Design Review Process. This program involves the streamlining of the design review approval process.</p> <p>Objective: Ongoing.</p>	<p>The design review process has been continuously improved through the previous Housing Element cycle, beginning with the implementation of a team-based review process in 2015 that simplified the permitting process.</p> <p>In 2017, the City implemented the new Accela Citizen Access permit tracking system, which facilitated coordination between reviewers and reduced administrative permit processing tasks. In 2020, in response to the COVID-19 pandemic, the City implemented online permit submissions and electronic plan review software, which allow staff to process permits digitally. The move to online permitting has enabled the City to maintain service throughout the pandemic and substantially reduced the amount of paper waste generated in the plan review process.</p>	<p>The transition to digital permitting, already a substantial and complex undertaking, was made more challenging by the COVID-19 pandemic. The transition resulted in permitting delays as staff and applicants became familiar with the new online systems. The City responded to address these issues, and ultimately resolved them through developing new protocols for online processing and permitting. Today, online permitting provides a convenient alternative to in-person processing. The City plans to make continual process improvements to its digital permitting systems.</p>	<p>Now Program 23.</p> <p>This program has been consolidated with other programs to reflect the City's plans for continual process improvements for digital permitting.</p>
<p>Program 2.01-C: Continue to Implement Universal Design Ordinance.</p> <p>Objective: Ongoing.</p>	<p>The City continued to implement the Universal Design Ordinance during the planning period.</p>	<p>The City's Universal Design Ordinance requires developers to include units that can be adapted to meet the accessibility needs of people with physical disabilities. This ensures that disabled people have equal access to housing.</p>	<p>Now Program 70.</p> <p>This program has been retained.</p>
<p>Program 2.02-A: Explore Alternatives to Minimize Need for Wider Streets.</p> <p>Objective: Ongoing on a project-by-project basis.</p>	<p>Planning staff implemented this objective on a project-by-project basis, in coordination with the Fire Department and Public Works Department.</p>	<p>This program effectively shaped development in the Warm Springs Community Plan Area to minimize street widths in new subdivisions. However, in other areas throughout the City, development within the previous planning cycle occurred primarily on</p>	<p>Now Program 39.</p> <p>This program has been modified to focus on funding for multi-modal</p>

		infill sites where developers shared staff's goal of minimizing street width when possible to maximize building area on tight sites. The program was not required to promote small streets on infill sites.	infrastructure improvements.
Program 2.02-B: Mixed-Use Zoning. Objective: Implement new mixed-use zoning district.	The City successfully updated its zoning ordinance to include a new Mixed Use (MX) zoning district in 2015.	This program was effectively executed; however, new development proposals in the mixed-use district have been limited. Most mixed-use development is occurring in town center and city center districts.	Now Program 36. This program has been modified to include a program to update mixed-use development standards.
Program 2.03-A: Continue to Implement Green Building Standards and Water Efficient Landscape Ordinance. Objective: Ongoing.	The City continued to implement Green Building Standards and the Water Efficient Landscape Ordinance during the planning period.	This program was written to reflect an existing City ordinance, which remained in effect during the past planning period. However, the program did not involve additional actions to further sustainability during the planning period.	Now Program 19. This program has been modified in line with the Climate Action Plan.
Program 2.03-B: Energy Efficiency Measures. Objective: Ongoing.	During the past planning period, the City has continued collaborations with the California Youth Energy Services (CYES) "Green House Calls" program; the Bay Area Regional Energy Network (BayREN) energy efficiency education programs for single- and multi-family property owners; and the Bay Area SunShares Program group solar purchasing effort.	This program effectively promoted the retrofit of existing housing stock into modern, sustainable housing through expanding opportunities for solar energy and energy efficiency retrofits.	Now Program 19. This program has been modified in line with the Climate Action Plan.

Goal #3: Facilitate the Development of Affordable and Market-Rate Housing in Order to Meet the City's Regional Housing Need Allocation (RHNA)

Goal #3 recognizes that there are many factors that create barriers to developing housing at all income levels, including land costs, land use controls, and neighborhood resistance to new development. The policies in this goal attempt to address those constraints. These policies are intended to support and facilitate further development of affordable and market-rate housing to meet the City's allocated share of the regional need.

Program	Accomplishments	Analysis of Effectiveness	Status in 2023-2031 Housing Element
<p>Program 3.01-A: Continue to Allocate Percentage of General Fund Revenue from “Boomerang Funds” to Affordable Housing.</p> <p>Objective: Ongoing.</p>	<p>The City allocated boomerang funds to affordable housing and shelter opportunities throughout the planning period. Between 2015-2019, the City allocated boomerang funds towards its Affordable Housing Trust Fund, which was subsequently distributed to affordable housing developers through the City's NOFA process. From 2020 onwards, the City has allocated boomerang funds to support the operation of its Housing Navigation Center (HNC). The HNC provides interim shelter and supportive services to unhoused residents.</p>	<p>The City's use of boomerang funds for affordable housing helped facilitate the issuance of three NOFAs during the planning period, as well as the construction of the HNC.</p>	<p>Now Program 47.</p> <p>This program has been modified to indicate that boomerang funds may be used for affordable housing and interim shelter projects.</p>
<p>Program 3.01-B: Update Affordable Housing Ordinance.</p> <p>Objective: Complete Nexus Study.</p>	<p>The City completed an update of its affordable housing ordinance twice during the planning period, during 2015 and 2021. The 2021 ordinance update simplified the options available to developers and sought to encourage production of inclusionary units to further fair housing goals.</p>	<p>The Affordable Housing Ordinance has generated significant income for the Affordable Housing Trust Fund since 2015.</p>	<p>Now Program 48.</p> <p>This program has been modified to include annual tracking of the progress on the affordable housing ordinance.</p>

<p>Program 3.01-C: Develop Housing Affordable to Extremely Low-Income Households Commensurate with Need. This program directs City funding towards housing for extremely-low income households.</p> <p>Objective: Provide new units affordable to extremely-low income households commensurate with need; target housing for extremely low-income in NOFA.</p>	<p>As of 2021, the City had issued building permits for 192 units affordable to extremely low-income households.</p>	<p>The City's identified need for ELI households was 23% of the total below-market-rate allocation, or 832 units. While the City completed only a fraction of the allocation, development of ELI units was significantly higher than the previous planning period due to the implementation of this program.</p>	<p>Now Program 59.</p> <p>This program has been retained.</p>
<p>Program 3.01-D: Maximize Existing Funding Resources. This program speaks to the City's commitment to leverage all available resources to promote affordable housing.</p> <p>Objective: Ongoing.</p>	<p>The City has utilized its full allocation for CDBG and HOME grants each year during the planning period. The City has also applied for new one-time and repetitive sources of funding. In 2015, the City received a Local Housing Trust Fund Grant from the State to support the Stevenson Terrace affordable housing project. In 2020, the City applied for and received the Permanent Local Housing Allocation (PLHA) which provides an ongoing source of funding for affordable housing and shelter services. The City used PLHA dollars to fund the Housing Navigation Center. In 2022, the City applied for funding from the Project Homekey 2.0 program to support the conversion of a Motel 6 hotel into 156 units of permanent supportive housing for people experiencing homelessness.</p>	<p>Throughout the planning period, the City has effectively applied for and utilized funding for affordable housing. This has more than doubled the amount of affordable housing produced compared to the past planning period. The City will need to remain competitive for existing funding and find new funding resources to meet its 2023-2031 RHNA affordable housing allocations.</p>	<p>Now Program 52 and Program 53.</p> <p>This program has been retained and expanded into two separate goals, one calling for the City to adapt to new funding resources and one which includes tangible actions that will place the City in the best position to obtain additional funding resources.</p>
<p>Program 3.01-E: Deferral of Impact Fees. This program involves continuing to offer deferred payment of impact fees</p>	<p>The City continues to offer the option for affordable housing projects to defer impact fees. The majority of projects</p>	<p>Impact fee deferment assists affordable housing developers by lowering the carrying costs on a project before final</p>	<p>Now Program 49.</p>

<p>as an option for affordable housing projects.</p> <p>Objective: Ongoing.</p>	<p>eligible for deferment have chosen to defer impact fees.</p>	<p>occupancy is granted. The popularity of the program indicates its effectiveness.</p>	<p>This program has been retained.</p>
<p>Program 3.01-F: Assist Affordable Developers to Acquire Land for Affordable Housing. This program involves identifying suitable sites for affordable housing and, as feasible, either acquiring or assisting developers with acquiring land for future development of affordable housing.</p> <p>Objective: Ongoing.</p>	<p>The City has assisted with the purchase of land for affordable housing through a variety of mechanisms:</p> <ul style="list-style-type: none"> • In 2015, the City sold a surplus 2.3-acre site to MidPen Housing for the development of the Stevenson Family Apartments project. • In 2017, 2018, 2019, and 2021, the City approved site acquisition loans to assist developers with the purchase of land for affordable housing projects. 	<p>The City's assistance with the purchase of land has directly facilitated multiple affordable housing projects, indicating that this policy has been effective at the creation of affordable housing units.</p>	<p>Now Program 56.</p> <p>This program has been retained.</p>
<p>Program 3.01-G: Commercial Linkage Fee. This program involves adoption of a commercial linkage fee to provide funding for affordable housing.</p> <p>Objective: Adopt fee by 2017.</p>	<p>The City adopted a new commercial linkage fee in 2017.</p>	<p>The commercial linkage fee provides funding for the Affordable Housing Trust Fund to support affordable housing projects through the City's NOFA process.</p>	<p>Now Program 48.</p> <p>This program has been consolidated into a program to reassess the affordable housing ordinance and fees.</p>
<p>Program 3.02-A: Maintain Inventory of Residential Vacant and Underutilized Opportunity Sites to Encourage Development.</p> <p>Objective: Ongoing.</p>	<p>Throughout the planning period, the City has maintained its site inventory publicly available to developers. The City has complied with the requirements in SB 166 regarding no net loss.</p> <p>The City also allows the public to track new development proposals through a Development Activity Map and Table,</p>	<p>The City has little control over the sites which private market-rate developers choose for housing. Due to the amount of land in the City already zoned for high-density production, market conditions drove production to sites outside of the City's designated housing inventory. Approximately 25% of all housing development within the last</p>	<p>Now Program 29 and Program 40.</p> <p>This program has been expanded to include the development of specific resources</p>

	which is updated four times a year on the City's website.	planning period took place on inventory sites. Comparatively, 60% of all affordable housing development occurred on inventory sites. This reflects the early City input commonly provided on publicly-funded projects.	regarding inventory sites.
Program 3.02-B: Marketing Information for Multi-Family Housing. This program involves the creation and maintenance of a webpage for developers that contains code requirements, design guidelines, incentives, and City staff contacts. Objective: Ongoing.	The City maintained a residential projects webpage with useful information for residential developers for the duration of the planning period. The City also continues to regularly distribute the Development Digest, which is an online newsletter which provides updates on development projects, code changes, and other recent news related to development in Fremont.	The City's resources for residential development are effective at informing developers about the relevant regulations and design guidelines.	Now Program 4I. This program has been modified to focus on the commitment to include residential development updates in the Development Digest, which is the City's primary communication tool to reach developers.
Program 3.02-C: Redesignation of Land for Higher-Intensity Housing Construction. This program involves the consideration of rezoning land for higher intensity (greater than 30 dwelling units/acre) outside of transit-oriented development areas already zoned for high-density uses, on a case-by-case basis. Objective: Ongoing.	The City considered nine General Plan Amendment requests during the planning period. Most involved single-family or low-density residential development. Two requests contemplated high-density residential development greater than 30 DU/AC. Of those two requests, one was approved to change the land use designation of a site at 47003-47320 Mission Falls Court from Tech Industrial to Urban Residential (30-70 dwelling units per net acre) to facilitate the development of the Parc 55 project, a new age-restricted master-planned community containing up to 497 units for	As only two sites were considered for high-density development during the planning period, the program did not result in the widespread consideration of high-intensity housing outside of areas already zoned for this purpose.	This program has been removed to reflect the City's commitment to initiating actions to increase density and focus growth in TOD areas zoned for higher densities, as called for in the General Plan.

	seniors, including 89 units of senior affordable rental housing.		
Program 3.02-D: Lot Consolidation. This program involves support for consolidation of small lots to facilitate affordable housing Objective: Ongoing.	During the current planning period, the City incorporated language in the zoning ordinance which states that combining small parcels may be necessary to fulfill the requirements for residential zoning districts.	While the City continues to support lot consolidation as a part of infill development projects, this program did not include any tangible actions to facilitate consolidation. Consolidation is also not feasible on many small infill lots, particularly within historic town center areas where a patchwork of ownership and small lot sizes limit its effectiveness.	Now Program 40. This program has been consolidated into the sites inventory resources program.
Program 3.03-A: Encourage Affordable Housing in a Variety of Locations. This goal encourages production of affordable housing in different parts of Fremont. Objective: Ongoing.	Affordable housing developed during the past planning period was located throughout Fremont, primarily in areas with high-quality access to transit. As of 2021, affordable housing was distributed throughout Fremont as follows: <ul style="list-style-type: none"> • North Fremont: 34 units • Irvington: 580 units • Warm Springs: 90 units • South Fremont: 524 units • Mission San Jose: 249 units • Centerville: 476 units • Central: 628 units 	The distribution of high-density affordable housing is limited by identified opportunity areas, which are typically near transit. In areas that lack transit but are high-resource, more concrete and creative actions are required to spur development of affordable housing. Within areas that are near transit, affordable housing is well-distributed between the multiple transit-adjacent areas within the City.	Now Policy 3.03. This program has been modified to become a policy, with specific actions to facilitate affordable housing in higher-income neighborhoods in Fremont.
Program 3.03-B: Continue to Encourage Development of Second [Accessory Dwelling] Units (ADUs) Objective: 10-15 ADUs per year	The City has implemented multiple programs to encourage ADUs: <ul style="list-style-type: none"> • Waiver of all development impact fees for ADUs • Development of a Preapproved ADU Program • Creation of an ADU webpage and updated worksheets 	The combination of new state laws plus the City's policies to encourage ADUs have led to a dramatic increase in ADU production, from 17 in 2015 to 77 in 2021.	Now Program 30, Program 31, and Program 51. This program has been retained and expanded .

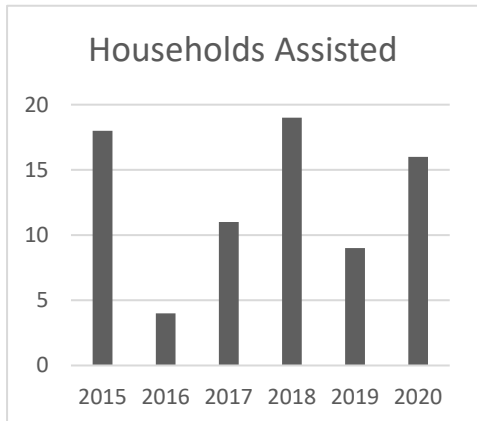
	<ul style="list-style-type: none"> • Timely updates of local ordinances to be consistent with state regulation 		
Program 3.03-C: Continue to Encourage Development of Affordable Family and Larger Sized Units. Objective: Ongoing.	The City funded or facilitated multiple affordable housing projects with three- or four-bedroom units, including: <ul style="list-style-type: none"> • Laguna Commons (11) • Maple Square (40) • Stevenson Apartments (24) • Central Commons (20) • Innovia (8) • Granite Ridge (19) • Allied Housing (15) 	Three-bedroom units were incorporated into many affordable housing projects during the last planning period. With impact fees charged by bedroom, there is need for specific actions to encourage larger units in affordable projects.	Now Program 60. This program has been retained .
Program 3.03-D: Explore Incentives to Encourage Development of Smaller, More Efficient Units for Single-Person and Small Households. Objective: Implement incentives by 2015-2016.	In 2015, the City established a lower affordable housing fee for rental units under 700 square feet, to recognize that units of this size are more affordable by design. In 2021, the affordable housing ordinance was updated and this lower fee for smaller units was retained.	The City's affordable housing fee reduction for units under 700 square feet has effectively incentivized construction of those units in new rental apartment projects.	Now Program 80. This program has been retained .
Program 3.03-E: Continue to Allow Manufactured Housing in Single Family (R-I) Districts	The City has continued to allow manufactured housing in single-family districts.	The City has seen an increase in manufactured housing proposed in single-family districts, particularly the use of manufactured ADUs.	Now Program 30 and Program 31. This program has been consolidated with programs to encourage ADUs, as most manufactured housing in R-I districts are ADUs.
Program 3.03-F: Facilitate Use of Creative and Alternative Housing Concepts. This goal intends to identify	The City partnered with HIP Housing to connect homeowners or renters who have a residence with one or more bedrooms with persons seeking housing	While the program looks at multiple types of alternative housing concepts, the City's efforts have focused on shared and co-housing models. The	Now Program 65. This program has been modified to

<p>and encourage best practice alternative housing concepts.</p> <p>Objective: Ongoing.</p>	<p>to pay rent or exchange services for reduced rent.</p>	<p>program would be more effective if it identified specific actions to promote participation in those programs.</p>	<p>focus specifically on shared and co-housing models.</p>
<p>Program 3.04-A: Maximize Opportunity for Housing and TOD Development in Warm Springs/South Fremont Community and City Center Plans.</p> <p>Objective: Adopt Community Plans in 2015.</p>	<p>The City Center Community Plan and Warm Springs/South Fremont Community Plans were both successfully adopted in 2015. Both allow for high-density residential housing at 70 DU/AC and above.</p>	<p>The majority of new units constructed during the planning period were done so in the Warm Springs Community Plan area, indicating the success of that planning document in facilitating new housing development. Development has been slower to occur in the City Center area, reflective of the fact that the infill City Center area is not as conducive to housing development.</p>	<p>Now Program 38.</p> <p>This program has been modified to focus on reviewing the Warm Springs and City Center Community Plans now that they are adopted.</p>

Goal #4: Ensure That All Persons Have Equal Access to Housing

In addition to development and preservation of housing, the City of Fremont is also committed to ensuring that all individuals and families have fair and equal access to housing. This goal includes programs and actions to assist special needs households, including seniors, disabled, and the homeless.

Program	Accomplishments	Analysis of Effectiveness	Status in 2023-2031 Housing Element
4.01-A: Continue Implementation and Administration of Residential Rent Increase Dispute Resolution Ordinance. Objective: Support 100% of applicants.	In October 2017, the City strengthened the Residential Rent Increase Dispute Resolution which is now referred to as the Rent Review Ordinance (RRO). The RRO provides tenants with an opportunity to request a public hearing to review the reasonableness of a proposed rent increase above five-percent. Over 100 requests for review were received and resolved since 2017.	After rent review, the average rental increase requested by the landlord decreased by around three percentage points. This indicates the RRO is assisting tenants by moderating their rent increases.	Now Program 12. This program has been modified with updated information about the RRO.
Program 4.01-B: Continue Education on Fair Housing and Administration of Counseling Services. This program involves providing information to both landlords and tenants regarding their rights and responsibilities related to fair housing. Objective: Continue providing assistance.	The City of Fremont contracted with Project Sentinel for the duration of the planning period to provide this educational information to residents. More than 1,500 people took advantage of counseling services during each year in the planning period.	Project Sentinel's counseling services are effective at assisting landlords and tenants with understanding their rights and responsibilities.	Now Program 13. This program has been consolidated into a single program about tenant education and counseling services.
Program 4.01-C: Administration of Landlord/Tenant Counseling Services and Eviction Prevention Services. This program involves providing information to both landlords and tenants regarding the eviction process.	The City of Fremont contracted with Project Sentinel for the duration of the planning period to provide this educational information to residents. More than 1,500 people took advantage of counseling services during each year in the planning period.	Project Sentinel's counseling services are effective at assisting landlords and tenants with understanding their rights and responsibilities.	Now Program 13. This program has been consolidated into a single program about tenant education

Objective: Ongoing.			and counseling services.														
Program 4.01-D: Implementation of Reasonable Accommodations Ordinance. Objective: Ongoing.	The City continued to implement its Reasonable Accommodation Ordinance throughout the planning period. Three requests for reasonable accommodation were received during the planning period and all were approved.	The City effectively implemented its Reasonable Accommodations Ordinance, but the low use of the ordinance may indicate that people are not aware of its existence.	Now Program 68. This program has been modified to include actions taken to promote the reasonable accommodations process.														
Program 4.01-E: Municipal Code Revision to Support Transitional, Supportive and Employee Housing. Objective: Update code by 2015.	The City updated its municipal code to allow supportive housing, transitional housing, and employee housing by-right in all residential zoning districts in 2015. The City continues to make regular updates to the code to comply with state laws related to supportive, transitional, and employee housing.	The City effectively met its objective to update the code to comply with state laws related to these housing types.	Now Policy 6.01. This program has been modified into a policy to update local ordinances to comply with state laws as the need arises.														
Program 4.02-A: Implement “Stay Housed” Self-Sufficiency Program. This goal involves implementing a program to assist families to avoid eviction and prevent homelessness due to a financial crisis. Objective: Assist 10 families per year.	The City assisted between four and nineteen households each year during the planning period:  <table><caption>Households Assisted</caption><thead><tr><th>Year</th><th>Households Assisted</th></tr></thead><tbody><tr><td>2015</td><td>18</td></tr><tr><td>2016</td><td>4</td></tr><tr><td>2017</td><td>11</td></tr><tr><td>2018</td><td>19</td></tr><tr><td>2019</td><td>9</td></tr><tr><td>2020</td><td>16</td></tr></tbody></table>	Year	Households Assisted	2015	18	2016	4	2017	11	2018	19	2019	9	2020	16	The City met its goal of assisting ten households in all but two years of the planning period.	Now Program 14. This program has been retained .
Year	Households Assisted																
2015	18																
2016	4																
2017	11																
2018	19																
2019	9																
2020	16																

<p>Program 4.02-B: Accessibility Improvements to Existing Housing. The goal sets aside a proportion of minor home repair grants (Program 1.01-A) for accessibility improvements.</p> <p>Objective: Assist 5 households per year.</p>	<p>Despite issuing fewer minor home repair grants than anticipated during the planning period, the City issued at least five for accessibility improvements in all but two years of the planning period. In two years, all minor home repair grants were made for accessibility purposes.</p>	<p>The minor home repair grant program effectively supported accessibility improvement projects during the planning period.</p>	<p>Now Program 3.</p> <p>This program has been consolidated with Program 1.01-A to reflect the program's overall emphasis on accessibility.</p>
<p>Program 4.02-C: Provide Shelter Services to Homeless in Need. This goal refers to operation of the Winter Warming Center and other shelter options.</p> <p>Objective: Offer Winter Warming Center.</p>	<p>The City significantly expanded access to shelter services throughout the past planning period. Key activities included:</p> <ul style="list-style-type: none"> • Transitioned the Winter Warming Center into a Winter Shelter to provide overnight shelter to unhoused residents. • Adopted ordinances allowing faith-based organizations to establish temporary shelters and safe-parking sites. • Facilitated the expansion of the Bay Area Community Services Wellness Center into a Homeless Wellness Center to provide homeless persons with housing placement and dignity services. • Adopted a Shelter Crisis Resolution, which better positions the City to receive State funds to address homelessness and provides greater flexibility in prescribing standards of housing, health and safety when necessary to expedite the use of public and private facilities used for shelter 	<p>The role of local jurisdictions in responding to homelessness has significantly expanded over the past planning period, and the City's own response has expanded with it. This program did not anticipate the breadth of the City's activities in providing shelter services during the past planning period. The City now offers a diversity of effective shelter programs, each tailored to a different need. This has a much greater impact than the initial program, which focuses on offering just the Winter Warming Center.</p>	<p>Now Program 72 and Program 73.</p> <p>This program has been retained and expanded.</p>

	<ul style="list-style-type: none"> Established the Housing Navigation Center, which has 45 shelter beds and supportive services, providing clients with shelter for up to six months. Transitioned the Winter Shelter program into a non-congregate hotel voucher program in Winter 2021-22, in response to the COVID-19 pandemic 		
<p>Program 4.02-D: Continue Participation in and Support for Everyone Home Plan and Alameda County Impact Supportive Housing Program. This program involves City participation in countywide efforts to end homelessness, including the Alameda County Impact Program. The Impact Program serves chronically homeless persons who have multiple barriers to housing.</p> <p>Objective: Ongoing.</p>	<p>The City continues to actively participate in the county-wide effort to end homelessness under the leadership of Everyone Home.</p> <p>The City also continued to participate in the Alameda County Impact program. The program has housed 12 people from Fremont over the planning period.</p>		<p>Now Program 75 and Program 77.</p> <p>This program has been retained and expanded.</p>
<p>Program 4.03-A: Housing Scholarship Program for Students.</p>	<p>Between 2015-2018, the City assisted between three and fifteen low-income households each year through this program. Unfortunately, funding for this program ended in 2019.</p>	<p>The lack of program funding resulted in the termination of this program.</p>	<p>This program has been removed.</p>
<p>Program 4.03-B: Below Market Rate (BMR) Program.</p> <p>Objective: Allow developers to build on-site affordable units to satisfy their affordable housing requirements.</p>	<p>During the planning period, on-site affordable housing was included in multiple developments within the Warm Springs Community Plan Area:</p> <ul style="list-style-type: none"> 132 units associated with the Toll Brothers Metro Crossing Master Plan 	<p>The inclusionary requirement was effective at encouraging on-site affordable housing in the Warm Springs Community Plan Area. In other parts of the City, developers have preferentially chosen to pay the housing in-lieu fee</p>	<p>Now Program 48.</p> <p>This program has been consolidated into a single program that analyzes the</p>

	<ul style="list-style-type: none"> • 290 units associated with the Lennar Homes Master Plan • 102 units associated with the Fairfield Apartments project <p>Another seven affordable units were developed as the inclusionary component for other, smaller market-rate projects during the planning period.</p>	rather than provide inclusionary units on-site.	effectiveness of AHO requirements.
<p>Program 4.03-C: Mortgage Credit Certificate (MCC) Program.</p> <p>Objective: Assist 5-10 households annually.</p>	<p>In 2015 and 2016, no MCCs were issued. One MCC was issued per year in 2017 and 2018. Most recently, Alameda County has not had MCC funds for distribution since 2019, because the California Debt Limit Allocation Committee did not provide MCC funds to counties in those years.</p>	<p>The lack of program funding has resulted in the effective termination of this program. While the program may be reactivated, it is primarily operated by the County and the City's main role is promoting the program to potential applicants.</p>	<p>This program has been removed.</p>

Goal #5: Promote Regional Collaboration to Maintain and Expand the Range of Housing Alternatives in Fremont

The need to provide sufficient housing for all income levels and to focus future housing near transit nodes is a regional challenge that requires the efforts, expertise and resources of multiple government agencies, non-profit service providers, and the private sector. This goal is meant to emphasize the role the City can play in promoting dialogue and education around housing issues; the City's intent to play a leadership role in focusing future housing near transit hubs; and the importance of regional cooperation and collaboration. "

Program	Accomplishments	Analysis of Effectiveness	Status in 2023-2031 Housing Element
Program 5.01-A: Affordable Housing Week. Affordable Housing Week offers the opportunity for professionals and advocates to share best practices and support for affordable housing. Objective: Ongoing.	The City passed an Affordable Housing Week proclamation during each year of the planning period except 2020, when Affordable Housing Week was cancelled due to the COVID-19 pandemic.	Participation in Affordable Housing Week destigmatizes affordable housing in the community and raises awareness about affordable housing resources.	Now Program 66. This program has been retained .
Program 5.01-B: Conduct Affordable Housing Presentations. Objective: 1-2 presentations annually.	Staff provided presentations about affordable housing to interested groups, including affordable housing developers and the Rental Homeowners' Association, throughout the planning period.	While presentations are a component of important advocacy work, this program was too vague and undefined to be effective.	This program has been removed due to its lack of specificity.
Program 5.01-C: Crime Free Multi-Family Housing Program. Objective: Offer crime-free multi-family housing trainings annually.	Crime-free multi-family housing trainings were held annually during the planning period. The number of properties certified through the program increased from 39 to 45.	While the program is ongoing, it does not have a significant nexus to the goal of expanding the range of housing alternatives in Fremont.	This program has been removed to comply with HCD's requirements regarding affirmatively furthering fair housing.
Program 5.02-A: Support for Non-Profit Affordable Housing	Throughout the planning period, the City has supported affordable housing	The program did not identify any tangible actions to develop new	Now Policy 4.03.

<p>Providers. This program supports affordable housing by providing public recognition of affordable housing developers, early consultation on projects, and/or project funding.</p> <p>Objective: Assist all applicants.</p>	<p>developers through close collaboration on projects. Project funding has been provided through the City's NOFA process.</p>	<p>structures that provide additional support to developers. More specific actions are required in order to make this program effective.</p>	<p>This program has been modified into a policy with specific implementation actions.</p>
<p>Program 5.02-B: Inter-Jurisdictional and Regional Planning. This program involves coordinating with other local jurisdictions, counties, agencies, and regional organizations, such as ABAG, to plan for residential development.</p> <p>Objective: Ongoing.</p>	<p>The City collaborated with local and regional stakeholders throughout the planning period. Highlights included:</p> <ul style="list-style-type: none"> • Participating in a multi-jurisdiction affordable housing nexus study with jurisdictions in Santa Clara County and Alameda County regarding the feasibility of a commercial linkage fee. • Implementing County Measure AI, which authorized \$580 million in bond funding for affordable housing. • Updating the City's Priority Development Areas (PDAs) to reflect recently updated amendments to the Regional Growth Framework adopted by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) 	<p>The City's active collaboration with regional stakeholders has benefitted local planning activities.</p>	<p>Now Program 84.</p> <p>This program has been retained.</p>
<p>Program 5.02-C: Consultation with Housing Stakeholders.</p> <p>Objective: Ongoing.</p>	<p>The City maintains a developers' interest list, through which it notifies developers of any proposed policy changes and opportunities for feedback. Throughout the planning period, the city has consulted with affordable housing developers, market-rate developers,</p>	<p>The City's early consultation with developers has allowed important policy proposals, such as the recent development impact fee update, to incorporate developer input.</p>	<p>Now Program 42.</p> <p>This program has been retained.</p>

	housing advocates, real estate professionals, the business community, and other stakeholders on proposed housing policy changes.		
Program 5.03-A: Monitor Legislation and Participate in Programs and Share Best Practices with Housing Organizations in the Bay Area to Influence Affordable Housing Priorities and Legislation. Objective: Ongoing.	The City continuously worked with affordable housing groups including but not limited to Non-Profit Housing and the East Bay Housing Organization to increase the supply of affordable housing units in Alameda County.	The program did not identify any tangible actions. More specific actions are required in order to make this program effective.	Now Policy 4.06. This program has been modified into a policy with specific implementing actions.
Program 5.03-B: Promote State and Regional Funding Initiatives that will Provide Additional Resources for Affordable Housing. Objective: Ongoing.	The City provided support for new funding initiatives for affordable housing, including the following: <ul style="list-style-type: none"> • Alameda County Measure A housing bond • Senate Bill 2 • Proposition 1, Veterans and Affordable Housing Act • Proposition 2, No Place Like Home bond 	The funding measures that the City has supported have been effective at providing additional affordable housing resources to the community.	Now Program 55. This program has been modified to promote collaboration with the new regional housing finance authority.

Goal #6: Ensure Availability of Supportive Services to Help People Stay Housed

Goal 6 focuses on housing assistance programs for special needs populations (elders, homeless, disabled). The City also assists/funds a variety of supportive services that can aid individuals and families to remain in their existing housing. Research shows that supportive services, such as finance management, counseling, or child care, are an efficient and effective means to keep people housed who may be faced with a financial crisis. While all of the support services provided by the City or by non-profits with City funding are not necessarily limited to low-income households, most of the consumers of these services are in fact extremely low, very low, or low income. This goal is meant to highlight the City's commitment to providing supportive services that help individuals and families stay housed.

Program	Accomplishments	Analysis of Effectiveness	Status in 2023-2031 Housing Element
Program 6.01-A: Funding for Non-Profit Social Service Providers. Objective: Ongoing.	For the duration of the planning period, the City provided annual grants to over 20 non-profit agencies. These agencies operate unique programs to provide a wide array of social services which include, but are not limited to, shelter services, basic needs services, domestic violence intervention, health services, family counseling services, and senior services. Examples of these agencies are Abode Services, Tri-City Volunteers, SAVE, Kidango, Tri-City Health Center, and Bay Area Legal Aid. These programs served around 60,000 people per year.	The non-profit agencies funded by the City support the most vulnerable members of the community and help keep people housed.	Now Program 83. This program has been retained .
Program 6.01-B: Continue to Operate the Fremont Family Resource Center. Objective: Ongoing.	The Family Resource Center programs operated throughout the planning period to provide housing information, youth and family services, case management, child care resources and referral, and economic self-sufficiency programs.	The services provided at the Family Resources Center help keep people housed.	Now Program 81. This program has been retained .
Program 6.01-C: Continue to Implement the Pathways to Positive Aging Project. This program relates to the City's efforts to enhance	For the duration of the planning period, the City supported elderly community members through various programs such as the Senior Help Line, VIP Rides, Senior	The services provided to seniors help them retain quality of life and housing appropriate for their needs.	Now Program 79. This program has been retained .

<p>the service network for seniors in the community.</p> <p>Objective: Ongoing.</p>	<p>Mobile Mental Health and a fall prevention program.</p>		
<p>Program 6.02-A: Encourage Location of Case Management and Other Supportive Services in Affordable Housing Developments and Housing for Seniors.</p> <p>Objective: Ongoing.</p>	<p>The City completed three affordable housing developments that provide on-site supportive services during the planning period:</p> <ul style="list-style-type: none"> • Laguna Commons (2016) • Pauline Weaver Senior Apartments (2019) • City Center Apartments (2021) <p>Supportive services are a planned component of other affordable housing projects in the development pipeline.</p>	<p>The construction of affordable housing developments with social services ensures there is new housing for residents with a variety of needs and helps those residents who may need more support or assistance stay housed.</p>	<p>Now Program 82.</p> <p>This program has been retained.</p>

Goal #7: Address and Mitigate Constraints to Housing Challenges

The City's Housing Element identifies constraints to housing production. This goal includes actions intended to remove those constraints.

Program	Accomplishments	Analysis of Effectiveness	Status in 2023-2031 Housing Element
Program 7.01-A: Review and Periodically Amend Zoning Ordinance and Other Planning Documents as Needed to Reduce Constraints to Affordable Housing Production. Objective: Ongoing.	The City completed multiple updates to facilitate affordable housing development during the past planning period, including: <ul style="list-style-type: none">• Allowing supportive/transitional housing by-right in all residential zoning districts (2015)• Update to density bonus regulations (2016, 2020)• Updates to accessory dwelling unit regulations (2016, 2020)• Updates to develop objective standards for development projects (2018)	The initial policy failed to identify specific actions to amend the zoning ordinance to reduce housing constraints, which limited its effectiveness. Updates provided throughout the planning period focused on efforts to implement state laws that facilitated affordable housing.	Now Policy 6.01. This program has been modified into a policy focused on implementing state regulations.
Program 7.01-B: Implement Modifications to Parking Requirements as Appropriate. This program involved evaluating the opportunities for unbundling and reducing parking in areas near transit. Objective: Ongoing.	During the past planning period, the City implemented targeted parking reductions: <ul style="list-style-type: none">• The Warm Springs/South Fremont Community Plan, adopted in 2014, does not set parking minimums in areas of the plan closest to transit.• The City Center Community Plan, adopted in 2015, includes policies to support unbundled parking• The zoning ordinance was amended in 2016 and 2020 to facilitate use of tandem parking in residential projects	The initial policy failed to commit to specific actions or a timeline to revise parking requirements, which reduced the effectiveness of the program.	Now Program 34. This program has been modified to include a specific action to reduce parking requirements near transit.

	The City continues to review requests for parking reductions on a case-by-case basis through the entitlement process.		
Program 7.01-C: Early Identification of Possible Project Issues. This program involves use of a “team-based” preliminary review procedure (PRP) process to allow developers to get informal feedback on an application prior to a formal submittal. Objective: Ongoing.	The City continued to process PRP applications throughout the planning period.	The PRP process is effective at allowing early identification of project issues.	Now Program 20. This program has been retained .
Program 7.01-D: Continue to Coordinate Development Review with Outside Agencies. Objective: Ongoing.	The City continues to collaborate with outside agencies from the beginning of the development review process.	The inclusion of outside agencies in the PRP process allows comments and requirements from various agencies to be addressed early on.	Now Program 22. This program has been retained .
Program 7.01-E: Review Fee Structure. Objective: Review fee structure every five years.	The City completed comprehensive reviews of its fee structure in 2015 and 2020. Important changes in impact fee structure to facilitate housing during the planning period include: <ul style="list-style-type: none"> • Charging fees based on bedroom count (2015) • Lowering Parkland Acquisition, Park Facilities, and Transportation fees for qualifying affordable housing units to 50% of the rates applicable to other housing units (2020) 	The regular review of impact fees allows the City to assure that fees are equitable and that fees are reflective of actual costs and remain consistent with the provisions of the Mitigation Fee Act.	Now Program 25. This program has been retained .
Program 7.01-F: Continue Assessing Process and Procedure Improvements for Efficiency. This program involved implementation of	The City implemented new permit tracking software in 2017 and implemented electronic plan review in 2020.	The City effectively met this goal by implementing new permit software in the timeline specified.	Now Program 23. This program has been modified to

<p>new permit software and a transition to electronic plan review.</p> <p>Objective: Implement new software by 2017.</p>			<p>reflect new process improvement goals, particularly related to online permitting and electronic plan review.</p>
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Goal #8: Maintain an Updated Housing Element that is Reviewed, Updated, and Effectively Implemented

Program	Accomplishments	Analysis of Effectiveness	Status in 2023-2031 Housing Element
Program 8.01-A: Annual Progress Report on Housing Objective: Annually.	The City submitted an annual progress report during each year of the planning period.	Due to the City's compliance with the Housing Element APR requirements, the City became eligible for state grants like SB2 and LEAP, which have provided resources to support programs to increase housing production. The completion of the APR is therefore an important goal to ensure the City retains its ability to receive future state funding.	Now Program 86. This program has been retained .

Chapter 7

Assessment of Fair Housing

This chapter is intended to review the current factors and conditions that limit the ability for all members of the community to live in neighborhoods of their choosing, with access to quality education, employment, and services. This section contains data and analysis to support development of policies to affirmatively further fair housing.

Purpose

In 2016, Governor Brown signed AB 686, which requires state and local agencies to ensure that their laws, policies, and programs “affirmatively further fair housing”. Affirmatively furthering fair housing means, “taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws” (HCD, 2021). AB 686 specifically added new requirements to housing element law to review fair housing resources, analyze the proposed sites inventory, and develop policies to promote integration.

This document reviews pertinent data to identify contributing factors that detract from fair housing access within Fremont and around the Bay Area region. The document begins by providing an overview of fair housing enforcement and outreach capacity within the city. It then analyzes data related to segregation by protected characteristics, including race, income, disability, and family size/status. It discusses the overlap of these patterns of segregation with access to opportunity. Finally, it reviews disparities in special housing needs by protected characteristics and geography.

The Housing Element responds to the findings of the Fair Housing Assessment through the Goals, Policies, and Programs in Chapter 2, as well as through the Sites Inventory in Chapter 8. A detailed analysis of how the sites inventory supports fair housing can be found on page 7-99.

This report builds on the work completed through the Alameda County Regional Analysis of Impediments to Fair Housing Choice, which was released January 2020. The Regional Analysis identifies fair housing issues and analyzes contributing factors on a regional scale. This report identifies issues and factors that are particularly salient in Fremont.

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Summary of Fair Housing Issues

A “fair housing issue” is a condition in a geographic area of analysis that restricts fair housing choice or access to opportunity. This chapter conducts an analysis of fair housing issues utilizing available federal, state, and local data and knowledge. Each subsection of the chapter concludes with an overview of major findings and identified fair housing issues. The following list summarizes the major fair housing issues identified throughout the document:

- **AFFH Finding #1: Housing Discrimination against People with Disabilities and Families with Children.** Based on data from Project Sentinel Fair Housing Services, the most common basis of housing discrimination complaint in Fremont is disability. The second most common is familial status. In community outreach, discrimination against people with children (and particularly single parents) was identified as an impediment to finding housing.
- **AFFH Finding #2: Regional Patterns of Racial Segregation Reflected in Fremont.** Within the Bay Area, over the past decade, Asian/Pacific Islander and Latinx populations have become more separated from other racial groups, while Black and White populations are becoming less separated. The emergence of suburban communities of color, like Fremont, contributes to this segregation pattern. Within the Bay Area, segregation remains the highest between Black communities and White communities. This is reflected in jurisdictions like Fremont, which has a small Black population compared to the region.
- **AFFH Finding #3: Exclusive Affluent Communities in High-Resource Areas.** Fremont has high-quality schools, thriving employment industries, and healthy environmental conditions, which allow even the lowest-income residents who live in Fremont to have better life outcomes than in other places in the Bay Area. However, many people with lower incomes don’t have the opportunity to live in Fremont due to high housing prices and the lack of affordable housing. This issue is particularly acute within the highest-opportunity Fremont neighborhoods.
- **AFFH Finding #4: Displacement Pressure in Existing Low-Cost Rental Housing in Transit-Oriented Neighborhoods.** Within Fremont, low- and moderate-income households tend to live within transit-oriented neighborhoods that have aging rental housing units. These are areas that

the City has designated for new development in its 2011 General Plan in order to meet its transportation and sustainability goals. However, development in these areas may be contributing to residential displacement. Fremont residents are at risk of displacement pressure to a greater extent than lower-income residents in Alameda County overall.

- **AFFH Finding #5: Lack of Housing for Young People and Small Households.** In community outreach, people identified that they wanted young people who grew up in Fremont to be able to stay in Fremont. Fremont has a relatively low percentage of single-person households compared to the region. The number of studio and one-bedroom units within the community is far lower than the number of single-person households.
- **AFFH Finding #6: Disparities in Housing Access and Quality for Low-Income People of Color.** Residents of color are more likely to experience homelessness, cost-burden, and overcrowding than White residents. Residents of color are also more likely to be renters than homeowners, which contributes to their disproportionate housing instability.

Summary of Contributing Factors

A “contributing factor” is a condition that creates, contributes to, perpetuates, or increases the severity of one or more fair housing issues. As in most communities, fair housing issues in Fremont are the result of many contributing factors that require both public and private action. Based on the analysis contained within this chapter and previous analyses on housing needs (Chapter 4) and constraints to housing production (Chapter 5), the following contributing factors have been identified. Goals and actions have been proposed to address the highest priority contributing factors, as discussed below and within Chapter 2.

Highest Priority Contributing Factors

The highest priority contributing factors are those that have near-universal presence in the community, contribute substantially to fair housing issues, and can be directly influenced by City policy. These factors are directly related to the major findings identified above and throughout the remainder of the chapter. The largest quantity of City resources has been dedicated to the abatement of these factors during the net planning period.

- **AFFH Finding #7 / Contributing Factor #1: Location of Affordable Housing within the Region.** There is not enough affordable housing in Fremont. In community outreach, residents said that they thought it was easier to find affordable housing vacancies in other communities than in Fremont, which has a very competitive affordable housing lottery process. They preferred to stay in Fremont rather than move to those affordable housing spots due to the quality of life in Fremont. The lack of affordable housing makes low-income residents (and particularly low-income residents of color) more vulnerable to homelessness, cost-burden, and overcrowding. The lack of affordable housing within high-resource communities directly contributes to AFFH Findings #2 and #3.

The City is proposing **Goal 3 (Promote Production of New Affordable and Market-Rate Housing)** and **Goal 4 (Maximize Support and Resources for Affordable Housing Production)** to expand affordable housing opportunities within Fremont.

- **AFFH Finding #8 / Contributing Factor #2: Location of Affordable Housing within Fremont.** Within Fremont, much naturally-affordable and new construction deed-restricted affordable housing is located within transit-oriented development areas. There is less affordable housing within the areas of highest-opportunity in the City, which tend to have more owner-

occupied single-family housing stock. The location of affordable housing in Fremont directly contributes to AFFH Findings #3 and #4.

The City is proposing **Policy 3.03 (Promote Housing Development in Highest Resource Neighborhoods)** and **Policy 4.05 (Pursue Unique and Innovative Opportunities for Providing Affordable Housing)** to expand affordable housing opportunities within the highest-resource areas.

- **AFFH Finding #9 / Contributing Factor #3: Displacement Risk and Housing Instability Due to Economic Pressures.** Skyrocketing housing prices and a shortage of housing units have created market conditions that exacerbate existing inequalities in housing access. Fremont residents are at risk of displacement pressure to a greater extent than lower-income residents in Alameda County overall. High levels of displacement pressure threaten to make Fremont a more exclusive community rather than a more inclusive community. Additionally, rates of homelessness, cost-burden, and overcrowding have increased as low-income renters, already at the margins of the housing market, have fewer housing options. Economic pressure directly contributes to AFFH Findings #4, #5, and #6.

The City is proposing **Goal 2 (Help Current Residents Maintain Stable and Safe Housing in Fremont)** and **Goal 5 (Address Disparities in Access to Housing and Disproportionate Housing Needs)** to reduce displacement pressure and housing instability among low-income residents.

- **AFFH Finding #10 / Contributing Factor #4: Size and Type of Units Available.** There are significantly more one- and two- person households in the City than there are studio and one-bedroom units available. The lack of small units disproportionately impacts single-person and single-parent households (particularly female-headed households), resulting in fewer of these households living in Fremont. At the same time, there are also not enough large affordable units for families. Residents stated that it was more challenging to find affordable housing as a family with children than as a single person or couple. There are not enough accessible units available for people with disabilities. The lack of diversity in size and type of units available directly contributes to AFFH Findings #1, #4, and #6.

The City is proposing **Policy 5.04 (Support Housing Opportunities for Households of All Sizes and Types)** to expand the size and type of units available in Fremont. For smaller households and female-headed households in particular, the following additional programs are proposed to loosen the zoning requirements for smaller-unit housing types:

- **Program 24 (Offer “Over the Counter” (OTC) Type Plan Checks for Qualifying Residential Projects)** involves streamlining production of accessory dwelling units, which are typically smaller and “affordable by design” rental units
- **Program 32 (Expand Homeownership Opportunities within Existing Highest Resource Neighborhoods)** involves implementation of SB 9 in a manner that expands homeownership opportunities through creating smaller units and lots
- **Program 33 (Add Intensity in High Resource Single-Family Neighborhoods within TODs)** allows certain homeowners to add additional ADUs to their property to expand smaller rental housing opportunities
- **Program 34 (Further Reduce Parking Requirements in TOD Areas)** eliminates parking requirements for small units

Additional Contributing Factors (Medium Priority)

Medium priority contributing factors are prevalent in the community and have an impact on fair housing issues, but that may not be easily addressed through City policy. A moderate quantity of resources has been directed to address these issues during the next planning period.

- Gap Between Available Funding and Need for Local Fair Housing Outreach and Enforcement- Addressed in **Program 13 (Provide Education on Tenant’s Rights)**
- Community Opposition to Homeless Shelters and Supportive Housing – Addressed in **Program 28 (Housing Education Campaign).**
- Gap Between Available Funding and Need for Vouchers, Rental Assistance, and Social Services – Addressed in **Program 54 (Advocate for Increased Allocation of Project-Based Section 8 Vouchers from the Alameda County Housing Authority), Program 14 (Implement “Stay Housed” Self-Sufficiency Program), and Policy 5.05 (Ensure Availability of Social Services).**

Additional Contributing Factors (Low Priority)

Low priority contributing factors are those that are present within the community to a limited extent, have only a slight impact on fair housing issues, or cannot be efficiently addressed through City interventions. The City will primarily work to address these issues through encouraging action from outside businesses, organizations, and agencies.

- Access to Financial Services
- Lending Discrimination
- Dependence on Private Investment in Housing

Note on Terminology and Limitations of Data

This chapter utilizes data from the U.S. Decennial Census and American Community Survey (ACS). Unfortunately, aspects of this data obscure the true diversity of our community. Notably, the ACS contains a single category for “Asian/Pacific Islander” that captures a wide variety of identities and experiences. The Census also requires one to identify National Origin as “Hispanic” or “Not Hispanic” rather than including a Hispanic racial category. These terms may not reflect how individuals in the community would self-identify their race or ethnic origin.

Additionally, the Census data does not include specific data on LGBTQ+ residents. Same-sex married couples and opposite-sex married couples are all referenced as “married couples”. Transgender people are counted along with cisgender people of their gender. Nonbinary individuals are excluded. Therefore, the housing challenges that LGBTQ+ families and individuals face may be obscured by this data. Community outreach provides the best tool to understand the housing challenges facing LGBTQ+ residents.

Fair Housing Outreach and Enforcement

Legal Framework

Federal and state laws prohibit housing discrimination based on a variety of protected classes. The California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2) provides broad protections against housing discrimination by both public and private landlords, based on the following characteristics:

- Race
- Color
- Ancestry/National origin
- Religion
- Citizenship
- Source of income
- Primary language
- Immigration status
- Disability
- Sex
- Gender identity
- Gender expression
- Sexual orientation
- Genetic information
- Marital status
- Familial status
- Age
- Veteran/Military status

Additional state laws prohibit cities from discriminating based on these same protected characteristics through their land use and programming. Government Code Section 65008 prohibits actions by a public agency that deny a land use due to intended occupancy by a protected class. Government Code Section 11135 requires full and equal access to all programs and activities operated, administered, or funded with financial assistance from the state, regardless of one's membership in a protected class.

Fair Housing Policy and Resources in Fremont

The City of Fremont complies with all laws prohibiting protected class discrimination in the City's land use and programming. The City also works to improve public knowledge of fair housing laws in the private housing market, which is essential to ensuring universal fair housing access. Residents must be informed about fair housing laws in order to know their rights when looking for housing. Landlords must also be informed about fair housing laws in order to ensure that they understand the definition and consequences of discrimination. The 2015-2023 Housing Element contains three programs to ensure adequate provision of fair housing outreach and enforcement:

- Program 1.01-B: Training for Apartment Owners and Property Managers
- Program 4.01-B: Continue Education on Fair Housing and Administration of Counseling Services.
- Program 4.01-C: Administration of Landlord/Tenant Counseling Services and Eviction Prevention Services.

In fulfillment of Program 1.01-B, City Housing Division staff planned and facilitated multiple workshops to provide training on fair housing laws, in partnership with the Rental Homeowners' Association. Workshops were held in 2015, 2018, 2019, and 2021. Attendance ranged from 40 to 130 attendees. To execute Programs 4.01-B and 4.01-C, the City contracts with Project Sentinel to provide landlord-tenant services and dispute resolution. Project Sentinel provides counseling services relating to security deposits, repairs, right to entry, evictions, retaliations, rent increases, and fair housing issues. Each year, Project Sentinel provides services to between 500-1000 Fremont residents, including both landlords and tenants. Services may range from providing educational resources, to counseling, to offering legal referral assistance.

In addition to the jurisdiction-specific resources provided by Project Sentinel, residents of Fremont also have access to regional and statewide tenants' rights organizations that provide education, counseling services, and legal assistance related to fair housing issues. Information regarding these organizations is provided within Table 7-1.

Table 7-1. Fair Housing Organizations in Fremont

Name	Description of Primary Activities	Service Area
Housing and Economic Rights Advocates (HERA) http://www.heraca.org/	HERA is a California statewide, not-for-profit legal service and advocacy organization dedicated to helping Californians — particularly those most vulnerable — build a safe, sound financial future, free of discrimination and economic abuses, in all aspects of household financial concerns. They provide free legal services, consumer workshops, training for professionals and community organizing support, create innovative solutions and engage in policy work locally, statewide and nationally.	State of California
California Rural Legal Assistance http://www.crla.org/	CRLA's client representation focuses on the legal areas of employment and labor, housing, education, rural health, and leadership development. In addition, they have special programs that address widespread needs in rural California, including programs supporting migrant farmworkers.	State of California
Housing Equality Law Project http://www.housingequality.org/	HELP seeks to expand legal protections in fair housing through advocacy, leadership training, education and outreach, and enforcement of anti-discrimination laws.	Northern California

Source: Organization Websites, HCD Fair Housing Organizations List, Alameda County Regional Analysis of Impediments to Fair Housing Choice 2019

Fair Housing Complaint Statistics

Project Sentinel provides yearly reports to City staff regarding their fair housing outreach and enforcement activities. Complaints related to disability make up more than 50% of the fair housing complaints that Project Sentinel receives in Fremont. Examples of fair housing complaints related to disability include failure to provide reasonable accommodations or denial of a service animal. Familial status discrimination (i.e. discrimination against households with children) is the second most common basis of fair housing complaint.

Table 7-2. Fair Housing Complaints in Fremont, 2017-2021

Year	Race	National Origin	Disability	Familial Status	Immigration Status	Sex	Income	Language	SUM
2017	0	0	6	3	0	1	0	0	10
2018	1	3	18	4	1	1	0	0	28
2019	4	3	13	2	0	0	0	0	22
2020	2	0	13	2	0	1	3	0	22
2021	1	0	6	4	0	0	1	1	13
SUM	8	6	56	15	1	3	4	1	95

Source: Project Sentinel

Note: One case in 2020 was coded as “arbitrary”. Total does not add up to the number of complaints due to cases containing multiple bases of discrimination.

Most fair housing complaints were addressed through counseling the interested party. Counseling may involve education the tenant about their rights and providing them with advice regarding appropriate courses of action. One case, in 2018, was referred to an attorney. Two cases in 2021 were the subject of litigation.

Table 7-3. Resolution of Project Sentinel Fair Housing Cases, 2017-2021

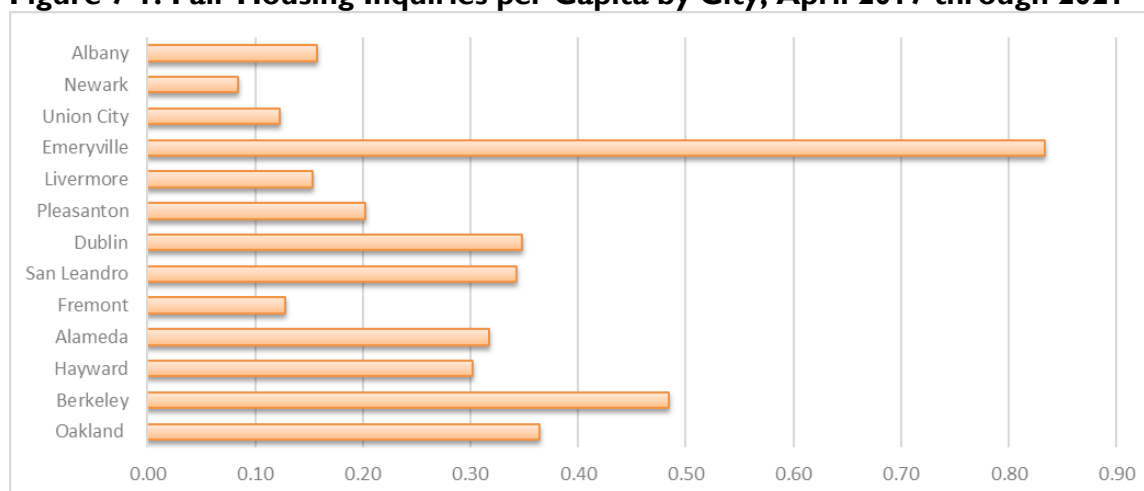
Fiscal Year	Counseled	Conciliated	Educated	Accommodation Provided*	HUD Referral	Investigation Inconclusive
2017	7	1	1	1	0	0
2018	13	2	1	7	1	2
2019	6	6	1	4	0	1
2020	6	2	1	4	0	1
2021	1	1	0	1	0	0
Fiscal Year	Attorney Referral	Pending	Litigation	Incomplete Test	No Evidence	Total
2017	0	0	0	0	0	10
2018	1	1	0	0	2	28
2019	0	2	0	0	1	20
2020	0	6	0	2	1	22
2021	0	6	2	0	1	12

Source: Project Sentinel

Note: Accommodations provided include animal, caregivers, break of lease, preserve housing, and tenancy extensions.

Project Sentinel does not track the geographic location of cases within Fremont or other jurisdictions in order to maintain tenants’ privacy.

Figure 7-1. Fair Housing Inquiries per Capita by City, April 2017 through 2021



Source: HCD Data Viewer

Table 7-4. Fair Housing Cases Referred to HUD FHEO, Alameda County 2017-2021

	2017	2018	2019	2020	Total	% of Total
Color	1	1	1	0	3	1%
Disability	32	26	28	15	101	50%
Familial Status	10	5	3	2	20	10%
National Origin (Total)	4	4	0	1	9	4%
Hispanic Origin	2	2	0	0	4	44% of origin-based cases
Race (Total)	7	9	5	2	23	11%
Asian	0	1	0	0	1	4% of race-based cases
Black	5	4	5	2	16	70% of race-based cases
Black and White	0	1	0	0	1	4% of race-based cases
Native American	1	1	0	0	2	9% of race-based cases
White	1	2	0	0	3	13% of race-based cases
Religion	1	2	2	0	5	2%
Retaliation	7	9	8	1	25	12%
Sex	7	5	5	0	17	8%
Total Cases	69	61	52	21	203	--

Source: HUD

Compared to other jurisdictions in Alameda County, Fremont had relatively few fair housing inquiries per capita. Emeryville has the most inquiries per capita, while Newark has the least. This data is similarly reflected in the cases referred to the U.S. Department of Housing and Urban Development (HUD) Fair Housing and Equal Opportunity (FHEO). The FHEO investigates reports of discrimination and enforces fair housing laws through mediation and/or legal actions. Only one case from Fremont was referred to HUD within the period from 2017-2021. During that same period, HUD reviewed

203 fair housing complaints in Alameda County.¹ Complaints reviewed by HUD in Alameda County generally followed the same trends as those reviewed by Project Sentinel in Fremont. Disability was the most common basis of complaint referred to HUD, representing approximately 50% of cases. Retaliation was the next most common basis, followed by race (11%) and familial status (10%).

Challenges to Fair Housing Outreach and Enforcement

Critically, a lack of fair housing inquiries in Fremont may not reflect the true extent of fair housing issues within the jurisdiction. Lack of community knowledge about fair housing regulations or services may limit the reach of fair housing providers. The 2020 *Alameda County Regional Analysis of Impediments to Fair Housing* report identified challenges to fair housing enforcement capacity in Fremont as follows:

- Lack of local private fair housing outreach and enforcement
- Lack of local public fair housing enforcement
- Lack of resources for fair housing agencies and organizations
- Lack of federal, state, and local funding for affordable housing

According to the *Regional Analysis*, the number of private fair housing organizations active in Alameda County has shrunk in recent years. Project Sentinel and Eden Council of Hope and Opportunity (ECHO) are the two remaining organizations that provide local fair housing services on behalf of cities in Alameda County.

Fremont funds Project Sentinel's fair housing efforts through Community Development Block Grant (CDBG) funding from HUD. The allocation that Fremont receives varies from year to year based on factors outside of the City's control. Fremont typically allocates 100% of the CDBG funding received for landlord/tenant projects to Project Sentinel. Approximately half of that funding is earmarked for fair housing services, while another half is earmarked for other landlord/tenant counseling. Fremont does not have any other funding for providing its own fair housing services. Tenants who contact the City are referred to Project Sentinel's Fremont Fair Housing clinic in the City's Family Resources Center. The Family Resource Center is a one-stop-shop where families can access resources related to housing, employment, and other social services.

Outside of support from local jurisdictions, fair housing organizations receive funding from federal grant sources such as HUD's Fair Housing Initiatives Program (FHIP), state grants, and private individual or corporate donations. The combination of these funding sources is still often not enough to meet the need for fair housing services in the community.

The lack of affordable housing is a broader, systemic issue that the housing element must address. Tenants may not report fair housing violations due to fears about landlord retaliation or losing an affordable home. Tenants may feel that they need to endure fair housing violations in order to obtain or maintain affordable housing. These pressures cannot be alleviated until housing becomes more affordable for all in the community.

Proposed Policies to Address Fair Housing Services

In order to continue and expand services that ensure access to fair housing, the 2023-2031 Housing Element proposes the following goals, policies, and programs:

¹ The number of complaints may not directly equal the number of cases because a single case may include multiple complaints based on multiple protected classes. In Fremont, the greatest yearly deviation between complaints and cases was 9%, with an average of 3%, which indicates that the two metrics are roughly equivalent.

- Goal 2: Help Current Residents Maintain Stable and Safe Housing in Fremont
- Policy 2.02: Prevent Displacement Due to Rising Housing Costs
- Program 12: Continue to Implement and Annually Review the Rent Review Ordinance
- Program 13: Provide Education on Tenant's Rights

The proposed programs aim to maximize the use of existing resources dedicated to fair housing outreach and enforcement, while also allowing the City to nimbly adapt to any additional resources that it receives throughout the planning period.

SUMMARY OF KEY FINDINGS

- Fremont has a low rate of fair housing complaints per capita compared to other Alameda County jurisdictions.
- According to Project Sentinel's complaint data, the most common basis of housing discrimination complaint reported in Fremont is disability. The second most common basis is familial status.
- Fremont residents have dedicated fair housing assistance through the City's partnership with Project Sentinel. However, limited funding and a lack of affordable housing still impede universal access to fair housing support and enforcement.

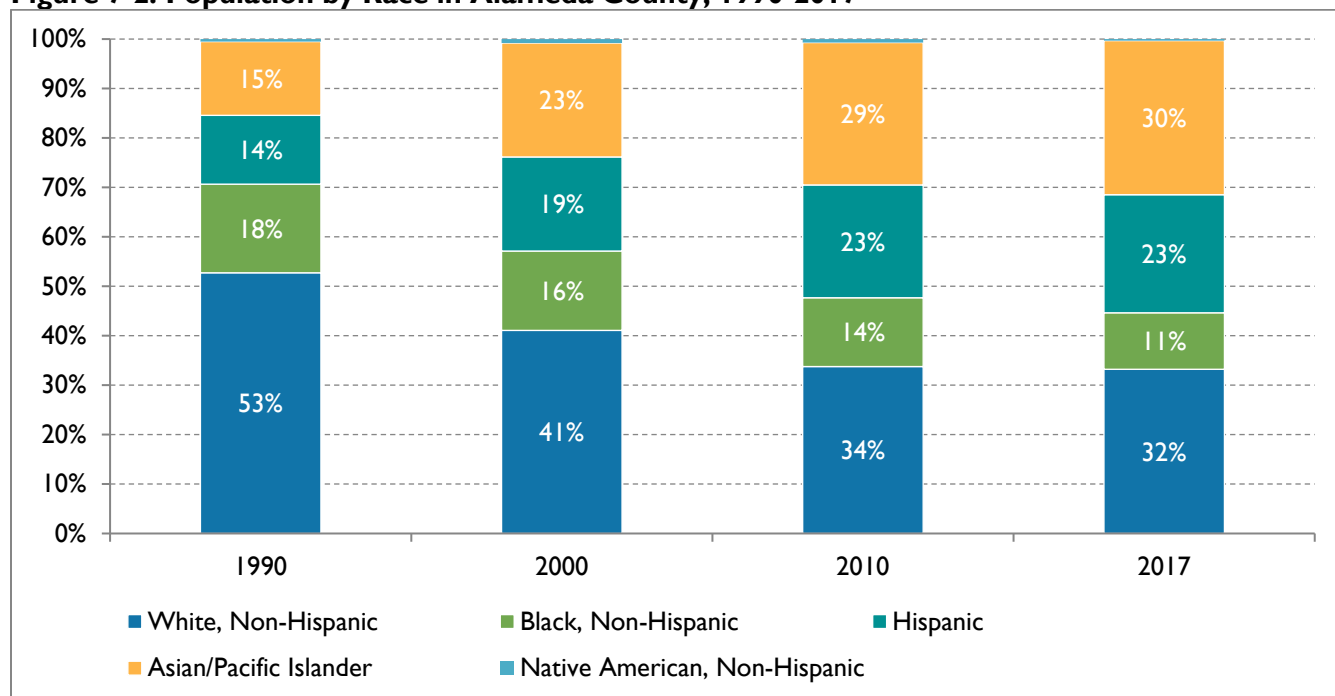
Segregation by Race

Regional Patterns of Segregation by Race

Regionally, the number of Asian/Pacific Islander (API) residents and Hispanic residents has been increasing since 1990, while the number of White and Black residents is declining. Within Alameda County, this trend is primarily driven by in-migration of API and Hispanic residents, and particularly foreign-born residents of these ethnicities. The foreign-born population of the County has increased from 18% in 1990 to 32% in 2017.²

The trend is also driven by Black residents moving into more outlying suburban and rural communities.³ Indeed, the 2020 Alameda County Analysis of Impediments to Fair Housing Choice noted that minority residents are being displaced from inner-ring cities and suburbs with a traditionally large minority population due to gentrification. At the same time, minority majority cities in the outer-ring suburbs are experiencing increases in minority population.

Figure 7-2. Population by Race in Alameda County, 1990-2017



Sources: U.S. Decennial Census 1990, 2000, 2010, and ACS 2017 5-Year Estimates

As new minority residents have moved to the Bay Area, their location of settlement has been influenced by historic patterns of exclusion. The state of California adopted many “Jim Crow laws” in the early 1900s that prohibited people of color from voting, property ownership, and other civil rights. Chinese and Japanese Americans were particularly targeted in California. Compounding the harm done by these laws, during World War II, Japanese Americans were forced into internment camps. Much of their property was sold or stolen, resulting in the immense loss of generational wealth.

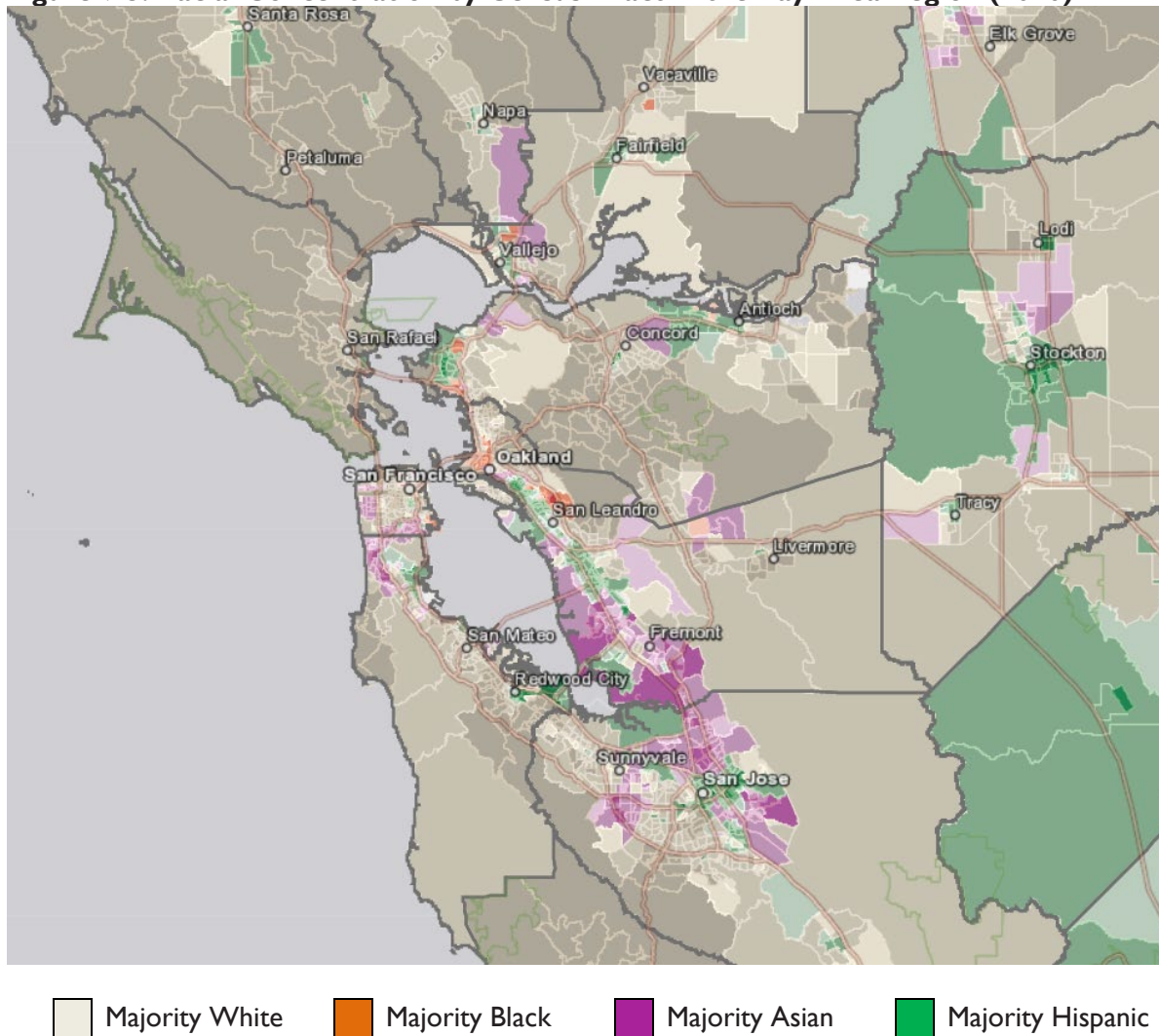
² U.S. Decennial Census 1990 and ACS 2017 5-Year Estimates

³ UC Berkeley, Urban Displacement Project

Segregation in housing was also affected by policies and practices related to financial lending. Redlining, which refers to the practice of denying mortgages in majority Black, Asian, and Hispanic neighborhoods, was widely practiced through the 1950s. Redlining was executed primarily through a grading system of the Home Owner's Loan Corporation (HOLC), which rated communities based on factors like race and income to determine mortgage loan risk. Within Alameda County, the cities of Oakland, Berkeley, Alameda, San Leandro, Piedmont, Albany, and Emeryville were graded by HOLC. Fremont was not graded by HOLC.

Redlining created significant disparities in generational wealth and homeownership between communities of color and White communities. Even when people of color were approved for mortgages, they would often have to buy homes in less desirable areas due to “restrictive covenants” that restricted homeownership in the most desirable communities to Whites-only. Furthermore, mortgages and loans offered to people of color would have less advantageous terms than those offered to White people with the same financial background.

Figure 7-3. Racial Concentration by Census Tract in the Bay Area Region (2010)



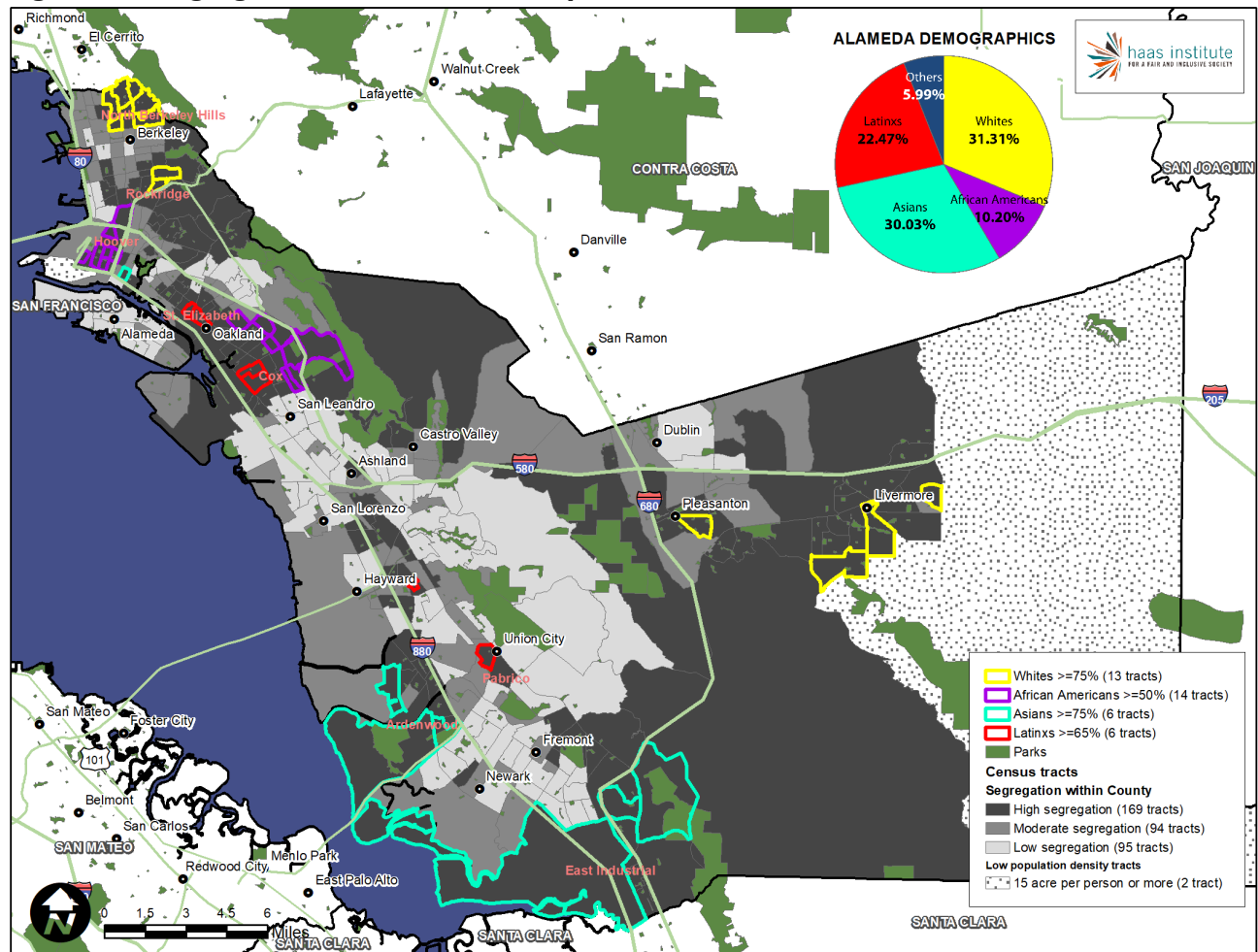
Source: HCD AFFH Data Viewer; U.S. Census Bureau SFI and TIGER data sets, 2010

Redlining also contributed to a specific pattern of geographic segregation that came to prominence in the 1950s-1980s, where White families had exclusive access to homes within desirable suburban communities. These racially homogenous White suburban communities received substantial private and public investment, resulting in better schools, infrastructure, and civic services. This created communities that we refer to today as “Racially Concentrated Areas of Affluence” (RCAs) which are high-opportunity, high-income White communities. On the flip side, urban communities with a high population of people of color faced decreased investment and decreased opportunity. This created communities known as “Racially or Ethnically Concentrated Areas of Poverty” (RECAPS).

While the 1968 Fair Housing Act formally prohibited discrimination based on race in the sale, rental, or financing of housing, it did not undo the harmful effects of previous policies on communities of color. This history is still present in patterns of segregation visible in the Bay Area and Alameda County today. Regionally, majority-White areas tend to be wealthy, suburban communities. The Tri-Valley area, North Bay, Oakland Hills, and San Francisco Peninsula suburbs typify this pattern. Majority-Black communities within the Bay Area are found in Oakland, Richmond, Vallejo, and within the Bayview/Hunter’s Point neighborhood of San Francisco. These are areas that have historically experienced redlining and disinvestment. Today, many of these areas struggle with poverty and lack of economic opportunities.

Southern Alameda County and Santa Clara Counties comprise of a mix of Asian-majority, Hispanic-majority, and White-majority tracts. These tracts are more diverse in their income and character. Notably, majority-Asian suburbs like Fremont, Milpitas, and Cupertino were more rural in character during the first part of the 20th century, and therefore were not formally graded by HOLC. Suburban development began in earnest in these communities during the 1970s and 1980s, after the passage of the 1968 Fair Housing Act. These conditions allowed housing in these communities to be more accessible to people of color, and particularly new immigrants, than in entrenched, inner-core White-majority suburbs. These settlement patterns became reinforced as later immigrants desired to live in neighborhoods that spoke their language and provided culturally familiar services and stores.

Figure 7-4. Segregation in Alameda County



Source: UC Berkeley Othering and Belonging Institute, [Racial Segregation in the San Francisco Bay Area Report](#)

The narrative story of segregation explains how current patterns of racial separation came to exist through federal, state, and local policies and practices that limited housing choices for people of color. It is also useful to numerically measure segregation in order to concretely analyze changes in the magnitude and extent of segregation over time. There are three primary indices used to examine segregation: the isolation index, dissimilarity index, and Theil's H index values. When analyzing regional segregation patterns, these measures are calculated by comparing the racial demographics of individual jurisdictions to the racial makeup of the region. A brief introduction to each index is provided below, followed by the values for each index measuring segregation in the Bay Area region:

- **The isolation index** indicates the potential for contact between different groups. Higher values indicate that a group is more isolated from other groups. For example, an isolation index of 0.70 for Black residents in a city would mean that the average Black resident in the region lives in a jurisdiction that is 70 percent Black.
- **The dissimilarity index** indicates how many residents of a certain race would need to move to a different jurisdiction to evenly distribute residents of multiple races across Bay Area jurisdictions. For example, if the Black vs. White dissimilarity index was 0.20, then 20% of Black (or White) residents would need to move to a different jurisdiction in order to create perfect integration between Black and White residents in the region.

- **The Theil's H index** measures how diverse each Bay Area jurisdiction is compared to the diversity of the whole region. A Theil's H Index value of 0 would mean all jurisdictions within the Bay Area have the same racial demographics as the entire region, while a value of 1 would mean each racial group lives exclusively in their own separate jurisdiction

Table 7-5. Regional Racial Segregation Data

Index	Group	2010	2020
Isolation Index Regional Level	Asian/Pacific Islander	0.317	0.378
	Black/African American	0.144	0.118
	Latinx	0.283	0.291
	White	0.496	0.429
	People of Color	0.629	0.682
Dissimilarity Index Regional Level	Asian/Pacific Islander vs. White	0.384	0.369
	Black/African American vs. White	0.475	0.459
	Latinx vs. White	0.301	0.297
	People of Color vs. White	0.296	0.293
Theil's H	All Racial Groups	0.103	0.097

Source: Association of Bay Area Governments AFFH Data Report

Underlying Data Sources: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171)

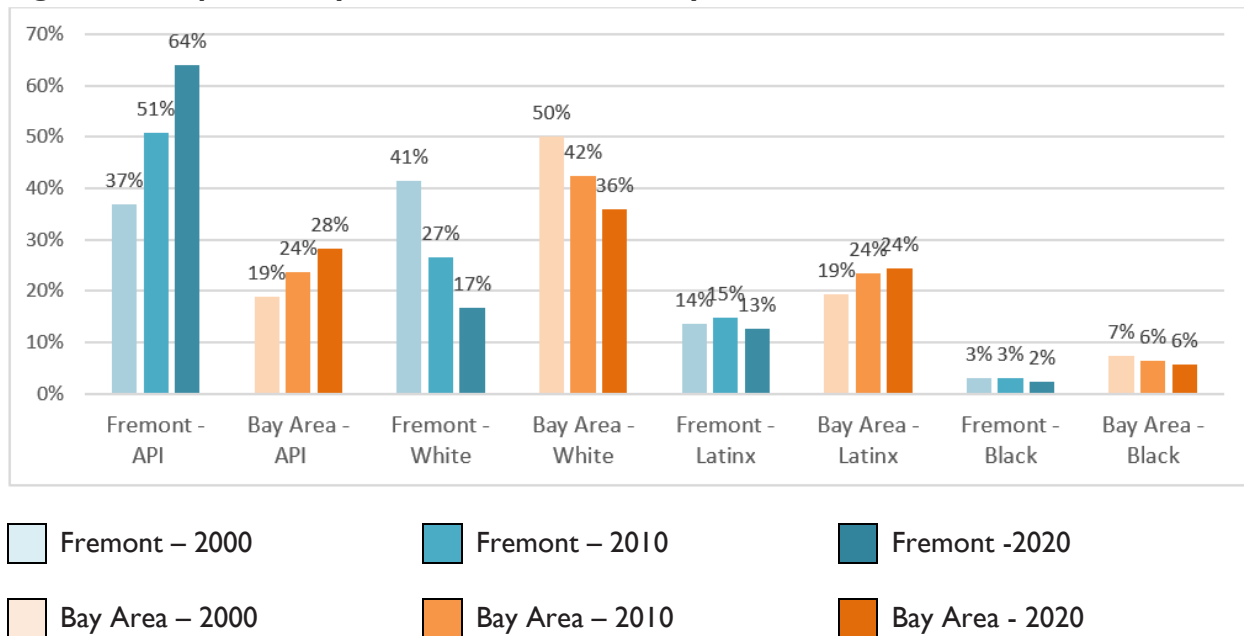
Summary File, 2020 Census of Population and Housing, Table P002; U.S. Census Bureau, 2010 Census of Population and Housing, Table P4.

The Bay Area's isolation indices indicate that Asian/Pacific Islander and Latinx populations have become more separated from other racial groups over the past decade, while Black and White populations are becoming less segregated from other groups. Overall, people of color are becoming more likely to live in neighborhoods with other people of color.

The regional dissimilarity index shows that all racialized groups are less segregated from White people in 2020 than in 2010. However, segregation remains highest between Black and White communities. The decreasing Theil's H value similarly shows that the region is presently less segregated than in 2010.

To further understand how an individual jurisdiction contributes to the total segregation of the Bay Area, one can look at the difference in the racial composition of a jurisdiction compared to the racial composition of the region. Over the past two decades, Fremont's population has transitioned from being majority-White to majority-Asian. This mirrors demographic changes within the Bay Area as a whole, where the majority of the population is now people of color. Unlike the larger region, Fremont's Latinx population has remained relatively consistent across time, whereas the Latinx population in the larger Bay Area has increased by five percentage points. Both Fremont and the larger Bay Area have seen a decrease in the proportion of Black residents.

Figure 7-5. Population by Race in Fremont and Bay Area, 2000-2020



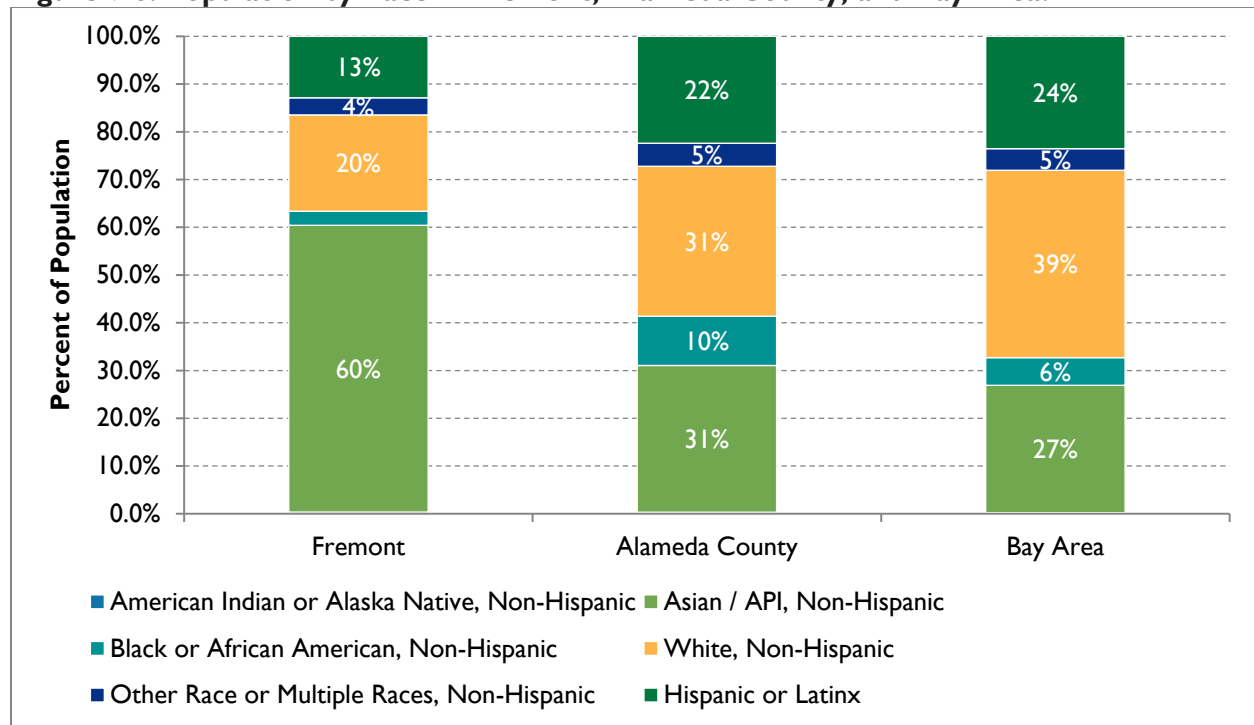
Source: Association of Bay Area Governments AFFH Data Report

Underlying Data Sources: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171)

Summary File, 2020 Census of Population and Housing, Table P002; U.S. Census Bureau, 2010 Census of Population and Housing, Table P4; U.S. Census Bureau, Census 2000, Table P004.

Today, Fremont has a significantly higher Asian and Pacific Islander (API) population than the Bay Area. API individuals comprise of 64% of Fremont's population, compared to only 28% of the Bay Area's population. Among jurisdictions in the Bay Area, Fremont has the third-largest API population. Fremont also has a smaller Black population (3%), Latinx population (13%), and White population (20%) than the Bay Area as a whole. Fremont's Black population is still higher than the median in the Bay Area, but the City's Latinx and White population percentages are significantly below median.

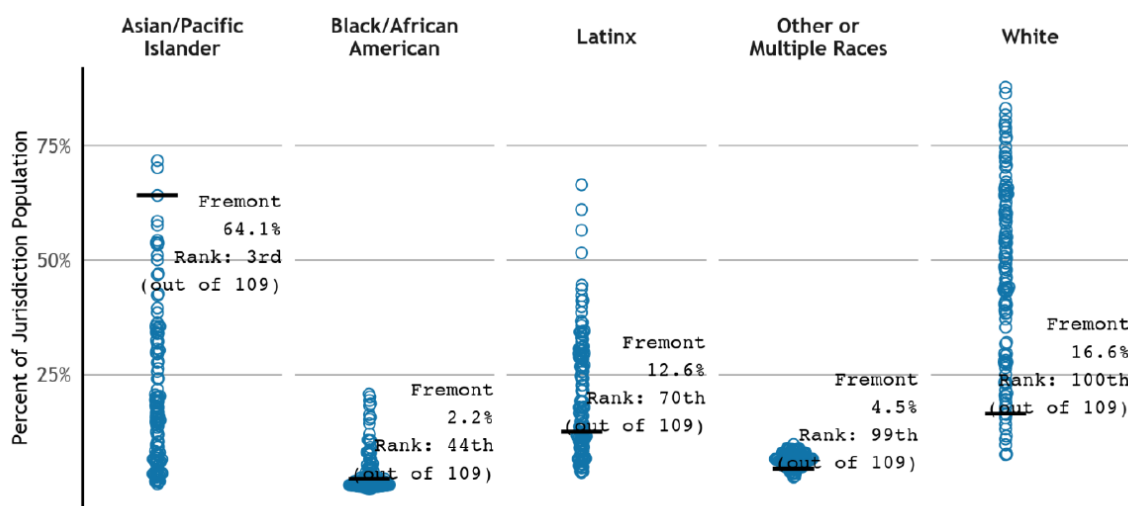
Figure 7-6. Population by Race in Fremont, Alameda County, and Bay Area.



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002

Notes: Data represents 2015-2019 ACS estimates. The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Figure 7-7. Racial Demographics of Fremont Compared to All Bay Area Jurisdictions



Source: Association of Bay Area Governments AFFH Data Report

Underlying Data Sources: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File

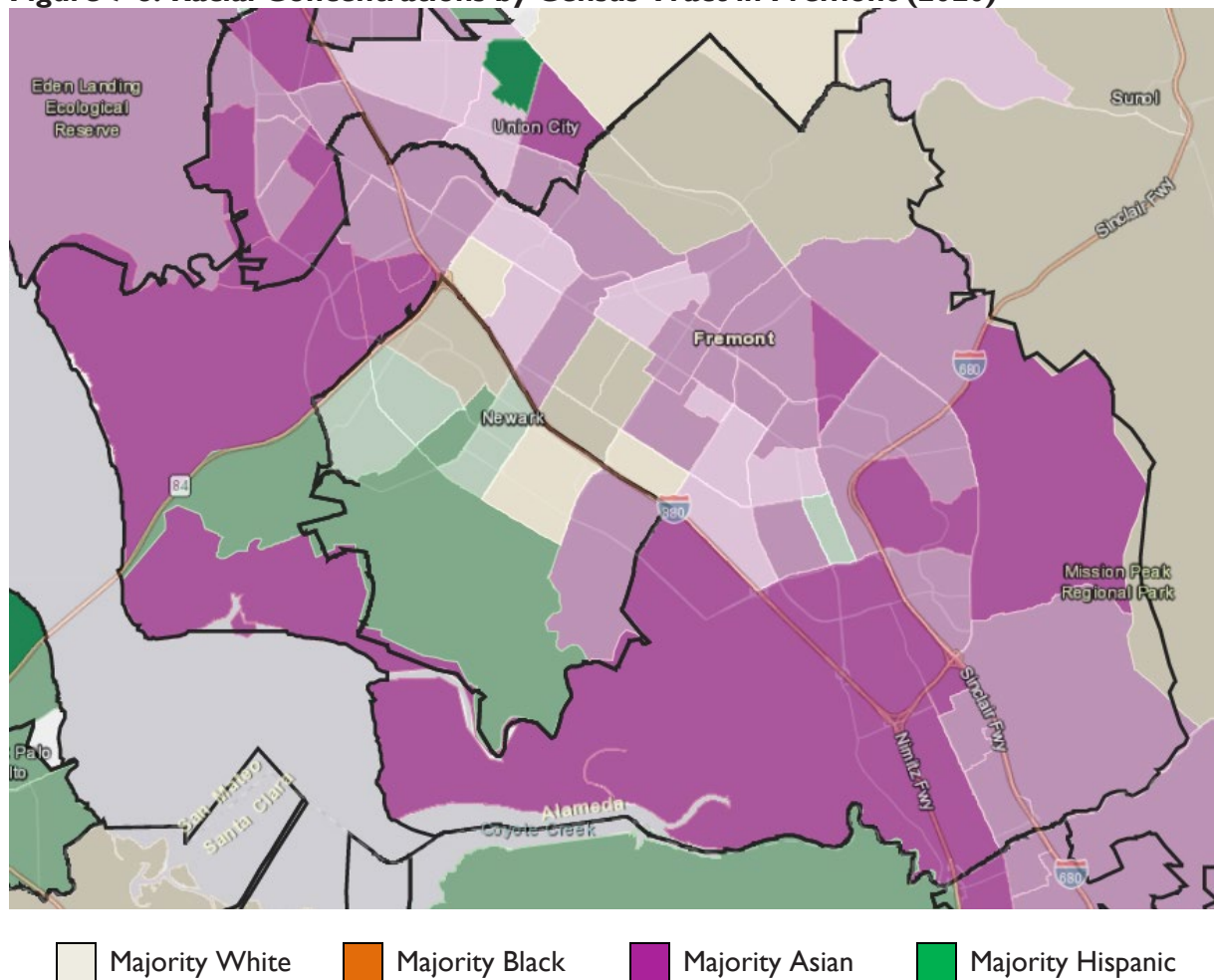
Segregation by Race within Fremont

The same policies and practices that created patterns of segregation on a regional scale also affect patterns of segregation within the City. Most neighborhoods within Fremont are majority API residents, which reflects the overall racial composition of the City which is 68% API. Census tracts within the City that have the largest predominance of API residents include the neighborhoods of Ardenwood, Kimber/Gomes, Cameron Hills, Mission San Jose, Mission Hills, and the Warm Springs Innovation District. Census tracts with racial majorities other than Asian/Pacific Islander are identified as follows:

- Tracts within the Niles and Glenmoor neighborhoods are predominantly White, with a sizable dominance gap (between 10 and 50 percentage points)
- Tracts within the Cabrillo and 28 Palms neighborhoods are predominantly White, but a slim dominance gap (less than 4 percentage points)
- One tract within the Grimmer neighborhood is predominantly Hispanic, with a slim dominance gap (less than 5 percentage points)

Notably, there are no tracts with a Black or Native American majority in Fremont.

Figure 7-8. Racial Concentrations by Census Tract in Fremont (2020)



Source: HCD AFFH Data Viewer; U.S. Census Bureau SFI and TIGER data sets, 2010

As with racial segregation at the regional level, segregation can be numerically analyzed at the local level through the use of segregation indices.

Table 7-6. Isolation Index for Fremont

Race	Fremont				Bay Area	
	Isolation Index - 2000	Isolation Index - 2010	Isolation Index - 2020	% Pop - 2020	Isolation Index - 2020	% Pop - 2020
Asian/Pacific Islander	0.439	0.561	0.669	68%	0.245	27%
Black/African American	0.036	0.040	0.030	3%	0.053	6%
Latinx	0.171	0.196	0.167	13%	0.251	24%
White	0.444	0.296	0.190	20%	0.491	39%

Source: Association of Bay Area Governments AFFH Data Report

Underlying Data Sources: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171)

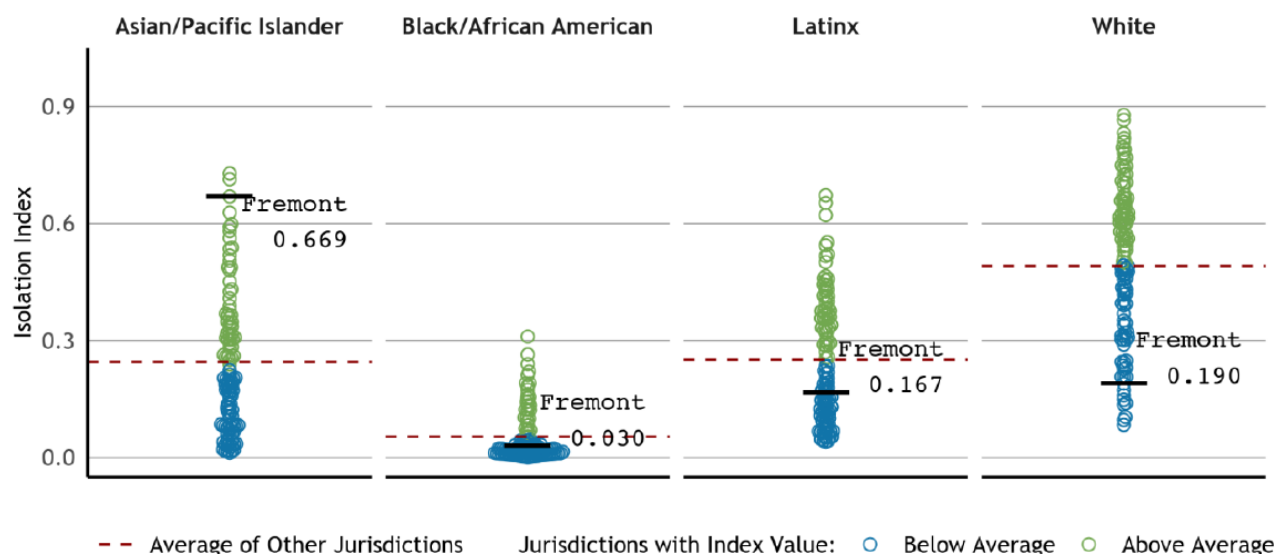
Summary File, 2020 Census of Population and Housing, Table P002; U.S. Census Bureau, 2010 Census of Population and Housing, Table P4

The **isolation index** compares each neighborhood's composition to the jurisdiction's overall demographics. Higher values indicate that a group is more isolated from other groups. Within Fremont, the most isolated racial group is Asian/Pacific Islander residents. The isolation index of 0.669 for Asian residents means that the average Asian resident lives in a neighborhood that is 66.9% Asian. However, this is consistent with the total Asian population within Fremont (68%) which means that the Asian population is relatively evenly distributed throughout the City. The racial group with the greatest difference in isolation versus population percentage is Latinx residents, who generally live within a neighborhood that is 17% Latinx despite Latinx individuals comprising of only 13% of Fremont's total population.

Within the Bay Area region, White residents are the most isolated when compared to their total population share. According to the 2020 Alameda County Analysis Impediments to Fair Housing Choice, segregation between white residents and minority residents has increased over the last decade within Alameda County. Within Fremont, however, the White population has become less isolated from other racial groups over time. The average White resident lives in a neighborhood that is less White than the City as a whole. This follows the overall decrease in the White population of Fremont since 2000.

Compared to other Bay Area jurisdictions, Black, Latinx, and White residents are less isolated in Fremont than average. Asian/Pacific Islander residents in Fremont live in more predominantly Asian communities within Fremont, compared to other jurisdictions.

Figure 7-9. Racial Isolation Index Values for Fremont vs. Other Bay Area Jurisdictions



Source: Association of Bay Area Governments AFFH Data Report

Underlying Data Sources: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171)

Summary File, 2020 Census of Population and Housing, Table P002; U.S. Census Bureau, 2010 Census of Population and Housing, Table P4

Another way to examine segregation is a **dissimilarity index**. The dissimilarity index measures how evenly any two groups are distributed across neighborhoods relative to their representation in a city overall. The dissimilarity index at the jurisdiction level can be interpreted as the share of one group that would have to move neighborhoods to create perfect integration for these two groups. Higher values indicate that groups are more unevenly distributed between different neighborhoods.

Table 7-7. Dissimilarity Index for Fremont (Comparison to White Population)

Race	Fremont			Bay Area
	Dissimilarity Index - 2000	Dissimilarity Index - 2010	Dissimilarity Index - 2020	Dissimilarity Index - 2020
Asian/Pacific Islander vs. White	0.286	0.264	0.224	0.185
Black/African American vs. White ⁴	0.250	0.237	0.256	0.244
Latinx vs. White	0.195	0.203	0.200	0.207
People of Color vs. White	0.186	0.180	0.171	0.168

Source: Association of Bay Area Governments AFFH Data Report

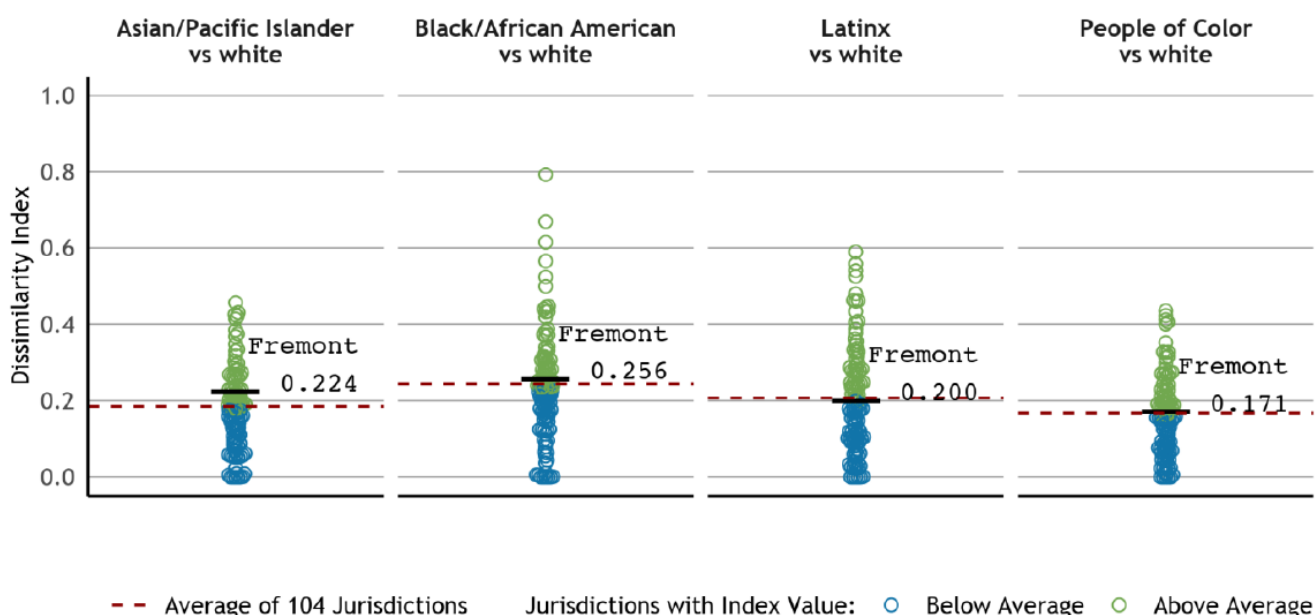
Underlying Data Sources: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171)

Summary File, 2020 Census of Population and Housing, Table P002; U.S. Census Bureau, 2010 Census of Population and Housing, Table P4

Fremont has a slightly higher dissimilarity value for the Asian/Pacific Islander population vs. the White population, indicating that these populations are more segregated within Fremont than within other jurisdictions in the Bay Area. Other dissimilarity values are close to the regional average.

⁴ The dissimilarity values for the Black population within the jurisdiction may be inaccurate due to the small population size. Dissimilarity index values are unreliable for a population group if that group represents less than 5% of the overall jurisdiction population. Approximately 3% of the population of Fremont is Black.

Figure 7-10. Racial Dissimilarity Values for Fremont vs. Other Bay Area Jurisdictions



Source: Association of Bay Area Governments AFFH Data Report

Underlying Data Sources: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171)

Summary File, 2020 Census of Population and Housing, Table P002; U.S. Census Bureau, 2010 Census of Population and Housing, Table P4

Note: The dissimilarity values for the Black population within the jurisdiction may be inaccurate due to the small population size. Dissimilarity index values are unreliable for a population group if that group represents less than 5% of the overall jurisdiction population. Approximately 3% of the population of Fremont is Black.

Because Fremont is a majority-API city, segregation within the City may not be best demonstrated by comparison to the White population. There may be segregation between different communities of color (i.e. Asian vs. Black) that are not captured within the dissimilarity indices presented. For jurisdictions like Fremont where multiple racial groups comprise more than 10% of the population, Theil's H offers the clearest summary of overall segregation. The Theil's H index can be used to measure segregation between all groups within a jurisdiction. This index measures how diverse each neighborhood is compared to the diversity of the whole city. A Theil's H Index value of 0 would mean all neighborhoods within a city have the same demographics as the whole city. A value of 1 would mean each group lives exclusively in their own, separate neighborhood.

Table 7-8. Theil's H Index for Fremont and Bay Area

	Fremont			Bay Area
Index	2000	2010	2020	2020
Theil's H Multi-racial	0.058	0.060	0.050	0.042

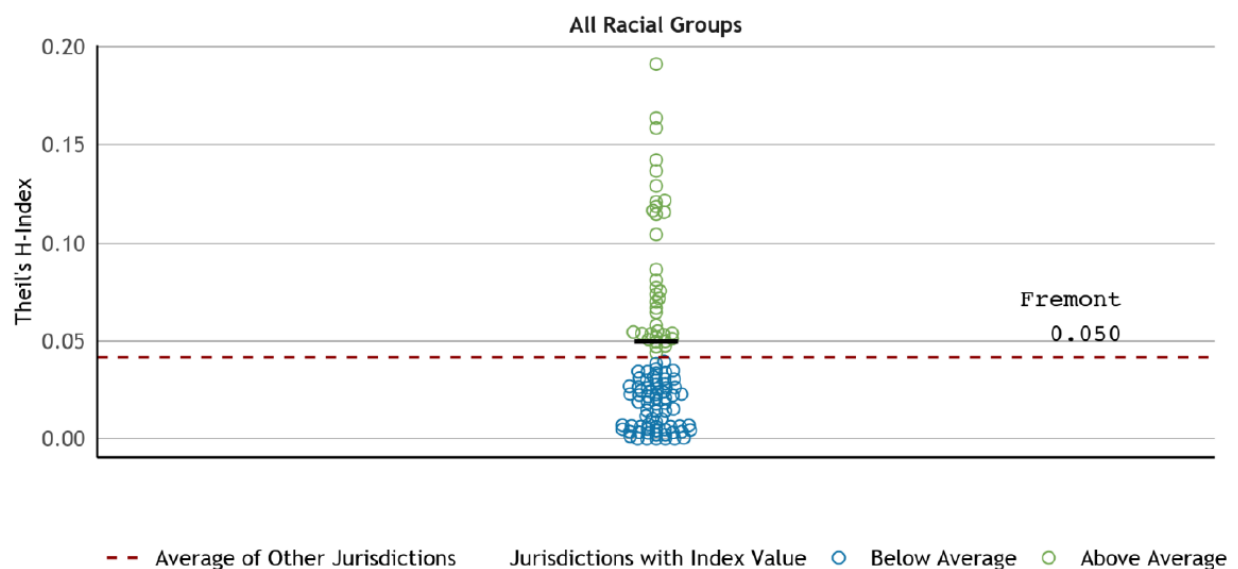
Source: Association of Bay Area Governments AFFH Data Report

Underlying Data Sources: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171)

Summary File, 2020 Census of Population and Housing, Table P002; U.S. Census Bureau, 2010 Census of Population and Housing, Table P4

Between 2010 and 2020, the Theil's H Index for racial segregation in Fremont declined, suggesting that there is now less neighborhood level racial segregation within the jurisdiction. In 2020, the Theil's H Index for racial segregation in Fremont was still higher than the average value for Bay Area jurisdictions, indicating that neighborhood level racial segregation in Fremont is higher than in the average Bay Area jurisdiction.

Figure 7-11. Theil's H Index Values for Racial Segregation in Fremont vs. Other Bay Area Jurisdictions



Source: Association of Bay Area Governments AFFH Data Report

Underlying Data Sources: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171)

Summary File, 2020 Census of Population and Housing, Table P002; U.S. Census Bureau, 2010 Census of Population and Housing, Table P4

SUMMARY OF KEY FINDINGS

- Within the Bay Area, over the past decade, Asian/Pacific Islander and Latinx populations have become more separated from other racial groups, while Black and White populations are becoming less separated. The emergence of suburban communities of color, like Fremont, contributes to this segregation pattern.
- Within the Bay Area, segregation remains the highest between Black communities and White communities. This is reflected in jurisdictions like Fremont, which have a small Black population compared to the region.
- Within Fremont, neighborhood-level racial segregation is higher than the average Bay Area jurisdiction. This is primarily driven by the isolation of Asian/Pacific Islander residents. Black, Latinx, and White residents are less isolated in Fremont than the average Bay Area jurisdiction.

Segregation by Income

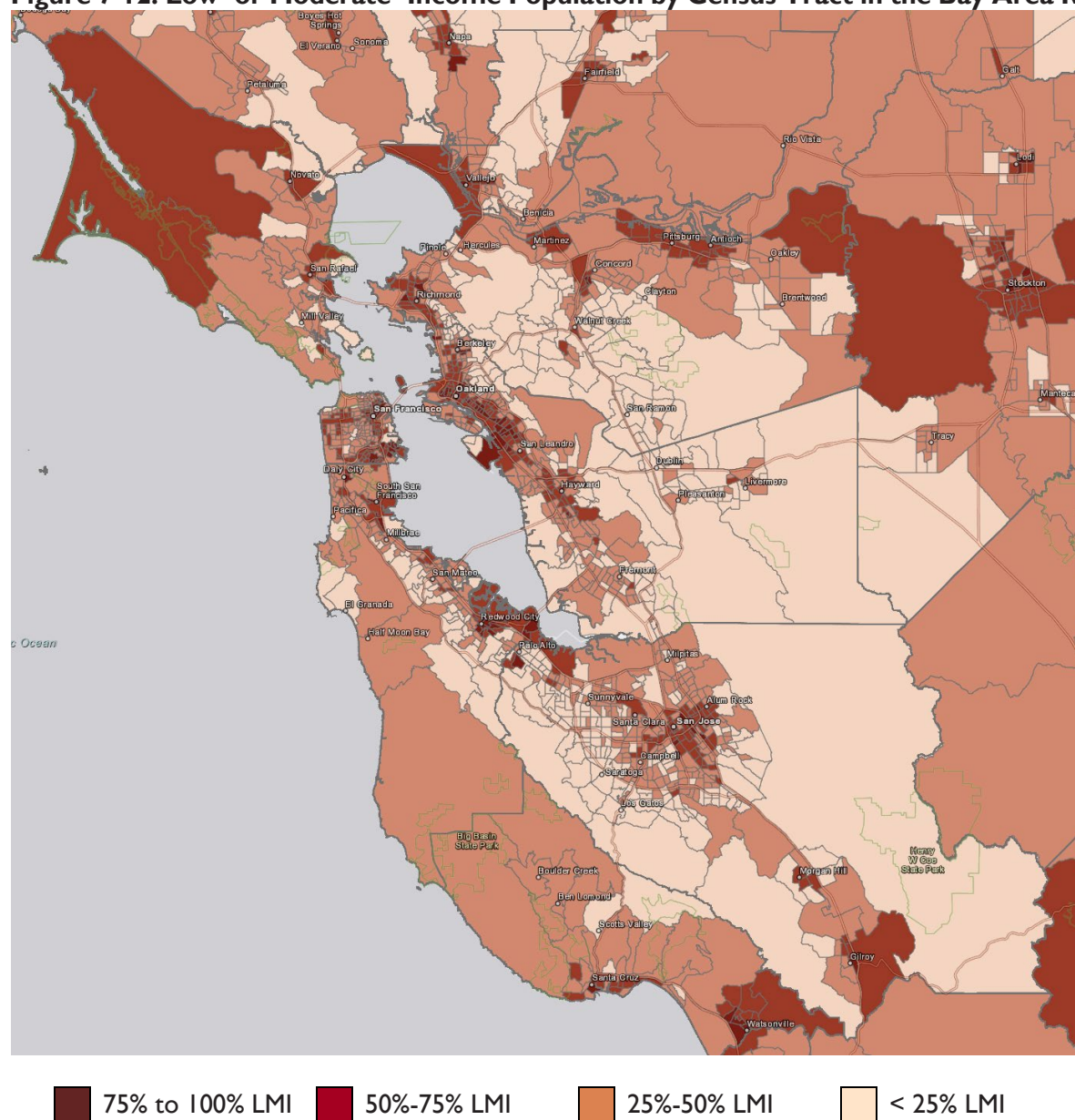
Regional Patterns of Segregation by Income

Income segregation refers to the process of uneven sorting of households among neighborhoods by income. Since the 1970s, the wage gap between the high-income jobs and the lowest-income jobs has increased. The increase in the minimum wage has been small compared to the increase in wages for high-demand jobs in technology. This widened income gap has allowed high-wage earners to effectively price out lower-income earners from high-opportunity, highly-desirable neighborhoods, resulting in the creation of exclusive communities of affluence. On the flip side of the spectrum, the lowest-income earners have been relegated to areas with a high concentration of poverty and lack of opportunity.

Income segregation is also maintained by the housing types available within a community. A lack of deed-restricted affordable housing within an affluent area most explicitly maintains a pattern of income segregation. A lack of rental housing opportunities can similarly create a high barrier to entry into an affluent neighborhood. More recently, the connection between zoning for single-family housing and income segregation has come into the spotlight. Whether for-sale or for-rent, apartment units and small-lot single-family homes may be more affordable by design for low- or moderate-income families. Affluent communities intending to maintain a high barrier to entry have zoned exclusively for single-family housing, often with large minimum lot sizes in excess of a half-acre. These policies also maintain income segregation.

Within the Bay Area, tracts that have the greatest percentage of low- and moderate- income (LMI) population are predominantly located within Oakland, San Francisco, South San Francisco, San Jose, Redwood City, East Palo Alto, and Hayward. Rural areas with a higher LMI population include eastern Marin County, Watsonville, and Gilroy.

Figure 7-12. Low- or Moderate- Income Population by Census Tract in the Bay Area Region



Source: HCD AFFH Data Viewer; U.S. Census Bureau ACS 2011-2015 Dataset

As with racial segregation, income segregation can be numerically analyzed through the use of segregation indices. The **isolation index** indicates that low-income and moderate-income households have been relatively consistently likely to live in jurisdictions with a mixture of income groups. Compared to these groups, very-low income households live in jurisdictions with other very-low income households. Very-low income households became more isolated from other income groups in the Bay Area between 2010 and 2015. Above-moderate income households, however, are most likely to live in jurisdictions with others in their income group. Above-moderate household jurisdictions became less segregated from other income groups between 2010 and 2015, although they are still the most isolated income group in the region.

Table 18-9. Regional Income Segregation Data

Index	Group	2010	2015
Isolation Index Regional Level	Very Low-Income (<50% AMI)	0.277	0.315
	Low-Income (50%-80% AMI)	0.157	0.154
	Moderate-Income (80%-120% AMI)	0.185	0.180
	Above Moderate-Income (>120% AMI)	0.467	0.435
Dissimilarity Index Regional Level	Below 80% AMI vs. Above 80% AMI	0.186	0.194
	Below 50% AMI vs. Above 120% AMI	0.238	0.248
Theil's H	All Income Groups	0.034	0.032

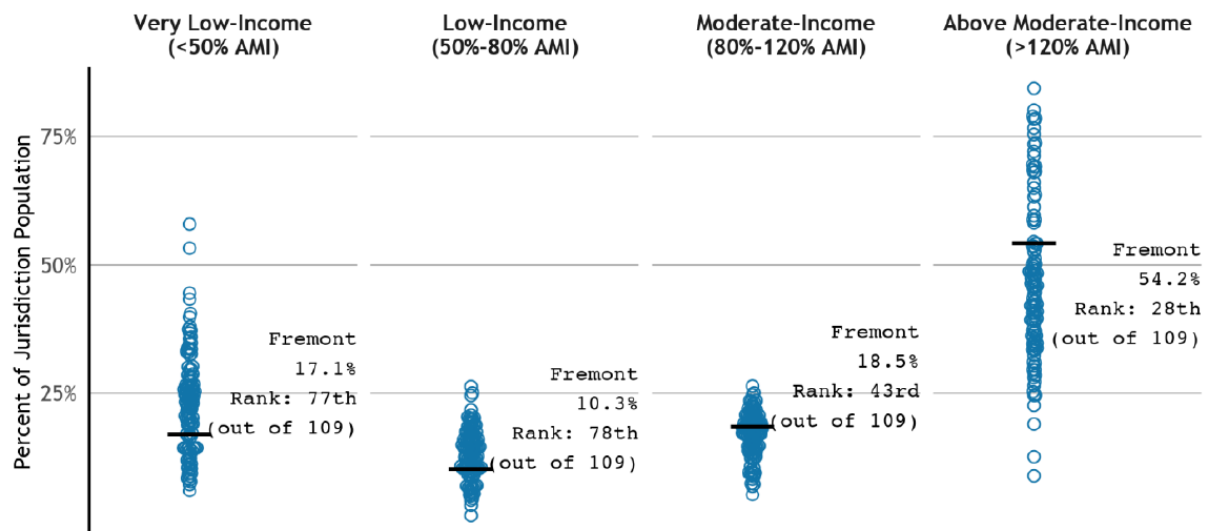
Source: Association of Bay Area Governments AFFH Data Report

Underlying data sources: U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data; U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.

The dissimilarity index similarly indicates that very-low income groups and above-moderate income groups have the highest level of inter-group separation between jurisdictions. This matches national trends in income inequality, which have seen a greater separation in the wages of the lowest- and highest- income earners. Finally, the Theil's H index indicates that jurisdictions became slightly less segregated by income in the Bay Area region between 2010 and 2015. The Theil's H index for income inequality (0.032 in 2015) is less than that for racial inequality, (0.097 in 2020), indicating that jurisdictions are comparatively more segregated by race than by income.

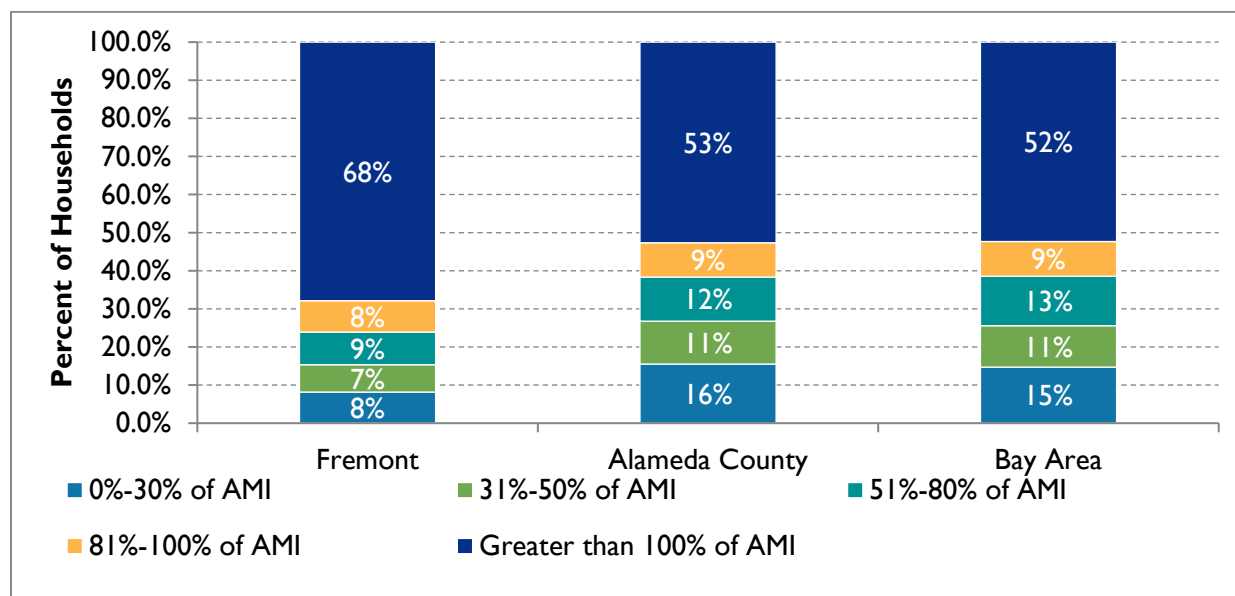
The role that Fremont plays in regional income segregation can be understood through a comparison between the income distribution within Fremont and the Bay Area as a whole. Fremont has a higher proportion of above-median income population (68%) compared to the remainder of the Bay Area (52%). Fremont also has a smaller population making under 80% of median income than the Bay Area region. This difference is particularly pronounced at the lowest income levels.

Figure 7-13. Income Demographics of Fremont Compared to All Bay Area Jurisdictions



Source: U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data; U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.

Figure 7-14. Income Distribution in Fremont, Alameda County, and Bay Area Region



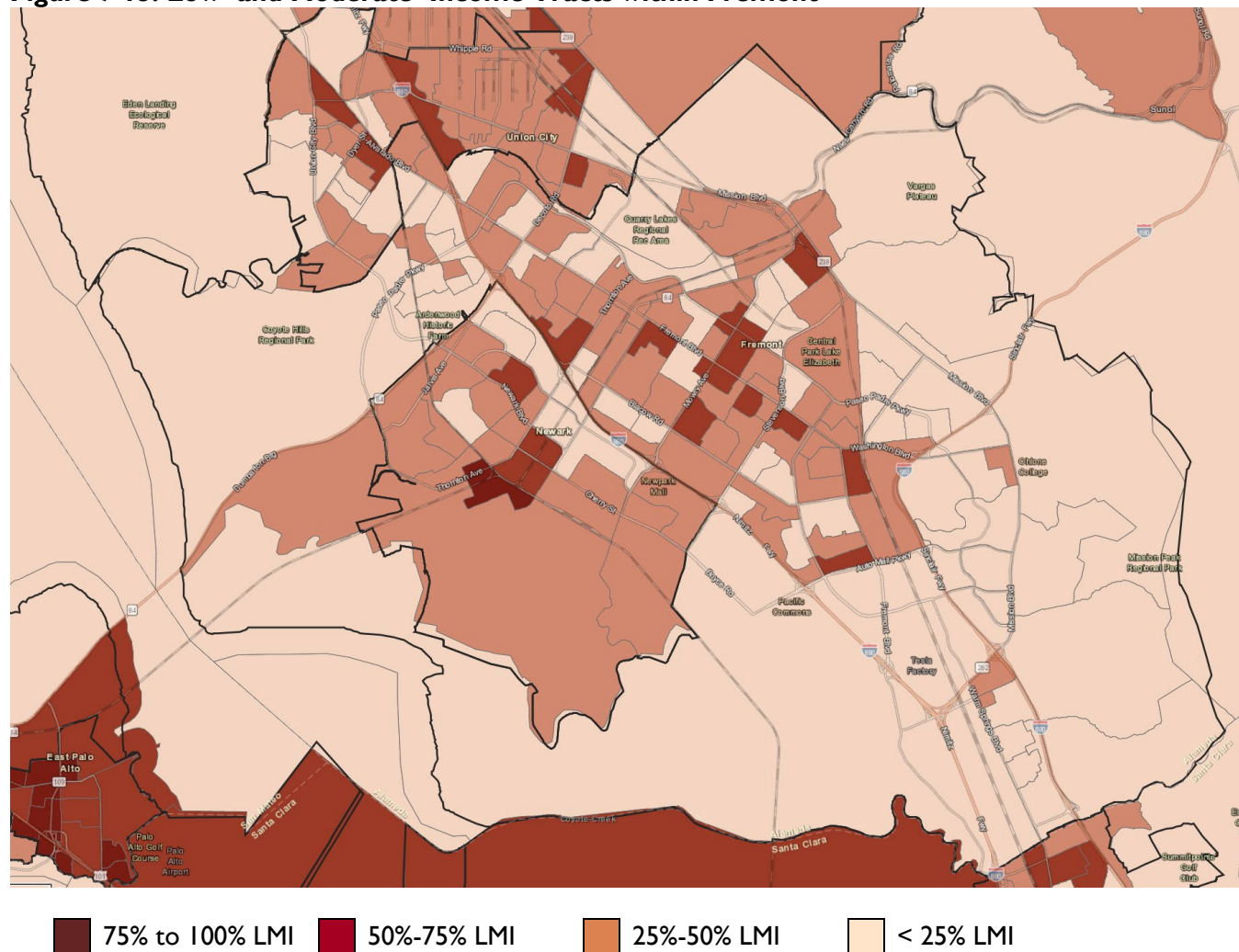
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. The data that is reported for the Bay Area is not based on a regional AMI but instead refers to the regional total of households in an income group relative to the AMI for the county where that household is located.

Income Segregation within Fremont

While Fremont has more moderate- and high-income earners than average in the region, the city is not exclusively affluent. Fremont does not contain any neighborhoods with more than 75% LMI residents; however, it does contain tracts with a majority (50%-75%) of LMI residents.

Figure 7-15. Low- and Moderate- Income Tracts within Fremont



Source: HCD AFFH Data Viewer; U.S. Census Bureau ACS 2011-2015 Dataset

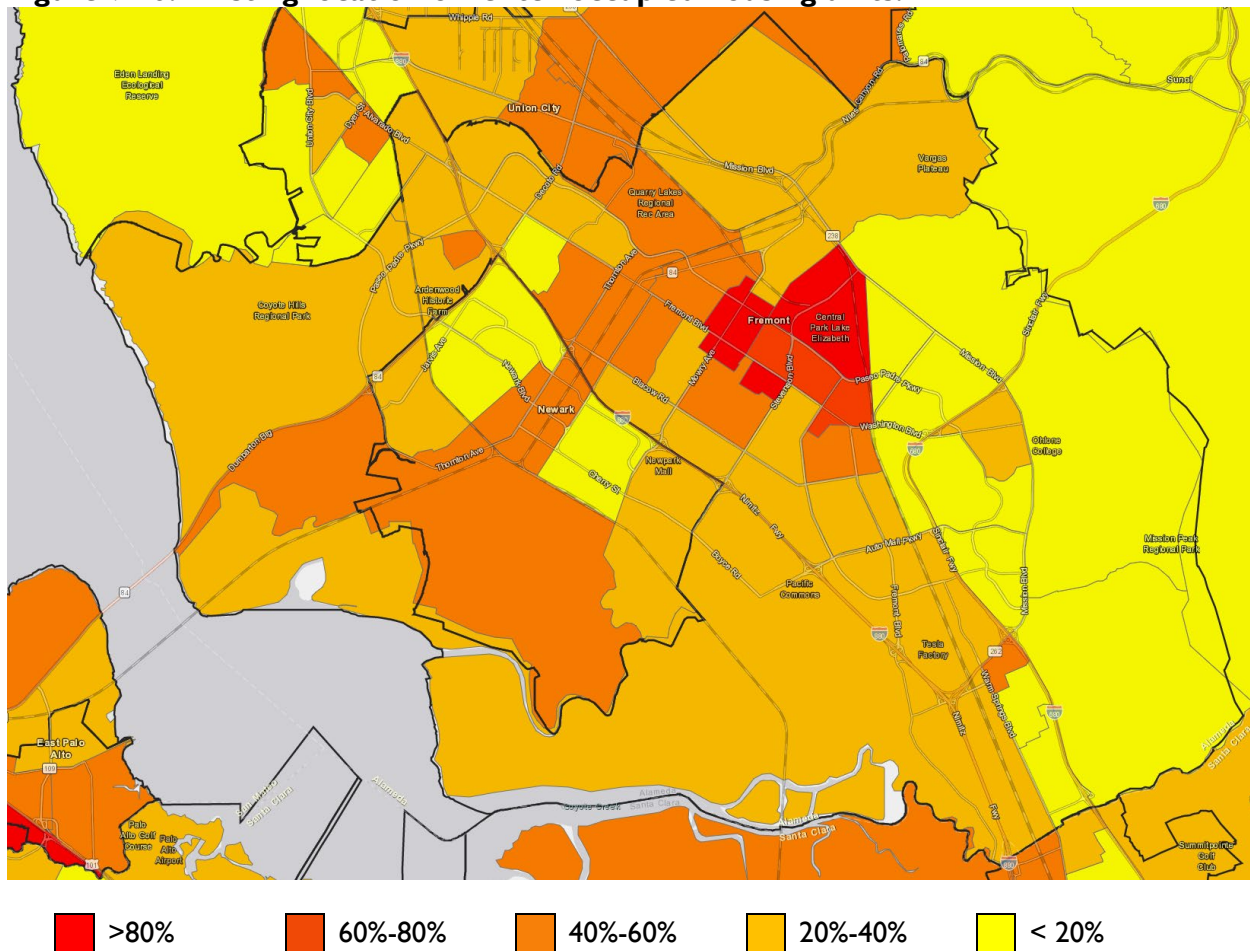
Tracts with a high percentage of LMI residents are primarily located along major arterial roadways within the city such as Thornton Avenue, Fremont Boulevard, and Auto Mall Parkway. Neighborhoods with majority-LMI tracts include Centerville, Central/Downtown, Sundale, Irvington, and southern Grimmer. Areas with majority-LMI tracts are mostly located in the flatlands of the City, within neighborhoods adjacent to transit stations. Areas with a small proportion of LMI residents are generally located east of Mission Boulevard, within the Cameron Hills, Mission San Jose, and Vineyards/Avalon neighborhoods in southeastern Fremont, and in Warm Springs/South Fremont.

The distribution of LMI households may also be explored through the housing typologies that are located throughout the city. LMI households are more likely to live in rented units than ownership units. LMI

households may also be more likely to live in housing types that are affordable by design, including apartment buildings, mobile home parks, and ADUs. Finally, while most LMI households live in private-market housing, the distribution of deed-restricted affordable housing may also influence income segregation patterns.

The Central Fremont neighborhood has the greatest percentage of renter-occupied housing units in the City. Other neighborhoods with a large percentage of rental units include Centerville, Sundale, and Irvington. The neighborhoods with the lowest percentage of renter-occupied housing units are located within the Cameron Hills, Mission San Jose, and Vineyards/Avalon neighborhoods. These are also among the neighborhoods with the lowest LMI population.

Figure 7-16. Existing location of renter-occupied housing units.



Source: HCD AFFH Data Viewer; US Census Bureau 2011-2016 ACS

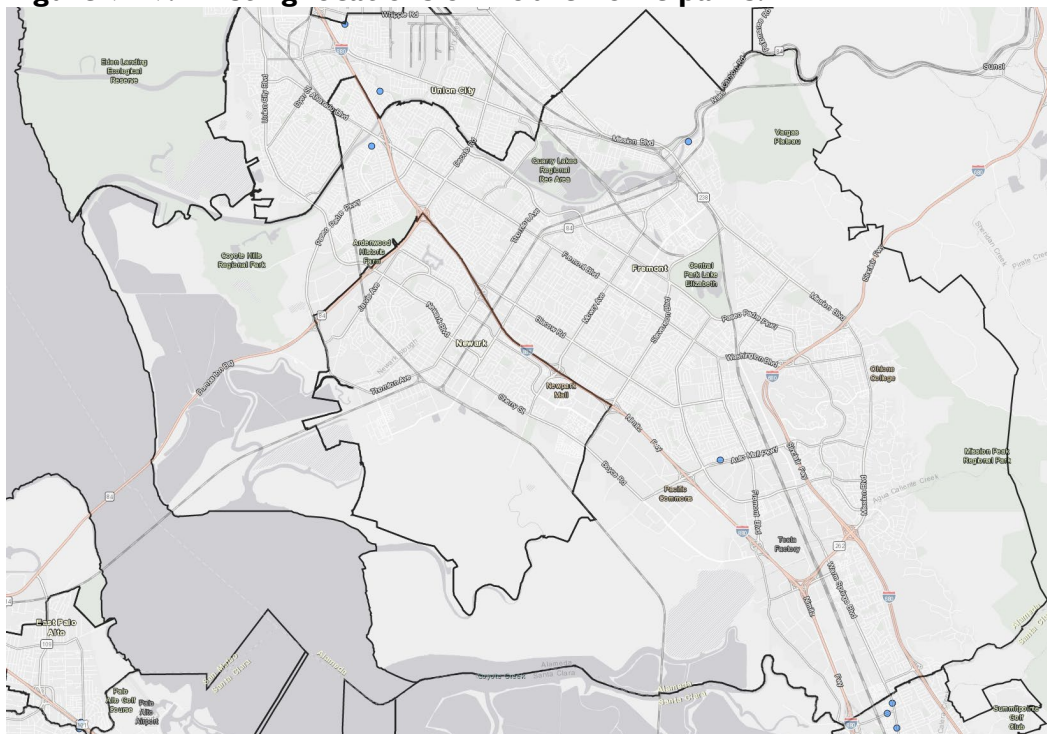
The City's zoning map may also influence the distribution of LMI households. Because smaller apartment units are likely more affordable than single-family homes, larger populations of LMI households tend to live in areas of the City where multifamily housing is permitted. This trend is most noticeable within areas of the City that have long been zoned for multi-family housing, including Central Fremont near Fremont BART, and along the north-south spine of Fremont Boulevard. Areas zoned exclusively for single-family housing have a lower LMI population. For example, the Hill Area Initiatives of 1981 and 2002 limited multi-family residential development east of I-680 and Mission Boulevard. While these initiatives served the purpose of containing urban sprawl and restricting development within Very High Fire Hazard Severity Zones, they also result in fewer housing opportunities for LMI households in the affected areas. During community outreach, it was emphasized that the City must find ways to expand housing opportunities within existing single-family neighborhoods in these areas to reduce segregation by income.

Mobile home parks are another housing typology that is typically more affordable to LMI households. There are three mobile home parks in Fremont:

- Southlake Mobile Home Estates, Grimmer neighborhood, 331 units
- Niles Canyon Mobile Estates, Niles neighborhood, 165 units (55+ community)
- Besaro Mobile Home Park, Ardenwood neighborhood, 236 units

While other cities may experience a clustering or segregation of mobile home units, these three existing mobile home parks in Fremont are separated geographically. The Southlake mobile home park is located within a tract that is 50%-75% LMI, while the other two parks are in tracts that are 25%-50% LMI. Mobile homes may provide a relatively affordable housing option within mixed-income neighborhoods.

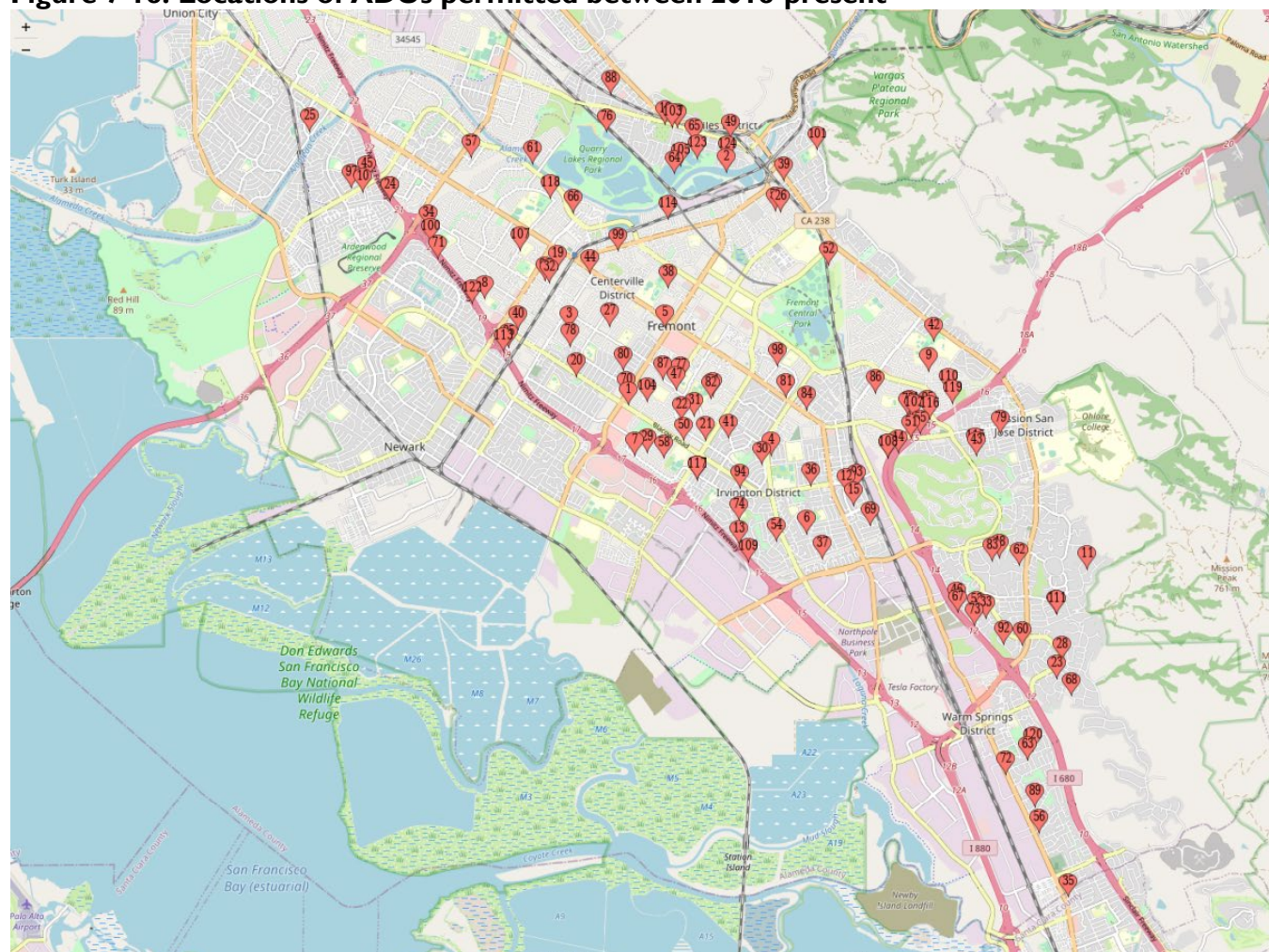
Figure 7-17. Existing locations of mobile home parks.



Source: Homeland Infrastructure Foundation-Level Data, 2018

ADUs are another housing type that is more commonly affordable to LMI households. The average rent of an ADU in Fremont was \$1,750/month as of December 2021, which is less than the overall median rent for Fremont of \$2,219/month.⁵ Due to statewide liberalization of ADU laws beginning in 2018, most ADUs are relatively new rental units constructed within the last five years. The neighborhoods with the highest percentage of ADU development during this period were the Cameron Hills and Mission San Jose neighborhoods. These neighborhoods both have a low overall percentage of LMI households and a relatively low renter population. However, also have housing typology of single-family homes on large lots, which may be more conducive to constructing an ADU. High-income residents in these neighborhoods may also have more access to financial resources and products to facilitate financing the cost of building an ADU. The prevalence of ADUs within these neighborhoods indicates that ADUs may successfully create housing opportunities for LMI households within higher-income communities in the city.

Figure 7-18. Locations of ADUs permitted between 2018-present



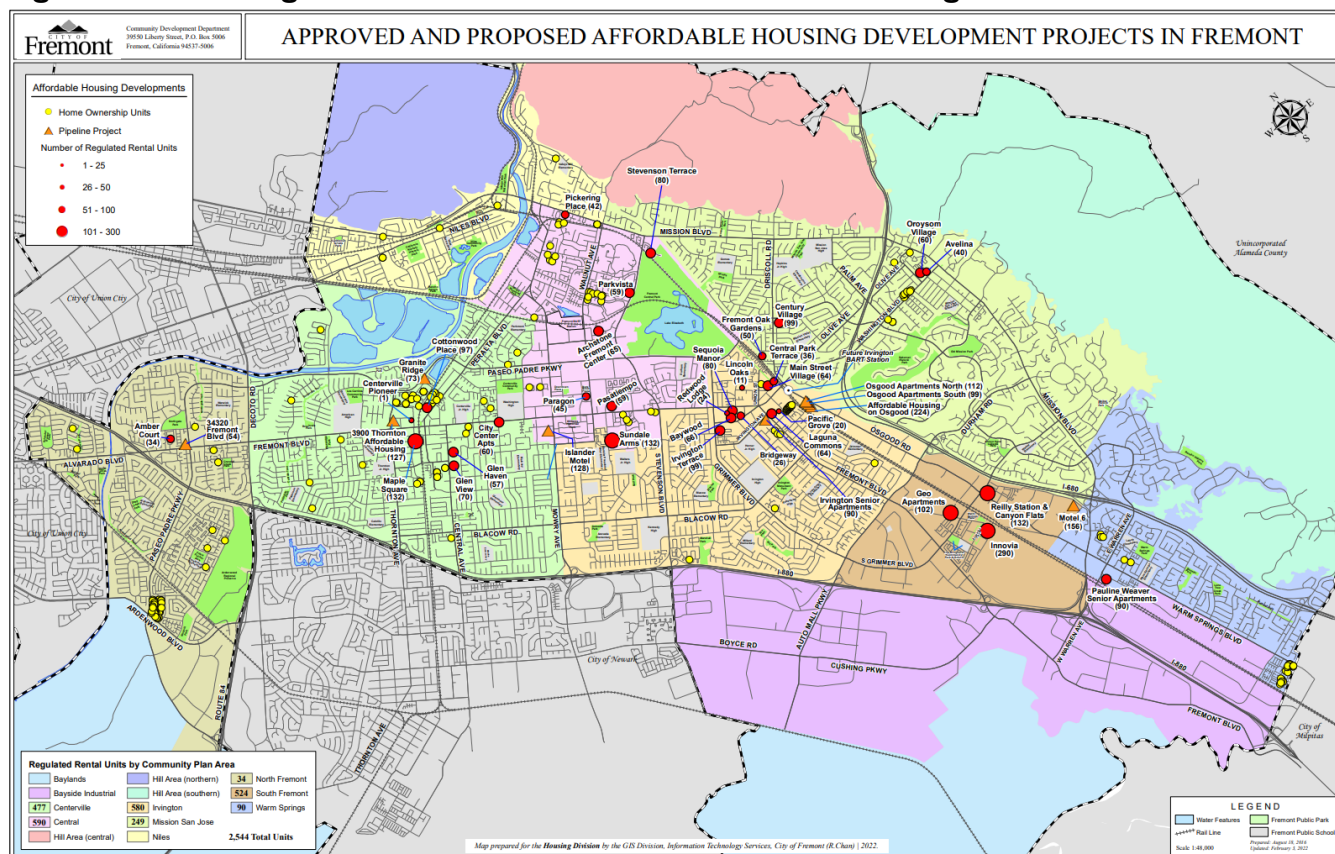
Source: City of Fremont Housing Element Annual Progress Reports, 2018-2022

⁵ Median ADU rent from staff survey of online ADU rental listings in December 2021. Median overall rent from U.S. Census Bureau, American Community Survey 5-Year Data 2014-2019.

Finally, the distribution of deed-restricted affordable housing developments may contribute to geographic separation between LMI and high-income residents. Existing and proposed affordable housing projects are distributed throughout the City, but largely located in areas with access to transit. The transit-oriented development areas of Central Fremont, South Fremont (Warm Springs Innovation District), Irvington, and Centerville each contain between 475 and 600 units of deed-restricted affordable housing. There is relative parity in unit counts between transit-rich areas.

Among areas without strong access to transit, Mission San Jose contains the most deed-restricted affordable housing units (249) followed by Warm Springs (90). North Fremont (23 units) and Niles (0) contain the least affordable units among residential areas of the City.

Figure 7-19. Existing location of deed-restricted affordable housing



Source: City of Fremont Housing Division

The spatial distribution of LMI households and housing typologies explains the geography of income segregation in Fremont. A statistical analysis can explain the severity of income segregation between different neighborhoods and the income levels most greatly impacted. Analysis was completed using the same indices previously described in this report. The **isolation index** indicates that the very-low income population within Fremont is likely to live in a neighborhood with an over-representative population of other very-low income people. However, very-low income residents of Fremont live with a lower concentration of other very-low income people than elsewhere in the Bay Area. Very-low income populations have become more segregated within Fremont since 2010. On the other side of the income spectrum, above-moderate income households in Fremont live in neighborhoods that are majority comprised of above-moderate income households. Above-moderate income households are more

segregated within Fremont than within the Bay Area as a whole, although the segregation of this group has declined over time.

Table 7-10. Income Segregation Data within Fremont

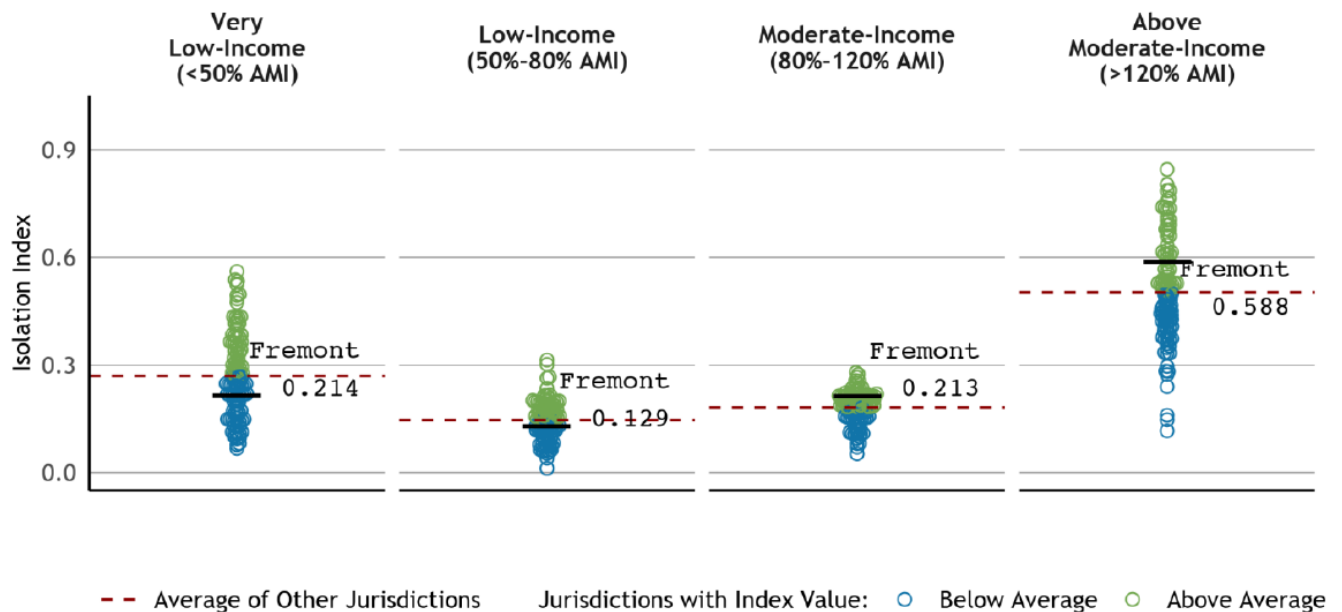
Index	Group	Fremont		Bay Area
		2010	2015	2015
Isolation Index Regional Level	Very Low-Income (<50% AMI)	0.169	0.214	0.269
	Low-Income (50%-80% AMI)	0.143	0.129	0.145
	Moderate-Income (80%-120% AMI)	0.204	0.213	0.183
	Above Moderate-Income (>120% AMI)	0.620	0.588	0.507
Dissimilarity Index Regional Level	Below 80% AMI vs. Above 80% AMI	0.263	0.228	0.198
	Below 50% AMI vs. Above 120% AMI	0.303	0.318	0.253
Theil's H	All Income Groups	0.062	0.061	0.043

Source: Association of Bay Area Governments AFFH Data Report

Underlying data sources: U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data; U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.

Very-low income and low-income groups are less isolated within Fremont than within other jurisdictions in the Bay Area. Moderate-income and above-moderate income groups are more isolated within Fremont than within other jurisdictions in the Bay Area.

Figure 20. Income Group Isolation Index for Fremont vs. Other Bay Area Jurisdictions

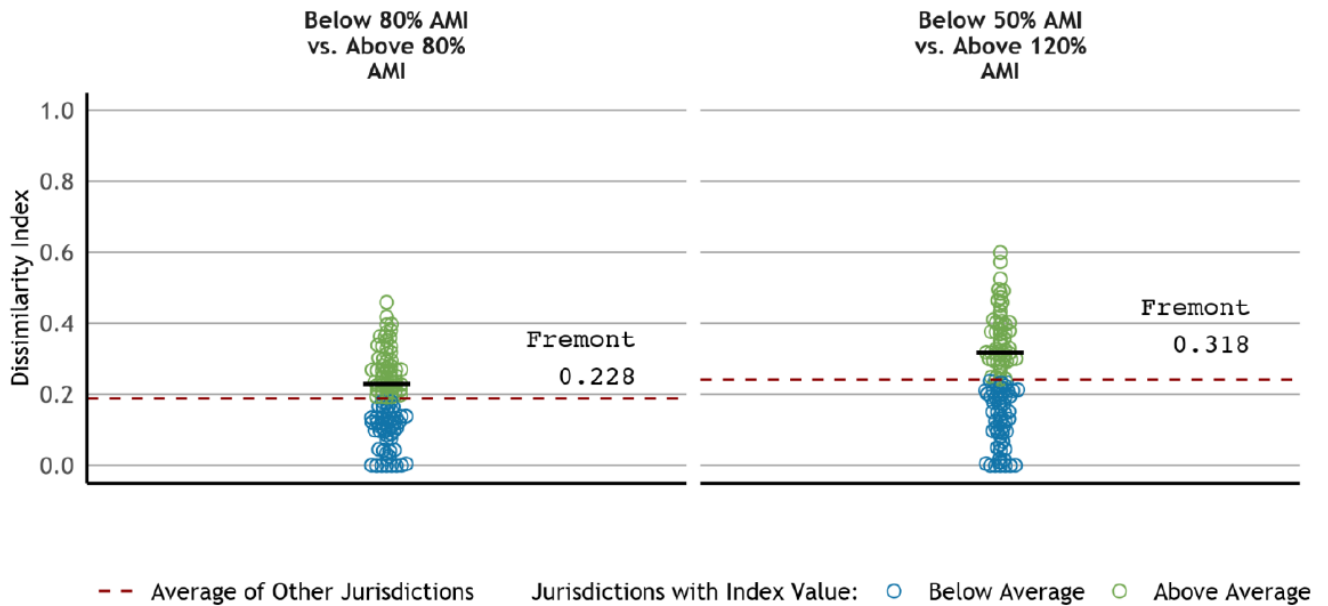


Source: Association of Bay Area Governments AFFH Data Report

Underlying data source: U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data

The **dissimilarity index** shows that segregation within the city is increasing on the extreme ends of the income spectrum, while decreasing in the middle ranges of the income spectrum. Income segregation at any level is higher within Fremont than the Bay Area regional average.

Figure 7-21. Income Group Dissimilarity Index for Fremont vs. Other Bay Area Jurisdictions

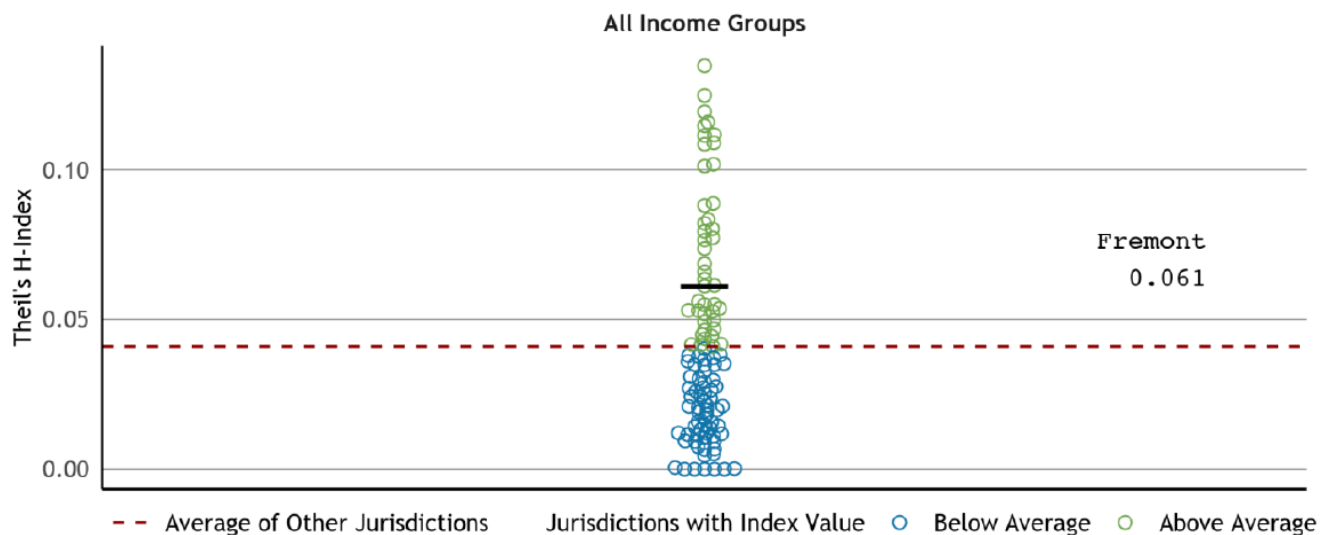


Source: Association of Bay Area Governments AFFH Data Report

Underlying data source: U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data

The **Theil's H index** suggests that, while segregation of certain groups may have decreased from 2010 to 2015, overall income segregation in Fremont has remained consistent over time. Income segregation within Fremont is higher than income segregation within the average Bay Area jurisdiction.

Figure 7-22. Income Group Theil's H Values for Fremont vs. Other Bay Area Jurisdictions



Source: Association of Bay Area Governments AFFH Data Report

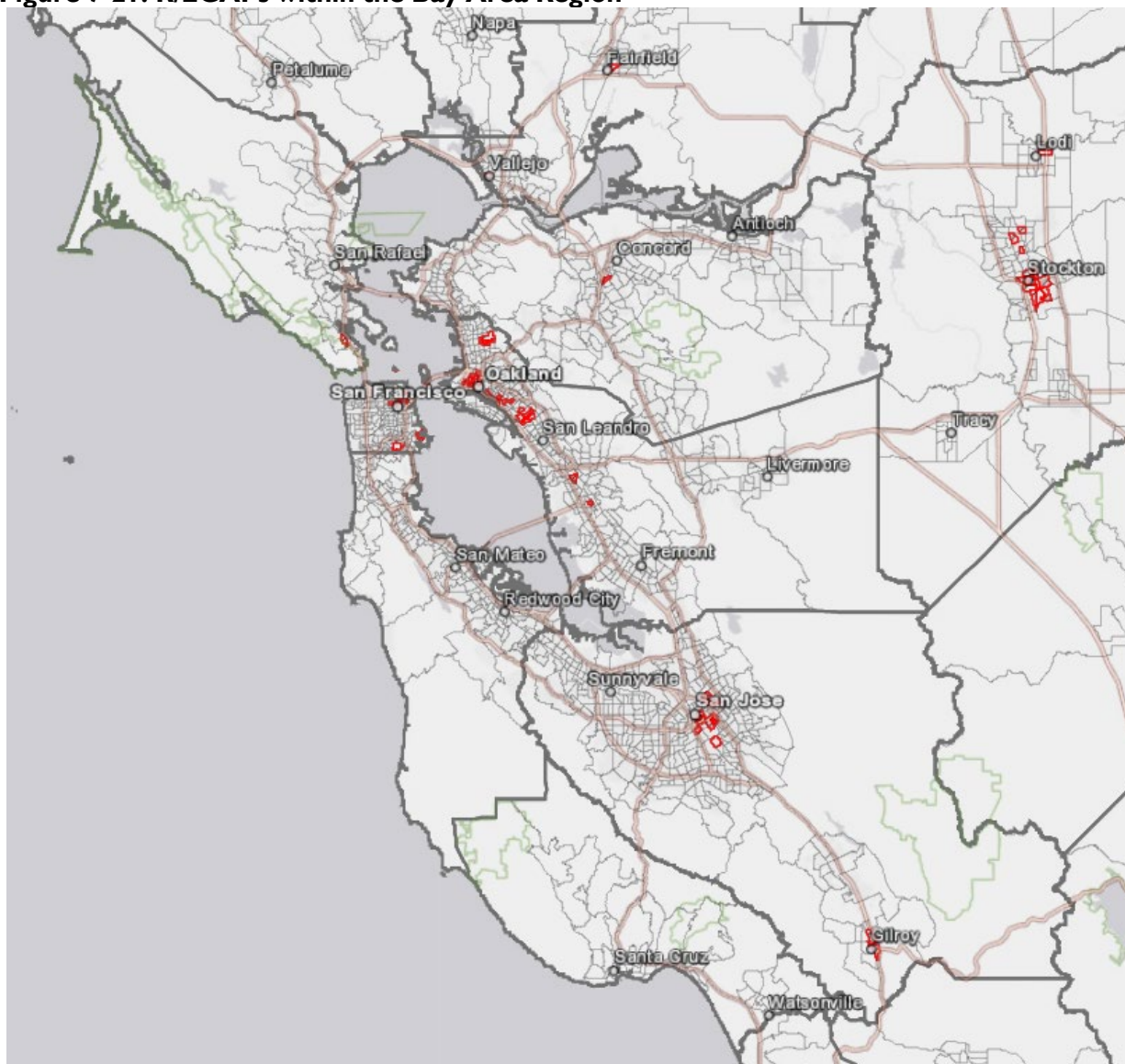
Underlying data source: U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data

Overlaps of Income Segregation and Racial Segregation

Income segregation may also point underlying patterns of racial segregation due to disparities in income between racial groups. These disparities in income are the results of policies that prevented people of color from accumulating the same generational wealth and having the same access to opportunity as White people. Racially or ethnically concentrated areas of poverty (R/ECAPs) are areas that have been systemically denied access to wealth-building through exclusionary and discriminatory policies against communities of color. HUD defines R/ECAPs as block groups that meet the following criteria:

- Have a non-White population of 50% or more; and
- Have 40% or more of the population living below the federal poverty line, or have a poverty rate that is three times the average poverty rate in the metropolitan area (whichever is less)

Figure 7-21. R/ECAPs within the Bay Area Region



Source: HCD AFFH Data Viewer; American Community Survey (ACS), 2009-2013; Decennial Census (2010); Brown Longitudinal Tract Database (LTDB) based on decennial census data, 1990, 2000 & 2010.

Within Fremont, all but two block groups within the City have a non-White population of 50% or more. However, there are no block groups within Fremont that have more than 40% of the population living below the Federal poverty line or three times the average poverty rate in the metropolitan area. Resultantly, there are no R/ECAPs in Fremont. The closest R/ECAPs to Fremont are located within Hayward and San Jose.

The TCAC/HCD map of High Segregation and Poverty areas may alternatively be used to identify R/ECAPs. Instead of a threshold for race, the TCAC/HCD approach uses a location quotient for racial segregation. The poverty threshold is 30 percent of the population living below the poverty line and the location quotient is a measure of the concentration of race in a small area compared to a county level. The TCAC/HCD methodology similarly does not identify any R/ECAPs within Fremont. The closest R/ECAP identified with this methodology is in San Jose.

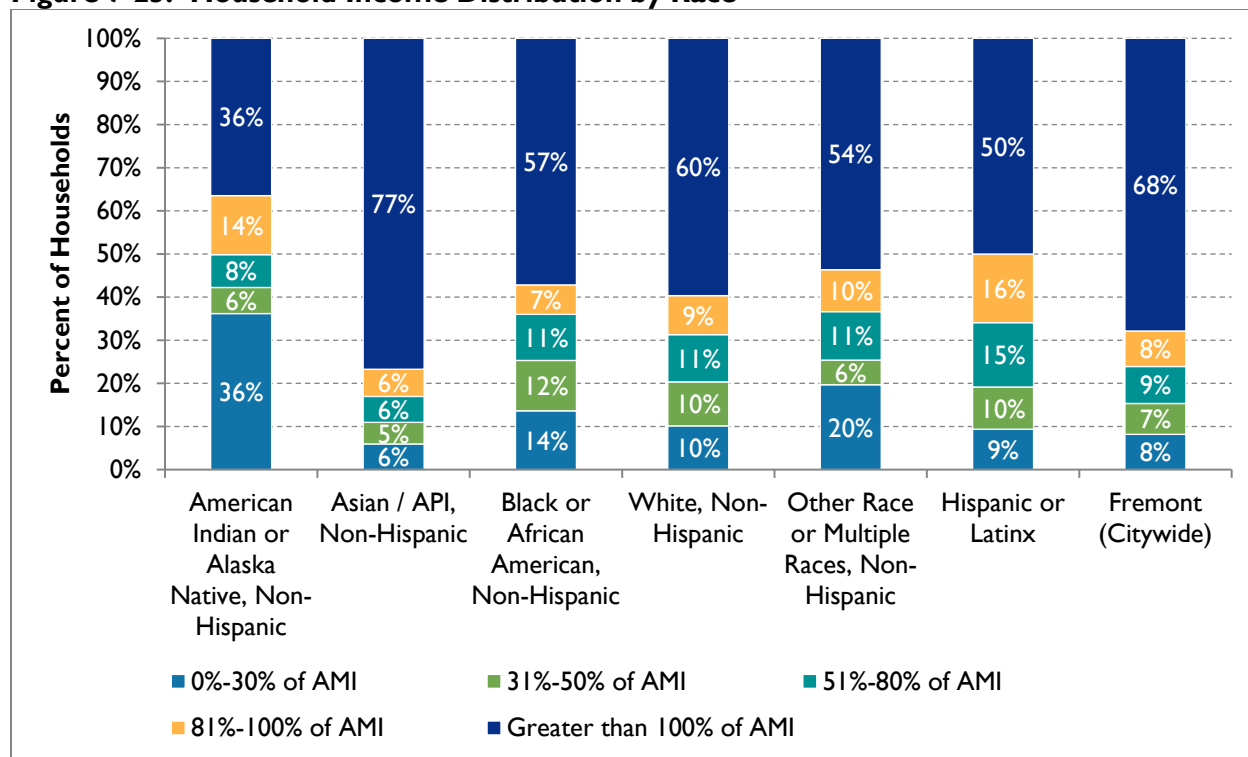
The metric of racially concentrated areas of affluence (RCAAs) tell another side of the same story of segregation as R/ECAPs. Scholars at the University of Minnesota Humphrey School of Public Affairs, who coined this term, define RCAAs as census tracts meeting the following criteria:

- 80 percent or more of the population is White
- The median household income is \$125,000 or greater

There are no tracts within Fremont that are 80% White, so there are no areas of the City that meet the traditional definition of a RCAA.

Income segregation within Fremont may still reflect the influence of racial discrimination and segregation despite the lack of communities of extreme poverty. Within Fremont, American Indian/Alaska Native and Black residents are overrepresented in the 0%-30% AMI income bracket and underrepresented in the upper income brackets. API residents are over-represented in the above-AMI income bracket and under-represented in under-AMI brackets. This indicates that patterns of segregation by income may also lead to patterns of segregation by race, particularly between these communities.

Figure 7-23. Household Income Distribution by Race



Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Notes: -Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

-For the purposes of this graph, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Existing Policies Influencing Segregation by Income

Existing land use policies including citizen initiatives and growth control contribute to segregation by income. As previously mentioned, the City has adopted two citizen initiatives that protect the Hill Area (defined as the area east of I-680 and/or Mission Boulevard) as open space:

- Measure A (1981) applies to all areas east of I-680 and/or Mission Boulevard
- Measure T (2002) applies to areas above the “Toe of the Hill”, which is defined as the area at which the hill slope is first greater than or equal to 20% (generally east of Mission Boulevard)

The City does not have any other growth control limitations. Because the Hill Area Initiatives generally restrict future residential development to single-family, it is important to facilitate development opportunities consistent with the single-family designation within those areas. Examples of consistent development opportunities include ADUs and SB9.

Because Fremont is a high-resource, high-income community, policies that encourage the location of affordable housing within the City can address regional patterns of income segregation. City policies that

encourage the placement of affordable housing within the most exclusive neighborhoods of the City can address internal patterns of income segregation. The following policies from the City's 2015-2023 Housing Element encourage the development of affordable housing within the City:

- Program 3.01-B: Update Affordable Housing Ordinance.
- Program 3.01-G: Commercial Linkage Fee
- Program 3.01-E: Deferral of Impact Fees
- Program 4.03-B: Below Market Rate (BMR) Program
- Program 5.02-A: Support for Non-Profit Affordable Housing Providers.
- Program 5.03-B: Promote State and Regional Funding Initiatives that will Provide Additional Resources for Affordable Housing.
- Program 7.01-A: Review and Periodically Amend Zoning Ordinance and Other Planning Documents as Needed to Reduce Constraints to Affordable Housing Production.
- Program 7.01-E: Review Impact Fee Structure.

The following programs from the City's 2015-2023 Housing Element address internal patterns of income segregation by encouraging affordable housing opportunities within wealthier neighborhoods:

- Program 3.03-B: Continue to Encourage Development of Second Units (ADUs)
- Program 7.01-A: Review and Periodically Amend Zoning Ordinance and Other Planning Documents as Needed to Reduce Constraints to Affordable Housing Production.

The City also implements state housing laws that encourage the creation of affordable housing. The City strives to update its local ordinances to reflect changes to state law. In cases where implementation is delayed, the City follows the preceding state law when a conflict exists with the local ordinance. A summary of past implementation actions and identified implementation needs is provided below:

- **Density Bonus Law (Gov. Code, § 65915).** The City's Density Bonus Ordinance (FMC Chapter 18.165) is updated periodically to reflect changes in State Density Bonus law. A recent change to State Density Bonus law, under AB 2345, modified the percentages of affordable units required to qualify for a density bonus. This change needs to be reflected in the City's Density Bonus Ordinance.
- **Housing Accountability Act (Gov. Code, § 65589.5).** The City updated its Multifamily Design Guidelines in 2018 to add more objective standards for development. The City needs to further revise its Multifamily Design Guidelines and update its other design guidelines to ensure that design rules are sufficiently objective to be consistent with the requirements of the HAA.
- **Excessive subdivision standards (Gov. Code, § 65913.2).** The City does not impose excessive subdivision standards on housing development projects.
- **Limits on growth controls (Gov. Code, § 65302.8).** The City has not adopted a general plan element to limit the number of housing units that may be constructed on an annual basis.
- **Housing Element Law (Gov. Code, § 65583, esp. subds. (c)(5), (c)(10).)** The City has maintained a compliant housing element and annually submits a housing element annual progress report to HCD to document housing element compliance. The City maintains a sufficient inventory of vacant land that is zoned for residential use to meet housing needs for all income categories as identified in the housing element, compliant with Gov. Code, § 65913.1. The City reports annually on housing element inventory sites approved for uses other than housing, as required per No-Net-Loss Law (Gov. Code, § 65863).

Proposed Policies to Address Segregation by Income

Because it is challenging for households with lower incomes to afford market-rate rents in Fremont, adding deed-restricted affordable units remains the most effective way to increase opportunities for people with lower incomes to live in Fremont. The City's commitment to increasing affordable housing production is highlighted through the addition of a new goal, "Goal 3: Maximize Support and Resources for Affordable Housing Production". This goal focuses on maximizing resources, streamlining processes, and providing incentives to encourage the production of affordable housing. New programs that the City will develop within the next planning period include the following:

- Program 48. Annually Monitor Effectiveness of Affordable Housing Ordinance and Commercial Linkage Fee.
- Program 50. Charge Reduced Impact Fees for Affordable Housing Projects.
- Program 52. Quickly Adapt to New State Funding Resources.
- Program 53. Remain Competitive at Obtaining State Funding Resources for Affordable Housing.
- Program 54. Advocate for Increased Allocation of Project-Based Section 8 Vouchers from the Alameda County Housing Authority.
- Program 55. Collaborate with the Bay Area Housing Finance Authority (BAHFA) to Develop Initiatives that will Provide Additional Resources for Affordable Housing.
- Program 57. Priority Processing for Affordable Housing Development Projects.
- Program 63. Prioritize Affordable Housing on Public Property
- Program 64. Promote Housing on Underutilized Church Properties.

Additionally, the City is expanding its commitment to incentivizing "affordable by design" units. These smaller units provide rental or homeownership opportunities to middle-income households. "Affordable by design" units are an effective way to increase affordability within the highest-resource areas of the City, where the current lotting patterns do not lend themselves to financially feasible deed-restricted affordable housing projects. New programs to encourage "affordable by design" units include:

- Program 24. Offer "Over the Counter" Type Plan Checks for Qualifying Residential Projects.
- Program 32. Expand Homeownership Opportunities within Existing Highest Resource Neighborhoods.
- Program 33. Add Intensity in High Resource Single-Family Neighborhoods within TODs.
- Program 34. Further Reduce Parking Requirements in TOD Areas
- Program 80. Monitor Incentives to Encourage Development of Smaller, More Efficient Units for Single-Person and Small Households.

SUMMARY OF KEY FINDINGS

- Within the Bay Area, income segregation is highest between very-low income and above-moderate income jurisdictions. Fremont contributes to this pattern by having a higher percentage of above-moderate income households than the Bay Area region.
- Within Fremont, income segregation is significantly higher than income segregation within the average Bay Area jurisdiction. This pattern is primarily driven by the isolation of moderate and above-moderate households. Very-low income and low-income groups are less isolated within Fremont than within other jurisdictions in the Bay Area.
- Within Fremont, LMI households tend to live within transit-oriented neighborhoods that have many rental housing units. High-income households live in neighborhoods further from transit, with a high percentage of owner-occupied dwellings. ADUs and urban lot splits may provide opportunities for LMI households to live in otherwise income-exclusive neighborhoods.

Segregation by Disability

Segregation by Disability in the Bay Area

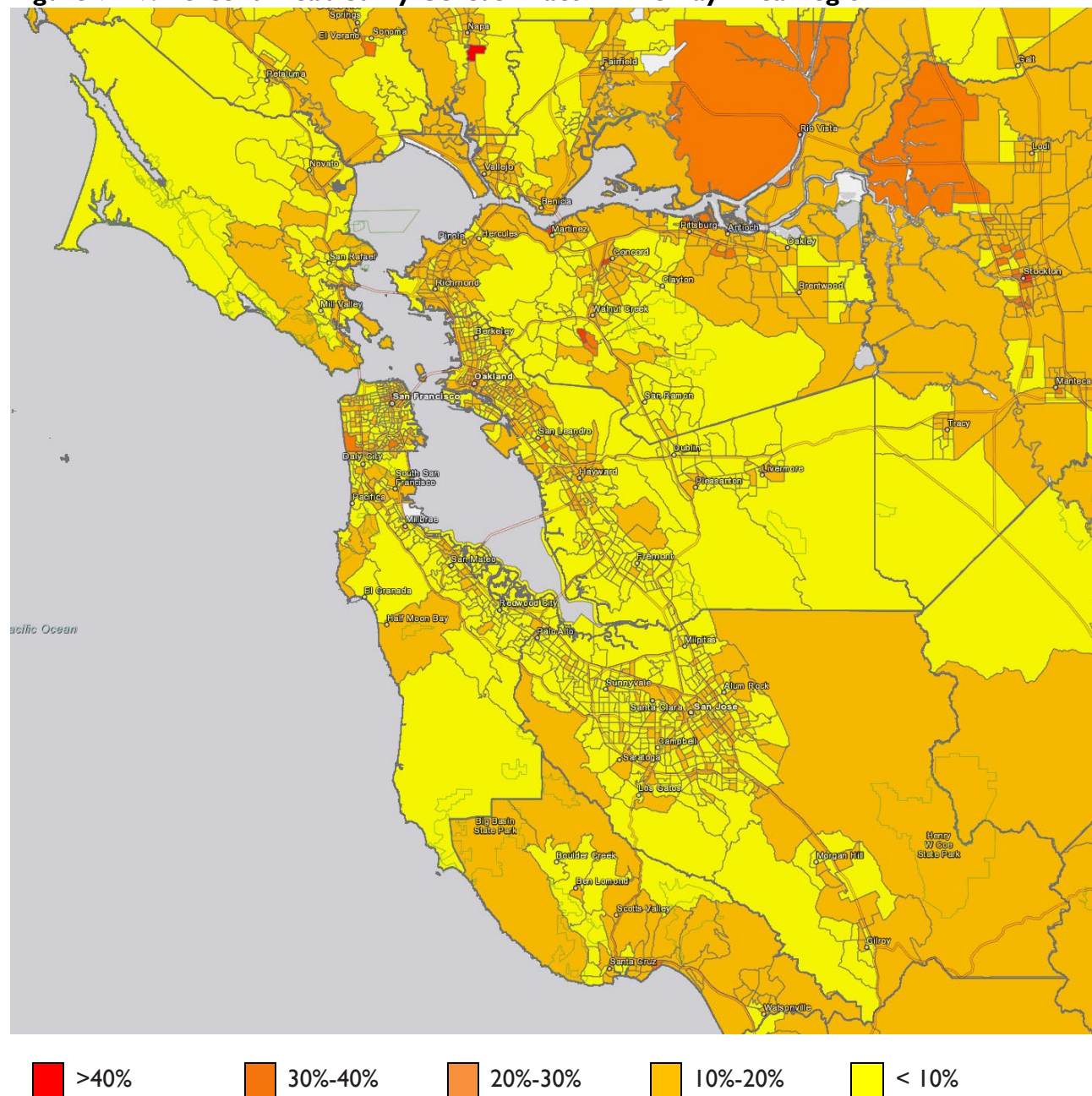
People with disabilities have specialized housing needs that may result in their segregation from the non-disabled population. Segregation may occur due to demographics correlated to disability, including low-income and age, or due to disability itself through institutionalization.

Institutionalization refers to the practice of regimented, custodial care of people with disabilities in a facility that isolates them from the broader community. Institution was a mainstream practice from the 1800s through the 1970s. While the stated intention of institutionalization was to provide rehabilitation and assistance to people with disabilities, scholars critical of the practice suggest that the facilities were primarily intended to incarcerate people who did not conform to social expectations. Institutionalization undoubtedly resulted in disabled people being segregated from society both physically (in that institutions were often located outside of town centers) and through social control (in that people were prohibited from leaving the institutions).

Due to the work of disabled activists with the independent living movement, residential institutions are no longer considered a standard of care for people with disabilities. Instead, care is preferably provided in an independent living environment where tenants live without supervision from their landlord. Many people with disabilities also live with their parents or families.

Despite the gains of the independent living movement, people with disabilities may still experience segregation. Tracts with large percentage of disabled individuals in some cases correspond to age-restricted retirement communities, where seniors may choose to live within senior-only developments. In other cases, segregation of disabled individuals may occur when assisted living or institutional facilities are constructed in areas separated from other residential neighborhoods. Alternatively, disabled individuals whose primary source of income comes from Social Security Disability Insurance (SSDI) and/or Supplemental Security Income (SSI) may experience segregation due to their very-low incomes or due to discrimination against their disability or source of income. For example, the 2020 Alameda County Analysis of Impediments to Fair Housing Choice found that those on Housing Choice Vouchers with disabilities often find it difficult to find an appropriate housing unit. Some find it difficult to find an appropriately sized unit that will take their voucher and others experienced that the vouchers will not cover the rent of an appropriately sized unit.

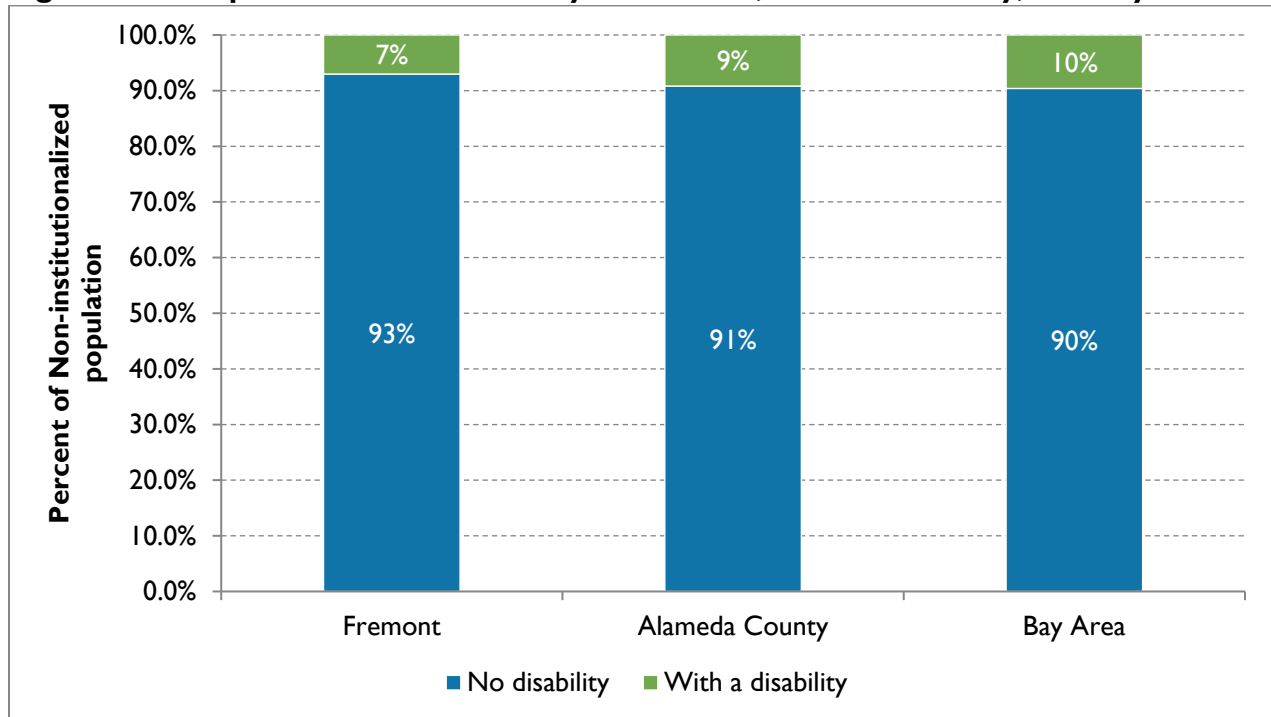
Figure 7-27. Percent Disabled By Census Tract In The Bay Area Region



Source: HCD AFFH Data Viewer, US Census Bureau ACS 2015-2019

Fremont has a lower percentage of disabled residents than Alameda County and the Bay Area region.

Figure 7-28. Population with a Disability in Fremont, Alameda County, and Bay Area

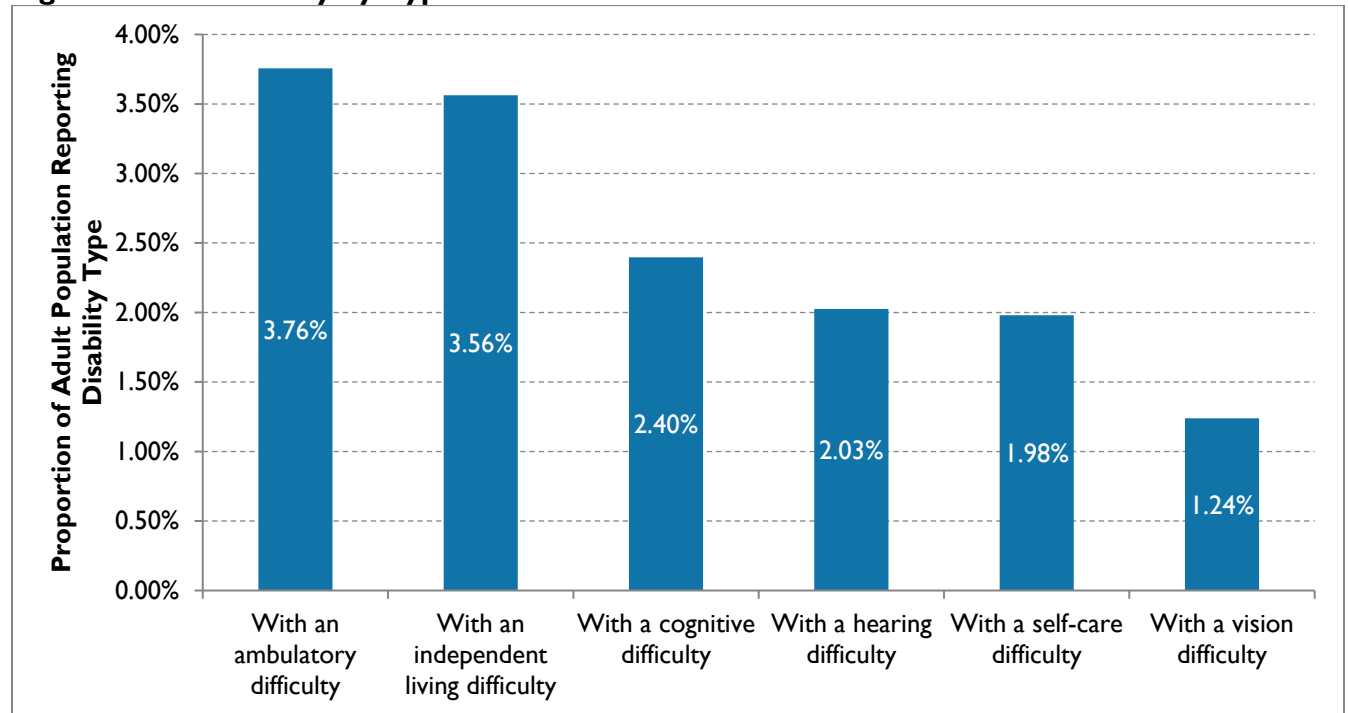


Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18101

Segregation by Disability within Fremont

As discussed in further detail within the Housing Needs Assessment report, approximately 7.0% of people in Fremont have a disability of any kind. The most common types of disabilities are ambulatory difficulties and independent living difficulties. These are the most common disabilities within the senior population, indicating that the prevalence of these disabilities may be driven by the fact that Fremont is an aging community.

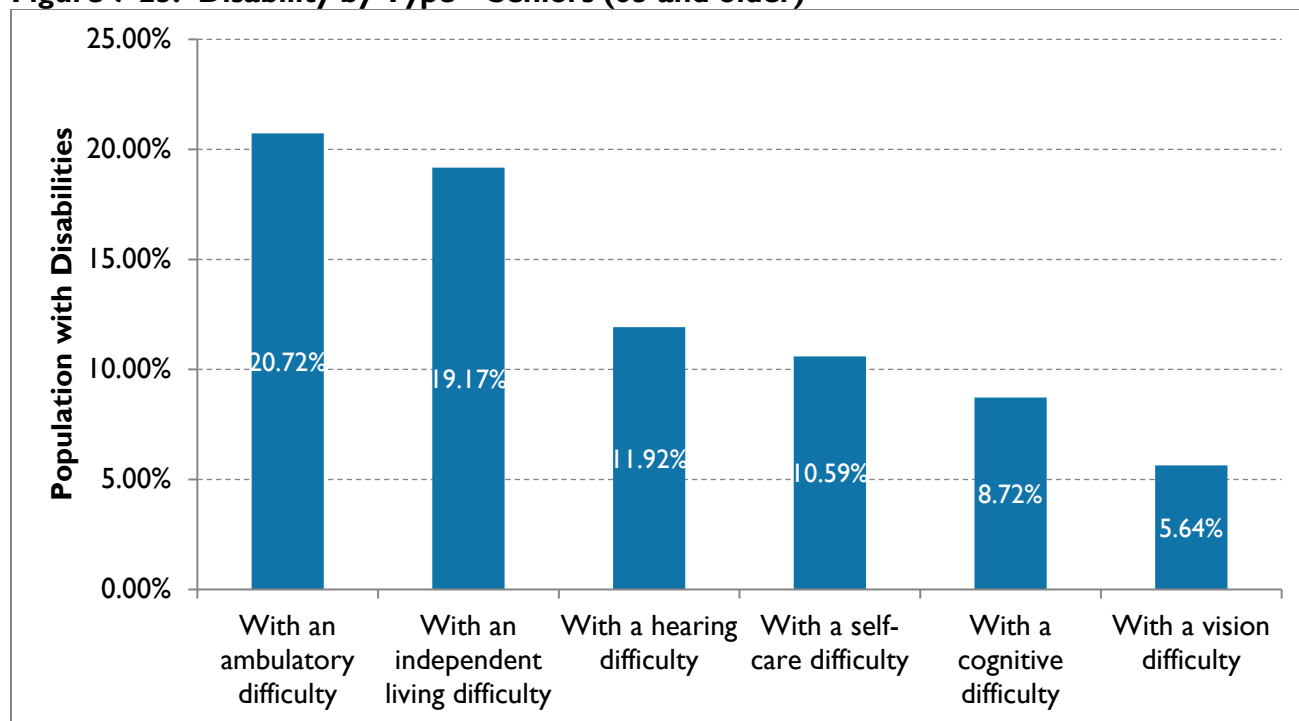
Figure 7-24. Disability by Type in Fremont



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.

Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

Figure 7-25. Disability by Type – Seniors (65 and older)



Universe: Civilian noninstitutionalized population 65 years and over

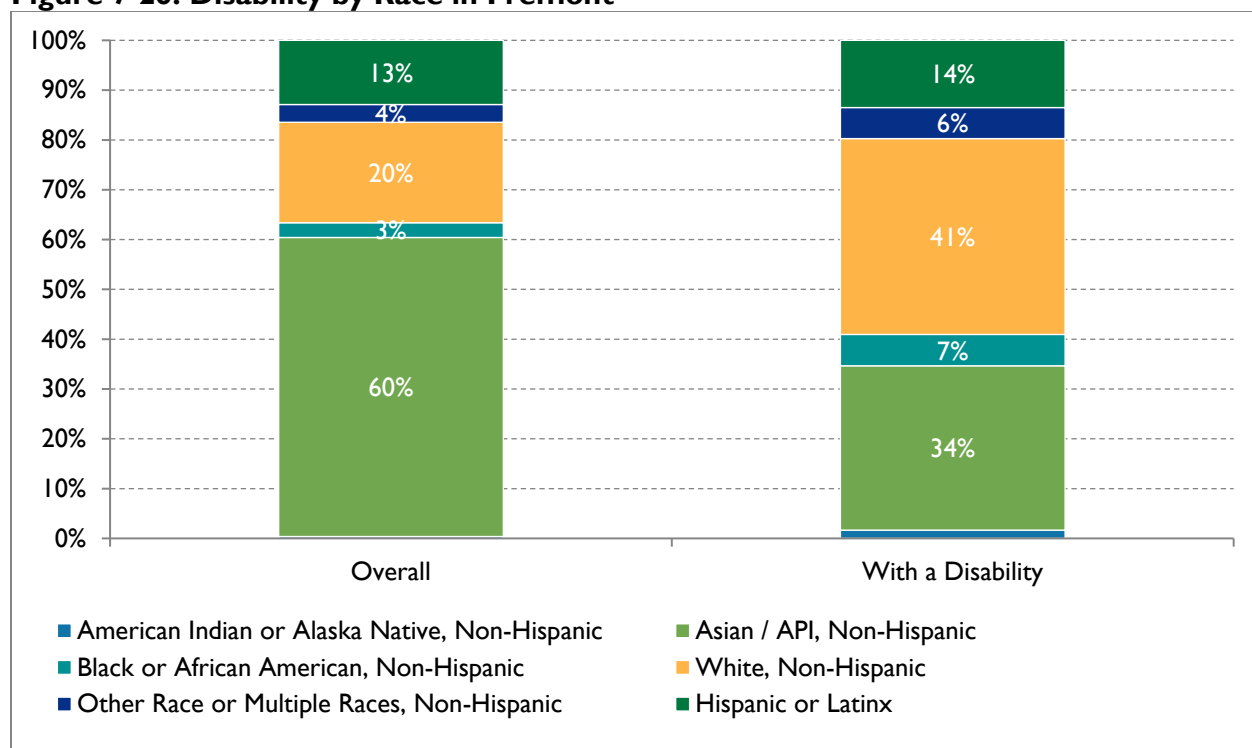
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.

Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

During community outreach, residents identified that providing a range of senior housing options that accommodated a range of abilities was a chief concern. Seniors with ambulatory difficulties may desire independent housing that accommodates wheelchair access, while seniors with an independent living difficulty may want to live with a caregiver or in an assisted living facility. Residents of existing affordable senior housing facilities identified the need for senior housing to be located close to amenities and services so that disabled seniors did not need to travel as far in their daily activities.

In Fremont, the senior population has a higher percentage of White people (35%) compared to the general population (21%). Likely due to the higher frequency of disability among elderly residents, the overall population with disabilities in Fremont also tends to have a higher percentage of White people than the general population. Black and Native American individuals are also overrepresented in the disabled population.

Figure 7-26. Disability by Race in Fremont



Source: US Census Bureau ACS 2015-2019, Table B18101

One additional subset of the disabled population also has a strong correlation with age in Fremont is those with developmental disabilities. Compared to Fremont's overall population, in which less than 25% of the population is under the age of 18, almost half of people with developmental disabilities are under 18. This may indicate that people with developmental disabilities may leave Fremont as they age, potentially due to lack of suitable housing options.

Table 7-11. Population with Developmental Disabilities by Age

Age Group	Value
Age 18+	790
Age Under 18	753

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2020)

Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SFI to determine the share of a ZIP code to assign to a given jurisdiction.

Most people with developmental disabilities in Fremont live with a parent, family member, or guardian. While this is certainly influenced by the proportion of children within this population, it also indicates the success of the movement to reduce institutionalization.

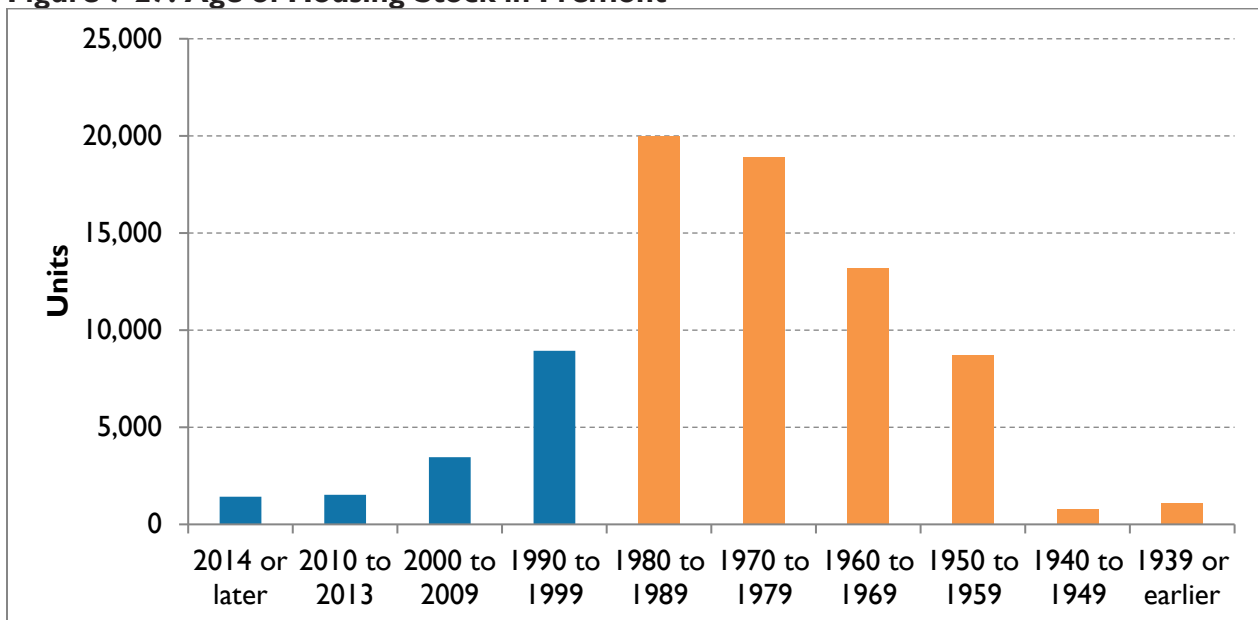
Table 7-12. Population with Developmental Disabilities by Residence

Residence Type	Value
Home of Parent/Family/Guardian	1,206
Community Care Facility	160
Independent/Supported Living	138
Intermediate Care Facility	30
Other	10
Foster/Family Home	10

Source: California Department of Developmental Services, *Consumer Count by California ZIP Code and Residence Type* (2020)

Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SFI to determine the share of a ZIP code to assign to a given jurisdiction.

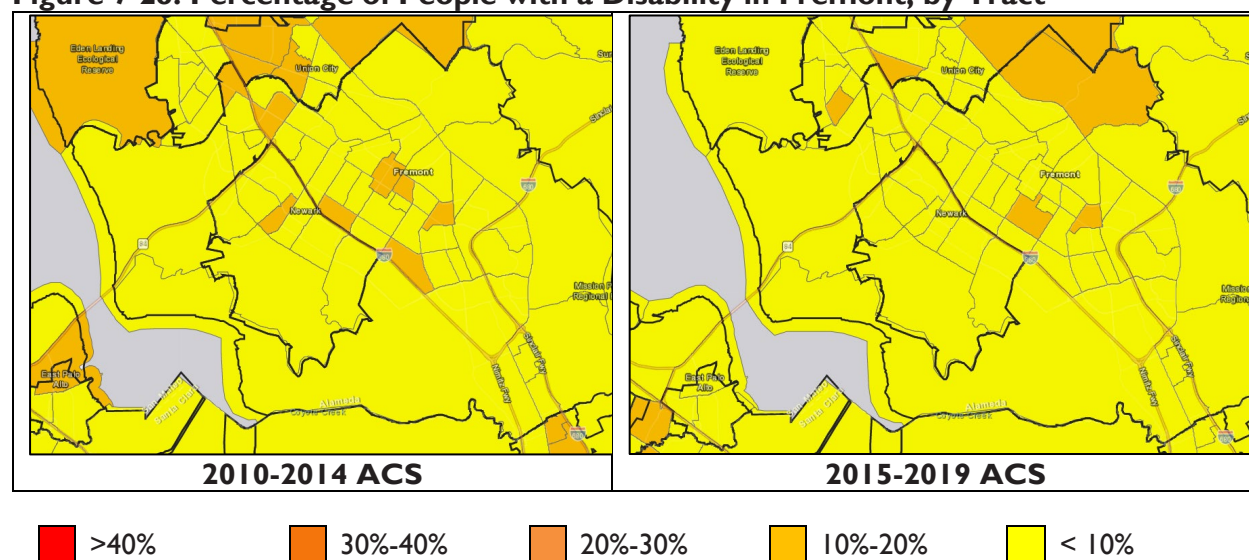
For disabled people living in a residence, a key consideration is the accessibility of those housing units. Units built prior to 1989 were not required to be accessible to persons with disabilities. Approximately 80% of Fremont's housing stock was constructed prior to 1989 and therefore was not subject to any accessibility requirements. A total of 15,341 units are therefore potentially accessible based on their date of construction. However, buildings with three or fewer units are exempt from accessibility requirements. Approximately one quarter of Fremont's housing stock is multifamily construction with five or more units. Therefore, an estimate of units in Fremont subject to accessibility requirements would be 3,835 units. Assuming 10% of units in these structures are code-compliant accessible units, there would be 384 accessible units within Fremont. Importantly, this estimate would not include units that homeowners voluntarily made accessible to serve their own needs.

Figure 7-27. Age of Housing Stock in Fremont

Source: U.S. Census Bureau, *American Community Survey 5-Year Data (2015-2019)*, Table B25034

The amount of disabled people living at home may also contribute to the lack of a clear pattern of segregation by disability in Fremont, as homes are more likely to be randomly distributed than care facilities. In 2014, seven tracts within Fremont had between 10% and 20% of residents with a disability. These tracts were located within the North Fremont, Central/Downtown, 28 Palms, Irvington, and Blacow neighborhoods. As of 2019, however, there are only three tracts that have between 10% and 20% of residents with a disability, located within the neighborhoods of Niles, Irvington, and Sundale. Only one tract (in Irvington) had a disabled population greater than 10% across both samples.

Figure 7-28. Percentage of People with a Disability in Fremont, by Tract



Source: HCD AFFH Data Viewer, US Census Bureau ACS 2015-2019

The prevalence of people with disabilities across the City does not indicate a clear pattern of geographic segregation by disability. Tracts with a higher percentage of disabled people include higher-income tracts (Sundale and Niles) and lower-income tracts (Irvington). These tracts are also a mix of majority-White tracts (Niles) and majority-Asian tracts (Sundale and Irvington). Regional patterns limiting access to higher-income communities like Fremont for those with disabilities likely play a more influential role in explaining patterns of segregation by disability in the community. This is evidenced by the low overall percentages of people with a disability in Fremont.

Policies Influencing Segregation by Disability

The City's 2015-2023 Housing Element contains policies to encourage the development of new housing accessible to people with disabilities and support the retrofit of existing housing to meet the needs of people with disabilities:

- Program 2.01-C: Continue to Implement Universal Design Ordinance.
- Program 4.01-D: Implementation of Reasonable Accommodations Ordinance.
- Program 4.02-B: Accessibility Improvements to Existing Housing.

Proposed Policies to Address Segregation by Disability

In order to address regional patterns of segregation by disability, the City of Fremont will expand accessible housing opportunities in the City. The City will continue to implement all of the above programs from the previous housing element, which have been re-numbered as Programs 70, Program 68, and Program 3, respectively. Recognizing the importance accessibility retrofits that allow disabled people to

remain in their existing homes, Program 3 now includes a specific commitment that at least 50% of all Minor Home Repair Grant projects must include accessibility improvements. The City has additionally committed to the following new programs and actions to create accessible housing opportunities. These programs incentivize the private market to develop accessible housing opportunities for people with disabilities in Fremont:

- Program 69. Address Zoning Barriers for Large Residential Care Facilities.
- Program 71. Develop an Accessible Preapproved ADU Design.

Additionally, the Housing Needs Assessment shows that people with disabilities may also struggle with housing affordability. Disabled people on a fixed income may struggle to keep up with rising rents or may not be able to afford rent for a newer, ADA-compliant apartment that meets their accessibility needs. Policies intended to reduce income segregation and develop new affordable housing also expand housing opportunities available to people with disabilities in Fremont.

SUMMARY OF KEY FINDINGS

- Within the Bay Area, Fremont has a lower percentage of disabled residents than the region.
- Within Fremont, there is no clear indication of geographic segregation of those with disabilities. Many people with disabilities live with their family in private homes.
- Within Fremont, there are fewer accessible units than disabled people. Using a conservative estimate that 10% of multi-family homes constructed after 1990 are accessible, there would be 384 accessible units for over 16,000 disabled people in Fremont.
- As discussed in the Fair Housing Analysis, people with disabilities often face housing discrimination in Fremont and the Bay Area. Reducing the prevalence of discrimination is key to ensuring that people with disabilities have access to opportunity in housing.

Segregation by Household Characteristics

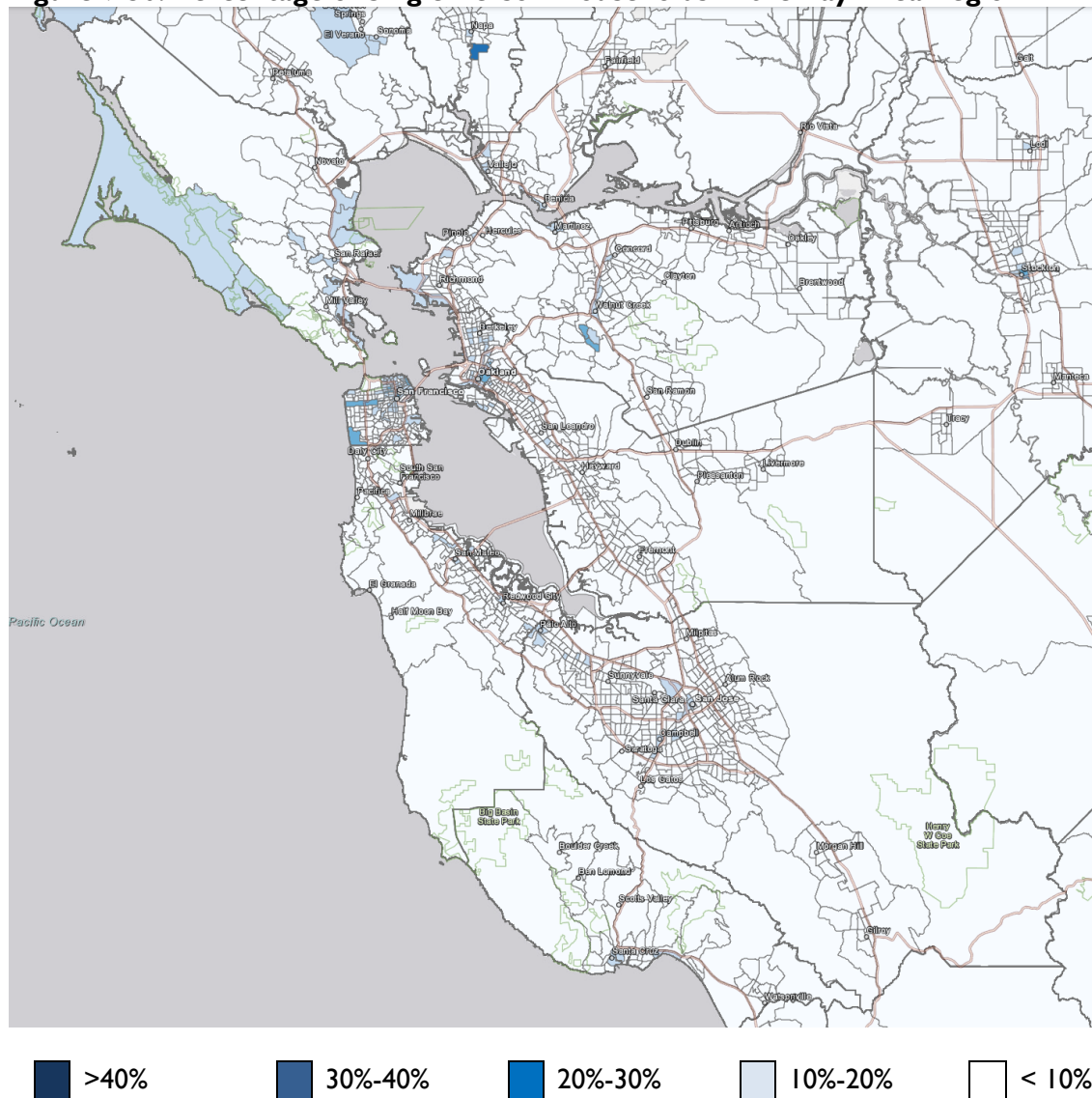
Regional Patterns of Segregation by Household Characteristics

Household type is defined by the number of people and type of family unit. Segregation patterns based on household characteristics are influenced by the availability of different unit sizes and the affordability of those units. Single-person households are reliant on a single income and do not require as much space, meaning that they may be best served by smaller units. Large households may have multiple incomes but require more space to prevent overcrowding. Single-parent households, and particularly single-parent households headed by a woman, may need units that are both affordable and larger in area.

Segregation by household type may also occur due to discrimination in the housing market against a certain type of household. As discussed in the Fair Housing Analysis section, discrimination typically occurs against households with children, female-headed households, or LGBTQ households.

A predominant trend in household type and familial status across the Bay Area is the limited distribution of single-person households outside of major urban centers. Single-person households are concentrated within San Francisco, Oakland, and San Jose.

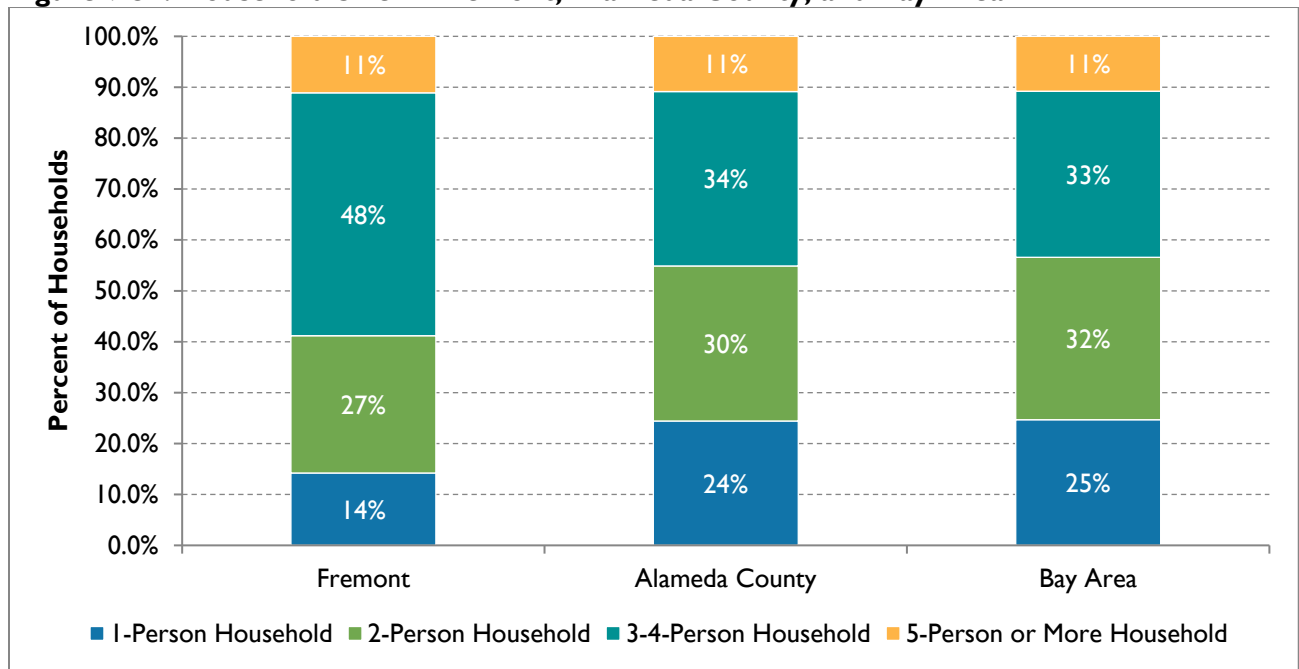
Figure 7-30. Percentage of Single-Person Households in the Bay Area Region



Source: HCD AFFH Data Viewer; US Census Bureau ACS 2015-2019

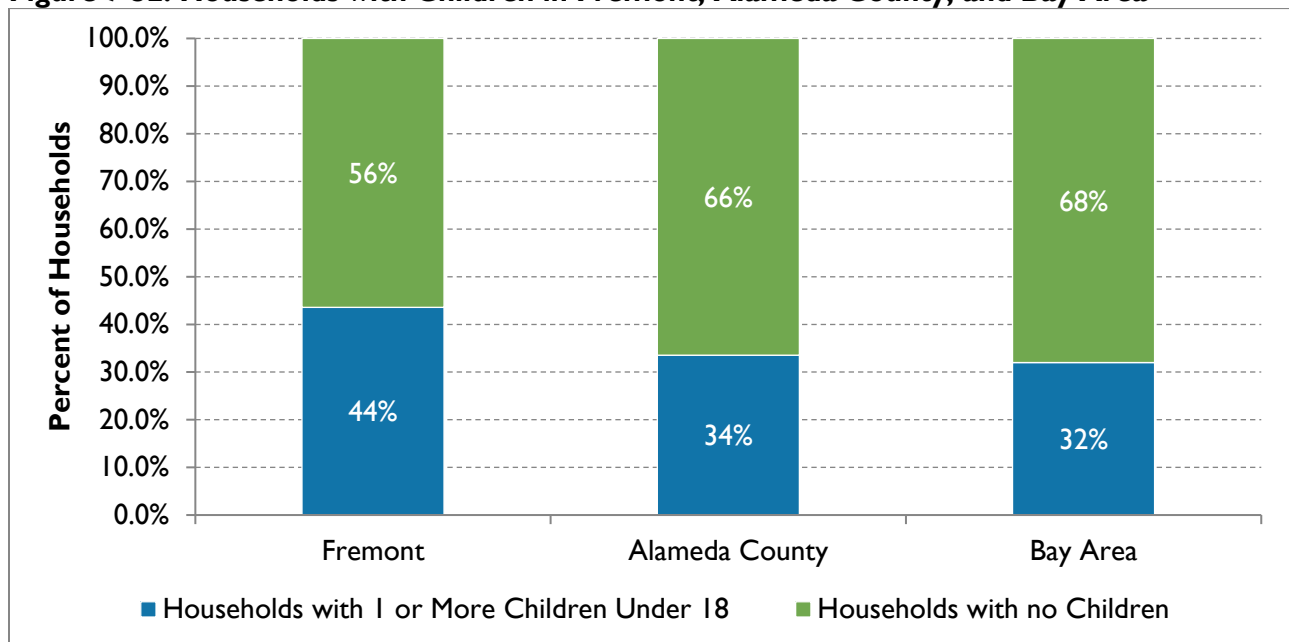
Consistent with this broader pattern, Fremont has a small percentage of single-person households (14%) compared to the region (25%) and a larger percentage of three or four person households (48%) compared to the region (33%). The proportion of two-person households is slightly below the regional proportion, while the number of five or more person households is even with the region. Corresponding with the larger number of three or four person households, Fremont also has a larger percentage of households with children under the age of 18 (44%) than the region (32%).

Figure 7-31. Household Size in Fremont, Alameda County, and Bay Area



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11016

Figure 7-32. Households with Children in Fremont, Alameda County, and Bay Area

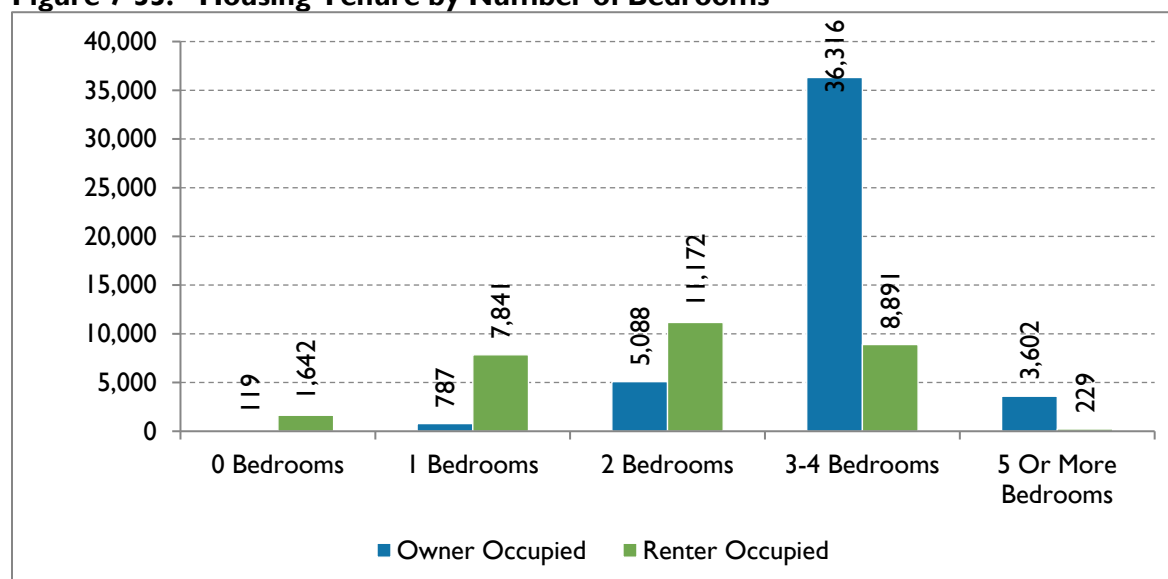


Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11005

Despite the larger percentage of households with children in Fremont, during community outreach staff heard that people with children, and particularly single parents, had a harder time finding rental housing in Fremont than individuals without children. Large families are generally served by housing units with 3 or more bedrooms, of which there are 49,038 units in Fremont. Among these large units with 3 or more bedrooms, 18.6% are renter-occupied and 81.4% are owner-occupied. The lack of rental units with enough bedrooms to accommodate families may explain why parents have a difficult time finding adequate rental housing.

Small households are typically served by studios or one-bedroom units. There are only 1,761 studios in Fremont and 8,628 one-bedroom homes. Approximately 91.3% of these are renter-occupied and 8.7% are owner-occupied.

Figure 7-33. Housing Tenure by Number of Bedrooms



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042

Fremont has more 3 to 4-bedroom houses than it has 3-4 person households. There are more 5+ person bedroom houses than there are 5+ bedroom households, indicating that larger families with greater than five people may have difficulty finding units to accommodate their families. There are also more one-person households than studio or 1-bedroom units. When considering that some two-person households may be couples who also may prefer a one-bedroom unit, the shortage of smaller units appears particularly acute. There are 31,164 households potentially in need of a one-bedroom unit and only 8,628 of those units available. The lack of small-size homes may explain the lack of single-person households in Fremont.

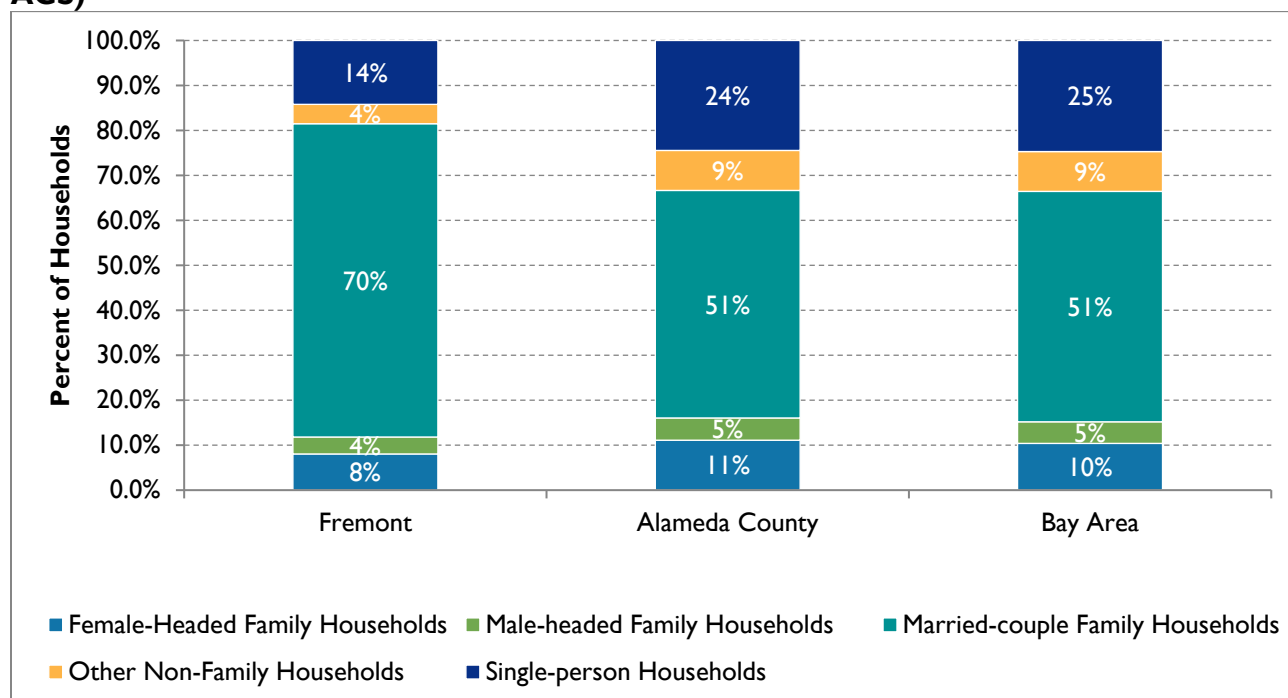
Table 7-13. Household Size and Unit Size Comparison

Household Size	Number	Unit Size	Number
1-Person	10759	0- or 1-Bedroom	10389
2-Person	20405	2-Bedroom	16260
3-4-Person	36125	3- or 4-Bedroom	45207
5+ Person	8398	5+ Bedroom	3831
TOTAL		TOTAL	

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042

Fremont has a higher percentage of married-couple family households than the Bay Area region. Fremont has fewer female-headed households and non-family households than the region. Female-headed households experience disproportionate housing difficulties due to the compounding challenges of being a single-income household given the systemic underpayment of women in the workforce. The low percentage of these households living within Fremont compared to the region may indicate that they are priced out of the community.

Figure 7-34. Household Type in Fremont, Alameda County, and Bay Area (2015-2019 ACS)



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11001

Notes: For data from the Census Bureau, a “family household” is a household where two or more people are related by birth, marriage, or adoption. “Non-family households” are households of one person living alone, as well as households where none of the people are related to each other.

Segregation by Household Type within Fremont

Given that Fremont has a small population of special household types, such as female-headed households and single-headed households, it is difficult to compare the geographic distribution of these groups within the city as they represent less than 10% of the population within most census tracts. Regional patterns of segregation that limit housing choices and affordability within Fremont for these groups play the largest role in explaining patterns of segregation by household type.

Existing Policies Influencing Segregation by Household Type

Policies in the 2015-2023 Housing Element encourage the production of both small and large units in order to facilitate housing opportunities for households of all sizes.

- Program 3.03-C: Continue to Encourage Development of Affordable Family and Larger Sized Units.

- Program 3.03-D: Explore Incentives to Encourage Development of Smaller, More Efficient Units for Single-Person and Small Households.

The previous housing element also contains policies to support the development of more affordable housing opportunities, which may create housing opportunities to address the challenges faced by female-headed family households. Policies to support the creation of more affordable housing units are discussed within the “Segregation by Income” chapter.

Proposed Policies to Address Segregation by Household Type

The 2023-2031 Housing Element aims to expand housing opportunities for single-person households in Fremont to reduce regional patterns of segregation for small households. Due to the imbalance of small housing units and small households in Fremont, the following policies are proposed to incentivize smaller units best suited for one- or two- person households:

- Program 24. Offer “Over the Counter” Type Plan Checks for Qualifying Residential Projects.
- Program 32. Expand Homeownership Opportunities within Existing Highest Resource Neighborhoods.
- Program 33. Add Intensity in High Resource Single-Family Neighborhoods within TODs.
- Program 34. Further Reduce Parking Requirements in TOD Areas
- Program 65. Facilitate Shared Housing Opportunities.
- Program 80. Monitor Incentives to Encourage Development of Smaller, More Efficient Units for Single-Person and Small Households.

An additional suite of policies aims to address the needs of large family households. These policies expand opportunities for existing homeowners to add onto their existing dwellings in order to accommodate large, growing, or intergenerational households. Additionally, they incentivize the creation of larger affordable housing units so that large families with lower incomes have equal access to housing within the City of Fremont. The specific policies benefiting large families include:

- Program 5. Comprehensive Review of Single-Family Residential Planned Districts.
- Program 60. Prioritize Development of Family Size Affordable Housing Units

SUMMARY OF KEY FINDINGS

- Within the Bay Area, small households primarily live within urban centers such as San Francisco, Oakland, and San Jose. Consistent with this pattern, Fremont has a relatively low percentage of single-person households compared to the region. This may be in part due to the low number of studio and one-bedroom units within the community.
- Within the Bay Area, married family households primarily live in suburban communities. Consistent with this pattern, Fremont has a relatively large percentage of married family households, and particularly married-family households with children, compared to the region.
- There are not enough single-person or female-headed households within Fremont to establish independent patterns of geographic segregation within the City. Segregation of single-person households likely matches geographic patterns of rental housing locations. Segregation of female-headed households likely follows patterns of income segregation within the community.

Disparities in Access to Opportunity

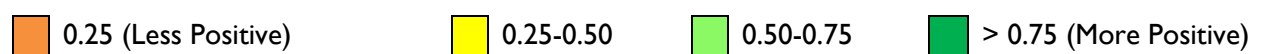
Access to opportunity is a concept to approximate place-based characteristics linked to critical life outcomes. Access to opportunity oftentimes means both improving the quality of life for residents of low-income communities, as well as supporting mobility and access to high resource neighborhoods. This section examines access to opportunity related to education, employment, and a healthy environment, and compares it to the geographic patterns of segregation previously discussed.

In February 2017, the Department of Housing and Community Development (HCD) and the California Tax Credit Allocation Committee (TCAC) convened a group of independent research organizations to create an opportunity map to identify “high opportunity” areas. The identified areas would indicate neighborhoods in every region of the state whose characteristics have been shown by research to support positive economic, educational, and health outcomes for low-income families, and particularly for children. This section draws significantly from that research, which is cited as the 2021 California Tax Credit Allocation Committee (TCAC) Opportunity Map. More information regarding the research is available online through UC Berkeley’s [Othering and Belonging Institute](#).

Access to Educational Opportunity

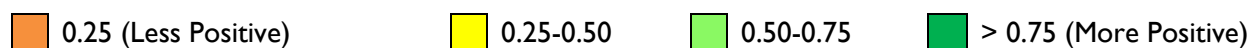
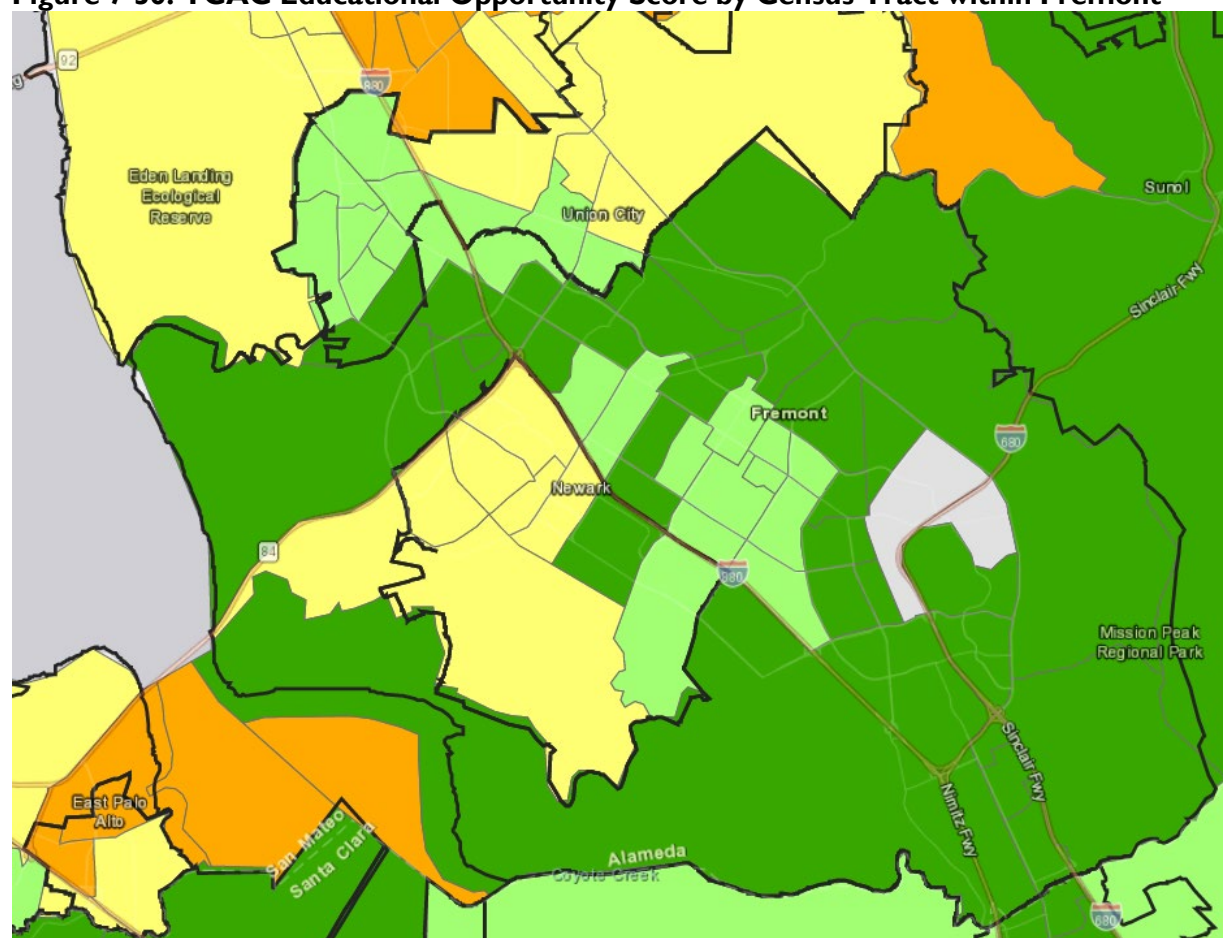
Within a regional context, Fremont is a community of educational opportunity. All areas of Fremont score as having positive educational outcomes, with most of the community within the highest positive outcomes. The positive educational outcomes in Fremont are contrasted by less positive educational outcomes in nearby jurisdictions with R/ECAPs, including Oakland, Hayward, and San Jose.

This map of California illustrates the distribution of three major vegetation types across the state. The Pacific Ocean is visible to the west. Major cities and regions are labeled, including San Francisco, San Jose, Los Angeles, and San Diego. The map shows that evergreen forest (dark green) is concentrated in the coastal regions and the Sierra Nevada mountains. Oak woodland (orange) is found in the Central Valley and the Sacramento-San Joaquin River Delta. Grassland (yellow) is primarily located in the Central Valley and the southeastern part of the state.



Source: HCD AFFH Data Viewer; 2021 California Tax Credit Allocation Committee (TCAC) Opportunity Map

Figure 7-36. TCAC Educational Opportunity Score by Census Tract within Fremont



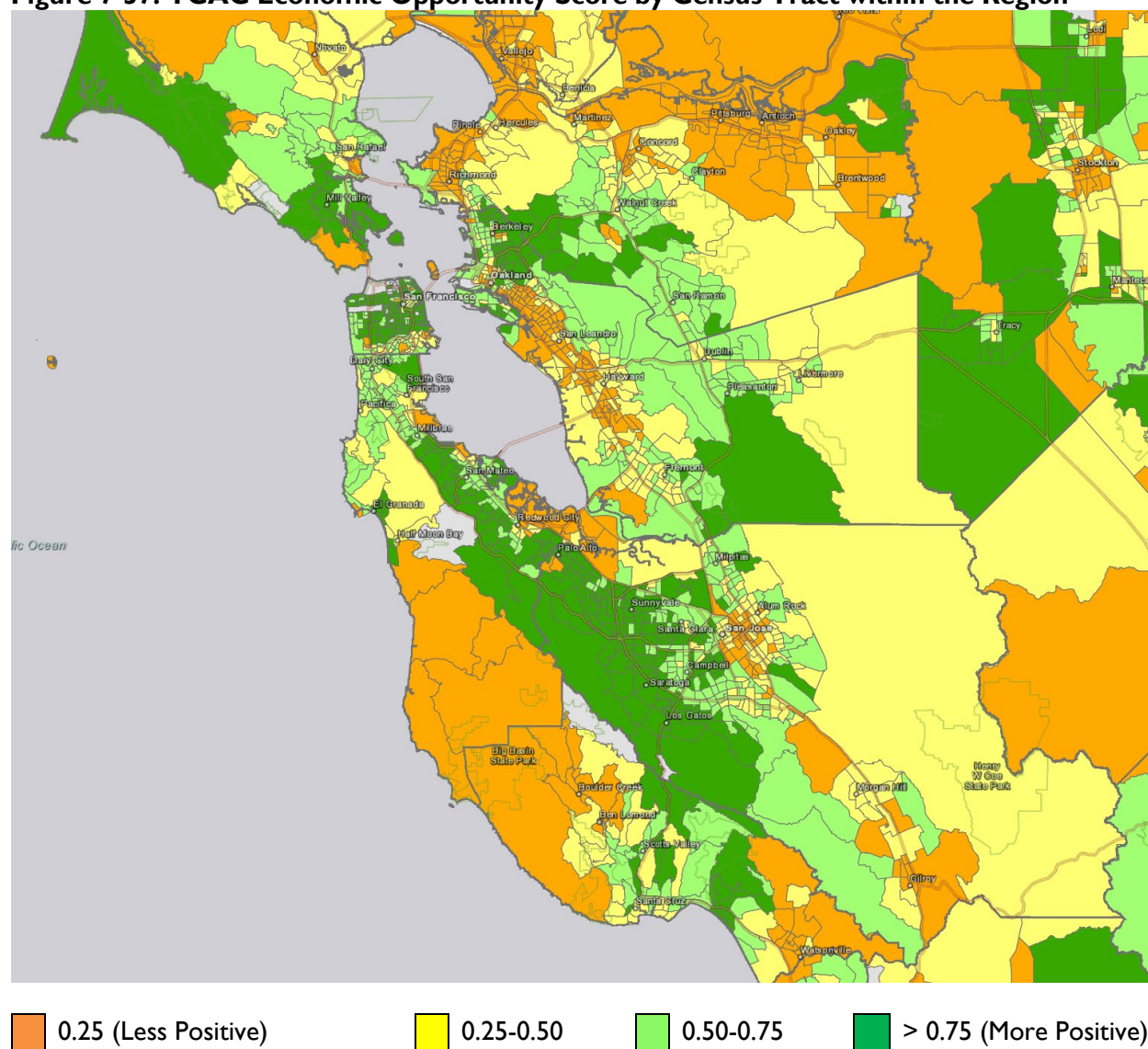
Source: HCD AFFH Data Viewer; 2021 California Tax Credit Allocation Committee (TCAC) Opportunity Map

Areas of less-positive educational opportunity within Fremont do not correspond to a concentration of any racial group. Both majority-White and majority-Asian tracts are represented in less-well-performing schools. Many tracts identified with less-positive educational opportunities are also those with a higher percentage of LMI population. One of three tracts with a more sizable disabled population is included as a less-positive-opportunity school tract, and the other two are within highest-opportunity tracts. Lastly, the one tract within Fremont with more than 10% of families with a female head-of-household is also one of the tracts with less-positive educational outcomes.

Access to Economic/Employment Opportunity

There is significant economic opportunity within the Bay Area, and within Fremont. Regionally, areas with the highest economic opportunity include northern San Francisco, Berkeley, north Oakland, and the southern San Francisco Peninsula (“Silicon Valley”). Areas with lower economic opportunity include the North Bay Area, southeast Oakland, and east San Jose, as well as rural areas outside of the urban core of the Bay Area. These areas of low economic opportunity typically correspond to areas of high segregation and poverty. Areas of low economic opportunity tend to have higher proportions of Black and Latinx residents and higher proportions of LMI residents.

Figure 7-37. TCAC Economic Opportunity Score by Census Tract within the Region

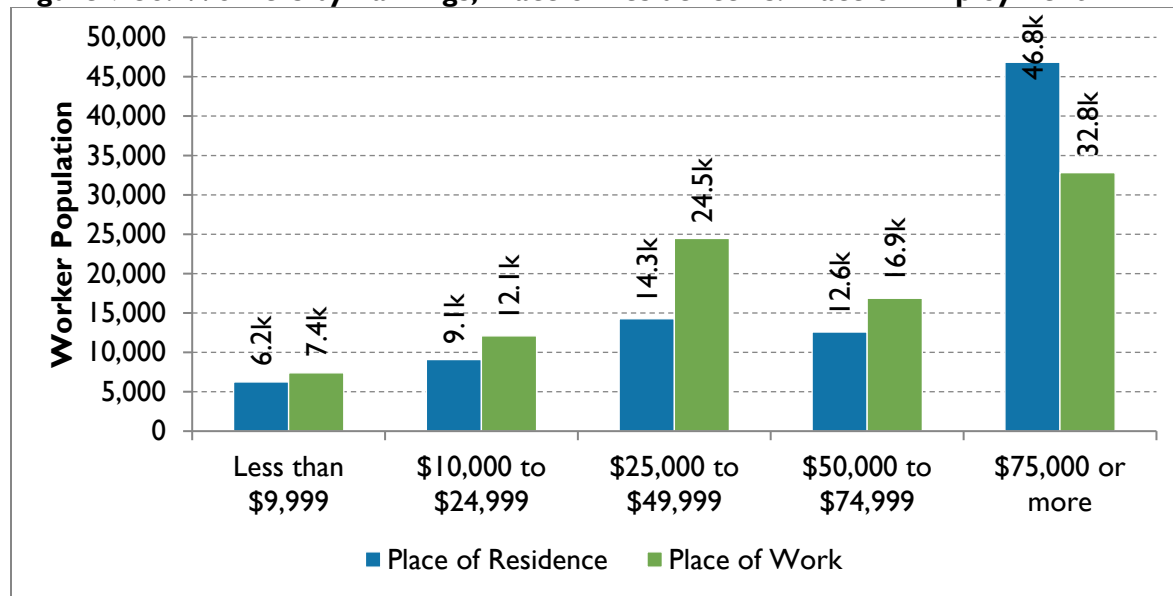


Source: HCD AFFH Data Viewer; 2021 California Tax Credit Allocation Committee (TCAC) Opportunity Map

The relationship between economic opportunity and housing affordability is one of many factors that influences regional settlement and commuting patterns. Within the Bay Area region, Fremont is a net importer of lower-income workers and a net exporter of higher-income workers. Fremont also has more high-income residents than high-paying jobs, and more low-wage jobs than low-wage residents. This discrepancy is most pronounced in the middle-income brackets (\$25,000 to \$75,000 a year). This suggests that lower- and middle- income workers may be commuting into Fremont from other jurisdictions because they cannot find suitable housing options within the city.

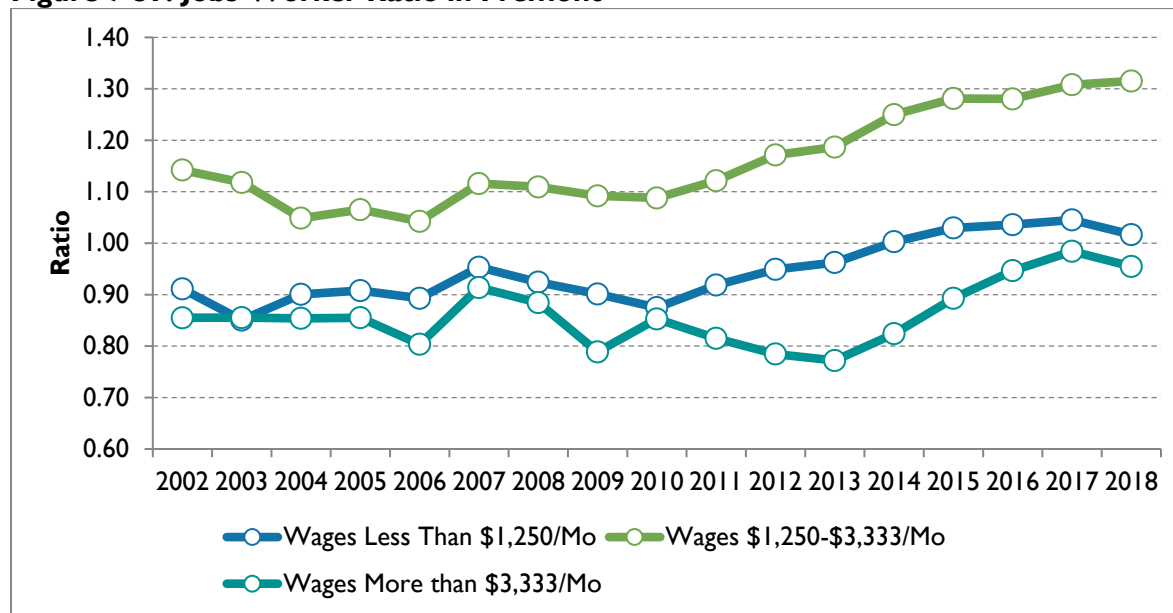
This same trend is also shown in a disaggregation of the jobs-worker ratio, which compares job counts by wage group from counts by place of work relative to counts by place of residence. While the jobs-worker ratio has been increasing across all groups prior to 2017, there is a greater imbalance of mid-wage jobs to mid-wage residents (wages \$1,250-\$3,333 a month).

Figure 7-38. Workers by Earnings, Place of Residence vs. Place of Employment



Source: U.S. Census Bureau, American Community Survey 5-Year Data 2015-2019, B08119, B08519

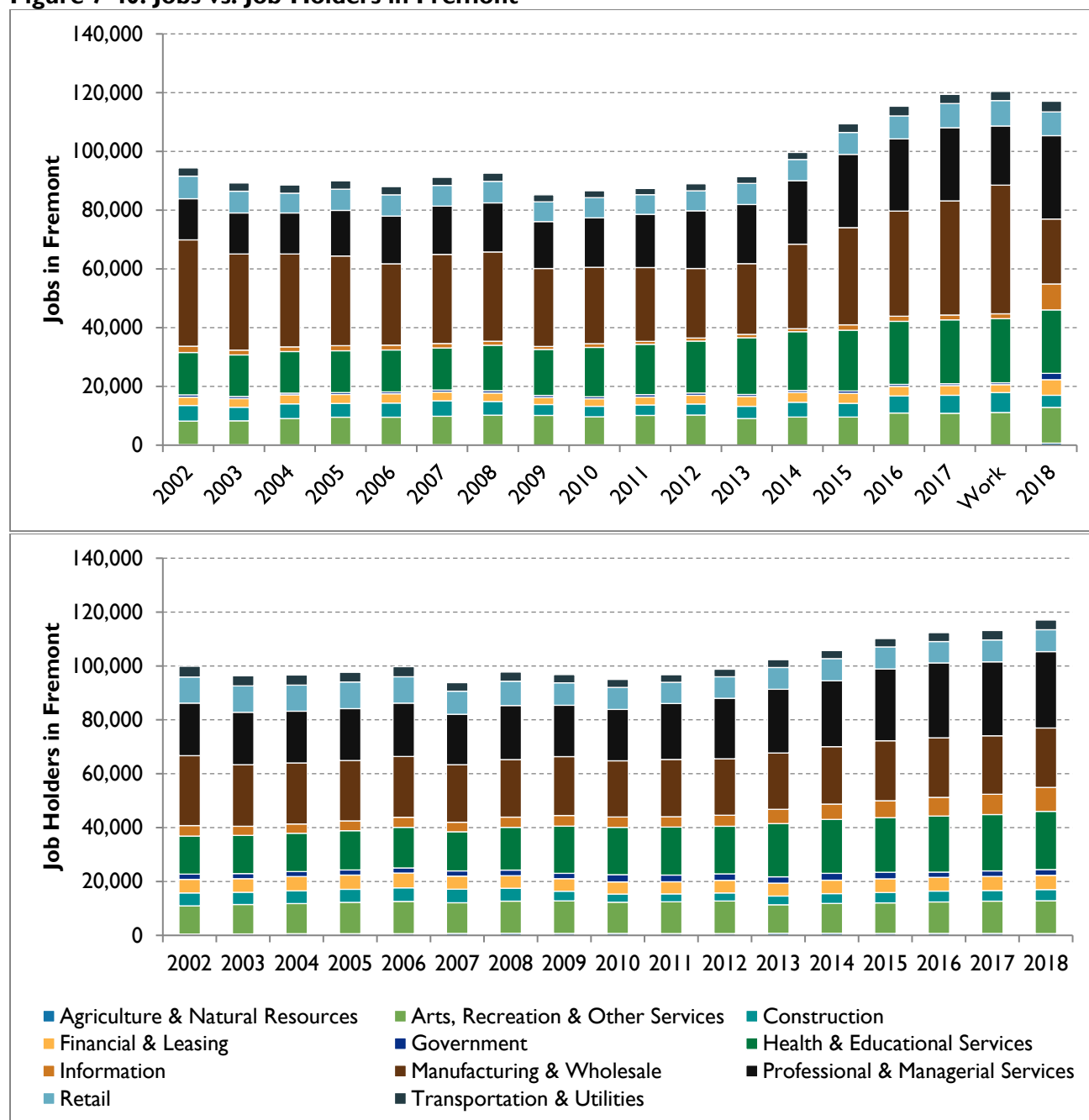
Figure 7-39. Jobs-Worker Ratio in Fremont



Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs); Residence Area Characteristics (RAC) files (Employed Residents), 2010-2018

The types of jobs available within a city impact the likely wage earnings of employees. There are significantly more manufacturing jobs (43,793 in 2018) within Fremont than residents who work in this industry (22,092 in 2018). There are also significantly more residents who work in Information (8,853 in 2018) than jobs in information in the jurisdictions (1,652 in 2018). There are more residents who work in Agriculture, Construction, Financial Services, Government, and Professional/Managerial Services than there are jobs within those industries in Fremont, although by smaller margins.

Figure 7-40. Jobs vs. Job-Holders in Fremont



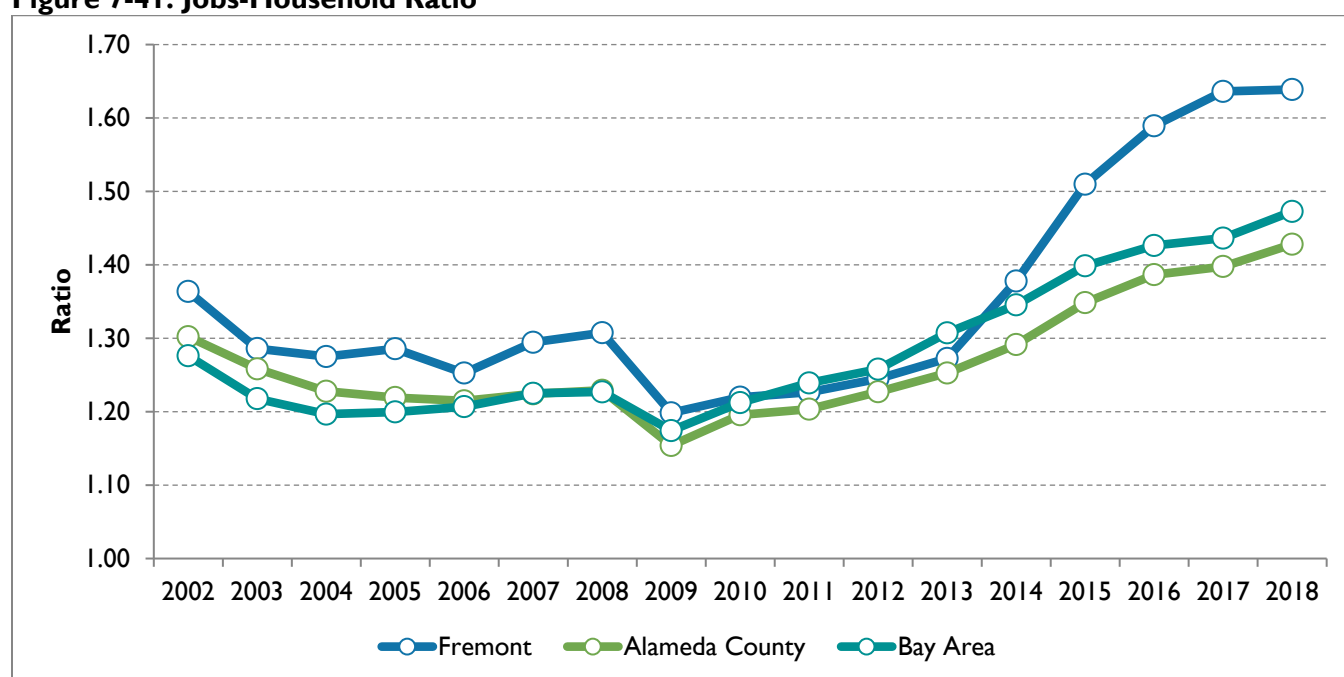
Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Residence Area Characteristics (RAC) files, 2002-2018.

Notes: The source data is at the census block level. These are crosswalked to jurisdictions and summarized. For both charts: Industry groupings are as follows: NAICS 11, 21->Agriculture & Natural Resources; 71, 72, 81->Arts, Recreation & Other Services; 23->Construction; 52, 53->Financial & Leasing; 92->Government; 61, 62->Health & Educational Services; 51->Information; 31-33, 42->Manufacturing & Wholesale; 54, 55, 56->Professional & Managerial Services; 44-45->Retail; 22, 48-49->Transportation & Utilities

The jobs-housing ratio is one of many measurement tools used to capture the overall balance of the housing and job markets within a community. A high jobs-household ratio may indicate that the jurisdiction has a high level of economic opportunity but are not producing housing units at a sufficient rate required to keep pace with economic growth. This mismatch can lead to limited housing choices and availability, particularly for lower-income households who may be priced out of a competitive housing market. This can, in turn, deepen existing historical patterns of racial and income segregation.

Fremont has a high jobs-household ratio compared to Alameda County and the Bay Area, indicating that there are more jobs within the jurisdiction than there are housing units. As of 2018, there were approximately 1.64 jobs in Fremont for every household. The pronounced increase in the jobs-housing ratio between 2014 and 2018 correlates with an expansion of jobs within the community, as shown in Figure 7-40. An increase in the jobs-housing ratio suggests that Fremont was not producing sufficient housing units to match the amount of need created by the economic growth.

Figure 7-41. Jobs-Household Ratio



Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs), 2002-2018; California Department of Finance, E-5 (Households)

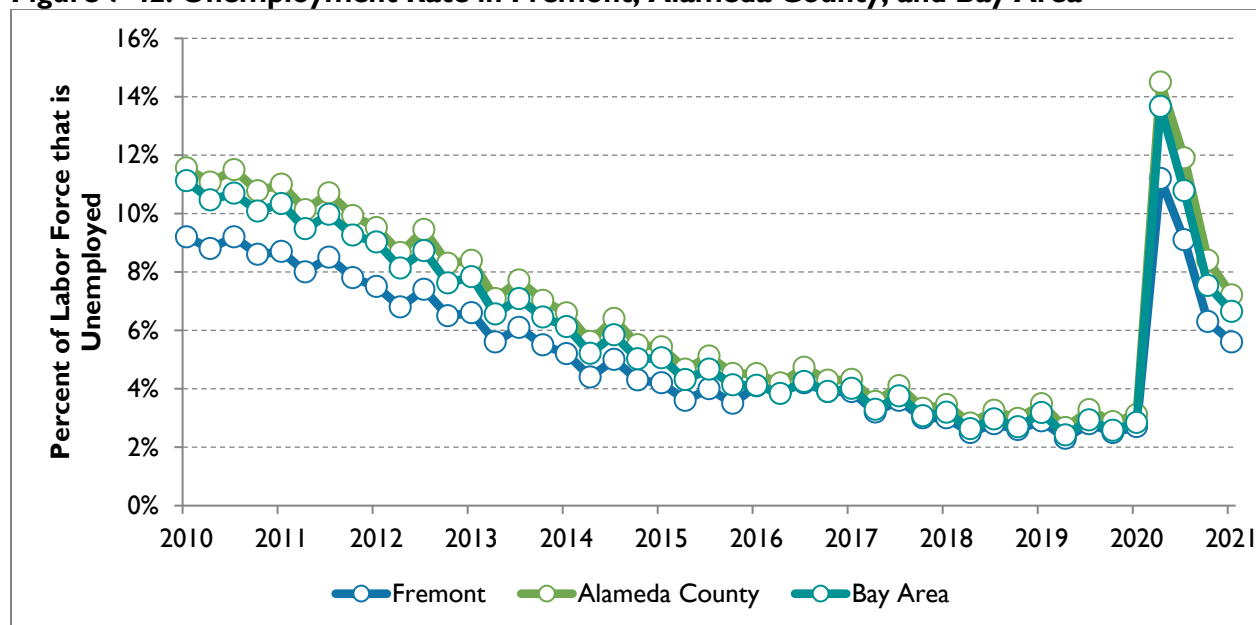
Notes: -The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized.

-The ratio compares place of work wage and salary jobs with households, or occupied housing units.

-A similar measure is the ratio of jobs to housing units. However, this jobs-household ratio serves to compare the number of jobs in a jurisdiction to the number of housing units that are actually occupied. The difference between a jurisdiction's jobs-housing ratio and jobs-household ratio will be most pronounced in jurisdictions with high vacancy rates, a high rate of units used for seasonal use, or a high rate of units used as short-term rentals.

Indeed, Fremont is - and has historically been - a community with significant economic opportunity. Fremont has consistently had a lower unemployment rate compared to Alameda County and the Bay Area. This trend is most noticeable during economic downturns. However, Fremont's low unemployment rate does not hold across all groups. Approximately 8% of the population with a disability was unemployed, compared to 3% of the non-disabled population.

Figure 7-42. Unemployment Rate in Fremont, Alameda County, and Bay Area

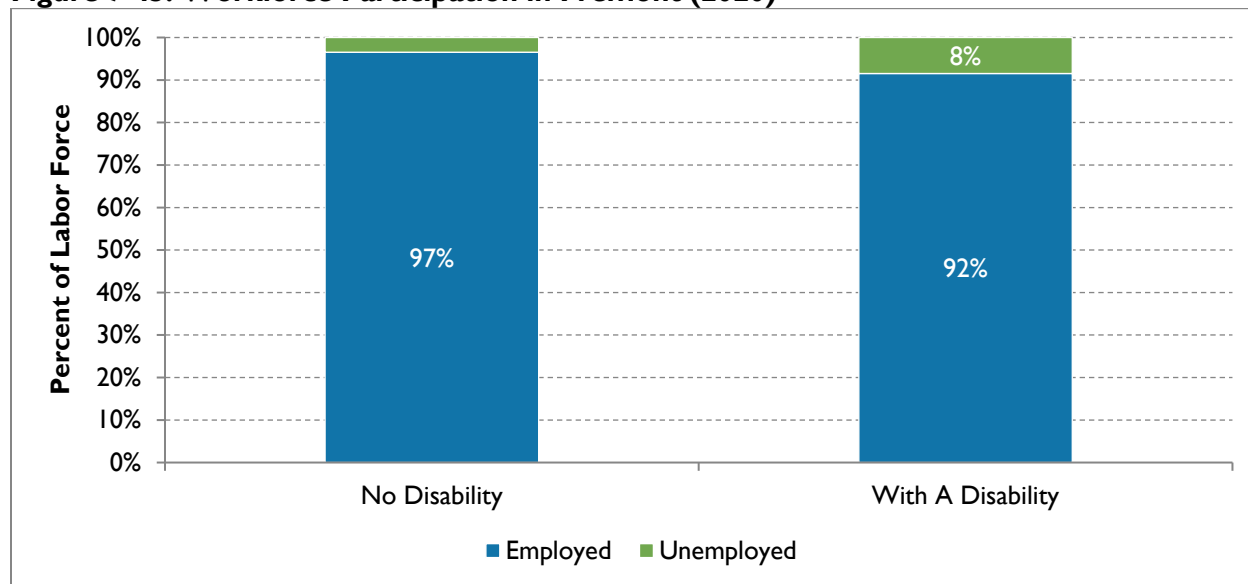


Source: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021.

Notes: -Unemployment rates for the jurisdiction level is derived from larger-geography estimates. This method assumes that the rates of change in employment and unemployment are exactly the same in each sub-county area as at the county level. If this assumption is not true for a specific sub-county area, then the estimates for that area may not be representative of the current economic conditions. Since this assumption is untested, caution should be employed when using these data.

-Only not seasonally-adjusted labor force (unemployment rates) data are developed for cities and CDPs.

Figure 7-43. Workforce Participation in Fremont (2020)



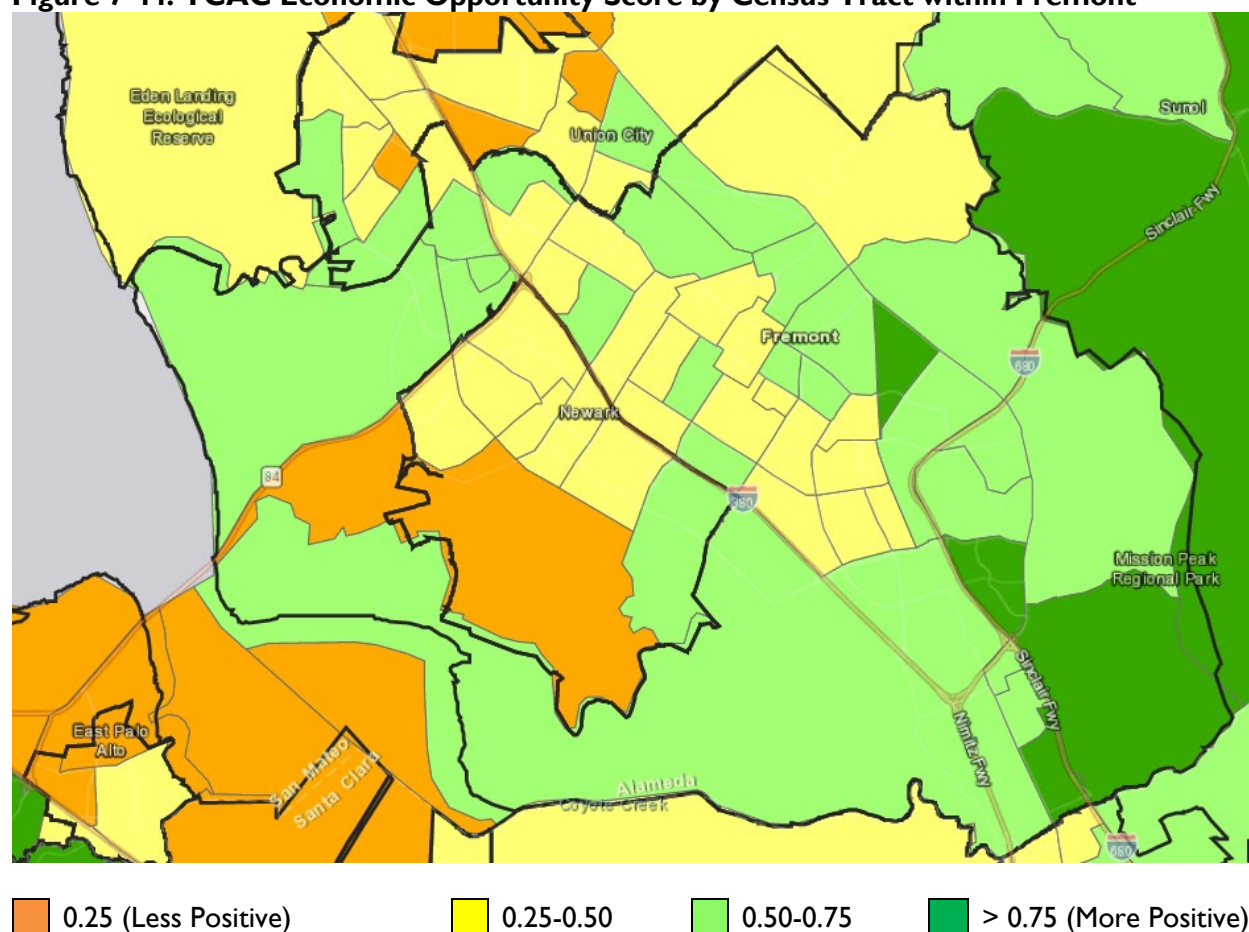
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C18120

Notes: The census considers individuals to not be in the labor force if they are not employed and are either not available to take job or are not looking for one. This category typically includes discouraged workers, students, retired workers, stay-at-home parents, and seasonal workers in an off season who are not looking for work.

Within Fremont, areas with the highest amount of economic opportunity are located in South Fremont. Other areas of more positive economic opportunity include Ardenwood, Mission San Jose, the Mission Boulevard corridor, and areas in proximity to Fremont BART. Areas of lower economic opportunity include much of suburban, central Fremont.

While areas of higher economic opportunity are in the Asian-majority, higher-income neighborhoods in South Fremont, areas of low economic opportunity do not correspond to a concentration of any racial group. Many tracts identified with less economic opportunities are also those with a higher percentage of LMI population. All three tracts with a more sizable disabled population are considered lower economic opportunity tracts. The one tract within Fremont with more than 10% of families with a female head-of-household is one of the tracts with positive economic outcomes.

Figure 7-44. TCAC Economic Opportunity Score by Census Tract within Fremont



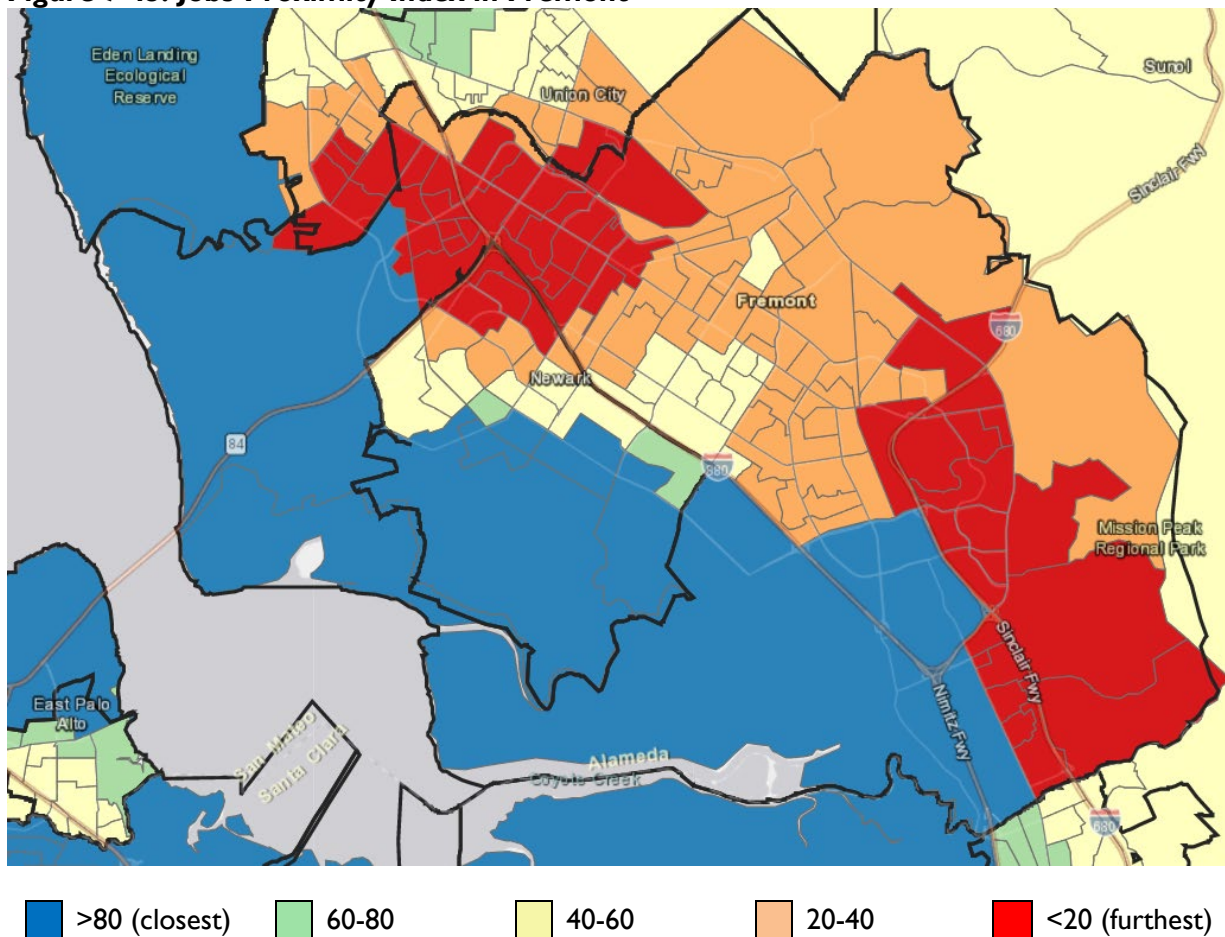
Source: HCD AFFH Data Viewer; 2021 California Tax Credit Allocation Committee (TCAC) Opportunity Map

The areas closest to jobs within the City of Fremont are located within the City's industrial districts in the Ardenwood and Bayside Industrial neighborhoods. These areas have moderate-to-high economic opportunity. In 2015, the City Council adopted the Warm Springs/South Fremont Community Plan, which called for the development of a high-density mixed-use neighborhood near the new Warm Springs/South Fremont BART Station. The Community Plan envisions a mix of housing units and employee-dense, high-tech uses within the Plan area in order to facilitate a neighborhood-level jobs-housing balance. There is still significant development residential development potential within the Community Plan area. Within

the next planning period, approximately 2,200 units (approximately 17% of all inventory units) are planned within this area. In addition to its proximity to transit, the Warm Springs area has both high economic opportunity and closest proximity to jobs. Therefore, prioritizing units within the Community Plan Area would further access to economic opportunity. A more substantial discussion of how the sites inventory adds housing units within areas of economic opportunity can be found on page 7-99.

In other areas of Fremont, the locations with the highest amount of economic opportunity are also the furthest from employment. These areas are typically low-density residential neighborhoods within the Hill Area in South Fremont. Areas with a slightly higher proximity to jobs are located within Central Fremont. However, these areas are typically correlated with areas of lower economic opportunity, indicating that the nearby jobs are not necessarily high-quality jobs that provide economic advancement.

Figure 7-45. Jobs-Proximity Index in Fremont



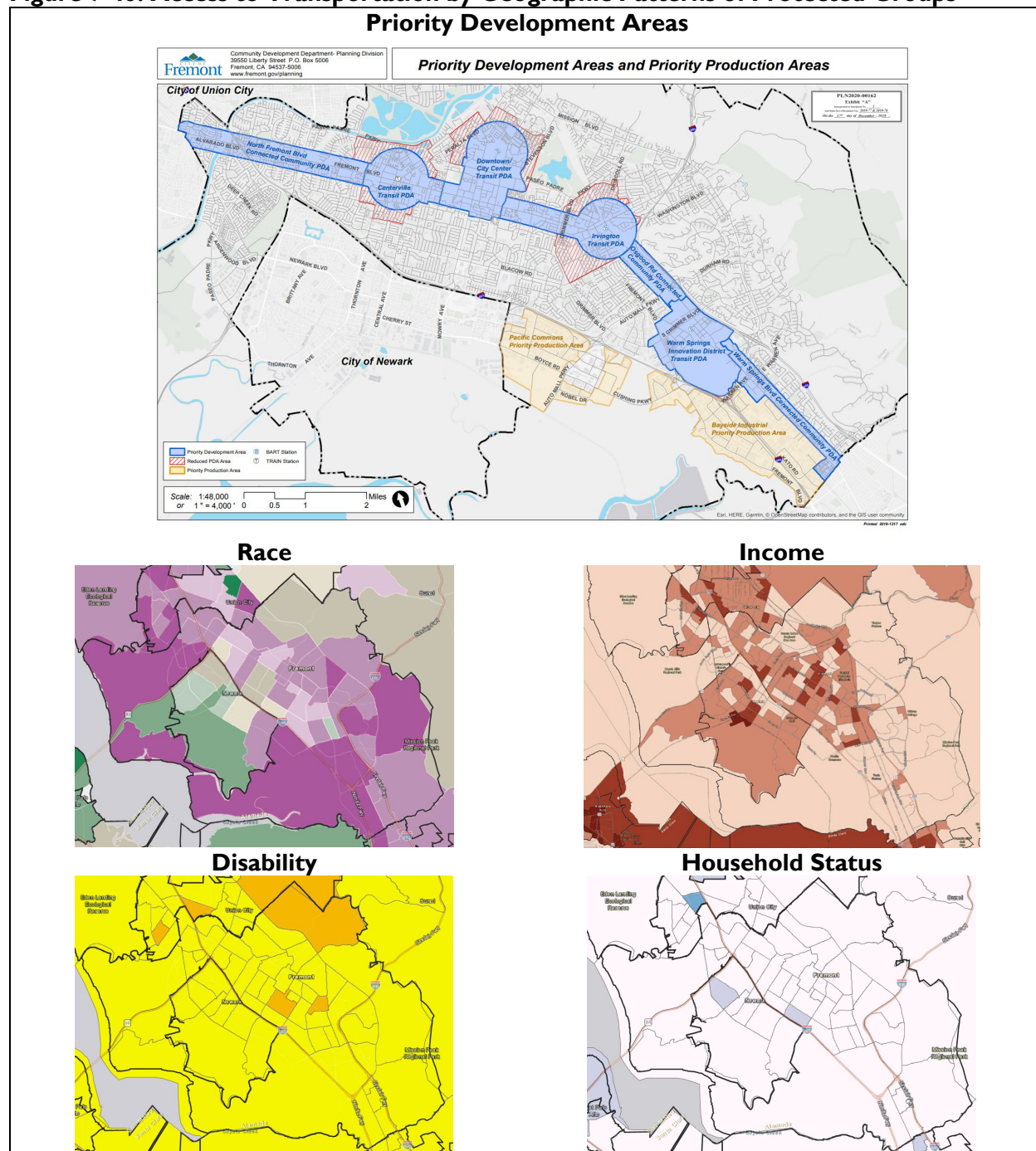
Source: HCD AFFH Data Viewer; Longitudinal Employer-Household Dynamics (LEHD) data, 2014.

Access to Transportation and Mobility

Regionally, Fremont has quality access to transit. The City has two existing BART stations (Central Fremont and Warm Springs/South Fremont), one planned and funded BART Station (Irvington), and one Amtrak/ACE Station (Centerville). The City has designated areas within a half-mile proximity to these four stations as “Transit Oriented Development” (TOD) districts. Additionally, the vast majority of the City is located within a half-mile walking distance to at least one bus stop operated by Alameda Contra

Costa (AC) Transit.⁶ Bus service is particularly frequent along the north-south spine created by Fremont Boulevard, Osgood Road, and Warm Springs Boulevard. Together, the four transit stations and bus transit spine comprise the City's Priority Development Areas (PDAs). More than 75% of new housing units planned within this Housing Element sites inventory would be located on sites within these PDAs.

Figure 7-46. Access to Transportation by Geographic Patterns of Protected Groups
Priority Development Areas



Source: Refer to detailed graphs earlier in the analysis for underlying data on base maps. Areas within a half-mile of a major transit stop identified by the City of Fremont Planning Division.

⁶ Based on analysis conducted by the City of Fremont Planning Division.

Most of Fremont's PDAs are located within communities that are majority-Asian, which is reflective of the overall demographics of the City. These neighborhoods also have a higher percentage of LMI population. Tracts with a higher proportion of people with disabilities are not located closer or further from transportation options than other populations in the City.

The City's ongoing investments in mobility infrastructure are guided by the vision of the Mobility Element of the General Plan as well as its subsidiary plans including the Bicycle Master Plan, Pedestrian Master Plan, and Trails Strategy Plan. Every two years, the Public Works Department leads production of a Capital Improvement Program (CIP) that plans specific investments to maintain and improve the City's infrastructure related to transportation, parks, and civic facilities. The sources of funds that support the CIP include County and state transportation taxes; grants; City Development Impact Fees; and allocations from the City General Fund. The most recent CIP was adopted by City Council in June 2021. Program 6 documents the City's commitment to passing an updated CIP every two years that includes funding for the maintenance, repair, and upgrade of public facilities in residential neighborhoods.

Within the next planning period, major multi-agency transportation investments are planned within designated PDAs. Particularly significant projects include the State Route 262 upgrade in Centerville; the construction of the Irvington BART Station in Irvington; and multimodal transportation projects on Fremont Boulevard in Centerville and Downtown. These transportation investments will utilize a variety of state, federal and local funding sources to improve road safety and expand transportation options within existing majority-LMI neighborhoods.

Additional investments are planned to bicycle and pedestrian facilities. The Bicycle Master Plan, which was adopted in 2018, identifies a priority network of "low stress" bicycling corridors comprised of facilities that are either on low traffic volume roadways or physically separated from traffic. These facilities are designed to appeal to the large percentage of bike riders that are interested in bicycling for transportation and recreation but concerned about the safety of riding with high-speed traffic. Nine near-term projects were identified in the Bicycle Master Plan to build out the backbone of the City's bicycle system. These projects are largely planned within the City's PDAs and majority-LMI neighborhoods. These projects will be prioritized for funding within the next planning period.

Table 7-14: Major Planned Bicycle Infrastructure Projects

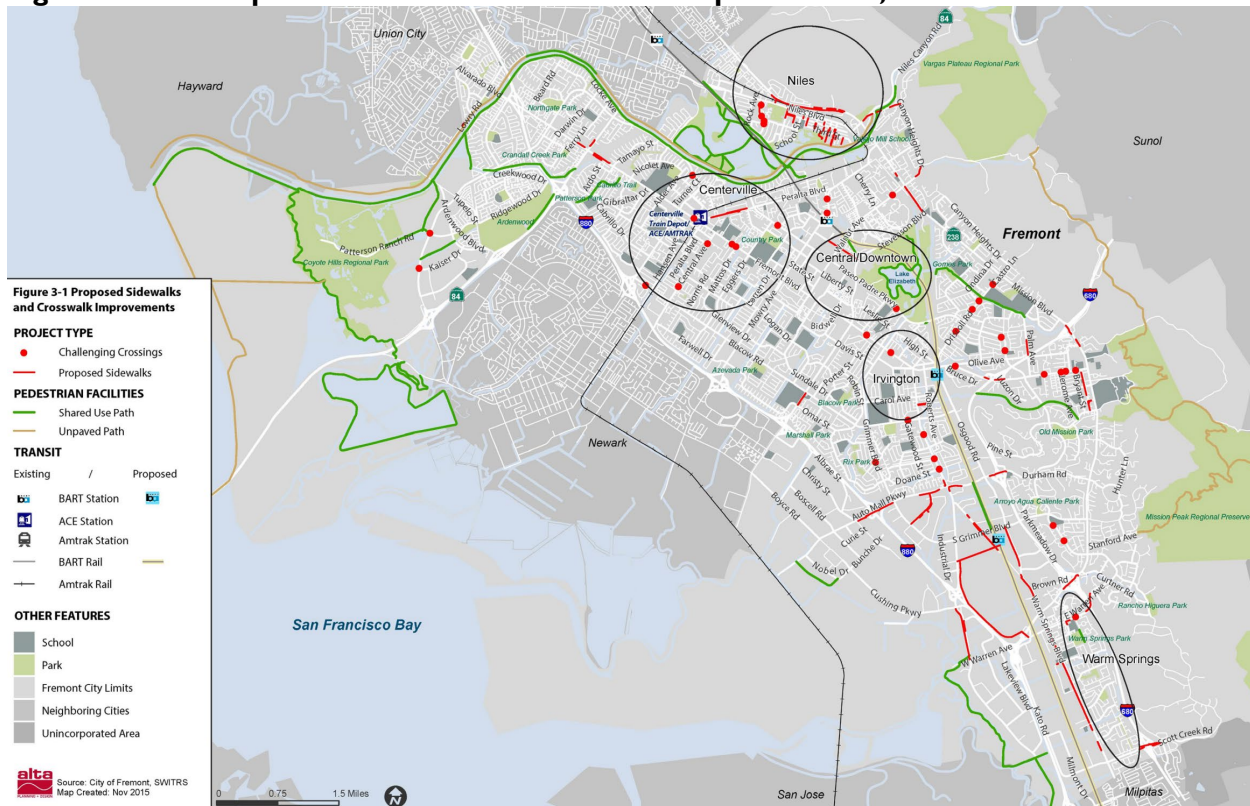
Project	Neighborhoods	PDA?	Majority LMI?*
Dumbarton Bridge to Quarry Lakes	Cabrillo, Brookvale	No	No
Central-Peralta	Parkmont, Centerville	Yes	Yes
Walnut-Sundale	Central/Downtown	Yes	Yes
Grimmer	South Sundale, Blacow, Grimmer	No	Yes
Fremont-Washington	Centerville, Downtown, Irvington	Yes	Yes
Niles-City Center-Mission	Downtown	Yes	Yes
Warm Springs	Warm Springs	Yes	No
Stevenson	Central, Sundale	Yes	Yes
Paseo Padre	Centerville, Parkmont, Central	Yes	Yes

* Indicates that planned improvement is located within or adjacent to a majority LMI household tract

The Pedestrian Master Plan, adopted by City Council in 2016, identifies and prioritizes updates to trails, sidewalks, and crosswalks throughout the City. The majority of these upgrades are planned to occur within the neighborhoods of Niles, Centerville, and Mission San Jose. The top five prioritized projects include "complete streets" projects within Centerville and Central Fremont, as well as a sidewalk construction project in Niles. The complete streets projects will serve to improve traffic safety within

majority-LMI TOD areas, while the Niles crosswalk project would provide greater accessibility to one the neighborhoods with the highest proportion of disabled residents within the City.

Figure 7-47.5: Proposed Sidewalk and Crosswalk Improvements, Pedestrian Master Plan

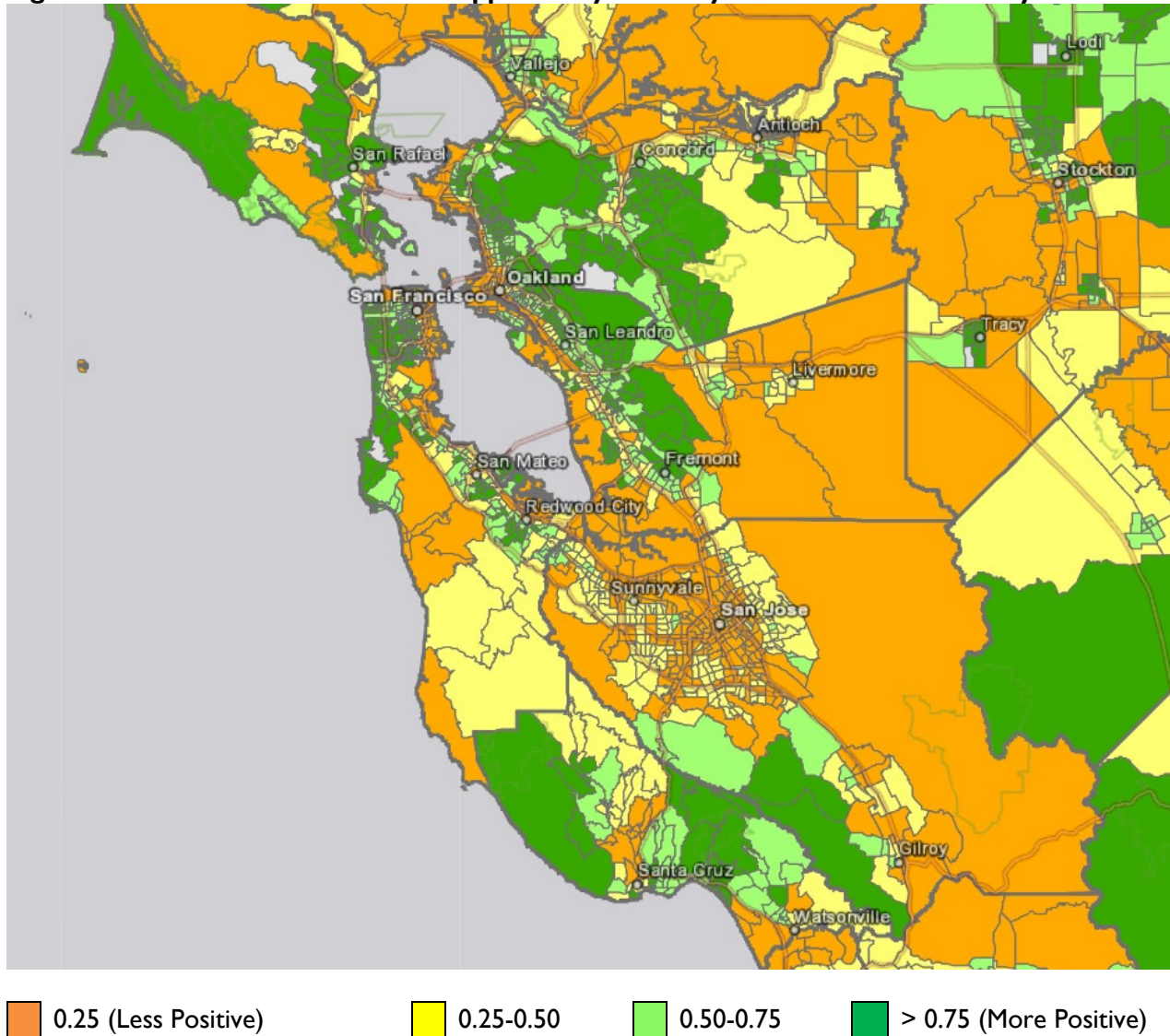


The City’s planned investments within its PDAs span transportation, bicycle, and pedestrian infrastructure. These are also the neighborhoods in which the Housing Element envisions substantial private investment in the creation of new housing. As discussed, these neighborhoods currently have a higher percentage of LMI households than other areas of the city. It will be essential for the City to put in place strong anti-displacement policies that enable existing residents to remain in these neighborhoods when additional investment occurs. A key goal of the 2023-2031 Housing Element is to “Help Current Residents Maintain Stable and Safe Housing in Fremont” (Goal #2). This includes three policies and ten specific programs to prevent both direct and indirect displacement in neighborhoods that are expected to see significant investment within the upcoming planning period.

Access to Environmental Opportunity

Regionally, environmental opportunity generally corresponds to areas that are located away from freeways and industrial point-sources of pollution. Figure 7-47 shows an environmental opportunity score by census tract within the Bay Area.

Figure 7-47. TCAC Environmental Opportunity Score by Census Tract in the Bay Area

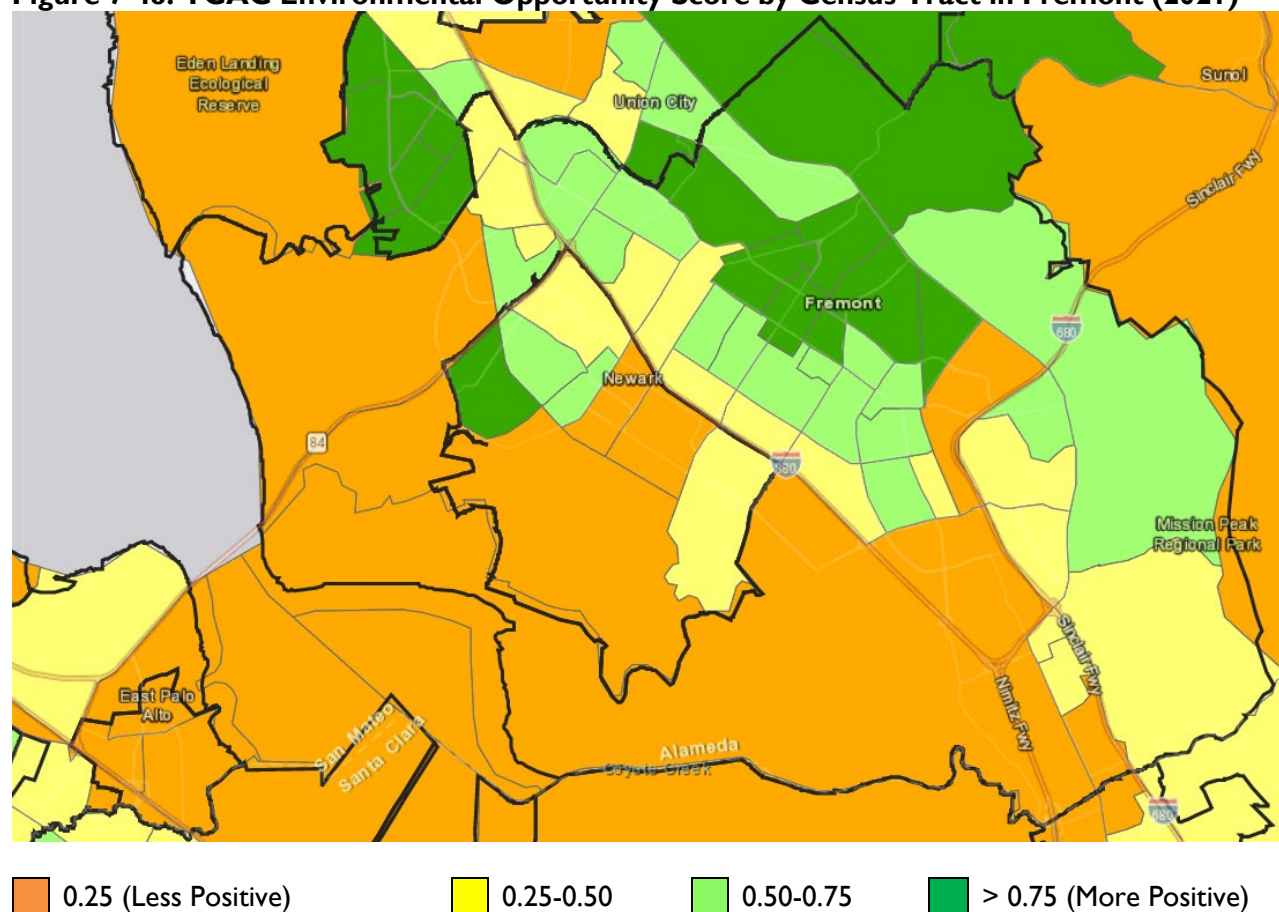


Source: HCD AFFH Data Viewer; 2021 California Tax Credit Allocation Committee (TCAC) Opportunity Map

Areas of high environmental opportunity are generally located on the west side of San Francisco, within coastal Marin County, in the greater Santa Cruz area, and within the East Bay Hills. Significant portions of Fremont, particularly within Niles and Central Fremont, have positive environmental outcomes. Areas of lower environmental opportunity correspond to heavily urbanized areas within the urban core of the Bay Area as well as more rural communities surrounding Livermore, San Jose, and Gilroy. Areas of South Fremont with a high concentration of industrial uses have less positive environmental outcomes.

Within Fremont, there is a significant gradient of access to environmental opportunity. Areas closest to the industrial districts, I-880, and I-680 freeways have the most negative environmental outcomes. As one moves further from industrial areas and major regional transportation corridors, environmental opportunity improves. Niles, Downtown/Central Fremont, and Brookvale have the highest environmental outcomes in the City.

Figure 7-48. TCAC Environmental Opportunity Score by Census Tract in Fremont (2021)



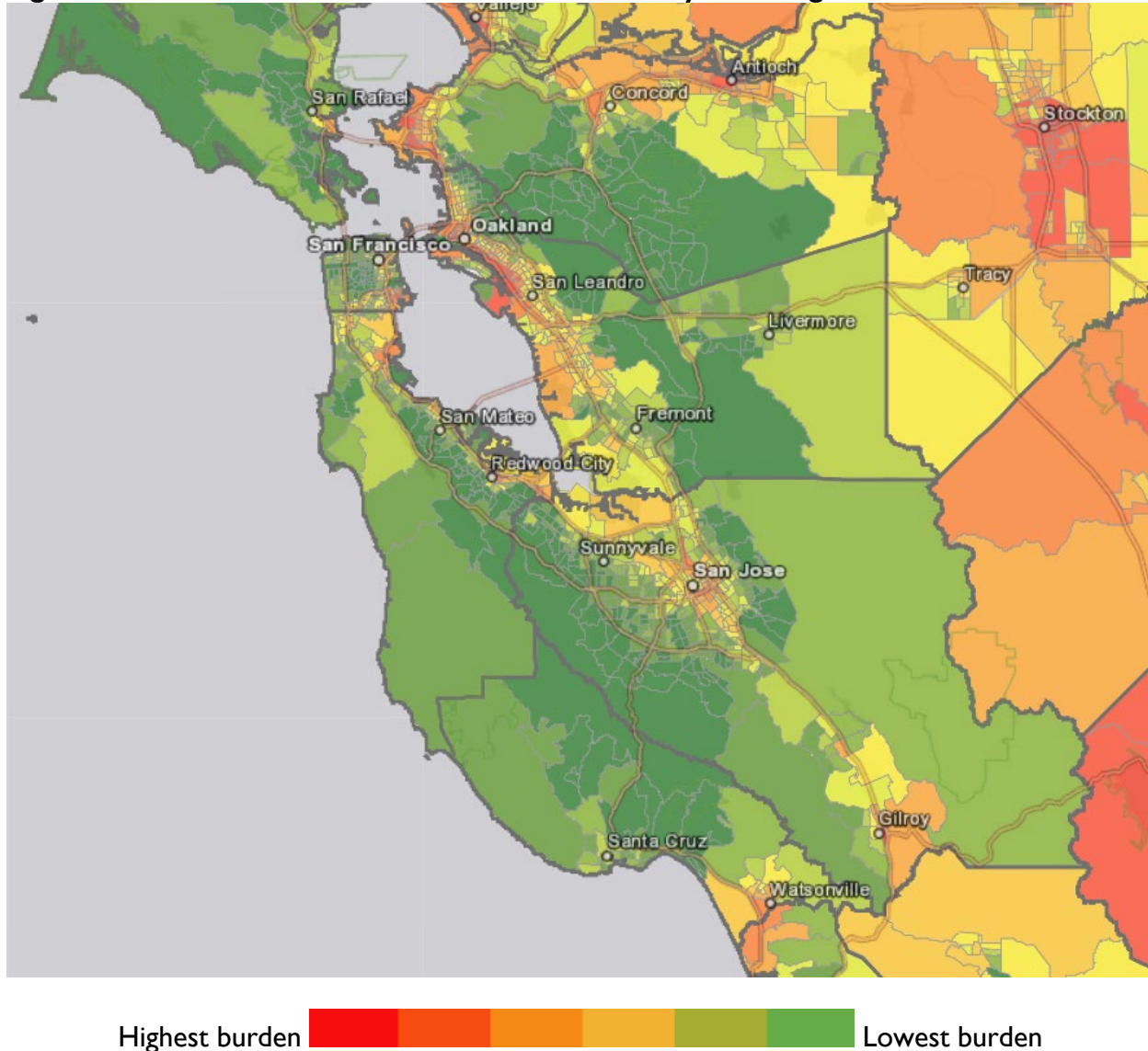
Source: HCD AFFH Data Viewer; 2021 California Tax Credit Allocation Committee (TCAC) Opportunity Map

Within Fremont, environmental opportunity does not appear to be strongly correlated to race or income. Areas with low economic opportunity include White-majority and Asian-majority neighborhoods. Many areas with high environmental opportunity have a larger LMI population, particularly within the Central/Downtown neighborhoods. Tracts with a higher percentage of people with disabilities tend to have higher environmental opportunity.

Another tool used to assess environmental opportunity is CalEnviroScreen, which is a mapping tool produced by the state Office of Environmental Health Hazard Assessment that identifies California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects. CalEnviroScreen utilizes environmental, health, and socioeconomic information to produce scores for every census tract in the state. Due to the variety of factors that it analyzes, CalEnviroScreen is a more comprehensive metric of environmental opportunity.

Like the TCAC opportunity map, areas with higher concentrations of poverty and higher environmental burden, including southeast Oakland, Richmond, Vallejo, and Stockton, have the lowest CalEnviroScreen scores. However, regional patterns in high environmental quality are different on the CalEnviroScreen map than the TCAC opportunity map. CalEnviroScreen shows universally higher environmental quality within communities closer to the coast of the Pacific Ocean and within rural communities in the Santa Cruz Mountains and East Bay Hills. Similarly, Fremont ranks higher in environmental quality on the CalEnviroScreen index than the TCAC index. Given the emphasis on socioeconomic and environmental factors in the CalEnviroScreen score, these higher values may indicate that socioeconomic opportunity can improve environmental health outcomes in higher-income communities.

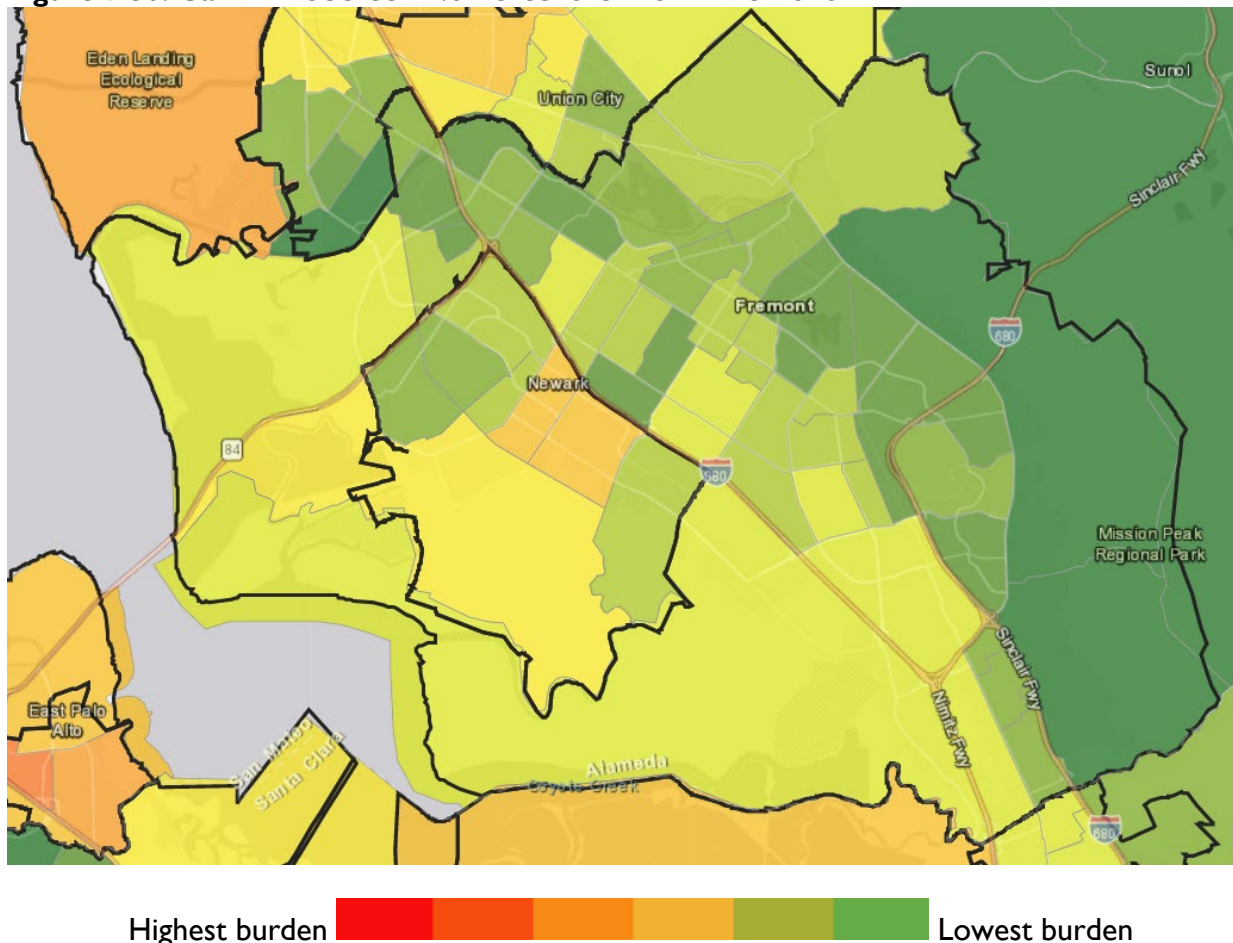
Figure 7-49. Cal EnviroScreen 4.0 Percentile in the Bay Area Region



Source: CalEnviroScreen 4.0, February 2021

The CalEnviroScreen data for Fremont is shown in Figure 7-49. Similar to the TCAC map, this map shows how environmental quality increases from west (lowest) to east (highest). Once again, however, the impact of socioeconomic factors on the CalEnviroScreen score is clearly evident. Areas of South Fremont with a high concentration of above-moderate households rank more positively on CalEnviroScreen than in the TCAC metric, which indicated they had low environmental quality. Areas of Central/Downtown Fremont that scored high on the TCAC environmental opportunity metric score lower on CalEnviroScreen when socioeconomic factors are considered.

Figure 7-50. Cal EnviroScreen 4.0 Percentile within Fremont

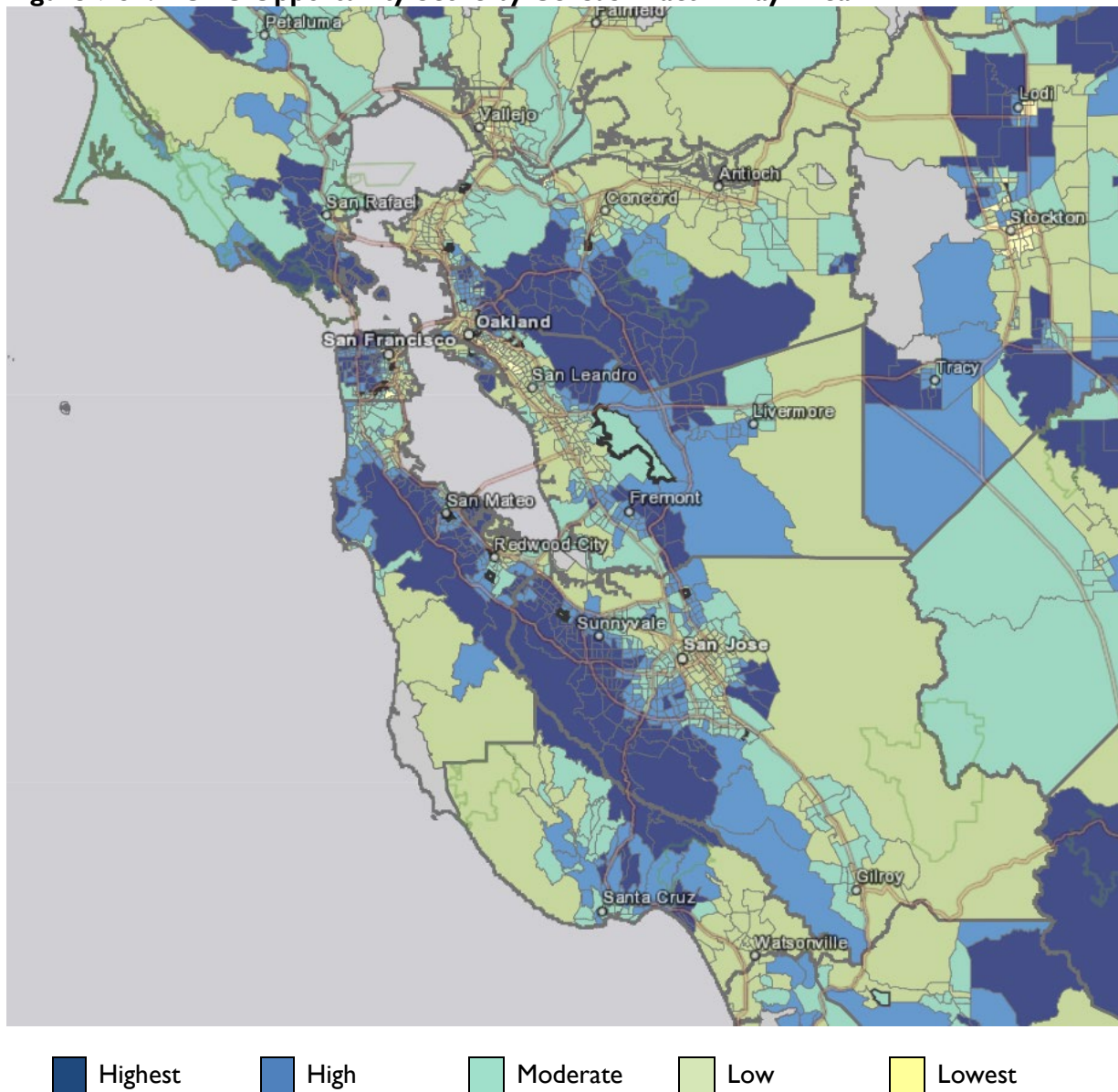


Source: CalEnviroScreen 4.0, February 2021

Overall Access to Opportunity

In addition to the disaggregated scores discussed so far in this section, TCAC also publishes a composite score that examines overall access to opportunity. Highest-resource areas within the region are located on the west side of San Francisco, southern Marin County, the San Francisco Peninsula, the Oakland hills, and Tri-Valley area. Portions of northeastern Fremont are also considered highest-resource areas.

Figure 7-51. TCAC Opportunity Score by Census Tract in Bay Area

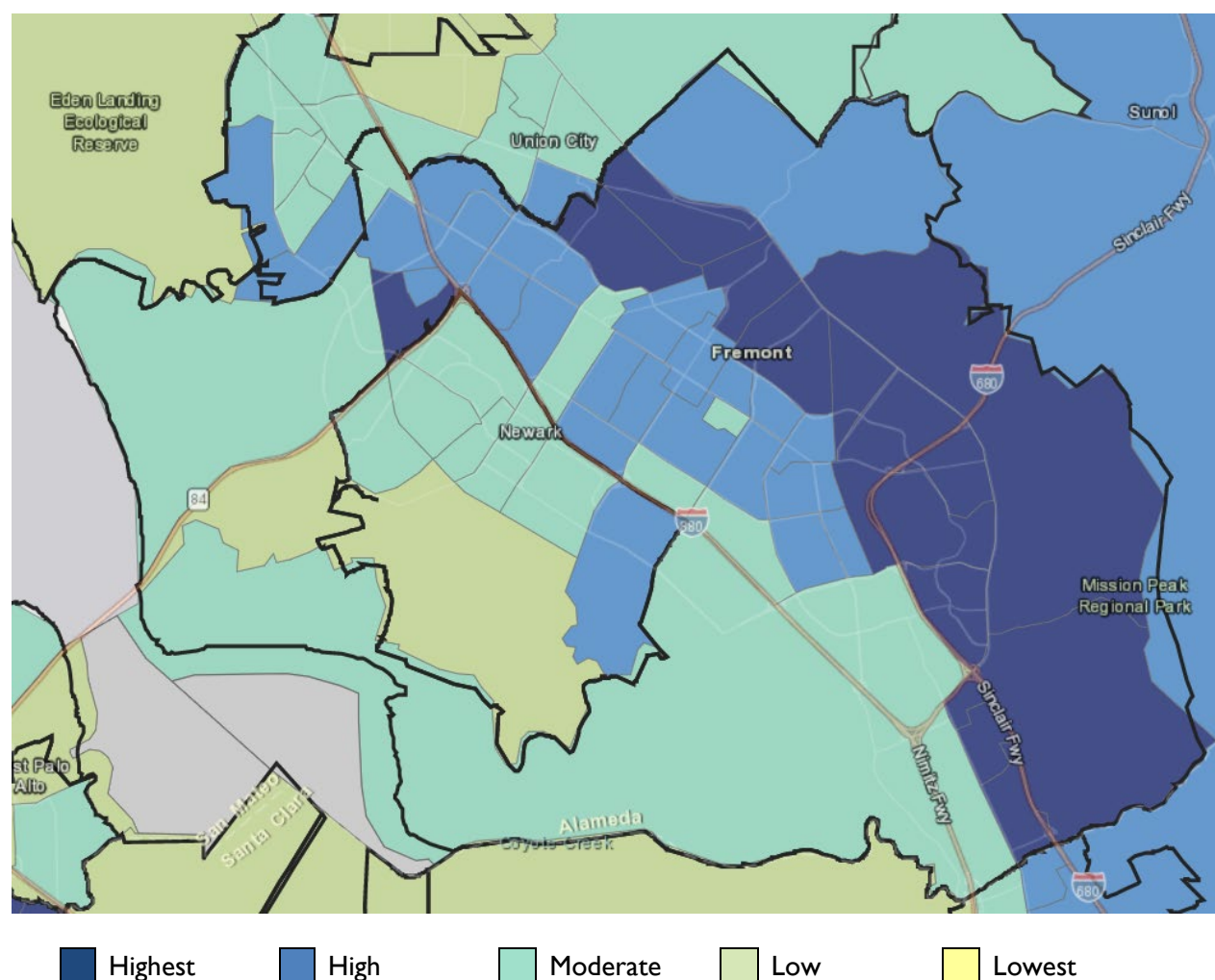


Source: HCD AFFH Data Viewer; 2021 California Tax Credit Allocation Committee (TCAC) Opportunity Map

The lowest resource areas largely overlap or are adjacent to the previously-discussed R/ECAPs. Indeed, the 2020 Alameda County Analysis of Impediments to Fair Housing Choice found that countywide, areas

with higher levels of minority residents have less access to proficient schools, jobs, and environmental health. While Fremont is a majority-minority city, here are no low- or lowest- resource areas in Fremont.

Figure 7-52. TCAC Opportunity Score by Census Tract in Fremont

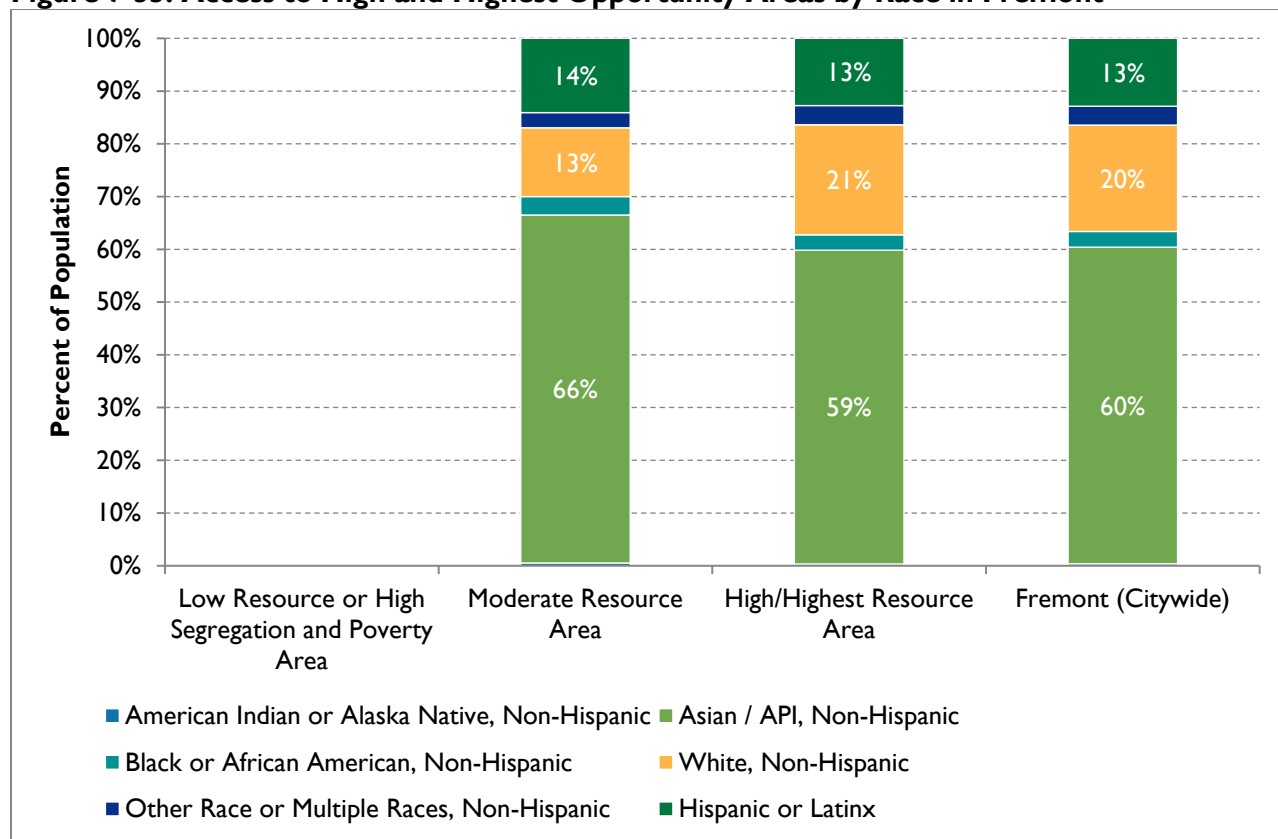


Source: HCD AFFH Data Viewer; 2021 California Tax Credit Allocation Committee (TCAC) Opportunity Map

Areas with moderate opportunity include Centerville, 28 Palms, Blacow, and the Bayside Industrial area. Areas with the highest resources include Brookvale, Parkmont, Cherry/Guardino, Kimber, Cameron Hills, Mission San Jose, Vineyards/Avalon, Weibel, and Warm Springs. All other areas of the City are considered High Resource.

Compared to Fremont's citywide population, White residents are more likely to live in highest resource areas and less likely to live in moderate-resource areas than their overall population share would indicate. Asian residents and Native American residents are more likely to live in moderate-resource areas than their overall population share would indicate. The distribution of Hispanic and Black residents roughly mirrors their overall population share.

Figure 7-53. Access to High and Highest Opportunity Areas by Race in Fremont



Source: California Tax Credit Allocation Committee (TCAC)/California Housing and Community Development (HCD), Opportunity Maps (2020); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002

Notes: -For the purposes of this graph, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

-TCAC and HCD created the Opportunity Map using reliable and publicly available data sources to identify areas in the state whose characteristics have been shown by research to support positive economic, educational, and health outcomes for low-income families and their children. The TCAC/HCD Opportunity Map uses 21 indicators to calculate opportunity index scores for census tracts in each region in California. For more information on these indicators, see the Opportunity Map methodology document.

-The TCAC/HCD Opportunity Map categorizes census tracts into five groups based on opportunity index scores. Before an area receives an opportunity index score, census tracts are filtered into the High Segregation & Poverty category. The filter identifies census tracts identify tracts where at least 30% of population is below the federal poverty line and there is a disproportionate share of households of color. After filtering out High Segregation and Poverty areas, the TCAC/HCD Opportunity Map allocates the 20% of tracts in each region with the highest relative opportunity index scores to the Highest Resource designation and the next 20% to the High Resource designation. The remaining non-filtered tracts are then evenly divided into Low Resource and Moderate Resource categories.

-HRA data is available at the census tract level. Staff aggregated tracts up to jurisdiction level using census 2010 population weights, assigning a tract to jurisdiction in proportion to block level population weights.

When compared to income distributions, the highest-resource neighborhoods also tend to be those with the lowest LMI populations. However, certain moderate-income neighborhoods, such as in the Warm Springs Innovation District, have a low percentage of LMI residents. All three tracts with higher proportions of people with disabilities are located within high- or highest-resource tracts. Finally, the single tract with over 10% of female-headed households is a moderate-resource tract.

SUMMARY OF KEY FINDINGS

- Within the Bay Area, Fremont is a high-resource community. There are no low- or lowest-resource areas in Fremont. Fremont's high-quality schools, thriving industries, and healthy environmental conditions mean that low-income residents who live in Fremont have better life outcomes than in other places in the Bay Area.
- Within Fremont, access to highest-resource neighborhoods is affected primarily by race and income. White residents are disproportionately likely to live in high- or highest-resource areas. The highest resource areas are also those with the highest median incomes and lowest proportion of the LMI population.

Disparities in Disproportionate Housing Needs

Within the community, residents face challenges with finding safe, adequate, and affordable housing. On both a regional and a local level, these challenges disparately impact people of color and people with lower incomes. This chapter analyzes specific situations of disproportionate housing need, including homelessness, rental tenure, cost burden, and overcrowding.

Homelessness

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness because homelessness is, most simply, the inability to afford housing. Homelessness is often experienced by people with very-low incomes who experience a housing challenge and do not have a safety net. Rental assistance is the number one resource that unhoused people identify as being needed to help them avoid homelessness.⁷ Homelessness is disproportionately experienced by people of color and people with disabilities.

Every two years, the US Department of Housing and Urban Development (HUD) requires communities to conduct a Point-in-Time (PIT) Count of individuals and families experiencing homelessness in order to receive funding for homeless services. The PIT count provides a “snapshot” of sheltered and unsheltered homelessness within cities, counties, and regions.

Table 7-15: Homelessness by Shelter Status, Bay Area

Location	Sheltered	Unsheltered	Total
Fremont	106	866	972
Alameda County	2,612	7,135	9,747
Contra Costa County	764	2,329	3,093
Marin County	291	830	1,121
Napa County	98	366	464
San Francisco County	3,357	4,397	7,754
San Mateo County	716	1,092	1,808
Santa Clara County	2,320	7,708	10,028
Solano County	59	1,179	1,238
Sonoma County	805	2,088	2,893

Source: U.S. Department of Housing and Urban Development (HUD), *Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2022)*

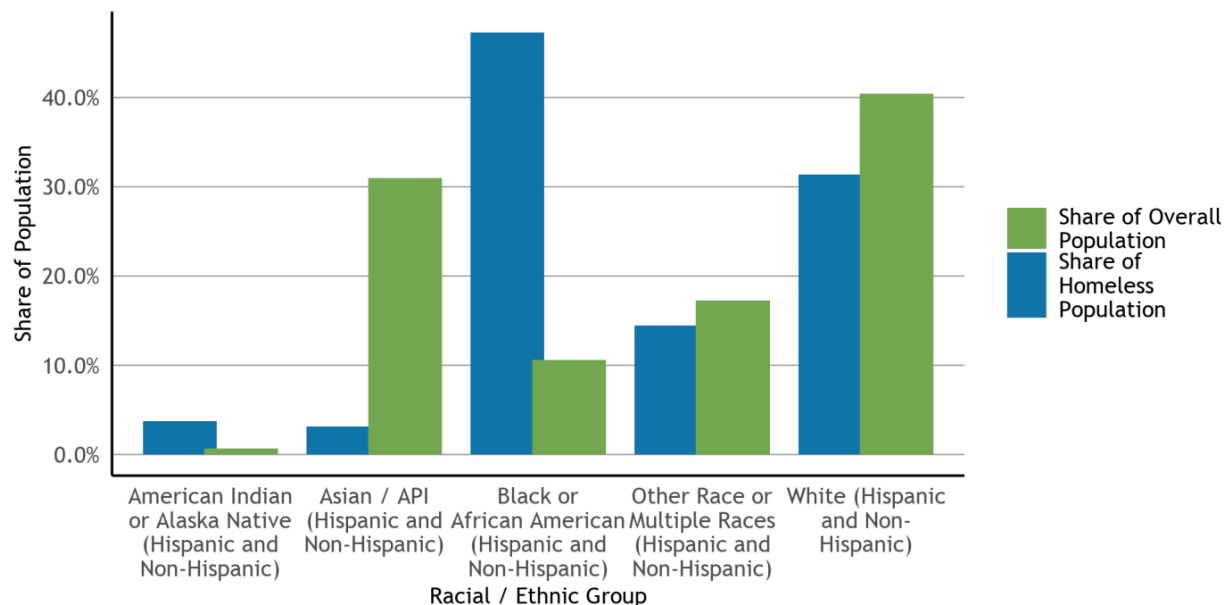
Within the Bay Area region, Alameda County, San Francisco County, and Santa Clara County have the largest population of homeless people. These counties contain the largest urban centers of the region, which typically have the highest housing prices as well as the greatest access to social services. The 2020 Alameda County Analysis of Impediments to Fair Housing Choice found that countywide, homelessness has increased by 42% since 2017.

Throughout the Bay Area region, Black residents are disproportionately impacted by homelessness. In Alameda County, Black or African American (Hispanic and Non-Hispanic) residents represent the largest proportion of residents experiencing homelessness and account for 47.3% of the homeless population, while making up 10.6% of the overall population. In Alameda County, Latinx residents represent 17.3% of

⁷ 2022 Alameda County Housing Survey

the population experiencing homelessness, while Latinx residents comprise 22.5% of the general population. Similar disparities are found within Fremont, where Black individuals make up 48% of the homeless population and account for only 3% of the overall population. In Fremont, Latinx residents represent 30% of the population experiencing homelessness and only 13% of the general population.

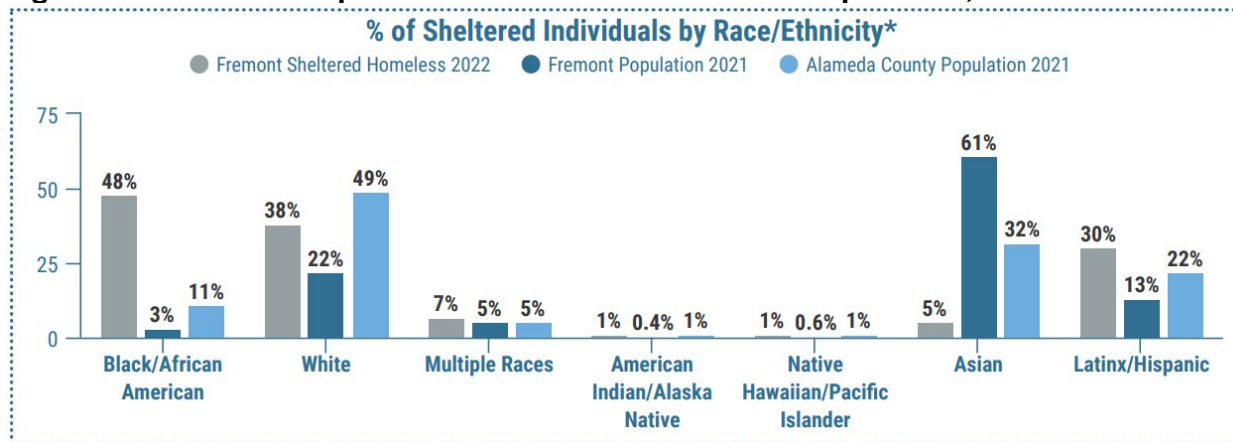
Figure 7-55. Racial Group Share of General and Homeless Populations, Alameda County



Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I)

Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. HUD does not disaggregate racial demographic data by Hispanic/Latinx ethnicity for people experiencing homelessness. Instead, HUD reports data on Hispanic/Latinx ethnicity for people experiencing homelessness in a separate table. Accordingly, the racial group data listed here includes both Hispanic/Latinx and non-Hispanic/Latinx individuals.

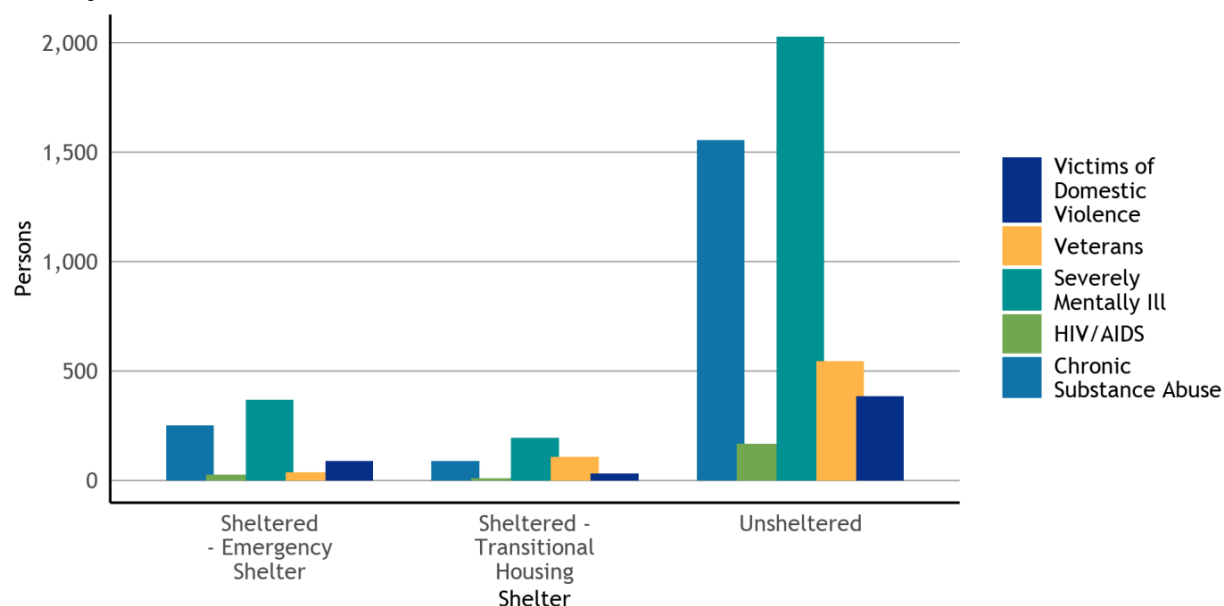
Figure 7-56. Racial Group Share of General and Homeless Populations, Fremont



Source: Fremont 2022 PIT Count

In addition to dealing with housing unaffordability, many of those experiencing homelessness are dealing with other severe issues – including mental illness, substance abuse and domestic violence – that are potentially life threatening and require additional assistance. Appropriate forms of supportive housing for people with these issues, such as residential care facilities for substance disorder treatment or mental health care, may be undersupplied, leading to increased rates of homelessness among the population with these issues.

Figure 7-57. Characteristics for the Population Experiencing Homelessness, Alameda County



Source: U.S. Department of Housing and Urban Development (HUD), *Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019)*

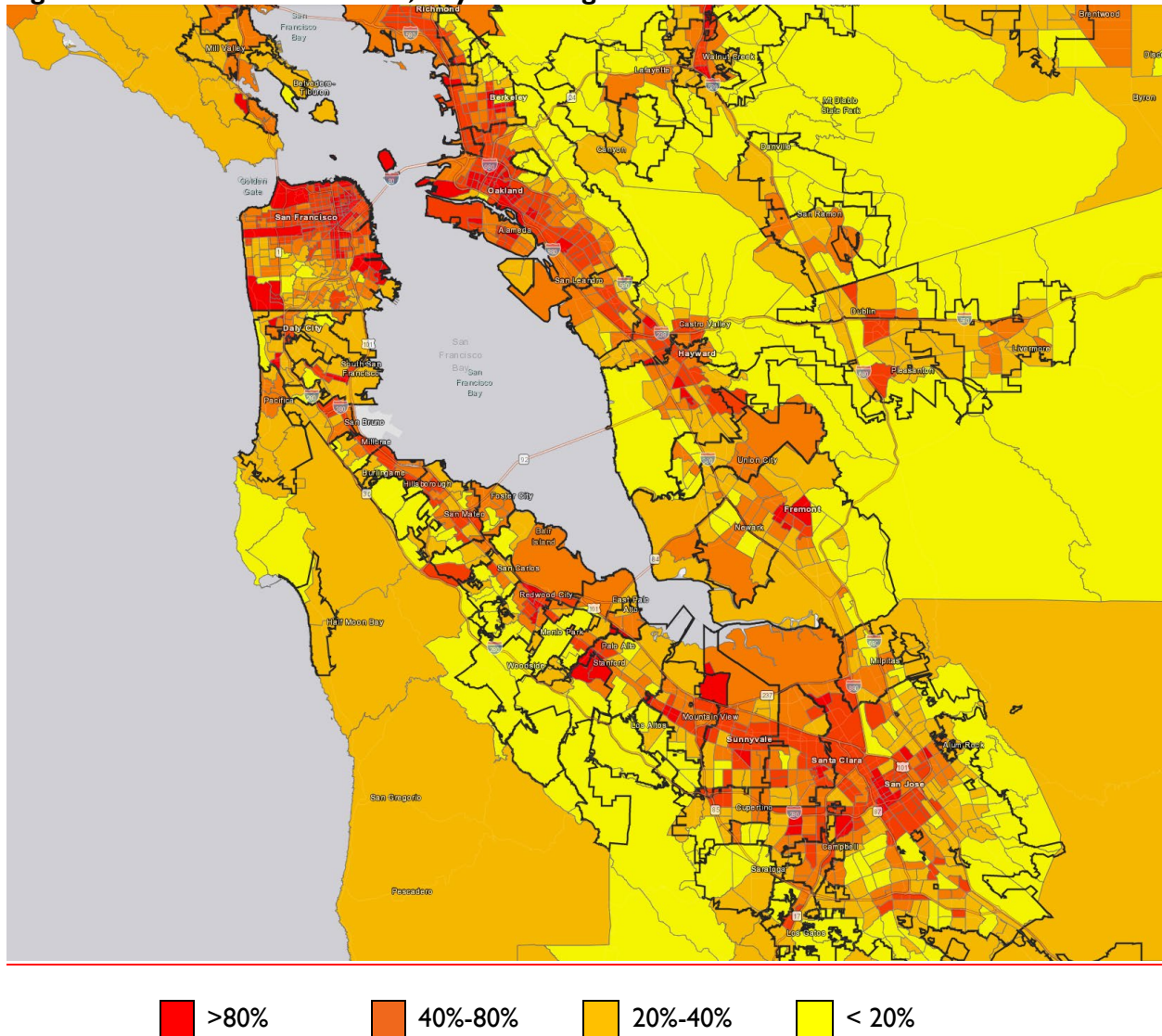
Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. These challenges/characteristics are counted separately and are not mutually exclusive, as an individual may report more than one challenge/characteristic. These counts should not be summed.

The City of Fremont participates in the Alameda Countywide Homeless Continuum of Care Council, which coordinates local efforts to address homelessness. Recently, the Continuum of Care adopted the Home Together 2026 plan, which was endorsed by the City of Fremont City Council. The Home Together 2026 plan is a 5-year strategic initiative that identifies the strategies, activities and resources needed to dramatically reduce homelessness in Alameda County. The Plan centers racial equity and offers concrete strategies for reducing racial disparities. The City of Fremont will also be undertaking its own planning efforts to meet the needs of homeless residents, as discussed in Program 72.

Renters

As highlighted in other sections of this report, renters are more vulnerable to housing issues such as substandard housing, cost burden, and displacement. Within the Bay Area region, the areas with the highest density of renter households are located within the urban centers of San Francisco, Oakland, and San Jose. Distinct clusters of renter households live around transit stations served by regional rail such as BART or Caltrain.

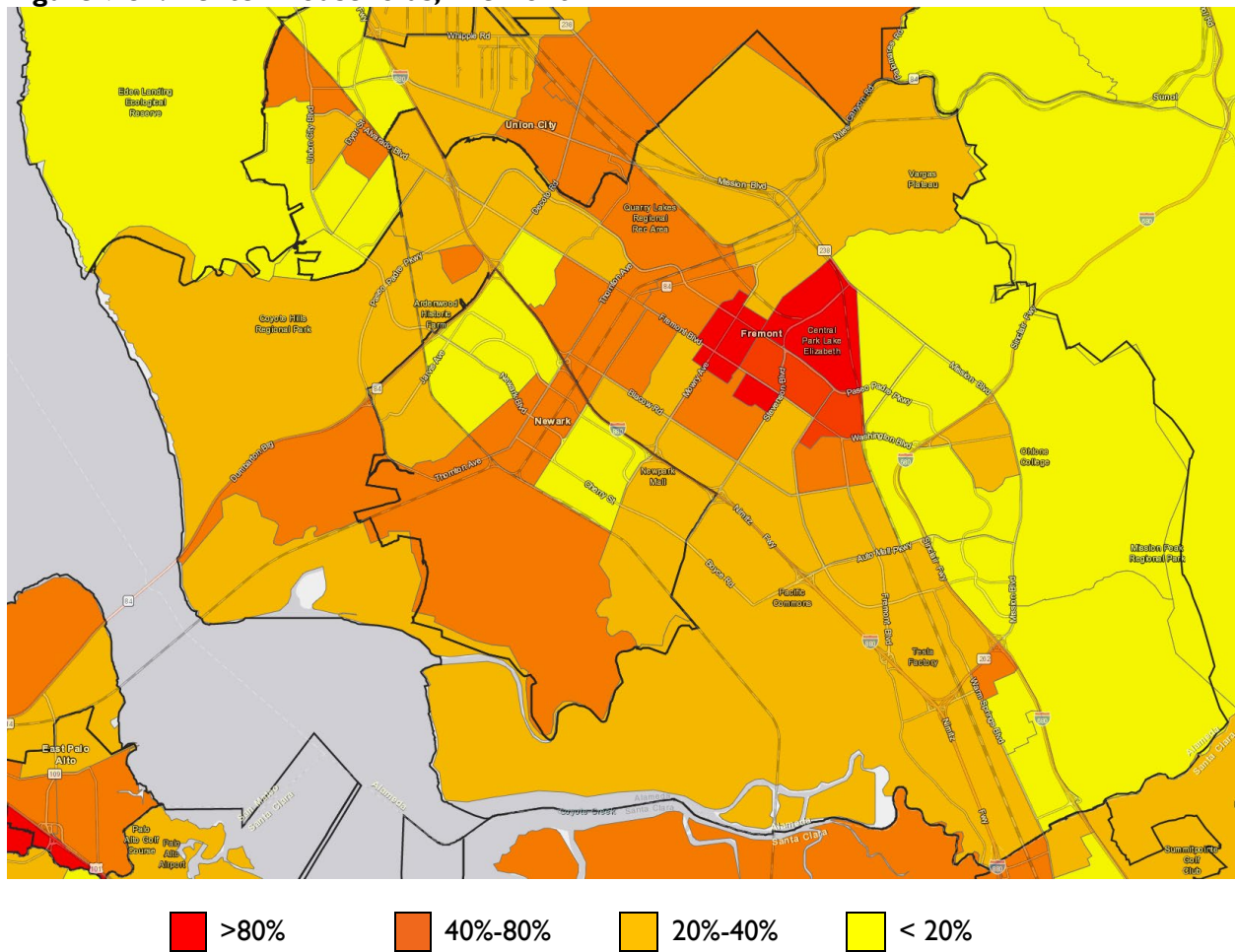
Figure 7-58. Renter Households, Bay Area Region



Source: HCD AFFH Data Viewer; US Census Bureau 2015-2019 ACS

This pattern holds within Fremont. The areas of the City with the greatest density of renters is within Central/Downtown Fremont, near Fremont BART. Other areas of the City with a high proportion of renters include Centerville, Sundale, and Irvington. A small but rapidly increasing population of renters lives near the newly opened Warm Springs BART Station.

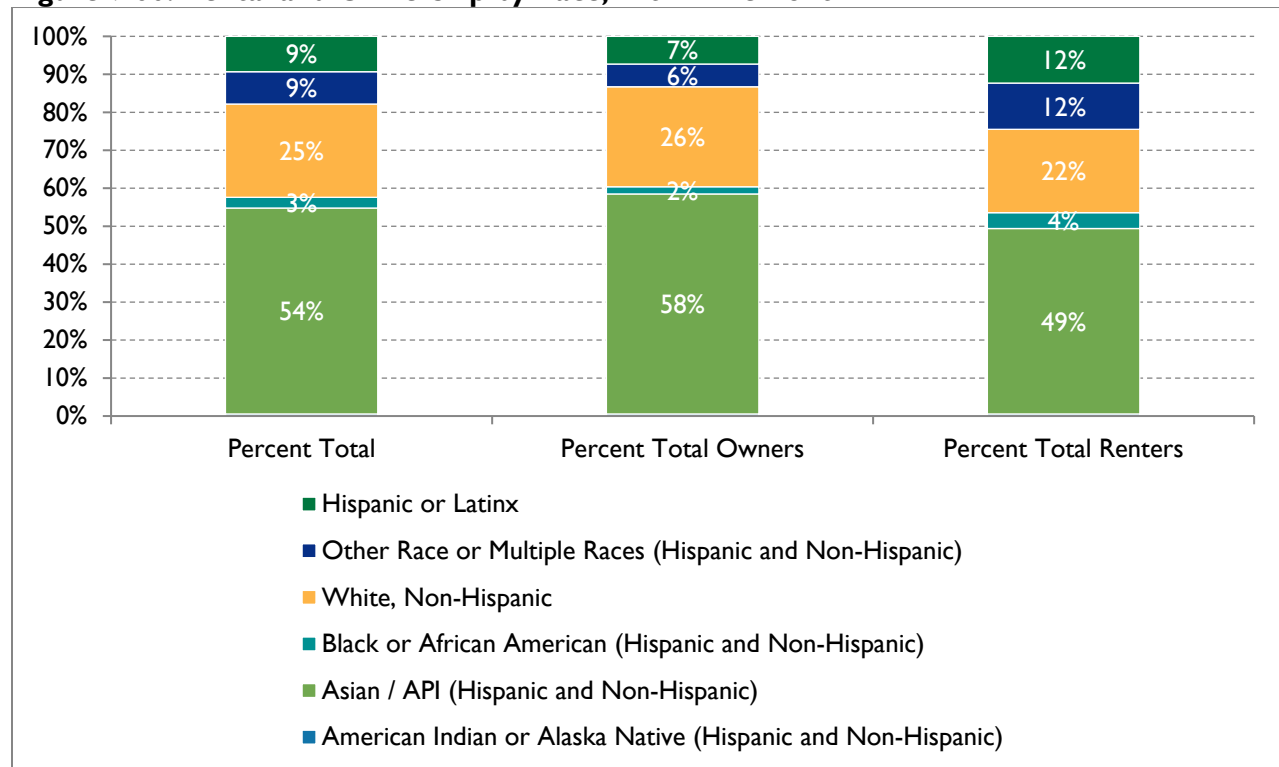
Figure 7-59. Renter Households, Fremont



Source: HCD AFFH Data Viewer; US Census Bureau 2015-2019 ACS

In Fremont, more than half of Black, Hispanic/Latinx, and households of multiple races are renters. These groups are also disproportionately represented in the renter population, compared to the homeowner population. Asian and White households are overrepresented in owner-occupied dwelling units.

Figure 7-60. Rental and Ownership by Race, within Fremont



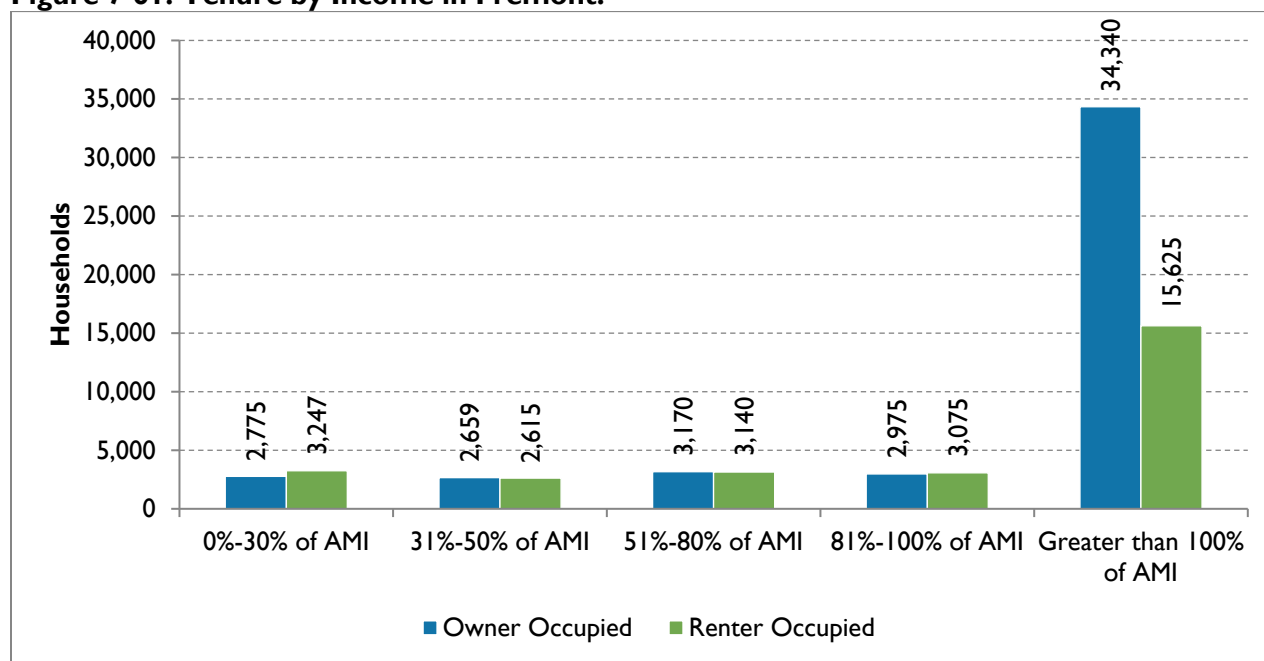
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I)

Notes: For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the White racial group is also reported for White householders who are not Hispanic/Latinx. Since residents who identify as White and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as White and non-Hispanic/Latinx, data for multiple White sub-groups are reported here.

-The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

Renters are also more likely to have lower incomes. The 0-30% of median income bracket is the only income bracket with a considerable majority of renters versus homeowners in Fremont. Moderate income households also have a slightly higher renter population than homeowner population. Households making more than 100% of median income are overwhelmingly homeowners, with 34,340 (69%) living in owner-occupied dwellings and only 15,625 (31%) renting.

Figure 7-61. Tenure by Income in Fremont.

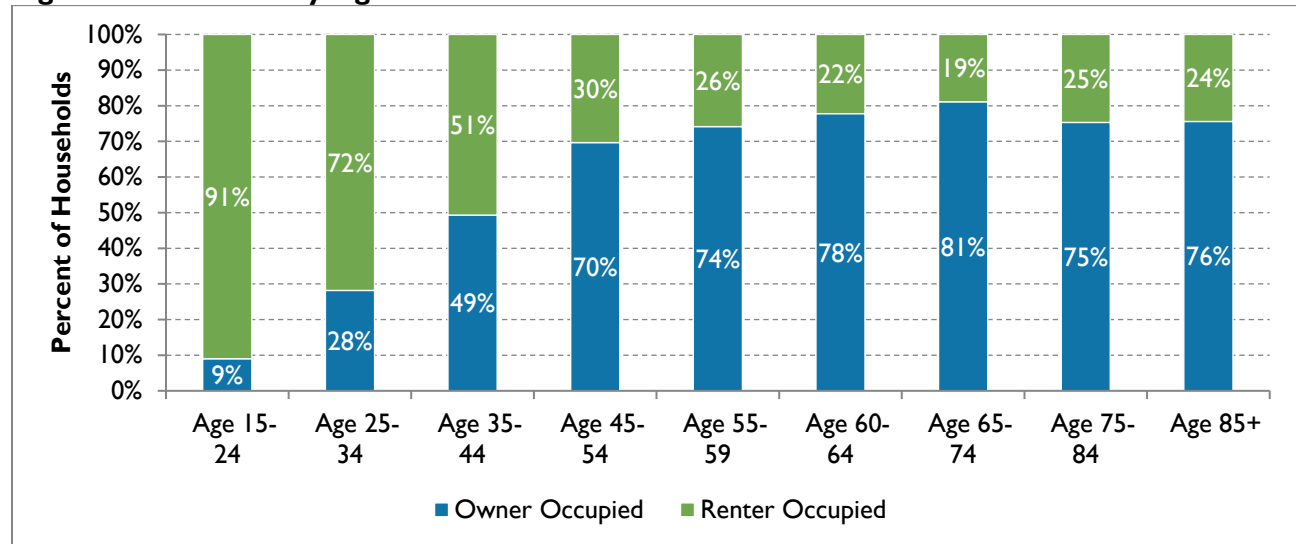


Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Notes: -Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Renters are also more likely to be younger than homeowners. Over 91% of the population age 15-24 rent their dwelling, compared to 19% of the population age 65-74, which has the highest rate of homeownership. The rate of renting also increases for people over 75 years old, indicating that older adults who previously owned homes may choose to sell their homes as they age. Older adults may “downsize” to smaller units or opt for apartment-type units with less maintenance responsibilities, which are more likely to be rentals.

Figure 7-62. Tenure by Age.

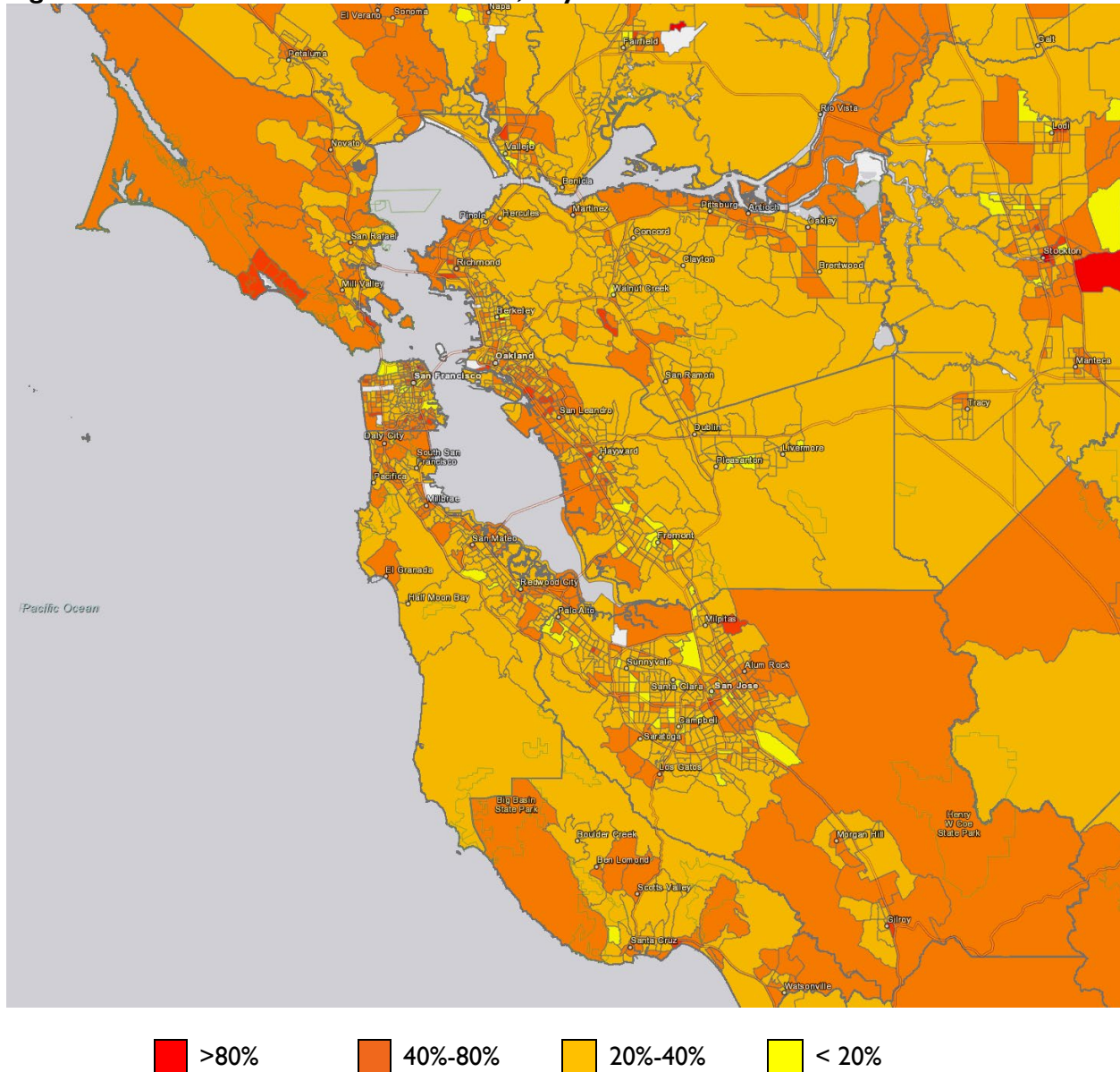


Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25007

Cost Burdened Households

A household is considered “cost-burdened” if it spends more than 30% of its monthly income on housing costs, while those who spend more than 50% of their income on housing costs are considered “severely cost-burdened.” Both homeownership households and renter households can be cost-burdened. Within the Bay Area, cost burden among homeownership households is most acute within communities just outside of dense urban centers. Marin County, the North Bay Area, and East Oakland have the highest rates of homeowner overpayment within the region.

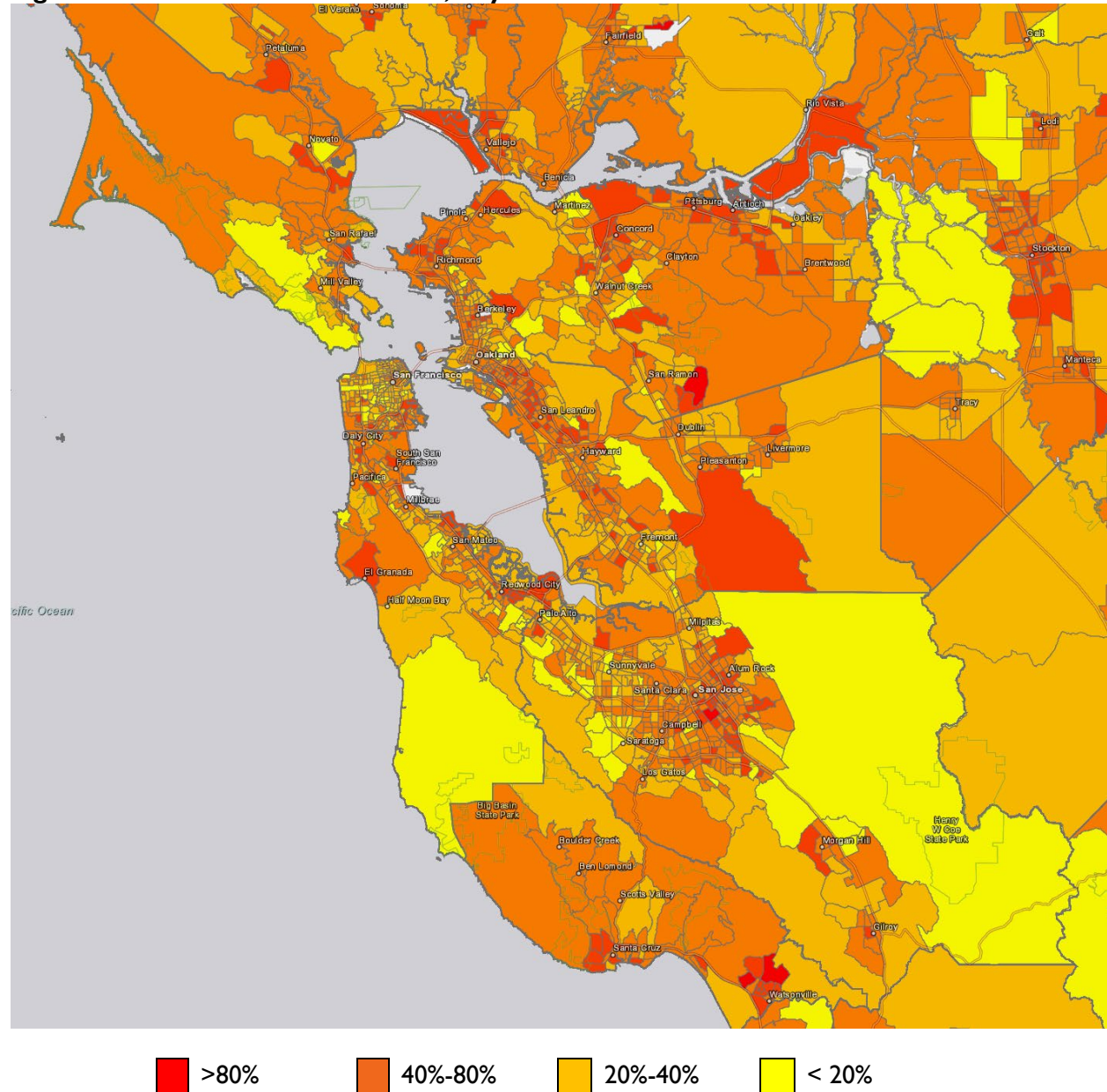
Figure 7-63. Cost Burdened Homeowners, Bay Area



Source: HCD AFFH Data Viewer; US Census Bureau 2015-2019 ACS

Meanwhile, cost burden among renters is most common within dense urban centers including San Francisco, Oakland, and San Jose. Areas with high amounts of cost burden regionally correlate to areas that are R/ECAPs, which may reflect the effects predatory lending and discriminatory rental practices on low-income communities of color.

Figure 7-64. Cost Burdened Renters, Bay Area

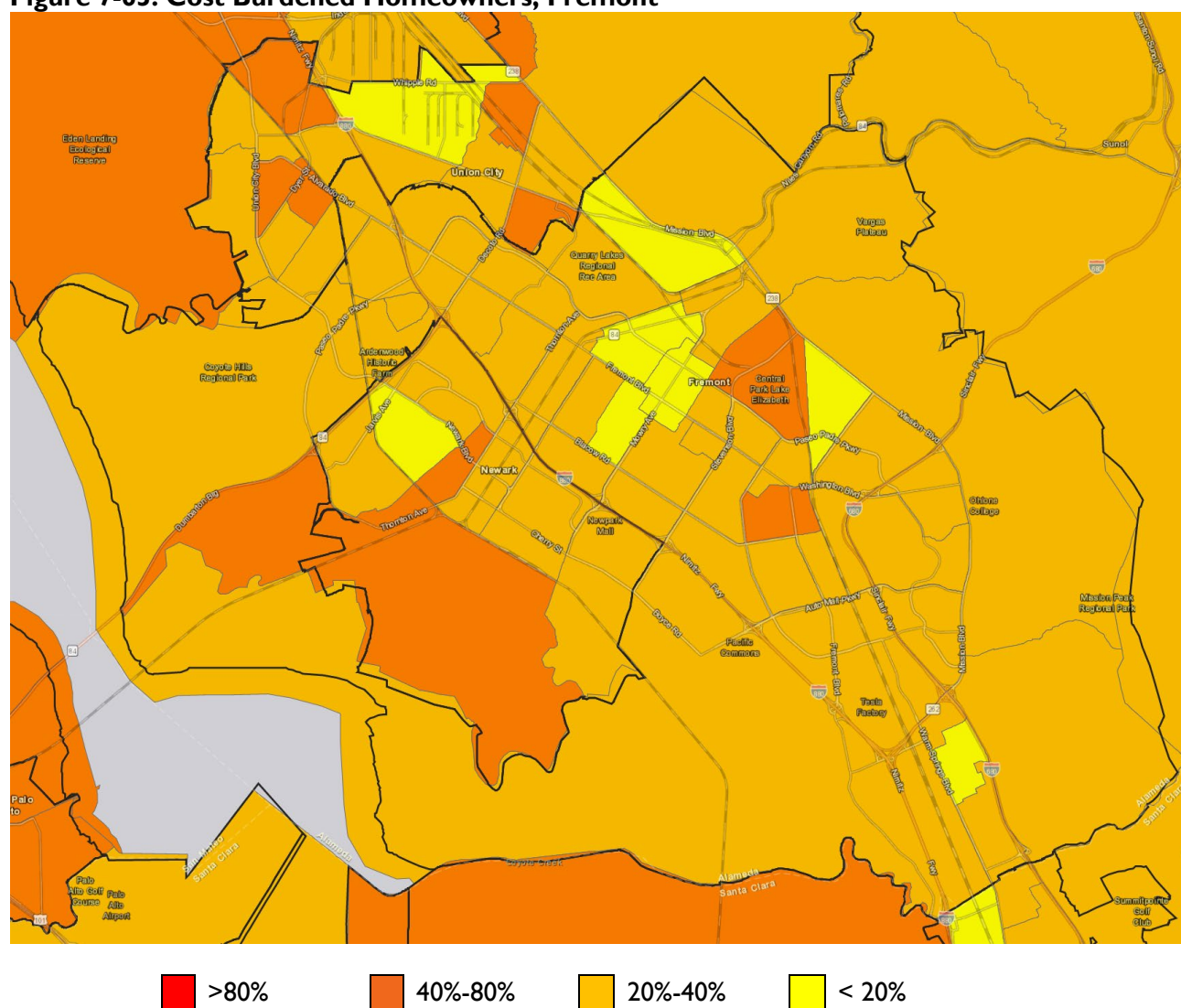


Source: HCD AFFH Data Viewer; US Census Bureau 2015-2019 ACS

Within Fremont, cost burdened homeowners are most common within Central Fremont and Irvington. These neighborhoods contain a mix of single- and multi-family housing types. Cost burdened renters are most prevalent in Niles, Cabrillo, Irvington, Grimmer, Glenmoor, Sundale, 28 Palms, and Vineyards/Avalon. Many of these neighborhoods contain predominantly single-family housing types. This may suggest that renters in need of larger units must over-pay for single-family homes due to a shortage of more affordable large unit types in multi-family buildings. Alternatively, it could suggest a preference for the amenities of a single-family home, such that households opt to spend more of their income on obtaining those features.

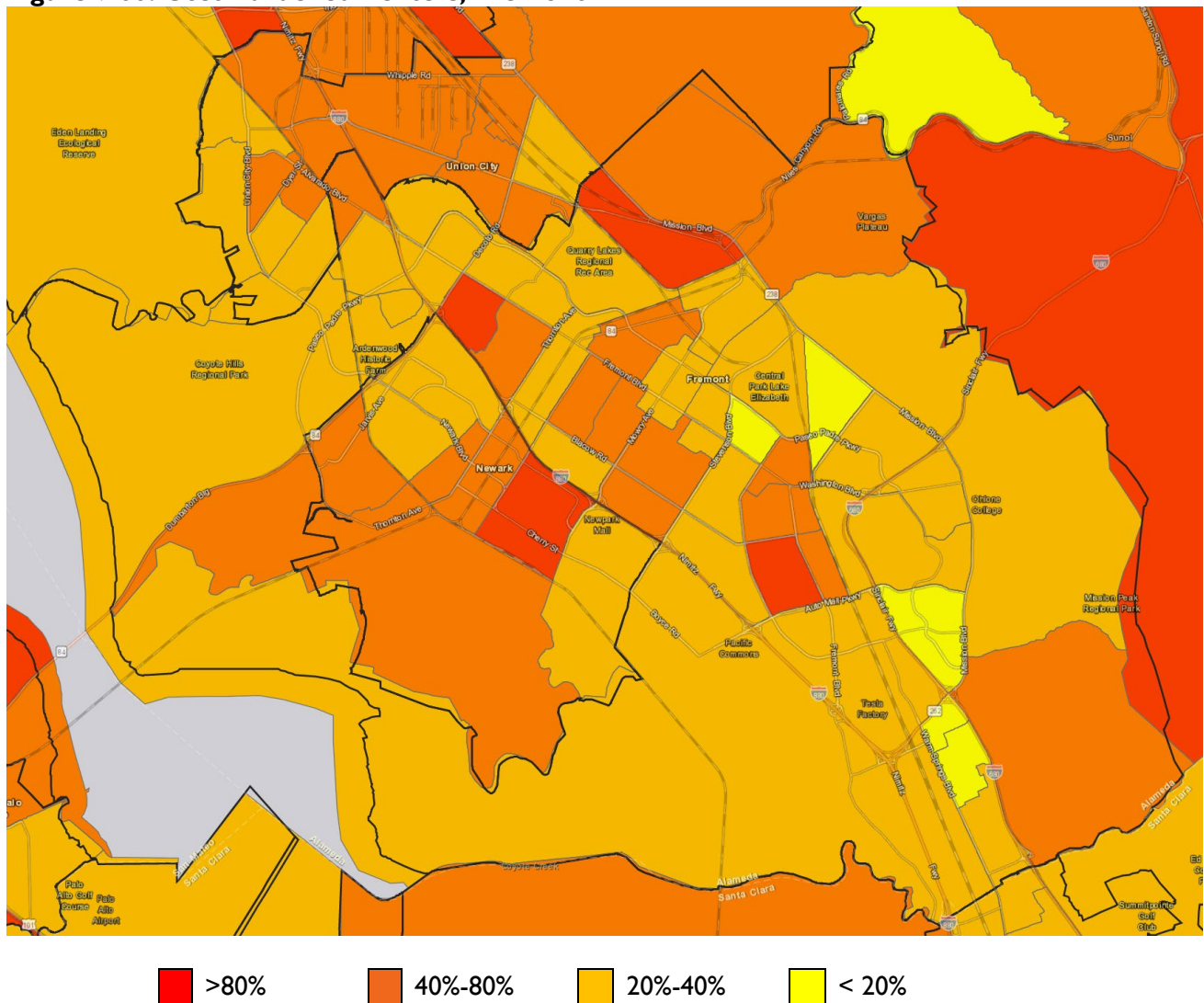
Importantly, cost burden does not appear to be geographically tied to any concentrations of an income-level or racial group. Cost burden for renters does appear to be correlated to neighborhoods with a higher percentage of disabled residents. Disabled residents may be on a fixed income that does not adequately support payment of median area rents.

Figure 7-65. Cost Burdened Homeowners, Fremont



Source: HCD AFFH Data Viewer; US Census Bureau 2015-2019 ACS

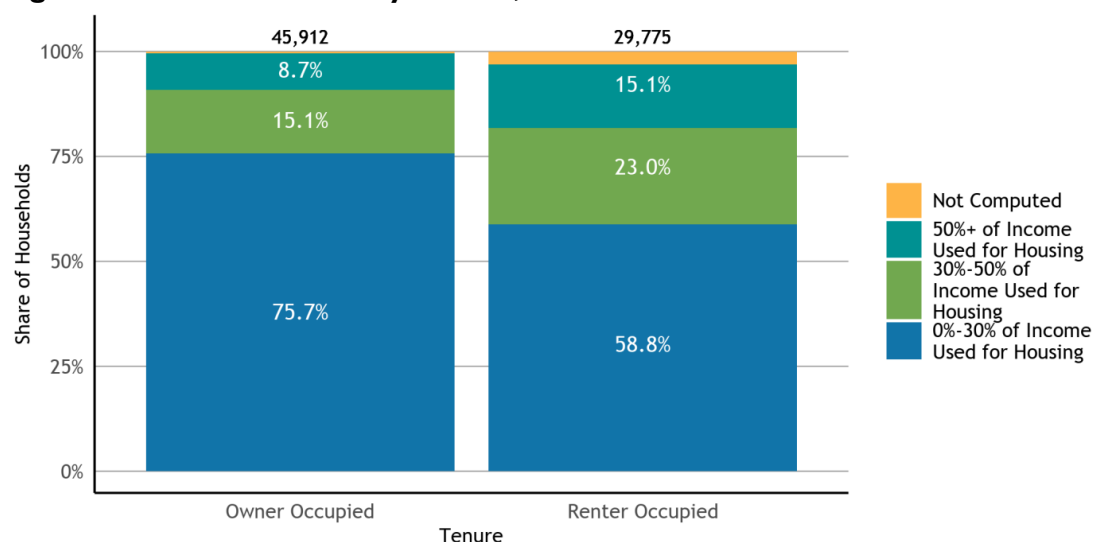
Figure 7-66. Cost Burdened Renters, Fremont



Source: HCD AFFH Data Viewer; US Census Bureau 2015-2019 ACS

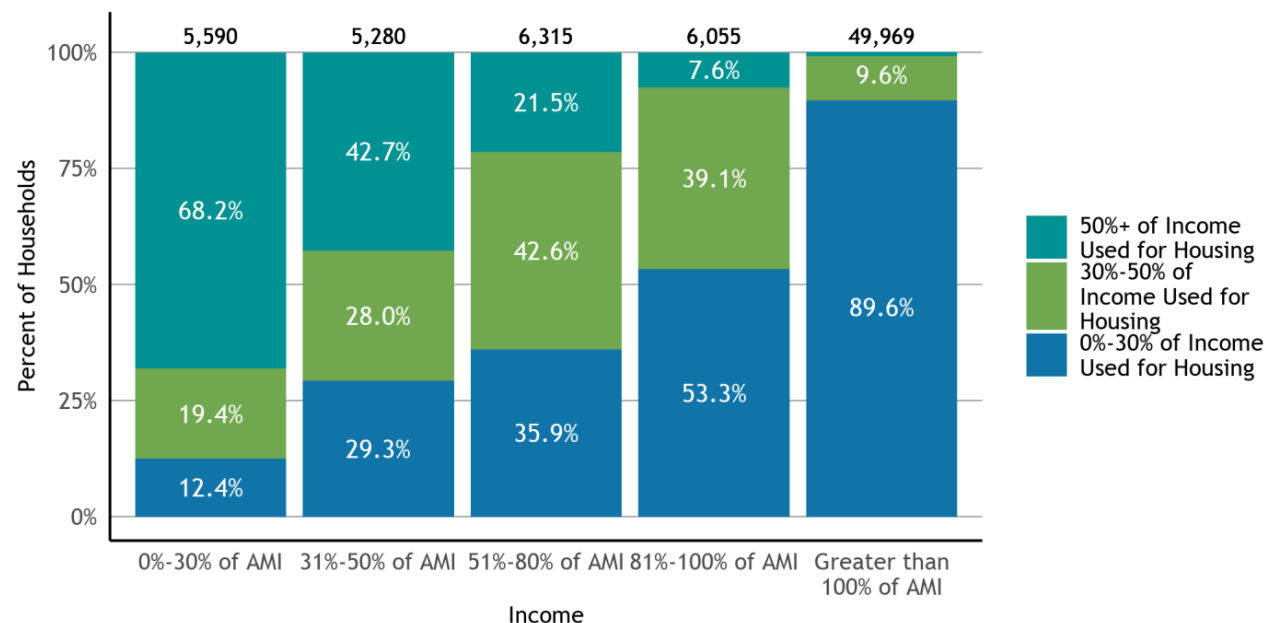
Within Fremont, a total of 25% of homeowners and 41% of renters experience cost burden. As discussed in the Housing Needs Assessment, renters and people with lower incomes are more likely to be cost-burdened than homeowners and people with above-moderate incomes. Hispanic or Latinx residents are the most cost burdened, and American Indian or Alaska Native, Non-Hispanic residents are the most severely cost burdened. Large families consisting of five or more individuals are more likely to be cost-burdened, but less likely to be severely cost burdened, than smaller families.

Figure 7-67. Cost Burden by Tenure, Fremont



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091
 Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs”, which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

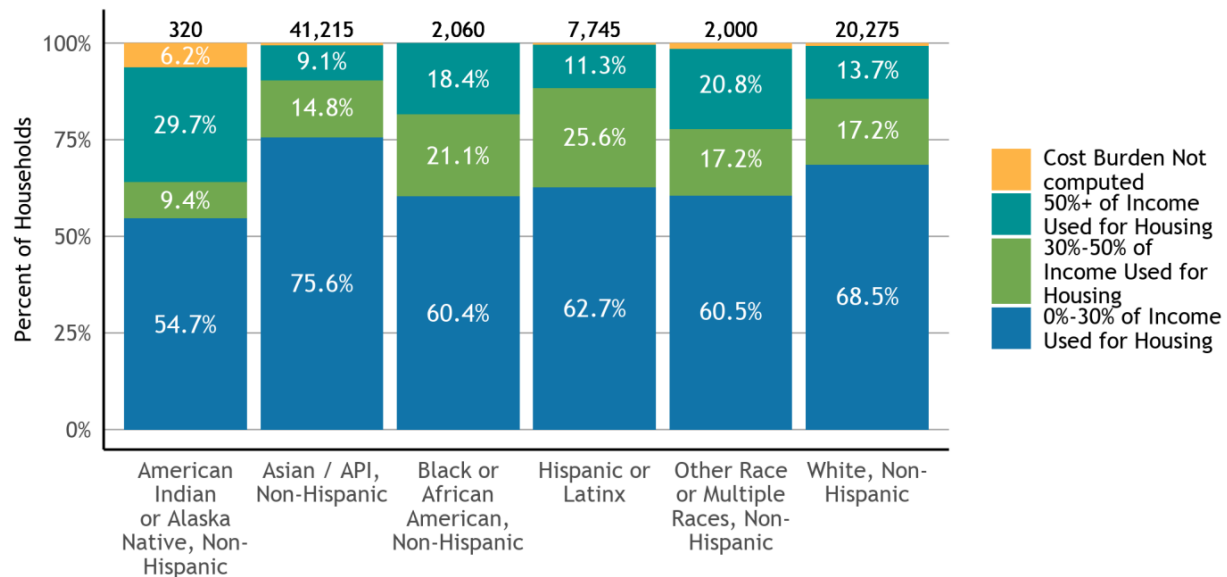
Figure 7-68. Cost Burden by Income Level, Fremont



Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
 Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs”, which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, including the Oakland-Fremont Metro Area (Alameda and Contra Costa Counties). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

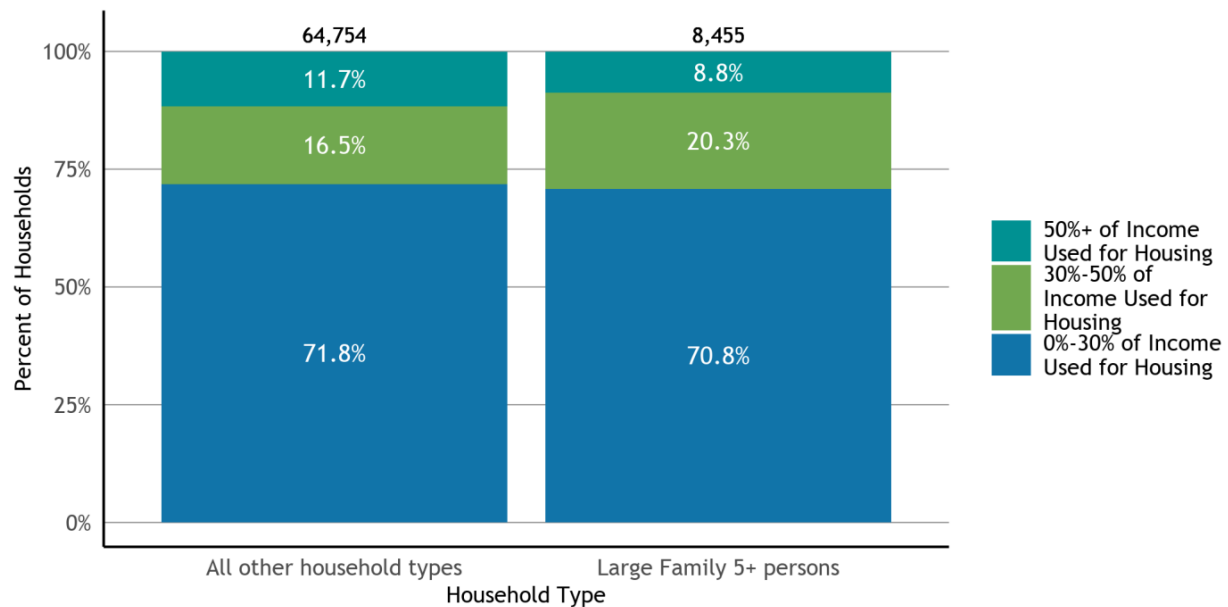
Figure 7-69. Cost Burden by Race, Fremont



Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs”, which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. For the purposes of this graph, the “Hispanic or Latinx” racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Figure 7-70. Cost Burden by Household Size, Fremont



Source: U.S. Department of Housing

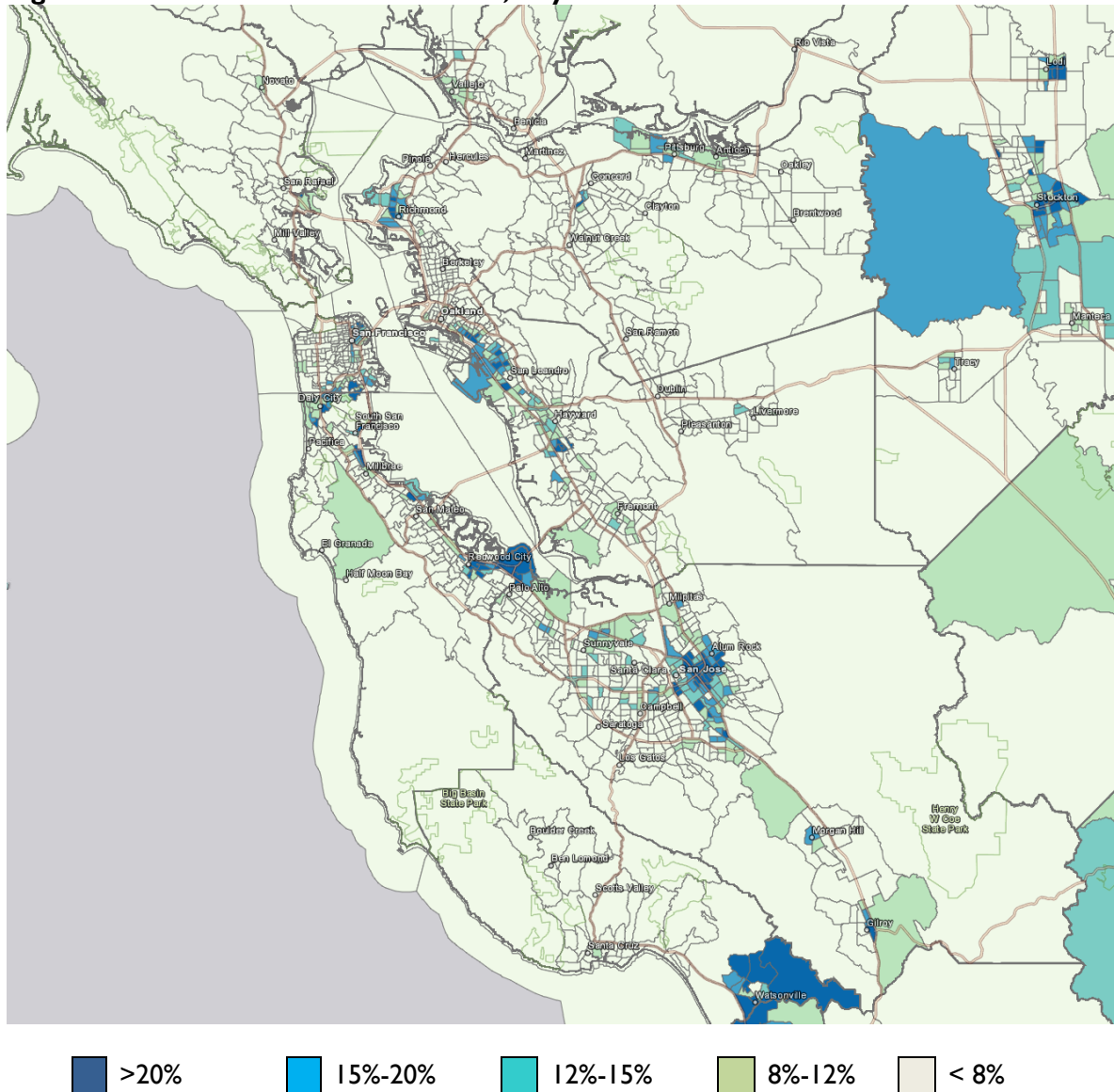
Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is “select monthly owner costs”, which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

Overcrowded Households

Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold. There are several different standards for defining overcrowding, but this report uses the Census Bureau definition, which is more than one occupant per room (not including bathrooms or kitchens). Additionally, the Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded. Overcrowding is one symptom of a lack of affordable housing options, as it often occurs when individuals and families must “double-up” within a housing unit in order to afford rent. Overcrowding may also occur when there are not sufficient units within a community designed to accommodate large families or multigenerational households.

Overcrowding can occur in both urban and suburban communities. Within the Bay Area region, the neighborhoods with the greatest rate of overcrowding occur within eastern neighborhoods of San Francisco, East Palo Alto, East San Jose, and southeast Oakland. These locations are all communities of color (>80% non-white population) that have high rates of poverty.

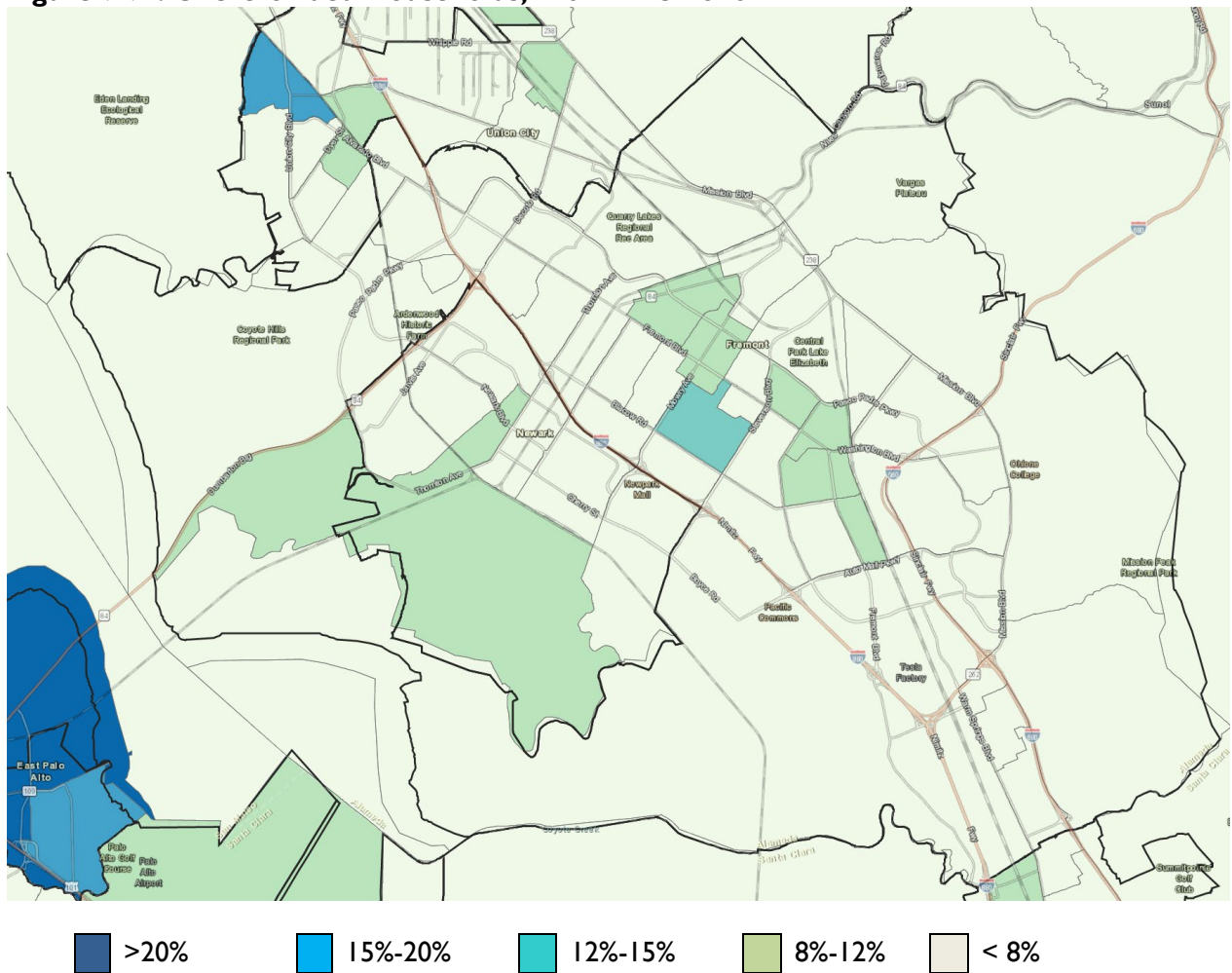
Figure 7-71. Overcrowded Households, Bay Area



Source: HCD AFFH Data Viewer; U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) and U.S. Census American Community Survey (ACS).

Within Fremont, overcrowded households are concentrated within Central Fremont, Sundale, and Irvington. Households with the most severe overcrowding are similarly most concentrated within Central Fremont. These tracts correspond to some of the most heavily renter-occupied tracts in the City, as well as the only Hispanic-majority tract within the City.

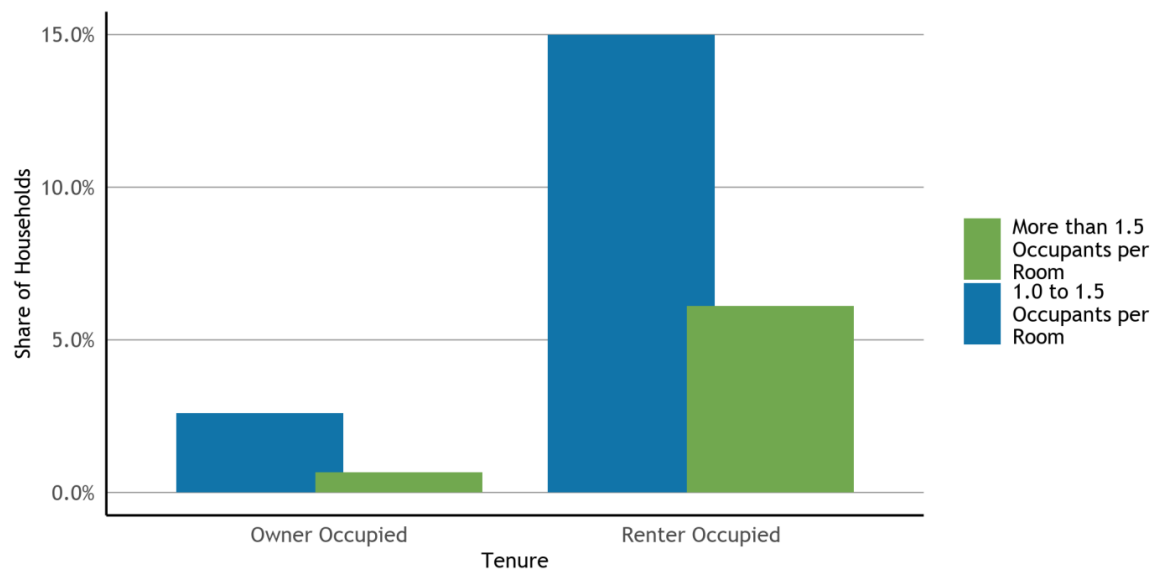
Figure 7-72. Overcrowded Households, within Fremont



Source: HCD AFFH Data Viewer; U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) and U.S. Census American Community Survey (ACS).

Overcrowding disproportionately impacts renters, low-income households, and households of color. Asian/Pacific Islander residents, Hispanic residents, and residents of two or more races are most likely to experience overcrowding in Fremont.

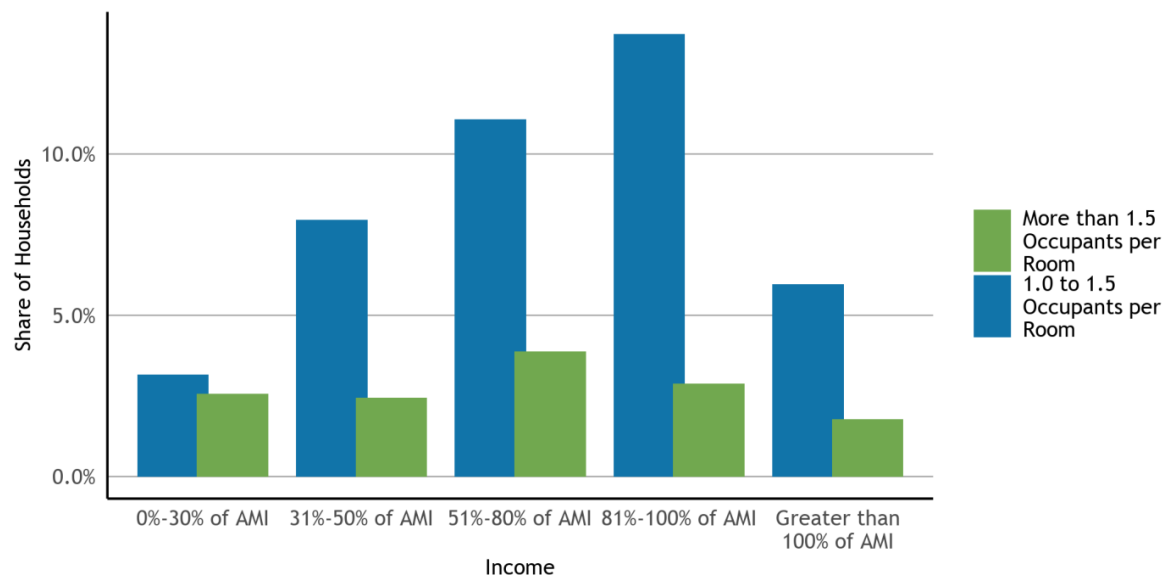
Figure 7-73. Overcrowding by Tenure and Severity, Fremont



Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded.

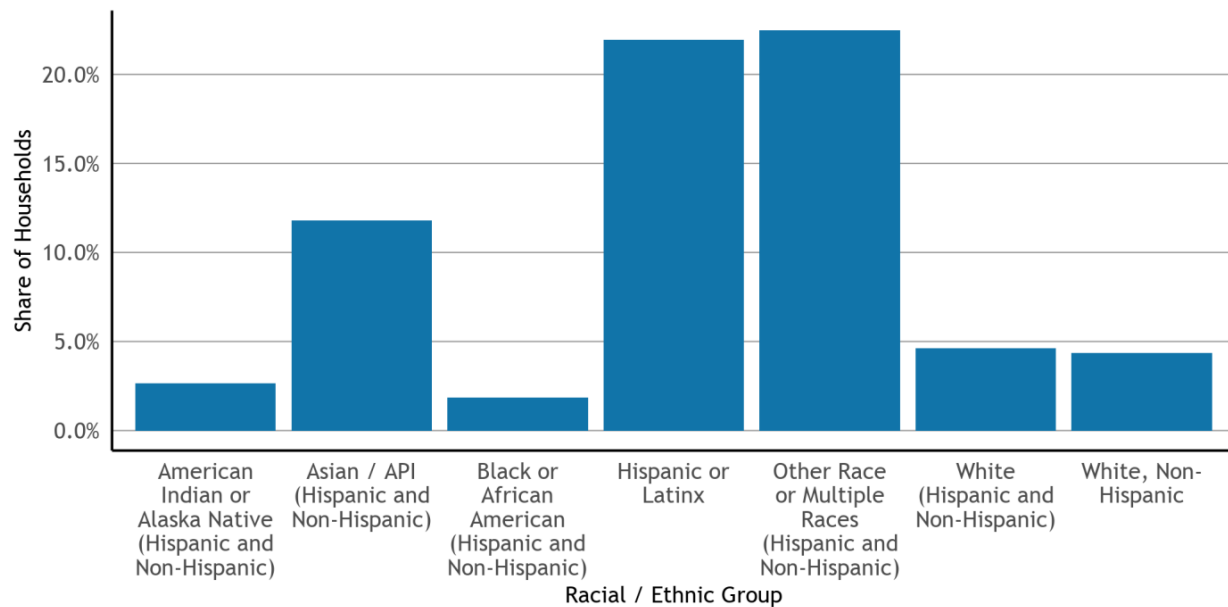
Figure 7-74. Overcrowding by Income Level and Severity, Fremont



Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, including the Oakland-Fremont Metro Area (Alameda and Contra Costa Counties). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Figure 7-75. Overcrowding by Race, Fremont



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014

Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the White racial group is also reported for White householders who are not Hispanic/Latinx. Since residents who identify as White and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as White and non-Hispanic/Latinx, data for multiple White sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled “Hispanic and Non-Hispanic” are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.

Housing costs in the region are among the highest in the country, which could result in households, particularly renters, needing to live in substandard conditions in order to afford housing. Generally, there is limited data on the extent of substandard housing issues in a community. Data is collected at the city-level, which prevents substantial analysis of neighborhood-level issues. Approximately 20% of all Fremont households have at least one severe housing problem, which is a similar level to most other urban and suburban Bay Area jurisdictions. The two jurisdictions with the greatest percentage of substandard housing problems are East Palo Alto and North Fair Oaks (unincorporated San Mateo County) in which upward of 40% of households experience substandard housing issues.

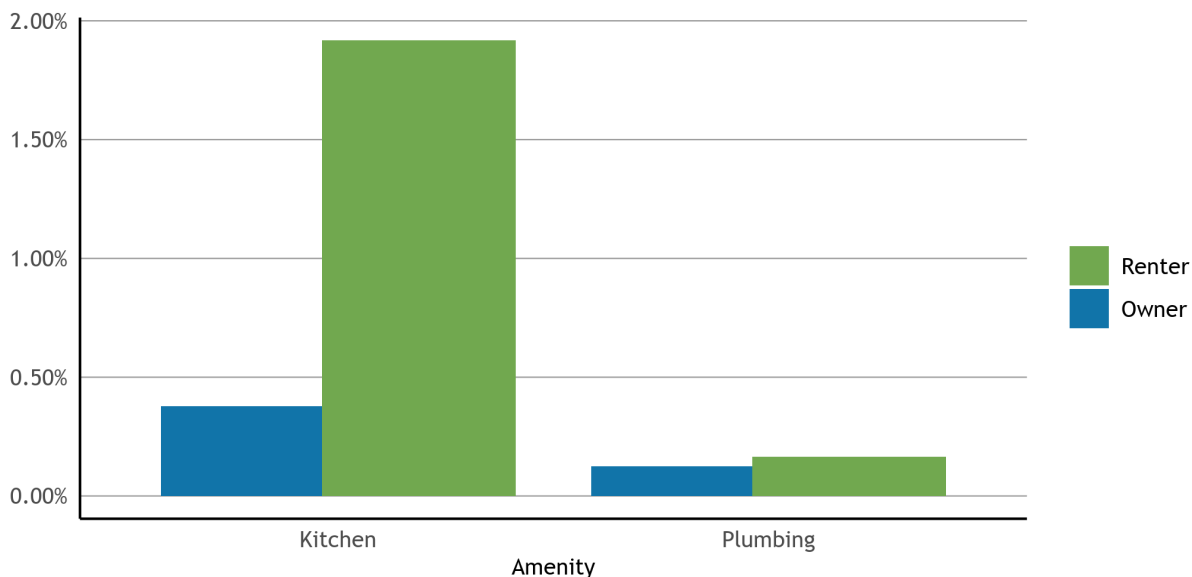
Legend:

- > 60%
- 40%-60%
- 20%-40%
- < 20%

7-96

The Census Bureau data included in the graph below gives a sense of some of the substandard conditions that may be present in Fremont. For example, 1.9% of renters in Fremont reported lacking a kitchen and 0.2% of renters lack plumbing, compared to 0.4% of owners who lack a kitchen and 0.1% of owners who lack plumbing. While the data does not break down substandard housing by income and race, people of color and low-income households are more likely to be renters. This suggests that these groups may also disproportionately experience substandard housing issues.

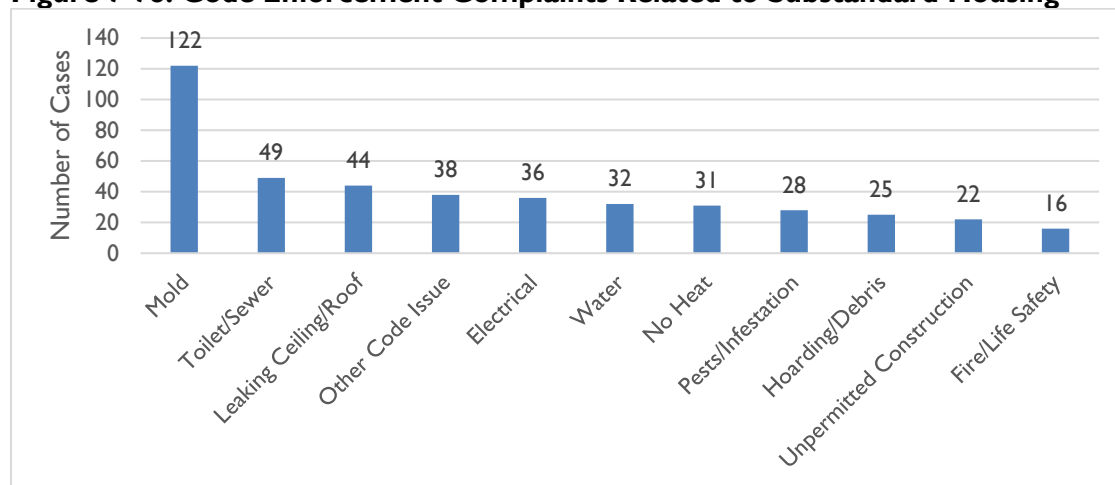
Figure 7-77. Substandard Housing Issues



Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049

The City's Code Enforcement Division handles complaints related to substandard housing. Between 2014-2021, the City addressed over 300 substandard housing complaints. The most common issue addressed was mold, followed by issues with plumbing and roof leaks.

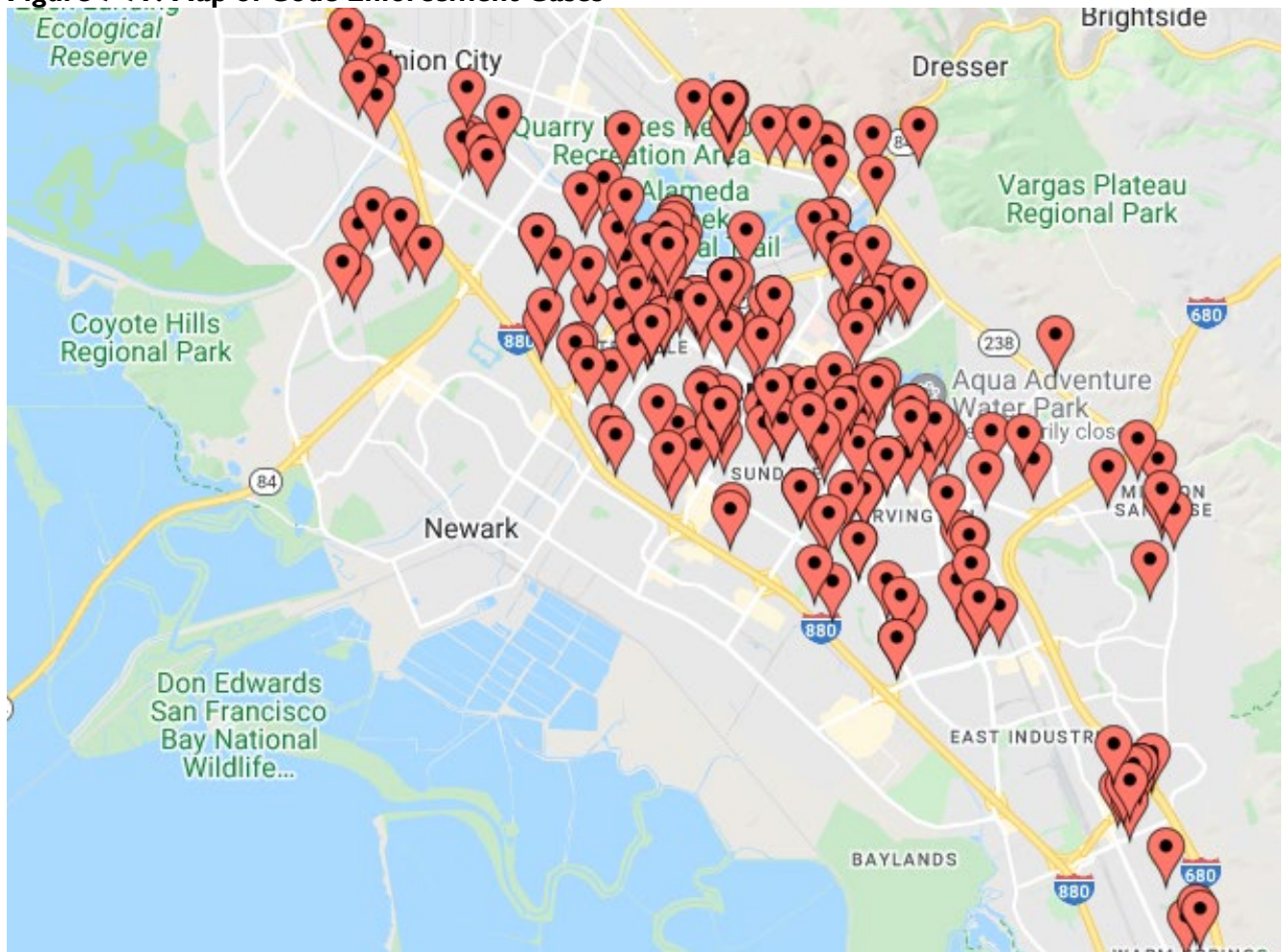
Figure 7-78. Code Enforcement Complaints Related to Substandard Housing



Source: City of Fremont Code Enforcement Division.

When examined geographically, code enforcement cases were most prevalent within Central Fremont, Parkmont, Sundale, and Irvington. These neighborhoods correspond to areas that have a higher proportion of rental housing and lower-income households.

Figure 7-79. Map of Code Enforcement Cases



Source: City of Fremont Code Enforcement Division.

As discussed within the Housing Needs Assessment, it is likely that the number of reported substandard housing complaints is substantially lower than the actual number of issues within the community. Renters may fear reporting substandard housing for fear of retaliation. Others may not know that certain issues may constitute a substandard housing issue (i.e., lack of heat). The City's Code Enforcement Manager estimates that between 5,000 and 10,000 homes require substantial retrofit or renovation. It is likely that households living in those homes face one or more substandard housing issues.

Displacement

Displacement is defined as the involuntary relocation of current residents from a community or neighborhood. Displacement can occur directly, such as when subsidized affordable housing is converted to market rate, or when older housing stock is torn down to allow for new development. Displacement can also occur indirectly when residents are no longer able to live in their homes due to increasing housing costs. Government investments in physical infrastructure including rail transit, schools, parks, and highways, can be associated with increasing home values and subsequent displacing forces.

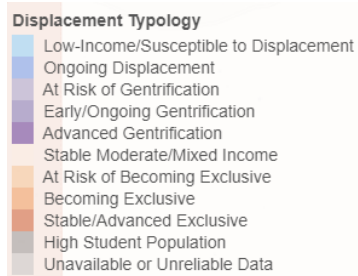
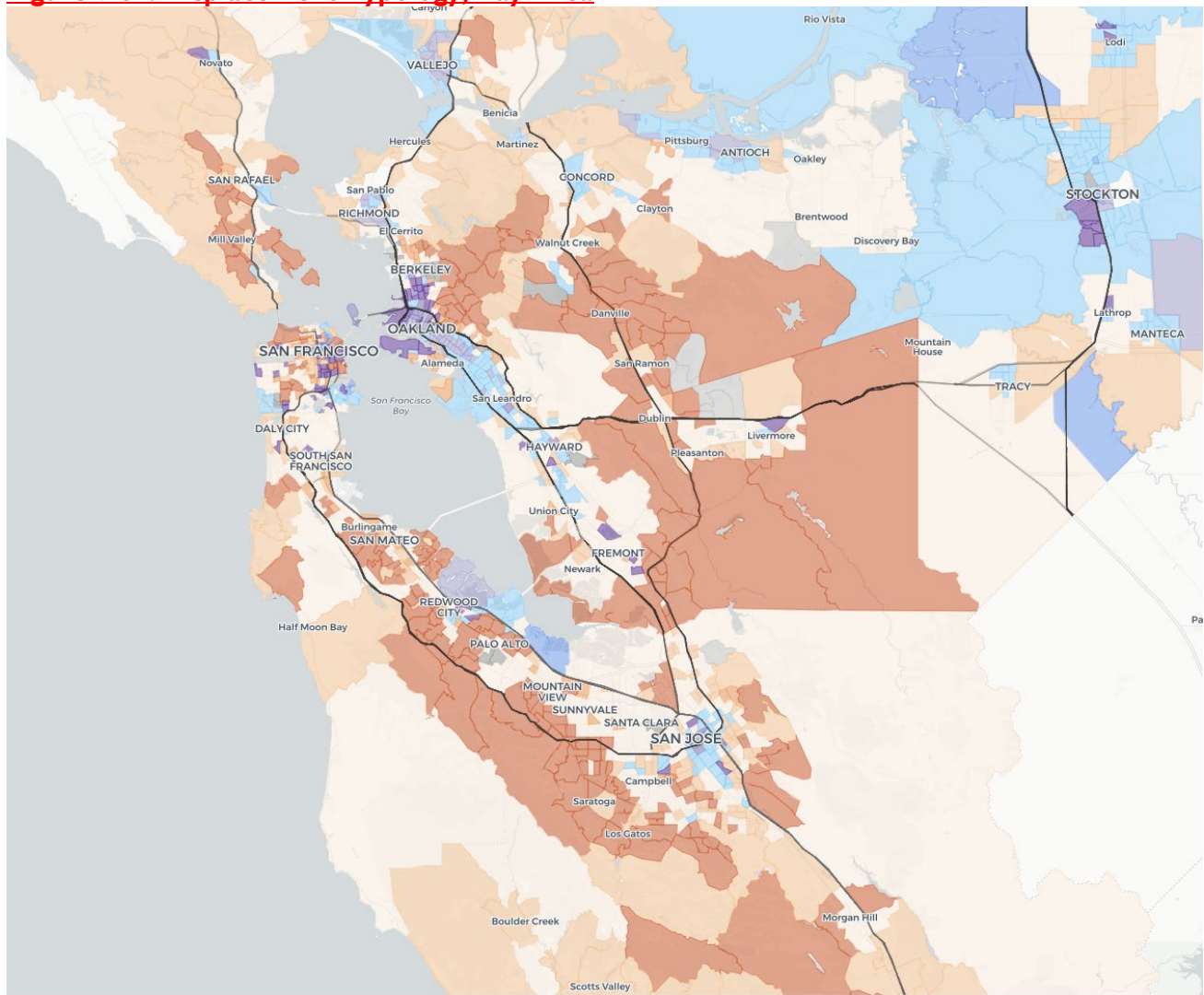
Historically across the state of California, local Redevelopment Agencies contributed to projects that spurred both the direct and indirect displacement of low-income residents.⁸ The City of Fremont's Redevelopment Agency had identified three "Redevelopment Districts" within the City, consisting of the downtown areas of Niles, Centerville, and Irvington. The City provided significant public investment in street improvements, business assistance, and affordable housing within these neighborhoods from the 1970s through the dissolution of Redevelopment in 2012. The history of these redevelopment efforts is relevant to understanding the landscape of residential displacement within Fremont today.

The Urban Displacement Project publishes a map that characterizes housing market dynamics and displacement and gentrification risk into categories ("typologies") at the census tract level. Their analysis includes both neighborhoods with a typology of exclusionary displacement and those experiencing the effects of direct or indirect displacement.

Within the Bay Area, many suburban communities are characterized as "Advanced Exclusive" communities. Advanced exclusive communities are more likely to experience exclusionary displacement, in that lower-income households cannot move there due to the lack of affordable housing options. The communities that are at the greatest risk of gentrification include neighborhoods within San Francisco, Oakland, Berkeley, and Redwood City. Finally, existing low-income communities within southern San Francisco, southeast Oakland, San Jose, and East Palo Alto have stable populations currently, but may be susceptible to displacement within the future.

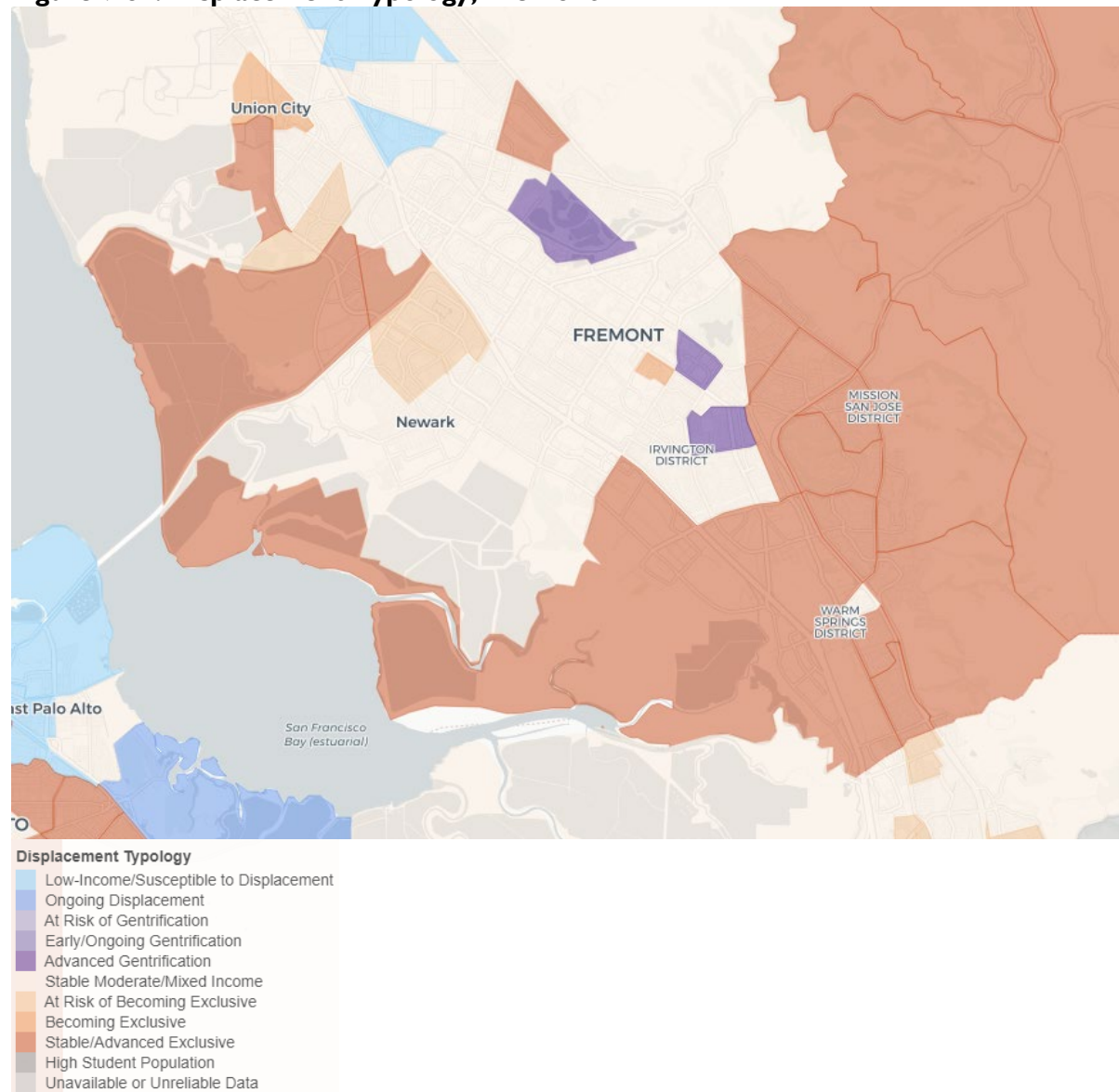
⁸ *Redevelopment Agencies in California: History, Benefits, Excesses, and Closure* by Casey Blount, Wendy Ip, Ikuo Nakano, and Elaine Ng. January 2014. https://www.huduser.gov/portal/publications/redevelopment_whitepaper.pdf

Figure 7-8I. Displacement Typology, Bay Area



Source: UCB Urban Displacement Project

Figure 7-82. Displacement Typology, Fremont

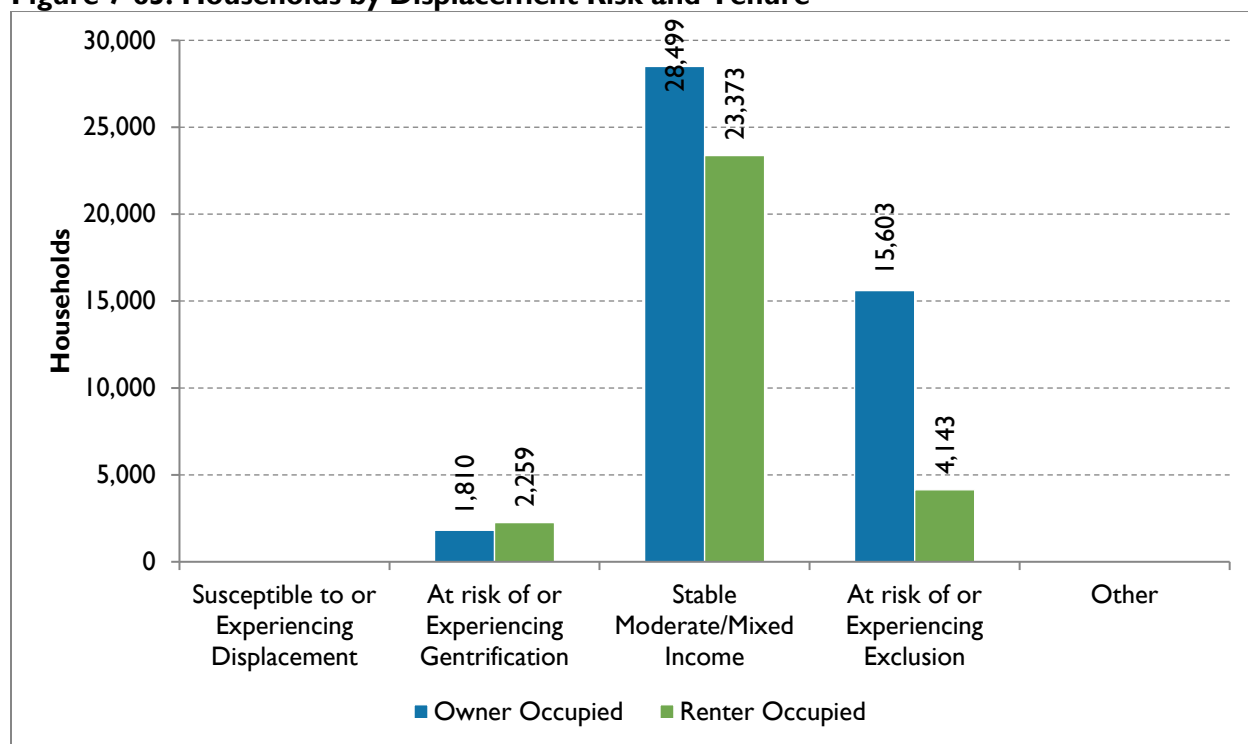


Source: UCB Urban Displacement Project

Much of Fremont is categorized as a “Stable Moderate/Mixed Income” or “Stable/Advanced Exclusive” typology. There are also three tracts that have a typology of “Advanced Gentrification” which are in Brookvale/Parkmont, Central Fremont, and Irvington. These communities gentrified between 1990-2018 and are currently moderate to high income tracts. The map does not identify any census tracts in Fremont that have a typology of being susceptible to displacement or at risk of gentrification.

Notably, only one of the three identified “Advanced Gentrification” tracts is located within a former Redevelopment District. Other former Redevelopment Districts are classified as stable moderate/mixed income tracts. However, more broadly, tracts with an “Advanced Gentrification” typology contain more renters than homeowners. Homeowners outnumber renters in moderate/mixed income and exclusionary tracts.

Figure 7-83. Households by Displacement Risk and Tenure



Source: Urban Displacement Project for classification, American Community Survey 5-Year Data (2015-2019), Table B25003 for tenure.

Notes: -Displacement data is available at the census tract level. Staff aggregated tracts up to jurisdiction level using census 2010 population weights, assigning a tract to jurisdiction in proportion to block level population weights. Total household count may differ slightly from counts in other tables sourced from jurisdiction level sources.

-Categories are combined as follows for simplicity:

-At risk of or Experiencing Exclusion: At Risk of Becoming Exclusive; Becoming Exclusive; Stable/Advanced Exclusive

-At risk of or Experiencing Gentrification: At Risk of Gentrification; Early/Ongoing Gentrification; Advanced Gentrification

-Stable Moderate/Mixed Income: Stable Moderate/Mixed Income

-Susceptible to or Experiencing Displacement: Low-Income/Susceptible to Displacement; Ongoing Displacement

-Other: High Student Population; Unavailable or Unreliable Data

The Urban Displacement Project has separately identified “sensitive communities” within the Bay Area that may be at greater risk for displacement pressure in the future. These communities are areas that meet the following criteria:

- Share of very low-income residents is above 20%, AND
- The tract meets two of the following criteria:
 - Share of renters is above 40%
 - Share of people of color is above 50%
 - Share of very low-income households (50% AMI or below) that are severely rent burdened households is above the county median
 - They or areas in close proximity have been experiencing displacement pressures.⁹

⁹ For the purposes of this analysis, “displacement pressure” was defined as either a percent change in rent above county median for rent increase or the difference between tract median rent and median rent for surrounding tracts above median for all tracts in county (rent gap).

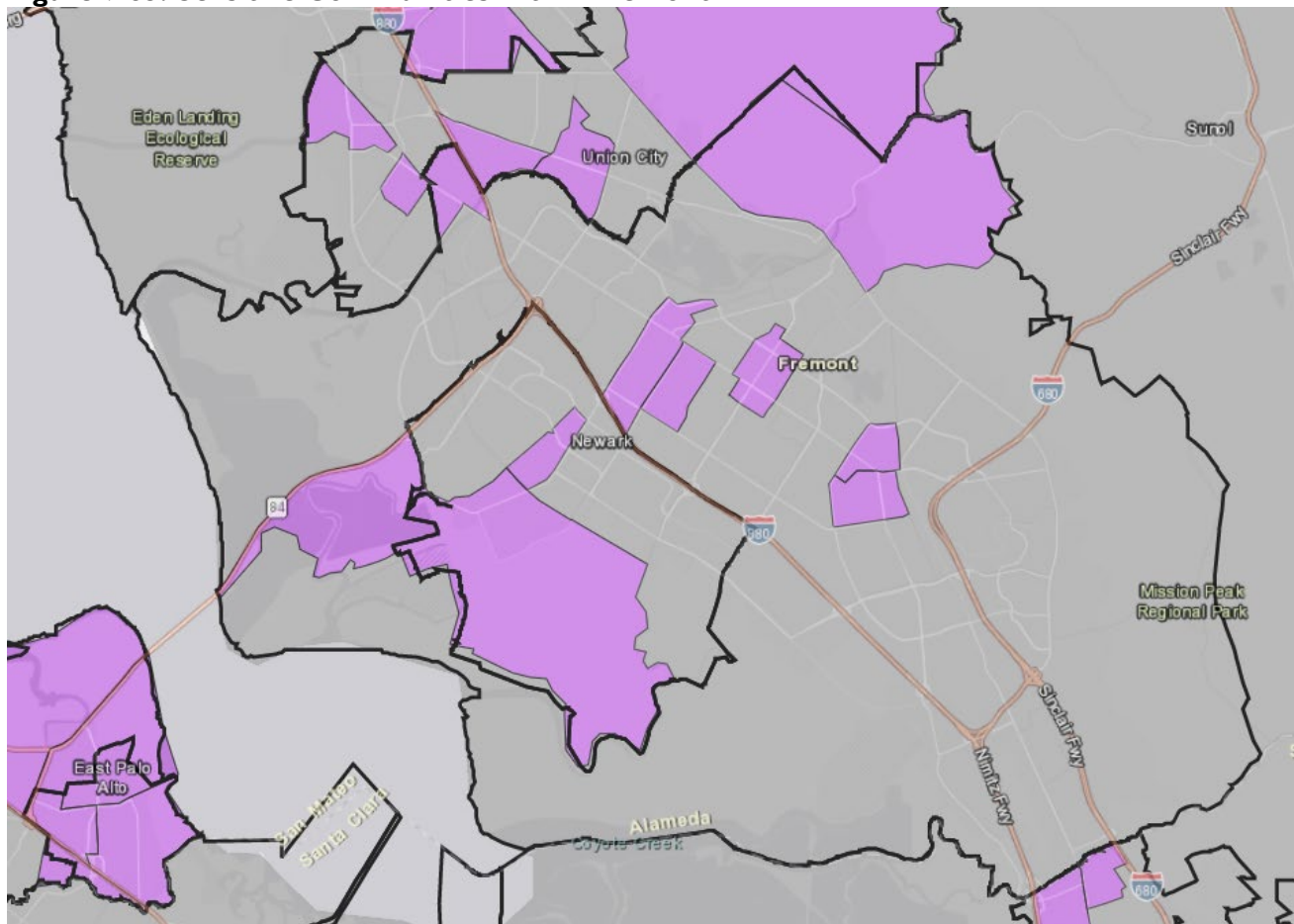
A map of the San Francisco Bay Area. The map shows the San Francisco Peninsula, the East Bay, and the Central Valley. Major cities are labeled, including San Francisco, Oakland, Berkeley, Richmond, San Jose, and San Diego. The map also shows the San Francisco Bay, the Golden Gate Bridge, and the San Francisco International Airport. The map is color-coded with green for parks and open spaces, and yellow for urban areas. The map is oriented with North at the top.

Source: UCB Urban Displacement Project

These additional criteria identify more communities that may be at risk of displacement, beyond those that were identified as at-risk in the Displacement Typology methodology. For example, a greater proportion of San Francisco is identified as at-risk for displacement in this methodology, as well as additional block groups within Oakland, Redwood City, and San Jose.

The sensitive communities identified within Fremont using this methodology are located within Ardenwood, Niles, Centerville, Central Fremont/Downtown, and Irvington. Most of these areas are currently stable moderate or mixed-income communities, but this analysis indicates that low-income residents in these areas may be more sensitive to displacement pressures due to their tenure, race, or other demographics. All three former Redevelopment Districts are identified as sensitive communities.

Figure 7-85. Sensitive Communities within Fremont



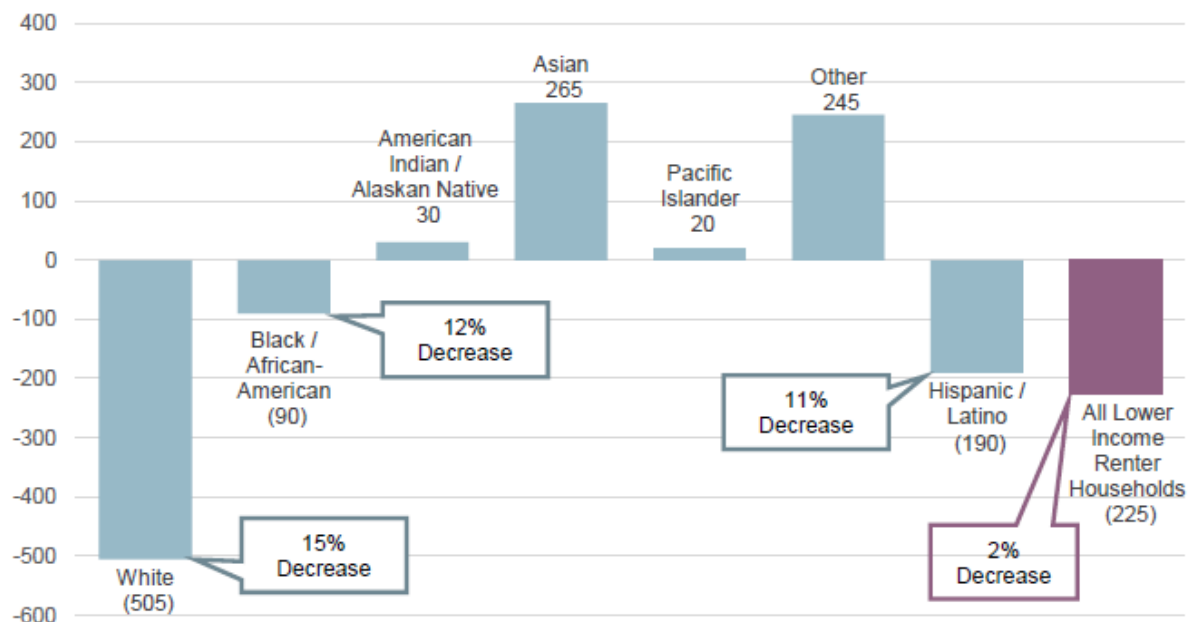
Source: UCB Urban Displacement Project

Importantly, five of the seven tracts identified as sensitive communities are located within proximity to existing or planned transit-oriented development districts in Central/Downtown, Centerville, and Irvington. These are Priority Development Areas (PDAs) in which there is planned future private and public investment in multi-family housing developments and transit infrastructure.

Due to concerns about displacement pressures among existing residents, the City contracted with BAE Urban Economics to complete a study analyzing current trends in residential displacement in Fremont in June 2021. The study found that lower-income Fremont residents have been experiencing residential displacement and are at risk of additional displacement pressure to a greater extent than lower-income residents in Alameda County overall.

Between 2010 and 2017, a net 450 lower-income households experienced displacement in Fremont. Of those, 205 were renter households and 245 were homeowner households. The decrease in Fremont's lower-income renter population has occurred disproportionately among the City's White, Black, and Hispanic/Latino populations.

Figure 7-86. Change in Lower-Income Renter Households by Race/Ethnicity, 2010-2017



Note: Data shown reflect the difference between ACS data collected during the 2006-2010 period and ACS data collected during the 2013-2017 period.

Sources: U.S. Department of Housing and Urban Development, 2006-2010 & 2013-2017 Comprehensive Housing Affordability Strategy (CHAS) data; BAE, 2020.

The Displacement Study also conducted interviews with local service providers, who reported that displacement disproportionately impacted lower-income households, racial minorities, single-parent households, large family households, people with disabilities, seniors, and families with children.

One population that may be at risk of displacement are those living in affordable housing complexes that are at risk of being converted to market-rate. The California Housing Partnership identified 129 deed-restricted units at a high risk of conversion to market-rate in Fremont. These are affordable homes that are at-risk of converting to market rate in the next 1-5 years, do not have a known overlapping subsidy that would extend affordability, and are not owned by a large/stable non-profit, mission-driven developer.

Table 7-16. Assisted Units at Risk of Conversion

Geography	Low	Moderate	High	Very High	Total Assisted Units in Database
Fremont	2,038	195	129	0	2,227
Alameda County	23,040	167	189	106	23,502
Bay Area	110,177	3,375	1,854	1,053	116,459

Source: California Housing Partnership, Preservation Database (2020)

Notes: -While California Housing Partnership's Preservation Database is the state's most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing, this database does not include all deed-restricted affordable units in the state. Consequently, there may be at-risk assisted units in a jurisdiction that are not captured in this data table.

-Per HCD guidance, local jurisdictions must also list the specific affordable housing developments at-risk of converting to market rate uses. This document provides aggregate numbers of at-risk units for each jurisdiction, but local planning staff should contact Danielle Mazzella with the California Housing Partnership at dmazzella@chpc.net to obtain a list of affordable properties that fall under this designation.

-California Housing Partnership uses the following categories for assisted housing developments in its database:

-Very-High Risk: affordable homes that are at-risk of converting to market rate within the next year that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.

-High Risk: affordable homes that are at-risk of converting to market rate in the next 1-5 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.

-Moderate Risk: affordable homes that are at-risk of converting to market rate in the next 5-10 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.

-Low Risk: affordable homes that are at-risk of converting to market rate in 10+ years and/or are owned by a large/stable non-profit, mission-driven developer.

The City's Housing Division monitors existing deed-restricted affordable units with expiring subsidies and works with property owners to prevent the conversion of affordable units to market-rate. The Housing Division has identified four complexes, totaling 324 units, at risk of conversion during the 2023-2031 Housing Element planning period. The Housing Needs Assessment contains additional information regarding these at-risk units.

Displacement due to Natural Disasters

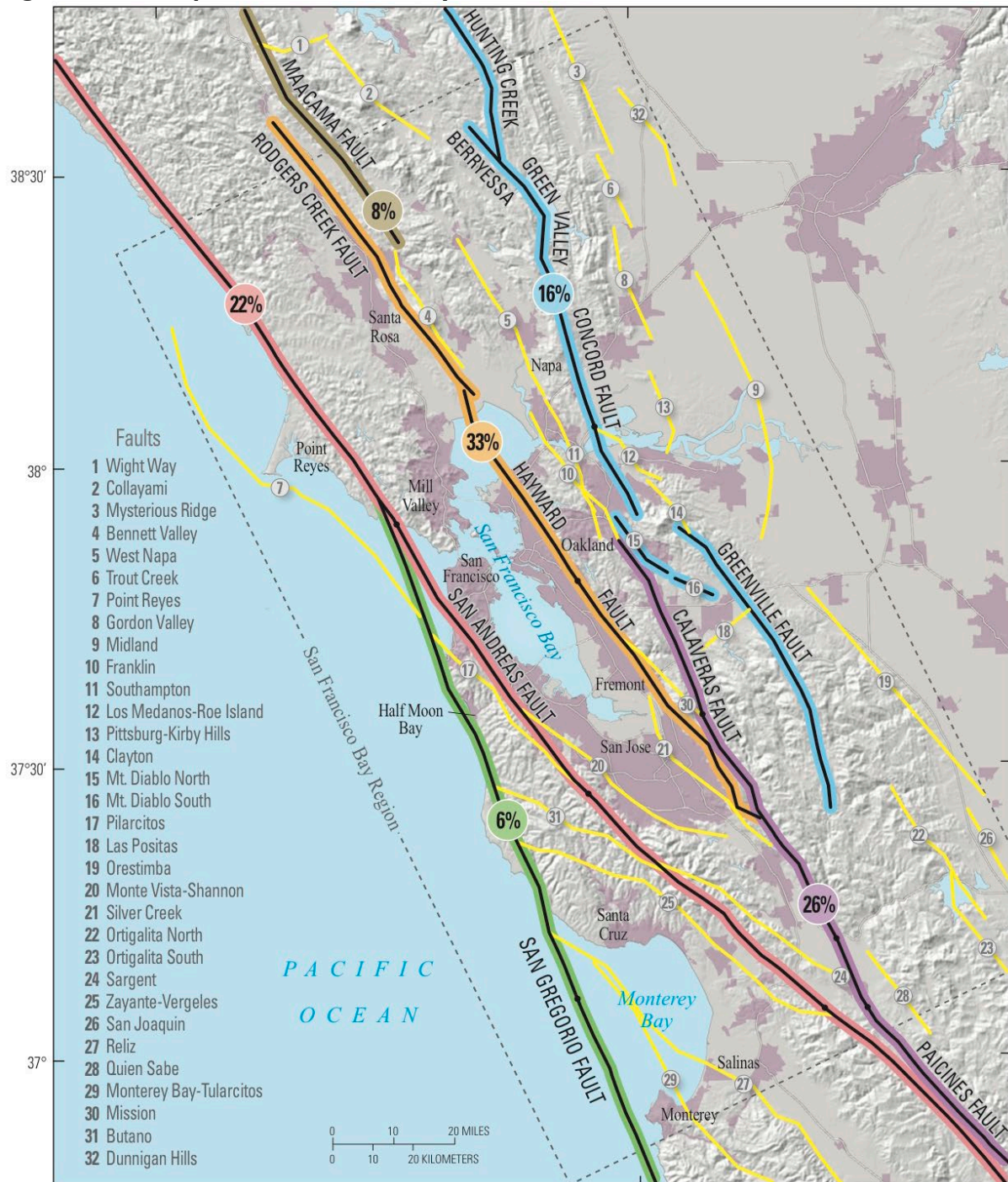
Another contributor to displacement risk is natural disaster hazard. Low-income renters are disproportionately exposed to environmental hazards.¹⁰ Due to their tenure, renters have less control over when their housing is rebuilt or repaired after a disaster. Rental units may also take longer to rebuild due to their complexity and the lack of financial resources available. An ongoing shortage of rental units within a community after a disaster can lead to skyrocketing rental prices, displacement, and increased homelessness, as seen after recent Northern California wildfires.¹¹

Major disaster risks within the Bay Area include earthquake hazards, wildfires, and floods. Earthquake hazards are typically most severe in proximity to a fault. Major faults within the Bay Area include the San Andreas Fault, which runs along the San Francisco Peninsula, and the Hayward Fault, which runs along the East Bay shore. Much of the urbanized Bay Area is crossed by one of these faults, or another smaller fault.

¹⁰ Lee & Van Zandt, 2018, Social Vulnerability to Disasters: A Review of the Evidence

¹¹ California's Climate Nomads, The LA Times, August 4, 2021

Figure 87. Earthquake Faults of the Bay Area

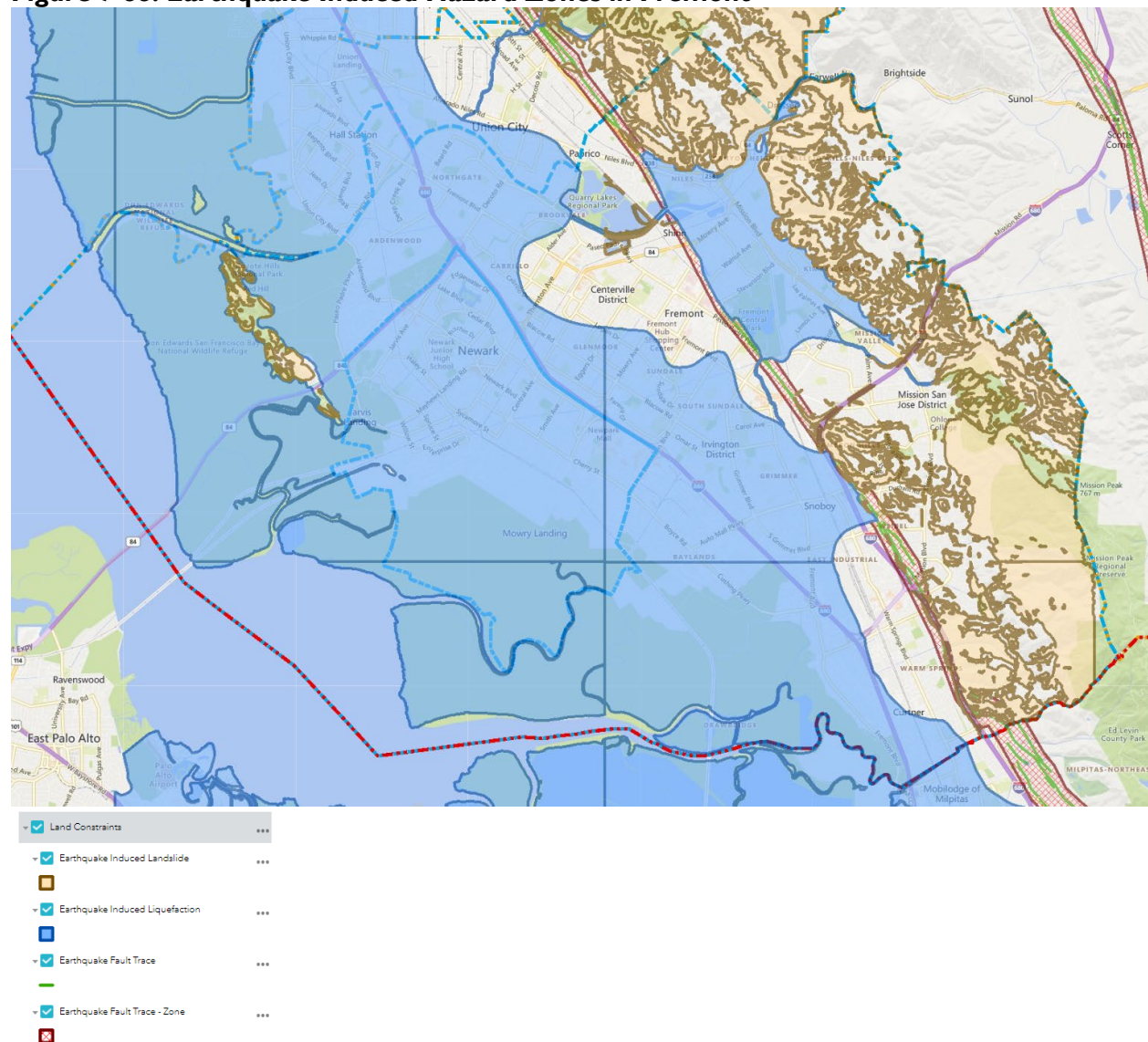


Source: USGS

Even if not located on a fault directly, earthquake liquefaction and landslide risks also pose potential for displacement impacts. Land adjacent to the San Francisco Bay is at greatest risk for earthquake induced liquefaction. Land on hillsides within the Coastal Range and East Bay Hills is most prone to earthquake induced landslides. Most jurisdictions within the Bay Area contain these hazard zones, and have adopted Building Code requirements that reflect the need for investigation and site-specific judgement when constructing on land subject to an earthquake-induced hazard.

Indeed, much of Fremont is located within an earthquake hazard zone. Areas of Downtown/Central Fremont with the highest renter population in the city are located in proximity to the Hayward Fault. In southern Fremont, the fault runs through predominantly single-family homeowner neighborhoods. As typical in the Bay Area, areas closest to the San Francisco Bay are subject to earthquake induced liquefaction, while those in the hills are subject to earthquake induced landslide risks. The City's Building Division requires a soils report for the construction of new units within these zones in order to ensure that they meet current code requirements to minimize damage in the case of an earthquake.

Figure 7-88. Earthquake Induced Hazard Zones in Fremont

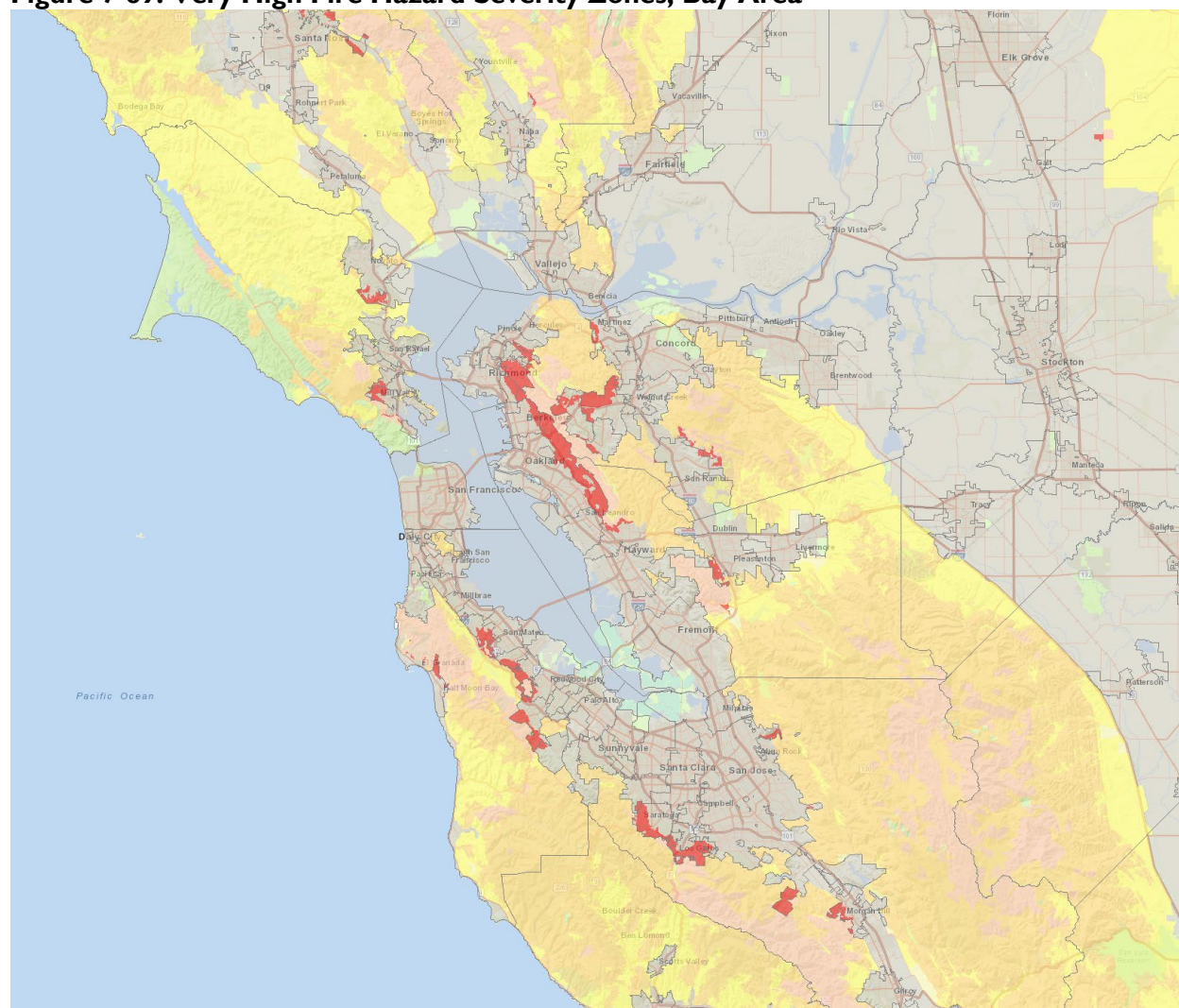


Source: City of Fremont GIS Division

Wildfire is another disaster hazard that poses the greatest risk within the open space frames surrounding the urbanized Bay Area. CalFire has designed certain areas as “Very High Fire Hazard Severity Zones” to indicate their heightened risk of wildfire impacts. Areas with the highest risk of wildfire are within the “Wildland Urban Interface” (WUI) area, where open space areas and development (often low-density residential subdivisions) meet. The areas with the greatest fire hazard severity within the Bay Area include

the East Bay Hills outside of Berkeley and Oakland; the interior portion of the Coastal Range on the San Francisco Peninsula; and particular terrain within the North Bay Area.

Figure 7-89. Very High Fire Hazard Severity Zones, Bay Area



■ Local responsibility area Very High Fire Hazard Severity Zone

State responsibility Very High Fire Hazard Severity Zones:

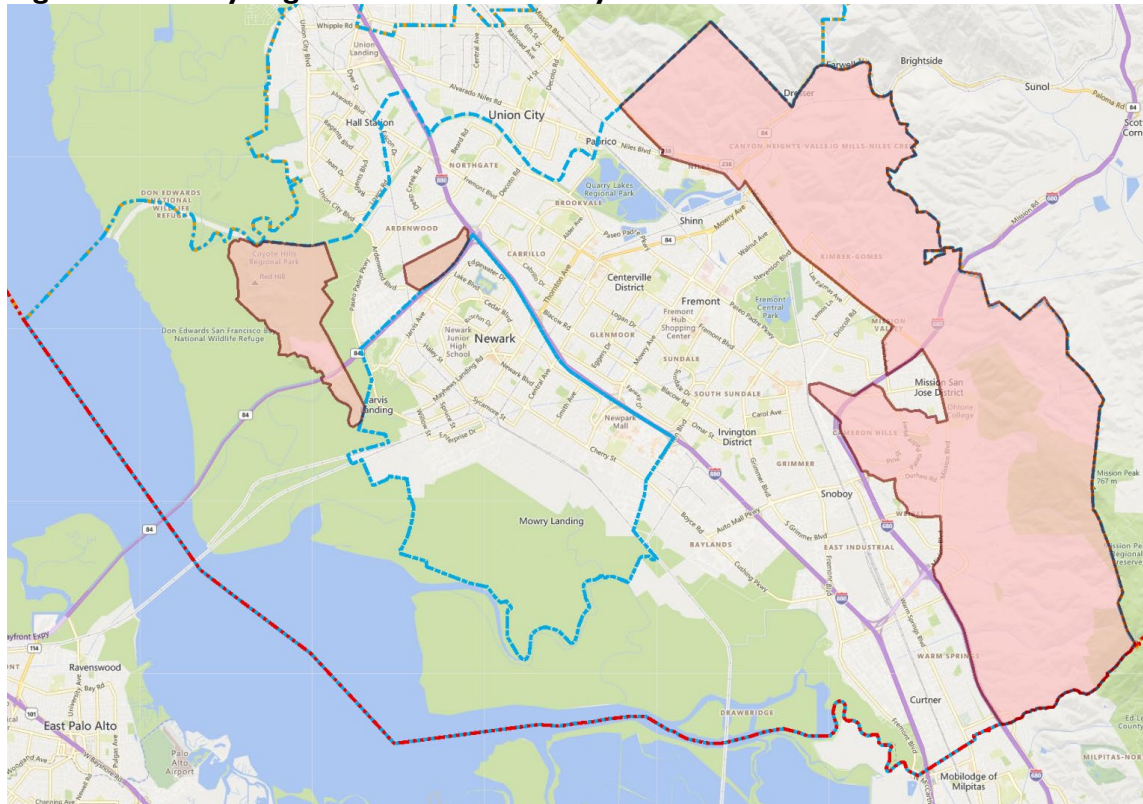
■ Very High
■ High
■ Moderate

Source: The State of California and the Department of Forestry and Fire Protection

While CalFire has not declared any areas of the City of Fremont as a Very High Fire Hazard Severity Zone, the City has adopted its own Fire Hazard Severity Zone ordinance. The specific adopted zone covers areas of Fremont located east of Mission Boulevard and/or I-680. Many of the neighborhoods located in this zone are the highest-resource areas of the community, where owner-occupied single-family

homes are the most prevalent housing stock. However, there is one sensitive community identified by the Urban Displacement Project is located within this risk zone. That tract is located in Niles.

Figure 7-90. Very High Fire Hazard Severity Zone

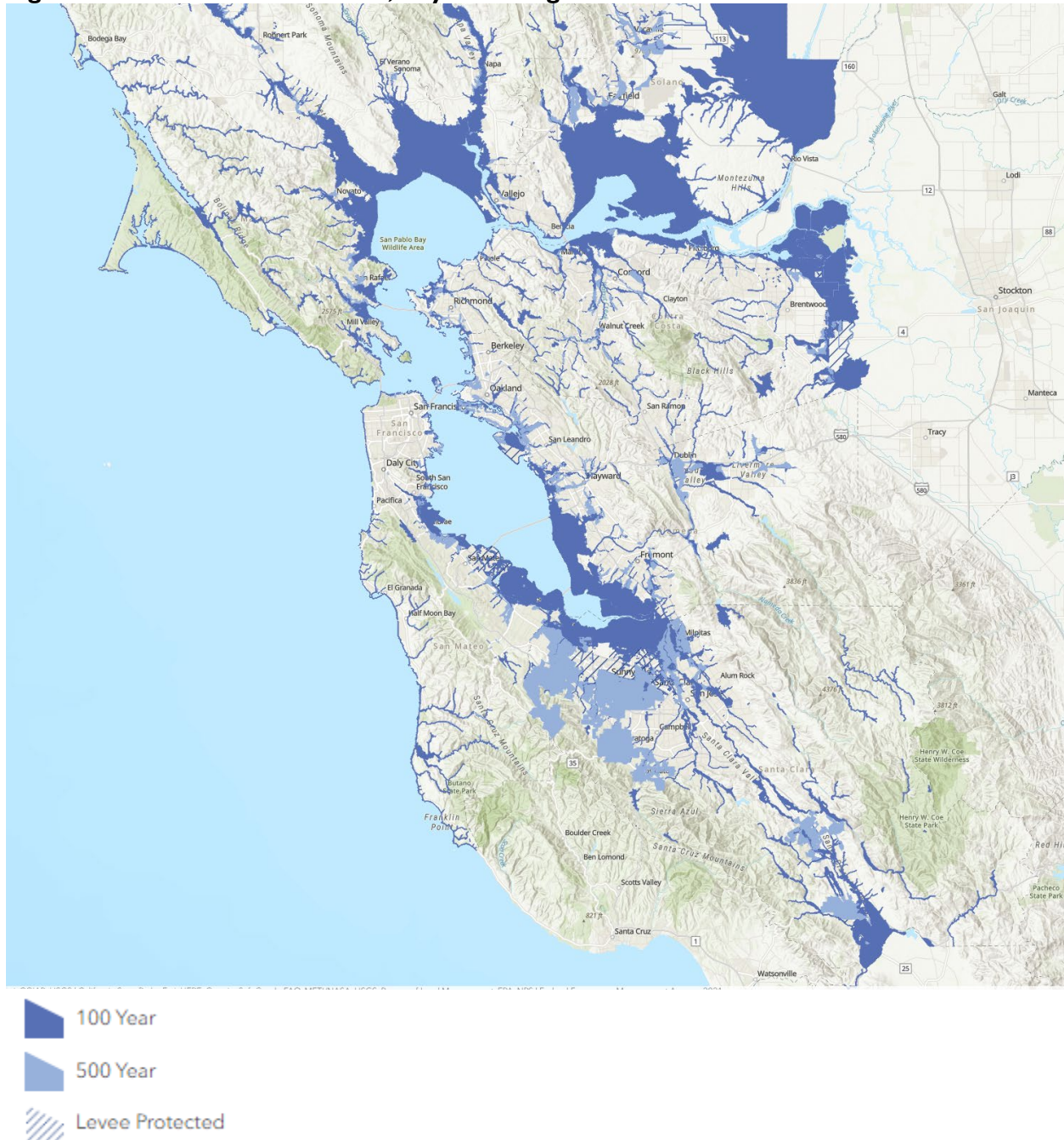


Local Very High Fire Hazard Severity Zone

Source: City of Fremont GIS Division

Finally, portions of the Bay Area are susceptible to flood hazards. Regionally, the areas with the greatest flood risk are those along the shoreline of the San Francisco Bay, San Pablo Bay, and San Joaquin River Delta. Other areas within the region proximate to creeks and rivers may also be subject to more localized flood risks.

Figure 7-91. Flood Hazard Zones, Bay Area Region



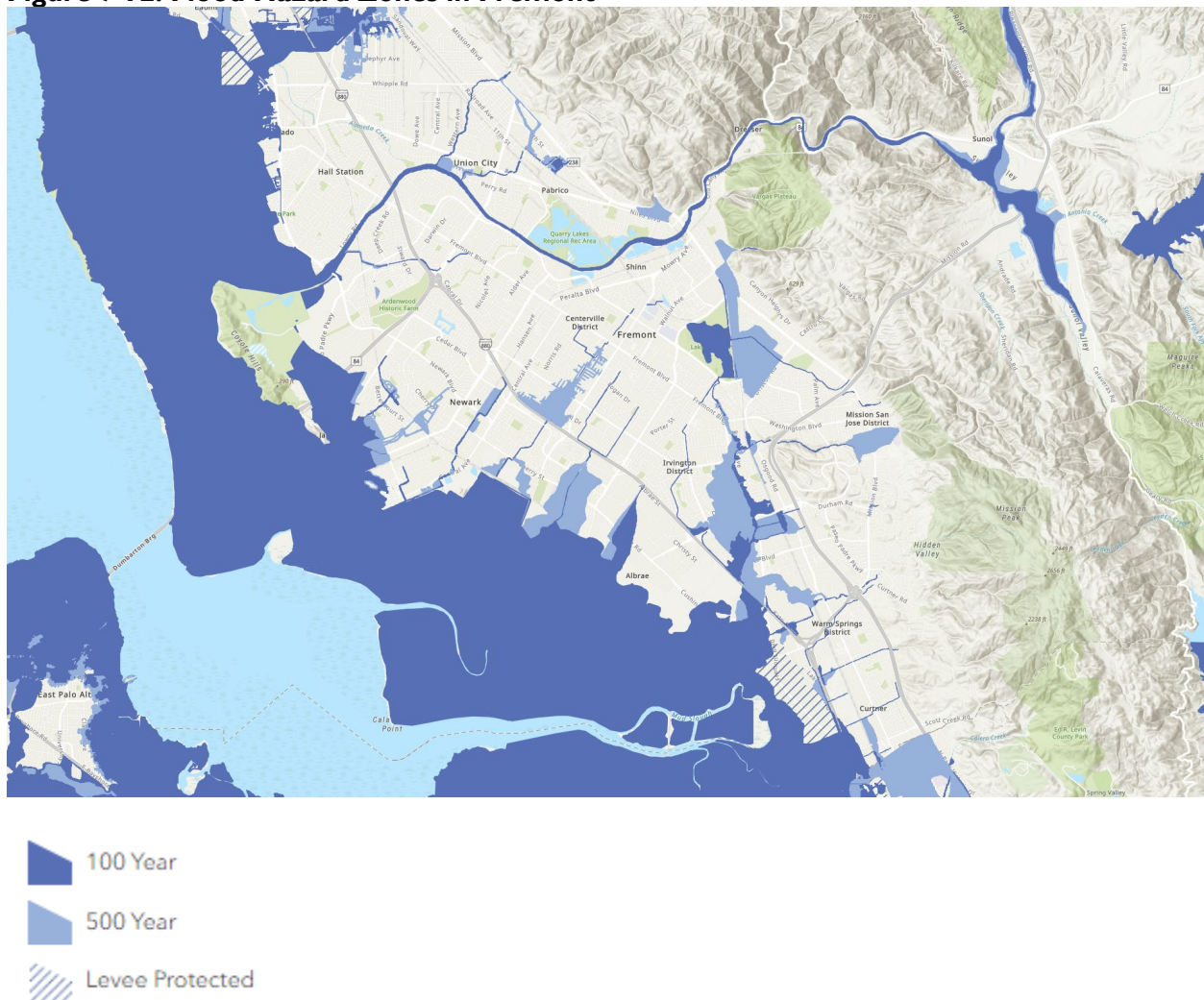
Source: FEMA, 2019. Flood Insurance Rate Map (FIRM).

According to the City of Fremont Safety Element, the areas most at risk for flooding are as follows:

Flooding from a 100-year or greater flood could affect portions of the North Fremont surrounding Coyote Hills and portions of the City's industrial west of I-880 and south of Stevenson Boulevard... Other areas of the City where inundation from flooding is possible include Alameda Creek through Niles Canyon; the area surrounding Lake Elizabeth, extending into the Mission Valley neighborhood; Laguna Creek; the Crandall Creek area west of Deep Creek Road; and the KGO radio transmitter site along the approach to the Dumbarton Bridge. There is also localized flooding potential along the urban fringe near the base of the hills and in scattered flat land areas.

The Safety Element concludes that most areas most of the areas prone to historical flooding have been designated primarily for permanent open space uses such as habitat preservation, salt ponds, and federal and regional parks and preserves. Immediately adjacent land is largely dedicated to industrial uses, providing a buffer that minimizes the potential for residential displacement due to sea level rise and coastal flooding. Residential neighborhoods within the City that have the largest flood risks include Mission Valley, Grimmer, and Glenmoor.

Figure 7-92. Flood Hazard Zones in Fremont



Source: FEMA, 2019. Flood Insurance Rate Map (FIRM).

Existing Policies Affecting Disproportionate Housing Needs

The City's 2015-2023 Housing Element included policies that address disproportionate housing. The previous strategy for addressing substandard housing conditions, cost burden, and overcrowding focused mostly on the creation of new, code-compliant housing rather than the mass retrofit of existing units. For example, Program 3.03-C (*Continue to Encourage Development of Affordable Family and Larger Sized Units*) promotes the creation of new, large housing units to reduce overcrowding among larger families.

The previous housing element had a single homelessness response program, Program 4.02-C (Provide Shelter Services to Homeless in Need). However, the City's response to homelessness drastically expanded during the past planning period to meet the extreme need in the community. The growth of the City's response to homelessness is reflected in the updated Housing Element.

Finally, displacement was identified as a major issue in the previous housing element and a whole suite of policies was proposed in order to address this concern, including:

- Program 1.05-B: Long-Term Affordability Restrictions
- Program 1.05-D: Mobile Home Preservation and Rent Stabilization
- Program 1.05-E: Continue to Implement Condominium Conversion Ordinance
- Program 1.05-F: Monitor and Address Housing Displacement as a Result of New Development Activity
- Program 4.01-A: Continue Implementation and Administration of Residential Rent Increase Dispute Resolution Ordinance.
- Program 4.01-C: Administration of Landlord/Tenant Counseling Services and Eviction Prevention Services.

Proposed Policies to Address Disproportionate Housing Needs

Homelessness

The City continues to expand the resources that it dedicates to addressing the crisis of homelessness. In order to set clear direction moving forward, the City Council is currently in the process of developing a five-year Homelessness Action Plan. Policy direction for addressing homelessness will ultimately be set by that plan. However, the 2023-2031 Housing Element establishes a baseline commitment to expand the resources devoted to homeless services and remove barriers for the development of permanent housing opportunities for those who have experienced homelessness.

Indeed, the only real solution to homelessness is housing, and particularly expansion of supportive and transitional housing that can assist people with handling the trauma that being unhoused creates. Strategies to increase the supply and production of supportive housing within the 2023-2031 Housing Element planning period include:

- Program 75. Participate in the Alameda County IMPACT Program
- Program 76. Remove Zoning Barriers for Supportive and Transitional Housing
- Program 82. Encourage Location of Case Management and Other Supportive Services in Affordable Housing Developments and Housing for Seniors.
- Program 62. Facilitate Hotel Acquisition/Rehabilitation.
- Program 59. Prioritize Development of Housing Affordable to Extremely Low-Income Households.
- Program 65. Facilitate Shared Housing Opportunities.

Substandard Housing Conditions

The 2023-2031 Housing Element includes policies that promote the retrofit of existing housing to prevent substandard housing conditions, as well as policies to proactively identify and correct substandard housing violations when they occur. Homeowners may face substandard housing conditions when they cannot afford to upkeep their dwelling. Similarly, renters may feel the first-hand effects of overdue repairs. By facilitating the permitting process for small residential upgrades to ventilation, plumbing, and roof replacement, the City will remove regulatory hurdles for property owners to complete these upgrades voluntarily and prevent substandard housing conditions from occurring. Relevant programs facilitating upgrades, repairs, and renovations include:

- Program 3. Minor Home Repair Grant Program.
- Program 5. Comprehensive Review of Single-Family Residential Planned Districts.
- Program 24. Offer “Over the Counter” (OTC) Type Plan Checks for Qualifying Residential Projects.

The City will also respond to substandard housing violations when they occur. As the analysis shows that most residents with substandard housing problems rent their home, rather than own, it is essential that the City ensures property owners identify and address substandard housing issues. For concerned property owners, the City will continue to offer a training session on a landlord’s obligations and responsibilities related to adequate housing conditions. For landlords who do not address substandard housing issues proactively, the City’s Code Enforcement Division completes both responsive and proactive inspections of rental housing units. These strategies are reflected in the following policies:

- Program 1. Identify and Abate Substandard Rental Housing.
- Program 2. Training for Apartment Owners and Property Managers

Cost Burden

The Fair Housing Analysis found that most cost-burdened households are renters, and that cost-burden is most acute at the lowest income levels. Policies to remove zoning barriers and reduce construction costs have been found to decrease rental prices, as developers have fewer costs to pass along to their future tenants. The following policies remove zoning regulations and streamline permitting in a way that would reduce rental prices:

- Program 17. Develop and Refine Objective Design Standards Consistent with State Law to Provide a Predictable Basis to Review Housing Projects.
- Program 18. Develop Objective Findings for Residential Projects.
- Program 34. Further Reduce Parking Requirements in TOD Areas.
- Program 36. Update Mixed-Use Zoning Standards.

In addition to the policies to more generally make housing more affordable, as described above, the 2023-2031 Housing Element proposes programs that aim to limit rent prices in deed-restricted affordable housing and discourage large rent increases in order to reduced cost burden among the most vulnerable populations. These programs include:

- Program 11. Ensure that Existing Deed-Restricted Housing Complies with Regulatory Restrictions.
- Program 12. Continue to Implement and Annually Review the Rent Review Ordinance.
- Program 14. Implement “Stay Housed” Self-Sufficiency Program.

Overcrowding

The Fair Housing Analysis found that overcrowding is most prevalent among renter households. Households that rent experience overcrowding when they cannot afford a unit that is large enough to provide adequate space for their household. Therefore, policies to decrease housing costs can lower rates

of overcrowding. The policies that the City has proposed to make new market-rate housing more affordable are discussed in greater detail under the “Cost Burden” header above.

At the same time, other Housing Element policies would address overcrowding among homeowners. Homeowners facing overcrowding situations may have experienced unanticipated growth in their household size that made the house they purchased too small. The following programs would assist homeowners with completing additions in order to make existing units larger, in order to adequately accommodate all residents:

- Program 5. Comprehensive Review of Single-Family Residential Planned Districts.
- Program 24. Offer “Over the Counter” (OTC) Type Plan Checks for Qualifying Residential Projects.

Finally, the Fair Housing Analysis also found that overcrowding is most prevalent among moderate-income households who make between 80% to 100% AMI. These households are most affected by the lack of “missing middle” housing options that provide both adequate space and affordability. Policies to encourage the development of “missing middle” housing can help alleviate overcrowding concerns among this income bracket. Program 32 (Expand Homeownership Opportunities within Existing Highest Resource Neighborhoods) would create missing-middle homeownership opportunities via implementation of SB 9. Program 33 (Add Intensity in High Resource Single-Family Neighborhoods within TODs), Program 35 (Set Density Minimums Outside of TODs), and Program 37 (Update Zoning to Reflect Intensity Permitted Under SB 478) would set density minimums within specified zoning districts in order to facilitate middle-income rental housing.

Displacement

In order to reflect the crisis of displacement within Fremont, preventing displacement has become a key goal of the 2023-2031 Housing Element (Goal 2: Help Current Residents Maintain Stable and Safe Housing in Fremont). The Fair Housing Analysis found that lower-income residents within Fremont have been experiencing residential displacement and are at risk of additional displacement pressure to a greater extent than lower-income residents in Alameda County overall. Some residents face displacement pressure for economic reasons (i.e., being unable to afford rent), while others face direct displacement when their rental unit is proposed for demolition or substantial remodel.

All of the anti-displacement programs proposed under the 2015-2023 Housing Element will continue into the next planning period. In particular, Program I.05-F (Monitor and Address Housing Displacement as a Result of New Development Activity) has been expanded into a policy with specific underlying programs intended to reduce direct displacement. New and expanded anti-displacement programs within the 2015-2023 Housing Element include:

- Program 9. Short Term Rental Ordinance
- Program 11. Ensure that Existing Deed-Restricted Housing Complies with Regulatory Restrictions.
- Program 15. Live/Work Preference for Affordable Housing.
- Program 16. Mandatory Replacement of On-Site Units.

SUMMARY OF KEY FINDINGS

- Within Fremont, Black and Native American people are disproportionately impacted by homelessness.
- Within Fremont, Black, Hispanic/Latinx, and households of multiple races are overrepresented among renters. Renters are also more likely to be younger and have lower incomes. Rental tenure is associated with a greater risk of substandard living conditions and displacement pressure.
- Within Fremont, renters and people with lower incomes are more likely to be cost-burdened. Hispanic or Latinx residents are the most cost burdened, and Native American residents are the most severely cost burdened.
- Within Fremont, Asian/Pacific Islander residents, Hispanic residents, and residents of two or more races are most likely to experience overcrowding. Areas with high prevalence of overcrowding in Fremont are correlated to areas with a high percentage of rental housing.
- Within Fremont, the most common substandard housing complaint reported to Code Enforcement is mold. The geographic concentration of complaints was correlated to areas of the City with greater prevalence of rental housing.
- Within Fremont, lower-income residents have been experiencing residential displacement and are at risk of additional displacement pressure to a greater extent than lower-income residents in Alameda County overall. Sensitive communities may face future displacement risk from natural disasters, including earthquakes, wildfires, and floods.

Fair Housing Analysis of Inventory Sites

The sites identified for future housing development within the Housing Element sites inventory must be consistent with the requirement to affirmatively further fair housing. Specifically, sites must replace segregated living patterns with integrated living patterns and provide access to opportunity for members of all racial and economic groups. The location and characteristics of the identified sites must address the contributing factors identified through the fair housing analysis.

The sites inventory was analyzed through statistical analysis (page 7-120 through page 7-122) and geographic maps (page 7-122 through page 7-133) to determine whether the identified sites improve or exacerbate conditions related to each of the areas of the fair housing assessment. A summary of the conclusions from this analysis is provided below.

Integration and Segregation

The sites inventory would reduce segregation by income level and race, due to the following characteristics:

- **The Inventory Adds Low-income Units in High Income Tracts (and Vice Versa).** Approximately 78% of units planned in high-income tracts would be low-income units. More than half of above-moderate income units are planned in moderate income tracts. As mentioned below, no units are planned in the lowest-income tracts in order to reduce indirect displacement pressure on low-income residents within these neighborhoods.
- **The Inventory Creates New Housing Opportunities in Segregated Neighborhoods.** API residents are most segregated community within Fremont. 87% of units within the inventory are planned within majority-API tracts, including 47% of units in disproportionately (>64%) API tracts. New housing in these areas would expand the opportunity for people of all races to live in Fremont.

By providing housing opportunity within high-income segregated neighborhoods, the sites inventory affirmatively furthers fair housing. The sites inventory improves conditions in this area.

Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs) and Areas of Opportunity

The City of Fremont does not contain any R/ECAPs, nor does it contain any racially concentrated areas of affluence. The City can still play a role in reversing regional patterns of segregation and poverty by planning for affordable housing development within areas of high opportunity. The sites inventory provides sites zoned for affordable housing development within high-resource neighborhoods:

- **The Inventory Creates Housing in Areas of Opportunity.** Over 82% of inventory sites, accounting for 88% of planned inventory units, are located within areas of High or Highest Opportunity. Over 88% of unit capacity suitable for low-income households and 91% of unit capacity suitable for moderate-income households are located within these areas.

An analysis of the ten largest sites in the inventory (by number of anticipated units) similarly reveals that Fremont's sites inventory provides strong access to overall opportunity. All examined sites have a "high" or "highest" educational opportunity score. Most sites also have strong access to environmental opportunity, except for a site on Osgood Road within an area currently undergoing transition from light industrial/commercial to residential. Finally, five of ten sites have "moderate" access to economic opportunity. While this is lower than other opportunity scores, it is reflective of

the overall level of economic opportunity within Fremont, which is broadly lower than other axes of opportunity citywide.

Table 7-17. Access to Opportunity at Largest Inventory Sites

Site Address/Intersection	Overall	Economic	Educational	Environment
39160 Paseo Padre Pkwy, Fremont Ca 94538	High	Moderate	High	Highest
3101 Walnut Ave, Fremont Ca 94538	High	Moderate	High	Highest
1760 Mowry Ave, Fremont Ca 94536	Highest	High	Highest	Highest
4178 Decoto Rd, Fremont Ca 94555	High	Moderate	Highest	High
Intersection of Liberty/Sundale	High	High	High	Highest
40645 Fremont Blvd, Fremont Ca 94538	High	Moderate	Highest	High
3744 Mowry Ave, Fremont Ca 94538	High	Moderate	High	Highest
Intersection of Osgood/Blacow	Highest	High	Highest	Low
670 Mowry Ave, Fremont Ca 94536	Highest	High	Highest	Highest
555 Mowry Ave, Fremont Ca 94536	Highest	High	Highest	Highest

By planning for housing development within high- and highest- resource neighborhoods, the sites inventory affirmatively furthers fair housing. The identified sites improve conditions in relation to access to opportunity.

Disproportionate Housing Needs

The sites inventory would specifically create and protect housing opportunity for people with disproportionate housing needs, including people with disabilities and people facing displacement:

- **The Inventory Creates Affordable Housing Opportunities in Tracts with Highest Disabled Population.** 853 units, representing 10% of total inventory units, would be located within the three tracts with the highest disabled population. Of those units, approximately 37% would be units on low-income eligible sites. Given current accessibility requirements, this would facilitate potential creation of 32 new affordable accessible units that would provide housing opportunities for people with disabilities to stay in their existing communities.
- **The Inventory Avoids Tracts Most Vulnerable to Displacement Pressure.** Low-income residents and residents facing extreme cost burden are most vulnerable to displacement. Recognizing that new housing development could result in direct or indirect displacement, the inventory does not include any sites within the lowest income, majority-LMI tracts. The inventory also does not include any sites within tracts where more than 80% of residents facing cost burden.
- **The Inventory Plans Less Development in Communities Experiencing Gentrification.** Only 11% of inventory sites are located within tracts that are experiencing gentrification. Of the 601 units planned in gentrifying communities, 76% would be units on sites suitable for development of housing for low- or moderate- income households.

By thoughtfully considering the placement of housing with respect to disproportionate needs, the sites inventory affirmatively furthers fair housing. The identified sites improve conditions for those with disproportionate housing needs.

Table 7-18: Analysis of Site Inventory Characteristics by Number of Units

	# All units	# Low units	# Moderate units	# Above-Moderate units	% All units	% Low units	% Mod units	% Above-Moderate units
Income Level	-	-	-	-	-	-	-	-
Units in lowest income tracts (>50% LMI)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Units in moderate income tracts (25-50% LMI)	<u>5767</u>	<u>3033</u>	<u>1926</u>	<u>808</u>	<u>71%</u>	<u>62%</u>	<u>92%</u>	<u>69%</u>
Units in high income (<25% LMI) tracts	<u>2358</u>	<u>1840</u>	<u>163</u>	<u>355</u>	<u>29%</u>	<u>38%</u>	<u>8%</u>	<u>31%</u>
Race								
Units in disproportionately Black tracts (>3% Black)	<u>2169</u>	<u>1297</u>	<u>366</u>	<u>506</u>	<u>27%</u>	<u>27%</u>	<u>18%</u>	<u>44%</u>
Units in disproportionately Hispanic tracts (>13% Hispanic)	<u>4953</u>	<u>2700</u>	<u>1795</u>	<u>458</u>	<u>61%</u>	<u>55%</u>	<u>86%</u>	<u>39%</u>
Units in disproportionately White tracts (>20% White)	<u>1618</u>	<u>1248</u>	<u>244</u>	<u>126</u>	<u>20%</u>	<u>26%</u>	<u>12%</u>	<u>11%</u>
Units in disproportionately API tracts (>64% API)	<u>3803</u>	<u>2061</u>	<u>1140</u>	<u>602</u>	<u>47%</u>	<u>42%</u>	<u>55%</u>	<u>52%</u>
Units in majority Hispanic tracts	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>
Units in majority White tracts	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>
Units in majority Asian tracts	<u>7046</u>	<u>4318</u>	<u>1830</u>	<u>898</u>	<u>87%</u>	<u>89%</u>	<u>88%</u>	<u>77%</u>
Disability								
Units in tract with >10% residents with disability	<u>853</u>	<u>320</u>	<u>235</u>	<u>298</u>	<u>10%</u>	<u>7%</u>	<u>11%</u>	<u>26%</u>
Family								
Units in tract with disproportionate family households (>88% family households)	<u>883</u>	<u>582</u>	<u>42</u>	<u>259</u>	<u>11%</u>	<u>12%</u>	<u>2%</u>	<u>22%</u>
Units in tract with disproportionate single households (>14% single households)	<u>5269</u>	<u>2748</u>	<u>1801</u>	<u>720</u>	<u>65%</u>	<u>56%</u>	<u>86%</u>	<u>62%</u>
Units in tract with disproportionate children (>44% with children)	<u>1818</u>	<u>893</u>	<u>414</u>	<u>511</u>	<u>22%</u>	<u>18%</u>	<u>20%</u>	<u>44%</u>
Housing Need								
Units in tracts with high cost burden (>80%)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Units in tracts with moderate cost burden (20%-80%)	<u>2518</u>	<u>1238</u>	<u>637</u>	<u>643</u>	<u>31%</u>	<u>25%</u>	<u>30%</u>	<u>55%</u>
Units in tracts with low cost burden (<20%)	<u>5563</u>	<u>3635</u>	<u>1452</u>	<u>476</u>	<u>68%</u>	<u>75%</u>	<u>70%</u>	<u>41%</u>
Units in tracts with high overcrowding (>12%)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Units in tracts with moderate overcrowding (8-12%)	<u>2138</u>	<u>955</u>	<u>1065</u>	<u>118</u>	<u>26%</u>	<u>20%</u>	<u>51%</u>	<u>10%</u>
Units in tracts with low overcrowding (< 8%)	<u>5943</u>	<u>3918</u>	<u>1024</u>	<u>1001</u>	<u>73%</u>	<u>80%</u>	<u>49%</u>	<u>86%</u>
Units in tracts with substandard housing	<u>87</u>	<u>80</u>	<u>0</u>	<u>7</u>	<u>1%</u>	<u>2%</u>	<u>0%</u>	<u>1%</u>

Table 7-18: Analysis of Site Inventory Characteristics by Number of Units (continued)

Resource/Segregation								
Units in Advanced Gentrification tract	<u>601</u>	<u>248</u>	<u>211</u>	<u>142</u>	<u>7%</u>	<u>5%</u>	<u>10%</u>	<u>12%</u>
Units in Stable Moderate/Mixed tract	<u>6597</u>	<u>4043</u>	<u>1836</u>	<u>718</u>	<u>81%</u>	<u>83%</u>	<u>88%</u>	<u>62%</u>
Units in Stable Advanced/Exclusive tract	<u>883</u>	<u>582</u>	<u>42</u>	<u>259</u>	<u>11%</u>	<u>12%</u>	<u>2%</u>	<u>22%</u>
Units in Moderate Resource tract	<u>925</u>	<u>585</u>	<u>194</u>	<u>146</u>	<u>11%</u>	<u>12%</u>	<u>9%</u>	<u>13%</u>
Units in High Resource tract	<u>5378</u>	<u>2856</u>	<u>1762</u>	<u>760</u>	<u>66%</u>	<u>59%</u>	<u>84%</u>	<u>65%</u>
Units in Highest Resource tract	<u>1822</u>	<u>1432</u>	<u>133</u>	<u>257</u>	<u>22%</u>	<u>29%</u>	<u>6%</u>	<u>22%</u>

Table 7-19: Analysis of Site Inventory Characteristics by Number of Sites

	# All sites	# Low sites	# Moderate sites	# Above-Moderate sites	% All sites	% Low sites	% Mod sites	% Above-Moderate sites
Income Level	-	-	-	-	-	-	-	-
Sites in lowest income tracts (>50% LMI)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Sites in moderate income tracts (25-50% LMI)	<u>185</u>	<u>73</u>	<u>79</u>	<u>33</u>	<u>70%</u>	<u>72%</u>	<u>86%</u>	<u>46%</u>
Sites in high income (<25% LMI) tracts	<u>80</u>	<u>28</u>	<u>13</u>	<u>39</u>	<u>30%</u>	<u>28%</u>	<u>30%</u>	<u>54%</u>
Race								
Sites in disproportionately Black tracts (>3% Black)	<u>88</u>	<u>42</u>	<u>37</u>	<u>9</u>	<u>33%</u>	<u>42%</u>	<u>40%</u>	<u>13%</u>
Sites in disproportionately Hispanic tracts (>13% Hispanic)	<u>158</u>	<u>63</u>	<u>69</u>	<u>26</u>	<u>59%</u>	<u>62%</u>	<u>75%</u>	<u>36%</u>
Sites in disproportionately White tracts (>20% White)	<u>47</u>	<u>15</u>	<u>18</u>	<u>14</u>	<u>18%</u>	<u>15%</u>	<u>20%</u>	<u>19%</u>
Sites in disproportionately Asian tracts (>64% API)	<u>91</u>	<u>34</u>	<u>16</u>	<u>41</u>	<u>34%</u>	<u>34%</u>	<u>17%</u>	<u>57%</u>
Sites in majority Hispanic tracts	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>
Sites in majority White tracts	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>
Sites in majority Asian tracts	<u>204</u>	<u>83</u>	<u>66</u>	<u>55</u>	<u>77%</u>	<u>82%</u>	<u>72%</u>	<u>76%</u>
Disability								
Sites in tract with >10% residents with disability	<u>43</u>	<u>11</u>	<u>24</u>	<u>8</u>	<u>16%</u>	<u>11%</u>	<u>26%</u>	<u>11%</u>
Family								
Sites in tract with disproportionate family households (>88% family households)	<u>49</u>	<u>12</u>	<u>4</u>	<u>33</u>	<u>18%</u>	<u>12%</u>	<u>4%</u>	<u>46%</u>
Sites in tract with disproportionate single households (>14% single households)	<u>168</u>	<u>69</u>	<u>73</u>	<u>26</u>	<u>63%</u>	<u>68%</u>	<u>79%</u>	<u>36%</u>
Sites in tract with disproportionate children (>44% with children)	<u>264</u>	<u>101</u>	<u>92</u>	<u>71</u>	<u>99%</u>	<u>100%</u>	<u>100%</u>	<u>99%</u>

Table 7-19: Analysis of Site Inventory Characteristics by Number of Sites (continued)

Housing Need								
Sites in tracts with high cost burden (>80%)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Sites in tracts with moderate cost burden (20%-80%)	<u>102</u>	<u>29</u>	<u>49</u>	<u>24</u>	<u>38%</u>	<u>29%</u>	<u>53%</u>	<u>33%</u>
Sites in tracts with low cost burden (<20%)	<u>162</u>	<u>72</u>	<u>43</u>	<u>47</u>	<u>61%</u>	<u>71%</u>	<u>47%</u>	<u>65%</u>
Sites in tracts with high overcrowding (>12%)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Sites in tracts with moderate overcrowding (8-12%)	<u>27</u>	<u>17</u>	<u>8</u>	<u>2</u>	<u>10%</u>	<u>17%</u>	<u>9%</u>	<u>3%</u>
Sites in tracts with low overcrowding (< 8%)	<u>237</u>	<u>84</u>	<u>84</u>	<u>69</u>	<u>89%</u>	<u>83%</u>	<u>91%</u>	<u>96%</u>
Sites in tracts with substandard housing	<u>4</u>	<u>2</u>	<u>0</u>	<u>2</u>	<u>2%</u>	<u>2%</u>	<u>0%</u>	<u>3%</u>
Resource/Segregation								
Sites in Advanced Gentrification tract	<u>30</u>	<u>7</u>	<u>16</u>	<u>7</u>	<u>11%</u>	<u>7%</u>	<u>17%</u>	<u>10%</u>
Sites in Stable Moderate/Mixed tract	<u>185</u>	<u>82</u>	<u>72</u>	<u>31</u>	<u>70%</u>	<u>81%</u>	<u>78%</u>	<u>43%</u>
Sites in Stable Advanced/Exclusive tract	<u>49</u>	<u>12</u>	<u>4</u>	<u>33</u>	<u>18%</u>	<u>12%</u>	<u>4%</u>	<u>46%</u>
Sites in Moderate Resource tract	<u>47</u>	<u>26</u>	<u>17</u>	<u>4</u>	<u>18%</u>	<u>26%</u>	<u>18%</u>	<u>6%</u>
Sites in High Resource tract	<u>152</u>	<u>54</u>	<u>63</u>	<u>35</u>	<u>57%</u>	<u>53%</u>	<u>68%</u>	<u>49%</u>
Sites in Highest Resource tract	<u>66</u>	<u>21</u>	<u>12</u>	<u>33</u>	<u>25%</u>	<u>21%</u>	<u>13%</u>	<u>46%</u>

Figure 7-80. Inventory Sites and Household Median Income.

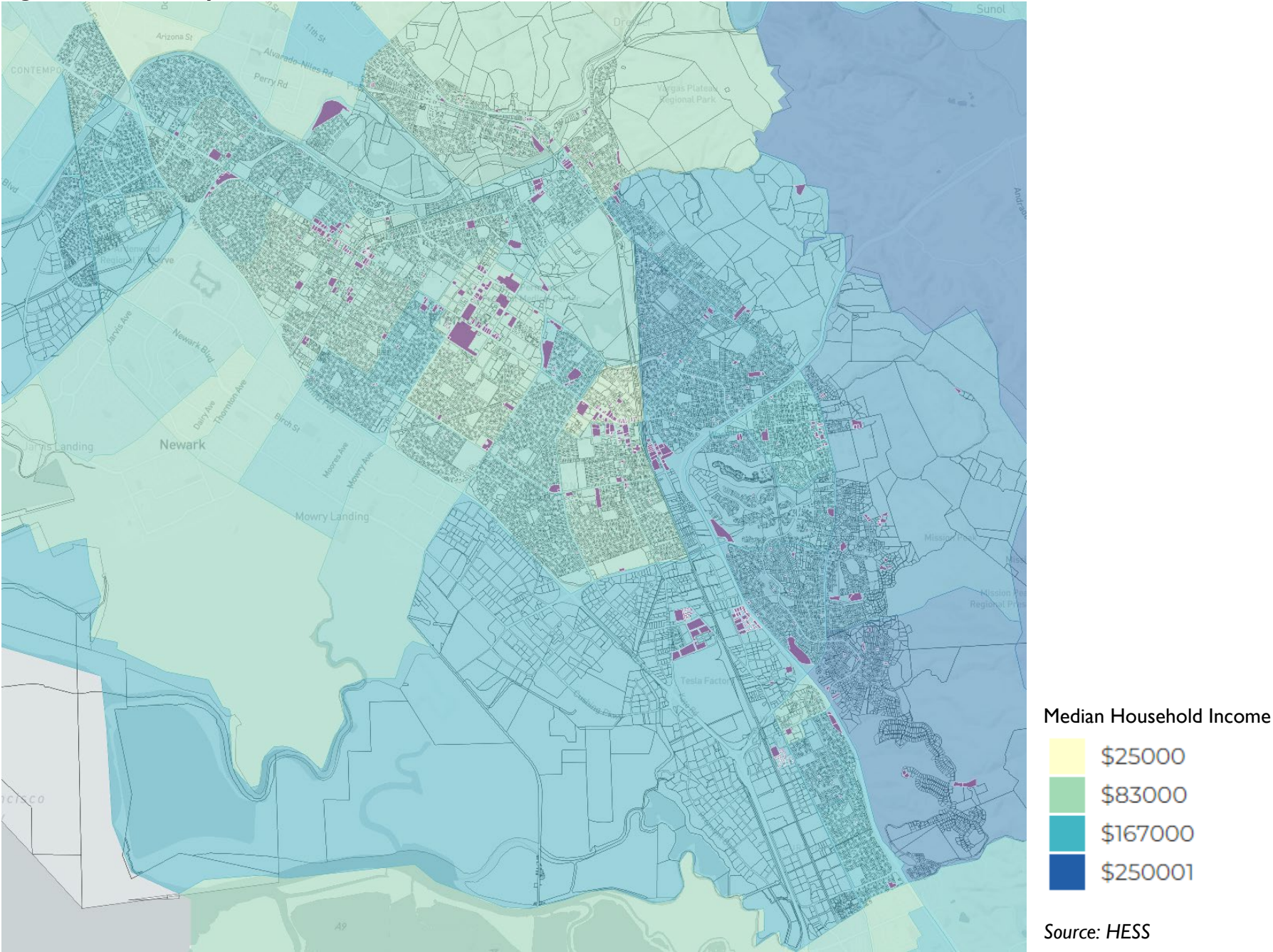
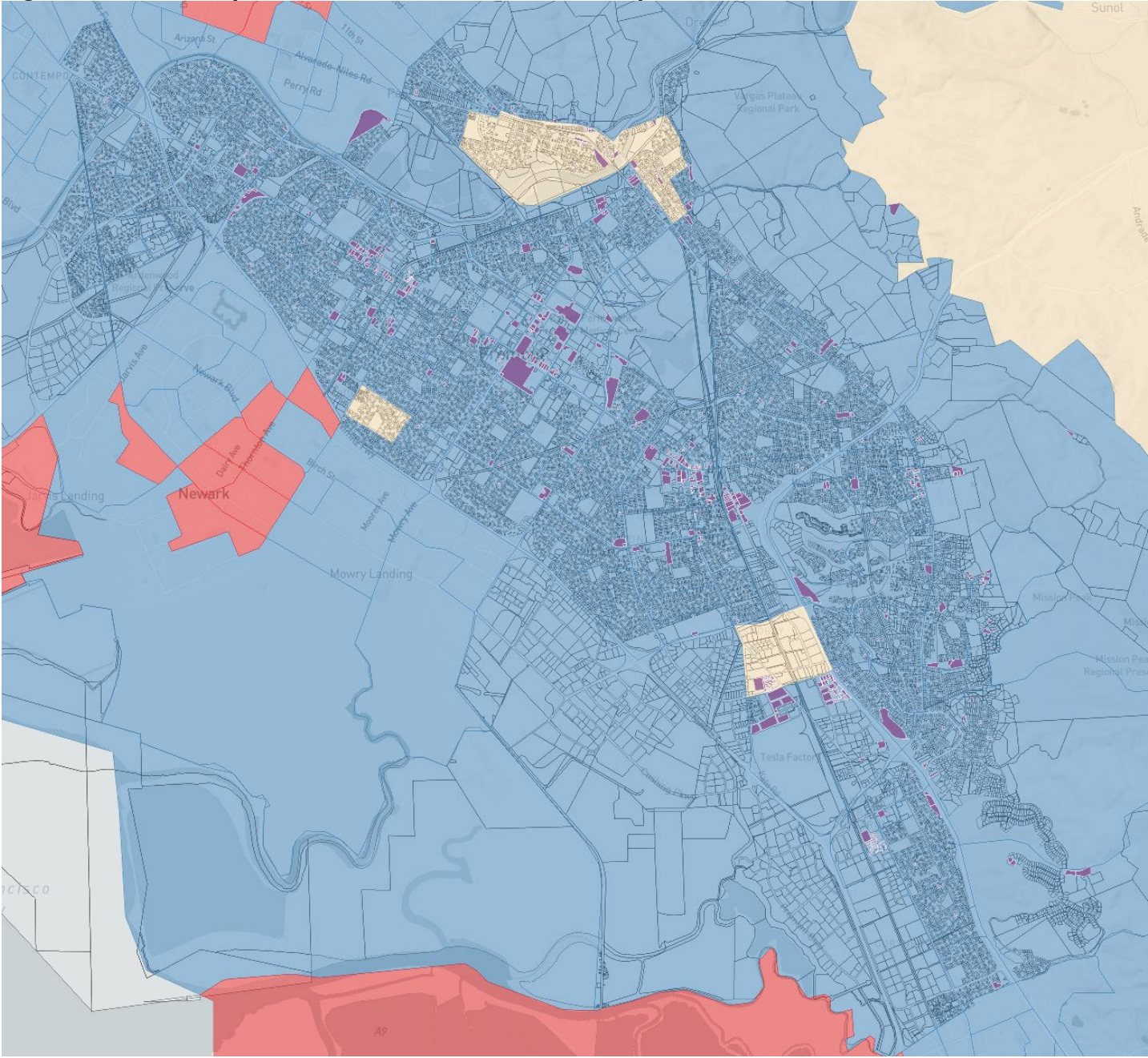


Figure 7-81. Inventory Sites and Predominant Racial Group.

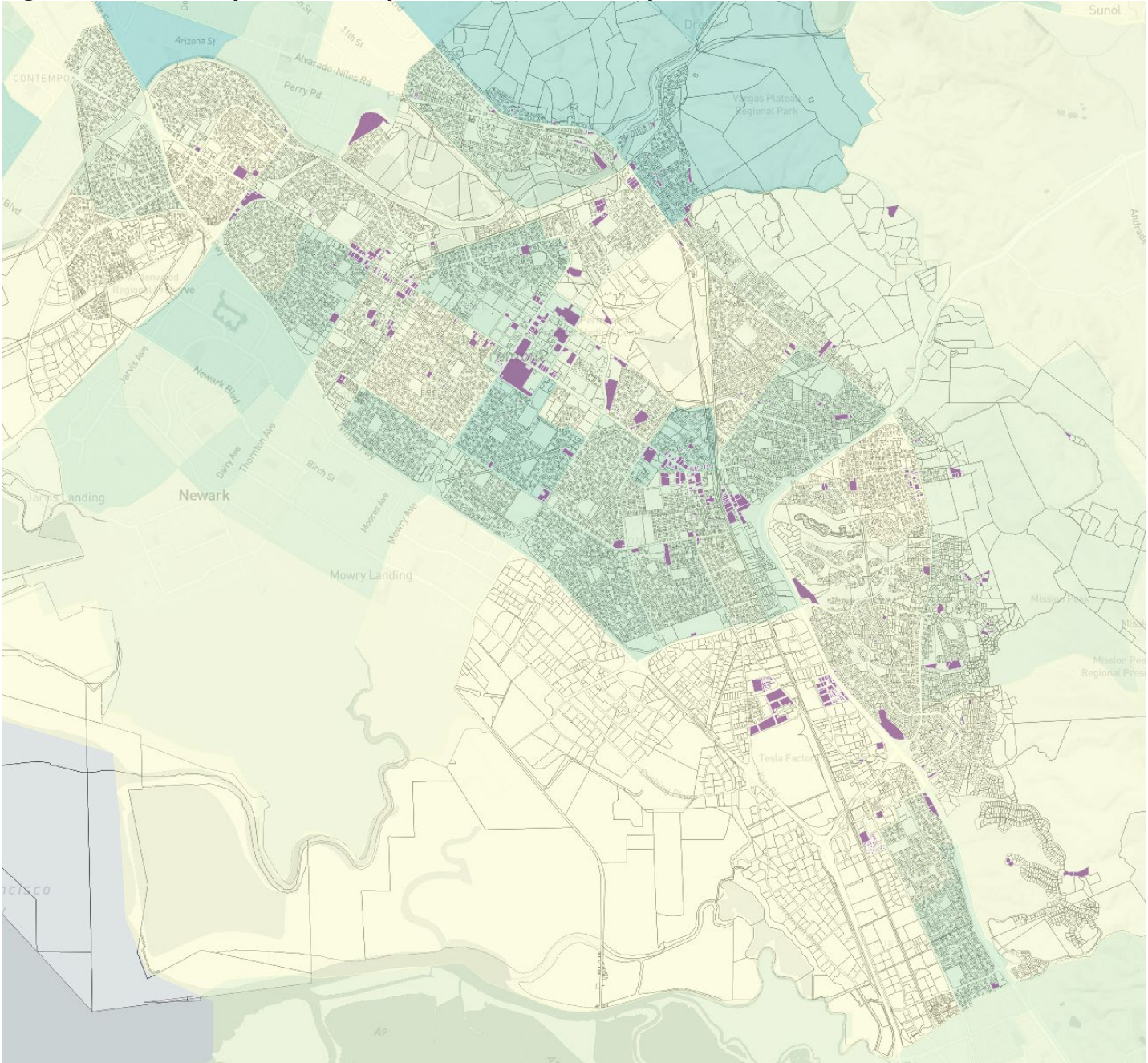


Predominant Racial Group

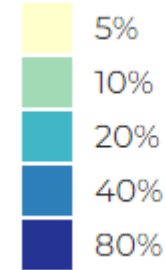
- Hispanic/Latinx
- Non-Hispanic Asian or Pacific Islander
- Non-Hispanic Black
- Non-Hispanic Other
- Non-Hispanic White
- Missing or Insufficient Data

Source: HESS

Figure 7-82. Inventory Sites and Population with a Disability.



Percent of Population with a Disability



Source: HESS

Figure 7-83. Inventory Sites and Single-person Households.

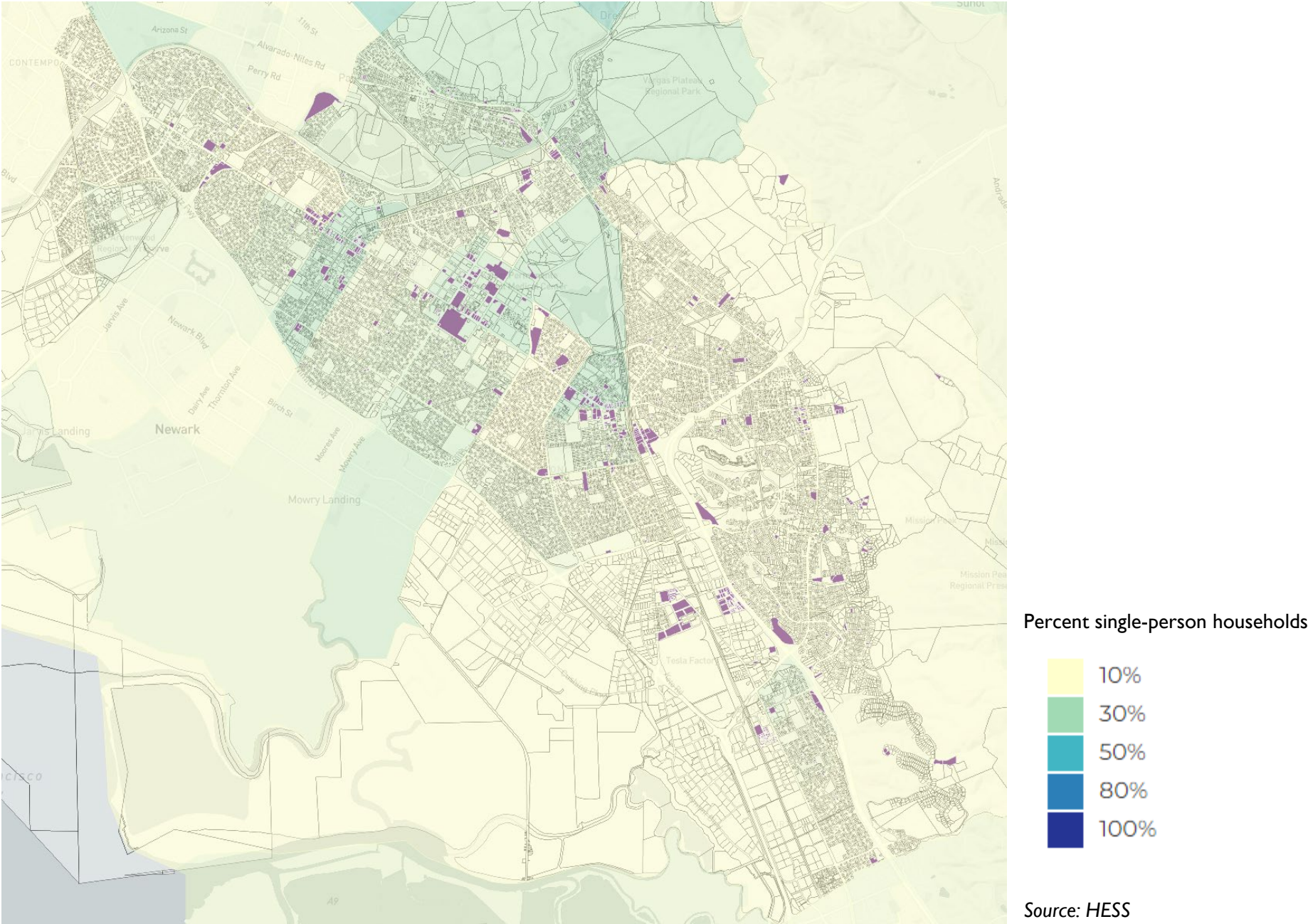


Figure 7-84. Inventory Sites and Households with Children.

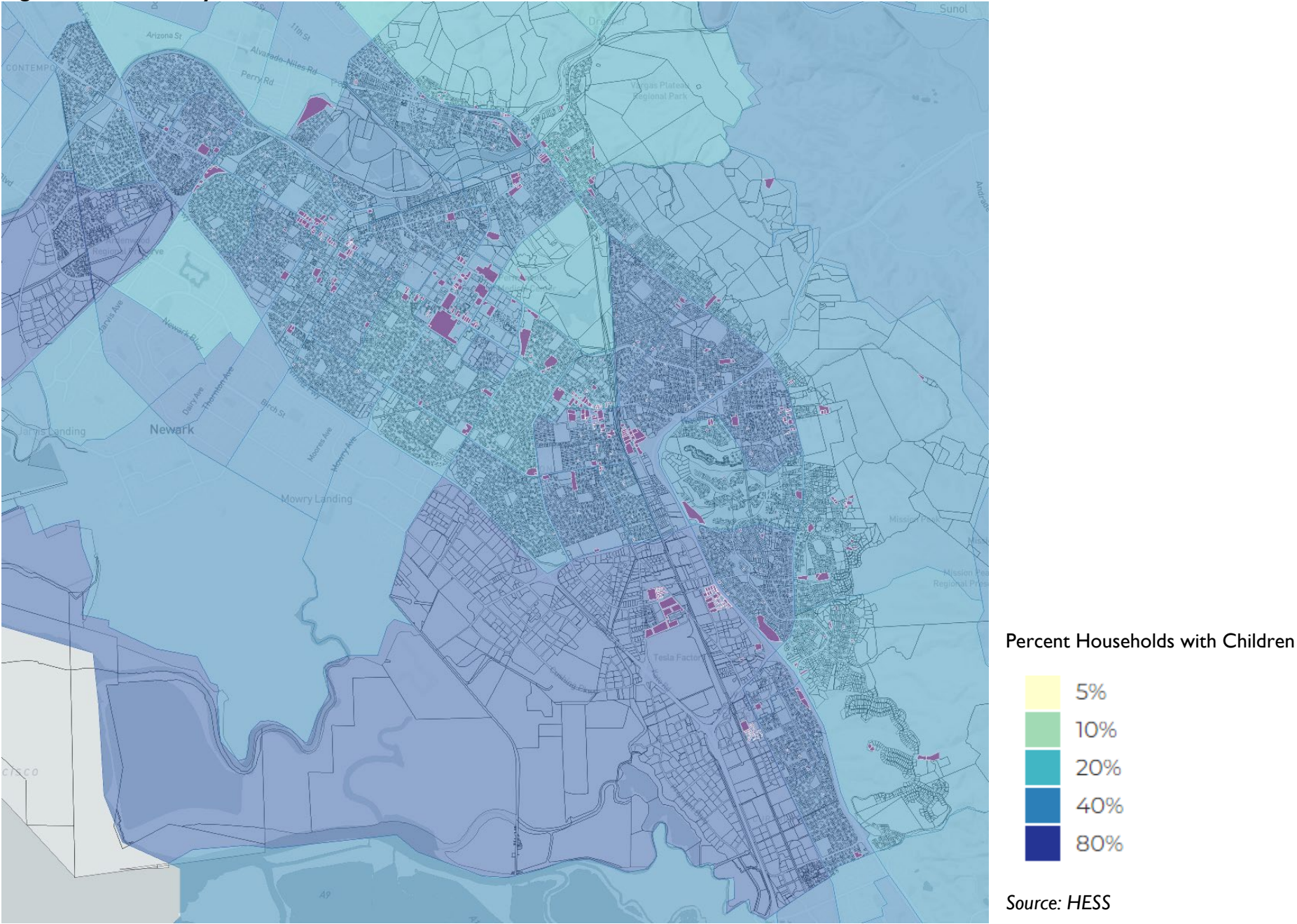
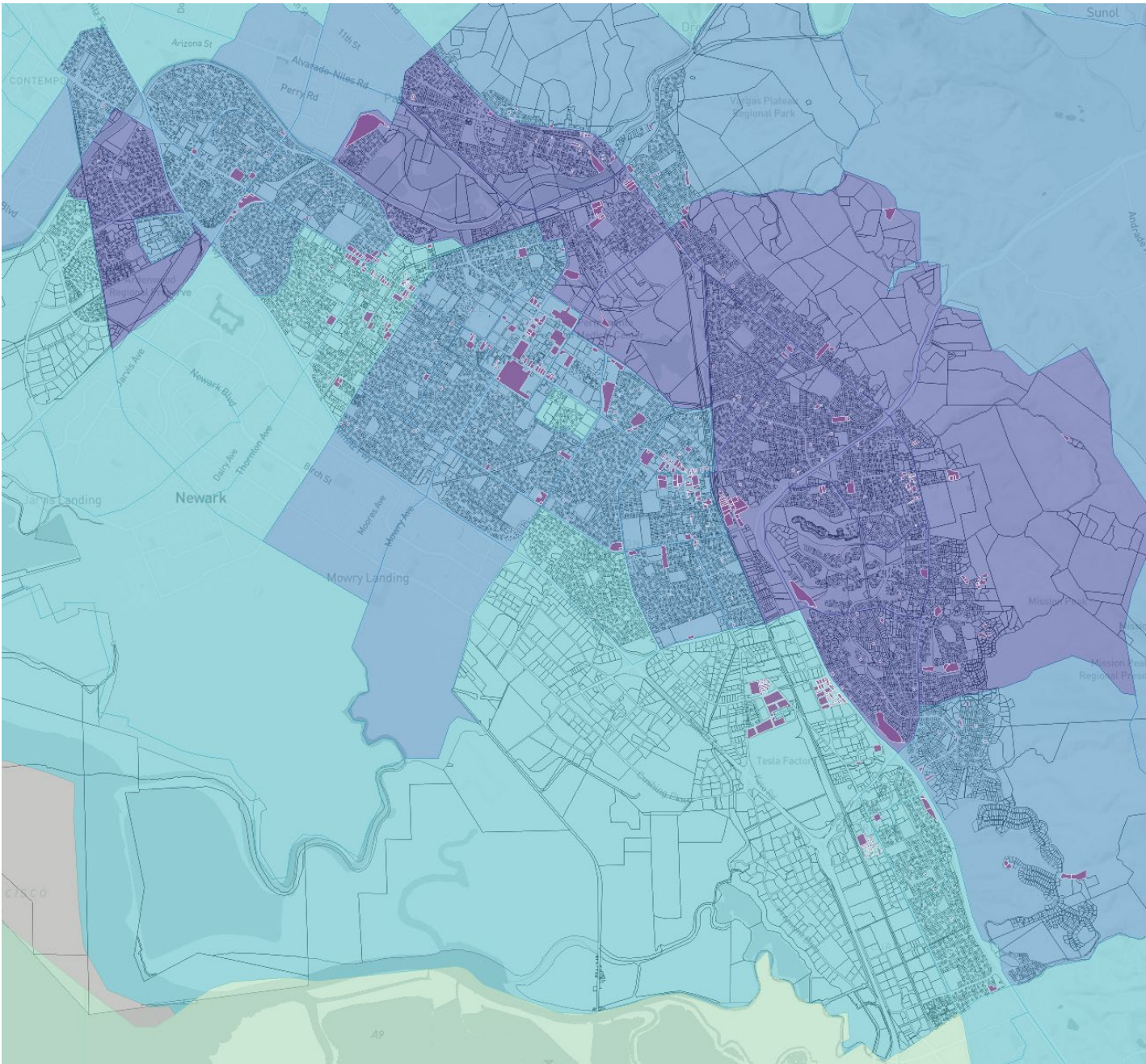


Figure 7-85. Inventory Sites and HCD/TCAC Opportunity Map.



Source: HESS

Figure 7-86. Inventory Sites and Cost-burdened Households

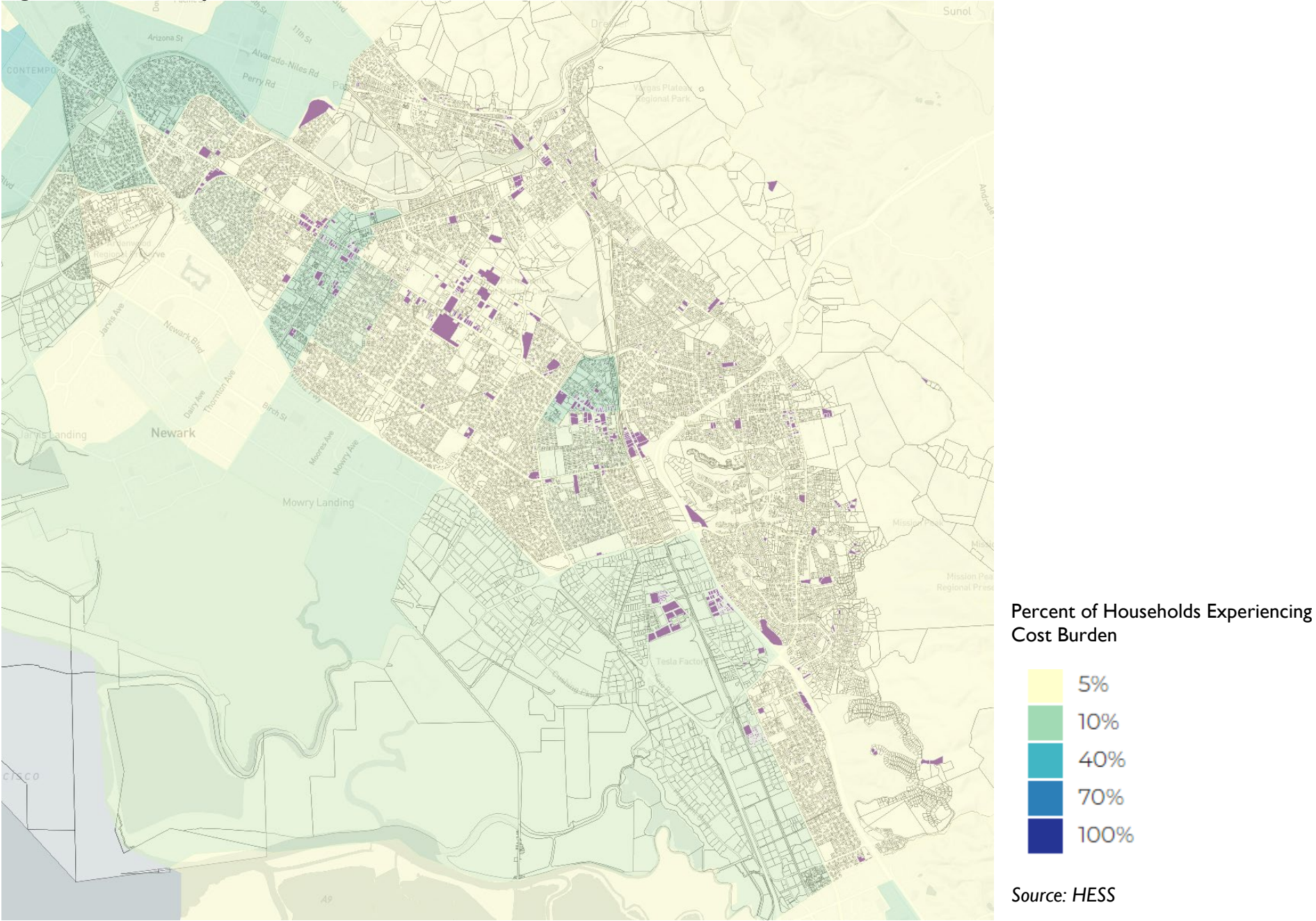


Figure 7-87. Inventory Sites and Over-crowded Households.

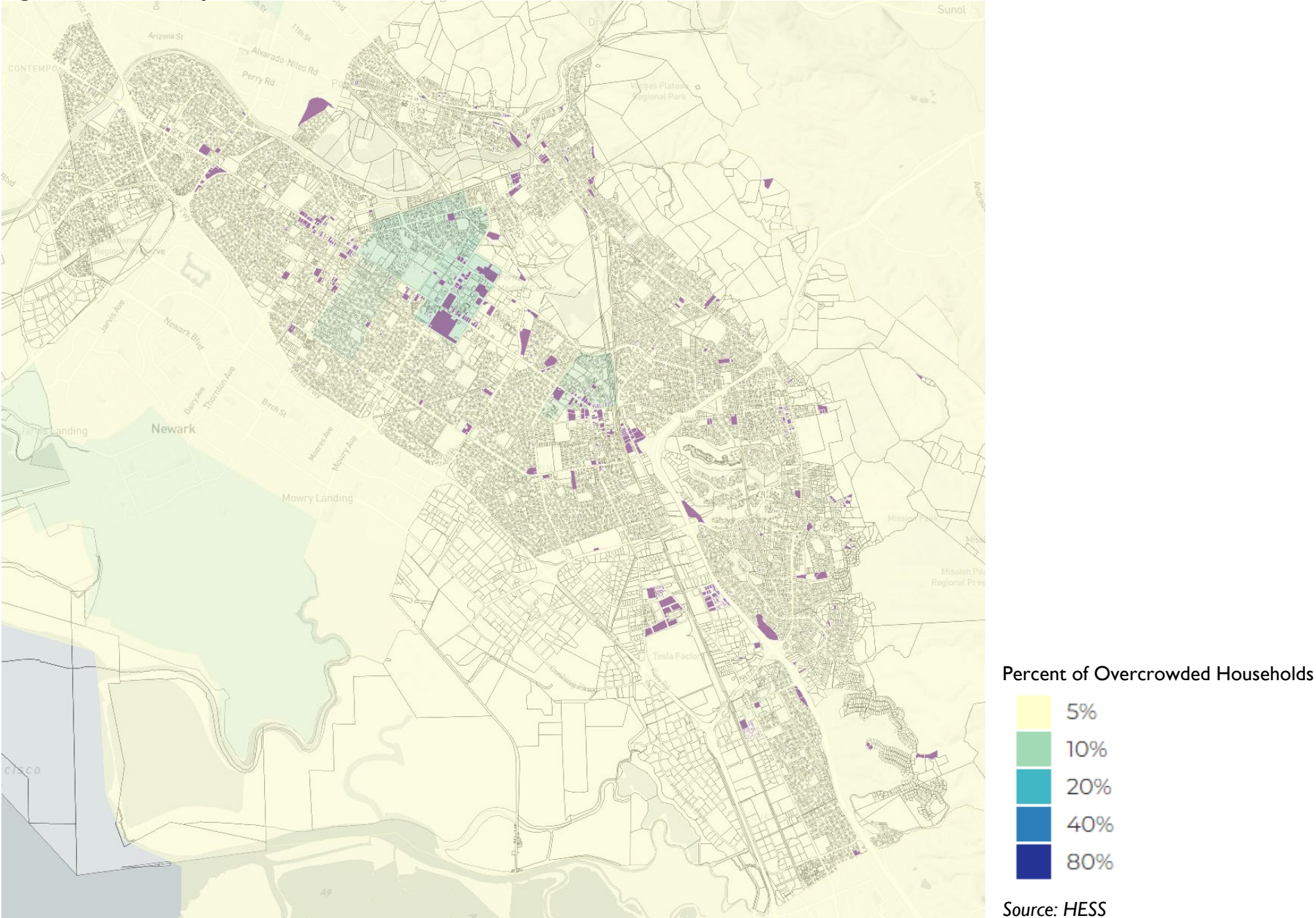
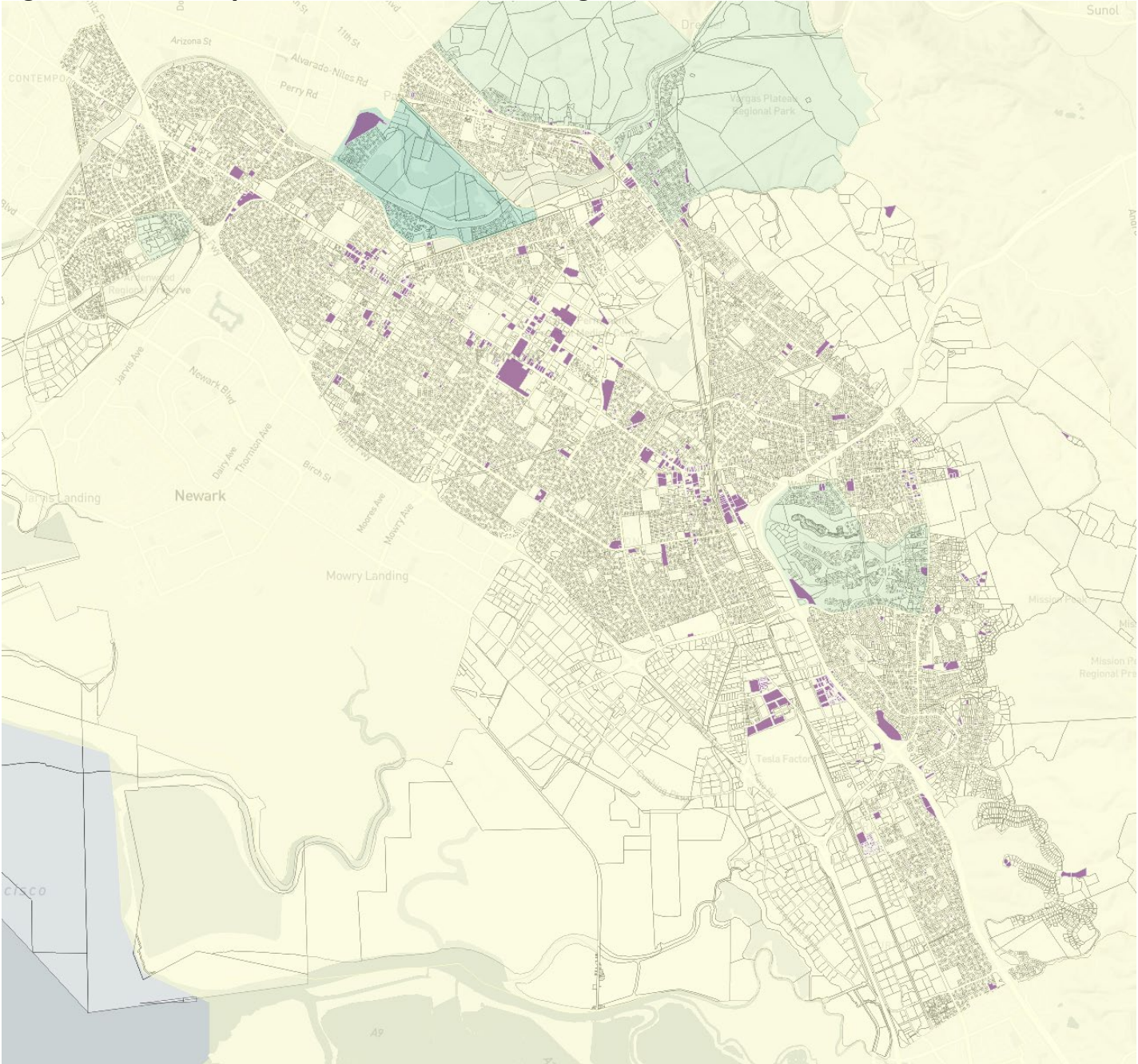
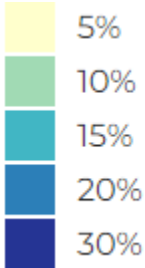


Figure 7-88. Inventory Sites and Substandard Housing Units.



Percent of Substandard Housing Units



Source: HESS

Figure 7-89. Inventory Sites and Displacement Risk.

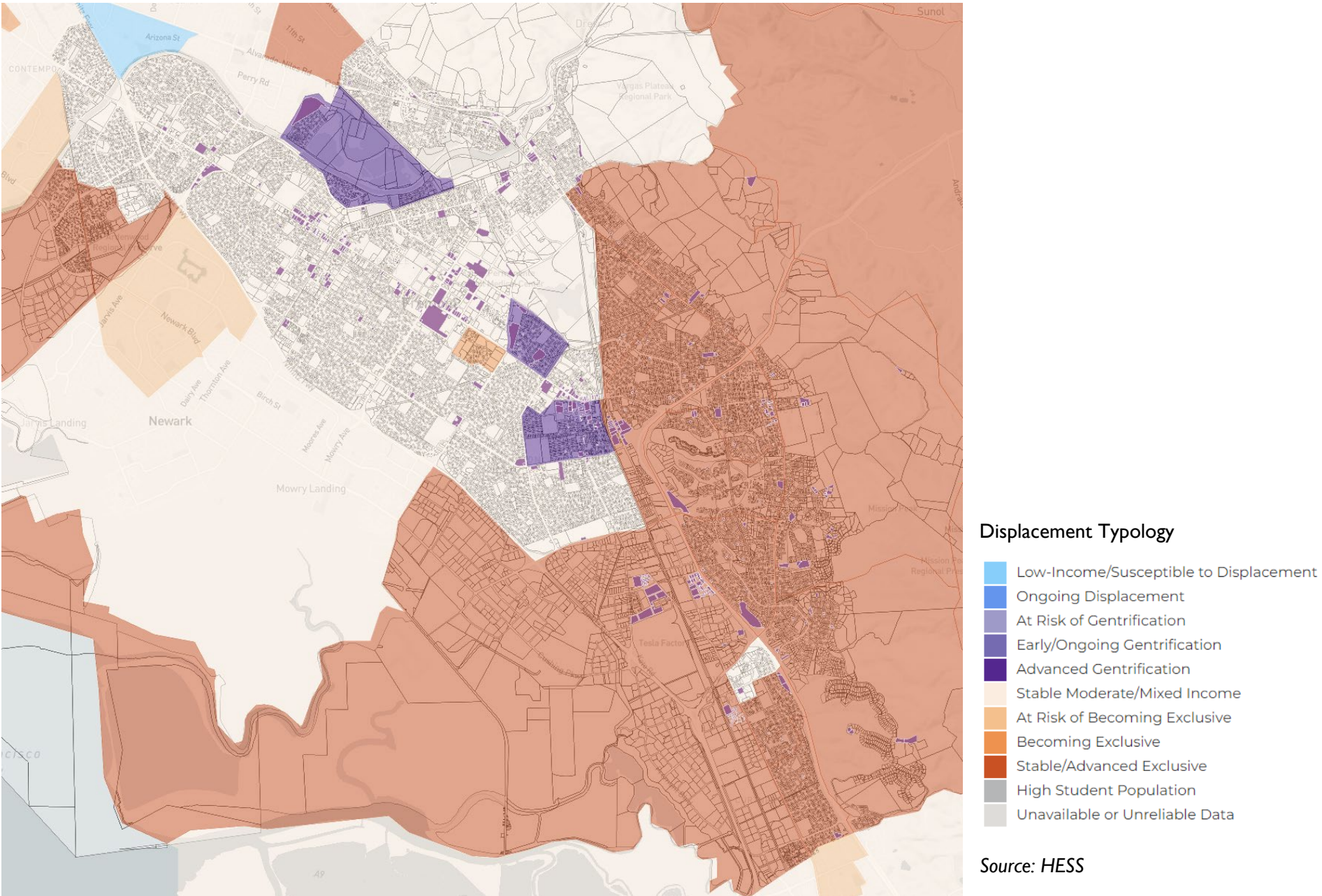
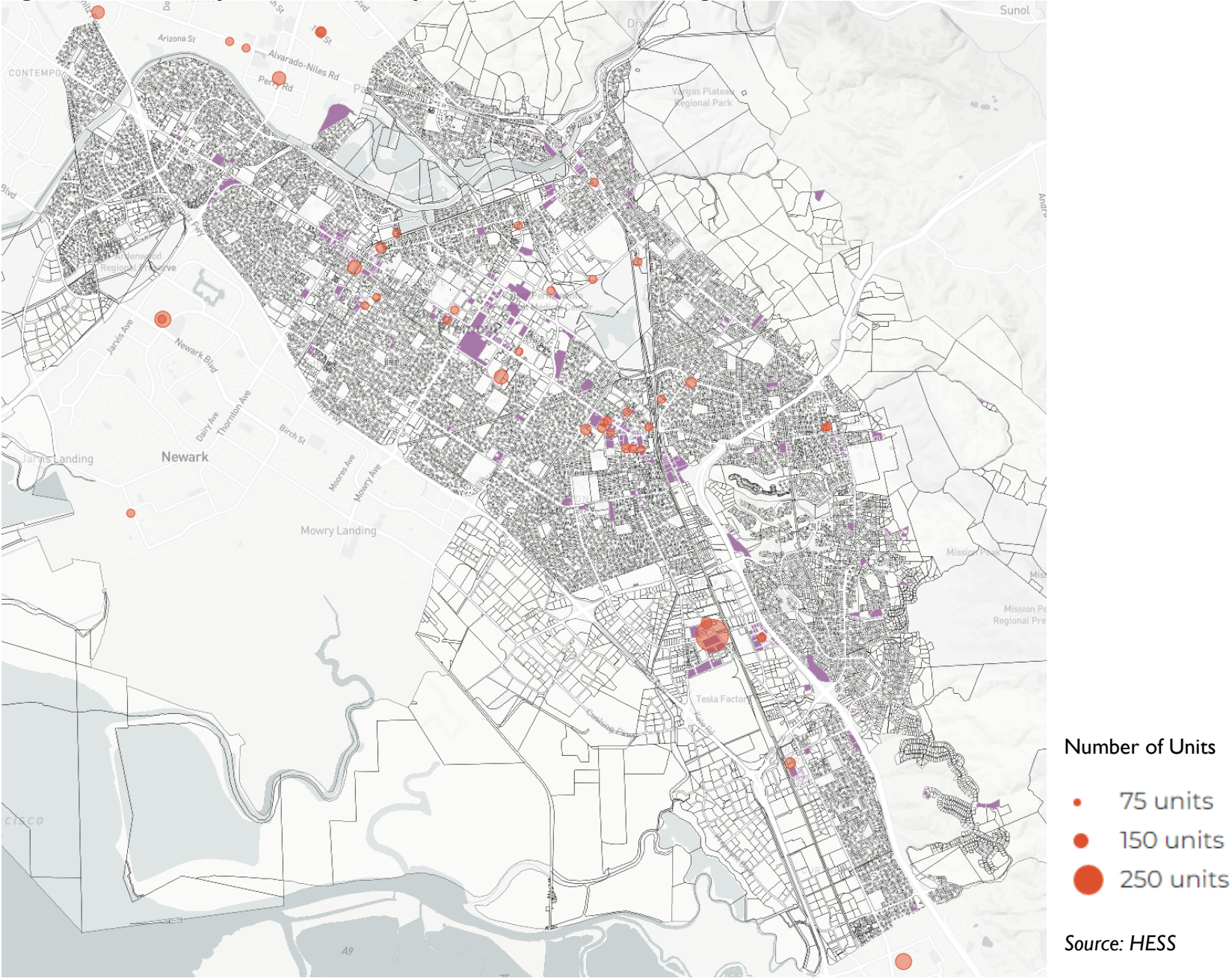


Figure 7-90. Inventory Sites and Privately-Owned Subsidized Housing Units.



Chapter 8

Sites Inventory and Analysis

This chapter identifies and analyzes sites for suitability for residential development to meet Fremont's housing needs at all income levels

Purpose

California Government Code Section 65583(a)(3) requires local governments to prepare an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites. The following sections provide an inventory of sites that are suitable for residential development during the 2023-2031 planning period, and describes the factors utilized to assess their suitability for residential development that meet Fremont's housing needs at different income levels. Information and analysis regarding the relationship between the sites inventory and the City of Fremont's goal to affirmatively further fair housing is discussed in further detail in Chapter 7 - Assessment of Fair Housing.

Regional Housing Needs Allocation

A starting point for the Housing Element Update process for every California jurisdiction is the Regional Housing Needs Allocation (RHNA) – the share of the region's housing need assigned to each jurisdiction. For the eight-year time frame covered by this Housing Element Update, Fremont's RHNA is 12,897 units. Of the 12,897 units in Fremont's RHNA, 60% are designated for very low-income, low-income, and moderate-income affordability levels. As discussed in more detail in Chapter 4, extremely-low income households (those earning 0-30% AMI) are presumed to make up 59.8% of the Fremont's housing needs at the very-low income level, or 2,177 units.

Table 8-1. 2023-2031 Regional Housing Needs Allocation for Fremont

Income Group	Fremont Units	Fremont Percent
Very Low-Income Units (0-50% AMI)	3,640	28.2%
Low-Income Units (50-80% AMI)	2,096	16.3%
Moderate Income Units (80-120% AMI)	1,996	15.5%
Above Moderate -Income Units (120+% AMI)	5,165	40.0%
Total Units	12,897	100.0%

Source: Association of Bay Area Governments Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023-2031

Affordability levels are set relative to area median income (AMI). For context, the median household income in Alameda County in 2022 was \$142,800 for a four-person household, \$128,500 for a three-person household, \$114,250 for a two-person household, and \$99,950 for a one-person household.

Table 8-2. 2022 Area Median Income Figures, Alameda County

Household Size	Area Median Income*	Acutely Low Income	Extremely Low Income		Very Low Income		Low Income		Moderate Income
		15%	20%	30%	40%	50%	60%	80%	120%
1	\$99,950	\$15,000	\$19,990	\$30,000	\$39,380	\$50,000	\$60,000	\$76,750	\$119,950
2	\$114,250	\$17,100	\$22,850	\$34,300	\$45,700	\$57,150	\$68,580	\$87,700	\$137,100
3	\$128,500	\$19,250	\$25,700	\$38,600	\$51,400	\$64,300	\$77,160	\$98,650	\$154,200
4	\$142,800	\$21,400	\$28,560	\$42,850	\$57,120	\$71,400	\$85,680	\$109,600	\$171,350
5	\$154,200	\$23,100	\$30,840	\$46,300	\$61,680	\$77,150	\$92,580	\$118,400	\$185,050
6	\$165,650	\$24,800	\$33,130	\$49,750	\$66,260	\$82,850	\$99,420	\$127,150	\$198,750
7	\$177,050	\$26,550	\$35,410	\$53,150	\$70,820	\$88,550	\$106,260	\$135,950	\$212,450
8	\$188,500	\$28,250	\$37,700	\$56,600	\$75,400	\$94,250	\$113,100	\$144,700	\$226,200

Source: Department of Housing and Urban Development (HUD) and State Income Limits. Calculation for adjustments by household size made by the City of Fremont Housing Division, June 2022.

Notes: *Due to adjustments by HUD, the income percentages do not correspond with Area Median Income (AMI) figures.

Capacity to Accommodate RHNA

The analysis in this chapter demonstrates that Fremont has adequate sites to accommodate the community's RHNA for the 2023-2031 planning period at all income levels. Fremont's residential development capacity for the planning period consists of pending, approved or permitted development, projected ADU development, and vacant or underutilized sites, as summarized in the table below.

Table 8-3. Capacity to Accommodate RHNA

	Lower Income Units (0-80% AMI)	Moderate Income Units (80-120% AMI)	Above Moderate Income Units (120+% AMI)	Total Units
RHNA	5,736	1,996	5,165	12,897
Pending, Approved or Permitted Development	1,386	84	3,998	5,468
ADU Projections	288	144	48	480
<u>Vacant Sites</u>	<u>625</u>	227	<u>78</u>	<u>930</u>
<u>Non-Vacant Underutilized Sites</u>	<u>4,253</u>	1,852	1,085	<u>7,190</u>
Total	6,552	2,307	5,209	14,068
<u>Difference</u>	<u>+816</u>	<u>+311</u>	<u>+44</u>	<u>+1,171</u>

Source: City of Fremont Community Development Department, May 2022.

Pending, Approved or Permitted Development

Residential development projects that are pending, have been approved, permitted, or received a certificate of occupancy since the beginning of the RHNA projection period may be credited toward meeting the RHNA allocation based on the unit count of the development. For these projects, affordability is based on the actual or projected sale prices, rent levels, or other mechanisms establishing affordability in the planning period of the units within the project. For projects yet to receive their certificate of occupancy or final permit, the Housing Element must demonstrate that the project is expected to be built within the planning period. The RHNA projection period for the San Francisco Bay Area is June 30, 2022 through December 31, 2030.

Fremont has numerous residential projects in various stages in the development process. These pipeline projects reflect a range of project types (from high-density multifamily residential developments to single-family homes and accessory dwelling units) as well as a range of affordability levels. Projects that are currently under pre-application review, entitlement review, building permit review, or under construction are likely to be completed during the planning period. Even the most complex multifamily residential and mixed-use developments currently in the pipeline is not anticipated to have a construction timeline past 2031. All listed pending, approved, or permitted applications are still actively being pursued, indicating that the projects will likely be completed during the 2023-2031 planning period.

There are 5,468 pipeline development units that are counted toward meeting Fremont's 2023-2031 RHNA, including 1,386 units affordable to lower-income households and 84 affordable to moderate-income households, as detailed in the two tables below.

Probability of Completion

An analysis of the development projects listed in the 2015-2023 Housing Element sites inventory reveals that projects that did *not* require a General Plan Amendment to proceed were highly likely to have construction completed during the Housing Element planning period (53 of 59 sites / 90%). The projects that did require a General Plan Amendment to proceed were comparatively less likely to advance to completion (6 of 9 sites / 67%). Consistent with this analysis, an adjustment factor of 0.9 was applied to pending development projects that do not need a General Plan Amendment to proceed, and an adjustment factor of 0.67 was applied to pending development projects that do need a General Plan Amendment to proceed.

Development projects listed in the sites inventory have, at a minimum, submitted for a formal entitlement application or for pre-application review (a Preliminary Review Procedure (PRP) application or an SB 330 preliminary application). The presence of a development application is the strongest indicator that a site will be developed with housing during the planning period.

Tables 8-4 and 8-5 provide a column which identifies 1) projects that still require discretionary approval through a public hearing (the discretionary review process is described in more detail in Chapter 5, Constraints Analysis), 2) projects that still require ministerial approval (the ministerial review process is described in more detail in Chapter 5, Constraints Analysis), and 3) projects that are subject to the requirements of the Housing Accountability Act. Fremont has not denied any discretionary housing developments subject to the Housing Accountability Act to date. This indicates that, although housing applications under the Housing Accountability Act may be subject to discretionary review, the discretionary review process has no actual effect on the probability of development. Projects that are subject to ministerial review are only required to meet objective development and design standards to receive a staff level approval. The City cannot exercise discretion to deny a conforming project subject to

ministerial review and therefore have a very high probability of receiving approval. Projects that are subject to ministerial review are typically small projects (e.g., single-family homes, urban lot splits, ADUs) that do not require extensive construction timelines or infrastructure improvements that would delay their completion beyond the planning period.

None of the development projects listed are large enough or complex enough in nature to constrain their ability to be completed during the planning period. The master planned developments in the Warm Springs Innovation District (Lennar, Valley Oak and Metro Crossing) have completed their backbone infrastructure and have all approvals in place to make their completion during the planning period highly probable.

The development projects listed have been reviewed against known environmental and technical constraints (e.g., fault zones, steep slopes, contamination, existing uses) and have a strong likelihood to continue to proceed through the development process. In this analysis, staff noted that the Crystalline Drive project is still undergoing geotechnical analysis related to its proximity to a fault trace, and this analysis may potentially reduce the final development capacity of the site. In recognition of the pending geotechnical analysis, a highly conservative adjustment factor of 0.2 was applied to this site. The Motel 6 site was also identified as having some uncertainty due to the need to secure Project Homekey funding in order to allow for the project to proceed. The City has previously applied for Project Homekey funding to support this project, but was unsuccessful. Program 52 commits the City to apply for Homekey 3.0 funding in support of this project. A conservative adjustment factor of 0.67 (consistent with projects requiring a General Plan Amendment) was applied to the Motel 6 site to account for the need to secure Project Homekey funding. The probability of completion of the other listed development projects can be reasonably accounted for through the 0.9 (no General Plan Amendment required) and 0.67 (General Plan Amendment required) adjustment factors discussed above.

Table 8-4. Pending, Approved or Permitted Development (four units or less)

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2021-00363	38049 Acacia St	Building Permit Issued	No	0	0	0	1
PLN2021-00231	514 Acoma Way	Under Review	Ministerial Review	0	0	0	2
PLN2022-00006	175 Action Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00148	3868 Adams Ave	Under Review	Ministerial Review	0	0	0	1
PLN2021-00172	4287 Alder Ave	Under Review	Ministerial Review	0	0	0	1
PLN2021-00163	4256 Alder Ave	Under Review	Ministerial Review	0	0	0	2
PLN2020-00071	4395 Alder Ave	Building Permit Issued	No	0	0	1	0
PLN2021-00431	33245 Alvarado Blvd	Building Permit Issued	No	0	0	0	1
PLN2022-00328	4436 Amador Rd	Under Review	Ministerial Review	0	0	0	1
PLN2021-00288	4397 Amador Rd	Building Permit Issued	No	0	0	0	1
PLN2021-00331	40471 Andorra Ct	Building Permit Issued	No	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2021-00212	38318 Anita Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00228	2627 Ann St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00076	47726 Ansel Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00443	45529 Antelope Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00145	48266 Arcadian St	Building Permit Issued	No	0	0	0	1
PLN2022-00362	4178 Ardo St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00427	720 Arikara Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00184	38143 Ashford Way	Building Permit Issued	No	0	0	0	1
PLN2021-00377	38512 Athy Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00134	34255 Auckland Pl	Under Review	Ministerial Review	0	0	0	1
PLN2022-00164	1308 Austin St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00232	47644 Bannon Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-0024	42387 Barbary St	Approved	No	0	0	0	1
PLN2022-00253	380 Barton Dr	Under Review	Ministerial Review	0	0	0	2
PLN2022-00298	3001 Baylis St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00268	Beard Rd (543-319-32)	Under Review	Ministerial Review	0	0	1	0
PLN2021-00125	38848 Bell St	Building Permit Issued	No	0	0	0	1
PLN2022-00071	39791 Benavente Ave	Under Review	Ministerial Review	0	0	0	1
PLN2021-00116	4681 Bianca Dr	Building Permit Issued	No	0	0	0	1
PLN2021-00167	4308 Bidwell Dr	Under Review	Ministerial Review	0	0	0	1
PLN2022-00339	40404 Blacow Rd	Under Review	Ministerial Review	0	0	0	1
PLN2022-00010	35829 Blair Pl	Building Permit Issued	No	0	0	0	1
PLN2022-00180	39459 Blue Fin Way	Building Permit Issued	No	0	0	0	1
PLN2016-00041	859 Boar Ter	Building Permit Issued	No	0	0	0	1
PLN2021-00407	2095 Boxwood Way	Building Permit Issued	No	0	0	0	1
PLN2021-00352	37438 Briarwood Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00085	35625 Brookvale Ct	Building Permit Issued	No	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2021-00280	3124 Bruce Dr	Building Permit Issued	No	0	0	0	1
PLN2020-00254	43442 Bryant St	Under Review	Ministerial Review	0	0	1	0
PLN2021-00185	4434 Bush Cir	Building Permit Issued	No	0	0	0	1
PLN2022-00227	5668 Butano Park Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00234	35606 Cabral Dr	Building Permit Issued	No	0	0	0	1
PLN2021-00289	36653 Cabrillo Dr	Building Permit Issued	No	0	0	0	1
PLN2021-00303	3294 Cade Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00269	3330 Cade Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00354	4413 Cambria St	Building Permit Issued	No	0	0	0	1
PLN2022-00102	33893 Capulet Cir	Under Review	Ministerial Review	0	0	0	1
PLN2022-00423	44426 Cavisson Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00342	4401 Central Ave	Building Permit Issued	No	0	0	0	2
PLN2022-00240	4667 Cerritos Ave	Approved	No	0	0	0	1
PLN2022-00205	42758 Charleston Way	Under Review	Ministerial Review	0	0	0	1
PLN2022-00122	430 Chenab Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00449	4285 Chetwood Ave	Under Review	Ministerial Review	0	0	0	1
PLN2021-00151	1195 Clay Ct	Building Permit Issued	No	0	0	0	1
PLN2021-00425	5592 Cleveland Pl	Under Review	Ministerial Review	0	0	0	1
PLN2022-00349	3356 Clifton Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00079	3753 Clough Ave	Under Review	Ministerial Review	0	0	0	1
PLN2021-00055	2585 Clymer Ln	Building Permit Issued	No	0	0	0	1
PLN2022-00407	43244 Coit Ave	Under Review	Ministerial Review	0	0	0	1
PLN2021-00187	45470 Concho Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00366	104 Concho Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00335	955 Corbel Cmn	Under Review	Ministerial Review	0	0	1	0
PLN2022-00369	4417 Cordova Pl	Under Review	Ministerial Review	0	0	0	1
PLN2022-00068	36471 Coronado Dr	Building Permit Issued	No	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2022-00372	4752 Cortez Ave	Under Review	Ministerial Review	0	0	0	1
PLN2022-00252	5064 Crandallwood Dr	Building Permit Issued	No	0	0	0	1
PLN2021-00402	46791 Crawford St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00304	1460 Cree Rd	Building Permit Issued	No	0	0	0	1
PLN2022-00244	4399 Crestwood St	Approved	No	0	0	0	2
PLN2022-00039	4581 Crockett Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00276	411 Dana St	Building Permit Issued	No	0	0	0	1
PLN2022-00209	3011 Darwin Dr	Building Permit Issued	No	0	0	0	1
PLN2021-00429	40238 Davis Ct	Under Review	Ministerial Review	0	0	0	1
PLC2022-00008	3057 Decoto Rd	Building Permit Issued	No	0	0	4	0
PLN2021-00213	3425 Decoto Rd	Under Review	Ministerial Review	0	0	0	1
PLN2021-00196	4667 Deep Creek Rd	Building Permit Issued	No	0	0	0	1
PLN2021-00149	39102 Delano Ct	Under Review	Ministerial Review	0	0	0	2
PLN2022-00194	1465 Deschutes Pl	Building Permit Issued	No	0	0	0	1
PLN2021-00034	3740 Detjen St	Building Permit Issued	No	0	0	0	1
PLN2022-00050	3820 Detjen St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00387	4671 Diaz Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00398	4136 Doane St	Building Permit Issued	No	0	0	0	1
PLN2021-00366	4344 Doane St	Building Permit Issued	No	0	0	0	1
PLN2022-00140	4032 Doane St	Building Permit Issued	No	0	0	0	1
PLN2022-00345	39518 Dorrington Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00144	27 Duarte Ave	Approved	No	0	0	0	1
PLN2021-00282	74 Duarte Ave	Under Review	Ministerial Review	0	0	0	1
PLN2022-00346	39960 E Las Palmas Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00211	0 E Warren Ave	Building Permit Issued	No	0	0	1	1
PLN2021-00136	41158 Ellen Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00014	35763 Ellmann Pl	Building Permit Issued	No	0	0	0	1
PLN2021-00026	35860 Ellmann Pl	Building Permit Issued	No	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2022-00053	43543 Ellsworth St	Under Review	Ministerial Review	0	0	1	0
PLN2022-00074	354 Escobar St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00278	37837 Farwell Dr	Building Permit Issued	No	0	0	0	1
PLN2022-00351	37721 Farwell Dr	Approved	No	0	0	0	1
PLN2021-00062	3686 Ferry Ln	Under Review	Ministerial Review	0	0	0	1
PLN2022-00412	3648 Ferry Ln	Under Review	Ministerial Review	0	0	0	1
PLN2021-00221	1612 Firth Ct	Building Permit Issued	No	0	0	0	1
PLN2021-00121	619 Fontes Dr	Approved	No	0	0	0	1
PLN2016-00343	34479 Fremont Blvd	Approved	No	0	0	4	0
PLN2021-00216	42827 Fremont Blvd	Building Permit Issued	No	0	0	0	1
PLN2022-00219	42535 Gage Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00054	35703 Gissing Pl	Under Review	Ministerial Review	0	0	0	1
PLN2021-00346	770 Glenhill Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00343	4373 Glidden Way	Under Review	Ministerial Review	0	0	0	1
PLN2021-00146	1601 Gomes Rd	Building Permit Issued	No	0	0	0	1
PLN2022-00430	38564 Goodrich Way	Under Review	Ministerial Review	0	0	0	1
PLN2021-00226	37635 Granville Dr	Building Permit Issued	No	0	0	0	1
PLN2021-00426	3370 Greenwood Dr	Building Permit Issued	No	0	0	0	1
PLN2022-00110	3147 Greenwood Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00222	1302 Grosventres Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00130	246 Grove Ave	Building Permit Issued	No	0	0	1	0
PLN2022-00424	260 H St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00147	42615 Hamilton Way	Approved	No	0	0	2	0
PLN2022-00410	42627 Hamilton Way	Under Review	Ministerial Review	0	0	0	1
PLN2022-00171	4400 Hansen Ave	Building Permit Issued	No	0	0	0	2
PLN2022-00082	4389 Hardwood St	Building Permit Issued	No	0	0	0	1
PLN2021-00327	80 Harris Pl	Approved	No	0	0	0	2
PLN2022-00242	3673 Haven Ave	Under Review	Ministerial Review	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2022-00279	4669 Hedgewick Ave	Under Review	Ministerial Review	0	0	0	1
PLN2021-00323	37083 Holly St	Building Permit Issued	No	0	0	0	1
PLN2022-00017	37134 Holly St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00321	37118 Holly St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00061	43637 Hopkins Ave	Under Review	Ministerial Review	0	0	0	1
PLN2022-00425	4015 Horatio Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00266	3662 Howe Ct	Building Permit Issued	No	0	0	0	1
PLN2021-00068	3601 Howe Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00186	39361 Ide Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00384	39337 Ide Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00469	39369 Ide Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00221	37169 Ila Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00426	3748 Independence Rd	Under Review	Ministerial Review	0	0	0	1
PLN2022-00359	39624 Iolani Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00050	4454 Irvington Ave	Building Permit Issued	No	0	0	0	1
PLN2022-00455	330 J St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00434	326 J St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00255	1942 Jackson Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00009	37470 Jason Way	Under Review	Ministerial Review	0	0	0	1
PLN2022-00230	38560 Jones Way	Under Review	Ministerial Review	0	0	0	1
PLN2022-00419	37452 Joseph St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00080	1339 Kruger Ave	Under Review	Ministerial Review	0	0	0	1
PLN2022-00097	4357 La Cosa Ave	Approved	No	0	0	0	1
PLN2021-00245	3635 Lake Ontario Dr	Building Permit Issued	No	0	0	0	1
PLN2022-00468	36466 Laredo Ave	Under Review	Ministerial Review	0	0	1	2
PLN2021-00150	4512 Leonato Way	Under Review	Ministerial Review	0	0	0	1
PLN2021-00232	40177 Leslie St	Building Permit Issued	No	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2022-00066	40059 Leslie St	Under Review	Ministerial Review	0	0	0	2
PLN2022-00370	42015 Linsay Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00379	39313 Logan Dr	Under Review	Ministerial Review	0	0	0	1
PLN2022-00348	626 Longfellow Dr	Under Review	Ministerial Review	0	0	0	1
PLN2022-00105	37893 Los Arboles Dr	Under Review	Ministerial Review	0	0	0	1
PLN2022-00285	41851 Mahoney St	Approved	No	0	0	0	1
PLN2021-00278	3648 Main St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00182	41328 Malcolmson St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00109	37075 Maple St	Building Permit Issued	No	0	0	0	1
PLN2021-00197	4471 Margery Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00006	4308 Mattos Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00006	4290 Mattos Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00233	4989 Mayfield Dr	Under Review	Ministerial Review	0	0	0	1
PLN2022-00008	507 Mayten Way	Under Review	Ministerial Review	0	0	0	1
PLN2022-00444	4163 Mcnamara St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00007	45305 Medicine Bow Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00389	3500 Mill Creek Rd	Under Review	Ministerial Review	0	0	0	1
PRP2022-00048	Mission Blvd (507-85-21-1)	Pre-Application Review	Ministerial Review	0	0	2	0
PRP2022-00053	37703 Mission Blvd	Pre-Application Review	Ministerial Review	0	0	4	0
PLN2018-00127	42054 Mission Blvd	Building Permit Issued	No	0	0	3	0
PLN2021-00372	43409 Mission Blvd	Under Review	Ministerial Review	0	0	0	1
PRP2022-00058	44175 Mission Blvd	Pre-Application Review	No	0	0	0	1
PLN2021-00086	3933 Mission View Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00077	3124 Mission View Dr	Building Permit Issued	No	0	0	0	1
PLN2021-00043	492 Miwok Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00059	34604 Mobile Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00288	4320 Mockingbird Way	Under Review	Ministerial Review	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2022-00107	71 Montclair Dr	Under Review	Ministerial Review	0	0	1	0
PLN2021-00430	39373 Monterey Way	Building Permit Issued	No	0	0	0	1
PLN2022-00250	41362 Morada Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00098	35496 Morley Pl	Building Permit Issued	No	0	0	0	1
PLN2022-00467	5074 Morris Way	Under Review	Ministerial Review	0	0	0	1
PLN2021-00203	37812 Mosswood Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00261	39045 Mount Vernon Ave	Building Permit Issued	No	0	0	0	1
PLN2019-00263	1357 Mowry Ave	Under Review	Ministerial Review	0	0	4	0
PLN2022-00303	1868 Nakoma Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00367	767 Nandina Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00271	38398 Nebo Dr	Under Review	Ministerial Review	0	0	0	1
PLN2022-00081	4920 Nelson St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00026;	36564 Nettles Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00115	42862 Newport Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00227	42837 Newport Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00118	42838 Newport Dr	Building Permit Issued	No	0	0	0	1
PLN2022-00091	36575 Nichols Ave	Building Permit Issued	No	0	0	0	1
PLN2021-00275	36511 Nichols Ave	Building Permit Issued	No	0	0	0	1
PLN2022-00413	42929 Nido Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00047	2495 Night Shade Ln	Building Permit Issued	No	0	0	0	1
PLN2021-00067	37275 Niles Blvd	Building Permit Issued	No	0	0	0	1
PLN2022-00247	36865 Niles Blvd	Under Review	Ministerial Review	0	0	0	1
PLN2022-00388	35460 Niles Blvd	Under Review	Ministerial Review	0	0	0	1
PLN2019-00246	35460 Niles Blvd	Building Permit Issued	No	0	0	1	0
PLN2021-00111	4643 Norris Rd	Under Review	Ministerial Review	0	0	0	1
PLN2022-00461	4575 Odell Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00291	4189 Ogden Dr	Under Review	Ministerial Review	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2020-00155	793 Old Canyon Rd	Building Permit Issued	No	0	0	0	1
PLN2022-00100	1206 Olive Ave	Building Permit Issued	No	0	0	0	1
PLN2021-00315	2777 Olive Ave	Under Review	Ministerial Review	0	0	0	1
PLN2021-00152	195 Orchard Dr	Approved	No	0	0	0	1
PLN2022-00113	781 Owhanee Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00027	40977 Pajaro Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00251	42293 Palm Ave	Building Permit Issued	No	0	0	0	1
PLN2021-00389	46457 Paseo Padre Pkwy	Building Permit Issued	No	0	0	0	1
PLN2021-00042	41567 Paseo Padre Pkwy	Building Permit Issued	No	0	0	0	1
PLN2022-00312	3599 Pennsylvania Ave	Under Review	Ministerial Review	0	0	0	1
PLN2022-00054	4170 Perkins Ct	Approved	No	0	0	0	1
PLN2017-00366	210 Pickering Ave	Approved	No	0	0	1	0
PLN2021-00299	249 Pine St	Building Permit Issued	No	0	0	0	1
PLN2021-00347	4763 Piper St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00137	1800 Ponca Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00183	4877 Porter St	Building Permit Issued	No	0	0	0	1
PLN2022-00099	596 Posada Way	Under Review	Ministerial Review	0	0	0	1
PLN2022-00330	785 Praderia Cir	Under Review	Ministerial Review	0	0	0	1
PLN2021-00156	223 Prairie Dog Ln	Building Permit Issued	No	0	0	0	1
PLN2021-00392	34464 Ramsgate Pl	Under Review	Ministerial Review	0	0	0	1
PLN2021-00406	115 Ray Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00438	4602 Reed Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00164	4832 Regents Park Ln	Building Permit Issued	No	0	0	0	1
PLN2022-00101	36825 Reynolds Dr	Approved	No	0	0	0	2
PLN2022-00177	36651 Reynolds Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00391	5790 Ring Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00241	41277 Roberts Ave	Under Review	Ministerial Review	0	0	0	4
PLN2022-00206	42030 Roberts Ave	Under Review	Ministerial Review	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2022-00333	40648 Robin St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00013	2528 Rutherford Ct	Building Permit Issued	No	0	0	0	1
PLN2021-00309	1505 Salamanca Ct	Building Permit Issued	No	0	0	0	1
PLN2021-00286	4199 San Juan Ave	Building Permit Issued	No	0	0	0	1
PLN2021-00247	840 San Marco Ave	Under Review	Ministerial Review	0	0	0	1
PLN2021-00339	3840 Savannah Rd	Under Review	Ministerial Review	0	0	1	0
PLN2021-00339	3856 Savannah Rd	Under Review	Ministerial Review	0	0	1	0
PLN2022-00226	37420 Second St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00381	37166 Second St	Building Permit Issued	No	0	0	0	1
PLN2022-00174	37782 Second St	Building Permit Issued	No	0	0	0	1
PLN2022-00337	46580 Sentinel Dr	Under Review	Ministerial Review	0	0	0	1
PLN2022-00049	39105 Serra Pl	Building Permit Issued	No	0	0	0	1
PLN2022-00321	5632 Shana St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00244	1245 Sioux Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00395	1777 Sioux Dr	Building Permit Issued	No	0	0	0	1
PLN2021-00235	35079 Sofia Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00166	40143 Spady St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00400	40129 Spady St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00070	38066 Stenhammer Dr	Under Review	Ministerial Review	0	0	0	1
PLN2022-00018	33586 Stephano Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00199	39939 Stevenson Cmn	Building Permit Issued	No	0	0	0	1
PLN2021-00166	3021 Stonehenge Rd	Under Review	Ministerial Review	0	0	0	1
PLN2021-00051	942 Sundance Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00393	1032 Sundance Dr	Under Review	Ministerial Review	0	0	0	1
PLN2021-00313	3534 Sutton Loop	Under Review	Ministerial Review	0	0	0	1
PLN2021-00175	2410 Tecado Ter	Under Review	Ministerial Review	0	0	0	1
PLN2021-00320	35574 Terrace Dr	Under Review	Ministerial Review	0	0	1	0

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2021-00224	36715 Theta Ct	Building Permit Issued	No	0	0	0	1
PLN2022-00268	37286 Third St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00040	37458 Third St	Under Review	Ministerial Review	0	0	0	1
PLN2018-00189	4145 Thornton Ave	Building Permit Issued	No	0	0	1	0
PLN2021-00019	1488 Tolteca Dr	Building Permit Issued	No	0	0	0	1
PLN2021-00362	41532 Trenouth St	Building Permit Issued	No	0	0	0	1
PLN2021-00385	3631 Trenton Ct	Under Review	Ministerial Review	0	0	0	1
PLN2022-00421	33537 Trinculo Ln	Under Review	Ministerial Review	0	0	0	1
PLN2022-00020	5634 Truman Pl	Under Review	Ministerial Review	0	0	1	0
PLN2022-00428	45711 Tuscany Ct	Approved	No	0	0	1	0
PLN2021-00092	1518 Valdez Way	Building Permit Issued	No	0	0	0	1
PLN2022-00090	38045 Vallejo St	Under Review	Ministerial Review	0	0	0	1
PLN2021-00305	38017 Vallejo St	Under Review	Ministerial Review	0	0	0	1
PLN2022-00204	5110 Vernon Ave	Under Review	Ministerial Review	0	0	0	1
PLN2022-00032	41920 Via San Luis Rey	Under Review	Ministerial Review	0	0	0	1
PLN2022-00139	1702 Via Sombrio	Under Review	Ministerial Review	0	0	0	1
PLN2021-00428	4652 Victoria Ave	Building Permit Issued	No	0	0	0	1
PLN2022-00299	43515 Vista Del Mar	Under Review	Ministerial Review	0	0	0	1
PLN2022-00229	35970 Vivian Pl	Under Review	Ministerial Review	0	0	0	1
PLN2022-00117	40472 Vogel Ct	Under Review	Ministerial Review	0	0	0	1
PLN2021-00361	5101 Waller Ave	Building Permit Issued	No	0	0	0	1
PLN2022-00318	2839 Washington Blvd	Under Review	Ministerial Review	0	0	0	1
PLN2021-00094	1150 Washington Blvd	Under Review	Ministerial Review	0	0	0	1
PLN2022-00405	2539 Washington Blvd	Under Review	Ministerial Review	0	0	1	0
PLN2022-00215	2547 Washington Blvd	Under Review	Ministerial Review	0	0	0	1
PLN2022-00305	3193 Waugh Pl	Under Review	Ministerial Review	0	0	0	1
PLN2021-00198	1301 Wisteria Dr	Building Permit Issued	No	0	0	0	1

File No.	Address	Status	Discretionary or Ministerial Review Pending?	(Non-ADU)			ADUs [1]
				Lower Income Units	Mod. Income Units	Above Mod. Units	
PLN2022-00120	733 Yaro Ct	Under Review	Ministerial Review	0	0	2	0

Source: City of Fremont Community Development Department, May 2022.

[1] 60% of ADUs in the pipeline are inventoried as lower-income and 30% are inventoried as moderate-income based on typical market-rate rents and sales prices as described in the Affordability Assumptions Section.

[2] Net number of new units indicated. When the development involves demolition of an existing dwelling unit, that demolished unit has been subtracted from the total number of units.

Table 8-5. Pending, Approved or Permitted Development (five units or greater)

File No	Project Name	Status	Discretionary or Ministerial Review Pending?	Lower Income Units [3]	Mod. Income Units	Above Mod. Income Units	Total Units
PLN2019-00179	3411 Capitol Ave Mixed Use	Entitlement Review	Discretionary Review	0	0	76	76
			Design Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLN2018-00260	3515 Walnut Apts	Building Permit Issued	No	0	0	248	248
PLN2017-00285	37447 Fremont Blvd	Pre-Application Review	Discretionary Review	0	0	45	45
			Design Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLN2022-00485	3900 Thornton	Approved	No	115	0	1	116
	Affordable Housing Osgood	Pre-Application Review	Ministerial Review	242	0	2	244
PLN2019-00315	Allied Housing	Building Permit Issued	No	48	0	1	49
PLN2022-00436	Arbor View	Entitlement Review	Discretionary Review	60	0	0	60
			Design Review, subject to Zoning Administrator approval				
			Subject to Housing Accountability Act				
PLN2019-00364	Aron Townhomes	Entitlement Review	Discretionary Review	0	0	7	7
			Design Review, and Tent. Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLN2014-00362	Aurora Springs Townhomes	Building Permit Issued	No	0	0	14	14
PLN2021-00236	Beard Commons	Building Permit Issued	No	0	0	5	5
PLN2020-00067	Bell Street Gardens	Building Permit Issued	No	115	0	0	115
PLN2019-00061	Canyon View	Building Permit Issued	No	0	0	6	6
PLN2017-00011	Capitol Villas	Building Permit Issued	No	0	0	40	40
PLN2019-00177	Centerville Plaza	Entitlement Review	Discretionary Review	0	0	16	16
			Design Review, subject to Zoning Administrator approval				
			Subject to Housing Accountability Act				
PLN2021-00410			Discretionary Review	0	0	40	40

File No	Project Name	Status	Discretionary or Ministerial Review Pending?	Lower Income Units [3]	Mod. Income Units	Above Mod. Income Units	Total Units
	Chapel Way Homes	Entitlement Review	General Plan Amendment, Rezoning, Design Review, subject to City Council approval				
			Not subject to Housing Accountability Act				
PLN2022-00296	Chen Central Ave Condos	Entitlement Review	Discretionary Review	0	0	5	5
			Design Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PRP2018-00022	Crystalline Drive	Pre-Application Review	Discretionary Review	0	0	6	6
			General Plan Amendment, Rezoning, Design Review, and Tentative Tract Map subject to City Council approval				
			Not subject to Housing Accountability Act				
PLN2019-00126	Doug Ford Senior Apartments	Building Permit Issued	No	81	0	0	81
PLN2021-00292	Ellsworth Mixed Use	Approved	No	0	0	10	10
PRP2022-00020	Five Corners	Pre-Application Review	Discretionary Review	0	0	82	82
			Design Review, Historical Architectural Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLN2021-00179	Fremont Bank Residences	Building Permit Issued	No	0	0	217	217
PLN2019-00048	Fremont Habitat	Approved	No	0	0	12	12
PLN2022-00487	Fremont Hub Mixed Use	Entitlement Review	Discretionary Review	0	0	283	283
			Design Review subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLC2020-00001	Granite Ridge Apartments	Building Permit Issued	No	65	0	1	66
PLN2021-00015	Irvington Arches	Pre-Application Review	Discretionary Review	0	0	14	14
			Design Review, and Tentative Tract Map				

File No	Project Name	Status	Discretionary or Ministerial Review Pending?	Lower Income Units [3]	Mod. Income Units	Above Mod. Income Units	Total Units
			subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLN2016-00257	Lennar Innovation Multifamily Market Rate Rental (Lot 3)	Building Permit Issued	No	0	0	295	295
PLN2016-00257	Lennar Innovation Multifamily Market Rate Rental (Lot 4, 10)	Approved	No	0	0	302	302
PLN2018-00347	Lennar Master Plan (Remaining Res) Innovation Phase 2	Building Permit Issued	No	0	0	334	334
PLN2018-00347	Lennar Master Plan (Remaining Res) Innovation Phase 3	Building Permit Review	No	0	0	182	182
PLN2020-00017	Lennar Master Plan Innovation Phase 2 Podiums	Approved	No	0	0	131	131
PLN2017-00018	Lincoln Townhomes	Building Permit Issued	No	0	0	5	5
PLN2021-00236	Mahmush Condominiums	Approved	No	0	0	5	5
PLN2016-00397	Maple Commons	Approved	No	0	0	10	10
PLN2022-00440	Maple Village	Entitlement Review	Discretionary Review	0	0	22	22
			Design Review, subject to Zoning Administrator approval				
			Subject to Housing Accountability Act				
PLN2019-00212	Metro Crossing	Building Permit Issued	No	0	0	412	412
PLN2019-00046	Metro West Victoria Station Flats	Building Permit Issued	No	0	0	69	69
PLN2017-00241	Miltonia	Approved	No	0	0	15	15
PLN2018-00259	Mission Falls Village 4	Building Permit Issued	No	0	0	39	39
PLN2018-00325	Mission Falls Village 5 (SF Portion Mission Falls PD)	Building Permit Issued	No	0	0	5	5
PLN2018-00282	Mission Falls Village 6	Building Permit Issued	No	0	0	50	50
PLN2016-00254	Mission Hills Square	Building Permit Issued	No	0	0	142	142
PRP2022-00069	Mission Oak	Pre-Application Review	Discretionary Review	2	0	18	20
			Design Review, Historical				

File No	Project Name	Status	Discretionary or Ministerial Review Pending?	Lower Income Units [3]	Mod. Income Units	Above Mod. Income Units	Total Units
			Architectural Review and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PRP2021-00012	Mission Homes	Pre-Application Review	Discretionary Review	0	0	6	6
			Design Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLN2019-00085	Mission Paradise	Approved	No	0	0	13	13
PRP2022-00066	Mission Peak Village	Pre-Application Review	Discretionary Review	3	0	26	29
			Design Review subject to Zoning Administrator approval				
			Subject to Housing Accountability Act				
	Motel 6 - Project Homekey	Pre-Application Review	Discretionary Review	105	0	0	105
			Design Review subject to Zoning Administrator approval				
			Not subject to Housing Accountability Act				
PLN2017-00211	Niles Gateway	Building Permit Review	No	0	0	68	68
PRP2022-00049	North Coast	Pre-Application Review	Discretionary Review	0	0	27	27
			Design Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PRP2018-00029	Old Town Lux	Pre-Application Review	Discretionary Review	0	0	41	41
			Design Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLN2018-00292	Oliveira Farms Cottages	Building Permit Issued	No	0	0	4	4
PLN2018-00192	Omaha Way Homes	Entitlement Review	Discretionary Review	0	0	12	12
			Design Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				

File No	Project Name	Status	Discretionary or Ministerial Review Pending?	Lower Income Units [3]	Mod. Income Units	Above Mod. Income Units	Total Units
PLN2021-00041	Osgood Apartments	Building Permit Issued	No	102	0	0	102
PLN2022-00214	Osgood Apartments South	Approved	No	89	0	1	90
PLN2019-00041	Osgood Residences	Building Permit Issued	No	0	0	84	84
PLN2017-00297	Palmia	Approved	No	0	0	154	154
PLN2022-00463	Peralta Townhomes	Entitlement Review	Discretionary Review	0	0	10	10
			Design Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PRP2022-00056	Rays	Pre-Application Review	Discretionary Review	0	0	5	5
			Design Review, and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLN2019-00348	Roberts Townhomes	Building Permit Issued	No	0	0	32	32
PLN2021-00205	Sakoon Homes	Approved	No	0	0	6	6
PLN2016-00274	Serra Apartments	Building Permit Review	No	161	0	0	161
PLN2018-00205	The Argonaut	Entitlement Review	No	0	0	50	50
PLN2017-00285	The Cottages	Building Permit Issued	No	0	0	33	33
PLN2021-00259	Triple E Plaza	Approved	No	0	0	7	7
PLN2016-00416	Universal Dragon	Building Permit Review	No	0	0	6	6
PLN2017-00316	Valley Oak Warm Springs Area 3 Mixed Use	Building Permit Issued	No	0	0	166	166
PLN2020-00170	Villa Ellsworth	Entitlement Review	Discretionary Review	0	0	17	17
			Design Review, Historical Architectural Review and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				
PLN2017-00250	Villas of Irvington	Building Permit Review	No	0	0	9	9
PRP2021-00012	Villas of Mission	Pre-Application Review	Discretionary Review	0	0	12	12
			Design Review, and Tentative Tract Map subject to Planning Commission approval				

File No	Project Name	Status	Discretionary or Ministerial Review Pending?	Lower Income Units [3]	Mod. Income Units	Above Mod. Income Units	Total Units
			Subject to Housing Accountability Act				
PLN2020-00037	Witherly Road Homes	Entitlement Review	Discretionary Review	0	1	5	6
			Design Review, Historical Architectural Review and Tentative Tract Map subject to Planning Commission approval				
			Subject to Housing Accountability Act				

Source: City of Fremont Community Development Department, May 2022.

[1] Net number of new units indicated. When the development involves demolition of an existing dwelling unit, that demolished unit has been subtracted from the total number of units.

[2] Under construction with some units completed. Unit count reflects remaining units for planning period.

[3] Lower-income and moderate-income units in the table will be deed-restricted affordable.

Accessory Dwelling Unit Projections

Production Trend Analysis

ADUs are projected to be a significant source of new housing in Fremont during the 2023-2031 planning period. In 2017, the State Legislature passed a series of new laws that significantly increased the potential for development of new ADUs by removing development barriers and allowing ADUs through ministerial permits. As a result of these changes, Fremont's ADU production increased significantly from 21 ADUs permitted in 2017 to 77 ADUs permitted in 2021.

Table 8-6. ADUs Permitted 2018-2021

2018	2019	2020	2021	2022 (Jan-Jun)	Average
34	65	50	77	66	65

Source: City of Fremont Community Development Department

The Sites Inventory Guidebook prepared by State HCD sets forth conservative recommended methodologies for projecting ADU production during a Housing Element planning period. One recommended methodology is to average the number of ADUs permitted since 2018, the year in which the significant changes to state ADU law went into effect. The average annual number of ADUs permitted in Fremont during calendar years 2018-2021 is 57.

In the first half of 2022, there was a significant increase in ADU production. The City issued 66 permits for ADUs during this six-month time period, more than the entirety of calendar years 2018, 2019 and 2020. This increase can be attributed to various local efforts to increase ADU production in 2021, including the unveiling of the City's pre-approved ADU program, processing improvements to streamline the permitting process, development of an ADU-specific webpage, and intense marketing of the City's ADU program. When taking into account the first six-months of 2022, Fremont's average ADU production since 2018 increases to 65 ADUs permitted per year.

ADU Projection

Fremont's projection for ADU development during the 2023-2031 planning period is below:

Annual Projection: 60 ADUs
Total for Planning Period: 480 ADUs

60 ADUs per year is a conservative estimate considering that, during the one-year period immediately prior to the start of the Housing Element projection period (July 1, 2021 to June 30, 2022), Fremont permitted 110 ADUs – which is 50 more ADUs per year than the projection assumes. Additionally, this projection does not account for the additional programs in the Housing Element designed to aggressively promote and incentivize ADU production, including revising the City's ADU Ordinance to reduce and simplify development standards. For these reasons, Fremont's projection will likely be an underestimate of ADU production during the planning period. As a program of the Housing Element, Fremont will monitor ADU production annually and, if production trends are less than anticipated halfway through the planning period, implement measures to further facilitate their production.

Affordability Analysis

The Association of Bay Area Governments (ABAG) collected rental data on ADUs in the region and prepared analysis to support assumptions on the affordability levels of ADUs in the San Francisco Bay Area. In general, the affordability assumptions are a conservative interpretation of the data that assumes more moderate and above moderate ADUs than the research found. ABAG's affordability assumptions for ADUs are summarized below and have been integrated into Fremont's adequate sites analysis.

Table 8-7. ADU Affordability Assumptions

Household Income Level	Percent of Total	Projected Annual ADU Production (units)
Very-Low Income (0-50% AMI)	30%	144
Low-Income (50-80% AMI)	30%	144
Moderate Income (80-120% AMI)	30%	144
Above Moderate Income (120+% AMI)	10%	48
Total	100%	480

Source: ABAG Technical Assistance Memorandum – Using ADUs to Satisfy RHNA

Local data on rental rates for ADUs supports ABAG's affordability analysis. The average rent of an ADU in Fremont was \$1,750/month as of December 2021, which is \$469 less than the overall median rent for Fremont of \$2,219/month.¹

¹ Median ADU rent from staff survey of online ADU rental listings in December 2021. Median overall rent from U.S. Census Bureau, American Community Survey 5-Year Data 2014-2019.

Vacant and Underutilized Sites

Approach to Identifying Available Sites

City staff analyzed sites in all geographic areas of the city for potential to provide new housing during the 2023-2031 planning period. Sites were reviewed, parcel-by-parcel, utilizing local knowledge and a variety of data sources, including:

- City zoning and General Plan land use maps
- Aerial photographs and google-street view
- City building permit data
- City business license data
- County Assessor data (age of structure, land and improvement values, current use, ownership information, etc.)
- City generated development activity map (a map that City staff prepares several times per years of pipeline development projects)
- 2015-2023 Housing Element site inventory
- Infrastructure and utility maps
- Hazard risk maps, including wildfire, sea level rise, earthquake/seismic zones, and landslide risk, critical habitats, and California protected areas
- Public inquiries on the City's "zoning line" regarding development

Staff developed a list of sites that were determined to be 1) appropriately zoned, and 2) available for housing development during the 2023-2031 planning period. The assessment of whether a site was "available" for housing development considered a variety of factors, such as physical features (e.g., size and shape of the site, improvements currently on the site, slope instability or erosion, or environmental considerations), location (e.g., proximity to and access to transit and community services), and competitiveness for affordable housing funding (e.g., Low Income Housing Tax Credit scoring criteria). The primary indicators of whether a site was determined to be "available" are discussed in the Non-Vacant Site Analysis Methodology Section.

Planning staff utilized specific knowledge of sites and the data sources listed above to screen out sites where known constraints exist that would make residential development unlikely during the 2023-2031 planning period. In general, the following types of parcels were determined to not be available for housing during the planning period:

- Parcels with recent significant development/investment on the site
- Parcels with major environmental constraints that will make development of housing difficult
- Parcels developed with multifamily housing
- Parcels with existing uses unlikely to terminate during the planning period

Additional Residential Capacity Created Pursuant to SB 6 and AB 2011

During the 2022 Legislative Session, the Governor signed two significant pieces of legislation into law, SB 6 and AB 2011, which creates new opportunities for residential development within commercial zoning districts. In Fremont, this creates new opportunities for housing within various districts, including the C-R Regional Commercial Zoning District, the C-G General Commercial Zoning District and the Warm Springs Innovation District. The Housing Element sites inventory was prepared prior to the passage of SB 6 and AB 2011, and therefore does not include the numerous additional sites with housing potential

created under the new legislation. As a program of the Housing Element, the City will identify sites that were made available for housing under SB 6 and AB 2011, and publish them on the City's webpage along with the remainder of inventory sites, as called for under Program 40. These sites will be added to the City's site inventory, as needed, to maintain compliance with the State's No Net Loss Law, as explained in more detail later in this chapter.

Assignment of Sites by Household Income Level

Vacant and non-vacant underutilized sites were categorized by household income level, as detailed below.

- **Lower-income Sites.** Government Code Section 65583.2(c)(3) allows jurisdictions to use residential density as a proxy for lower income affordability. In jurisdictions within a metropolitan county (including Fremont), parcels with zoning that allows for at least 30 dwelling units per acre (du/ac) are considered appropriate to accommodate the RHNA for lower income households. Additionally, Government Code Sections 65583.2(c)(2)(A), (B), and (C) considers sites that are less 0.5 acres in size and more than 10 acres in size to be inappropriate to accommodate lower income RHNA. Based on these parameters, sites were categorized as lower-income sites when the underlying zoning district allows more than 30 du/ac and is between 0.5 and 10 acres in size.

Contiguous sites less than 0.5 acres owned by the same party were considered to be one site for the purpose of this analysis because combining adjacent parcels with the same owner is not considered to be an impediment. A Lot Combination is a minor application process consistent with Land Use Element Policy 2-2.11 which encourages land assembly and merger of smaller parcels to promote the efficient and productive use of land. During the previous planning period, smaller lots were consolidated to facilitate an affordable housing development on several occasions, including:

- 3900 Thornton Avenue (consolidation of three parcels ranging from 0.29 to 0.43 acres to facilitate a 129-unit affordable housing development).
- Doug Ford Senior Apartments (consolidation of three parcels including a 0.19-acre and a 0.26-acre parcel to facilitate a 90-unit affordable housing development).

In the above examples, the smaller lots were held in common ownership. They were not irregularly shaped or connected with one another in an unusual manner. Once consolidated, the lots had a regular shape with a large development envelope. All of the small sites in the inventory counted as part of larger contiguous site were reviewed to ensure that also had these characteristics. All sites were verified to be in common ownership, regularly shaped, and connected in a logical manner that would create a combined site with a large development envelope.

The strategically urban growth framework in Fremont's General Plan allows residential development above 30 du/ac in the City Center District, Downtown District, and in Commercial and Urban Residential zoned sites. Consequently, the majority of inventory sites that were identified met the criteria for classification as a lower-income site. Some identified lower-income sites were assigned to the moderate-income and above-moderate income categories in the sites inventory.

- **Moderate-income Sites.** Sites less than 0.5 acres in size with zoning allowing at least 30 du/ac were categorized for moderate-income affordability, based on an assumption that 0.5 acres is too

small to accommodate a subsidized lower-income project but large enough for a small multi-unit development affordable to moderate-income households to be built.

- **Above Moderate-income Sites.** Sites with single-family zoning, two-family zoning, or multi-family zoning allowing less than 30 du/ac were categorized as above moderate-income sites based on an assumption that affordable housing would be unlikely to be developed at these densities. During the 2015-2023 planning period, only one affordable housing development was permitted in Fremont at less than 30 du/ac, the Central Commons project developed by Habitat for Humanity (27 du/ac).

Residential Capacity Analysis

Government Code Section 65583.2(c) requires, as part of the analysis of available sites, a local government to calculate the projected residential development capacity of the sites identified in the housing element that can realistically be achieved. Fremont developed a methodology for calculating residential capacity of sites based on “adjustment factors” accounting for various factors that may affect realistic capacity.

Methodology:

Site Acreage x Max Dwelling Units per Acre x Adjustment Factors = Realistic Residential Capacity

Fremont has several zoning districts where no maximum residential density is specified. In these districts, allowable residential density is driven by floor area ratio and development standards such as height, open space, parking and setbacks. Where no maximum density exists for the zoning district, the average density of residentially permitted development in the same land use designation during the 2015-2023 planning period was utilized. This sets a conservative maximum development assumption based on historical data that has accounted for applicable development regulations.

Table 8-8. Average Residential Density of Development Projects by Land Use Designation with No Maximum Density, 2015-2023 Planning Period

Land Use Designation	Average units/acre
City Center	70
Commercial – General /Mixed Use	39
Commercial – Town Center	39

Source: City of Fremont Community Development Department, May 2022.

The representative development projects utilized to support this analysis are listed below:

Table 8-9. Representative Residential Development Projects in Zones with No Maximum Density Limits, 2015-2023 Planning Period

Project	Address	Land Use	Zone	Units/Density
3515 Walnut	3515 Walnut Ave	City Ctr	D-E, D-MD	275 units / 97 du/ac
3900 Thornton Avenue	3900 Thornton Ave	Com TC	TC-P (TOD)	128 units / 122 du/ac
Artist Walk	37070 Fremont Blvd	Com TC	Planned District	185 units / 30 du/ac
Capitol Villas	Hastings St	City Ctr	D-CA, D-MD	54 units / 51 du/ac
Fremont Bank Residences	39150 Fremont Blvd	City Ctr	D-CA, D-MD	240 units / 109 du/ac
Fremont Habitat	36551 Fremont Blvd	Com G	D-CA, D-MD	13 units / 15 du/ac
Doug Ford Senior Apartments	4038 Irvington Ave	Com G	TC-T(I)	90 units / 65 du/ac
Maple Commons	Maple St	Com TC	TC-P (TOD)	11 units / 35 du/ac
Mission Garden	43342 Bryant St	Com TC	TC-P (HOD)	3 units / 8 du/ac
Silicon Sage Centerville	37358 Fremont Blvd	Com TC	TC-P (TOD)	165 units / 36 du/ac

Project	Address	Land Use	Zone	Units/Density
State Street Center	39155 State St	City Ctr	D-CA, D-MD	157 units / 36 du/ac
Universal Dragon	38239 Fremont Blvd	Com G	C-O	5 units / 9 du/ac

Source: City of Fremont Community Development Department, May 2022.

The specific adjustment factors that were utilized are described in more detail below:

- **Zoning Adjustment:** This adjustment factor accounts for historical trends for the general zoning type and considers how the imposition of land use controls and development standards have historically impacted the realistic buildout capacity.

Where no maximum density exists, the average density of residentially permitted development in the same land use designation during the 2015-2023 planning period was utilized as the maximum density. In these situations, the zoning adjustment was set at 100%, since the maximum density already takes into account historical development trends.

Where the underlying zoning designation does have a maximum residential density, the zoning adjustment factor is set based on the average density of residentially permitted development in the same land use designation during the 2015-2023 planning period. The average density was divided by the maximum density to arrive at the zoning adjustment factor.

Table 8-10. Zoning Adjustment Factor by Land Use Designation where a Maximum Density is Specified

Zoning District	Adjustment Factor
Residential – Low	.50
Residential – Medium-Low	.86
Residential – Medium	.66
Residential – Urban	.75

Source: City of Fremont Community Development Department, May 2022.

The representative development projects utilized to support this analysis are listed below:

Table 8-11. Representative Residential Development Projects in Zones with Maximum Density Limits, 2015-2023 Planning Period

Project	Address	Land Use	Zone	Units/Density
Allied Housing	34320 Fremont Blvd	Res Med	Planned District	54 units / 38 du/ac
Apex	39439 Mission Blvd	Res Med	R-3-27	77 units / 24 du/ac
Beachwood	34653 Fremont Blvd	Res Med	Planned District	18 units / 16 du/ac
Beard Commons	33650 Beard Ct	Res Low-Med	Planned District	5 units / 9 du/ac
Bell Street Gardens	4101 Mowry Ave	Res Urb	R-3-70	128 units / 65 du/ac
Birdsong	Stevenson Blvd	Res Med	Planned District	46 units / 23 du/ac
Boulevard Heights	40744 Fremont Blvd	Res Med	R-3-18	67 units / 18 du/ac
Calabria	4325 Alder Ave	Res Low	Planned District	17 units / 12 du/ac
Canyon View	243 Morrison Canyon Rd	Res Low	R-1-6	7 units / 4 du/ac
Casa Bella	3111 Washington Blvd	Res Low	Planned District	17 units / 10 du/ac
Centerville Junction	3550 Peralta Blvd	Res Med	R-3-23	52 units / 20 du/ac
Centerville Pioneer	3858 Bonde Wy	Res Med	R-3-23	8 units / 20 du/ac
Central Commons	4369 Central Ave	Res Med	Planned District	8 units / 27 du /ac
Cindy Street Homes	39009 Cindy St	Res Low-Med	Planned District	8 units / 9 du/ac

Project	Address	Land Use	Zone	Units/Density
City Center Apartments	38631 Fremont Blvd	Res Urb	R-3-50	60 units / 55 du/ac
The Cottages	37343 Blacow Rd	Res Low-Med	Planned District	37 units / 11 du/ac
Crown Court	37621 Fremont Blvd	Res Med	Planned District	27 units / 27 du/ac
Darrow Farm	43425 Mission Blvd	Res Low	Planned District	24 units / 5 du/ac
Decoto Crossing	3068 Decoto Rd	Res Low	Planned District	10 units / 6 du/ac
Decoto Lux	3057 Decoto Rd	Res Low	R-1-6	4 units / 7 du/ac
Dias Planned District	42232 Mission Blvd	Res Low	Planned District	21 units / 5 du/ac
Driscoll Road Homes	225 Driscoll Rd	Res Low	Planned District	9 units / 4 du/ac
Driscoll Road Townhomes	173 Driscoll Rd	Res Med	Planned District	24 units / 16 du/ac
Laguna Commons	41152 Fremont Blvd	Res Urb	Planned District	64 units / 43 du/ac
The Landing	39311 Mission Blvd	Res Med	Planned District	33 units / 17 du/ac
Le Blanc	34479 Fremont Blvd	Res Med	R-3-18	4 units / 13 du/ac
Lincoln Townhomes	40857 Lincoln St	Res Med	R-3-18	5 units / 14 du/ac
Lotus Common	36247 Fremont Blvd	Res Med	R-3-18	4 units / 15 du/ac
MidPen Stevenson Place	Stevenson Blvd	Res Med	Planned District	80 units / 35 du/ac
Mission Creek	42186 Palm Ave	Res Low	Planned District	41 units / 3 du/ac
Montecito	37350 Sequoia Rd	Res Med	R-3-27	127 units / 28 du/ac
Niles Gateway	37899 Niles Blvd	Res Med	Planned District	75 units / 12 du/ac
North Fremont Townhomes	34240 Fremont Blvd	Res Med	R-3-18	14 units / 18 du/ac
Oliveira Farm Cottages	39392 Blacow Rd	Res Low	Planned District	8 units / 7 du/ac
Oracle Common	3803 Eggers Dr	Res Low-Med	R-3-18	8 units / 16 du/ac
Orchard Heights	41948 Mission Blvd	Res Low	Planned District	55 units / 3 du/ac
Osgood Apartments	41829 Osgood Rd	Res Urb	R-3-70	112 units / 82 du/ac
Osgood Residences	42111 Osgood Rd	Res Urb	R-3-70	93 units / 58 du/ac
Palm Ave TriPointe	42410 Palm Ave	Res Low	Planned District	31 units / 4 du/ac
Palmdale Estates	43151 Mission Blvd	Res Low-Med	Planned District	79 units / 14 du/ac
Parasol	34840 Fremont Blvd	Res Med	Planned District	38 units / 19 du/ac
Parc 55 - Eden	47003 Mission Falls Ct	Res Urb	Planned District	90 units / 40 du/ac
Parc 55 - Palmia	47003 Mission Falls Ct	Res Urb	Planned District	171 units / 38 du/ac
Parc 55 - Mission Falls	47003 Mission Falls Ct	Res Med	Planned District	236 units / 15 du/ac
Pepper Tree	4186 Central Ave	Res Med	Planned District	14 units / 20 du/ac
Pepper Tree II	34615 Fremont Blvd	Res Med	R-3-18	12 units / 21 du/ac
Peralta Crossing	4133 Peralta Blvd	Res Med	Planned District	43 units / 23 du/ac
Roberts Townhomes	41354 Roberts Ave	Res Med	R-3-18	36 units / 18 du/ac
Serra Apartments	42000 Osgood Rd	Res Urb	R-3-70	179 units / 76 du/ac
Shannon Townhomes	38861 Mission Blvd	Res Med	Planned District	25 units / 17 du/ac
Terra Bella	34044 Fremont Blvd	Res Low-Med	Planned District	63 units / 14 du/ac
Ursa	48495 Ursa Dr	Res Low	Planned District	17 units / 6 du/ac
Villas at Florio	41482 Fremont Blvd	Res Med	Planned District	22 units / 22 du/ac
Villas of Irvington	3800 Adams Ave	Res Med	R-3-18	11 units / 19 du/ac
Villas of Mission	36341 Mission Blvd	Res Med	R-3-18	13 units / 16 du/ac
Walnut Residences	1031 Walnut Ave	Res Urb	R-3-70	631 units / 50 du/ac
Winston Development	2529 Washington Blvd	Res Low	Planned District	14 units / 9 du/ac

Source: City of Fremont Community Development Department, May 2022.

- **Affordability Adjustment:** This adjustment factor accounts for typical densities of existing or approved residential developments at a similar affordability level. ABAG assisted with providing research and analysis in support of this adjustment factor through their Housing Element Site Selection (HESS) Tool, as described in detail below. In cases where the affordability adjustment exceeded 100% based on the data, the affordability adjustment was set at 100%.
 1. **Determine number of Built Units per project:** Annual Progress Report (APR) projects that received Certificates of Completion between 2018 and 2020 were geocoded to determine how many units were built on each parcel or group of parcels during that time frame. This time frame was selected to avoid double-counting of APR projects across multiple stages of development – the HCD APR Form began tracking projects from entitlement to Certificate of Completion in 2018, while projects submitted in prior years were limited to those that received building permits. ADUs were filtered out of the dataset because they are projected separately for the entire jurisdiction, as opposed to the parcel level.
 2. **Determine number of Allowed Units per project:** The maximum dwelling units/acre assigned to the parcel(s) on which the APR project was located was multiplied by the Acreage of the parcel(s) to determine the maximum number of Allowed Units for the project. max dwelling units/acre was collected for each local Zoning Code from the jurisdiction's local Zoning Ordinance. If maximum dwelling units/acre was not reported for the Zoning Code, it was collected for each General Plan Code from the jurisdiction's Land Use Element.
 3. **Calculate the Ratio of Built to Allowed Units per project:** The number of units built was divided by the number of units allowed for each APR project to generate a Ratio of Built to Allowed Units per project.
 4. **Calculate the Average Ratio of Built Units to Allowed Units per Affordability Level:** The Average Ratio of Built Units to Allowed Units was calculated for each of the following affordability levels within each county:
 - Lower Income: APR projects where more than 50% of built units were reported for incomes less than 80% AMI. This includes both Very Low-Income and Low-Income RHNA categories.
 - Moderate Income: APR projects where more than 50% of built units were reported for incomes between 80% AMI and 120% AMI
 - Above Moderate Income: APR projects where more than 50% of units were reported for incomes greater than 120% AMI
- **Infrastructure Adjustment.** This adjustment factor was developed to account for the availability and accessibility of sufficient water, sewer, and dry utilities. All inventory sites were determined to have access to necessary infrastructure and therefore the infrastructure adjustment for all sites was 100%.
- **Environmental Adjustment.** This adjustment factor accounts for site-specific environmental conditions that may impact realistic buildout capacity, such as earthquake fault zones, and historic resources. Specific knowledge of the site and track records on development of sites with similar constraints were utilized to develop conservative adjustments to account for the environmental conditions.

Geotechnical conditions, such as the presence of earthquake fault traces, landslide areas or unstable soil, are factors that generally lead to reduced residential capacity of a site. Unstable soil

is typically excluded from the net developable acreage of a site, as well as areas within 50 feet of an identified fault trace. These conditions are captured on a site-specific basis, utilizing available data, under the environmental adjustment factor. The presence of historic resources on a site may also impact site design and the residential capacity of the site. Where a known historic resource was identified on a site, the residential capacity was lowered utilizing the environmental adjustment factor.

The following residential development projects were developed on sites with environmental issues during the 2015-2023 planning period. These representative projects were utilized to assist with setting realistic site-specific environmental adjustment factors.

Table 8-12. Representative Housing Projects with Environmental Factors

Project	Address	General Plan	Units / Density / Pct. Max Density	Environmental Factor(s)
Osgood Residences	42111 Osgood Rd	Res Urb	93 / 58 du/ac / 83%	Fault zone/trace
Osgood Apartments	41829 Osgood Rd	Res Urb	112 / 58 du/ac / 117%	Fault zone/trace
Centerville Pioneer	3858 Bonde Wy	Res Med	8 / 58 du/ac / 67%	Historic
Palmdale Estates	43151 Mission Blvd	Res Low-Med	79 / 58 du/ac / 97%	Historic
Ursa	48495 Ursa Dr	Res Low	17 / 6 du/ac / 73%	Historic
Darrow Farm	43425 Mission Blvd	Res Low	24 / 5 du/ac / 59%	Historic

Source: City of Fremont Community Development Department, May 2022.

- Nonresidential Adjustment.** This adjustment factor accounts for the potential that sites may be developed with nonresidential uses. City staff identified the inventory sites in the 2015-2023 housing element that were located in zones allowing for nonresidential uses and determined whether the site had been developed during the planning period. A total of 15 parcels in the sites inventory, accounting for 26.86 acres, were identified in zones that allowed for nonresidential uses and received permits for development. 14 out of 15 parcels were permitted with residential development, which accounted for 98% of the total acreage. 93% was utilized as the non-residential adjustment factor for sites allowing non-residential uses.

Table 8-13. Housing Element Sites in Zones Allowing Non-Residential Uses with Building Permit Issued, 2015-2023 Planning Period

Address	APN	General Plan	Gross Acres	Units / Density	Permitted Development
Post St	501 142603500	Com TC	0.43	52 / 122 du/ac	Mixed Use
3900 Thornton Ave	501 142603600	Com TC	0.33	40 / 122 du/ac	Mixed Use
Thornton Ave	501 142603700	Com TC	0.29	36 / 122 du/ac	Mixed Use
4050 Irvington Ave	525 120000102	Com G	0.26	17 / 65 du/ac	Mixed Use
4038 Irvington Ave	525 120000202	Com G	0.19	12 / 65 du/ac	Mixed Use
41191 Fremont Blvd	525 120000502	Com G	0.94	61 / 65 du/ac	Mixed Use
3515 Walnut Ave	501 113000900	City Ctr	2.73	275 / 97 du/ac	Residential
39176 Fremont Blvd	501 113004300	City Ctr	1.45	240 / 97 du/ac	Residential
41965 Fremont Blvd	525 111502705	Com MX	0.56	0 / 0 du/ac	Commercial
37070 Fremont Blvd	501 142600403	Com TC	2.79	74 / 30 du/ac	Mixed Use
37120 Fremont Blvd	501 142600601	Com TC	0.77	20/ 30 du/ac	Mixed Use
37156 Fremont Blvd	501 142600803	Com TC	2.00	56/ 30 du/ac	Mixed Use
37196 Fremont Blvd	501 142601002	Com TC	0.75	20/ 30 du/ac	Mixed Use

Address	APN	General Plan	Gross Acres	Units / Density	Permitted Development
37222 Fremont Blvd	501 142601100	Com TC	0.54	15/ 30 du/ac	Mixed Use
2501 Cormack Rd	513 070101410	Com G	12.83	158 / 12 du/ac	Mixed Use
Total			26.86	918 / 34 du/ac	

Source: City of Fremont Community Development Department, May 2022.

- **Other Site-Specific Adjustments.** This adjustment factor accounts for other miscellaneous site conditions that may affect development potential. For example, some religious facilities have been included in the sites inventory with underutilized land area. For these sites, it was assumed that the religious facility would continue to operate and only a portion of the site would be redeveloped. Therefore, only the identified underutilized portions of the site were utilized to calculate realistic buildout capacity. Similarly, a site-specific adjustment factor was applied to several commercial centers in the inventory to account for the potential for partial redevelopment while allowing the commercial center to continue operating.

After calculating residential capacity for inventory sites, staff reviewed the residential capacity for each site, and analyzed the feasibility of development based on experience processing similar types of developments. All sites were determined to be suitable for the residential capacity indicated in the sites inventory.

Non-Vacant Site Analysis Methodology

Vacant sites were presumed to be available for housing development, unless the underlying zoning does not permit housing, or a significant constraint exists that would preclude residential development. When a site is non-vacant (meaning no buildings or significant improvements exist), the existing use, development trends, market conditions, and available regulatory incentives were analyzed to determine whether the site was available for development during the 2023-2031 planning period.

- **Existing Uses:** Existing uses may constitute an impediment to residential development. The Sites Inventory Table included in this chapter contains a column with a general description of existing uses for each site. Each existing use in the table corresponds with one or more of the use categories listed below. Analysis is provided below regarding the likelihood of redevelopment of sites containing these uses during the 2023-2031 planning period.
 - **Automobile-related uses.** This category of uses includes car washes, car rental or lease, auto repair and tire shops. When these uses are located in areas where high intensity uses are allowed and auto-centric uses are no longer permitted (Town Centers, Transit-Oriented Development (TOD) Overlay Zones, City Center), they are particularly strong candidates for redevelopment. Automobile-related uses often have minimal improvements, which also facilitates redevelopment.
 - **Commercial uses.** This category of uses includes retail stores, banks, personal services, small offices, and other similar business uses. The commercial retail sector has been declining nationally for a number of years as a large share of sales and services have shifted online. The COVID-19 pandemic has accelerated the decline. The increasing popularity of remote work has diminished the demand for office space. A number of banks, personal service establishments, restaurants, offices and retail establishments have closed in Fremont during the past several years, which has created opportunities for new residential development.

- **Religious facilities.** Several residential developments have occurred on sites owned by religious organizations during the 2015-2023 planning period. In several cases, the development occurred on excess, unutilized areas of a lot, which allowed the religious use to continue to operate. In calculating residential capacity on these lots, a site-specific adjustment factor was employed so that only the identified unutilized portions of the lot were used in the calculation.
- **Parking lots.** This category includes standalone parking lots, and large paved lots used for storage of vehicles or large equipment. These sites are likely to be redeveloped because development of housing would not require substantial demolition work. Parking lots are also a strong candidate for redevelopment in TOD areas and the City Center District where parking requirements were reduced in conjunction with the adoption of the 2011 General Plan. In these cases, existing uses are likely to have excess parking.
- **Single-family home on a large site.** Single-family homes on lots that allow for higher density development provide an opportunity for intensification. In some cases, the single-family homes can be retained while still intensifying the site.
- **Commercial Centers.** Underperforming commercial centers often present strong residential redevelopment opportunities. Commercial centers are often large sites with a high residential development capacity, meaning there may be strong financial incentives to redevelop. The Land Use Element of the General Plan recognizes older shopping centers as opportunity sites to meet the community's housing needs, in particular Land Use Policy 2-4.6:

Policy 2-4.6: Conversion of Older Shopping Centers and Commercial Uses. Support the adaptive reuse, renovation, or redevelopment of older shopping centers or commercial uses that are no longer viable due to changing market conditions, demographics, or retail trends. Such reuse or redevelopment should be planned to help sustain other retail centers in the City, provide opportunities for higher-density housing and civic or group assembly uses while ensuring that residents continue to have convenient access to goods and services. Policies 2-4.5 and 2-4.6 recognize that some “pruning back” of existing retail space may be needed in Fremont. Some of the City’s older shopping centers and commercial properties may be economically obsolete and may have difficulty competing with more contemporary centers. Yet these centers still serve as community focal points, providing affordable floor space, and goods and services to residents in nearby neighborhoods. Some centers could benefit from the introduction of new non-retail uses, such as public facilities, offices, services such as child care, and even housing to keep them viable. The City will support zoning regulations and other tools to facilitate economically productive use of all centers.

In the 2015-2023 planning period, several shopping centers were permitted or proposed to be completely redeveloped with housing (e.g., Boulevard Heights, Fremont Bank Residences, Five Corners). A development project at the Fremont Hub is currently under entitlement review which only occupies a portion of the shopping center and allows for other tenants to continue to operate. For commercial centers in the sites inventory, it is assumed that some commercial centers will only be partially redeveloped, like the Fremont Hub. A site-specific adjustment factor of 0.67 was utilized to account for the possibility of partial redevelopment of commercial centers.

The commercial centers listed in the sites inventory were selected based on their likelihood for redevelopment. The most important factors that were utilized in analysis were the loss of major anchor tenants, tenant vacancies, fire damage or disrepair, lack of national chains, abundance of surface parking, and high residential development capacity. Only the commercial centers that had the highest potential for redevelopment during the planning period based on the criteria above were included in the sites inventory.

- **City-owned sites.** Publicly-owned sites present opportunities for redevelopment. Fremont has a track record of successfully converting surplus public land into housing, including at the Palm Avenue Tri-Pointe site where surplus park property was developed into 31 units of housing, and the Granite Ridge/Montecito site where a former corporation yard was developed into 72 units of affordable housing and 55 units of market rate housing. The City of Fremont owns [one property](#) that [has](#) been included in the sites inventory:

Table 8-14. City of Fremont-Owned Housing Element Inventory Sites

Location	Address/APN	Designated Surplus	Size (acres)	Land Use	Realistic Capacity
Decoto/Fremont Blvd	4194 Decoto Rd (543-256-21) 4178 Decoto Rd (543-256-22-4)	Yes	8.46	Com MX	307 units

The Decoto property provides [significant](#) residential development potential based on its Commercial-Mixed Use zoning and lack of site constraints. The site has several additional characteristics which make it appropriate for housing, including being located within a high resource area, being vacant, having frontage along the City's major transit corridor (Fremont Boulevard) and being of a sufficient size (8.46 acres) to accommodate a variety of housing types. The Decoto site was included in the 2015-2023 Housing Element sites inventory and has previously been designated as surplus property in accordance with the Surplus Lands Act. Following the designation of the site as surplus, the City marketed the site, and negotiated an agreement with a developer to construct housing on the site. Although the agreement with that particular developer was not completed, the City continues to recognize the site as a housing opportunity site. The City recently explored siting a homeless navigation center on the site, before choosing to place the navigation center adjacent to City Hall.

[The City is committed to facilitating the redevelopment of the Decoto property with housing during the 2023-2031 planning period. Program 63 outlines planned actions to facilitate the redevelopment of the Decoto property, including:](#)

- [Applying for available grants or identifying local funds to assist in the planning of the site to maximize affordable housing development, economic return and community benefits through redevelopment of the site.](#)
- [Preparing a detailed analysis of the development potential of the site, including identification/removal of potential constraints to redevelopment, and preparing conceptual site plans.](#)
- [Processing planning entitlements for the project.](#)
- [Issuing a Request for Proposals \(RFP\) for market-rate and affordable housing developers asking for proposals to redevelop the site.](#)

- Selecting a development partner to proceed with redevelopment of the site.
- Negotiating a purchase or lease agreement

The City owns several other properties with varying levels of residential development potential that have not been included in the sites inventory, including a 28.56-acre site on Isherwood Way, a 4.07-acre site in Niles, and a 2.06-acre site on Pickering Way.

- The Pickering site has minimal development capacity because the site is constrained by the toe-of-the-hill line and is an Open Space zoning district. The Open Space designation permits residential uses, but the size of the site will ultimately limit the property to a maximum of two primary units. Accessory Dwelling Units could also be permitted. The Pickering site has previously been designated as a surplus property in accordance with the Surplus Lands Act.
- The Isherwood site was included in the 2015-2023 Housing Element sites inventory and has previously been designated as a surplus property in accordance with the Surplus Lands Act. The site is constrained by its adjacency to Alameda Creek and a planned street improvement project may alter the configuration of the site. Although the final street design has not been completed, it will ultimately reserve a large developable area with appropriate street access.
- The property in Niles includes parking area supporting the Niles Town Center as well as vacant land. A Planned District zoning (P-2011-232) was adopted by the City Council for the site in 2011 establishing design parameters for a mixed-use development with housing on upper floors and the rear of the property. The development limits of the site are consistent with the Town-Center Pedestrian (TC-P) zoning district, which does not have a maximum residential density within a floor area ratio limit of 1.25.

During the 2023-2031 planning period, the City will regularly review these sites, as well as other City-owned surplus, vacant, or underused land, to determine if they continue to be needed for current or foreseeable future public operations, and if they should be considered for sale or lease for development of housing. The Surplus Lands Act has established requirements and procedures for designating public properties as surplus and selling or leasing those properties. Before selling or leasing a property, local agencies must send a Notice of Availability to housing sponsors, local public entities, and local, regional and states agencies. Entities have 60 days to respond to the notice and 90 days to negotiate with respondents in good faith. During the negotiation process, local agencies cannot prohibit a residential use or limit residential density below what is provided by zoning. When selecting a development partner, cities are generally required to prioritize affordable housing uses, which is consistent with the Cities stated goal in Program 63 to prioritize affordable housing on public property. State HCD would review disposition agreements for compliance with state law prior to the execution of a final sale or lease agreement.

- **Other Public Sites.** Other government entities own property within the City of Fremont with potential for housing.

The BART-owned parking lot at the Fremont BART Station has been identified as an inventory site. The Fremont BART site was included in the 2015-2023 Housing Element

sites inventory in recognition of the potential for transit-oriented development and affordable housing, although no housing has been proposed. The underlying City Center land use designation allows for high residential densities. The City Center Community Plan includes specific policies encouraging infill development of the Fremont BART Station parking lot, and extensive analysis and illustrative plans demonstrating how the Fremont BART Station parking lot could be transformed with new development with an urban street and public space. In 2018, Assembly Bill (AB) 2923 was signed into law, which facilitates the development of TOD on BART properties, to assist with the BART Board's adopted goal of producing 20,000 new homes on station properties. BART's TOD Workplan emphasizes the importance of local jurisdictions being a strong partner with BART in order to make redevelopment of BART-owned sites feasible. Fremont's Planning Division staff met with BART staff to discuss the inclusion of the Fremont BART Station site on the sites inventory. Program 63 of the Housing Element calls for more proactive measures to encourage development on the Fremont BART site with affordable housing during the 2023-2031 planning period, [including measures to facilitate market readiness of the site, enhance local support, and collaborate on infrastructure needs.](#)

Other government entities, such as the Fremont Unified School District and the Alameda County Water District, own various properties within the City which may have potential for residential development with housing but have not been included in the sites inventory because no formal intent has been expressed for development of their land. A program in the Housing Element calls for proactive discussions with public entities regarding the availability and feasibility of affordable residential development on excess land.

- **Development Trends.** Development trends demonstrate a track record for redevelopment of similar non-vacant inventory sites to demonstrate their suitability for redevelopment. The table below identifies key development trends utilized to substantiate the availability of sites for the 2023-2031 planning period. Specific projects that contributed to those trends are also identified in the table.

A. Affordable Housing.

Redevelopment with deed-restricted affordable housing

B. Religious Facility.

Redevelopment on site with an existing religious facility

C. Commercial Uses.

Redevelopment with existing retail, restaurant, personal services, small offices or bank uses.

D. Auto-Related Uses.

Redevelopment on the site of existing auto-related use. The representative projects involved replacement of RV sales and auto sales lots.

E. Commercial Centers.

Redevelopment on the site of a multi-tenant commercial shopping center. The representative projects listed below involved replacement of the following uses:

- Gym/fitness club
- Pet store

- Offices
- Medical supply store
- Dance studio
- Animal hospital
- Nutritional store
- Cell phone repair
- Laundromat
- Furniture store
- Restaurants
- Bank
- Salon
- Barber
- Medical/dental office

F. Single-Family Dwellings on Large Lots.

Redevelopment of a site with a single-family home on a site permitting additional units

G. TOD Overlay.

Site located in TOD Overlay District. TOD areas are located near transit opportunities and provide for high residential development capacity and lower space demands for parking. A large number of units has been developed in Fremont's TOD areas during the 2015-2023 planning period, which is a trend that is likely to continue.

H. PDA Site.

Site located in Priority Development Area (PDA), areas of the City of Fremont that have been identified as a "growth geography" in Plan Bay Area 2050 and will play a role in meeting the region's housing needs. The underlying zoning in PDAs and transportation investments have facilitated housing in these areas.

Table 8-15. Representative Residential Development Projects Supporting Non-Vacant Sites Analysis Methodology, 2015-2023 Planning Period

Project	Address	Land Use	Units / Density / %Max GP Density	Development Trends							
				A	B	C	D	E	F	G	H
3900 Thornton Avenue	3900 Thornton Ave	Com TC	128 Units / 51 du/ac / No Max Density	A		C				G	H
Artist Walk	37070 Fremont Blvd	Com TC	185 Units / 30 DU/AC / No Max Density			C		E		G	H
Allied Housing	34320 Fremont Blvd	Res Med	54 Units / 38 du/ac / 127%	A	B						H
Beachwood	34653 Fremont Blvd	Res Med	18 Units / 16 du/ac / 54%						F		H
Bell Street Gardens	4101 Mowry Ave	Res Urb	128 Units / 65 du/ac / 93%	A							H
Boulevard Heights	40744 Fremont Blvd	Res Med	67 Units / 18 du/ac / 60%			C		E			H
Calabria	4325 Alder Ave	Res Low	17 Units / 12 du/ac /	A							

Project	Address	Land Use	Units / Density / %Max GP Density	Development Trends							
				A	B	C	D	E	F	G	H
			133%								
Canyon View	243 Morrison Canyon Rd	Res Low	7 Units / 4 du/ac / 42%						F		
Centerville Junction	3550 Peralta Blvd	Res Med	52 Units / 20 du/ac / 66%							G	H
Centerville Pioneer	3858 Bonde Wy	Res Med	8 Units / 20 du/ac / 67%	A	B					G	H
Central Commons	4369 Central Ave	Res Med	39 Units / 27 du/ac / 89%	A						G	H
Cindy Street Homes	39009 Cindy St	Res Low-Med	21 Units / 9 du/ac / 59%		B						
City Center Apartments	38631 Fremont Blvd	Res Urb	60 Units / 55 du/ac / 79%	A			D				H
Darrow Farm	43425 Mission Blvd	Res Low	24 Units / 5 du/ac / 59%						F		
Decoto Lux	3057 Decoto Rd	Res Low	4 Units / 7 du/ac / 77%						F		
Doug Ford Senior Apartments	4038 Irvington Ave	Com G	90 Units / 65 du/ac / No Max Density	A			D			G	H
Fremont Bank Residences	39150 Fremont Blvd	City Ctr	240 Units / 109 du/ac / No Max Density			C		E			H
Fremont Habitat	36551 Fremont Blvd	Com G	13 Units / 15 du/ac / No Max Density			C				G	H
Laguna Commons	41152 Fremont Blvd	Res Urb	64 Units / 43 du/ac / 61%	A						G	H
Lincoln Townhomes	40857 Lincoln St	Res Med	5 Units / 14 du/ac / 48%						F	G	H
Montecito	37350 Sequoia Rd	Res Med	127 Units / 28 du/ac / 94%	A							H
North Fremont Townhomes	34240 Fremont Blvd	Res Med	14 Units / 18 du/ac / 60%								H
Osgood Apartments	41829 Osgood Rd	Res Urb	112 Units / 82 du/ac / 117%	A		C			F	G	H
Osgood Residences	42111 Osgood Rd	Res Urb	93 Units / 58 du/ac / 83%						F	G	H
Palmdale Estates	43151 Mission Blvd	Res Low-Med	79 Units / 14 du/ac / 97%		B						H
Parasol	34840 Fremont Blvd	Res Med	38 Units / 19 du/ac /						F		H

Project	Address	Land Use	Units / Density / %Max GP Density	Development Trends							
				A	B	C	D	E	F	G	H
			63%								
Parc 55 - Eden	47003 Mission Falls Ct	Res Urb	90 Units / 40 du/ac / 57%	A							H
Peralta Crossing	4133 Peralta Blvd	Res Med	43 Units / 23 du/ac / 78%			C				G	H
Roberts Townhomes	41354 Roberts Ave	Res Med	36 Units / 18 du/ac / 60%		B					G	H
Serra Apartments	42000 Osgood Rd	Res Urb	79 Units / 76 du/ac / 108%							G	H
Silicon Sage Centerville	37358 Fremont Blvd	Com TC	165 Units / 36 du/ac / No Max Density			C		E	F	G	H
State Street Center	39155 State St	City Ctr	157 Units / 36 du/ac / No Max Density							G	H
Terra Bella	34044 Fremont Blvd	Res Low-Med	63 Units / 14 du/ac / 94%								H
Universal Dragon	38239 Fremont Blvd	Com G	5 Units / 9 du/ac / No Max Density								H
Ursa	48495 Ursa Dr	Res Low	17 Units / 6 du/ac / 73%						F		
Walnut Residences	1031 Walnut Ave	Res Urb	631 Units / 50 du/ac / 72%							G	H

Source: City of Fremont Community Development Department, May 2022.

- Market Conditions.** Housing market conditions play a vital role in determining the feasibility or realistic potential of non-vacant sites for residential development. The following market conditions were observed as being trends that led to redevelopment of sites with housing and were utilized to analyze non-vacant sites suitability for residential development during the planning period. In Table 8-16, these market conditions are matched with inventory sites where this condition exists. All sites in the inventory are consistent with one or more of these market conditions.
 - Low improvement value ratio.** When a parcel's land value exceeds the value of improvements (land improvement ratio of 0.5 or less), this is an indication that the property may be underutilized, and there may be a financial incentive for the property owner to redevelop. New housing developments are typically on sites with a high land corresponding with development potential. A relevant example from the representative project table above is the Serra Apartments project where the land value was hundreds of times larger than the improvement value of the property. The site formerly had an industrial land use designation but was redesignated to Urban Residential in anticipation of the future Irvington BART station. The Urban Residential land use designation supported a higher level of development, which created development pressure to replace the minor commercial improvements on the site.

- **Recent/active/pending sale.** Redevelopment of a property is often initiated by a new property owner. Relevant examples from the representative project table above include the Osgood Apartments, and Universal Dragon projects which turned over ownership before a development application was submitted.
- **Buildings greater than 40-years of age.** In many cases, buildings of this age are reaching the end of their useful life and may require costly repairs or upgrades, making redevelopment of the site more likely. Relevant examples from the representative project table above include the Ursa, Centerville Junction and Darrow Farms projects, which included early 20th century homes in need of significant repair and rehabilitation.
- **Buildings observed to be in poor condition.** Damaged, poorly maintained and obsolete buildings are likely to be demolished and replaced. Relevant examples from the representative project table above include the Bell Street Gardens project where a dilapidated motel building was acquired by a developer for affordable housing, and the Canyon View project which included abandoned buildings that needed to be removed or substantially rehabilitated.
- **Development interest.** Property owner or developer questions or inquiries about a property is an early indicator that a site may be redeveloped. Nearly every development application for new housing that the City receives is preceded by inquiries to the Planning Division's "zoning line" or questions at the front counter of the City's Development Services Center. These inquiries are usually months or even years ahead of the receipt of a development application. The questions often come from a developer performing due diligence in support of a purchase agreement or design professionals working on preliminary concepts for a development proposal. All of the representative development projects listed in the representative project table above started with expressed development interest to City staff. Consequently, this may be the strongest indicator of likelihood that a site will be developed with housing.
- **Low floor area ratio.** In zones with high development potential (such as multifamily residential districts, mixed-use zones, TOD overlay districts, and the City Center district) a lack of building area or excessive surface parking areas are an indicator that the site is being underutilized. A floor area ratio (FAR) of less than 0.5 was utilized to identify properties that are likely being underutilized. Permitted FARs vary by zoning district, but zones permitting multi-family residential development allow significantly higher FARs than 0.5. The City Center District allows a maximum FAR of 3.0. Relevant examples from the representative project table above include the Terra Bella project, which was on a site with a small fruit stand on a large lot, and the Centerville Pioneer project, which was on a site with considerable vacant land after a church had been destroyed.
- **Tenant vacancies.** Vacant commercial tenant spaces, particularly large anchor tenant spaces, indicates that a commercial center is underperforming and may be suitable for redevelopment. Relevant examples from the representative project table above include the Artist Walk, Fremont Bank Residences, and Silicon Sage Centerville projects which involve conversion of underperforming commercial centers with housing.
- **Availability of Regulatory and/or other Incentives:** The following factors were identified as providing a significant incentive for residential development on nonvacant sites. The Sites Inventory Table identifies the sites where these incentives may catalyze residential development.

- **High Resources Area.** High resource areas are tracts identified by the State of California as having characteristics that support positive life outcomes. This designation assists in securing tax credits for affordable housing, and thus sites located in high resource areas have greater potential to redevelop with affordable housing.
- **Opportunity Zones.** The Tax Cuts and Jobs Act of 2017 created the Opportunity Zone designation, which provides financial incentives for real estate investments in census tracts designated as an Opportunity Zone. The City of Fremont has an Opportunity Zone covering much of the Downtown and City Center districts. The Opportunity Zone designation can be a catalyst for housing development.

Reliance on Non-Vacant Sites

Per Government Code Section 65583.2(g)(2), when a jurisdiction relies on non-vacant sites to accommodate more than 50 percent of the RHNA for lower income households, the jurisdiction must document substantial evidence and adopt findings through a resolution that the uses on non-vacant sites are likely to be discontinued during the planning period. Half of Fremont's lower income RHNA is 2,868 units. Approximately 40% (2,299 units) of Fremont's lower income RHNA is satisfied through vacant sites (625 units), ADU projections (288 units) and pipeline development (1,386 units). This is less than half of Fremont's lower income RHNA. Therefore, Fremont is subject to the requirements of Government Code Section 65583.2(g)(2).

The Non-Vacant Sites Analysis Methodology section above creates a framework, based on facts, trends, and reasonable assumptions, to evaluate whether existing uses on inventory sites will likely be discontinued during the planning period and whether they are impediments to residential development. A list of existing uses is provided for each non-vacant site in the Sites Inventory Table. Each of those existing uses corresponds with a specific use category (e.g., religious facility with underutilized land, single-family home on a small lot, automobile-related uses, banks, retail, and personal service uses) listed in the Existing Uses section. Discussion has been provided which includes rationale for why those particular uses are likely to discontinue. The Development Trends section provides specific examples of recent residential development projects that occurred on sites with similar existing uses, which creates a local track record to support the likelihood for redevelopment. The Market Trends and Incentives sections identify key characteristics of sites that are likely to be redeveloped with housing. Each of the non-vacant sites in the inventory correspond with two or more of those key indicators for likely redevelopment. Based on an analysis of inventory sites against the criteria above, a finding can be made that existing uses on non-vacant sites will not impede residential development of those sites and have a high likelihood of discontinuing during the 2023-2031 planning period to allow for new residential development.

Availability of Infrastructure

All parcels identified on the sites inventory were identified to have sufficient water, sewer, and dry utilities available and accessible to support housing development during the planning period.

Dry Utilities

Dry utilities include a reliable energy source that supports full functionality of the home, access to telephone and/or cellular service, cable or satellite television systems, and internet or Wi-Fi service. Access to dry utilities are available throughout the City. AT&T and various wireless carriers provide telephone service to the community. East Bay Community Energy (EBCE) is Fremont's local electricity provider and PG&E provides natural gas. PG&E delivers energy, repairs lines, and handles billing for Fremont customers of both PG&E and EBCE.

Sewer Capacity

The Union Sanitary District (USD) provides sewer treatment facilities for the City of Fremont. Infrastructure is designed to accommodate the General Plan build-out, and development makes direct improvements or pays for necessary additional infrastructure with fees. All inventory sites are located in the USD service area. The Housing Element will be sent to USD to ensure consistency with priority requirements.

Water Supply

The Alameda County Water District (ACWD) provides water to the City of Fremont. ACWD's 2020-2025 Urban Water Management Plan (UWMP) supports resource planning efforts and ensures that adequate water supplies are available to meet future water needs. The UWMP plans for future water demand in Fremont consistent with Fremont's General Plan through 2030 and incorporates the Association of Bay Area Governments / Metropolitan Transportation Commission's (ABAG/MTC) Plan Bay Area 2050 projections for population and employment assumptions. All inventory sites are located in the ACWD service area. The Housing Element will be sent to USD to ensure consistency with priority requirements.

Parcels in Prior Housing Elements

AB [1397](#) (2017) substantially strengthened the obligations in Housing Element Law that housing elements identify and zone sufficient sites to address the community's share of need for lower income housing. AB 1793 allows vacant parcels utilized in the past two housing element cycles and non-vacant parcels from the last housing element cycle to be reused in this housing element cycle to accommodate lower-income housing, but requires by-right approval of housing on these sites when at least 20 percent of the units are made affordable to lower income households. The Sites Inventory indicates which sites are subject to this requirement, and a program has been included in the Housing Element to create an overlay zone implementing this requirement.

No Net Loss Law

Senate Bill 166 requires sufficient adequate sites to be available at all times throughout the RHNA planning period 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 in each income category on the remaining sites in their housing element site inventories. A jurisdiction must add additional sites to its inventory if land use decisions or development results in a shortfall of sufficient sites to accommodate its remaining housing need for each income category. In particular, a jurisdiction may be required to identify additional sites according to the No Net Loss law if a jurisdiction rezones a site or if the jurisdiction approves a project at a different income level than shown in the sites inventory.

To ensure that sufficient capacity exists in the housing element to accommodate the RHNA throughout the planning period, Fremont's Housing Element Sites Inventory includes a buffer of more capacity than is required. For the lower-income categories, a buffer of approximately 15% has been provided. An approximate 15% buffer has also been provided for the moderate-income category. Since the vast majority of Fremont's above moderate-income category has been satisfied through pipeline projects and the risk of non-residential development or low-density residential development on inventory sites is relatively low, no buffer has been provided for the above-moderate income category. Overall, an approximate 10% buffer is provided over the total RHNA.

Moderate and Above-Moderate Income Housing

AB 725 (2020) (Government Code Section 65583.2) requires that at least 25% of a jurisdiction's share of the regional housing need for moderate-income housing and above-moderate income housing be allocated to sites with zoning that allows at least four units of housing, but no more than 100 units per acre of housing. The purpose of the legislation is to encourage local governments to provide zoning that facilitates the development of housing types that support "missing middle" housing. The sites inventory complies with this requirement in that every site intended for moderate and above-moderate income housing in the inventory falls within this range. There are several small single-family zoned lots in the inventory, but even those lots could permit four units through an urban lot split under SB 9.

Financial and Administrative Housing Resources

The availability and ability to procure resources are an important component to facilitating the development of inventory Housing Element inventory sites with housing. The following section describes key funding sources for housing in the City of Fremont.

Community Development Block Grant (CDBG) Program Funds

The City receives CDBG funds directly from the U.S. Department of Housing and Urban Development (HUD). The primary objectives of the CDBG program are to develop viable urban communities, principally for low-income and moderate-income households, through the provision of decent housing, a suitable living environment, and economic opportunity. In Fiscal Year (FY) 2022-23, Fremont will receive approximately \$1.7 million in CDBG entitlement funds and will have approximately \$87 million in reprogrammed funds available for CDBG programs.

Fremont's Fiscal Year 2022-2023 CDBG Action Plan projects that 100 percent of residents benefiting from the CDBG program will be low-income and moderate-income households, and includes the following goals:

- **Public Services - Safety Net.** Support programs for low-income residents, preserving safety net services for families and individuals who are vulnerable or "in crisis."
- **Homelessness Services.** Maintain, improve, and expand (as needed) the capacity of the housing, shelter, and services for individuals and families, including integrated healthcare, employment services, and other services.
- **Homelessness Prevention.** Maintain and expand activities designed to prevent those currently housed from becoming homeless.
- **Economic Development – Support.** Fund economic development initiatives and support services that help job seekers to receive additional training or enter the job market, including microenterprise assistance.
- **Affordable Housing Preservation.** Preserve existing affordable rental and ownership housing for low- and moderate-income households.
- **Public Improvements.** Make improvements, including those for ADA accessibility, to public facilities, such as curbs and sidewalks, neighborhood parks and recreational improvements, tree planting, homeless facilities, and other public facilities/community centers.
- **Administration Goal.** Improve the administration of funding and coordination among project providers.
- **Fair Housing.** Support fair housing efforts in the community, including providing assistance to individuals facing discrimination.

HOME Investment Partnership Program

Since 1991, the City of Fremont has been participating in the Alameda County Home Consortium. Alameda County, as the Urban County, and the cities of Pleasanton, Hayward, Livermore, Newark, Union City, Alameda, San Leandro and Fremont formed the Alameda Consortium for purposes of participating in the HOME Program.

The Program provides formula grants to States and localities that can be used - often in partnership with local nonprofit groups - to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income households. HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households. Funds are awarded annually as formula grants to participating jurisdictions. HOME funds can be used to acquire, rehabilitate, finance and construct affordable housing, as well as tenant-based rental assistance.

General Fund

With the dissolution of all Redevelopment Agencies in the State in 2011, a large source of funding for affordable housing was eliminated. Redevelopment legislation had required a set-aside from

redevelopment funds for affordable housing. Senate Bill 341 (2012) requires that 30 percent of all revenues to Housing Successor Agencies from housing assets be spent on Extremely Low-income housing. Fremont was one of the first communities in the region and the state to commit “boomerang” funds—returned to the City as a result of the dissolution of Redevelopment Agencies—to affordable housing.

Low-Income Housing Tax Credits (LIHTC)

The Low-Income Housing Tax Credit (LIHTC) program was created by Congress in 1986 and made permanent in 1993. The California Tax Credit Allocation Committee (TCAC), an agency within the State Treasurer’s Office, administers both the state and federal low-income housing tax credit programs. Both programs were authorized to encourage private investment in rental housing for low- and lower-income families and individuals. The LIHTC Program allows owners of qualified low-income rental housing developments to receive a tax credit against their Federal income tax liability for a period of ten years.

Most developers of a tax credit-eligible project sell or “syndicate” the credits to an investor who has income tax liability. The proceeds of the sale of the tax credits become a cash equity contribution to help finance the low-income housing project.

Tax-Exempt Bond Financing

The California Debt Limit Allocation Committee (CDLAC), an agency within the State Treasurer’s Office, administers the tax-exempt private activity bond program available annually for California. Agencies and organizations authorized to issue tax-exempt private activity bonds, such as cities, must receive an allocation from CDLAC.

Department of Housing and Community Development (HCD)

The State Department of Housing and Community Development (HCD) is California's principal housing agency, with a mission to provide leadership, policies and programs to expand and preserve safe and affordable housing opportunities and to promote strong communities for all Californians. HCD administers programs that award loans and grants to hundreds of local public agencies, private non-profit and for-profit housing developers, and service providers every year, including valuable programs that support the construction, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, homeless shelters, and transitional housing.

Fremont received funding from HCD under the Senate Bill 2 (SB 2) grant program and the Local Early Action (LEAP) grant program to support planning efforts to accelerate housing production in the City of Fremont, including the preparation of the 2023-2031 Housing Element, ADU-related programs, and updating of Fremont’s objective design standards.

Homekey

The State’s Project Homekey program provides grants to acquire and rehabilitate a variety of housing types, including motels and hotels, to provide housing for individuals experiencing homelessness. Fremont has requested Project Homekey funding to support the conversion of a motel located at 46101 Research Avenue into permanent affordable housing.

California Housing Finance Agency (CalHFA)

The California Housing Finance Agency (CalHFA), a state agency, provides below-market rate loans to create safe, decent, and affordable rental housing and to assist first-time homebuyers in achieving homeownership. CalHFA offers a variety of programs to accomplish this goal, including Rental Development Finance Programs to provide permanent financing for the acquisition, rehabilitation, and preservation or new construction of affordable rental housing; Single Family Programs offering below-market interest rate mortgage loans to very low- to moderate-income first-time homebuyers; and Down Payment Assistance Programs to assist the first-time homebuyer with down payment and/or closing costs.

CalHFA also provides an Accessory Dwelling Unit (ADU) grant program, which provides homeowners with up to \$40,000 to reimburse pre-development and non-reoccurring closing costs associated with the construction of the ADU. Predevelopment costs include site prep, architectural designs, permits, soil tests, impact fees, property survey, and energy reports.

Alameda County Boost

AC Boost is an innovative \$50 million program designed to help middle-income households afford to buy a home in Alameda County.

AC Boost gives buyers a boost, providing loans that are intended to bring homeownership within reach of households who would otherwise not be able to afford to purchase a home in Alameda County. AC Boost provides loans of up to \$210,000 (depending on buyer income and need). Loans are interest free and have no monthly payment during the time that a household owns their home. Instead, the program requires repayment only when (1) the 30 year term has ended, (2) the home is sold prior to the 30 year term ending, (3) the owner would like to take cash out of the home in a refinance or (4) the owner no longer wishes to occupy the home. At that point, the owner repays the amount that they borrowed plus a proportional share of the increase in the value of their home.

Renew Alameda County

Renew Alameda County (Renew AC) provides 1% interest loans from \$15,000 to \$150,000 to qualified homeowners in Alameda County. Simple interest is accrued annually, with total interest never to exceed 50% of amount borrowed, and payments are deferred until the home is sold. The program was developed with the express intention to help seniors, people with disabilities, and other low income homeowners stay safely in their homes, avoiding displacement due to the home no longer being accessible to them or due to deteriorated conditions. Renew AC is available to fund a wide variety of home improvement projects as long as they make legitimate upgrades to the property.

Section 8 Assistance

The Section 8 program is a Federal program that provides rental assistance to very low-income households. The Program provides a voucher that pays for the difference between current fair market rent and what a tenant can afford to pay, which is defined as 30 percent of the household income. The Alameda County Housing Authority administers Section 8 in Fremont.

Non-profit/Private Resources and Assistance

With reduced funding opportunities and loss of redevelopment funding, private resources and public-private partnerships play a significant role in the production and improvement of affordable housing. The

City has partnered with various affordable housing developers to accomplish affordable residential projects in Fremont, including the following recent projects:

- Laguna Commons (Mid-Pen Housing): 64 units
- Stevenson Terrace (Mid-Pen Housing): 80 units
- Innovia (St Anton): 287 units
- Pauline Weaver Senior Apartments (Eden Housing): 89 units
- Geo Apartments (Fairfield Residential): 102 units
- Central Commons (Habitat for Humanity): 19 units
- Reilly Station and Canyon Flats Apartments (Eden Housing): 130 units
- City Center Apartments (Allied Housing): 59 units
- Granite Ridge Apartments (Eden Housing): 72 units
- Doug Ford Senior Apartments (Allied Housing): 60 units
- Allied Housing 34320 Fremont Blvd (Allied Housing): 54 units
- 3900 Thornton Ave (Resources for Community Development): 128 units
- Bell Street Gardens (Resources for Community Development): 128 units
- Osgood Apartments (Maracor Development): 123 units
- Osgood Apartments South (Maracor Development): 100 units

Opportunities for Energy Conservation

Government Code Section 65583(a)(7) requires the Housing Element to contain “an analysis of opportunities for energy conservation with respect to residential development.”

Energy Conservation through Land Use

The development of Fremont’s General Plan was guided by the overarching theme of sustainability -- the ability to meet the needs of the current generation without jeopardizing the ability of future generations to do the same. The General Plan adopted a vision statement reflecting this sustainable mindset:

"Fremont will serve as a national model of how an auto-oriented suburb can evolve into a sustainable, strategically urban, modern city."

In order to become a more sustainable community, the General Plan established a strategically urban growth strategy to focus future housing growth near transit hubs and corridors, becoming more urban in strategic locations. The Housing Element Sites Inventory reinforces this growth framework by directing most future growth to infill locations near the City’s BART Stations and Ace Train Station, and along the City’s major north-south transit corridor. As a result, more Fremont residents will have access to quality transit opportunities and be able to live within walkable neighborhoods. This will result in fewer vehicle trips and less energy consumption than a car-dependent development pattern.

Climate Action Plan

Fremont is currently preparing an update to its 2012 Climate Action Plan (CAP), which will create a framework to lower greenhouse gas (GHG) emissions resulting from activity in the energy, water, waste, and transportation sectors, and sequester—or draw down—carbon dioxide and other GHGs from the atmosphere, so that by the year 2045, no new net greenhouse gases will be emitted.

The CAP will establish a list of measures to guide the City towards meeting its adopted Post-Carbon Framework goal of 55% GHG emissions reductions by 2030 and 100% emissions reduction by 2050, known commonly as carbon neutrality. Since energy is an essential resource and significant contributor to the City of Fremont's carbon footprint, energy conservation measures will be explored in the CAP.

The City's updated CAP will include measures that residential builders can use to create more sustainable, vibrant, and healthy residential projects.

Energy Efficiency Measures

Fremont supports programs to facilitate energy efficient measures, such as solar photovoltaic systems, in existing residential homes to reduce energy costs. The California Youth Energy Services (CYES) Program trains local youth to conduct energy and water audits of local residences at no charge to the residents. As part of the program, auditors also distribute energy efficient light bulbs and water-saving shower heads and faucet aerators as replacement for less efficient fixtures. The Program reaches out to all members of the community, including hard to reach households, and also affords local youth an opportunity for a paid work experience on a meaningful career track. The City is also a participant in the Department of Energy's American Solar Transformation Initiative (ASTI) aimed at helping cities adopt best practices for encouraging solar and streamlining solar permitting.

During the 2023-2031 planning period, Fremont will continue to collaborate with the CYES "Green House Calls" program; the Bay Area Regional Energy Network (BayREN) energy efficiency education programs for single- and multi-family property owners; and the Bay Area SunShares Program group solar purchasing effort. These programs effectively promote the retrofit of Fremont's existing housing stock into modern, sustainable housing through expanding opportunities for solar energy and energy efficiency retrofits.

Energy Consumption in Residential Buildings

All new construction in Fremont is subject to the requirements of the California Energy Commission's Title 24 energy efficiency standards. These standards apply to wall and ceiling insulation, thermal mass, and window to floor area ratios and are designed to reduce heat loss and energy consumption. A report indicating conformance with the energy standards is usually performed by an energy consultant following methods approved by the State. The Title 24 requirements also apply to major remodeling projects such as home additions.

The next Building Code will be adopted at the end of 2022. Local amendments to the building code may be considered upon adoption of the next building code where they may advance the sustainability strategies in the City's CAP. As a program of the Housing Element, the adoption of local amendments to the building code will include a cost-benefits analysis so that Fremont can appropriately balance sustainability and housing goals.

East Bay Community Energy

East Bay Community Energy (EBCE) is the electrical service provider for the City of Fremont. EBCE procures energy from clean, renewable sources, such as hydropower, wind, and solar. New residential development will receive power from these renewable sources, which will assist Fremont in meeting its sustainability and energy conservation goals.

Vacant and Underutilized Sites Inventory

A detailed table listing the vacant and non-vacant underutilized parcels included in the Housing Element Sites Inventory is provided on the following pages.

Table 8-16. Vacant and Nonvacant Sites Inventory

Nonvacant Site Characteristics Key																															
Existing Uses: A) Auto-Related; B) Commercial, Service, Office; C) Religious; D) Parking Lot; E) Single-Family/Large Lot; F) Commercial Center; G) Public																															
Development and Market Trends: H) TOD; I) PDA; J) Improvement Value Ratio < 0.5; K) Age > 40 Years; L) Known Recent/Active Sale; M) Observed Poor Condition; N) Development Interest; O) FAR < 0.5; P) Tenant Vacancies																															
Incentives: Q) High/Highest Resource Area; R) Opportunity Zone																															
Site	APN No.	Site Address or Nearby Intersection	Consolidated Sites	General Plan	Zoning	Parcel Size (Acres)	Lower	Mod	Above-Mod	Total	Existing Use/Vacancy	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	AB 1397 Applies	
1	501-1110-27	3440 Walnut Ave		COM CC	CC-UN	0.96	62	0	0	62	Parking Lot				D		F	G	H	I	J	K		M	N		O	P	Q	R	No
2	501-1110-29	Sundale Dr/Liberty St		COM CC	CC-UN	3.66	238	0	0	238	Parking Lot				D					I	J						O		Q	R	No
3	501-1110-33-2	39410 Fremont Blvd		COM CC	CC-UN	1.34	87	0	0	87	Bank		B							I	J		L				O		Q	R	No
4	501-1110-4-6	3923 Stenerson Ln		COM CC	CC-UN	0.56	36	0	0	36	Carpet Store		B							I	J						O		Q	R	No
5	501-1110-5	3911 Stenerson Ln		COM CC	CC-UN	0.26	0	14	0	14	Triplex					E				I	J		L				O		Q	R	No
6	501-1130-12-2	39340 Fremont Blvd		COM CC	D-MD	0.72	47	0	0	47	Vacant Dental Office		B							I			K	L	M		O	P	Q	R	Yes
7	501-1130-12-7	39360 Fremont Blvd		COM CC	D-MD	0.93	41	0	0	41	Commercial Building (day spa, yoga, staffing office)		B				F			I			K	L			O	P	Q	R	Yes
8	501-1130-12-8	39390 Fremont Blvd		COM CC	D-E	0.76	49	0	0	49	Bank		B							I				L			O		Q	R	Yes
9	501-1130-1-4	Mowry Ave/Hastings St	AA	COM CC	D-MD	0.17	11	0	0	11	Medical Office		B						H	I	J		L				O		Q	R	No
10	501-1130-14-1	39310 Fremont Blvd		COM CC	D-MD	0.89	58	0	0	58	Bank		B							I	J		L				O		Q	R	Yes
11	501-1130-14-2	3850 Beacon Ave		COM CC	D-MD	0.52	34	0	0	34	Tire Shop	A								I			L				O		Q	R	Yes
12	501-1130-2	3200 Mowry Ave,	AA	COM CC	D-MD	0.99	65	0	0	65	Medical Office		B						H	I	J		L				O		Q	R	No
13	501-1130-20-1	3744 Mowry Ave		COM CC	D-MD	9.8	191	0	0	191	Shopping Center (vacant anchor tenants and pad spaces, restaurants, cafe, sporting goods)		B							I	J	K	L	M	N	O	P	Q	R		No
14	501-1130-22-1	3400 Mowry Ave		COM CC	D-MD	0.96	0	0	42	42	Commercial Building (market, clinic, restaurant)		B				F			I	J					O		Q	R	Yes	
15	501-1130-22-3	3456 Mowry Ave		COM CC	D-MD	0.54	35	0	0	35	Medical Bldg		B							I						O		Q	R	Yes	
16	501-1130-25	3340 Mowry Ave		COM CC	D-MD	1.25	81	0	0	81	Restaurant		B							I						O		Q	R	Yes	
17	501-1130-37	3101 Walnut Ave		COM CC	D-MD	8.39	0	366	0	366	Walnut Plaza (grocery, restaurants, dental, fire damaged vacant tenant spaces)		B				F			I	J	K	L	M	N	O	P	Q	R	Yes	
18	501-1130-44-3	39222 Fremont Blvd		COM CC	D-MD	0.98	43	0	0	43	Shopping Center (deli, restaurants)		B				F			I	J		L			O		Q	R	Yes	
19	501-1130-54	39039 Paseo Padre Pkwy		COM CC	D-MD	1.45	94	0	0	94	Medical Bldg								H	I	J		L			O		Q	R	No	
20	501-1162-11	39030 Mount Vernon Ave		COM CC	D-MD	0.16	0	10	0	10	Vacant																				Yes
21	501-1162-12	39042 Mount Vernon Ave		COM CC	D-MD	0.16	0	10	0	10	Vacant																				Yes
22	501-1162-16	3535 Capitol Ave		COM CC	D-CA	0.15	0	10	0	10	Dental Office		B							I			L			O		Q	R	Yes	
23	501-1162-18	3500 Mowry Ave		COM CC	D-E	0.23	0	15	0	15	Dental Office		B							I			L			O		Q	R	Yes	
24	501-1200-4-22	1760 Mowry Ave		COM CC	CC-TN	5.71	335	0	0	335	BART Parking Lot				D			G	H	I						O		Q	R	Yes	
25	501-1425-15-3	36930 Fremont Blvd		COM TC	TC-T	0.59	21	0	0	21	Restaurant		B							H	I	J		L			O		Q		Yes
26	501-1425-16-53	3909 Thornton Ave		COM TC	TC-T	2.39	87	0	0	87	Parking Lot, Vacant Industrial Building	A			D					H	I	J		L	M		O		Q		No
27	501-1470-27-2	37622 Fremont Blvd		RES MED	R-3-23	11.72	0	71	0	71	Church/school with vacant land			C						H	I			L			O		Q		Yes
28	501-1474-16	3723 Peralta Blvd		COM TC	TC-P	1.01	37	0	0	37	Mortuary		B	C						H	I			L			O				No
29	501-1474-17	3769 Peralta Blvd		COM TC	TC-P	0.42	0	0	13	13	Commercial Building (salons, taxes, chiropractor, vacancies)		B				F			H	I			L							No
30	501-1474-5-3	3781 Peralta Blvd		COM TC	TC-P	0.19	0	7	0	7	Auto Sales Lot	A			D					H	I	J					O				No
31	501-1474-6-4	3801 Peralta Blvd		COM TC	TC-P	0.24	0	9	0	9	Auto Sales Office/Lot	A			D					H	I	J		L			O				No
32	501-1474-7-5	3833 Peralta Blvd		COM TC	TC-P	0.45	0	16	0	16	Office Building (salon, broker office)		B							H	I	J									No
33	501-1475-28-2	37494 Fremont Blvd	R	COM TC	TC-P	0.71	26	0	0	26	Vacant																				No
34	501-1475-32-6	37448 Fremont Blvd	R	COM TC	TC-P	0.93	34	0	0	34	Vacant																				No

Table 8-16. Vacant and Nonvacant Sites Inventory

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Incentives: Q) High/Highest Resource Area; R) Opportunity Zone																															
Site	APN No.	Site Address or Nearby Intersection	Consolidated Sites	General Plan	Zoning	Parcel Size (Acres)	Lower	Mod	Above-Mod	Total	Existing Use/Vacancy	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	AB 1397 Applies	
35	501-1475-33	37450 Fremont Blvd	R	COM TC	TC-P	0.08	3	0	0	3	Vacant																			No	
36	501-1475-34	37417 Jason Way	R	COM TC	TC-P	0.21	8	0	0	8	Vacant																			No	
37	501-1475-35-1	Parish Ave/Jason Way	R	COM TC	TC-P	0.02	1	0	0	1	Vacant																			No	
38	501-1475-35-2	Parish Ave/Jason Way	R	COM TC	TC-P	0.27	10	0	0	10	Vacant																			No	
39	501-1475-36-2	37422 Fremont Blvd	R	COM TC	TC-P	0.49	18	0	0	18	Vacant																			No	
40	501-1475-37	37412 Fremont Blvd	R	COM TC	TC-P	0.22	8	0	0	8	Vacant																			No	
41	501-1475-38	37404 Fremont Blvd	R	COM TC	TC-P	0.21	8	0	0	8	Vacant																			No	
42	501-1475-39	3943 Rose Ct	R	COM TC	TC-P	0.08	3	0	0	3	Vacant																			No	
43	501-1475-40-2	3921 Rose Ct	R	COM TC	TC-P	0.15	5	0	0	5	Vacant																			No	
44	501-1475-41-1	37390 Fremont Blvd	R	COM TC	TC-P	0.14	5	0	0	5	Vacant																			No	
45	501-1475-43-4	37358 Fremont Blvd	R	COM TC	TC-P	0.61	22	0	0	22	Vacant																			No	
46	501-1475-49-2	3804 Peralta Blvd	R	COM TC	TC-P	0.27	10	0	0	10	Vacant																			No	
47	501-1475-50-2	3780 Peralta Blvd	R	COM TC	TC-P	0.49	18	0	0	18	Vacant																			No	
48	501-1581-24-14	3055 Mowry Ave		COM CC	CC-UO	0.68	44	0	0	44	Dental Office										I	J		L			O		Q	R	No
49	501-1581-24-15	38700 Paseo Padre Pkwy		COM CC	CC-UO	1.15	75	0	0	75	Daycare		B								I	J		L			O		Q	R	No
50	501-1581-24-16	38750 Paseo Padre Pkwy		COM CC	CC-UO	1.16	0	0	76	76	Office Building (insurance, travel)		B				F				I	J		L			O	P	Q	R	No
51	501-1592-7-2	3386 Country Dr		RES URB	R-3-30	0.85	20	0	0	20	Single Family Residential					E					I	J		L			O		Q		Yes
52	501-1594-4-2	3235 Mowry Ave		RES URB	R-3-30	0.14	0	3	0	3	Single Family Residential					E					I	J		L			O		Q		Yes
53	501-1594-8	3353 Mowry Ave		RES URB	R-3-30	0.64	15	0	0	15	Single Family Residential					E					I	J		L			O		Q		Yes
54	501-1596-3-2	3535 Mowry Ave		RES URB	R-3-35	0.21	0	6	0	6	Single Family Residential					E					I			L			O		Q		Yes
55	501-1630-10-3	3681 Eggers Dr		RES LM	R-3-11	0.33	0	3	0	3	Single Family Residential					E								L					Q		No
56	501-1630-9-10	3623 Eggers Dr		RES LM	R-3-11	0.35	0	3	0	3	Single Family Residential					E								L					Q		No
57	501-1796-1-13	Nicolet Ave/Fremont Blvd		COM G	C-N	0.45	0	16	0	16	Vacant																			No	
58	Reserved																														
59	501-1809-160	36580 Fremont Blvd		COM G	C-N	1.7	0	0	41	41	Shopping Center (convenience store, dental, laundry, restaurant, tutoring)		B				F				I						O	P	Q		No
60	501-1809-66	36640 Fremont Blvd		COM G	C-N	0.77	28	0	0	28	Dental Office		B								H	I	J		L			O		Q	No
61	501-1809-67	36656 Fremont Blvd		COM TC	TC-T	0.23	0	8	0	8	Auto Repair										H	I					O		Q		No
62	501-1809-68	36660 Fremont Blvd		COM TC	TC-T	0.69	25	0	0	25	Tool Rental/Storage Yard		B		D						H	I					O		Q		Yes
63	501-1809-69	36770 Fremont Blvd		COM TC	TC-T	0.69	25	0	0	25	Storage Yard				D						H	I	J				O		Q		Yes
64	501-1809-70	36800 Fremont Blvd		COM TC	TC-T	0.34	0	12	0	12	Vacant																				No
65	501-1815-13	Beacon Ave/Fremont Blvd		COM CC	D-MD	0.8	52	0	0	52	Tire Shop	A									I	J		L			O		Q	R	No
66	501-1822-4	Peralta Blvd/Cambridge St		RES LM	R-2	3.96	0	38	0	38	Vacant																				Yes
67	501-1822-6	Parkmont Dr/Parkmont Cmn		RES LOW	P-77-6	0.32	0	0	1	1	Vacant																				No
68	501-1840-4-11	4467 Central Ave		RES MED	R-3-23	0.46	0	7	0	7	Single Family Residential					E								L							No
69	501-231-1-19	4050 Alder Ave		COM G	C-N	0.47	0	17	0	17	Flower Shop		B								I	J		L			O				No
70	501-231-1-23	36659 Fremont Blvd		COM G	C-N	0.98	36	0	0	36	Vacant																				No
71	501-231-1-4	36761 Fremont Blvd		COM TC	TC-T	1.46	53	0	0	53	Auto Repair	A									H	I	J		L		O				No
72	501-231-20-2	4167 Thornton Ave		RES LOW	R-1-6	0.68	0	0	2	2	Water Tank											J		L							No
73	501-231-4-2	36835 Fremont Blvd		COM TC	TC-T	0.73	26	0	0	26	Auto Sales Lot	A			D						H	I	J		L		O				Yes
74	501-231-62	36789 Fremont Blvd		COM TC	TC-T	1.88	68	0	0	68	Office		B								H	I			L						No
75	501-231-63	4075 Thornton Ave		COM TC	TC-T	0.53	19	0	0	19	Restaurant		B								H	I	J		L		O				No
76	501-231-64	4045 Thornton Ave		COM TC	TC-T	0.4	0	15	0	15	Auto Repair	A									H	I			L		O				No
77	501-231-9-1	36873 Fremont Blvd		COM TC	TC-T	0.8	29	0	0	29	Auto Sales Lot	A			D						H	I	J		L		O				Yes

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Incentives: Q) High/Highest Resource Area; R) Opportunity Zone																																
Site	APN No.	Site Address or Nearby Intersection	Consolidated Sites	General Plan	Zoning	Parcel Size (Acres)	Lower	Mod	Above-Mod	Total	Existing Use/Vacancy	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	AB 1397 Applies		
78	501-499-56	4088 Thornton Ave		COM TC	TC-P	0.48	0	17	0	17	Oil Change Shop	A								H	I	J		L			O				No	
79	501-499-58-2	37063 Fremont Blvd		COM TC	TC-P	0.76	28	0	0	28	Car Wash	A								H	I	J		L			O				Yes	
80	501-499-60-2	37119 Fremont Blvd		COM TC	TC-P	0.43	16	0	0	16	Restaurant		B							H	I	J		L			O				No	
81	501-499-70-2	Bonde Way/Maple St		COM TC	TC-P	0.4	0	15	0	15	Parking Lot					D				H	I	J					O				No	
82	501-499-75	37054 Maple St		COM TC	TC-P	0.15	0	5	0	5	Single Family Residential						E			H	I			L			O				No	
83	501-521-13-4	37505 Dusterberry Way		RES LM	P-2005-73	0.54	0	7	0	7	Car Wash	A								H	I			L			O				Yes	
84	501-521-13-5	4426 Peralta Blvd		RES LM	P-2005-73	0.51	0	7	0	7	Auto Repair	A								H	I			L			O				Yes	
85	501-521-13-7	37555 Dusterberry Way		RES LM	P-2005-73	0.71	0	9	0	9	Commercial (Auto Repair, Insurance Office)	A	B							H	I			K	L		O	P			Yes	
86	501-521-13-8	37557 Dusterberry Way		RES LM	P-2005-73	0.69	0	13	0	13	Auto Repair	A								H	I	J		L			O				Yes	
87	501-522-2	4461 Peralta Blvd		RES LM	P-2005-73	1.49	0	15	0	15	Auto Repair	A								H				L			O				Yes	
88	501-536-19-2	Maple St/Beloveria Ct		COM TC	TC-P	0.26	0	9	0	9	Parking Lot					D				H	I	J					O				No	
89	501-536-25-3	37485 Fremont Blvd		COM TC	TC-P	0.44	0	16	0	16	Office Building (salon, acupuncture)		B							H	I			L				P			No	
90	501-536-2-6	4100 Peralta Blvd		COM G	MX	2.54	92	0	0	92	Banquet Hall									H	I			L			O				No	
91	501-667-87	Eggers Dr/Glenmoor Dr		RES LOW	P-98-1	1.37	0	0	6	6	Vacant																				No	
92	501-760-9-2	38463 Fremont Blvd		COM MU	MX	0.4	0	15	0	15	Commercial (Psychic)		B								I	J		L			O		Q		Yes	
93	501-80-80-8	Thornton Ave/Cabrillo Dr	AF	COM MU	MX	0.05	2	0	0	2	Parking Lot					D						J			M	N	O	P			Yes	
94	501-80-80-9	4673 Thornton Ave	AF	COM MU	MX	3.43	0	0	124	124	Vacant Shopping Center							F				J		L	M	N	O	P			Yes	
95	501-900-16	38487 Fremont Blvd		COM MU	MX	0.95	0	0	23	23	Shopping Center (salon, laundromat, restaurant, bridal store)		B					F			I						O	P	Q		Yes	
96	501-900-18	38491 Fremont Blvd		COM MU	MX	2.78	101	0	0	101	Self Storage										I						O		Q		Yes	
97	501-900-19	38665 Fremont Blvd		RES URB	R-3-50	0.48	0	18	0	18	Auto Sales Lot/Office	A				D					I	J		L			O		Q		Yes	
98	501-900-5-10	38619 Fremont Blvd	AB	RES URB	R-3-50	1.72	65	0	0	65	Tire Shop	A									I	J		L			O		Q		Yes	
99	501-900-5-8	38627 Fremont Blvd	AB	RES URB	R-3-50	0.16	6	0	0	6	Tire Shop	A									I	J		L			O		Q		No	
100	501-930-1-5	38727 Fremont Blvd		RES URB	R-3-50	0.42	0	16	0	16	Market		B								I	J		L			O		Q		Yes	
101	501-967-95-2	4467 Stevenson Blvd		RES MED	R-3-18	2.71	0	19	0	19	Church with unutilized land					C								L			O		Q		Yes	
102	501-967-97	Stevenson Blvd/Besco Dr		RES LOW	R-1-6	0.27	0	0	1	1	Vacant																				No	
103	507-175-5	37679 Mission Blvd		RES LOW	R-1-6(HOD)	0.17	0	0	1	1	Vacant																				No	
104	507-175-6-1	Mission Blvd/Henderson Ct		RES LOW	R-1-6(HOD)	0.12	0	0	1	1	Vacant																				No	
105	507-175-6-2	Mission Blvd/Henderson Ct		RES LOW	R-1-6(HOD)	0.05	0	0	1	1	Vacant																				No	
106	507-175-7	Mission Blvd/Henderson Ct		RES LOW	R-1-6(HOD)	0.52	0	0	2	2	Vacant																				No	
107	507-175-8	Mission Blvd/Henderson Ct		RES LOW	R-1-6(HOD)	0.18	0	0	1	1	Vacant																				No	
108	507-275-2-1	37298 Niles Blvd		COM TC	TC-P(HOD)	0.15	0	5	0	5	Garage	A										J		L			O		Q		Yes	
109	507-300-10	185 J St		COM TC	TC-P(HOD)	0.11	0	0	4	4	Vacant																				No	
110	507-305-3	37753 Niles Blvd		COM TC	TC-P(HOD)	0.26	0	9	0	9	Vacant																				No	
111	507-305-30	250 J St		RES LOW	R-1-8(HOD)	0.06	0	0	1	1	Vacant																				No	
112	507-356-13-3	631 Mowry Ave	AG	COM MU	MX	0.2	7	0	0	7	Vacant																				Yes	
113	507-356-20	585 Mowry Ave	AG	COM MU	MX	2.6	94	0	0	94	Commercial Building (meditation)		B											L			O		Q		Yes	
114	507-356-21	555 Mowry Ave	AG	COM MU	MX	3.93	143	0	0	143	Vacant Commercial Building											J		L					P	Q		Yes
115	507-415-30-4	556 Mowry Ave	AD	COM G	C-O	0.59	21	0	0	21	Medical Bldg															N	O		Q		No	

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Incentives: Q) High/Highest Resource Area; R) Opportunity Zone																															
Site	APN No.	Site Address or Nearby Intersection	Consolidated Sites	General Plan	Zoning	Parcel Size (Acres)	Lower	Mod	Above-Mod	Total	Existing Use/Vacancy	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	AB 1397 Applies	
116	507-415-32-1	670 Mowry Ave	AD	COM G	C-O	4.19	152	0	0	152	Medical Bldg															N	O	P	Q	R	No
117	507-415-33	620 Mowry Ave	AD	COM G	C-O	0.31	11	0	0	11	Medical Bldg															N	O		Q		No
118	507-465-13-1	39160 Paseo Padre Pkwy		COM CC	CC-UO	14.79	0	645	0	645	Gateway Plaza (restaurants, grocery, offices, mail store, vacancies).		B				F			H	I			L		N	O	P	Q	R	No
119	507-465-9-2	Stevenson Blvd/Civic Center Dr		COM CC	CC-UN	2.7	53	0	0	53	Storage Yard. Parking				D					H	I	J					O		Q	R	No
120	507-527-34	50 Mowry Ave		RES MED	R-3-18	0.68	0	8	0	8	Single Family Residential																		Q		Yes
121	507-527-37-2	38453 Mission Blvd		RES MED	R-3-18	1.08	0	12	0	12	Single Family Residential					E								L					Q		Yes
122	507-527-38-2	38505 Mission Blvd		RES MED	R-3-18	1.7	0	19	0	19	Single Family Residential					E						J		L					Q		Yes
123	507-527-39-2	38539 Mission Blvd		RES MED	R-3-18	1.88	0	19	0	19	Single Family Residential					E						J		L					Q		Yes
124	Reserved																														
125	507-590-3	Morrison Canyon Rd/Canyon Heights Dr		RES HR	R-1-8(H-I)	0.9	0	0	3	3	Vacant																				No
126	507-590-4-1	324 Morrison Canyon Rd		RES HR	R-1-8(H-I)	1.64	0	0	4	4	Single Family Residential					E								L					Q		No
127	507-630-2-3	Morrison Canyon Rd/Zacate Ave		RES HR	R-1-6(H-I)	0.15	0	0	1	1	Vacant																				No
128	507-630-31	39219 Mission Blvd		COM G	C-O	0.99	34	0	0	34	Single-Family					E								L			O		Q		No
129	507-645-17-4	38146 Mission Blvd		RES LM	R-1-8(HOD)	1.04	0	9	0	9	Vacant																				No
130	507-828-1	Niles Blvd/J St		COM TC	TC-P(HOD)	0.28	0	10	0	10	Car Wash	A										J		L			O		Q		No
131	Reserved																														
132	Reserved																														
133	513-401-45	176 Telles Ln		RES HR	R-1-10 (HOD)(H-I)	0.35	0	0	1	1	Vacant																				No
134	513-401-46	156 Telles Ln		RES HR	R-1-10 (HOD)(H-I)	0.29	0	0	1	1	Vacant																				No
135	513-401-74	138 Telles Ln		RES HR	R-1-10 (HOD)(H-I)	0.34	0	0	1	1	Vacant																				No
136	513-472-5-2	42154 Palm Ave		RES LOW	OS	4.2	0	0	9	9	Rural Residence (Agricultural)													L					Q		Yes
137	513-601-69-3	Washington Blvd/Gallegos Ave		RES HR	P-72-2 (HOD)	4.3	0	0	6	6	Church with unutilized land			C								J		L					Q		No
138	513-609-15	43342 Bryant St		COM TC	TC-P (HOD)(H-I)	0.35	0	13	0	13	Vacant																				No
139	513-609-31-1	43456 Ellsworth St		COM TC	TC-P (HOD)(H-I)	1.25	0	0	30	30	Shopping Center (tutoring, postal, restaurant)		B				F							L			O	P	Q		No
140	513-609-37	43392 Ellsworth St		COM TC	TC-P (HOD)(H-I)	0.38	0	14	0	14	Vacant																				No
141	513-609-43	43431 Ellsworth St		COM TC	TC-P (HOD)(H-I)	0.26	0	9	0	9	Vacant																				No
142	513-610-56	43623 Ellsworth St		RES HR	R-1-6 (HOD)(H-I)	0.17	0	0	1	1	Vacant																				No
143	513-620-64	1500 Washington Blvd		COM G	C-N (HOD)(H-I)	1.08	39	0	0	39	Commercial Building		B														O		Q		No
144	513-620-65	1550 Washington Blvd		COM G	C-N (HOD)(H-I)	1.14	41	0	0	41	Vacant																				No
145	513-735-48	2381 Rutherford Ln		RES HR	P-87-3	0.5	0	0	1	1	Vacant																				No

Table 8-16. Vacant and Nonvacant Sites Inventory

Nonvacant Site Characteristics Key																															
Existing Uses: A) Auto-Related; B) Commercial, Service, Office; C) Religious; D) Parking Lot; E) Single-Family/Large Lot; F) Commercial Center; G) Public																															
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Incentives: Q) High/Highest Resource Area; R) Opportunity Zone																															
Site	APN No.	Site Address or Nearby Intersection	Consolidated Sites	General Plan	Zoning	Parcel Size (Acres)	Lower	Mod	Above-Mod	Total	Existing Use/Vacancy	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	AB 1397 Applies	
146	513-735-51	2274 Rutherford Ln		RES HR	P-87-3	1.27	0	0	I	I	Vacant							F	G											No	
147	513-746-10	44541 Vista Grande Ct		RES HR	P-90-17	0.94	0	0	I	I	Vacant																			No	
148	513-746-11	44532 Vista Grande Ct		RES HR	P-90-17	0.38	0	0	I	I	Vacant																			No	
149	513-746-18	816 Hunter Ln		RES HR	P-90-17	0.62	0	0	I	I	Vacant																			No	
150	513-746-19	822 Hunter Ln		RES HR	P-90-17	0.49	0	0	I	I	Vacant																			No	
151	513-746-20	830 Hunter Ln		RES HR	P-90-17	0.48	0	0	I	I	Vacant																			No	
152	513-746-5	44521 Vista Grande Ct		OS HF	P-90-17	0.35	0	0	I	I	Vacant																			No	
153	513-746-6	44525 Vista Grande Ct		OS HF	P-90-17	0.6	0	0	I	I	Vacant																			No	
154	513-746-8	44533 Vista Grande Ct		OS HF	P-90-17	1.35	0	0	I	I	Vacant																			No	
155	519-1190-3-4	111 E Warren Ave		RES MED	R-3-18	2	0	10	0	10	Church with unutilized land			C							I			L			O			No	
156	519-1581-12	45517 Antelope Dr		RES HR	P-94-3	5.16	0	0	I	I	Vacant																			No	
157	519-1581-15-1	45549 Antelope Dr		RES HR	P-94-3	2.49	0	0	I	I	Vacant																			No	
158	519-1661-18	875 Yakima Dr		RES HR	R-1-10(H-I)	1.15	0	0	I	I	Vacant																			No	
159	519-1668-75	1981 Mandan Ct		RES HR	R-1-10	0.4	0	0	I	I	Vacant																			No	
160	519-1677-35	1021 Sage Ct		RES HR	R-1-20(H-I)	0.23	0	0	I	I	Vacant																			No	
161	519-1703-47	675 Scott Creek Sq		RES LOW	R-1-6	2.25	0	0	7	7	Agricultural structures, storage, single-family				D						J		L							Yes	
162	519-1719-4	4450 Saint Francis Ter		OS HF	P-90-9	1.98	0	0	I	I	Vacant																			No	
163	519-1719-5	4528 Saint Francis Ter		OS HF	P-90-9	2.47	0	0	I	I	Vacant																			No	
164	519-1719-6	4646 Saint Francis Ter		OS HF	P-90-9	5.21	0	0	I	I	Vacant																			No	
165	519-1720-10	2751 Woodside Ter		OS HF	P-90-9	1.1	0	0	I	I	Vacant																			No	
166	519-1720-11	Woodside Ter/Monte Sereno Ter		OS HF	P-90-9	0.98	0	0	I	I	Vacant																			No	
167	525-1052-11	40645 Fremont Blvd	AN	COM MU	MX(I)	7.49	0	0	217	217	Grimmer-Irvington Shopping Center (vacant bowling alley, salon, locksmith, empty tenant spaces)		B				F				I	J		L	M	N	O	P	Q	Yes	
168	525-1052-3-2	40857 Fremont Blvd	AN	COM MU	MX(I)	0.33	0	0	12	12	Grimmer-Irvington Shopping Center (vacant bowling alley, salon, locksmith, empty tenant spaces)		B				F				I	J		L	M	N	O	P	Q	Yes	
169	525-105-42-1	151 Driscoll Rd		RES LOW	R-1-10	1.65	0	0	2	2	Single Family Residential										J		L						Q	No	
170	525-1115-28-3	41989 Fremont Blvd		COM MU	MX	1.72	62	0	0	62	Grocery										I		L			O		Q	Yes		
171	525-1250-62	Automall Pkwy/Southlake Common		RES LOW	R-3-15	0.97	0	0	7	7	Vacant																			Yes	
172	525-1252-11	4358 Bora Bora Ave		RES LOW	R-1-6	5.92	0	0	6	6	Church with unutilized land			C									L						Q	No	
173	525-1646-21	42151 Blacow Rd		COM MU	MX	0.75	18	0	0	18	Shopping Center (salon, liquor, restaurant, cleaning office)		B				F				I	J		L	M		O	P	Q	Yes	
174	525-1647-17	39553 Paseo Padre Pkwy		COM CC	CC-UO	1.02	66	0	0	66	Vacant Bank Building		B								I		K				O		Q	R	No
175	525-1683-1	39554 Paseo Padre Pkwy		COM MU	MX	0.5	18	0	0	18	Shopping Center (Salon, Restaurant)										I	J		L			O		Q	Yes	
176	525-1684-11	Driscoll Rd/St Anthony Dr		RES LOW	P-2010-280	1	0	0	4	4	Parking Lot			C							J								Q	No	
177	525-236-56	Driscoll Rd/Harrington St	AE	COM G	C-N	0.46	17	0	0	17	Vacant Fast Food Restaurant		B								J		L	M		O	P	Q	No		
178	525-236-58	Driscoll Rd/Harrington St	AE	COM G	C-N	0.39	14	0	0	14	Parking Lot				D						J		M						Q	No	
179	525-275-4-2	41252 Mission Blvd		RES LOW	R-1-6(H-I)	4.51	0	0	16	16	Vacant																			Yes	

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Incentives: Q) High/Highest Resource Area; R) Opportunity Zone																															
Site	APN No.	Site Address or Nearby Intersection	Consolidated Sites	General Plan	Zoning	Parcel Size (Acres)	Lower	Mod	Above-Mod	Total	Existing Use/Vacancy	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	AB 1397 Applies	
180	525-336-2-3	42270 Osgood Rd	AC	RES URB	R-3-70	5.1	106	0	0	106	Single Family Residential/Storage					E				H	I	J		L		N	O		Q		Yes
181	525-336-2-8	42088 Osgood Rd		RES URB	R-3-70	0.9	47	0	0	47	Office Bldg (General)		B							H	I	J					O		Q		Yes
182	525-336-3-4	42028 Osgood Rd	AC	RES URB	R-3-70	0.35	18	0	0	18	Single Family Residential					E				H	I	J		L		N	O		Q		Yes
183	525-336-5-2	42218 Osgood Rd		RES URB	R-3-70	0.14	0	6	0	6	Single Family Residential					E				H	I	J		L			O		Q		Yes
184	525-336-6-8	Osgood Rd/Blacow Rd	AC	RES URB	R-3-70	3.07	113	0	0	113	Industrial Yard				D					H	I	J		L		N			Q		Yes
185	525-336-7-16	42536 Osgood Rd		RES URB	R-3-70	1.72	90	0	0	90	RV Storage				D					H	I	J					O		Q		Yes
186	525-336-7-18	42282 Osgood Rd	AC	RES URB	R-3-70	0.8	42	0	0	42	Single Family Residential					E				H	I	J		L			O		Q		No
187	525-339-10-4	Osgood Rd/Blacow Rd		RES URB	R-3-70	4.57	0	0	160	160	Light Industrial Complex (office, contractor, dance instruction)		B				F			H	I	J				N	O		Q		Yes
188	525-342-2	Osgood Rd/Blacow Rd		RES URB	R-3-70	0.67	35	0	0	35	Storage Yard									H	I	J					O		Q		Yes
189	525-342-4	41791 Osgood Rd		RES URB	R-3-70	0.38	20	0	0	20	Contractor Office		B							H	I	J					O		Q		Yes
190	525-600-12	41212 Roberts Ave		COM TC	TC-P(I)	0.25	0	9	0	9	Vacant																				No
191	525-600-16-2	41144 Roberts Ave		COM TC	TC-P(I)	0.29	0	11	0	11	Lawnmower Shop		B							H	I	J		L			O		Q		No
192	525-605-10-1	41450 Roberts Ave		RES MED	R-3-18	0.69	0	12	0	12	Vacant																				No
193	525-605-11-1	41426 Roberts Ave		RES MED	R-3-18	0.2	0	3	0	3	Vacant																				No
194	525-611-112	3985 Haven Ave		RES LOW	R-1-6	0.13	0	0	1	1	Vacant																				No
195	525-611-113	3978 Haven Ave		RES LOW	R-1-6	0.13	0	0	1	1	Vacant																				No
196	525-611-32-4	41580 Fremont Blvd		RES LM	R-3-11	0.44	0	4	0	4	Vacant																				No
197	525-621-28-11	41288 Fremont Blvd		COM G	TC-T(I)	0.04	0	1	0	1	Salon		B							H	I	J		L			O		Q		No
198	525-621-29-2	41268 Fremont Blvd		COM G	TC-T(I)	0.11	0	3	0	3	Dental Office		B							H	I	J		L			O		Q		No
199	525-621-30-2	41240 Fremont Blvd		COM G	TC-T(I)	0.11	0	3	0	3	Vacant Restaurant Building									H	I	J		K	L		O	P	Q		No
200	525-621-31-2	41224 Fremont Blvd		COM G	TC-T(I)	0.11	0	3	0	3	Vacant																				No
201	525-621-33-4	41180 Fremont Blvd		COM G	TC-T(I)	0.32	0	8	0	8	Veterinary Office		B							H	I	J		L			O		Q		No
202	525-621-33-5	41212 Fremont Blvd		RES MED	R-3-18	0.48	0	7	0	7	Vacant																				No
203	525-621-35-2	41094 Fremont Blvd		COM TC	TC-P(I)	0.97	35	0	0	35	Auto Parts Store	A								H	I	J		L			O		Q		Yes
204	525-621-36-5	41068 Fremont Blvd		COM TC	TC-P(I)	0.55	20	0	0	20	Restaurant									H	I	J		L					Q		Yes
205	525-621-43	3902 Washington Blvd	AK	COM TC	TC-P(I)	3.21	0	78	0	78	Shopping Center (grocery, bank, restaurant, liquor)						F			H	I	J					O		Q		No
206	525-621-44	41060 Fremont Blvd	AK	COM TC	TC-P(I)	1.49	0	36	0	36	Shopping Center (grocery, bank, restaurant, liquor)						F												Q		No
207	525-621-45	3906 Washington Blvd	AK	COM TC	TC-P(I)	0.5	0	12	0	12	Shopping Center (grocery, bank, restaurant, liquor)						F												Q		No
208	525-628-10	3606 Main St		COM TC	TC-P(I)	0.33	0	12	0	12	Single Family Residential					E				H	I	J		L			O		Q		Yes
209	525-628-12-1	3741 Washington Blvd		COM TC	TC-P(I)	0.41	0	15	0	15	Auto Repair	A								H	I	J					O		Q		No
210	525-628-4-2	3709 Washington Blvd		COM TC	TC-P(I)	0.42	0	15	0	15	Vacant Commercial		B							H	I	J		L			O	P	Q		No
211	525-628-9	3624 Main St		COM TC	TC-P(I)	0.14	0	5	0	5	Single Family Residential					E				H	I	J		L			O		Q		Yes
212	525-629-11-4	3933 Washington Blvd		COM TC	TC-P(I)	0.17	0	6	0	6	Restaurant		B							H	I	J		L					Q		No
213	525-629-12-2	3868 Main St		COM TC	TC-P(I)	0.27	0	10	0	10	Single Family Residential					E				H	I	J		L			O		Q		Yes
214	525-629-13-4	3955 Washington Blvd		COM TC	TC-P(I)	0.16	0	6	0	6	Vacant																				Yes
215	525-629-14-3	3961 Washington Blvd		COM TC	TC-P(I)	0.18	0	7	0	7	Vacant																				Yes
216	525-629-15-2	3983 Washington Blvd		COM TC	TC-P(I)	0.04	0	1	0	1	Vacant																				Yes
217	525-629-3-6	41071 Roberts Ave		COM TC	TC-P(I)	0.13	0	5	0	5	Auto Repair	A								H	I	J					O		Q		Yes
218	525-629-3-7	41021 Roberts Ave		COM TC	TC-P(I)	0.14	0	5	0	5	Auto Repair	A								H	I	J					O		Q		Yes
219	525-629-4	3811 Washington Blvd		COM TC	TC-P(I)	0.32	0	12	0	12	Vacant																				Yes
220	525-629-5	3825 Washington Blvd	AL	COM TC	TC-P(I)	0.19	7	0	0	7	Vacant																				Yes

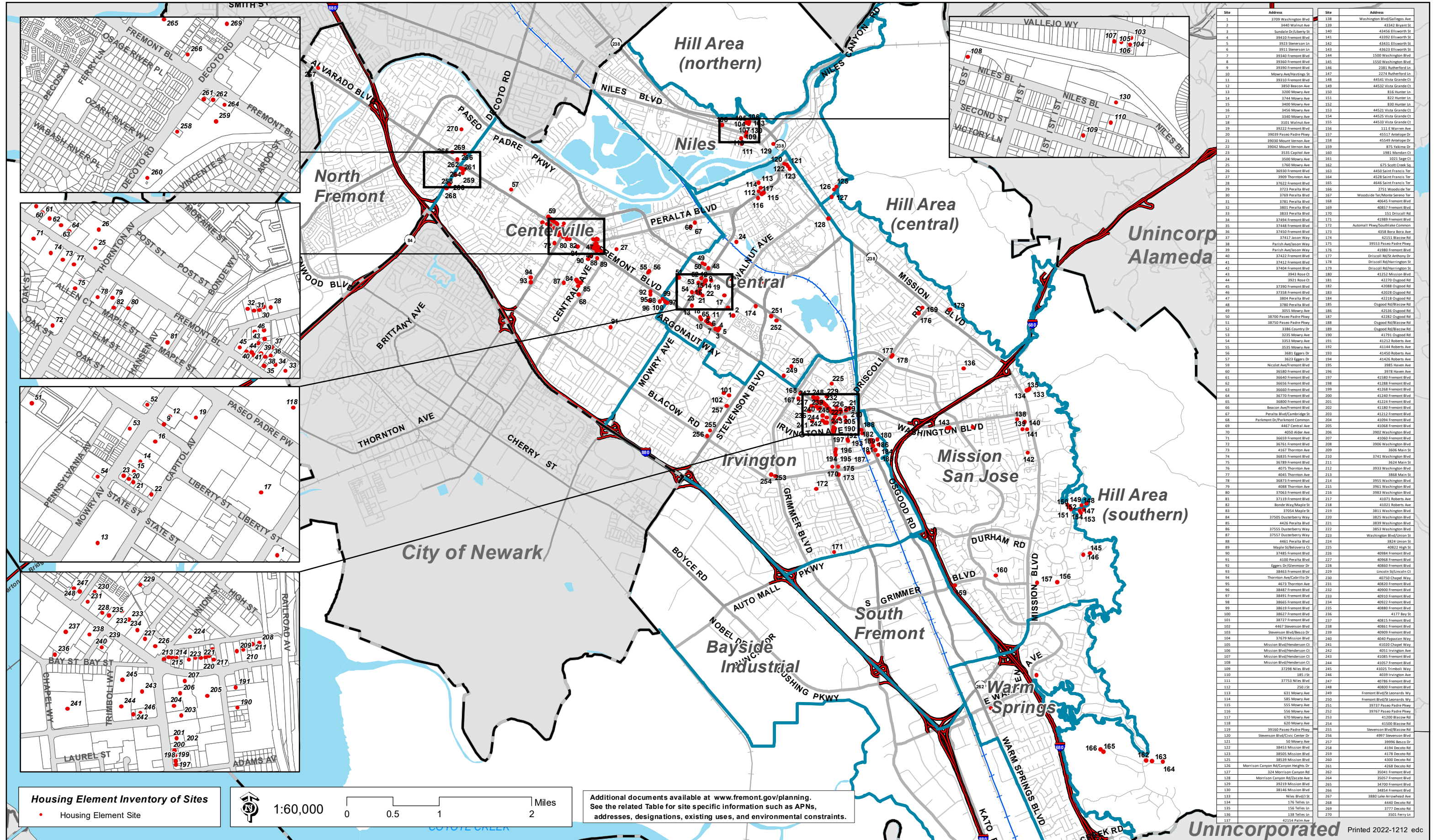
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Incentives: Q) High/Highest Resource Area; R) Opportunity Zone																															
Site	APN No.	Site Address or Nearby Intersection	Consolidated Sites	General Plan	Zoning	Parcel Size (Acres)	Lower	Mod	Above-Mod	Total	Existing Use/Vacancy	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	AB 1397 Applies	
221	525-629-6	3839 Washington Blvd	AL	COM TC	TC-P(I)	0.44	16	0	0	16	Vacant																			Yes	
222	525-629-7-2	3853 Washington Blvd		COM TC	TC-P(I)	0.31	0	11	0	11	Vacant																			No	
223	525-629-8-3	Washington Blvd/Union St		COM TC	TC-P(I)	0.49	0	15	0	15	Commercial		B							H	I	J		L			O	P	Q		No
224	525-641-26	3824 Union St		COM TC	TC-P(I)	0.86	31	0	0	31	Commercial Building		B							H	I	J		L			O		Q		Yes
225	525-645-13-1	40822 High St		RES MED	R-3-18	0.74	0	11	0	11	Vacant																			Yes	
226	525-661-48-6	40984 Fremont Blvd		COM TC	TC-P(I)	0.83	30	0	0	30	Bank		B							H	I						O		Q		No
227	525-661-49-2	40968 Fremont Blvd		COM TC	TC-P(I)	0.5	18	0	0	18	Shoe Store		B							H	I	J		L			O		Q		No
228	525-661-54-2	40860 Fremont Blvd		COM TC	TC-P(I)	0.24	0	19	0	19	Restaurant		B							H	I	J		L			O		Q		No
229	525-661-58-1	Lincoln Ct/Lincoln St		RES MED	R-G-29	0.07	0	1	0	1	Vacant																			No	
230	525-661-62	40750 Chapel Way		COM TC	TC-T(I)	0.32	0	12	0	12	Car Wash	A									I	J		L			O		Q		Yes
231	525-661-63	40820 Fremont Blvd		COM TC	TC-T(I)	0.38	0	14	0	14	Retail Stores (personal services, photography, travel)		B								I			L			O		Q		No
232	525-661-64	40900 Fremont Blvd		COM TC	TC-P(I)	0.96	0	0	29	29	Commercial Building (smoke shop, salon, restaurants)		B				F			H	I	J		L			O		Q		No
233	525-661-65-2	40910 Fremont Blvd		COM TC	TC-P(I)	1.25	45	0	0	45	Medical Bldg		B							H	I						O		Q		No
234	525-661-66-2	40922 Fremont Blvd		COM TC	TC-P(I)	1.02	0	0	31	31	Commercial Building (clinic, performing arts)		B				F			H	I			L			O	P	Q		No
235	525-661-68-3	40880 Fremont Blvd		COM TC	TC-P(I)	0.33	0	12	0	12	Dental Office		B							H	I			L			O		Q		No
236	525-670-12-2	4177 Bay St		COM TC	P-2007-229(I)	0.14	0	5	0	5	Parking Lot		B		D					H	I	J							Q		No
237	525-670-14-2	40815 Fremont Blvd		COM CC	TC-P(I)	1.82	0	0	44	44	Shopping Center (Restaurant, day care, threading, salon, tutoring)		B				F				I						O		Q	R	No
238	525-670-16-2	40861 Fremont Blvd		COM TC	P-2007-229(I)	0.78	28	0	0	28	Tire Shop	A								H	I			L			O		Q		Yes
239	525-670-6-10	40909 Fremont Blvd		COM TC	P-2007-229(I)	0.27	0	10	0	10	Car Sales Lot	A								H	I	J		L			O		Q		Yes
240	525-670-6-8	4040 Papazian Way		COM TC	P-2007-229(I)	0.19	0	7	0	7	Bike Shop		B							H	I	J		L			O		Q		Yes
241	525-680-10	41020 Chapel Way		RES MED	R-3-18	3.79	0	9	0	9	Church with unutilized land			C						H	I	J		L			O		Q		No
242	525-680-1-49	4051 Irvington Ave	AM	COM TC	TC-P(I)	0.14	5	0	0	5	Parking Lot				D														Q		Yes
243	525-680-1-51	41085 Fremont Blvd	AM	COM TC	TC-P(I)	2.27	0	0	55	55	Monument Shopping Center (grocery, jewelry, restaurants, auto parts, check cashing)		B				F												Q		No
244	525-680-1-52	41057 Fremont Blvd	AM	COM TC	TC-P(I)	1.61	0	0	39	39	Monument Shopping Center (grocery, jewelry, restaurants, auto parts, check cashing)		B				F												Q		Yes
245	525-680-1-54	41025 Trimboli Way	AM	COM TC	TC-P(I)	1.46	0	0	35	35	Monument Shopping Center (grocery, jewelry, restaurants, auto parts, check cashing)		B				F												Q		No
246	525-680-4-2	4039 Irvington Ave		COM TC	TC-P(I)	0.33	0	12	0	12	Church with unutilized land									H	I			L			O		Q		No
247	525-701-15-12	40786 Fremont Blvd		COM G	TC-T(I)	0.51	18	0	0	18	Restaurant, Smoke Shop		B								I						O	P	Q		Yes
248	525-701-16-2	40800 Fremont Blvd		COM G	TC-T(I)	0.29	11	0	0	11	Restaurant										I			L			O		Q		Yes
249	525-802-33-3	Fremont Blvd/St Leonards Wy		RES LOW	R-1-6	1.1	0	0	4	4	Vacant																			No	

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Development and Market Trends: H) TOD; I) PDA; J) Improvement Value Ratio < 0.5; K) Age > 40 Years; L) Known Recent/Active Sale; M) Observed Poor Condition; N) Development Interest; O) FAR < 0.5; P) Tenant Vacancies																															
Incentives: Q) High/Highest Resource Area; R) Opportunity Zone																															
Site	APN No.	Site Address or Nearby Intersection	Consolidated Sites	General Plan	Zoning	Parcel Size (Acres)	Lower	Mod	Above-Mod	Total	Existing Use/Vacancy	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	AB 1397 Applies	
250	525-802-70	Fremont Blvd/St Leonards Wy		RES LOW	R-1-6	7.15	0	0	7	7	Church with unutilized land										I	J							Q		No
251	525-850-10-19	39737 Paseo Padre Pkwy		COM G	C-O	0.81	29	0	0	29	Office Bldg (General)												L				O	P	Q		No
252	525-850-20	39767 Paseo Padre Pkwy		COM G	C-O	2.18	79	0	0	79	Office Bldg (General)												L				O	P	Q		No
253	525-976-21-1	41200 Blacow Rd	AH	COM MU	MX	4.59	112	0	0	112	Meadow Square (thrift store, liquor, drug store, restaurant)		B				F						L	M			O	P	Q		Yes
254	525-976-21-2	41500 Blacow Rd	AH	COM MU	MX	0.43	16	0	0	16	Vacant																				No
255	531-26-40-11	Stevenson Blvd/Blacow Rd	AI	COM MU	MX	4.1	100	0	0	100	Shopping Center (grocery, restaurant, cell phone store, barber, discount store)		B				F						L				O	P	Q		Yes
256	531-26-40-13	4997 Stevenson Blvd	AI	COM MU	MX	0.45	16	0	0	16	Vacant																				No
257	531-29-9	39996 Besco Dr		RES LOW	R-1-6	0.16	0	0	1	1	Vacant																				No
258	543-256-21	4194 Decoto Rd	AJ	COM MU	MX	0.16	6	0	0	6	Vacant																				No
259	543-256-22-4	4178 Decoto Rd	AJ	COM MU	MX	8.3	301	0	0	301	Vacant																				No
260	543-256-24-4	4300 Decoto Rd	AJ	COM MU	MX	0.9	33	0	0	33	Industrial Yard				D					H		J							Q		Yes
261	543-256-4-2	4268 Decoto Rd		COM MU	MX	0.18	0	7	0	7	Convenience Store		B							H				L			O		Q		No
262	543-256-6-2	35041 Fremont Blvd		COM MU	MX	0.22	0	8	0	8	Restaurant		B							H	I	J		L			O		Q		Yes
263	Reserved																														
264	543-256-7-9	35057 Fremont Blvd		COM MU	MX	0.49	0	18	0	18	Flooring Store		B								I	J	K			N			Q		Yes
265	543-296-6-4	34700 Fremont Blvd		RES LOW	R-1-6	6.48	0	0	11	11	Church with unutilized land				C						I	J		L					Q		Yes
266	543-300-11-2	34854 Fremont Blvd		RES MED	P	0.25	0	4	0	4	Single Family Residential											J							Q		No
267	543-354-95	3880 Lake Arrowhead Ave		COM G	C-N	1.95	0	0	47	47	Shopping Center (dental, market)		B				F				I	J		L			O	P	Q		No
268	543-392-93-6	4440 Decoto Rd		RES LOW	R-1-6	1.38	0	0	2	2	Triplex									H		J		L					Q		No
269	543-410-108	3777 Decoto Rd		RES LOW	P-95-1	1.61	0	0	7	7	Goodwill Store		B								I			L			O		Q		No
270	543-420-27	3501 Ferry Ln		RES LOW	R-1-6	0.16	0	0	1	1	Vacant																				No

Housing Element 2023 - 2031 Inventory of Sites



Housing Element Sites in the Central Community Plan Area

Community Plan Area Boundary

Housing Element Site/ID

Bay Area Rapid Transit (BART)

Union Pacific Railroad

Trail

Stream

Cemetery

Fire Station

Gateway

BART Station

Train Station

Hospital

Library

School

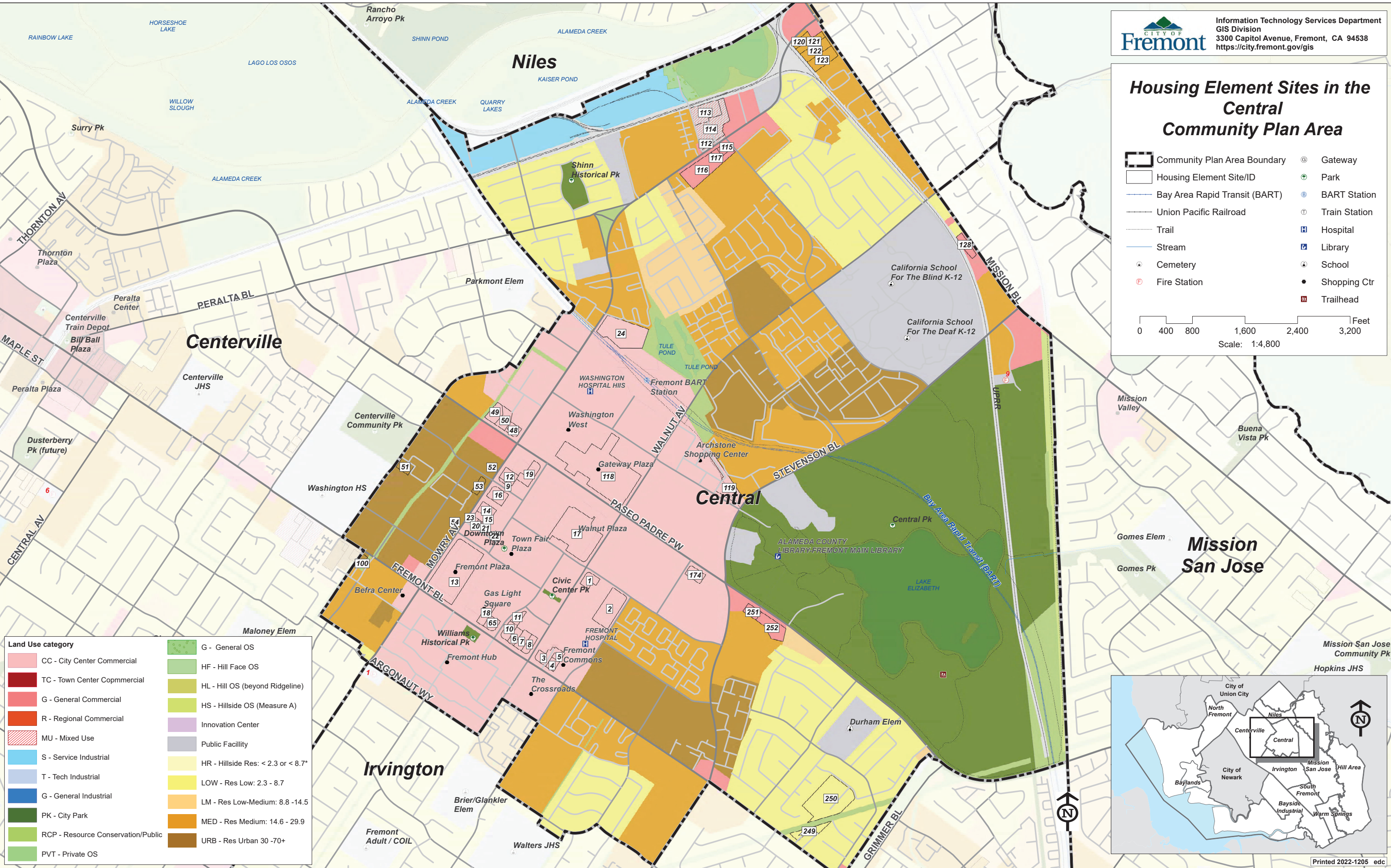
Shopping Ctr

Trailhead

04008001,6002,4003,200

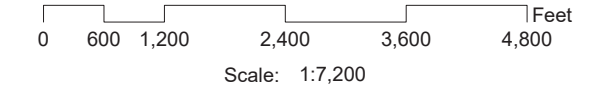
Feet

Scale: 1:4,800



Housing Element Sites in the Hill Area (southern) Community Plan Area

- | | |
|-------------------------------|---------------|
| Community Plan Area Boundary | Gateway |
| Housing Element Site/ID | Park |
| Bay Area Rapid Transit (BART) | BART Station |
| Union Pacific Railroad | Train Station |
| Trail | Hospital |
| Stream | Library |
| Cemetery | School |
| Fire Station | Shopping Ctr |
| | Trailhead |




Land Use category	
CC - City Center Commercial	G - General OS
TC - Town Center Copmercial	HF - Hill Face OS
G - General Commercial	HL - Hill OS (beyond Ridgeline)
R - Regional Commercial	HS - Hillside OS (Measure A)
MU - Mixed Use	Innovation Center
S - Service Industrial	Public Facility
T - Tech Industrial	HR - Hillside Res: < 2.3 or < 8.7"
G - General Industrial	LOW - Res Low: 2.3 - 8.7
PK - City Park	LM - Res Low-Medium: 8.8 -14.5
RCP - Resource Conservation/Public	MED - Res Medium: 14.6 - 29.9
PVT - Private OS	URB - Res Urban 30 -70+





Land Use category


CC - City Center Commercial	G - General OS
TC - Town Center Copmercial	HF - Hill Face OS
G - General Commercial	HL - Hill OS (beyond Ridgeline)
R - Regional Commercial	HS - Hillside OS (Measure A)
MU - Mixed Use	Innovation Center
S - Service Industrial	Public Facility
T - Tech Industrial	HR - Hillside Res: < 2.3 or < 8.7
G - General Industrial	LOW - Res Low: 2.3 - 8.7
PK - City Park	LM - Res Low-Medium: 8.8 -14.5
RCP - Resource Conservation/Public	MED - Res Medium: 14.6 - 29.9
PVT - Private OS	URB - Res Urban 30 -70+


Housing Element Sites in the Irvington Community Plan Area


 Community Plan Area Boundary


 Housing Element Site/ID


 Bay Area Rapid Transit (BART)


 Union Pacific Railroad


 Trail


 Stream


 Cemetery


 Fire Station


 Gateway


 Park


 BART Station


 Train Station


 Hospital

 Library

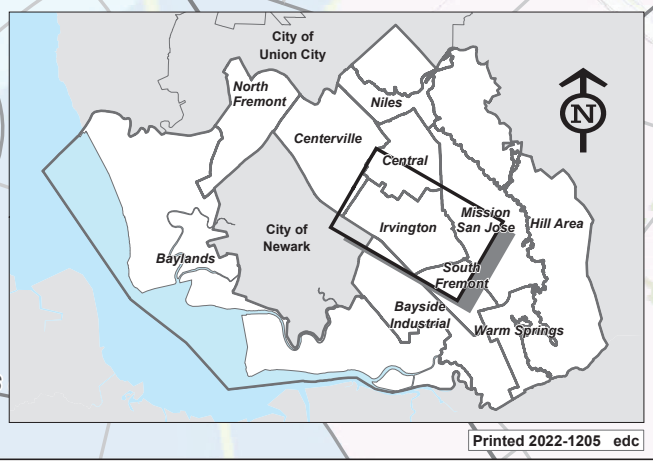
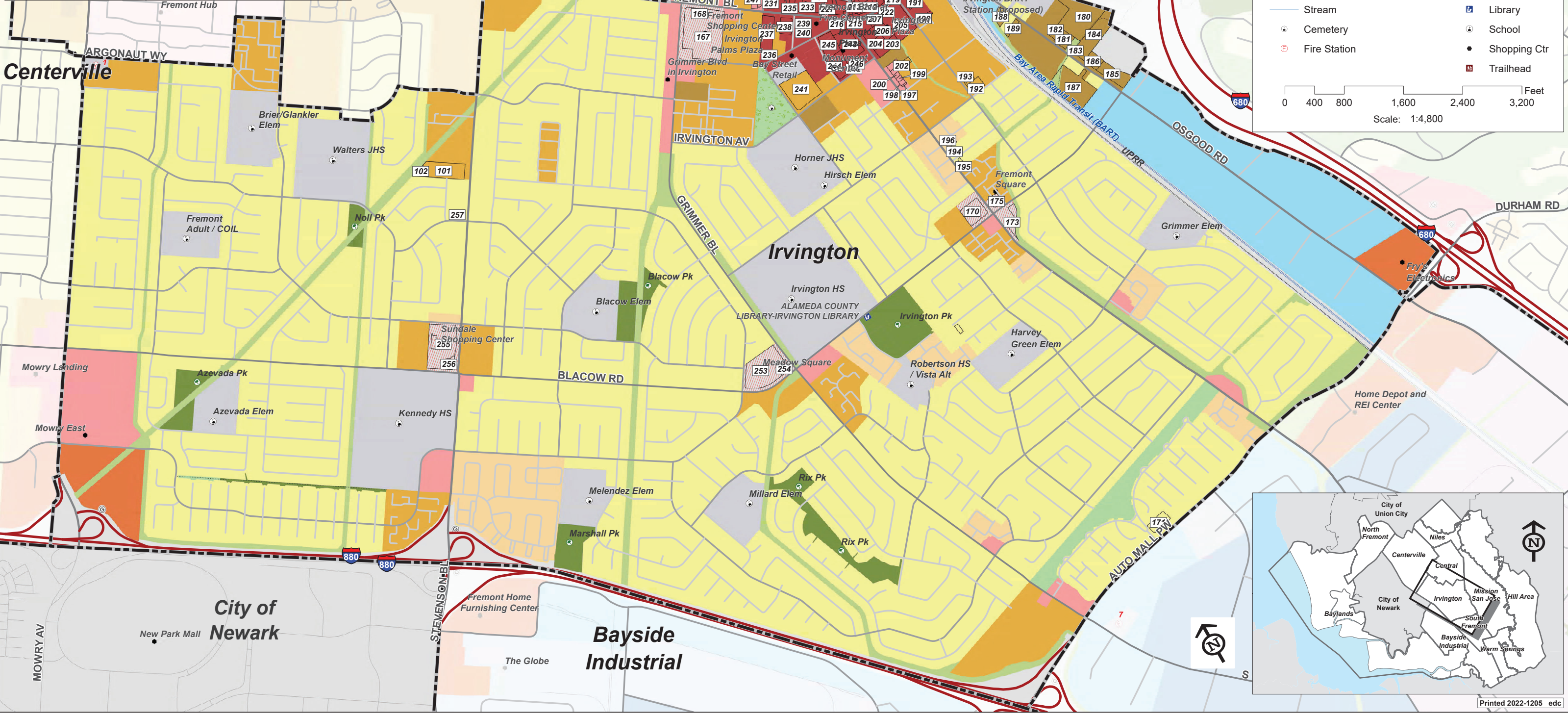
 School

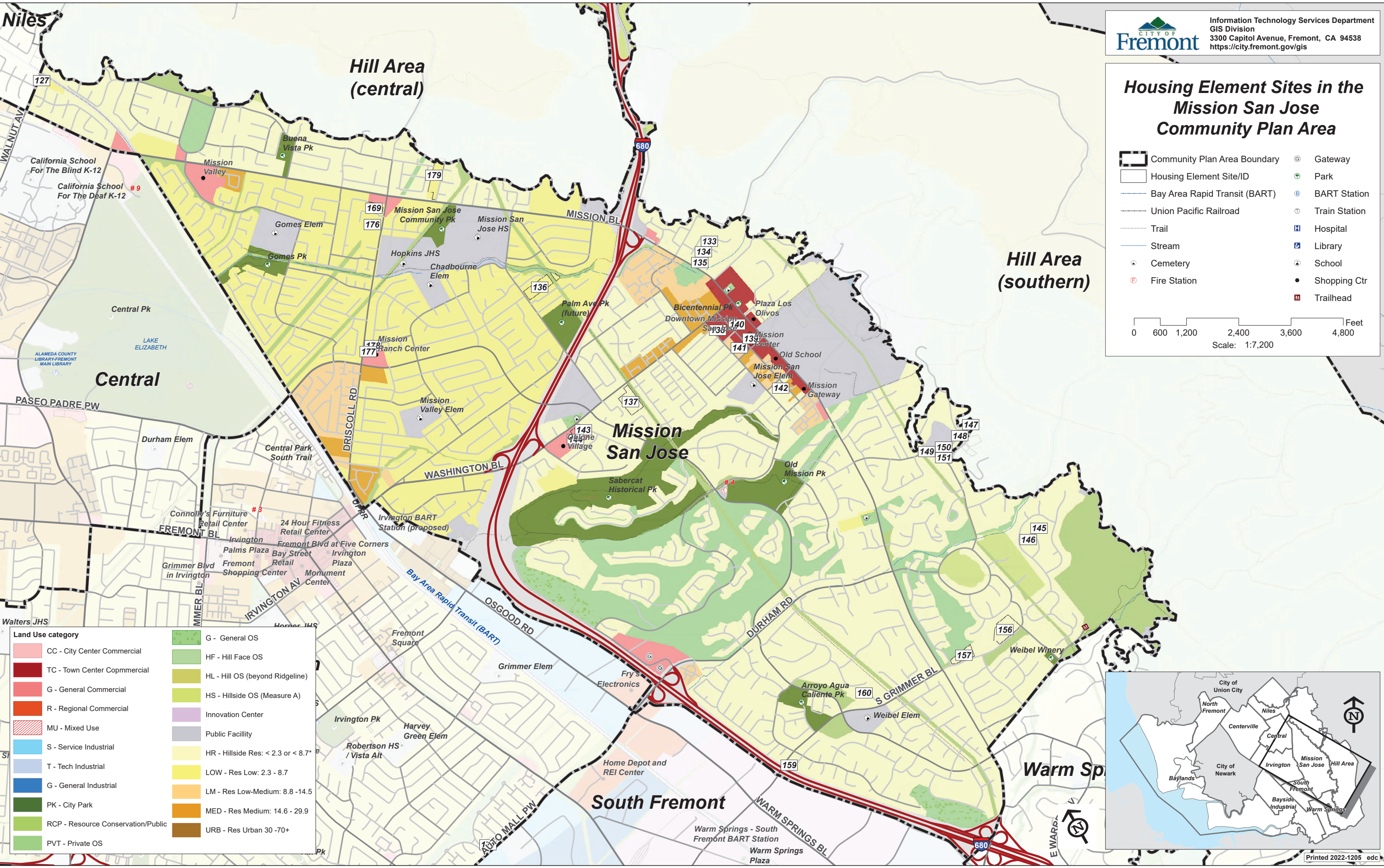
 Shopping Ctr

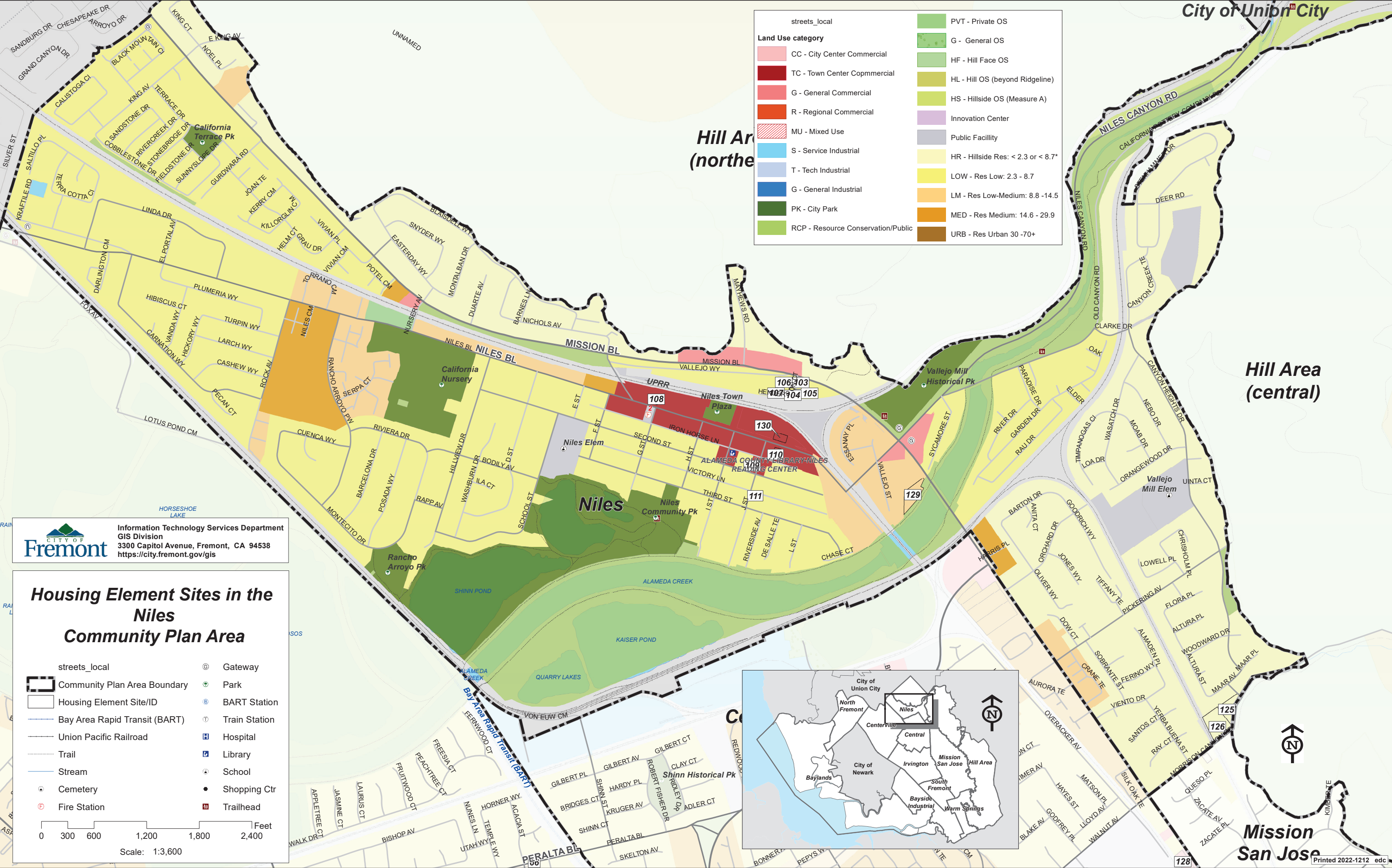
 Trailhead

 0 400 800 1,600 2,400 3,200 Feet

Scale: 1:4,800







Housing Element Sites in the North Fremont Community Plan Area

Community Plan Area Boundary

Housing Element Site/ID

Bay Area Rapid Transit (BART)

Union Pacific Railroad

Trail

Stream

Cemetery

Fire Station

Gateway

Park

BART Station

Train Station

Hospital

Library

School

Shopping Ctr

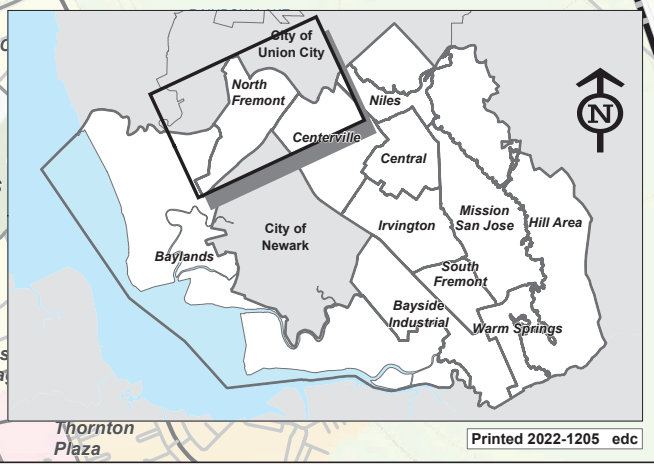
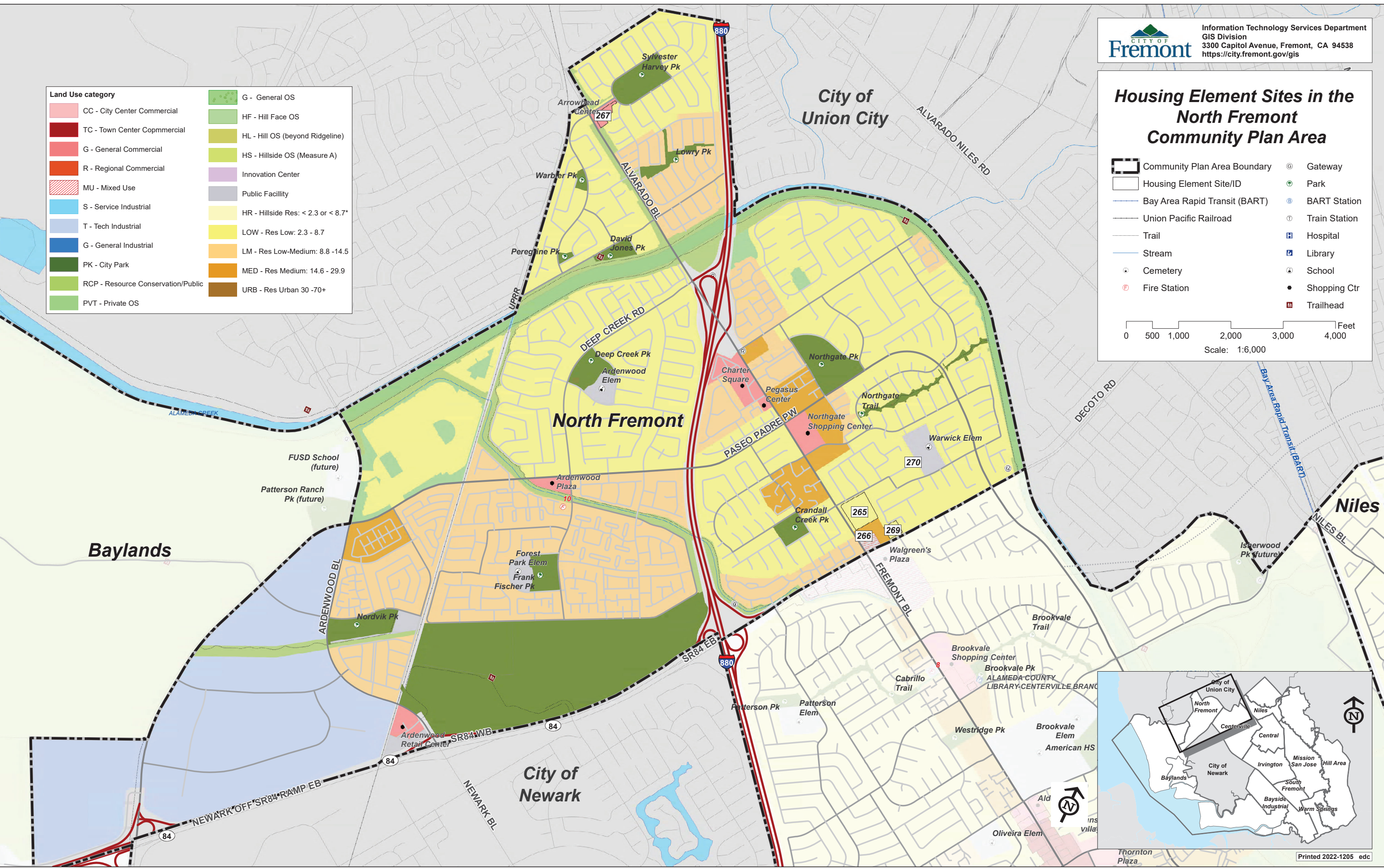
Trailhead

05001,0002,0003,0004,000

Feet

Scale: 1:6,000

Land Use category	
CC - City Center Commercial	G - General OS
TC - Town Center Copmercial	HF - Hill Face OS
G - General Commercial	HL - Hill OS (beyond Ridgeline)
R - Regional Commercial	HS - Hillside OS (Measure A)
MU - Mixed Use	Innovation Center
S - Service Industrial	Public Facility
T - Tech Industrial	HR - Hillside Res: < 2.3 or < 8.7*
G - General Industrial	LOW - Res Low: 2.3 - 8.7
PK - City Park	LM - Res Low-Medium: 8.8 -14.5
RCP - Resource Conservation/Public	MED - Res Medium: 14.6 - 29.9
PVT - Private OS	URB - Res Urban 30 -70+



Housing Element Sites in the Warm Springs Community Plan Area

Community Plan Area Boundary

Housing Element Site/ID

Bay Area Rapid Transit (BART)

Union Pacific Railroad

Trail

Stream

Cemetery

Fire Station

Gateway

Park

BART Station

Train Station

Hospital

Library

School

Shopping Ctr

Trailhead

0

500

1,000

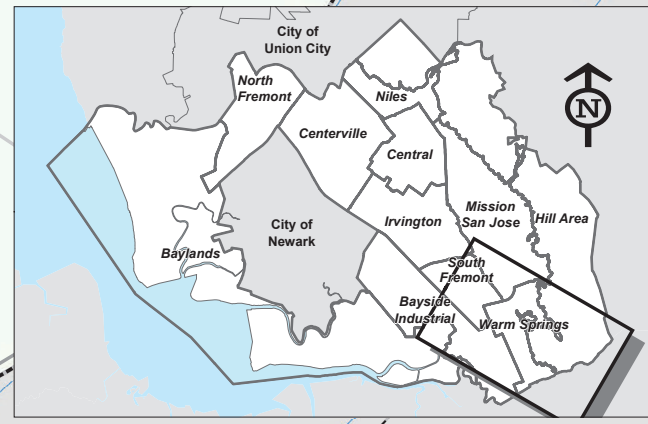
2,000

3,000

4,000

Feet

Scale: 1:6,000



Land Use category			
CC - City Center Commercial	G - General OS	HF - Hill Face OS	
TC - Town Center Copmercial	HL - Hill OS (beyond Ridgeline)	HS - Hillside OS (Measure A)	
G - General Commercial	Innovation Center	HR - Hillside Res: < 2.3 or < 8.7*	
R - Regional Commercial	Public Facility	LOW - Res Low: 2.3 - 8.7	
MU - Mixed Use		LM - Res Low-Medium: 8.8 -14.5	
S - Service Industrial		MED - Res Medium: 14.6 - 29.9	
T - Tech Industrial		URB - Res Urban 30 -70+	
G - General Industrial			
PK - City Park			
RCP - Resource Conservation/Public			
PVT - Private OS			

Appendix A

Community Engagement Documentation

Contents:

- A. Emails to Housing Element Interest List
- B. Development Digest Articles
- C. Fremont Connection Articles
- D. City Newsletter Articles
- E. Presentations to Boards and Commissions
- F. Notes from Office Hours and Outreach Events
- G. Flyers for Community Outreach Activities
- H. Notes from AC Collaborative Developer Panel
- I. Notes from ADU Developer Panel
- J. Notes from Community-Based Organizations Panel
- K. Notes and Presentation from Fremont for Everyone Workshop
- L. Notes from Listening Session at Sunrise Village
- M. Notes from Listening Session at Pauline Weaver Senior Apartments
- N. Notes from Listening Session at Cottonwood Place
- O. Notes from Listening Session at Oak Gardens

As additional outreach is completed, materials will be added to Appendix A.

A. Emails to Housing Element Interest List

City of Fremont – Planning
Housing Element Team at Fremont Street Eats Event This Friday
Send Date 5/09/2022

As the City of Fremont moves forward with preparing an updated [2023-2031 Housing Element](#), City staff is continuing to seek community input to help guide the needs analysis and goals, policies, and program development included in the update.

Fremont Street Eats

The City's Housing Element Team will be at [Fremont Street Eats](#) this Friday, May 13 from 5:00 p.m. to 9:00 p.m. at the new Downtown Event Center & Plaza, located at 3500 Capitol Ave. in Fremont. Stop by their booth to chat with staff about the City's [Housing Element Update](#) and provide your feedback. The City's [Housing Division](#) staff will also be there to talk about affordable housing and promote their upcoming [Affordable Housing 101 webinar](#). Also, play the City's trivia game all about Fremont. Answer a trivia question correctly and win a prize!

For more information about the City's Housing Element Update, visit [Fremont.gov/HousingElement](#). This webpage will continue to be updated with the latest information.

Thank you!
Planning Division
City of Fremont

City of Fremont – Planning
City Council Presentation on Housing Element Update
Send Date 4/13/2022

As the City of Fremont moves forward with preparing an updated [2023-2031 Housing Element](#), City staff is continuing to seek community input to help guide the needs analysis and goals, policies, and program development included in the update.

City Council Presentation

At last week's regularly scheduled City Council meeting, City staff provided the Council with a presentation about the Housing Element update. Staff explained the update process, answered questions, and collected feedback. A recording of the meeting and a copy of the presentation slides are available below.

- [April 5, 2022 City Council Meeting \(Housing Element Update presentation starts at 1:13:56\)](#)
- [Housing Element Update Presentation Slides](#)

Focus Groups

City staff is still looking for individuals to participate in upcoming focus groups to help inform the Housing Element update. If you are interested in participating in a focus group, please email the Housing Element project team at housingelement@fremont.gov. Please indicate if you have any general preferences on when you would be available to participate.

Office Hour Appointments

Staff is continuing to offer virtual office hour appointments for those who would like to chat with staff and share their thoughts and questions. Appointments are scheduled through Calendly, a free and easy-to-use appointment scheduling website. Visit the [scheduling site](#) to make your appointment or [Fremont.gov/HousingElement](#) for more information.

Webpage

For more information, visit [Fremont.gov/HousingElement](#). This webpage will continue to be updated with the latest information.

Thank you!
Planning Division
City of Fremont

City of Fremont – Planning
Housing Element Email Address
Send Date 3/28/2022

The City recently received notification that some emails addressed to the housingelement@fremont.gov email account were not being delivered. It seems there was an issue with the City's email system, but it has now been resolved.

If you previously attempted to send an email to housingelement@fremont.gov, the City is asking that you please resend the message.

For more information about the City's Housing Element update, visit Fremont.gov/HousingElement.

Thank you!
Planning Division
City of Fremont

City of Fremont – Planning
Fremont's Housing Element Update
Send Date 3/18/2022

Fremont's 2023-2031 Housing Element: An Eight-Year Plan to Meet the Housing Needs of Everyone in the Community

The City of Fremont is currently preparing an update to the City's Housing Element. Under State law, all local governments in California are required to adequately plan to meet the housing needs of everyone in the community by adopting a Housing Element as part of their General Plan. State law also requires that local governments update their Housing Elements every eight years to periodically address the changing housing needs of their communities, establish action plans to meet those goals, and report on progress toward meeting those goals.

As the City moves forward with preparing an updated 2023-2031 Housing Element, City staff is seeking community input to help guide the needs analysis and goals, policies, and program development included in the update.

Upcoming Public Events

City staff will be making presentations on the Housing Element to City Boards and Commissions in March and April to provide information about the Housing Element update project, answer questions, and collect input.

Upcoming meetings include:

- Planning Commission – Thursday, March 24, 2022 @ 7:00 PM
- Senior Advisory Commission – Friday, March 25, 2022 @ 9:30 AM
- Youth Advisory Commission – Monday, April 4, 2022 @ 6:30 PM
- Fremont City Council – Tuesday, April 5, 2022 @ 7:00 PM

These meetings will be held via a Zoom Webinar. If you would like to attend a meeting, an agenda (which includes information on how to participate in the meeting) will be made available online at Fremont.gov/AgendaCenter at least three days before the meeting. If you have any questions about participating in a meeting, please email the Housing Element project team at housingelement@fremont.gov.

Additional public meetings and events will be announced as they are scheduled.

Looking for Focus Group Participants

City staff is looking for individuals to participate in upcoming focus groups to help inform the Housing Element update. Since housing is a matter of importance to everyone in the community, staff would like to ensure that all segments of the community are represented in the public process, including:

- Renters
- Individuals or households considered low-income
- Residents of affordable housing developments
- Individuals or households who have experienced homelessness
- Individuals or households with a disability
- Advocacy groups and organizations

If you are interested in participating in a focus group, please email the Housing Element project team at housingelement@fremont.gov. Please indicate if you have any general preferences on when you would be available to participate (e.g., time of day, day of the week, etc.)

Office Hour Appointments

Are you interested in having a conversation with the Housing Element project team to share your thoughts and questions? The team is continuing to offer virtual office hour appointments. Appointments are scheduled through Calendly, a free and easy-to-use appointment scheduling website. The team would love to chat with you! Visit the [scheduling site](#) to make your appointment or Fremont.gov/HousingElement for more information.

Project Webpage

The City's Housing Element project webpage, Fremont.gov/HousingElement, is a resource for information. The webpage was recently updated with an introductory video which provides an overview of the process and what to expect. Subtitles are available in the following languages: Spanish, Simplified Chinese, Punjabi, and Persian. If other languages are needed, please select YouTube's Auto-Translate option or email the project team at housingelement@fremont.gov.

Thank you!
Planning Division
City of Fremont

City of Fremont – Planning Housing Element Update Send Date 1/26/2022

Fremont's Housing Element Update

Under California law, all cities are required to plan for the housing needs of their community by adopting a [Housing Element](#) as part of their General Plan. Cities are required to update their Housing Element every eight years to address changing housing needs and to plan for their fair share of anticipated regional housing demand. The City of Fremont is ready to start on a Housing Element update for 2023-2031.

Last month, the [Association of Bay Area Governments \(ABAG\)](#) adopted the [Final Regional Housing Needs Allocation \(RHNA\) Plan for the Bay Area](#). The plan distributes a share of the region's projected housing needs for 2023-2031 to local jurisdictions. Fremont's allocation has been finalized at 12,897 units. Under State law, the City is now responsible for updating the Housing Element by January 2023 to show where this housing can be built and the policies and strategies necessary to meet that target. Because of the growth potential already included in the [City's General Plan](#), staff feels that the City can accommodate the RHNA target without the need for rezoning. However, because the State must ultimately agree that the City has sufficient capacity, staff is preparing for several potential scenarios. As the City moves forward on the Housing Element update over the next several months, staff will continue to work with the State to ensure that their assessment of Fremont's existing housing development capacity aligns with the City's. If rezoning is required, staff estimates that the amount of rezoning required will be minimal compared to other Bay Area cities.

For more information, please visit Fremont.gov/HousingElement.

We will continue to provide updates by email.

Thank you!
Planning Division
City of Fremont

City of Fremont - Planning
City of Fremont Draft Housing Element Now Available
Send date 07/08/2022

The City of Fremont is excited to announce that the [Draft 2023-2031 Housing Element](#) is now available on the City's website at [Fremont.gov/HousingElement](#). The release of the draft marks a major milestone in the City's Housing Element Update and the culmination of months of community engagement, stakeholder outreach, and staff analysis.

The release of the draft starts a 30-day public input process where interested community members can submit comments on the draft to the City.

To kick off this public comment period, the Fremont City Council will receive an overview of the draft at their regularly scheduled meeting on Tuesday, July 12 at 7 p.m. The agenda with meeting details is available by visiting the [City Council Agenda Center](#). The City's [Planning Commission](#) is tentatively scheduled to discuss the draft in a work session on Thursday, July 28.

The 30-day public comment period will be open from Friday, July 8 through Monday, August 8. Members of the public are encouraged to review the draft and email any comments to housingelement@fremont.gov.

[Draft 2023-2031 Housing Element](#)

For more information, visit [Fremont.gov/HousingElement](#).

City of Fremont - Planning
Provide Feedback on the City's Draft 2023-2031 Housing Element!
Send date 07/28/2022

The City of Fremont is looking for your feedback on its [Draft 2023-2031 Housing Element](#)! The Housing Element is an eight-year plan to meet the housing needs of everyone in the community. The draft encapsulates months of community engagement, stakeholder outreach, and staff analysis into a comprehensive plan to prioritize affordable housing development.

There are a few upcoming opportunities for members of the community to learn more about the [Draft 2023-2031 Housing Element](#) and provide feedback:

- The Planning Commission will discuss the Housing Element at a virtual meeting tomorrow, July 28 at 5:30 p.m. Instructions on how to participate are available by viewing the [meeting agenda](#).
- City staff will host a [Housing Element Open House](#) on Wednesday, August 3 from 4:00 p.m. to 8:00 p.m. at the Downtown Event Center, located at 3500 Capitol Ave. in Fremont. Community members can drop in any time during the event to learn about the Housing Element and the City's proposed housing goals, speak with staff, and provide input. [Registration for the open house is available](#).
- Community members who are not able to attend the Open House can schedule a virtual meeting with staff to provide input and ask questions. Information on how to schedule a virtual meeting with staff is available on the City's [Housing Element Update webpage](#).

The 30-day public comment period on the [Draft 2023-2031 Housing Element](#) runs through Monday, August 8. Members of the public are encouraged to review the draft and share their opinions with staff. In addition to attending the above opportunities, staff encourage the community to email any comments to housingelement@fremont.gov.

City of Fremont - Planning

Open House Tomorrow for Fremont's Draft Housing Element

Send date 08/02/2022

The City of Fremont recently released the [Draft 2023-2031 Housing Element](#), which is an eight-year plan to increase the production of affordable housing in Fremont and address other critical housing challenges. The draft encapsulates months of community engagement and staff analysis into a comprehensive plan to meet the housing needs of everyone in the community.

To help answer questions and gather community feedback, the City is hosting a [Housing Element Open House](#) tomorrow, August 3 from 4:00 p.m. to 8:00 p.m. at the Downtown Event Center, located at 3500 Capitol Ave. in Fremont. Community members can drop in any time to learn about the Housing Element and the City's proposed housing goals, speak with staff, and provide input on the proposed policies.

The 30-day public comment period on the [Draft 2023-2031 Housing Element](#) runs through Monday, August 8. City staff is encouraging the community to review the draft and email any comments to housingelement@fremont.gov.

[Register for the Housing Element Open House.](#)

[More information about the Housing Element update.](#)

B. Development Digest Articles



Fremont Housing Element Update

Fremont's General Plan includes a Housing Element that identifies local housing needs and helps inform future housing decisions. Under State law, cities are required to update their Housing Element every eight years to show how they plan to meet the housing needs of current and future residents at all income levels.

The City is beginning work on a [Housing Element update](#), with a goal of completion in 2022. As a part of this update, known as the Regional Housing Need Allocation process (RHNA), the State identifies the estimated total housing need for the Bay Area from 2023-2031. The Association of Bay Area Governments (ABAG) then determines how to fairly distribute this need to local governments. ABAG recently approved draft allocations for the upcoming RHNA cycle, which includes 12,897 Fremont housing units.

The updated Housing Element will convey how the City plans to accommodate its portion of the region's housing need, while balancing community values and priorities.

For more information on the update process and how to stay informed, please visit the City's [Housing Element webpage](#).



Housing Element Update

The City is updating Fremont's [Housing Element for 2023-2031](#) to help meet the housing needs of everyone in the community. As the City moves forward, staff is seeking community input to help guide the goals, policies, and program development included in the update. Staff will be making presentations at upcoming public hearing meetings to provide information, answer questions, and collect input. Staff is also looking for individuals to participate in upcoming focus groups. To learn more about the Housing Element and how to participate and provide feedback, visit the [Housing Element webpage](#). This webpage also includes a new introductory video that provides an overview of the update process and what to expect.

Housing Element Update



Housing Element Update

Under California law, all cities are required to plan for the housing needs of their community by adopting a Housing Element as part of their General Plan. Cities are required to update their Housing Element every eight years to address changing housing needs and to plan for their fair share of anticipated regional housing demand. The City is ready to start on a Housing Element update for 2023-2031.

Last month, the [Association of Bay Area Governments \(ABAG\)](#) adopted the [Final Regional Housing Needs Allocation \(RHNA\) Plan for the Bay Area](#). The plan distributes a share of the region's projected housing needs for 2023-2031 to local jurisdictions. Fremont's allocation has been finalized at 12,897 units. Under State law, the City is now responsible for updating the Housing Element by January 2023 to show where this housing can be built and the policies and strategies necessary to meet that target. Because of the growth potential already included in the [City's General Plan](#), staff feels that the City can accommodate the RHNA target without the need for rezoning. However, because the State must ultimately agree that the City has sufficient capacity, staff is preparing for several potential scenarios. As the City moves forward on the Housing Element update over the next several months, staff will continue to work with the State to ensure that their assessment of Fremont's existing housing development capacity aligns with the City's. If rezoning is required, staff estimates that the amount of rezoning required will be minimal compared to other Bay Area cities.

For more information and to stay updated on the process, visit [Fremont.gov/HousingElement](https://www.fremont.gov/HousingElement).



Draft Housing Element Update

The City recently released the [Draft 2023-2031 Housing Element](#), which is an eight-year plan to increase the production of affordable housing in Fremont and address other critical housing challenges. The draft encapsulates months of community engagement, stakeholder outreach, and staff analysis into a comprehensive plan to meet the housing needs of everyone in the community.

In order to help the community learn more about the draft Housing Element and provide feedback, the City is hosting a [Housing Element Open House](#) on Wednesday, August 3 from 4:00 p.m. to 8:00 p.m. at the [Downtown Event Center](#), located at 3500 Capitol Ave. in Fremont. Community members can drop in any time during the event to learn about the Housing Element and the City's proposed housing goals, speak with staff, and provide input on the proposed policies. [Registration for the open house is available](#).

The 30-day public comment period on the [Draft 2023-2031 Housing Element](#) runs through Monday, August 8. Members of the public are encouraged to review the draft and share their opinions with staff. In addition to attending the upcoming open house, staff encourages the community to email any comments to housingelement@fremont.gov.

For more information about the Housing Element Update, visit the [City's webpage](#).

C. Fremont Connection Articles



Fremont Housing Element Update

Fremont's General Plan includes a Housing Element that identifies local housing needs and helps inform future housing decisions. Under State law, cities are required to update their Housing Element every eight years to show how they plan to meet the housing needs of current and future residents at all income levels. The City is beginning work on a [Housing Element update](#), with a goal of completion in 2022. As a part of this update, known as the Regional Housing Need Allocation process (RHNA), the State identifies the estimated total housing need for the Bay Area from 2023-2031. The [Association of Bay Area Governments](#) (ABAG) then determines how to fairly distribute this need to local governments. ABAG recently approved draft allocations for the upcoming RHNA cycle, which includes 12,897 Fremont housing units. The updated Housing Element will convey how the City plans to accommodate its portion of the region's housing need, while balancing community values and priorities. For more information on the update process and how to stay informed, please visit the City's [Housing Element webpage](#).



Fremont Housing Element Update 2023-2031

The City is currently working on a Housing Element update for 2023-2031 that will show how Fremont can accommodate its state-assigned housing allocation (tentatively 12,897 housing units) and strategize how to address housing-related issues such as affordability and equity. Under California law, all cities are required to plan for the housing needs of their community by adopting a Housing Element as part of their General Plan. Cities are required to update their Housing Element every eight years to address changing housing needs and to plan for their fair share of anticipated regional housing demand. To learn more about Fremont's Housing Element update and how you can engage with the City, please visit our [website](#).

[Learn More](#)



Housing Element Update

Under California law, all cities are required to plan for the housing needs of their community by adopting a Housing Element as part of their General Plan. Cities are required to update their Housing Element every eight years to address changing housing needs and to plan for their fair share of anticipated regional housing demand. The City of Fremont is ready to start on a Housing Element update for 2023-2031.

[Learn More](#)



Fremont Seeking Community Input for Housing Element Update

The City is updating Fremont's Housing Element for 2023-2031 to help meet the housing needs of everyone in the community. As the City moves forward, we're seeking community input to help guide the goals, policies, and program development included in the update. City staff will be making presentations at upcoming public hearing meetings to provide information, answer questions, and collect input. We're also looking for individuals to participate in upcoming focus groups. To learn more about the Housing Element and how you can participate and provide feedback, visit the [Housing Element webpage](#). This webpage also includes a new introductory video that provides an overview of the update process and what to expect.

[Learn More](#)



Catch up on April 5 Council Meeting

Did you miss this week's April 5 City Council meeting? Catch up on the [meeting agenda](#) and [webcast](#) for updates on the following items:

- City of Fremont Redistricting Process 2021 - Fifth Public Hearing on City of Fremont Redistricting Process 2021 (hearing started at 7:15 pm)
- Housing Element Update: 2023-2031 Housing Element Presentation
- Public Art for Warm Springs Plaza Site in the Warm Springs Innovation District

The next Fremont City Council Meeting will be held on Tuesday, April 12, 2022.

[Watch Meeting](#)



HOUSING ELEMENT OPEN HOUSE
Wednesday, August 3, 4:00-8:00 p.m.
Downtown Event Center, Fremont

Drop by to ask questions & provide your input!



Upcoming Open House for Fremont's Draft Housing Element

The City of Fremont recently released the [Draft 2023-2031 Housing Element](#), which is an eight-year plan to increase the production of affordable housing in Fremont and address other critical housing challenges. The draft encapsulates months of community engagement and staff analysis into a comprehensive plan to meet the housing needs of everyone in the community.

To help answer questions and gather community feedback, the City is hosting a [Housing Element Open House](#) on Wednesday, August 3 from 4:00 p.m. to 8:00 p.m. at the Downtown Event Center, located at 3500 Capitol Ave. in Fremont. Community members can drop in any time to learn about the Housing Element and the City's proposed housing goals, speak with staff, and provide input on the proposed policies. The 30-day public comment period on the [Draft 2023-2031 Housing Element](#) runs through Monday, August 8. City staff is encouraging the community to review the draft and email any comments to housingelement@fremont.gov.

Register for the Housing Element Open House

More Information about the Housing Element Update

D. City Newsletter Articles

Our Community



Council Approves City Priorities for 2021

At the City Council retreat held in January 2021, the Council identified four top priority areas on which to focus City resources in 2021. Those priority areas include 1) Budget, financial health, increase the tax base, 2) Continue response to COVID-19, 3) Continue to address homelessness, and 4) Neighborhood improvement.

During the Council retreat, norms and protocols between the Councilmembers and executive staff were also developed to maintain a strong dynamic of Council-staff teamwork. The City contracted with Management Partners to facilitate the one-day virtual discussion and prepare the 2021 Council Retreat report.

While the Council has continued to prioritize addressing homelessness, and neighborhood improvement in recent years, this year's discussion focused heavily on the COVID-19 Pandemic with an emphasis of providing support to residents and businesses who have been affected. The Council's priorities will be incorporated into the upcoming budget process and staff work plan.

To read the full-length City Council Retreat report, visit www.Fremont.gov/CouncilRetreatReport.

Other recent priorities adopted by the City Council include the 2021 Legislative Guiding Principles and Priorities. These represent a framework for organizing the City's legislative interests at the regional, State, and federal level and form the foundation of the City's advocacy. For more information visit www.Fremont.gov/LegislativePriorities.

Housing Element Update

Fremont's General Plan includes a Housing Element that identifies local housing needs and helps inform future housing decisions. Under State law, cities are required to update their Housing Element every eight years to show how they plan to meet the housing needs of current and future residents at all income levels. The City is beginning work on a Housing Element update, with a goal of completion in 2022.

As a part of this update, known as the Regional Housing Need Allocation process (RHNA), the State identifies the estimated total housing need for the Bay Area from 2023-2031. The Association of Bay Area Governments (ABAG) then determines how to fairly distribute this need to local governments. ABAG recently approved draft allocations for the upcoming RHNA cycle, which includes 12,897 Fremont housing units. The updated Housing Element will convey how the City plans to accommodate its portion of the region's housing need, while balancing community values and priorities. For more information on the Housing Element Update, please visit www.Fremont.gov/HousingElement.



Animal Services

AnimalServices@fremont.gov
510-790-6630

Building and Safety

bldg_sfty@fremont.gov
510-494-4400

City Attorney

attyoffice@fremont.gov
510-284-4030

City Clerk

cclerk@fremont.gov
510-284-4060

City Manager

cof@fremont.gov
510-284-4000

Code Enforcement

code_enf@fremont.gov
510-494-4430

Economic Development

econddev@fremont.gov
510-284-4020

Engineering

eng@fremont.gov
510-494-4700

Environmental Services

environment@fremont.gov
510-494-4570

Finance

finance@fremont.gov
510-494-4610

Fire Department

fire@fremont.gov
510-494-4200

GIS

gis@fremont.gov
510-494-4800

Housing

housing@fremont.gov
510-494-4500

Human Resources

jobs@fremont.gov
510-494-4660

Human Services

hs@fremont.gov
510-574-2050

Maintenance Services

maint@fremont.gov
510-979-5700

Planning

planning@fremont.gov
510-494-4440

Police Department

police@fremont.gov
510-790-6800

Recreation Services

RegeRec@fremont.gov
510-494-4300

Transportation

traffic@fremont.gov
510-494-4745

Our Community



Affordable Housing Ordinance Update

The City is in the process of updating Fremont's Affordable Housing Ordinance to address the need for affordable housing related to market-rate housing production and to foster an adequate supply of housing in Fremont for residents at all economic levels. To inform this process, City staff has commissioned a Nexus Study and a Financial Feasibility Study, held meetings with public stakeholders, and received direction from the Fremont City Council on next steps. Staff has made revisions and is now in the process of receiving additional feedback from stakeholders and the City's Planning Commission. The goal is to bring the draft ordinance to the City Council for consideration and adoption in September 2021. For more information, please visit www.Fremont.gov/AffordableHousingOrdinance.

Safe Parking in Fremont Moves Forward

The City is pursuing a multi-pronged Safe Parking Strategy to better meet the needs of residents living in their vehicles. The first strategy aims to facilitate private organizations, such as religious facilities and community nonprofits, providing temporary overnight parking within their existing parking lots.

The Fremont City Council recently adopted an ordinance to allow for these safe parking host sites. The ordinance creates a City permitting process by which community organizations can apply to provide safe parking at their property. The ordinance contains specific standards that all safe parking host sites must follow to ensure



participants receive adequate services and sites have minimal impact on neighbors.

City staff is also moving forward with developing a program to support organizations in becoming safe parking host sites through assisting with the provision of temporary facilities, site coordination, and social services. Staff will be finalizing information about this program, including procedures for screening and intake of participants, and returning to the City Council for their input later this summer.

For more information about the City's Safe Parking Strategy, please visit www.Fremont.gov/SafeParking.

Housing Element Update

Under California law, all cities are required to plan for the housing needs of their community by adopting a Housing Element as part of their General Plan. Cities are required to update their Housing Element every eight years to address changing housing needs and to plan for their fair share of anticipated regional housing demand. The City is currently working on a Housing Element update for 2023-2031. The update will show how Fremont can accommodate its assigned allocation (tentatively 12,897 housing units) and will include strategies to address housing-related issues such as affordability and equity. To learn more about the Housing Element update and how you can engage with the City on this topic, please visit www.Fremont.gov/HousingElement.



New Affordable Housing

Did you know there is more affordable housing planned for Fremont? The new developments will bring approximately 790 new affordable rental units to Fremont for low-income households.

The income limits for these affordable housing developments vary based on area median income (AMI) figures released by the Department of Housing & Urban Development. For the latest figures, visit www.Fremont.gov/AreaMedianIncome.

Anyone interested in receiving information when units become available can sign up for the City's Interest List at www.Fremont.gov/AffordableHousingInterest.

Affordable Housing	Type of Units	Developer/ Sponsor	Anticipated Completion Date
Osgood North 41875 and 41829 Osgood Rd.	112 rental units near future Irvington BART Station	The Pacific Companies and Maracor Development	Fall 2023
34320 Fremont Family Apartments 34320 Fremont Blvd.	54 rental units in North Fremont	Allied Housing	Winter 2023
Bell Street Gardens 4101 Mowry Ave. and 38871 and 38853 Bell St.	126 rental units in Central Fremont	Resource for Community Development	Spring 2024
Osgood South Apartments 41911 Osgood Rd.	100 rental units near future Irvington BART Station	The Pacific Companies and Maracor Development	Early 2025
3900 Thornton Affordable Housing 3900 Thornton Ave.	128 rental units in Centerville District	Resource for Community Development	Winter 2025
Affordable Housing on Osgood 41965 and 42021 Osgood Rd.	Up to 271 rental units near future Irvington BART Station	MidPen Housing	Fall 2026

Housing Element Update

Under California law, all cities are required to plan for the housing needs of their community by adopting a Housing Element as part of their General Plan. Cities are required to update their Housing Element every eight years to address changing housing needs and to plan for their fair share of anticipated regional housing demand. Fremont has begun drafting a Housing Element update for 2023-2031.

In December 2021, the Association of Bay Area Governments (ABAG) adopted the Final Regional Housing Needs Allocation (RHNA) Plan for the

Bay Area. The plan distributes a share of the region's projected housing needs for 2023-2031 to local jurisdictions; Fremont's allocation was finalized at 12,897 units. Under state law, the City is now responsible for updating the Housing Element by January 2023 to show where this housing can be built and the policies and strategies necessary to meet that target. Because of the growth potential already included in the City's General Plan, City staff believes the City can accommodate the RHNA target without the need for rezoning. However, because the


state must ultimately agree, Fremont is preparing for several potential scenarios.

As the City moves forward with the Housing Element update over the next several months, City staff will continue to work with the state to ensure that their assessment of Fremont's existing housing development capacity aligns. If rezoning is required, City staff estimates the amount of rezoning required will be minimal compared to other Bay Area cities.

For more information, visit www.Fremont.gov/HousingElement.

E. Presentations to Boards and Commissions


Presentation to the FUSD/City Council Liaison Committee



Introduction to the 2023-2031 Housing Element Process and Housing Development Update


City of Fremont/Fremont Unified School District
Liaison Committee Meeting
February 7, 2022

City of Fremont/FUSD Liaison Meeting




1

Presentation Agenda




- Housing Element 101
- Review of 2015-2023 Housing Element
 - Housing Development Update
- Introduction to the Housing Element Update
- Moving Forward...

City of Fremont/FUSD Liaison Meeting

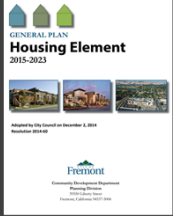


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What is a Housing Element?



- Required element of the general plan
- State-mandated update every eight years
- State must certify adopted housing element for conformance with state law




City of Fremont/FUSD Liaison Meeting



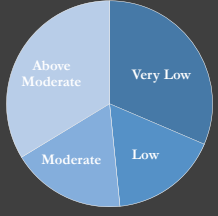
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Fremont Current Allocation




Total RHNA Allocation: 5,455 units

- Very Low-Income: 1,714 units
- Low-Income: 926 units
- Moderate-Income: 978 units
- Above Moderate: 1,837 units




City of Fremont/FUSD Liaison Meeting


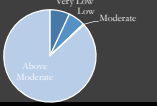


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Fremont Current Production



Fremont RHNA Allocation		Fremont RHNA Production	
Very-Low Income	1,714	Very-Low Income	493
Low Income	926	Low Income	419
Moderate Income	978	Moderate Income	23
Above Moderate Income	1,837	Above Moderate Income	6,156
Total	5,455 units	Total	7,091 units





City of Fremont/FUSD Liaison Meeting

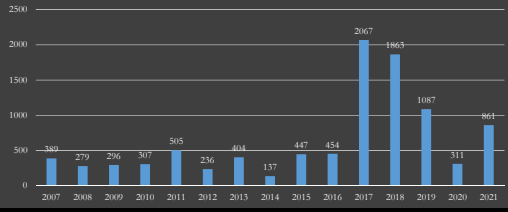


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Current Production Trends



Building Permits for New Units Issued by Calendar Year



City of Fremont/FUSD Liaison Meeting

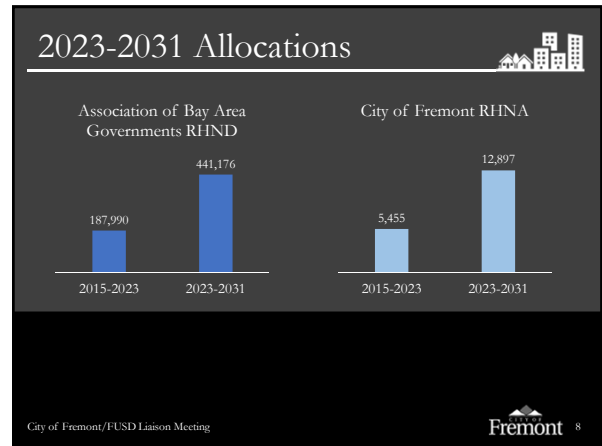


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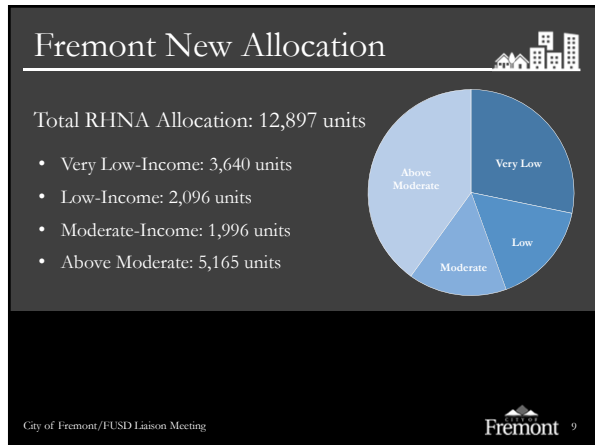
Presentation to the FUSD/City Council Liaison Committee



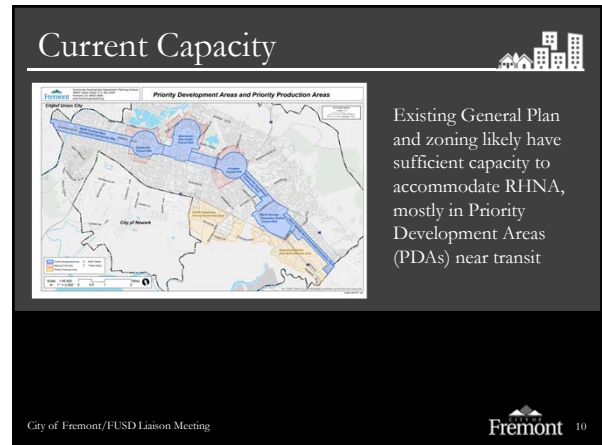
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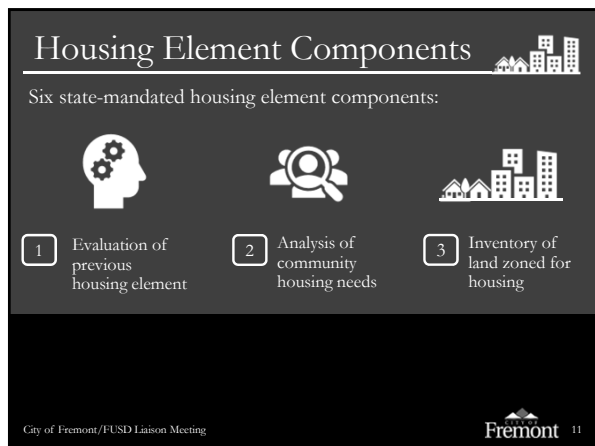
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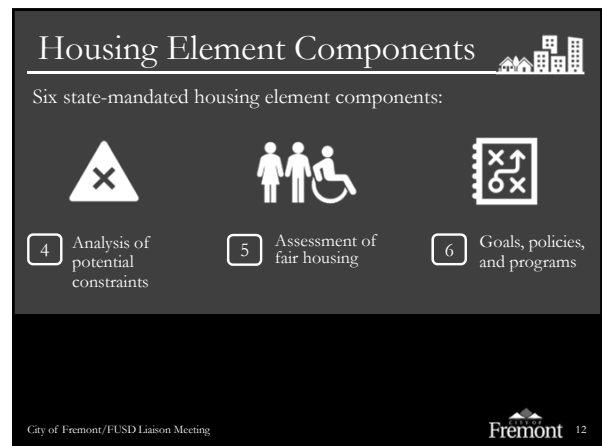
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Presentation to the FUSD/City Council Liaison Committee

Public Participation

www.Fremont.gov/HousingElement



- Sign-up for email updates
- Schedule a meeting with the project team
- Community meetings to be announced in Spring 2022

City of Fremont/FUSD Liaison Meeting

13

Upcoming Council Meetings

March 15 Review of 2021 Annual Progress Report

April 2022 Review of key policy components:

- Site inventory
- Goals, policies, and implementation programs

June 2022 Complete draft Housing Element

2023-2031 Housing Element must be adopted by January 31, 2023

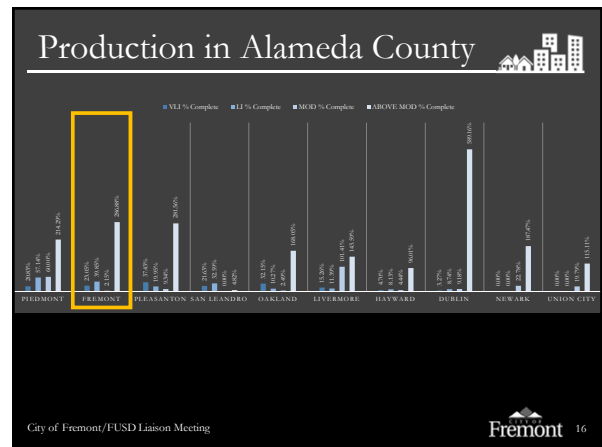
City of Fremont/FUSD Liaison Meeting

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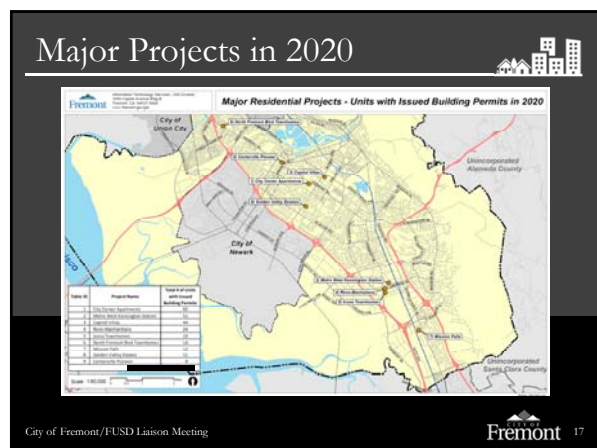
Questions?

City of Fremont/FUSD Liaison Meeting

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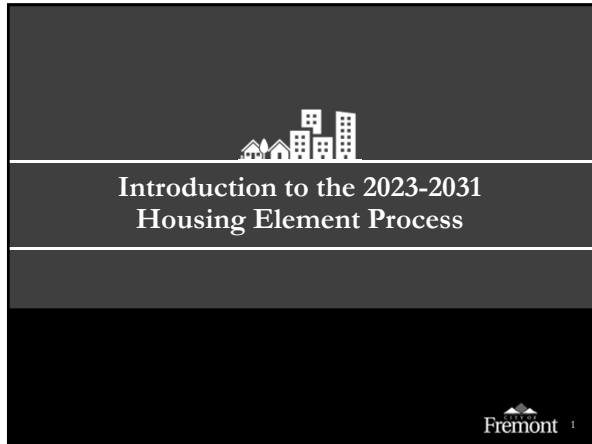


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Presentation to the Human Relations Commission




Introduction to the 2023-2031 Housing Element Process




1

Presentation Agenda

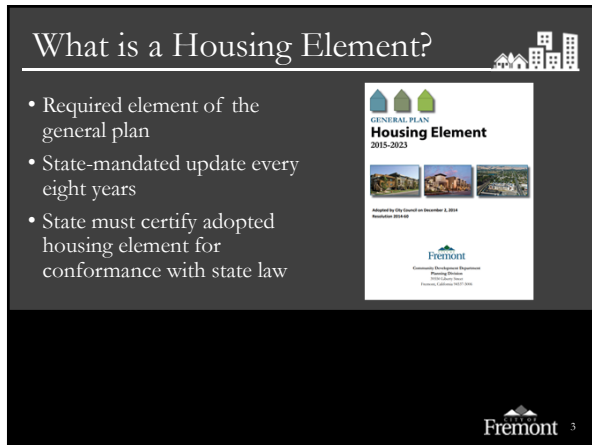


- Housing Element 101
- Introduction to the Housing Element Update
- Affirmatively Furthering Fair Housing
- Questions and Discussion

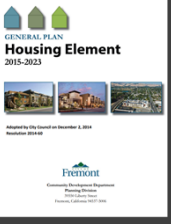



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What is a Housing Element?




- Required element of the general plan
- State-mandated update every eight years
- State must certify adopted housing element for conformance with state law






3


Fremont Current Production



Fremont RHNA Allocation		Fremont RHNA Production	
Very-Low Income	1,714	Very-Low Income	493
Low Income	926	Low Income	419
Moderate Income	978	Moderate Income	23
Above Moderate Income	1,837	Above Moderate Income	6,156
Total	5,455 units	Total	7,091 units





■ Very Low ■ Low ■ Moderate ■ Above Moderate

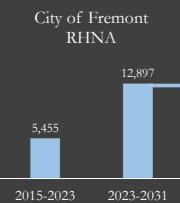


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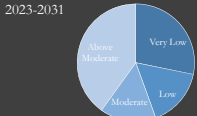
2023-2031 Allocations



City of Fremont RHNA




2015-2023: 5,455
2023-2031: 12,897




2023-2031

- Very Low-Income: 3,640 units
- Low-Income: 2,096 units
- Moderate Income: 1,996 units
- Above-Moderate Income: 5,165 units




5

Housing Element Components

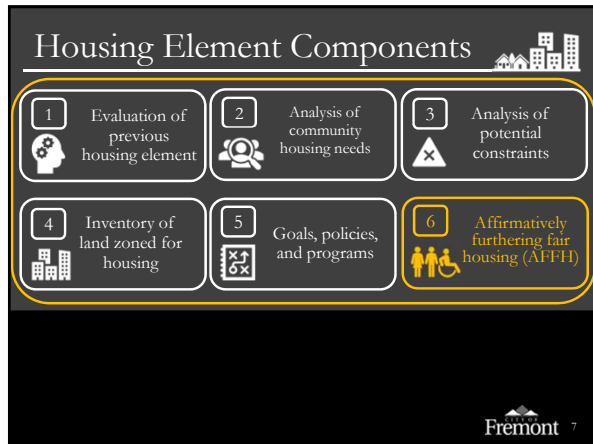


- 1 Evaluation of previous housing element
- 2 Analysis of community housing needs
- 3 Analysis of potential constraints
- 4 Inventory of land zoned for housing
- 5 Goals, policies, and programs
- 6 Affirmatively furthering fair housing (AFFH)



6

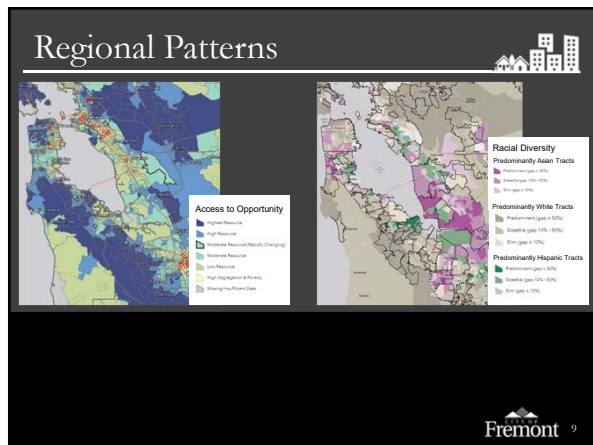
Presentation to the Human Relations Commission



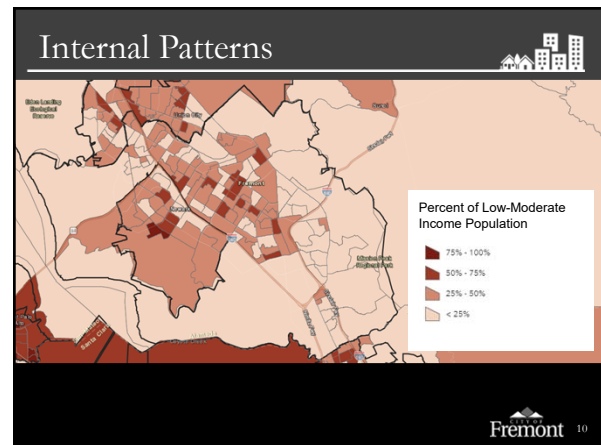
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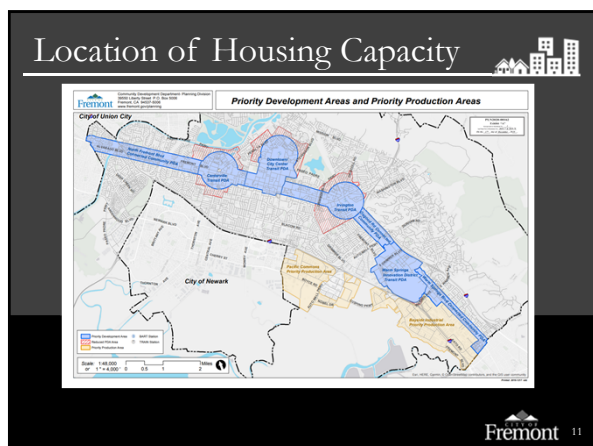
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Presentation to the Human Relations Commission

Public Participation

www.Fremont.gov/HousingElement



- Upcoming presentations at City boards and commissions in Spring 2022
- Complete draft to share with public by June 2022

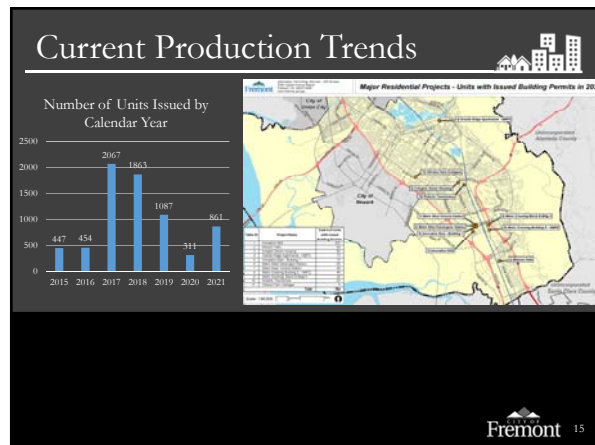
Fremont 13

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Questions and Discussion

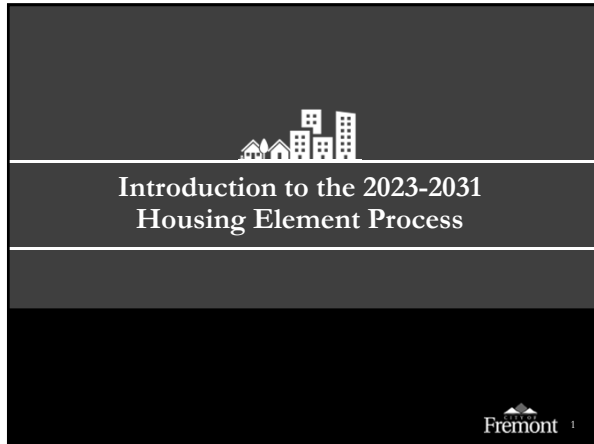
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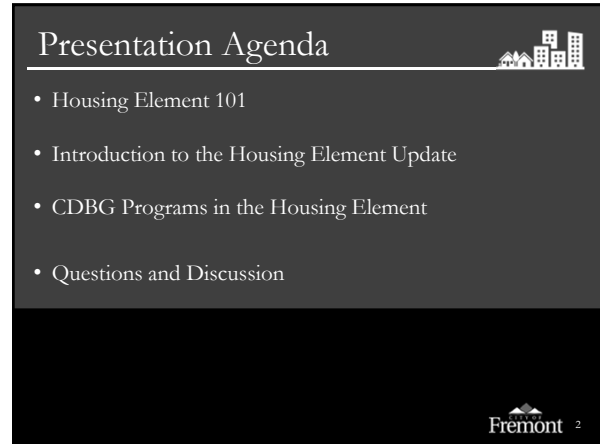
Presentation to the Citizen's Advisory Committee



Introduction to the 2023-2031
Housing Element Process

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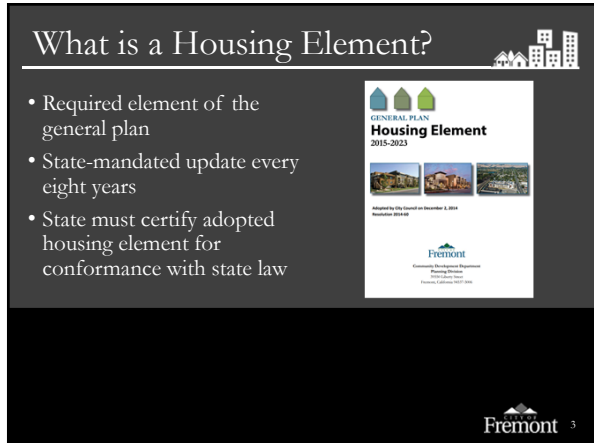


Presentation Agenda

- Housing Element 101
- Introduction to the Housing Element Update
- CDBG Programs in the Housing Element
- Questions and Discussion

Fremont 2

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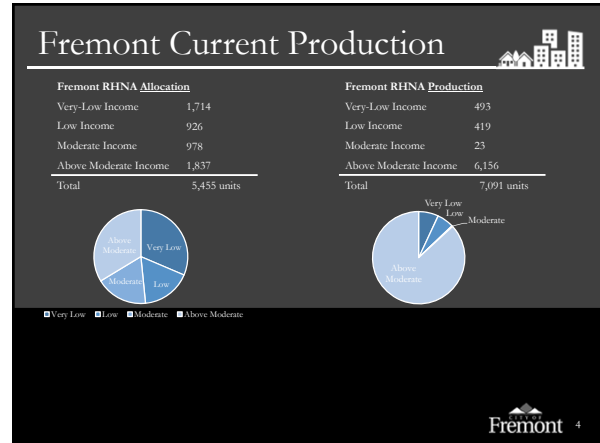


What is a Housing Element?

- Required element of the general plan
- State-mandated update every eight years
- State must certify adopted housing element for conformance with state law

Fremont 3

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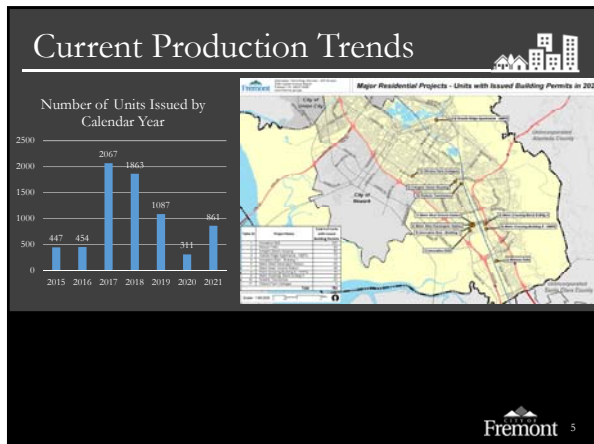


Fremont Current Production

Fremont RHNA Allocation		Fremont RHNA Production	
Very-Low Income	1,714	Very-Low Income	493
Low Income	926	Low Income	419
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Above Moderate Income	1,837	Above Moderate Income	6,156
Total	5,455 units	Total	7,091 units

Fremont 4

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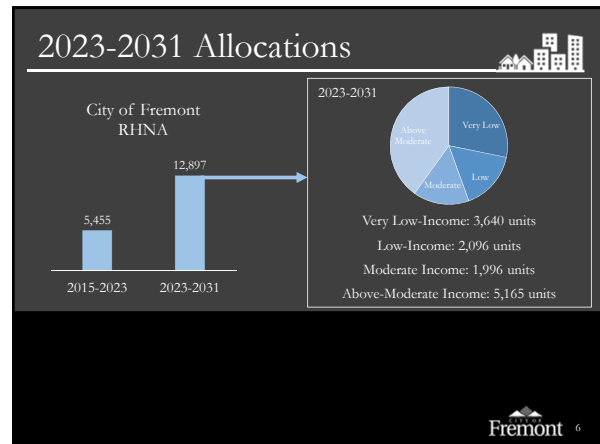
Current Production Trends

Number of Units Issued by Calendar Year

Year	Units Issued
2015	447
2016	454
2017	2067
2018	1863
2019	1087
2020	311
2021	861

Fremont 5

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2023-2031 Allocations

City of Fremont RHNA

Period	Units
2015-2023	5,455
2023-2031	12,897

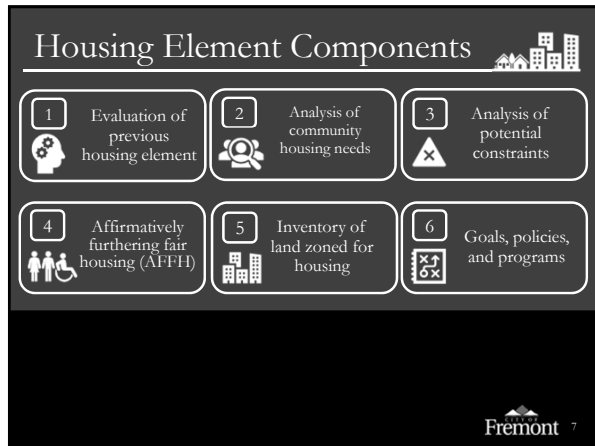
2023-2031

- Very Low-Income: 3,640 units
- Low-Income: 2,096 units
- Moderate Income: 1,996 units
- Above-Moderate Income: 5,165 units

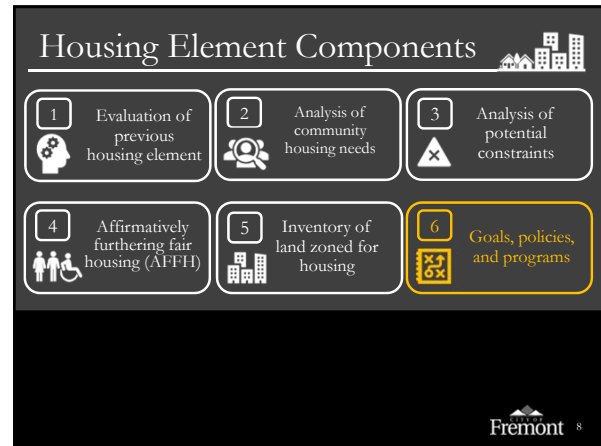
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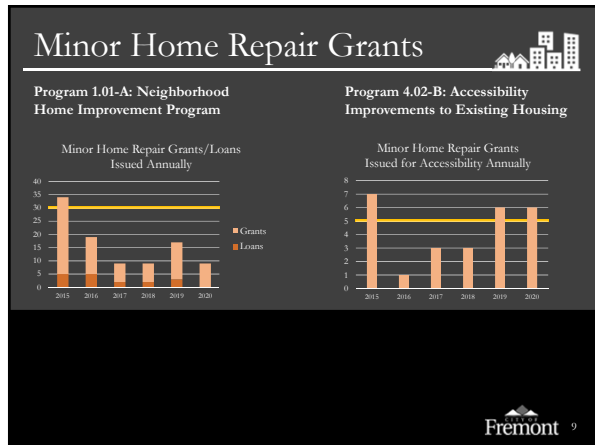
Presentation to the Citizen's Advisory Committee



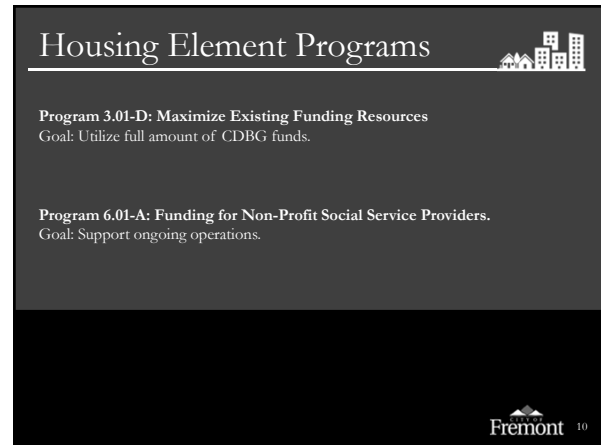
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Public Participation

www.Fremont.gov/HousingElement

- Upcoming presentations at City boards and commissions in Spring 2022
- Complete draft to share with public by June 2022

Fremont 11

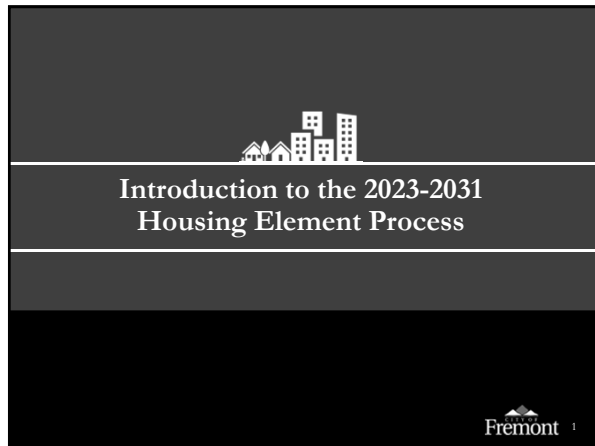
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Questions and Discussion

Fremont 12

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Presentation to the Planning Commission - March 2022



Introduction to the 2023-2031 Housing Element Process

Fremont

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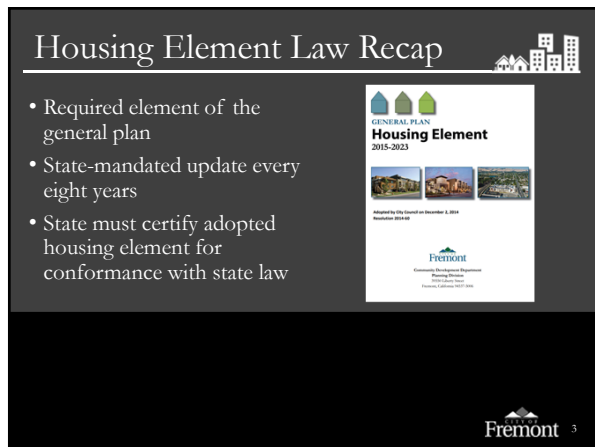


Presentation Agenda

- 2015-2023 Housing Element Recap
- 2023-2031 RHNA Allocation
- Key Components of 2023-2031 Housing Element
- Moving Forward...

Fremont

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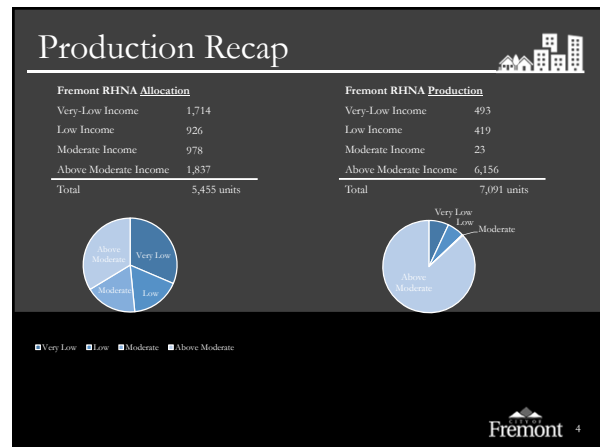
Housing Element Law Recap

- Required element of the general plan
- State-mandated update every eight years
- State must certify adopted housing element for conformance with state law

GENERAL PLAN
Housing Element
2015-2023

Fremont

3



Production Recap

Fremont RHNA Allocation		Fremont RHNA Production	
Very-Low Income	1,714	Very-Low Income	493
Low Income	926	Low Income	419
Moderate Income	978	Moderate Income	23
Above Moderate Income	1,837	Above Moderate Income	6,156
Total	5,455 units	Total	7,991 units

Fremont

4



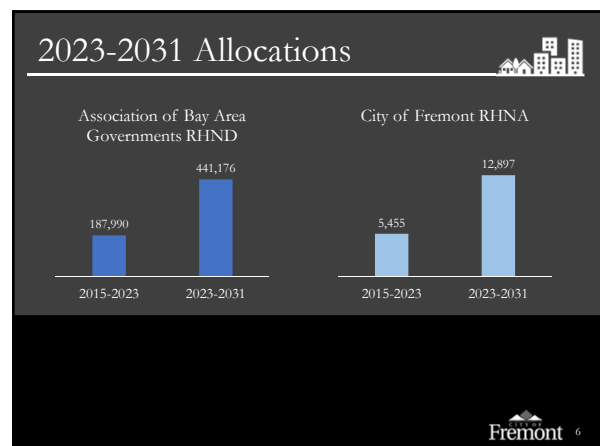
Determining "Fair Share"

- Must plan for "fair share" of regional housing needs

- 1 State issues Regional Housing Needs Determination (RHND) 441,176
- 2 ABAG assigns allocations to local jurisdictions, including Fremont 12,897
- 3 Jurisdictions must plan to accommodate their regional housing needs allocation (RHNA) through the Housing Element update process

Fremont

5



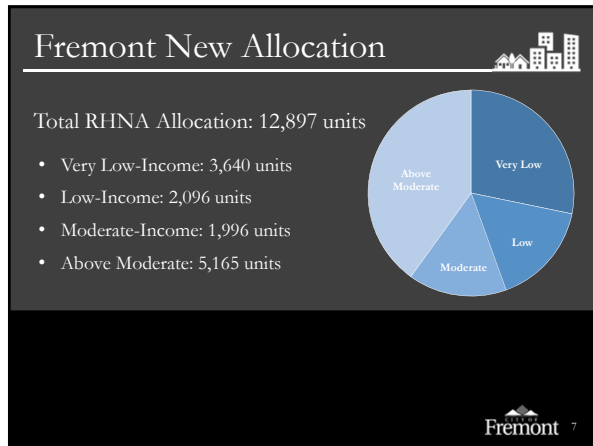
2023-2031 Allocations

Association of Bay Area Governments RHND		City of Fremont RHNA	
2015-2023	187,990	2015-2023	5,455
2023-2031	441,176	2023-2031	12,897

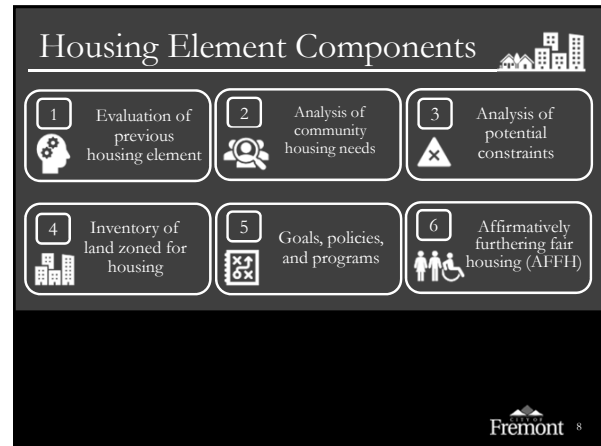
Fremont

6

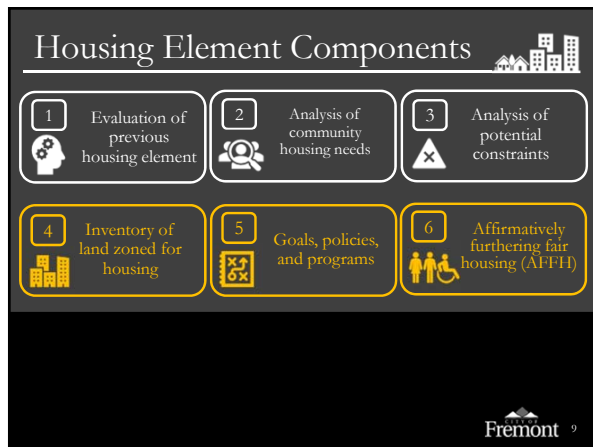
Presentation to the Planning Commission - March 2022



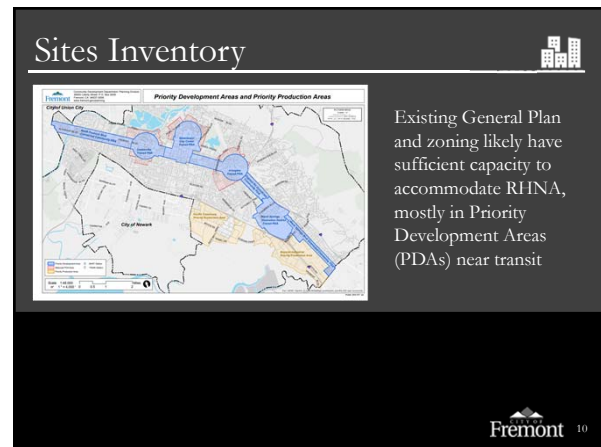
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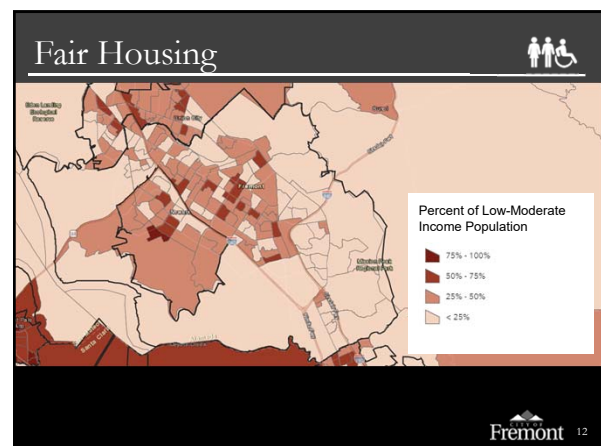
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Presentation to the Planning Commission - March 2022

Public Participation

www.Fremont.gov/HousingElement



- Upcoming presentations at City boards and commissions in Spring 2022
- Complete draft to share with public by June 2022



13


Upcoming Schedule

April 5, 2022 City Council review of key policy components:

- Affirmatively furthering fair housing
- Site inventory
- Goals, policies, and programs

June 2022 Return to Planning Commission with complete draft Housing Element

2023-2031 Housing Element must be adopted by January 31, 2023



14

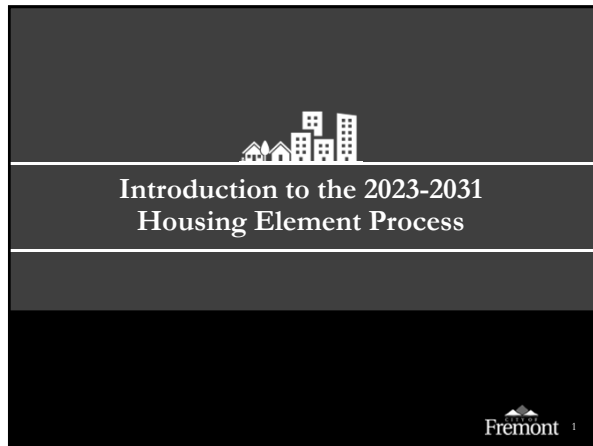


Questions and Discussion



15

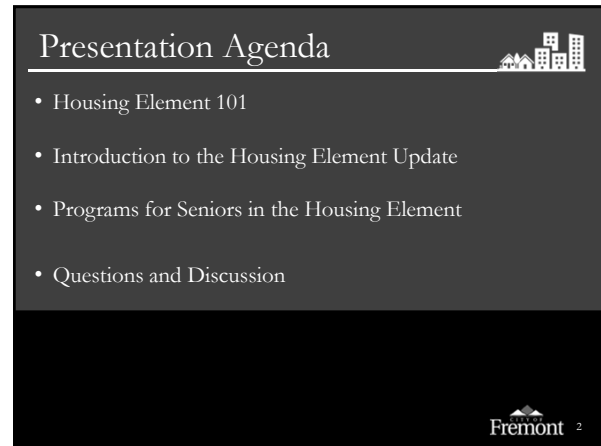
Presentation to the Senior Citizens' Commission



Introduction to the 2023-2031
Housing Element Process

Fremont 1

1

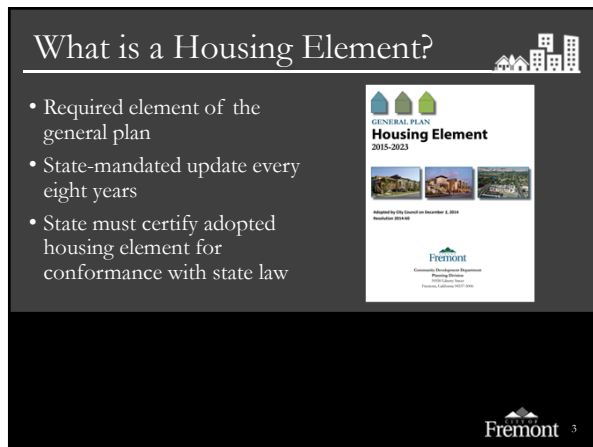


Presentation Agenda

- Housing Element 101
- Introduction to the Housing Element Update
- Programs for Seniors in the Housing Element
- Questions and Discussion

Fremont 2

2

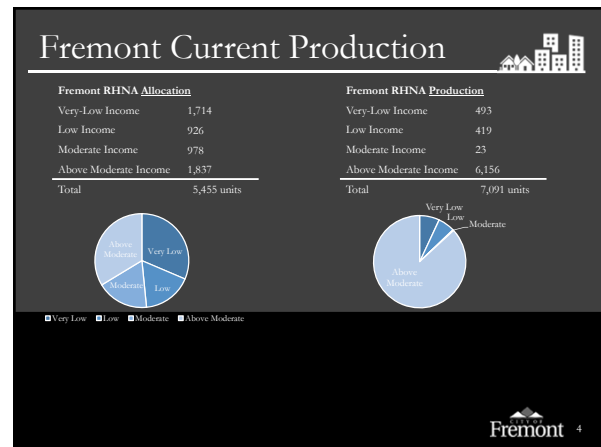


What is a Housing Element?

- Required element of the general plan
- State-mandated update every eight years
- State must certify adopted housing element for conformance with state law

Fremont 3

3

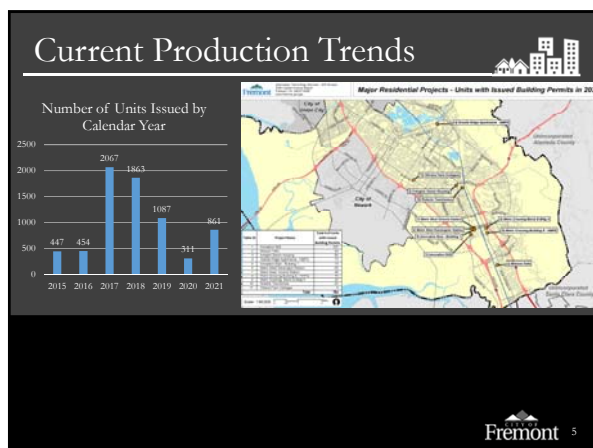


Fremont Current Production

Fremont RHNA Allocation		Fremont RHNA Production	
Very-Low Income	1,714	Very-Low Income	493
Low Income	926	Low Income	419
Moderate Income	978	Moderate Income	23
Above Moderate Income	1,837	Above Moderate Income	6,156
Total	5,455 units	Total	7,091 units

Fremont 4

4



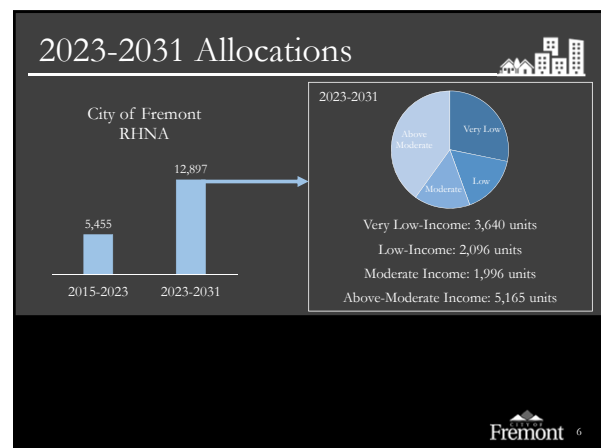
Current Production Trends

Number of Units Issued by Calendar Year

Year	Units Issued
2015	447
2016	454
2017	2067
2018	1863
2019	1087
2020	311
2021	861

Fremont 5

5



2023-2031 Allocations

City of Fremont RHNA

Period	Units
2015-2023	5,455
2023-2031	12,897

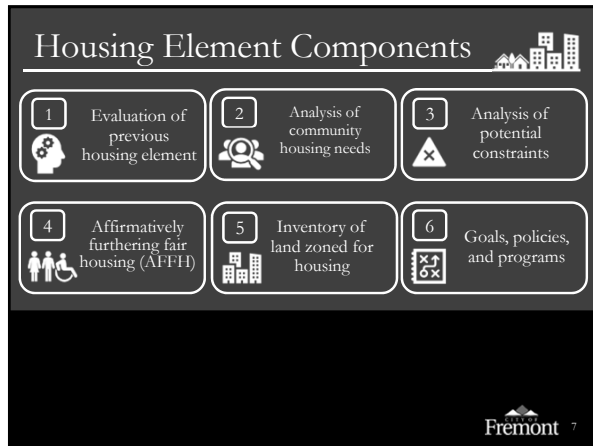
2023-2031

Income Level	Units
Very Low-Income	3,640 units
Low-Income	2,096 units
Moderate Income	1,996 units
Above-Moderate Income	5,165 units

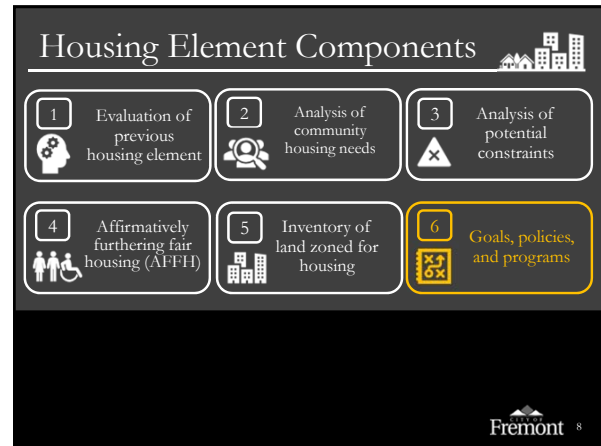
Fremont 6

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Presentation to the Senior Citizens' Commission



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Senior Housing

Program 6.02-A: Encourage Location of Case Management and Other Supportive Services in Affordable Housing Developments and Housing for Seniors.

Pauline Weaver Senior Apartments
Completed 2019

Irrington Senior Housing
Under construction

Fremont 9

9

Accessibility Improvements

Program 2.01-C: Continue to Implement Universal Design Ordinance

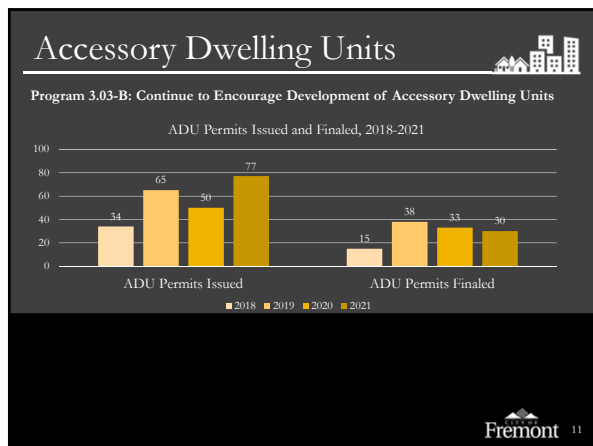
Program 4.02-B: Accessibility Improvements to Existing Housing

Minor Home Repair Grants Issued for Accessibility Annually

Year	Grants Issued
2015	6
2016	1
2017	2
2018	2
2019	6
2020	6

Fremont 10

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Public Participation

www.Fremont.gov/HousingElement

- Upcoming presentations at City boards and commissions in Spring 2022
- Complete draft to share with public by June 2022

Fremont 12

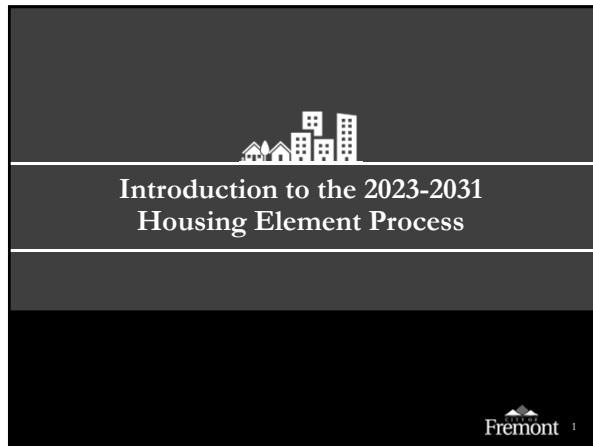
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Presentation to the Senior Citizens' Commission



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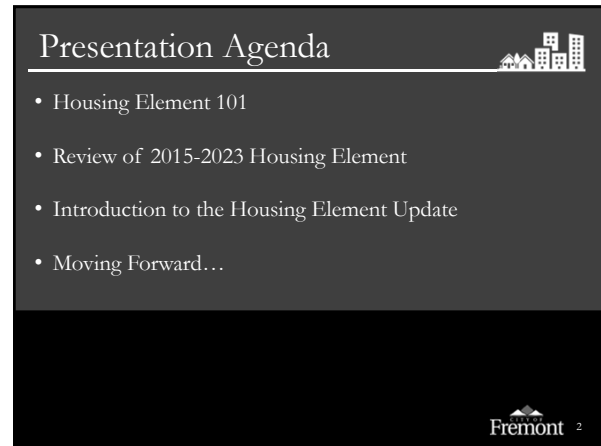
Presentation to the Youth Advisory Commission



Introduction to the 2023-2031
Housing Element Process

Fremont 1

1

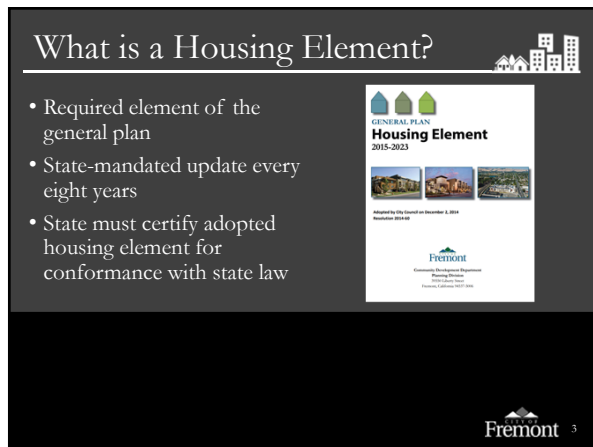


Presentation Agenda

- Housing Element 101
- Review of 2015-2023 Housing Element
- Introduction to the Housing Element Update
- Moving Forward...

Fremont 2

2

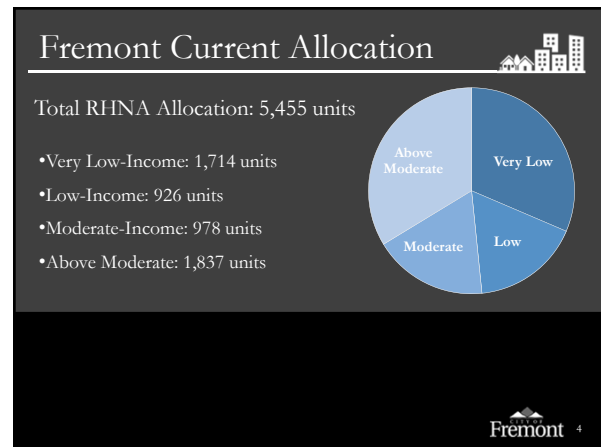


What is a Housing Element?

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Fremont 3

3



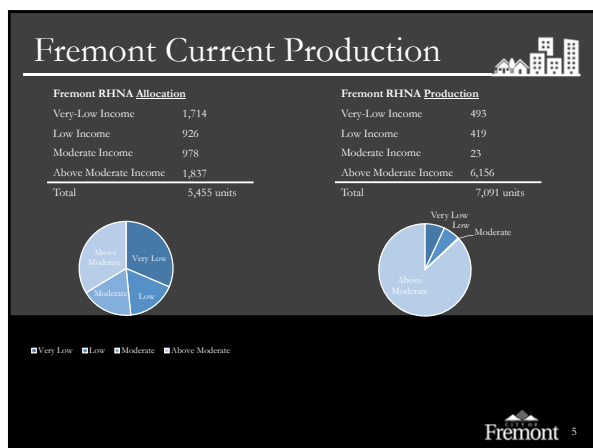
Fremont Current Allocation

Total RHNA Allocation: 5,455 units

- Very Low-Income: 1,714 units
- Low-Income: 926 units
- Moderate-Income: 978 units
- Above Moderate: 1,837 units

Fremont 4

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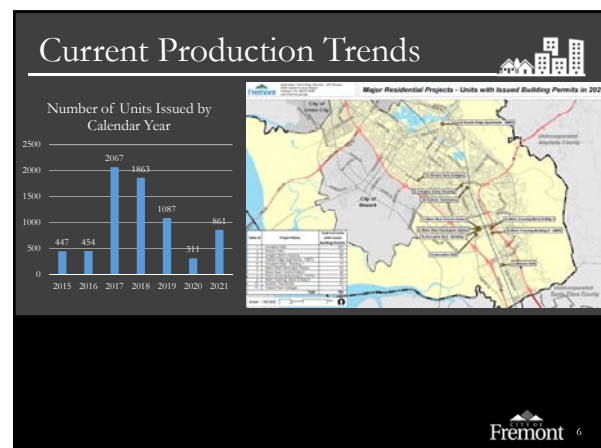


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Fremont 5

5



Current Production Trends

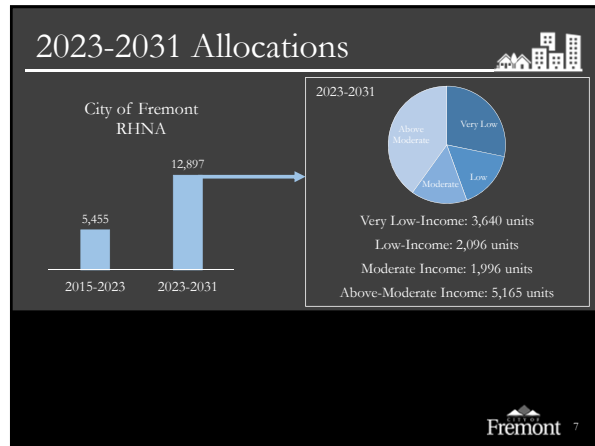
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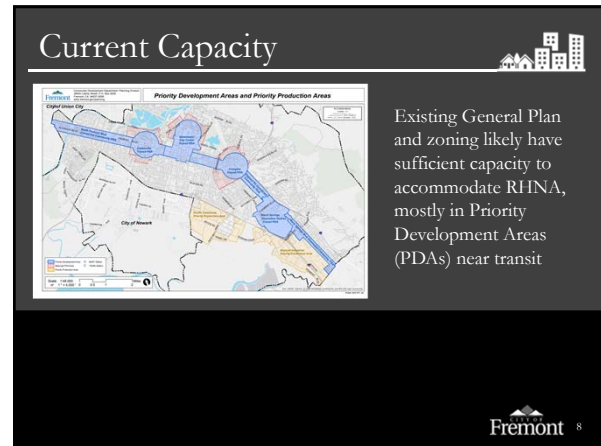
Fremont 6

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Presentation to the Youth Advisory Commission



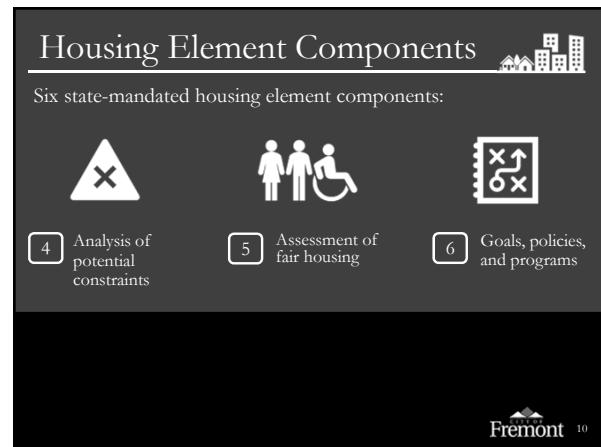
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Presentation to the City Council - April 2022




2023-2031 Housing Element Update:
An Eight Year Plan to Meet the Housing Needs of
Everyone in the Community





1

Presentation Purpose



- Review the individual components of the Housing Element
- Increase understanding of the City's housing needs and constraints to facilitate feedback on appropriate policy responses

2

Presentation Agenda




- Housing Element overview
- Key components of 2023-2031 Housing Element
- What we've heard so far
- Moving forward...
- Feedback and questions






3

Housing Element Overview










- Required element of the general plan
- State-mandated update every eight years
- State must certify adopted housing element for conformance with state law





4

Housing Element Components




1 Evaluation of previous housing element 	2 Analysis of community housing needs 	3 Analysis of potential constraints 
4 Inventory of land zoned for housing 	5 Goals, policies, and programs 	6 Affirmatively furthering fair housing (AFFH) 

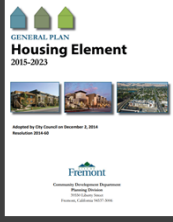



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1 Review Previous Cycle

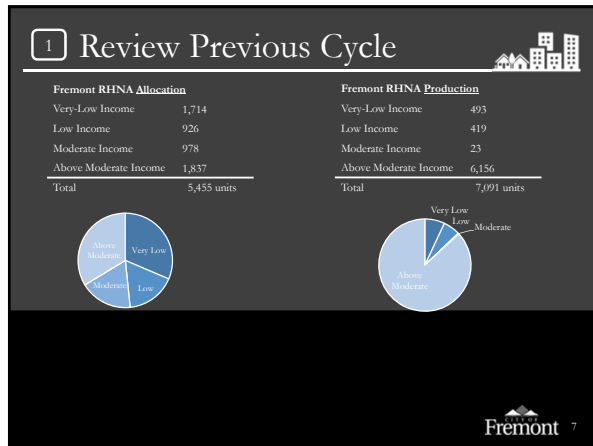


- A review of the actions and approaches in the previous Housing Element
- What actions have been successful / unsuccessful?
- Ensures past accomplishments and lessons learned are reflected in future policy

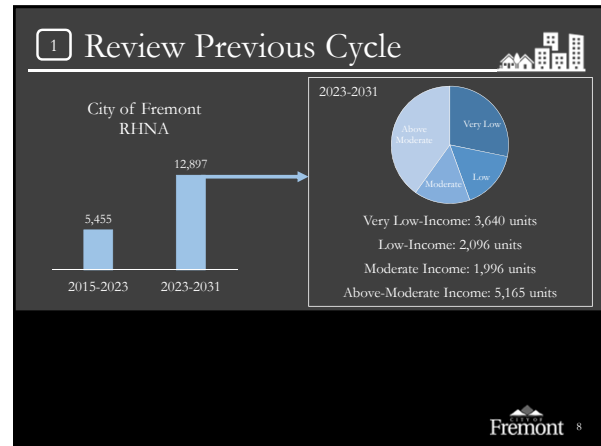



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Presentation to the City Council - April 2022



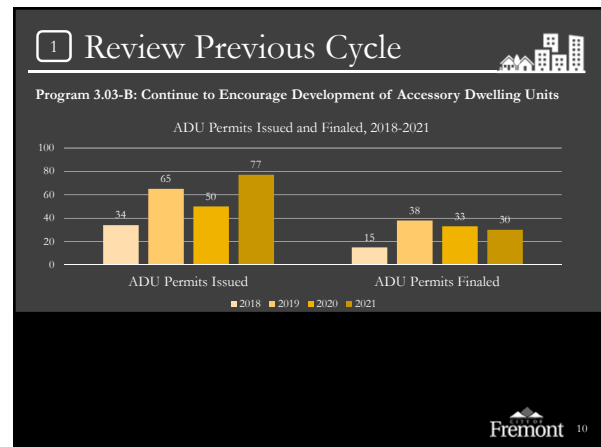
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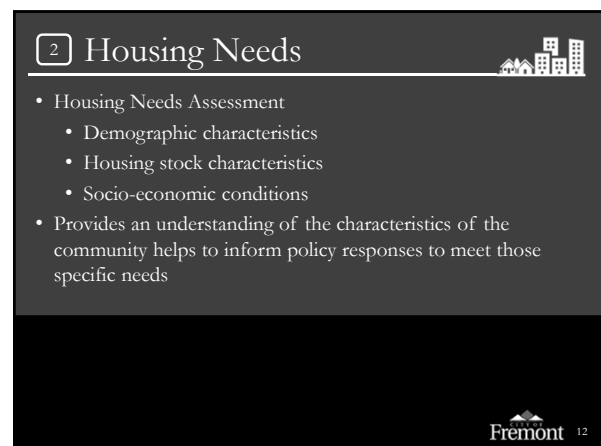
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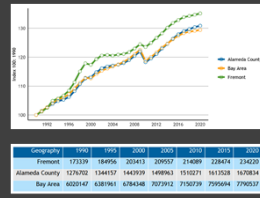
Presentation to the City Council - April 2022

2 Housing Needs

A growing community in a growing region

- Bay Area population growth, 2000-2020: 14.8%.
- Fremont population growth, 2000-2020: 15.1%.
- Plan Bay Area 2050 Regional Growth Forecast: +2 million people by 2050

Population Growth Trends, 1990-2020



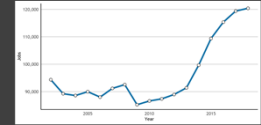
13

2 Housing Needs

Job growth

- Number of jobs located in Fremont since 2010: +33,790 (39.0%).
- Fremont jobs-household ratio:
 - 2002: 1.36 jobs per household
 - 2018: 1.64 jobs per household
- Plan Bay Area 2050 Regional Growth Forecast: +1 million jobs by 2050

Jobs in Fremont, 2002-2018



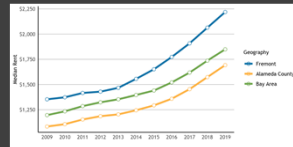
14

2 Housing Needs

Increasing cost of housing

- Fremont home values 2001-2019: +171.8% (\$434,160 to \$1,180,200).
- Fremont median rents, 2009-2019: +64.0%, (\$1,550 to \$2,210/month).

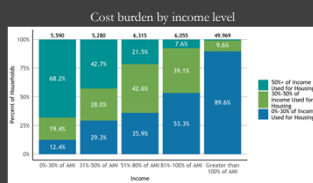
Fremont Median Contract Rents, 2009-2019



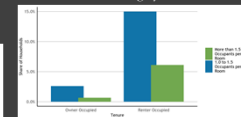
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2 Housing Needs

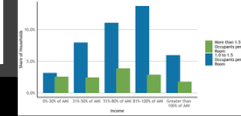
Cost burden and overcrowding



Overcrowding by tenure



Overcrowding by income level



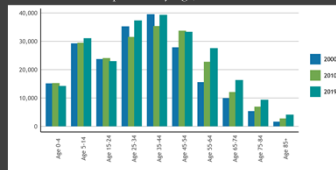
16

2 Housing Needs

An aging population

- Fremont median age in 2000: 33.6 years
- Fremont median age in 2019: 38 years

Population by Age, 2000-2019



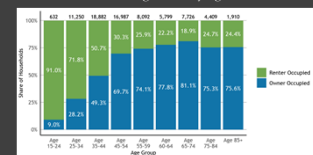
17

2 Housing Needs

Housing Tenure by Age

- Householders aged 25-44: 58.6% renters
- Householders aged 65+: 21.5% renters

Housing Tenure by Age

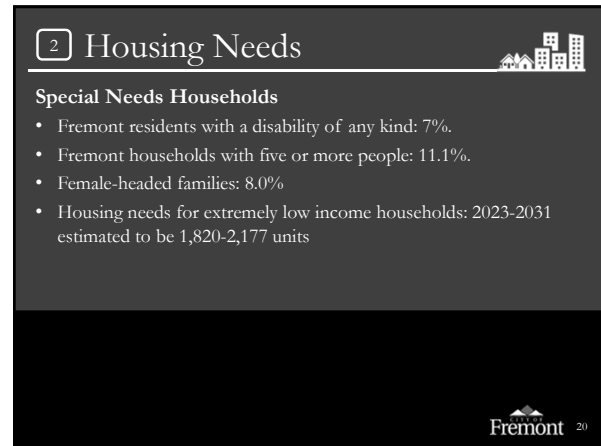


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Presentation to the City Council - April 2022



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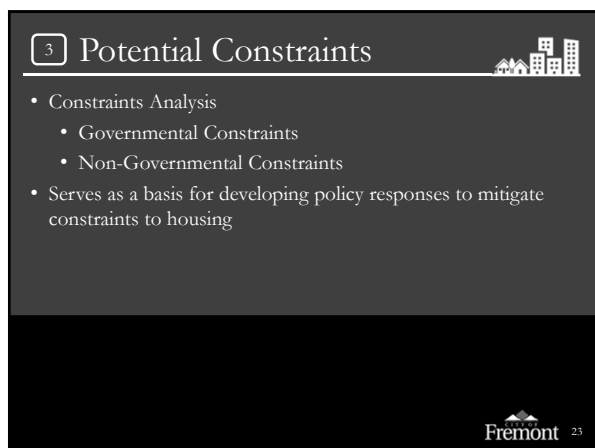
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23



24

Presentation to the City Council - April 2022

3 Potential Constraints

Non-Governmental Constraints

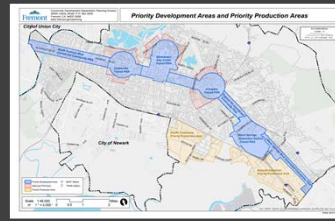
- Land costs
- Development costs
- Community concerns regarding housing



25

25

4 Sites Inventory



Existing General Plan and zoning likely have sufficient capacity to accommodate RHNA, mostly in Priority Development Areas (PDAs) near transit



26

26

5 Goals, Policies, Programs

- **Preserve** existing housing
 - Goal 1
- **Produce** new high-quality housing, especially affordable housing
 - Goal 2, Goal 3, Goal 5, and Goal 7
- **Protect** vulnerable residents from discrimination and displacement
 - Goal 4 and Goal 6



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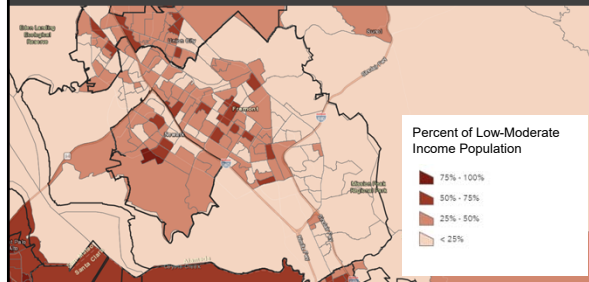
6 AFFH – Regional Patterns



28

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6 AFFH – Local Patterns



29

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Housing Element Components



30

30

Presentation to the City Council - April 2022

Boards/Commissions Feedback

Previous Presentations:

- Planning Commission
- Senior Citizen Commission
- Youth Advisory Commission
- Citizen's Advisory Committee
- Human Relations Commission

Upcoming Presentations:

- Recreation Commission



 31

31

Next Steps

www.Fremont.gov/HousingElement



- Ongoing office hours
- Upcoming community listening sessions
- Complete draft to share with public by June 2022

 32


32

Questions and Discussion


 33

33

Presentation to the Recreation Commission




Introduction to the 2023-2031 Housing Element Process




1

Presentation Agenda



- Connection to Recreation Commission
- What is a Housing Element?
- 2023-2031 Housing Element Update
- Questions and Discussion




2

Housing & Rec Commission




3


Housing & Rec Commission



Development Impact Fees: Effective August 2, 2021 (Resolution 2021-36)

Land Use	Capital Facilities	Fire Facilities	Traffic ^a	Parkland ^a	Park Facilities ^a
0 bedrooms (studios)	\$1,366	\$256	\$2,382	\$4,859	\$5,776
1 bedroom	\$1,847	\$347	\$2,382	\$7,529	\$8,663
2 bedrooms	\$2,743	\$515	\$2,661	\$10,353	\$12,129
3 bedrooms	\$3,512	\$659	\$2,661	\$12,678	\$15,017
4 bedrooms	\$4,120	\$773	\$4,051	\$15,846	\$18,482
Per additional bedroom > 4	\$815	\$153	See Note d	\$2,921	\$3,465

- New housing developments pay parkland and park facilities fees
- Fees vary based on unit size, affordability

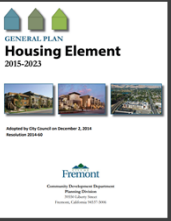


4

What is a Housing Element?




- Required element of the general plan
- State-mandated update every eight years
- State must certify adopted housing element for conformance with state law



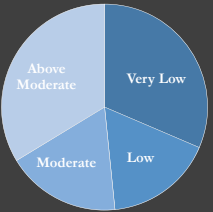


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What is the RHNA?



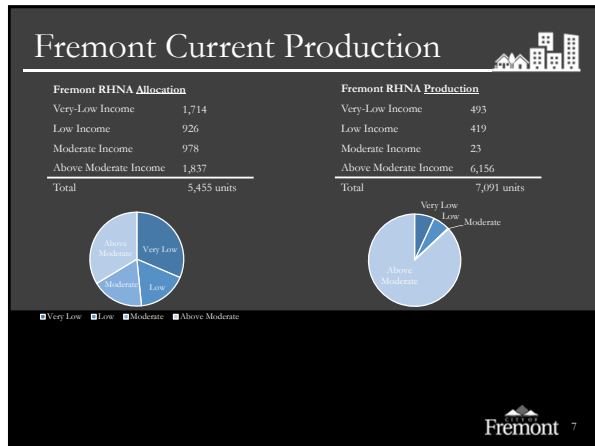
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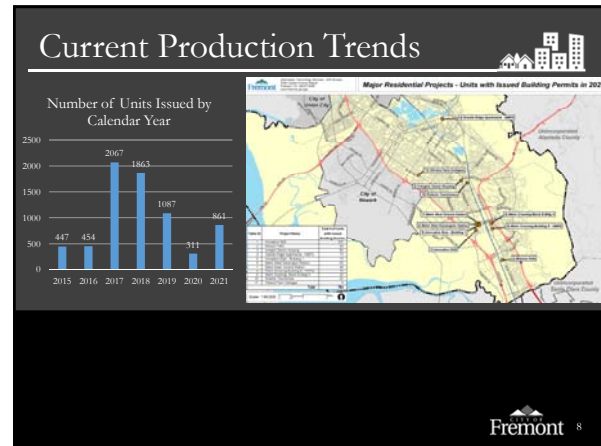



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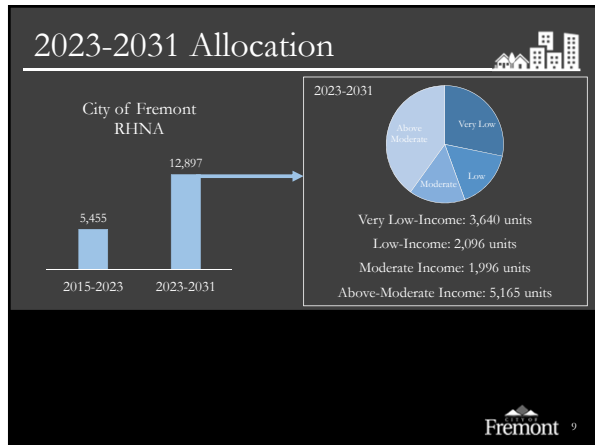
Presentation to the Recreation Commission



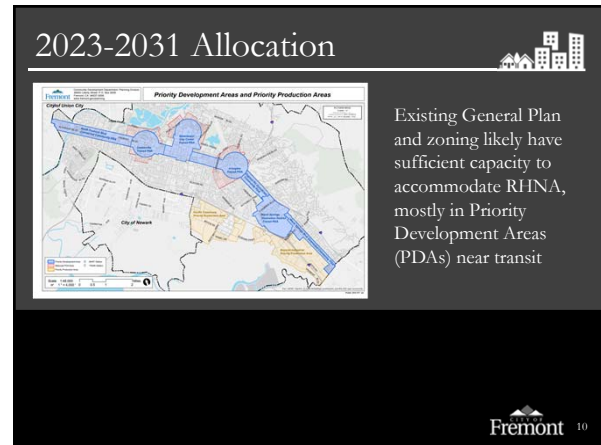
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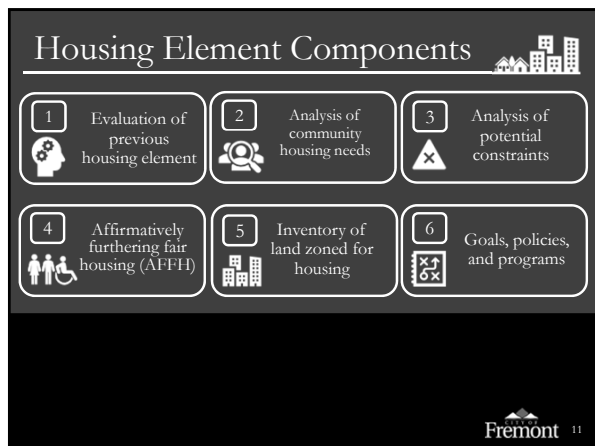
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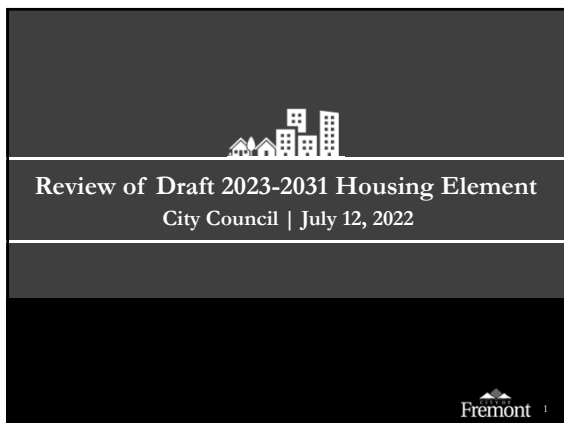
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Presentation to the Recreation Commission

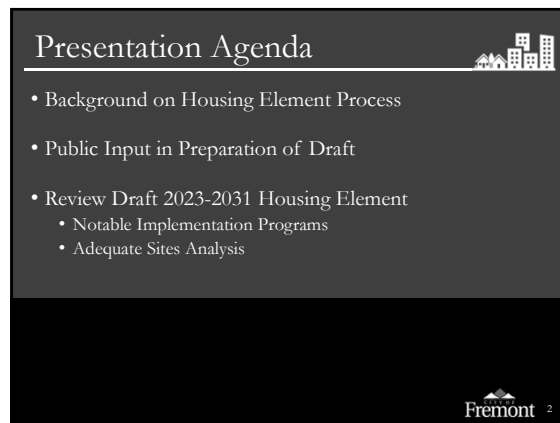


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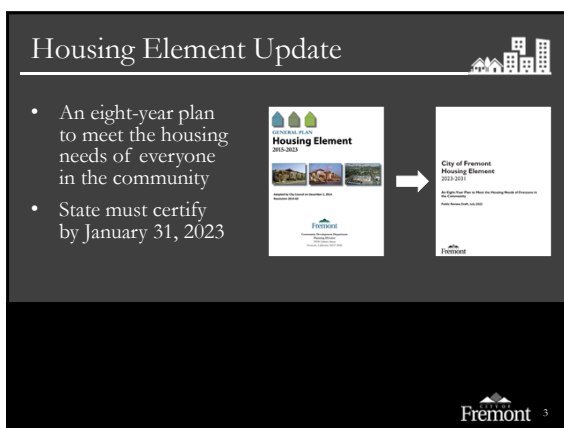
Presentation to the City Council - July 2022



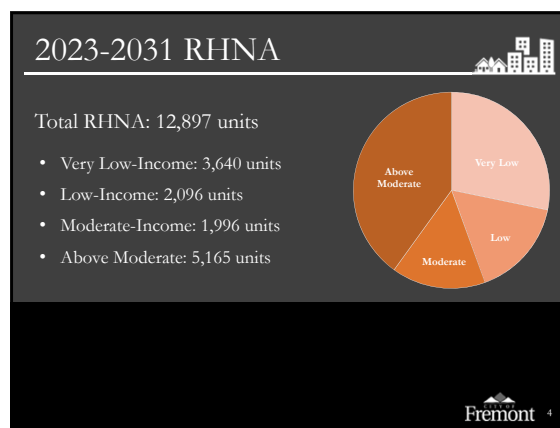
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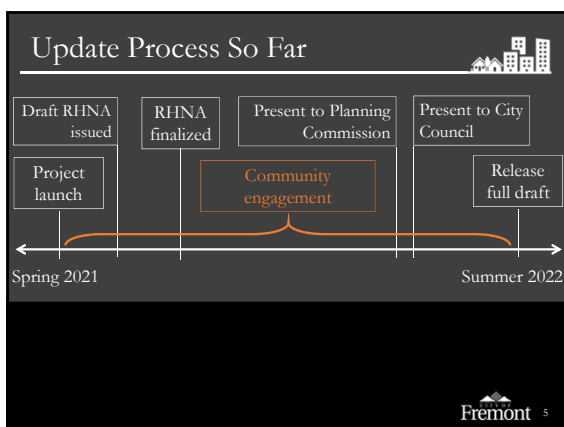
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Presentation to the City Council - July 2022

Public Outreach Themes

1. Housing Affordability is Largest Issue
2. Continue Public Outreach on Housing
3. Address Specific Challenges for Families and Seniors
4. Implement Process Improvements to Accelerate Affordable Housing and ADUs



Fremont 7

7

Housing Element Chapters

1 Introduction	2 Goals, policies, and programs	3 Community outreach	4 Housing needs assessment
5 Constraints analysis	6 Evaluation of previous element	7 Fair housing analysis	8 Housing sites identification

Fremont 8

8

Notable New Programs

Programs to Promote Affordable Housing

- **Program 49.** Charge Reduced Impact Fees for Affordable Housing Projects.
- **Program 57.** Provide Priority Processing for Affordable Housing Projects.
- **Program 63.** Prioritize Affordable Housing on Public Property.



Fremont 9

9

Notable New Programs

Programs to Expand Public Input Opportunities

- **Program 21.** Encourage Early Community Outreach on Housing Development Projects.
- **Program 42.** Consultation with Stakeholders on Housing Policy Changes.
- **Program 61.** Explore Opportunities to Increase Community Participation in the NOFA Process.



Fremont 10

10

Notable New Programs


Programs to Maintain Consistency with State Housing Laws

- **Program 16.** Mandatory Replacement of On-Site Units.
- **Program 44.** By Right Approval of Projects with 20% Affordable Units.
- **Programs 69, 74, and 76.** Address Zoning Barriers for Large Residential Care Facilities, Low-Barrier Housing Navigation Centers, Emergency Shelters, and Supportive/Transitional Housing.

Fremont 11

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Housing Sites Analysis



Fremont 12

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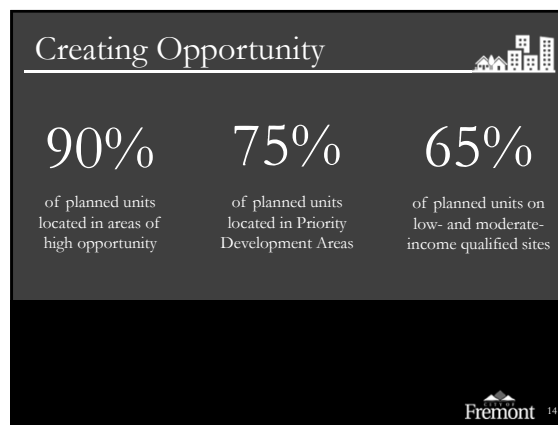
Presentation to the City Council - July 2022

Housing Sites Analysis

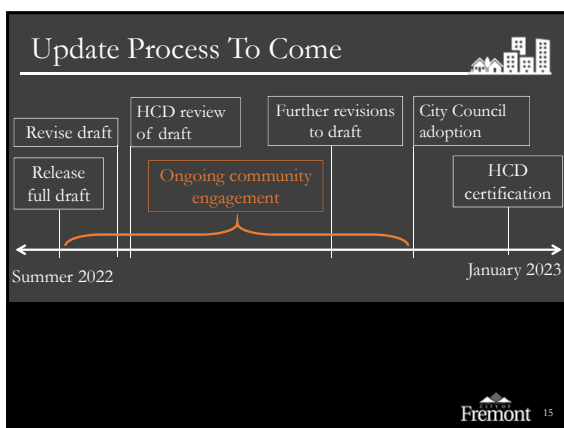
	Low (0-80% AMI)	Moderate (80-120% AMI)	Above Moderate (120+% AMI)	Total Units
RHNA	5,736	1,996	5,165	12,897
Pipeline Development	1,383	84	4,668	6,132
ADU Projections	384	192	64	640
Vacant Sites	688	204	120	1,012
Underutilized Sites	4,622	2,042	318	7,032
Total	7,077	2,522	5,165	14,816
Difference	(1,341)	(526)	(5)	(1,919)

Fremont 13

13



14



15

Public Comment Period

View the draft at www.Fremont.gov/HousingElement.

Email comments to housingelement@fremont.gov

The formal public comment period runs through
August 8, 2022

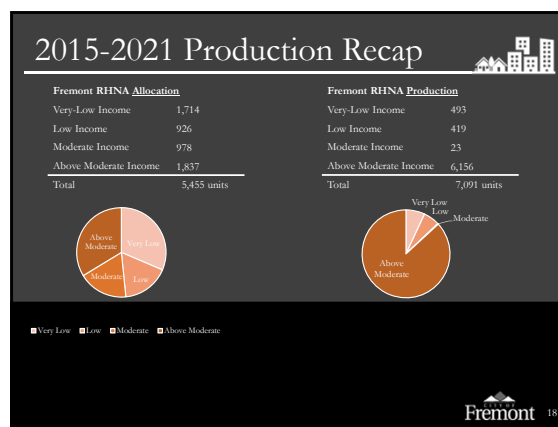
Fremont 16

16

Questions and Discussion


Fremont 17

17




18

Presentation to the Planning Commission - July 2022




Review of Draft 2023-2031 Housing Element

Planning Commission | July 28, 2022




1

Presentation Agenda




- Background on Housing Element Process
- Public Input in Preparation of Draft
- Review Draft 2023-2031 Housing Element
 - Notable Implementation Programs
 - Adequate Sites Analysis





2

Housing Element Update




- An eight-year plan to meet the housing needs of everyone in the community
- State must certify by January 31, 2023

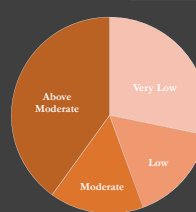

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2023-2031 RHNA




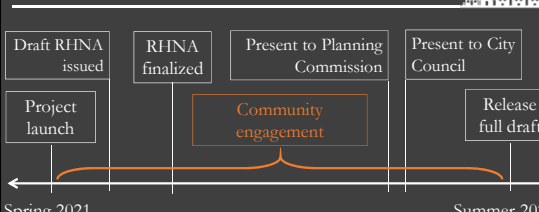
Total RHNA: 12,897 units

- Very Low-Income: 3,640 units
- Low-Income: 2,096 units
- Moderate-Income: 1,996 units
- Above Moderate: 5,165 units





4

Update Process So Far

Spring 2021 → Summer 2022



5

Extensive Public Outreach



- **Eleven** articles in City newsletters
- **Eight** presentations to Boards & Commissions
- **Four** workshops
- **Two** tabling events
- **On-call** office hours





6

Presentation to the Planning Commission - July 2022

Public Outreach Themes

1. Housing Affordability is Largest Issue
2. Continue Public Outreach on Housing
3. Address Specific Challenges for Families and Seniors
4. Implement Process Improvements to Accelerate Affordable Housing and ADUs



Fremont 7

7

Housing Element Chapters

1 Introduction	2 Goals, policies, and programs	3 Community outreach	4 Housing needs assessment
5 Constraints analysis	6 Evaluation of previous element	7 Fair housing analysis	8 Housing sites identification

Fremont 8

8

Notable New Programs

Programs to Promote Affordable Housing

- **Program 49.** Charge Reduced Impact Fees for Affordable Housing Projects.
- **Program 57.** Provide Priority Processing for Affordable Housing Projects.
- **Program 63.** Prioritize Affordable Housing on Public Property.




Fremont 9

9

Notable New Programs

Programs to Remove Zoning Constraints

- **Program 31.** Amend Regulations to Facilitate Production of ADUs
- **Program 34.** Further Reduce Parking Requirements in TOD Areas.
- **Program 36.** Update Mixed-Use Zoning Standards.



Fremont 10

10

Notable New Programs


Programs to Maintain Consistency with State Housing Laws

- **Program 16.** Mandatory Replacement of On-Site Units.
- **Program 44.** By Right Approval of Projects with 20% Affordable Units.
- **Programs 69, 74, and 76.** Address Zoning Barriers for Large Residential Care Facilities, Low-Barrier Housing Navigation Centers, Emergency Shelters, and Supportive/Transitional Housing.

Fremont 11

11

Housing Sites Analysis



Fremont 12

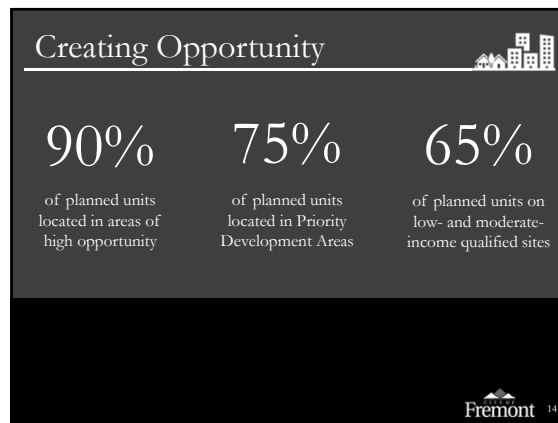
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Presentation to the Planning Commission - July 2022

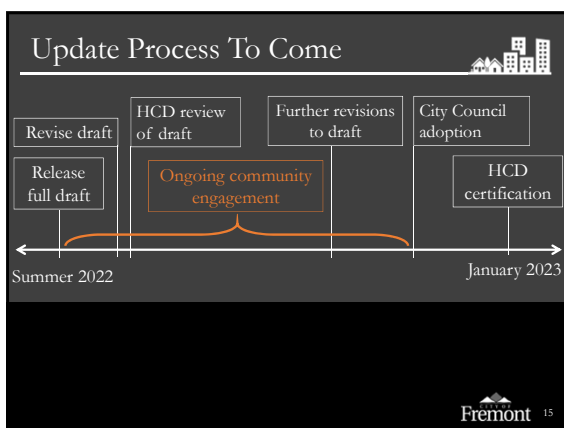
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13



14



15

Public Comment Period

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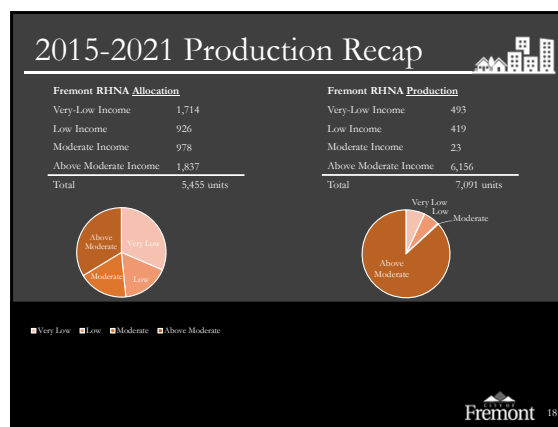
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16

Questions and Discussion

17



18

F. Notes from Office Hours and Outreach Events

Notes Compiled from Project Team Office Hours and Outreach Events

Topic: Sites Inventory

- Based on historic production trends, Fremont will not achieve its RHNA targets based on the status-quo. Consider rezoning sites to increase housing opportunities.
- Explore opportunities to develop excess school district land for affordable housing or housing for city and school district staff.
- Consider upzoning vacant, low-medium density housing opportunity sites to increase housing.
- Housing Element inventory sites list should be easily accessible so that developers know where to look for new housing opportunities.

Topic: Outreach

- Appreciate easy and convenient opportunities to interact with staff and decision makers (like office hours).
- It's surprising that Fremont has more jobs than households. Everyone assumes Fremont is a suburban bedroom community. It's important to message that when advocating for housing.
- Seniors and low-income renters often have limited access to technology and can miss out on housing opportunities because of that.

Topic: Senior Housing

- There is a shortage of affordable housing options, particularly senior affordable housing.
- Affordable housing needs for seniors are different. Need separate affordable housing developments for seniors.
- Senior live on fixed-incomes and have limited housing options.
- Transportation options are needed next to senior housing.

Topic: ADUs

- The process for developing an ADU is difficult. A homeowner requires a lot of assistance.
- Streamline the production of ADUs.
- Build up the City's pre-approved ADU program to make it easier and faster for homeowners.

Topic: Affordable Housing

- Section 8 housing involves a lot of "red tape." Process needs to be simpler and more straight forward.
- There needs to be advocates to support people looking for affordable housing because the process is so difficult to navigate.
- Low-income housing developments have security issues. Break-ins have occurred and it doesn't feel safe.
- In-unit laundry facilities are important, but those are the most expensive units. It's difficult to find a rental unit with in-unit laundry facilities for less than \$2,500/month.

Topic: Schools

- The School District and the City should work better together and build more trust around housing issues.
- The City's Development activity tracking should consider school attendance areas to better inform School District decisions.
- Declining school enrollment is difficult to reconcile with increasing population growth.
- More family housing is needed to increase school enrollment.
- It is important to recognize that the RHNA target for Fremont is not a projection. Messaging that 12,897 units will be built in eight years would lead to incorrect assumptions for the school district.

Notes from Housing Element Open House on August 3, 2022

- Interested in revising ADU impact fee waiver program to be based on income, rather than an across the board waiver
- Want to establish a prohibition on removing protected trees from single-family residences
- Tree mitigation requirement should be revised so that the amount of mitigation is equivalent to the tree that is removed, rather than a set fee
- Want to see tree protection requirements shown on building permit plans
- Large up-front moving costs are a barrier for tenants. Tenants have difficulties searching for housing even if they can pay rent.
- Want to see greater background checks for landlords. A tenant should know if the landlord they are going to rent from has a history of negligence or habitability concerns.
- Interested in expanding requirement for relocation assistance and increasing amount of assistance. Says City should particularly evaluate relocation assistance requirements when a building is red-tagged.
- Concerned that school impact fees are not waived or reduced for ADUs or affordable units
- It is important to utilize Fremont-focused data to understand the local issues.
- Discussion about whether on-site affordable units or in-lieu fees for affordable housing are more beneficial – multiple attendees shared different opinions.
- Interested in giving residents a right to free eviction defense
- Want to highlight connections between Housing Element and Mobility Element, especially about improving multi-modal infrastructure
- Want to improve neighborhood connectivity, especially for pedestrians and bicyclists
- Interested in extending TOD regulations beyond a half-mile radius

Housing Element Open House - Dot Exercise

During the Open House, participants were asked to share their opinions about proposed policies through a dot exercise.

- Pink dots indicated policies that you did not support.
- Yellow dots indicated policies that you thought needed to be expanded or go further.
- Green dots indicated policies that you felt were the most important.

Participants could also use post-it notes to provide more information about their dot placement. The results from the dot exercise are included below.

GOAL 1. PRESERVE, MAINTAIN, AND IMPROVE THE EXISTING HOUSING SUPPLY

POLICY 1.01

Identify and remedy substandard housing conditions.



POLICY 1.02

Facilitate improvement of existing housing stock.



POLICY 1.03

Improve infrastructure within existing residential neighborhoods.



GOAL 2. HELP CURRENT RESIDENTS MAINTAIN STABLE AND SAFE HOUSING IN FREMONT

POLICY 2.01

Preserve existing housing options.

POLICY 2.02

Prevent displacement due to rising housing costs.



POLICY 2.03

Prevent direct displacement from new development.



GOAL 3. PROMOTE PRODUCTION OF NEW AFFORDABLE AND MARKET-RATE HOUSING

POLICY 3.01
Implement clear regulations and standards that reflect the community's priorities.

POLICY 3.02
Improve efficiency of entitlement process for housing developments.

POLICY 3.03
Promote housing development in highest resource neighborhoods.

POLICY 3.04
Intensify residential development within urban neighborhoods.

POLICY 3.05
Raise awareness of city resources and policies among housing developers.

Need to go in further on reducing parking requirements

GOAL 4. MAXIMIZE SUPPORT AND RESOURCES FOR AFFORDABLE HOUSING PRODUCTION

POLICY 4.01
Provide zoning incentives for affordable housing production.

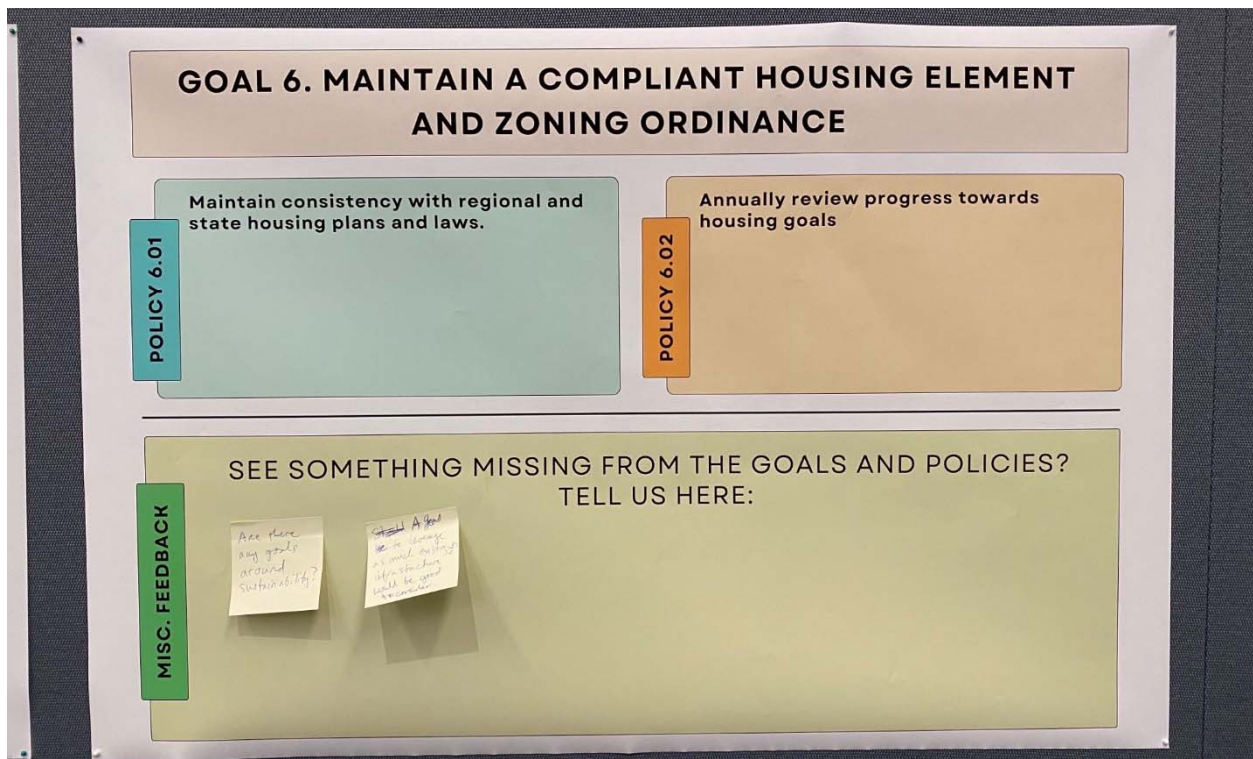
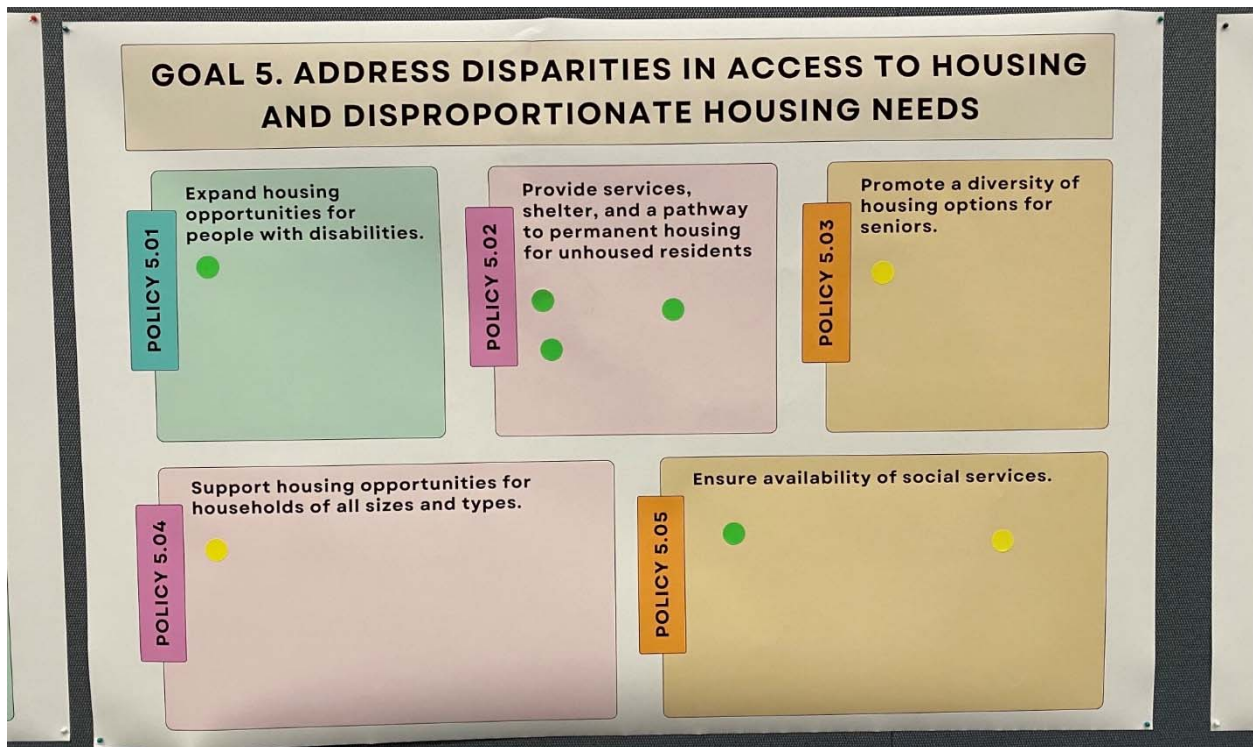
POLICY 4.02
Maximize financial resources available for affordable housing.

POLICY 4.03
Assist affordable housing developers.

POLICY 4.04
Ensure affordable housing meets the needs of the community.

POLICY 4.05
Pursue unique and innovative opportunities for providing affordable housing.

POLICY 4.06
Share expertise as a regional leader in affordable housing production.



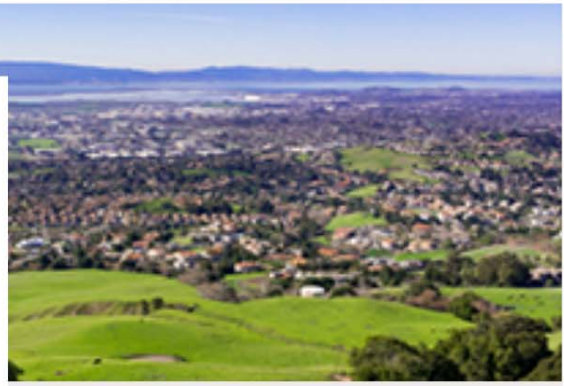
Text from Post-It Notes:

- Need to go even further on reducing parking requirements.
- Are there any goals around sustainability?
- A goal to leverage as much existing infrastructure would be good to consider

G. Flyers for Community Outreach Activities

HOUSING ELEMENT WORKSHOP

CITY OF FREMONT



PRESENTED BY:

WHEN: WEDNESDAY, APRIL 27TH, 7 PM

WHERE: INTERACTIVE ZOOM WORKSHOP



Join Fremont for Everyone, the City of Fremont, California YIMBY, and Abode Services to learn about how the city is planning to meet its housing needs, and how you can help shape that plan. We'll go over the Housing Element update process, hear from advocates about their ideas for how Fremont can best meet its housing needs, and give you a chance to weigh in on topics like where you'd like to see more housing in Fremont. Cities in California update their Housing Elements on an 8-year cycle. This is an opportunity to shape housing policy in Fremont for the next decade.

REGISTER AT: [BIT.LY/FFE-HOUSINGELEMENT](https://bit.ly/ffe-housingelement)



HOUSING

LISTENING SESSION

The City of Fremont is updating its **Housing Element**. The Housing Element is an eight-year plan to meet the community's housing needs.

City of Fremont staff will be visiting Sunrise Village to hear your input to inform the development of this plan. Join us to share your feedback! There will be light refreshments and a raffle for attendees.

Date: May 18, 2022

Time: 6:30PM

TELL US about your experiences...

- Where have you lived previously? What living experiences did you like or dislike, and why?
- What City housing, shelter, or assistance resources have you found most helpful? What would you like to add or improve?
- What design features and amenities do you like about Sunrise Village? What features and amenities you think the City should consider when planning for future shelters?
- How do you feel about Sunrise Village's location? How do you get around to errands, activities, and appointments?

TELL US about your vision...

- What housing challenges do you experience or see in our community?
- What do you think are the most pressing housing needs in Fremont? How can the City meet them?



HOUSING

LISTENING SESSION

Talk with the City of Fremont staff about your experiences with housing and how the City can better meet the housing needs of everyone in our community.

May 25, 2022
2:00PM

TELL US about your experiences...

- Where have you lived previously? What living experiences did you like or dislike, and why?
- How did you get connected to your current housing?
- Tell us about your experience with the application process to obtain your current housing. What would you improve?
- What amenities and design features do you like about your current home?
- How do you feel about your current home's location? How do you get around to errands, activities, and appointments?

TELL US about your vision...

- What housing challenges do you experience or see in our community?
- What do you think are the most pressing housing needs in Fremont? How can the City address them?



住房 社区意见收集

请与我们分享您的住房需求和经历以及市政府如何更好地满足社区里每一个人的住房需求。

2022年5月25日
下午2:00

跟我们分享您过去的经历...

- 您曾经住过哪些地方？这些经历中您喜欢或不喜欢的地方有那些？为什么？
- 您是如何联系和申请到您现在的住房的？
- 请分享您在申请现在住房中的经历。有哪些地方需要改善？
- 在您现在居住的社区中，您喜欢有哪些设施和设计？
- 对您现在居住的地理位置您有什么看法？您是如何解决日常出行需求的？

跟我们分享您未来的期望...

- 根据您自身或朋友的经历，您认为我们社区中存在哪些住房方面的挑战或困难？
- 您认为我们城市中最迫切的住房需求有哪些？城市该如何解决它们？

H. Notes from AC Collaborative Developer Panel

AC COLLABORATIVE: DEVELOPER PANEL

The Alameda County Collaborative held a panel with active, local developers on November 29, 2021. This document synthesizes key points the developers presented.

Panelists

NAME	ORGANIZATION	PORTFOLIO
Jamie Hiteshew, Director of Development	Holliday Development	Factory-built market-rate and affordable housing
Brad Wiblin, Executive Vice President	Holliday Development	Affordable housing
Samantha Meyer, Project Developer	Eden Housing	Affordable housing
Greg Pasquali, Vice President of Development	Carmel Partners	Market rate and affordable housing in CA and other states

Executive Summary

Developers identified governmental and non-governmental **constraints** to housing development, including the following:

- Community opposition to housing/affordable housing and resulting litigation and time delays
- Discretionary processes that result in ad-hoc changes (e.g., community benefits added as a requirement in the middle of the process)
- Lack of funding for affordable housing
- Requiring retail in mixed-use developments

Some **policies and programs** that panelists recommended to facilitate housing development included:

- Objective design review process
- Absolute clarity of the process—here are the steps, here are the discretionary items, here is a list of the community benefits to choose from
- Guarantee SB35 for Housing Element sites
- Have a quarterback for all affordable projects. Have one person who is familiar with the process and can be the champion of the project, especially relative to keeping the process aligned with funding timelines.
- More of a partnership relationship between development teams and cities across California

When identifying **non-vacant sites for redevelopment** with housing, here are some things to consider:

- Single-tenant retail or single-tenant office is most desirable
- Office development becomes outdated more quickly than other commercial uses and so may not need building to be as old in order for it to have redevelopment potential
- Redeveloping existing housing is rare
- If existing development has connections to public services and utilities, it can be a value add

Discussion

Questions: Recent state laws have removed many use controls that typically constrain production for 100% affordable projects (e.g., discretionary approvals, high parking requirements, density limitations).

1. **What Impact have these laws had on the work you do?**
2. **What land use controls or other development regulations have been the most significant constraints?**
3. **Do you ever use Density Bonus not to increase density but for concessions and/or waivers?**
 - Laws have really helped with streamlining the process (specifically SB 35 and SB 330)
 - Density Bonus is very significant for building more units and for the concessions
 - Concessions are really significant for providing as many units as possible for affordable housing
 - Waivers helpful in balancing building design and unit counts given restrictive development standards
 - Community opposition continues to be a problem, even with State legislation (example of Eden Housing project in Castro Valley with huge delays due to legal challenges from the community)

Question 4: What are some of the challenges in developing a mixed-use project?

- Specific requirements for ground-floor retail
 - Traditional retail is often being subsidized by the developer and has become riskier
 - Flexibility in use is key (clinic, health club, live-work units, etc.) instead of prescribing specifically retail
- Balancing parking requirements for retail portion often means a trade-off in number of overall housing units
- Think about whether asking developers to subsidize retail is really the community benefit your jurisdiction wants to prioritize compared to others; it may be more beneficial to ask for more units instead of retail based on maximizing space effectively and prioritizing housing
- Identify specific nodes or sites where retail is prioritized instead of requiring city-wide or for entirety of planning area

5. **What are the market challenges you're experiencing right now?**
6. **What do you think planners need to understand about housing development?**

- Project HomeKey has been a helpful source of funding
- Prices are down for land in many markets
- Opportunity zones are super important to affordable housing funding (tax credits, etc.)
 - Look at those resources and considering those sites when choosing parcels to promote for affordable housing in the housing element

Construction costs change and so there is a finite period when the project will work, so quick review is critical

7. **Do you as developers, use Housing Elements?**
8. **What information do you wish jurisdictions would provide you about Housing Element sites?**
 - Developers see housing elements site that have a vote of confidence from the local jurisdiction, vetted by the city
 - Recent State laws to strengthen the housing elements give developers more confidence
9. **What are the characteristics of a site that would make it attractive for redevelopment with housing? What would make a site unattractive?**

10. Besides vacant lots, what types of infill sites provide the best opportunities to redevelop with housing? Can you discuss the opportunities and challenges with developing housing on underutilized or declining shopping centers and office buildings?
11. Can you discuss the opportunities and challenges with developing housing on underutilized or declining shopping centers and office buildings?
 - Sites vetted by and seen by the city and in a zone that supports housing make redevelopment more attractive
 - Really shy away from an existing but underdeveloped housing use because of relocation or dislocation of tenants
 - Office uses get outdated more quickly than retail and therefore can be ripe for redevelopment sooner
 - Existing buildings can come with things of value like sewer or water connections that create cost savings
 - Shopping centers are difficult because of owner and all the tenants and differently timed leases
 - Single tenant retail, single tenant office is most desirable
 - Entitlement process is usually more straightforward for adaptive reuse

Question 12: Can you discuss a specific, unique policy or program implemented by a local jurisdiction that made a project viable where it would not have otherwise been constructed?

- Successful Specific Plans where the community has already had a say about what the area will look like the environmental framework is already complete
- Where cities have identified the path of growth and have done the zoning and CEQA work

Question 13: What is your dream-come-true policy or process? What policies and programs would help you complete projects?

- Objective design review process!
- Absolute clarity of the process—here are the steps, here are the discretionary items, here are potential community benefits to consider
- Guarantee SB35 process for Housing Element sites
- Have a quarterback. Have one person who is familiar with the process and be the champion of the project.
- A partnership relationship between development teams and cities across California. We are in this together and projects are most successful when both parties act as though they have a vested interest to find solutions and get to approvals in a specified amount of time

Audience Questions:

- **How should we go about incorporating shopping centers into plans for redevelopment?**
 - Flexibility on dimensions
 - Flexibility with retail loading (off-street loading docks)—middle lane parking, yellow zone until 10am, etc.
 - Leaving discretion and flexibility for tenants
 - Look at balancing retail and residential
 - Incentivize providing retail (e.g., density and height bonus). Oakland Broadway Valdez plan a great example
 - 14-foot ground floor height is a good minimum for viable retail uses (note that this becomes 12 feet when HVAC is installed)
- **Benefits of horizontal vs. vertical mixed-use development?**

- Restaurants are challenging if it's stacked/ horizontal (have to vent all the way to the roof)
 - Depends on the market of the area (horizontal tends to work in more suburban contexts)
- **What is the ideal height for development to realize building efficiencies?**
 - 85 feet is the maximum building height for wood construction; remember this so you can align your Planning Code to Building Code
 - A 6-story building is typically around 65 ft
 - The highest floor has to be at or below 75 feet given the 85 maximum.
 - Modular development typically requires an additional floor of height or more flexible height for stories compared to traditional construction due to the stacking of modules units (creates two layers for ceilings and floors instead of having one layer that serves as both).

I. Notes from ADU Developer Panel

Notes from ADU Developer Focus Group

Question: How has your experience with ADU permitting and construction changed over the past few years with new state laws, pandemic, etc.?

- Rolling with punches as the pandemic hit, not doing things in person
- Some jurisdictions have full online portals, but others are still processing by email
- More ADUs coming along the way due to ministerial review, no neighbor approval, really speeds up what it takes for homeowner to get a project off the ground
- Due to state regulations superseding FAR requirements, and other flexibility with the zoning and design, homeowners are now preferring ADU projects to other types of expansion.
- This particular designer estimates that around 80% of his projects are ADUs (rather than family rooms, bedrooms, etc.)
- Think that SB9 will stimulate even more development

Question: What is the most common issue that you run into on projects in Fremont? How could the City support you in moving past that issue?

- Soils report requirement in liquefaction zones and landslide zones is a big hassle. The soils report is really expensive and a change order to foundation is expensive. It can add 2-3 months to a project.
 - In other cities, reviewers require certain assumptions about the foundation, but don't make the applicant do a soil report every time.
 - Other cities waive requirements for any soils report or impact to foundation for ADUs of a certain size, make decision a standard slab is safe (500-750 sqft)
- The city collects a lot of redundant paperwork. Applicant needs to provide the same information multiple times. This just leads to lots of overhead, no value.
- With the transition to online permitting, it is unclear which exact application forms you need. Can data be combined/transferred through the online portal?
- Fremont Accela user interface is different than other cities that use Accela. This means that it can be confusing to apply for the first time. Other cities use forms that are a check-box in Accela, this can save time.
- A clear process from beginning would be helpful. Departments kick you around, having a guide through the process would be really helpful.
- Review consistency is a big issue. When you apply with similar projects, you get different comments back. It could be helpful to have an "ADU SWAT team" dedicated to reviewing ADU projects. As projects come in, the team has familiarity with the applicant and their products.
- Need more training for staff. Notice less familiarity with new state laws, still getting up to speed, confusion around what standards can be applied for exemption ADUs. For example, Public Works will add comments as that is like an impact fee, i.e. "uplifted curb/gutter" will need to be replaced within the front of the home – this is not allowed per state law.
- Provide more transparency with the review standards utilized. If staff are using a certain checklist, give that checklist to the public so that everyone is on the same page.
- Comments can be clarified. It's easier to respond to comments if it's clear what is required by staff up-front, rather than a cryptic comment citing a code section.
- Fire rating interpretation is unique, particularly as it applies to the distance from the main residents. Fremont is asking for it to be 10 feet away from main residence without fire rating.

- When Fremont reviews water infrastructure, we do it during building permit phase, a lot of municipalities will manage this through field inspection, this would be more efficient for the homeowner (connecting PW with GC)
- Utility review was added to the process recently in Fremont, but there is no established guidance to complete this during the permitting phase for architects who may not be familiar with the utility side of things
- For soils report, could adopt and publish prescriptive engineering plan for ADUs within soil hazard zones, if we meet those minimum requirements then we don't need as much detail about the soil type we just assume worst scenario and engineer for it
- Publish overlays about the hazard zones (GIS address look-up portal) or more clearly label hazard zones on GIS portal that is existing

Question: Tell us about a positive experience that you had with an ADU project (in Fremont or another City). What made the project move smoothly?

- Preapproved programs are a huge plus. It's easier if you know what you're getting into, gets approved quicker. Provider generated system is better than City generated system.
- In San Jose, plans are reviewed in a one hour zoom meeting. You get very rapid feedback (if not approval).
- Sunnyvale has clearly thought about the audience for its comments, they try to make comments as clear as possible to that audience. E.g., "We like this..." or "Please add this..."
- Some jurisdictions have an assigned permit coordinator that has to answer the phone for that day, some people are responsive but don't have the power to give you an answer and the person who does have that guidance is not as responsive, so if there's someone responsible for "herding acts" to get responses that could be a huge help
- In Roseville, one of their plan checkers is very forward about providing current sizes and then giving guidance as to meters/size guidelines. The fact that they will provide that for you rather than having you figure out it is very helpful.

Questions: What do you think are the strengths and weaknesses of Fremont's current ADU permitting process? If you could change one thing about Fremont's ADU permitting process, what would that be?

- Strength: Review letters are very easy to understand. Typically, there is a clear process from start to finish and clear feedback. Comments that are straightforward rather than a vague requirement that doesn't explain how to meet the comment
- Strength: It's easy to find reviewers in Fremont. You can usually schedule an appointment or talk to someone on the phone or via email.
- Weakness: No more over-the-counter review
- Weakness: Online portal, updates to portal regarding timeline. Once the plan has entered plan check, status says "TBD" does not give a lot of insight into where the project is in the process. Uploaded documents do not show date next to it on the applicant side, difficult to know what is old and what is new.
- Weakness: Website and handouts not regularly updated. As forms change with online submittals, need to clarify on the website or have a quick response on which permitting forms to fill out (Planning application is 2021 vs. 2022)
 - Suggestion: Have link to tell us to update forms when things are not updated

- Weakness: Noticed that when it goes to a third party, they have double the comments, they really throw the book at you, and it is often little stuff that no one will check – not very helpful. Third party reviewers are generally worse, things are in the drawings and may be working on a basis that prevents them from finding things in the drawings (i.e., speed rather than accuracy). Lot of comments for things that shouldn't be asked of a licensed contractor
- Weakness: Historical review process can be quite lengthy, but sometimes there is an extensive process required for things that aren't historic at the end of the day

J. Notes from Community-Based Organizations Panel

AC COLLABORATIVE: COMMUNITY-BASED ORGANIZATIONS PANEL

The Alameda County Collaborative held a panel with representatives from local, community-based organizations (CBOs) on April 25, 2022. The participating CBOs' clientele included members of protected classes, including immigrants and non-English speakers; households with special needs, including persons with disabilities and seniors; and persons who are experiencing fair housing issues. This document synthesizes key points the CBOs presented.

1 Panelists

ORGANIZATION	CONTACT	SERVICE AREA
East Bay Community Law Center	Meghan Gordon, Co-Director, Housing Practice	Provides tenant legal services (including eviction defense) in cities of Oakland, Berkeley, Emeryville, Alameda
ElTimpano	Deana Balinton, Civic Partnerships Manager	Local information/news network and civic engagement serving Latino and Mayan immigrants in Alameda County. Key reporting platform is SMS.
Centro Legal de la Raza	Monique Berlanga, Executive Director	Tenant legal services in Alameda and Contra Costa County
Legal Assistance for Seniors	Jim Treggiari, Executive Director	Legal services for older adults, tenant defense, and case management in Alameda County
East Bay Innovations	Tom Heinz, Executive Director	People with disabilities living alone, in Alameda County
Eviction Defense Center	Eric Magana, Program Director	Tenant legal services in Alameda County and City of Richmond
La Familia	Sophia Rodriguez, Partner Relations Manager	Behavioral and mental health services; emergency family shelters; reentry population in Alameda and Contra Costa County

2 Executive Summary

Community-Based Organizations identified **key barriers and obstacles** that they and their clients face related to fair housing, including:

- *Insufficient access to information* due to language/technology barriers (particularly for immigrant communities and seniors); fear/distrust of the system; and difficulty understanding rights/resources

- *Complex, inflexible application requirements* for housing resources that may vary between jurisdictions, exclude certain people (e.g., undocumented, formerly incarcerated), or be difficult to meet
- *Communication between CBOs and property owners* is difficult to navigate, requires individual relationships with each location
- *Overall cost of housing* (most CBOs' clients fall under the 30% AMI) and need for tenant protections

The CBOs recommend these strategies to **strengthen outreach efforts**:

- Meet people where they are -- plug into existing outreach channels
- Partner with school districts to distribute information, as well as any civic organizations such as libraries, religious institutions, medical services
- "Train the trainer" approach to educate existing service providers on housing rights and referrals for their clients
- Provide materials appropriate for audience (e.g., physical flyers for seniors; video/audio content for Mam speakers)

Some **solutions** that panelists recommended for housing projects to better serve their clients:

- Identify onsite supportive services that are appropriate for residents early in process
- Early and sustained relationships between service providers and properties, especially relative to preparing eligible residents for the document/application needs for housing
- Renters' protection and long-term rental subsidies, particularly for households under 30% AMI
- Greater flexibility in application process (make it easier for CBOs and their clients to navigate, remove barriers for undocumented people)

3 Discussion

Questions

1. How does your work address fair housing?

- See Panelists, above

2. Is there sufficient access to information on matters related to fair housing in the county?

- Even when provided with information, clients (particularly immigrant communities) may not have access to the provided resources.
- Language and technology barriers –pandemic has shifted available entry points for access.
- Differing interpretations of 'fair housing' beyond the legal definition, and how it connects to other housing needs.
- Clients, particularly under 30% AMI, have limited time or availability to explore programs and resources, and often connect to the CBOs closer to the end (e.g., during evictions).

3. Housing issues are complicated and interconnected. What do you see as the primary obstacles your clients face? What do you think are the contributing factors to these trends?

- El Timpano: For Spanish and Mam speakers: language barriers (particularly for Mam, which has no written language)
 - Complex, inflexible application requirements for housing resources that are hard to meet/understand for both clients and CBOs
 - Jurisdiction understaffing, meaning that there is no clear point of contact
 - Digital barriers
 - Difficulties understanding rights and accessing info and resources
 - Fear and distrust due to previous experiences within the system

- East Bay Innovations:
 - For seniors/disabled clients, need for built-in supportive services such as mental health and food security, building a relationship with case workers
 - Communication with property managers about available units is hard to navigate, requires individual relationships with each location
 - Lack of affordable housing – 40 to 50 AMI does not serve CBOs' clients (income from SSI is approximately \$1,000/month)
 - La Familia: Clients may have substance use/mental health issues that affect employment stability, may have families and dependents
 - Integration of services is key
 - For reentry populations, tenant restrictions for felonies, violent offenses create barriers to housing
4. **Do you have ideas on how to enable stronger outreach efforts, including to populations that may be less aware of their fair housing rights (e.g. limited English proficiency, unhoused, LGBTQ)?**
- Meet people where they are (e.g., moving clinics out of office and into the community, libraries, schools, existing civic organizations and outreach channels).
 - Move away from events hosted at government offices
 - School districts have been very successful (sending information via existing school network, partnership with school counselors)
 - 'Train the trainer' programs for medical partners – education on housing referrals, housing rights
 - El Timpano: Developing a Mam community outreach team and creating video content to address written language barrier, SMS
 - Legal Assistance for Seniors: Pairing flyers/physical handouts with meal delivery services; digital divide is a barrier for clients
5. **What would a successful housing project need to include to impact the communities you serve in a positive way?**
- Policies built around long-term affordability
 - Make sure existing residents' needs are met (vs. prioritizing new development)
 - Build in onsite supportive services at the beginning, with input from prospective tenants
 - Emphasize community buy-in and providing appropriate services
 - Ensure residents feel safe and secure, build relationships with service providers (vs. experience of 'over-monitoring')
 - Connections with meals on wheels
 - Greater flexibility in application process: undocumented community members (unbanked/no credit) experience greater financial barriers
 - Tenant protections, with greater protection around Just Cause
6. **What are potential short-term and long-term solutions? What have you seen that works? What have you seen that does not work?**
- What works:
 - Early connections between CBOs and property owners/developers. Service providers understand application process; ongoing communication (e.g., monthly meetings with property managers)
 - Short-term, the eviction moratorium has been effective. Need to use the time to build infrastructure, and slowly lift the protections to give people time to move through the system
 - Just cause, rent control, expansion of protections

- Investing in and budgeting for tenant advocacy and holistic services (for landlords as well)
- Long-term rent subsidies
- What isn't working:
 - Shelter Plus Care varies between jurisdictions, needs to be clearer for housing advocates and tenants to understand
 - Rapid Rehousing: short-term rental subsidies are not effective in addressing long-term housing (still unaffordable after the subsidy ends)
 - HUD funding/policy provides resources for these short-term subsidies while funding for longer-term solutions like vouchers has decreased

Audience Questions

- **For Housing Element, encourage advocacy for increased Section 8 funding or similar services for both residents and developers to subsidize less than 30% AMI units.**
 - Rapid rehousing/shelter plus care is not successful, but that's where the funding is
- **Can we refer residents to the CBOs if we are not under a contract with the organizations?**
 - While there are income/jurisdictional guidelines on service, there are generally no limitations on who can refer residents to the CBOs.
 - Staff availability at CBOs is a limiting factor on how many referrals organizations can accept
- **Curious about other best practices or models that serve CBOs' client base?**
 - East Bay Innovations: Section 811 public rental assistance was successful partnership with Medicaid for persons with disabilities. Agencies worked with developers to set aside units at Section 8 levels, and CBOs acted as referral agents for those units. Funding is no longer available at the moment.
- **Appreciate comments about the difficulty of inclusionary housing. However, that's a common element of market rate development projects. Are there examples of policies that make inclusionary housing work better?**
 - One barrier is ensuring that application process and tenants are appropriate for the units, and making sure requirements are being met. Recommend requiring developers to pay on annual basis for cost of monitoring.
 - County is using a single portal for applications, including inclusionary housing (creates a pool of pre-screened applicants). Saves time for staff. Housing staff can share this with Planning staff.
- **Addressing living in place/accessibility: as we're building these projects, what are the features you would recommend that developers integrate upfront?**
 - East Bay Innovations:
 - Units with roll-in showers
 - Newer construction tends to have wider doorways/ADA compliant elevators. Modifications for tenant needs is minor in newer buildings.
 - Supportive service is key – building a relationship between service provider and property so that problems can be anticipated and addressed as early as possible
 - Universal design at construction
 - Universal design website <https://www.wbdg.org/design-objectives/accessible/beyond-accessibility-universal-design> and
 - Additional resources attached (courtesy of Michelle, Starratt, Alameda County Housing Director): Universal Design Guide and Infographic, Example design standards adopted by a housing organization

K. Notes and Presentation from Fremont for Everyone Workshop

Notes from Housing Element Workshop with Fremont for Everyone, Abode Services, and CA YIMBY

Presentation by Louis Chicoine from Abode Services:

- Fremont has really improved on the Housing Element. It used to be hard to find city staff to speak to. Values, prioritization, and ultimately the production of affordable housing have all improved.
- Housing Element is the plan to meet the growth needs, but it doesn't look back in retrospect at failure. This matters in the Bay Area. Fremont is doing better than most in the Bay Area, but we're in trouble. Even though we have more housing opportunities than ever, unhoused folks don't have enough opportunities.
- We still have people, including those who run for council, committed to making Fremont an exclusive community. Had someone run on a "no development" campaign. People want to see the problem going away without doing what's needed to fix it.
- We need to look back and understand how we got to the problem we have now.
- For every unhoused person who we put into housing, there are at least 3 others who are not able to access housing opportunities. That's likely to get worse in the coming year as the eviction moratorium expires and we move toward higher rents.
- Housing is the #1 public policy issue. This will determine if we have a livable city in the future.
- We need to look critically to see if the planned sites are adequate to the housing need in the moment, and also focus on the unmet need from previous years.
- We need to have a reasonable community conversation about housing, not one that's based on fear or rooted in exclusion (of thinking that your life would be better if others don't have their basic needs met). When people don't get their needs met, we all live in a less healthy community.
- We need to make sure:
 - there's available land to do the development
 - don't allow NIMBYs (community opposition) to rule the process
- Specific policy proposal is to reduce impact fees, especially for affordable housing. Affordable housing pays park fees, other impact fees. Parks are great, but why are affordable housing projects paying for parks? SF decided to waive these fees; Fremont should consider doing the same, as well as other improvements in process to get affordable housing built more easily.
- Optimistic that we'll be able to incrementally improve public policy in Fremont.

Presentation by Aaron Eckhouse from CA YIMBY:

- Fremont can be proud of what it's done so far and still can do better.
- On average, Fremont needs to build 1612 new homes per year in order to meet RHNA, which is more than historical housing production, especially low & middle-income housing. That status quo, therefore, won't get us where we need to be -- we need to adjust.
- Big-picture policies that Aaron recommends Fremont pursue in the housing element process, to expand where new housing can be built, allow for greater variety, make it quicker & cheaper & easier to build, and provide more options and protections for vulnerable residents:
- **Rezoning for more transit-oriented development and missing middle housing**
 - 88% of Fremont land zoned for residential use is exclusively for detached single houses, so you're very limited in what you can build, mostly just ADUs

- Even in denser zones, most don't have enough density to meet state standard for building affordable housing, and restrictions around Floor Area Ratio, setbacks, etc. that make it harder to meet needs
- **Big opportunity to support missing middle housing**
- State has helped, with SB 9 saying that duplexes have to be allowed
- Fremont could further facilitate by providing pre-approved designs for SB 9 projects
- This would be win-win: neighborhoods would have more control over what housing looks like, and it makes it easier for a homeowner who's not an expert
- Fremont could go further than allowing duplexes. Looking at half-mile radius around BART stations, there's a significant amount of land that's restrictively zoned
- An analysis in San Jose found that a 6-8-plex would be market-feasible to build at a price that's affordable to moderate-income households -- this is the income level where Fremont has fallen the most short
- We don't want to devote public subsidies to middle-income housing, because those need to go to lowest-income families
- We could meet missing middle by changing land use policy, in conjunction with other policy updates as noted in below points
- Streamline the approval process for development that includes affordable housing and missing middle housing – this is required by SB9 for duplexes. We should do the same for larger (6-8-plexes).
- This is a way to encourage on-site affordable housing, by providing a streamlined approval process for it. It can reduce the uncertainty and the holding cost that can be a barrier to new development.
- **Reduce minimum parking requirements**
 - Even in its transit-oriented overlay, Fremont requires 1.5 parking spaces per dwelling unit. So even someone who wants to live near transit has parking spaces.
 - 1000s of Fremont households have 0 to 1 cars, but current Fremont requirements make it illegal to build housing oriented by these folks.
 - A garage parking space increases rent by 17%. This can be the difference between being rent-burdened and not. For Aaron personally, this makes the difference -- if he were paying an extra 17% for parking, he'd be rent-burdened.
- **Revisit impact fees & look for better funding sources for Affordable Housing**
 - Fremont has among the highest fees in the state
 - This is one reason why we're only seeing high-cost development, because we're placing the full burden of funding public services on new development, and only high-cost development can support it.
 - New housing is not a piggy bank that we can use to fund our needs; new housing is a benefit.
 - Fremont is going to be required by state law to update impact fees to account for the fact that smaller units will pay lower fee than larger ones. In the process, we should look at other funding options.
 - Property transfer tax would be great, but that's only available to charter cities, so it's not an option for us.
 - Could look at a bond or parcel tax so that the entire community is contributing to a need that's shared across the whole community.
 - It's clearly true that Fremont needs more public subsidy to meet its low-income housing goals, but that shouldn't come at the cost of building naturally-affordable homes.
- **Strengthen tenant protections**

- Fremont doesn't have rent-control, but there is statewide rent stabilization, and sometimes enforcement is not there.
- Fremont can make sure renters are aware of rights and have resources to fight violations.
- Fremont could establish a rental registry to track where rental opportunities are and better enforce state protections.
- The goal of these strategies is both to meet Fremont's need for increasing housing production by 50%, and Affirmatively Furthering Fair Housing.
- 88% of Fremont being off-limits to affordable housing is a barrier to AFFH.
- Requiring parking is a barrier to AFFH; low-income folks often don't have a car and would be better off not paying for a parking space they don't need.
- TOD is great, but we can't build all our new housing at Warm Springs. It's great that we've built more there, but there's a limit -- Fremont is approaching the end of the low-hanging fruit and needs to look for other opportunities to expand housing in the city.

Question and Answers:

Q: Any response from city planners to points around impact fees and zoning?

Wayland: No specific response, grateful for the input.

Q: Can Aaron repeat stats on how many households don't have cars?

Aaron: ~1 in 6 households have 0 or 1 cars. It may be a goal of the city to enable more people to live in the city without a car. A minimum parking requirement would run counter to that goal.

Q: For the fees, thought that when you build 100% affordable housing, you get some concessions which could include a waiver of fees. What purview does the city have in the context of the housing element update to affect fees?

Louis: In Fremont, the allowances are for the deferral of fees until the close of a project, which is very helpful because it affects millions of dollars, but it's not a waiver. That said, one fee is sacred, and that's the inclusionary fee that creates affordable housing. There has been attacking of this from progressives. But that in-lieu fee has been very helpful for projects like what Abode does, and projects focusing on very low-income, special needs, additional services needed which make projects more expensive. The fees are there because we tax ourselves in ridiculous ways in CA; we wouldn't want to see school fees go away without a replacement, since the school district relies on that for capital projects. But we need to ask if we want to impose those on affordable projects. A 100% public-financed project is taxpayer money, and then we tax the project to fund other priorities. Is there a way to find other ways to fund those priorities other than taxing an affordable housing project?

Q: Has followed Fremont's housing element for at least 30 years. The trend, unchanged, is that Fremont gets RHNA numbers by income level. For the last 30 years, the above-moderate income level has been produced at 300-600% of the goals, and low & very-low & moderate-income has produced 15-25% of the goal. What actions is the city staff going to take to reverse that historical trend?

Wayland: It's a difficult question, and Staff is here to listen for solutions. It's true that we haven't produced low, very-low, and moderate housing at levels that meet our needs. Looking for suggestions.

Response: One suggestion is to increase limits on height and density. Fremont isn't a suburb anymore. The height limit and density levels are suburban. Until we address those at a minimum, we're not going to solve the housing crisis.

Q: Under the impression that since ~2015, we haven't had minimum parking requirements in Warm Springs, or they've been less. Have we seen any impacts on housing type and affordability because we don't have that requirement in certain areas?

Courtney: In Warm Springs, there's no minimum parking for residential within 1/4 mile of BART. But there haven't been any developments that have been built down there that have no/low onsite parking. Most have been built with 1 space per unit or higher based on what developers & market wanted. We do have parking maximums, but the lowest maximum is 1.5 spaces per unit in that area. So, we don't yet have the data to answer your question.

Breakout Rooms:

- As far as parking, would love to see research on utilization of parking stalls across the spectrum of socio-economic category for multi-family housing complexes. What benefit could we get by baking in transit passes directly into the zoning code, or other kinds of multi-modal transit opportunities?
- Schools - how do we consider supportive services? The fees are important to funding our schools. Space used to be the issue. Will it be again if more people move here? Can the school and city work together better? Counter-intuitive that more housing won't bring more students, but today's kids aren't having as many kids.
- Last 8 years we've exceeded our numbers by a lot but didn't meet our low & moderate goals at all. Remove single-family zoning?? Families can't afford Fremont. So it's mostly older people with older kids. Affordable housing might but only if it's built for it. Studios won't bring in families.
- And what about the middle? Do we want to be a place where everyone is well-off rich or a service worker in affordable housing? How can we do this without subsidizing (which isn't appropriate)?
- Developers are looking for the easiest, fastest development. We want to break that problem. Zoning has made this the standard.
- Challenge the constraints that we have and build more higher-density and affordable housing.
- Concern over aesthetics of some of the construction in Downtown Fremont. However, it's difficult to build anything. It's amazing we get anything constructed at all, so aesthetics can be difficult given all the other constraints.
- Should we use tiny homes? Because land is so expensive, building up and having higher density are a more efficient use of space. Allowing tiny homes on tiny pieces of land could help bring down costs.
- ADUs on wheels could be a solution for seniors who own homes to get more income by having people live in their backyard and move in quickly.
- There was a concern about traffic; they talked about it being a regional issue rather than an issue with development in Fremont that needs regional and statewide solutions.
- Participant had the experience of losing her home after paying 80% of her household income on housing and could not find resources to help her stay in her home. It's cheaper to keep someone in a home than to get someone back into a home after they've lost it.
- There needs to be more oversight of affordable housing landlords. Her unit had an issue with contamination that was not properly highlighted when moving in, and that she suspects could be related to long-term respiratory issues that she and her spouse have experienced. When she contacted HACA, she was told, "you signed the lease; we're not responsible for oversight."

Fremont for Everyone Workshop Presentation



2023-2031 Housing Element Update:

An Eight Year Plan to Meet the Housing Needs of Everyone in the Community



1

Presentation Agenda




- Housing Element overview
- Key components of 2023-2031 Housing Element
- Moving forward...






2

What is a Housing Element?




- Required element of the general plan
- State-mandated update every eight years
- State must certify adopted housing element for conformance with state law

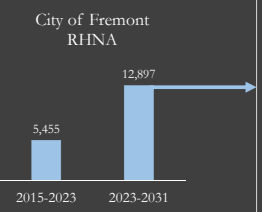



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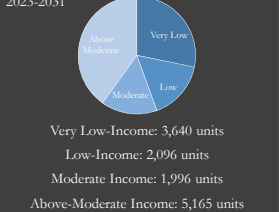
What is the RHNA?




City of Fremont RHNA



2023-2031




Very Low-Income: 3,640 units
Low-Income: 2,096 units
Moderate Income: 1,996 units
Above-Moderate Income: 5,165 units




4

Housing Element Components




- 1 Evaluation of previous housing element
- 2 Analysis of community housing needs
- 3 Analysis of potential constraints
- 4 Inventory of land zoned for housing
- 5 Goals, policies, and programs
- 6 Affirmatively furthering fair housing (AFFH)






5

1 Review Previous Cycle

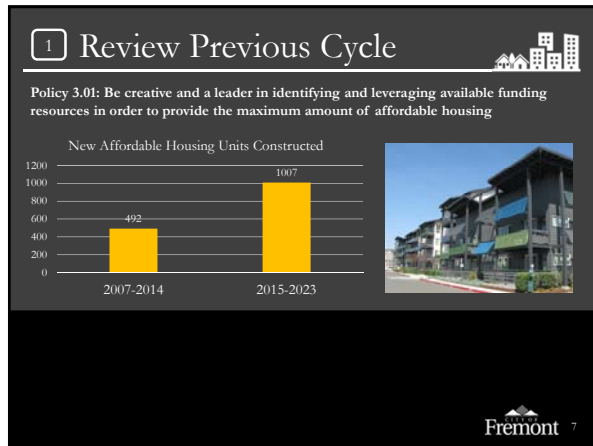


Fremont RHNA Allocation		Fremont RHNA Production	
Very-Low Income	1,714	Very-Low Income	493
Low Income	926	Low Income	419
Moderate Income	978	Moderate Income	23
Above Moderate Income	1,837	Above Moderate Income	6,156
Total	5,455 units	Total	7,091 units

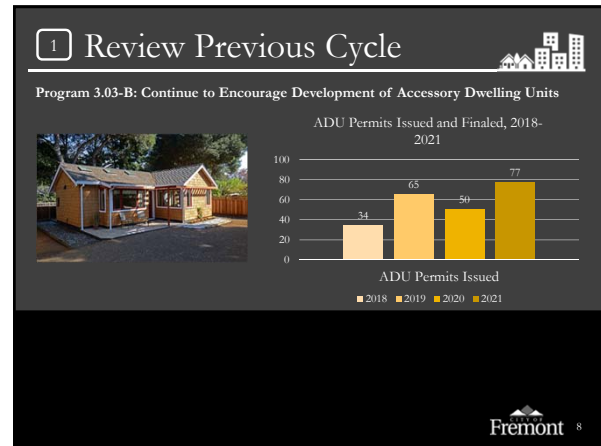




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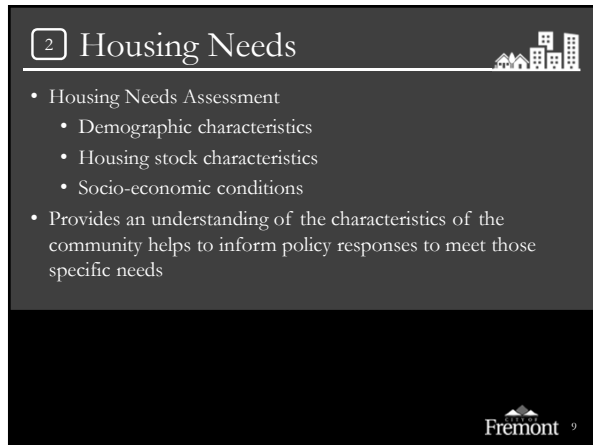
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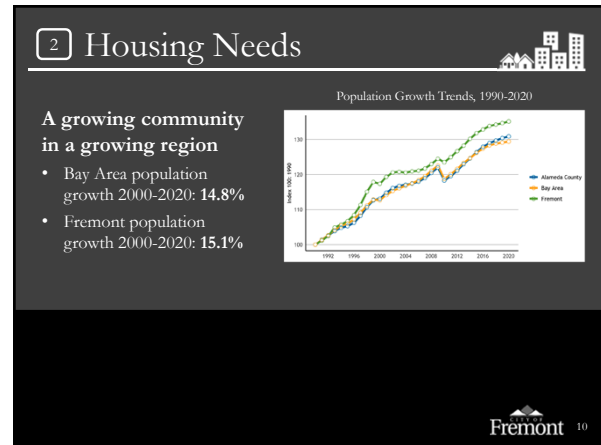
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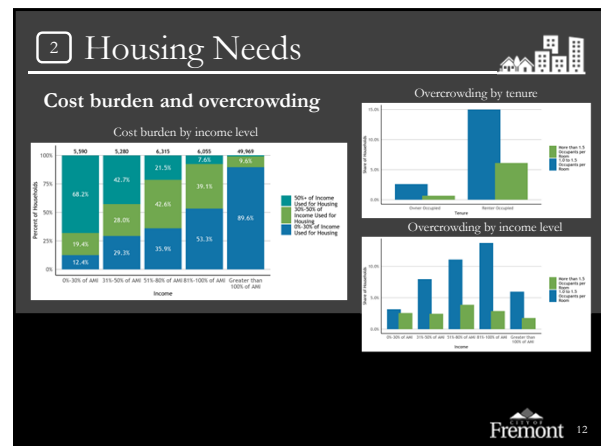
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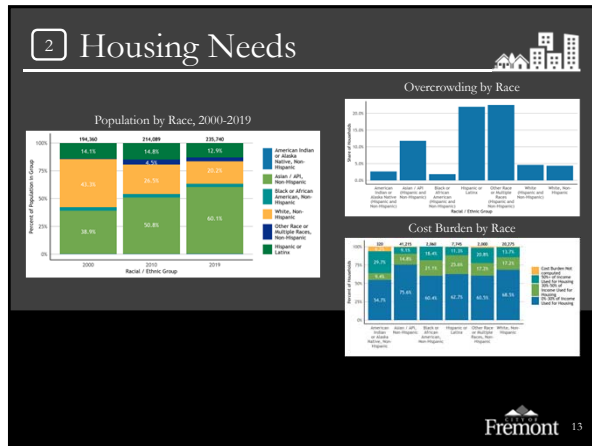


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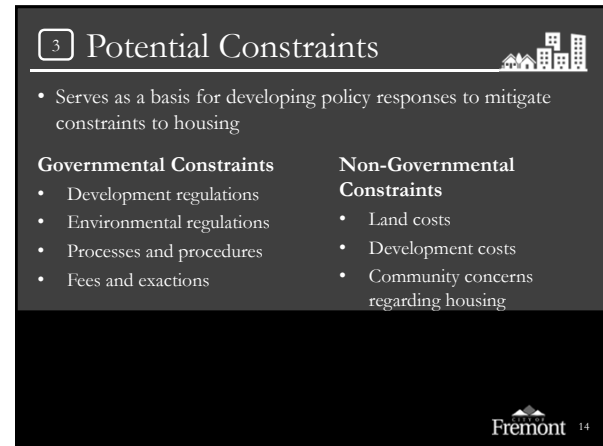


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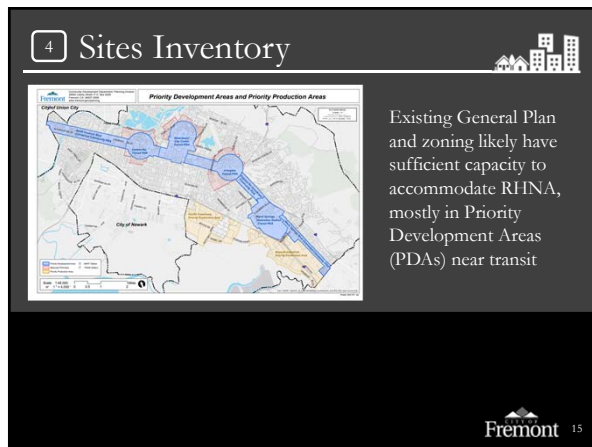
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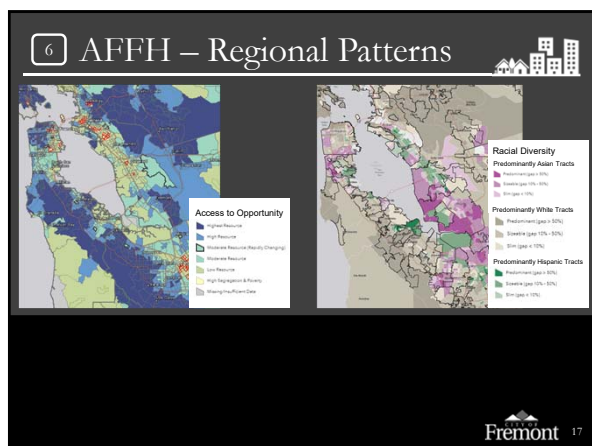
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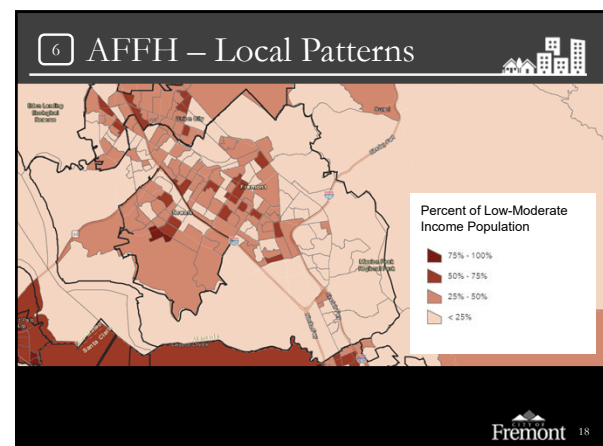
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Fremont for Everyone Workshop Presentation

Housing Element Components




1  Evaluation of previous housing element	2  Analysis of community housing needs	3  Analysis of potential constraints
4  Inventory of land zoned for housing	5  Goals, policies, and programs	6  Affirmatively furthering fair housing (AFFH)


 19

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Ongoing Community Outreach



www.Fremont.gov/HousingElement



- Past presentations to Boards/Commissions
- Ongoing office hours
- Upcoming listening sessions
- Complete draft to share with public by June 2022

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Thank you!

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L. Notes from Listening Session at Sunrise Village

Notes from the Listening Session at Sunrise Village

Where have you lived previously? What living experiences did you like or dislike, and why?

- Affordable housing located near transit options is important.
- Gated security an important feature to feel safe.

What City housing, shelter, or assistance resources have you found most helpful? What would you like to add or improve?

- The application process for affordable housing is difficult.
- The requirement for a background check to qualify for housing can be an obstacle. It can be unfair and keep families from staying together.
- It is difficult to find information about housing opportunities and programs. Only found out about Sunrise Village through word of mouth.
- Would benefit more in-person communication. Come and talk to them, rather than hand out flyers.
- It's not clear how to advocate for their needs and how to get their input heard.
- Programs that only provide one year of assistance are problematic. Need more long-term answers.

What design features and amenities and design features do you like about Sunrise Village? What features and amenities do you think the City should consider when planning for future shelters?

- The need to get buzzed in to enter the facility is inconvenient.
- Bicycle racks are a positive.
- Smoking area placement difficult for residents with children.

How do you feel about Sunrise Village's location? How do you get around to errands, activities, and appointments?

- Fremont is a safe place to live.
- Fremont is a good place for families.
- Food choices are limited, and often not appropriate for children.
- Fremont has support for deaf family member.

What housing challenges do you experience or see in our community?

- Fremont is crowded and there are few opportunities to build affordable housing.
- Conversion of Islander Hotel into permanent housing has trade-offs. Displaces temporary homeless residents.

What do you think are the most pressing housing needs in Fremont? How can the City meet them?

- Need more affordable housing opportunities.
- Conversion of hotels into affordable housing is an opportunity.

M. Notes from Listening Session at
Pauline Weaver Senior
Apartments

Notes from the Listening Session at Pauline Weaver

Where have you lived previously? What living experiences did you like or dislike, and why?

- Generally happy with living situation, like that the building is clean
- Mostly first time in an affordable housing development. Like the facilities provided on-site. Location is convenient – can walk to 99 Ranch (Chinese market).

How did you get connected to your current housing? Tell us about your experience with the application process to obtain your current housing. What would you improve?

- Most information is provided in English, but majority of residents speak Mandarin Chinese.
- Residents learned about affordable housing opportunities through the senior center
- Application process was complex and required a lot of effort.
- Had to rely on assistance from their children to fill out the application.
- Waiting list for affordable housing is long
- Rent is high. It is difficult to make ends meet, even at below-market rate rents.
- Rent increases were difficult to manage. Rent increased from \$700/month in 2019 to \$1,140/month in 2022.
- Income qualifications are not transparent. How does things like life insurance factor in?
- Many residents only have social security as income. Can't keep up with rent raise while set aside the expense for medical and other services

What amenities and design features do you like or dislike about your current home?

- Amenities are generally good.
- Laundry on the site is communal, residents wish that there were private laundry hook-ups in each room. They feel that shared laundry is dirty/unclean. Many people wash things multiple times due to this perception. Want to have smaller washer in each unit but not allowed by the property management.
- Limited laundry machine in the building. Constant maintenance of laundry machine further reduce the availability.
- Concerned about security.
- No canopy on top floor balcony so room warms up due to orientation of building

How do you feel about your current home's location? How do you get around to errands, activities, and appointments?

- Appreciate opportunity to be located close to family.
- Proximity to senior center and recreation a benefit.
- There is a grocery store within walking distance, but there are long block lengths to get there. Crossings on busy streets feel unsafe.
- There is bus stop close by but not used very often. Due to language barrier, it's difficult to make transfers. Residents only go to the places on the bus stop schedule.
- Depend on children to take them to medical appointments and other occasional appointments.

What do you think are the most pressing housing needs in Fremont? How can the City address them?

- Senior affordable housing has specific needs and should be separate from other affordable housing.
- Concerned about affordability of housing
- Single and younger people are moving out of the community or are stuck as renters. Resident knows many young people through their church community who are in this position.

- Senior affordable housing has specific needs and should be separate from other affordable housing.
- Concerned about affordability of housing
- Workforce housing is important. Many young people spend roughly 1/3 of income on rent but won't be able to save for buying a property for their own.

N. Notes from Listening Session at Cottonwood Place

Notes from the Listening Session at Cottonwood Place

Where have you lived previously? What living experiences did you like or dislike, and why?

- Generally happy with living situation, like that the building is clean.
- For many people, it is their first time living in affordable housing. Most residents lived with kids before moving here.
- Like the place in general. It is an older development as many residents have lived there for 7-10 years. Like location and amenities in general.
- Rent is high.

How did you get connected to your current housing? Tell us about your experience with the application process to obtain your current housing. What would you improve?

- Flyers and website
- Residents learned about affordable housing opportunities through the senior center.
- Their children filled out the application, so they don't know much about that process.
- Information is mostly in English so rely on children to translate and fill the forms. Translation to other language would be helpful.

What amenities and design features do you like or dislike about your current home?

- Unhappy with quality of Wi-Fi network and utility costs
- Laundry on the site is communal, residents wish that there were private laundry hook-ups in each room. They feel that shared laundry is dirty/unclean. Many people wash things multiple times due to this perception.
- Concerned about security. There is a bar across the street, people will come over to this property after drinking at the bar. Residents feel unsafe with rowdy/drunken trespassers.
- Would prefer hardwood floors. As seniors, they are more likely to spill things and the carpet is difficult to be kept clean and expensive to be deep cleaned frequently.
- The building has balconies, but the balconies on the top floor do not have shade so they are difficult to use because it gets too hot. Wish there was drainage on balconies to water plants.
- Resident wishes there were a full-time property manager on-site (there is supposed to be one, but that position is currently vacant).
- Units could be designed to be safer. For example, light switch locations require walking through a dark bathroom to turn on.

How do you feel about your current home's location? How do you get around to errands, activities, and appointments?

- There is no park nearby, no opportunities for outdoor exercise. The common open space in the development is shared with another development next door, which means that there is limited access to the space sometimes.
- There is a grocery store within walking distance, but there are long block lengths to get there.
- Rely on buses to get grocery mostly
- Neighborhood commercial like small retail stores available within walking distance. But fewer retail stores available now.
- Crosswalks are located on the further end of the street so residents need to walk far to cross the street. Want to have more crossings.
- Really looking forward to the Silicone Sage project (an entitled mixed-use development) to be built so that residents have more places to go.

- No parks nearby. Limited outdoor exercise structure on site as well.
- Courtyard is shared with residents from another development, so outdoor space is limited.

What do you think are the most pressing housing needs in Fremont? How can the City address them?

- Concerned that retail is disappearing nearby, want to make sure neighborhood continues to have convenient and walkable services.
- Hope that nearby vacant land is developed as housing because it is currently seen as a security issue
- Concerned about affordability of housing
- Single and younger people are moving out of the community or are stuck as renters. Resident knows many young people through their church community who are in this position.

C. Notes from Listening Session at CU; UfXYbg

Notes from the Listening Session at Oak Gardens

Where have you lived previously? What living experiences did you like or dislike, and why?

- For many residents, it was their first time living in affordable housing. Many lived in single-family homes previously.
- When they were younger and had more mobility, it was easier to live further away from destinations and drive. Now that they have disabilities, it's more important to live near transit and services.

How did you get connected to your current housing? Tell us about your experience with the application process to obtain your current housing. What would you improve?

- Many attendees were long-time residents
- Residents learned about affordable housing through word of mouth.
- Some residents also learned about affordable housing through BACS.

What amenities and design features do you like or dislike about your current home?

- Residents expressed difficulty with background checks, filling out forms, and recertification.
- Happy with steady rental rate.
- Many needed help filling out application forms.
- Routine well-being checks on residents would be good to make sure everyone is safe and healthy.
- A "community atmosphere" is important.
- Exercise equipment would be desirable.
- Ample parking. Never have to look for a space.
- Living spaces are small (less than 500 square feet)
- Accessibility of units is very important.
- Flooring materials and design can sometimes make it difficult for disabled individuals to get around.
- In-unit washer/dryer would be desirable.

How do you feel about your current home's location? How do you get around to errands, activities, and appointments?

- Safe neighborhood.
- Relatively close to amenities and services.
- Complex is well designed with many shared amenities.
- Oak Gardens is not walkable to a drug store, park or medical offices.
- A shuttle would be helpful.
- Affordable housing should be located near transit.

What do you think are the most pressing housing needs in Fremont? How can the City address them?

- Homelessness is a big issue. Getting worse.
- In the event of an emergency, it's important for residents to know where to go and what to do.
- Many people don't listen to the radio or watch TV. How do we reach these people?
- Concerned about affordability of housing

Appendix B

Response to Public Comments

Purpose

The first public comment period for the Draft 2023-2031 Housing Element ran from July 8, 2022 through August 8, 2022. In order to illustrate how the revised draft reflects public input received during the comment period, staff have prepared a response to comments. The response distills the major feedback provided in each written public comment submitted during the public comment period and indicates how it has been addressed in the revised Draft 2023-2031 Housing Element.

Comments are ordered alphabetically by organization name or by first name of the individual commenting. Many comments noted the issue of tree preservation. A Topical Response to this issue has been prepared.

Topical Responses

Topical Response #1 – Tree Preservation

Multiple comments advocate for robust tree protection requirements for new housing development.

The Community Character and Conservation Elements of the General Plan acknowledge that trees are a valuable aesthetic, ecological and economic resource in the City of Fremont and include various policies and programs to promote the protection and preservation of trees in the community. The policies and programs contained in the Housing Element will not conflict with the policies and programs in the other element of the General Plan pertaining to tree preservation. The City will continue to advocate for the protection of trees through implementation of the City's Tree Preservation Ordinance, development of an Urban Forest Master Plan, and application of landscape development requirements and standards on new development projects.

Housing Element Program 17 has been amended to identify the preservation of the urban forest as a component of the "highest level of design quality" of residential development projects:

Program 17. Develop and Refine Objective Design Standards Consistent with State Law to Provide a Predictable Basis to Review Housing Projects.

The City shall revise existing design guidelines to encourage the highest level of design quality, while at the same time reducing delays and uncertainty for developers by providing clear direction on the required standards. The "highest level of design quality" refers to development that is safe, aesthetically pleasing, harmonious with its setting, respects privacy and views, preserves valuable community resources such as trees and historic resources, and supports a more sustainable community.

Responses to Comments

Comment Letter #1

Bay Area Rapid Transit (BART)

July 25, 2022

- I.1. *The commenter indicates that BART has funding and staffing constraints that will limit the amount of TOD development that can take place on its station properties in the near term. With its limited resources, BART must prioritize TOD development in its station areas based on the following three criteria:*

- 1. Market readiness for TOD*
- 2. Local support for TOD*
- 3. Infrastructure needs*

In recognition of BART's need to prioritize development on its station properties, Program 63 has been expanded to better position the Fremont BART Station site to compete for resources under the prioritization criteria identified by BART:

Program 63. Prioritize Affordable Housing on Public Property.

Given that land costs are a significant constraint to housing development, land already owned by public agencies shall be prioritized for the development of affordable housing. The City shall regularly review the inventory of City-owned surplus, vacant, or underused land, no longer needed for current or foreseeable future public operations, that should be considered for sale or lease for development of affordable housing and/or shelters. The City shall prioritize the review of sites within high resource areas and comply with all requirements of the Surplus Lands Act.

The City shall also work with other public agencies to prioritize development of affordable housing on their properties and remove barriers to the construction of affordable housing on those lands.

The Fremont BART Station in particular has an underutilized parking area that could provide an opportunity for affordable housing near transit. To facilitate development on the Fremont BART Station site, the City shall take the following actions:

- Explore avenues to remain competitive for state funding resources for affordable housing. This may include obtaining the State's Pro-Housing designation, as discussed in Program 53.
- Conduct community and developer engagement around future TOD development at the Fremont BART Station site regarding development constraints, issues (including parking management near the station, and design parameters reflecting relevant guidelines, policies, and regulations adopted by BART and the City of Fremont.

Comment Letter #2
Bay Area Rapid Transit (BART)
August 3, 2022

- 2.1. *The commenter expresses concern that a 100% affordable project would not be financially feasible on the Fremont BART Station site due to the cost of developing BART land and related parking improvements.*

The City's methodology for assigning affordability levels to Housing Element sites categorizes sites that provide for a residential density above 30 dwelling units per acre (DU/AC) and are between 0.5 and 10 acres in size as being suitable for development of housing affordable to lower-income households. The assignment of a site as being suitable for development of housing affordable to lower-income households does not preclude the development of market rate housing on the site in the future.

Fremont recognizes that market rate housing may be a component of a future TOD project at the Fremont BART Station. The underlying City Center Transit Neighborhood (CC-TN) zoning designation allows for both affordable and market rate housing above the baseline density of 75 DU/AC identified in BART's adopted TOD Guidelines and AB 2923. The CC-TN zoning district has no maximum density and allows building heights up to twelve stories (145 feet) in height without accounting for additional height allowances provided under state density bonus law. Based on these parameters, significant residential development capacity exists above the target provided for in the Housing Element. The unit count in the Housing Element for the Fremont BART Station site is intended to be a highly conservative target that does not reflect the full development potential of the site.

Comment Letter #3
Building Industry Association (BIA)
July 1, 2022

- 3.1. *The commenter recommends that the City analyze development regulations including parking, FAR, height, density ranges, moratoriums on conversions of non-residential zoned land, and requiring commercial square footage within mixed use projects.*

Refer to pages 5-18 through 5-26 for a discussion of development standards, including parking requirements, FAR, height, and density ranges.

The City of Fremont does not have any moratoriums on the conversion of non-residential zoned land. Proposals that involve changing a land use designation would proceed through the City's General Plan Amendment process.

Refer to page 5-25 for a discussion of commercial square footage requirements in mixed-use zones. This section has been retitled "Minimum Commercial Component and Floor Area Ratio in Commercial Zones" in order to clarify that it contains a discussion of mixed-use requirements. Proposed Program 36 would update the mixed-use development standards to enhance their clarity and help promote thriving retail corridors while not unduly burdening housing development.

- 3.2. *The commenter recommends that the City analyze mitigation fees including park dedication fees and affordable housing fees.*

Refer to page 5-31 for a discussion of development impact fees, including park dedication fees.
Refer to page 5-29 for a discussion of affordable housing in-lieu fees.

- 3.3. *The commenter recommends that the City analyze inclusionary housing mandates, community benefit plans, and “above and beyond” dedication requirements.*

Refer to page 5-29 for a discussion of the City’s affordable housing ordinance. Developers may choose from multiple compliance options, among them inclusionary on-site housing.

The following text regarding the City’s Art District programs has been added to page 5-34:

Art District Programs

The City of Fremont has established Art District programs within the City Center, Downtown, Warm Springs, and Ardenwood Technology Park areas. These programs are intended to promote the arts, provide art education, and spur economic development by creating an attractive pedestrian environment. The current Art District Fee is set at \$0.62 per gross square foot of new construction in all Art Districts. This fee is subject to an annual automatic escalation based on the Consumer Price Index (CPI). For construction projects with more than 100,000 square feet of gross area, the developer may choose to provide on-site artwork, of equivalent value, in lieu of paying up to 50% of the fee.

The following text regarding dedication requirements has been added to page 5-28:

Street Dedication and Improvements

The City’s Engineering Division requires that developers dedicate frontage to the City when it is required for the construction of public right-of-way improvements, such as roadways and sidewalks. The City requests the minimum dedication necessary to bring the adjacent street and sidewalk into conformance with the geometry called for within the General Plan. Developers are also required to fund and construct street improvements along the project street frontage, including curb, gutter, and sidewalk. As required by state law, the City exempts certain types of development, including accessory dwelling units, from street dedication and improvement requirements.

- 3.4. *The commenter recommends that the City analyze environmental constraints including fault zones and historic buildings/neighborhoods.*

Refer to page 5-27 for a discussion of environmental constraints, including geologic hazards, historic resources, and fire hazard areas. These factors were integrated into the site selection and site capacity methodology, as discussed in Chapter 8.

- 3.5. *The commenter recommends that the City analyze new taxes, including parcel taxes, community facilities districts, and revenue neutral development.*

The following text regarding additional taxes has been added on page 5-29:

Community Facilities Districts

Community facilities districts (CFDs) are special tax districts that allow the City to obtain additional funding for various infrastructure improvements. In some cities, CFDs are used similar to development impact fees in that new residential developments are required to enter a CFD in order to fund anticipated infrastructure maintenance. There are currently two CFDs within

Fremont: one in Pacific Commons and another in Warm Springs. Both CFDs contain exclusively commercial and industrial parcels. The Housing Element does not require or anticipate the establishment of any additional CFDs for residential development. The Housing Element does not propose any new parcel taxes or other taxes on residential development.

- 3.6. *The commenter recommends that the City analyze mandated labor requirements, including project labor agreements, prevailing wage requirements, local workforce requirements, union apprenticeship requirements, and local business sourcing requirements.*

The City does not have any mandated labor requirements, and none are proposed under the 2023-2031 Housing Element. Projects requesting review pursuant to certain state laws (i.e. SB 35) may be subject to mandated labor requirements as required in state law.

- 3.7. *The commenter recommends that the City analyze citizen concerns, such as NIMBY-ism and CEQA lawsuits.*

Refer to page 5-5 for a discussion of community concerns related to housing development. Community concerns about housing growth are identified as a major constraint to development on page 5-2. Programs 21 and 28 aim to bolster community support for housing and increase awareness of the benefits and need for providing housing within the community.

Refer to page 5-38 for a discussion of the environmental review process. Additional text regarding CEQA lawsuits has been added to page 5-38, as follows:

Environmental review is a major determining factor for the length of time needed to process a development application. When a project is not subject to environmental review, the processing time can be significantly shortened. When a project is subject to environmental review, additional time may be required to complete technical studies, evaluate the applicability of exemptions, and potentially prepare an Initial Study document. Environmental determinations are also subject to judicial challenge. Projects subject to CEQA may be additionally held up by lawsuits challenging the adequacy of environmental documents. Within the past planning period, the City is aware of one CEQA lawsuit filed against a housing project within the City of Fremont. This indicates the slight, but real, possibility of such challenges and associated delays.

- 3.8. *The commenter recommends that the City analyze permit processing times.*

Refer to pages 5-36 through 5-40 for a discussion of permit processing times.

- 3.9. *The commenter recommends that the City analyze land costs and construction costs.*

Refer to pages 5-4 and 5-5 for a discussion of land costs and direct/indirect development costs.

Comment Letter #4
Coalition for Fair Housing Elements (CFHE)
July 8, 2022

- 4.1. *The commenter expresses concern that a program to redesignate land to higher densities has been removed. The commenter asks the City to add additional programs to increase residential density.*

To clarify, the previous program referenced, Program 3.02-C, did not involve City-initiated rezoning of land to higher intensities. Program 3.02-C involved the City's consideration of General Plan Screening requests as they are received from private developers. This process remains unchanged even though the program highlighting it has been removed. The Draft 2023-2031 Housing Element commits the City to taking specific, measurable initiatives to increase density rather than only reacting to private development proposals. These increases in density will be concentrated within the transit-oriented development areas, consistent with the vision for strategic urbanism in the General Plan. However, they will not be exclusively within TOD areas. Refer to the following programs:

- Program 33. Add Intensity in High Resource Single-Family Neighborhoods within TODs.
- Program 35. Set Density Minimums Outside of TODs.
- Program 37. Update Zoning to Reflect Intensity Permitted Under SB 478.
- Program 38. Update Community Plans as Needed.

Note on page 2-17 that the language in Program 33 has been updated to reflect the City's commitment to implement this program, although a specific zoning mechanism for the program has not been finalized yet.

4.2. *The commenter asks the City to increase density within existing single-family neighborhoods.*

Under state law, properties zoned for single-family residential use can now re-develop with up to four units by-right pursuant to SB 9. This would result in a density of nearly 30 DU/AC on a standard 6,000 square foot lot. Program 32 requires that the City develop a local ordinance implementing SB 9 in a way that facilitates its adoption within existing neighborhoods. This program will add density to existing single-family neighborhoods in a way that is most practical given existing lot sizes, ownership patterns, and financing options.

4.3. *The commenter asks the City to take additional actions to streamline project approvals, including Planned Districts and design guidelines.*

Refer to Program 5, page 2-6, for actions to streamline development within existing Planned Districts. While Planned Districts do take additional time to review, they allow developers additional flexibility in designing custom regulations and can facilitate the development of particularly challenging sites. The City reviewed 13 Planned District developments during the past planning period, which is a small portion of overall development activity.

Refer to Program 17, page 2-11, for actions to update and refine the City's objective design standards. Existing design guidelines, including the Multifamily Design Guidelines mentioned in the comment, will be updated to help reduce delays and uncertainty for developers.

4.4. *The commenter asks the City to lower development impact fees and permitting fees.*

Refer to Program 50, which reduces development impact fees for affordable housing, and Program 51, which waives all development impact fees for ADUs. The remaining fees for a typical ADU development consist of \$7,040 in outside agency fees (which the City cannot alter) and \$7,120 in City permitting fees. City permitting fees are charged on a "cost-recovery" basis, meaning that the fees charged to homeowners reflect the staff time spent on administration, review, and inspection for the ADU project. Programs 24, 30, and 31, which streamline ADU development,

would assist with bringing down these development costs by reducing the amount of staff time that must be spent guiding homeowners through individual projects.

Comment Letter #5
Chaunie Langland
August 6, 2022

- 5.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #6
Diane Harvey
August 6, 2022

- 6.1. *The commenter is concerned about the long-term impacts of proposed programs to waive development impact fees for ADUs and significantly reduce these fees for affordable housing projects.*

Refer to page 5-12 for a discussion of accessory dwelling unit permitting. Notably, state law does not allow the City to charge impact fees for ADUs under 750 square feet in area. The City voluntarily chooses to waive impact fees for all ADUs (which can be up to 1,200 square feet in area) to simplify regulations and reduce costs, in order to facilitate these units. Rental data indicates that ADUs in the region are a source of housing that is affordable to lower-income and moderate-income households. Refer to page 8-15 for discussion regarding the affordability of ADUs.

Refer to page 5-31 regarding a discussion of development impact fees. Development impact fees were identified a constraint on the production of affordable housing. A 50% reduction on traffic, parkland acquisition and park facilities development impact fees for deed-restricted affordable housing removes a key constraint to development.

- 6.2. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #7
Elizabeth Newell
August 7, 2022

- 7.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #8
Fremont For Everyone
August 8, 2022

- 8.1. *The commenter recommends that staff proactively enforce anti-substandard housing provisions.*

Refer to revised Program I. After further discussion with Code Enforcement, staff have revised this program to include proactive investigation of substandard housing problems within apartment complexes. The City reserves the right to conduct proactive code enforcement activities occur when there is a reasonable suspicion that systemic problems exist within an apartment building or complex of buildings. The following additional text has been added to Program I:

Experience has shown that individual apartments within one building have so much in common with each other that one unit has a likelihood of being representative of the others. Individual apartments at a property were all built at the same time, using the same materials, by the same work crews, and by the same design. The property owner stands to benefit if common problems are dealt with at once. The City reserves the right to conduct proactive enforcement activities when there is a reasonable suspicion that systemic problems exist within the building or complex.

- 8.2. *The commenter recommends that the City hosts an annual training for tenants about their legal rights.*

Refer to Program I3, which has been revised to add the following language about proactive trainings on tenant's rights:

Program I3. Provide Education on Tenant's Rights.

The City of Fremont contracts with Project Sentinel's Fremont Fair Housing and Landlord/Tenant Services to provide education to tenants regarding their legal rights. Project Sentinel provides fair housing information/education and investigates housing discrimination complaints. Project Sentinel also provides counseling services to tenants upon request. Counseling is provided relating to security deposits, repairs, right to entry, evictions, retaliations, and rent increases. As resources and funding are available, the City shall seek opportunities to expand educational opportunities through providing proactive training events or webinars for tenants.

- 8.3. *The commenter recommends that the City increases walkability through gentle mixed-use zoning and provision of public realm amenities.*

Allowing commercial uses within single-family residential zones is a larger land use question beyond the scope of the Housing Element. Other improvements mentioned such as sidewalks, tree cover, and bicycle infrastructure would be located within the public right-of-way. Refer to Program 6 for the program to fund improvements within the public right-of-way.

- 8.4. *The commenter recommends that a minimum percentage of the Capital Improvements Program (CIP) budget be allocated to non-car infrastructure.*

The [Capital Improvements Program \(CIP\) budget](#) is a collaboration between multiple City divisions, but primarily involves the Public Works Division and City Manager's Office. The Housing Element does not provide direction for CIP expenditures. Program 6 is included to demonstrate the City's commitment to providing infrastructure for new and existing housing developments.

Most CIP funding sources are restricted to specific purposes and percentage allocations of funding may inhibit the City's ability to fully take advantage of all possible funding sources.

- 8.5. *The commenter recommends tenant opportunity to purchase (TOPA) and good cause eviction protections for mobile homes.*

Refer to page 5-15 for a discussion of issues facing mobile home renters and owners. AB 978 (Quirk-Silva, 2021) extended the just cause eviction protections of AB 1482 to mobile home renters and owners. Refer to Section 8.7 for a discussion of TOPA.

- 8.6. *The commenter recommends levying a tax on condominium conversions.*

The City's condominium conversion ordinance already contains significant provisions to dissuade condominium conversions, as evidenced by the fact that the City has not seen any applications for condominium conversions during the current planning period (Refer to pages 6-6 and 6-14). Additional restrictions on conversions are not warranted as a policy priority.

- 8.7. *The commenter recommends changes to the Rent Review Program to strengthen enforcement, allow flexibility with hearing times, and address retaliation. The commenter also recommends tenant protection policies that would supplement existing protections under Fremont's Rent Review Program and AB 1486.*

In 2017 and 2019, the Fremont City Council considered a variety of tenant protection policies and voted to establish the current Rent Review Program. Per FMC 9.60.120, staff must annually prepare a report to the city council assessing the effectiveness of the rent review program and discuss any changes to the program as may be appropriate. Staff has not received direction from City Council to revisit or modify the Rent Review Program at this time. Program 12 has been updated in order to reflect the annual review requirements contained in FMC 9.60.120:

Program 12. Continue to Implement and Annually Review the Rent Review Ordinance.

In 2017, the Fremont City Council adopted the Rent Review Ordinance. The ordinance covers all residential rental units in Fremont, including single family homes. The Rent Review Program provides a review and formal hearing for proposed rent increases in excess of 5% in any 12-month period. A landlord must include information regarding the Rent Review Ordinance when providing notice of a rent increase. The City Council receives an update on the effectiveness of the Rent Review Ordinance each year. Information from that report shall also be provided to HCD within the Housing Element Annual Progress Report.

- 8.8. *The commenter recommends that the goal for program 15 is greater than 10 families per year.*

This is a typo; the objective was mistakenly copied from Program 14. This program applies to all affordable housing units that become available and assists more than 10 families per year. The exact number varies based on the number of deed-restricted units that come online, but historically has ranged between 50-400 families per year. The objective has been updated to reflect that this program is universally implemented during leasing. Refer to page 2-10.

- 8.9. *The commenter recommends implementing a right to return for displaced tenants.*

Refer to Program 16, which implements tenant protections in Government Code Section 65583.2(g)(3). This code section requires replacement units to be provided when lower-income housing is demolished on housing element inventory sites. SB 330, which is a separate state law, requires that lower-income tenants receive relocation assistance and a right to return when they are displaced by a housing development project.

Program 86.5 has been added to reflect the City's commitment to enforcing these state laws through the development process:

Program 86.5. Improve Tracking and Enforcement of Tenant Protection Requirements.

The City shall implement procedures to identify projects where protected lower-income housing units are proposed for demolition and redevelopment. The City shall annually track the number of units subject to replacement under Government Code Section 65583.2(g)(3) and SB 330.

Please also refer to Section 8.7 of the comment response.

- 8.10. *The commenter expresses support for Program 24 regarding ADU resources and recommends that similar resources are developed for SB 9 duplexes.*

Refer to Program 32, which commits the City to create a one-stop assistance webpage to provide technical assistance for developments under SB 9, and to provide resources promoting high standard of design and best practices.

- 8.11. *The commenter asks whether impact fees for affordable housing development can be eliminated or further reduced. The commenter mentions Fremont Unified School District (FUSD) impact fees and recommends that the City work to reduce those fees through the City Council – FUSD Liaison Committee or by sponsoring state legislation.*

The City Council's recent decision to reduce Traffic, Park Facilities, and Parkland fees by 50% for affordable housing units will drastically reduce costs and improve the efficiency of public spending for affordable housing. Pursuant to Program 25, the City will review and evaluate the fee structure every five years (next in 2026). The City Council could revisit the impact fees charged to affordable housing projects at that time based on the effectiveness of the current fee reduction program. The City does not have the ability to control the development impact fees charged by outside agencies, including the Fremont Unified School District.

- 8.12. *The commenter asks that the City add additional language to demonstrate commitment to Program 33.*

Refer to page 2-17. The language in Program 33 has been updated to reflect the City's commitment to implement this program, although a specific zoning mechanism for the program has not been finalized yet.

- 8.13. *The commenter requests that the City eliminate parking minimums or implement parking maximums citywide.*

Refer to Program 34. The City is committing to reducing or eliminating parking requirements in TOD areas. The City will also study the feasibility and impacts of eliminating residential parking

minimums citywide, with an emphasis on examining the requirements for “affordable-by-design” units.

- 8.14. *The commenter recommends various policies to increase permitted residential density throughout the city, including setting a citywide general density floor, raising densities within TOD areas, and removing maximum density regulations.*

All existing multifamily residential zoning districts already contain a density floor. Program 35 involves developing a density floor within all other districts that allow residential development. Implementation of this program would ensure that all new multifamily residential development within the City would be subject to a density floor. There are currently no maximum densities within the Downtown, City Center, and Warm Springs areas, as well as all areas designated as Town Center within the General Plan. In these areas, a development project may include as many residential units as possible within the maximum floor area ratio and height limitations. These are the transit-oriented areas in which the City is anticipating the greatest amount of development within the next planning period.

- 8.15. *The commenter recommends removing density regulations in R-3 districts and notes that SB 9 allows for higher densities than some R-3 districts.*

Current density floors within the R-3 districts vary from the lowest-density R-3-11 district with a floor of 8.8 DU/AC to the highest-density R-3-70 district with a floor of 50.1 DU/AC. These variations in density are intended to allow for a variety of housing types. SB 9 is very prescriptive in the type of development allowed at a higher density (two lots, each with a duplex). R-3 districts allow for development of townhomes, triplexes, fourplexes, and/or other small rental housing developments.

- 8.16. *The commenter recommends removing FAR requirements in commercial zones.*

Refer to page 5-25 for allowed FARs in commercial zoning districts. The lowest maximum FAR for a mixed-use project is currently 0.60 in the C-O and C-N districts. SB 478, which became effective on January 1, 2022, prohibits local agencies from imposing a FAR standard that is less than 1.0 on a housing development project that consists of 3 to 7 units, or less than 1.25 on a housing development project that consists of 8 to 10 units. Program 37 more than doubles the permitted FAR in the C-O and C-N districts. In TOD Overlay Districts, FAR maximums in commercial district are increased, facilitating additional residential development.

- 8.17. *The commenter recommends allowing ministerial review for more project types.*

Refer to page 5-36 for a discussion of projects that currently allow ministerial design review. Refer to Programs 32, 33, and 44 for programs that facilitate ministerial review for additional types of housing projects. Code-compliant rental housing developments that do not qualify for ministerial review are currently reviewed by the Zoning Administrator for conformance with objective standards.

- 8.18. *The commenter recommends adopting standards to promote private green space and other community benefits.*

The City currently requires that multifamily residential developers provide on-site “common open space” in the amount of 500 sqft plus an additional 50 sqft per unit, and “private open space” (i.e.

a balcony or patio) in the amount of 60 sqft per unit. There are objective requirements on the required dimensions of those areas to ensure they are usable, inviting spaces.

The City does not prescribe the type of common open space that a project provides. Common open space can take many forms, including community rooms, swimming pools, playgrounds, and/or private park space. The type of space provided varies based on the anticipated needs of residents, the form of the project, and constraints on the project site. Outdoor common open spaces typically contain landscaping, trees, and greenery in a type and quantity compatible with the intended use. Additional objective requirements on the design of these areas would reduce flexibility for developers with minimal impact on improving the quality of such spaces.

- 8.19. *The commenter recommends creating a publicly funded social housing program.*

In addition to the constraint posed by Article 34, the City does not currently have the technical capacity for housing development. Significant expenditure would be required in order to build this capacity on a city-by-city level. Refer to [AB 2053](#) (Lee, 2021) which proposes a social housing development agency at the state level.

- 8.20. *The commenter recommends providing incentives for deed-restricting affordable housing projects beyond 55 years.*

Refer to Section 8.11 and 8.42 for discussion of impact fees and deed restriction lengths, respectively.

- 8.21. *The commenter recommends adding programs to confirm the assumptions behind the affordability of ADUs.*

Refer to Program 88, which requires monitoring ADU affordability and construction to ensure that projections within the Housing Element remain accurate.

- 8.22. *The commenter recommends proactively addressing reasons that Fremont has previously been denied state funding for affordable housing.*

Refer to Program 53, which takes actions to help the City remain competitive in obtaining state funding resources for affordable housing. This would include proactively addressing any issues that cause the City to be denied funding, as well as working to improve competitiveness in future rounds of funding.

- 8.23. *The commenter recommends auditing affordable housing providers, landlords, and property managers to ensure that they are not discriminating against tenants.*

Project Sentinel currently conducts fair housing testing and audits within Fremont. Staff will coordinate with Project Sentinel to provide data on recent testing activities.

- 8.24. *The commenter recommends pursuing the development of additional shelter programs, including programs for families.*

Refer to Program 73, which involves the operation and expansion of shelter facilities. This program has been modified to indicate that the City plans to expand shelter options to meet the needs of people experiencing homelessness, in accordance with the level of need shown in the [Point in](#)

[Time \(PIT\) count](#). Depending on the specific program, it may be appropriate to separate services for single adults/couples and families with children.

- 8.25. *The commenter advocates for creating a dense, mixed-use area on the Fremont BART parking lot.*

The [BART TOD Guidelines](#) and the City's City Center – Transit Neighborhood (CC-TN) zoning district have already established a regulatory framework that promotes dense, walkable mixed-use development on the Fremont BART parking lot. The CC-TN district has a minimum density of 50 DU/AC and no maximum density, while BART's TOD Guidelines require a density of over 75 DU/AC. Additionally, the TOD Guidelines set a goal that 35% of housing units produced on BART property are deed-restricted affordable units. In light of this existing framework, the critical next step is to work with BART to demonstrate community interest and identify funding for development of this station area. These next steps are outlined in Program 63.

- 8.26. *The commenter identifies that zoning and discretionary approval processes are a barrier to providing affordable housing at religious facilities.*

The Housing Element sites inventory identifies nine religious facilities that have adequate zoning for the development of affordable housing. Refer to pages 8-34 through 8-43, column "C". Three of the nine sites identified are subject to AB 1397, meaning that they would be subject to by-right approval if at least 20% of the units were affordable. The other six sites could take advantage of a by-right approval process pursuant to SB 35 if at least 50% of the units provided are affordable.

Also refer to Program 28, which initiates a housing education campaign to bolster community support for affordable housing projects.

- 8.27. *The commenter recommends additional methods to provide social services that meet the day-to-day needs of unhoused residents.*

Refer to Program 72 regarding programs for services provided to unhoused residents. This program has been modified to indicate that the City plans to expand services to meet the needs of people experiencing homelessness, in accordance with the level of need shown in the [Point in Time \(PIT\) count](#).

- 8.28. *The commenter recommends implementing additional policies that prevent homelessness.*

Past surveys have repeatedly shown that the greatest root cause of homelessness is a lack of access to stable, safe, affordable housing. A foundational goal of the Draft 2023-2031 Housing Element is to increase the supply of affordable housing in the community. Also refer to Program 73, which involves the operation and expansion of shelter facilities. This program has been modified to indicate that the City plans to expand shelter options to meet the needs of people experiencing homelessness in accordance with the level of need shown in the Point in Time (PIT) count.

- 8.29. *The commenter recommends studying which types of development are solvent and fiscally responsible long-term in Fremont.*

Refer to Program 28, which calls for a housing education campaign to educate the public on the benefits of housing. New development can positively impact the fiscal health of the City through increased tax revenue. The City does not currently have funding identified for such a study, but

staff will consider this general framework as a potentially effective message on the wide-ranging benefits of housing.

- 8.30. *The commenter recommends using an empirical standard to measure which sites are likely to have housing built on them in the next eight years.*

Empirical evidence was utilized to identify housing element inventory sites. Table 8-15 identifies sites that were redeveloped with housing during the 2015-2023 planning period and identifies specific development trends associated with each site. As documented in Table 8-16, all inventory sites are associated with one or more of the development trends that were identified.

- 8.31. *The commenter recommends requiring an analysis of whether changes to the zoning ordinance or general plan would increase car dependency.*

All changes to the General Plan and zoning ordinance are analyzed for consistency with existing General Plan policies and programs. This includes consistency with Mobility Element policies to reduce car dependency, such as Policies 3-1.1 (Complete Streets); 3-1.5 (Improving Pedestrian and Bicycle Circulation) and 3-5.1 (Regional Transportation and Land Use Planning).

Substantial changes to the General Plan and zoning ordinance additionally require the City to review environmental impacts under the California Environmental Quality Act (CEQA). CEQA uses vehicle miles travelled (VMT) as an objective measurement of whether an action increases or decreases the amount of driving by the average resident or employee.

- 8.32. *The commenter recommends making changes to the zoning and building code to reduce car dependency.*

Refer to Programs 6, 34, and 39 for actions taken to improve multi-modal infrastructure and reduce car dependency.

- 8.33. *The commenter recommends requiring a minimum number of electric car charging stations in multi-family buildings.*

The California Green Building Code currently requires that 10% of all parking spaces within new multi-family buildings are designated as “EV Ready” spaces. The Fremont Municipal Code further requires that those spaces are equipped with EV chargers. Additional green building standards beyond the state and City requirements would be considered under Program 19, in coordination with the Climate Action Plan adoption and implementation process.

- 8.34. *The commenter advocates for strategies to prevent homelessness, such as banning rental application fees, assistance paying move-in fees, and permanent emergency rental assistance.*

Refer to Program 14. The Stay Housed Self-Sufficiency Program provides partial rental subsidies to eligible participants as they transition from financial instability to self-sufficiency. Funding for this program is provided from the federal government and is limited in quantity. The City expends the entire amount allocated for this purpose each year.

Also refer to Programs 81 and 83. Individuals may remain homeless because while they may have the monthly income to pay rent, they do not have the savings to also pay up-front move-in expenses such as security deposits, first/last months rent, application fees, etc. The City provides funding to non-profit social service providers to assist households in this situation.

- 8.35. *The commenter advocates for expanding the TOD area to one-mile.*

The City's TOD districts are designed to overlap with the state's definition of transit-oriented development, which applies to the area within a one-half mile radius of a major transit stop. The City selectively zones for more intense development outside of its TOD areas, such as the City Center and Downtown zoning districts, as appropriate given the surrounding infrastructure and intended development patterns.

- 8.36. *The commenter recommends requiring bicycle lanes near all high schools.*

Refer to the City's [Bicycle Master Plan](#), which discusses and prioritizes bicycle projects. The Housing Element does not provide direction for bicycle lane project priorities.

- 8.37. *The commenter recommends retroactively increasing the requirements for bicycle parking.*

The City applies its current bicycle parking requirements to development projects at existing buildings that involve substantial modification and/or reconstruction of parking facilities. This policy intends to balance the financial impact of such requirements on property owners with the City's interest in ensuring consistent bicycle infrastructure.

- 8.38. *The commenter recommends policies to increase walkable and bikeable design.*

The General Plan Mobility Element sets the agenda for the City's transportation planning goals. Multiple Mobility Element policies are aimed at reducing car dependency, including Policies 3-1.1 (Complete Streets); 3-1.5 (Improving Pedestrian and Bicycle Circulation) and 3-5.1 (Regional Transportation and Land Use Planning). New housing developments are reviewed for consistency with these policies as part of the development review process.

- 8.39. *The commenter recommends implementation of a rental relocation program.*

The California Tenant Protection Act of 2019 (AB 1482) requires that landlords within the state of California provide relocation assistance to tenants that are evicted due to "no-fault" evictions. Fremont tenants facing "no-fault" evictions are entitled to this compensation. Additionally, the City offers rental assistance through the Stay Housed program, which is designed to assist families facing "at-fault" evictions to a financial crisis. The program provides funding to help families avoid eviction and remain housed. Refer to Program 14.

- 8.40. *The commenter recommends implementing a citywide 100% affordable housing overlay.*

The City's Density Bonus Ordinance already allows substantial flexibility for affordable housing projects citywide. Projects providing 100% affordable housing receive an 80% density bonus outside of TOD areas, and unlimited density within TOD areas. Additionally, they are entitled to unlimited waiver of zoning regulations and design standards that would physically preclude construction of the project at the permitted density. Given that 100% affordable housing developers have access to these existing density bonuses and waivers, a 100% affordable housing overlay would have limited marginal benefit.

- 8.41. *The commenter recommends extending the length of time that affordable housing must be deed restricted beyond 55 years.*

Program 48 involves annual monitoring of the effectiveness of the affordable housing ordinance. This would include the effectiveness of the required term of affordability for units constructed under the ordinance. The City Council could choose to extend the term of affordability beyond 55 years through this annual review process. Staff have not received direction to extend the term of affordability at this time.

- 8.42. *The commenter recommends zoning additional areas for mixed-use.*

The City's Downtown, City Center, Warm Springs, Town Center, and most Commercial zones allow mixed-use development. Expanding types of commercial development that is permitted within primarily residential zones is a land use question beyond the scope of the Housing Element.

- 8.43. *The commenter advocates for removing zoning requirements such as height and setbacks.*

Refer to page 5-23 and the Developer Panel Notes in page A-58 in the PDF. Existing height limits were not identified as a major constraint by housing developers or staff. The Building Code has a separate height limit on wood frame construction (85 feet) which makes residential construction financially infeasible above that height. Within the City's Downtown, City Center, and Warm Springs districts, where dense development is most appropriate, height limitations allow developers to reach the 85-foot maximum. Developers have similarly proposed projects up to 85 feet in height in the Irvington TOD area, using density bonus allowances under state law.

Additionally, refer to page 5-18 and the Developer Panel Notes in page A-58 in the PDF. Existing setback requirements were not identified as a major constraint by housing developers or staff. Developers typically use setbacks to provide required open space, landscaping, utility meters/equipment, stormwater treatment, and other features that must be accommodated at the ground-floor level of the building.

- 8.44. *The commenter states that "past city housing elements have projected with confidence meeting our RHNA Allocation at every income level for every prior RHNA cycle" and that the failure to meet lower income targets in previous housing elements indicates that the City's projections are "overly optimistic"*

The site inventories included in previous housing elements were not *projections* of anticipated housing development during the planning period. They merely served to document that the jurisdiction had adequate sites available and suitable for residential development to meet the community's housing needs, as established through the RHNA process. Because significant residential capacity was created through the 2011 General Plan, both the 2015-2023 Housing Element and the draft 2023-2031 Housing Element do not include every site available and suitable for residential development in the City of Fremont. Instead, they identify the available and suitable sites determined to be most likely to be developed with housing during the planning period based on empirical data. Like the current 2015-2023 planning period, the key drivers for the City to meet its RHNA targets for the 2023-2031 planning period will be market conditions for housing, availability of funding for affordable housing, and the effectiveness of the policies and programs contained within the Housing Element.

- 8.45. *The commenter recommends that pipeline development projects take into account "data-driven and evidence-based reasons, such as historical projections realized during the current or past planning periods, to justify its projections."*

HCD's Sites Inventory Guidebook indicates that jurisdictions may credit development projects where completed entitlements have been issued towards the RHNA based on the affordability and unit count of the development. For pending projects yet to receive entitlements, jurisdictions should "demonstrate that the units can be built within the remaining planning period". All pending projects identified in Tables 8-4 and 8-5 were included in the sites inventory because they can reasonably be built during the planning period based on typical processing and construction timelines. Pending projects included in the sites inventory are generally located on sites suitable and available for residential development, and could potentially be included in the sites inventory as a vacant or underutilized site under Table 8-16. However, utilizing an actual development proposal to determine site capacity will likely yield a more accurate and reliable estimate than the site capacity methodology utilized for vacant and underutilized sites.

- 8.46. *The commenter expresses concern that the Non-Vacant Sites Analysis Methodology is not quantitative enough and recommends incorporating a value for likelihood of development as an adjustment factor.*

The site capacity methodology employs various quantitative adjustment factors including a zoning adjustment based on historical development data, an affordability adjustment based on historical development data, and a nonresidential adjustment factor based on the potential for a site to be redeveloped with a nonresidential use. Additionally, site specific adjustment factors were utilized to further discount site development capacities. These various adjustment factors are not only quantitative but also serve to produce highly conservative site capacity estimates, significantly below full development potential. Consequently, the site capacity calculations reflect "realistic development capacity" as outlined in HCD's Sites Inventory Guidebook.

- 8.47. *The commenter recommends adding absolute page numbers to the document.*

Staff will add absolute page numbers to the final Housing Element document.

Comment Letter #9

Hamza Shaikh

August 8, 2022

- 9.1. *The commenter advocates for more dense, mixed-use zoning.*

Refer to Policy 3.04, and associated Programs 34 through 39, which intensify mixed-use development within existing urban neighborhoods through revisions to density requirements and other development standards.

- 9.2. *The commenter mentions Pacific Commons as an example of car-oriented development and requests that less land is dedicated to parking.*

While the Draft 2023-2031 Housing Element focuses on strategies to promote housing production, this goal is interconnected with other City projects to invest in multi-modal transportation and reduce car dependency. Refer to Program 34, which reduces automobile parking requirements for housing development projects. Also refer to Program 39, which calls for the City to apply for competitive grant opportunities to improve pedestrian, bicycle, and street infrastructure near transit.

Comment Letter #10

Janet Quilici

August 8, 2022

10.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #11

August 4, 2022

Joseph Depaoli

11.1. *The commenter requests two sites that he owns in Warm Springs to be a part of the inventory*

In zoning districts where residential uses are not a permitted use, property owners may file an application for land use or zoning changes to allow for residential uses for Planning Commission and City Council consideration. In the Warm Springs Innovation District, land use changes should consider the vision and goals contained within the Warm Springs / South Fremont Community Plan.

Comment Letter #12

August 9, 2022

Kate Chouta

12.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #13

July 20, 2022

Kelly Abreu

13.1. *The commenter provides an article about the conversion of under-performing retail sites into affordable housing and identifies that there are many such sites in Mission San Jose and Centerville.*

Refer to pages 8-23 through 8-24 for a discussion of how commercial center sites were selected for the sites inventory. The proposed sites inventory acknowledges that underperforming commercial centers often present strong residential redevelopment opportunities.

Comment Letter #14

July 12, 2022

Lisa Danz

14.1. *The commenter requests more specificity in Program 88, which calls for additional strategies to facilitate ADU production if trends indicate a potential shortfall from the inventory assumptions.*

The Draft 2023-2031 Housing Element commits to implement multiple new policies to facilitate ADU development within the first half of the planning period, including:

- Program 24. Offer “Over the Counter” (OTC) Type Plan Checks for Qualifying Residential Projects.

- Program 30. Provide Resources to Encourage Development of Accessory Dwelling Units.
- Program 31. Amend Regulations to Facilitate Production of ADUs
- Program 71. Develop an Accessible Preapproved ADU Design.

These programs are intended to remove most known challenges to ADU production. It is unclear what additional programs may have the greatest impact given that the regulatory climate for ADUs will be drastically different after the implementation of these policies. However, in order to provide more specificity, staff has updated Program 88 as follows:

Program 88. ADU Monitoring.

The City shall track new ADUs and collect information on the use and affordability of these units. Halfway through the projection period (2027), if trends indicate a potential shortfall in meeting the estimated ADUs in the sites inventory, the City shall employ additional strategies to incentivize ADU production, and/or identify additional inventory sites to the extent necessary to accommodate the RHNA.

Potential strategies to incentivize production would vary based on the specific problem identified (i.e. number of permits, affordability, etc.) and input from applicants. Some ideas that the City may consider, which go beyond the ADU initiatives already identified in Programs 24, 30, and 31, include:

- Appointing an “ADU Ally” on staff to facilitate applications (if identified issue is the time to permit ADUs)
- Allowing bonus ADUs (if identified issue is the number of ADUs permitted)
- Developing a deed-restricted affordable ADU program (if identified issue is affordability of ADUs permitted)

14.2. *The commenter asks for a numerical analysis of the likelihood of development for inventory sites.*

The site capacity methodology employs various quantitative adjustment factors including a zoning adjustment based on historical development data, an affordability adjustment based on historical development data, and a nonresidential adjustment factor based on the potential for a site to be redeveloped with a nonresidential use. Additionally, site specific adjustment factors were utilized to further discount site development capacities. These various adjustment factors are not only quantitative but also serve to produce highly conservative site capacity estimates, significantly below full development potential. Consequently, the site capacity calculations reflect “realistic development capacity” as outlined in HCD’s Sites Inventory Guidebook.

Comment Letter #15

August 8, 2022

Lisa Danz

15.1. *The commenter identifies various typos, formatting issues, and consistency errors.*

City staff appreciate your assistance. The identified issues have been corrected.

Comment Letter #16

August 1, 2022

Lynn Miller

16.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

- 16.2. *The commenter requests that staff coordinate with the Community Services Department Tree Division.*

The Housing Element project team will reach out to the Community Services Department Tree Division and refine the Housing Element as needed based on consultation.

- 16.3. *The commenter disagrees with the proposed program to waive impact fees for ADUs and suggests an impact fee deferral program instead.*

Refer to page 5-12 for a discussion of accessory dwelling unit permitting. Notably, state law does not allow the City to charge impact fees for ADUs under 750 square feet in area. The City voluntarily chooses to waive impact fees for all ADUs (which can be up to 1,200 square feet in area) to simplify regulations and reduce costs, in order to facilitate these units.

Fee deferral programs are typically effective at reducing financing costs for housing development. However, most ADUs are self-financed through savings or existing assets, so reducing financing costs through deferral would have limited impact in facilitating these units. Staff have not found that the waiver of ADU impact fees, which has been City policy since 2017, has reduced the City's ability to provide needed services and amenities.

Comment Letter #17

July 11, 2022

Mervin Roy

- 17.1. *The commenter states that rents should be lower in senior affordable housing complexes.*

The rental price for an affordable housing unit varies depending on the funding sources used to construct that development. Federal, state, and county governments typically set the allowable rent limits for 100% affordable housing projects because they are the primary lenders. For affordable inclusionary units constructed on-site in compliance with the City of Fremont Affordable Housing Ordinance, the maximum affordable monthly rent is the annual income limit applicable to the unit (i.e. 30% AMI for extremely-low income households, 50% AMI for very-low income households, etc.), adjusted by household size, multiplied by 30 percent, and divided by 12. This amount is generally consistent with rent limits set by federal, state, and county programs.

The Draft 2023-2031 Housing Element includes a discussion of cost-burden for seniors on page 4-41. Based on this comment and others received during the public input process, staff have added the following text to page 4-41 to discuss cost-burden for seniors within affordable housing complexes:

During community outreach, staff heard that seniors in affordable housing complexes also experience cost burden. Rental rates for affordable units are typically set at around 30% of a resident's monthly income. However, residents identified that some "income" sources, such as life insurance policies, could not actually be put towards the rent payment. This made the rent more than 30% of their usable income. Additionally, residents identified that seniors often have higher medical expenses than the population at large. Large medical expenses may prevent seniors from being able to reasonably pay

30% of their fixed income towards rent. Finally, seniors who are on a fixed income may struggle to afford rent increases if they occur. These narratives demonstrate the special housing challenges that seniors face related to housing costs. Further discussion of these issues can be found on page 4-49.

- 17.2. *The commenter requests more senior housing complexes in Fremont, located close to BART, shopping centers, and downtown. The commenter notes that with more senior housing available, a lottery system would not be required to obtain housing.*

The Draft 2023-2031 Housing Element identifies that seniors as a population with special housing needs. A complete discussion of housing needs for seniors can be found on page 4-49. The Draft 2023-2031 Housing Element proposes the following general approach to meeting the housing needs of seniors: “The data suggests that Fremont should take a dual approach to senior housing. On the one hand, it will be important to continue to develop subsidized rental housing that will be accessible to elderly, low-income renters. It will also be important to implement strategies to assist seniors to stay in their existing homes.” (page 4-49)

This “dual approach” is consistent with public input, described on page 3-7, which has indicated a desire to provide diverse housing opportunities for seniors. The Draft 2023-2031 Housing Element promotes expansion of multiple housing types that may benefit seniors, including home sharing, ADUs, and deed-restricted affordable housing.

The following goals, as indicated on page 2-1, reflect the City’s commitment to increasing the supply of deed-restricted affordable senior housing during the upcoming planning period:

- Goal 3: Promote Production of New Affordable and Market-Rate Housing
- Goal 4: Maximize Support and Resources for Affordable Housing Production

More than 75% of sites identified for potential affordable housing development within the Draft 2023-2031 Housing Element are located within the City’s Transit Oriented Development (TOD) areas. These are the areas of the city with the greatest proximity to transit, shopping centers, and other services.

Comment Letter #18
August 9, 2022
Paul Nissler

- 18.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #19
August 6, 2022
Richard Godfrey

19.1. The commenter requests that an additional fee for transportation is charged on accessory dwelling units.

The City voluntarily chooses to waive impact fees for all ADUs (which can be up to 1,200 square feet in area) to simplify regulations and reduce costs, in order to facilitate these units.

Comment Letter #20
August 6, 2022
Robert Thomas

20.1. The commenter advocates for robust tree protection requirements for new housing development.

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #21
August 8, 2022
Steven Elman

21.1. The commenter advocates for robust tree protection requirements for new housing development.

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #22
August 8, 2022
Tara Gill

22.1. The commenter advocates for robust tree protection requirements for new housing development.

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #23
August 8, 2022
Timothy Gavin

23.1. The commenter asks for more aesthetic considerations in the location and setback of ADUs.

Location and setback requirements for ADUs are set pursuant to state law. The City does not have the ability to alter these requirements.

23.2. The commenter advocates for robust tree protection requirements for new housing development.

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #24
August 8, 2022
Thomas Holt

24.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #25
August 3, 2022
TransForm

25.1. *The commenter requests that Program 34 is revised to provide more specific direction on how the City will reduce parking requirements.*

Refer to Program 34. The City is committing to reducing or eliminating parking requirements in TOD areas. The City will also study the feasibility and impacts of eliminating residential parking minimums citywide, with an emphasis on examining the requirements for “affordable-by-design” units.

25.2. *The commenter provides suggestions for additional policies to reduce parking demand.*

The City has not identified funding for a robust study of parking reforms. The proposed parking reductions in Program 34 would be consistent with best practices and existing state laws for transit-oriented affordable developments. Additional location-specific study is not required at this time.

Unbundled parking is currently required within the Irvington transit-oriented development (TOD) area and recommended within the Warm Springs and Downtown TOD areas. Refer to FMC 18.152.080 for additional transportation demand management (TDM) policies within the City’s transit-oriented development (TOD) overlay district:

FMC 18.152.080. Other Requirements...

(e) New high intensity development shall include (1) transportation demand management (TDM) measures to promote the use of alternatives to automobile travel, and reduce total vehicle trips and vehicle trips during peak hours through site design measures, and (2) when already established, participation in a transportation demand management association supporting programs for enhanced transit ridership, biking, and walking.

(f) For residential projects, the property owner is encouraged to provide a pass for unlimited local bus transit service covering a one-month period or a functionally equivalent transit benefit at least equal to the price of a non-discounted unlimited monthly local bus pass to each purchaser or tenant of a unit, upon the renting or initial sale of the unit.

City staff works with developers on a project-by-project basis to identify TDM strategies that can be implemented for a specific development.

25.3. *The commenter supports programs to prioritize affordable housing development.*

Programs 50 and 63 remain in the revised Draft 2023-2031 Housing Element.

Comment Letter #26

August 6, 2022

Marilyn Singer

26.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #27

August 7, 2022

Bonnie Kellogg

27.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

Comment Letter #28

August 7, 2022

Carol Schneider

28.1. *The commenter advocates for robust tree protection requirements for new housing development.*

Program 17 has been amended to address concerns regarding tree protection. For additional discussion regarding these issues, please see Topical Response #1.

28.2. *The commenter disagrees with the waiving or reducing impact fees for ADUs or affordable housing.*

Refer to page 5-12 for a discussion of accessory dwelling unit permitting. Notably, state law does not allow the City to charge impact fees for ADUs under 750 square feet in area. The City voluntarily chooses to waive impact fees for all ADUs (which can be up to 1,200 square feet in area) to simplify regulations and reduce costs, in order to facilitate these units.

Comment Letter #29
Residents for Residential Development
December 8, 2022

29.1. The commenter opines that existing leases, CC&Rs, and reciprocal parking and access rights serve as impediments to redevelopment of retail centers with housing, and therefore should not be counted as inventory sites.

The commenter cites Site 118 in the Sites Inventory (39160 Paseo Padre Parkway) as a “good test case” to argue that redevelopment will not occur in retail centers because existing lease agreements, reciprocal parking, and CC&Rs serve as impediments to redevelopment. The commenter requests that the City provide substantial evidence demonstrating that this site may be redeveloped with housing for this “test case.”

The City’s older shopping centers and commercial uses are among the strongest and most probable sites in the City for new housing development during the upcoming planning period. As discussed in Chapter 8 of the Housing Element, their viability for redevelopment is evidenced by a facilitative policy and regulatory framework, a proven track record in the City for redeveloping similar sites with housing, a clear trend of development activity and developer interest on similar sites, established market trends regarding viability of commercial uses and likelihood for redevelopment, and strong Housing Element programs supporting the redevelopment of these sites.

The City’s policy and regulatory framework facilitates the redevelopment of commercial centers. Redevelopment of older shopping centers and commercial uses with housing is a core principle of the City’s strategically urban growth framework in the 2011 Fremont General Plan. Land Use Element Policy 2-4.6 calls for redevelopment of commercial centers, and Land Use Element Policy 2-4.12 calls for multi-family housing to be a key component of retail center redevelopment. Implementation Measure 2-4.6 calls for evaluation and “pruning” back of underperforming commercial centers. This specific implementation measure led to the preparation of retail and commercial strategy studies for the Irvington and Mission San Jose Districts, which went on to support housing projects on commercial sites, including the multi-family residential Boulevard Heights project in the Irvington District built on the former Connolly’s Shopping Center.

The presence of parking, use, lease and access agreements are fairly common for commercial centers, but do not impede their redevelopment, as shown through the City’s track record of developing such sites and addressing these complexities. For example, the Fremont Bank Residences project was successfully entitled with the City entitlement process resolving a dispute among property owners regarding parking rights. The Fremont Hub Mixed-Use project coordinates redevelopment in an area of the shopping center that does not disrupt the commercial activity of other users, and relocates an existing tenant with a lease agreement into an alternative space. Various national, statewide and regional studies, such as “Residential Redevelopment of Commercially Zoned Land in California” (December 2020) by the Turner Center point to increasing underutilization of retail properties and high vacancy rates of commercial centers, as accelerated by the COVID-19 pandemic, that enhance the probability of redevelopment of these sites.

Chapter 8 describes market conditions consistent with recent redevelopment in the City, including physical underutilization; economic obsolescence of existing uses as indicated by

vacancies (particularly anchor tenant vacancies), blight, or low improvement-to-land value ratios; developer and/or property owner interest in residential or mixed-use development; and site location in high resource areas, opportunity zones, or near high quality transit. Inventory sites are keyed to these characteristics, and each site is associated with multiple characteristics evidencing their likelihood for redevelopment.

Planning Division staff receives regular development interest on commercial centers in the inventory, and multiple proposals for residential development projects on commercial sites have been received and processed, as listed in Chapter 8.

The Draft Housing Element includes various programs specifically aimed at unlocking the development potential of these sites, including Program 35 establishing minimum density on commercial mixed-use sites outside of TOD areas, Program 36 updating mixed-use zoning standards to support housing, Program 34 eliminating minimum parking near transit, Program 37 increasing maximum FARs in various commercial zones, and Program 17 adopting objective design standards, among others. Staff is committed to continuing to engage with the community to discuss other potential ideas and measures to further facilitate redevelopment of these sites.

Regarding the test case (Site 118) proposed by the commenter, parking and lease agreements exist in the shopping center, but do not impede residential development. Sufficient land area exists at the site, particularly in the southern end of the shopping center, and in the rear of the shopping center facing the Fremont BART Station to support various partial redevelopment configurations, as conceptually diagrammed and analyzed in the City Center Community Plan. The City Center Community Plan provides maximum flexibility for development with a provision allowing for “incremental compliance” so that planned housing projects on portions of these kinds of sites can move forward while accommodating existing users that remain. With the location of the site within ½ mile of the Fremont BART Station and through implementation of Program 34, the site would not be non-conforming with regards to parking no matter how much of the parking area is redeveloped. The City Center-Urban Office Zoning District provides for development up to 120 feet in height with no maximum density, providing for significant residential development potential, which is intentionally underestimated in the Housing Element sites inventory in order to be conservative. Not surprisingly, since the publication of the Draft Housing Element, a Preliminary Review Procedure application and a Preliminary Application pursuant to SB 330 were submitted by the property owner to redevelop a portion of the test case site with multi-family housing through the demolition of an anchor tenant space and redevelopment of underutilized parking area. Based on the information discussed above, and the presence of an actual development proposal on the site, there is substantial evidence that Site 118 is likely to be redeveloped with housing during the planning period. This good test case is indicative of the strong development potential of the shopping center and commercial use sites in the inventory.

Comment Letter #30
Fremont For Everyone
December 19, 2022

30.1. The commenter expresses support for the comments and recommendations in HCD's findings letter dated November 22, 2022.

Staff have incorporated HCD's recommendations into the Adoption Draft of the Housing Element, as described in the December 22, 2022 Planning Commission Staff Report.

30.2. The commenter advocates for proactive code enforcement for substandard housing violations.

The targeted proactive code enforcement activities described in the Housing Element maximize the effectiveness of limited code compliance resources to address substandard housing. The City has additionally added a component to Program 2 (Training for Apartment Owners and Property Managers) to do targeted, proactive outreach regarding code compliance requirements within neighborhoods with the highest incidence of substandard housing.

30.3. The commenter advocates for amending Program 33 (Add Intensity in High Resource Single-Family Neighborhoods near Transit) to utilize SB 10 to allow up to 10 units per lot, and/or allow for additional ADUs on lots created through an SB 9 urban lot split.

Program 33 is focused on adding density to single-family neighborhoods near transit. Lot sizes within the targeted neighborhoods are typically around 6,000 square feet in area. When the City has previously rezoned lots of this size to allow small apartment buildings, there has not been significant interest in redevelopment. For example, the Bay Street Planned District allows up to six units on multiple 5,000 square foot lots in the Irvington Town Center. None of these parcels have re-developed since the adoption of the Planned District in 2007, and only one parcel has been entitled. This is despite permissive zoning standards, including no vehicular parking requirements, intended to facilitate high-density residential development. The City understands that financing and liability assignment currently discourage these types of small-scale projects even when the zoning is permissive.

Based on these historic permitting trends, City staff feel that it is significantly more likely that these lots are re-developed with additional ADUs compared to small apartment projects. Therefore, the City has committed to developing a bonus ADU program as the most feasible option for adding density within these neighborhoods.

Program 32 involves developing a local ordinance to implement SB 9 that applies to the entire City. This program requires that the City implement SB 9 in a way that facilitates new homeownership opportunities, which may include allowing ADUs on lots created through SB 9 urban lot splits.

30.4. The commenter asks why reused sites from previous Housing Element cycles will be redeveloped with housing during the current cycle. The commenter also asks if more can be done to encourage redevelopment of these reused sites.

Chapter 2 of the Draft Housing Element commits to a slate of implementation measures with a stated goal of promoting the production of new affordable and market rate housing on these sites, including Program 44 to allow for by-right approval of projects with 20% affordable units, Program

40 to promote the inventory of opportunity sites, and Program 17 to develop objective design standards to provide a predictable basis to review housing projects. During the upcoming planning period, the City will remain committed to looking for new ways and opportunities, and listening to ideas from the community, to meet the City's housing goals.

- 30.5. The commenter recommends adoption of an ordinance that allows for maximum floor area to be calculated based on the size of an entire commercial center in cases where a commercial center consists of multiple lots.

City development standards are written based on a single lot because it is a unit of ownership. A shopping center with multiple lots may be owned by multiple different entities. In this case, if floor area ratio is calculated for the entire shopping center, it would mean that the owner that decided to build first would be able to construct to a higher intensity, and other owners who wanted to build in the future would be limited. This is not a consistent or equitable pattern of development. If multiple lots are owned by the same property owner or the property owners collaborate on a development proposal, then they can apply for a by-right, ministerial lot combination in order to combine the lots and apply the floor area ratio standard to the entire shopping center as a single unit of development.

In Program 36, the City has committed to developing a new mixed-use ordinance. As part of the development of that ordinance, staff will examine how the standards would apply to non-standard sites, such as incremental shopping center redevelopments, in order to make sure that they do not constrain redevelopment.

- 30.6. The commenter asks why some inventory sites, such as Site 268, can have a lower number of units in the sites inventory than currently exist. For example, Site 268 shows the existing use as a triplex, but the Sites Inventory only shows two units.

The sites inventory indicates net new units. For example, Site 268 is assumed to have capacity to accommodate two additional units beyond the three that currently exist at the site.

Comment Letter #31
Steve Reilly
December 22, 2022

- 31.1 The commenter offers the inclusion of two proposed development sites located in the Warm Springs Innovation District in the Housing Element sites inventory.

Under Program 90 of the Housing Element, the City will consider additions to the Housing Element sites inventory during the planning period, as needed, to maintain compliance with the State's No Net Loss Law. If formal development applications for residential development of these sites are submitted and building permits are issued, the City will count those sites as progress towards meeting its Regional Housing Needs Allocation (RHNA) targets for the upcoming planning period.

Comment Letter #32
Harvey McKeon, Nor Cal Carpenters Union
January 5, 2023

32.1 The commenter offers requests inclusion of language in the document acknowledging that an adequate construction workforce is necessary to meet housing needs during the upcoming planning period.

Staff have incorporated the recommendation to acknowledge the need for an adequate construction workforce through the inclusion of discussion in Chapter 5 of the Housing Element, page 5-6, as follows:

Availability of an Adequate Construction Workforce

The availability of an adequate construction workforce is necessary to build the numerous residential developments needed to meet the region's housing goals. Program 42 of the Housing Element commits the City to consulting with stakeholders, including representatives from the residential construction industry and construction labor organizations, on housing policy changes. This provides an opportunity for discussion and consideration of potential impacts to the supply of construction labor when adopting housing policy changes.



SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

2150 Webster Street, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

July 25, 2022

City of Fremont
Community Development
39550 Liberty St.
Fremont, CA 94538

Dear Planning Manager Pullen and Principal Planner Li:

Thank you for meeting with Tim Chan, Seung-Yen Hong, and Tobias Liebermann on March 24, 2022, indicating the City of Fremont's (City) interest in including BART's land in its 2023-2031 Housing Element. As the City is aware, [BART's Transit-Oriented Development Program Work Plan](#) currently does not categorize the subject station areas as 'Near-term (project initiation in 2020-2025)'.

It is our collective goal to deliver as much housing near transit as possible while supporting local jurisdictions in achieving the Bay Area's regional housing goals. However, BART has limited staff resources and few funding sources for the infrastructure - most notably parking replacement - that is often required to free-up space on BART's land for development. Given current resources, it will be challenging for BART to support development of all the land proposed in BART partner jurisdictions' Housing Elements during the 2023-2031 cycle.

Delivering transit-oriented development (TOD) projects on BART's land is much more complex and time consuming than development projects on private land and requires strong partnerships and commitment between BART and local jurisdictions. As noted in the previous letter issued on March 7, 2022, BART's *TOD Work Plan* prioritizes development in its station areas based on the following three criteria:

1. Market readiness for TOD
2. Local support for TOD
3. Infrastructure needs

If conditions have changed since the last assessment in 2019/2020, the timeframe for TOD development in station areas can be updated in BART's *TOD Work Plan*. Key considerations by BART for prioritizing development projects are 1) availability of local funding and resources to support development, including staff support and funding for community outreach, affordable housing, and infrastructure, and 2) seamless coordination with local jurisdiction staff.

Jurisdictions with station areas that are currently listed in BART's *TOD Work Plan* timeframes of Mid-term or Long-term need to meet the following conditions to be considered for prioritization:

1. Local Support for TOD:

- a. **Local Support and Funding:** First and foremost, BART views TOD projects on its land as BART and local jurisdiction partnerships. BART TOD projects are civic destinations, transformative to the community, and often includes off-site improvements. The City must be committed to working closely with BART to

2022

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6TH DISTRICT

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Janice Li
8TH DISTRICT

Bevan Dufty
9TH DISTRICT

I.I

find funds and resources to facilitate community outreach, discussions, and decisions on TOD development and area-wide parking. It takes several years of pre-development work prior to issuance of a Request for Proposal for developers, therefore, any development of BART land within the planning period of 2023-2031 requires sufficient dedicated BART and County staff time to advance a TOD project within a reasonable timeframe.

- b. **Prohousing Designation:** BART will prioritize projects in jurisdictions that are pursuing a [Prohousing Designation](#) by California Department of Housing and Community Development (HCD). The Prohousing Designation is emblematic of local support for housing and provides jurisdictions with an advantage such as priority processing or funding points for certain funding programs. This is a designation that has emerged from HCD since BART originally completed its work plan.
- c. **Environmental Studies:** Locally supportive zoning is a minimum standard for gauging local support. For BART's purposes, BART will determine that local zoning is supportive of TOD if the density allowed is 75 units per acre or greater, and such a density is assumed in environmental documents.

2. Infrastructure Needs:

- a. **Station Access and Parking Strategies:** BART has evaluated its development priorities based on the anticipated cost of new infrastructure, including parking replacement. As such, until BART is able to secure external sources of funding to support construction of necessary infrastructure, BART cannot pursue development. In areas requiring substantial amounts of parking (e.g. auto dependent and auto reliant stations, partner jurisdictions will need to support BART in securing funding for parking replacement or other station access improvements. Further, to address potential community opposition to replacing surface parking with housing, the City should plan for and implement a locally led parking resource assessment and management plan for at least ¼-mile radius around the station area. It should identify parking opportunities for BART riders that would minimize the number of spaces to be included the TOD project and address spillover parking concerns by neighbors. BART staff will work with the jurisdiction to provide support and guidance as needed but implementation of a parking management plan will be a local requirement.

- 3. **BART Policies and Standards:** Any development on BART's land is subject to BART's review procedures and approvals and shall follow relevant guidelines, policies, and regulations. The jurisdiction should commit to support and meet BART's policies and standards. Most of these policies and are summarized on our [TOD Guidelines and Procedures](#) webpage.

We look forward to building our partnerships with the City to realize our shared goal of increasing the amount of housing near transit. Please contact us to further our conversation on advancing TOD projects on BART's land.

Sincerely,



Tim Chan
Group Manager – Stations Planning

BART comment on Fremont Housing Element

Seung-Yen Hong <seung-yen.hong@bart.gov>

Wed 8/3/2022 5:19 PM

To: housingelement <housingelement@fremont.gov>

Cc: Wayland Li <wli@fremont.gov>; Tobias Liebermann <tobias.liebermann@bart.gov>; Tim Chan <TChan1@bart.gov>; Joel Pullen <JPullen@fremont.gov>

Hello,

BART provided Wayland Li with a comment letter about BART's land and the City's Housing Element on July 26, 2022. We have one additional comment specific to the Housing Element Sites Inventory. We noticed in the Housing Element Sites Inventory that BART-owned properties at the Fremont Station were shown to have all units in the Lower Income Capacity Category. While BART strongly supports affordable housing as reflected in BART policies, the amount of affordable housing that can be supported on our property is greatly dependent on the amount of affordable housing funding available including local subsidies. Given current funding availability, the size of some of the BART properties included in the sites inventory, the costs associated with developing BART land and related access and parking improvements, achieving 100% affordable units may not be feasible. In addition, the assumed density is low at 58 or 59 DU/acre. Please clarify if the City assumed there would be other types of development on the site in addition to affordable housing.

Regards,
Seung-Yen

Seung-Yen Hong, LEED Green Associate
Senior Planner, Station Area Planning
BART Planning & Development
2150 Webster St, 8th Floor
Oakland, CA. 94612
Seung-yen.hong@BART.gov
M: 510-230-3429



psausedo@biabayarea.org

July 1, 2022

City of Fremont
3300 Capital Ave.
Fremont, CA 94538
Transmitted Electronically

Dear Sir/Madam,

RE: 6th Cycle Housing Element: Constraints Section

The Building Industry Association of the Bay Area (BIA) respectfully submits the comments contained herein regarding Fremont's draft Housing Element. Inclusive in each city's DRAFT Housing element is a requirement to include a chapter that provides a comprehensive listing and honest review of government and private sector constraints that may inhibit a city's ability to achieve buildout of its Housing Element.

Per HCD's Construction by Income Building Activity Annual Report, Fremont permitted 861 residential units in 2021 (VLI: 140, LI: 21, Mod: 0, Mkt: 700). ABAG's 6th cycle RHNA allocation (2023-2031) for Fremont is 12,897 total units i.e., VLI: 3,640, LI: 2,096, Mod: 1,996 and Mkt: 5,165. Considering the ongoing housing crisis, it is recommended that Fremont thoroughly analyze all government-imposed constraints along with non-government constraints that add to the cost and/or inhibit the city's ability to permit and produce new housing of *all* income levels i.e., VLI, LI, Moderate and Market Rate.

BIA recommends the Constraints Section of the city's Housing Element provide, at a minimum, a listing and analysis of the following:

GOVERNMENT IMPOSED CONSTRAINTS:

Development Regulations:

- Parking
- FAR
- Height and/or Density Ranges
- Moratoriums on conversion of non-residential zoned land
- Requiring Commercial Square Footage within Mixed-Use projects

Mitigation Fees

- Increased Park Dedication Fees
- Increase Affordable Housing Fees

Inclusionary Housing (IZ)

- Increasing Inclusionary Housing mandates i.e., accelerating/increasing VLI/LI requirements for new housing projects
- Amenity/Community Benefit Plans (Public Art, PoPo's i.e., Privately Owned/Public Open Spaces, Childcare centers)

- 3.3
- Requiring “above & beyond” dedication requirements for Parks, Roads/Transportation, etc.

Environmental Constraints

- 3.4
- Fault Zones
 - Historic Buildings/Neighborhoods

New Taxes

- 3.5
- CFD’s for Schools, Infrastructure or Services
 - New/Increased/Extended Parcel Taxes
 - Any/All New Taxes on Housing
 - Revenue “Neutral” conditions (requiring new housing pay 100% for city services)

Mandated Labor Requirements

- 3.6
- Project Labor Agreements
 - Prevailing Wage Requirements
 - “Local” Construction Workforce Requirements
 - Union Apprenticeship Requirements
 - “Local” Business Sourcing Requirement

Citizen Concerns:

- 3.7
- Nimbyism/Neighborhood Opposition
 - CEQA Lawsuits solely to stop/delay housing projects

Permit Processing Time

- 3.8
- Long permitting processing times or permit processes that have a high degree of uncertainty i.e., discretionary reviews or processes with multiple public meetings, increase the cost of housing development for developers by (1) increasing carrying costs waiting for permits or (2) increasing the chance that a project will be rejected following a lengthy processing period.

NON-GOVERNMENT CONSTRAINTS

Land & Housing Development/Construction Costs

- 3.9
- Land (average cost per multi-family unit approaches \$100,000 throughout Bay Area)
 - Hard Costs (materials & labor)
 - Soft Costs (architects, consultants, govt fees, financing)
 - Supply-chain and inflationary costs of materials

BIA appreciates this opportunity to provide comment and recommendation on the City’s 6th Cycle Housing Element and looks forward to working with the City of Fremont to positively address the region’s on-going housing crisis.

Respectfully,



Patricia E. Sausedo, Director
BIA Bay Area South Bay Government Affairs



The City of Fremont

Via email: housingelement@fremont.gov

Cc: HousingElements@hcd.ca.gov

August 8, 2022

Re: Fremont's Draft Housing Element

To the City of Fremont:

The Campaign for Fair Housing Elements and YIMBY Law believe that the City's draft [housing element](#) is a good start. We appreciate the City's thorough explanation of how it calculates "realistic development capacity" for opportunity sites. (Gov. Code § 65583.2(c)(2); see Draft, pp.8-18 to -27.) But the housing element must "remove" constraints to development, not just identify them. (Gov. Code § 65583(c)(3); see Draft, ch.5.) In particular, the City's draft should do more to **increase density, streamline project approvals, and lower fees.**

4.1 ● First, increase density. As we wrote in April, Fremont is currently producing only enough housing to meet 64% of its sixth-cycle development target. Meeting the target will require a new approach. We are therefore disappointed to see Fremont *remove* its program to redesignate land for higher intensity (Draft, p.6-22). Some 88% of Fremont's residential land is currently zoned for single-family housing (*Id.* pp.7-100 to -101 and PDF p.415), mostly below the 30 homes per acre considered favorable for affordable development (see *id.* p.5-9). High-density housing should be prioritized throughout the City, not merely "explore[d] ... near transit." (Cf. *id.* p.2-17).

4.2 ● Second, streamline project approvals. The City's effort to showcase "a diversity of housing types in numerous zoning districts" fails to grasp how arbitrary, and confusingly regulated, that "diversity" is in practice. (See Draft, pp.5-10 to -11.) *All* of

4.2

these housing types *could* be allowed everywhere; they are not. That the City has “over 700 Planned Districts” is not an achievement; it is an admission that the City’s review process for these districts has cumulatively delayed these projects by some 269-538 years, given that a planned district application takes 20-40 weeks. (Compare *id.* p.5-18, with *id.* p.5-39.) The City has ten different design review guidelines where instead it could have zero. (*Id.* p.5-26.) There is no legitimate reason to tie up housing construction in a housing shortage for want of “architectural detailing” other than “[s]tucco-textured foam trim molding” and “decorative wood corbels” on garage doors. (Cf. [Fremont Multifamily Design Guidelines](#), pp.8,32.)

4.3

Finally, “Fremont has among the highest fees in the state.” (Draft, PDF p.416.) The City must lower them. Development fees should not add six figures to the cost of a townhome. (See *id.* p.5-35.) Fees are passed onto homeowners, and even the City’s \$14,160 fee for a simple ADU adds roughly a down payment to the cost of the unit. If these fees reflect a long and uncertain development review process, as discussed above, the City should streamline those processes.

We look forward to the City’s next draft. Please contact me if you have questions.

Sincerely,



Keith Diggs

Housing Elements Advocacy Manager, YIMBY Law

keith@yimbylaw.org



Campaign for Fair Housing Elements
fairhousingelements.org

ADU plan

Chaunie Langland <chaunie.langland@earthlink.net>

Sat 8/6/2022 9:59 PM

To: housingelement <housingelement@fremont.gov>

Hi,

I would like to see language included to protect our existing trees. Fremont is already short on trees and shrubs compared to the peninsula or Sacramento and so is not as nice a place to live as it could be. I would not want to see it get any worse. We should be encouraging people to plant trees. Surely the needed ADUs can be added without making our tree situation worse.

I remember seeing city code assessing fees on businesses for putting planter boxes out front. This place seems determined to cut off it's nose to spite it's face.

Regards,
Chaunie Langland
878 Cashew Way
Fremont

Protect our trees and our climate!!!

Diane Harvey <dnancyharvey@gmail.com>

Sat 8/6/2022 11:19 PM

To: housingelement <housingelement@fremont.gov>

6.1

There is no question more affordable housing is needed. But there is no language in the document that protects trees from being removed for projects. AND mitigation fees and development fees are being waived! Property owners are getting a very sweet deal in order to encourage housing units be put in all neighborhoods throughout the city. But fees that go for street and park trees are being waived.

That is extremely shortsighted.

My concern is that without specific guidelines, front yard trees will be removed without considering other options first.

Also I am concerned that the remainder of the front yard can be concreted over, creating urban decay and heat island effects.

6.2

Just when our Climate Action Plan , Parks Plan, and Urban Forest Master Plan call for much more green infrastructure, the trees we have are unprotected from property owners' whims. I am asking for absolute protection of trees as stated in our tree ordinances. There is room to accomplish housing AND protect our trees.

We need to protect our climate while we deal with our housing issue! One cannot be done without consideration for the other!

Diane Harvey

Living in Fremont since 1986

Trees!

Bee Newell <beenewell2@gmail.com>

Sun 8/7/2022 4:17 PM

To: housingelement <housingelement@fremont.gov>

Cc: Lynn Miller <rnlynn@hotmail.com>

7.1

In view of the worsening climate problem and increased carbon dioxide in the air, I implore the city to protect trees. Trees are the single best vegetation that mitigates climate disaster.

As ADUs are built have them built around or far enough from trees roots so as to protect trees from being cut down or dying.

Only policy and enforcement can save this city.

Sincerely

Elizabeth B Newell

Parkmont area, Fremont 95536



August 8, 2022

To: City of Fremont

Re: Housing Element Public Comment

Introduction

Fremont For Everyone (FFE) is a Tri-City-based grassroots advocacy organization engaged and dedicated residents who work together to help address our Statewide housing crisis. Our vision is for inclusive, affordable housing for our residents, and to ensure Fremont welcomes new neighbors for living closer to work, raising a family, and gaining a place – a home for everyone! We encourage Fremont residents to visit our website at www.fremontforeveryone.com and who are aligned with our vision to join us!

FFE's mission mirrors the objectives to be achieved under the State-mandated requirements that must be met by the City of Fremont in its updated Housing Element for the Planning Period 2023-2031 in order to obtain certification by the State's Housing and Community Development (HCD) agency.

For this reason, the Policy Committee for FFE has carefully reviewed the City's current [Draft Housing Element](#) and offered public comments orally and in writing at various Planning Commission and City Council meetings and study sessions. We have met directly with Staff during Staff's public outreach phase, including most recently, its Open House last Wednesday, August 3, 2022 at the Downtown Event Center.

Our initial comments were submitted to Staff and the Planning Commission prior to the most recent Study Session of the Planning Commission on July 28, 2022. This letter reaffirms many of the comments previously articulated taking into account the comments of the Planning Staff at the Open House and augmented by further matters for the City to consider viewing achieving HCD certification as a minimum objective. More importantly, beyond certification, FFE strives to ensure that Fremont's next Housing Element is a practical directive that can be implemented in achieving our Regional House Needs Allocation (RHNA), especially for our chronically underserved lower income residents in fulfilling what City itself in its Draft Housing Elements

affirms is its “continued commitment to increasing the supply of affordable housing...that is affordable for teachers, public safety personnel, nurses, and child care workers ...seniors, peoples with disabilities, and others with limited mobility and fixed income.” (Draft Housing Element, pp. 1-1-1-2.) In short, what FFE calls for, a “home for everyone.”

Our analysis is a data-driven and evidence-based review of the Draft Housing Element in its current iteration before submission to the HCD and the close of public comments on Monday August 8, 2022. Our review examines proposed policies and programs in Chapter 2 and the sites inventory in Chapter 8 of the Draft Housing Element.

Overview

- We want the non-vacant site analysis to use a numeric probability of development based on past data.
- We would like to, and have suggested some improvements on policies concerning increased walkability, increased affordability, tenants rights, and unhoused concerns.

Policies and Programs

We have analyzed the listed policies and programs in chapter two, and offer our suggestions here. We also suggest additional policies and programs which are not listed in chapter two, though we nevertheless believe would be a great benefit to the City of Fremont.

Analysis of, and suggestions concerning policies and programs listed in chapter two

- 8.1 • **Program 1:** Proactively enforce anti-substandard housing provisions, by not fully relying on tenant complaints, as this can protect tenants from retaliation
- 8.2 • **Program 2:** Host an annual training for tenants about their legal rights
- 8.3 • **Program 5:** Where feasible, work to increase walkability and quality of life in the areas described, as well as throughout the city, by allowing gentle mixed use zoning (ie. Neighborhood corner stores), and investing in wider sidewalks, more tree cover, safe bike infrastructure, and pedestrians infrastructure such as modal filters
- 8.4 • **Program 6:** Require that a minimum percentage of the Capital Improvements Program (CIP) budget be allocated to non-car infrastructure
- 8.5 • **Program 7:** Implement TOPA (Tenant Opportunity to Purchase) and good cause eviction for mobile homes
- 8.6 • **Program 8:** Levy a tax on condominium conversions
- 8.7 • **Program 12:** Proactively enforce provisions requiring landlords to notify tenants of the rent review ordinance
- **Program 12:** Define an explicit right for tenants and landlords to have their rent review hearing at a time when they do not need to work
- **Program 12:** Levy fines, or more severe consequences, for landlords who retaliate against tenants for participating in the rent review process
- **Program 12:** Create an easily accessible, searchable rental registry database which includes information about the owners of all rental properties in Fremont, and information about the amount how much rent is, and was, being paid for each rental unit. Tenants

8.7	<p>should be able to access background-check-style information about landlords, in a way that respects the landlords' personal privacy but reveals relevant information about how the landlord treats tenants (such as compliance with habitability regulations, rate of no-cause evictions, etc).</p> <ul style="list-style-type: none"> • Program 12: Implement TOPA, good cause eviction, and rent control on all units allowed by state law
8.8	<ul style="list-style-type: none"> • Program 14: Fund a free eviction defense attorney program for all Fremont tenants facing eviction, such as the successful program in New York City • Program 15: Expand this program to greater than 10 families per year • Program 16: Implement a right to return for all displaced tenants, and ensure that temporarily displaced tenants have appropriate housing during the time they are displaced. Tenant displacement protections should apply for a broad set of displacement causes including Red Tagging (condemning the building) and/or rebuilding.
8.9	<ul style="list-style-type: none"> • Program 24: We applaud the city's plan to make ADU permitting quicker & easier for homeowners, and encourage inclusion of duplexes now legal through SB 9.
8.10	<ul style="list-style-type: none"> • Program 25: During the Open House, staff emphasized that the City has cut City impact fees by 50% for affordable housing. The City is credited for doing so, but can more be done to eliminate or further reduce City impact fees for affordable housing? In addition, obtain City Council authorization to work with the School District, including the City-FUSD School District liaison committee to have the School District reduce or eliminate school impact fees on new affordable housing perhaps sunsetted when the District is no longer experiencing declining enrollments. Introduce as part of the State legislative agenda, encouraging our local legislators to introduce a Bill to offset any shortfalls due to reductions in school impact fees for affordable housing production.
8.11	<ul style="list-style-type: none"> • Program 33: We are excited to see this proposal to expand housing opportunities in some of Fremont's most centrally located & resource rich neighborhoods. In light of their analysis showing that these neighborhoods have historically not provided affordable housing opportunities, we ask the city to commit to this important step toward Affirmatively Furthering Fair Housing, and look forward to working to make it a success.
8.12	<ul style="list-style-type: none"> • Program 34: Eliminate parking minimums, or implement parking maximums citywide, while at the same time increasing prioritization for sustainable non-car modes of transportation
8.13	<ul style="list-style-type: none"> • Program 35: Set a city-wide general density floor / minimum density outside of mixed-use and non TOD commercial zones, while raising it in TOD areas
8.14	<ul style="list-style-type: none"> • Program 35: Study the effects of removing the maximum density stipulations found in Fremont's general plan. Currently, many of Fremont's R-3 zoning districts allow lower density than is possible in R-1 districts through SB 9, and these densities are also too low to adequately accommodate housing affordable to lower income residents.
8.15	<ul style="list-style-type: none"> • Program 37: We should go beyond the minimums prescribed in SB 478 and consider much stronger FAR updates, for example, eliminate maximum FAR for Commercial-Town-Center and Commercial-Mixed-Use. FAR is among the constraints identified in table 5-3, and the 1.25 and 0.3 FARs for those two example land use types are unnecessarily restrictive. Additionally, remove or greatly raise the FAR for all land use types.
8.16	

- 8.17 • **Program 44:** In addition to State mandated “by right” development under SB 35 and AB 1387, initiate an update to the Code to encourage more ministerial review of projects for housing. We recommend the following types of projects be subject to ministerial review: subsidized housing (which is already likely to be ministerial and by right), higher density and affordable by design (whether it is in an existing TOD or not), apartments (which are very likely higher density affordable by design) which are now subject to AB 1842 rent cap stabilization over time. Alternatively, use the Downtown Plan adopted in 2012, and the code updates thereunder, to create a modified Zoning Administrator review of these new types of projects mentioned above. The current policy of allowing ministerial review for single-family homes less than 7,500 square feet but requiring public hearings for multi-family homes puts multi-family housing at a disadvantage, and we should level the playing field.
- 8.18 • **Program 46:** Adopt objective, evidence-based standards which make it such that private green space, or other public benefits developers provide are likely to be used
- 8.19 • **Program 47:** In addition to the use of boomerang funds rather than merely funding the housing trust fund with NOFAs (Notice of Funding Availabilities) for nonprofit and for profit affordable housing developers, explore creating a publicly funded social housing program to anticipate or in the absence of State law if Section 34 of the California Constitution is repealed or that does not otherwise violate Article 34. This is consistent with City Policy 3.04 Intensify Residential Development within Urban Neighborhoods, Policy 4.02 Maximize Financial Resources Available for Affordable Housing and Program 35, with attendant code updates. It should also be noted that properly funded social housing has been a massive success in places such as [Vienna, Austria](#).
- 8.20 • **Program 50:** Study the impact of further reducing these fees for 100% affordable projects, if these affordable housing projects are deed restricted longer than 55 years
- 8.21 • **Program 51:** Implement processes to routinely and objectively check whether ADUs and other such non-deed restricted units counted towards VLI, LI, or MOD income levels, actually remain affordable at those income levels
- 8.22 • **Program 52 / 53:** In light of Fremont not being allocated Project Homekey funds for the Motel 6 Project, implement new policies concerning applications for state funding which proactively address any actionable reasons for which Fremont was denied funding previously, and reasons which it’s foreseeable Fremont could be denied funding in the future
- 8.23 • **Program 58:** Audit affordable housing providers (including but not limited to property managers, owners, and support staff) to ensure they are not, intentionally or unintentionally, acting abusively towards or discriminating against tenants, as these tenants are uniquely vulnerable. Additionally audits of this type on all landlords and property managers (not just those who are involved with affordable housing) would promote equity.
- 8.24 • **Program 60:** When creating new, or updating existing, projects for the unhoused, (safe parking, HNCs) ensure that families are permitted and supported with appropriate services
- **Program 60:** Pursue the development of additional HNCs (including ones that allow for families), and safe parking, which allows RVs and families, on public property

- 8.25 ● ● **Program 63:** Build a dense, walkable, affordable, and mixed-use area on the Fremont BART parking lot
- 8.26 ● ● **Program 64:** Churches can be excellent sites for Affordable Housing development, provided the congregation is interested. However, technical assistance will be insufficient if the sites are not also adequately zoned & subject to an approval process that shelters the development & congregation from NIMBY opposition. We have already seen one case of a church seeking to provide transitional housing on their land that was derailed by local NIMBYism.
- 8.27 ● ● **Program 72:** Implement methods to proactively ask unhoused residents what they need, and accurately document their responses
- ● **Program 72:** Provide dumpsters, portapotties, and trash collection services to areas where many unhoused residents are congregated
- ● **Program 72:** Officially allow congregations of unhoused people to stay where they are at, to prevent the possibility of sweeps

Additional policies and programs not listed in chapter two

- 8.28 ● ● When Fremont specific data is released from the [2022 PIT \(Point in Time\) count](#), be committed to implementing policies which address the root causes of homelessness, with specific emphasis on the prevention section of the survey data
- 8.29 ● ● Work with [Urban3](#) to develop an understanding of which types of development are solvent and fiscally responsible long-term in Fremont
- 8.30 ● ● Implement empirical standards, based upon previous localized trends, while taking into account new policy changes, to measure whether sites in the sites inventory are likely to have housing built on them in the next eight years. Then, only include sites in the sites inventory which are likely to have housing built on them in the next eight years.
- 8.31 ● ● When general plan amendments or changes to the zoning code are made, require an analysis of whether those changes would increase or decrease car dependency (based upon density, mixed-use nature, proximity to businesses, building requirements etc). If the most car dependent types of development allowed in the zones would increase car dependency, require changes to building requirements to mitigate that impact.
- 8.32 ● ● Proactively study which parts of the existing zoning code and other building requirements contribute the most to car dependency, and update them such that car dependency is reduced
- 8.33 ● ● Require a minimum number of electric car charging stations at multi-family rented buildings
- 8.34 ● ● Ban rental application fees (including credit check fees) ideally for all units, though at the very least for affordable units
- ● Implement permanent emergency rental assistance and assistance paying move-in fees, such as [programs in neighboring cities](#)
- 8.35 ● ● Explains the TOD areas to have a radius of 1 mile
- 8.36 ● ● Require bike lanes near all high schools
- 8.37 ● ● Retroactively increase requirements for safe bicycle parking, throughout Fremont

- 8.38 • Affirmatively increase walkability and bikeability by ensuring that new developments have street patterns which contribute to walkability (such as patterns without cul de sacs) and multiple entry and exit points (especially modal filters, which do not allow cars)
- Affirmatively increase walkability and bikeability in existing developments by working to install modal filters and other non-car infrastructure
- 8.39 • Implement a rental relocation assistance program, which provides funds to tenants when they are evicted
- Implement a citywide 100% affordable housing overlay, such as the one [implemented by Cambridge MA](#), since while density bonuses have encouraged some affordable housing production, they have not caused Fremont to come anywhere close to its VLI, LI, and MOD RHNA assessments
- 8.40 • Extend the length of time affordable housing must deed restricted for beyond 55 years
- 8.41 • Greatly expand areas zoned for mixed use, as these zones decrease the proximity between where residents live, shop, work, and play
- 8.42 • Where appropriate, increase or remove default height limits, and evaluate applications using more nuanced criteria
- 8.43 • Where appropriate, remove setback requirements

Sites Inventory

The following challenges the City's foundational assumption and claim that "Fremont has adequate sites to accommodate the community's RHNA for the 2023-2031 planning period for all income levels." (Chapter 8: Sites Inventory, p.8-2.) In other words, the City Staff does not anticipate either amending the General Plan or upzoning any current sites to meet the RHNA assessments at all income levels for the next 2023-2031 planning period, including very low-income (VLI) and low-income (LI) units.

Table 8-1 indicates that nearly half of Fremont's RHNA Allocation (45.5%) of the 12,897 units to be built are either a combined VLI (3,640 units; 28.2%) or LI (2,09 units; 16.3%). There are a combined RHNA Allocation target of 5.736 units for VLI or LI low-income housing. If you include "moderate-income units" that represents another 15.5% pushing the total percentage of housing for residents who do not have above-moderate income to more than 60% of the RHNA total of 12,897 units.

Past City housing elements have projected with confidence meeting our RHNA Allocation targets at every income level for every prior RHNA cycle. Yet, with the exception of above-moderate income units, we have historically fell far short of meeting our RHNA Allocation for VLI, LI, and MOD units.

We appreciate that City Staff supports and embraces the more recent legislative changes at the State level since 2017 ensuring greater accountability by Housing and Community Development (HCD) over the housing elements submitted by cities for HCD Certification. Yet, without more information, the historic trend suggests that the City's projections are based on overly optimistic

assumptions. In short, the projections set forth in Tables 8-4 and 8-5 we fear will not match actual production of low-income housing in the next 2023-2031 planning period.

In particular, especially in light of the heightened HCD review, FFE is concerned that what the City considers are “pipeline developments” without further explanation or verifiable evidence, the City’s Draft Element as currently written will not fulfill HCD’s requirement under HCD’s guidelines.

Nearly half of the sites to meet RHNA projections for the next cycle fall into the category of “Pending, Approved or Permitted Development.” (See Table 8-3.) Sadly, for the sites in Tables 8-4 and 8-5 with the greatest immediate potential for meeting RHNA targets, only 1,382 units, or less than 25% of the RHNA combined 5,736 VLI and LI units are identified as “affordable to lower-income households.” [page 8-3, Tables 8-4, 8-5; cf Table 8-1.) That means that more than 75% of the units “affordable to lower-income households” will of necessity come from ADUs, Vacant and Non-Vacant Underutilized Sites which will be subject to further review and analysis by the FFE Policy Committee. (p. 8-3 and Tables 8-4, 8-5.) The Draft Housing Element on p 8-10 under Notes (1) the City states that 60% of inventoried ADUs in the “pipeline” for lower-income housing.

And while in general terms, the City is able under HCD Guidelines to identify and to credit towards its RHNA assessment, the following categories in the pipeline which are set forth, as follows:

- “Under Review”; e.g., Table-8-4, 514 Acoma Way;
- “Approved” e.g., Table 8-4, 4667 Cerritos Avenue and Table 8-5, Mahmush Condominiums;
- “Pre-Application Review”; e.g., Table 8-5, Mission Homes 38765 Mission Blvd.; and
- “Entitlement Review”; e.g., Table 8-5, Fremont Hub Mixed Use, 39150 Argonaut Way.

An HCD Guideline, in relevant part, states, as follows: “For projects, yet to receive their certificate of occupancy or final building permit, the element must demonstrate that the project is expected to be built within the planning period.”

The City undoubtedly can make a good argument that if final building permits and certificate of occupancies are issued for all projects that are “Under Review,” “Approved,” or subject to “Pre-Application Review” and “Entitlement Review,” the units will be built within the 2023-2031 planning period. And the City does not appear to be stuffing projects without any pending application under the heading “Pending, Approved or Permitted Development” to inflate the number of units that the City is crediting towards its RHNA Allocation.

The City though makes an implicit assumption, that is not made explicit or a matter of further detailed discussion in the Draft Housing Element, namely, that all such projects will be approved in the first instance, or even if approved, will actually be built by the end of the 2023-2031

planning period. Without supporting historical documentation for projects in past RHNA Cycles for the sub-categories “Under Review,” “Approved,” “Pre-Application Review” and “Entitlement Review,” HCD may demand further explanation. Either the City does not have such historical data in the manner it is now inventorying sites in Tables 8-4 or 8-5, or a more searching inquiry would net a percentage less than 100% that should be applied to the number of units for all categories except “building Permit Issued” in Tables 8-4 and 8-5.

At the Open House, planners expressed confidence that any project that they have categorized as “in the pipeline” is fairly certain will be built in the next planning period and will fulfill Fremont’s RHNA Allocation. FFE suggests that the Housing Element affirmatively sets forth data-driven and evidence-based reasons, such as historical projections realized during the current or past planning periods, to justify its projections. To the extent the City is deviating from past metrics whether mandated by new State law or otherwise from past planning periods, provide a supporting rationale which these new metrics are predictive in netting achievable results over the next 8 years.

To be clear, we should be seen as an ally in offering support to the City in its efforts to obtain HCD certification. FFE’s advocacy, however, is not merely limited to ensuring that the City obtains HCD certification. We are more concerned that Fremont meets its RHNA Allocation with realistic evidence-based assumptions for all types of housing; and to do so, in particular, for lower-income housing.

The historical data shows that the existing General Plan, zoning, and consequent market conditions have enabled the City in the past to meet or exceed its RHNA assessments only for above moderate-income housing.

But where less than just 25% of the City’s RHNA Allocation for lower income unit in the 2023-2031 planning period are coming from “Pending, Approved or Permitted Development,” we all need to make sure we getting this Draft Housing Element right with projections that are not based on optimistic assumptions that 100% of the units identified in Tables 8-4 and 8-5 will in fact house the underhoused and those otherwise experiencing homelessness in our community for in the next eight years of the 2023-2031 planning period.

We are further concerned that the Non-Vacant Sites Analysis Methodology is not quantitative enough. It provides examples of sites that have been redeveloped in the past, but it does not estimate the proportion of sites in the site list that are expected to be redeveloped in this cycle. Realistically, it will not be 100%. Ideally, a numerical likelihood of development factor should be calculated based on the percentage of past sites that got developed in previous cycles. The total number of units provided by the inventory should be high enough that we meet or exceed the RHNA numbers after multiplying by the likelihood of development.

While we at FFE have not at this time conducted a full analysis of which sites were developed from past housing elements, we note that there are 3685 units listed in table 8-16 where it is indicated that AB 1397 applies, meaning that these sites have been listed in previous housing

8.46

elements. This value, if we assume that most of these units were included in the most recent housing element (and please correct us if that's a false assumption) represents 61% of the 6084 RHNA total from the 2015-2023 cycle, a very significant percentage. This strongly suggests that many of the units will not actually be built this cycle, and so the expected number of units delivered should be scaled down accordingly.

8.47

Other Items

On a lighter note, we'd like to request that the page number be absolute numbers (for example, running from 1 to 430). It's difficult to use the table of contents to find the start of the chapter when all it says is that it begins on [chapter_number]-1.

Respectfully,

The Fremont For Everyone Policy Committee

Public comment - Hamza Shaikh

Hamza Shaikh <rewazzu@gmail.com>

Sun 7/24/2022 4:43 PM

To: housingelement <housingelement@fremont.gov>

9.1

Hello I am Hamza Shaikh a 29 year old who has been living in Fremont his whole life. Our city needs to focus more on dense mixed used zoning and we need to reduce suburban sprawl. We need proper infrastructure so that we can bike or walk to the grocery store and to public transportation from where we live. This infrastructure needs to be low-stress. We need people oriented infrastructure.

9.2

Pacific Commons is an example of car oriented development that we need to move away from. The stores are nice there but you literally can't go from one store to another without driving or risking walking across a high traffic street. The stores should have been much closer together and parking should have been restricted to a parking structure. As is, the land dedicated to parking and the abundance of cars ruins the community vibe of the area, and likely limits the value of the area.

Thank you for reading my public comment.

Hamza Shaikh

Comment on housing element paper

Jan Quilici <janquilici@gmail.com>

Mon 8/8/2022 9:41 PM

To: housingelement <housingelement@fremont.gov>

Cc: Quilici Jan <janquilici@hotmail.com>

I am very happy that the city is doing something about our homeless problem and I support this project. My concern, however, is that without specific guidelines, front yard trees will be removed without considering other options first. Also I am concerned that the remainder of the front yard can be concreted over, creating urban decay and heat island effects.

10.1

The City has declared itself a tree friendly community and has done much to plant trees throughout the city. However, when reading the plan for this housing, it seems that no one cares any longer about trees and their benefits. Surely, this project can be done with care taken so that we don't end up with a treeless City that is also paved over with concrete.

Please take my comments into account as you finalize the draft.

Janet M Quilici
36910 Montecito Dr
Fremont, CA 94536
510 791-2341

August 4, 2022

Planning Division
City of Fremont
3300 Capitol Avenue
Fremont, CA 94538

Re: Comment to Draft 2023-2031 Housing Element

Dear Planning Division Staff,

I am the owner of two (2) properties in Fremont, 44960 Lopes Road, Fremont (APN 519-1310-49) and 44960 Warm Springs Boulevard, Fremont (APN 519-1310-34-15). Both sites are less than a ¼ mile of the Warm Springs BART station, in fact they are the closest privately owner properties to the Warm Springs BART station. Both properties are located within the City's Transit Oriented Development (TOD) Overlay and are also included in the City's Warm Springs Innovation District Transit Priority Development Area.

Numerous Goals and Policies in the City's General Plan encourage high density residential or mixed-use projects in TOD areas. Specifically, Policy 2-3.8 states the following:

"Generally locate new higher density housing in Priority Development Areas and the TOD Overlay where there is good access to transit, proximity to local-serving commercial uses, and proximity to collector or arterial streets. Conversely, the City should discourage the use of developable sites with these attributes for new low employee intensity or low value land uses."

Given that both these sites offer the opportunity to create dense, vibrant transit-oriented neighborhoods it would seem that their inclusion in the Housing Element Update would be a logical choice to achieve the growth anticipated in Fremont over the next planning cycle.

Thank you,



Joseph Depaoli, Trustee of the James W. Lopes 2019 Living Trust
2415 San Ramon Valley Blvd, Suite 4-411
San Ramon, CA 94583
Cell: 925-708-8863
Email: joedepaoli@gmail.com

Housing Element Draft

kelawn02@aol.com <kelawn02@aol.com>

Tue 8/9/2022 6:22 AM

To: housingelement <housingelement@fremont.gov>

Dear City of Fremont,

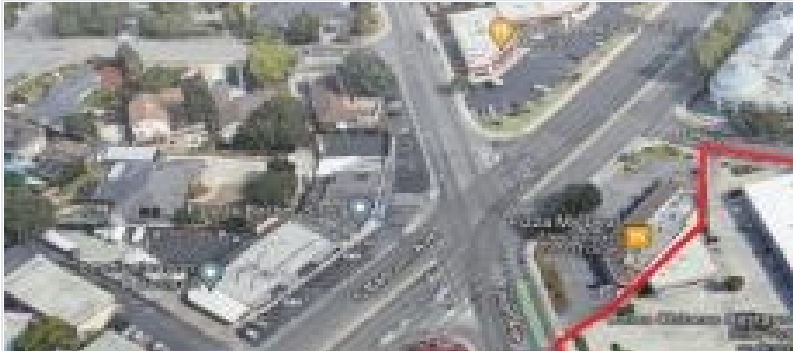
- 12.1 | Please consider trees in the Housing Element Draft. Trees throughout the city must be protected. We cannot lose our green canopy to overcrowded housing. Cutting down trees will decrease the quality of the environment for everyone.

Kate Chouta.

Wayland Li

From: Kelly <abrfar-eb@yahoo.com>
Sent: Wednesday, July 20, 2022 3:23 PM
To: Dan Schoenholz; Wayland Li; Joel Pullen; Robert Daulton
Cc: Raj Salwan; Teresa Cox; Jenny Kassan
Subject: Under-performing retail sites could convert to affordable housing — many such sites in MSJ, Centerville

[Hundreds of affordable homes could replace southwest San Jose shopping center](#)



complex with hundreds of affordable homes and ...

By George Avalos

July 20, 2022 at 5:30 a.m. | UPDATED: July 20, 2022 at 1:05 p.m.

<https://www.mercurynews.com/2022/07/20/affordable-home-replace-san-jose-shopping-center-real-estate-develop/>

SAN JOSE — A big residential complex with hundreds of affordable homes and some retail might replace a San Jose shopping center, plans being floated at city hall show.

An estimated 280 homes would be developed on the site of a shopping center at the corner of Union Avenue and South Bascom Avenue in southwest San Jose, according to a very preliminary proposal filed with San Jose planners.

The residences being eyed at the proposed development would be “100% affordable,” the planning documents show.

The building would be six stories high, including the ground-floor retail, ground-floor parking and five levels of residences.

The site currently features a retail center called Maplewood Plaza, which is occupied by numerous shops and restaurants.

“The Maplewood Plaza development proposal follows a pattern of under-performing retail sites converting to affordable housing,” said Bob Staedler, principal executive with Silicon Valley Synergy, a land-use consultancy.

The existing retail on the site where the development would occur totals 23,800 square feet, the project plans show.

Among the merchants whose locations might be bulldozed for the proposed development: Gyro’s Burgers & More, Harbor Fish & Chips, Anwar Bazaar & Bakery, Union Chinese Restaurant, Maya’s Cafe, Diamond Shoe Repair, Song’s Kung Fu, Lush Spaw and Vogue Salon & Lounge.

Along with the 280 homes, the proposal envisions the development of 11,900 square feet of new retail spaces.

The new retail would occupy part of the ground floor and be located primarily along Union Avenue.

San Francisco-based Maracor Development is listed as the applicant seeking city approval for the affordable homes project.

The development proposal is in a very preliminary stage and was submitted to obtain feedback from city officials. The ultimate plans could be considerably different from what is on file at present.

Maracor has proposed several projects in the Bay Area, including some in San Jose, along with others in San Francisco, Oakland and Fremont, according to the real estate firm's website.

The affordable homes project at the Union and Bascom avenues site would include a variety of unit sizes.

Of the 280 units, 112 would be studios, 77 would be two-bedroom units, 75 would be three-bedroom homes and 16 would be one-bedroom units, the preliminary plans state.

The proposed affordable homes development is located within approximately 1.5-2 miles of multiple light rail stops that are on the Old Ironsides-Winchester line and the Baypointe-Santa Teresa line.

"I wouldn't be surprised if similar retail sites with some level of vacancies are getting multiple unsolicited offers for redevelopment to affordable housing," Staedler said.



From: Lisa Danz <lmdanz@gmail.com>
Sent: Tuesday, July 12, 2022 3:32 PM
To: citycouncil
Subject: 7/12/2022 item 5A Public Comment

Dear City Council and Staff,

Thank you for producing the updated Housing Element draft and providing the opportunity to comment. I haven't had time to read all 430 pages of it yet, so I will try to follow up with more thorough comments before the August 8 public comment deadline. In the meantime, I wanted to offer a few initial notes.

Broadly, we need more housing. A lot more housing. I would like the Housing Element to convince me and other community members that Fremont will actually produce enough housing to meet all of its RHNA numbers. I know that the city is not on the hook for funding all of the subsidized affordable housing, but there are levers to pull to make housing production substantially more likely.

Initially, here are a few specific items that I've noticed:

1. ADU quantity: adjusting over time

On page 8-14:

As a program of the Housing Element, Fremont will monitor ADU production annually and, if production trends are less than anticipated halfway through the planning period, implement measures to further facilitate their production.

I think it's wonderful that (1) we've removed constraints and ADU production is going up, and (2) we're monitoring and adjusting.

However, the language around adjusting is too vague. What specific "measures" would be put in place if the numbers fall short? It would be better to provide for an automatic adjustment. For example, if the numbers are lower than what we've planned for, we'll automatically change some particular regulation to make it easier to build ADUs.

2. Likelihood of development

(I'm still trying to understand this part, so my apologies if I've missed something.)

I didn't see an analysis of what share of the 2015-2023 cycle site inventory was actually developed. I do see the total numbers of housing built for each income level, and I could potentially try to figure this out for myself by comparing the two, but I think this analysis could be helpful to include directly in this cycle's Housing Element, to inform the likelihood that sites in the inventory will be developed.

If I understand correctly, the "adjustment factors" that are specified in table 8-10 tell us, given that a site gets developed, what percentage of the total zoned capacity gets built. But I don't see an estimate of whether it will be built in the first place.

The one place that this is addressed is for non-vacant sites, but I'm a bit confused by the analysis there as well. Rather than doing a statistical analysis of a random sample of potential sites and figuring out which get built (or surveying the owners and asking about their plans), it is simply noting the important characteristics of those sites that *did* get built. I don't see how we can deduce from that what the probability is of a random currently-in-use site will be redeveloped.

If what I think are missing analyses are actually there and I just haven't found them yet (of if there's another analysis that meets the same need), I'd be grateful if you can point me to them. Otherwise, I'll keep reading more carefully.

I'm sorry for my abbreviated analysis, this was a lot to read and the comment deadline for this meeting is fast approaching. I hope to have more to say in the future. Thank you again for the opportunity.

Regards,
Lisa Danz

Dear City Staff,

As I read through the [Housing Element Draft](#), I found some items that appeared to be errors or typos. I'm sharing them here in the hopes that this is useful to you when editing.

The following were already noted in Fremont for Everyone's letter that was submitted on July 28:

- On page 8-27, it says ""Based on an analysis of inventory sites against the criteria above, a finding can be made that existing uses on non-vacant sites will not impede residential development of those sites and have a high likelihood of discontinuing during the 2015- 2023 planning period to allow for new residential development." Shouldn't this say 2023-2031?
- Table 8-16's last page jumps from 262 to 264 in the row numbers. That's the only jump in the table; are we intentionally skipping 263?
- Site 543-256-22-4 is listed as "4178 Decoto Rd" in table 8-16 but "4175 Decoto Rd" in table 8-14.
- Site 501-1800-1-50 is listed as 41 units in table 8-16 but 43 units in table 8-14.
- Several of the numbers listed in table 8-3 do not match the sums of the numbers of units in the various site inventory tables:
 - Moderate-income vacant+nonvacant add up to 2228 in table 8-16 but are listed as $204 + 2042 = 2246$ in table 8-3 (site inventory is 16 short of 8-3's total)
 - Lower-income in-pipeline units add up to 1088 in tables 8-4 and 8-5 but are listed as 1383 in table 8-3 (site inventory is 295 short of table 8-3's value)
 - Moderate-income in-pipeline units add up to (only!) 1 in tables 8-4 and 8-5 but are listed as 84 in table 8-3 (site inventory is 83 short of table 8-3's value)
 - Above-moderate in-pipeline units add up to 4771 in tables 8-4 and 8-5 but are listed as 4668 in table 8-3 (site inventory is 103 over table 8-3's value)

The following are additional possible typos that I found as I was reading through (highlights added):

- Page 2-1: "The community's fair housing challenges, as identified in **Chapter 8**, Fair Housing Assessment."
 - Shouldn't this say Chapter 7?
- Page 2-35, Program 83: "These services, such as In-Home Assessment and Care Coordination for seniors, paratransit, the Family Resource Center (**FRD**), and SparkPoint, enable households to stay housed."
 - Should say "FRC" rather than "FRD," right?
- Page 5-8: "The land use designations where the greatest intensity of residential development is expected to occur **are** in the planning period are City Center, Town Center and Urban Residential and Mixed Use."
 - I think this word should be removed.

- Page 5-8: “Each area **includes** is intended to be pedestrian-oriented with an attractive and distinct identity, along with amenities such as small parks, public art, and plazas that creates a Main Street ambiance.”
 - I think this word should be removed.
- Page 5-13: “As a program in the Housing Element, the City will **development** technical guidance and a local ordinance to implement the requirements of SB 9 and to create objective **standards will** provide greater certainty to property owners considering developing their property under SB 9.”
 - I think “development” should be “develop.”
 - I think the word “that” should be inserted between “standards” and “will.”
- Page 5-18: “Safe parking sites **are location that provides** homeless individuals and/or families living in a vehicle a dedicated, safe place to park.”
 - The highlighted section should be something like “are locations that provide.”
- Page 5-26: “Fremont’s mixed use regulations (FMC Section 18.45.040) do not provide specificity regarding which street frontages require a commercial component in **certai n** situations, such as when a development site is a through lot, or has street frontages on all sides.”
 - There’s an extra space in the middle of the word “certain.”
- Page 5-26: “Small Lot Design Guidelines (small-lot single-family residential”
 - Missing the closing “)”
- Page 5-34, in table 5-13: “fraction thereof above **\$100,00** valuation”
 - Should this be \$100,000?

Thank you for all your hard work on the Housing Element. This is an exciting opportunity for us to try to make progress on fixing the housing crisis.

Regards,
Lisa Danz

On Aug 1, 2022, at 5:24 PM, Lynn Miller <20tufa20@gmail.com> wrote:

Dear Director Schoenholz,

For several weeks I have wanted to speak to someone about this draft. Wayland and I had an appointment which he forgot about and he has not responded to my queries about another. As time to comment closes soon, I am more anxious to share my concerns with you directly.

After reading through the draft, I found no mention of preservation of trees on property under developmental processes. "Conservation policies" 7-9.1 and 7-9.2 emphasize green building and energy efficiency, but not green "infrastructure" from trees. Currently, there are ordinances regarding removal of mature trees from front or back yard properties. Will these ordinances prioritize tree protection over housing design?

16.1

Housing Element Policy 3.01 "encourages" development of regulations that promote a balance between sustainability goals and housing needs. That is extremely general.

There needs to be protection verbiage in the document and if the removal of mature trees occurs, there should be size per size mediation required. For instance, if a 65 year old Oak tree is in the yard, plans should be directed toward a design so as to avoid its removal. If a tree is removed- mediation cost would be obtained to go into the urban forest budget so that equivalent multiple smaller (15 gallon) trees would be planted in the city. We have a beautiful 67 year old Deodar Cedar street tree. Our neighbor is currently seeking to build an ADU out front next to our tree. If foundation concrete and digging kill the tree's roots, there is a problem. Specific protection language needs to be apparent early in the development process to save time, money, and the tree.

Housing Element Draft 22 -"Coordinate development review with outside agencies"

16.2

There has, it seems, not been coordination within Fremont's departments! Your department, Community Development, is tasked with this project, but, it seems, there has been no integration of the Community Services Department's Tree division? This seems short sighted and unfortunate because integration of the Urban Forest Plan and CAP 2.0 makes sense and supports tree protections. Both call for more green infrastructure and, as the Housing Element states, parks and green space is the primary desire of citizens.

To back up the Housing Elements, what should be, obvious mandate to protect trees above construction pressure, is Governor Newsom's 2020 Executive Order N-82-20.

Among other climate emergency measures, it orders that our urban greenscapes be protected and accelerated.

It states- Climate resilience is a priority and outdoor access to green spaces is equitable.

16.3

I believe Program 51 is unnecessary. It calls for a Waiver of development impact fees, especially for ADUs. Having an extended payment plan is a good incentive, but to not collect taxes on newly built units supports the wealthy and is short sighted. Tax money is badly needed to support the greening of urban areas that are vital to the community living in dense urban settings that this Housing Element encourages broadly.

I appreciate the complexity and size of the Housing Element Draft. Many times, in the draft, it specified that the community's values, concerns, and priorities be included. Surveys from Parks and Recreation Plan, Climate Action Plan, and the Urban Forestry Plan demonstrate high value on our city trees and the desire to protect and grow our urban canopy.

Thank you for your consideration,

Lynn Miller, Board Member of Tri City Ecology Center

Lynn Miller

20tufa20@gmail.com

510-604-8206

tufatrees.org

Tuesday - Thursday

Re: Housing for Senior Citizens

Mervin Roy <mrin4040@gmail.com>

Mon 7/11/2022 11:06 PM

To: housingelement <housingelement@fremont.gov>

Sir,

17.1

I have an earnest request to have more senior housing complexes in fremont and at rates starting from \$300/. At the moment the system is to have lottery and pay \$1200 per month is out of question at least for seniors.. With multiple senior housing the rent could be as stated above and no need for a

17.2

lottery system. We have to do away with the century old system of a lottery system. Further these housing would be close to Bart, shopping malls as well as downtown. I am confident of this set up in the very near future.

Need some mention on trees/greenage

Paul Nissler <pnissler@yahoo.com>

Tue 8/9/2022 4:20 AM

To: housingelement <housingelement@fremont.gov>

Dear Fremont Committee;

Please include some mention of trees and greengage in this draft. I generally agree with much of draft, but see no concern for protecting and maintaining trees and/greenage. Taking climate change and it's affects on us more serious and working solutions concretely into policy is of utmost concern.

I thank you in advance for working to include this in next draft.

sincerely

Paul Nissler, Ph.D.
Fremont resident

Von meinem iPhone gesendet

19.1

I support the recognition for two critical environmental goals. 1) For each Accessory Dwelling Unit, build a fee should be charged that will go towards better, safer transportation in Fremont that does not bow to the overuse of automobiles and VMT. 2) ...

Richard Godfrey <richgodfrey77@gmail.com>

Sat 8/6/2022 10:32 PM

To: housingelement <housingelement@fremont.gov>

My Comments on "Housing Element Draft"

Bob Thomas <bobthomas705@gmail.com>

Mon 8/8/2022 10:52 AM

To: housingelement <housingelement@fremont.gov>

My comments on "Housing Element Draft"

I agree that additional affordable-housing needs to be built in Fremont & ADU's are one way to do this. I also think that expensive & time-consuming individual-environmental-studies are not appropriate for small projects. However, environmental considerations do matter when individual projects add up & affect the livability of the entire community.

For example, one important metric of livability is Urban Tree Canopy (UTC) cover percentage.

According to the 2020 Fremont UTC Assessment

([fremont.gov/home/showpublisheddocument/1061/637751511027500000](https://www.fremont.gov/home/showpublisheddocument/1061/637751511027500000)), Fremont UTC is 14.4% compared to a range of 37% to 18% for Palo Alto, Oakland, Cupertino, Alameda, Campbell, and Mountain View (page 7).

To protect & improve Fremont's UTC, this Assessment recommends: 1) protect most existing trees in Fremont, 2) plant new trees on an ongoing basis to replace trees that die from any cause, 3) plant additional trees to increase community canopy cover in the future for the many benefits that trees provide such as:

"improving air quality, reducing temperature, making spaces more inviting, & carbon sequestration."

"Planting trees near impervious surfaces can offset the urban heat island effect, stormwater runoff and energy consumption. Plantable space in the right-of-way in many cases is near to high concentrations of impervious surfaces. ... The priority planting analysis should be used to identify planting opportunities in areas with high concentrations of impervious surfaces..."

Building new housing means adding to the current 67% impervious surfaces in Fremont (page 2) which by itself degrades community livability. This means that mitigation using new trees is essential to offset new development as well as to help make up for current low-densities of trees in some communities.

Please add text to "Housing Element Draft" to protect existing trees as much as practical and to require planting and caring for more than just replacement trees (as space allows in each project).

Each project proposal should include a map of 1) existing trees and impervious surfaces, 2) trees proposed to be removed, and 3) proposed sites for new trees with tree species selected from an approved list.

A reference to "[fremont.gov/permits/tree-permit](https://www.fremont.gov/permits/tree-permit)" should be included to provide information related to requirements for protecting & planting street trees in Fremont.

A reference to Municipal Code on "Tree Preservation"

([codepublishing.com/CA/Fremont/#!/Fremont18/Fremont18215.html#18.215.050](https://www.codepublishing.com/CA/Fremont/#!/Fremont18/Fremont18215.html#18.215.050)) should be included to provide info on protecting existing trees in Fremont.

Sincerely,
Robert Thomas

Save Fremont's Trees

Steve Elman <steveelman2th@gmail.com>

Mon 8/8/2022 6:13 AM

To: housingelement <housingelement@fremont.gov>

Steven Elman
41461 Timber Creek Terrace
Fremont, CA 94539

21.1

While I agree that Fremont needs to create more housing, it should not be done at the expense of our existing trees. All existing trees need to be fully protected as stated in our tree ordinances. Trees provide multiple benefits to our environment, which sorely needs help to mitigate the effects of climate change. We must assure that any new ordinances or plans provide safeguards to prevent tree removal and to prevent replacement of green space with concrete. Failure to provide these protections of trees and green surfaces would result in the creation of "heat island effects" and would contribute to the damaging effects of climate change.

Please assure the absolute protection of our trees.

Comment, Housing Element

Tara Gill <taranoella@gmail.com>

Mon 8/8/2022 6:50 PM

To: housingelement <housingelement@fremont.gov>

Hello,

I was happy to hear that Fremont will be allowing additional ADU's for property owners. I hope this measure will help meet the housing needs of our growing population. One item of concern with this draft is that there is no mention of how street trees will be protected. I am concerned that without addressing the issue, many trees will be removed and that lots that are supposed to have a tree but do not, will not be required to plant one.

Many of our recent reports such as the Climate Action Plan, Parks Plan, and Urban Forest Master Plan call for much more green infrastructure, and I would hate to see us lose more tree canopy because we did not take the time to seize the opportunity to follow our own recommendations.

Thank you, and I hope that this communication will influence you to introduce some language in the draft that will uphold our tree ordinances.

Sincerely,

Tara Gill
2925 Barrington Terrace, Fremont, CA 94536

Draft Housing Element

Timothy Gavin <Tim@gavin-law.com>

Sun 8/7/2022 11:33 PM

To: housingelement <housingelement@fremont.gov>

- 23.1 ● I would like to see more aesthetic considerations in the location and setbacks of ADU's. Moreover,
- 23.2 ● some maintenance of the existing trees should be part of the plan. Good luck with your project. Tim Gavin, Fremont resident.

Tim GAvin

510.676.7060

Get [Outlook for iOS](#)

Save Fremont's trees

Tom Holt <tomholt52@gmail.com>

Mon 8/8/2022 6:17 AM

To: housingelement <housingelement@fremont.gov>

Although Fremont needs more housing, existing trees should be saved as a priority, as well. New plans and ordinances should include protections for trees. Thank you very much!

Thomas Holt
Fremont resident

24.1



August 3, 2022

Planning Department and City Council
City of Fremont
39550 Liberty Street
Fremont, CA 94538

Re: Draft Housing Element Needs Robust and Specific Parking Reforms

Dear Fremont Planning Department and Fremont City Council,

TransForm is a regional non-profit focused on creating connected and healthy communities that can meet climate goals, reduce traffic, and include housing affordable to everyone. We applaud Fremont's work to date on the Draft Housing Element. However, to meet housing, transportation, and climate goals, Fremont needs to expand on its successful programs and initiate some new ones.

In particular, there will need to be an effective mix of:

- Reducing the amount of parking mandated for housing and providing incentives and programs to drive less (Transportation Demand Management or TDM)
- Developing sufficient programs to meet affordable home targets of RHNA

25.1 We appreciate Program 34 which will further reduce parking requirements and study the feasibility of eliminating residential parking minimums. However this program lacks specifics on how much Fremont plans to reduce parking in the TOD zone, or a commitment to implementing other parking reforms like those listed above. It is clear that Fremont understands the constraint to development parking poses, however lacks a clear and specific plan to implement reform.

25.2 The need to eliminate or greatly reduce parking minimums is more important than ever. **Each new parking space costs \$30,000-\$80,000.**¹ With inflation driving up construction costs since these estimates, two spaces may now cost up to \$200,000. Beyond construction costs, parking takes up essential space that could provide more homes, services, or community amenities.

TransForm recommends that Fremont consider the following policies in the Housing Element:

1. Funding a more robust study of parking reforms, particularly how smart parking policies (in addition to eliminating minimums) could positively impact housing, transportation and other goals.

¹ <https://www.shoupdogg.com/wp-content/uploads/sites/10/2016/05/Cutting-the-Cost-of-Parking-Requirements.pdf>

2. Requiring unbundled parking for certain transit oriented developments. This is easier for building managers to implement now with new parking tech tools like [Parkade](#).
3. Implementing TDMs such as requiring developers to buy annual bus passes for residents at a discounted bulk rate.

To show the tremendous transportation and climate benefits of these policies, as well as some of the financial savings for residents and reduced costs for development, we have used our GreenTRIP Connect tool to [create scenarios](#) for a potential future development site at **39160 Paseo Padre Parkway** located in the TOD zone. This site is identified in Fremont's draft Housing Element Site Inventory as a potential future opportunity site for this RHNA cycle, currently the Gateway Plaza. The California Office of Planning and Research recommends GreenTRIP Connect as a tool to use while developing General Plans and is especially useful during the development of Housing Elements (the tool is free to use and supports better planning at the site and city-wide level).

25.2

By implementing the strategies above at **39160 Paseo Padre Parkway**, GreenTRIP Connect predicts:

1. Implementing unbundling and providing transit passes at this site would decrease demand for parking by 36% and result in resident transportation savings of \$1,008 per year.
2. With right-sized parking, incorporating the benefits of unbundled parking and free transit passes, the development would cost \$3,225,000 less to build relative to current parking standards.
3. When combined with 100% affordable housing these strategies resulted in an incredible 62% reduction in driving and greenhouse gas emissions for the site, compared to the county average.
4. If an affordable development with smart parking strategies were built on this site each household would drive 7,165 less miles per year creating a greener and safer community.

Through eliminating the high costs of parking, homes can be offered at more affordable prices, reducing the number of community members that face extreme housing cost burdens, getting priced out of their community, and/or becoming unsheltered. Residents, new and old alike, will greatly benefit from the reduction in vehicle traffic and associated air pollution (see scenarios [here](#)).

In addition to parking and transportation strategies, we applaud some of the proposed strategies to support more affordable homes, since these would have such tremendous benefits as noted in the GreenTRIP scenario. Two of the most important are Program 63 which will prioritize affordable housing on public property and Program 50 which allows reduced impact fees for Affordable Housing Projects. These programs are a cost-effective complement to strategies focused on housing production.

25.3

The GreenTRIP scenarios and the chart on the final page of our Scenario document also show the imperative of programs to accelerate development of affordable homes, like Programs 63 & 50. Not only do these households use transit more and drive much less than average, but success in this area can help provide homes for unsheltered individuals and families. A commitment to these programs will show that Fremont is committed to planning for all levels of the 7,732 RHNA BMR units anticipated in this cycle.

Please let me know if you have any questions. TransForm hopes this information explains why Fremont should make parking reform and affordable housing development a priority in the Housing Element update.

Sincerely,
Kendra Ma
Housing Policy Analyst
kendrama@transformca.org

Trees

Marilyn <robertsinger993@comcast.net>

Sat 8/6/2022 10:36 PM

To: housingelement <housingelement@fremont.gov>

26.1

Please be sure that adu projects are done without tree removal- or require replacement if trees need to be removed. Use water permeable hard scape to eliminate runoff. Landscaping will be important to blend the additional units into the neighborhoods. Thank you. Marilyn Singer

Sent from my iPhone

Removing trees to install ADUs

bonnie lee kellogg <bonnieleekellogg@gmail.com>

Sun 8/7/2022 5:02 AM

To: housingelement <housingelement@fremont.gov>

Fremont has always been a beautiful city and one of the reason has been our strict tree ordinances.

I am greatly GREATLY concerned that your proposed ADU policy will allow the indiscriminate removal of valuable trees from our city.

Especially now with global warming, TREES are one of our best heat mitigators. If residents are allowed to remove trees from our yards and replace them with cement we will be creating a sweltering concrete jungle

Please ensure that no trees can be removed and that appropriate landscaping is required, especially in front of homes.

Thank you.

bonnie kellogg
5104 troy avenue
fremont, ca. 94536
510-760-7207

27.1

Housing Element Open House

Carol Schneider <cahagros@gmail.com>

Sun 8/7/2022 11:34 PM

To: housingelement <housingelement@fremont.gov>

Hello City of Fremont,

28.1

When you write the document on ADC housing, I hope it includes language that also protects trees.

There is no urgency to finish this document. It should also include the usual fees for the development of housing.

28.2

Thank you for working on this housing problem but also considering the longer and important problem of tree cover and need.

Sincerely,

Carol Schneider

December 8, 2022

Ms. Reena Rao
Vice Chair, Planning Commission
City of Fremont
3300 Capitol Avenue
Fremont, CA 94538

RE: City of Fremont's 6th Cycle Housing Element Update (2023-2031)

Dear Ms. Rao,

As you know, the state has a well-documented housing crisis, and the State of California is requiring that our city help facilitate nearly 13,000 new housing units in Fremont during the next eight years. If we fail to adopt state approved plans and regulations, the City will be subjected to penalties and can face significant financial and legal ramifications. City staff has detailed the consequences and penalties (including the loss of local land use power and moratorium on all permits) that Fremont may face during some of the public meetings during the housing element update process. We cannot escape this requirement and must get it right.

Given the state mandate, we don't understand why the City's planning staff is designating existing offices, existing retail centers and self-storage centers in the site inventory list for the housing element update without "substantial evidence" showing that these sites can be redeveloped. Simply driving by these non-vacant sites shows many, many existing businesses and multiple tenants making it highly unlikely that any of these locations will be redeveloped into badly needed housing.

Identifying non-vacant sites on the inventory list is problematic for several reasons: i) the existing tenant leases, ii) parking and reciprocal access requirements, and iii) Covenants, Conditions and Restrictions (CC&R's) which are all impediments to redevelopment and nearly impossible to overcome. The State of California Department of Housing and Community Development ("HCD") stipulates that a City not consider non-vacant sites if the **"existing use impedes additional residential development..."** HCD notified the City of this requirement in its November 22, 2022 letter and, unfortunately, the City has not performed this analysis.

Lease Impediments to Redevelopment

Almost all of the retail centers and offices identified by staff have existing leases in place which prevent re-development of the sites. Often times, tenants have long term, multi-year leases (many with lease extension options) which prevent redevelopment and, in fact, a single tenant can prevent redevelopment of a site if the tenant does not wish to cancel their lease.

Planning staff has not provided this lease impediment analysis for the non-vacant sites. The planning staff must provide a lease analysis for **each** of the non-vacant sites to show that existing leases will not be an impediment to residential development. If the City does not undertake this analysis to show that the inventory sites listed in the draft housing element can be redeveloped, the housing element is flawed and the City is subject to penalties and, even worse, will not meet its RHNA obligation. We need to make a serious effort to provide more housing in the City and designating a bunch of occupied shopping centers and office buildings is a ridiculous shell game that will not end well with HCD.

CC&R Impediments to Redevelopment

It is common knowledge that most, if not all, retail centers have CC&R's which grant reciprocal parking rights, access rights and utility rights to the tenants as well as prevent residential uses within the centers. These CC&R's are a major impediment to redevelopment and cannot be changed easily (or at all) so residential development on non-vacant sites with CC&R's is highly unlikely. Tenants never want to make parking or access more difficult for their customers so are loath to allow changes to CC&R's which will impact the customer experience nor are these tenants required to agree to any such changes to the CC&R's. Additionally, tenants generally do not like residential uses on the property because residents often complain about noise, early morning deliveries, odors from stores and restaurants serving food, and other compatibility problems. City staff has not provided any "substantial evidence" whatsoever that any of the specific sites that they have identified in their inventory list have the ability to modify their CC&R's. Further, CC&R's are typically recorded on the title of a property so it is quite easy to see which inventory property has these restrictions, but the City has not done this which should be a part of the "substantial evidence" provided. Instead, the draft housing element has used overly broad, non-site specific arguments that some redevelopment of non-vacant sites has occurred in the past so is likely to occur in the future. Please confirm that that lease and/or CC&R impediments do not exist toward residential development at the sites you have identified. It would be relatively easy for planning staff to obtain the existing CC&R's for the identified sites to confirm whether or not there are impediments to redevelopment.

29.1

Reciprocal Parking and Access Right Impediments to Redevelopment

It is standard practice that the existing tenants in retail centers have leases guaranteeing parking and access rights so every lease within an existing center would need to be amended to allow for new residential development on portions of the center where parking and drive aisles exist. Moreover, if staff contends that parking areas will be redeveloped into housing, then the loss of parking spaces for the remaining uses will render the reduced parking remaining non-compliant with the City's parking requirements. Tenants will not give up parking or access rights under their leases because that would make the customer experience worse so they will not allow any modifications to their leases, even for a reduction in their rent. The City has not provided any substantial evidence that the non-vacant sites will be able to have the existing leases modified to accommodate residential growth. This applies to

occupied retail centers, offices, medical office buildings, self-storage locations, and other existing, non-vacant uses. The city must show that the existing leases do not pose an impediment to redevelopment. It appears that planning staff has done any such lease analysis to satisfy the HCD required “substantial evidence” standard.

Test Case – 39160 Paseo Padre Parkway (Site #118)

As a case in point, City staff should start with providing the required “substantial evidence” to show that there are no impediments to residential development for the 39160 Paseo Padre Parkway site (#118 on the inventory list) which they claim can accommodate 645 units. This would be a good test case for City planning staff to provide substantial evidence that this site may be redeveloped. It appears that planning staff has no idea of the number of leases (and the length of those leases) that must be terminated or modified for this site to be redeveloped. It seems virtually certain that 645 units will never be developed at this location because of the CC&R and lease impediments described above. If the City does not provide clear, direct, site specific “substantial evidence” for this site and all of the others listed on the inventory list, the site should not be allowed to be on the housing element inventory list nor count toward the City’s RHNA obligation.

29.1

We are in critical need of housing and there are likely more than 4,779 units listed in Exhibit A attached (by address) from the City’s inventory list that are highly unlikely to ever be built because of existing tenant leases and CC&R’s. Including a few of these existing offices or retail centers might be acceptable in limited circumstances, but the list shown in Exhibit A attached reflects more than 80 properties accounting for 4,779 units which is almost 40% of the City’s RHNA requirement of 12,897 units. It appears that there has been little to no analysis to support the development potential of the nearly 5,000 units that staff claims can be developed on the non-vacant sites.

The Planning Commission has an important meeting on the housing element update scheduled for December 22, 2022. Please recognize and consider the obvious and significant impediments to redevelopment that exist on these non-vacant inventory sites. We respectfully request that you ask the planning staff the following:

1. Please defend listing each occupied site on the proposed site inventory list
2. Please provide a lease analysis for the non-vacant sites to meet the “substantial evidence” requirement of the state and show that the existing tenant leases are not an impediment to redevelopment
3. Please confirm which of the non-vacant sites have existing CC&R’s which are likely to prevent residential redevelopment
4. If a proposed inventory site does have recorded CC&R’s, please confirm that the CC&R’s do not prohibit residential uses on the site

29.1

We need to do better to ensure more housing is constructed in Fremont. Please direct the planning staff to put forth serious and viable housing sites to meet our RHNA goals, rather than numerous occupied sites that are not likely to be redeveloped any time soon. HCD will not accept the shell game approach being taken by city planners, and it will come back to harm the City in the future especially since HCD has already identified this issue in their letter of November 22, 2022.

Thank you for your service and for helping to keep Fremont thriving.

Sincerely,

Residents for Residential Development

cc: California Department of Housing and Community Development

Exhibit A

1. 39160 Paseo Padre Parkway – 645 units
2. 39410 Fremont Blvd. – 87 units
3. 3923 Stenerson Ln. – 36 units
4. 39360 Fremont Blvd. – 41 units
5. 39390 Fremont Blvd. – 49 units
6. Mowry Ave./Hastings – 11 units
7. 39310 Fremont Blvd. – 58 units
8. 3850 Beacon Ave. – 34 units
9. 3200 Mowry Ave. – 65 units
10. 3744 Mowry Ave. – 191 units
11. 3400 Mowry Ave. – 42 units
12. 3456 Mowry Ave. – 35 units
13. 3340 Mowry Ave. – 81 units
14. 3101 Walnut Ave. – 366 units
15. 39222 Fremont Blvd. – 43 units
16. 39039 Paseo Padre Parkway – 94 units
17. 36930 Fremont Blvd. – 21 units
18. 3723 Peralta Blvd. – 37 units
19. 3769 Peralta Blvd. – 13 units
20. 3833 Peralta Blvd. - 16 units
21. 3055 Mowry Ave. – 44 units
22. 38700 Paseo Padre Parkway – 75 units
23. 38750 Paseo Padre Parkway – 76 units
24. 36580 Fremont Blvd. – 41 units
25. 36640 Fremont Blvd. – 28 units
26. Beacon Ave./Fremont Blvd. – 52 units
27. 4050 Alder Ave. – 17 units
28. 36761 Fremont Blvd. – 53 units
29. 36789 Fremont Blvd. – 68 units
30. 4075 Thornton Ave. – 19 units
31. 4045 Thornton Ave. – 15 units
32. 4088 Thornton Ave. – 17 units
33. 37063 Fremont Blvd. – 28 units
34. 37119 Fremont Blvd. – 16 units
35. 37555 Dusterberry Way – 9 units
36. 37557 Dusterberry Way – 13 units
37. 4461 Peralta Blvd. – 15 units
38. 37485 Fremont Blvd. – 16 units
39. 4100 Peralta Blvd. – 92 units
40. 38487 Fremont Blvd. – 23 units
41. 38491 Fremont Blvd. – 101 units
42. 38665 Fremont Blvd. – 18 units
43. 38619 Fremont Blvd. – 65 units
44. 585 Mowry Ave. – 94 units

45. 670 Mowry Ave. – 152 units
46. 39160 Paseo Padre Parkway – 645 units
47. 43456 Ellsworth St. – 30 units
48. 1500 Washington Blvd. – 39 units
49. 40645 Fremont Blvd. – 217 units
50. 41989 Fremont Blvd. – 62 units
51. 42151 Blacow Road – 18 units
52. 39554 Paseo Padre Parkway – 18 units
53. 42088 Osgood Road – 47 units
54. Osgood Rd./Blacow Rd. – 160 units
55. 41791 Osgood Road – 20 units
56. 41094 Fremont Blvd. – 35 units
57. 41068 Fremont Blvd. – 20 units
58. 3902 Washington Blvd. – 78 units
59. 41060 Fremont Blvd. – 36 units
60. 3906 Washington Blvd. – 12 units
61. 3741 Washington Blvd. – 15 units
62. Washington Blvd./Union St. – 15 units
63. 3824 Union St. – 31 units
64. 40984 Fremont Blvd. – 30 units
65. 40968 Fremont Blvd. – 18 units
66. 40860 Fremont Blvd. – 19 units
67. 40750 Chapel Way – 12 units
68. 40820 Fremont Blvd. – 14 units
69. 40900 Fremont Blvd. – 29 units
70. 40910 Fremont Blvd. – 45 units
71. 40922 Fremont Blvd. – 31 units
72. 40880 Fremont Blvd. – 12 units
73. 40815 Fremont Blvd. – 44 units
74. 40861 Fremont Blvd. – 28 units
75. 41085 Fremont Blvd. – 55 units
76. 41057 Fremont Blvd. – 39 units
77. 41025 Trimboli Way – 35 units
78. 40786 Fremont Blvd. – 18 units
79. 39737 Paseo Padre Parkway – 29 units
80. 39767 Paseo Padre Parkway – 79 units
81. 41200 Blacow – 112 units
82. Stevenson Blvd./Blacow Rd. – 100 units
83. 35057 Fremont Blvd. – 18 units
84. 3880 Lake Arrowhead Ave. – 47 units



December 19, 2022

To: City of Fremont, California Department of Housing and Community Development

Re: Housing Element Public Comment

30.1

Fremont For Everyone supports the California Housing and Community Development (HCD) written comments to Fremont's proposed Housing Element.¹ We thank HCD for their thoroughness and support all of the concerns and recommendations that they raised.

We have a few further suggestions, many of which are based on Fremont's response to our earlier comments.

In regard to Programs:

30.2

1. Fremont for Everyone would like to see stronger language on proactive enforcement for substandard housing violations. We appreciate the city for adding language to Program 1 around proactive enforcement in response to our previous public comments, however, we don't feel that the language goes far enough. The current language relies on one unit in an apartment complex to make the first complaint before the city proactively inspects other units.

Proactive enforcement should not require any resident complaint. Rather, the City should initiate random inspections. This protects tenants in various ways. In a complaint-based system, landlords can retaliate against tenants who make complaints. In a proactive system, landlords would know that there may not have been any tenants who complained, so they should be less likely to retaliate.

Proactive enforcement language should further explicitly mention that these random inspections should check for ADA violations and that the City should enforce remedying accessibility issues that are found. It should be clarified in plain language, that in accordance with existing law, the tenant must not be forced to pay the cost of ADA accessibility renovations; instead the landlord must pay for these changes as part of their duty without displacing the current tenants or causing undue hardship on each tenant.

¹ <https://www.fremont.gov/home/showpublisheddocument/12005>

30.3

2. For Program 33, we applaud Fremont for adding a specific commitment. However, we feel that it does not go far enough to take advantage of the high value of the land in those areas. We encourage Fremont to alter the base zoning through SB 10 to allow more homes per lot in more configurations, not limited to the ADU configuration, up to 10 units per lot. Instead or in addition, the Program could explicitly clarify that the additional ADUs could be added on lots created through an SB 9 urban lot split.

In regard to the Sites Inventory:

30.4

1. In our previous public comment, we raised a concern about the large number of sites where AB 1397 applies, that is to say, sites that have appeared on previous housing elements already. The City responded to that part of our letter under the label 8.46; however, the specific concern about the number of AB 1397 sites was not addressed. Specifically, we would like to understand, given that these sites have not seen development during previous 8-year cycles, what has changed so that the City believes there is a good chance they will be developed in this cycle? Certainly, thanks to AB 1397 and the corresponding overlay zone (noted in Program 44), they now enjoy by-right approval for projects that contain enough affordable housing units. Does the city believe that that is sufficient that most of these sites will get developed this time? Is there more that can be done to facilitate development on these sites, such as zoning them to accommodate higher density?

30.5

2. Many of the high-unit-count sites are based on partial redevelopment of active shopping centers. While we agree that these would be excellent sites for housing due to the access to groceries, restaurants, and other amenities in these shopping centers, there are many challenges to this pattern of partial redevelopment. To help ensure development on these sites is a success, we recommend the city adopt an ordinance to allow homebuilders to maximize density by calculating the Floor Area Ratio based on the size of the full parcel, even in the case that said full parcel has been split into separate lots, for purposes of conforming to maximum densities specified by the zoning code.

30.6

3. There are some sites as an example and not limited to #268 (4440 Decoto Rd) where the existing use is already housing. For that particular site, the existing use is listed as "triplex," while the proposed redeveloped use is 2 units, which appears to be a net decrease in housing units. It's unclear how that would be consistent with SB 8, the Housing Crisis Act, or how it would add to the housing stock.

Thank you for your time and consideration, and for all your hard work on the Housing Element.

Sincerely,
Fremont for Everyone



330 Land Company LLC
16381 Scientific Way
Irvine, California 92618

December 22, 2022

VIA ELECTRONIC MAIL

Wayland Li
Principal Planner
City of Fremont
3300 Capitol Ave
Fremont, CA 94544

RE: Preliminary Applications for 489 units at the Warm Springs BART Station

Dear Mr. Li,

330 Land Company, LLC has filed two (2) preliminary applications for a total of 489 units of housing at two sites adjacent to the Warm Springs Bart Station within the Innovation Center. The Innovation Center designation corresponds with the ±879 acre Warm Springs/South Fremont Community Plan, adopted by the City Council on July 22, 2014. The Innovation Center is a hybrid mixed-use designation that allows a range of uses, which include industrial, research and development, office and convention, hotels, retail and entertainment, residential, an elementary school and public open space.

Given the housing crisis the region faces we would encourage the City of Fremont to include the sites we have filed preliminary applications as Housing Opportunity Sites in their Housing Element Update the City is current undertaking.

We look forward to working with the city to bring much needed housing to the community.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Reilly".

Steve Reilly
330 Land Company, LLC

16381 Scientific Way Irvine, California 92618

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Wayland Li

From: Harvey McKeon <hmckeon@nccrc.org>
Sent: Thursday, January 5, 2023 9:43 AM
To: Wayland Li
Subject: Housing element labor language approval

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Happy new year Wayland,

Following up on our discussion regarding the potential inclusion of some labor language in the Fremont housing element.

To recap, we foresaw language that addressed the labor shortage issue in residential construction, and which makes no qualitative judgement on labor standards, but simply acknowledges policymaking will be needed in this area in the future in order to ensure the labor supply necessary to meet RHNA goals. That language would look something like the below:

The issue of availability of an adequate construction workforce has been found in a ABAG survey of member jurisdictions to be a top-tier constraint for building additional housing. As such, the City supports labor standards conducive to ensuring the reliable supply of quality construction labor necessary to complete the growing number of residential projects foreseen by this Cycle's RHNA in a timely manner, without labor disputes or costly delays, thereby supporting the City's housing goals and objectives.

We have spoken to HCD staff, including reviewers for individual cities, and they have no legal issue with this language. In fact, to the contrary, this language actually seeks to meaningfully engage with a key impediment to housing production (labor shortages). HCD staff can reaffirm this to you directly.

Please let me know if Fremont can still include this language in their housing element constraints analysis. Please of course reach out if you would like to discuss this further over the phone.

In solidarity,
Harvey

Harvey McKeon
Field Representative
Research
Nor Cal Carpenters Union
265 Hegenberger Rd. Ste 200
Oakland, CA 94621
(M) 510 414-5371

RESOLUTION NO. 2023-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FREMONT ADOPTING A GENERAL PLAN AMENDMENT TO UPDATE THE HOUSING ELEMENT OF THE GENERAL PLAN FOR THE PERIOD OF 2023-2031, AND AFFIRMATIVELY FURTHER FAIR HOUSING, AND COMPLY WITH STATE HOUSING ELEMENT LAW AND MAKING FINDINGS OF CEQA EXEMPTION

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives.” (Gov. Code Section 65589.5.); and

WHEREAS, the Legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.” (Gov. Code Section 65589.5.); and

WHEREAS, the Legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49th out of the 50 states in housing units per capita... California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years”; and

WHEREAS, State Housing Element Law (Article 10.6 of Gov. Code) requires that the City Council adopt a Housing Element for the eight-year period between 2023-2031 to accommodate the City of Fremont’s regional housing needs allocation (RHNA) of 12,897 housing units, comprised of 3,640 very-low income units, 2,096 low-income units, 1,996 moderate-income units, and 5,165 above moderate-income units; and

WHEREAS, as provided in Government Code Section 65350 et. seq., and Public Resources Code this Housing Element Update 2023-2031 constitutes a General Plan Amendment (“Project”); and

WHEREAS, as provided in Government Code Sections 65352 – 65352.5, the City mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and other entities listed and no California Native American tribe requested consultation; and

WHEREAS, the City prepared the draft 2023-2031 Housing Element in accordance with California Housing Element Law (Government Code section 65580 et seq.); and

WHEREAS, California Government Code Section 65583 requires that the Housing Element Update contain: (i) an assessment of the City's housing needs and an analysis of the resources and constraints, both governmental and non-governmental, relevant to the meeting of these needs; (ii) an inventory of land suitable and available for residential development and an analysis of the development potential of such sites; (iii) a statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing; and (iv) programs that set forth a schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element Update; and

WHEREAS, State law requires that the City take meaningful steps to promote and affirmatively further fair housing (Gov. Code Section 65583(c)(5)); and

WHEREAS, State law requires that the City make zoning available for all types of housing, including multifamily housing (Gov. Code Sections 65583.2 and 65583(c)); and

WHEREAS, the Housing Element must be adopted to comply with State law, accommodate the RHNA, affirmatively further fair housing, and facilitate and encourage a variety of housing types for all income levels, including multifamily housing (Gov. Code Sections 65583.2 and 65583(c)); and

WHEREAS, the preparation, adoption, and implementation of the Housing Element requires a diligent effort to include all economic segments of the community; and

WHEREAS, the City conducted extensive community outreach in 2021 and 2022 including public meetings with the City Council, Planning Commission, Human Relations Commission, CDBG Advisory Committee, Senior Citizens Commission, Youth Advisory Commission and Recreation Commission, listening sessions with residents of affordable housing developments and homeless shelters, and various public events; and

WHEREAS, on August 25, 2022, the City submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, in October 2022, HCD provided the City with preliminary questions and comments regarding the draft Housing Element, and based upon those questions and comments, City staff revised the draft Housing Element to include additional information and data to support the City's analysis regarding Fremont's housing needs assessment, affirmatively furthering fair housing, sites inventory, zoning for a variety of housing types, governmental and non-governmental constraints, preservation of at-risk affordable units, housing programs, quantified objectives, and general plan consistency; and

WHEREAS, on November 22, 2022, the City received a letter from HCD stating that the draft Housing Element addressed most statutory requirements, and identified several revisions to comply with State Housing Element Law (Article 10.6 of the Government Code); and

WHEREAS, on December 10, 2022, the City published a revised draft Housing Element with the changes requested by HCD; and

WHEREAS, the City contracted with a CEQA consultant to analyze the appropriate CEQA determinations for the proposed Housing Element, as attached in Exhibit B, which, together with other evidence in the record as a whole demonstrates that the proposed Housing Element update is exempt from the requirements of the California Environmental Quality Act (CEQA) and/or that no further environmental review is required; and

WHEREAS, on December 22, 2022, the Planning Commission conducted a public hearing, reviewed the revised 2023-2031 Housing Element and all pertinent maps, documents and exhibits, including the findings and recommended changes made by HCD, and public comments, and determined the Housing Element to be consistent with State law and the General Plan of the City of Fremont; and

WHEREAS, on December 22, 2022, the Planning Commission held a public hearing and recommended that the City Council adopt a General Plan Amendment to update the Housing Element; and

WHEREAS, on January 10, 2022, the City Council conducted a public hearing, reviewed the revised 2023-2031 Housing Element and all pertinent maps, documents and exhibits, including the findings and recommended changes made by HCD, the City's response to HCD's findings, public comments, and the Planning Commission's recommendation, and determined the Housing Element to be consistent with State law and the General Plan of the City of Fremont; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FREMONT HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City Council hereby finds that the Housing Element update is exempt from the requirements of the California Environmental Quality Act (CEQA) per, without limitation, each as a separate and independent basis, CEQA Guidelines Section 15183 and/or 15162, in that the proposed Housing Element update is consistent with the density established by the General Plan, for which an Environmental Impact Report (EIR) (SCH#2010082060) was previously prepared and certified and none of the circumstances necessitating further CEQA review are present; and/or CEQA Guidelines Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that the proposed Housing Element update would have the potential for causing a significant effect on the environment; additionally, many programs in the Housing Element qualify as being statutorily or categorically exempt from CEQA review pursuant to State CEQA Guidelines Sections 15378 (Definition of a Project), 15262 (Feasibility and Planning Studies), 15267 (Financial Assistance to Low or Moderate Income Housing), 15305 (Minor Alterations in Land), 15301 (Existing Facilities), and 15311 (Accessory Structures); and

SECTION 2. The City Council hereby makes the following findings to amend the Fremont General Plan pursuant to Fremont Municipal Code Section 18.225.050(b):

1. The proposed amendment is consistent with the General Plan and, where the amendment is to the text of the General Plan, it is consistent with the other policies and chapters. The 2023-2031 Housing Element includes policies that would be consistent with the General Plan Land Use, Mobility, Community Character and Conservation Element policies, including the policies shown below:

General Plan Policies	Housing Element Policies
Land Use Policies 2-1.7 through 2-1.11 promoting Transit Oriented Development; Land Use Policy 2-3.8 promoting higher intensities near transit	Housing Element Policy 3.04 promotes intensification of residential development within urban neighborhoods around transit.
Mobility Policy 3-2.1 and 3-2.2, coordinating land use choices and transportation investments to create a community that incentivizes public transportation rather than private automobiles.	Housing Element Policies 1.03 and 3.04 encourage intensification of residential development within urban neighborhoods around transit and associated infrastructure improvements to facilitate access to transit.
Community Character Policies 4-3.7 through 4-3.10, encouraging the use of design guidelines to promote attractive developments.	Housing Element Policy 3.01 calls for the development of regulations and standards that reflect the community's priorities.
Conservation Policies 7-9.1 and 7-9.2 emphasizing green building and energy efficiency in building and site design standards.	Housing Element Policy 3.01 encourages development of regulations that promote a balance between sustainability goals and housing needs.

2. The proposed amendment furthers the public interest, convenience, and general welfare of the City. The 2023-2031 Housing Element would further the public interest, convenience and general welfare of the City by facilitating the production of housing that meets the needs of the community across all income levels. The Housing Element also promotes sustainability and infill development near transit, and preservation and improvement of the City's existing residential neighborhoods.

SECTION 3. The City Council finds that that the 2023-2301 Housing Element of the General Plan substantially complies with Housing Element Law, as provided in Government Code 65580 et seq. and are consistent the with Land Use and other elements of the City's General Plan. The proposed amendments are required to bring the Housing Element into consistency with State law and are consistent with sound planning principles in that the proposed policies and proposed implementing regulations are compatible and ensure that the goals and policies of the General Plan can be adequately implemented to achieve the community's vision; and

SECTION 4. The City Council, as required by Government Code Section 65585(e), has considered the findings made by the Department of Housing and Community Development included in the Department's letter to the City dated November 22, 2022, and finds that the City's 2023-2031 Housing Element, as amended, is in substantial compliance with Article 10.6 of the California Government Code, as interpreted by HCD, including the following provisions:

Government Code Article 10.6 Conformance	
65583(a)	An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:
65583(a)(1)	An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.
65583(a)(2)	An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.
65583(a)(3)	An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites, and an analysis of the relationship of the sites identified in the land inventory to the jurisdiction's duty to affirmatively further fair housing.
65583(a)(4)(A)	The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this

Government Code Article 10.6 Conformance	
	paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:
65583(a)(4)(A)(i)	The maximum number of beds or persons permitted to be served nightly by the facility.
65583(a)(4)(A)(ii)	Sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.
65583(a)(4)(A)(iii)	The size and location of exterior and interior onsite waiting and client intake areas.
65583(a)(4)(A)(iv)	The provision of onsite management.
65583(a)(4)(A)(v)	The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.
65583(a)(4)(A)(vi)	The length of stay.
65583(a)(4)(A)(vii)	Lighting.
65583(a)(4)(A)(viii)	Security during hours that the emergency shelter is in operation.
65583(a)(4)(B)	The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
65583(a)(4)(C)	A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction's need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit.
65583(a)(4)(D)	A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.
65583(a)(5)	An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of

Government Code Article 10.6 Conformance	
	subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, local processing and permit procedures, and any locally adopted ordinances that directly impact the cost and supply of residential development. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7).
65583(a)(6)	An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing.
65583(a)(7)	An analysis of any special housing needs, such as those of the elderly; persons with disabilities, including a developmental disability, as defined in Section 4512 of the Welfare and Institutions Code; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. The need for emergency shelter shall be assessed based on the capacity necessary to accommodate the most recent homeless point-in-time count conducted before the start of the planning period, the need for emergency shelter based on number of beds available on a year-round and seasonal basis, the number of shelter beds that go unused on an average monthly basis within a one-year period, and the percentage of those in emergency shelters that move to permanent housing solutions. The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period. An analysis of special housing needs by a city or county may include an analysis of the need for frequent user coordinated care housing services.
65583(a)(8)	An analysis of opportunities for energy conservation with respect to residential development. Cities and counties are encouraged to include

Government Code Article 10.6 Conformance	
	weatherization and energy efficiency improvements as part of publicly subsidized housing rehabilitation projects. This may include energy efficiency measures that encompass the building envelope, its heating and cooling systems, and its electrical system.
65583(a)(9)	An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. “Assisted housing developments,” for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. “Assisted housing developments” shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.
65583(a)(9)(A)	The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use, and the total number of elderly and nonelderly units that could be lost from the locality’s low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.
65583(a)(9)(B)	The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate.
65583(a)(9)(C)	The analysis shall identify public and private nonprofit corporations known to the local government that have legal and managerial capacity to acquire and manage these housing developments.
65583(a)(9)(D)	The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs that can be used to preserve, for lower income households, the assisted housing developments, identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program that have not been legally obligated for other purposes and that could be available for use in preserving assisted

Government Code Article 10.6 Conformance	
	housing developments.
65583(b)(1)	A statement of the community's goals, quantified objectives, and policies relative to affirmatively furthering fair housing and to the maintenance, preservation, improvement, and development of housing.
65583(b)(2)	It is recognized that the total housing needs identified pursuant to subdivision (a) 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, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period.
65583(c)	A program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, that may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, the utilization of appropriate federal and state financing and subsidy programs when available, and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:
65583(c)(1)	Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Section 65584.09. Sites shall be identified as needed to affirmatively further fair housing and to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing.
65583(c)(1)(A)	Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584,

Government Code Article 10.6 Conformance	
	rezoning of those sites, including adoption of minimum density and development standards, for jurisdictions with an eight-year housing element planning period pursuant to Section 65588, shall be completed no later than three years after either the date the housing element is adopted pursuant to subdivision (f) of Section 65585 or the date that is 90 days after receipt of comments from the department pursuant to subdivision (b) of Section 65585, whichever is earlier, unless the deadline is extended pursuant to subdivision (f). Notwithstanding the foregoing, for a local government that fails to adopt a housing element that the department has found to be in substantial compliance with this article within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning of those sites, including adoption of minimum density and development standards, shall be completed no later than one year from the statutory deadline in Section 65588 for adoption of the housing element.
65583(c)(1)(B)	Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall identify sites that can be developed for housing within the planning period pursuant to subdivision (h) of Section 65583.2. The identification of sites shall include all components specified in Section 65583.2.
65583(c)(1)(C)	Where the inventory of sites pursuant to paragraph (3) of subdivision (a) does not identify adequate sites to accommodate the need for farmworker housing, the program shall provide for sufficient sites to meet the need with zoning that permits farmworker housing use by right, including density and development standards that could accommodate and facilitate the feasibility of the development of farmworker housing for low- and very low income households.
65583(c)(2)	Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.
65583(c)(3)	Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. Transitional housing and supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Supportive housing, as defined in Section 65650, shall be a use by right in all zones where multifamily and mixed uses are permitted, as provided in Article 11 (commencing with Section 65650).
65583(c)(4)	Conserve and improve the condition of the existing affordable housing

Government Code Article 10.6 Conformance	
	stock, which may include addressing ways to mitigate the loss of dwelling units demolished by public or private action.
65583(c)(5)	Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law.
65583(c)(6)	Preserve for lower income households the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance.
65583(c)(7)	Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, “accessory dwelling units” has the same meaning as “accessory dwelling unit” as defined in paragraph (4) of subdivision (i) of Section 65852.2.
65583(c)(8)	Include an identification of the agencies and officials responsible for the implementation of the various actions and the means by which consistency will be achieved with other general plan elements and community goals.
65583(c)(9)	Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.
65583(c)(10)(A)	Affirmatively further fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2. The program shall include an assessment of fair housing in the jurisdiction that shall include all of the following components:
65583(c)(10)(A)(i)	A summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction’s fair housing enforcement and fair housing outreach capacity.
65583(c)(10)(A)(ii)	An analysis of available federal, state, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty and affluence, disparities in access to opportunity, and disproportionate housing needs, including displacement risk. The analysis shall identify and examine such

Government Code Article 10.6 Conformance	
	patterns, trends, areas, disparities, and needs, both within the jurisdiction and comparing the jurisdiction to the region in which it is located, based on race and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2) and Section 65008.
65583(c)(10)(A)(iii)	An assessment of the contributing factors, including the local and regional historical origins and current policies and practices, for the fair housing issues identified under clauses (i) and (ii).
65583(c)(10)(A)(iv)	An identification of the jurisdiction's fair housing priorities and goals, giving highest priority to those factors identified in clause (iii) that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance, and identifying the metrics and milestones for determining what fair housing results will be achieved.
65583(c)(10)(A)(v)	Strategies and actions to implement those priorities and goals, which may include, but are not limited to, enhancing mobility strategies and encouraging development of new affordable housing in areas of opportunity, as well as place-based strategies to encourage community revitalization, including preservation of existing affordable housing, and protecting existing residents from displacement.
65583(c)(10)(B)	A jurisdiction that completes or revises an assessment of fair housing pursuant to Subpart A (commencing with Section 5.150) of Part 5 of Subtitle A of Title 24 of the Code of Federal Regulations, as published in Volume 80 of the Federal Register, Number 136, page 42272, dated July 16, 2015, or an analysis of impediments to fair housing choice in accordance with the requirements of Section 91.225 of Title 24 of the Code of Federal Regulations in effect before August 17, 2015, may incorporate relevant portions of that assessment or revised assessment of fair housing or analysis or revised analysis of impediments to fair housing into its housing element.
65583(c)(10)(C)	The requirements of this paragraph shall apply to housing elements due to be revised pursuant to Section 65588 on or after January 1, 2021.
65583(d)(1)	A local government may satisfy all or part of its requirement to identify a zone or zones suitable for the development of emergency shelters pursuant to paragraph (4) of subdivision (a) by adopting and implementing a multijurisdictional agreement, with a maximum of two other adjacent communities, that requires the participating jurisdictions to develop at least one year-round emergency shelter within two years of the beginning of the planning period.
65583(d)(2)	The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit toward its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.
65583(d)(3)	Each member jurisdiction of a multijurisdictional agreement shall describe in its housing element all of the following:

Government Code Article 10.6 Conformance	
65583(d)(3)(A)	How the joint facility will meet the jurisdiction's emergency shelter need.
65583(d)(3)(B)	The jurisdiction's contribution to the facility for both the development and ongoing operation and management of the facility.
65583(d)(3)(C)	The amount and source of the funding that the jurisdiction contributes to the facility.
65583(d)(4)	The aggregate capacity claimed by the participating jurisdictions in their housing elements shall not exceed the actual capacity of the shelter.
65583(e)	Except as otherwise provided in this article, amendments to this article that alter the required content of a housing element shall apply to both of the following:
65583(e)(1)	A housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when a city, county, or city and county submits a draft to the department for review pursuant to Section 65585 more than 90 days after the effective date of the amendment to this section.
65583(e)(2)	Any housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when the city, county, or city and county fails to submit the first draft to the department before the due date specified in Section 65588 or 65584.02.
65583(f)	The deadline for completing required rezoning pursuant to subparagraph (A) of paragraph (1) of subdivision (c) shall be extended by one year if the local government has completed the rezoning at densities sufficient to accommodate at least 75 percent of the units for low- and very low income households and if the legislative body at the conclusion of a public hearing determines, based upon substantial evidence, that any of the following circumstances exist:
65583(f)(1)	The local government has been unable to complete the rezoning because of the action or inaction beyond the control of the local government of any other state, federal, or local agency.
65583(f)(2)	The local government is unable to complete the rezoning because of infrastructure deficiencies due to fiscal or regulatory constraints.
65583(f)(3)	The local government must undertake a major revision to its general plan in order to accommodate the housing-related policies of a sustainable communities strategy or an alternative planning strategy adopted pursuant to Section 65080.
	The resolution and the findings shall be transmitted to the department together with a detailed budget and schedule for preparation and adoption of the required rezonings, including plans for citizen participation and expected interim action. The schedule shall provide for adoption of the required rezoning within one year of the adoption of the resolution.
65583(g)(1)	If a local government fails to complete the rezoning by the deadline

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	provided in subparagraph (A) of paragraph (1) of subdivision (c), as it may be extended pursuant to subdivision (f), except as provided in paragraph (2), a local government may not disapprove a housing development project, nor require a conditional use permit, planned unit development permit, or other locally imposed discretionary permit, or impose a condition that would render the project infeasible, if the housing development project (A) is proposed to be located on a site required to be rezoned pursuant to the program action required by that subparagraph and (B) complies with applicable, objective general plan and zoning standards and criteria, including design review standards, described in the program action required by that subparagraph. Any subdivision of sites shall be subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)). Design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.
65583(g)(2)	A local government may disapprove a housing development described in paragraph (1) if it makes written findings supported by substantial evidence on the record that both of the following conditions exist:
65583(g)(2)(A)	The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.
65583(g)(2)(B)	There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.
65583(g)(3)	The applicant or any interested person may bring an action to enforce this subdivision. If a court finds that the local agency disapproved a project or conditioned its approval in violation of this subdivision, the court shall issue an order or judgment compelling compliance within 60 days. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders to ensure that the purposes and policies of this subdivision are fulfilled. In any such action, the city, county, or city and county shall bear the burden of proof.
65583(g)(4)	For purposes of this subdivision, “housing development project” means a project to construct residential units for which the project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of at least 49 percent of the housing units for very low, low-, and moderate-income households

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	with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing.
65583(h)	An action to enforce the program actions of the housing element shall be brought pursuant to Section 1085 of the Code of Civil Procedure.
65583(i)	Notwithstanding any other law, the otherwise applicable timeframe set forth in paragraph (2) of subdivision (b) and subdivision (d) of Section 21080.3.1 of the Public Resources Code, and paragraph (3) of subdivision (d) of Section 21082.3 of the Public Resources Code, for a Native American tribe to respond to a lead agency and request consultation in writing is extended by 30 days for any housing development project application determined or deemed to be complete on or after March 4, 2020, and prior to December 31, 2021.
65583(j)	On or after January 1, 2024, at the discretion of the department, the analysis of government constraints pursuant to paragraph (5) of subdivision (a) may include an analysis of constraints upon the maintenance, improvement, or development of housing for persons with a characteristic identified in subdivision (b) of Section 51 of the Civil Code. The implementation of this subdivision is contingent upon an appropriation by the Legislature in the annual Budget Act or another statute for this purpose.
65583.1(a)	The Department of Housing and Community Development, in evaluating a proposed or adopted housing element for substantial compliance with this article, may allow a city or county to identify adequate sites, as required pursuant to Section 65583, by a variety of methods, including, but not limited to, redesignation of property to a more intense land use category and increasing the density allowed within one or more categories. The department may also allow a city or county to identify sites for accessory dwelling units based on the number of accessory dwelling units developed in the prior housing element planning period whether or not the units are permitted by right, the need for these units in the community, the resources or incentives available for their development, and any other relevant factors, as determined by the department. Nothing in this section reduces the responsibility of a city or county to identify, by income category, the total number of sites for residential development as required by this article.
65583.1(b)	Sites that contain permanent housing units located on a military base undergoing closure or conversion as a result of action pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526), the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510), or any subsequent act requiring the closure or conversion of a military base may be identified as an adequate site if the housing element demonstrates that the housing units will be available for occupancy by households within the

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	<p>planning period of the element. No sites containing housing units scheduled or planned for demolition or conversion to nonresidential uses shall qualify as an adequate site.</p> <p>Any city, city and county, or county using this subdivision shall address the progress in meeting this section in the reports provided pursuant to paragraph (1) of subdivision (b) of Section 65400.</p>
65583.1(c)(1)	<p>The Department of Housing and Community Development may allow a city or county to substitute the provision of units for up to 25 percent of the community's obligation to identify adequate sites for any income category in its housing element pursuant to paragraph (1) of subdivision (c) of Section 65583 where the community includes in its housing element a program committing the local government to provide units in that income category within the city or county that will be made available through the provision of committed assistance during the planning period covered by the element to low- and very low income households at affordable housing costs or affordable rents, as defined in Sections 50052.5 and 50053 of the Health and Safety Code, and which meet the requirements of paragraph (2). Except as otherwise provided in this subdivision, the community may substitute one dwelling unit for one dwelling unit site in the applicable income category. The program shall do all of the following:</p>
65583.1(c)(1)(A)	<p>Identify the specific, existing sources of committed assistance and dedicate a specific portion of the funds from those sources to the provision of housing pursuant to this subdivision.</p>
65583.1(c)(1)(B)	<p>Indicate the number of units that will be provided to both low- and very low income households and demonstrate that the amount of dedicated funds is sufficient to develop the units at affordable housing costs or affordable rents.</p>
65583.1(c)(1)(C)	<p>Demonstrate that the units meet the requirements of paragraph (2).</p>
65583.1(c)(2)	<p>Only units that comply with subparagraph (A), (B), (C), (D), or (E) qualify for inclusion in the housing element program described in paragraph (1), as follows:</p>
65583.1(c)(2)(A)	<p>Units that are to be substantially rehabilitated with committed assistance from the city or county and constitute a net increase in the community's stock of housing affordable to low- and very low income households. For purposes of this subparagraph, a unit is not eligible to be "substantially rehabilitated" unless all of the following requirements are met:</p>
65583.1(c)(2)(A)(i)	<p>At the time the unit is identified for substantial rehabilitation, (I) the local government has determined that the unit is at imminent risk of loss to the housing stock, (II) the local government has committed to provide relocation assistance pursuant to Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 to any occupants temporarily or permanently displaced by the rehabilitation or code</p>

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	enforcement activity, or the relocation is otherwise provided prior to displacement either as a condition of receivership, or provided by the property owner or the local government pursuant to Article 2.5 (commencing with Section 17975) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code, or as otherwise provided by local ordinance; provided the assistance includes not less than the equivalent of four months' rent and moving expenses and comparable replacement housing consistent with the moving expenses and comparable replacement housing required pursuant to Section 7260, (III) the local government requires that any displaced occupants will have the right to reoccupy the rehabilitated units, and (IV) the unit has been found by the local government or a court to be unfit for human habitation due to the existence of at least four violations of the conditions listed in subdivisions (a) to (g), inclusive, of Section 17995.3 of the Health and Safety Code.
65583.1(c)(2)(A)(ii)	The rehabilitated unit will have long-term affordability covenants and restrictions that require the unit to be available to, and occupied by, persons or families of low- or very low income at affordable housing costs for at least 55 years or the time period required by any applicable federal or state law or regulation.
65583.1(c)(2)(A)(iii)	Prior to initial occupancy after rehabilitation, the local code enforcement agency shall issue a certificate of occupancy indicating compliance with all applicable state and local building code and health and safety code requirements.
65583.1(c)(2)(B)	Units that are located either on foreclosed property or in a multifamily rental or ownership housing complex of three or more units, are converted with committed assistance from the city or county from nonaffordable to affordable by acquisition of the unit or the purchase of affordability covenants and restrictions for the unit, are not acquired by eminent domain, and constitute a net increase in the community's stock of housing affordable to low- and very low income households. For purposes of this subparagraph, a unit is not converted by acquisition or the purchase of affordability covenants unless all of the following occur:
65583.1(c)(2)(B)(i)	The unit is made available for rent at a cost affordable to low- or very low income households.
65583.1(c)(2)(B)(ii)	At the time the unit is identified for acquisition, the unit is not available at an affordable housing cost to either of the following:
65583.1(c)(2)(B)(ii)(I)	Low-income households, if the unit will be made affordable to low-income households.
65583.1(c)(2)(B)(ii)(II)	Very low income households, if the unit will be made affordable to very low income households.
65583.1(c)(2)(B)(iii)	At the time the unit is identified for acquisition the unit is not occupied by low- or very low income households or if the acquired unit is occupied, the local government has committed to provide relocation

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	assistance prior to displacement, if any, pursuant to Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 to any occupants displaced by the conversion, or the relocation is otherwise provided prior to displacement; provided the assistance includes not less than the equivalent of four months' rent and moving expenses and comparable replacement housing consistent with the moving expenses and comparable replacement housing required pursuant to Section 7260.
65583.1(c)(2)(B)(iv)	The unit is in decent, safe, and sanitary condition at the time of occupancy.
65583.1(c)(2)(B)(v)	The unit has long-term affordability covenants and restrictions that require the unit to be affordable to persons of low- or very low income for not less than 55 years.
65583.1(c)(2)(B)(vi)	For units located in multifamily ownership housing complexes with three or more units, or on or after January 1, 2015, on foreclosed properties, at least an equal number of new-construction multifamily rental units affordable to lower income households have been constructed in the city or county within the same planning period as the number of ownership units to be converted.
65583.1(c)(2)(C)	Units that will be preserved at affordable housing costs to persons or families of low- or very low incomes with committed assistance from the city or county by acquisition of the unit or the purchase of affordability covenants for the unit. For purposes of this subparagraph, a unit shall not be deemed preserved unless all of the following occur:
65583.1(c)(2)(C)(i)	The unit has long-term affordability covenants and restrictions that require the unit to be affordable to, and reserved for occupancy by, persons of the same or lower income group as the current occupants for a period of at least 55 years.
65583.1(c)(2)(C)(ii)	The unit is within an "assisted housing development," as defined in paragraph (3) of subdivision (a) of Section 65863.10.
65583.1(c)(2)(C)(iii)	The city or county finds, after a public hearing, that the unit is eligible, and is reasonably expected, to change from housing affordable to low- and very low income households to any other use during the next eight years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use.
65583.1(c)(2)(C)(iv)	The unit is in decent, safe, and sanitary condition at the time of occupancy.
65583.1(c)(2)(C)(v)	At the time the unit is identified for preservation it is available at affordable cost to persons or families of low- or very low income.
65583.1(c)(2)(D)	Units in a motel, hotel, or hostel that are converted with committed assistance from the city or county from nonresidential to residential by the acquisition of the unit or the purchase of affordability covenants and restrictions for the unit, are not acquired by eminent domain, and constitute a net increase in the community's stock of housing affordable to low- and very low income households. For purposes of

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	this subparagraph, a unit is not converted by acquisition or the purchase of affordability covenants unless all of the following occur:
65583.1(c)(2)(D)(i)	The unit is part of a long-term recovery response to COVID-19.
65583.1(c)(2)(D)(ii)	The unit is made available for people experiencing homelessness as defined in Section 578.3 of Title 24 of the Code of Federal Regulations.
65583.1(c)(2)(D)(iii)	The unit is made available for rent at a cost affordable to low- or very low income households.
65583.1(c)(2)(D)(iv)	The unit is in decent, safe, and sanitary condition at the time of occupancy.
65583.1(c)(2)(D)(v)	The unit has long-term affordability covenants and restrictions that require the unit to be affordable to persons of low- or very low income for not less than 55 years.
65583.1(c)(2)(D)(vi)	This subparagraph shall remain in effect only for the sixth revision of the housing element pursuant to Section 65588.
65583.1(c)(2)(E)	All spaces in a mobilehome park, as defined in subdivision (a) of Section 18214 of the Health and Safety Code, that is acquired with committed assistance from the city or county where any of the following apply:
65583.1(c)(2)(E)(i)	The mobilehome park will be acquired with financing that includes a loan from the department pursuant to Section 50783 or 50784.5 of the Health and Safety Code.
65583.1(c)(2)(E)(ii)	At least 50 percent of the current residents in the mobilehome park to be acquired are lower-income households and the entity acquiring the park agrees to enter into a regulatory agreement for a minimum of 55 years that requires both of the following:
65583.1(c)(2)(E)(ii)(I)	All vacant spaces shall be rented at a space rent that does not exceed 50 percent of maximum rent limits established by the California Tax Credit Allocation Committee at 60 percent of the area median income.
65583.1(c)(2)(E)(ii)(II)	The space rent for existing residents at the time of the acquisition of the property, both during the 12 months preceding the acquisition and during the term of the regulatory agreement, shall not increase more than 5 percent in any 12-month period.
65583.1(c)(3)	This subdivision does not apply to any city or county that, during the current or immediately prior planning period, as defined by Section 65588, has not met any of its share of the regional need for affordable housing, as defined in Section 65584, for low- and very low income households. A city or county shall document for any housing unit that a building permit has been issued and all development and permit fees have been paid or the unit is eligible to be lawfully occupied.
65583.1(c)(4)	For purposes of this subdivision, “committed assistance” means that the city or county enters into a legally enforceable agreement during the period from the beginning of the projection period until the end of the third year of the planning period that obligates sufficient available funds or other in-kind services to provide the assistance necessary to

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	make the identified units affordable and that requires that the units be made available for occupancy within two years of the execution of the agreement. “Committed assistance” does not include tenant-based rental assistance.
65583.1(c)(5)	For purposes of this subdivision, “net increase” includes only housing units provided committed assistance pursuant to subparagraph (A) or (B) of paragraph (2) in the current planning period, as defined in Section 65588, that were not provided committed assistance in the immediately prior planning period.
65583.1(c)(6)	For purposes of this subdivision, “the time the unit is identified” means the earliest time when any city or county agent, acting on behalf of a public entity, has proposed in writing or has proposed orally or in writing to the property owner, that the unit be considered for substantial rehabilitation, acquisition, or preservation.
65583.1(c)(7)	In the fourth year of the planning period, as defined by Section 65588, in the report required pursuant to Section 65400, each city or county that has included in its housing element a program to provide units pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (2) shall report in writing to the legislative body, and to the department within 30 days of making its report to the legislative body, on its progress in providing units pursuant to this subdivision. The report shall identify the specific units for which committed assistance has been provided or which have been made available to low- and very low income households, and it shall adequately document how each unit complies with this subdivision. If, by the end of the third year of the planning period, the city or county has not entered into an enforceable agreement of committed assistance for all units specified in the programs adopted pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (2), the city or county shall, not later than the end of the fourth year of the planning period, adopt an amended housing element in accordance with Section 65585, identifying additional adequate sites pursuant to paragraph (1) of subdivision (c) of Section 65583 sufficient to accommodate the number of units for which committed assistance was not provided. If a city or county does not amend its housing element to identify adequate sites to address any shortfall, or fails to complete the rehabilitation, acquisition, purchase of affordability covenants, or the preservation of any housing unit within two years after committed assistance was provided to that unit, it shall be prohibited from identifying units pursuant to subparagraph (A), (B), (C), (D), or (E) of paragraph (2) in the housing element that it adopts for the next planning period, as defined in Section 65588, above the number of units actually provided or preserved due to committed assistance.
65583.1(d)	A city or county may reduce its share of the regional housing need by the number of units built between the start of the projection period and

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	the deadline for adoption of the housing element. If the city or county reduces its share pursuant to this subdivision, the city or county shall include in the housing element a description of the methodology for assigning those housing units to an income category based on actual or projected sales price, rent levels, or other mechanisms establishing affordability.
65583.2(a)	A city's or county's inventory of land suitable for residential development pursuant to paragraph (3) of subdivision (a) of Section 65583 shall be used to identify sites throughout the community, consistent with paragraph (10) of subdivision (c) of Section 65583, that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels pursuant to Section 65584. As used in this section, "land suitable for residential development" includes all of the following sites that meet the standards set forth in subdivisions (c) and (g):
65583.2(a)(1)	Vacant sites zoned for residential use.
65583.2(a)(2)	Vacant sites zoned for nonresidential use that allows residential development.
65583.2(a)(3)	Residentially zoned sites that are capable of being developed at a higher density, including sites owned or leased by a city, county, or city and county.
65583.2(a)(4)	Sites zoned for nonresidential use that can be redeveloped for residential use, and for which the housing element includes a program to rezone the site, as necessary, rezoned for, to permit residential use, including sites owned or leased by a city, county, or city and county.
65583.2(b)	The inventory of land shall include all of the following:
65583.2(b)(1)	A listing of properties by assessor parcel number.
65583.2(b)(2)	The size of each property listed pursuant to paragraph (1), and the general plan designation and zoning of each property.
65583.2(b)(3)	For nonvacant sites, a description of the existing use of each property. If a site subject to this paragraph is owned by the city or county, the description shall also include whether there are any plans to dispose of the property during the planning period and how the city or county will comply with Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5.
65583.2(b)(4)	A general description of any environmental constraints to the development of housing within the jurisdiction, the documentation for which has been made available to the jurisdiction. This information need not be identified on a site-specific basis.
65583.2(b)(5)(A)	A description of existing or planned water, sewer, and other dry utilities supply, including the availability and access to distribution facilities.
65583.2(b)(5)(B)	Parcels included in the inventory must have sufficient water, sewer, and dry utilities supply available and accessible to support housing

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	development or be included in an existing general plan program or other mandatory program or plan, including a program or plan of a public or private entity providing water or sewer service, to secure sufficient water, sewer, and dry utilities supply to support housing development. This paragraph does not impose any additional duty on the city or county to construct, finance, or otherwise provide water, sewer, or dry utilities to parcels included in the inventory.
65583.2(b)(6)	Sites identified as available for housing for above moderate-income households in areas not served by public sewer systems. This information need not be identified on a site-specific basis.
65583.2(b)(7)	A map that shows the location of the sites included in the inventory, such as the land use map from the jurisdiction's general plan, for reference purposes only.
65583.2(c)	Based on the information provided in subdivision (b), a city or county shall determine whether each site in the inventory can accommodate the development of some portion of its share of the regional housing need by income level during the planning period, as determined pursuant to Section 65584. The inventory shall specify for each site the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower income housing, moderate-income housing, or above moderate-income housing. A nonvacant site identified pursuant to paragraph (3) or (4) of subdivision (a) in a prior housing element and a vacant site that has been included in two or more consecutive planning periods that was not approved to develop a portion of the locality's housing need shall not be deemed adequate to accommodate a portion of the housing need for lower income households that must be accommodated in the current housing element planning period unless the site is zoned at residential densities consistent with paragraph (3) of this subdivision and the site is subject to a program in the housing element requiring rezoning within three years of the beginning of the planning period to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households. Notwithstanding the foregoing, for a local government that fails to adopt a housing element that the department has found to be in substantial compliance with state law within 120 days of the statutory deadline in Section 65588 for adoption of the housing element, rezoning pursuant to this subdivision shall be completed no later than one year from the statutory deadline in Section 65588 for adoption of the housing element. An unincorporated area in a nonmetropolitan county pursuant to clause (ii) of subparagraph (B) of paragraph (3) shall not be subject to the requirements of this subdivision to allow residential use by right. The analysis shall determine whether the inventory can provide for a variety of types of housing, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural

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	employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing, and whether the inventory affirmatively furthers fair housing. The city or county shall determine the number of housing units that can be accommodated on each site as follows:
65583.2(c)(1)	If local law or regulations require the development of a site at a minimum density, the department shall accept the planning agency's calculation of the total housing unit capacity on that site based on the established minimum density. If the city or county does not adopt a law or regulation requiring the development of a site at a minimum density, then it shall demonstrate how the number of units determined for that site pursuant to this subdivision will be accommodated.
65583.2(c)(2)	The number of units calculated pursuant to paragraph (1) shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in paragraph (5) of subdivision (a) of Section 65583, the realistic development capacity for the site, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities.
65583.2(c)(2)(A)	A site smaller than half an acre shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site is adequate to accommodate lower income housing.
65583.2(c)(2)(B)	A site larger than 10 acres shall not be deemed adequate to accommodate lower income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units as projected for the site or unless the locality provides other evidence to the department that the site can be developed as lower income housing. For purposes of this subparagraph, "site" means that portion of a parcel or parcels designated to accommodate lower income housing needs pursuant to this subdivision.
65583.2(c)(2)(C)	A site may be presumed to be realistic for development to accommodate lower income housing need if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed and approved for development on the site.
65583.2(c)(3)	For the number of units calculated to accommodate its share of the regional housing need for lower income households pursuant to paragraph (2), a city or county shall do either of the following:

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65583.2(c)(3)(A)	Provide an analysis demonstrating how the adopted densities accommodate this need. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower income households.
65583.2(c)(3)(B)	The following densities shall be deemed appropriate to accommodate housing for lower income households:
65583.2(c)(3)(B)(i)	For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre.
65583.2(c)(3)(B)(ii)	For an unincorporated area in a nonmetropolitan county not included in clause (i): sites allowing at least 10 units per acre.
65583.2(c)(3)(B)(iii)	For a suburban jurisdiction: sites allowing at least 20 units per acre.
65583.2(c)(3)(B)(iv)	For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre.
65583.2(c)(4)(A)	For a metropolitan jurisdiction:
65583.2(c)(4)(A)(i)	At least 25 percent of the jurisdiction's share of the regional housing need for moderate-income housing shall be allocated to sites with zoning that allows at least 4 units of housing, but not more than 100 units per acre of housing.
65583.2(c)(4)(A)(ii)	At least 25 percent of the jurisdiction's share of the regional housing need for above moderate-income housing shall be allocated to sites with zoning that allows at least 4 units of housing.
65583.2(c)(4)(B)	The allocation of moderate-income and above moderate-income housing to sites pursuant to this paragraph shall not be a basis for the jurisdiction to do either of the following:
65583.2(c)(4)(B)(i)	Deny a project that does not comply with the allocation.
65583.2(c)(4)(B)(ii)	Impose a price minimum, price maximum, price control, or any other exaction or condition of approval in lieu thereof. This clause does not prohibit a jurisdiction from imposing any price minimum, price maximum, price control, exaction, or condition in lieu thereof, pursuant to any other law.
65583.2(c)(4)(B)(iii)	The provisions of this subparagraph do not constitute a change in, but are declaratory of, existing law with regard to the allocation of sites pursuant to this section.
65583.2(c)(4)(C)	This paragraph does not apply to an unincorporated area.
65583.2(c)(4)(D)	For purposes of this paragraph:
65583.2(c)(4)(D)(i)	"Housing development project" has the same meaning as defined in paragraph (2) of subdivision (h) of Section 65589.5.
65583.2(c)(4)(D)(ii)	"Unit of housing" does not include an accessory dwelling unit or junior accessory dwelling unit that could be approved pursuant to Section 65852.2 or Section 65852.22 or through a local ordinance or other provision implementing either of those sections. This paragraph shall not limit the ability of a local government to count the actual production of accessory dwelling units or junior accessory dwelling

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	units in an annual progress report submitted pursuant to Section 65400 or other progress report as determined by the department.
65583.2(c)(4)(E)	Nothing in this subdivision shall preclude the subdivision of a parcel, provided that the subdivision is subject to the Subdivision Map Act (Division 2 (commencing with Section 66410)) or any other applicable law authorizing the subdivision of land.
65583.2(d)	For purposes of this section, a metropolitan county, nonmetropolitan county, and nonmetropolitan county with a micropolitan area shall be as determined by the United States Census Bureau. A nonmetropolitan county with a micropolitan area includes the following counties: Del Norte, Humboldt, Lake, Mendocino, Nevada, Tehama, and Tuolumne and other counties as may be determined by the United States Census Bureau to be nonmetropolitan counties with micropolitan areas in the future.
65583.2(e)(1)	Except as provided in paragraph (2), a jurisdiction shall be considered suburban if the jurisdiction does not meet the requirements of clauses (i) and (ii) of subparagraph (B) of paragraph (3) of subdivision (c) and is located in a Metropolitan Statistical Area (MSA) of less than 2,000,000 in population, unless that jurisdiction's population is greater than 100,000, in which case it shall be considered metropolitan. A county, not including the City and County of San Francisco, shall be considered suburban unless the county is in an MSA of 2,000,000 or greater in population in which case the county shall be considered metropolitan.
65583.2(e)(2)(A)(i)	Notwithstanding paragraph (1), if a county that is in the San Francisco-Oakland-Fremont California MSA has a population of less than 400,000, that county shall be considered suburban. If this county includes an incorporated city that has a population of less than 100,000, this city shall also be considered suburban. This paragraph shall apply to a housing element revision cycle, as described in subparagraph (A) of paragraph (3) of subdivision (e) of Section 65588, that is in effect from July 1, 2014, to December 31, 2028, inclusive.
65583.2(e)(2)(A)(ii)	A county subject to this subparagraph shall utilize the sum existing in the county's housing trust fund as of June 30, 2013, for the development and preservation of housing affordable to low- and very low income households.
65583.2(e)(2)(B)	A jurisdiction that is classified as suburban pursuant to this paragraph shall report to the Assembly Committee on Housing and Community Development, the Senate Committee on Housing, and the Department of Housing and Community Development regarding its progress in developing low- and very low income housing consistent with the requirements of Section 65400. The report shall be provided three times: once, on or before December 31, 2019, which report shall address the initial four years of the housing element cycle, a second time, on or before December 31, 2023, which report shall address the

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	subsequent four years of the housing element cycle, and a third time, on or before December 31, 2027, which report shall address the subsequent four years of the housing element cycle and the cycle as a whole. The reports shall be provided consistent with the requirements of Section 9795.
65583.2(f)	A jurisdiction shall be considered metropolitan if the jurisdiction does not meet the requirements for “suburban area” above and is located in an MSA of 2,000,000 or greater in population, unless that jurisdiction’s population is less than 25,000 in which case it shall be considered suburban.
65583.2(g)(1)	For sites described in paragraph (3) of subdivision (b), the city or county shall specify the additional development potential for each site within the planning period and shall provide an explanation of the methodology used to determine the development potential. The methodology shall consider factors including the extent to which existing uses may constitute an impediment to additional residential development, the city’s or county’s past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites.
65583.2(g)(2)	In addition to the analysis required in paragraph (1), when a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.
65583.2(g)(3)	Notwithstanding any other law, and in addition to the requirements in paragraphs (1) and (2), sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income, subject to any other form of rent or price control through a public entity’s valid exercise of its police power, or occupied by low- or very low income households, shall be subject to a policy requiring the replacement of all those units affordable to the same or lower income level as a condition of any

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	development on the site. Replacement requirements shall be consistent with those set forth in paragraph (3) of subdivision (c) of Section 65915.
65583.2(h)	The program required by subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583 shall accommodate 100 percent of the need for housing for very low and low-income households allocated pursuant to Section 65584 for which site capacity has not been identified in the inventory of sites pursuant to paragraph (3) of subdivision (a) on sites that shall be zoned to permit owner-occupied and rental multifamily residential use by right for developments in which at least 20 percent of the units are affordable to lower income households during the planning period. These sites shall be zoned with minimum density and development standards that permit at least 16 units per site at a density of at least 16 units per acre in jurisdictions described in clause (i) of subparagraph (B) of paragraph (3) of subdivision (c), shall be at least 20 units per acre in jurisdictions described in clauses (iii) and (iv) of subparagraph (B) of paragraph (3) of subdivision (c) and shall meet the standards set forth in subparagraph (B) of paragraph (5) of subdivision (b). At least 50 percent of the very low and low-income housing need shall be accommodated on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted, except that a city or county may accommodate all of the very low and low-income housing need on sites designated for mixed use if those sites allow 100 percent residential use and require that residential use occupy 50 percent of the total floor area of a mixed-use project.
65583.2(i)	For purposes of this section and Section 65583, the phrase “use by right” shall mean that the local government’s review of the owner-occupied or multifamily residential use may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Any subdivision of the sites shall be subject to all laws, including, but not limited to, the local government ordinance implementing the Subdivision Map Act. A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review shall not constitute a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code. Use by right for all rental multifamily residential housing shall be provided in accordance with subdivision (f) of Section 65589.5.
65583.2(j)	Notwithstanding any other provision of this section, within one-half mile of a Sonoma-Marín Area Rail Transit station, housing density requirements in place on June 30, 2014, shall apply.
65583.2(k)	For purposes of subdivisions (a) and (b), the department shall provide

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	guidance to local governments to properly survey, detail, and account for sites listed pursuant to Section 65585.
65583.2(l)(1)	The changes to this section made by Chapter 193 of the Statutes of 2020 shall become operative on January 1, 2022.
65583.2(l)(2)	The changes to this section made by Chapter 193 of the Statutes of 2020 shall not apply to a housing element revision that is originally due on or before January 1, 2022, regardless of the date of adoption by the local agency.
65583.2(m)	This section shall remain in effect only until December 31, 2028, and as of that date is repealed.
65583.3(a)	For a housing element or amendment adopted on or after January 1, 2021, the planning agency shall submit to the department an electronic copy of its inventory of land suitable for residential development developed pursuant to paragraph (3) of subdivision (a) of Section 65583 and subdivision (b) of this section with the copy of its housing element or amendment submitted pursuant to subdivision (g) of Section 65585. The local government shall ensure, to the best of its knowledge, that the inventory of land submitted to the department is true and correct.
65583.3(b)	Notwithstanding subdivision (a) of Section 65301, each local government shall prepare the inventory required under paragraph (3) of subdivision (a) of Section 65583 using standards, forms, and definitions adopted by the department. The department may review, adopt, amend, and repeal the standards, forms, or definitions to implement this subdivision and subdivision (a) of Section 65583. Any standards, forms, or definitions adopted to implement this subdivision and subdivision (a) of Section 65583 shall not be subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.
65583.4(a)	Notwithstanding subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583, subdivision (c) of Section 65583.2, and subparagraph (C) of paragraph (4) of subdivision (e) of Section 65588, a local government shall have three years and 120 days from the statutory deadline in Section 65588 for adoption of the housing element to complete any rezonings required by subparagraph (A) of paragraph (1) of subdivision (c) of Section 65583 and subdivision (c) of Section 65583.2 if all of the following apply:
65583.4(a)(1)	The statutory deadline in Section 65588 for adoption of the sixth revision of the housing element was in the 2021 calendar year.
65583.4(a)(2)	The local government failed to adopt a sixth revision of the housing element that the department had found to be in substantial compliance with this article within 120 days of the statutory deadline in Section 65588 for adoption of the housing element.
65583.4(a)(3)	The local government adopts a sixth revision of the housing element and the department finds the adopted element to be in substantial compliance with this article within one year of the statutory deadline

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	established pursuant to Section 65888 for adoption of the housing element.
65583.4(b)(1)	The deadline for completing required rezoning pursuant to subdivision (a) shall be extended by one year if the local government has completed the rezoning at densities sufficient to accommodate at least 75 percent of the units for low- and very low income households and if the legislative body at the conclusion of a public hearing determines, based upon substantial evidence, that any of the following circumstances exist:
65583.4(b)(1)(A)	The local government has been unable to complete the rezoning because of the action or inaction beyond the control of the local government of any other state, federal, or local agency.
65583.4(b)(1)(B)	The local government is unable to complete the rezoning because of infrastructure deficiencies due to fiscal or regulatory constraints.
65583.4(b)(1)(C)	The local government must undertake a major revision to its general plan in order to accommodate the housing-related policies of a sustainable communities strategy or an alternative planning strategy adopted pursuant to Section 65080.
65583.4(b)(2)	The resolution and the findings shall be transmitted to the department together with a detailed budget and schedule for preparation and adoption of the required rezonings, including plans for citizen participation and expected interim action. The schedule shall provide for adoption of the required rezoning within one year of the adoption of the resolution.
65584.0(a)(1)	For the fourth and subsequent revisions of the housing element pursuant to Section 65588, the department shall determine the existing and projected need for housing for each region pursuant to this article. For purposes of subdivision (a) of Section 65583, the share of a city or county of the regional housing need shall include that share of the housing need of persons at all income levels within the area significantly affected by the general plan of the city or county.
65584.0(a)(2)	It is the intent of the Legislature that cities, counties, and cities and counties should undertake all necessary actions to encourage, promote, and facilitate the development of housing to accommodate the entire regional housing need, and reasonable actions should be taken by local and regional governments to ensure that future housing production meets, at a minimum, the regional housing need established for planning purposes. These actions shall include applicable reforms and incentives in Section 65582.1.
65584.0(a)(3)	The Legislature finds and declares that insufficient housing in job centers hinders the state's environmental quality and runs counter to the state's environmental goals. In particular, when Californians seeking affordable housing are forced to drive longer distances to work, an increased amount of greenhouse gases and other pollutants is released and puts in jeopardy the achievement of the state's climate

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	goals, as established pursuant to Section 38566 of the Health and Safety Code, and clean air goals.
65584.0(b)	The department, in consultation with each council of governments, shall determine each region's existing and projected housing need pursuant to Section 65584.01 at least two years prior to the scheduled revision required pursuant to Section 65588. The appropriate council of governments, or for cities and counties without a council of governments, the department, shall adopt a final regional housing need plan that allocates a share of the regional housing need to each city, county, or city and county at least one year prior to the scheduled revision for the region required by Section 65588. The allocation plan prepared by a council of governments shall be prepared pursuant to Sections 65584.04 and 65584.05.
65584.0(c)	Notwithstanding any other provision of law, the due dates for the determinations of the department or for the council of governments, respectively, regarding the regional housing need may be extended by the department by not more than 60 days if the extension will enable access to more recent critical population or housing data from a pending or recent release of the United States Census Bureau or the Department of Finance. If the due date for the determination of the department or the council of governments is extended for this reason, the department shall extend the corresponding housing element revision deadline pursuant to Section 65588 by not more than 60 days.
65584.0(d)	The regional housing needs allocation plan shall further all of the following objectives:
65584.0(d)(1)	Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in each jurisdiction receiving an allocation of units for low- and very low income households.
65584.0(d)(2)	Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, the encouragement of efficient development patterns, and the achievement of the region's greenhouse gas reductions targets provided by the State Air Resources Board pursuant to Section 65080.
65584.0(d)(3)	Promoting an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction.
65584.0(d)(4)	Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category, as compared to the countywide distribution of households in that category from the most recent American Community Survey.
65584.0(d)(5)	Affirmatively furthering fair housing.
65584.0(e)	For purposes of this section, "affirmatively furthering fair housing"

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	means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.
65584.0(f)	For purposes of this section, “household income levels” are as determined by the department as of the most recent American Community Survey pursuant to the following code sections:
65584.0(f)(1)	Very low incomes as defined by Section 50105 of the Health and Safety Code.
65584.0(f)(2)	Lower incomes, as defined by Section 50079.5 of the Health and Safety Code.
65584.0(f)(3)	Moderate incomes, as defined by Section 50093 of the Health and Safety Code.
65584.0(f)(4)	Above moderate incomes are those exceeding the moderate-income level of Section 50093 of the Health and Safety Code.
65584.0(g)	Notwithstanding any other provision of law, determinations made by the department, a council of governments, or a city or county pursuant to this section or Section 65584.01, 65584.02, 65584.03, 65584.04, 65584.05, 65584.06, 65584.07, or 65584.08 are exempt from the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
65584.09(a)	For housing elements due pursuant to Section 65588 on or after January 1, 2006, if a city or county in the prior planning period failed to identify or make available adequate sites to accommodate that portion of the regional housing need allocated pursuant to Section 65584, then the city or county shall, within the first year of the planning period of the new housing element, zone or rezone adequate sites to accommodate the unaccommodated portion of the regional housing need allocation from the prior planning period.
65584.09(b)	The requirements under subdivision (a) shall be in addition to any zoning or rezoning required to accommodate the jurisdiction’s share of the regional housing need pursuant to Section 65584 for the new planning period.
65584.09(c)	Nothing in this section shall be construed to diminish the requirement of a city or county to accommodate its share of the regional housing need for each income level during the planning period set forth in Section 65588, including the obligations to (1) implement programs included pursuant to Section 65583 to achieve the goals and objectives,

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	including programs to zone or rezone land, and (2) timely adopt a housing element with an inventory described in paragraph (3) of subdivision (a) of Section 65583 and a program to make sites available pursuant to paragraph (1) of subdivision (c) of Section 65583, which can accommodate the jurisdiction's share of the regional housing need.

SECTION 5. The City Council hereby finds that existing uses on the sites identified in the sites inventory to accommodate the lower income RHNA are likely to be discontinued during the planning period and do not constitute an impediment to additional residential development during the 2023-2031 planning period based on substantial evidence. The Non-Vacant Sites Analysis Methodology section of the Sites Inventory and Analysis Chapter of the Housing Element creates a framework, based on facts, trends, and reasonable assumptions, to evaluate whether existing uses on inventory sites will likely be discontinued during the planning period and whether they are impediments to residential development. A list of existing uses is provided for each non-vacant site in the Sites Inventory Table in the Housing Element. Each of those existing uses corresponds with a specific use category (e.g., religious facility with underutilized land, single-family home on a small lot, automobile-related uses, banks, retail, and personal service uses) listed in the Existing Uses section of the Sites Inventory and Analysis Chapter of the Housing Element with corresponding discussion regarding why those particular uses are likely to discontinue. The Development Trends section of the Sites Inventory and Analysis Chapter of the Housing Element provides specific examples of recent residential development projects that occurred on sites with similar existing uses, which creates a local track record to support the likelihood for redevelopment. The Market Trends and Incentives sections identify key characteristics of sites that are likely to be redeveloped with housing. Each of the non-vacant sites in the inventory correspond with two or more of those key indicators for likely redevelopment.

SECTION 6. The City Council hereby intends to continue to revise the Housing Element and complete the HCD review process, to obtain their finding of substantial compliance and certification.

SECTION 7. The City Council hereby approves the 2023-2031 Housing Element in its current form, as shown in Exhibit "A", which has addressed and has incorporated findings from HCD.

SECTION 8. The City Council hereby directs Staff to submit the 2023 – 2031 Housing Element to HCD for certification.

SECTION 9. The City Council hereby authorizes Staff to make non-substantive changes to the 2023 – 2031 Housing Element to respond to any comments received from HCD to achieve certification.

SECTION 10. The City Clerk is hereby directed to distribute copies of the Housing Element in the manner provided in Government Code Section 65357.

SECTION 11. The City Council hereby directs staff to file a Notice of Exemption with the County Clerk of Alameda County.

SECTION 12. This resolution shall be effective upon adoption.

ADOPTED January 10, 2023, by the City Council of the City of Fremont by the following vote, to wit:

AYES: Mayor Mei, Vice Mayor Keng, Councilmembers Campbell, Kassan, Shao, Salwan, and Cox

NOES: None

ABSENT: None

ABSTAIN: None

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney