



City Council

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May 13 2024

Gustavo Velasquez, Director  
State Department of Housing and Community Development  
c/o Land Use and Planning Unit  
2020 W. El Camino Ave, Suite 500  
Sacramento, CA 95833

**Re: City of Lafayette – Revised Adopted Housing Element Submittal**

Dear Mr. Velasquez,

The City of Lafayette is pleased to submit revisions to our adopted 2023-2031 Housing Element to the State of California Department of Housing and Community Development (HCD). We look forward to receiving a report of findings pursuant to Government Code Sections 65585(b)(1) and 65585(b)(3).

We wish to extend our appreciation to Joanna Chang and Paul McDougall for their time and feedback as we worked to address comments received from the public and HCD's letter dated February 12, 2024. Lafayette staff worked with HCD staff over several meetings to refine metrics, add specific commitments to implementation plan actions, and revise narratives to comply with State law.

Since February, the City has continued its extensive outreach to the public and collaborated with stakeholders to address concerns. The City Council considered the revisions to the Housing Element three times in the past three months to ensure HCD's comments were adequately addressed with public input. To facilitate your review, our submittal includes a matrix of HCD comments and the revisions the City made to the Housing Element in response. Revisions are shown in strikeout-and-underline text. The revisions show the City's significant efforts made to address missing middle and housing mobility into high resource areas and RCAAs. These additional programs to increase mobility into lower-density residential areas include:

AFFH Action 2.3 – Rezoning Faith Based Organization sites to provide higher density housing throughout the community.

AFFH Action 2.4 – Permitting a second JADU that is income-restricted short term.

AFFH Action 2.5 – Permitting the conversion of existing single-family dwellings into 2-4 units within ½ mile of Mount Diablo Boulevard.

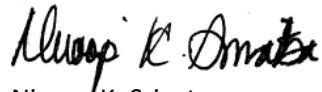
AFFH Action 2.6 – Increasing the maximum density in low-density multifamily zones.

The Revised 2023-2031 Housing Element was published for public review and comment between Friday, May 3, 2024 and Friday, May 10, 2024. The City received thirty-three public comments during this period, which reiterated prior comments made or commented on topics that the City Council has previously considered and provided direction on. As these topics were previously considered by the City Council, no additional revisions are proposed.

We trust that the Revised 2023-2031 Housing Element addresses HCD's prior comments and we look forward to HCD's determination that it will comply with State law once the proposed rezoning is completed.

Please contact Planning & Building Director Greg Wolff at (925) 299-3204 or [GWolff@ci.lafayette.ca.us](mailto:GWolff@ci.lafayette.ca.us) with any questions or to schedule a meeting to discuss our Revised 2023-2031 Housing Element.

Sincerely,



Niroop K. Srivatsa  
City Manager

CC: Paul McDougall  
Joanna Chang

# City of Lafayette

# Housing Element

*Adopted January 24, 2023*  
Revised Draft for Public Review  
April 22, 2024

Adopted City Council Resolution 2023-05 on January 24, 2023

**2023 - 2031**  
**6<sup>th</sup> Cycle Housing Element**

## Acknowledgements

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Teresa Gerringe  
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## 1. INTRODUCTION AND BACKGROUND

Since adopting its previous Housing Element in 2015, Lafayette and the Bay Area region have seen some of the highest increases in housing costs. As housing becomes less affordable and the supply of housing continues to not meet demand, it is becoming harder for residents of the Bay Area, especially low- and middle-income families and individuals, to afford housing.

The Housing Element is a statement of Lafayette's vision and strategy for (a) meeting existing and future housing needs in the community for 2023 through 2031 and (b) doing Lafayette's part towards meeting regional housing needs. This chapter of the General Plan, the Housing Element, has been prepared to meet recent changes in the City's population and housing needs, comply with new State Laws, and to incorporate the revised regional housing needs allocation provided by the State Department of Housing and Community Development in concert with the Association of Bay Area Governments. The Element establishes policies to guide decision-makers and implement comprehensive programs to meet community and regional housing needs. The single most important goal of the Lafayette Housing Element is to achieve an adequate supply of safe, decent housing for all residents of Lafayette. To achieve this goal, the policies and programs of the Housing Element address several major issues:

- Maintaining and preserving the existing housing stock
- Planning for the City's regional housing needs allocations
- Providing additional affordable housing, particularly for senior citizens and young families

### 1.1 STATE REQUIREMENTS

The Housing Element is one of seven required general plan elements and is an integral part of the Lafayette General Plan. Since the majority of Lafayette's land use is in housing, the Housing Element is a key component of the City's future plans. The policies and programs contained in this chapter are based on an eight-year time frame. State law provides direction on how cities can maintain the General Plan as a policy guide by requiring the Planning Department to report annually to the City Council on "the status of the plan and progress in its implementation" (Government Code Section 65400 (a)(2)(A)). State law (Section 65588 [b]) further provides that "the Housing Element shall be revised as appropriate, but not less than every five years, to reflect the results of this periodic review". As required by the State, the new planning period extends from January 31, 2023 through January 31, 2031.

### 1.2 CONSISTENCY WITH THE GENERAL PLAN

Consistency of the Housing Element with the other elements of the City's General Plan is essential to having a complete and legally adequate General Plan. It is anticipated that most future residential growth will take place in the downtown and on a small number of vacant and underdeveloped lots scattered throughout the City.

As this Housing Element is being developed, the City is also undertaking a larger effort to comprehensively update the General Plan. The Housing Element is the only chapter in the General Plan with a statutorily prescribed timeline. To ensure internal consistency among all General Plan elements, work on both the General Plan Update and the Housing Element Update is being coordinated. Other elements of the General Plan expect to be updated to ensure consistency include, but may not be limited to, the Land Use Element, the Circulation Element, and the Safety Element.

In addition, the Housing Element and other Elements of the General Plan will be reviewed for internal consistency whenever a General Plan amendment is proposed.

### 1.3 HOUSING ELEMENT REQUIREMENTS

The Housing Element addresses the requirements of California Government Code §65583. The format of the Housing Element follows very specific State guidelines with respect to the subjects covered and the data that is analyzed.

- An analysis of existing and projected housing needs
- An analysis of special housing needs
- An analysis of assisted housing developments that are “at-risk” and eligible to change from low-income housing uses
- An analysis of potential constraints on housing
- Documentation of public participation efforts
- A fair housing analysis (“Affirmatively Furthering Fair Housing”)
- Goals, policies, and implementation programs
- Quantified objectives
- An evaluation of the previous element
- An inventory of land suitable for housing to meet the Regional Housing Needs Allocation

## 2. HOUSING NEEDS

### 2.1 HOUSING NEEDS SUMMARY

This narrative tells the story of housing in Lafayette and highlights important aspects of our existing and projected demographics and the key features of our housing plan. The narrative also features stories from the community providing real-life context and graphics to visualize the data to show how housing has affected the City. The data referenced in this summary primarily comes from the American Community Survey (ACS) Five-Year estimates from 2019, supplemented by more recent statistics available through the State and other sources. The complete data packet can be found in Appendix A.

As the Bay Area continues to experience growth in both population and jobs, more housing of various types and sizes across the region is needed to ensure that residents of all income levels, ages, and abilities have a place to call home. While the number of people drawn to the region over the past 30 years has steadily increased, affordable housing production has not kept up with demand. In many cities, this imbalance has resulted in residents being priced out, increased traffic congestion caused by longer commutes, and fewer people across incomes being able to purchase homes or meet surging rents.

We recognize that although this Housing Element will address required analyses within our City's boundaries, Lafayette is part of a larger community of the Bay Area and the state that shares in the need to provide for expected household growth. Some of the key takeaways from the analysis of data include the following:

- The cost to develop housing continues to skyrocket, such that it is impossible to create affordable housing without State or federal assistance. The City estimates that to reach all its upcoming 6<sup>th</sup> cycle low- and very low-income Regional Housing Needs Allocation (RHNA) targets, funding of more than \$660 million is needed.
- Since the dissolution of redevelopment in 2012 through 2019/20, the City lost access to approximately \$10.4 million of funds for the development of affordable housing. In 2019/20 alone, the amount of the forgone Low and Moderate Income Housing Set-Aside equaled \$1.7 million. The City adopted a Below Market Rate program (Inclusionary Housing) by ordinance in 2016 wherein 15% of units in a housing development must be targeted to lower income households. This effort represents the sole affordable housing program available to the City. While it would be desirable for the City to assist with financial subsidies needed to construct affordable units, the funding previously provided by the Redevelopment Agency is no longer available to the City, and there are currently few other sources of revenue available for this purpose.
- With respect to the current 5<sup>th</sup> RHNA cycle, the City has facilitated the development of housing, entitling 50% more housing units than its 400-unit allocation. Given market dynamics, nearly 90% of these entitled units are market rate housing designed for moderate or above moderate-income households. The City entitled 2.4 times its 99-unit Above Moderate-Income target, 3.5 times its 85-unit Moderate Income target and nearly attained its 78-unit Low-Income target (entitling 83% of these units). Lacking subsidies, the City entitled only 6% of its 138 Very Low- Income unit target.
- Although Lafayette is generally affluent with household incomes higher than the Bay Area as a whole, approximately 14% of the population earns less than 50% of the County's average median income with 25% under the average median income. While some in this group are seniors on fixed incomes, service and retail occupations generally pay employees less than \$45,000, which is considered very low income in this area.

- Young families need housing that is both affordable and of appropriate size to raise children. At the other end of the spectrum, seniors may want smaller housing options but may feel uncertain about giving up their existing homes. Both rental and homeownership opportunities across the income spectrum are needed.
- The City is constrained by a variety of topographical and environmental conditions. For example, much of the City’s hillsides are difficult to build on given soil stability issues. Further, 46% of Lafayette is within a Very High Fire Hazard Severity Zone and fire insurance renewals have become an increasingly problematic issue.

In summary, the data provided illustrate the complexity of providing housing to address a broad range of needs. Those who might find it challenging to find housing in Lafayette include lower-income households – both those currently living here and those who would like to live here. In addition, few options currently exist for first-time homebuyers, except through the Inclusionary Housing program, which produces a small number of units per year. Large families, single-female heads of household, individuals of varying physical and mental abilities, young families and seniors also have specific housing needs that cannot be addressed through a “one size fits all” approach.

Over the last decade housing production in Lafayette has increased significantly; the City saw a net increase of 10 new housing units in 2010, and that figure rose to 76 and 29 in 2018 and 2019, respectively. Of note, a growing element in recent housing trends has been the significant increase in applications and entitlements for Accessory Dwelling Units (ADUs) given changes in state law reducing the processing and cost burden to homeowners. The production more than doubled over the last 10 years with 18 units being produced from 2000-2010 and 40 units established 2011-2020. The figures below illustrate Lafayette’s annual net housing unit increases from 1980 through 2020 and the cumulative increase in housing units over that period.

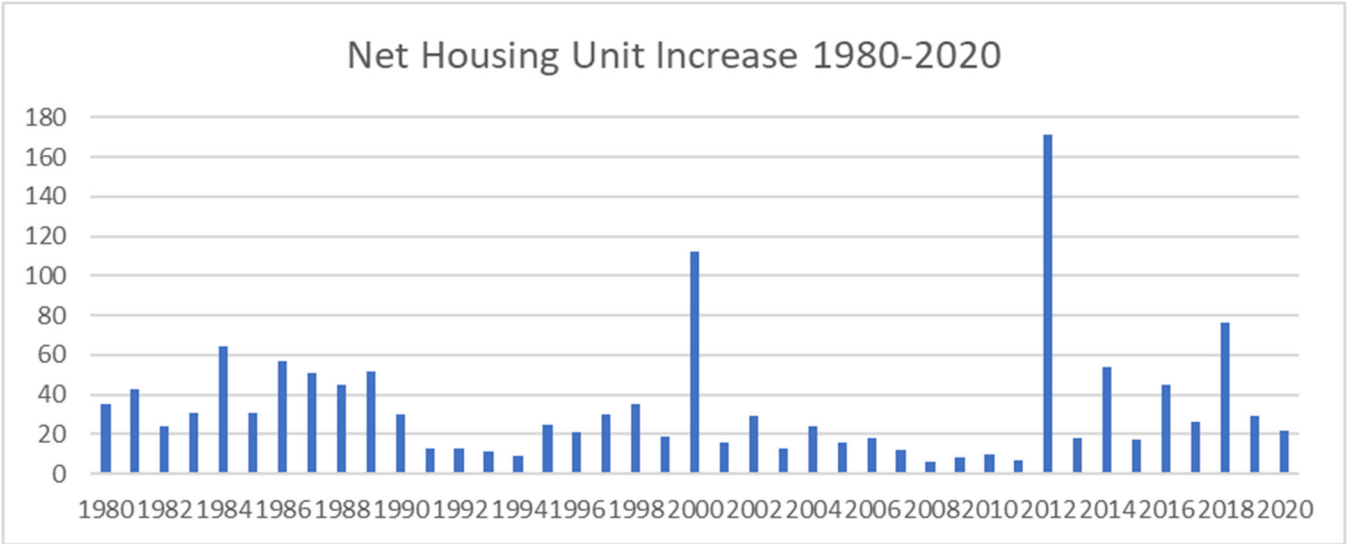


Figure 1: - Net new housing unit increase in Lafayette since 1980

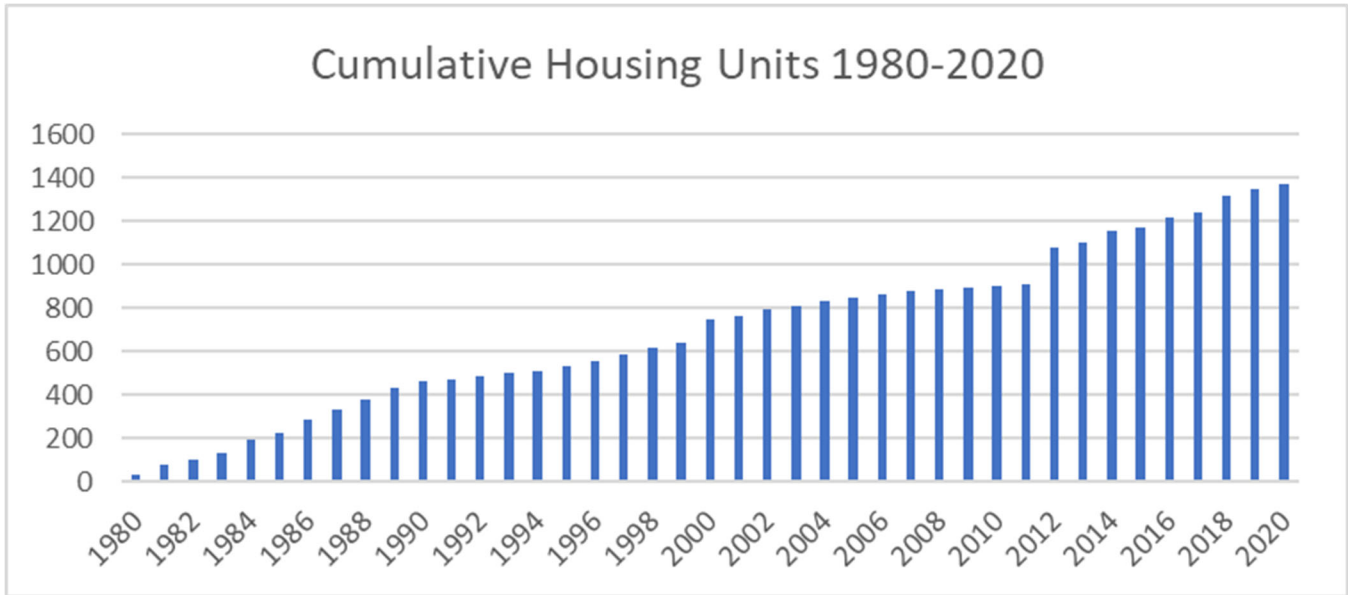


Figure 2: Cumulative new housing units in Lafayette since 1980

Table 1 below shows Lafayette’s performance in the current RHNA cycle, where aggregate entitled units significantly exceeded the 400-unit RHNA target. As noted earlier, nearly 90% of this production relates to the Moderate or Above Moderate-Income categories which follows the general trend of other Bay Area counties including Alameda County, Contra Costa County and Santa Clara County. Table 2 demonstrates the Contra Costa County housing allocation and permitted units. Absent redevelopment funds, the Inclusionary Housing program is the sole funding vehicle for affordable housing, accounting for the 12% of entitled units targeting lower income households. Lafayette will continue to be part of the Bay Area’s housing solution while working to maintain its neighborhoods as unique and attractive places.

Table 1: Comparison of housing allocation to units entitled and permitted in Lafayette

January 1, 2015 through December 31, 2020						
Income Category	RHNA		Entitled		Permitted	
Very Low Income	138	35%	8	6%	7	5%
Low Income	78	20%	65	83%	6	7%
Moderate	85	21%	300	352%	60	70%
Above Moderate	99	24%	235	237%	255	257%
<b>Total</b>	<b>400</b>		<b>608</b>		<b>328</b>	

Table 2: Comparison of housing allocation to units entitled and permitted in Contra Costa County

2015-2019 Bay Area Building Permit Activity Report Contra Costa County Data from ABAG/MTC and Annual Progress Report submissions to HCD			
Income Category	RHNA	Permitted	% RHNA met
VLI	5,264	684	13%
LI	3,086	1,169	38%
MOD	3,496	1,073	31%
Above MOD	8,784	11,201	128%
<b>Total</b>	<b>20,630</b>	<b>14,127</b>	<b>68%</b>

## 2.2 WHO ARE WE AS A COMMUNITY?

### 2.2.1 Demographics

The City of Lafayette was a modest town in 1968 when the residents voted to incorporate and form its first City Council. The City's population has increased steadily since the early 1960's, with the greatest increase occurring between 1960 and 1970, largely due to annexations along Reliez Valley Road and in the Springbrook area. Since 2000, Lafayette's population has increased by 7%; this growth rate is below that of the nine-county Bay Area region, at 15%. As of 2019 ACS data shows the population as 26,638.

The distribution of age groups in a city shapes what types of housing the community may need in the near future. For example, young families will seek homes with more bedrooms than empty nesters or seniors who may want smaller, more manageable units. In Lafayette, the median age in 2000 was 41.2; by 2019, this number had increased to about 45 years. More specifically, the population of those under 14 and 65-and-over have both increased since 2010.

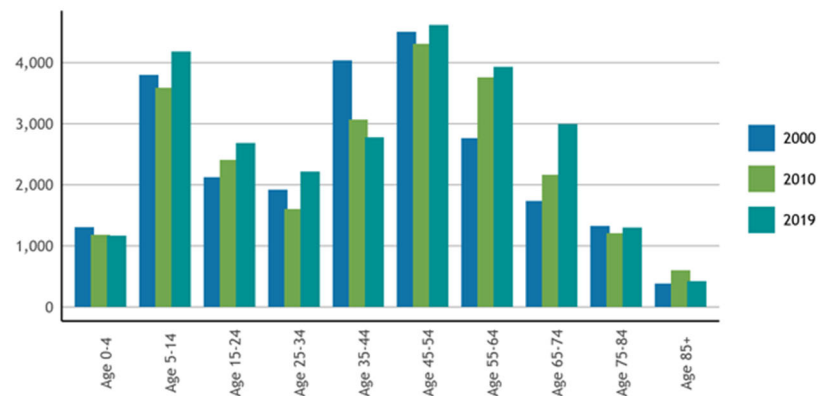


Figure 3: Population by Age, 2000-2019

Data show that the population of Lafayette has grown more diverse over time. Since 2000, the percentage of residents in Lafayette identifying as White has decreased, and by the same token the percentage of residents of all other races and ethnicities has increased. For example, the Asian/API population increased by 49%, while the Hispanic/Latino population grew by 138%. In contrast, the White population decreased by 2%.

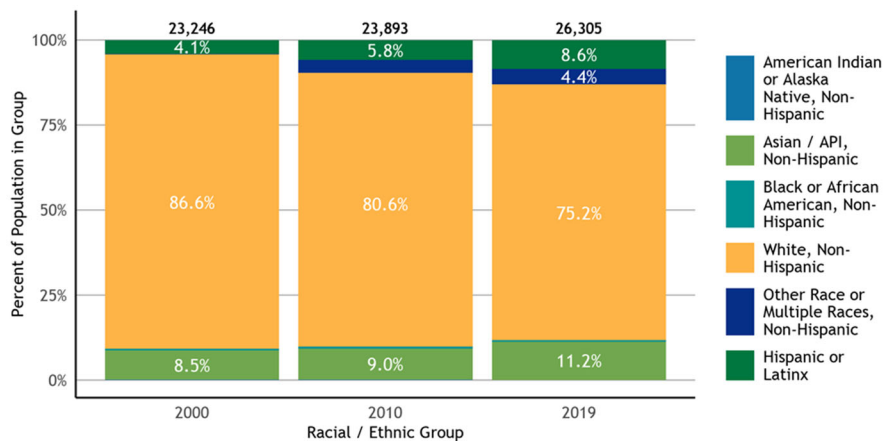


Figure 4: Population by Race, 2000-2019

From January 2010 to January 2021, the unemployment rate in Lafayette decreased by 1.9%, from 6.6% to 4.7%. Since 2010, the number of jobs located in the jurisdiction increased by almost 13%). Additionally, the jobs-household ratio in Lafayette has increased from 1.02 in 2002 to 1.06 jobs per household in 2018. The City’s residents most commonly work in the Financial & Professional Services industry.

While Lafayette’s population has higher incomes than Contra Costa County and the Bay Area region, a quarter of all households earn less than median income. Some of these households are on fixed incomes, like seniors, while others may work in lower-paying sectors, including retail or service industries. In the future, the State Employment Development Department projects that the occupations with the most job openings in Alameda and Contra Costa Counties will pay less than about \$45,000 annually, which is considered very low-income in this area. While it is unknown how many of those specific jobs will be located in Lafayette, there will be a need for more affordable housing to assist both those of lower incomes who currently work in Lafayette and those who want to live here in the future.

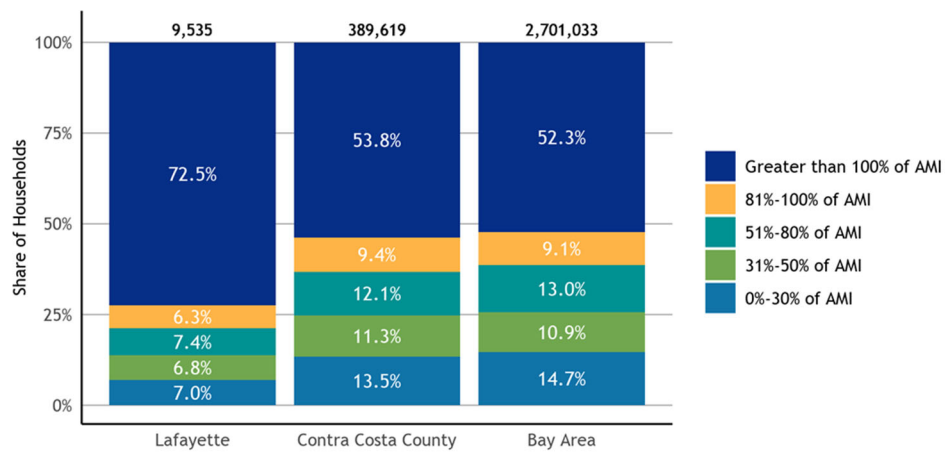


Figure 5: Households by Household Income Level

### 2.2.2 Physical, Economic and Regulatory Characteristics

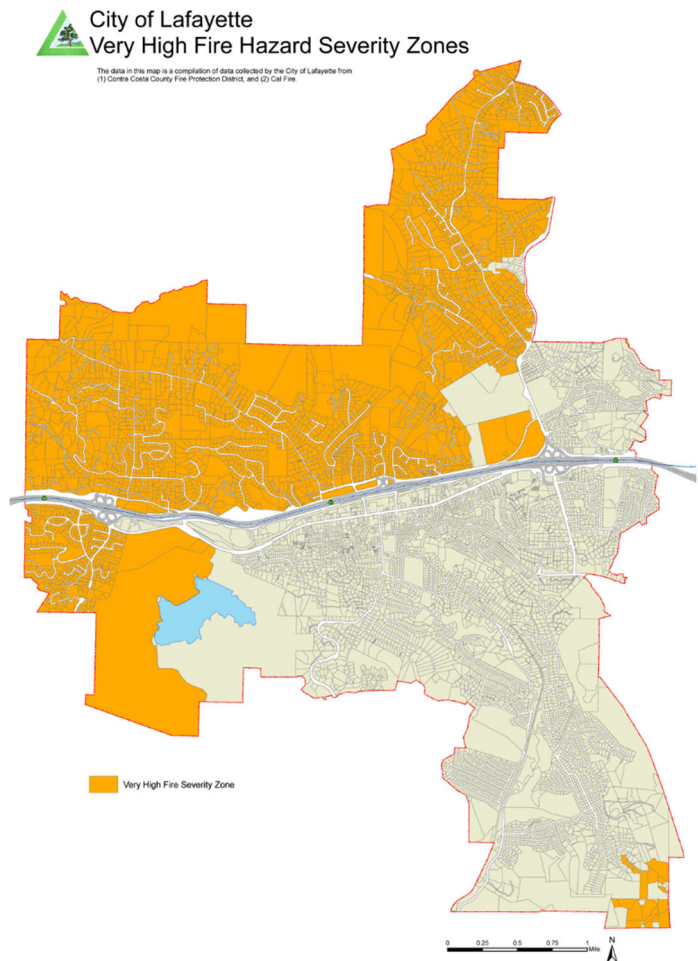
Lafayette values the natural character of its hillside residential neighborhoods paired with a lively, walkable downtown area. The community has a mix of housing types, from single-family homes on large lots, to multifamily rentals and condos. While Lafayette’s housing stock has historically been comprised by single family homes, the City has accelerated housing production in the last ten years, approving more than 856 units for development, the majority of which are multifamily units located in the downtown. As a program in a previous Housing Element, the allowance of residential dwelling units by right in all downtown zoning districts was established to remove impediments to housing. In some cases, this has come at the cost of losing commercial space and thus jobs in the local economy. From a planning perspective, the City’s downtown is most suited to accommodate new housing units given its proximity to a regional transit station (BART), the State Route 24 corridor, goods and services, and its location in the low lying, reasonably flat areas of the City. The City desires to balance the provision of both residential and commercial uses.

The City’s inclusionary zoning program, which requires that 15% of new units in housing developments be affordable to lower incomes, has entitled approximately eight units affordable to households with Very Low Incomes over the course of the previous 5 years. In conjunction with the inclusionary requirements, developers using the State Density Bonus program have added more deeply affordable units throughout the community. As

an example, in January 2021 a density bonus project, “Lafayette Lane”, was entitled which included 166 units with all 38 affordable units at very low-income levels. The developer and the City worked closely with Sunflower Hill, Inc. to ensure the site planning met the needs for those with developmental and intellectual disabilities for whom the affordable units are intended to serve. More detail on the inclusionary program can be found in the Appendix discussing constraints.

In 2008, the City approved the development of the Belle Terre all-affordable apartment building for seniors, which utilized Housing Set-Aside funds and a mix of tax credits and other subsidies. The City is also home to Chateau Lafayette, a 67-unit affordable senior housing development constructed in 1978 well before the inclusionary housing program was in place but continues to serve seniors with fixed incomes. All residents in Lafayette live in neighborhoods identified as “Highest Resource” or “High Resource” areas by State-commissioned research. Based on a range of indicators covering areas such as education<sup>[4]</sup>, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors, no areas in Lafayette are identified as “Low Resource” or “High Segregation and Poverty” areas.

At the same time, the City is constrained by a variety of topographical, environmental, and economic factors. Most of the City is designated within the Hillside Overlay District (HOD) containing steep slopes and variable soil conditions and in some cases narrow roads limiting the overall capacity for additional density. Additionally, as shown in the map to the right, almost half of the community is located within Very High Fire Hazard Severity Zones, which means planning for future housing in these areas must include mitigation measures to protect homes, including vegetation management and assessment by the Contra Costa Fire Protection District regarding accessibility for first responders. Of particular significance, insurance companies have begun to cancel homeowners' insurance policies given fire risk concerns. Lastly, the City’s 2017 downtown Creeks Plan, which prioritizes the preservation of several creeks that meander through the downtown, seeks to ensure that new development – including housing – coexists appropriately with adjacent creeks.





Lafayette was incorporated as a limited services city and currently receives approximately \$0.06 for every dollar of property tax paid by residents. With limited funding resources, except for funding from the former redevelopment agency, affordable housing subsidies have not historically been part of the City's annual budget. Further, Federal and State policies have contributed to the trend toward homeownership, and, specifically, a bias toward single family residential units, such as mortgage interest tax deduction and the long-term impact of Proposition 13, all of which are outside the City's control. As noted above, since the dissolution of Redevelopment Agencies in California in 2012, Lafayette has no real means by which to support or subsidize affordable housing development. In the nine years since Redevelopment Agencies were dissolved, Lafayette would have been entitled to approximately \$10.4 million total for affordable housing development. Despite this loss of funding, Lafayette continues to seek new avenues to facilitate affordable housing production in the City to provide housing opportunities for residents of all socioeconomic backgrounds.

The City's regulations have historically placed a significant emphasis on quality design, community context and preservation of natural features. Lafayette has consistently updated its regulations to meet the requirements of new state laws such as 2016 and 2019's updated ADU regulations and the recently adopted SB9. Additional housing laws enacted by the state will continue to change the process of housing production in Lafayette and the region at large.

The limited number of locations where housing can be built can also mean increased local congestion. Much of the new housing development in recent years has been in the downtown area, near transit and freeway access. Finding additional land in this area for housing is challenging, particularly given the extent of existing development and the significant number of small parcels.

Further, the cost of housing development has skyrocketed over the past 20 years, and particularly with the COVID pandemic, making it especially difficult for affordable housing projects to be economically feasible. As noted above, with the dissolution of Redevelopment Agencies in 2012 there are limited sources of funding for developers to access for affordable housing development, all of which remain extremely competitive.

*"Our name is Robert and Carla Combi and we have happily lived in Lafayette for the past 22 years. We have raised three children that have attended Happy Valley Elementary School, Stanley Middle School and Acalanes High School. Our eldest son Cole has special needs and went on to attend Del Valle. We are very active in the community and currently Carla serves as a teacher aide at Happy Valley Elementary and I am coaching JV football at Acalanes HS.*

*It was recently brought to our attention that Lafayette has the opportunity to approve an affordable housing development for the special needs community. Having personally been involved with Sunflower Hill and their Pleasanton location, I can speak first hand to the tremendous benefits Irby Ranch has brought not only to the families that struggle to find a home for their special needs adult, but to the community itself. As a full time care taker of a special needs child your greatest wish is to find a place where they can gain some independence, enjoy life with their friends and peers but remain close to your home so you can continue to help manage their needs. Our son Cole has made several key friendships thru his years of special education in the Lafayette School District. He has worked at Rite Aid and the Cal Bears Football program. He is a vibrant person in our community and is surrounded by friends and family that love him. Needless to say, we would be overjoyed if Cole had the opportunity to live at a place like Lafayette Lane Community. Equally important, the City of Lafayette would benefit as well by being a leader in our County for proving affordable housing to adults with developmental disabilities. We thank you in advance for your consideration of this very important request.*

*-Robert and Carla Combi"*

### 2.3 KEY DATA FACTS AFFECTING THE NEED FOR HOUSING

- In 2019, Lafayette’s youth population (under the age of 18) represented 26% of the population, while the senior population 65 was 18%. 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. Although most seniors in Lafayette earn more than 100% of area median income, 29% of senior households earn lower incomes (less than 80% of median). Approximately, 24% of all seniors are considered very low income (less than 50% of median income).
- The desire to “age-in-place” is partly a result of economic pressures, as well as the desire to stay in the community people have called “home” for many years. On the one hand, the idea of downsizing sounds appealing, but homeowners may face substantial challenges because they have concerns over depleting a household’s assets, since for some seniors, homeownership is their key asset. Senior renters may also have difficulty finding affordable, accessible housing because of fixed incomes.
- At the other end of the spectrum, because of increases in the number of children under the age of 14, additional housing options are needed for families. Large households – defined by HUD as having five or more members - 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 Lafayette, for large households with five or more persons, most dwellings (83%) are owner occupied. In 2019, 9% of large households in Lafayette were very low-income, earning less than 50% of the area median income (AMI). These lower income households, priced out of the ownership market, will need affordable rentals.
- It is important to have a variety of housing types to meet the near-term and future needs of a community. In 2020, 77% of homes in Lafayette were single family detached units, 3% were single family attached, 7% were small multifamily (2-4 units), and 13% were medium or large multifamily (5+ units). Between 2015 and 2020, the number of multifamily units (113 units) increased more than single-family units (100 excluding 33 ADUs).
- Currently, there are about 10,000 jobs in Lafayette. According to the State, the average wages for some of the sectors listed in Table 3 fall well below median income, another indicator of the need for affordable housing to allow those who work in Lafayette to also live in Lafayette.

Table 3: Average Wages by Employment Industry

NAICS Code	Industry Title	Average Annual Wage	Income Category*
72	Accommodation and Food Services	\$24,700	ELI
56	Administrative and Waste Services	\$57,304	LI
71	Arts, Entertainment, and Recreation	\$43,160	VLI
23	Construction	\$86,528	MOD
61	Educational Services	\$46,332	VLI
52	Finance and Insurance	\$160,004	AMOD
62	Health Care and Social Assistance	\$73,372	LI
55	Management of Companies and Enterprises	\$226,772	AMOD
31-33	Manufacturing	\$127,868	AMOD
81	Other Services, Ex. Public Admin	\$51,324	LI
54	Professional and Technical Services	\$128,752	AMOD
92	Public Administration	\$100,464	MOD
53	Real Estate and Rental and Leasing	\$86,268	MOD
44-45	Retail Trade	\$40,352	VLI
42	Wholesale Trade	\$106,964	AMOD

Source: <https://www.labormarketinfo.edd.ca.gov/>

\* ELI: Extremely Low Income; LI: Low Income; VLI: Very Low Income; MOD: Moderate Income; AMOD: Above Moderate Income

- As noted, future job projections indicate more homes will be needed to address the needs of workers in lower-paying jobs. While Lafayette’s population earns higher incomes than the County and the Bay Area as a whole, there is a significant existing population of lower-income households in the city, representing 25% of all households.
- A diversity of homes at all income levels creates opportunities for all Lafayette residents to live and thrive in the community. Current home prices, however, make it difficult for some people to afford to live in Lafayette. High prices are greatly impacted by the cost of development and the underlying value of land. According to 2019 data, the largest proportion of homes had a value in the range of \$1 million-\$1.5 million. Anecdotally, current home prices have significantly increased over the past two years. Home prices increased by 101% from 2010 to 2020. The typical contract rent for an apartment in Lafayette was \$2,090 in 2019. Rental prices increased by 52% from 2009 to 2019. To rent a typical apartment without cost burden, a household would need to make \$83,920 per year.<sup>[5]</sup>
- Many different factors combine to affect the cost of building new housing and a project’s financial feasibility: acquisition costs (e.g., land and closing costs), hard construction costs (e.g., materials and labor), soft costs (e.g., legal and professional fees, insurance, and development fees), and the costs of conversion once a project is completed (e.g., title fees and the operating deficit reserve). All these factors lead to substantial rents and sales prices to cover these costs and earn a return to developers. In 2019 a Bay Area Council report found that the average construction cost of new below market rate housing in the Bay Area was \$664,455 per unit, far more than lower income households can afford without subsidies. In comparison, other projects across California (excluding the Bay Area), averaged \$385,185 per unit of below market rate housing.<sup>[6]</sup>
- The U.S. Department of Housing and Urban Development considers housing to be affordable for a household if the household spends less than 30% of its income on housing costs. 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.” In Lafayette, 13% of households spend 30%-50% of their income on housing, while 14% of households are severely cost burdened and use the majority of their income for housing. These households need housing that is affordable to them.
- Some population groups may have special housing needs that require specific program responses, and these groups may experience barriers to accessing stable housing due to their specific housing circumstances. In Lafayette, 7% of residents have a disability of any kind and may require accessible housing. Additionally, 11% of Lafayette households are larger households with five or more people, who likely need larger housing units with three bedrooms or more. About 6% are female heads of households, which are often at greater risk of housing insecurity.

### 2.3.1 Production Over Time

The City continues to support the development of affordable housing and recognizes the need to find new ways to facilitate that development. After the loss of Redevelopment in California, jurisdictions throughout the State, including Lafayette, were left with virtually no ability to help subsidize new projects. Aside from all-affordable developments, rental assistance is needed to help the lower-income households continue to live in our community, and the City supports efforts by the County to provide Housing Choice Vouchers for this purpose.

As part of this Housing Element, we will look at both nongovernment and governmental constraints to the development, preservation, and rehabilitation of housing to discern where improvements can be made in the development process. We will also look at the ways developers can partner with the City to address critical needs, such as including larger units in developments for families. The City will also seek best practices to address the housing needs of “the missing middle”<sup>[7]</sup> – housing that is affordable to moderate-income households that cannot afford a traditional single-family home. Such activities could include first-time homebuyer programs, Community Land Trusts, and ADUs and other diverse housing types.

In the end, a broad range of housing is needed, from ADUs to duplexes and fourplexes, to apartment buildings, to single family homes. A diversity of housing types will help meet the various needs in our community, with quality access to good and services, options to limit vehicle miles traveled though transit and other means, while striving to maintain the quality of life for all segments of the community.

*“My family moved to Lafayette from San Francisco (technically Orinda but next to Lafayette Reservoir and everything we did was in Lafayette so that's what I consider my hometown). My parents purchased our home for around \$35,000 in 1968, which was quite a lot at that time, but very worth it. I attended UC Berkeley, got a job and wanted to buy my first home but couldn't afford anywhere in the East Bay or really the entire Bay Area. Prices have only escalated exponentially since then. Our family home is now worth about \$2.5 million. I moved to the Sierra Foothills because it was affordable, and I started work in Sacramento. Fast forward to the present and I am now retired and looking to downsize. I would like to move back to Lafayette but even apartments/condos there cost \$1 million+. Most of my friends from high school have left the area for the same reason of unaffordability to live where we grew up. Some have had to leave California altogether. I may need to do that as well unless more affordable senior housing becomes available. I hope you consider my comments on any decisions you make regarding future housing development in Lafayette.”*

### 2.3.2 Projecting for Future Housing Needs: What has the City Done? What Can it Do?

Within its resources, the City has worked to facilitate housing. As noted earlier, relative to the goals set out in the current RHNA cycle, the City has exceeded its 400-unit target by 206 units; however, the real challenge is in providing affordable housing. While the City has had some success in facilitating low-income units in the current RHNA cycle – entitling 65 of its 78-unit target, producing Very Low-Income units is challenging. Of the 5th RHNA cycle’s 138 Very Low-Income units, Lafayette has entitled only eight. This outcome is not unique to Lafayette as the challenge of providing affordable housing—high development costs coupled with a lack of meaningful subsidies—represents a critical policy problem across the State. With the loss of the Lafayette’s only meaningful local affordable housing resource through its redevelopment program, the City is reliant on its inclusionary housing program which has accounted for all the affordable units built during the current RHNA cycle. By our estimation, over \$660 million would be needed by Lafayette to develop the Very Low- and Low-Income housing called for in the next RHNA cycle. We therefore urge HCD and the State’s policy leaders to develop meaningful programs to assist with the development of affordable housing, otherwise there will be no realistic means to provide anything but a fraction of the increased number of affordable units called for in the upcoming 6<sup>th</sup> RHNA cycle.

*“I hope to obtain housing in the future at the Terraces of Lafayette. I am currently a renter living with my son because of the high cost of rent, and this arrangement is only temporary for us. I became disabled 10 years ago and lost my house due to a decrease of income. I worked as a RN for 34 years. Since then, I’ve been renting but have been priced out of the rental market during the past few years, so it leaves me no choice but to hope for a low-income apartment. I grew up in Lafayette in the 60’s and 70’s and wish to come back because I have family there and it is best to be closer as we’re all getting on in age.”*

*“My husband and I have lived in Lafayette since 1983. We downsized in 2015 to a one-story home with a beautiful garden and a cottage. The cottage is too big to technically be called an ADU. It was built by the former owners for their disabled mother and her caregivers...”*



*The Brant under construction in 2022.*

### 3 UNITS AT RISK OF CONVERSION TO MARKET RATE

State law requires that each city provide analysis and programs for preserving existing affordable multi-family rental housing units that were developed with public subsidies. Units at risk of conversion are those units in which the restrictions, agreements or contracts to maintain the affordability of the units expire or are otherwise terminated. At expiration, units may revert to market rate, rendering them no longer affordable to the people living in them. Loss of affordability can occur at the termination of bond funding, the expiration of density bonuses, and other similar local programs.

The potential loss of existing affordable housing units is an important issue to the City due to displacement of lower-income tenants and the limited alternative housing for such persons. It is typically less expensive to preserve the affordability of these units than to subsidize construction of new affordable units due to the inflation of land and construction costs which has occurred since the original development of the affordable housing projects.

Various funding sources, including HUD funding sources, such as Community Development Block Grant (CDBG) funds and HOME Investment Partnerships Program (HOME) funds, Low-Income Housing Tax Credits (LIHTC), and other funds are used to create and preserve affordable housing in San Mateo. The information below presents the inventory of affordable developments in San Mateo. Assistance to help low-income households afford housing is also available through the Housing Authority of the County of San Mateo's Section 8 Housing Choice Voucher program.

Preservation of at-risk projects can be achieved in a variety of ways, with adequate funding availability. Alternatively, units that are converted to market rate may be replaced with new assisted multi-family units with specified affordability timeframes.

#### **Rental Assistance**

State, local, or other funding sources can be used to provide rental subsidies to maintain the affordability of at-risk projects. These subsidies can be structured to mirror the Housing Choice Voucher/Section 8 program, whereby the subsidy covers the cost of the unit above what is determined to be affordable for the tenant's household income (including a utility allowance) up to the fair market value of the apartment. Unit sizes for the at-risk properties range from studios to two-bedroom units and are generally reserved for very low-income households. The total subsidy needed to maintain a unit is approximately \$20,000 per year.

#### **Transfer of Ownership**

If the current organizations managing the units at risk are no longer able to maintain the project, transferring ownership of the affordable units to a nonprofit housing organization is a viable way to preserve affordable housing for the long term. The estimated market value for affordable units that are potentially at high risk of converting to market rate is about \$350,000 per unit.

#### **Construction of Replacement Units**

The construction of new low-income housing can be a means to replace at-risk units, though extremely costly. The cost of developing new housing depends on a variety of factors including density, size of units, construction quality and type, location, land and development costs. Using the Turner Center's research on the cost to develop affordable housing around the Bay Area, the cost to replace the units could be as much as \$700,000 per unit.

## Qualified Entities

An owner of a multi-family rental housing development with rental restrictions (i.e., is under agreement with federal, State, and local entities to receive subsidies for low-income tenants), may plan to sell their “at risk” property. The California Department of Housing and Community Development (HCD) have listed qualified entities that may be interested in participating in California's First Right of Refusal Program. If an owner decides to terminate a subsidy contract, or prepay the mortgage or sell or otherwise dispose of the assisted housing development, or if the owner has an assisted housing development in which there will be the expiration of rental restrictions, the owner must first give notice of the opportunity to offer to purchase to a list of qualified entities provided to the owner.

HCD has identified a number of entities operating in Contra Costa County that may be interested in participating in California's First Right of Refusal Program. They are listed in the attached document. Of these entities, some have worked specifically in Lafayette, and others have completed projects in surrounding areas. If a development becomes at risk of conversion to market-rate housing, the City will maintain contact with local organizations and housing providers who may have an interest in acquiring at-risk units and will assist other organizations in applying for funding to acquire at-risk units.

## Funding Sources

A critical component to implement any of these preservation options is the availability of adequate funding, which can be difficult to secure. In general, Low-Income Housing Tax Credit funding is not readily available for rehabilitation and preservation, as the grant application process is highly competitive and prioritizes new construction. The City’s previous ongoing funding source, Low/Mod Housing Funds available through the Redevelopment Agency, no longer exists due to the dissolution of Redevelopment more than a decade ago. Available funding sources that can support affordable housing preservation include sources from the federal and state governments, as well as local and regional funding.

### Federal Funding

- HOME Investment Partnerships (HOME) Program
- Project-Based Vouchers (Section 8)
- Section 811 Project Rental Assistance
- Veterans Affairs Supportive Housing (VASH) Vouchers

### State Funding

- Affordable Housing and Sustainable Communities (AHSC) Program
- Golden State Acquisition Fund (GSAF)
- Project Homekey
- Housing for a Healthy California (HHC)
- Multifamily Housing Program (MHP)
- National Housing Trust Fund
- Predevelopment Loan Program (PDLP)

## Preservation and Replacement Needs

Based on City records and information from the California Housing Partnership Corporation, there are no units with expiring affordability covenants in Lafayette during the next ten years (2023-2033). All are considered at low risk for conversion because of the funding sources involved, which have long-term covenants. In addition, both Belle Terre and Chateau Lafayette are owned by nonprofits with an interest in continuing the uses as affordable. However, the City will continue to monitor at risk units to ensure ongoing affordability.

Table 4: Units at Risk of Conversion to Market Rate

Name	Address	Affordable Units	Total Units	Funding Program	Estimated Affordability End Year	Risk Level
Town Center Apts.	3549 Mt. Diablo Blvd.	15	75	LIHTC	2056	Low
Belle Terre	3428 Mt. Diablo Blvd.	45	46	LIHTC	2067	Low
Chateau Lafayette	3512 Moraga Blvd	66	67	HUD; CalHFA	2058	Low



*Belle Terre senior housing development.*



## 4. OTHER REQUIRED HOUSING ELEMENT COMPONENTS

### 4.1 CONSTRAINTS ANALYSIS SUMMARY

Potential constraints to the provision of adequate and affordable housing can be created by government policies and regulations as well as non-governmental factors, such as costs associated with land and construction. These constraints may increase the cost of housing or may render residential construction economically and/or politically infeasible for developers. Housing production constraints can also significantly impact households with low and moderate incomes and special needs. Land use controls as summarized below may constrain the maintenance, development, and improvement of housing.

The purpose of this section, per Government Code Section 65583(a) (5-6), is to identify non-governmental and governmental factors (constraints) that inhibit the development, maintenance, or improvement of housing. Examples of such constraints are land and construction costs, access to credit, permit fees, development standards, and compliance with Federal and State laws intended to facilitate housing for lower-income and special needs households.

Clearly, the potential list of all constraints on the development could be quite long and might include information on national economic conditions and regional geology. A thorough understanding of the constraints to development can help to create appropriate policy responses to mitigate constraints and make it easier and more affordable to develop housing. The City has analyzed both its own regulations as well as those of nearby jurisdictions and regional market trends to assess what constraints exist in Lafayette and identify potential modifications to City policies to remove these barriers to development to the maximum extent feasible.

#### 4.1.1 Non-Governmental Constraints

The availability and cost of housing is strongly influenced by market forces over which local governments have little or no control. Nonetheless, State law requires that the Housing Element contain a general assessment of these constraints, which can serve as the basis for actions to offset their effects on the maintenance, improvement, or development of housing for all income levels. Potential nongovernmental constraints are largely determined by market conditions over which local jurisdictions have little control and may include the availability of financing, the price of land, and the cost of construction. However, local governments can influence market conditions and their associated costs, even if only indirectly.

This section provides an analysis of various potential and actual constraints to housing development in the City. The primary non-governmental constraints to the development of new housing in the County can be broken into the following categories: availability of financing, development and construction costs, environmental constraints, school capacity, and requests of housing development at reduced densities. Further detail is provided in Appendix B.

#### 4.1.2 Governmental Constraints

Governmental policies and regulations can result in both positive and negative effects on the availability and affordability of housing. This section, as required by Government Code Section (a)(5), describes City policies and regulations that may constrain the City's ability to achieve its housing goals. Potential constraints to housing include land use controls (through General Plan policies and zoning regulations), development standards, infrastructure requirements, development impact fees, and development approval processes. While government policies and regulations are intended to serve public objectives and further the public good, the City recognizes that its actions can potentially constrain the availability and affordability of housing to meet the community's future needs.

### 4.1.3 Conclusions

With the proposed density increases in various parts of the City, height, setback, and other standards may become constraints to the development of housing. The Implementation Plan includes a variety of actions to address these potential constraints, including but not limited to working with real estate professionals – economists and developers, among others -- to analyze the specific impacts of various building standards on the cost to develop housing. From this work, the City will be able to make appropriate changes to zoning requirements to eliminate these constraints.

In addition, while the per-unit development and impact fees assessed on single-family developments are almost twice the amount of the costs per unit on multifamily housing, on a square foot basis the fees disproportionately impact multifamily development. This disparity across types of developments is a constraint to development and the City has incorporated a program to amend its fee structure to reduce the cost burden of fees for multifamily development. The complete analysis of governmental and non-governmental constraints can be found in Appendix B.

## 4.2 HOUSING RESOURCES SUMMARY

The Housing Resources of the City of Lafayette can be summarized into two parts. The first is the various funding sources the City can pool together for affordable housing production, preservation, and protection, as well as outside funds from a variety of agencies, such as the County and the federal government. An example of local funds that have supported housing development in Lafayette is the City's Housing Trust Fund. The starting funds originated from the Lafayette Redevelopment Successor Agency and this Housing Element includes a program committing the City to find ongoing sources of revenue. As part of that commitment, in 2023 the City Council voted to establish annual contributions of \$215,000 to the housing fund with the goal to provide financial support to new housing development. Recently, the City provided a \$1.5 million dollar long-term forgivable loan from this fund to provide gap financing for 38 very low income units for adults with intellectual and developmental disabilities.

The second component of housing resources available in Lafayette is an inventory of sites that are adequate for projected housing needs. A full description of each funding source and the opportunity sites inventory are included in Appendix C - Housing Resources.

## 4.3 CLIMATE CHANGE AND ENERGY CONSERVATION

Home energy efficiency has become an increasingly significant factor in housing construction, particularly in the past few years with the increasing demand to build energy efficient and sustainable buildings in California. Energy costs related to housing include not only the energy required for home heating, cooling, and the operation of appliances, but the energy required for transportation to and from home.

State Title 24 Part 6 is the California Energy Code, first enacted in the 1980s, permits builders of new residential units to achieve compliance either by calculating energy performance in a prescribed manner or by performance based on computer modeling. The energy code is updated every three years by the Energy Commission to advance the energy efficiency standards for building construction. In addition to the energy code, the state Green Building code establishes sustainable building construction standards. The Green Building code addresses the use of sustainable materials, methods of construction, recycling of construction waste, and electric vehicle infrastructure. These measures contribute to overall building energy efficiency and sustainability and have an added ongoing benefit throughout the useful life of a building.

All new development, including housing projects, are also subject to compliance with applicable greenhouse gas (GHG) emission reduction strategies contained in the City’s Environmental Action Plan (EAP). The EAP, which was adopted in 2017, demonstrates the City’s leadership to reduce GHG emissions and provides a comprehensive list of community-wide actions that will help reduce the community’s GHG emissions. Specifically, the EAP includes EU Programs 1.1-1.7 and 3.1-3.4 which entail developing regulations for housing and new construction to exceed minimum state energy efficiency requirements, providing education and outreach on benefits and financial incentives associated with energy upgrades, and continuing support for energy efficiency upgrades through utility programs and programs with local and regional agencies. The City’s Environmental Task Force has undertaken significant research and outreach surrounding building electrification requirements and their findings will be considered as part of the Housing Element implementation.

Policies and programs that explicitly address the City’s EAP, as well as energy efficiency and sustainability, will be contained in other elements of the City’s updated General Plan, but some energy efficiency programs have been included in the Housing Element. However, as outlined above, addressing climate change, continuing to improve energy efficiency, and building homes sustainably are key City priorities and will be applied to housing projects and housing program implementation for the upcoming housing cycle.

## 5. PUBLIC PARTICIPATION

### 5.1 OVERVIEW

The City of Lafayette recognizes an engaged community is essential to drafting and implementing a strong Housing Element. A key strength of this draft Housing Element is the incorporation of key findings collected at over nineteen public and community meetings and workshops, five intercept/pop-up events, and four surveys. A summary of public participation and community outreach activities and key takeaways are included here.

#### 5.1.1 Citizen-Led Planning

Under the direction of the City Council, The City recruited for and assembled an 11-member General Plan Advisory Committee (GPAC) composed of geographic district, chamber of commerce, and nonprofit representatives selected by lottery and commission and committee members nominated by their body to serve on the GPAC. More detail on the composition of the GPAC is included in Appendix F. Recruitment entailed multi-lingual mailings to every household in Lafayette as well as publicizing the opportunity to apply on the City’s social media channels and during public meetings. GPAC members were volunteers from the community tasked with not only promoting participation by their respective constituents, but also to bring the input received into the group’s deliberations. GPAC informed the outreach and engagement strategy, supported events and activities surrounding the Housing Element update, received, and considered comments from the public, and led the drafting process for the updated document based on the community input received.

#### 5.1.2 Outreach

The public review process is key to a successful Housing Element update in that it helps to identify the housing needs of a community, better understand a community’s concerns, and it educates the public about the State requirements. The City, led by the General Plan Advisory Committee (GPAC), undertook nearly two years of education about the Housing Element requirements, intensive outreach through a variety of channels, and public participation to inform the Housing Element. The GPAC used this input to ensure community voices were incorporated not only into the planning process, but also into the policies and programs within the resultant document.



Have you experienced discrimination while trying to rent or purchase a home?  
¿Ha sufrido usted discriminación al intentar rentar o comprar una vivienda?  
您在租房或买房时是否受到过歧视?



Federal and State fair housing laws prohibit discrimination. Help city leaders work towards a more inclusive Lafayette by sharing your experience at an upcoming workshop or take an online survey.

Las leyes federales y estatales de vivienda justa prohíben la discriminación. Ayude a los líderes de la Ciudad a trabajar por un Lafayette más inclusivo compartiendo su experiencia en un próximo taller o contestando la encuesta en línea.

联邦和州公平住房法禁止歧视。通过在即将举行的研讨会上分享您的经历或参加网上调查，帮助城市领导打造一个更具包容性的Lafayette。

To reach as many community members who live in or are a part of the Lafayette as possible, the city developed and implemented a proactive outreach plan at the outset of the draft Housing Element development process. Its goals were to:

- Raise awareness among Lafayette residents of the importance of the Housing Element update on shaping the future of the community
- Achieve broad demographic and geographic representation from community members that is representative of the full range of perspectives and experiences in Lafayette

- Define the City’s core values and corresponding key elements that represent Lafayette’s character to be addressed and preserved through the updated document
- Continuously communicate how to contribute at each stage of the update process most effectively
- Build a level of public trust in the update process and support for the Housing Element that will lead to its successful implementation after adoption.

The City proactively engaged community members for whom English was not spoken at home, renters, those under 45 years of age, low-income and very low-income households, people with disabilities, seniors, single female heads of household, people experiencing homelessness, and those from under-represented neighborhoods.

### 5.1.3 Outreach and Engagement

#### Website and Social Media

The City of Lafayette launched a [General Plan Update website](#) with several pages dedicated to different aspects of the Housing Element update, including information on the update process and timeline, the Regional Housing Needs Allocation, environmental review, meeting materials informational videos, and frequently asked questions.

The City also began conducting extensive email and social media outreach beginning in December 2020 to build awareness that the Housing Element update was underway. Updates on GPAC meetings and upcoming events were shared via NextDoor, Facebook, Instagram, and the City’s weekly e-newsletter. An option to be notified about meetings related to the General Plan and Housing Element was added to the City’s e-notification system.

The City established a dedicated e-mail address, [generalplan@lovelafayette.org](mailto:generalplan@lovelafayette.org), for community members to submit their questions, comments, and feedback. Through workshop registrations and other inquiries, the City developed a stakeholder e-mail list of residents, business and property owners, school parent associations, and local organizations of over 1,300 contacts. This stakeholder list was also used to provide updates and information on upcoming events.

#### Printed Mailings

Several mailings and newspaper ads were also used to provide an alternative outreach method to those populations that would not be reached by digital methods. The City sent postcards and brochures to every household as well as ran ads for Housing Element events in the Lamorinda Weekly paper, which is circulated to all Lafayette households, to notify residents about the Housing Element Update. The Housing Element and fair housing workshops were also featured prominently in the City’s quarterly printed newsletter, Lafayette Vistas, which is also mailed to every household in Lafayette.

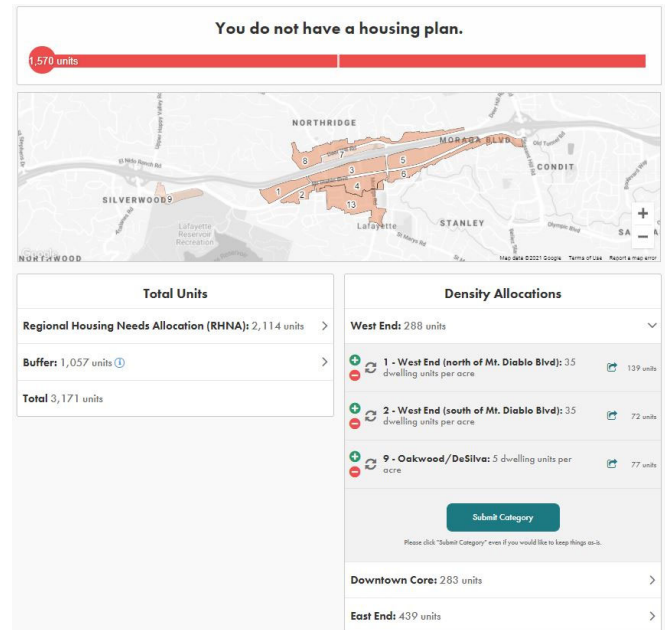
#### Community Meetings

The city organized six educational sessions, nine public Housing Element workshops, and presented at numerous public commission and council meetings. Due to COVID-19 restrictions, much of this engagement took place online, but the City held in-person workshops with analog versions of the online Housing element workshops to provide a comparable method of providing input on the Housing Element.

The City and GPAC members also presented at several meetings and webinars of other organizations, including over 90 GPAC, Planning Commission, and City Council meetings, the Lafayette Chamber of Commerce and Lafayette Homeowners Council. The City conducted outreach at community events, including the annual Taste of Lafayette event, as well as at the BART station.

## Online Engagement

In addition to the dedicated General Plan update website, the City created an online hub for engagement which hosts a range of activities for members of the public to provide their ideas and input. Activities included surveys, ideas walls, a forum for discussion, mapping activities, and polls. 1,100 members of the public registered for the engagement platform to participate in the online activities. The City also developed a custom map-based housing planning activity wherein participants identify regions of the city where the RHNA should be allocated; this online activity was found to be such an effective engagement tool that the Association of Bay Area Governments contracted with the developer to provide licenses to 25 other Bay Area jurisdictions.



## 5.2 KEY TAKEAWAYS

- **Housing is personal:** People often have differing views on housing because it is a very personal issue tied to feelings of safety, belonging, and identity. Often the comments reflected people’s current housing situation. Several people shared meaningful stories of themselves, or their loved ones being priced out of their communities and struggling to remain in Lafayette.
- **Preservation of Lafayette’s character:** Lafayette residents cherish the small town feel and semi-rural ambience of their community. To the maximum extent consistent with Lafayette’s housing obligations under state law, the community desires to both promote and enhance those cherished characteristics.
- **The price of housing is a major concern:** Community members voiced concerns about the high cost to rent or buy a home today, either for themselves, friends, or family. It is an issue that touches a lot of lives. There was significant concern raised that service workers, teachers, first responders, and small business owners were being priced out of Lafayette.
- **Affordable housing is a concern:** Participants felt that more needed to be done to promote affordable housing.
- **Other common themes:** preservation of open space, school and infrastructure capacity, wildfire risk, the interconnected nature of land-use and transportation decisions, and diversity.

The extensive outreach and community engagement conducted over three years played a significant role in the development of the goals, policies, and programs within the 2023-2031 Housing Element. Feedback and insights from tenants, lower-income residents, property owners and developers helped to highlight new policy opportunities and ways to strengthen and improve existing policies. And the overarching challenge of housing affordability and availability was heard during most every meeting and conversation. In addition, themes such as investing in improving infrastructure, maintaining commercial space downtown, quality design, and improving access to affordable housing options helped inform policies in the Housing Element as well as the General Plan Update, which is being prepared concurrently. The following is a summary list of topics and the associated policy(s) that were added or improved as a result of that community and stakeholder feedback.

- **Policy H-1.2** Evaluate and establish funding for new infrastructure.
- **Policy H-2.2** Support mixed-use development.
- **Policy H-6.1** Facilitate and support the production of new affordable housing units.
- **Policy H-9.1** Encourage quality design.

A number of organizations and individuals provided extensive comment and recommendations for consideration in the Housing Element. The City often heard from residents about the need to avoid planning higher-density housing in the City's Very High Fire Hazard Severity Zones, as well as in evacuation constrained areas. In response, the Housing Element does not include sites in its inventories in places such as the Glen, Happy Valley, and along Deer Hill. Comments also received by the Chamber of Commerce requested limiting areas of the Downtown facing the boulevard for increased densities to help protect existing businesses from being displaced.

Two organizations – Inclusive Lafayette and East Bay for Everyone – provided written comments and testimony regarding concerns that the BART station lots, because they are not currently in the BART Transit Oriented Development (TOD) workplan in the near term, should not be included in the inventory of opportunity sites because they are unlikely to be developed during the eight-year planning cycle. In addition, many residents expressed concern that the lots, which are also in a VHFHSZ, should not be included in the inventory.

Although the City has been – and will continue to be – active in engaging BART in the eventual development of those sites, the station parking lots are not included in the inventory, because the time it takes to complete all of the initiatives required to move up in the workplan will be substantial. With a projected reevaluation of its workplan in early 2023, the City cannot meet the deadlines to be considered. In November 2023, the Lafayette BART station parking lots received designation as a Priority Site by the Metropolitan Transportation Commission, which offers access to technical assistance and development financing.

Other comments from Inclusive Lafayette and East Bay for Everyone included, but are not limited to, the following:

- **Programs should have firm commitments for the completion of each item with discrete deadlines.** The City's revised Housing Element includes greater specificity for each item in the implementation plan.
- **The City should consider current height limits and setbacks as constraints to housing.** The Housing Element Implementation Plan (Appendix G) includes several actions to address potential constraints on the

development of housing, including Program 8.2.a, review of development standards, including specific targets and deadlines. The City commits to ensuring development standards facilitate maximum housing densities.

- **The City should reduce parking minimums.** The City’s Program 6.1.d calls for the revision of the City’s parking standards in conformance with AB 2097, which prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within 1/2 mile of public transit. In addition, the program now calls for alternative parking options, allowing tandem parking, hydraulic lifts and other mechanisms to facilitate parking in a variety of ways.
- **The City should encourage higher density throughout the Downtown.** The revised Housing Elements includes increased densities throughout the Downtown, now that the BART sites are no longer included in the inventory. Please see the revised inventory of opportunity sites.
- **The City should distribute multifamily housing throughout Lafayette, not just in the Downtown, to meet the goals of Affirmatively Furthering Fair Housing.** The City must consider a variety of factors when locating potential multifamily housing, especially that which is affordable. Of considerable concern is the fact that 46% of Lafayette is in a Very High Fire Hazard Severity Zone. Increased density in these locations would not only impact traffic and therefore evacuation times, there are fewer services available to residents in these areas, including transit, groceries, and other services. The State Attorney General has recently released guidance on best practices to consider when locating new developments in wildfire-prone areas. Based on these and other factors – including the analysis that demonstrates proposed affordable developments will not exacerbate poverty conditions in the Downtown – most growth will occur in the downtown, along with additional residences and ADUs throughout the community. In addition, the City has addressed AFFH mobility concerns by including Faith Based Organizations as opportunity sites, which are distributed throughout the community outside of VHFHSZs. The Housing Element includes several programs to increase housing opportunities throughout the community. See AFFH Action Area 2.
- **The City should commit to generating local funding for affordable housing.** The City includes several programs addressing funding for affordable housing, including 1.1.a, 1.2.b, 6.1.h, 7.1.b, and 7.2.a.



## 6. AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) SUMMARY

### 6.1 WHAT IS AFFIRMATIVELY FURTHERING FAIR HOUSING?

In January 2017, Assembly Bill 686 (AB 686) introduced an obligation to affirmatively further fair housing (AFFH) into California state law. AB 686 defines “affirmatively further fair housing” to mean “taking meaningful actions, in addition to combat discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for persons of color, persons with disabilities, and other protected classes.

AB 686 requires that all Housing Elements prepared on or after January 1, 2021, assess fair housing through the following components:

- An assessment of fair housing within the jurisdiction that includes the following components: a summary of fair housing issues and assessment of the City’s fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities; an assessment of contributing factors; and identification and prioritization of fair housing goals and actions.
- A sites inventory that accommodates all income levels of the City’s share of the RHNA that also serves the purpose of furthering more integrated and balanced living patterns.
- Responsive housing programs that affirmatively further fair housing, promote housing opportunities throughout the community for protected classes, and address contributing factors identified in the assessment of fair housing.
- The analysis must address patterns at a regional and local level and trends in patterns over time. This analysis compares the locality at a county level for the purposes of promoting more inclusive communities.

AB 686 also makes changes to Housing Element Law to incorporate requirements to AFFH as part of the Housing Elements and General Plan to include an analysis of fair housing outreach and capacity, integration and segregation, access to opportunity, disparate housing needs, and current fair housing practices.

### 6.2 FAIR HOUSING ASSESSMENT- PRIMARY FINDINGS

This section summarizes the primary findings from the Fair Housing Assessment for Lafayette; the factors that contribute to the city’s fair housing challenges; and the city’s fair housing action plan to address those challenges.

#### 6.2.1 Segregation/Integration

Compared to Contra Costa County overall, Lafayette residents are much less diverse racially and ethnically. Lafayette’s residents are 75% non-Hispanic White. Persons of Hispanic descent comprise 8.5% of Lafayette’s residents. The next largest racial group is Asian at 11%. Fewer than 1% of Lafayette’s residents are Black/African American. The county, in contrast, is 48% non-Hispanic White and 24% Hispanic. 9% of county residents are Black/African American. The only racial group where the city is close to the county is Asian (11% in Lafayette v. 15% in the county).

*Contributing factors:* Lafayette incorporated as a semi-rural community and has a history as a low-density suburban community, with good schools, access to jobs, goods and services, and above-average median household income. Limited supply and above average median housing costs have constrained opportunities for residents and workers who need affordable housing from locating in Lafayette.

### **6.2.2 Income and Renter Segregation**

Lafayette is a high-income community, with little variance in median household income by neighborhood. Low to moderate income (LMI) households are concentrated in central Lafayette, where 50 – 75 percent of the population is considered LMI, and downtown Lafayette and along the south side of State Route 24, where about 25 – 50 percent of the population is considered LMI (see Map 10). The downtown Lafayette neighborhood also has a higher proportion of renter-occupied households, higher levels of cost-burdened renter households, and the highest share of Housing Choice Voucher holders. Additionally, the vast majority of housing units are 3 or more-bedroom units with limited options for one-bedroom units or studio apartments.

*Contributing factors:* The city’s most affordable housing is found in neighborhoods with mixtures of commercial and residential properties, relatively high-density allowances, and those that abut Highway 24. Although these neighborhoods are identified as high opportunity areas and are rated as healthy communities, consistent with the city overall, the concentration of affordable housing limits residents and workers choice of housing in settings outside of mixed-use settings in less traffic-intense environments. The increase in ADU development throughout the community will provide new opportunities for lower-income people to find housing that is affordable to them. In addition, the inclusion of both Faith Based Organizations and the DeSilva South site in the inventory will ensure affordable units are spread throughout the community. The sites inventory analysis conducted by Root Policy demonstrates that opportunity sites provide broad access in the community, and will contribute to mobility opportunities for lower-income households. The Sites Inventory Supplement can be found as Appendix D, Attachment B.

### **6.2.3 Disproportionate Housing Needs**

The only neighborhood where renters are vulnerable to displacement is also one of two neighborhoods where residents have the best opportunity to find affordable housing.

*Contributing factors:* Barriers to housing choice are largely related to the city’s very high costs of housing and rate of affordable production.

### **6.2.4 Sites Inventory Analysis**

The analysis of the RHNA unit location against AFFH indicators demonstrates that:

- The two Census Tracts (Census Tracts 3490 and 3500) where 94% of the City’s RHNA units will be located have slightly greater proportions of non-White residents compared to the city overall. These Census tracts are both considered “highest resource” areas. The distribution of RHNA units within these Census tracts will add income diverse housing to these tracts and broaden housing choices for low- and moderate-income households.
- No RHNA units are located in R/ECAPs.
- All of the City’s proposed RHNA units are located within the highest resource areas, as defined by the California Tax Credit Allocation Committee (TCAC).

### **6.2.5 Fair Housing Action Plan**

Based on these findings, the Fair Housing Action Plan can be found in Appendix G, the implementation plan.

## 7. HOUSING PLAN

The City of Lafayette has many positive attributes, especially being a desirable residential community to live in, work in, and play in. The City's primary objective is to maintain a diversity of housing opportunities. There should be a variety of housing types and sizes, a mixture of rental and ownership housing, and housing that supports special needs populations, including farmworkers, single female heads of household, people with disabilities, and those who are unhoused. This variety of housing opportunities will accommodate a diverse population, leading to a variety of household sizes, all age groups, and a wide range of income levels.

In addition, Lafayette will need to plan for an increased housing supply to meet the housing demand caused by current and future job growth. The types of new housing created should accommodate all income levels consistent with the Regional Housing Needs Allocation. The goals, policies, and actions contained in this Housing Plan support these overarching objectives while also ensuring that the City will meet its statutory obligations, affirmatively further fair housing, and facilitate housing production at all income levels. To implement each of these policies, the city has identified specific programs and actions, which are outlined in the Implementation Plan included in Appendix C.

### 7.1 GOALS, POLICIES, AND PROGRAMS SUMMARY

The City has identified ten goals to guide the Housing Element's policies and programs to address a range of community priorities identified through community engagement, housing needs of special populations, affirmatively furthering fair housing, and the production, preservation, and protection of a range of housing types.

#### **Goal 1: Develop infrastructure through funding mechanisms that support the demands of current and future residents, housing, commercial, and retail development.**

- **Policy H-1.1** Ensure capital improvements meet development needs.
- **Policy H-1.2** Evaluate and establish funding for new infrastructure.
- **Policy H-1.3** Regularly identify and address infrastructure needs.

#### **Goal 2: Promote a vibrant commercial and cultural downtown that meets the needs of residents and visitors and encourages a mix of retail, commercial, and residential building through zoning.**

- **Policy H-2.1** Provide clear information on requirements for development in the downtown.
- **Policy H-2.2** Support mixed-use development.
- **Policy H-2.3** Encourage housing rehabilitation in commercial zoning districts.

#### **Goal 3: Promote environmental responsibility, long-term sustainability, and adaptability in residential development and related infrastructure to minimize impacts to global climate change.**

- **Policy H-3.1** Promote existing and develop new energy conservation programs.
- **Policy H-3.2** Provide information to the public on programs for energy conservation.
- **Policy H-3.3** Sponsor an annual Earth Day event.

#### **Goal 4: Promote housing opportunities for all persons regardless of race, age, gender, sexual orientation, marital status, ability, or national origin.**

- **Policy H-4.1** Equal Housing Opportunity: Continue to facilitate non-discrimination in housing in Lafayette.

- **Policy H-4.2** Nondiscrimination Clauses: Provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed with City assistance.

**Goal 5: Affirmatively further fair housing by taking meaningful actions that overcome patterns of segregation and foster inclusive communities.**

- **AFFH Action Area 1:** Enhancing housing mobility strategies.
- **AFFH Action Area 2:** Encouraging new housing choices and affordability in high resource areas.
- **AFFH Action Area 3:** Improving place-based strategies to encourage community conservation and revitalization including preservation of existing affordable housing.
- **AFFH Action Area 4:** Protecting existing residents from displacement.
- **AFFH Action Area 5:** Outreach and enforcement.

**Goal 6: Promote the expansion of the housing throughout the City to accommodate a variety of housing types that are attractive and affordable to potential renters and home buyers at a wide range of income levels.**

- **Policy H-6.1** Facilitate and support the production of new affordable housing units.
- **Policy H-6.2** Seek to retain existing subsidized affordable housing units.
- **Policy H-6.3** Promote and incentivize the construction of accessory dwelling units.
- **Policy H-6.4** Monitor affordable projects at risk of conversion to market rate.
- **Policy H-6.5** Monitor Federal actions and appropriations regarding extension of Section 8 contracts.
- **Policy H-6.6** Respond to Notices to Prepay in subsidized housing.
- **Policy H-6.7** Support the County Housing Authority housing rental subsidies.
- **Policy H-6.8** Support efforts to obtain available State and federal assistance to develop affordable housing.
- **Policy H-6.9** Support State and regional efforts to reinstate Redevelopment-like tools.
- **Policy H-6.10** Allow placement of manufactured housing units.
- **Policy H-6.11** Promote development of a range of housing types.

**Goal 7: Promote access to affordable housing opportunities for persons with special housing needs such as seniors, developmentally disabled, large households, and very low to moderate income households.**

- **Policy H-7.1** Collaborate with special population service providers to identify specific housing needs and guide City policies.
- **Policy H-7.2** Provide information on housing options for special populations.

**Goal 8: Facilitate a mix of housing types with development standards appropriate for the subject neighborhood.**

- **Policy H-8.1** Encourage infill housing development.
- **Policy H-8.2** Establish building height requirements Establish objective development standards that are sensitive to neighborhood context.<sup>1</sup>
- **Policy H-8.3** Provide a density bonus to projects with affordable units.

**Goal 9: Promote a wide variety of housing types that balance valued aspects of the existing community character, including quality design, scale, and preservation of natural features.**

- **Policy H-9.1** Encourage quality design through objective design standards.

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<sup>1</sup>One example might include increasing heights immediately next to single-family homes less than elsewhere in the Downtown, such that heights “step down” towards single-family neighborhoods.

**Goal 10: Adopt and implement a Housing Element that complies with State Law.**

- **Policy H-10.1** Pursue available funding for the preservation and rehabilitation of older housing.
- **Policy H-10.2** Encourage new multifamily housing.
- **Policy H-10.3** Provide active leadership in implementing the Housing Element policies and programs.
- **Policy H-10.4** Review implementation progress annually.
- **Policy H-10.5** Encourage public participation in creating the City's housing and development policies.
- **Policy H-10.6** Collaborate with owners to reclaim residential units illegally converted to commercial uses.
- **Policy H-10.7** Support County housing rehabilitation programs for low- to moderate-income households.
- **Policy H-10.8** Allow employee housing in areas designated with a residential land use.

## 8. QUANTIFIED OBJECTIVES

The quantified objectives section estimates the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the 2023-2031 planning period. The quantified objectives do not represent a ceiling on development, but rather set a target goal for the jurisdiction to achieve, based on needs, resources, and constraints.

According to HCD, the sum of the quantified objectives for the programs should ideally be equal to or surpass the community's identified housing needs. However, State law recognizes that the total housing needs identified may exceed available resources and the community's ability to satisfy this need within the content of the general plan. Under these circumstances, the quantified objectives need not match the identified existing housing needs but should establish the maximum number of housing units that can be constructed, rehabilitated, and conserved over an eight-year time frame. The quantified objectives do not necessarily meet the goals of RHNA because they are not a full projection of anticipated housing development within the Housing Element Cycle. It is an estimate of actual production, given available resources and projected pipelines projects.

With respect to affordable units, the City has estimated the potential subsidies available during the planning period and has calculated the potential number of units that could be assisted with these funds. In addition, The City has compiled a list of known or expected development projects in the next few years anticipated to be completed within the next eight years. In total, 459-445 affordable units are expected to be produced during the next cycle.

Based on residential building permits issued in the last year and residential projects that have been initially reviewed or approved by the Planning department that have not been built, the quantified objective for non-subsidized units developed in market projects is 970-1,027 units. The total quantified objectives for housing production over the next eight years and how they align with the City's overall RHNA are outlined in the two tables on the following page.

Table 5: Quantified Objectives, 2023 - 2031

New Construction	Affordable Total	ELI	VLI	LI	MOD	Market	Total
Potential Future All-Affordable Projects*	64	16	16	32	0	0	64
Woodbury Highlands	7	0	3	0	4	92	99
West End	2	0	0	0	2	12	14
Lenox Lafayette Circle	2	0	0	0	2	10	12
Lafayette Lane	38	0	38	0	0	128	166
Samantha Townhomes	2	0	0	0	2	10	12
Lynx/Schadek	1	0	0	1	0	8	9
The Mill at Brown Avenue	2	0	0	0	2	12	14
Madison Park	10	0	6	4	0	61	71
950 Hough	3	0	0	0	3	17	20
Terraces of Lafayette	62	0	0	62	0	253	315
Future Inclusionary BMR Units (TBD)	60	0	24	0	36	400	460
ADUs (30% VLI, 30% LI, 30% MOD, 10% AMOD)	192	0	64	64	64	24	216
<b>New Construction Total</b>	<b>445</b>	<b>16</b>	<b>151</b>	<b>163</b>	<b>115</b>	<b>1,027</b>	<b>1,472</b>

Rehabilitation/ Preservation	Affordable Total	ELI	VLI	LI	MOD	Market	Total
Assisted Units Preserved (none at risk 2023-31)	0	0	0	0	0	0	0
Home Maintenance and Repairs (County) Program 6.2.d	24	8	8	8	0	0	24
Fair Housing Outreach Program 4.1.b	60	20	20	20	20	0	80
Demolition Conservation Program 6.2.b	32	8	16	8	0	0	32
Condo Conversion Program 6.2.c	8	2	2	4	0	0	8
Code Enforcement Abatement Program 10.1.a	8	2	2	4	0	0	8
<b>GRAND TOTAL</b>	<b>597</b>	<b>56</b>	<b>199</b>	<b>207</b>	<b>135</b>	<b>1,027</b>	<b>1,624</b>

\*Based on expected available funding

While no income-restricted units are at risk of conversion to market rate during the planning period, included in Appendix G are several programs to promote the conservation of existing residential units, such as:

- Program 4.1.c Fair Housing Resources
- AFFH Action 3.1 Rehabilitation of Older Multifamily Developments
- Program 6.2.b Retention of Affordable Rental Units
- Program 6.2.c Condominium Conversion
- Program 6.2.d Retention of Affordable Units: Housing Rehabilitation
- Program 10.1.a Code Enforcement

Table 6: Quantified Objectives Alignment with Lafayette’s RHNA

Income	Quantified Objective	Eight-Year RHNA Figure	% of RHNA to be Produced
ELI/VLI	167	599	28%
LI	163	344	47%
MOD	115	326	35%
Market	1,027	845	122%
<b>TOTAL</b>	<b>1,472</b>	<b>2,114</b>	<b>70%</b>

The 2015-2023 quantified objectives for total new housing units, including market rate housing, was 270-220 units. Through the seventh year of the 5<sup>th</sup> cycle, 420 units of housing were issued permits, with 675 multifamily units entitled. The following two tables summarize the quantified objectives from the last Housing Element Update and detail the City’s progress in achieving those objectives.

Table 7: Quantified Objectives, 2015 - 2023

Income Level	Total	New Construction	Rehabilitation/Conservation	Preservation
Extremely/Very Low Income	131	50	15	66
Low Income	25	10	15	0
Moderate Income	45	10	20	15
Above Moderate Income	150	150	0	0
<b>GRAND TOTAL</b>	<b>351</b>	<b>220</b>	<b>50</b>	<b>81</b>

SOURCE: LAFAYETTE PLANNING DEPARTMENT, 2015

Table 8: Progress towards Quantified Objectives, 2015 - 2023

Income Level	Total	New Construction	Rehabilitation/Conservation	Preservation
Extremely/Very Low Income	9	9	0	0
Low Income	11	6	0	5
Moderate Income	125	120	0	5
Above Moderate Income	293	285	0	8
<b>GRAND TOTAL</b>	<b>438</b>	<b>420</b>	<b>0</b>	<b>18</b>

SOURCE: LAFAYETTE PLANNING DEPARTMENT, 2022.

Table 9: Below-Market-Rate Summary of Recent Residential Projects, 2015 - 2023

New Construction	Affordable Total	Total	ELI	VLI	LI	MOD	AMOD
The Paloma	3	18	0	0	1	2	15
The Woodbury	0	56	-	-	-	-	56
Town Center III	7	69	0	0	0	7	62
210 Lafayette Circle	2	12	0	0	0	2	10
The Brant	10	66	0	2	2	6	56
Woodbury Highlands	15	99	0	6	0	9	84
The Mill at Brown	2	13	0	0	0	2	11
<b>Total</b>	<b>39</b>	<b>333</b>	<b>0</b>	<b>8</b>	<b>3</b>	<b>28</b>	<b>294</b>

Preservation	Total	ELI	VLI	LI	MOD
Woodbury BMR at Redwood Creek	18	0	5	5	8
<b>GRAND TOTAL</b>	<b>57</b>				

SOURCE: LAFAYETTE PLANNING DEPARTMENT, 2022



## 9. REVIEW OF THE PRIOR ELEMENT SUMMARY

The update of the Housing Element provides an opportunity to reflect on past achievements and challenges. The following summary highlights key accomplishments and challenges from the previous Housing Element's planning period (2015 to 2023), as well as identifies opportunities for where the city took lessons learned and applied them as future tasks for current Housing Element. A detailed evaluation of the prior housing element can be found in Appendix E - Review of Prior Housing Element.

The following achievements were made:

- Progress towards meeting affordable housing goals
- Market rate housing goals were met
- The rate of ADU production have increased greatly
- Increasing efficiency in the housing development process

The following challenges were experienced:

- A divided and polarized vision for the future of the city
- High land and construction costs
- Outdated housing programs and policies
- Falling short of the quantified objectives

The following opportunities were identified:

- Revisions to the zoning code
- The General Plan update
- Programs to encourage and support development of affordable housing
- New opportunities for Transit Oriented Development

**10.1.1 Legislative Context for the Housing Element’s Inventory of Sites**

Per State law, the State of California, in conjunction with Association of Bay Area Governments (ABAG), has projected future population figures for the nine Bay Areas counties which translates into the need for additional housing units. Each jurisdiction is then assigned a portion of the regional need based on factors such as growth of population and adjusted by factors including proximity to jobs, and high resource areas that have excellent access to amenities such as good school and employment centers. This assignment is known as the Regional Housing Needs Allocation (RHNA).

Each jurisdiction must ensure that there is enough land at appropriate zoning densities to accommodate its RHNA in its Housing Element in four income categories (very low-, low-, moderate- and above moderate-income). This sites list is required to include an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, including analysis of the development capacity that can realistically be achieved for each site.

The RHNA for City of Lafayette for the Housing Element 2023-2031 is 2,114 units, which are broken down by income category in Table 140.

**Table 10: Lafayette RHNA Targets Summary**

Income Category	Very Low 50% AMI	Low 80% AMI	Moderate 120% AMI	Above Market Rate	Total
2023-31 Allocation	599	344	326	845	2,114

*Table Source: Housing Element Cycle 6 RHNA Allocation*

**10.1.2 Basis for the Inventory**

The sites inventory is based on the City’s current land use designations, zoning requirements and an analysis of the likelihood of redevelopment within the eight years of the Housing Element cycle. The analysis does not include the economic feasibility of specific sites, nor does it take into consideration the owner’s intended use of the land now or in the future. It does not dictate where residential development will actually occur, and the decision whether or not to develop any particular site always remains with the owner of the property, not the City. Based on previous Housing Elements, the City anticipates that some of the sites on the list will be developed with new housing, some will not, and some housing will be built on sites not listed in the inventory. The Sites Inventory is further outlined below, with a breakdown of the units in Table 1416. The complete Sites Inventory is included as Appendix C.

### 10.1.3 Parcel-by-Parcel Review

The City inventoried vacant and underutilized parcels in Lafayette to determine what land is available for development at various levels of density. In addition, through the General Plan Advisory Committee's efforts, residents were asked to nominate additional sites to be considered for inclusion on land that is currently vacant as well as parcels with existing uses that are considered underutilized. As housing is permitted in all zoning district, sites that are zoned commercial or office still allow for residential uses without a land use permit. Appendix C includes a detailed analysis for all sites included in the inventory that do not include pipeline projects.

### 10.1.4 Affordability

The number of units that might be able to be developed at various affordability levels was then estimated, e.g., available land zoned at higher densities can be counted toward the very low- and low-income level needs, and land zoned at lower densities are counted toward the moderate and above moderate-income housing need. The analysis was then completed using the actual average residential densities for developments built on land with various zoning designations over the past five years.

### 10.1.5 Ranking

Each site – or potential aggregation of sites – was analyzed to discern the likelihood and feasibility of development during the period 2023-2031. Factors such as underperforming or vacant uses, owner or developer interest, age and size of current improvements, site size, and site constraints were reviewed. Depending on these considerations, sites were color-coded as red, orange, yellow, or green to identify the likelihood of redevelopment during the 8-year planning period.

In 2023, the City developed a detailed set of criteria against which nominated sites were reviewed to ensure sufficient characteristics were present to justify inclusion in the inventory of sites. These criteria are as follows:

Sites that have one of the following do not need further evaluation:

- 1. Parcels that are undeveloped or have vacant buildings**
- 2. Parcels that have current developer or owner interest** in redevelopment for housing

If none of the above two options applies, sites must have **at least three** of the following attributes:

- 3. Sites containing limited improvements** either based on the nature of the uses (such as parking lots, outdoor storage, primarily vacant) or based on existing FAR (0.56 or less). There is no minimum or maximum FAR required in the City's zoning ordinance for housing. As shown in Table 9 and summarized below, residential projects currently in the pipeline (or with approvals that have recently expired) had a minimum FAR of 0.1 and a maximum FAR of 0.5 when the individual redevelopment project were submitted. Their proposed FAR have a minimum of 0.5 and a maximum of 2.9. For this reason, sites with an existing FAR of 0.5 or less meet the criterion for FAR.

<b>Project Name</b>	<b>Acres</b>	<b>Prior Use</b>	<b>Year Built</b>	<b>Prior FAR</b>	<b>New FAR</b>	<b>Times Greater Than Prior</b>
<u>"The Brant" (Lennar) 3666 Mt Diablo Blvd</u>	<u>2.00</u>	<u>Restaurant, Office Building, Auto Repair and Parking</u>	<u>-</u>	<u>0.3</u>	<u>1.2</u>	<u>4.00</u>
<u>Outdo 3742 Mt Diablo Blvd</u>	<u>0.37</u>	<u>Offices and Parking</u>	<u>1977</u>	<u>0.4</u>	<u>0.5</u>	<u>1.25</u>
<u>"Woodbury Highlands" 5 Woodbury Highlands Court</u>	<u>2.00</u>	<u>Two Office Complexes and Parking</u>	<u>1975</u>	<u>0.3</u>	<u>0.7</u>	<u>2.33</u>
<u>"West End" 3721 Mt Diablo Blvd</u>	<u>0.30</u>	<u>Convalescent Home and Parking</u>	<u>1961</u>	<u>0.5</u>	<u>2.9</u>	<u>5.80</u>
<u>Lenox Lafayette Circle 210 Lafayette Circle</u>	<u>0.38</u>	<u>Restaurant and Parking</u>	<u>1950</u>	<u>0.1</u>	<u>1.5</u>	<u>15.00</u>
<u>"Lafayette Lane" (Corp Terrace) 3470 Mt. Diablo Blvd</u>	<u>4.16</u>	<u>Office Complex and Parking</u>	<u>1982</u>	<u>0.5</u>	<u>1.2</u>	<u>2.40</u>
<u>Lynx/Schadek 3458 Mt Diablo Blvd</u>	<u>0.76</u>	<u>Construction Office and Parking</u>	<u>-</u>	<u>0.2</u>	<u>0.7</u>	<u>3.50</u>
<u>"The Mill at Brown Avenue" 3408 Mt. Diablo Blvd</u>	<u>0.38</u>	<u>Gas Station/Auto Repair</u>	<u>1959/ 1961</u>	<u>0.3</u>	<u>1.5</u>	<u>5.00</u>
<u>Madison Park 3483 Golden Gate Way</u>	<u>1.49</u>	<u>Residential Units Partially Converted to Office/Service and Parking</u>	<u>1962</u>	<u>0.4</u>	<u>1.6</u>	<u>4.00</u>
<u>950 Hough</u>	<u>0.43</u>	<u>Retail Service and Parking</u>	<u>1986</u>	<u>0.2</u>	<u>2.5</u>	<u>12.50</u>
<u>"Oak Hill Proposal" 1001, 1007, and 1009 Oak Hill Rd,</u>	<u>1.13</u>	<u>Office, Retail, and Parking</u>	<u>1950, 1961, 1981</u>	<u>0.3</u>	<u>2.5</u>	<u>8.33</u>
<u>Valley View/Freethy 1059 Aileen St.</u>	<u>1</u>	<u>Vacant single-family residential</u>	<u>1938, 1944, 1955</u>	<u>0.2</u>	<u>1.8</u>	<u>9.00</u>

**4. Age of structure** - 30+ years as the age threshold for most uses, but 20+ years as the age threshold for retail/commercial uses. Generally, buildings older than 30 years begin to show signs of fatigue and often require significant investments to modernize. A shopping/retail center, however, is considered outdated if it has not been renovated for more than 15 years. Recent news articles comparing the Westfield Mall in Downtown San Francisco and that in Santa Clara points to the critical differentiator - Santa Clara Westfield Mall had undergone a \$1.1 billion renovation in 2019 whereas the one in Downtown San Francisco had not been renovated for more than 16 years. This is because retail trends are fluid and reflect what are "fashionable" at the time.<sup>2</sup>

<sup>2</sup> [Bankingdive.com, June 14, 2023](https://www.bankingdive.com/news/santa-clara-westfield-mall-renovation/2023/06/14/)

**5. Single story buildings - recent redevelopment projects involve demolition of mostly single-story buildings, although one project demolished a multi-story office building for new mixed-use development.**

**3.6. Improvement to Land Value (ILV) Ratio of 1.0** - ILV can reflect the potential profitability of redeveloping an existing property. In general, a low ILV ratio of 1.0 or less indicates potential for redevelopment, as the land is equal to or worth more than the improvements on site. A low ILV ratio is also often a result of lack of significant improvements in recent years that would trigger a reinvestment. HCD Sites Inventory Guidance also uses an ILV ratio of 1.0 as an indicator of potential redevelopment. However, office buildings and commercial/retail centers often have high ILV ratios that are beyond 2.0. A typical shopping center has an ILV ratio of 2.50 to 3.50.

### **10.1.6 Realistic Capacity**

When establishing realistic unit capacity calculations, the jurisdiction must consider current development trends of existing or approved residential developments at a similar affordability level in that jurisdiction, as well as the cumulative impact of standards, such as maximum lot coverage, height, open space, and parking. The capacity methodology must be adjusted to account for any limitation because of availability and accessibility of sufficient water, sewer, and dry utilities. For non-residential zoned sites (i.e., mixed-use areas or commercial sites that allow residential development), the capacity methodology must account for the likelihood of residential development on these sites. While a site may be zoned to accommodate 100 units, site constraints or other development standards may preclude development to the full 100 units.

Since the certification of the last Housing Element, a series of new laws have been implemented that streamline development through the State density bonus provisions by providing a certain percentage of units in proposed developments as affordable.<sup>3</sup> As a result, many developers are taking advantage of the additional density offered, which has resulted in significant changes to the realistic capacity for development. The following table illustrates that for last five years from 2018-2022, all new residential development projects of nine or more units that have been proposed and/or approved have invoked the density bonus provisions, regardless of whether the development took the extra density, or just used the concessions and waivers. Although the State has specifically stated that cities cannot rely on density bonuses alone to calculate capacity (primarily because use of the density bonus is optional), the City can demonstrate that as-built densities are consistently above zoned density.

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<sup>3</sup>For more than forty years, California's Density Bonus Law (Government Code Section 65915 et seq.) has been a mechanism to encourage developers to incorporate affordable units within a residential project in exchange for density bonuses and relief from other base development standards through concessions and waivers. The amount of additional density allowed depends on the level of affordability provided.

Table 11: 2018-2022 All Multifamily Residential Project Densities & Yields

Project Name	VLI	LI	MOD	AMOD	Base Units (Before SDBL)	Density Bonus Units (#)	Total Units	Density Bonus (%)	Project Density (du/ac)	Math Capacity	Yield % (Total Units / Mathematical Capacity)
Lenox Lafayette Circle 210 Lafayette Cir	0	0	2	10	12	0	12	0%	32	13	90%
The Mill at Brown Avenue 3408 Mt. Diablo Blvd	0	0	2	11	12	1	13	8%	34	13	98%
West End 3721 Mt. Diablo Blvd	0	0	2	10	12	2	14	17%	47	11	133%
Lafayette Lane (Miramar) 3470 Mt Diablo Blvd	38	0	0	108	146	20	166	14%	40	146	114%
Madison Park 3483 Golden Gate Way	6	4	0	42	52	19	71	37%	48	52	136%
950 Hough Ave (Griggs) 950 Hough Ave	0	0	3	14	17	3	20	18%	47	15	134%
Samantha Townhomes 1050 Stuart St	0	0	2	10	12	0	12	0%	29	14	83%
Lynx/Schadek 3458 Mt. Diablo Blvd	0	1	0	8	9	0	9	0%	16	19	47%
1001 Oak Hill Road 1001 Oak Hill Road	2	4	0	45	40	16	51	40%	45	40	129%
<b>Average Yield</b>											<b>107%</b>

Although the base density in the downtown is currently 35 dwelling units per acre, the average residential project has resulted in nearly 38 du/ac due to the attractiveness of density bonus provisions to developers.

Despite this, based on feedback from HCD, the City has reviewed the comparatively small number of developments that have not used the density bonus – either for additional density, or for concessions and waivers – to determine the average built density as a percentage of underlying density. Since there are no multifamily developments of ten units or more since 2018 that have elected not to use the density bonus, the following table uses projects that were proposed and/or approved earlier.

Table 12: Residential Project Densities & Yields – Projects without Density Bonus or Waivers/ Concessions

Project Name	VLI	LI	MOD	AMOD	Base Units	Lot Area (Acres)	Zoning Density (du/ac)	Project Density (du/ac)	Math Capacity	Yield % (Total Units / Math Capacity)
Town Center III 1000 Dewing Ave	0	0	7	62	69	1.02	35	68	36	194%
Lennar Homes 3666 Mt. Diablo Blvd	2	2	6	56	66	2.05	35	32	72	92%
Six (Lenox Mountain View) 954 Mountain View Dr	0	0	0	6	6	0.32	35	19	11	54%
Woodbury Highlands 3700 Mt. Diablo Blvd	6	0	9	84	99	6.55	35	15	229	43%
Valley View Apartments (Freethy) 1059 Aileen St and 1044 Stuart St	0	0	0	42	42	1.22	35	35	43	99%
									Average Yield	88%

In addition, recent mixed-use projects along Mt. Diablo Boulevard demonstrate that substantial housing development can occur alongside ground floor commercial. The following table illustrates that residential development averages about 90% or higher of overall square footage. In addition, despite the fact these two projects did not use the density bonus, they still were able to achieve an average of 124% of zoned capacity.

Table 13: Mixed Use Projects with Residential

Mixed Use Project	Percentage Residential	Percentage Commercial	Description	Density Bonus Status
Merrill Gardens	89%	11%	72 units on 1.34 acres (153% of zoned capacity at 35 du/a)	No density bonus, concessions, or waivers
Lennar (The Brant)	96%	4%	66 units on 2.05 acres (95% of zoned density at 35 du/a)	No density bonus, concessions, or waivers
<b>AVG</b>	<b>93%</b>	<b>7%</b>		

As demonstrated above, recent precedents in Lafayette shows an actual development averaging 107% of allowed density. Because of the City’s inclusionary ordinance and the high cost of land in Lafayette, developers have opted to maximize development potential and use the Density Bonus to achieve projects beyond maximum levels, which is reflected in the development trends. In conjunction with the Housing Element, the implementation plan includes not only an increase in density primarily throughout the Downtown and at FBO sites, it also institutes a new minimum density requirement of 88% to ensure anticipated housing densities are achieved. Policy 10.3.g is a conservative approach and ensures the inventory of opportunity sites achieves the RHNA targets, plus a buffer of ~~690~~663 units.

## Likelihood of Commercial Development

Based on the City's records over the past ten years, there has only been *one* commercial development application on any site that could be developed with either commercial or residential. Public comment has pointed to a number of commercial developments to assert that new commercial development continues and must be factored into the sites analysis.

The only commercial development since 2013 was 3540/3546 Mount Diablo Boulevard. Safeway demolished a Valero gas station in 2017, and constructed additional parking there in 2018. *This application was initially submitted in 2012 and thus was not captured in the 10-year look-back period. The applicant re-filed in 2015 which was ultimately approved. The gas station was demolished to expand the Safeway parking lot.*

Other projects cited as evidence that commercial development continues in Lafayette:

- 3603 Mount Diablo Boulevard: The owner constructed a new one-story bank building (for Chase Bank) on land formerly occupied by a gas station demolished in 2002 and then left undeveloped until 2016. *This application was submitted in 2012 and thus was not captured in the 10-year look-back period.*
- 3800 Mount Diablo Boulevard, at Risa Road: A new two-story medical building was built adjacent to the Woodbury housing development in approximately 2014. *This application was submitted in 2012 and thus was not captured in the 10-year look-back period.*
- 100 Lafayette Circle – this the Chamber of Commerce's replacement building that burned in a fire in 2017. *This application was submitted in 2019 and approved; however, the project has not been built and the entitlements have lapsed. We have similarly not included entitled housing projects whose entitlements have lapsed in the inventory.*

Given that there has been only one commercial development application since 2013 (a 2012 application to expand a parking lot that lapsed and was refiled in 2015), and that was eight years ago, that the likelihood of commercial development on opportunity sites is extremely low. Based on these analyses of recent developments, including those mixed use projects with residential, the City further believes a minimum density requirement of 88% will not be a constraint on future development.

### 10.1.7 Affirmatively Furthering Fair Housing

The new requirements to Affirmatively Further Fair Housing (AFFH; AB 686) dictate that the city avoid, to the extent possible, the location of potential affordable housing in the inventory in a manner that would exacerbate existing concentrations of poverty, as well as contribute to increasing the number of lower-income households in lower-income neighborhoods. The city must also consider locating housing away from environmental constraints such as creeks or hillside topography, and near areas of higher or highest opportunities, including quality schools, parks, and educational opportunities. The State indicates that jurisdictions consider the following factors when determining the best locations for affordable housing.

- Proximity to transit.
- Access to high performing schools and jobs.
- Access to amenities, such as parks and services.
- Access to health care facilities and grocery stores.
- Locational scoring criteria for Low-income Housing Tax Credit (TCAC) Program funding.
- Proximity to available infrastructure and utilities.
- Sites that do not require environmental mitigation.
- Development streamlining processes, environmental exemptions, and other development incentives.



One measurement tool to evaluate neighborhood amenities and resources is the Tax Credit Allocation Committee (TCAC) Opportunity Area Map. Each site in the inventory list is rated as either Low, Moderate, High or Highest Resource area utilizing the mapping tool. Overall, the sites identified as suitable for lower income housing in Lafayette are in high or highest resource areas. Information about how the AFFH requirements for the Sites Inventory is included in Appendix D.

**10.1.8 Distribution of Units by Affordability**

The State suggests using the proportion of units in the RHNA allocation as a guide for allocating units among sites. This mathematical process is intended to demonstrate that there are enough sites zoned at appropriate densities to accommodate all of the RHNA allocation, rather than an assumption about where affordable units will actually be built. In part, this is because the City does not determine specific sites for affordable housing, but rather reviews and evaluates projects as they are proposed by outside developers.

1. For sites in the pipeline, the actual proposed distribution of units by affordability was included. For example, the Brant, located at 3721 Mt. Diablo Blvd., will have a total of 66 units, of which 10 will be lower income. These are the figures used in the spreadsheet.

2. For development on FBO sites, AFFH Action 2.3 tracks a similar distribution of affordability as represented in SB 4:

FBO Allocation Income Distribution				
Very Low-Income	Low-Income	Moderate Income	Above Moderate Income	Total
37.5%	37.5%	20%	5%	100%

3. For vacant sites, the distribution of units by income increases the lower income percentage by a modest amount:

Vacant Sites Income Distribution				
Very Low-Income	Low-Income	Moderate Income	Above Moderate Income	Total
30%	30%	20%	20%	100%

4. For all other sites, the distribution of units by affordability is in the same proportion as the RHNA allocation:

RHNA Allocation Income Distribution				
Very Low-Income	Low-Income	Moderate Income	Above Moderate Income	Total
28%	16%	15%	40%	100%

### 10.1.9 Pipeline Projects

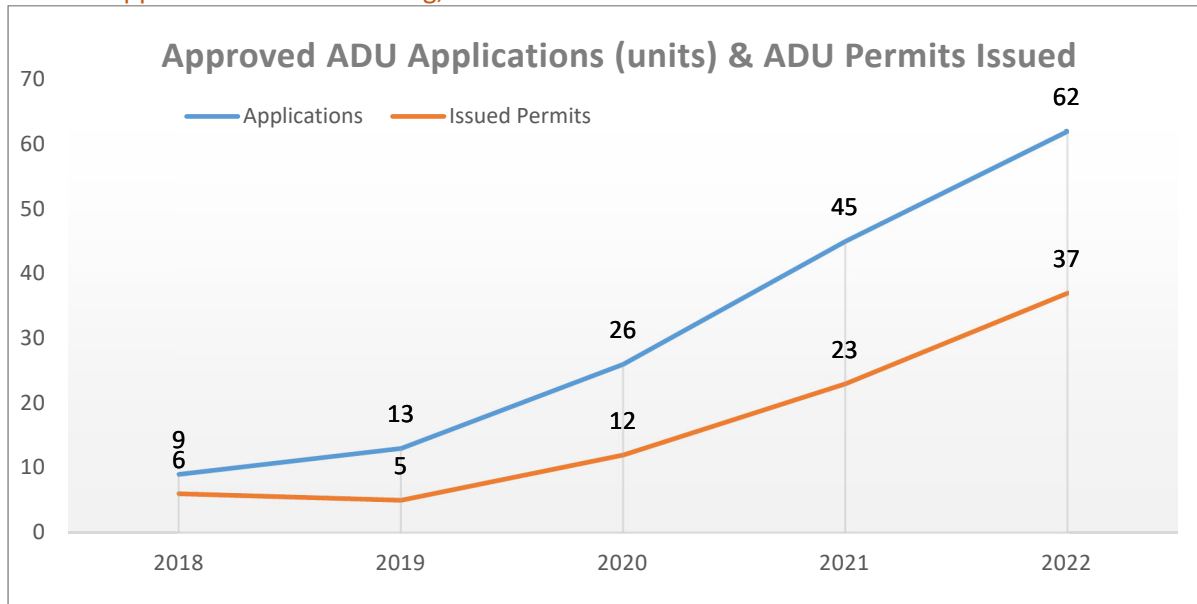
In addition to the sites potentially available for new development or redevelopment, projects that have been approved, permitted, or completed since the beginning of the RHNA projected period may be credited toward meeting the RHNA allocation based on the affordability and unit count of the development. 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. These sites are included in the Sites Inventory (Appendix C.) If any of these sites does not continue, the spreadsheet will be modified accordingly.

### 10.1.10 Accessory Dwelling Units

The State allows jurisdictions to count projected development of accessory dwelling units (ADUs) based on prior years' production averages. Substantial changes in State law pertaining to ADUs in the last several years have made it much easier for homeowners to create ADUs throughout Lafayette. According to City records, 95% of building permits for new housing units were ADUs or JADUs in 2021 (21 units) whereas ADUs and JADUS only comprised 18% of all residential building permits (15 units) in 2020. This increase in applications for these smaller units is likely due to the cost and time efficiency of the streamlined permitting processes and reduced construction costs of smaller unit sizes. Applications for ADUs and JADUs remain a high proportion of the proposed new residences in Lafayette with 37 new ADUs permitted in 2022. The City anticipates a sustained interest in this housing type over the coming years, with additional streamlining, pre-approved plans, and reduced fee incentive programs. The City's RHNA strategy assumes that the number of ADU applications and permits will average 27 ADUs per year given the various programs the City has and will undertake to promote ADU production, for a total of 216 ADUs during the planning period.

In 2022, the City received 62 applications for ADUs and approved 37 permits for ADUs. According to data collected by the City, between 2018 and through 2022, the following number of ADU/JADU permits were issued:

Figure 6: ADU Applications and Permitting, 2018-2022



In addition, the City looked at permits issued through August 2023 to determine the current climate for ADU development and found that there continues to be increased interest in ADU development.

Table 14: Accessory Dwelling Unit Permitting Data for Rolling Calendar Year August 2020 – August 2023

Time Period	Issued ADU Permits
Aug 2020 – Aug 2021	18
Aug 2021 – Aug 2022	32
Aug 2022 – Aug 2023	32
<b>Average</b>	<b>27</b>

Based on this information, the inventory projects 27 ADUs per year over the life of the Housing Element, for a total of 216 ADUs. There are several other factors that support this projected ADU development outlined below. Please see Appendix C for additional information.

- Zoning: ADUs and Junior ADUs are permitted in every zoning district within the City.
- Waiver of development fees for ADUs under 750 sq. ft.
- Large lot sizes throughout the City present an opportunity for development on existing properties
- Above average household income that is not reliant on external financing mechanisms
- An aging demographic seeking to downsize their residences

A study conducted by the Association of Bay Area Governments (ABAG) from September 2021 found that ADUs are rented at a variety of rates, including at lower incomes. Although the State has not yet officially approved the conclusions of the study, it has agreed that jurisdictions can allocate ADUs towards a range of income levels. For the purposes of this inventory, ADUs are distributed according to the affordability mix recommended by ABAG for use in the Bay Area: 30% very low-income, 30% low-income, 30% moderate-income, and 10% above moderate-income.

*“We recently submitted and were approved for an ADU to be constructed on our property ... [and] we anticipate my Mother-in-Law will occupy the ADU. She is of advanced age and wishes to spend time close to her immediate family.*

*We have been designing site-specific ADUs in jurisdictions throughout the Bay Area and Monterey Peninsula for approximately 5 years ... [and] it has become easier to navigate the approval process. Our experience with the Lafayette Planning and Building Services Department was excellent. We found the application submittal process straightforward, and approval was granted in reasonable time.*

*We currently have numerous active ADU design projects, more in the early planning phase and anticipate demand will continue to accelerate. The occupancy we plan for our ADU is similar to virtually every ADU we have designed thus far. Grandparents desiring to age-in-place, sons and daughters returning from college to pursue careers and the occasional au pair, represent the vast majority of planned ADU uses we encounter. We have yet to encounter an owner who intends to rent their ADU to the public. None of our clients intend to charge market rate rents; most will be rent free.”*  
William and Melissa Thorn, Thorn Architects

The City distributed a survey to ADU applicants who submitted applications to the City over the past five years to gain a better understanding of the barriers to constructing ADUs. Respondents identified two items that would have been most helpful in the design and construction process as reduced development fees and pre-approved plans. The City aims to promote ADU production by addressing these barriers through development fee

reductions and preparation of pre-approved plans to reduce the overall cost and time required to construct a secondary unit. These actions are included in the Implementation Plan in Appendix G as programs 6.3.c ADU Fee Reductions and 6.3.a Permit-Ready ADUs respectively.

### 10.1.11 Publicly-Owned Sites in the Inventory

The one publicly-owned site in the inventory is located at 949 Moraga Rd, which includes multiple City-owned parcels used for parking. These sites have been on the inventory for two cycles and will comply with rezoning for reused sites. In addition, the Housing Element contains a new program 6.1.6 that commits to facilitate development in the planning period to address compliance with the Surplus Land Act, including outreach with developers and property owners, removing barriers to development, issuing requests for proposals, incentives, fee waivers, priority processing and financial assistance on sites owned by the City. The City will ensure that sites will be available for development during the eight-year planning period and has already received interest in affordable housing development on the site from multiple developers. The Housing Element projects that units on the City owned parcels will be developed at a range of incomes but trending more towards affordable, as will be required in a development agreement with whatever developer is selected for this project.

### 10.1.12 Summary of Inventory

As seen in Table 15 below, the adequate sites analysis demonstrates that there is enough land to meet the City's RHNA. The analysis for affordable housing units for extremely low, very low, and low-income households assumes that land zoned at densities higher than 30 units to the acre can facilitate affordable housing development. Less than 50% of the City's below market rate housing would be developed on lands that are currently occupied with existing uses. In addition, the city is experiencing a high volume of residential and mixed-use development projects looking to revitalize these sites and seeking density bonus and other incentives to achieve higher density residential development.

The inventory of opportunity sites includes a range of sites located Citywide that could be developed with up to 2,114 new housing units, plus a buffer of approximately 690-663 units to ensure ongoing compliance with "no net loss" provisions. Table 1614 provides a high-level summary of the sites listed on the Sites Inventory broken down by income. Figure 6 shows a map of where each site is located within the city and the housing opportunity areas.

The City submitted its initial draft Housing Element to the State on June 30, 2022 and has made several revisions to the inventory in response not only to comments received from HCD but also from members of the public. BART parking lots, which were subject to enhanced transit-oriented development standards under AB 2923, were removed from the inventory given limitations on timing and resources available to promote development on the site during the planning period. The City also removed a publicly-owned parking lot on Golden Gate Way due to concerns regarding development feasibility given environmental constraints on the site. Several other sites were added or modified in the inventory as the City received owner interest in redevelopment or an application for residential development.

Table 15: Sites Inventory Breakdown

Planning Area	Common Name	Very Low-Income	Low-Income	Moderate Income	Above Moderate Income	Total	% of Total
<b>RHNA</b>		<b>599</b>	<b>344</b>	<b>326</b>	<b>845</b>	<b>2,114</b>	-
<b>Pipeline</b>		<b>6</b>	<b>66</b>	<b>20</b>	<b>472</b>	<b>564</b>	<b>27%</b>
<b>ADUs</b>		<b>64</b>	<b>64</b>	<b>64</b>	<b>24</b>	<b>216</b>	<b>10%</b>
<b>Remaining RHNA</b>		<b>529</b>	<b>214</b>	<b>242</b>	<b>349</b>	<b>1,334</b>	<b>63%</b>
-	-	-	-	-	-	-	-
<b>1</b>	<b>West End North</b>	<b>11</b>	<b>6</b>	<b>6</b>	<b>15</b>	<b>38</b>	<b>2%</b>
<b>2</b>	<b>West End South</b>	<b>55</b>	<b>34</b>	<b>28</b>	<b>79</b>	<b>196</b>	<b>10%</b>
<b>3</b>	<b>Downtown Core North</b>	<b>59</b>	<b>37</b>	<b>31</b>	<b>127</b>	<b>254</b>	<b>13%</b>
<b>4</b>	<b>Downtown Core South</b>	<b>12</b>	<b>7</b>	<b>7</b>	<b>17</b>	<b>43</b>	<b>2%</b>
<b>5</b>	<b>East End North</b>	<b>162</b>	<b>93</b>	<b>89</b>	<b>232</b>	<b>576</b>	<b>29%</b>
<b>6</b>	<b>East End South</b>	<b>58</b>	<b>37</b>	<b>33</b>	<b>77</b>	<b>205</b>	<b>10%</b>
<b>9</b>	<b>DeSilva N/S</b>	<b>110</b>	<b>110</b>	<b>74</b>	<b>74</b>	<b>368</b>	<b>18%</b>
<b>13</b>	<b>Dewing/Brook/Rosedale</b>	<b>38</b>	<b>36</b>	<b>21</b>	<b>24</b>	<b>119</b>	<b>6%</b>
<b>Scattered Sites</b>	<b>FBOs</b>	<b>76</b>	<b>76</b>	<b>41</b>	<b>9</b>	<b>202</b>	<b>10%</b>
	<b>TOTAL</b>	<b>581</b>	<b>436</b>	<b>330</b>	<b>654</b>	<b>2,001</b>	-
<b>3523 Golden Gateway*</b>		-	<b>-2</b>	<b>-2</b>	-	<b>-4</b>	-
	<b>Buffer</b>	<b>52</b>	<b>220</b>	<b>86</b>	<b>305</b>	<b>663</b>	-
		<b>10%</b>	<b>103%</b>	<b>36%</b>	<b>87%</b>	<b>50%</b>	-
	<b>Overall LI Buffer</b>		<b>37%</b>				

*\*Units lost as part of a commercial development*

The Sites Inventory was developed to meet all applicable statutory requirements and provide a realistic and achievable roadmap for the city to meet and potentially exceed its RHNA. The Sites Inventory is summarized as follows:

- The housing sites are spread throughout the downtown and throughout the city, with all sites located in the highest resource areas, to meet AFFH requirements.
- The housing projections require some rezoning in the downtown, as well as the rezoning of the DeSilva South parcel on the west end of town and properties owned by Faith Based Organizations.
- The inventory removes sites for potential development from Very High Fire Hazard Severity Zones north of Highway 24.
- The inventory relies on Faith Based Organizations to meet some of the RHNA allocation for lower income households, and provide mobility options within the community.
- It includes conservative production and density assumptions for the identified housing sites.
- The city has a significant number of pipeline projects that are anticipated to be completed by the end of this housing cycle.
  - 150+ housing units are currently under construction; and
  - 570+ housing units are approved and entitled.
- The housing projections do not have any reliance on new units developed under SB 9.

In addition, the City’s General Plan Update process is currently underway, through which various Elements will be updated to be consistent with the Housing Element, including but not necessarily limited to Land Use and Circulation. A full description of the inventory development process, including the methodology and a detailed listing of sites, is included in Appendix C.

**February 12, 2024 HCD Housing Element Review Letter  
Comment Matrix Update 2024-04-18**

<b>Comment Number</b>	<b>Page</b>	<b>HCD Letter #</b>	<b>60-Day Review HCD Comment</b>	<b>Response</b>	<b>Status with HCD</b>
1	1	1	Progress in Meeting the Regional Housing Need Allocation ( <b>RHNA</b> ): Although the element now mentions the status of pending development and that increases in development costs may act as a barrier, it should discuss anticipated completion and describe whether there are any other known barriers to development in the planning period	The revision includes anticipated completion dates of pipeline projects and added narrative about the likelihood of approved projects actually completing. See C-15 et seq.	✓ Adequately addressed
2	2	1	<b>Small Sites:</b> Sites smaller than a half-acre in size are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites are suitable to accommodate housing for lower-income households. While the element included a few examples of developments with lot consolidation (p. C-20) and mentions common ownership on a site-by-site basis, it should still discuss circumstances leading to potential for consolidation (e.g., shared access, parcel situation and necessity for feasibility). This analysis may be conducted on a site-by-site basis. Based on a complete analysis, the City should modify Programs 6.1.e (Lot Consolidation Fee Waiver) or 8.1.a (Lot Consolidation and Redevelopment of Nonvacant Sites) to list and specifically commit to establish incentives by a specified date. These incentives should be significant and include density incentives, not limited to State Density Bonus Law.	Revised program 6.1.e (Multifamily Lot Consolidation Incentives) to include a graduate density bonus for developments that combine parcels to reach various sizes.	✓ Adequately addressed
3	2	1	<b>Suitability of Nonvacant Sites:</b> To demonstrate the potential for redevelopment, the element now utilizes various attributes such as owner interest and improvement to land value. However, the element should further support the validity of utilizing an existing floor area ratio (FAR) of 0.6 for Attribute 3 (Sites Containing Limited Improvements). This analysis should account for the existing versus allowable FAR which may differ from other examples in the region. In addition, the element should evaluate the extent existing uses impede additional development, including addressing past public commenters as noted in the prior planning period. Evaluating the extent existing uses impede additional development could include leases or other conditions precluding additional development, operating businesses, demand for existing uses, including parking and any property conditions that preclude development.	Narrative expanded to include discussion of FAR as a criterion for site selection. See C-7 et seq.	✓ Adequately addressed
4	2	1	In addition, for your information, the element relies on nonvacant sites to accommodate 50 percent or more of the housing needs for lower-income households, which triggers requirements to make findings based on substantial evidence that the existing use is not an impediment and will likely discontinue in the planning period. While the resolution of adoption includes the findings, any changes to the analysis should be reflected in future re-adoption of the element	Staff report for 4-22-24 recommends using a slightly different income distribution for vacant sites to meet 50% threshold	Adequately addressed if income distribution on vacant sites is 30/30/20/20.
5	2	1	<b>Environmental Constraints:</b> The element must relate environmental conditions to identified sites and describe any other known environmental or other constraints that could impact housing development on identified sites in the planning period. In addition, the element should address public comments related to AT&T switch issues as noted in the previous review.	Appendix C's "tear sheets" for each individual site provides more information on potential constraints.	✓ Adequately addressed
6	2-3	1	<b>Electronic Site Inventory:</b> As noted in the prior review, pursuant to Government Code section 65583.3, subdivision (b), the City must utilize standards, forms, and definitions adopted by HCD when preparing the sites inventory and submit an electronic version of the sites inventory. While the City has submitted an electronic version of the sites inventory, if changes occur, any future re- adopted versions of the element must also submit the electronic version of the sites inventory.	Noted	FYI
7	3	1	<b>Zoning for a Variety of Housing Types (Emergency Shelters):</b> The element now discusses acreage and capacity in the C-1 zone but should assess available capacity based on 200 square feet instead of 150 square feet as prescribed in Government Code section 65583, subdivision (a)(4). In addition, the element should discuss the potential for redevelopment or reuse of existing structures and should still clarify emergency shelters are permitted without discretionary action. Based on the outcomes of a complete analysis, Program 7.1.f (Emergency Shelters) should be revised, including amending the definition of emergency shelters to incorporate new statutory requirements.	Narrative has been revised to address this comment (see B-44 et seq.) Program 7.1.f has been modified to explicitly state the City allows shelters by-right without discretionary review.	✓ Adequately addressed
8	3	1	<b>Programs:</b> As noted above, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised, as follows:	See immediately below:	FYI
9	3	1	<i>Program 6.1.g (Publicly Owned Sites): The Program should add discrete timing for assisting with funding and issuing permits and should commit to alternative actions by a specified date if the sites will not be developed in the planning period.</i>	City Council will discuss whether to keep this in the inventory at the 4-22-24 meeting	✓ Adequately addressed if milestones and deadlines are established in the program.
10	3	1	<i>Program 10.3.a (Zoning to Accommodate RHNA): The Program currently commits to establish appropriate development standards for planned residential capacity. However, the Program should clarify that development standards will be established to facilitate maximum allowable densities.</i>	The program has been modified to comply with this requirement. It now states "Development standards will be established on rezoned sites to facilitate maximum allowable densities."	✓ Adequately addressed

11	3	1	<i>AFFH Action 2.3 (Faith-Based Organizations (FBO))</i> : The Program should commit to actions beyond rezoning to facilitate development on FBO sites, including outreach, education, assistance with entitlements and facilitating partnerships with non-profit developers. In addition, given the lack of past experience and degree of reliance on FBO sites, the element should evaluate the effectiveness of this program mid-way through the planning period and commit to alternative actions (e.g., rezoning, identifying additional sites) by a specified date, if necessary.	The program has been modified to comply with this requirement. It now states "The City will conduct outreach, education, assistance with entitlements and facilitate partnerships with nonprofit developers." In addition, it deletes the goals for additional units.	✓ Adequately addressed
12	4	2	<b>Local Processing and Permit Procedures</b> : While the element now discusses permit types and approval bodies and includes Program 10.3.A to establish clear standards, it must still complete an analysis to better formulate an appropriate programmatic response. Specifically, as noted in the prior review, the element must still evaluate approval findings for impacts on approval certainty, as well as the objectivity of any triggers for discretionary review. Based on the outcomes of a complete analysis, the element should add or modify programs, including revising Program 9.1.a (Objective Design Standards) to clarify that complying with objective design standards will be deemed to meet approval findings. Please see HCD's prior review for additional information.	The program has been modified to comply with this requirement. It now states " Complying with Objective Design Standards will be deemed to meet approval findings. The City will review ordinances, guidelines and other documentation to ensure that subjective criteria are not relied on for approval and it is clear to the reader that complying with objective design standards will be deemed to meet approval findings."	✓ Adequately addressed
13	4	2	<b>Programs</b> : As noted above, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, the element should be revised, as follows:	See immediately below:	FYI
14	4	2	<i>Program 6.1.d (Parking Standards)</i> : The Program could specifically commit to codify alternative parking arrangements such as hydraulic lifts and tandem parking spaces	The program has been modified to comply with this requirement.	✓ Adequately addressed
15	4	2	<i>Program 8.2.a (Review of Development Standards)</i> : The Program should specifically commit to revise heights, setbacks and upper story setbacks to facilitate achieving maximum densities.	The program has been modified to comply with this requirement.	✓ Adequately addressed
16	4	3	<i>The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)</i>	See immediately below:	
17	4-5	3	<b>Program 6.1.h (Support Affordable Housing Development)</b> : The Program commits to annually identify potential sites for development to meet special housing needs, but it should also commit to annually identify development opportunities for lower-income households, including extremely low-income households. In addition, the Program should commit to track progress in implementation, including units built, and evaluate the effectiveness of programs in meeting special housing needs mid-way through the planning period, including alternative actions and discrete timing, if necessary.	The program has been modified to comply with this requirement. See recommended revisions that specifically call out extremely low income households.	✓ Adequately addressed
18	5	4	<b>Goals, Priorities, Actions, and Milestones</b> : As noted above in the prior review, the City is entirely the highest resource category in disparities in access opportunity, wholly a concentrated area of affluence and predominantly consists of households with the highest median income, a stark contrast to the rest of the region. As a result, the element should include a significant and robust suite of actions (not limited to the RHNA) to promote housing mobility and increasing housing choices and affordability throughout the City but especially in lower- density neighborhoods. In response, the element has added potentially meaningful actions but outside of strategies to accommodate the RHNA (FBO sites), the element does not target meaningful and significant outcomes in the planning period. The element should add or modify housing mobility actions or increase metrics for added programs (e.g., AFFH Actions 2.1, 2.4, 2.5 and 2.6). In addition, programs should be revised, as follows:	The programs have been modified to comply with this requirement. AFFH Actions 2.1, 2.4, 2.5 and 2.6 and others now have discrete milestones and timelines, and the overall goal for mobility actions total 160 units.	✓ Adequately addressed
19	5	4	<i>Program 2.1 (Pilot for By-Right Approval)</i> : The Program should include geographic targeting (e.g., throughout the City, outside of downtown), a metric or numeric objective and an implementation date earlier in the planning period.	The program has been modified to comply with this requirement. It now includes a goal to create 40 units in low density, high opportunity, high income neighborhoods throughout the City outside of VHFHSZ.	✓ Adequately addressed
20	5	4	<i>Program 2.5 (Allow Conversion of Existing Single-Family)</i> : The Program should also allow conversion of single-family space for new single-family uses and could consider increasing the allowable distance from downtown.	The program has been modified to comply with this requirement. It now allows single-family owners to create up to four units, by either subdividing an existing single-family unit, or a building new unit in its place within the same envelope.	✓ Adequately addressed
21	5	4	<i>Program 2.6 (Increase Maximum Densities in Low Density Zones)</i> : The Program should commit to establish or modify development standards, as appropriate to facilitate maximum densities.	The program has been modified to comply with this requirement. It now states that the City will establish or modify development standards as appropriate to facilitate maximum densities.	✓ Adequately addressed



## APPENDIX A

### BACKGROUND DATA AND HOUSING NEEDS REPORT

Revised April 22, 2024

6th Cycle Housing Element

City of Lafayette

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## 1 INTRODUCTION

The Bay Area continues to see growth in both population and jobs, which means more housing of various types and sizes is needed to ensure that residents across all income levels, ages, and abilities have a place to call home. While the number of people drawn to the region over the past 30 years has steadily increased, housing production has not kept pace with demand, contributing to the housing shortage that communities are experiencing today. In many cities, this has resulted in residents being priced out, increased traffic congestion caused by longer commutes, and fewer people across incomes being able to purchase homes or meet surging rents.

The 2023-2031 Housing Element Update provides a roadmap for how to meet our growth and housing challenges. Required by the state, the Housing Element identifies what the existing housing conditions and community needs are, reiterates goals, and creates a plan for more housing. The Housing Element is an integral part of the General Plan, which guides the policies of Lafayette.

## 2 SUMMARY OF KEY FACTS

- **Population** – Generally, the population of the Bay Area continues to increase because of natural growth and because the strong economy draws new residents to the region. The population of Lafayette increased by 7.1% from 2000 to 2020, which is below the growth rate of the Bay Area.
- **Age** – In 2019, Lafayette’s youth population under the age of 18 was 6,701 and senior population 65 and older was 4,719. These age groups represent 25.5% and 17.9%, respectively, of Lafayette’s population.
- **Race/Ethnicity** – In 2020, 75.2% of Lafayette’s population was White while 0.5% was African American, 11.2% was Asian, and 8.6% was Latinx. People of color in Lafayette comprise a proportion below the overall proportion in the Bay Area as a whole.<sup>1</sup> Lafayette is becoming more diverse over time.
- **Employment** – Lafayette residents most commonly work in the Financial & Professional Services industry. From January 2010 to January 2021, the unemployment rate in Lafayette decreased by 1.9 percentage points. Since 2010, the number of jobs located in the jurisdiction increased by 1,100 (12.5%). Additionally, the jobs-household ratio in Lafayette has increased from 1.02 in 2002 to 1.06 jobs per household in 2018.
- **Number of Homes** – 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. The number of homes in Lafayette increased, 3.9% from

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<sup>1</sup> The Census Bureau’s American Community Survey accounts for ethnic origin separate from racial identity. The numbers reported here use an accounting of both such that the racial categories are shown exclusive of Latinx status, to allow for an accounting of the Latinx population regardless of racial identity. The term Hispanic has historically been used to describe people from numerous Central American, South American, and Caribbean countries. In recent years, the term Latino or Latinx has become preferred. This report generally uses Latinx, but occasionally when discussing US Census data, we use Hispanic or Non-Hispanic, to clearly link to the data source.

2010 to 2020, which is *below* the growth rate for Contra Costa County and *below* the growth rate of the region’s housing stock during this time period.

- **Home Prices** – A diversity of homes at all income levels creates opportunities for all Lafayette residents to live and thrive in the community.
  - **Ownership** The largest proportion of homes had a value in the range of \$1M-\$1.5M in 2019. Home prices increased by 100.9% from 2010 to 2020.
  - **Rental Prices** – The typical contract rent for an apartment in Lafayette was \$2,090 in 2019. Rental prices increased by 52.1% from 2009 to 2019. To rent a typical apartment without cost burden, a household would need to make \$83,920 per year.<sup>2</sup>
- **Housing Type** – It is important to have a variety of housing types to meet the needs of a community today and in the future. In 2020, 76.9% of homes in Lafayette were single family detached, 3.0% were single family attached, 6.8% were small multifamily (2-4 units), and 13.2% were medium or large multifamily (5+ units). Between 2010 and 2020, the number of multi-family units increased more than single-family units. Generally, in Lafayette, the share of the housing stock that is detached single family homes is above that of other jurisdictions in the region.
- **Cost Burden** – The U.S. Department of Housing and Urban Development considers housing to be affordable for a household if the household spends less than 30% of its income on housing costs. 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.” In Lafayette, 13.2% of households spend 30%-50% of their income on housing, while 14.0% of households are severely cost burden and use the majority of their income for housing.
- **Displacement/Gentrification** – According to research from The University of California, Berkeley, no households in Lafayette live in neighborhoods that are susceptible to or experiencing displacement, and none live in areas at risk of or undergoing gentrification. 72.1% of households in Lafayette live in neighborhoods where low-income households are likely excluded due to prohibitive housing costs. There are various ways to address displacement including ensuring new housing at all income levels is built.
- **Neighborhood** – 100.0% of residents in Lafayette live in neighborhoods identified as “Highest Resource” or “High Resource” areas by State-commissioned research, while none live in areas identified by this research as “Low Resource” or “High Segregation and Poverty” areas. These neighborhood designations are based on a range of indicators covering areas such as education, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors.<sup>3</sup>

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<sup>2</sup> Note that contract rents may differ significantly from, and often being lower than, current listing prices.

<sup>3</sup> For more information on the “opportunity area” categories developed by HCD and the California Tax Credit Allocation Committee, see this website: <https://www.treasurer.ca.gov/ctcac/opportunity.asp>. The degree to which different jurisdictions and neighborhoods have access to opportunity will likely need to be analyzed as part of new Housing Element requirements related to affirmatively furthering fair housing. ABAG/MTC will be providing jurisdictions with technical assistance on this topic this summer, following the release of additional guidance from HCD.

- **Special Housing Needs** – Some population groups may have special housing needs that require specific program responses, and these groups may experience barriers to accessing stable housing due to their specific housing circumstances. In Lafayette, 6.6% of residents have a disability of any kind and may require accessible housing. Additionally, 10.7% of Lafayette households are larger households with five or more people, who likely need larger housing units with three bedrooms or more. 6.2% of households are female-headed families, which are often at greater risk of housing insecurity.
- **Senior Housing Needs** -- 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. Although the majority of seniors in Lafayette earn incomes greater than 100% of area median income, there are approximately 855 senior households that earn lower incomes (less than 80% of median). About 19% of all seniors are considered very low income.

Note on Data: Many of the tables in this report are 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, both of which are samples and as such, are subject to sampling variability. This means that data is an estimate, and that other estimates could be possible if another set of respondents had been reached. We use the five-year release to get a larger data pool to minimize this “margin of error” but particularly for the smaller cities, the data will be based on fewer responses, and the information should be interpreted accordingly.

Additionally, there may be instances where there is no data available for a jurisdiction for particular data point, or where a value is 0 and the automatically generated text cannot perform a calculation. In these cases, the automatically generated text is “NODATA.” Staff should reword these sentences before using them in the context of the Housing Element or other documents.

Note on Figures: Any figure that does not specify geography in the figure name represents data for Lafayette.

3.1 REGIONAL HOUSING NEEDS DETERMINATION

The Plan Bay Area 2050<sup>4</sup> Final Blueprint forecasts that the nine-county Bay Area will add 1.4 million new households between 2015 and 2050. For the eight-year time frame covered by the 6<sup>th</sup> Cycle Housing Element Update (2023-2031), the Department of Housing and Community Development (HCD) has identified the region’s housing need as 441,176 units. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to market rate housing.

Every year, the US Department of Housing and Urban Development, in conjunction with the State of California, establish income categories based on the median income in each county. Based on new requirements for the completion of the Housing Element, jurisdictions must now report on the following categories of income:

- Extremely Low Income: 0-30% of Area Median Income, or AMI
- Very Low Income: 30-50% AMI
- Low Income: 50-80% AMI
- Moderate Income: 80-120% AMI
- Above Moderate Income: 120%+ AMI

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<sup>4</sup> Plan Bay Area 2050 is a long-range plan charting the course for the future of the nine-county San Francisco Bay Area. It covers four key issues: the economy, the environment, housing and transportation



The following table illustrates the income categories for Contra Costa County in 2021. The median income for a family of four is \$125,600.

**Table 1: State Income Limits for Contra Costa County, 2021**

Number of Persons in Household:		1	2	3	4	5	6	7	8
<b>Contra Costa County Area Median Income: \$125,600</b>	Extremely Low	\$28,800	\$32,900	\$37,000	\$41,100	\$44,400	\$47,700	\$51,000	\$54,300
	Very Low Income	\$47,950	\$54,800	\$61,650	\$68,500	\$74,000	\$79,500	\$84,950	\$90,450
	Low Income	\$76,750	\$87,700	\$98,650	\$109,600	\$118,400	\$127,150	\$135,950	\$144,700
	Median Income	\$87,900	\$100,500	\$113,050	\$125,600	\$135,650	\$145,700	\$155,750	\$165,800
	Moderate Income	\$105,500	\$120,550	\$135,650	\$150,700	\$162,750	\$174,800	\$186,850	\$198,900

Source: State of California Department of Housing and Community Development, 2021.

<https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml>

The Regional Housing Needs Determination (RHND) is based on population projections produced by the California Department of Finance as well as adjustments that incorporate the region’s existing housing need. The adjustments result from recent legislation requiring HCD to apply additional adjustment factors to the baseline growth projection from California Department of Finance, in order for the regions to get closer to healthy housing markets. To this end, adjustments focus on the region’s vacancy rate, level of overcrowding and the share of cost burdened households, and seek to bring the region more in line with comparable ones.<sup>5</sup> These new laws governing the methodology for how HCD calculates the RHND resulted in a significantly higher number of housing units for which the Bay Area must plan compared to previous RHNA cycles.

### 3.2 REGIONAL HOUSING NEEDS ALLOCATION

A starting point for the Housing Element Update process for every California jurisdiction is the Regional Housing Needs Allocation or RHNA – the share of the RHND assigned to each jurisdiction by the

<sup>5</sup> For more information on HCD’s RHND calculation for the Bay Area, see this letter sent to ABAG from HCD on June 9, 2020: [https://www.hcd.ca.gov/community-development/housing-element/docs/abagrhna-final060920\(r\).pdf](https://www.hcd.ca.gov/community-development/housing-element/docs/abagrhna-final060920(r).pdf)

Association of Bay Area Governments (ABAG). State Housing Element Law requires ABAG to develop a methodology that calculates the number of housing units assigned to each city and county and distributes each jurisdiction’s housing unit allocation among four affordability levels.

For this RHNA cycle, the RHND increased by 135%, from 187,990 to 441,776. For more information on the RHNA process this cycle, see ABAG’s website.<sup>6</sup> Almost all jurisdictions in the Bay Area are likely to receive a larger RHNA this cycle compared to the last cycle, primarily due to changes in state law that led to a considerably higher RHND compared to previous cycles.

In December 2021, the ABAG Executive Board adopted the Final RHNA Plan, which included a RHNA for Lafayette of 2,114 units; an increase of 429% from the previous cycle.

Lafayette’s allocation is broken down by income category as follows:

**Table 2: Regional Housing Needs Allocation**

Income Group	Lafayette Units	Contra Costa County Units	Bay Area Units	Lafayette Percent	Contra Costa County Percent	Bay Area Percent
Estimated Extremely Low Income (<30% of AMI)	303 <sup>7</sup>	6,753	57,908	14.3%	13.8%	13.1%
Very Low Income (<50% of AMI)	296	6,593	56,534	11.2%	13.4%	12.8%
Low Income (50%-80% of AMI)	344	7,685	65,892	16.3%	15.7%	14.9%
Moderate Income (80%-120% of AMI)	326	7,807	72,712	15.4%	15.9%	16.5%
Above Moderate Income (>120% of AMI)	845	20,205	188,130	40.0%	41.2%	42.6%
<b>Total</b>	<b>2,114</b>	<b>49,043</b>	<b>441,176</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

*Source: Association of Bay Area Governments Methodology and tentative numbers were approved by ABAG’s Executive board on January 21, 2021 (Resolution No. 02-2021).*

<sup>6</sup> <https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation>

<sup>7</sup>This number is based on the estimated number of ELI households total in Lafayette, as shown in Section 4.6. It is estimated that 50.6% of very low-income households are extremely low income. Based on this percentage, the estimated RHNA allocation in the ELI category is 303 units.

The City of Lafayette was incorporated in 1968. The City's population has increased steadily since the 1960's, with the greatest increase occurring between 1960 and 1970, largely due to annexations along Reliez Valley Road and in the Springbrook area.

#### 4.1 POPULATION

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. Many cities in the region have experienced significant growth in jobs and population since 1990. Since 2000, Lafayette's population has increased by 7.1%; this rate is below that of the region as a whole, at 14.8%. In Lafayette, roughly 12.4% of the population moved during the past year, a number 1.0 percentage points smaller than the regional rate of 13.4%.

**Table 3: Population Growth Trends**

Geography	1990	1995	2000	2005	2010	2015	2020
Lafayette	23,366	23,539	23,908	24,147	23,893	25,252	25,604
Contra Costa County	803,732	863,335	948,816	1,016,372	1,049,025	1,113,341	1,153,561
Bay Area	6,020,147	6,381,961	6,784,348	7,073,912	7,150,739	7,595,694	7,790,537

*Universe: Total population*

*Source: California Department of Finance, E-5 series*

*For more years of data, please refer to the Data Packet Workbook, Table POPEMP-01.*

In 2020, the population of Lafayette was estimated to be 25,604 (see Table 3). From 1990 to 2000, the population increased by 2.3%, while it decreased by 0.1% during the first decade of the 2000s. In the most recent decade, the population increased by 7.2%. The population of Lafayette makes up 2.2% of Contra Costa County.<sup>8</sup>

<sup>8</sup> To compare the rate of growth across various geographic scales, Figure 1 shows population for the jurisdiction, county, and region indexed to the population in the year 1990. This means that the data points represent the population growth (i.e., percent change) in each of these geographies relative to their populations in 1990.

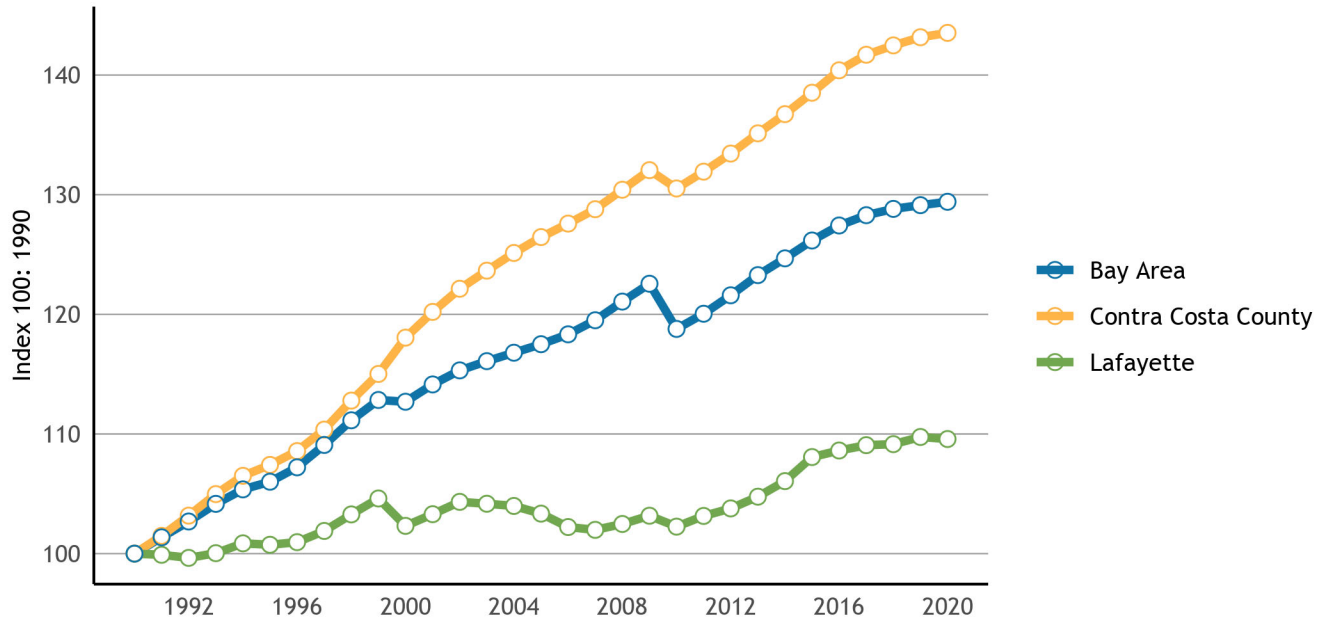


Figure 1: Population Growth Trends

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 relative population growth in each of these geographies relative to their populations in that year.

For some jurisdictions, a break may appear at the end of each decade (1999, 2009) as estimates are compared to census counts. DOF uses the decennial census to benchmark subsequent population estimates.

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-01.

## 4.2 AGE

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 may mean there is a developing need for more senior housing options, while higher numbers of children and young families can point 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.

In Lafayette, the median age in 2000 was 41.2; by 2019, this figure had increased to about 45 years. More specifically, the population of those under 14 has increased since 2010, while the 65-and-over population has also increased (see Figure 2).

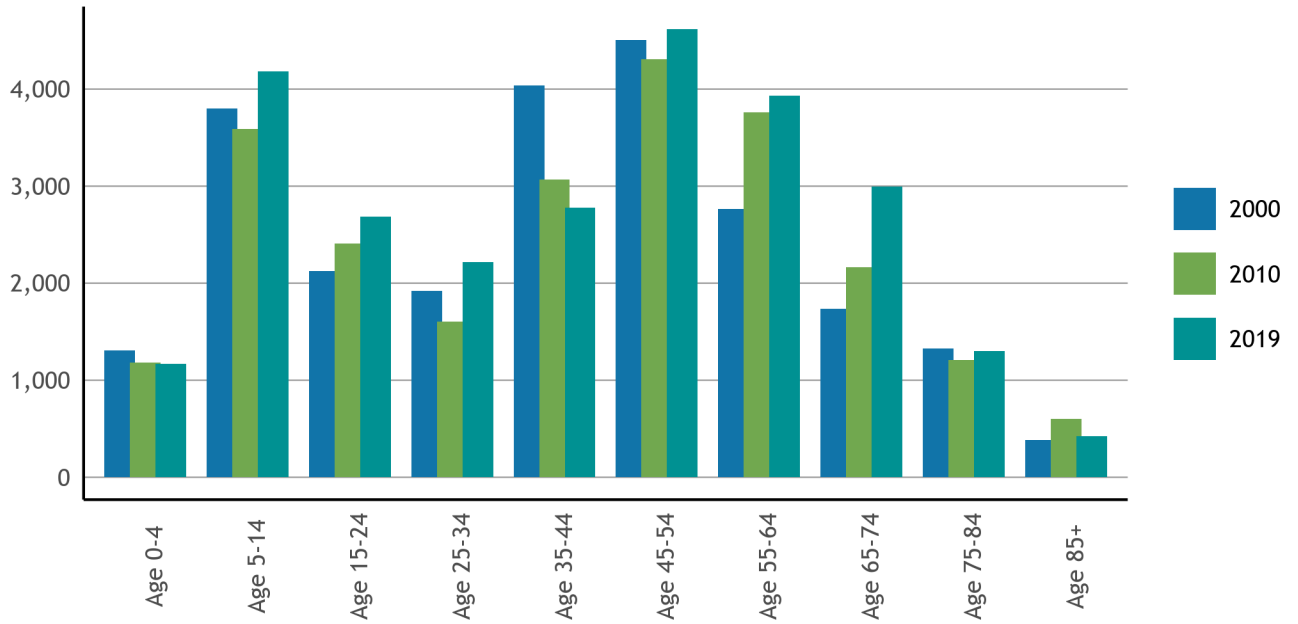


Figure 2: Population by Age, 2000-2019

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-04.

Looking at the senior and youth population by race can add an additional layer of understanding. People of color<sup>9</sup> make up 11.2% of seniors and 23.0% of youth under 18 (see Figure 3).

<sup>9</sup> Here, we count all non-white racial groups

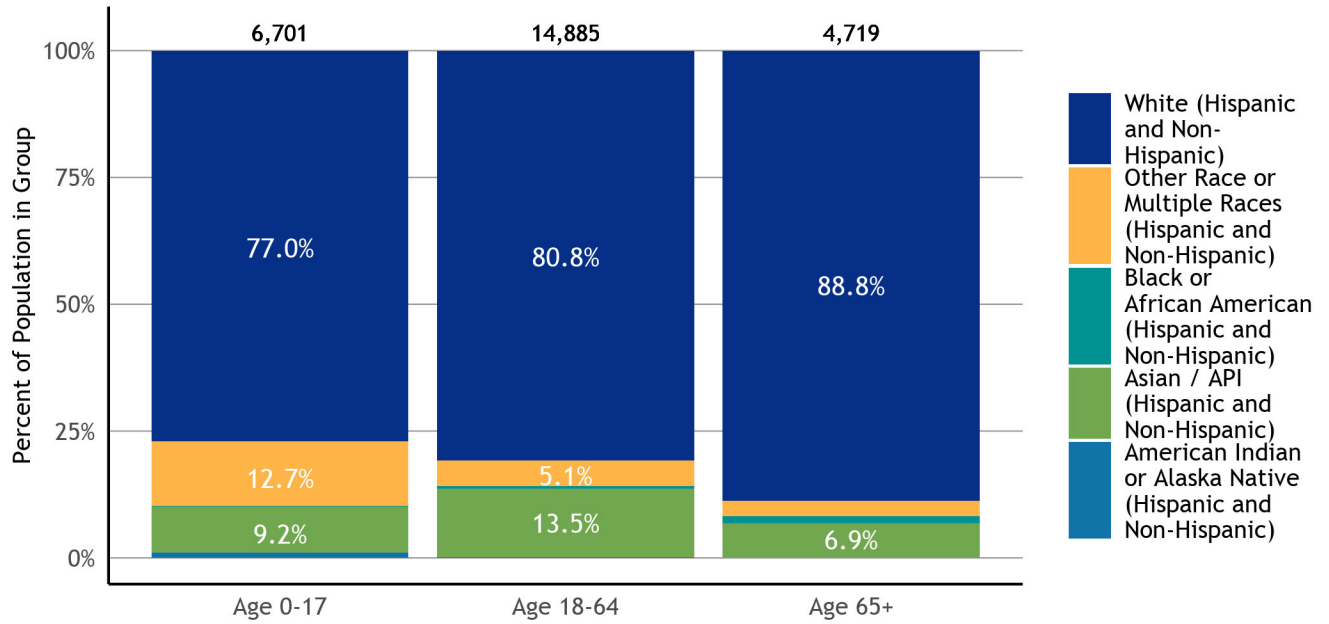


Figure 3: Senior and Youth Population by Race

Universe: Total population

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.

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-02.

### 4.3 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.<sup>10</sup> Since 2000, the percentage of residents in Lafayette identifying as White has decreased – and by the same token the percentage of residents of all *other* races and ethnicities has *increased* – by 11.3 percentage points, with the 2019 population of 19,788. In absolute terms, the *Hispanic or Latinx* population increased the most while the *White, Non-Hispanic* population decreased the most. Figure 4 illustrates that Lafayette is becoming more diverse over time.

<sup>10</sup> 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.

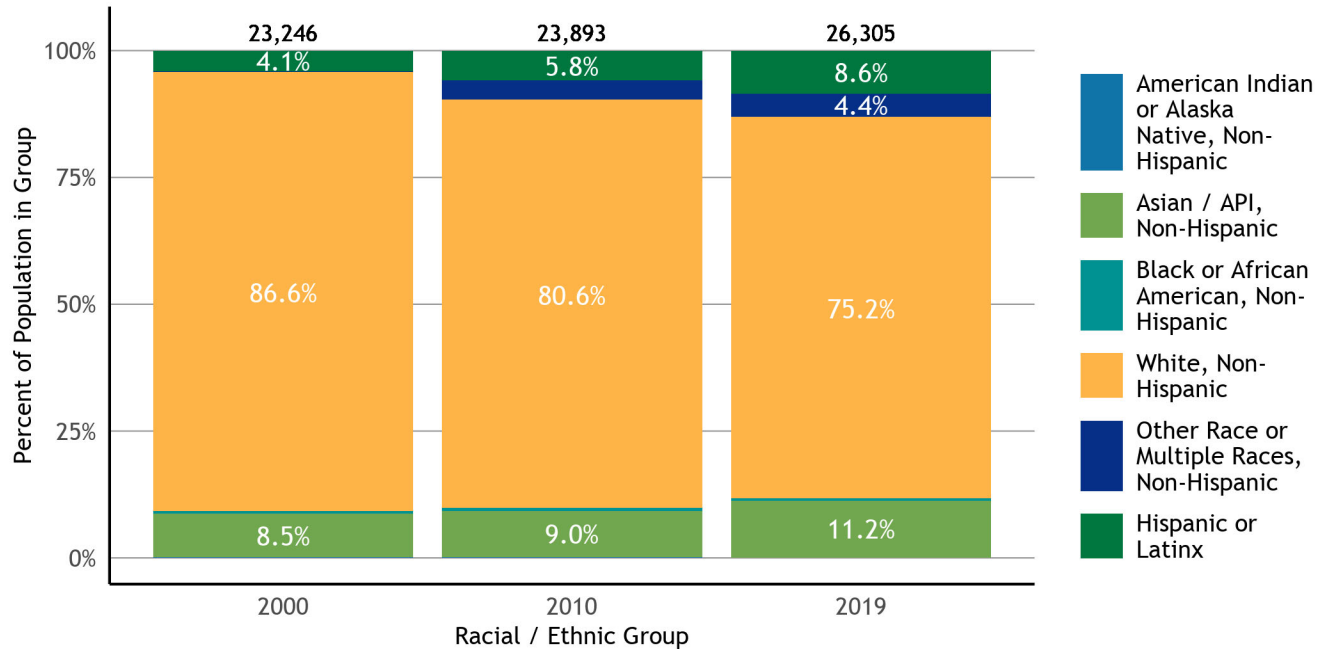


Figure 4: Population by Race, 2000-2019

Universe: Total population

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.

Source: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002 For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-02.

## 4.4 EMPLOYMENT TRENDS

### 4.4.1 BALANCE OF JOBS AND WORKERS

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, but more often 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. Between 2002 and 2018, the number of jobs in Lafayette increased by 6.0% (see Figure 5).

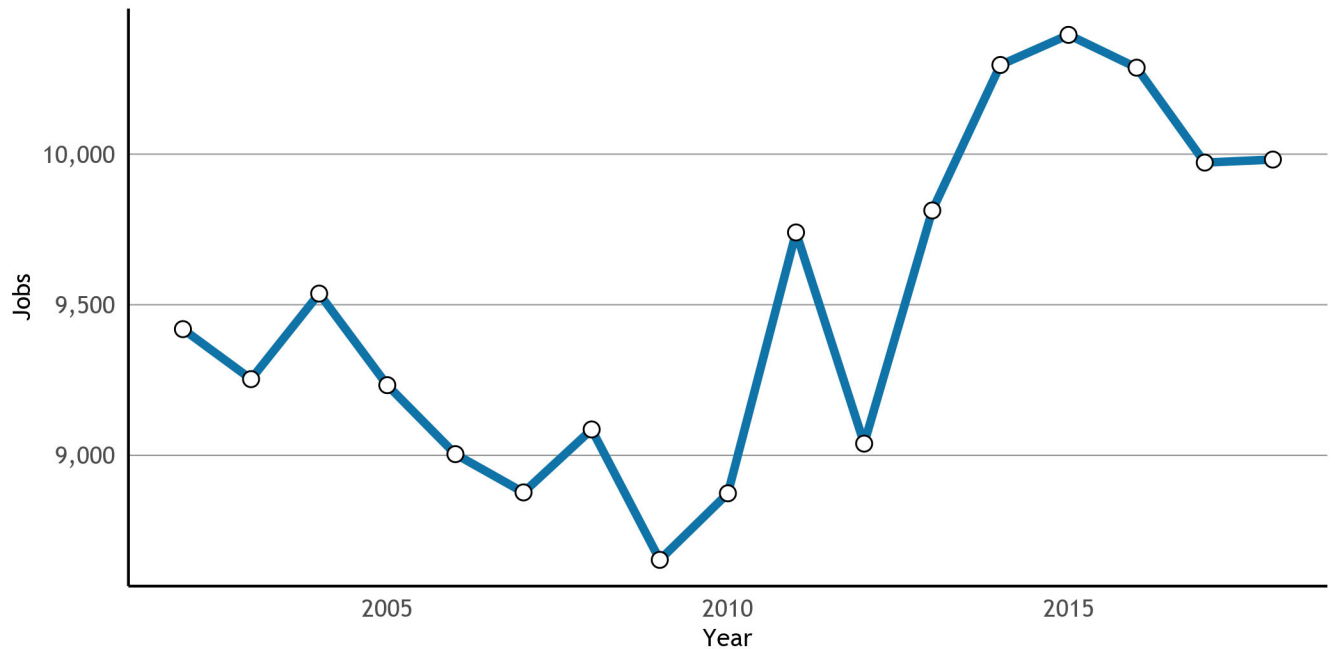


Figure 5: Jobs in a Jurisdiction

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 cross walked to jurisdictions and summarized.

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-11.

The largest-growing sector during this period included Health and Educational Services (62%), followed by Arts, Recreation, and Other Services (47%). Retail and Government also showed gains. In contrast, Agriculture and Natural Resources (-75%), Manufacturing and Wholesale (-75%), an Information (-65%) all saw substantial losses in the same time period. Other losses were experienced in Construction, Financial/Leasing, Professional and Managerial Services, and Transportation and Utilities.

There are 11,884 employed residents, and 10,545 jobs<sup>11</sup> in Lafayette - the ratio of jobs to resident workers is 0.89; Lafayette is a net exporter of workers.

Figure 6 shows the balance when comparing jobs to workers, broken down by different wage groups, offering additional insight into local dynamics. 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. Lafayette has more low-wage jobs than low-wage residents (where low-wage refers to jobs paying less

<sup>11</sup> 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 in Figure 5 as the source for the time series is from administrative data, while the cross-sectional data is from a survey.



than \$25,000). 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).<sup>12</sup>

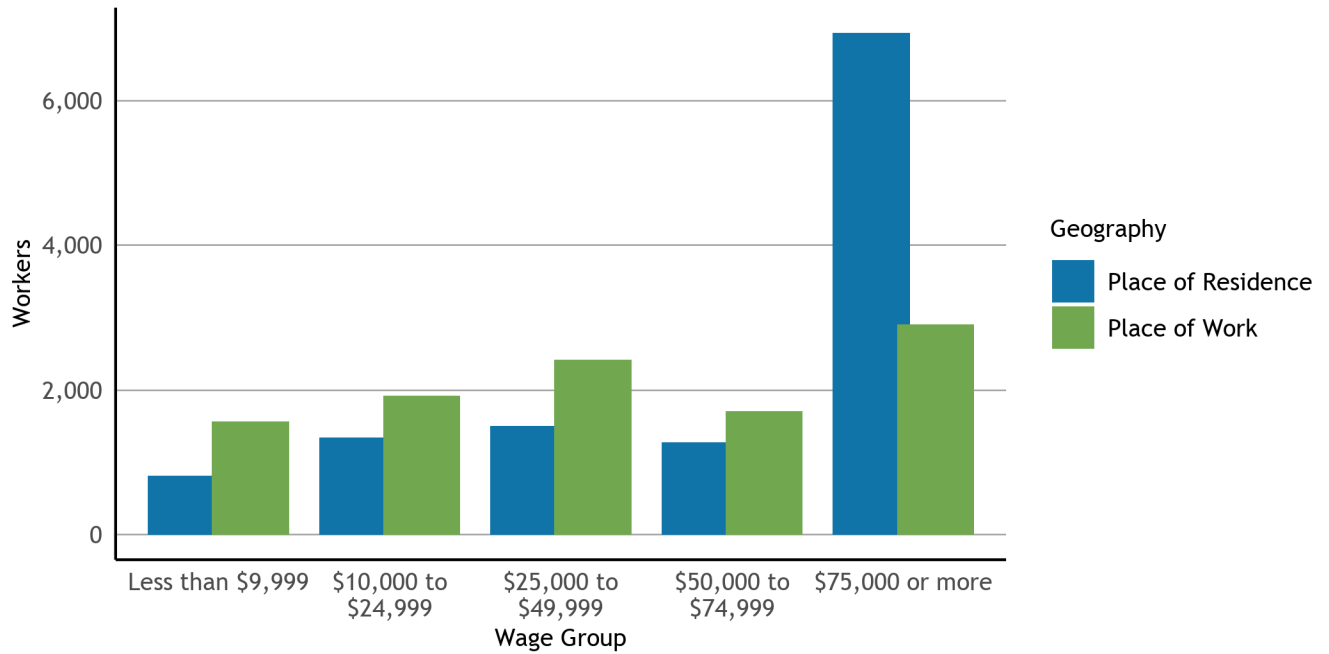


Figure 6: Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence

Universe: Workers 16 years and over with earnings

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.

Figure 7 shows the balance of Lafayette’s resident workers to the jobs located here for different wage groups as a ratio instead - 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. This figure demonstrates that people with lower incomes commute into Lafayette for work.

<sup>12</sup> The source table is top-coded at \$75,000, precluding more fine-grained analysis at the higher end of the wage spectrum.

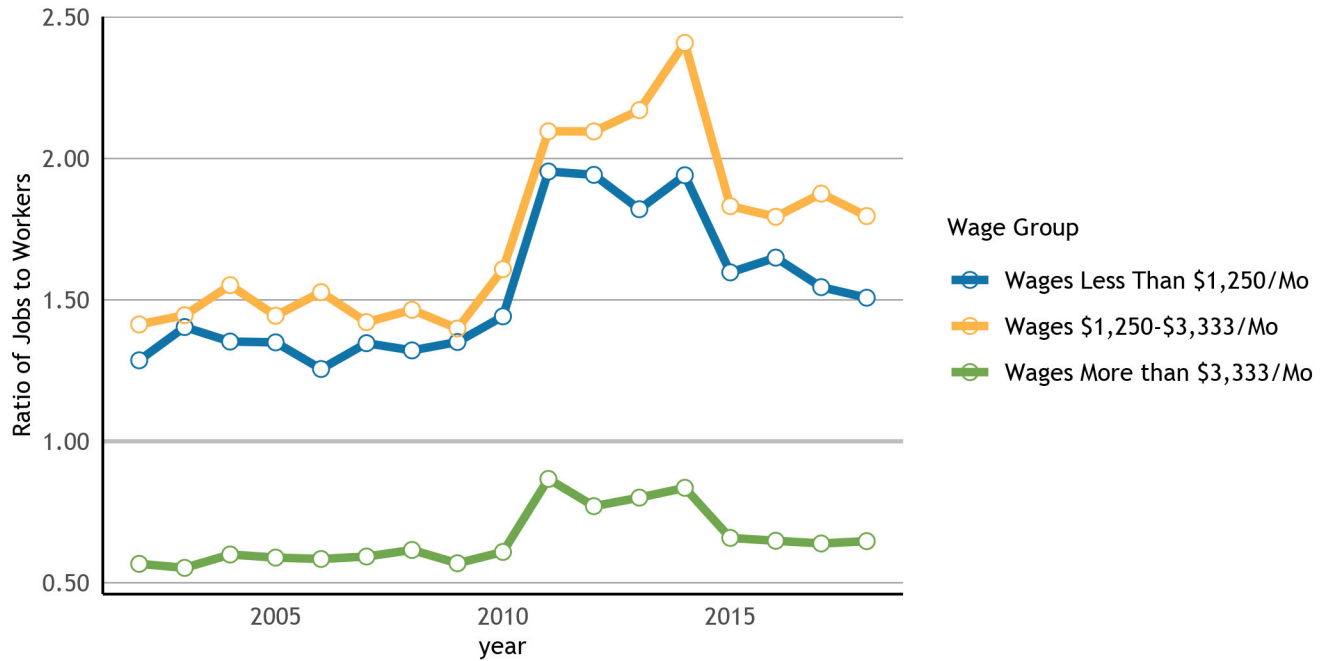


Figure 7: Jobs-Worker Ratios, By Wage Group

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-14.

Such balances 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. Thus, bringing housing into the measure, the *jobs-household ratio* in Lafayette has increased from 1.02 in 2002, to 1.06 jobs per household in 2018 (see Figure 8).

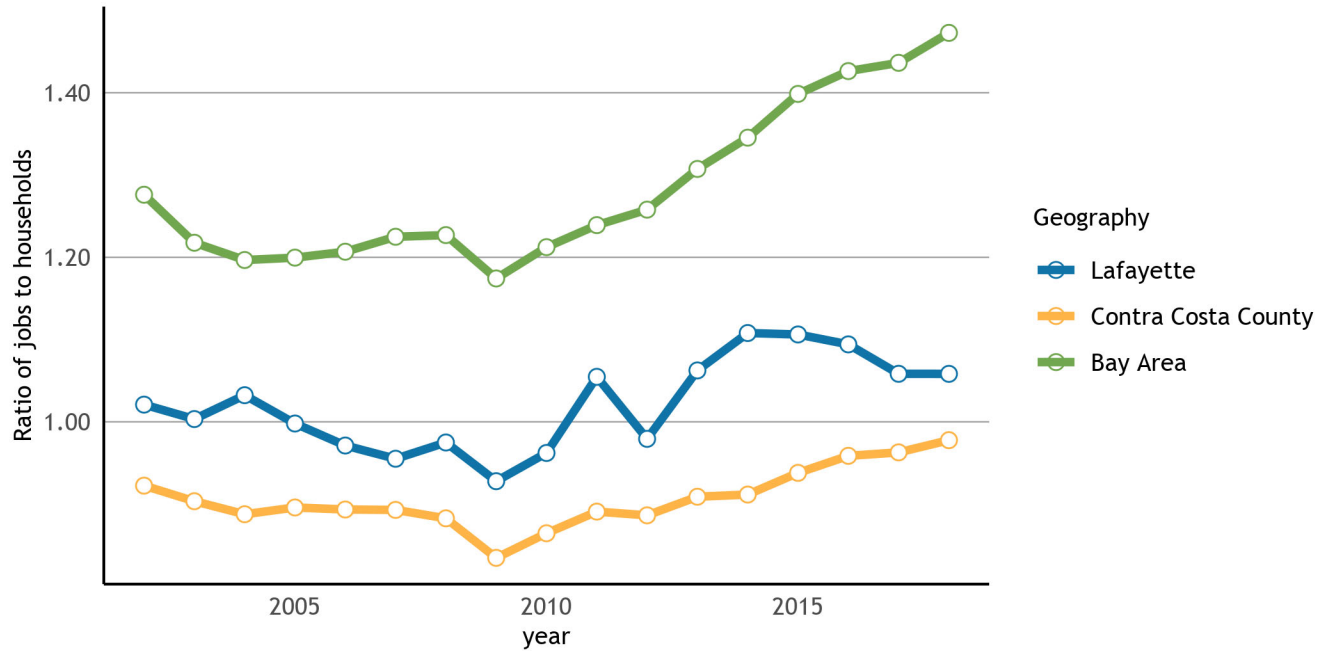


Figure 8: Jobs-Household Ratio

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 cross walked 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)

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-13.

#### 4.4.2 SECTOR COMPOSITION

In terms of sectoral composition, the largest industry in which Lafayette residents work is *Financial & Professional Services*, and the largest sector in which Contra Costa residents work is *Health & Educational Services* (see Figure 9). For the Bay Area as a whole, the *Health & Educational Services* industry employs the most workers.

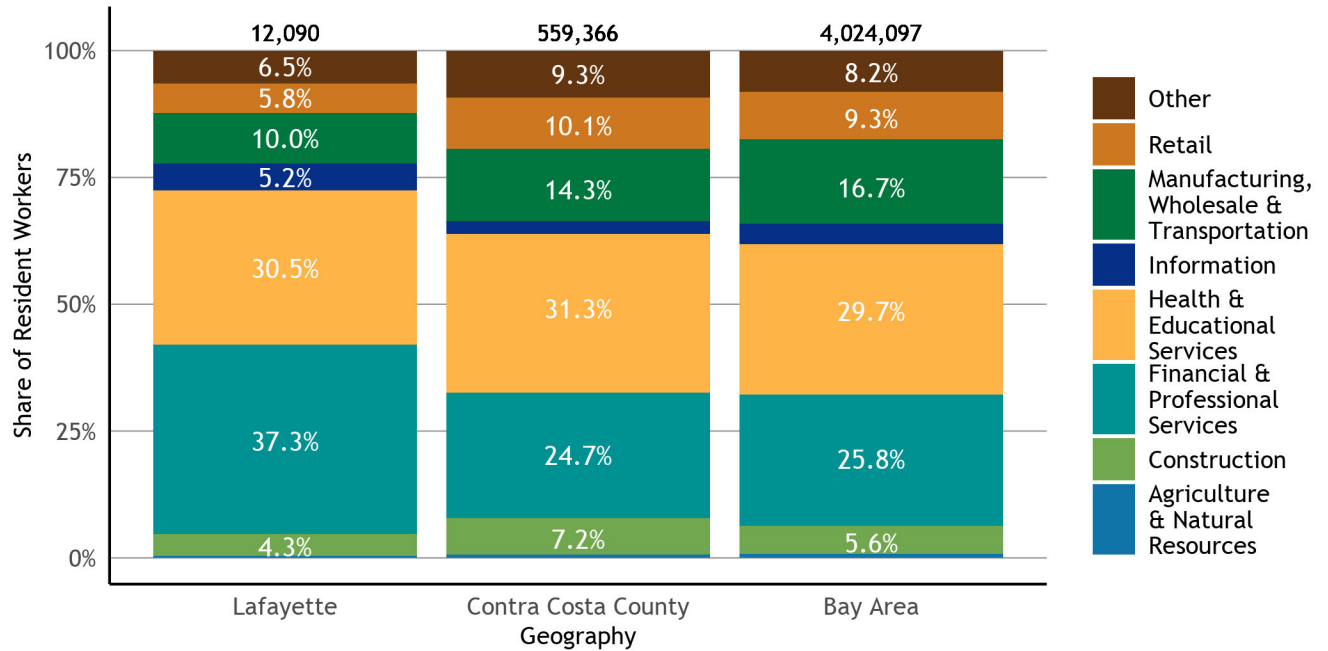


Figure 9: Resident Employment by Industry

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-06.

Looked at a different way, *Management, Business, Science and Arts* occupations comprise about 71% of all residents' employment, which is substantially higher than both Contra Costa County and the Bay Area as a whole.

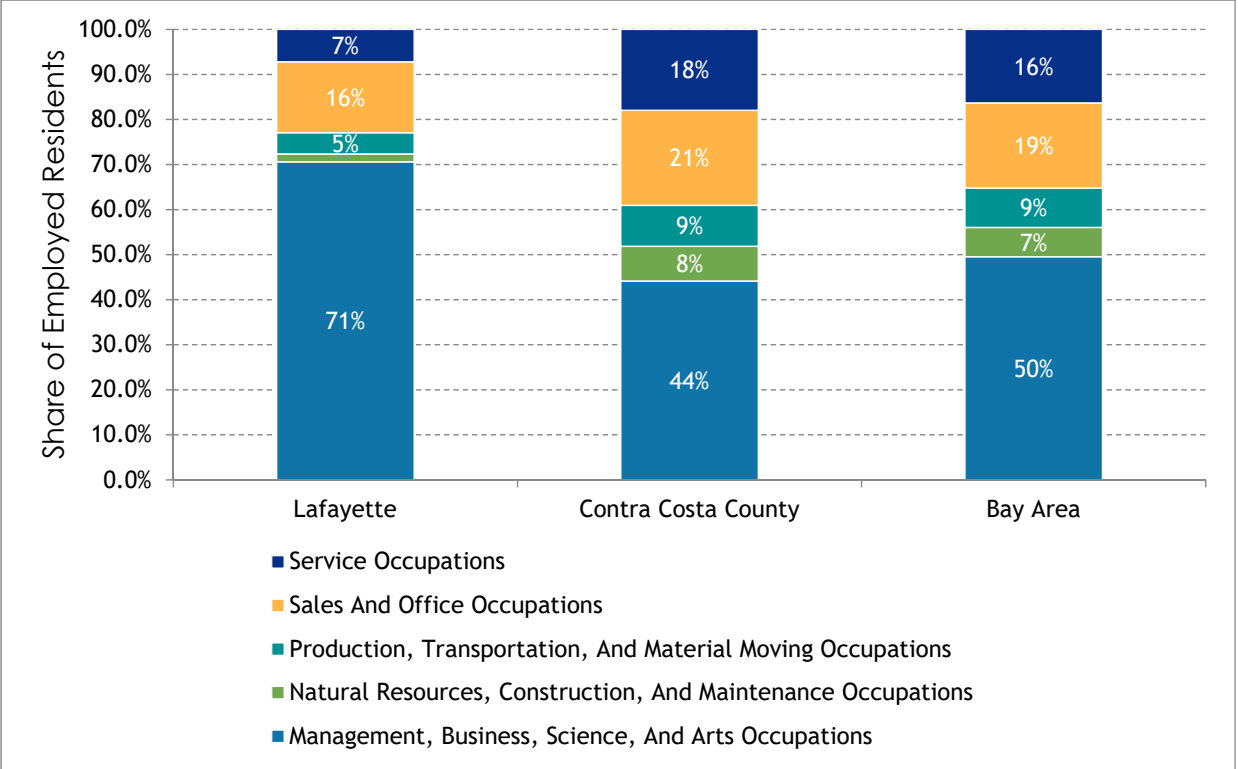


Figure 10: Resident Employment by Occupation

Universe: Civilian employed population age 16 years and over  
 Notes: The data displayed shows the occupations of jurisdiction residents, regardless of the location where those residents are employed (whether within the jurisdiction or not).  
 -Categories are derived from the following source tables: management, business, science, and arts occupations: C24010\_003E, C24010\_039E; service occupations: C24010\_019E, C24010\_055E; sales and office occupations: C24010\_027E, C24010\_063E; natural resources, construction, and maintenance occupations: C24010\_030E, C24010\_066E; production, transportation, and material moving occupations: C24010\_034E, C24010\_070E  
 Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24010

4.4.3 UNEMPLOYMENT

In Lafayette, there was a 1.9 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. As of May, 2021, the State Employment Development Department estimates the City of Lafayette’s unemployment rate at 3.8%. In contrast, the rate for Contra Costa County as a whole is estimated at 6.3%.

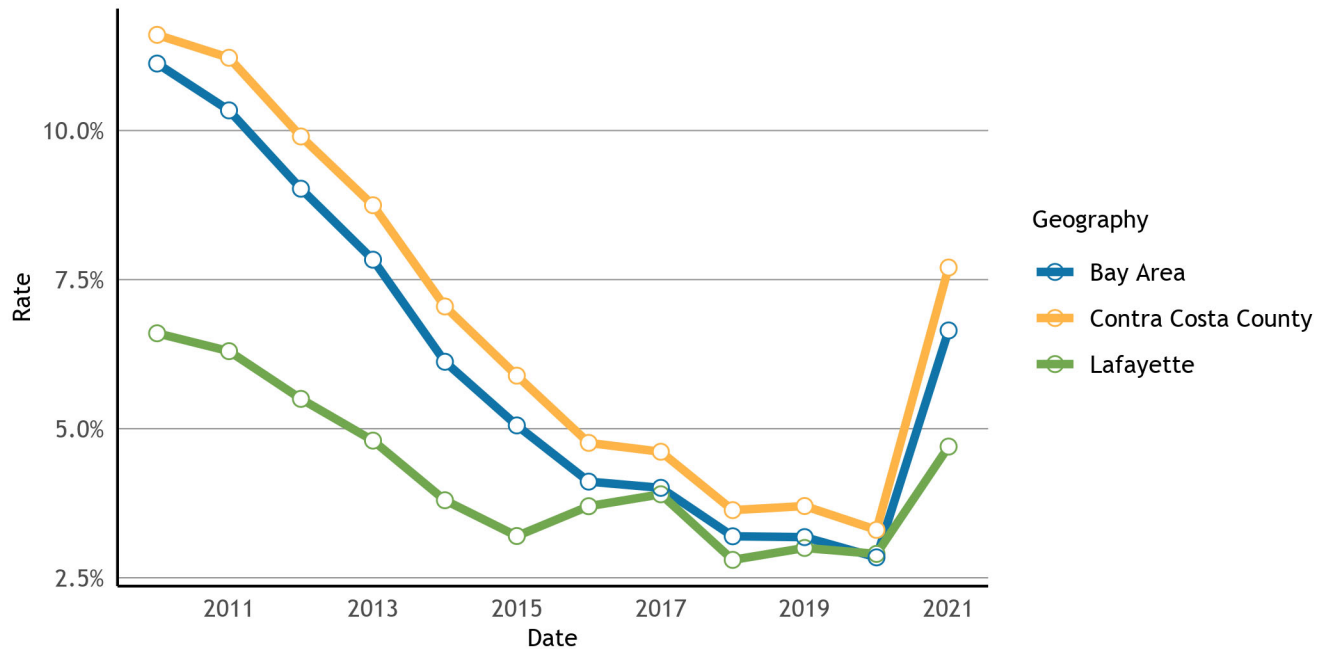


Figure 11: Unemployment Rate

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. 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.

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-15.

#### 4.5 2018-2028 OCCUPATION PROJECTIONS

The State Employment Development Department has published job projections for the period between 2018 and 2028. Although the data include both Alameda and Contra Costa Counties, some assumptions can be made about the impact of the number of jobs and the corresponding wages in the region. All of the occupations with the most job openings will earn the employee less than about \$45,000 annually. Based on 2021 State income limits, such individuals are considered very low-income.

Table 4: Occupations with the Most Job Openings, 2018-2028

Occupational Title	Total Job Openings	Median Hourly Wage	Median Annual Wage
Cashiers	52,180	\$14.90	\$31,000
Retail Salespersons	40,180	\$15.28	\$31,781
Laborers and Freight, Stock and Material Movers (by hand)	38,020	\$18.43	\$38,324
Wait Staff	37,950	\$14.52	\$30,213
Office Clerks, General	28,700	\$20.93	\$43,533
Janitors and Cleaners, Except Maids and Housekeeping Cleaners	20,490	\$19.29	\$40,137
Cooks, Restaurant	20,320	\$16.02	\$33,319

Notes: Total job openings are the sum of numeric change, exits, and transfers projected between 2018 and 2028. Wages are from the 2020 first quarter and do not include self-employed or unpaid family workers. If an estimate could not be provided for wages, they are excluded from this table.

Excludes "All Other" categories. These are residual codes that do not represent a detailed occupation. Sources: U.S. Bureau of Labor Statistics' Current Employment Statistics (CES) March 2019 benchmark and Quarterly Census of Employment and Wages (QCEW) industry employment. <https://www.labormarketinfo.edd.ca.gov/data/employment-projections.html>

#### 4.6 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 state<sup>13</sup>.

In Lafayette, 72.5% of households make more than 100% of the Area Median Income (AMI)<sup>14</sup>, compared to 7.0% making less than 30% of AMI, which is considered extremely low-income (see Figure 12).

Regionally, more than half of all households make more than 100% AMI, while 15% make less than 30% AMI. In Contra Costa 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, full-time students, teachers, farmworkers and healthcare professionals – can fall into lower AMI categories due to relatively stagnant wages in many industries.

<sup>13</sup> Bohn, S. et al. 2020. Income Inequality and Economic Opportunity in California. *Public Policy Institute of California*.

<sup>14</sup> 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. 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.

State law requires jurisdictions to estimate the number of extremely low-income households – those earning less than 30% of median income. According to the data shown below (Figure 12), 1,315 of Lafayette’s households are 0-50% AMI while 665 are extremely low-income. Therefore, extremely low-income households represent 50.6% of households who are 0-50% AMI, as 665 divided by 1,315 is 50.6%. This option aligns with HCD’s guidance to use U.S. Census data to calculate the percentage of very low-income RHNA that qualifies for extremely low-income households, as the information in Figure 12 represents a tabulation of Census Bureau Data.

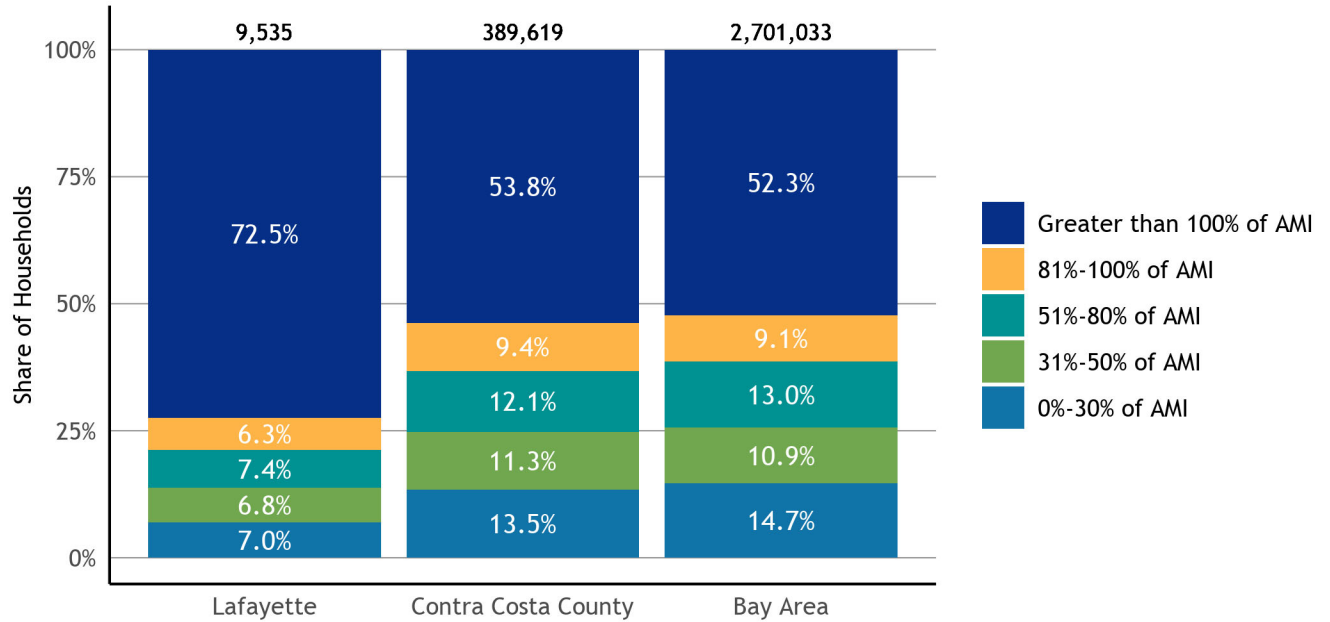


Figure 12: Households by Household Income Level

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, 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. Local jurisdictions are required to provide an estimate for their projected extremely low-income households (0-30% AMI) in their Housing Elements. HCD’s official Housing Element guidance notes that jurisdictions can use their RHNA for very low-income households (those making 0-50% AMI) to calculate their projected extremely low-income households. As Bay Area jurisdictions have not yet received their final RHNA numbers, this document does not contain the required data point of projected extremely low-income households. The report portion of the housing data needs packet contains more specific guidance for how local staff can calculate an estimate for projected extremely low-income households once jurisdictions receive their 6th cycle RHNA numbers.

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-01.

Extremely low-income households are more likely to experience housing problems and cost burden. There are approximately 230 ELI owner-households, representing 3.3% of owners throughout the City, and 435 ELI renter-households, representing 17.0% of renters. A larger proportion of ELI owner-



households experience cost burden greater than 30% compared to ELI renter-households, 79.0% and 57.8%, respectively. However, as a group, renters in the extremely low-income category are disproportionately represented in cost burden – ELI renters represent 27.6% of all renter households with a cost burden, while ELI owners represent 14.3% of all owners with a cost burden. Similarly, 56.3% of renter households with a severe cost burden earn extremely low incomes, while that figure is just 25.5% for owner households.

Overall, 7.2% of households in Lafayette are ELI households. In comparison, 12.3% of households countywide are in the extremely low-income category. While White households make up the bulk of the households earning extremely low incomes, many households of color also earn extremely low incomes. For example, Asian/Pacific Islander households make up 6.0% of extremely low-income households in Lafayette, while Hispanic/Latinx make up 10.5%. Racial/ethnic, income, and housing problem demographics are further described in Appendix D, Affirmatively Furthering Fair Housing, of this Housing Element.

### Resources for ELI Households

The City offers services to the community that benefit all economic segments of the community, including extremely low-income households such as activities for youth, seniors, and other residents of the community. These include but are not limited to after school programs for youth, sports clubs and recreational activities; computer classes; musical enrichment activities; senior counseling and advocacy.

In addition, the following housing developments in Lafayette contain affordable units:

- 210 Lafayette Circle
- 950 Hough Avenue
- 3458 Mt. Diablo Boulevard
- Lafayette Lane
- The Brant
- Madison Park
- The Mill at Brown
- West End
- Woodbury
- Woodbury Highlands

The Housing Choice Voucher Program, managed by the County, also serves very low and extremely low-income families, senior households, and persons with disabilities. The City aims to provide additional resources for ELI households through programs outlined in this Housing Element Implementation Plan, Appendix G. This includes additional fair housing actions from the AFFH. While there are resources available for ELI households in Contra Costa County, they remain a vulnerable group throughout the region, including in Lafayette.

Understanding households by income and race/ethnicity can shed light on the challenges faced by people of color in terms of access to housing that is affordable. The following table illustrates the disparities between households that are White versus households in other racial/ethnic categories.

Although 7% of households are extremely low-income Citywide, 14% of Hispanic/Latinx households are in this income category.<sup>15</sup>

Table 5: Household Distribution by Race/Ethnicity and Income

Racial / Ethnic Group	0%-30% of AMI	31%-50% of AMI	51%-80% of AMI	81%-100% of AMI	Greater than 100% of AMI
American Indian or Alaska Native, Non-Hispanic	100%	0%	0%	0%	0%
Asian / API, Non-Hispanic	5%	0%	9%	5%	80%
Black or African American, Non-Hispanic	0%	36%	0%	0%	64%
White, Non-Hispanic	7%	7%	7%	7%	72%
Other Race or Multiple Races, Non-Hispanic	0%	0%	3%	7%	90%
Hispanic or Latinx	14%	14%	9%	5%	58%
<b>TOTAL</b>	<b>7%</b>	<b>7%</b>	<b>7%</b>	<b>6%</b>	<b>73%</b>

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, 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.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release. For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-02.

Throughout the region, there are disparities between the incomes of homeowners and renters. In Lafayette, the largest proportion of both renters and owners fall in the *Greater than 100% of AMI* income group (see Figure 13). However, there are significant numbers of households in the lower income categories as well.

<sup>15</sup>These figures are somewhat skewed because White households make up the vast majority of households in the City but are illustrative of differences.

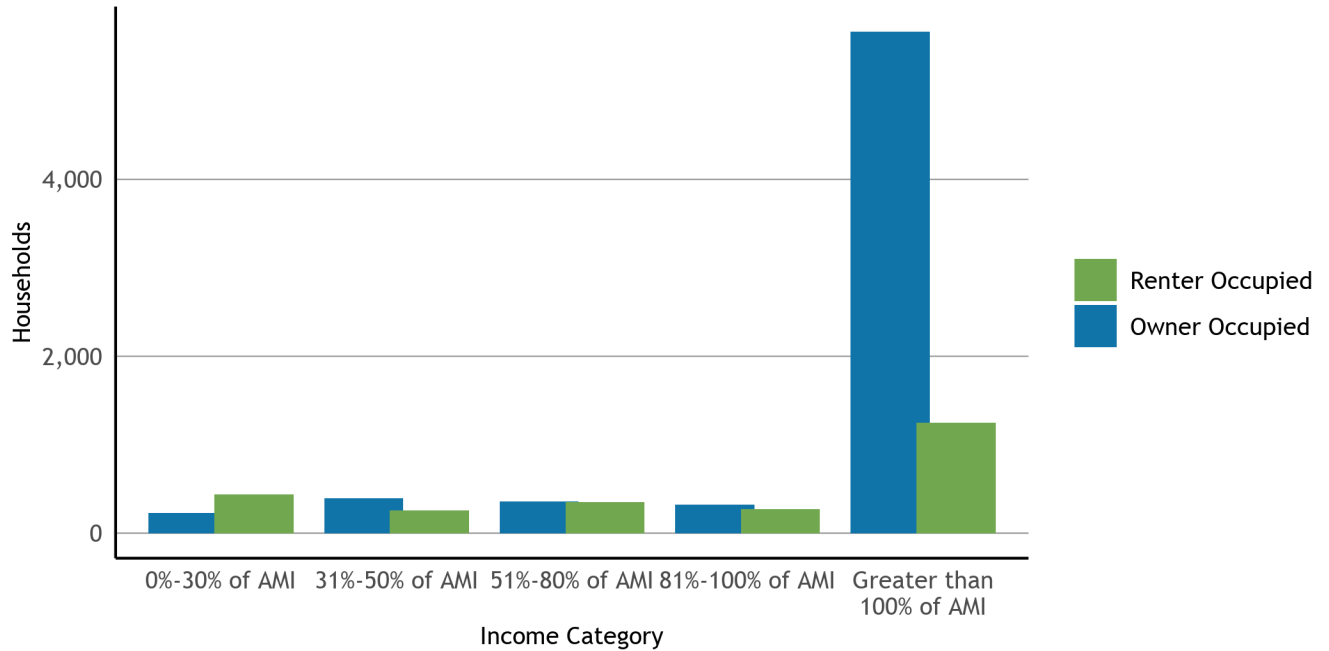


Figure 13: Household Income Level by Tenure

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, 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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-21.

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.<sup>16</sup> These economic disparities also leave communities of color at higher risk for housing insecurity, displacement or homelessness. In Lafayette, American Indian or Alaska Native (Hispanic and Non-Hispanic) residents experience the highest rates of poverty, followed by Black or African American (Hispanic and Non-Hispanic) residents (see Figure 14).

<sup>16</sup> Moore, E., Montojo, N. and Mauri, N., 2019. Roots, Race & Place: A History of Racially Exclusionary Housing the San Francisco Bay Area. *Hass Institute*.

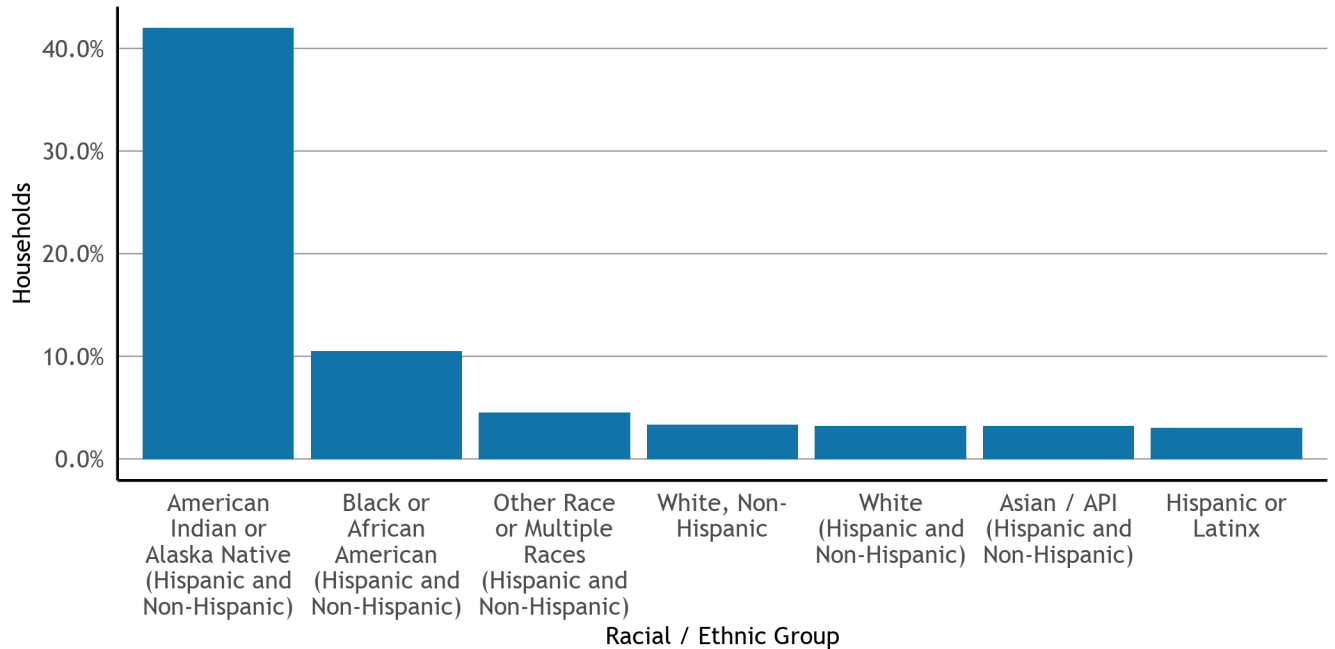


Figure 14: Poverty Status by Race

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)

For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-03.

## 4.7 TENURE

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 Lafayette there are a total of 9,426 housing units, and fewer residents rent than own their homes: 28.6% versus 71.4% (see Figure 15). By comparison, 34.1% of households in Contra Costa County are renters, while 44% of Bay Area households rent their homes.

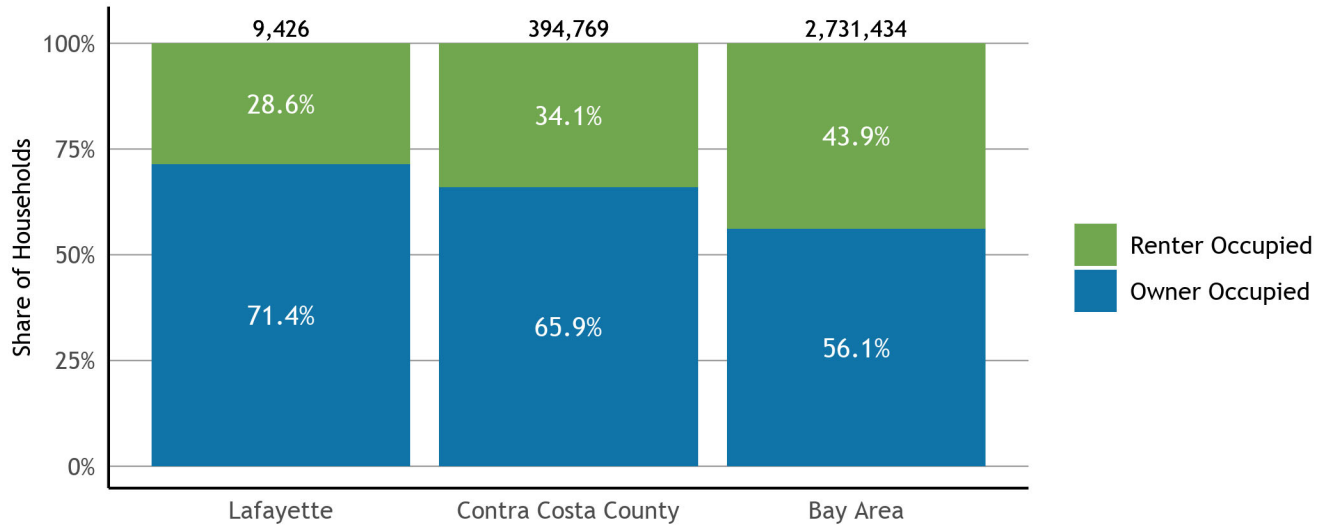


Figure 15: Housing Tenure

Universe: Occupied housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-16.

Housing tenure has subtly shifted since 2000. While Lafayette’s housing remains predominately owner-occupied, the number of renter-occupied units has increased by more than 500.

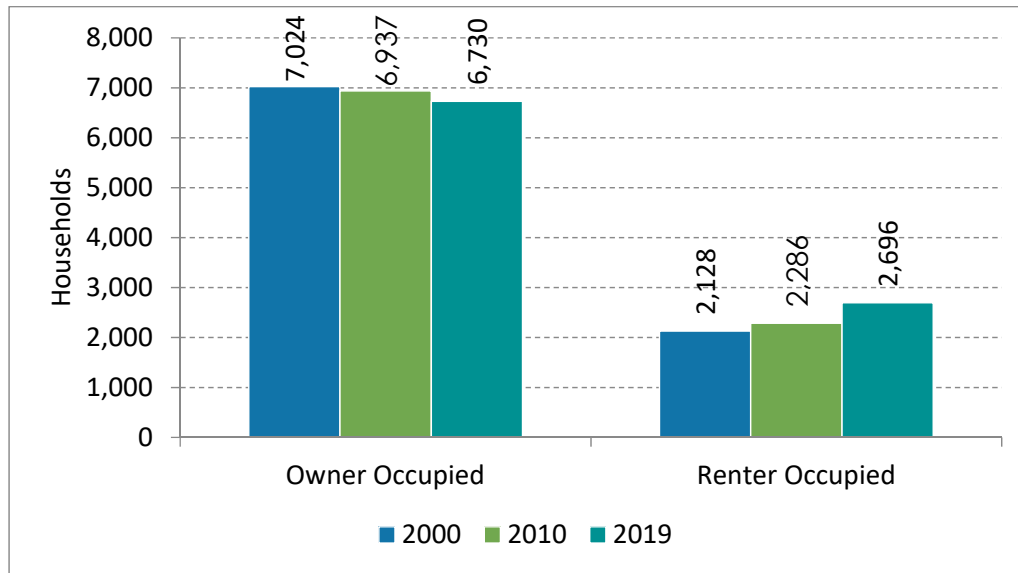


Figure 16: Housing Tenure, 2000, 2010, and 2019

Universe: Occupied housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-17.

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 homebuying 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.<sup>17</sup> In Lafayette, 16.4% of Black households owned their homes, while homeownership rates were 62.3% for Asian households, 33.7% for Latinx households, and 75.5% for White households. Notably, recent changes to state law require local jurisdictions to examine these dynamics and other fair housing issues when updating their Housing Elements.

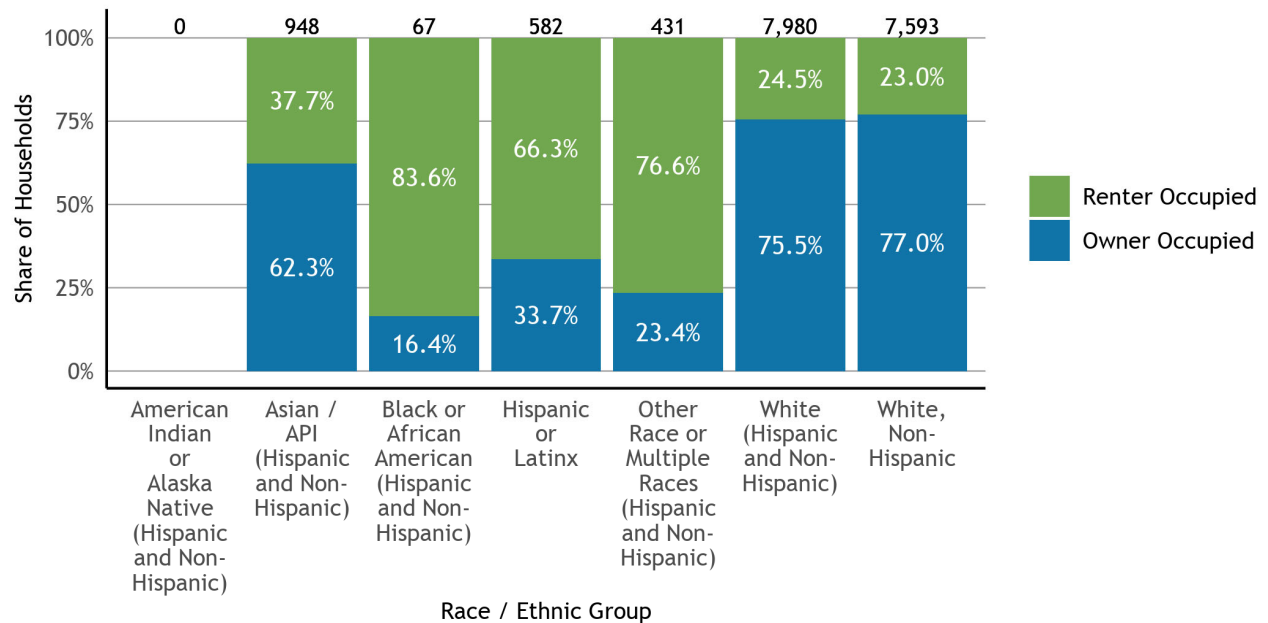


Figure 17: Housing Tenure by Race of Householder

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)

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-20.

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 and may 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

<sup>17</sup> 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.

options in an expensive housing market. In Lafayette, just 20% of households between 15 and 34 own their own home. In contrast, 90% of households between the ages of 65 and 74 are homeowners.

In Lafayette, 57.5% of householders between the ages of 25 and 44 are renters, while 12.8% of householders over 65 are renters (see Figure 18).

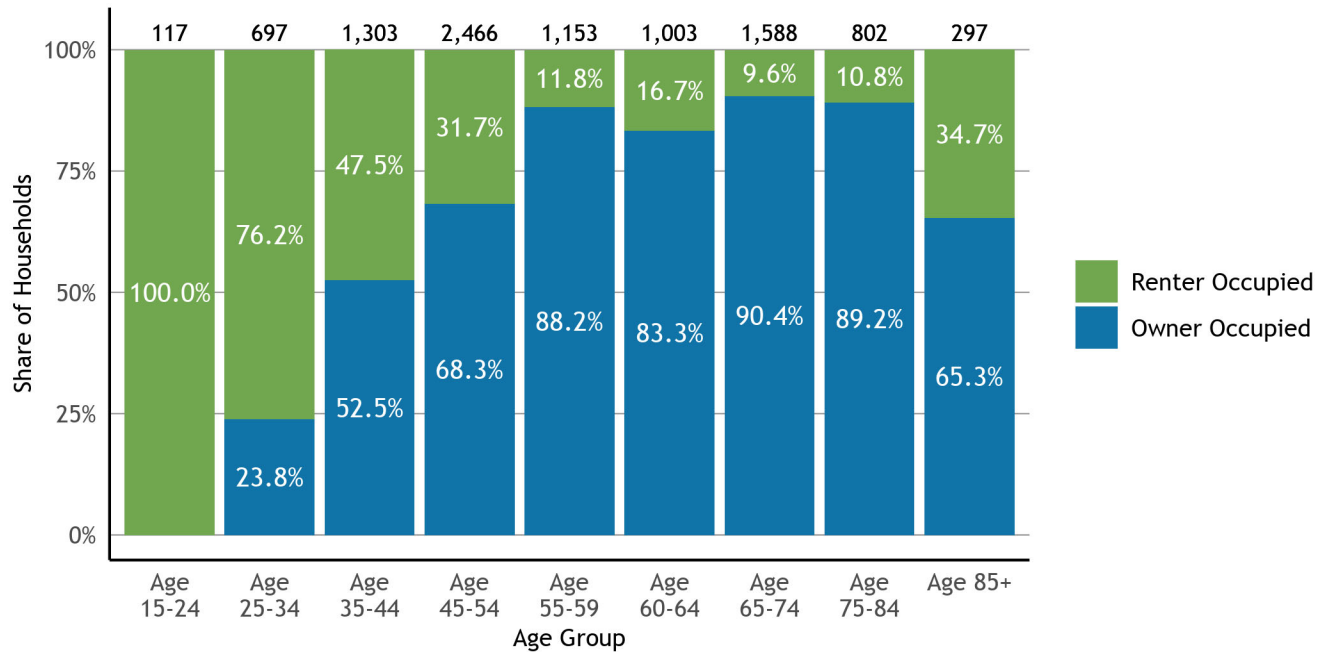


Figure 18: Housing Tenure by Age

Universe: Occupied housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-18.

Tenure information based on the year in which a household moved to further illustrates the differences between long-term residents, who tend to trend older, with newer residents. The following chart shows that 99% of households that moved in in 1989 or earlier are owner occupied, whereas only 30% of households that moved in in 2017 or later are owner occupied.

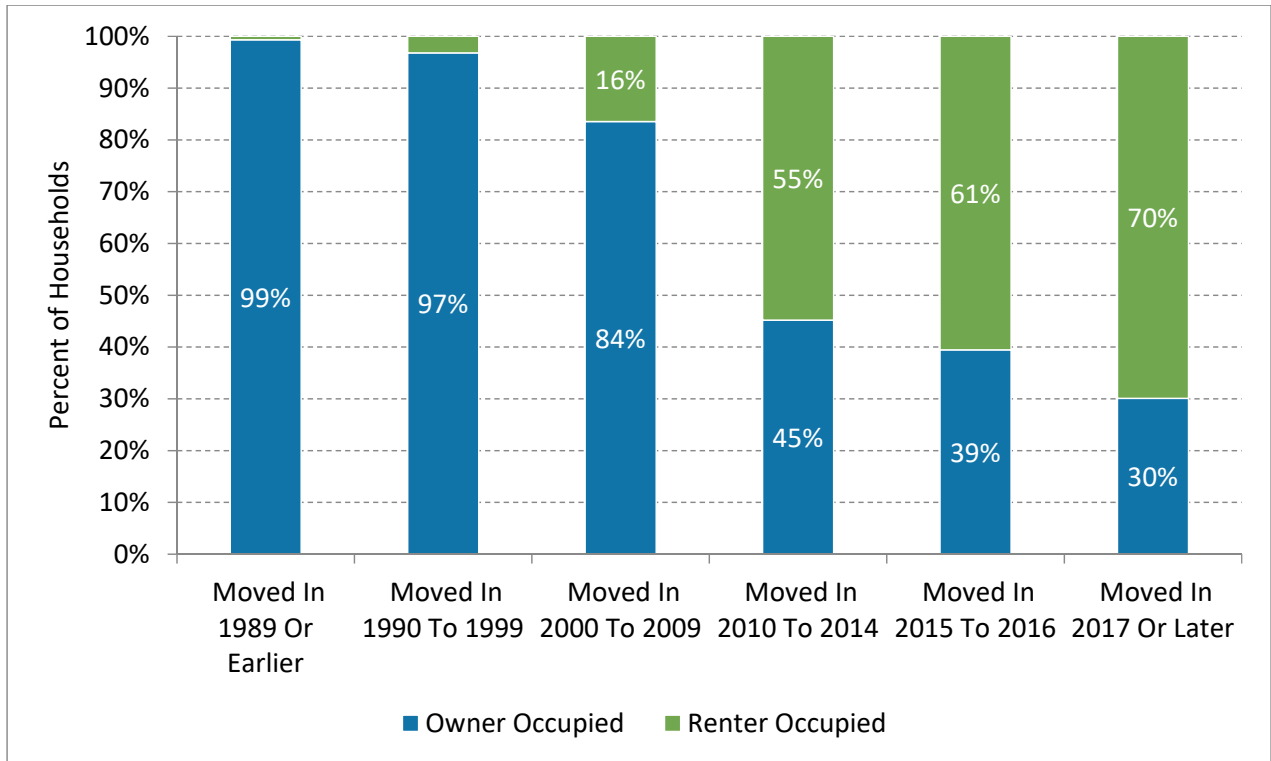


Figure 19: Housing Tenure by Year Moved to Current Residence

Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25038

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-19.

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. In Lafayette, 89.6% of households in detached single-family homes are homeowners, while 5.7% of households in multi-family housing are homeowners (see Figure 20).



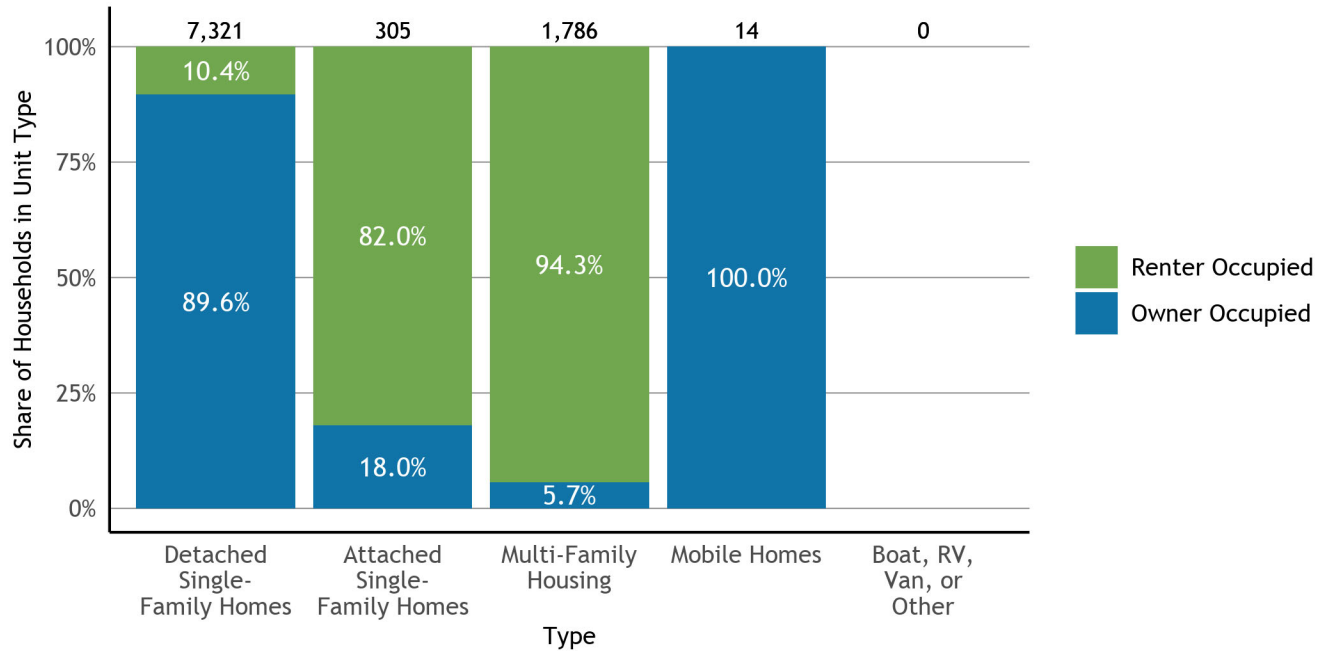


Figure 20: Housing Tenure by Housing Type

Universe: Occupied housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-22.

#### 4.8 DISPLACEMENT

Because of increasing housing prices, displacement is a major concern in the Bay Area. Displacement has the most severe impacts on low- and moderate-income residents. When individuals or families are forced to leave their homes and communities, they also lose their support network.

The University of California, Berkeley has mapped all neighborhoods in the Bay area, identifying their risk for gentrification. They find that in Lafayette, no households live in neighborhoods that are susceptible to or experiencing displacement and none live in neighborhoods at risk of or undergoing gentrification.

Equally important, some neighborhoods in the Bay Area do not have housing appropriate for a broad section of the workforce. UC Berkeley estimates that 72.1% of households in Lafayette live in neighborhoods where low-income households are likely to be excluded due to prohibitive housing costs.<sup>18</sup>

<sup>18</sup> More information about this gentrification and displacement data is available at the Urban Displacement Project’s webpage: <https://www.urbandisplacement.org/>. Specifically, one can learn more about the different gentrification/displacement typologies shown in Figure 21 at this link: [https://www.urbandisplacement.org/sites/default/files/typology\\_sheet\\_2018\\_0.png](https://www.urbandisplacement.org/sites/default/files/typology_sheet_2018_0.png). Additionally, one can view maps that show which typologies correspond to which parts of a jurisdiction here: <https://www.urbandisplacement.org/san-francisco/sf-bay-area-gentrification-and-displacement>

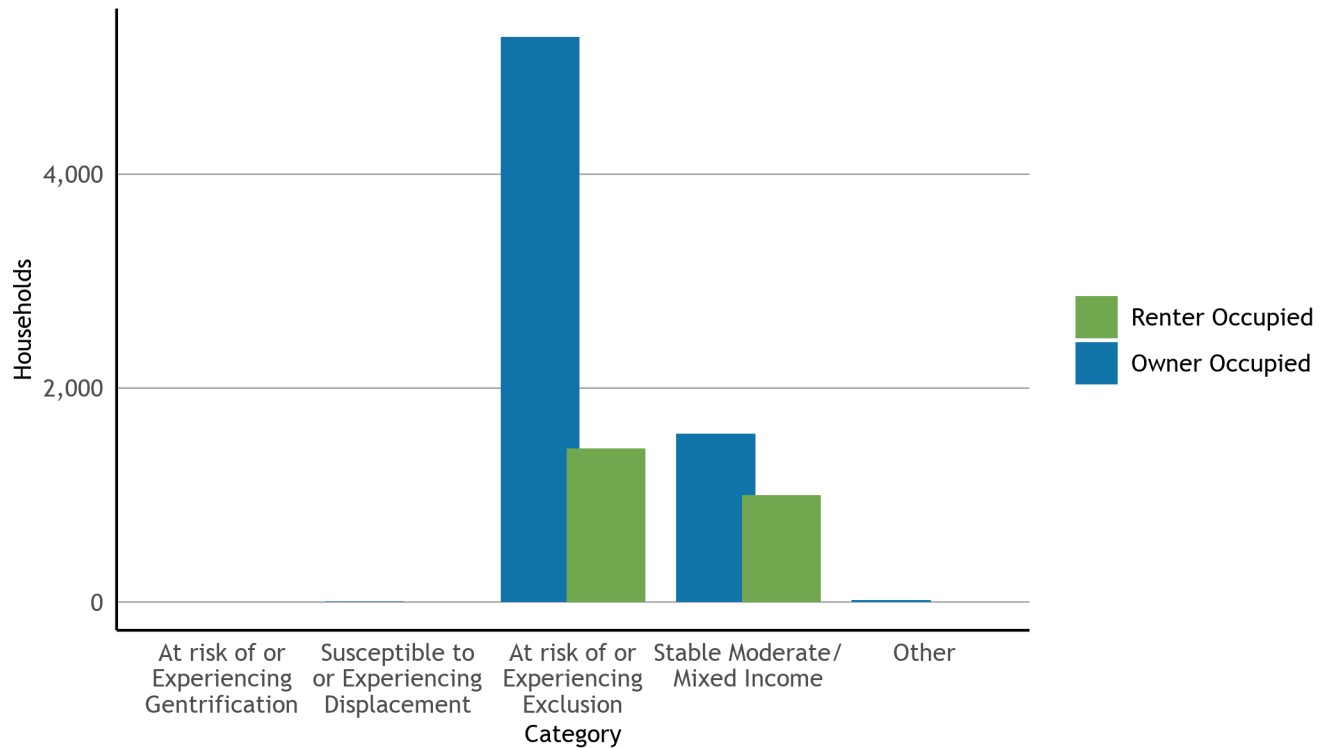


Figure 21: Households by Displacement Risk and Tenure

Universe: Households

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

Source: Urban Displacement Project for classification, American Community Survey 5-Year Data (2015-2019), Table B25003 for tenure. For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-25.

## 5 HOUSING STOCK CHARACTERISTICS

### 5.1 HOUSING TYPES, YEAR BUILT, VACANCY, AND PERMITS

In recent years, most housing produced in the region and across the state consisted of single-family homes and larger multi-unit buildings. However, some households are increasingly interested in “missing middle housing” – including duplexes, triplexes, townhomes, cottage clusters and accessory dwelling units (ADUs). These housing types may open up more options across incomes and tenure, from young households seeking homeownership options to seniors looking to downsize and age-in-place.

The housing stock of Lafayette in 2020 was made up of 76.9% single family detached homes, 3.0% single family attached homes, 6.8% multifamily homes with 2 to 4 units, 13.2% multifamily homes with 5 or more units, and 0.1% mobile homes (see Figure 22). In Lafayette, the housing type that experienced the most growth between 2010 and 2020 was *Multifamily Housing: Five-plus Units*.

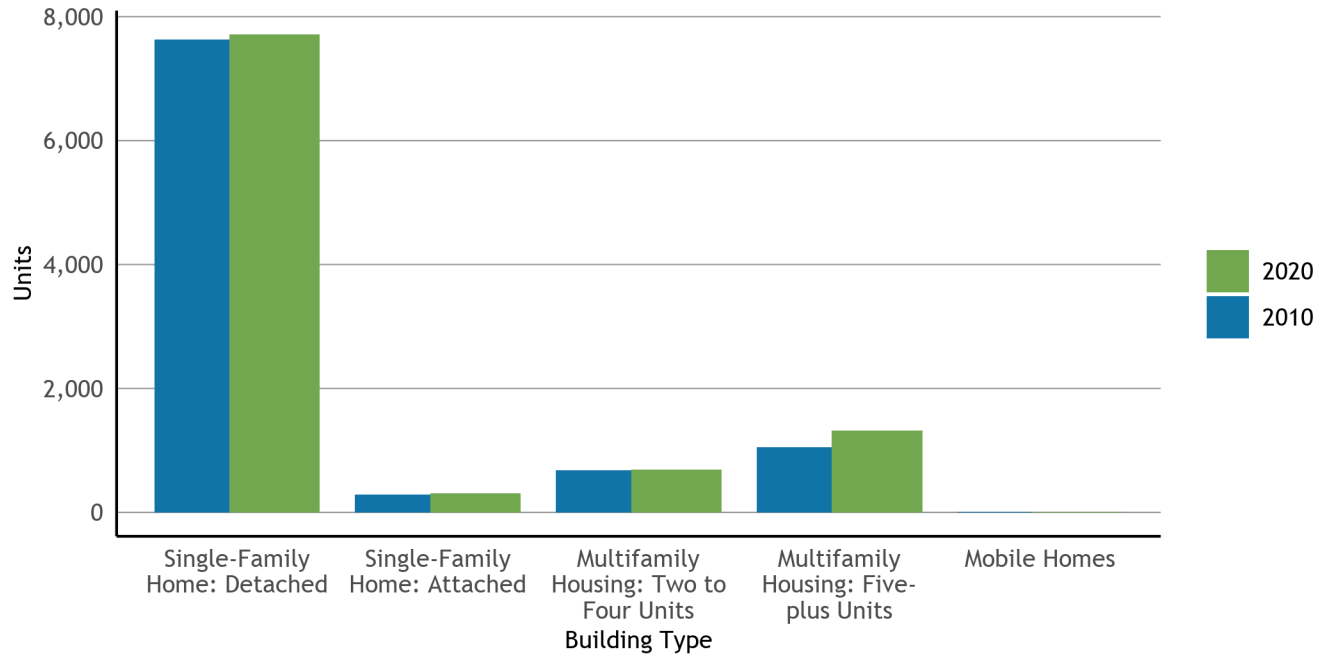


Figure 22: Housing Type Trends

Universe: Housing units

Source: California Department of Finance, E-5 series

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-01.

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 Lafayette, the largest proportion of the housing stock was built 1940 to 1959, with 4,113 units constructed during this period (see Figure 23). Since 2010, 3.5% of the current housing stock was built, which is 352 units.<sup>19</sup>

<sup>19</sup>This information is according to State records that aggregate data from jurisdictions' Annual Housing Element Progress Report.

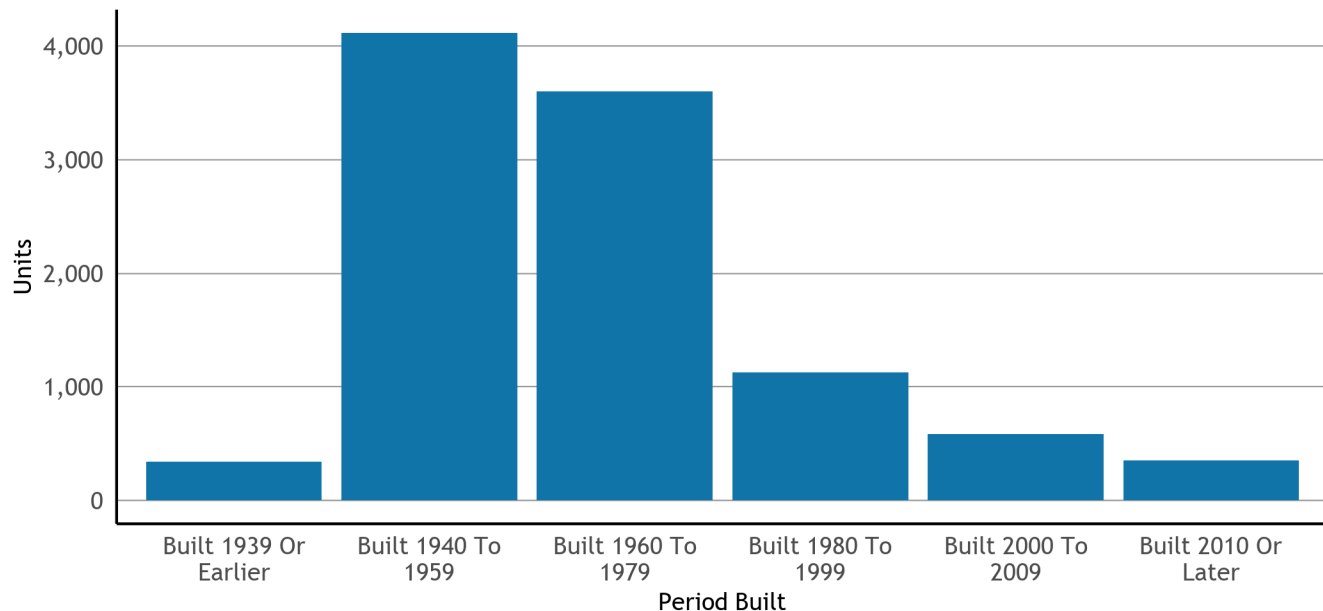


Figure 23: Housing Units by Year Structure Built

Universe: Housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-04.

Vacant units make up 6.8% of the overall housing stock in Lafayette. The rental vacancy stands at 5.2%, while the ownership vacancy rate is 1.1%. Of the vacant units, the most common type of vacancy is *Other Vacant* (see Figure 24).<sup>20</sup>

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 classified as “for recreational or occasional use” are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals like AirBnB are likely to fall in this category. The Census Bureau classifies units as “other vacant” if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration.<sup>21</sup> In a region with a thriving economy and housing market like the Bay Area, units being renovated/repared and prepared for rental or sale are likely to represent a large portion of the “other

<sup>20</sup> The vacancy rates by tenure are for a smaller universe than the total vacancy rate first reported, which in principle includes the full stock (6.8%). The vacancy by tenure counts are rates relative to the rental stock (occupied and vacant) and ownership stock (occupied and vacant) - but exclude a are significant number of vacancy categories, including the numerically significant *other vacant*.

<sup>21</sup> 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>.

vacant” category. Additionally, the need for seismic retrofitting in older housing stock could also influence the proportion of “other vacant” units in some jurisdictions.<sup>22</sup> In Lafayette, the State Department of Finance currently estimates the vacancy rate is approximately 6%. Countywide, it is estimated at 5.3%.

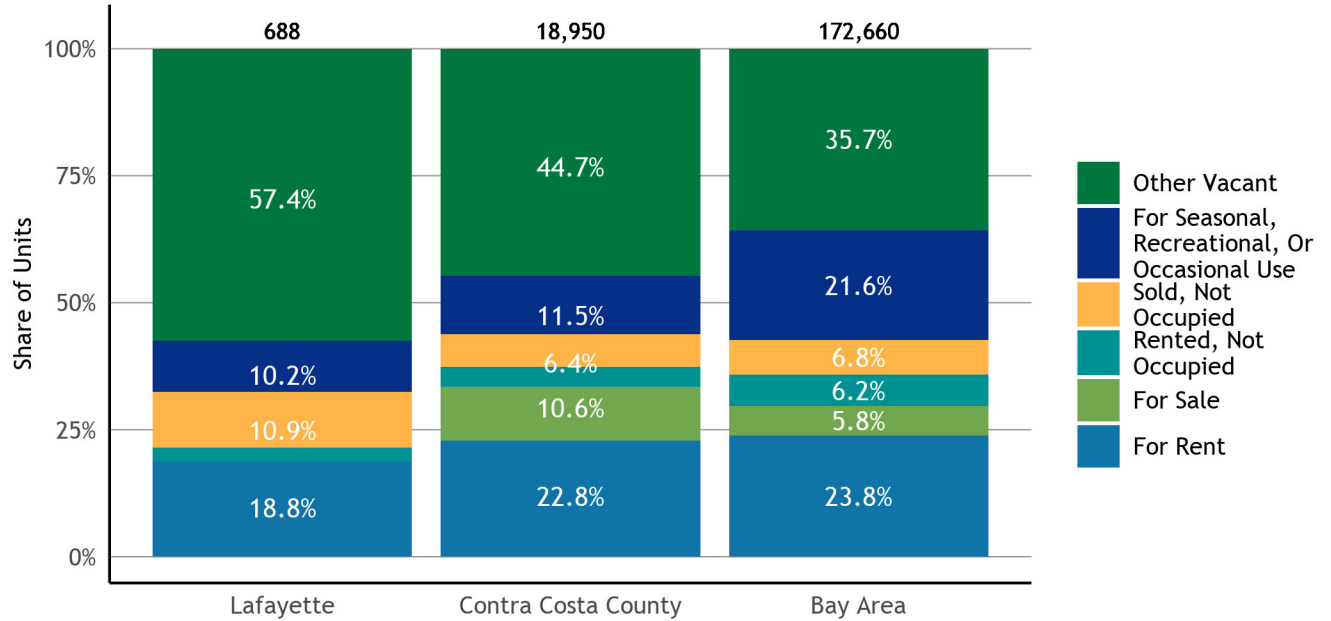


Figure 24: Vacant Units by Type

Universe: Vacant housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-03.

Between 2015 and 2019, 513 housing units were issued permits in Lafayette. 86.9% of permits issued in Lafayette were for above moderate-income housing, 11.5% were for moderate-income housing, and 1.6% were for low- or very low-income housing (see Table 6).

<sup>22</sup> 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.

Table 6: Housing Permitting

Income Group	Number
Above Moderate-Income Permits	446
Moderate Income Permits	59
Low Income Permits	6
Very Low-Income Permits	2

Universe: Housing permits issued between 2015 and 2019

Notes: HCD uses the following definitions for the four income categories: Very Low Income: units affordable to households making less than 50% of the Area Median Income for the county in which the jurisdiction is located. Low Income: units affordable to households making between 50% and 80% of the Area Median Income for the county in which the jurisdiction is located. Moderate Income: units affordable to households making between 80% and 120% of the Area Median Income for the county in which the jurisdiction is located. Above Moderate Income: units affordable to households making above 120% of the Area Median Income for the county in which the jurisdiction is located.

Source: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2020)

This table is included in the Data Packet Workbook as Table HSG-11.

## 5.2 ASSISTED HOUSING DEVELOPMENTS AT-RISK OF CONVERSION

While there is an immense need to produce new affordable housing units, ensuring that the existing affordable housing stock remains affordable is equally important. Additionally, it is typically faster and less expensive to preserve currently affordable units that are at risk of converting to market-rate than it is to build new affordable housing.

The data in the table below 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. However, this database does not include all deed-restricted affordable units in the state, so there may be at-risk assisted units in a jurisdiction that are not captured in this data table. There are 126 assisted units in Lafayette in the Preservation Database. Of these units, none are at *High Risk* or *Very High Risk* of conversion.<sup>23</sup>

Table 7: Assisted Units at Risk of Conversion

Risk	Lafayette	Contra Costa County	Bay Area
Low	126	13,403	110,177
Moderate	0	211	3,375
High	0	270	1,854
Very High	0	0	1,053
Total Assisted Units in Database	126	13,884	116,459

<sup>23</sup> 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.

Universe: HUD, Low-Income Housing Tax Credit (LIHTC), USDA, and CalHFA projects. Subsidized or assisted developments that do not have one of the aforementioned financing sources may not be included.

Notes: 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.

Source: California Housing Partnership, Preservation Database (2020)

This table is included in the Data Packet Workbook as Table RISK-01.

### 5.3 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 Lafayette. For example, 0.5% of renters in Lafayette reported lacking a kitchen none lack plumbing, compared with owners, who neither lack complete plumbing or complete kitchens.

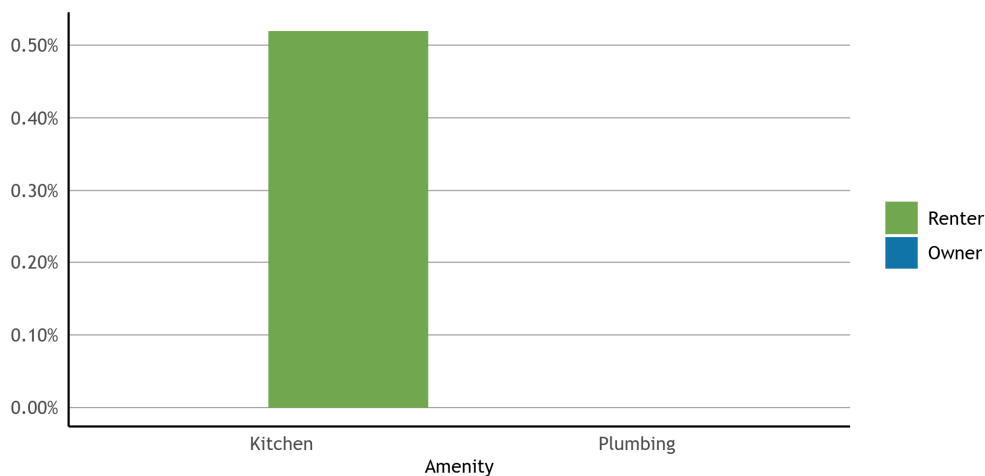


Figure 25: Substandard Housing Issues

Universe: Occupied housing units

Notes: Per HCD guidance, this data should be supplemented by local estimates of units needing to be rehabilitated or replaced based on recent windshield surveys, local building department data, knowledgeable builders/developers in the community, or nonprofit housing developers or organizations.

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-06.

One measure of housing condition is the age of housing. In general, the older the unit, the greater it can be assumed to be in need of some level of rehabilitation. A general rule in the housing industry is that structures older than 20 years begin to show signs of deterioration and require renovation to maintain their quality. Unless properly maintained, homes older than 50 years can pose health, safety and welfare problems for occupants.

Consistent with State law, the table below estimates the number of units in need of rehabilitation and the number of units needing replacement. Although the exact number of Lafayette units in need of rehab is not currently known, the State accepts estimates based on a formula that assumes the older the unit, the more likely the rehab need. By applying an increasing percentage to the housing stock in each age category, it is estimated that there are approximately 839 units in need of some level of rehabilitation in Lafayette, representing 9.1% of the housing stock. The range of rehabilitation needs can include anything from minor repairs to major structural replacements. It is estimated that nearly all of the units in need of rehabilitation can be repaired without replacement.

**Table 8: Age of Housing Stock and Estimated Rehabilitation Needs**

Year Built	Net Number of Units	Percent of Total	Units Needing Rehab, Percent	Units Needing Rehab, Total	
Built 2010 to 2020	415	4%			
Built 2000 to 2009	188	2%	0.5%	1	
Built 1990 to 1999	263	3%	1%	3	
Built 1980 to 1989	630	6%	3%	19	
Built 1970 to 1979	1,477	15%	5%	74	
Built 1960 to 1969	1,968	20%	10%	197	
Built 1950 to 1959	3,212	33%	20%	642	
Built 1940 to 1949	1,154	12%	30%	346	
Built 1939 or earlier	456	5%	40%	182	
	<b>9,763</b>	<b>100%</b>		<b>1,464</b>	<b>Total Units Needing Rehab</b>
				15%	<i>Percentage of Total Units</i>
			99.5%	1,457	<i>Units that can be repaired</i>
			0.5%	7	<i>Units that must be replaced</i>

*Source: 2010 Census, State Department of Finance Data, City of Lafayette Planning and Building Department, 2021*

In order to address the needs of substandard housing, the City participates in the Property Assessed Clean Energy ("PACE"). PACE is a financing mechanism that offers a way for property owners to receive upfront funding for energy efficiency, renewable energy, and water efficiency improvements for their home or business -- and to repay on their property tax bill over the course of up to 20-years and allows property owners to save money and energy. The following PACE Financing Programs are currently available in Lafayette:





Program™

Approved by the City in

June 2015, the AllianceNRG Program, part of the [California Statewide Communities Development Authority Open PACE Platform](#), offers residential and commercial property owners a simple and dependable financing solution for energy efficiency, renewable energy, water conservation and seismic strengthening projects. For more information, visit them [online](#) or call them at (855) 431-4400.



CaliforniaFIRST was approved by the City in

November 2014 and operates under the auspices of the [California Statewide Communities Development Authority Open PACE Platform](#). Property owners can make improvements that save energy or water, such as solar panels, new windows, drip irrigation, or an energy efficient roof. For more information, please watch their [video](#), visit them [online](#), call them at (844) 589-7953, or email them at [info@californiafirst.org](mailto:info@californiafirst.org).



The Figtree Program was approved by the City in January

2015. The Figtree OnDemandPACE Program provides financing to help commercial property owners improve their properties an lower their utility bills with energy efficiency, renewable energy, and water conservation upgrades. Learn more about the Figtree program by viewing their [website online](#) or by calling them at (877) 577-7373.



**Your energy efficient future, today.** The HERO Program was approved by the City in January 2015. HERO is a private program that partners with local government to make energy efficient, water efficient, and renewable energy products more affordable for homeowners. More than 90,000 product

models qualify, enabling consumers to access the most advanced technology for efficiency upgrades. Typical project covered by HERO include: solar photovoltaic systems, energy efficient space heating, air cooling and ventilation, cool roof systems, upgrades to windows, solar thermal water heating, weatherization, and energy efficient light fixtures. Learn more about the HERO program [here](#), by viewing their [website online](#), or by calling them at (855) HERO-411.



The Ygrene Energy Fund was approved by the City in April 2015. The YgreneWorks Program provides property owners immediately accessible financing for energy efficiency, renewable energy, water conservation, and (in some areas) electric vehicle charging stations. Typical covered projects include: solar panels, heating and air conditioning, lighting, roofing, insulation, drip irrigation, and windows and doors. For more information on [Ygrene PACE Financing](#) visit them online or call them at (877) 819-4736.

The Bay Area Regional Energy Network (BayREN), in partnership with the US Department of Housing & Urban Development (HUD), developed a [Local Government PACE Portal](#), a "one-stop shop" comparing the PACE Programs available in the Bay Area.

In addition, AFFH Action 3.1 calls for evaluation of the need for housing rehabilitation in older multifamily developments throughout the community. This would include creating a plan to join rehabilitation efforts with infrastructure improvements, such as trails, recreation areas, and other amenities. Because the City does not receive federal entitlement funds such as CDBG, this effort will require coordination with the County.

The following table documents the annual construction of housing units by type between 1980 and 2019. The majority of new housing construction during the period 1980-2019 was single-family units. The rate of construction has declined since the 1980s, in large part due to the lack of larger tracts of land available for subdivision.

Table 9: Net Housing Increase, 1980-2019

Year	Single Family Units	Multi-family Units	Accessory Dwelling Units	Total Housing Increase	Demo-litions	Net Housing Increase		Year	Single Family Units	Multi-family Units	Accessory Dwelling Units	Total Housing Increase	Demo-litions	Net Housing Increase
1980	35	0	-	35	0	35		2001	17	0	0	17	1	16
1981	40	4	-	44	1	43		2002	18	9	2	29	0	29
1982	21	3	-	24	0	24		2003	12	0	1	13	0	13
1983	31	0	-	31	0	31		2004	21	0	4	25	1	24
1984	33	32	-	65	1	64		2005	13	0	3	16	0	16
1985	31	0	-	31	0	31		2006	17	0	1	18	0	18
1986	45	13	1	59	2	57		2007	12	0	1	13	1	12
1987	45	9	1	55	4	51		2008	7	0	0	7	1	6
1988	52	0	0	52	7	45		2009	7	0	1	8	0	8
1989	54	0	2	56	4	52		2010	5	2	5	12	2	10
1990	22	13	2	37	7	30		2011	6	1	1	8	1	7
1991	17	0	5	22	9	13		2012	16	154	1	171	0	171
1992	13	0	3	16	3	13		2013	11	6	3	20	2	18
1993	11	0	1	12	1	11		2014	13	41	2	56	2	54
1994	10	0	2	12	3	9		2015	16	0	3	19	2	17
1995	21	6	0	27	2	25		2016	26	18	5	49	4	45
1996	21	0	1	22	1	21		2017	20	0	9	29	3	26
1997	27	0	6	33	3	30		2018	12	69	6	87	11	76
1998	35	0	3	38	3	35		2019	14	17	3	34	5	29
1999	19	0	5	24	5	19		2020	12	9	7	28	6	22
2000	41	76	0	117	5	112		TOTAL	899	482	90	1471	103	1368

Source: City of Lafayette Planning and Building Department, 2021

## 5.4 HOME AND RENT 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 Real Estate Report ([https://rereport.com/ccc/index\\_a.html](https://rereport.com/ccc/index_a.html)) indicates that the median single-family home sales price in 2020 was \$1,750,000, an increase of 9.4% from the year before. Lafayette condos and townhomes had a median sales price of \$954,500, a 41.5% increase from the year before.

The largest proportion of homes in 2020 were valued between \$1M-\$1.5M (see Figure 26). By comparison, the typical home value is \$772,410 in Contra Costa County and \$1,077,230 the Bay Area, with the largest share of units valued \$250k-\$500k (county) and \$500k-\$750k (region).

The region’s home values have increased steadily since 2000, despite 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 home value has increased 172.7%; in Lafayette this increase was from \$558,420 to \$1,523,070.

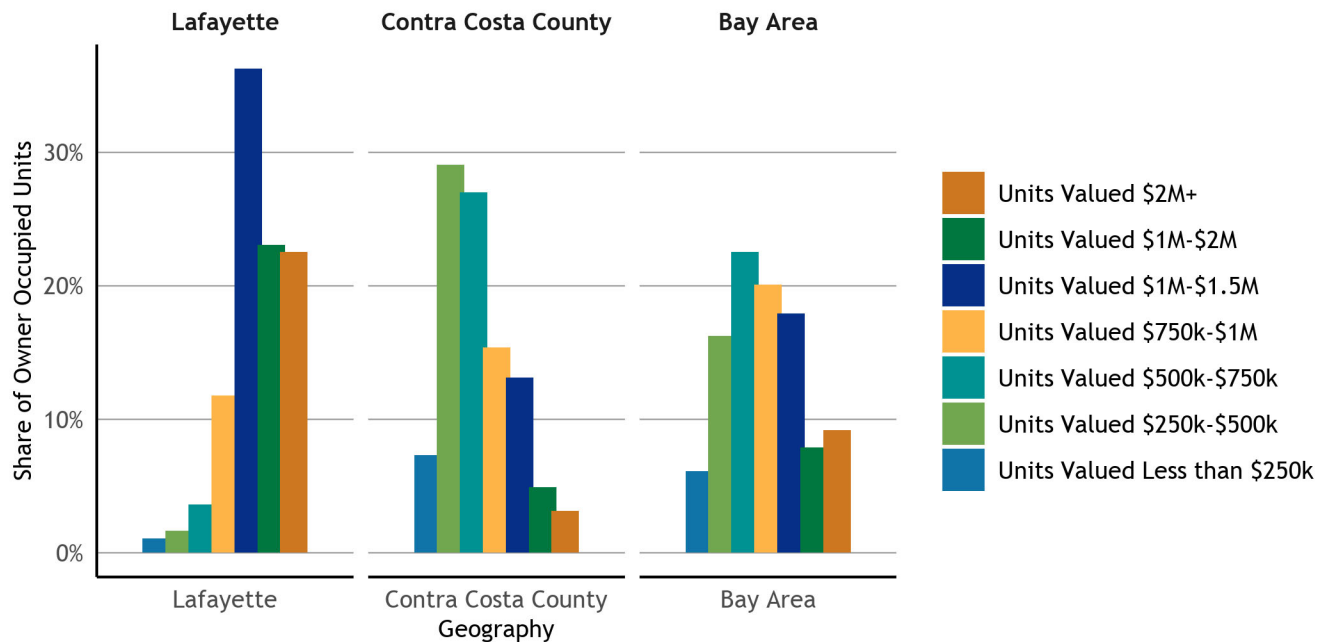


Figure 26: Home Values of Owner-Occupied Units

Universe: Owner-occupied units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-07.

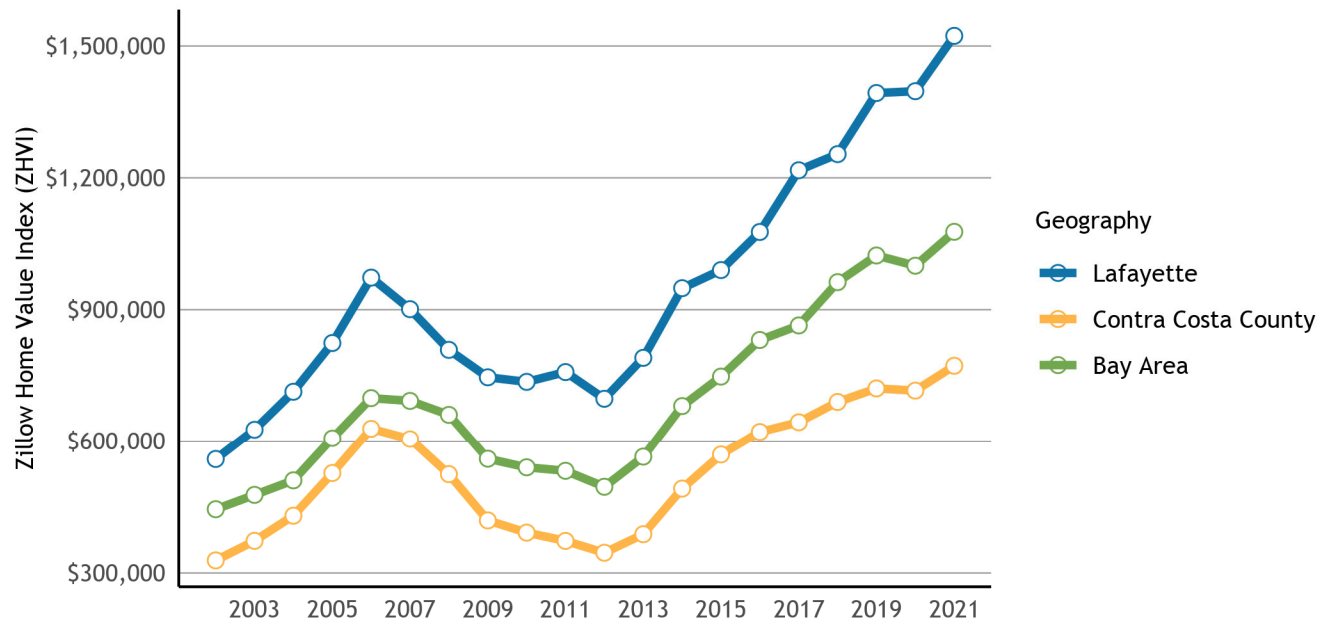


Figure 27: Zillow Home Value Index (ZHVI)

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)

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-08.

In addition to increasing home values, rents have also increased dramatically across the Bay Area in recent years, with many renters having to choose between commuting long distances to their jobs and schools or moving out of the region, and sometimes, out of the state.

In Lafayette, the largest proportion of rental units rented in the Rent \$2000-\$2500 category, totaling 23.1%, followed by 19.5% of units renting in the Rent \$1500-\$2000 category (see Figure 28). In Contra Costa County and the Bay Area, the largest share of units is in the rent for \$1500-\$2000 category.

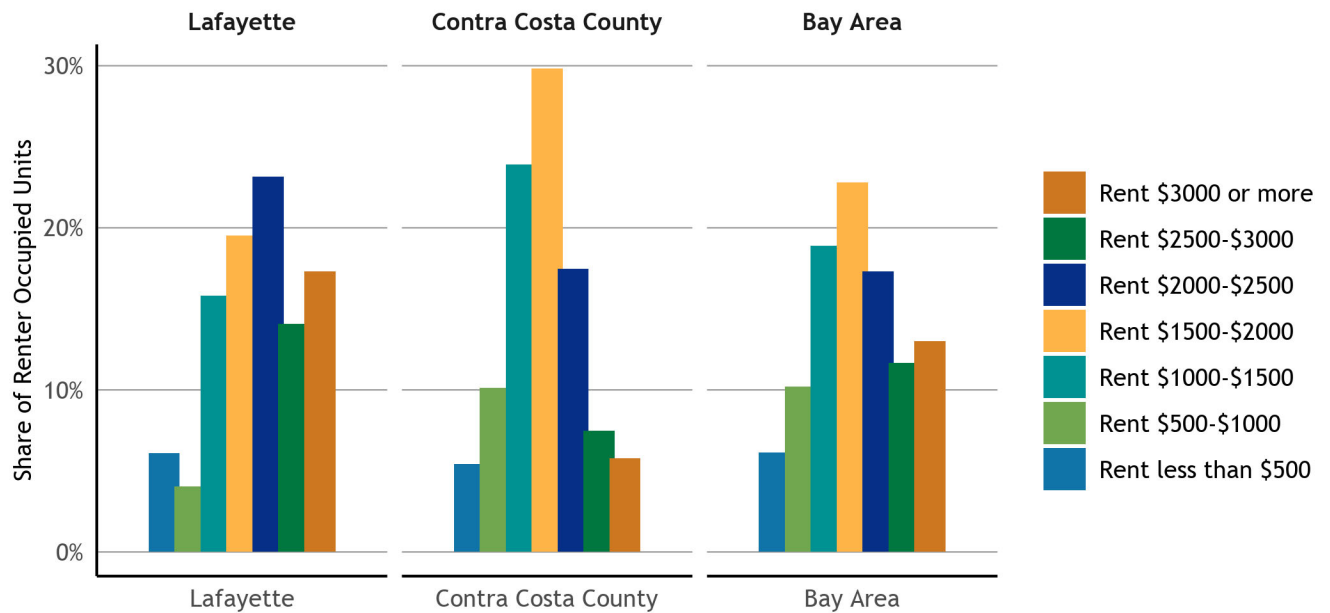


Figure 28: Contract Rents for Renter-Occupied Units

Universe: Renter-occupied housing units paying cash rent

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-09.

Since 2009, the median rent has increased by 31.5% in Lafayette, from \$1,590 to \$2,090 per month (see Figure 29). In Contra Costa County, the median rent has increased 29.2%, from \$1,300 to \$1,680. The median rent in the region has increased significantly during this time from \$1,200 to \$1,850, a 54.2% increase.<sup>24</sup>

<sup>24</sup> While the data on home values shown in Figure 27 comes from Zillow, Zillow does not have data on rent prices available for most Bay Area jurisdictions. To have a more comprehensive dataset on rental data for the region, the rent data in this document comes from the U.S. Census Bureau’s American Community Survey, which may not fully reflect current rents.

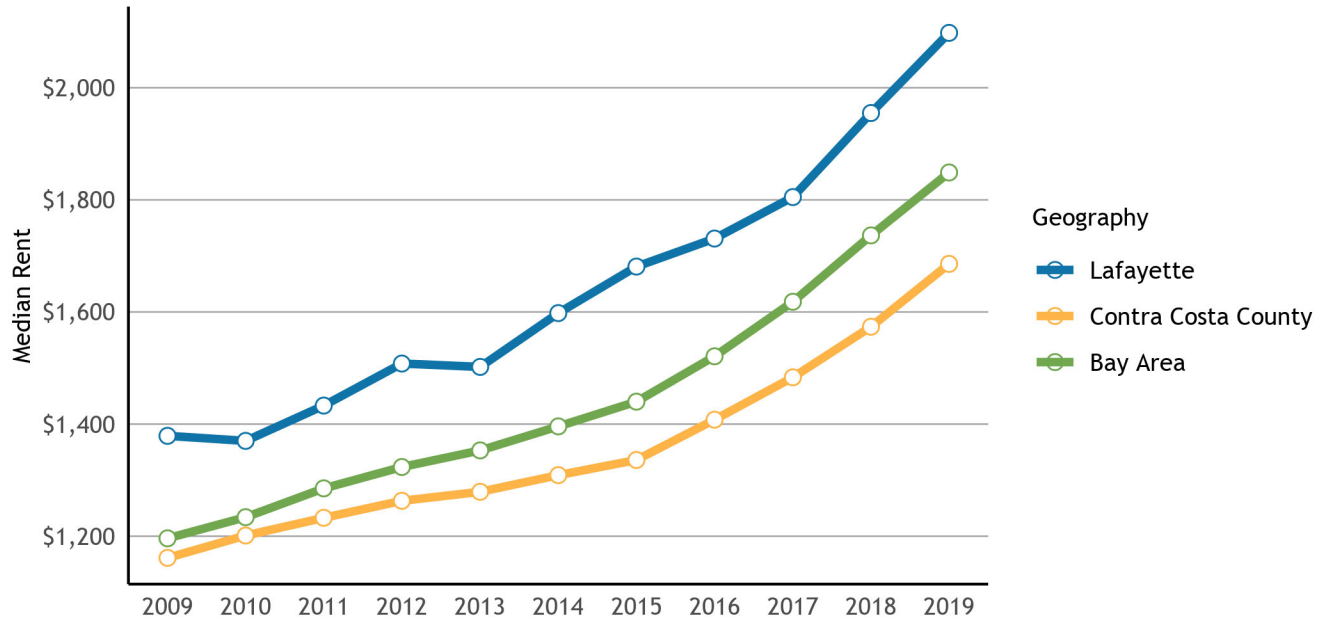


Figure 29: Median Contract Rent

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.

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-10.

## 5.5 HOUSING AFFORDABILITY

The National Association of Homebuilders reports that California cities have some of the lowest homeowner affordability rates in the country, defined as the percentage of homes affordable to the median income family. Despite the high median incomes, especially in the Bay Area, many cannot afford the cost to purchase a home. The Oakland Metropolitan Division, of which Lafayette is a part, ranked 219<sup>th</sup> out of 233 metropolitan areas studied in the first quarter of 2021.

Table 10: Housing Opportunity Index, First Quarter 2021

Metropolitan Divisions	Homes Affordable to Median Income Households	Median Family Income (1,000s)	Median Sales Price (1,000s)	National Affordability Rank
Los Angeles-Long Beach-Glendale, CA ^^^	11.6%	78.7	729	233
Salinas, CA	15.1%	80.9	725	232
San Francisco-Redwood City-South San Francisco, CA ^^^	17.4%	143.4	1,305	230
Anaheim-Santa Ana-Irvine, CA ^^^	18.2%	104.8	825	229
Napa, CA	22.1%	101.5	691	228
San Diego-Carlsbad, CA	22.4%	95.1	665	227
San Luis Obispo-Paso Robles-Arroyo Grande, CA	26.0%	97.8	675	226
Oxnard-Thousand Oaks-Ventura, CA	27.4%	98.8	650	225
Santa Cruz-Watsonville, CA	28.5%	111.9	850	224
Santa Maria-Santa Barbara, CA	28.8%	90.1	678	223
Stockton-Lodi, CA	29.6%	74.0	462	222
San Jose-Sunnyvale-Santa Clara, CA	29.9%	151.3	1,120	220
Oakland-Hayward-Berkeley, CA ^^^	31.2%	121.3	795	219

Notes: ^^^ Indicate Metropolitan Divisions. All others are Metropolitan Statistical Areas.

Source: National Association of Homebuilders, 2021, <https://www.nahb.org/news-and-economics/housing-economics/indices/housing-opportunity-index>

Trulia -- an online residential real estate site for homebuyers, sellers, renters and real estate professionals -- provides statistics based on actual sales of housing by location. According to a study conducted by zip code in 2019, only 0.2% of homes in Lafayette were affordable to the metropolitan median income of \$101,000. The median home value reported by Trulia was \$1,385,300. See <https://www.trulia.com/research/affordable-neighborhoods/> for more information. The high cost of housing means that people wanting to own a home in Lafayette must have significant incomes, even for the relatively less expensive condos. A household must earn more than \$350,000 annually in order to afford the Trulia-documented median priced home in Lafayette.

The following table illustrates the affordable rents associated with each income category. In the case of an extremely low-income household of two people (for example, a single parent with a child), the annual income of \$32,900 translates to a full-time job paying \$15.82 per hour. In this scenario, the maximum rent they could afford would be about \$823 per month – far below average rents in the area, even for studios. According to statistics on RentCafe.com, an online data aggregator, the average rent for an apartment is \$2,618 as of June, 2021, a decrease of 8% from the previous year but still much higher than what a lower income household can afford. A household has to earn at least \$104,720 in order to afford the average rent.



Table 11: Affordable Rents for Two- and Three-Person Households

Income Category	Percent of Median	Income Limit (Two-Person Household)	Two-Person Affordable Rent	Income Limit (Three-Person Household)	Three-Person Affordable Rent
Extremely Low-Income	30%	\$32,900	\$823	\$37,000	\$925
Very Low-Income	50%	\$54,800	\$1,370	\$61,650	\$1,541
Low-Income	80%	\$87,700	\$2,193	\$98,650	\$2,466
Median-Income	100%	\$100,500	\$2,513	\$113,050	\$2,826
Moderate-Income	120%	\$120,550	\$3,014	\$135,650	\$3,391

Notes: Affordable rents are calculated based on 30% of annual income divided by 12 months.

Source: State Department of Housing and Community Development and Lafayette Department of Planning and Building, 2021

Through its Section 8 and other housing programs, HUD provides rental housing assistance to lower-income households. According to the Department of Housing and Community Development, 66 households in Lafayette currently receive Section 8 rental assistance, in the form of Housing Choice Vouchers.

## 5.6 OVERPAYMENT AND OVERCROWDING

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.

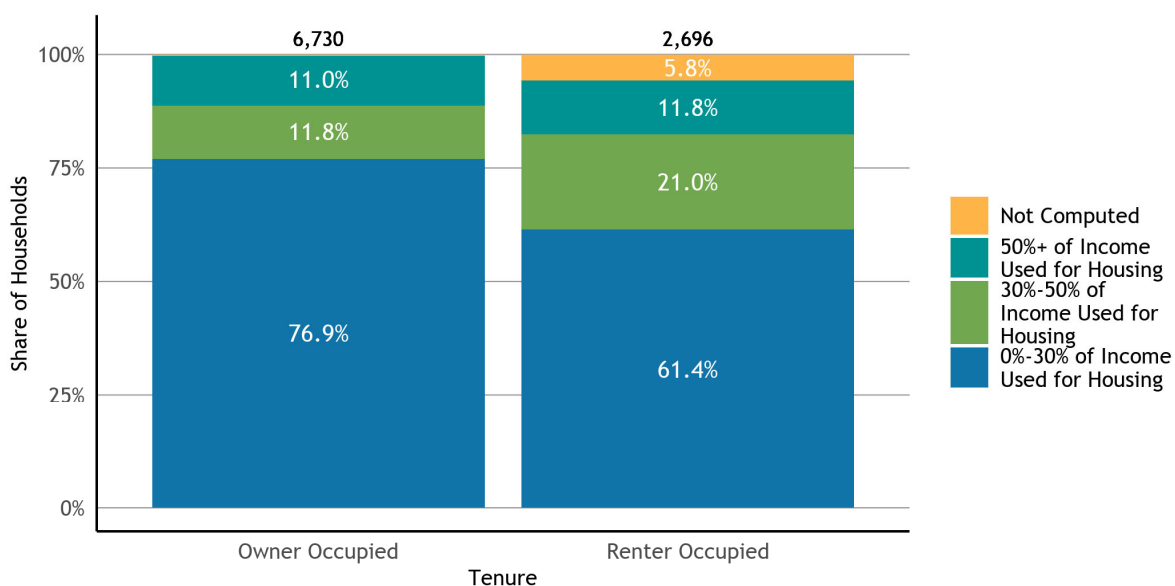


Figure 30: Cost Burden by Tenure

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-06.

Renters are often more cost-burdened than owners. While the housing market has resulted in home prices increasing dramatically, homeowners often have mortgages with fixed rates, whereas renters are more likely to be impacted by market increases. When looking at the cost burden across tenure in Lafayette, 21.0% of renters spend 30% to 50% of their income on housing compared to 11.8% of those that own (see Figure 30). Additionally, 11.8% of renters spend 50% or more of their income on housing, while 11.0% of owners are severely cost-burdened.

In Lafayette, 14.0% of households spend 50% or more of their income on housing, while 13.2% spend 30% to 50%. However, these rates vary greatly across income categories (see Figure 31). For example, 79.5% of Lafayette households making less than 30% of AMI spend the majority of their income on housing. For Lafayette residents making more than 100% of AMI, just 3.6% are severely cost-burdened, and 86.3% of those making more than 100% of AMI spend less than 30% of their income on housing.

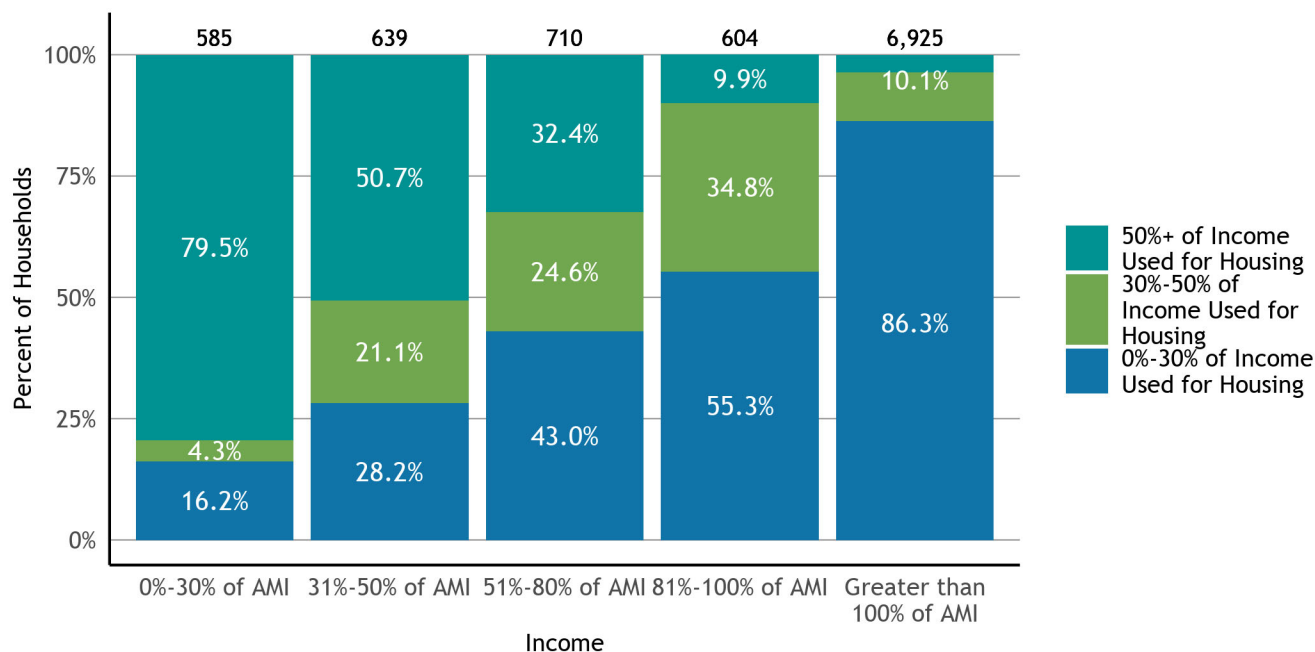


Figure 31: Cost Burden by Income Level

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, 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

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-05.

Cost burden by tenure and income category reveals the extent to which lower income groups, especially renters, pay too much for housing costs. The table below provides data on extremely low-, very-low, and low-income households compared with higher income groups. Both extremely low-income renters and owners have high rates of cost burden, as do other lower income groups. However, overall, owners are much less impacted by cost burdens than renters: in total, 21% of owners have a cost burden of more than 30%, and only 11% have burdens over 50%. In contrast, 32% of all renters have a cost burden of more than 30%, and 12% have the severe cost burden of over 50%. In numerical terms, although renters account for about 29% of all households, they represent more than 30% of cost-burdened households.

Table 12: Cost Burden by Tenure and Income

Income by Cost Burden (Renters only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI	240	180	415
Household Income >30% to <=50% HAMFI	200	110	265
Household Income >50% to <=80% HAMFI	165	20	345
Household Income >80% to <=100% HAMFI	265	10	405
Household Income >100% HAMFI	0	0	1,265
Total	870	320	2,695

Income by Cost Burden (Owners only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income <= 30% HAMFI	205	190	260
Household Income >30% to <=50% HAMFI	245	135	315
Household Income >50% to <=80% HAMFI	200	180	390
Household Income >80% to <=100% HAMFI	205	115	430
Household Income >100% HAMFI	585	125	5,335
Total	1,440	745	6,730

Other Race or Multiple Races, Non-Hispanic residents are the most cost burdened with 24.6% 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 100.0% spending more than 50% of their income on housing (see Figure 32).

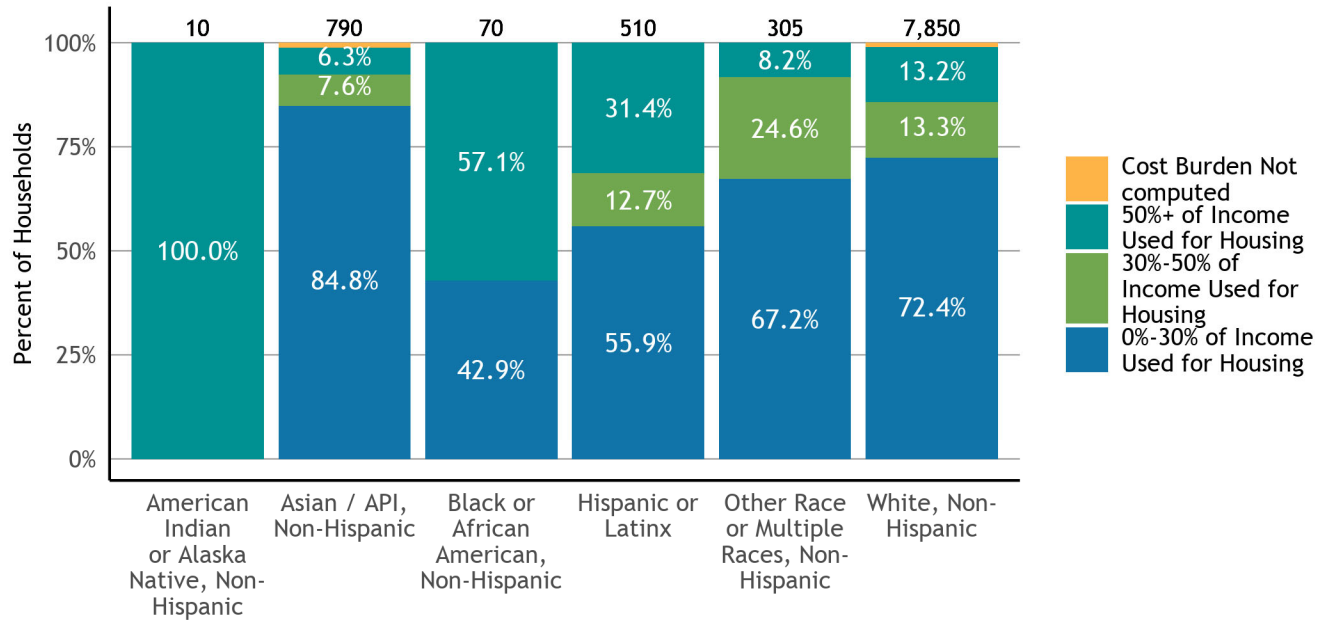


Figure 32: Cost Burden by Race

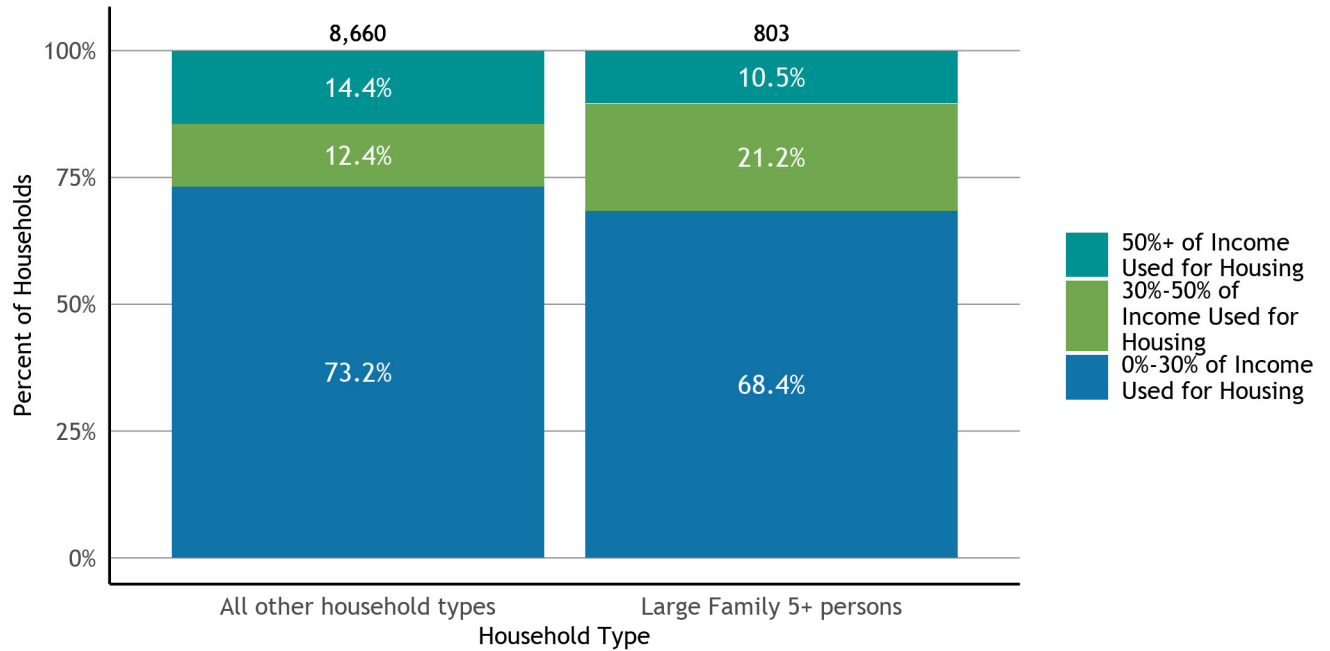
Universe: Occupied housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-08.

Large family households 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 Lafayette, 21.2% of large family households experience a cost burden of 30%-50%, while 10.5% of households spend more than half of their income on housing. Some 12.4% of all other households have a cost burden of 30%-50%, with 14.4% of households spending more than 50% of their income on housing (see Figure 33).



**Figure 33: 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 and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-09.*

Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors. 70.7% 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, 87.7% are not cost-burdened and spend less than 30% of their income on housing (see Figure 34).

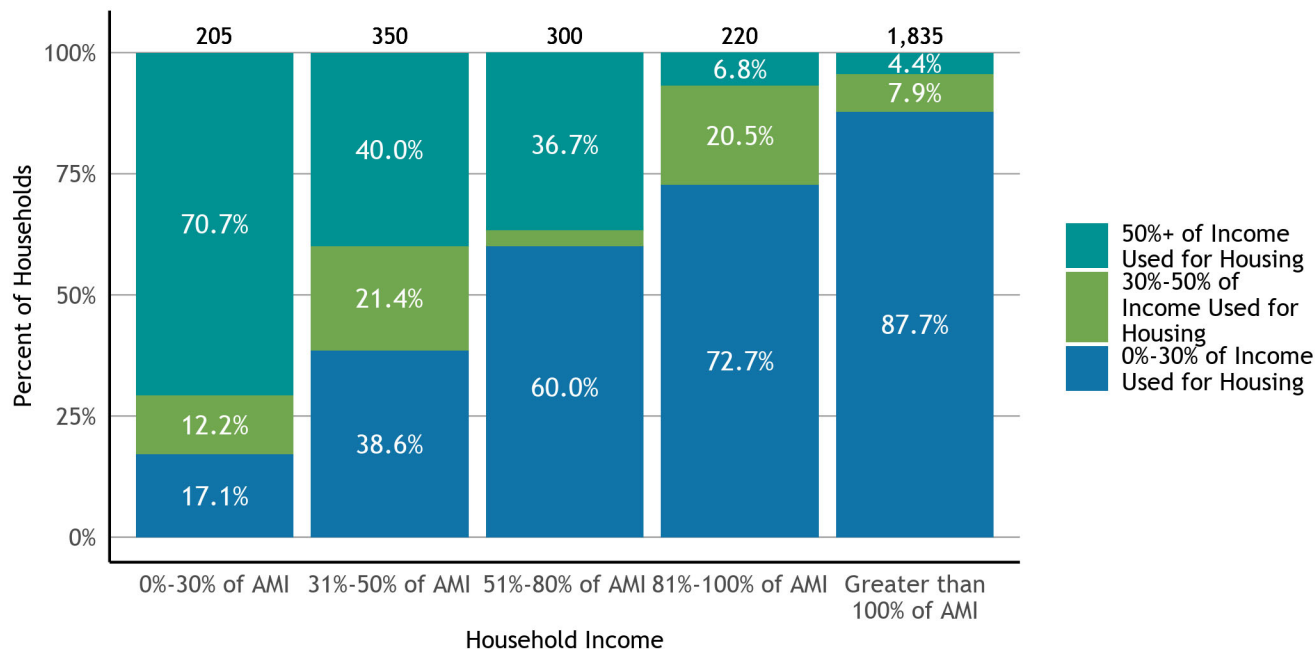


Figure 34: Cost-Burdened Senior Households by Income Level

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, 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

For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-03.

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 Lafayette, 2.4% of households that rent are severely overcrowded (more than 1.5 occupants per room), compared to households that own (see Figure 35). In Lafayette, 1.0% of renters experience moderate overcrowding (1 to 1.5 occupants per room), compared to 0.1% for those own.

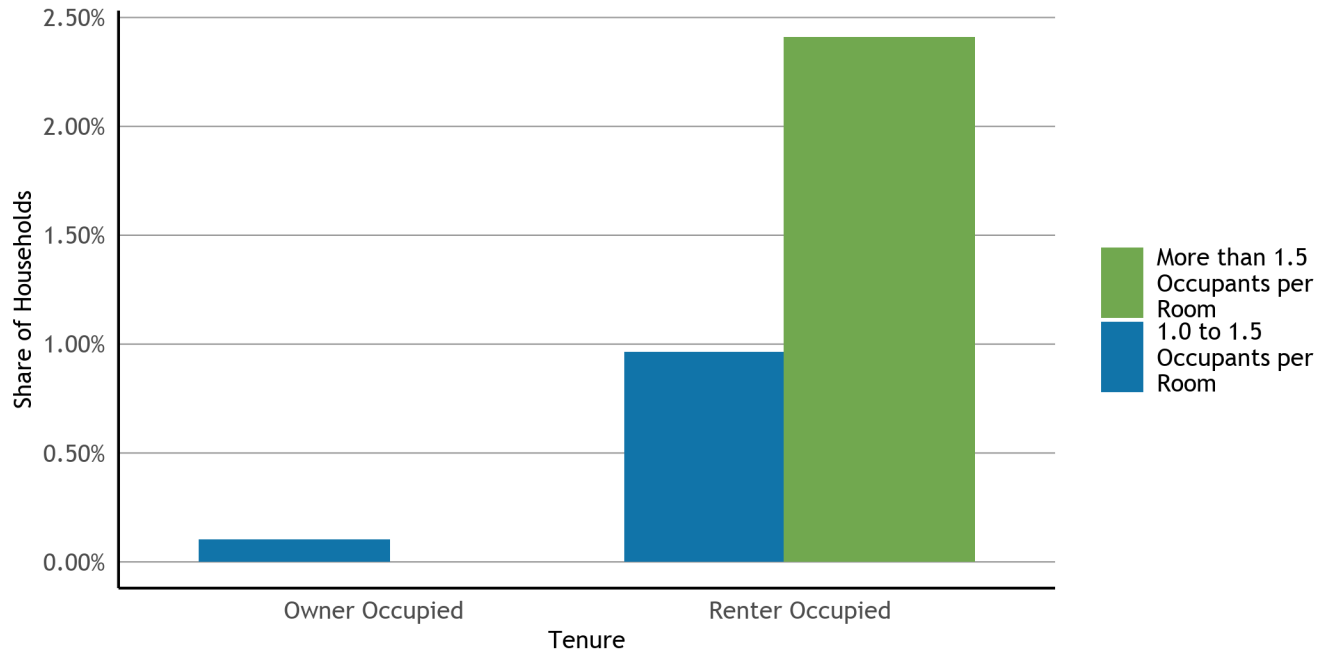


Figure 35: Overcrowding by Tenure and Severity

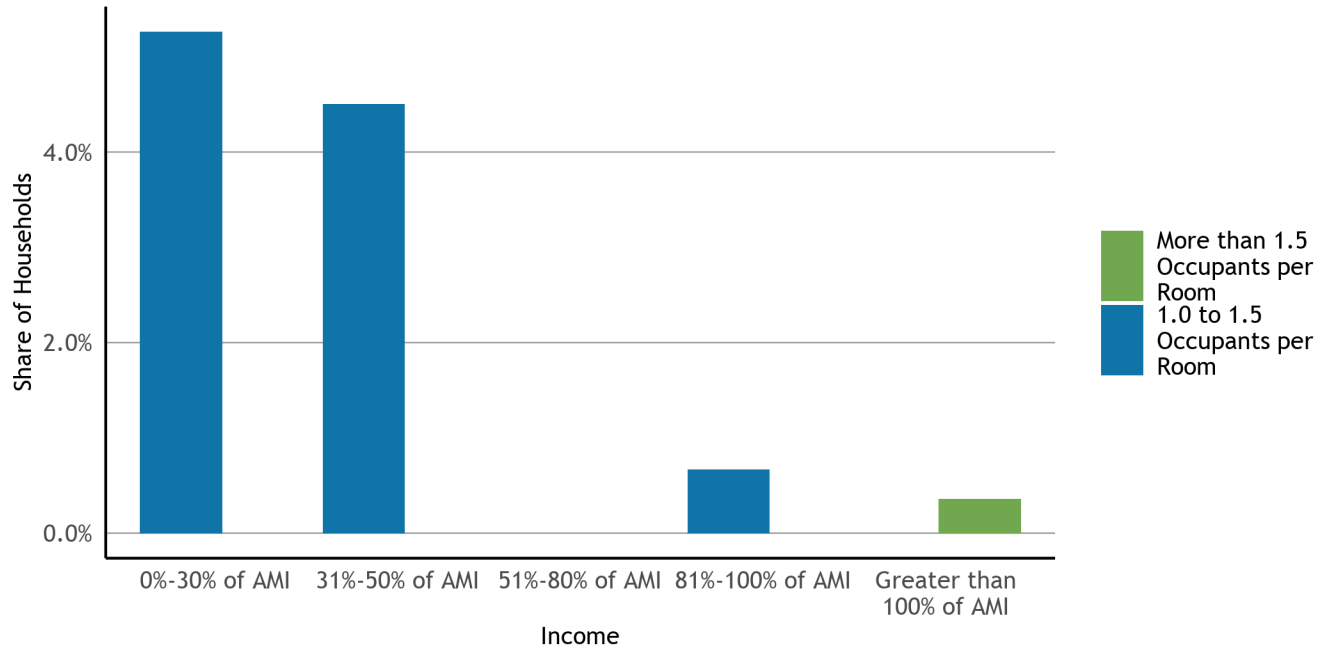
Universe: Occupied housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-01.

Overcrowding often disproportionately impacts low-income households. Although no very low-income households (below 50% AMI) experience severe overcrowding, 0.4% of households above 100% experience this level of overcrowding (see Figure 36).



**Figure 36: 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, 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*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-04.*

In Lafayette, the racial group with the largest overcrowding rate is Asian / API (Hispanic and Non-Hispanic) (see Figure 37)



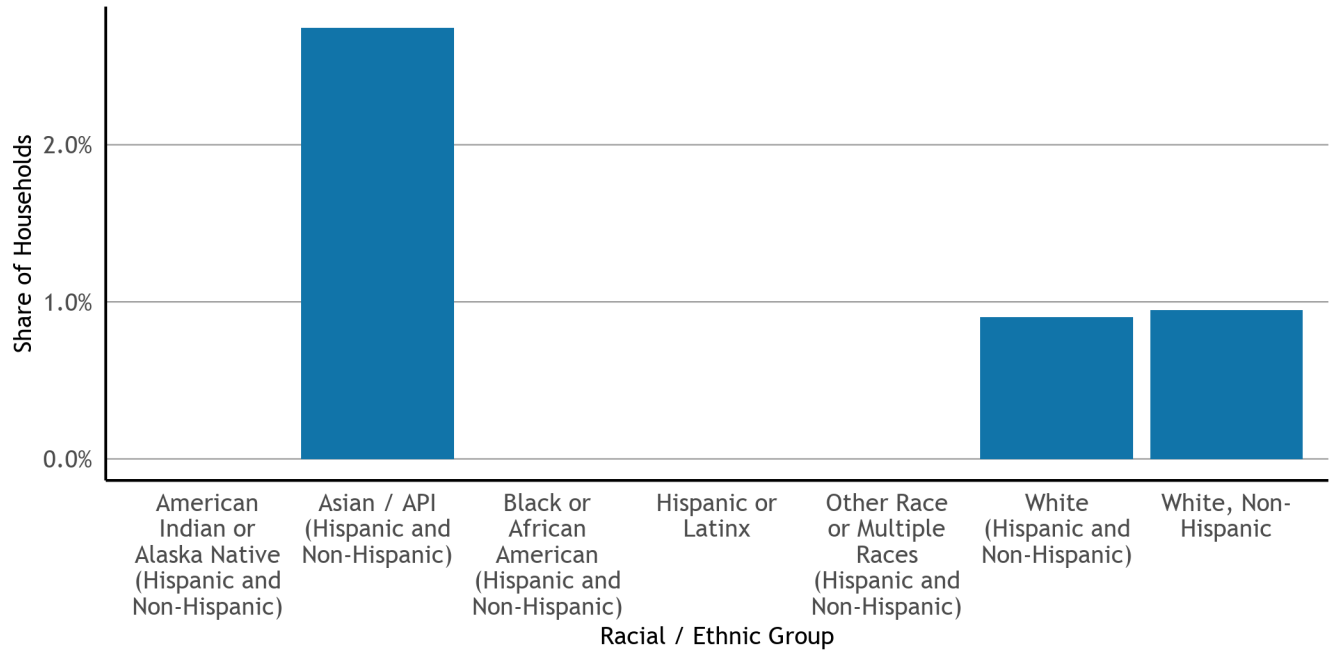


Figure 37: Overcrowding by Race

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-03.

## 6 SPECIAL HOUSING NEEDS

### 6.1 LARGE HOUSEHOLDS

Large households – defined by HUD as having five or more members - 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 Lafayette, for large households with 5 or more persons, most units (82.8%) are owner occupied (see Figure 38). In 2019, 8.6% of large households were very low-income, earning less than 50% of the area median income (AMI).

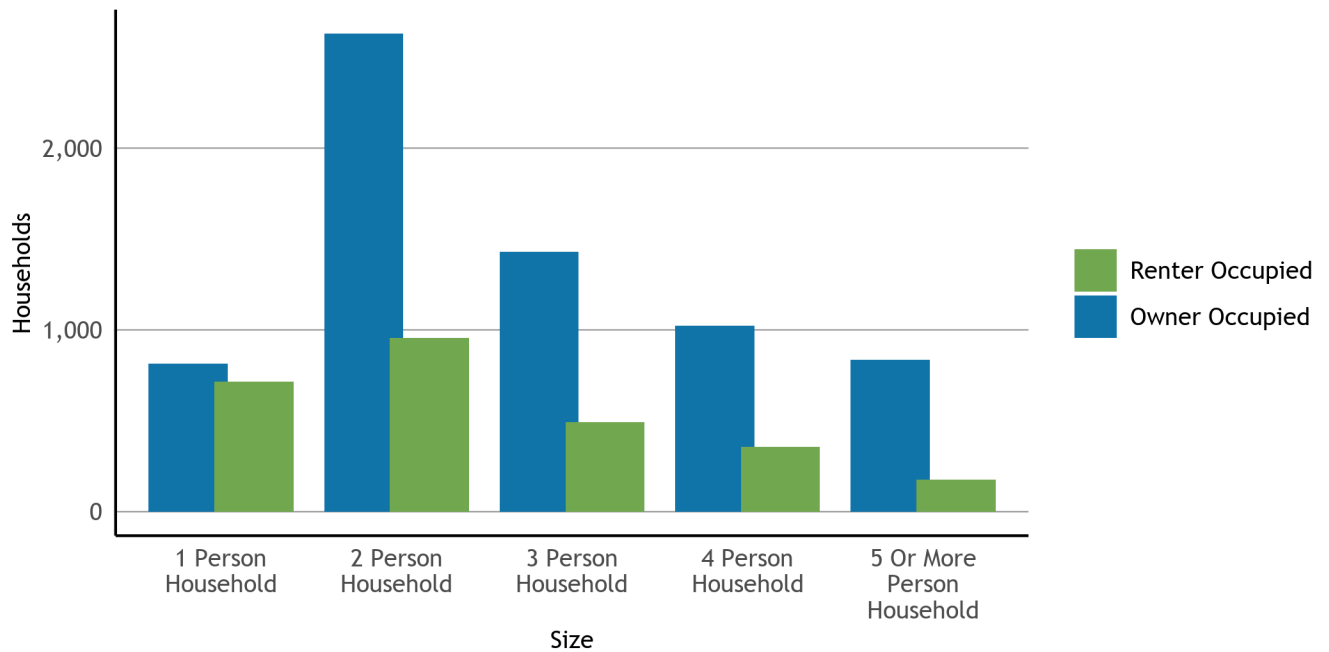


Figure 38: Household Size by Tenure

Universe: Occupied housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-01.

In addition to overcrowding, large households also often have a cost burden. In Lafayette, the vast majority of large households that pay too much for housing are lower-income households. Although this is principally because there are very few large renter households, there are disproportionately fewer large renter households than large owner-occupied households.

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 7,162 units in Lafayette. Among these large units with 3 or more bedrooms, 87% are owner-occupied and 13% are renter occupied (see Figure 39).

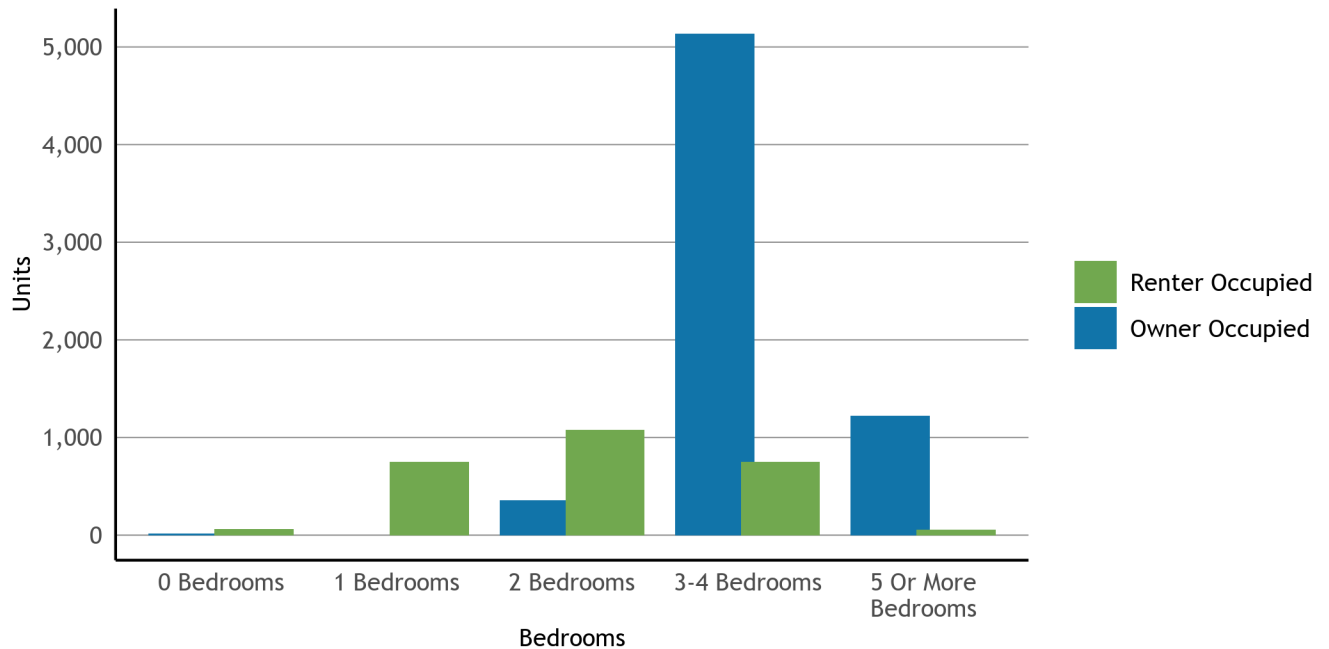


Figure 39: Housing Units by Number of Bedrooms

Universe: Housing units

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-05.

### Resources for Large Households

Finding rental housing with more than two bedrooms is a typical problem for large families, particularly renters with lower income levels. Of the 9,426 housing units in Lafayette with three or more bedrooms, only 8.5% (804) are occupied by renters. Due to the limited supply of adequately sized rental units and affordable homeownership opportunities to accommodate large-family households, large families face additional difficulty in locating housing that is adequately sized and affordably priced. While Lafayette has a large proportion of housing units with three or more bedrooms, the issue is with mismatch between availability and affordability. The Housing Choice Voucher is a program that can assist very low-income large renter-households in accessing adequately sized housing.

## 6.2 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 Lafayette, the largest proportion of households is *Married-Couple Family Households* at 67.4% of total, while *Female-Headed Households* make up 6.2% of all households.

Single-parent families, particularly female-headed families with children, often require special consideration and assistance because of their greater need for affordable housing and accessible day

care, health care, and other supportive services. Female-headed families with children are considered a vulnerable group because they must balance the needs of their children with work responsibilities, often while earning limited incomes.

The 2015-2019 ACS showed that single parents comprised approximately 9.4% of Lafayette households. Of these, 33.9% were male-headed single-parent households and 66.1% were female-headed single-parent households. Female-headed families have a higher incidence of poverty when compared to all households.

Resources for Single Parent Households

Female-headed households need affordable housing in areas suitable for child-rearing and with access to transit networks, schools and parks, and daily services. The City will also be looking at developing a policy for affirmative marketing to lower income special needs groups, which may involve a preference system for below market rate (BMR) units.

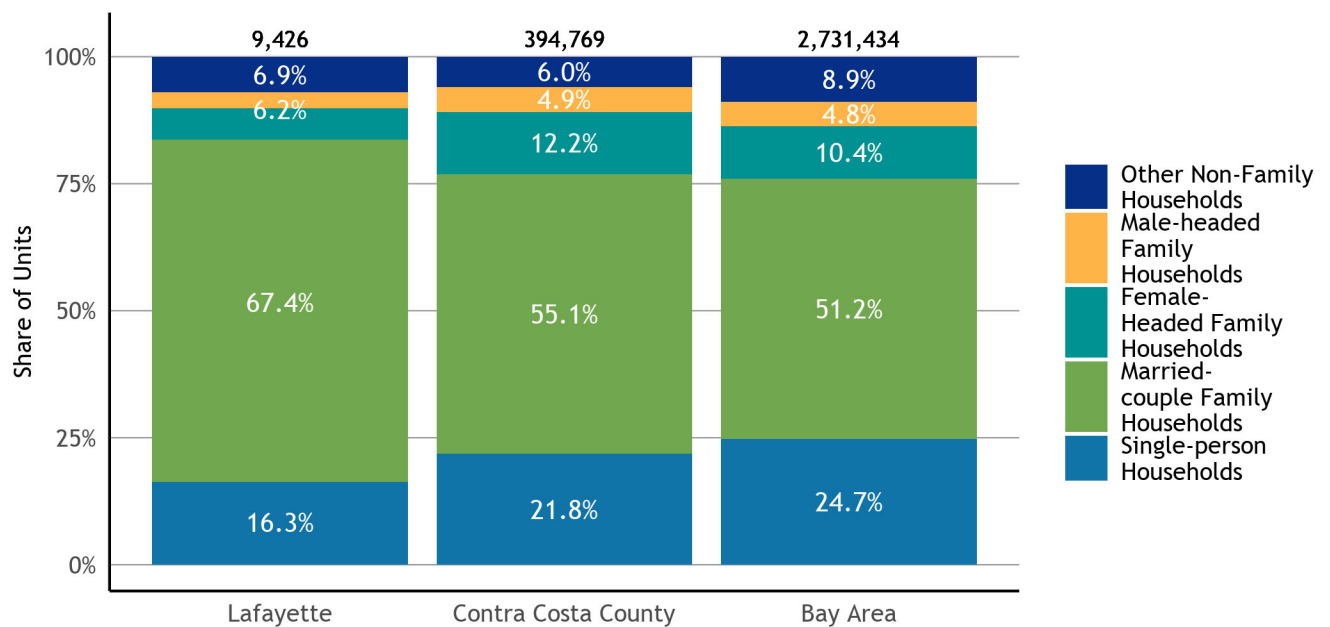


Figure 40: Household Type

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-23.

Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make

finding a home that is affordable more challenging. Because the Federal Poverty Level is not adjusted by location (it is a national statistic), no female heads of households fall below the Federal Poverty Level. Figure 41 shows that there are no female-headed households below the poverty level in Lafayette, regardless of whether children are present. However, many are in the very low and extremely low-income categories.

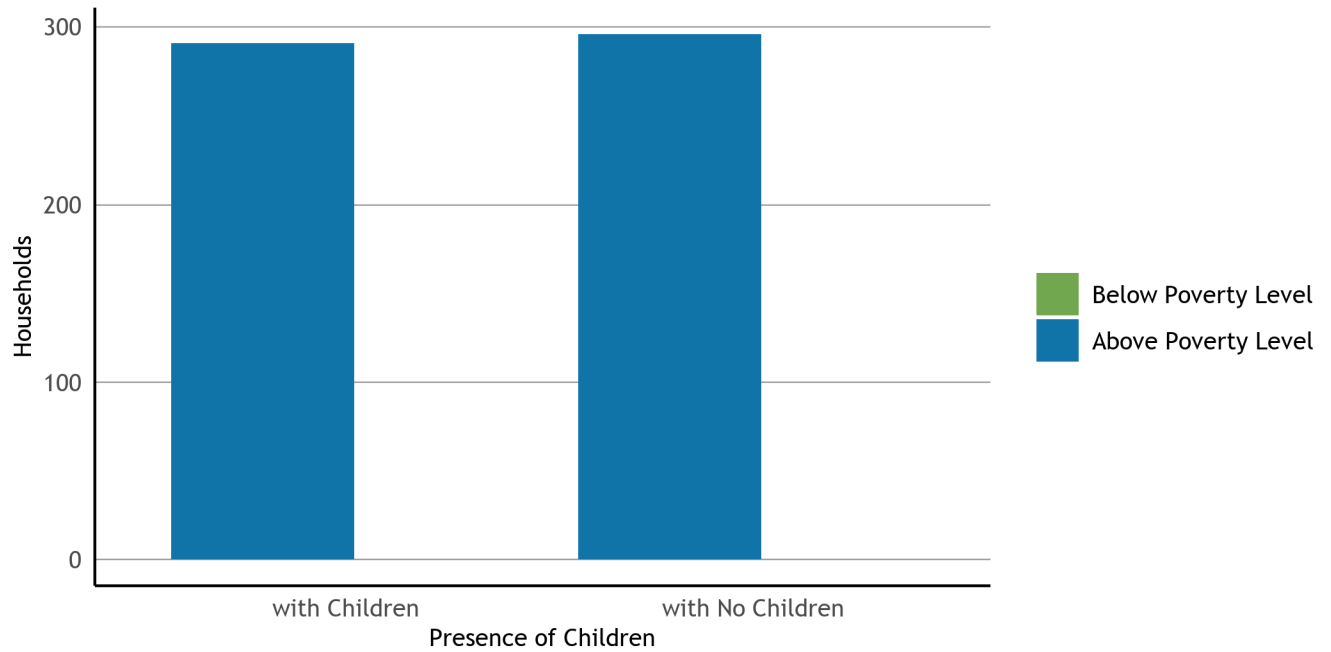


Figure 41: Female-Headed Households by Poverty Status

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.

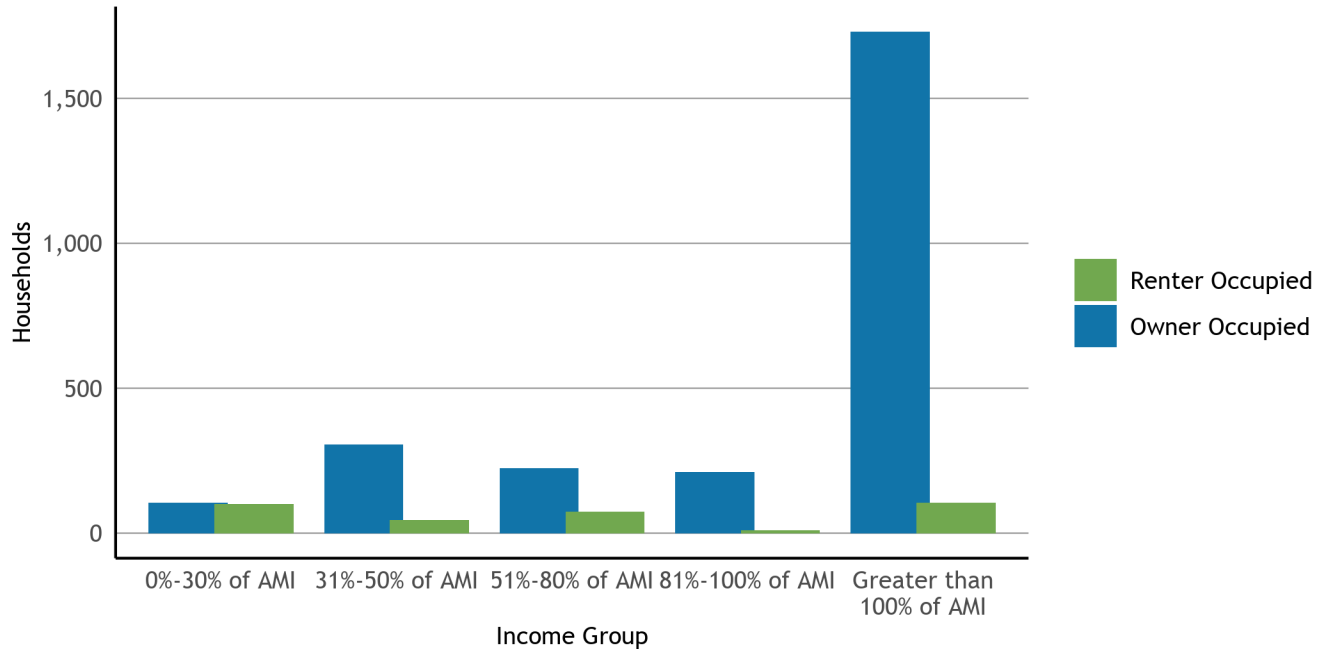
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012

For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-05.

### 6.3 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.

Seniors who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups. The largest proportion of senior households in Lafayette - both renters and owners – earn incomes that are Greater than 100% of AMI (see Figure 42).



**Figure 42: 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, 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*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-01.*

According to the US Department of Housing and Urban Development CHAS tabulations, of the approximately 9,426 households in Lafayette, 2,910 or 30.9% are senior households, While the majority earn incomes greater than 100% of median income, a significant percentage earns lower incomes. Approximately 855 senior households earn incomes less than 80% of median, or about 29.4%. About 74.3% are homeowners, and 25.7% are renters.

Cost burden is prevalent amongst elderly households, especially those earning lower incomes. For example, although extremely low-income senior households represent just 7.1% of total senior households, they represent more than 21.5% of senior households with a cost burden. Of all senior households, 300 (10.3%) are cost burdened, and 16.8% (490) are severely cost burdened.

Aside from overpayment problems faced by seniors due to their relatively fixed incomes, many seniors are faced with various disabilities. Among all disabilities, the most common are ambulatory disabilities (12.2%), hearing disabilities (10.0%), and independent living disabilities (8.6%).

## Resources for Seniors

Housing resources available for seniors include senior apartments and residential care facilities for the elderly (RCFE). Residential facilities such as assisted living or board and care facilities are non-medical facilities that provide a level of care that includes assistance with activities of daily living. RCFEs provide room, board, housekeeping, supervision, and personal care assistance with basic activities like personal hygiene, dressing, eating, and walking for persons 60 years and older. According to the State Department of Social Services (CDSS), Lafayette has 284 beds in 11 licensed RCFEs. In addition, the City of Lafayette assisted in the financing of the 46-unit Belle Terre project, which provides very low-income seniors with affordable housing.

## 6.4 PEOPLE WITH DISABILITIES

People with disabilities face additional housing challenges. Encompassing a broad group of individuals living with a variety of physical, cognitive and sensory impairments, many people with disabilities live on fixed incomes and are in need of specialized care, yet often rely on family members for assistance due to the high cost of care.

When it comes to housing, people with disabilities are not only in need of affordable housing but also accessibly designed housing, which offers greater mobility and opportunity for independence. People with disabilities are at a high risk for housing insecurity, homelessness and institutionalization, particularly when they lose aging caregivers. Figure 43 shows the rates at which different disabilities are present among residents of Lafayette. Overall, 6.6% of people in Lafayette have a disability of any kind.<sup>25</sup> In Lafayette and elsewhere, persons with disabilities have a wide range of different housing needs, which vary depending on the type and severity of the disability as well as personal preference and lifestyle. Physical, mental, and/or developmental disabilities may prevent a person from working, restrict one's mobility, or make it difficult to care for oneself. "Barrier-free design" housing, accessibility modifications, proximity to services and transit, and group living opportunities represent some of the types of considerations and accommodations that are important in serving this group. Also, some residents suffer from disabilities that require living in a supportive or institutional setting.

## Resources for Persons with Disabilities

Transportation service for persons with disabilities is available through the County Connection Link, operated by the Central Contra Costa Transit Authority. The County Connection LINK paratransit service provides door-to-door and dial-a-ride services to individuals whose disabilities prevent them from using lift-equipped public transit. The special service operates at similar times and in similar areas as existing non-commute (off-peak), fixed-route transit. The Lamorinda SPIRIT VAN provides rides to Lamorinda older adults age 60+ and persons with disabilities to destinations in LAFAYETTE, Moraga, Orinda,

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<sup>25</sup> 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.

Concord and other locations within the County. Passengers can obtain rides to medical facilities, shopping destinations, and assist with a wide range of errands.

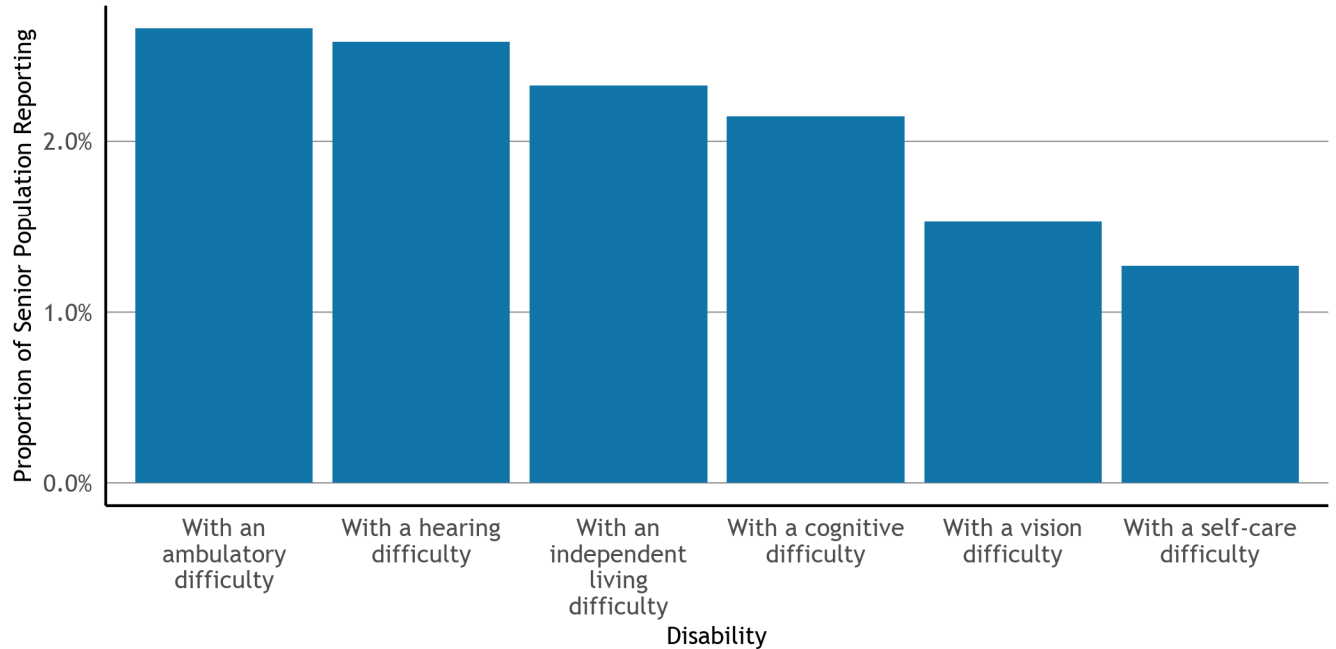


Figure 43: Disability by Type

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.

For the data table behind this figure, please refer to the Data Packet Workbook, Table DISAB-01.

State law also requires Housing Elements to examine the housing needs of people with developmental disabilities. 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 Syndrome, autism, epilepsy, cerebral palsy, and mild to severe intellectual disabilities. 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.

The State Department of Developmental Services (DDS) currently provides community-based services to approximately 329,000 persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. The Regional Center of the East Bay (RCEB) provides point of entry to services for people with developmental disabilities. The center is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families. According to the RCEB website, as of December 2020 19,947 consumers were served, of which 67% are male and 33% are female. The average per capita expenditures for all ages is \$19,439. See <https://www.dds.ca.gov/rc/dashboard/overview/>.

The following chart shows the percentage of consumers at RCEB by disability:

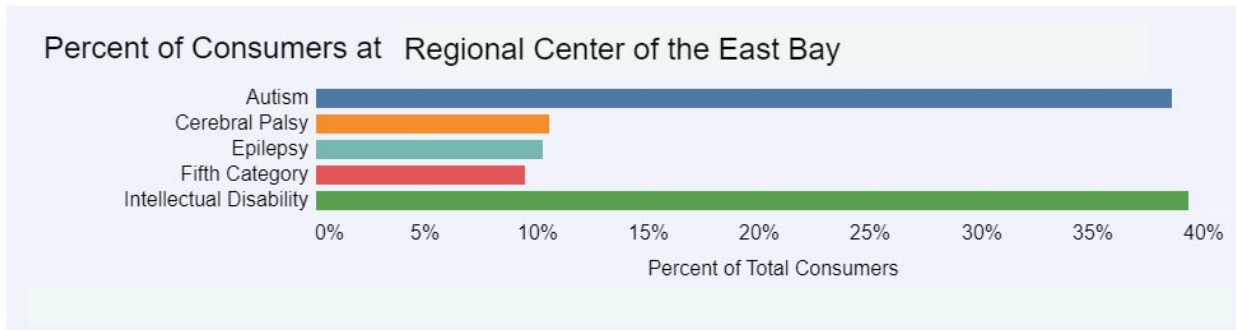


Figure 44: East Bay Regional Center Consumers by Disability Type

Notes: 1) Data includes Early Start consumers.

2) Consumers with multiple diagnoses are included in each applicable diagnosis category.

3) “Fifth Category” is defined as consumers who have disabling conditions closely related to Intellectual Disability or requiring treatment similar to that required by a person with Intellectual Disability.

Source: Regional Center of the East Bay, <https://www.dds.ca.gov/rc/dashboard/purchase-of-service-report/diagnosis/>, 2021

In Lafayette, of the population with a developmental disability, children under the age of 18 make up 48.3%, while adults account for 51.7%.

**Table 13: Population with Developmental Disabilities by Age**

Age Group	Number
Age 18+	77
Age Under 18	72

*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 cross walked 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)*

*This table is included in the Data Packet Workbook as Table DISAB-04.*

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

**Table 14: Population with Developmental Disabilities by Residence**

Residence Type	Number
Home of Parent /Family /Guardian	119
Independent /Supported Living	31
Other	0
Foster /Family Home	0
Intermediate Care Facility	0
Community Care Facility	0

*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 cross walked 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)*

*This table is included in the Data Packet Workbook as Table DISAB-05.*

There are a number of housing types appropriate for people living with a development disability: rent subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and permanent supportive housing (PSH). The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving this need group. Incorporating ‘barrier-free’ design in all, new multifamily housing (as required by California and Federal Fair Housing laws) is especially important to provide the widest

range of choices for disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

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. Currently, the majority of the developmentally disabled residents in Lafayette are residing at home.

#### Resources for Persons with Developmental Disabilities

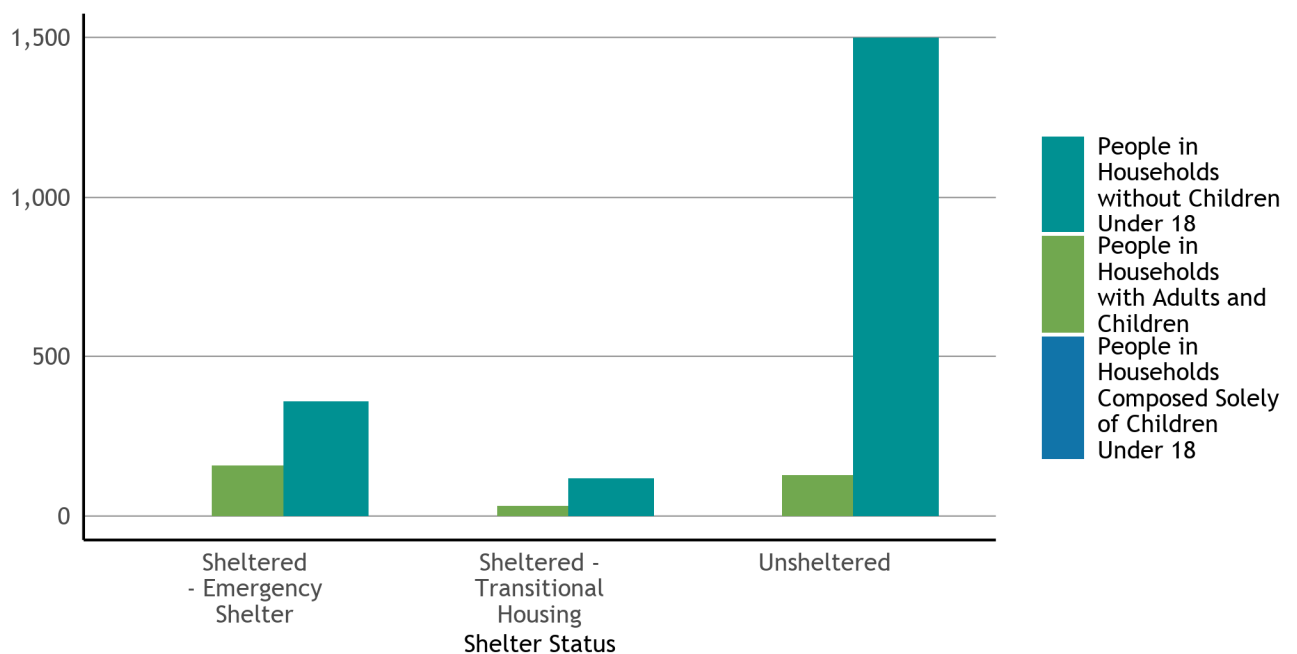
Services for persons with disabilities are typically provided by both public and private agencies. State and Federal legislation regulate the accessibility and adaptability of new or rehabilitated multifamily apartment complexes to ensure accommodate for individuals with limited physical mobility. Housing options for persons with disabilities include various community care facilities. Many individuals continue to live with parents.

Lafayette is home to a long-standing institution that serves the needs of the developmentally disabled. Las Trampas, Inc. supports adults with developmental disabilities to discover their capabilities and to lead full lives in their home, at work, and in the community. Las Trampas offers independent and supported living services and adult development programs. Previously, Futures Explored, Inc. operated in Lafayette to provide life skills and work-related training to adults with developmental disabilities and is still active in Contra Costa County.

The affordability of housing for disabled people is an important concern in Contra Costa County and within the City of Lafayette. The ability for a disabled person on SSI to find affordable housing is extremely difficult, if not impossible. Much housing in Lafayette is out of reach considering that the 2021 monthly Supplemental Security Income (SSI) benefit, which provides monthly disability income for those who meet Social Security rules for disability and who have limited income and resources, is \$955 per month for an individual. At this amount, the maximum rent a disabled person on SSI could pay is just \$287 per month (30% of the monthly income, according to HUD rules).

## 6.5 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. 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. In Contra Costa 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, 75.9% are unsheltered. Of homeless households with children, most are sheltered in emergency shelter (see Figure 45).



**Figure 45: Homelessness by Household Type and Shelter Status, Contra Costa 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)*

*For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-01.*

Every January, Contra Costa's Homeless Continuum of Care (CoC), along with hundreds of communities across the nation, conducts a comprehensive Point in Time (PIT) count of families and individuals experiencing homelessness across the County. With the help of partnering agencies and over one-hundred community volunteers, information is collected on families and individuals residing in emergency shelters, transitional housing, and places not meant for habitation, including but not limited to people sleeping in their vehicles, on the streets, tents and make-shift shelters, and abandoned

buildings. The PIT count is intended to measure the prevalence of homelessness on any given night across the community and collect important information describing the history, challenges, and needs of this population. The data is then used for local, regional, and federal strategic planning, decision making, allocation of resources, and advocacy to prevent and end homelessness in Contra Costa County.

While the federal agency Housing and Urban Development (HUD) requires a biennial PIT count for all communities receiving federal funding for housing, crisis, and homeless services, Contra Costa County has been conducting annual PIT counts since 2013 to improve our understanding of homelessness at the local level and support prioritization of vulnerable populations' needs.

According to the PIT count for 2020,<sup>26</sup> canvassers found three unsheltered homeless people living on the streets of Lafayette. Although demographics are not available for the individuals, the following are some key statistics from the countywide data.<sup>27</sup>

**Households** -- The 2,277 people identified on the night of the PIT count made up 1,972 households; 92 households (5%) were families with children and 1,880 households (95%) were adult only - households that consisted of one or more adults in the household with no minors or dependent children . There were 261 people in the 92 families (averaging 2.8 persons per family) and 2,016 people in adult-only families (average 1.1 persons per household).

**Gender** -- Men represented the majority of those identified in the PIT count (65%, n=1,483), followed by women (35%, n=788), and transgender/gender non-conforming (n=6, less than 1%). Men were more likely to be unsheltered than women; 72% of men (n=1,072) were unsheltered and 27% (n=494) of women were unsheltered.

**Age** -- The majority of individuals (55%) identified in the PIT count were adults ages 25 to 54, followed by older adults ages 55 to 61 (17%) and seniors 62+ (16%). Transition Age Youth (TAY) ages 18 to 24 made up 5% and minors under age 18 made up 7%. No unaccompanied minors were identified during the 2020 PIT.

**Race/Ethnicity** - More than half the people identified in the count reported White/Caucasian race (54%, n=1,227), followed by 29% (n=674) who reported Black/African American race, and American Indian (8%, n=179).

**Sheltered/Unsheltered** -- Far more White people were unsheltered (88%) relative to all other races (45% Asian and 41 % Black/African American were unsheltered). Pacific Islanders and people with multiple races had higher rates of being sheltered the night of the count (77% and 75%, respectively).

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<sup>26</sup> The PIT count conducted in January 2023 did not report finding any individuals experiencing homelessness in Lafayette. <https://cchealth.org/h3/coc/pdf/PIT-infographic-2023.pdf>

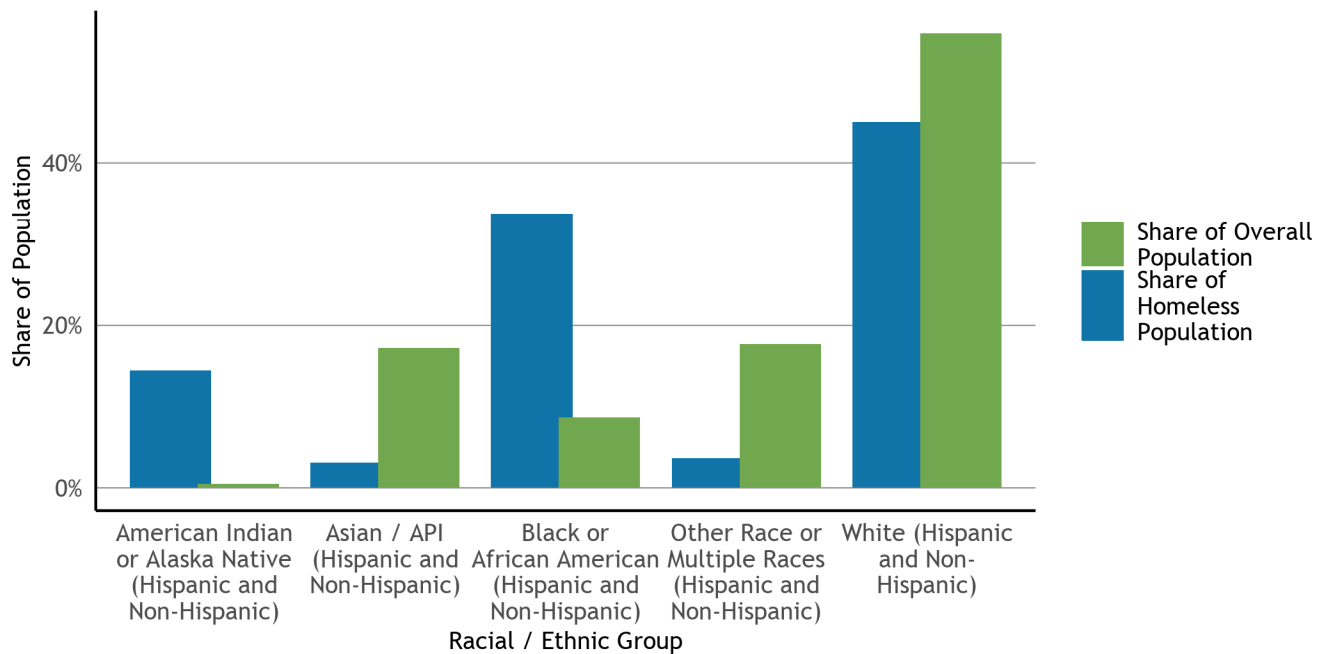
<sup>27</sup> See <https://cchealth.org/h3/coc/reports.php#PIT> for more information.

**Veterans** --There were 115 veterans identified in the 2020 PIT count (making up 6% of the adult population). Although there was an overall 6% decrease since 2015, shifts since 2017 are indicating an upward trend (16%) in the number of veterans identified.

Other indicators include:

- Sexual identity: 94% of those surveyed reported being straight/heterosexual and 6% reported being gay/bisexual/queer
- Educational attainment: 20% had less than a high school degree; 48% had a high school degree or GED; 23% had some college experience; 9% had a college degree
- Employment: 91 % were unemployed; 4% reported working full-time; 5% reported working part-time or seasonally

People of color are often disproportionately impacted by homelessness, particularly Black residents of the Bay Area. In Contra Costa County, White (Hispanic and Non-Hispanic) residents represent the largest proportion of residents experiencing homelessness and account for 45.0% of the homeless population, while making up 55.8% of the overall population (see Figure 46). In contrast, Black/African American people are disproportionately represented in the homeless count as opposed to their representation in the population as a whole.



**Figure 46: Racial Group Share of General and Homeless Populations, Contra Costa 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. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. 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.

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)

For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-02.

In Contra Costa, Latinx residents represent 16.6% of the population experiencing homelessness, while Latinx residents comprise 25.4% of the general population (see Figure 47).

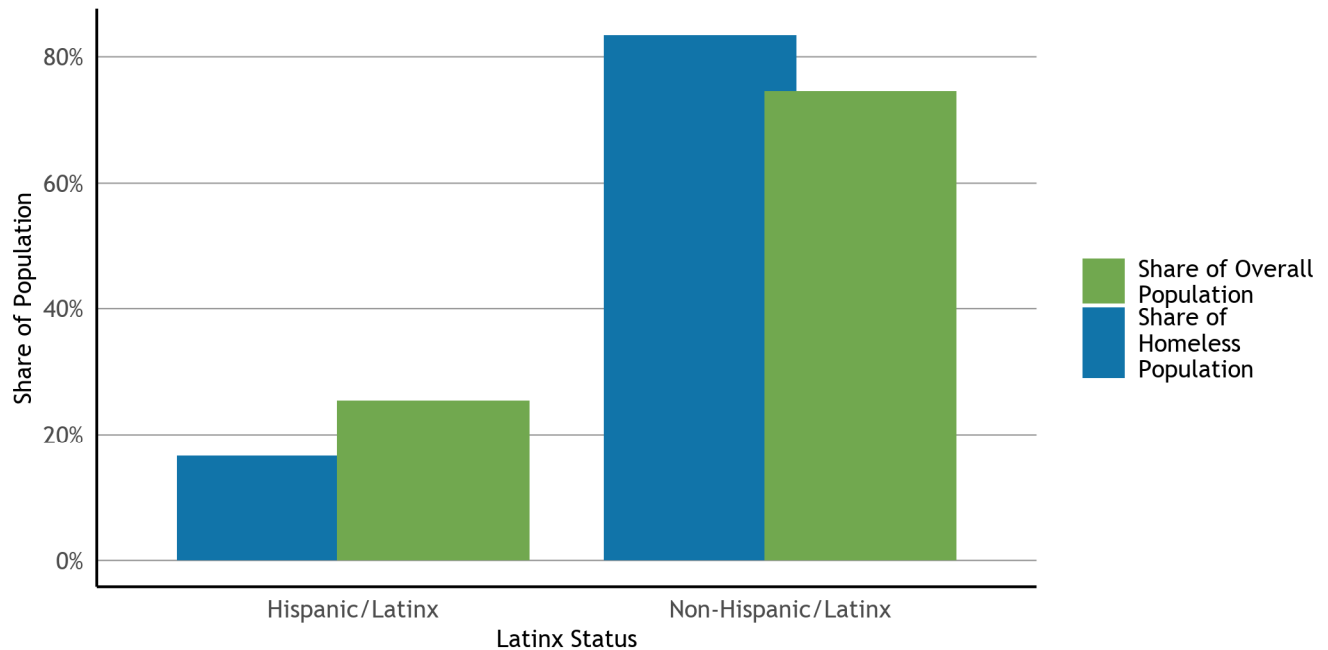


Figure 47: Latinx Share of General and Homeless Populations, Contra Costa County

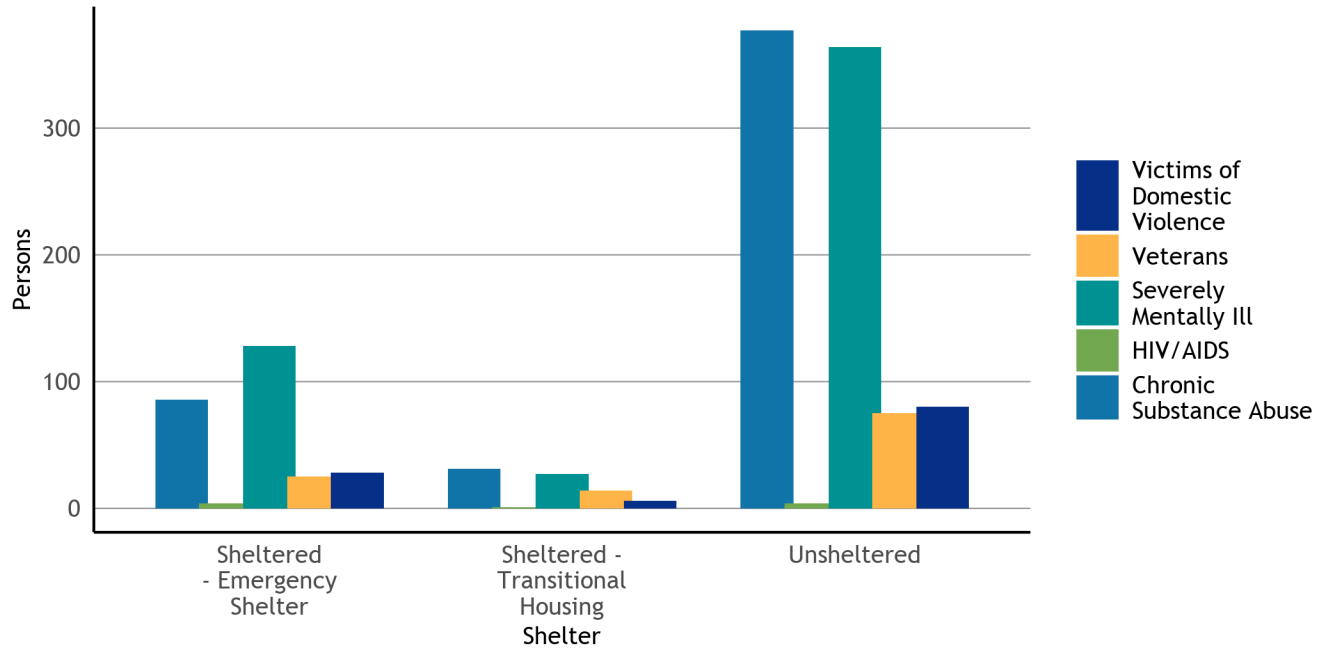
Universe: Population experiencing homelessness

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. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. The data from HUD on Hispanic/Latinx ethnicity for individuals experiencing homelessness does not specify racial group identity. Accordingly, individuals in either ethnic group identity category (Hispanic/Latinx or non-Hispanic/Latinx) could be of any racial background.

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)

For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-03.

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 Contra Costa County, homeless individuals are commonly challenged by severe mental illness, with 519 reporting this condition (see Figure 48). Of those, some 70.1% are unsheltered, further adding to the challenge of handling the issue.



**Figure 48: Characteristics for the Population Experiencing Homelessness, Contra Costa 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. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. 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.*

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

*For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-04.*



In Lafayette, there were no reported students experiencing homeless in the 2019-20 school year. By comparison, Contra Costa County has seen a 4.4% increase 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, 13,718 students experienced homelessness throughout the region, adding undue burdens on learning and thriving, with the potential for longer term negative effects.

**Table 15: Students in Local Public Schools Experiencing Homelessness**

Academic Year	Lafayette	Contra Costa County	Bay Area
2016-17	0	2,116	14,990
2017-18	0	2,081	15,142
2018-19	0	2,574	15,427
2019-20	0	2,209	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)*

*This table is included in the Data Packet Workbook as Table HOMEELS-05.*

### Resources for Persons Experiencing Homelessness

Although no homeless shelters are located within Lafayette, various facilities located in Contra Costa County are available to provide shelter for homeless individuals and families. These facilities are categorized and described below. The City will continue to support the Contra Costa County Continuum of Care (CoC) Board and supporting agencies and organizations to address the problem of homelessness throughout the County. The City will also continue to analyze and address impediments to the provision of housing for the homeless and near homeless by facilitating and encouraging the development of affordable housing and facilities for the homeless, including homeless shelters, transitional housing, single room occupancy units, and permanent supportive housing.

- Multi-Service Centers:** The County Health Services operates four Multi-Service Centers (MSCs) throughout the region to coordinate a variety of services and provide accessibility for homeless individuals and families. The MSCs offer comprehensive services, operating as “one-stop” sites for meals, temporary housing, respite for detoxification, and social services. Supportive services are offered on a drop-in basis, and include case management, food, showers, clothing, employment training, housing counseling, transportation, health care, educational programs, life skills programs and information and referrals to substance abuse and mental health treatment.
- Shelter Plus Care Supportive Housing and the Health, Housing and Integrated Services Network (HHISN):** Contra Costa County’s largest supportive housing programs are the Shelter Plus Care

Programs. Housing is provided through scattered site units that are held by a master lease and subsidized through tenant housing subsidy vouchers. Linked to the housing is an integrated array of support services including health, mental health and substance abuse services as well as case management and access to other social services.

- **Health Care for the Homeless:** Contra Costa County provides comprehensive health coverage to all of its low-income uninsured residents, many of whom are homeless. The County's mobile Health Care for the Homeless program facilitates access to these mainstream health services by assisting homeless people in gaining access to health care and services.
- **Synergy Program:** The Synergy Program offers treatment-on-demand to homeless people in licensed alcohol and drug treatment programs, and provides linkages to other needed services, including health, mental health, and case management services.
- **Rubicon Programs:** Rubicon Programs promotes the self-sufficiency of unemployed and underemployed individuals who are disabled, homeless, and/or economically disadvantaged. This nationally recognized organization provides a variety of services including job preparation, placement, retention and career advancement services. In addition, Rubicon operates Training Programs in Bakery Production and Commercial Property Maintenance.
- **SHELTER, Inc.:** This organization provides an array of homeless prevention services to individuals and families in Contra Costa County, including: rental assistance, rental subsidies linked with case management (for up to one year), financial assistance with rent and mortgage arrears, assistance with move-in costs, landlord/tenant counseling, and short-term housing linked to support services and assistance in locating permanent housing.
- **HOPE Solutions:** Established in 1991, Hope Solutions (formerly known as the Contra Costa County Interfaith Transitional Housing) is coalition of 15 congregations in Contra Costa County to address the growing issues of homelessness. In 2000, the coalition added Mercy Housing as a development partner and co-sponsor. HOPE Solutions now operates several service sites that provide permanent supportive housing: Garden Park Apartments (Pleasant Hill); Lakeside Apartments (Concord); Bella Monte Apartments (Bay Point); and Los Medanos Village (Pittsburg). HOPE Solutions also operates scattered sites supportive housing projects.

## 6.6 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.

In Lafayette, there were no reported students of migrant workers in the 2019-20 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.

Table 16: Migrant Worker Student Population

Academic Year	Lafayette	Contra Costa County	Bay Area
2016-17	0	0	4,630
2017-18	0	0	4,607
2018-19	0	0	4,075
2019-20	0	0	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)

This table is included in the Data Packet Workbook as Table FARM-01.

According to the U.S. Department of Agriculture Census of Farmworkers, the number of permanent farm workers in Contra Costa County has decreased since 2002, totaling 450 in 2017, while the number of seasonal farm workers has decreased, totaling 860 in 2017 (see Figure 49). In Lafayette, there are no known farmworkers.

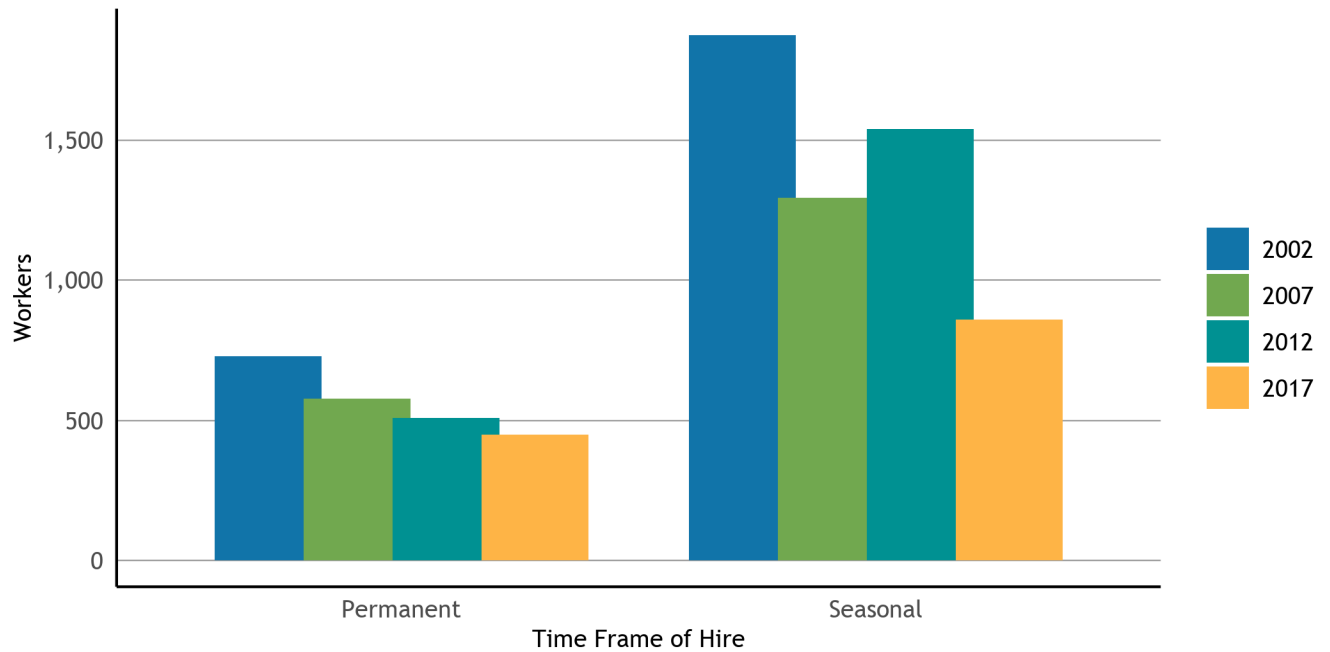


Figure 49: Farm Operations and Farm Labor by County, Contra Costa County

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table FARM-02.

## Resources for Migrant and/or Farm Workers

As mentioned above, there are no known persons employed in the farming, fishing, and forestry occupations. As such, no special programs target this population in Lafayette but they can be generally assisted with Housing Choice Vouchers or other affordable housing resources.

### 6.7 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. In Lafayette, 1.6% of residents 5 years and older identify as speaking English not well or not at all, which is below the proportion for Contra Costa County. Throughout the region the proportion of residents 5 years and older with limited English proficiency is 7.8%.

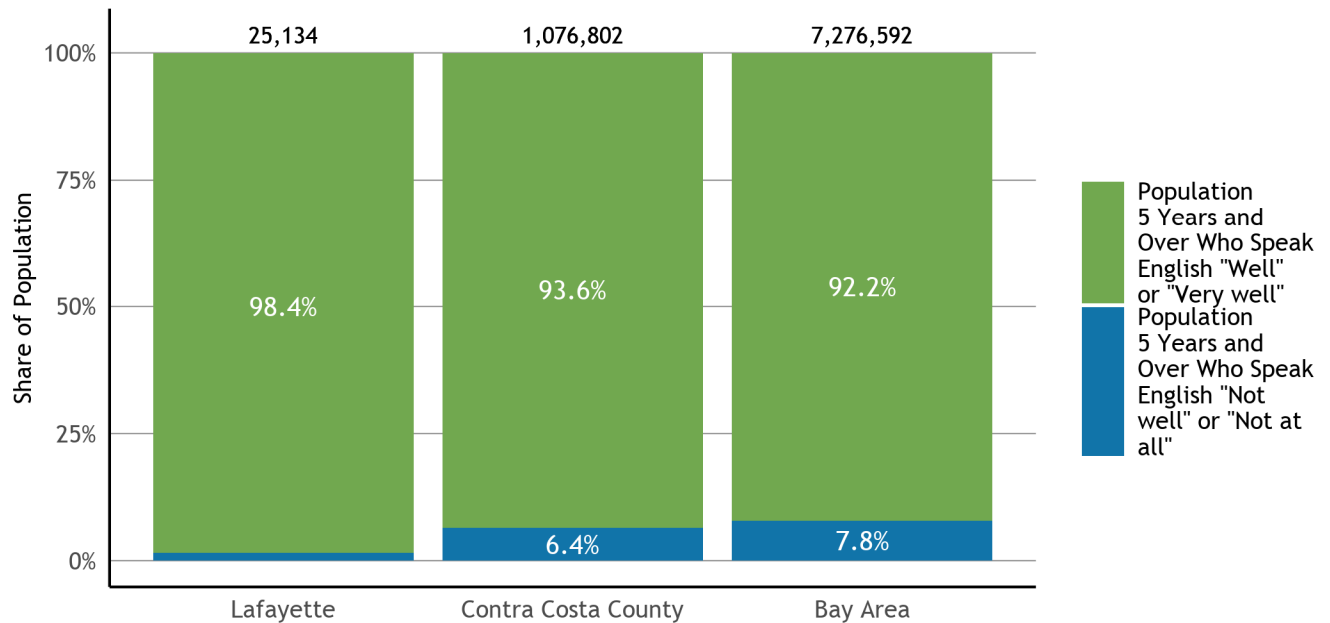


Figure 50: Population with Limited English Proficiency

Universe: Population 5 years and over

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

For the data table behind this figure, please refer to the Data Packet Workbook, Table AFFH-03.

- 1 I hope to obtain housing in the future at the Terraces of Lafayette. I am currently a renter living with my son because of the high cost of rent, and this arrangement is only temporary for us. I became disabled 10 years ago and lost my house due to a decrease of income. I worked as an RN for 34 years. Since then I've been renting but have been priced out of the rental market during the past few years so it leaves me no choice but to hope for a low income apartment. I grew up in Lafayette in the 60's and 70's, and wish to come back because I have family there and it is best to be closer as we're all getting on in age.
- 2 My family moved to Lafayette from San Francisco (technically Orinda but next to Lafayette Reservoir and everything we did was in Lafayette so that's what I consider my home town). My parents purchased our home for around \$35,000 in 1968, which was quite a lot at that time, but very worth it. I attended UC Berkeley, got a job and wanted to buy my first home but couldn't afford anywhere in the East Bay or really the entire Bay Area. Prices have only escalated exponentially since then. Our family home is now worth about \$2.5M. I moved to the Foothills because it was affordable and I started work in Sacramento. Fast forward to the present and I am now retired and looking to downsize. I would like to move back to Lafayette but even apartments/condos there cost \$1M+. Most of my friends from high school have left the area for the same reason of unaffordability to live where we grew up. Some have had to leave California altogether. I may need to do that as well unless more affordable senior housing becomes available. I hope you consider my comments on any decisions you make regarding future housing development in Lafayette. Thank you.
- 3 Our name is Robert and Carla Combi and we have happily lived in Lafayette for the past 22 years. We have raised three children that have attended Happy Valley Elem, Stanley Middle and Acalanes High School. Our eldest son Cole has special needs and went on to attend Del Valle. We are very active in the community and currently Carla serves as a teacher aide at HV Elem and I am coaching JV football at Acalanes HS.

It was recently brought to our attention that Lafayette has the opportunity to approve an affordable housing development for the special needs community. Having personally been involved with SunFlower Hill and their Pleasanton location, I can speak first hand to the tremendous benefits Irby Ranch has brought not only to the families that struggle to find a home for their special needs adult, but to the community itself. As a full time care taker of a special needs child your greatest wish is to find a place where they can gain some independence, enjoy life with their friends and peers but remain close to your home so you can continue to help manage their needs.

Our son Cole has made several key friendships thru his years of special education in the Lafayette school district. He has worked at Rite Aid and the Cal Bears Football program. He is a vibrant person in our community and is surrounded by friends and family that love him. Needless to say we would be overjoyed if Cole had the opportunity to live at a place like Lafayette Lane Community. Equally important, the City of Lafayette would benefit as well by being a leader in our County for proving affordable housing to adults with developmental disabilities.

We thank you in advance for your consideration of this very important request.

4 For many years, the US National Synchronized Swimming (recently renamed as Artistic Swimming) team trained at Campolindo High School in Moraga. About six years ago, USA Synchro found us. They were looking for a family to host one of the team members, and young woman who was 16 and travelling across the country to train with the team. She lived with us for several years, and when she left, was following by three more swimmers.

We were lucky to have a spare bedroom, and benefitted enormously from having these incredibly hard-working young ladies live with us. And it was hard, too. Not all of our stints at hosting were entirely successful. Sharing space and responsibility, eating meals with people who are not your immediate family can be difficult. Managing conflict and communication, and sometimes realizing that those staying with us had needs that we weren't ready or able to meet.

While we benefitted from these experiences, I also recognize that while our first swimmer intentionally wanted a family to live with--she was 16 at the time, after all--for the others it was a compromise because of the cost of living in the area. At least one of them would have been better off in an in-law unit with their own space... something that simply wasn't possible because of the lack of affordable housing.

5 So what's happened to my home? I live out springhill road and often I can't get past springhill school or onto pleasant hill road! TRAFFIC is a nightmare...all over the city in fact. I rarely go downtown as it's easier to head north to Palos Verdes shopping center or into Walnut Creek, in spite of wanting to support local businesses. Semi rural is being destroyed and the infrastructure is not able to support the influx. Apartments/condos are being built and where will these students go to school? I don't hear of anything being done to support an estimated 2000 increase in the school population. Is the fire department manpower and emergency evacuation increasing at the same rate? Congested roads and safety are a nightmare with a crossing guard killed, and we are talking about a 3 million dollar bike path that goes less than a mile.

Semi rural is what our city has and is...listen to the citizens who have lived and live here. Not someone who has been here less than a decade.

Our family has lived in the same house for over 45 years, owned and operated a business in Lafayette, supported and volunteered in community work, and coached and supported youth sports financially.

Citizens who live here have worked hard to get to this place. There are cities I may wish to live, but can't afford, and that's ok. That doesn't mean that because you want to you can...most things in life you have to work hard to get, including your home.

6 I arrived at the University of Washington as a graduate student from the UK, not knowing Tuscaloosa from Wapakoneta or Mason from Dixon. I remember tracking my expenses one month, to see how little I could spend! OMG - \$170 included everything – rent, food, everything! Never again, but four years later my first wife and I ended up in a bachelor apartment with our little girl, where space was so tight there was no door to the bathroom, and I had to sleep on my side, because the bed did not allow two people to lie on their backs next to each other. Three jobs, a full graduate load, a family of three and captain of a rugby team kept me occupied.

A year after I graduated with no debt, we found a fifty-year old house in West Seattle, where the secret was not to flush while someone else was in the shower. Secret #2, a sloping clay backyard is not a good idea in Seattle, where it rains a lot – I had lots of fun emptying the flooded basement.

I decided to move to the Bay Area, after I obtained a position replying to an ad in the Wall Street Journal. I took a rental in the city but then had to move around short-term rentals, sleeping on my employer's floor.... Selling a house long distance as part of a divorce settlement was not easy, but it enabled my current wife and I to move into a house in San Ramon, with just a bed for furniture. After eight years there, we decided it was time to check out Lafayette. Well, the potential buyer of our San Ramon house backed out, leaving us with a signed contract in Lafayette (fighting off competing bids while we completed the paperwork) and a swing loan to cover the San Ramon house till it sold, leaving us with \$1000! But after nearly twenty years of scrimping and very little in the way of vacation, we landed in lovely Lafayette.

7 Don't ruin Lafayette!  
Lafayette has been home for 46 years. We love the small town feel, the unique neighborhoods and homes. It is quaint, offers privacy and beauty surroundings. Please don't turn it into a Walnut Creek like city. Already the new condos and apartments are so cookie cutter. Update as necessary but don't become over-crowded with buildings.

8 Multi family dwellings in the Burton Valley will diminish the quality of life everyone enjoys who moves here. We are firmly against this happening.

9 Lot near our home subdivided. Claimed they wanted to build an in-law unit, a small building on the lot. Now they are trying to get a 5000 square foot home built on this lot and it doesn't fit in the neighborhood. What a scam. They plan I. Selling as soon as this is approved. I am totally against this idea of subdividing to build in-law units.

10 My husband and I have lived in Lafayette since 1983. We downsized in 2015 to a one story home with a beautiful garden and a cottage. The cottage is too big to technically be called an ADU. It was built by the former owners for their disabled mother and her caregivers. We have used the cottage for family visits during Covid. A safe place for our grandchildren to swim, run around, learn to ride their bikes, but not enter our main home. We have nice off street parking which does not clutter our beautiful neighborhood. We would hate to lose the spacious gracefulness of our neighborhood to multiple homes on single family zoned lots. The Fire Department and City have long recognized the unsafe Happy Valley School traffic at arrival and dismissal times. Making our neighborhoods more dense will not provide affordable housing...just more compact expensive housing.

11 Fran Stanley Schroder has fond memories of growing up in Lafayette in the late 1930s when it was a “country town” and a great place for kids to roam and play.

“We were lucky because Lafayette was a secret for a long time. We lived in the country, yet we had all the good things of the city nearby. We had fruit trees, pears, and apricots. There was lots of land around us. There was a creek behind where the Park Theater is now that used to be a swimming hole for all of us kids. We had a big rope we’d swing on and jump into the water. We collected pollywogs and snakes. There was a path all around down by the creek, and we strung tuna fish cans with wires and tried to talk to one another.”

“My father loved lumber,” Fran remembers. “He knew all the trees. He went back to school and got his contractor’s license. He was always building,” Fran says. “We’d move to one house and he’d get the urge, then all of a sudden, overnight we moved. We lived in three different houses.”

Fran’s parents owned the Stanley Building, original site of the Lafayette Drug Store. “It was two doors down from the Roundup, near the Garrett Building (now Postino),” Fran explains. “We could always just run downtown and get whatever we wanted. The Plaza was where the grocery store was. There was a hardware store up the street, too. My parents never worried about us. I think of myself going hiking alone on the hills, and my parents just said, ‘Be careful of the cows.’”

“My father was really concerned in the earlier years when they put in what they called ‘the freeway,’ which was the main road through town and developed all the businesses along the strip,” Fran remembers. “He felt that was bad. On one side there was nothing, but when they started building on the south side, he thought they should have made the businesses more centered instead of spreading it out on the long street.”

“Lafayette did a good job of holding onto the small-town feeling,” Fran says [in the 2004 interview]. “I have a lot of friends in Lafayette. That’s what’s nice about being around for a long time.”

Excerpted from *Voices of Lafayette* by Julie Sullivan, available for purchase in the History Room.

12 My father, mother and 2 older sisters, American Citizens, were incarcerated in 1942 in the concentration camps in the United States of America during WWII . They had to leave land and all belongings except for what they could stuff into an issued duffel bag. They were sent



to desolate, remote camps, enduring inclement weather and subjected to little privacy and an American diet in Rohrer, Arkansas, Crystal City Texas and then Tule Lake, CA. They were released in 1946 on the East Coast with \$20 and expected to find their way back to Concord and Stockton, CA, respectively. After working at Bird's Eye Foods in New Jersey, they were able to get back to Concord where my father started landscaping.

My parents first rented and shared housing with 3 men and then moved to Walnut Creek still renting. One of his landscaping clients was Mrs. Bernice Ellis who helped with a loan to buy the property near the Park Hotel on the East End of Mt. Diablo Blvd. By 1950 Harry and Shigeko had 4 daughters and started Harry's Nursery working 7 days a week and long hours. We were basically the only family of color in town. My older sisters faced some discriminatory remarks at school but we had to be model kids and students since everyone recognized us as "Harry's daughter". The house was a square military plan, 800 square feet and housed 6 of us with one bathroom and 3 small bedrooms.

In 1954 due to the stress of the long hours and raising 4 children, my dad came down with acute bronchitis which put him in a sanitorium for 6 months leaving my mother to run the nursery and to raise the kids. Mr. Jack Marchant and Mr. Russell Bruzzone visited my father when he came back home, bedridden, and told him he did not have to worry and that they would ensure he would not lose the nursery. He was forever grateful to hear that.

My father then bought 9 acres in Oakley, CA to start a wholesale nursery. Twice the employees didn't show up so the stock died and he couldn't be in two places at once. He was trying to run the nursery too, that was doing well so he ended up letting that business die. In 1960, our family was able to move up the hill to a new home built by Johnson Clark.

The Lafayette nursery property has been in the family for 71 years. My parents were well respected in the community and were the first Chamber of Commerce members. The four of us girls went to Lafayette and Springhill Elementary, M. H. Stanley and Acalanes High and all of us graduated from college and have been productive members of our communities.

Having gone all the way through Lafayette schools, I met my husband at M. H. Stanley when we were 12. Patrick Eames's family moved to Lafayette in 1950 as well. When I went off to college I rented with roommates. After graduation I still rented with a roommate to save money and got a job with the State of California for 13 1/2 years. I was then able to buy a house in Carmichael, CA with a small loan from my parents.

Patrick opened his own ACE Hardware store in Richmond, CA with his older brother. He lived at home until he married and rented apartments with his first wife. After the store was doing better and after long hours and working 7 days a week he bought a house in Hercules, CA. After his divorce, we got married in 1986 and moved to Moraga where we have raised 2 kids over the last 35 years.

I did not assume I could buy a home where I grew up. I am fortunate I live in Moraga and inherited property in Lafayette, but it was not by wishing it. Immigrants come to this country for the American Dream, but they start out living together and working hard. They are not assuming that they can buy a home in any neighborhood they want to. It is not a right, but the opportunity is there for anyone who wants to sacrifice and work hard.

13 My parents were incredibly financially poor during my teen years. From ages 12 - 22 I cleaned houses, almost every day after school, to help buy household necessities and eventually put myself through Cal Poly. Often, I could only afford to buy bags of russet potatoes (seeing those brown translucent plastic potato bags today gives me anxiety). I graduated and worked in the Silicon Valley, but quickly understood that I wasn't going to be able to afford a home in the Bay Area, so I moved to Seattle, WA. I worked 12 hours a day in an industry that I was anything but passionate about (group insurance sales) simply because it paid well and I was determined to buy a home and start building equity by age 27. My husband and I bought the ugliest house in a decent neighborhood that we could find. We spent two full weekends a month, for the next 4 years, renovating it by ourselves with only the help of countless do-it-yourself books checked out from our local library. We rarely (almost never) took vacations or went out to eat. Three of four bedrooms and our living room/dining room stayed unfurnished for the entire 4 years we owned that first house. We brought our equity back to CA and bought a home in Lafayette outside the Lafayette school district (cheaper). We got to know our neighbors and started becoming curious about how the seemingly confusing and illogical school district lines were drawn. I went to the Contra Costa Office of Education and spent hours looking up the district line history on microfiche. I discovered that our cul-de-sac was incorrectly placed in the Mt. Diablo School District. Believe it or not, this was due to a highlighter pen error on a map that didn't match the correct written description of boundaries! I hired Allan Moore to represent our neighborhood and rectify that mistake. He represented us pro bono. We won, and I've continued to advocate for my neighborhood with respect to sidewalks and traffic relief, as well as volunteer and raise money for the schools and Lafayette community.

14 How to Judge Lafayette, if you must...  
--The first year Little League baseball started, me and my wife were working, and constantly needed rides to practice for my older son. The rides were easily offered. This became the rule for years and years. I worked in San Francisco and could not transport him on a regular basis due to getting back to Lafayette after practice begin. Similar with my wife. She is brown. Never a problem getting rides; our family still holds the record for most rides asked for, and granted, in the history of Lafayette. If people could help, they did, willingly. This is the Lafayette I've witnessed...for years and years and years.

-As parents we participated in two sons' sports year round--baseball, basketball, football, wrestling, Little League, CYO, and the kids were on school teams as they became older. During these years of participation as a parent spectator and frequent volunteer, I had thousands and thousands of interactions with Lafayette parents, either down the foul lines for baseball games, in the stands for football/wrestling/basketball matches; interaction after events and before games, getting breakfast, lunch, and dinner during road games, for example. Additionally, we took weekend trips to Monterey and LA, Sacramento, etc with traveling teams, for years and years. I went to almost every single game for two children on Lafayette roster teams, from my kids ages 5 to 18...

In these countless and decade long interactions with the parents of Lafayette, parents from big homes, little homes, rental homes, non town occupants (maybe parent worked here and kids were in school, etc), even when we had a drink or two, or three, or working an event snack bar, etc., I never, ever, never, heard a single off color remark from any parent. Ever. This includes "conservative" parents, middle of the road, liberal, etc. The parents may discuss fiscal policy, for example, but I never heard an offensive remark. That is a lot of opportunity for a racist to expose him or herself. Never saw it This is the Lafayette I witnessed...for years and years and years.

-Regarding the high schools in the area and the tenor therein, newspaper accounts, anecdotal exchanges, and published reports indicate that despite rare and sad toxic outliers that have been exposed, Lafayette's reputation as an accepting city has to be judged as stellar. When my younger son was a high school Senior, "Frankie" was a mentally and physically challenged classmate. The football team took it upon themselves to make Frankie their (beloved) team assistant/aide, welcoming him into the team circle to help out at every game. The love he was shown at the seasons' end ceremony made both his parent's and my eyes a little damp. Still does... Frankie was not of color but he lacked normal opportunity due to physical challenges. Acalanes High School put Frankie on a pedestal. This is the Lafayette I witnessed...for years and years and years.

--In regard to football, baseball, etc. high school competitions: They are loud and rambunctious. Lafayette was the place teams from all over CC County wanted to come to. The welcome mat was always held out, for all the "people of color" schools. Sportsmanship and admiration of the opposing teams' skills was the order of the day. I never saw or even heard about even a modicum of any field dispute between our students and the visitors. And in fact, our coaches would not have permitted even the slightest disrespect. No less, the other teams coaches wanted their players to behave as mature adults as well. And that was that, for years and years... never a problem, i.e. never a newspaper article or grapevine buzz about an episode. Zero. This is the Lafayette I witnessed...for years and years and years. Related to welcoming "outsiders" to Lafayette, recall in recent, consecutive years Lafayette has hosted youth baseball, in the form of regional Little League All Star contests held in June and July, at the fields on St Mary's Road. The welcome mat was out and a good time was had by all. Again, no media reports or grapevine buzz of problems. When I attended, someone not being welcome would have been unthinkable and would not have been tolerated by our hosting officials and their staff. Teams from every corner of Northern California made their way deep into the bowels of our town. No less, we travelled to far corners of the regional as well and represented the City on those courts and fields.

Interestingly, when recalling school or sports "rumbles," intolerance, unfriendliness, etc., it has most commonly been the "**same city**" schools that, quite candidly, had parent riots and brawls, according to my years of reading the newspaper, hearing of suspended games, games moved from night time to the afternoon, etc. Not in Lafayette, The sports welcome mat went out. This is the Lafayette I witnessed...for years and years and years.

--Does Lafayette have a thread of racism running through it? Any probe of the town will show that Lafayette has a measurable Jewish population, a tribe that can arguably be described as the most staunch ally of African Americans in the past and present Civil Rights eras.

So, with a Jewish population integrated in all Lafayette neighborhoods, there is already a known counter to bias within the boundaries of the city, I would argue. Region wide in recent weeks, the Jewish clergy has regularly sermoned about civil injustice. Similar, there is a strong Catholic presence in town, visible for youth in the (everyone welcome) CYO sports leagues. Point is, there are lots of road blocks in place that testify against a narrative of ingrained city prejudice-- the religious community.

In short, the numbers are stacked against an ugly mindset. Locally, intolerance best burrow deep into the ground, and not rear its head. Granted, internal, individual biases can live, but the tenor of the town I know, says "not allowed" and prejudice had better not be vocalized. Prejudice will be shamed and it will be shut down.

--A kid named "T"-- The Lafayette I know...a couple years back, a friend of my older son, here called "T," bi-racial with an out of town dad, was a member of the Boy Scouts, One day I saw him with two non-related den fathers out on the trail on a practice hike. They were not obligated to help him get his hike work in. But they did it, probably with little persuasion. This is the Lafayette I've witnessed...for years and years and years.

And winding down, I get emotional when I think back.,, I remember a past summer when my son was doing July football preparation (Acalanes), and he would pull up at home a few minutes later than normal. He said he was giving a teammate who lived in East County a ride to BART, because the kid did not have a car. My son felt obligated to help out, even in a slight way. If it must be said, the mate was a person of color...This is the Lafayette I've witnessed...for years and years and years.

That is all. Lots of positive experiences in town, and few negatives to dwell on.

15 My wife and I bought our home in Happy Valley Glen in late 2017. We've come to love to Lafayette for all it has to offer: semi-rural feeling, easy shopping/errands, good schools, safe environment, and more. While we are aware of the challenges around housing in our state, there are many other solutions available in the Bay Area besides building dense housing in Lafayette. The main point of our story is to share that Lafayette housing is attainable for young families. My wife and I were about 34 years old at the time, we worked hard, saved our money, did our research and was able to buy our home with a mortgage. Our ability to buy in Lafayette was straightforward; we didn't have a trust fund, or borrow money from family, or get outbid 100 times. We applied ourselves and bought a home in a community we wanted. There are many stories out there, but here is one that says our community is excellent the way it is currently. Let's not go making dramatic housing constructions and re-zonings and end up destroying something we great we already have.

16 I used to house 6 people. With the eviction moratorium, some just stopped paying even with the generous unemployment. I ended up having to sell it. Bow all my former tenants are paying MORE. It's GOVERNMENT that is messing everyone up.

17 We moved to the Lafayette Hills/Reliez neighborhood 5+ years ago. Unfortunately our street has been discovered by WAZE and other traffic avoidance apps and has been significantly impacted by increased traffic. We no longer shop at the Safeway or Whole Foods on Mt. Diablo Blvd because of the increased amount of traffic congestion downtown during peek traffic times. The small town character of Lafayette has changed over the past five years with the construction of condo high-rises along the 24 corridor. The traffic at Acalanes High

School at Pleasant Hill Road and Dear Hill during the morning and afternoon commute is horrible. I have waited up to 30 minutes getting off the 24 off ramp to the Dear Hill/Pleasant Hill light and from Taylor down the hill towards the High School in the morning. The reason for this increased traffic congestion is impacted again with the WAZE app from Concord/Antioch commuters using Taylor to avoid 24 to 680 congestion. I'm at a loss to understand how City Planners will engineer better traffic flow if the Dear Hill mega apartment/condo complex will improve the horrific traffic conditions at the Pleasant Hill Road and Dear Hill exchange. Even if the Pleasant Hill Road off ramp corridor to Taylor is widened, the WAZE and other apps will only direct Pleasant Hill/Concord/Antioch commuters to use Pleasant Hill Road/Taylor.

18

There is nothing wrong with having to work hard and save hard to live in Lafayette

I was not able to afford my present house in Lafayette until I was 51 years old. This is how I got it.

While I attended the University of California Hastings College of the Law, I lived in an apartment in Marin County. After graduation from law school, I obtained employment with a Marin County law firm. A year later I moved to an Oakland firm. I thought that I would like to live in Marin because of its beauty and proximity to the Bay. For the first two years as a lawyer I had no hope of buying a home. After I got married and my working wife and I had two incomes, we began considering a home. We worked hard and saved assiduously. After looking and making unsuccessful offers, we realized we could not afford a home we would like in Marin.

We did not tell Marin County that it had to change the nature of its communities to accommodate us.

We continued to look for a house, including contemplating moving to Napa and enduring a long commute to where I then worked in the East Bay. However, we started to look for housing in the East Bay. We eventually found a condominium in a development on the San Ramon/Danville border. With our two jobs and a small loan from my parents we were able to afford it, but just barely.

We worked and saved hard. Five years later we bought a small house in Lafayette. I continued to work my tail off. Life changed, and I wound up in a small, rather dingy, rental house for about four years. I continued to work my tail off. During all this time I also worked hard at saving money. I rarely went out to eat, and I took only economical vacations. My lifestyle was vastly more frugal than many people live today, from big items to small. Spend money on a latte? You have to be kidding. Fly to visit friends? In my dreams. Dinners out? Few and far between. Since starting to work as a lawyer, until I was in my 60s I had only one year where I had taken more than two weeks vacation, and in most years I had taken only one week. During one five-year period, I took no vacation.

After looking for a house for about 2 years, and bidding on several homes where I got outbid, my excellent realtor found a house in Lafayette. I had to make a decision in three hours and present the offer that same evening. Fortunately, by actively looking and moving very fast, I was able to get the home. Had I not done so, the next day there were five back-up offers that were almost assuredly higher than mine.

Buying a home in the Bay Area has been a difficult task for decades. It took scrimping and two incomes to get started, then working extremely hard and scrimping for decades to buy my current home at age 51. I have always thought I was fortunate.

19

I lived in Lafayette from the time I was born in 1996 to 2013, when my family moved to Martinez.

Had it not been for a number of financial and personal factors, I'm confident that we would still be living in the home that my parents built together.

To provide context to my family's situation at the time, my mom worked at an architecture firm and my dad ran his own construction business out of our home. Using their respective skills, they built onto their first house in Lafayette in order to turn a profit. Around the time my brother was born, my parents were able to purchase and move into the house directly next door which had a bigger yard for their growing family. They worked for years adding a second story, a bedroom, a dining room, and landscaping, and the house seemed to grow as we did.

Following the economic crash of 2008, my dad's business began to suffer greatly. In addition to a physical disability with which he was diagnosed, which made it difficult to perform in his line of work, his mental health began to deteriorate as well. Over the course of several years, he spiraled until he was unable to contribute to our household financially, nor as a parent to his two children. This left the burden on my mom, who single-handedly supported the four of us and dealt with the debt my dad incurred and the lasting effects his behavior had on my little brother.

I talked to my mom and asked her questions about her experience living in Lafayette and the process of eventually being priced out of the area. She told me that she saw the writing on the wall when it came to my dad, and we actually would have moved out of the area sooner. I recall driving around the Bay Area with my mom on weekends to house hunt, and if our house had sold the first time we looked, I know I wouldn't have been able to finish school and graduate with the friends I had known since I attended Springhill Elementary. As we suffered more and more financially, my mom made a second effort at selling the house in 2012. Had we stayed in our home for 6 more months, we would have been faced with foreclosure and walked away with nothing. Instead, we took well below asking price and the four of us moved into a two-bedroom apartment behind the Lafayette cemetery.

Our year in the apartment was spent searching for a house we could afford. Due to the tensions within our family, I shared a room with my mom and my brother slept on the couch. Unfortunately for us, there was an untimely influx of money in Lafayette and the surrounding towns. Houses were bought up in record time, all cash, and well above asking. My mom recalled seeing fixer uppers going for 750k that should have been closer to 500k. After a year in the apartment, the complex advised us they would be raising our rent by 25%, the legality of which my mom questioned. We couldn't even afford to stay in a two-bedroom with no privacy and physically no space to escape the issues plaguing our family. My mom widened her search, and we found a house in Martinez that had recently foreclosed.

My brother and I were attending Stanley Middle School and Acalanes High School respectively, and I only once ever invited a friend to the apartment before we moved. I was embarrassed that we had no privacy from my family, while my friends were in the same houses I grew up visiting. I didn't want them to see where we lived and the state of our family, and possibly ask me what was wrong. I was able to finish my last year at Acalanes and graduate with my friends, but my brother had to transfer to the local junior high school in the middle of 8th grade. Looking back, I know how privileged I was to live in Lafayette for the majority of my upbringing. It's hard for me to revisit those years and especially to put myself in my own shoes at 16. I was angry, embarrassed, and the proximity to my friends that I had taken for granted was gone, making me feel increasingly isolated from the only city I had ever known. I know that I am always becoming a stronger, smarter person because of my experiences, but I am also more cautious, less trusting, and still struggle to this day accepting that my life will never again be what it was in Lafayette.

20 I am a 34 year resident having chose Lafayette for its schools, it's semi-rural character, and it's proximity to San Francisco/BART. Real Estate was expensive then as it is now. At the time I really couldn't afford to live here but what Lafayette offered is what I wanted for my family. So I worked hard and advanced in my career and over time the affordability factor faded away. Now the tables are turning. While the schools and proximity to SF hasn't changed the semi-rural character of this city is slipping away. Existing and planned high density housing in downtown is turning Lafayette into a transit village and in the process robbing its long time residents of a life style they worked hard to afford. And with the new zoning laws it's only a matter of time before increased housing density makes its way into the neighborhoods. The General Plan should not ask residents to forfeit the semi-rural life style that brought them here to begin with.

21 32 years ago I lived in a cheaply-converted one-car garage. I was a Business Major at Cal Poly. That modest 10x20 foot rental wasn't much, but it was all MINE. To afford that drafty, sagging, spider-magnet studio, I worked full time throughout college. I was young, engaged to be married, and thrilled to have my own place. Be it ever so humble, there was no place like (my own, tiny) home.

On December 9th of that year, I brought my newborn son home from the hospital to live in that converted garage. My Old SLO Mission priest discouraged me from rushing into marriage before the baby was born. He was right. I decided not to marry at all. My infant son and I were happy, healthy, and thriving in our humble little garage home. Five days per week, I brought my baby to an overnight daycare at 9pm. I worked 11pm-7am as a Madonna Inn Night Auditor, then attended Cal Poly classes 8-11am. After class, I picked up my son and brought him to campus for exercise. We both had a good long nap at 1pm. Every hour was planned, every dollar budgeted.

To make rent, I minimized and aggressively negotiated all expenses; including childcare, rent, and food. I worked nights while my infant slept. I negotiated a low "sleeping childcare rate" from 9pm-7am, and a discounted 7-11am rate while I attended morning classes. I convinced my landlord to reduce my monthly rent \$100 by slowly eroding my "last month plus security" deposits. When \$0 deposits were left at year end, I refueled the agreement with my annual tax refund. I only ate food given me free while working my 8 hour shift at Madonna Inn (a full meal, including their famous cake. I was well-fed!). I thoughtfully curated a list of ways my toddler and I could entertain ourselves without spending any money. The "Free Fun" list was posted prominently on my fridge, packed up with every move, and it is still on my fridge 32 years later. I took every step necessary to ensure my son and I had our own home. After my son's birth, I earned straight

A's. I grew up fast. I was hyper-motivated to succeed for both of us. His father remained in college for several more years, so I never received any child support. I decided never to pursue it.

Upon graduation, Macy's recruited me and moved me to the Bay Area. I graduated with an "A" average from a well-respected university, landed an executive position with an esteemed retailer, but I was paid only \$26,500 per year. In order to pay Bay Area rent, plus childcare and college loans, I asked my San Francisco-based brother if we could share an apartment. My brother agreed to pause his bachelor lifestyle so my toddler and I could live near my work. My salary increased yearly, but not enough for Bay Area rent, childcare, college loans, and basic living expenses.

As my son approached school age, I explored areas with great schools, excellent transit, low crime, and where I could afford to rent independently. It was time to let my brother go back to his bachelor lifestyle. I purchased a book (these were the pre-internet days!) that listed cities with excellent schools, high test scores, low crime, and multiple transit options. Lafayette checked all the boxes, and then some. Lafayette's small-town charm, creeks, mountain views, and hills were like San Luis Obispo, plus arboreal beauty and the ability to walk from one "end of town" to the other. Lafayette was the ideal place to raise my son, and for him to fondly remember as his hometown. Finding housing in Lafayette was much tougher than I had ever imagined. I was now a Macy's Senior Executive, with 17 stores across the country, including Union Square and Mall of America. But I was only 4 years out of college, and retail did not pay very well. I was still considered low income, as a "head of household" single parent. Regardless, I knew how to make a good first impression, and the landlords let me proceed to "step 2" after the initial interviews. Each time, I was ultimately denied housing because I had checked the "child" box on the application. Many rentals allowed pets, but not children. I finally found a kind landlord in an unexpected place; an 88-year-old jazz guitarist who had performed with the greats like Bing Crosby, Louis Armstrong, and Elvis Presley. (By the way, this man lived to be 103.) He was either just worldly-wise enough, kind enough, enlightened enough, or cool jazz musician enough to welcome me, a young single mom. Who knows why? Maybe it helped that he still gave daily music lessons. The sound of a child next door just added to the constant hum of humanity. Nevertheless, he let me rent the unit attached to his home, a "unique" East End Lafayette cottage, complete with leaking roof, thread-bare carpet, sloping foundation, with the washer/dryer hooked up outside on the broken patio. Those shabby things did not matter to me. I had a reliable job, and my son could now attend Lafayette schools!

Unfortunately, I soon discovered that it was not easy to fit in. On the East End, there were no parks within walking distance for my son to play, exercise, or meet new friends. We had no yard for exercise. I could not afford the member fees or volunteer time required for swim team, soccer team, Little League, or Boy Scouts, let alone the time off to take him to daily practices or weekly meetings. I was in my 20's, socially naïve, zero spending money, and not much in common with the other moms at night-time school events. I was an outlier. I worked full time, had a 5 year-old, and was not married. I could not volunteer in his classroom, or attend daytime PTA meetings. Feeling like we had no way to connect socially was rough on both of us. Fortunately, some of that has changed since the 90's.



Eventually I saved enough, and began earning enough, to qualify for a jumbo mortgage (with a jumbo-sized interest rate). My son and I spent our weekends walking neighborhoods and "stalking" for any signs that homes were about to be listed. You know, trucks hauling decades of junk, estate sales, and that famous low-cost remodel, "painting." I was the first in line for an Open House at 3460 Monroe, and landed my circa 1953, 2BD/1BA 903 square foot "Trails Neighborhood" cottage for \$465,000. That's \$515/square foot 20 years ago! The house had zero insulation, no central heat, and no air conditioning. Still, I felt like I won the lottery. For the first time in my son's life, at 12 years old, he could play in his own back yard. I walked to BART and he walked to school. We were in heaven. As the years went by, my property value increased. I was able to qualify for progressively lower interest rate loans. I now had more discretionary funds. I eventually quit my corporate job. I opened my own successful home-based preschool and after care business that was wildly successful for 18 years, due in part to my location. I more than doubled my corporate salary, re-financed, and added 546 square feet. In addition, I was able to nurture a generation of Lafayette's children. I married my amazing husband when I was 40 years old. He is disabled, due to 4 major back surgeries and fusions. Despite his disability, he began his Lafayette home-based computer business, which thrives to this day, serving more than 1,000 local residents and small businesses. My son attended Lafayette schools and went on to graduate cum laude from St. Mary's College in Moraga. He qualified for reduced tuition, and lived at home to cut housing costs. Now he has manageable college loans as he begins his own housing story near D.C.!

My housing story is filled with extremely humble rentals owned by kind-hearted, open-minded people who trusted me and gave me a chance. Without them, I would not own my own home today, which has more than tripled in value in 20 years. Thanks to our fellow Lafayette residents, my husband and I each began our own small businesses. We provided crucial services to our local community, who in turn paid us well. We lived, and continue to live, "the dream." But all of our success began with access to housing. To thank Lafayette for our chance at prosperity, we have served multiple non-profits on boards of directors, including Town Hall Theatre and the Lafayette Community Foundation. Together, we taught Sunday School at St. Perpetua, volunteered at many annual Chamber of Commerce events, and donated countless hours and funds to our local schools. I also serve on the Parks, Trails, and Recreation Commission and on the Lafayette School District's Bond Oversight Committee. My husband works six days per week, and is thankful for the consistent, ample local business from grateful clients.

I was embarrassed to write my personal housing story. It is humbling and scary to admit to my past as a young single mom without enough money or proper housing. I decided it was important to share my experiences, to shed light on challenges, and show how we may ultimately contribute to our communities. Low income people come in all ages, abilities, races, beliefs, education levels, and ethnicities. The City of Lafayette has approved more lower-income housing recently, and gotten backlash. Some local opinions towards single parents, low-income families, and children need to change. A low-income family may look like this photo of my son and me from 18 years ago. Housing solutions needs to incorporate educating and shifting local resident perceptions before real progress is made. As I go about my errands, I try to imagine the daily lives of the many people I encounter in service, retail, non-profit, performing arts, construction, and teaching occupations. They are everywhere. They work in modestly paying jobs, or are seniors on a fixed income, or are raising small children. They may face challenges unfamiliar or unseen to many, but they all strive to overcome them. They all want and deserve a home,

a safe neighborhood, equitable access to green space and recreation, and excellent schools for their children. In that way, we are all the same. Thank you for letting me share my housing story.

22 Ever since I left at 17 for college until I was 30, I lived in one room, usually in shared dorms or apartments. Then I owned a home for 3 years, and then moved to California. For 4 more years I shared (grad school budget), then moved to a small house that I shared with only one other person, instead of 3 or 4 others. I finally bought that little 1,023-square-foot house and lived there for a total of 20 years, 9 as renter, 11 as owner. I never, ever in my life had a garage space.

Then I finally found Mr. Right, who had worked in the computer industry for 30+ years, saving industriously even during downturns. We pooled the equity from our two houses and moved to Lafayette. We were in our fifties.

We love our home and our town, and feel we earned our way here; my husband with good compensation and disciplined savings over decades, and me with low self-employed compensation but some inheritance (for which I'm very grateful and I know not everyone has that) that went into investments.

We welcome all ethnic groups and new Americans to Lafayette, and hope it is possible to add affordable housing WITHOUT destroying the character and ambience of the town and WITHOUT hidden back-door deals or bullying threats from developers.

23 I have not had a lot of experience with the housing plan so far but I have been a resident in Lafayette for 50 years. I went to St Perpetua as a child, Acalanes for high school and two children through the system. As I see what is going on in Lafayette it seems you are really missing the essence of Lafayette. We are the main conduit to Moraga and the building going on now makes us look like Walnut Creek. I am trying to understand why the continuing push for more density is a good idea. The drought and fire situation has made the area less safe and would be much harder to evacuate in an emergency.

Seems like you need to rethink the rural ways that Lafayette has come from and put the breaks on all the developments. Thank you.

24 Lafayette is becoming Walnut Creek and that is not desirable

We have lived in Lafayette since 1982- we used to love going to WC for dinner – now crowded – no parking – Lafayette is getting almost as bad. Often 25+ cars on Moraga Road before we can exit Old Jonas. My hairdresser rents in Lafayette – her old shop → condos. “They are ruining our village” feeling – our 2 daughters attended Acalanes and Campo. Last year our neighborhood organized a walk around cap and gown for the 9 seniors graduating from Acalanes. The Silver Springs Neighborhood organized a Halloween and Easter Bunny walk around – We love our feeling of community – we feel that we have had too much high density development – homes are snapped because of schools, community, togetherness, and highly educated and involved residents. Not sure why we have to mess that up because of Sacramento dictators.

- 25
- We like the small town feel and easily accessible shopping and dining of ORINDA
  - We like the big city shopping and restaurants of Walnut Creek and Berkeley

- Lafayette tries to have high density housing and commercial districts like Walnut Creek and Berkeley without the infrastructure (streets, and parking) to support so many people and cars. IT DOES NOT WORK.
- We go to ORINDA, BERKELEY, AND WALNUT CREEK, and SLEEP IN LAFAYETTE.
- Expanding the city's meager hiking trails would be good

26 What makes Lafayette special is it's people and their homes. I bought my house in 1975, Lafayette was a quaint little town, established in 1857 it has always had a small town appeal. The biggest investment most people have is their home. If we change that we will effect the housing values of most home owners causing financial hardships for everyone. Think about it.

27 Lafayette is becoming Walnut Creek and that is not desirable

We have lived in Lafayette since 1982- we used to love going to WC for dinner – now crowded – no parking – Lafayette is getting almost as bad. Often 25+ cars on Moraga Road before we can exit Old Jonas. My hairdresser rents in Lafayette – her old shop → condos. “They are ruining our village” feeling – our 2 daughters attended Acalanes and Campo. Last year our neighborhood organized a walk around cap and gown for the 9 seniors graduating from Acalanes. The Silver Springs Neighborhood organized a Halloween and Easter Bunny walk around – We love our feeling of community – we feel that we have had too much high density development – homes are snapped because of schools, community, togetherness, and highly educated and involved residents. Not sure why we have to mess that up because of Sacramento dictators.

28 Historical buildings like Wayside Inn and Town Hall Theatre being used for community needs and enrichment – even Roundup Saloon. The Lafayette Library and Lafayette Plaza (great public gathering spots), neighborhood mini parks

A walkable and bicycle friendly downtown (would like to see this expanded)

Local businesses instead of chain stores

The Lafayette Moraga Regional Trail

\* \* \*

## APPENDIX B

### Analysis of Non-Governmental and Governmental Constraints

Revised April 22, 2024

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### Attachments

- Attachment [1A](#): Zoning District Development Standards
- Attachment [2B](#): Residential Design [Review](#) Guidelines
- Attachment [3C](#): Development Impact Fee Analysis
- [Attachment 4 – Approval Findings](#)
- [Attachment 5 – Safety Element Maps](#)

Potential constraints to the provision of adequate and affordable housing can be created by government policies and regulations as well as non-governmental factors, such as costs associated with land and construction. These constraints may increase the cost of housing or may render residential construction economically and/or politically infeasible for developers. Housing production constraints can also significantly impact households with low and moderate incomes and special needs. Land use controls, as summarized below, may constrain the maintenance, development, and improvement of housing to some degree while serving other public policy goals.

The purpose of this section, per Government Code Section 65583(a)(5-6), is to identify non-governmental and governmental factors (constraints) that inhibit the development, maintenance, or improvement of housing. Examples of such constraints are land and construction costs, access to credit, permit fees, development standards, and compliance with Federal and State laws intended to facilitate housing for lower-income and special needs households.

Clearly, the potential list of all constraints on the development could be quite long and might include information on national economic conditions and regional geology. A thorough understanding of the constraints to development can help to create appropriate policy responses to mitigate constraints and make it easier and more affordable to develop housing. The City has analyzed both its own regulations as well as those of nearby jurisdictions and regional market trends to assess what constraints exist in Lafayette and identify potential modifications to City policies to remove these barriers to development to the maximum extent feasible.



The availability and cost of housing is strongly influenced by market forces over which local governments have little or no control. Nonetheless, State law requires that the Housing Element contain a general assessment of these constraints, which can serve as the basis for actions to offset their effects on the maintenance, improvement, or development of housing for all income levels. Potential nongovernmental constraints are largely determined by market conditions over which local jurisdictions have little control and may include the availability of financing, the price of land, and the cost of construction. However, local governments can influence market conditions and their associated costs, even if only indirectly.

This section provides an analysis of various potential and actual constraints to housing development in the City. The primary non-governmental constraints to the development of new housing in the County can be broken into the following categories: availability of financing, development and construction costs, environmental constraints, school capacity, and requests of housing development at reduced densities.

### 2.1 AVAILABILITY OF FINANCING

The availability of financing is a critical factor that can influence the cost and supply of housing. There are generally two types of financing used in the housing market: (1) capital used for initial site preparation and construction; and (2) capital used to finance the purchase of units by homeowners and investors. Interest rates substantially impact home construction, purchase, and improvement costs. A small fluctuation in interest rates can make a dramatic difference in the annual income needed to qualify for a loan. In general, financing for new residential development in the City is available at reasonable rates. However, economic variability due to the COVID-19 pandemic has made lenders more cautious, which has the potential to have lasting effects on the availability of financing. While interest rates remain reasonably low, lenders are deliberating upon applicants more closely for consideration than in the past, leading to the availability of credit tightening despite affordable interest rates. As a result, the cost to develop housing continues to increase.

### 2.2 DEVELOPMENT AND CONSTRUCTION COSTS

According to a report released in March 2020 on multifamily construction costs in California from the Turner Center, many different factors layer together to affect the bottom-line costs of building new housing and whether or not a project will ultimately “pencil”: the costs of acquisition (e.g., land and closing costs), hard construction costs (e.g., materials and labor), soft costs (e.g., legal and professional fees, insurance, and development fees), and the costs of conversion once a project is completed (e.g., title fees and the operating deficit reserve).<sup>1</sup> According to its research, the largest share of a project’s total cost comes from materials and labor, or hard costs.

In addition, hard construction costs make up more than 60 percent of total development costs. The Turner Center study found that on average, construction costs were about \$222 per square foot in 2018 compared to \$177 in 2008-2009, representing a 25 percent increase. While these increases have been felt across the state, costs are highest in the Bay Area, which saw costs rising by

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<sup>1</sup> See the Turner Center’s series on housing costs at <https://turnercenter.berkeley.edu/research-and-policy/the-cost-of-building-housing-series/>.

119% during the same period to over \$380 per square foot. The reasons for this increase in construction costs are complex, but the Turner Center suggests this is in part because of higher labor costs to attract workers to the Bay Area where the cost of living is very high; local regulations that require certain materials or building components to be used; lengthy review processes; and other local constraints.<sup>2</sup>

Statewide, labor costs have also increased in recent years, as the labor pool has not kept pace with the increase in demand, likely due to costs of housing in the state. Since the recession in the mid-2000's, California has seen a severe tightening in the construction labor market, especially for workers trained in specific construction trades. The lack of an available labor force drives up the cost of labor and leads to project delays as workers are either unavailable or lost to more profitable projects.

Adding to the overall development costs are the high land costs in Lafayette as well as the limited availability of vacant or underutilized land. Not only is acquiring the property a large expense when compared to many other Contra Costa County jurisdictions, but also “buying out” businesses for relocation or demolition of existing structures further contribute to the necessary expenses to redevelop property in Lafayette and add to the overall development costs.

Several additional factors have caused the increased cost of materials, including global trade patterns and federal policy decisions, such as tariffs, as well as state and local regulations, such as building codes. The COVID-19 pandemic has also influenced the cost and availability of construction materials. Supply chain disruptions have resulted in project delays and increased costs due to a shortage of construction materials and equipment.

The cost of land has also increased substantially over the past decade. Many jurisdictions are now essentially built out, with no available vacant land for development. Many locations in the Bay Area experience substantially higher land values than in other areas of the State because of the attractiveness of living along the coast, with its mild climate, access to high-tech jobs, and plentiful amenities. A 2021 City study to adjust park-related development fees for FY 2021-22 found that the Fair Market Value of a buildable acre, based on sales of undeveloped land, is approximately \$879,000. A desk review of vacant land sales in 2021 and early 2022 may be even higher now, as the information shows that the average sales price for one acre was \$978,000,

All these factors work together to make it so developers must charge substantial rents and sales prices to cover the development costs for financing and construction. For example, the Turner report notes that a multifamily unit that costs \$800,000 to build will need to charge approximately \$4,000 in monthly rent—a price well over the typical monthly earnings in the State—to cover those costs and meet return on investment requirements for investors.

The impact of high construction costs on affordable housing cannot be underestimated. According a study by the Bay Area Council, in 2019 there were 23 new construction projects of below market-rate housing financed through the California Tax Credit Allocation Committee, with a total of 1,912 units, across six counties of the nine-county Bay Area. Each project in California requested federal and/or state tax credits to finance the new construction of housing units with rents affordable to households earning 30-60% of area median income (AMI), which are very low-income households. The project costs consist of land and acquisition, construction costs, construction contingency,

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<sup>2</sup> Turner Center, *The Hard Costs of Construction: Recent Trends in Labor and Materials Costs for Apartment Buildings in California*, March 2020, p. 15.

architectural/engineering, construction interest, permanent financing, legal fees, reserves, other costs, developer fees, and commercial costs. Project costs were analyzed to determine the reasonableness of all fees within TCAC’s underwriting guidelines and TCAC limitations.

The report found that the average construction cost of new below market rate housing in the Bay Area was \$664,455 per unit, far more than lower income households can afford without subsidies. In comparison, other projects across California (excluding the Bay Area), on average cost \$385,185 per unit of below market rate housing.<sup>3</sup>

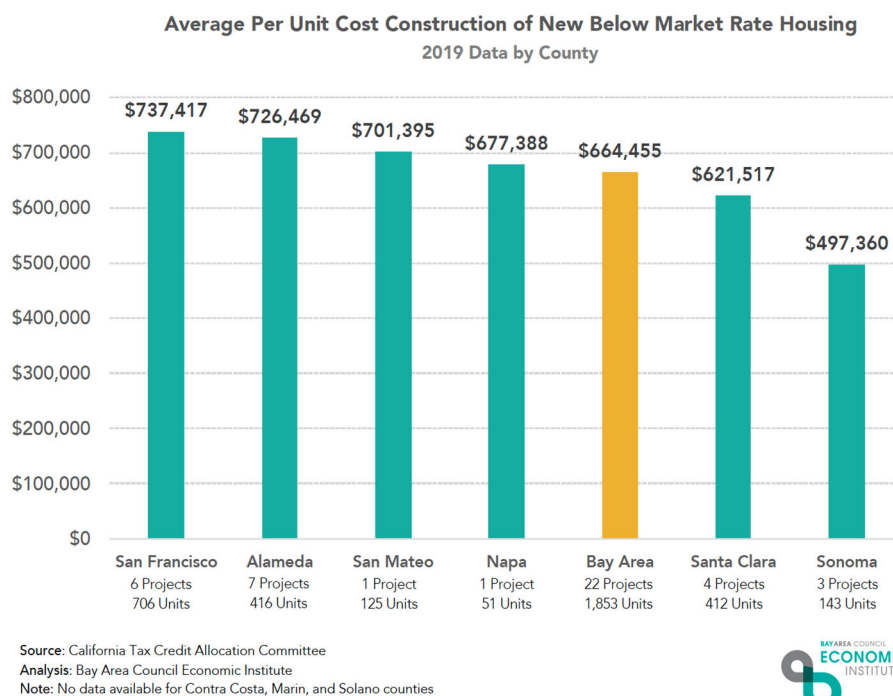


Figure 1: Average Per Unit Construction of New Below Market Rate Housing

## 2.3 COMMUNITY OPPOSITION

Another constraint to housing production in many communities is public opposition to higher-density or affordable housing. Such objections may be based on concerns about traffic, parking, school overcrowding, police and fire response times, fiscal impacts, and other issues. However, they may also be based on misinformation and misconceptions about affordable housing, or concerns that can be directly mitigated, such as the appearance and quality of such housing.

The potential for community opposition means that good design and planning are essential in high-density projects. Such design efforts require early consultation with the public, close collaboration with neighbors and homeowners’ associations, genuine respect for public concerns, and public education as to the need for and benefits of affordable and higher density housing. Design guidelines and standards will become increasingly important, as will community benefits, such as public open

<sup>3</sup> <http://www.bayareaeconomy.org/how-much-does-it-cost-to-produce-one-unit-of-below-market-housing-in-the-bay-area/>

space and childcare facilities. High-quality architecture, “green” construction, good property management processes, and commitments to maintenance and upkeep will all be important. Continued attention to public input will be critical.

## 2.4 SCHOOL CAPACITY

Although State law prohibits the City from denying development because of school capacity, the effect of school overcrowding on housing production cannot be overlooked. School impacts have consistently been among the public’s top concerns when discussing future residential development. School capacity issues are often a point of contention when housing is proposed, particularly when families with children are expected. In the past, these concerns have galvanized neighborhood opposition.

During its review of new multifamily proposals, the City refers the project to several agencies for comments to inform the design as appropriate. These agencies include not only utility providers, homeowners’ associations, and fire department, but also the Lafayette School District and Lamorinda School Bus Program.

The addition of 2,114 housing units —as allocated through the ABAG Regional Housing Needs Determination process—would generate additional demand for classroom space and school facilities. To offset these impacts, each school district levies fees on new development. As authorized by California Government Code Sections 65995 and 65996, the Lafayette School District (LAFSD) collects school impact fees from developers of new residential building space. The impact fee revenue is used together with other LAFSD funds (e.g., State grants, general obligation bonds) to complete capital improvements. The amount of the fee (currently \$2.86 per square foot of new residential space) is established through LAFSD’s Developer Fee Justification Study. The Acalanes Union High School District (AUHSD) also levies school impact fees from developers of new residential building space, the amount of which (currently \$1.22 per square foot of new residential space) is established through AUHSD’s Developer Fee Justification Study.

## 3. ENVIRONMENTAL CONSTRAINTS

### 3.1 WILDFIRE

The entirety of the City is designated as a Local Responsibility Area (LRA) by the California Department of Forestry and Fire Protection (CalFire). The same is true for the surrounding incorporated communities of Orinda, Moraga, Walnut Creek, and Pleasant Hill. The unincorporated area to the north of the City is a State Responsibility Area (SRA), with CalFire or its designee providing fire protection services.

As part of its Fire and Resources Assessment Program (FRAP), CalFire has mapped areas of significant fire hazards throughout the State. The maps classify lands into fire hazard severity zones, based on a hazards scoring system that takes into account localized factors such as fuel loading, slope, fire weather, and other relevant considerations, including areas where winds have been identified as a major cause of wildfire spread. Substantial areas of the City are either undeveloped or managed as some

form of open space, including areas of open grassland and oak woodland and have been designated by the FRAP as a Very High Fire Hazard Severity Zone (VHFHSZ). In general, nearly all areas of the City north of SR-24 are within a designated VHFHSZ, as is an area south of SR-24 on the west side of the City adjacent to the Lafayette Reservoir. Several Housing Element Update planning areas fall within a VHFHSZ. In fact, approximately 46% of the City is located within a VHFHSZ, substantially limiting the areas of the City where high density housing should be located.

### 3.2 TOPOGRAPHY

Though Downtown Lafayette is generally flat, except for the northern boundary which contains some hilly terrain, the City is characterized by its hillsides and ridgelines that identify the various neighborhoods throughout, including Reliez Valley, Acalanes Valley, Happy Valley, and Burton Valley. The City adopted a Hillside Overlay District intended to protect the health, safety, and welfare of the public by establishing regulations for the development of ridgeline, hillside, and other rural residential areas within the City. The district was created and established to implement the goals, policies and programs of the general plan that relate to hillside and ridgeline development, development hazards and protection of open space lands and hillside residential areas. Because of the environmental impact, limitations on developing in these areas, and cost in developing in these areas with varied topography, much new residential development is limited to the Downtown corridor, which has few vacant sites in the existing flat areas.

### 3.3 CREEKS AND FLOOD ZONES

As a result of the previously described topography, there are several creeks that run throughout the City's Downtown that have associated flood zones. Many parcels throughout the Downtown Core are constrained by creeks. Development near these creeks can trigger additional review and permits from outside agencies, such as the Department of Fish and Wildlife, as well as flood mitigation and control measures in the project design. Not only do the creeks present a physical site constraint, but additional permits and design modifications can add significant time and costs to development and can pose a challenge to high density development.

### 3.4 WATER/WASTEWATER CAPACITY

The East Bay Municipal Utility District (EBMUD) is a publicly owned utility that owns, operates, and maintains the water distribution system within the City of Lafayette. EBMUD facilities collect snowmelt and runoff at the Pardee Reservoir in the Mokelumne River watershed and farther downstream in the Camanche Reservoir. EBMUD has water rights for up to 325 million gallons per day (mgd) from the Mokelumne River watershed and can store up to a 10-month supply for the 1.4 million water customers in EBMUD's service area. Runoff within the Bay Area is stored in several local reservoirs to provide emergency supplies. On average, EBMUD stores approximately a six-month emergency reserve in local reservoirs. EBMUD also has rights to up to 100 mgd from the Sacramento River in dry years through a contract with the U.S. Bureau of Reclamation that is pumped at the Freepoint Regional Water Facility owned by EBMUD and Sacramento County.

EBMUD has six water treatment plants for potable water supplies located in the EBMUD service area, with one located in the City of Lafayette. The Lafayette Water Treatment Plant receives water directly from the Pardee Reservoir. The Lafayette Water Treatment Plant together with the Walnut Creek Water Treatment Plant serve primarily the area east of Oakland-Berkeley Hills. There are also five

local water supply reservoirs (referred to as the terminal reservoirs): Briones, Chabot, Lafayette, San Pablo, and Upper San Leandro. The terminal reservoirs serve multiple functions that include: (1) regulating EBMUD's Mokelumne River supply in winter and spring; (2) augmenting EBMUD's Mokelumne River water supply with local runoff; (3) providing emergency supply during extended drought or in the event of interruption in Mokelumne River supply delivery; (4) providing local supply during high turbidity events in the Mokelumne River reservoirs; (5) providing environmental and recreational benefits to East Bay communities; and (6) providing some stream flow regulation. The Lafayette Reservoir is not connected to the potable water distribution system but can be available as emergency standby supplies.<sup>4</sup> The Lafayette Reservoir is primarily used for recreation and is only filled from local runoff.

The 2020 Urban Water Management Plan (UWMP), adopted on June 22, 2021 by EBMUD's Board of Directors, is a long-range planning document used to assess current and projected water usage, water supply planning, and conservation and recycling efforts. In addition to its Mokelumne River rights, EBMUD has a Long-Term Renewal Contract (Contract No. 14-06-200-5183A-LTR1) with the U.S. Bureau of Reclamation to receive water from the Central Valley Project (CVP) through the Freeport Regional Water Facility in years when EBMUD's water supplies are relatively low. During some dry years, EBMUD may purchase water transfers to help meet customer demands. EBMUD maintains a biennial budget and five-year capital improvement program to optimize investments and maximize drinking water quality, and the reliability, safety, flexibility, and overall efficiency of the water supply system.

The Central Contra Costa Sanitary District (Central San) collects and treats wastewater from over 480,000 residents and approximately 3,000 businesses covering approximately 147 square miles in central Contra Costa County, including the City of Lafayette. In addition to collecting and treating wastewater, Central San provides recycled water for parks, medians, school fields, and golf courses and manages both commercial and residential recycled water programs. Central San also operates a household hazardous waste collection facility.

Central San's treatment plant, located at the intersection of Interstate 680 and State Route 4 in Martinez, has a permitted capacity of 53.8 million gallons per day (MGD) and cleans an average of 38.6 MGD, 2.5 MGD of which can be further treated into recycled water and reused within the treatment plant and distributed to customers for non-potable uses (Central San, 2020a). The treatment plant has managed peak flows as high as 230 MGD during extreme winter storms. Central San uses over 1,500 miles of piping with over 35,000 manholes and 19 pump stations to convey wastewater to the treatment plant in Martinez. The Via Roble pump station is located within the City of Lafayette. The average age of the collection system pipes is approximately 40 years. Some pipe segments are over 100 years old, and some of the most critical pump stations are over 55 years old. Since its original construction in 1948, the treatment plant has been modified through successive projects, including a major expansion to secondary treatment in the 1970s. Although other improvements have been made since then, most of the treatment plant remains unchanged. Despite their age, the collection system and treatment plant are generally in good condition. However, repairs and upgrades are required to maintain reliable operation.

It is anticipated there is adequate capacity to meet demand and adequate capacity to expand to meet projected development as part of the Housing Element. The current facilities and/or infrastructure

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<sup>4</sup> Of the five terminal reservoirs, only Briones, San Pablo, and Upper San Leandro provide water supply throughout the year to EBMUD customers.

are reported to be in good operating condition. Therefore, it is determined that the City has enough capacity to meet the 2023-2031 RHNA allocation.

#### **Senate Bill 1087**

To comply with Senate Bill (SB) 1087 of 2005 (Government Code §65589.7), the City will provide its adopted Housing Element to its water providers so they can grant priority for service allocations to proposed developments that include units affordable to lower-income households.

#### **Senate Bill 244**

SB 244 requires cities and counties, prior to adoption of the Housing Element, to address the infrastructure needs of disadvantaged unincorporated communities outside the city's limits but within the city's planning area. No disadvantaged communities exist outside the city limits in unincorporated areas that fall within the city's planning area (sphere or influence).

## **4. LOCAL EFFORTS TO REMOVE NON-GOVERNMENTAL CONSTRAINTS**

Government Code 65583(a)(6) also requires a review of local efforts to remove nongovernmental constraints that create a gap in the jurisdiction's ability to meet RHNA by income category. The primary non-governmental constraint is the overall cost of affordable housing development (high land and development costs) in most parts of the State. In general, constructing affordable housing, especially for low- and very low-income households is not profitable to housing developers. Therefore, deed-restricted affordable units require subsidy beyond available density or financial incentives.

This places the construction burden on affordable housing developments and may result in affordable projects that are not always dispersed throughout the region but are concentrated in limited areas with lower development costs. While the City can offer developer incentives such as expedited permit processing or fee deferrals, it cannot afford to fully mitigate the high cost of development for affordable housing developments. County Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funding helps support gap financing for affordable housing projects; however, the City's ability to support projects is limited by available funds.

### **4.1 REQUESTS FOR HOUSING DEVELOPMENTS AT REDUCED DENSITIES**

California Government Code, Section 65583(a)(6), requires an analysis of requests to develop housing at densities below those anticipated in the Sites Inventory and the length of time between receiving approval for housing development and submittal of an application for building permit. The analysis must also look at local efforts to remove nongovernmental constraints that create a gap in the jurisdiction's ability to meet the Regional Housing Needs Assessment (RHNA) by income category.

This analysis is required to examine local efforts to remove nongovernmental constraints that create a gap in the jurisdiction's ability to meet the RHNA by income category. The primary nongovernmental constraint is the overall cost of affordable housing development (high land and development costs) and the lack of public funding sources to subsidize the development of these units. Data on construction costs indicates that, even with by-right density bonuses pursuant to California's Density Bonus Law, constructing affordable housing (particularly for households with low and very low

incomes) is not profitable for developers and results in a loss without public funding sources. Developers requiring funding from investors and lending institutions are required to submit a pro forma analysis (i.e., an analysis showing the costs to develop and the revenues available to fund the development) demonstrating financial feasibility or costs that are less than or equal to revenues.

Therefore, public subsidies are required to develop affordable housing. The subsidy typically comes in the form of LIHTC, State grants, federal HOME funds, dedication of land for projects, and/or other public sources. The lack of funding options can result in affordable projects that are more concentrated in areas with lower development and land costs. It is important to note that the City can offer concessions, such as expedited permit processing, development impact fee deferrals, parking waivers, etc., but overall, the cost to develop housing is the biggest impediment to meeting a jurisdiction's RHNA allocation.

The length of time between receiving approval for housing development and approval of an application for building permit is typically four to six months under normal circumstances with a reasonably good design team, but can vary depending on project complexity and the time the developer takes to complete construction documents. Items like changes to construction costs or other development costs that affect the feasibility, financing, or negotiations with design professionals are outside the City's control but may delay projects.

In the past, housing projects were proposed at densities well-below the underlying allowed densities, in part because of the City's hilly topography or because smaller developments bring an overall greater return to the investor. One such example can be found in the Woodbury condominium development, which was originally proposed with over 80 units and was ultimately built with 56 units. More recently, projects come in at or above zoned density by using the State Density Bonus Law. Over the last five years, multifamily development densities in Lafayette have averaged about 107% of zoned density or about 38 dwelling units per acre, which is significantly higher than in the previous Housing Element. The City anticipates this trend continuing through the 6<sup>th</sup> Housing Element cycle given ongoing changes to local and State regulations.



## 5 GOVERNMENTAL CONSTRAINTS

Governmental policies and regulations can result in both positive and negative effects on the availability and affordability of housing. This section, as required by Government Code Section 65583(a)(5), describes City policies and regulations that may constrain the City's ability to achieve its housing goals. Potential constraints to housing include land use controls (through General Plan policies and zoning regulations), development standards, infrastructure requirements, development impact fees, and development approval processes. While government policies and regulations are intended to serve legitimate public policy objectives and further the public good, the City recognizes that such objectives and regulations can impact the availability and affordability of housing to meet the community's future needs.

Consistent with Government Code 65940.1 et seq., the City's internet website contains a current schedule of fees, exactions, affordability requirements and other requirements imposed by the City that are applicable to proposed housing developments.

### 5.1 LAND USE CONTROLS

The Lafayette Zoning Ordinance contained within Title 6 of the Lafayette Municipal Code sets forth land use regulations and development requirements for construction activity within the City. The City's analysis finds that Lafayette's land use controls are typical of jurisdictions throughout the county. As detailed below, those objective standards that are the most frequent subject of waivers under State Density Bonus Law are setbacks and height limits. While any setback requirement and any height limit will constrain development to some degree, the City is committed to increasing densities and reducing or eliminating constraints affecting the production of housing. While the ultimate sales or rental price may be a function of the market, fewer constraints will serve to reduce costs and incentivize housing production. The City currently has a maximum density of 35 du/a. While two thirds of development projects proposed in the past five years have utilized State Density Bonus Law for additional units, there have been several projects that have used Density Bonus for concessions and waivers as discussed below. As part of its Regional Housing Needs Allocation strategy, the City will be increasing allowable residential densities. Residential density requirements are further discussed under Section

Lafayette updated its parking requirements in 2018 to lower the overall parking provided for multifamily housing. Developers in Lafayette have recognized that there is typically an expectation that units in the City provide dedicated parking with their units and have provided more spaces than required by the City. Only one recent development utilized Density Bonus for concessions, to reduce the number of guest parking from 8 spaces to 5 spaces. Beyond the City's parking requirements, recently adopted legislation AB 2097 prohibits the City from imposing parking minimums within a half mile of most development projects within a half mile of a major transit stop. AB 2097 applies to the Lafayette BART station, which is central in the downtown and extends a half mile radius covering most of the downtown. Given this, the City's parking requirements do not constitute a constraint on development. A more detailed analysis of parking requirements can be found in Section [5.23 Parking](#).

As demonstrated in [Table 1, \(Section 5.3\)](#), the waivers and concessions most frequently sought by developers in entitled multifamily housing projects have been exceptions to setback and height requirements. Given the proposed modifications to allowable densities as a result of this Housing Element update, the maximum building height currently permitted under the City’s zoning regulations will serve as a constraint and will need to be addressed through zoning modifications. California law requires that the Zoning Ordinance be consistent with the General Plan. The Lafayette Zoning Ordinance and the Land Use and Safety Elements of the General Plan will be amended to be consistent with the Housing Element following its completion. Program 10.3.a “Zoning to Accommodate RHNA” commits the City to rezoning districts that already permit multifamily development to increased densities and heights to promote the development of new housing. During this update, the City will also evaluate changes to building setbacks.

## 5.2 DEVELOPMENT STANDARDS

The Zoning Ordinance establishes two primary types of residential zoning: Single-Family Residential (R-6, R-10, R-12, R-15, R-20, R-40, R-65, R-100, LR-10 and LR-5) and Multiple-Family Residential (D-1, MRA, MRB, MRO, MRT, APO and MRP). Multifamily residential is also permitted by right in the commercial zoning districts (C, C-1, SRB, RB). Thus, almost the entire City is zoned for and permits residential by right. Tables included in the Attachment [A1](#) illustrate the City’s development standards for each of these zoning districts.

In addition to these zoning districts, the municipal code offers developers the opportunity to pursue a Planned Unit Development (PUD) zoning designation, which allows flexibility in project-specific development standards, such as reduced internal setbacks. While PUD remains available to developers, all multifamily development projects proposed in Lafayette over that past five years have utilized State Density Bonus Law to achieve relief from objective design standards normally applicable under the municipal code.

In total, [670-675](#) housing units have been entitled and [346-285](#) units have been built in the City’s Downtown over the 5<sup>th</sup> Cycle and the City anticipates that the majority of higher density, affordable units will be built in the Downtown zoning districts C, C-1, SRB and RB throughout the 6<sup>th</sup> Cycle. It is in these districts that services such as grocery and drug stores, civic uses such as the library and post office, K-8 schools, and transit facilities such as BART are located. As can be seen from the zoning standards table in Attachment [1A](#), the building setback requirements in these districts are modest. A density of 35 du/acre – the maximum currently permitted in Lafayette -- and a 35-foot height limit are allowed. There is no floor area ratio (“FAR”) requirement in these districts.

## 5.3 ANALYSIS OF LAND USE CONTROLS: IMPACTS ON RECENT DEVELOPMENTS

Regulations for residential development (e.g. required setbacks, maximum lot coverage, height limits, minimum lot sizes) are no more restrictive than those of surrounding jurisdictions. The Zoning Ordinance and related land use regulations serve to promote the health, safety and general welfare of the community and do not unduly constrain housing development. In addition to these zoning districts, the Zoning Ordinance provides for Planned Unit Development and flexibility with respect to these standards. Lafayette’s PUD process permits housing developments to be built with flexible setbacks, lot coverage and other regulations and permits the construction of mixed-use developments. The

Woodbury condominiums (56 units) and Town Center apartments (75 units) are examples of higher density projects that have successfully used the PUD process.

State Density Bonus Law allows developers to obtain concessions and waivers for projects providing a minimum prescribed percentage of affordable housing. ALL multi-family residential projects proposed in the last five years have requested one or more concessions and waivers, in part because Lafayette’s inclusionary housing requirements make the projects eligible to do so. An overview of the concessions and waivers requested provides some insight into elements of existing zoning standards that may act as constraints to development. Eight recent projects seeking concessions and waivers to development standards are outlined in the table below. While each site and each project have unique site considerations, the development standards that appear to consistently constrain multifamily development are minimum setbacks and maximum height limits.

**Table 1: Concessions and Waivers for Recent Density Bonus Projects**

Project	Setbacks	Height	Parking	Building Design	Fee Deferral	Inclusionary Housing	Other
950 Hough (Griggs)	X	X		X		X	
Lafayette Lane (Miramar)	X			X		X	X
Terraces of Lafayette (O’Brien)		X					
210 Lafayette Circle (Lenox)	X						X
West End (Stone)	X	X			X		
3483 Golden Gate Way (Madison Park)		X	X	X	X		
Samantha Townhomes (Bay Area Dev.)	X						X
3458 Mt. Diablo Blvd (Schadek)	X	X		X			

Source: City of Lafayette, 2021

The following tables analyze the impacts of the City’s development standards on two recent development proposals.

Table 2: Analysis of 950 Hough Avenue

950 Hough Avenue (APN: 243-190-003)			
Total Lot Area: 0.43 acres Zone: Retail Business (RB)			
Regulation	City Requirement	Proposed Project	Comments
Allowed uses	Offices, commercial, residential	Four stories with 20 residential units and ground floor parking tucked under.	<i>Regulation is not a constraint as housing is permitted by-right.</i>
Minimum lot area	5,000 SF.	18,582 sq. ft. (0.43 acres)	<i>Regulation is not a constraint.</i>
Maximum density	35 du/acre (15 units)	46 du/acre (20 units)	<i>The maximum density may be a constraint as the developer added density under State Density Bonus Law.</i>
Maximum height	35' (3 stories)	49' (4 stories)	<i>The 35-foot height limit may be a constraint as the developer sought a waiver to the building height under State Density Bonus Law.</i>
Front setback	10' (adjacent to residential)	3'-6"	<i>The developer sought a waiver to the setback requirements under State Density Bonus Law.</i>
Side yard setback	10' (adjacent to residential)	3' & 3'	<i>The developer sought a waiver to the setback requirements under State Density Bonus Law.</i>
Rear yard setback	10' (adjacent to residential)	30'	<i>Regulation is not a constraint.</i>
Creek Setback	15'	4'-6"	
Parking	30 auto spaces 4 bike spaces	25 auto spaces 18 bike spaces	<i>The developer sought a waiver for not only the parking quantity, but also the location and dimensions of the parking spaces.</i>
Other Regulations			
Building Design	The upper level building bulk exceeds the maximum floor areas prescribed based on the ground floor (parking level) – 95% at 2 <sup>nd</sup> and 85% at 3 <sup>rd</sup> floors.		
Open Space	The project included less than the required 20% minimum open space is proposed based on the lot size (approx. 4,092 sq. ft. required; approx. 2,730 sq. ft. provided)		
Inclusionary Housing	Inclusionary units must be dispersed throughout the project and be comparable in terms of bedroom count and exterior design to the market rate units. The project sought a concession to provide a different bedroom count mix compared to the market rate units.		

Table 3: Analysis of Madison Park

3483 Golden Gate Way (APNs: 243-232-027, 028)			
Total Lot Area: 1.49 acres			
Zone: General Commercial (C-1)			
Regulation	City Requirement	Proposed Project	Comments
Allowed uses	Offices, commercial, residential	4-story mixed-use building with an underground parking garage and a public plaza.	<i>Regulation is not a constraint as housing is permitted by-right.</i>
Minimum lot area	7,500 SF.	64,904 sq. ft. (1.49 acres)	<i>Regulation is not a constraint.</i>
Maximum density	35 du/acre (52 units)	48 du/acre (71 units)	<i>The maximum density may be a constraint as the developer added density under State Density Bonus Law.</i>
Maximum height	35' (3 stories)	53'-6" (4 stories)	<i>The 35-foot height limit may be a constraint as the developer sought a waiver to the building height under State Density Bonus Law.</i>
Front setback	10'	10'	<i>Regulation is not a constraint.</i>
Side yard setback	10' (adjacent to residential)	10' to 34'	<i>Regulation is not a constraint.</i>
Rear yard setback	10' (adjacent to residential)	13' to 65'	<i>Regulation is not a constraint.</i>
Upper Story Setback	50'	3 <sup>rd</sup> Floor: 10' to 80' 4 <sup>th</sup> Floor: 25' to 115'	<i>The upper story setbacks may be a constraint as the developer sought a waiver under State Density Bonus Law.</i>
Parking	63 spaces (8 guest spaces) 10 bike spaces	86 auto spaces (5 guest spaces) 70 bike spaces	<i>Waiver for the reduction to the number of guest parking spaces.</i>

#### 5.4 DENSITY

The maximum density currently allowed in Lafayette’s Downtown zoning districts is 35 du/acre. Though this figure is the maximum permitted density, the City has established a track record of approving higher density residential and mixed-use projects. The City received a total of eight applications to build new, high density multifamily housing projects in the last five years and all have been approved. The average yield of those projects is 107% of units permitted by the underlying zoning, in part because all but one has used State Density Bonus Law.

Table 4 provides more detailed information on these projects. This table presents all developments proposed between 2017 and 2022 at the time of this draft, all of which were approved by the City. As previously discussed, most proposals for new residential development in Lafayette use the State Density Bonus Law not only to seek concessions and waivers to existing development standards, but also to increase the overall unit count of a given project. While other factors like City subsidies or developer interest in developing lower-income units can affect below-market-rate production, the development track record in the City indicate that the permitted density is a potential constraint to new housing development.

Table 4: Densities of All Multifamily Projects (2018-2022)

Project Name	VLI	LI	MOD	AMOD	Base Units (Before SDBL)	Density Bonus Units (#)	Total Units	Density Bonus (%)	Project Density (du/ac)	Math Capacity	Yield % (Total Units / Mathematical Capacity)
Lenox Lafayette Circle 210 Lafayette Cir	0	0	2	10	12	0	12	0%	32	13	90%
The Mill at Brown Avenue 3408 Mt. Diablo Blvd	0	0	2	11	12	1	13	8%	34	13	98%
West End 3721 Mt. Diablo Blvd	0	0	2	10	12	2	14	17%	47	11	133%
Lafayette Lane (Miramar) 3470 Mt Diablo Blvd	38	0	0	108	146	20	166	14%	40	146	114%
Madison Park 3483 Golden Gate Way	6	4	0	42	52	19	71	37%	48	52	136%
950 Hough Ave (Griggs) 950 Hough Ave	0	0	3	14	17	3	20	18%	47	15	134%
Samantha Townhomes 1050 Stuart St	0	0	2	10	12	0	12	0%	29	14	83%
Lynx/Schadek 3458 Mt. Diablo Blvd	0	1	0	8	9	0	9	0%	16	19	47%
1001 Oak Hill Road 1001 Oak Hill Road	2	4	0	45	40	16	51	40%	45	40	129%
										<b>Average Yield</b>	<b>107%</b>

The City’s Density Bonus Ordinance (Chapter 6-36 of the City Municipal Code) mirrors the language of State Density Bonus law and is regularly updated to reflect ongoing changes to State law:

- **6-3601 - Purpose.**

The purpose of this chapter is to:

- (a) Facilitate the production of affordable housing by providing incentives;
- (b) Implement the goals, policies and programs of the Housing Element of the General Plan; and
- (c) Comply with Government Code Section 65915.

(Ord. No. 637, § 4(exh. A), 11-10-2014)

The ordinance includes definitions, the percentage of bonuses allowed depending on the amount of lower-income units being provided, and provides a detailed breakdown of how density bonus calculations are made for both rental and for-sale developments. It includes provisions for land donation, child care facilities, and condominium conversions. The ordinance discusses the design, distribution and timing of affordable housing to ensure that affordable units are of high quality and are available at the approximate time as market-rate units. Lastly, it provides detailed procedures for requesting and granting concessions, waivers, and incentives and the level of review required for each request.

The City has included program 8.3.a in the Implementation Plan to update the local ordinance to align with current State law and to further streamline review. Further, under AFFH Action 2.2 the City will evaluate and adjust the city's inclusionary and density bonus programs to allow a smaller unit contribution (<15%), larger density bonuses, and/or increased city support in exchange for affordable units that address the needs of under-represented residents with disproportionate housing needs (e.g., child-friendly developments with day care on site for single parents, and 3-4 bedroom units for larger families).

## 5.5 INCLUSIONARY HOUSING

Inclusionary zoning programs – of which the City’s local Below Market Rate or BMR program is one variant – are sometimes perceived as adding to the cost of housing by requiring the market-rate units to subsidize the affordable units. This is an area of much dispute, both in the Bay Area and nationally. There are as many positive aspects of inclusionary programs than there are negative aspects. For example, a study conducted by the National Housing Conference’s (NHC) Center for Housing Policy (2000) highlighted several important contributions to inclusionary zoning to communities, not the least of which is the creation of income-integrated communities without sprawl.<sup>5</sup>

Several studies have been published that specifically address the issue of who pays for inclusionary zoning. Some of these studies assert that the costs associated with inclusionary programs are passed on to the market priced homes, while other studies assert that in fact the cost is not borne by the end users at all. For example, the “Reason Foundation” study entitles “Housing Supply and Affordability: Do Affordable Housing Mandates Work?” (April 2004) argues that housing consumers and some landowners pay for inclusionary requirements, not developers. The author asserts that market-rate buyer (and some extent, renters) will be forced to pay higher amounts than they otherwise would for their units because of inclusionary zoning’s implicit tax on other units.

In an article published in the Hastings School of Law Review in 2002 which provided one of the first comprehensive reviews of inclusionary zoning and its cost implications for jurisdictions in California, Barbara Kautz, former Director of Community Development for the City of Dan Mateo and now a lawyer with Goldfarb and Lipman, noted that:

Most cities that have conducted economic analyses have concluded that, in the long run, most of the costs are borne by landowners [rather than market rate renters or buyers.] Initially, before land prices have had time to adjust, either the market-rate buyers or the developer pays, depending on whether the market allows the developer to increase his prices. If the developer cannot raise the market price for the non-inclusionary units or lower his total costs, or some combination, his profits will decline.... To put this another way, builders will pay less for land because inclusionary zoning lowers their profits.<sup>6</sup>

Kautz asserts that developers will sell at the highest level they are able to sell at, meaning they will set prices according to what the market will bear. If a unit’s market value is \$900,000, it will be sold for \$900,000. Developers would not “add” more to the price to pay for the affordable units that are required; if they could sell it at \$1,000,000, for example, they would have sold it for that price in the first place. Furthermore, if the market value of a unit is \$900,000, a buyer would not pay \$1,000,000. And, if all a buyer can afford is \$900,000, then the buyer will not spend \$1,000,000. Ultimately, the price for a unit is dependent on what the market will bear; it is not directly affected by the affordability requirement.

The requirement to add inclusionary units results in substantial costs to a project compared to being allowed to build all market rate units. These costs cannot be passed on to other purchasers

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<sup>5</sup>Inclusionary Zoning: A Viable Solution to the Affordable Housing Crisis?” (Washington, DC: The Center for Housing Policy, National Housing Conference, October 2000).

<sup>6</sup>Barbara Ehrlich Kautz, “In Defense of Inclusionary Zoning: Successfully Creating Affordable Housing,” *University of San Francisco Law Review* – Vol. 36, No 4 (Summer 2002).

because buyers will not pay more because the development costs more; buyers pay what the market will bear relative to the desirability of the unit, the location, and the community. Nor will the developer build for a lesser profit (unless the developer is unlucky enough to have purchased land and planned a project under one set of conditions and must sell units under a different set of conditions as a result of an unanticipated City policy.) The land price is the variable that adjusts, over time, to absorb the increased costs of development within the community.

If the cost of inclusionary zoning is not borne by the buyers or renters, but rather the developers (in terms of less profit) or the original landowners (also in terms of less profit), the question then becomes whether or not inclusionary zoning unfairly reduces the profit one can realize through the development of property. As the courts have repeatedly shown, zoning laws do not constitute a “taking” unless an owner is deprived of most, if not all, of the economic benefit of a property. Land is a limited community resource, and as such courts have given jurisdictions broad discretion in implementing a variety of land use mechanisms that tend to restrict both the value and the particular use of property in order to achieve objectives that meet the greatest public good.

In most instances – certainly within the State of California – local jurisdictions with inclusionary programs have analyzed them as potential constraints to development. This has been the directive of State HCD: while it pronounces “Housing Element law neutral relative to enactment of mandatory local inclusionary provisions,” the State also notes that there may be tradeoffs that must be discussed in the Housing Element’s constraints section. However, jurisdictions almost always have implemented a number of incentives and cost benefits to mitigate these impacts, so that whatever constraint has been identified there is an offset offered to mitigate it.

The City implemented its inclusionary zoning program in the Downtown only in 2016 (subsequent amendments have taken place in 2017 and 2018). The purpose of the program is to facilitate the development and availability of housing affordable to a broad range of households of various income levels and sizes in Lafayette, specifically to assist in the dispersal of affordable housing units throughout the downtown.

#### Basic Requirements

The ordinance applies to developments of two or more units and essentially re-implements the inclusionary requirements of the former redevelopment agency, which was dissolved by the governor in 2012. For single family for-sale projects, 15 percent of the units must be inclusionary units sold or rented at an affordable price to moderate-income households. For projects creating multiple for-sale family dwellings, 15 percent of the total units must be inclusionary units, with nine percent sold at an affordable sales price to low or moderate-income households and six percent sold to an affordable sales price of very low-income households.

For projects in the downtown that are multi-family rental dwellings, 15 percent of the total units must be inclusionary units, with nine percent rented at an affordable price to low-income households and six percent rented at an affordable price to very low-income households.

#### Alternatives to development

*In-Lieu Fees:* A project with two to six for-sale units may elect to pay the applicable in-lieu fees and is not required to build inclusionary units. Further, a project with seven to 20 for-sale units may elect to make all of the inclusionary units affordable at moderate-income. Similarly, a project with seven to 20 rental units may elect to make all of the inclusionary units affordable at low-income.



*Off-Site Development:* In addition, instead of providing inclusionary units on-site to satisfy inclusionary requirements, a developer may propose providing all or a portion of the inclusionary units off-site, including for-sale housing or rental housing. In order to approve such a proposal, the city council must find that on-site production of such units is infeasible or that greater public benefit will result from the units being off-site. The city council may require the provision of a minimum of one and may require up to two off-site units for every unit not provided on-site.

Regardless of the number of off-site for-sale units that are required, 40 percent of the off-site units must be affordable to very low-income households and 60 percent must be affordable to low- or moderate-income households.

In addition, regardless of the number of off-site rental units that are required, 40 percent of the off-site units shall be affordable to very low-income households and 60 percent shall be affordable to low-income households.

#### Affordability Restrictions

*Basic Restrictions:* For-sale inclusionary units are restricted to the applicable income level for a period not less than 45 years, while rental inclusionary units are restricted to the applicable income level for a period not less than 55 years, including inclusionary units proposed as off-site rental units.

*Special Options for Ownership Developments:* An applicant for a residential ownership project may elect to provide all or a portion of the inclusionary units required for the residential project at affordable rent to lower income households rather than provide for-sale units. Fifteen percent of the total units must be affordable to lower incomes, with nine percent rented at an affordable rent to low income households and six percent rented at an affordable rent to very low income households. If the applicant proposes to provide rental units off-site, 40 percent of the off-site rental units must be affordable to very low-income households and 60 percent must be affordable to low-income households.

**Sales of Affordable Rental Units.** If the owner of the ownership project later determines to offer the affordable rental units in the project for sale at an affordable sales price, any subsequent regulatory agreement shall include provisions for sale of the affordable units, as well as relocation benefits for tenants of the affordable rental units.

#### Development Allowances, Reductions, Adjustments and Waivers

In approving an inclusionary housing agreement, the city may, at its sole discretion, include one or more of the following allowances:

- **Unit Size Reduction.** The size of the required inclusionary units may be smaller than the market rate units.
- **Interior Finishes.** Inclusionary units may have different interior finishes than market rate units so long as the interior features are durable, of good quality and consistent with current state building code standards for new housing.
- **Accessory Dwelling Units.** Projects consisting of single-family detached units may meet the inclusionary unit requirements by providing an accessory dwelling unit in accordance with the provisions of the city's accessory dwelling unit regulations on a one-for-one basis. Further:
- A developer of a project may petition the city council for a reduction, adjustment, or waiver of requirements based upon substantial evidence showing the absence of any reasonable relationship or nexus between the impact of the development and the inclusionary requirements.

- A project that has received approval for a tentative subdivision or parcel map, use permit or other discretionary approval and submits a new or revised application for the same property may petition for a reduction, adjustment or waiver of the requirements with respect to the number of lots or square footage of construction previously.

Because developers can receive density bonuses when they provide affordable housing, the cost to develop the below market rate units is offset by the additional density – along with concessions and waivers – received. Table 4 above documents the achieved density of all recent multifamily projects developed since 2017. In addition to illustrating that average densities are being achieved well above zoned density, this table also notes that projects have proposed larger percentages of affordable units than required by the City’s inclusionary requirements, in part because of the additional densities achieved through a density bonus.

Although the ordinance calls for the setting of in-lieu fees, the City has not established in-lieu fees at this time. As a result, the Implementation Plan includes a program (6.1.c) to assess the feasibility of a fee. The Implementation Plan also includes AFFH Action 2.2, which is an evaluation and adjustment the city's inclusionary and density bonus programs to allow a smaller unit contribution (<15%), larger density bonuses, and/or increased city support in exchange for affordable units that address the needs of under-represented residents with disproportionate housing needs (e.g., child-friendly developments with day care on site for single parents, and 3-4 bedroom units for larger families).

Based on the research and many years of implementation, the City’s inclusionary program is not a constraint to development. As noted above, developers have a variety of options for complying with the provisions and will use the density bonus to offset costs associated with providing affordable units.

## 5.6 ON- AND OFF-SITE IMPROVEMENTS

The standards for on- and off-site improvements contained in the Subdivision Ordinance do not constitute a constraint to housing development. They are no more restrictive than those typically found in other Contra Costa County cities, like Pleasant Hill. Indeed, in some cases, less restrictive standards exist in Lafayette since sidewalks with full curb and gutters are not always required for most types of residential subdivisions. Standards for improvements to new developments, such as road widths or fire truck turnarounds, are not controlled by the City, but are under the jurisdiction of other agencies like the Contra Costa County Fire Protection District (CCCFPD). While these standards may impede the maximum potential development, these improvements constitute critical public safety infrastructure and are not considered a governmental constraint on development. Additionally, sewer and water connection fees are established by the Contra Costa Central Sanitary District and the East Bay Municipal Utilities District and are therefore similar to fees in other jurisdictions served by these districts in the County.

## 5.7 LOT AREA AND COVERAGE

Existing parcels in the multifamily zoning districts (MRA, MRB, MRO) are typically modest in area and cannot accommodate many residential units. The minimum lot area requirement for new lots (10,000 SF) was put in place to ensure that newly zoned multifamily parcels would be large enough to accommodate projects of considerable size and density. However, this requirement does not apply to the development of multifamily projects on existing lots less than 10,000 SF in area and is therefore not a constraint. Additionally, in the MRA district, the City allows for increases in floor area ratio (FAR) to a maximum of 0.40 on lots that are under 20,000 SF in area if it finds that the lot cannot be reasonably

merged with an adjacent parcel. This exception removes the lot area constraint for parcels that are identified as being able to support new development. In the MRO district, a FAR of 0.50 is allowed for residential projects. The City’s Downtown is built out and few new lots are being created in this area as there is a lack of vacant land available to do so. Given that the City has established standards for exceptions for existing parcels that do not meet the minimum lot area requirements, lot area and coverage requirements are not a constraint to development.

## 5.8 HOUSING TYPES

The kinds of housing allowed by-right or with a permit in zoning districts as well as the overall land area covered by those zoning districts can affect the ability to provide a range of housing types that meet the needs of the current and future population. The City has analyzed the types of housing allowed in its zoning districts and a summary of those findings are provided in Table 5. Two kinds of housing that are not currently permitted in the City include farmworker housing and low barrier navigation centers. While these housing types are not currently allowed, the Element includes a program to remove this constraint. Beyond these two cases, the City has limited restrictions on the housing types permitted in its zoning districts.

Table 5: Zoning for Different Housing Types

Housing Types	Zoning Districts Where Permitted
<b>Multifamily Rental Housing</b>	RB, C, SRB, C-1, APO, D-1, MRA, MRB, MRO, MRT, MRP
<b>Housing for Agricultural Employees</b>	This type of residential land use is not currently permitted in the City, but included in this Element is a program to incorporate this use into the Zoning Code to allow farmworker housing in the following zoning districts:  <i>6 people or fewer:</i> R-6, R-10, R-12, R-15, R-20, R-40, R-65, R-100, LR-10, LR-5  <i>7-12 people or 36 beds:</i> A-2, A-3, LR-10, LR-5
<b>Emergency Shelters</b>	C-1
<b>Low Barrier Navigation Centers</b>	This type of residential land use is not currently permitted in the City, but included in this Element is a program to incorporate this use into the Zoning Code to allow low barrier navigation centers in the following zoning districts: RB, C, SRB, C-1, APO, D-1, MRA, MRB, MRO, MRT, MRP
<b>Transitional Housing</b>	All zoning districts
<b>Supportive Housing</b>	All zoning districts
<b>Single-Room Occupancy Units</b>	All zoning districts
<b>Manufactured Homes</b>	All zoning districts
<b>Mobile Home Parks</b>	There are not currently any mobile home parks in the City and future development of this housing type is unlikely given the amount of land needed for this residential use and the cost of land in Lafayette.
<b>Accessory Dwelling Units</b>	All zoning districts

## 5.9 ACCESSORY DWELLING UNITS

Title 6, Chapter 6-5, Article 3 of the Municipal Code sets forth regulations for accessory dwelling units in single-family residential and multifamily zoning districts. The accessory dwelling unit ordinance was updated in 2018 and 2020 to conform to several changes to California legislation relating to accessory dwelling units, including: S.B. 1069 (Chapter 720, Statutes of 2016) amending Government Code § 65582.1, 65583.1, 65589.4, 65852.150, 65852.2, and 66412.2, AB 2299 (Chapter 735, Statutes of 2016) amending Government Code §65852.2, and AB 2406 (Chapter 755, Statutes of 2016) adding Government Code §65852.22.

Pursuant to State law, the City's development standards allow one accessory dwelling unit and one junior per parcel on single-family residential lots provided that certain conditions are met. These include that the accessory dwelling unit:

- does not have more than two bedrooms
- is between 250 sq. ft. and 1,200 sq. ft.
- complies with all applicable building codes
- has side and rear setbacks of 4 ft.
- does not exceed 17 ft. in height
- conforms to existing fire and other health and safety codes
- is owner-occupied or that the primary unit is owner-occupied

The City developed three classes of ADUs to help in expediting review of proposals. Class A ADUs are under 800 sq. ft. in area and Class B ADUs are constructed within the footprint of an existing structure; both of these classes require only an over-the-counter review, thus reducing the time and expense previously required when similar projects would go through discretionary review. Additionally, the City exempts ADUs under 750 sq. ft. from development impact fees and waives deed restriction recordation fees and address assignment application fees for these units. The City's ADU standards are designed to promote the development of new ADUs and do not create a constraint on development.

## 5.10 DESIGN REVIEW

Lafayette adopted its Residential Design Review Guidelines on July 30, 1990. The stated goals of the design review process are to 1) minimize the visibility of structures and other improvements and to protect views to the hills, 2) retain natural features of the land, and 3) protect vulnerable habitat and native vegetation. The guidelines set forth criteria for site and building design and landscaping, with emphasis on hillside and ridgeline areas and are made available online for review prior to proposal submittal. The City's Residential Design Review Guidelines do not represent a significant constraint to housing production in Lafayette (see Attachment [2B](#)).

In 2000 and 2002, the Lafayette City Council approved amendments to the zoning ordinance requiring design review of structures exceeding 6,000 in gross floor area and structures exceeding 17 feet in height. The stated intent of these regulations is to minimize loss of light and privacy to neighbors, to minimize the out-of-scale appearance of large structures, to maintain the existing character of established residential neighborhoods, and to permit reasonable expansion of existing structures. To streamline the development review process, the City also amended the zoning ordinance to grant the zoning administrator authority to act on most design review applications or refer them to the Design Review Commission.

In 2014, the City adopted Design Guidelines for the Downtown. The Guidelines support the Downtown Specific Plan and the General Plan and outline the City’s design objectives for Downtown development. The purpose of the Guidelines is to maintain and enhance the City’s informal, small-town character. The Guidelines hold values of the town, which include high quality design and construction and sensitivity to character and place.

Recent changes to State law have limited the scope of Design Review for local jurisdictions. SB 330 took effect January 1, 2020 and was aimed at increasing residential unit development, protecting existing housing inventory, and expediting permit processing. This law modified existing legislation, such as the Permit Streamlining Act and the Housing Accountability Act and instituted the Housing Crisis Act of 2019. Under this legislation, municipal and county agencies are restricted in the local ordinances and policies that can be applied to review of housing development proposals. One such restriction is review of housing developments against objective design standards that are uniform in their application. In 2017, the City adopted objective design standards for Downtown development and plans to continue development of objective standards as part of this Housing Element. The objective criteria laid out in these standards remove constraints on development and aid in streamlining housing production and reducing overall development costs. The City regularly conducts reviews for ongoing compliance for compliance with State Density Bonus law and the Housing Accountability Act.

Per SB 330, housing developers may submit a “preliminary application” for a residential development project. Submittal of a preliminary application allows a developer to provide a specific subset of information on the proposed housing development before providing the full amount of information required by the local government for a housing development application. Submittal of the preliminary application secures the applicable development standards and fees adopted at that time. The project is considered vested and all fees and standards are frozen, unless the project changes substantially.

The City of Lafayette has developed a preliminary application form consistent with SB 330. In addition, the bill limits the application review process to 30 days, for projects less than 150 units, and 60 days, for projects greater than 150 units, and no more than five total public hearings, including planning commission, design review, and city council.

SB 330 also prohibits cities and counties from enacting a development policy, standard, or condition that would have the effect of: (A) changing the land use designation or zoning to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed on January 1, 2018; (B) imposing or enforcing a moratorium on housing development; (C) imposing or enforcing new design standards established on or after January 1, 2020, that are not objective design standards; or (D) establishing or implementing certain limits on the number of permits issued.

#### 5.11 ANNEXATION STANDARDS

Although the City of Lafayette does not expect to annex land within the planning period, an important land use regulation affecting development in Lafayette, as well as other cities in Contra Costa County, is the policy adopted by the Contra Costa County Local Agency Formation Commission (LAFCO) regarding annexation proposals. The standards and procedures set forth in the LAFCO policy affect its review of requests for City annexation of lands proposed for development. The application of these standards will affect development of land outside existing City limits.

Currently, the Lafayette's Sphere of Influence does not extend substantially beyond the City limits. It is not expected that the existing Sphere of Influence area will be altered to include vacant lands that would yield many more developable lots; therefore, annexation standards are not a constraint to development in Lafayette.

#### 5.12 WILDFIRE SAFETY REQUIREMENTS

Recent State laws have imposed more intensive local planning efforts to mitigate wildfire hazards in communities identified as being at an elevated risk for wildfires. As previously stated, a large proportion of the City is designated as Very High Fire Hazard Severity Zones, which necessitate additional planning and building requirements for housing development in these areas. Such requirements might include retrofits to existing structures, the use of fire-resistive materials in new construction. While State law requires jurisdictions to adopt local ordinances for wildfire planning, many of these requirements have been implemented through the California building and residential codes, which are the standards used for development in Lafayette. Given that wildfire mitigation requirements are imposed throughout the State, these safety measures are not a constraint to development.

#### 5.13 AFFIRMATIVELY FURTHERING FAIR HOUSING

In January 2017, Assembly Bill 686 (AB 686) introduced an obligation to affirmatively further fair housing (AFFH) into California state law. AB 686 defined “affirmatively further fair housing” to mean “taking meaningful actions, in addition to combat discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for persons of color, persons with disabilities, and other protected classes.

AB 686 requires that all Housing Elements prepared on or after January 1, 2021, assess fair housing through the following components:

- An assessment of fair housing within the jurisdiction that includes the following components: a summary of fair housing issues and assessment of the City’s fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities; an assessment of contributing factors; and identification and prioritization of fair housing goals and actions.
- A sites inventory that accommodates all income levels of the City’s share of the RHNA that also serves the purpose of furthering more integrated and balanced living patterns.
- Responsive housing programs that affirmatively further fair housing, promote housing opportunities throughout the community for protected classes, and address contributing factors identified in the assessment of fair housing.
- The analysis must address patterns at a regional and local level and trends in patterns over time. This analysis compares the locality at a county level for the purposes of promoting more inclusive communities.

The analysis completed for this work includes a series of actions to address fair housing concerns in the community. The complete analysis is found in Appendix D.

#### 5.14 CONDOMINIUM CONVERSIONS

The conversion of apartment units to condominium units was a major regional problem identified by the Association of Bay Area Governments in the late 1970's. In response, the Lafayette City Council adopted a Condominium Conversion Ordinance in 1979 requiring an evaluation of each potential conversion in the City. The Ordinance provided that the City should deny a conversion if the evaluation revealed that the conversion would be incompatible with the goals and policies of the General Plan.

In 1985, the City Council adopted amendments to the Ordinance (Chapter 32 of Title 6 of the Municipal Code) to allow a maximum of 12 such conversions annually. The provisions also provide for a review of this limitation in order to prevent adverse effects on the City's existing rental stock. The ordinance sets forth a general policy that units appropriate for conversion should be higher-quality units, the loss of which would have the least effect on low- and moderate-income tenants. Thus, while these restrictions place limitations on conversion of rental units to condominiums, they have the beneficial effect of preserving the diversity of the City's housing stock.

#### 5.15 APPLICATION AND DEVELOPMENT FEES

Fees are tied to the City's actual costs of providing necessary services such as project review and plan checking fees or are set to recover the cost of needed infrastructure. The current fee schedule as well as the supporting nexus studies are made available online for review. These fees are reviewed and adjusted periodically; Lafayette's fees were last adjusted in 2008 and 2009, but the City plans to undertake a nexus study update. Planning fees are a small percentage of the total fees charged so even if the fees are increased, they would not constitute a deterrent to development.

To cover the costs associated with review and processing of development applications, the City charges application fees for various types of discretionary applications. These fees are based upon the average staff time needed to process the application and charged as a flat fee. Fees for multiple requests, such as Design Review and Tree permits, are additive at a reduced rate to cover the incremental additional staff time needed to review materials beyond the primary application.

Table 6: Discretionary Application Fees

Item	Fee
Hourly Rate (per hour)	\$175
Accessory Dwelling Unit (Zoning Administrator)	\$700
Address Assignment / Change of Address	\$525
Appeals or Reconsiderations	75% of application fee
Appeal of Staff Determination	\$175
Building & Grading Permit Surcharge (County)	50% of permit fee
Certificate of Compliance	\$3,650
Design Review: Major (new houses, houses > 6,000 sq. ft. and new commercial buildings)	\$5,700
Design Review: Minor (all projects not classified as "Major")	\$3,800
Design Review Commission Study Session <sup>1</sup>	\$700
Environmental Review – by consultant (IS, ND, MND, EIR)	15% admin fee
Environmental Review – by staff (IS, ND, MND, EIR). Billed at hourly rate.	\$2,625 deposit
General Plan Amendment / Specific Plan Amendment	\$9,500
Grading (Design Review Commission and/or Planning Commission)	\$3,800
Hillside Development Permit: Major (in/within 100' of ridgeline setback or vacant lot in HOD; DRC & PC review) <sup>2</sup>	\$5,700
Hillside Development Permit: Minor (non-ridgeline in the HOD, non-vacant property; review only by the DRC)	\$3,800
Major Subdivision (Tract)	\$8,750 + \$200/lot
Major Subdivision (Tract) in the Hillside Overlay District	\$12,250 + \$200/lot
Minor Subdivision <sup>3</sup>	\$5,250 + \$200/lot
Minor Subdivision in the Hillside Overlay District	\$8,750 + \$200/lot
Notice of Exemption / Notice of Determination	\$175
Pre-Application Meeting (no charge for 1 <sup>st</sup> meeting)	\$175
Re-Approval (PC or DRC) <sup>4</sup>	\$875
Re-Approval (ZA) <sup>4</sup>	\$525
Rezoning	\$9,500 + \$100/acre
SB 9 New Unit	\$2,250
SB 9 Urban Lot Split	\$2,250
Stormwater Quality Implementation	\$175
Stormwater Quality Control Plan	\$625
Tree Permit – Category I (not associated with a development application)	\$350
Tree Permit – Category II (associated with a development application)	\$350
Tree Permit Appeal	\$350
Variance or Exception (Design Review or Planning Commission or City Council)	\$4,375
Variance or Exception (Zoning Administrator)	\$1,750
Waste Management Review	\$80
Zoning Administrator - No Hearing (hillside development, design review, grading permits)	\$700
Zoning Administrator Review and Determination	\$350
Zoning Administrator - Hearing (hillside development, design review, grading permits)	\$2,250



Table 7: Development Impact Fees for Residential Development

<b>Drainage</b>	-	-
Drainage Impact (per sq. ft. of impervious surface added) (effective 07/25/2009)	\$0.52	per sq. ft.
Drainage Impact Administration Fee (effective 07/25/2009)	\$0.03	per sq. ft.
<b>Parkland Dedication Fees (revision effective 7/1/2022)</b>	-	-
(1) Additions	\$ 2.31	per unit
(2) Single-Family Residence	\$ 11,664.00	per unit
(3) Duplex; Townhouse	\$ 8,099.00	per unit
(4) Apartments / Condominium	\$ 7,051.00	per unit
(5) Mobile Home	\$ 6,888.00	per unit
(6) Second Unit (Accessory Dwelling Units)	\$ 3,338.00	per unit
<b>Park Facilities Fees (revision effective 7/1/2022)</b>	-	-
(1) Additions	\$ 2.12	per sq. ft.
(2) Single-Family Residence	\$ 9,274.00	per unit
(3) Duplex; Townhouse	\$ 6,447.00	per unit
(4) Apartments / Condominium	\$ 5,612.00	per unit
(5) Mobile Home	\$ 5,483.00	per unit
(6) Second Unit (Accessory Dwelling Unit)	\$ 3,020.00	per unit
<b>Park Fees Program Administration (effective 07/01/2021)</b>	1%	Parkland + Park Facilities
<b>Walkways (effective 07/25/2009)</b>	-	-
(1) Single-Family Residence	\$ 1,076.22	per unit
(2) Duplex; Townhouse	\$ 747.27	per unit
(3) Apartments / Condominium	\$ 650.59	per unit
(4) Mobile Homes	\$ 635.56	per unit
(5) Second Units	\$ 385.19	per unit
<b>Walkways Fees Program Administration (effective 07/25/2009)</b>	-	-
(1) Single-Family Residence	\$ 53.81	per unit
(2) Duplex; Townhouse	\$ 37.36	per unit
(3) Apartments / Condominium	\$ 32.53	per unit
(4) Mobile Homes	\$ 31.78	per unit
(5) Second Units	\$ 19.26	per unit
<b>Lamorinda Sub-Regional Transportation (effective 12/01/2019)</b>	-	-
(1) Single-Family Residential Use: Individual Unit; Duet w/ One Shared Wall	\$ 8,848.70	per unit
(2) Multiple-Family Residential; Second Unit, Apartments; Condo; Townhouse	\$ 6,193.72	per unit
(3) Multi-Family Residential – Transit Oriented Development	\$ 3,283.10	per unit
(4) Commercial; Office; Retail; or Industrial use	\$ 9.46	per sq. ft. GFA
(5) Other non-residential uses not identified in above (per peak hour trip generated)	\$ 973.86	per peak hour trip
<b>Parking Development Payment (effective 01/15/2006)</b>	-	-
Structured Parking in Downtown Core (Mountain View Drive to First Street) - (per space)	\$ 36,900.00	per space
Surface Parking in East End (First to Pleasant Hill Road) & West End (Risa to Mountain View Drive) - (per space)	\$ 19,200.00	per space
<b>Public Art (in-lieu fee)</b>	1% of total project cost	1% of total project cost

Attachment 3C lists Lafayette’s permit, development, and impact fees and provides a comparison of fees for other cities in Contra Costa County. Based on a survey of other cities, Lafayette’s fee levels for developers are midway in the range of fees charged by neighboring cities. Total estimated fees for construction of a 3,100 square foot single-family home are \$68,946. It should be noted that 70% of this total is from development fees imposed by agencies outside the City’s control, such as the Contra Costa County Central Sanitary District and the School District. Since fees, particularly development

impact fees, are set to recover the cost of needed infrastructure so that new development can proceed while maintaining desired public service levels, it can be concluded that the City’s existing fee levels are appropriate and do not generally constitute an undue governmental constraint on housing production.

However, there may be an imbalance in the proportion of City fees paid across different housing types (single family, small multifamily, and large multifamily developments). Though the cost per unit was lowest for large multifamily projects, the proportion of City impact fees to other fees is significantly higher for these projects. This disparity across types of developments may be a constraint to development and the City has incorporated a program to amend its fee structure to reduce the cost burden of fees for multifamily development by calculating fees on a per-square-foot basis rather than per unit.

**Table 8: Development Fee Analysis Summary**

Single Family		Multifamily - Large		Multifamily - Small	
Unit S.F.	3100	Unit S.F.	800	Unit S.F.	800
# of Units	1	# of Units	100	# of Units	10
Cost Per Unit	\$68,946.25	Cost Per Unit	\$31,320.50	Cost Per Unit	\$37,096.95
<b>Planning and Permit %</b>	<b>30%</b>	<b>Planning and Permit %</b>	<b>3%</b>	<b>Planning and Permit %</b>	<b>8%</b>
<b>Impact Fee %</b>	<b>70%</b>	<b>Impact Fee %</b>	<b>97%</b>	<b>Impact Fee %</b>	<b>92%</b>

The Contra Costa County Collaborative (“C4”), comprised of MIG and Veronica Tam Consultants, conducted a review of fees levied on housing projects for all of the jurisdictions in Contra Costa County. According to their analysis, the City of Lafayette’s fees are consistent with the fees of other jurisdictions. The following table summarizes this information.

Table 9: Example Development Fees for Contra Costa County Jurisdictions

Jurisdiction	Single Family Residential	Multifamily - Large	Multifamily - Small
Antioch	\$22,146	\$8,139	\$10,395
Brentwood	\$113,159	\$47,663	\$49,414
Clayton	\$39,160	\$16,692	\$24,914
Concord	\$47,248	\$17,658	\$23,726
Danville	\$62,489	\$33,369	\$34,708
El Cerrito	\$57,356	\$29,278	\$44,073
Hercules	\$64,065	\$29,674	\$31,681
<b>Lafayette</b>	<b>\$68,946</b>	<b>\$31,320</b>	<b>\$37,097</b>
Martinez	\$58,702	\$24,688	\$27,121
Moraga	\$85,110	\$41,017	\$43,494
Oakley	\$70,088	\$35,722	\$32,887
Orinda	\$64,628	\$33,480	\$37,614
Pinole	\$56,666	\$22,774	\$21,698
Pittsburg	\$60,830	\$31,982	\$33,140
Pleasant Hill	\$30,928	\$16,704	\$17,748
Richmond	\$45,694	\$23,011	\$23,834
San Pablo	\$29,499	\$6,741	\$8,245
San Ramon	\$100,496	\$33,188	\$34,012
Walnut Creek	\$31,005	\$15,076	\$16,865
<b>Average Cost</b>	<b>\$58,327</b>	<b>\$26,220</b>	<b>\$29,088</b>
<b>Median Cost</b>	<b>\$58,702</b>	<b>\$29,278</b>	<b>\$31,681</b>

Source: MIG/VTA, Contra Costa County Collaborative, May 2022

## 5.16 BUILDING AND MUNICIPAL CODES

Building codes and enforcement do not constrain housing development in Lafayette as the City of Lafayette does not maintain its own Building Department. The Contra Costa County Building Inspection Department provides building inspection and building code enforcement services to the City. New construction is required to meet the requirements of the California Building Code (CBC) and California Residential Code (CRC), which are updated every three years by the California Building Standards Commission. There are no local amendments to the building code.

The County Building Department inspects housing units when an owner seeks a permit to build or when a specific complaint relating to the health and safety of the building occupants is received. In conformance with the CBC, the County requires new construction to meet all building codes in effect today but does not typically require previous work that was completed with the necessary permits to comply CBC with current standards.

The City's code enforcement officer meets regularly with the City Planning Department and the County's code enforcement division to coordinate tasks. A summary of code enforcement activities in 2021 is listed in Table 7. The City attempts to strike a balance between preventing blighted conditions and reasonable use and maintenance of a property. The code enforcement officer serves largely as an information officer, providing the homeowners with copies of the City's regulations and advising them of ways to bring their properties into compliance.

Table 10: Year 2021 Code Violation Complaints

Month	Trim Notices re: veg. & trees	Building/Zoning	Fire Hazard	Graffiti	Landscape Maintenance	Miscellaneous	Noise	Other Violation(s)	Overgrown Vegetation/Weeds/Trees	Parking/Storage	Property Violations	Spill/Illicit Discharge	Tree/Brush Maintenance	Grand Total
January	0	6	1	0	0	2	0	0	1	4	1	0	3	18
February	0	9	0	0	0	6	0	8	2	3	4	0	3	35
March	0	5	0	0	0	1	0	8	6	5	4	0	4	33
April	0	6	2	0	0	1	0	3	4	1	7	0	4	28
May	0	7	8	0	0	1	0	7	3	2	4	0	4	36
June	0	4	6	0	0	1	0	3	13	1	4	0	5	37
July	0	7	8	0	0	4	0	6	9	5	7	0	4	50
August	1	9	6	0	0	9	0	1	7	3	6	0	2	44
September	1	2	9	1	0	1	1	5	13	5	6	0	1	45
October	0	11	11	1	0	2	4	12	9	11	8	0	1	70
November	0	0	0	0	1	0	3	2	3	4	4	1	1	19
December	0	5	0	0	0	0	1	0	4	1	0	0	0	0
<b>Total</b>	<b>2</b>	<b>71</b>	<b>51</b>	<b>2</b>	<b>1</b>	<b>28</b>	<b>9</b>	<b>55</b>	<b>74</b>	<b>45</b>	<b>55</b>	<b>1</b>	<b>32</b>	<b>415</b>

## 5.17 LOCAL PROCESSING & PERMIT PROCEDURES

### Permit Types & Approval Bodies

The City updated its permitting requirements for multifamily housing to permit housing by right in all commercial districts, eliminating the requirement for a Land Use Permit, to comply with state law. Permit requests for the same project are reviewed concurrently to streamline the entitlement process. Permits typically required for development of new housing in the downtown include the following:

- Design Review Permit for development within a commercial or multifamily zoning district
- Variance Permit for an exception to applicable development standards
- Major Subdivision (Tract) Permit for the creation of five or more parcels
- Grading Permit for the movement of 50 cubic yards of earth
- Tree Permit for the destruction of protected trees

Projects minor in scope can be acted upon at a staff level by the Zoning Administrator, while larger and more complex projects are acted upon by the Design Review Commission. The City has included a program to develop clear triggers for review for each approval body. New commercial or mixed use buildings are acted upon by the Planning Commission. Under the City’s municipal code, certain types of discretionary applications require review by specific hearing bodies. The Zoning Administrator is the lowest level of review for discretionary applications and has the authority to act on

many kinds of applications. The City’s policy is to review projects at the lowest hearing body possible; however, certain applications require review by specific hearing bodies. For projects utilizing Density Bonus provisions, Municipal Code Section 6-3611 “Types of incentives and concessions” outlines three tiers of incentives and concessions and the hearing body that is empowered to act on that request. If a single project requests concessions from different tiers, all requested concessions would be subject to the highest tier’s review and approval. For example, if a proposed project requested two Tier 1 concessions and one Tier 2 concession, all concessions, including those from Tier 1, would be subject to hearing body approval under Tier 2.

Municipal Code Section 6-3611:

- (a) Tier 1: Zoning Administrator Action.
  - (1) Waiving the public art requirement.
  - (2) Reducing processing fees.
  - (3) Deferring collection of impact fees to certificate of occupancy.
- (b) Tier 2: Planning Commission Action.
  - (1) Reduction in building setbacks.
  - (2) Reduction of lot area standards, including allowing private streets to be included in the lot calculation.
  - (3) Reduction in open space/landscaping requirements.
  - (4) Reducing impact fees.
  - (5) Direct financial assistance through funding grants.
- (c) Tier 3: City Council Action.
  - (1) Any additional reductions or variations not specifically covered in Tiers 1 and 2.
  - (2) Deviation from any other development standards not addressed in Tiers 1 and 2.
  - (3) Density bonuses in excess of what is provided for under state law.

Because all of the new residential development proposed in Lafayette in the past seven years has invoked the State Density Bonus Law for concessions and waivers, these projects have typically been reviewed by the Design Review Commission, Planning Commission, and City Council.

For all other housing developments, the zoning administrator may forward an application to the Design Review Commission or Planning Commission if they feel that level of review is warranted on a case-by-case basis. To provide greater certainty for non-Density Bonus projects, the City has included program 10.3.f to amend the zoning standards to more clearly identify the hearing bodies for certain requests.

Duplexes and townhouses are permitted by right in two low-density multifamily zoning districts (D1, MRT). Higher density multi family is permitted by right in eight districts (MRA, MRB, MRO, MRP, C, C-1, SRB, RB). Design review approval is required for projects in the Downtown but may be reviewed by the City’s Zoning Administrator, Design Review Commission or Planning Commission.

#### Processing Time

The time taken to process development applications affects housing costs, since interest on development loans must continue to be paid. The longer it takes for the development to be approved, the higher the overall project costs will be. The following are estimated processing times for residential

development. The time to process residential developments does not constitute a constraint in Lafayette.

**Table 11: Estimated Application Processing Times**

Type of Approval or Permit	Processing Time	Approval Body
Building permit	Planning Department – 1 day to 1 week Building Department - 2 hours to 2 weeks	City staff Building Inspection
Variance	1-2 months	ZA, DRC or PC
Land use permit	3-4 months	PC
Design review – minor	1-2 months	ZA or DRC
Design review – major	3 months	PC
Minor subdivision	2-4 months	PC
Tract	4-8 months	PC
Rezoning	4-8 months	CC
General Plan Amendment	4-8 months	CC
Negative Declaration	2 months	PC
Environmental Impact Report	4-6 months	PC or CC

Note: DRC: Design Review Commission, PC: Planning Commission, CC: City Council

Below is a summary of the permit procedures for single-family and multifamily development:

1. Application submitted to the City of Lafayette
2. Staff review the application for completeness within 30 days
3. Schedule for public hearing with sufficient time for public noticing
  - a. Public hearings for all hearing bodies are held twice a month to reduce the downtime between hearings
4. Public hearings
  - a. Single family projects outside the Hillside Overlay District typically go to one or two hearings (approximately two months); single family projects on vacant parcels within the Hillside Overlay District typically go to two to four hearings (approximately three months)
  - b. Hearings for multifamily projects do not exceed five hearings
5. Two-week appeal period
6. Planning review of construction drawings (approximately two weeks)
7. Building department review of construction drawings (approximately four weeks)

These processing times are comparable to the time taken for processing similar projects in surrounding cities. The following table shows the length of time taken to approve recent housing and commercial development applications in the Downtown. This table illustrates that the cumulative impact of various City-imposed reviews generally does not negatively impact the time it takes to move projects through the approval process. Further, the City complies with the provisions of SB 330 and limits review of eligible multifamily projects to five meetings across the various review bodies.

In an effort to meet the affordable housing goals, SB 35 requires cities and counties that have not made sufficient progress towards their state-mandated affordable housing goals to streamline the review and approval of certain qualifying affordable housing projects through a ministerial process. SB

35 requires cities and counties to streamline review and approval of eligible affordable housing projects through a ministerial approval process, exempting such projects from environmental review under the California Environmental Quality Act (“CEQA”). If it is determined that the project is eligible, SB 35 specifies the timeframes within which the jurisdiction must make a final decision on the application (between 90-180 days). To further streamline project review, this ministerial process also restricts design review of the project to objective design standards. While there are currently no locally adopted written procedures specific to SB 35, Lafayette follows State law and local procedures will be developed as part of Program 2.1.a.

For projects that do not qualify for permit streamlining under SB 35, Lafayette’s zoning code stipulates that residential land uses are permitted by right in each of its residential zoning districts. There are ten single-family zoning districts in which single family residences are allowed by right (R-6, R-10, R-12, R-15, R-20, R-40, R-65, R-100, LR-5, LR-10). Discretionary review by the City is required for new homes over 17 feet in height or over 6,000 square feet in area and for homes within the City’s hillside overlay district.

**Table 12: Processing Times for Selected Projects**

Name of Project	Entitlement sought	Deemed complete	Approved	Time taken
<b>Lafayette Lane</b>	Minor Subdivision, Land Use Permit, Design Review	October 16, 2020	January 25, 2021	< 3 months
<b>West End</b>	Major Subdivision, Design Review	October 25, 2019	June 22, 2020	8 months
<b>Madison Park</b>	Design Review	March 4, 2020	February 22, 2021	11 months
<b>Samantha Townhomes</b>	Design Review	January 27, 2021	June 21, 2021	5 months
<b>950 Hough Ave</b>	Major Subdivision, Design Review	September 23, 2020	March 22, 2021	6 months
<b>The Mill at Brown Ave</b>	Major Subdivision, Design Review	October 24, 2018	March 25, 2019	6 months
<b>Valley View</b>	Minor Subdivision, Design Review	November 2, 2018	May 6, 2019	7 months

To further reduce the time taken to process and review discretionary applications, the City has implemented the following measures:

1. Objective design standards for new multifamily housing in the downtown establish clear criteria for project assessment
2. Providing all application forms, design guidelines, and relevant planning documents online
3. Conducting pre-application meetings between City staff and the property owner/developer at no cost to the applicant to discuss and resolve any problems associated with a proposed development
4. Scheduling informal study sessions with the Design Review Commission for a reduced fee prior to the filing of an application

5. Scheduling pre-application joint meetings of the City Council, Planning Commission and Design Review Commission for major projects at no cost to the applicant
6. Bottom-loading the approval process by allowing the zoning administrator to handle almost all discretionary applications (except those involving certain requests under State Density Bonus Law)

#### Approval Findings

Included in Attachment D4 are approval findings typically required for residential development projects. The findings required for development do not represent a governmental constraint. The City must confirm that granting of a permit is in conformance with the General Plan and is not detrimental to the health, safety, and general welfare of the City. The remaining findings can be met in a variety of ways. Additionally, the City developed Objective Standards for New Multifamily and Multifamily Mixed-Use Development in the Downtown to provide clear qualifications for a project pursuant to requirements of the Housing Accountability Act.

Complying with Objective Design Standards will be deemed to meet approval findings. The City will review ordinances, guidelines and other documentation to ensure that subjective criteria are not relied on for approval and it is clear to the reader that complying with objective design standards will be deemed to meet approval findings.

#### 5.19 INFRASTRUCTURE CONSTRAINTS

Despite the buildout figures mentioned earlier, there exist potentially significant constraints to increased housing development related to the adequacy of the City's infrastructure. These include:

- The potable water system needs immediate and significant repair and upgrading. Leaks have been identified on several main water distribution lines and several others show signs of deterioration. This problem is being actively assessed by the East Bay Municipal Utility District, which owns and operates the system.
- The City's storm drain system is aging, and portions of the system are in need of repair or replacement. Additionally, most of Lafayette's drainage system consists of open ditches and creek tributaries as opposed to more formal storm drain systems. Any new development that adds additional impervious surfaces will strain an already over-taxed storm drain system.
- Traffic congestion on arterials is a significant and worsening problem. Through-traffic during peak hours and during school pick-up and drop-off times are the predominant sources of traffic congestion. Given Lafayette's topography, roads often cannot be widened to accommodate additional traffic.
- Based on the City's Pavement Management System there is an ongoing \$3 million per year cost associated with maintaining the existing streets in a good condition.
- As future residential development occurs, greater demands will be placed on the existing pathway and sidewalk systems within the City. The City needs to expand the available pedestrian and bicyclist facilities available and has adopted a Vision Zero policy requiring greater access to these facilities and more facilities be built for active transportation users. An evaluation of the existing aging facilities and maintenance needs has not been done. However, the costs associated with maintaining and expanding these facilities is likely to be high and is currently unfunded
- The adoption of the Municipal Regional Discharge Permit (MRP 3.0) will be occurring in the next year and the requirements placed on the City for additional inspections, reporting and treatment of runoff from public streets will increase costs compared to historical past permits. The full impact of these new requirements is unknown at this time, but the City was already spending in excess of the stormwater fees collected in prior to MRP 3.0 and does not have a viable source or program to increase those fees. Most future residential



development will occur Downtown, since the City is nearly built out and the majority of remaining vacant and underdeveloped parcels permitting higher-density residential uses are located there. The Downtown is ill equipped to handle a large increase in population since it has few amenities such as parks, trails, and other recreation facilities.

- Financial limitations are acute, since Lafayette is one of the few “no or low property tax” cities in California. The City also does not compete well for many State grants dedicated to infrastructure improvements because many grants favor disadvantaged communities, which does not include the City of Lafayette.
- The impacts of increasing enrollment in an already strained educational system that receives insufficient funding needs to be analyzed.
- The existing hilly topography and layout of the City creates the need to study several safety issues, such as seismic constraints, emergency evacuation plans, and the stability of soils. Many existing households have only one access route to and from their homes.
- Much of the City lies within the high fire hazard zone. The City’s hilly terrain causes response times for the fire department to exceed minimum standards and makes the physical fighting of a wildfire more difficult.
- The City has the lowest per capita police staffing in Contra Costa County and steeply increasing costs for police. The City contracts with the County Sheriff’s Office for Police services.
- Currently, the annual cost for maintaining the landscape and street lighting within the Core Area Maintenance District is \$408,000 of which only \$218,000 is funded by revenues from the District. The cost difference of \$180,000 is being funded from the City’s General Fund. Unless a new funding source is realized, the added maintenance cost of any additional landscape and/or street lighting, or inflationary cost increase, must be funded by the City.

To address these issues, the City proposed a ballot measure in 2016 to introduce a new sales tax for general basic City services. However, this measure was unsuccessful and only received 42% of votes in favor. Several infrastructure needs remain, some of which include:

- Replace and reconstruct storm drains in coordination with street reconstruction projects (ongoing).
- Continue implementation of the City’s Downtown Street Improvement Master Plan, which includes planting new and replacing deficient street trees, improving, and irrigating street islands, and improving pedestrian walkways (ongoing).
- Procure land for new parks as sought in the Parks and Recreation Facilities Master Plan (ongoing).
- Procure land and provide convenient off-street parking lots in the Downtown area according to the City’s master parking improvement plan (ongoing).

## 5.20 TRANSITIONAL, SUPPORTIVE, AND FARMWORKER HOUSING

The City’s Zoning Code does not define transitional housing or supportive housing as housing types that are any different from traditional residential dwellings. In September of 2014, the City processed a zoning text amendment specifically defining transitional and supportive housing in the Zoning Code, noting that these are treated as regular residential uses subject only to those restrictions that apply to other residential uses of the same type in the same zone and therefore removing any constraint to these land uses. Consistent with the State and federal law, the City treats transitional and supportive housing as a residential use subject only to those restrictions that apply to other residential uses of the same type in the same zone.

The City does not currently define farmworker housing as a specific land use in its Zoning Code, but has provided a program as part of its housing strategy to permit this use as required under the California Employee Housing Act to remove any constraints to production of this housing type.

## 5.21 CONSTRAINTS ON HOUSING FOR PEOPLE WITH DISABILITIES

Both the Federal Fair Housing Act (FHA) and the California Fair Employment and Housing Act (FEHA) impose an affirmative duty on local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations and practices when such accommodations “may be necessary to afford” disabled persons “an equal opportunity to use and enjoy a dwelling.” This directive was further enhanced by adoption of Senate Bill 520 in 2002, which amended Housing Element law to require local governments to analyze constraints upon the development and maintenance of housing for persons with disabilities and to remove those constraints or provide reasonable accommodations for housing designed for persons with disabilities.

### Reasonable Accommodation

“Reasonable accommodation” is defined as the act of making existing facilities used by residents readily accessible to and usable by individuals with disabilities, through the removal of constraints within the zoning, permit, and processing procedures. Reasonable accommodation was originally meant to provide accommodation for housing for people who needed accommodation on a personal basis.

However, the State has taken an expanded view and now considers reasonable accommodation to include land use, development improvements, and accessibility, as well as processing and administration. An accommodation is deemed “reasonable” if it does not impose “undue financial and administrative burdens” on the jurisdiction or require a “fundamental alteration in the nature” of its zoning scheme. In other words, the City must create a process to allow disabled persons or developers and operators of housing for people with disabilities to make a claim for relief from whatever constraints they assert exist.

In response to Senate Bill 520 and amended Housing Element law, a program was added to the Housing Element of the 2002 General Plan to analyze and determine whether there are constraints on the development, maintenance and improvement of housing intended for persons with disabilities, consistent with Senate Bill 520 enacted on January 1, 2002. The analysis must include an evaluation of existing land use controls, permit and processing procedures and building codes. If any constraints are found in these areas, the City will initiate actions to address these constraints, including removing the constraints or providing reasonable accommodation for housing intended for persons with disabilities.

Reasonable accommodation and modification are a process for making residential facilities readily accessible to and usable by individuals with disabilities through the removal of constraints within land use, zoning, permit, and processing procedures. There appear to be no overt constraints in the City’s codes or permit and processing procedures. The City adopted the latest California Building Standards Uniform Building Code, which includes provisions for accessibility and the zoning ordinance allows the establishment of group homes for up to six persons by right in single-family zoning districts. However, the City’s codes, as well as permit and processing procedures, also do not explicitly facilitate housing for persons with disabilities through special procedures or reduced requirements. The zoning ordinance contains occupancy standards that apply specifically to unrelated adults and not to families. Residential uses on the ground floor in two commercial districts are not allowed and the parking ordinance does not provide for a reduction in parking for special needs housing. Although a variance or land use permit may be granted to overcome these limitations, procedures to process these permits typically require the filing of an application and the filing of fees.

Upon review of the City's codes and permit and processing procedures and review of guidance from the Attorney General and the California Department of Housing and Community Development, the City determined that a reasonable accommodation ordinance is an appropriate way to implement the provisions of the FHA and FEHA. As illustrated in the ordinance adopted by the City Council in March 2006, reasonable accommodation requests are to be reviewed at a staff level by the Zoning Administrator. Reasonable accommodation was originally meant to provide accommodation for housing for people who needed accommodation on a personal basis. To address the new expanded view, section 6-3401, Purpose, is revised as follows, "by providing reasonable accommodation in the application of its land use and zoning regulations and reasonable modification in a policy, practice, or procedure for housing designed for occupancy by qualified persons with disabilities seeking fair access to housing."

If the request is *de minimus* in nature, the Zoning Administrator may issue a reasonable accommodation permit without holding a hearing if it complies with the purpose and intent of the City's reasonable accommodation provisions in Municipal Code Section 6-34. Further, the zoning administrator may waive the requirement for related discretionary permits, including, but not limited to, a hillside development permit. Although a reasonable accommodation request could not include exemption from the requirement for a land use permit if one were required, an applicant could request accommodation in completing application forms or request an alternate time for a public hearing. Requests for reasonable accommodation may include yard encroachments for ramps and other accessibility improvements, hardscape additions that result in noncompliance with required landscaping or open space provisions, and reduced parking where the disability clearly limits the number of persons operating vehicles.

Prior to approving a reasonable accommodation request, the Zoning Administrator must make findings related to special need, potential impact on surrounding uses, and whether the requested modification would require a fundamental alteration in the nature or effect of the city's land use and zoning ordinances, programs or policies. The Zoning Administrator must act on the request within 30 days of receiving a complete application.

**6-3407 - Specific findings required.**

In making a determination regarding the reasonableness of a requested modification, the following factors shall be considered:

- (a) Special needs created by the disability;
- (b) Potential benefit that can be accomplished by the requested modification;
- (c) Potential impact on surrounding uses;
- (d) Physical attributes of and any proposed changes to the subject property and structures;
- (e) Alternatives which may provide an equivalent level of benefit;
- (f) Whether the requested modification would impose an undue financial or administrative burden on the city;
- (g) Whether the requested modification would require a fundamental alteration in the nature or effect of the city's land use and zoning ordinances, programs or policies;
- (h) Whether the modification would create a "direct threat," which is a significant risk to the health or safety of others, that cannot be eliminated or reduced to an acceptable level by further modification of the city's policies, practices, or procedures; and
- (i) Whether the requested modification is consistent with the Federal Americans with Disabilities Act, the Federal Fair Housing Act and the California Fair Employment and Housing Act.

Program 7.1.g has been included for the City to review the current reasonable accommodation procedure and ensure the required findings are not potential barriers to housing for persons with disabilities.

#### Definition of “Family”

With respect to the definition of “family,” the City’s outdated municipal code contains the following definition:

***6-323 - Family.** "Family" means (a) an individual, (b) two or more persons related by blood, marriage or legal adoption, or (c) a group of not more than five persons, excluding servants, who are not related by blood, marriage or legal adoption, living together as a single nonprofit housekeeping unit in a dwelling unit, as distinguished from a hotel, club, fraternity or sorority house, dormitory or boarding house. A family includes necessary servants. (Ord. 221 § 4 (part), 1980)*

While this Housing Element includes a program (10.3.e) to correct this definition to be consistent with Federal and State laws, there are no current zoning and land uses processes or requirements that rely on the outdated definition of family that are constraints on housing for persons with disabilities, such as limits on unrelated persons.

In addition, group homes of seven or more persons are not specifically allowed in the City, which is a constraint for persons with disabilities in group homes settings. As such, the implementation plan includes program 7.1.e to adopt zoning code amendments to allow such developments as permitted uses in districts where residential is allowed.

## 5.22 LOT CONSOLIDATION

The City incentivizes the consolidation of lots for the development of housing, primarily through reviewing lot mergers through a ministerial process. This process reduces the time and effort required to combine lots for a development process. Given that many of the largest parcels in the downtown have already been redeveloped, most new development will require the consolidation of multiple lots, which the City aims to streamline to promote the production of housing in Lafayette. Several recent residential developments have combined smaller parcels to create a more developable lot. Of the pipeline projects identified in the housing inventory, the following developments included lot consolidations:

Table 13: Recent Development Projects Involving Lot Consolidation

Project Name	Pre-Project Number of Parcels	Number of Units	Pre-Project Land Uses	Status
The Mill at Brown Ave	2	13	Gas Station/Auto Repair	Under construction
Samantha Townhomes	3	12	Vacant	Entitled; pre-construction
The Brant	3	66	Restaurant, Office Building, Auto Repair and Parking	Under construction
The Woodbury	4	56	Shuttered motel	Complete and occupied
Woodbury Highlands	2	99	Offices complex and Parking	Under construction
Lafayette Lane	2	166	Office Complex and Parking	Entitled; pre-construction
Lynx/Schadek	4	9	Construction Office and Parking	Entitled; pre-construction
Madison Park	2	71	Residential Units Partially Converted to Office/Service and Parking	Entitled; pre-construction

Other projects that are not yet in the pipeline but have initiated the development process include the 42-unit Valley View Apartments (3 lots) and Oak Hill Road (3 lots). As part of its efforts to further incentivize lot consolidation for new housing, the City will consider waiving lot merger processing fees for multifamily projects; this has been added as a new implementation program.

### 5.23 PARKING

Parking has been cited as a key consideration in development feasibility in the production of new housing. In 2018, the City updated its parking code to develop creative ways to create more public parking, more shared parking, reduce parking each project must produce, and to accommodate parking as part of multifamily residential development. The City’s previous parking standards for multifamily projects were comparable to the standards in neighboring jurisdictions but have since been revised to reduce the overall parking requirements, as shown in the table below.

Table 14: Previous and Current Minimum Parking Requirements for Multifamily Housing

Unit Size	Previous Requirement	Current Requirement
1 Bedroom	1.2 spaces	1.0 spaces
2 Bedroom	1.5 spaces	1.2 spaces
3+ Bedroom	2 spaces	1.5 spaces

In addition to the reduction in required parking for new developments, the Off-Street Parking Ordinance update included an entire section dedicated to reductions and exceptions to these parking requirements. Reductions and exceptions may be granted through implementation of the Parking Management Strategy mitigations, which include offering shared or public parking, proximity to transit or publicly available car sharing services, and other exceptions. Although not cited specifically in the code, the City has and will continue to allow for the use of alternative parking arrangements and has

approved the installation of a hydraulic lift system that stacks cars in an apartment complex as well as tandem parking spaces.

Despite the City’s efforts to reduce the overall impact of parking requirements, developers recognize the need for and expectation that housing units come with dedicated parking space. Developers who have built multiple projects in Lafayette have stated that they would only build projects with parking in this particular market. This is illustrated by the use of State Density Bonus Law as shown in [Table 1](#). Only one project proposed in the past five years since the City updated its parking ordinance has sought a concession to reduce the number of guest spaces, not the number of spaces per unit. Further, the City’s current parking requirements are generally aligned with the maximum parking limit under Density Bonus; the local requirements are even less stringent than Density Bonus for two-bedroom units.

**Table 15: State Density Bonus Parking Maximums and Lafayette Parking Requirements**

Unit Size	Density Bonus	Lafayette
1 Bedroom	1.0 spaces	1.0 spaces
2 Bedroom	1.5 spaces	1.2 spaces
3 Bedroom	1.5 spaces	1.5 spaces
4 Bedroom	2.5 spaces	1.5 spaces

In recent years, several proposed senior housing projects have illustrated the unique needs of these types of developments – needs that make the strict application of certain residential zoning controls problematic. Seniors tend to drive less than their younger counterparts, and they typically do not need (or want) as much living space as is found in family housing types. As a consequence, residential parking requirements may be too onerous for a senior development, and the smaller unit sizes increase the density of a project such that it may conflict with existing zoning requirements. In recognizing these unique needs, the City adopted a Senior Housing Overlay zone – with reduced parking standards and increased density, among other things -- to allow senior housing developments that are truly reflective of their resident populations.

In the 2022, the State passed AB 2097, which prohibits the requirement of parking minimums within a half-mile of transit. Lafayette’s BART station is one of the eligible transit stations around which the City can no longer require a minimum amount of parking for new development. Much of the City’s downtown and the opportunity sites identified to accommodate the City’s RHNA fall within this half-mile radius, as shown below in Figure 2. As part of its Housing Element, the City has added a program to incorporate the provisions under AB 2097 into the Off-Street Parking ordinance. While the City and State have taken steps to address the cost implications of parking on development feasibility by reducing the amount of required parking, the Lafayette market calls for parking as potential buyers are less likely to buy or rent a unit that does not come with dedicated parking. Though parking is sought after in this community, parking requirements are not a governmental constraint on development given these various changes to reduce the City’s parking requirements for new multifamily development.

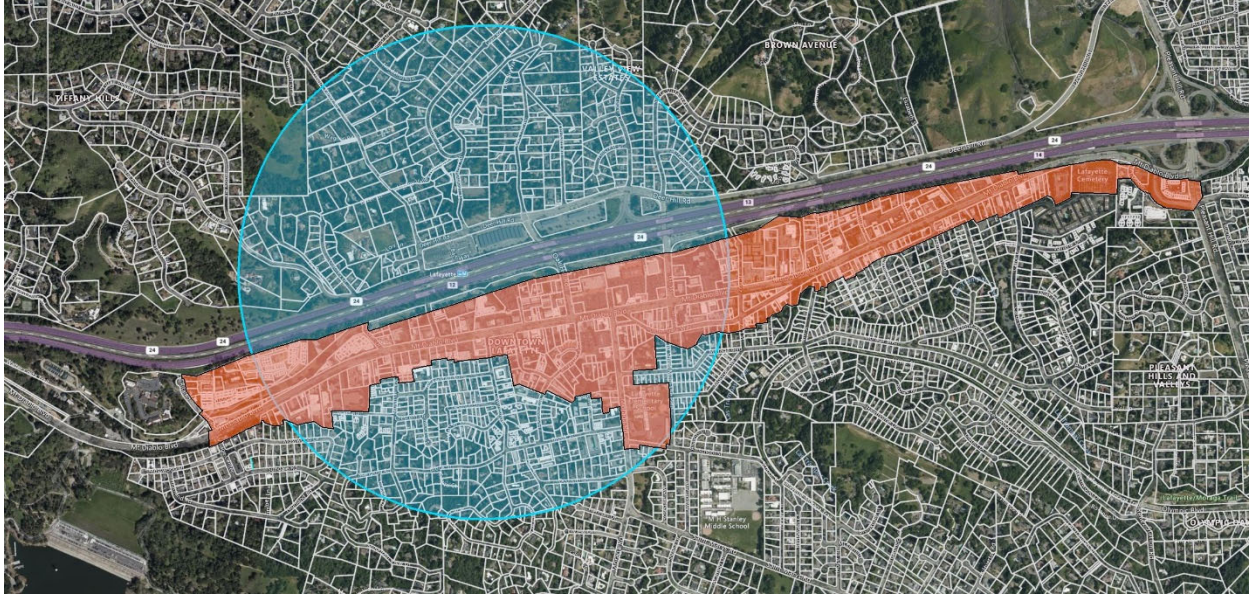


Figure 2: Half-mile radius from Lafayette BART station (blue) and Downtown boundary (orange)

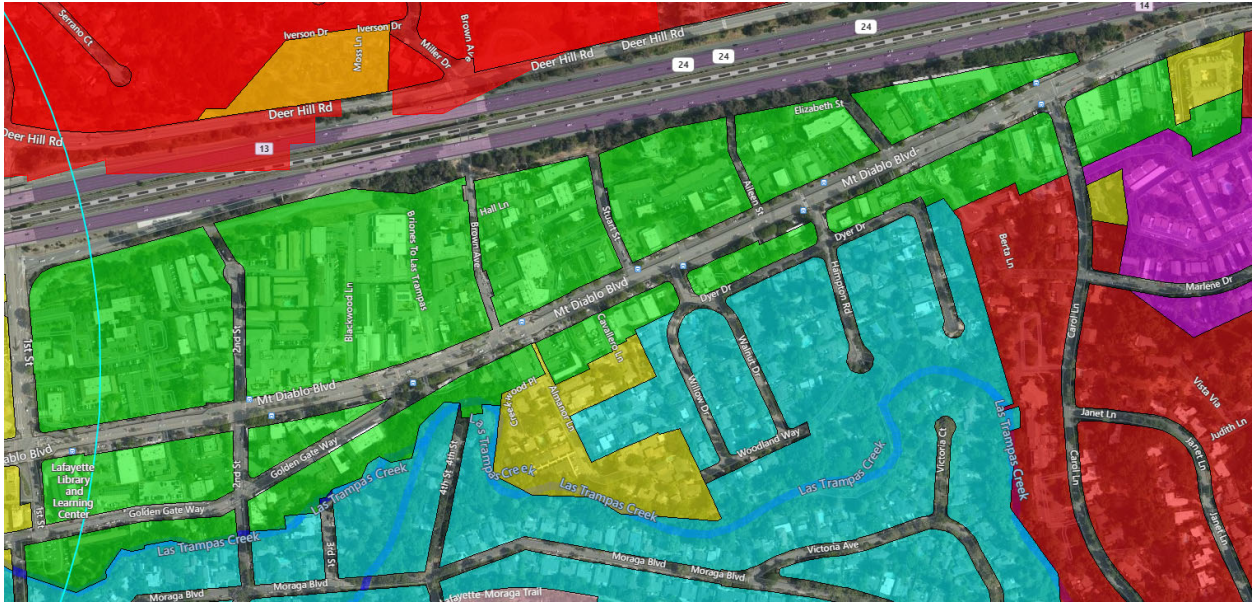
In addition, program 6.1.d commits to modifying parking standards to be consistent with State law. The City will commit to codifying alternative parking standards such as hydraulic lifts and tandem parking spaces.

### 5.24 EMERGENCY SHELTERS

In 2013, the City approved a Zoning Ordinance Amendment to allow emergency shelters as a permitted use in the General Commercial District C-1 (Zoning Map symbol C-1). The C-1 Zoning District was selected as an appropriate location for such a facility because:

1. There are several underutilized sites within this district;
2. There are also a number of small existing developments, including houses, that could be adapted to serve as a shelter;
3. This area is centrally located and near public transit, goods and services, including the library, grocery stores and other amenities; and
4. All infrastructure, such as water, sewer, roads, and sidewalks, is in place.

The C-1 district comprises a significant portion of the Downtown, from 1<sup>st</sup> Street all the way east to the cemetery, as shown in the green areas, below.



Because the last two homeless counts in Lafayette (2020 and 2023) found just three people and one person, respectively, the likelihood of a nonprofit developing a large-scale shelter in the City would be quite small. Instead, a more appropriate setting for a small group of individuals would include group home-type quarters, or small developments that could be adaptively reused for this purpose. In addition to the 17 identified opportunity sizes in this area that could accommodate homeless individuals within the projected 692 units, there are a number of small developments within the district that could be reused for this purpose. For example, there are a variety of former single-family homes along Mt Diablo Blvd – especially the south side – that have already been converted to nonresidential uses, such as insurance offices, and medical facilities.

Consistent with the requirements of Government Code section 65583, subdivision (a)(4), which requires capacity to be based on 200 square feet per person, aside from the identified opportunity sites, which would clearly allow for a total of 600 square feet of capacity, there are approximately 20-25 smaller buildings on parcels where adaptive reuse could occur in this zone. Reviewing assessor data for these sites indicates that building area is approximately 3,000 feet on average, which would accommodate up to 15 persons. Many of these buildings date from the 1940s and 50s, and have significant turnover of uses; some of them were initially included in the inventory of sites but because the sites are less than half an acre and have different owners, they were excluded. Visual samples of these developments include the following:







An informal survey of a broad range of homeless shelters — from small shelters with fewer than 30 people to mass shelters for more than 200 people — indicates that the average square footage per homeless shelter client is approximately 150 square feet (gross). For comparison purposes, the City’s proposed senior housing overlay zoning ordinance calls for studios to be no less than 450 square feet; to accommodate a shelter of up to 30 clients, any site needs to roughly be able to accommodate ten studio apartments (150 SF X three clients = 450 SF; for 30 clients, multiply by ten). Considering that emergency shelters are arranged dormitory-style and not as housing units, the space needed to create a 30-bed shelter is significantly less than for traditional housing and as such, should easily be accommodated within the C-1 district.

The City included in its review of suitable locations for shelters ten discrete development sites, totaling more than ten and a half acres, within the C-1 zone. All of these sites are within the former Redevelopment Area (which corresponds to the Downtown). The average size of these sites is 1.05 acres (aggregated), with the largest at 1.50 acres and the smallest at 0.60 acres. Within these aggregated sites, many individual sites are large enough to accommodate a small emergency shelter. Further, some individual sites are in common ownership and could also accommodate a shelter. This subset of sites — sites that do not need lot consolidation in order to serve as a viable shelter location — includes nine sites, totaling 7.50 acres. The largest of these sites is 1.50 acres, the smallest is 0.4, and the average is 0.83 acres. All identified emergency shelter sites are located in close proximity to transportation, including BART and County Connection bus routes, as well as services, like grocery stores,

There are potentially other sites within the C-1 zone that could be used for this purpose, but this Housing Element only includes sites that have already been reviewed for their suitability as housing and/or mixed use development. Should any one of these sites be developed for a shelter rather than for permanent housing, the City will identify a replacement site of like kind consistent with the “no net loss” provisions of State Housing Element Law, as warranted. Conversely, if any of these sites are developed for non-shelter uses, the City will identify appropriate replacement sites.

Municipal Code Section 6-35 outlines the permitting process for emergency shelters as well as the development standards. In accordance with Government Code Section 65583(a)(4), emergency shelters are allowed by right in the C-1 zoning district, meaning if all standards are met, the request shall be approved by the Zoning Administrator, without discretionary review. The City will adopt Zoning Code amendments to ensure compliance with emergency shelter requirements, including for parking (Gov. Code 65583 (a)(4)(A)), as well as AB 2339. Capacity will be based on at least 200 square feet per person, and any other aspect of the existing code that is contrary to State law will be amended to be in compliance. The City will amend the definition of emergency shelters to include other forms of interim housing.

- Proximity to Other Shelters. No emergency shelter shall be closer than 300 feet to another emergency shelter.
- Vehicle Parking. An emergency shelter shall provide one parking space for every four beds and one parking space for every employee.
- Bicycle Parking. An emergency shelter shall provide at least one bicycle space for every five beds.
- Shelter Capacity. No emergency shelter shall contain more than 30 beds. The city council may establish a maximum number of beds to be allowed in all emergency shelters in the city by resolution. The maximum number of beds in all emergency shelters in the city shall not be less than the number of unsheltered homeless persons in Lafayette as determined in the bi-annual homeless count conducted by the Contra Costa Homeless Program.
- Length of Stay. The length of stay per individual in an emergency shelter shall not exceed six months in a consecutive 12-month period.
- Screening of Outdoor Uses. An emergency shelter shall not allow or include any of the following to occur in front of an emergency shelter or in any other location incidental to the shelter that is visible from adjoining properties or the public right-of-way, unless the same is entirely screened from public view:
  - Designated outdoor smoking area;
  - Outdoor waiting and client intake area;
  - Outdoor public telephones; and
  - Outdoor refuse area.
- Exterior Lighting. Lighting in or on an emergency shelter shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity that is consistent with existing lighting in the neighborhood in which the shelter is located.
- Laundry Facilities. An emergency shelter shall provide laundry facilities to serve the number of residents.
- Personal Property Storage. An emergency shelter shall provide secure areas for temporary storage of personal property of the persons residing in the emergency shelter.
- Management Standards. An emergency shelter shall conform to the management standards set forth below:
  - Emergency Shelter Management Plan. The operator of an emergency shelter shall prepare and submit a management plan to the Zoning Administrator that includes, as applicable, the following: established staff training program to meet the needs of emergency shelter residents; adequate security measures to protect emergency shelter residents and the neighboring land uses; a list of services provided to assist emergency shelter residents with obtaining permanent shelter and income; and a method of screening emergency shelter residents to ensure compatibility with services provided at or through the emergency shelter prior to admittance to the shelter.
  - On-Site Management and Security Plan. Security measures shall be sufficient to protect clients and neighboring land uses. On-site management and on-site security shall be provided during the hours when the emergency shelter is in operation and at all times that clients are present on-site. An on-site staff person shall be designated as a neighborhood liaison to respond to, and address, any questions or concerns from surrounding residents regarding facility operations.

Clients shall be screened for compatibility with shelter resources and for compliance with applicable State and Federal laws prior to admittance to the emergency shelter.

The City will review development standards for emergency shelters to ensure compliance with state law and will amend the parking standards for emergency shelters to ensure that standards are sufficient to accommodate all staff, provided they do not require more parking for emergency shelters than other residential or commercial uses within the C-1 zone (Program 7.1.f).

## 5.25 MINIMUM DENSITY REQUIREMENT

Since the certification of the last Housing Element, a series of new laws have been implemented that make it easier for developers to use the State density bonus provisions by providing a certain percentage of units in proposed developments as affordable.<sup>7</sup> As a result, many developers are taking advantage of the additional density offered, which has resulted in significant changes to the realistic capacity for development. The following table illustrates that for last five years from 2018-2022, ***all*** new residential development projects of nine or more units that have been proposed and/or approved have invoked the density bonus provisions, regardless of whether the development took the extra density, or just used the concessions and waivers. Although the State has specifically stated that cities cannot rely on density bonuses alone to calculate capacity (primarily because use of the density bonus is optional), the City can demonstrate that as-built densities are consistently above zoned density.

Table 16: 2018-2022 All Multifamily Residential Project Densities & Yields

Project Name	VLI	LI	MOD	AMOD	Base Units (Before SDBL)	Density Bonus Units (#)	Total Units	Density Bonus (%)	Project Density (du/ac)	Math Capacity	Yield % (Total Units / Mathematical Capacity)
Lenox Lafayette Circle 210 Lafayette Cir	0	0	2	10	12	0	12	0%	32	13	90%
The Mill at Brown Avenue 3408 Mt. Diablo Blvd	0	0	2	11	12	1	13	8%	34	13	98%
West End 3721 Mt. Diablo Blvd	0	0	2	10	12	2	14	17%	47	11	133%
Lafayette Lane (Miramar) 3470 Mt Diablo Blvd	38	0	0	108	146	20	166	14%	40	146	114%
Madison Park 3483 Golden Gate Way	6	4	0	42	52	19	71	37%	48	52	136%
950 Hough Ave (Griggs) 950 Hough Ave	0	0	3	14	17	3	20	18%	47	15	134%
Samantha Townhomes 1050 Stuart St	0	0	2	10	12	0	12	0%	29	14	83%
Lynx/Schadek 3458 Mt. Diablo Blvd	0	1	0	8	9	0	9	0%	16	19	47%
1001 Oak Hill Road 1001 Oak Hill Road	2	4	0	45	40	16	51	40%	45	40	129%
									<b>Average Yield</b>		<b>107%</b>

<sup>7</sup>For more than forty years, California's Density Bonus Law (Government Code Section 65915 et seq.) has been a mechanism to encourage developers to incorporate affordable units within a residential project in exchange for density bonuses and relief from other base development standards through concessions and waivers. The amount of additional density allowed depends on the level of affordability provided.

Although the base density in the downtown is currently 35 dwelling units per acre, the average residential project has resulted in nearly 38 du/ac due to the attractiveness of density bonus provisions to developers.

Despite this, based on feedback from HCD, the City has reviewed the comparatively small number of developments that have not used the density bonus – either for additional density, or for concessions and waivers – to determine the average built density as a percentage of underlying density. Since there are no multifamily developments of ten units or more since 2018 that have elected *not* to use the density bonus, the following table uses projects that were proposed and/or approved earlier.

**Table 17: Residential Project Densities & Yields – Projects without Density Bonus or Waivers/Concessions**

Project Name	VLI	LI	MOD	AMOD	Base Units	Lot Area (Acres)	Zoning Density (du/ac)	Project Density (du/ac)	Math Capacity	Yield % (Total Units / Mathematical Capacity)
Town Center III 1000 Dewing Ave	0	0	7	62	69	1.02	35	68	36	194%
Lennar Homes 3666 Mt. Diablo Blvd	2	2	6	56	66	2.05	35	32	72	92%
Six (Lenox Mountain View) 954 Mountain View Dr	0	0	0	6	6	0.32	35	19	11	54%
Woodbury Highlands 3700 Mt. Diablo Blvd	6	0	9	84	99	6.55	35	15	229	43%
Valley View Apartments (Freethy) 1059 Aileen St and 1044 Stuart St	0	0	0	42	42	1.22	35	35	43	99%
									Average Yield	88%

In addition, recent mixed-use projects along Mt. Diablo Boulevard demonstrate that substantial housing development can occur alongside ground floor commercial. The following table illustrates that residential development averages about 90% or higher of overall square footage. In addition, despite the fact these two projects did not use the density bonus, they still were able to achieve an average of 124% of zoned capacity.

**Table 16: Mixed Use Projects with Residential**

Mixed Use Project	Percentage Residential	Percentage Commercial	Description	Density Bonus Status
Merrill Gardens	89%	11%	72 units on 1.34 acres (153% of zoned capacity at 35 du/a)	No density bonus, concessions, or waivers
Lennar (The Brant)	96%	4%	66 units on 2.05 acres (95% of zoned density at 35 du/a)	No density bonus, concessions, or waivers
<b>AVG</b>	<b>93%</b>	<b>7%</b>		

As demonstrated above, recent precedence in Lafayette shows an actual development averaging 107% of allowed density. Because of the City’s inclusionary ordinance and the high cost of

land in Lafayette, developers have opted to maximize development potential and use the Density Bonus to achieve projects beyond maximum levels, which is reflected in the development trends. In conjunction with the Housing Element, the implementation plan includes not only an increase in density primarily throughout the Downtown and at FBO sites, it also institutes a new minimum density requirement of 88% to ensure anticipated housing densities are achieved. Policy 10.3.g is a conservative approach and ensures the inventory of opportunity sites achieves the RHNA targets, plus a buffer.

### **Likelihood of Commercial Development**

Based on the City's records over the past ten years, there has only been *one* commercial development application on any site that could be developed with either commercial or residential. Public comment has pointed to a number of commercial developments to assert that new commercial development continues and must be factored into the sites analysis. The only commercial development since 2013 was 3540/3546 Mount Diablo Boulevard. Safeway demolished a Valero gas station in 2017, and constructed additional parking there in 2018. *This application was initially submitted in 2012 and thus was not captured in the 10-year look-back period. The applicant re-filed in 2015 which was ultimately approved. The gas station was demolished to expand the Safeway parking lot.*

Other projects cited as evidence that commercial development continues in Lafayette:

- 3603 Mount Diablo Boulevard: The owner constructed a new one-story bank building (for Chase Bank) on land formerly occupied by a gas station demolished in 2002 and then left undeveloped until 2016.  
*This application was submitted in 2012 and thus was not captured in the 10-year look-back period.*
- 3800 Mount Diablo Boulevard, at Risa Road: A new two-story medical building was built adjacent to the Woodbury housing development in approximately 2014.  
*This application was submitted in 2012 and thus was not captured in the 10-year look-back period.*
- 100 Lafayette Circle – this the Chamber of Commerce's replacement building that burned in a fire in 2017.  
*This application was submitted in 2019 and approved; however, the project has not been built and the entitlements have lapsed. We have similarly not included entitled housing projects whose entitlements have lapsed in the inventory.*

Given that there has been only one commercial development application since 2013 (a 2012 application to expand a parking lot that lapsed and was refiled in 2015), and that was eight years ago, ~~that~~ the likelihood of commercial development on opportunity sites is extremely low. Based on these analyses of recent developments, including those mixed use projects with residential, the City further believes a minimum density requirement of 88% will not be a constraint on future development. Accordingly, the City has included Program 10.3.g to amend the zoning ordinance requiring that all new multifamily housing proposed on opportunity sites in commercial or residential zones be developed at a minimum density of 88% of zoned density to ensure maximizing housing on these sites.

Further, Government Code Section 65583.2(g)(2) states that if a housing element relies on nonvacant sites to accommodate 50% or more of its RHNA for lower income households, the nonvacant site's existing use is presumed to impede additional residential development, unless the housing

element describes findings based on substantial evidence that the use will likely be discontinued during the planning period. As noted in Section 5.5, the City used three different models to distribute units by affordability on sites. For vacant sites, the distribution was 30% very low-income, 30% low-income, 20% moderate-income, and 20% above moderate income. Using this distribution, the City meets this requirement with only 49% of lower income units on nonvacant sites.

Lafayette Housing Element							
Staff Recommendation: Increase Distribution Percentages on Vacant Sites							
Summary							
Map Area Density Allocations							
Map Area	Description	# OppSites	Units/Acre	Comment	Unit Total		
1A	West End	North/N	1	0.81	60	Upzone from 35 du/a	38
1B	West End	North/S	0	0	35	No change to existing zoning	-
2	West End	South	6	4.64	35	No change to existing zoning	196
3A	Downtown Core	North/N	6	5.53	60	Upzone from 35 du/a	254
3B	Downtown Core	North/S	0	0	35	No change to existing zoning	-
4	Downtown Core	South	2	1.39	35	No change to existing zoning	43
5A	East End	North/N	6	6.94	60	Upzone from 35 du/a	365
5B	East End	North/S	9	5.80	35	No change to existing zoning	211
6	East End	South	0	7.43	35	No change to existing zoning	205
7B	Col Trans/AVF Parking		0	1.22	10	No change to existing zoning	-
8	Deer Hill Corridor		0	17.85	10	No change to existing zoning	-
9-1	DeSilva South		1	9.75	35	Upzone	308
9-2	DeSilva North		1	1.97	35	Upzone	60
13	Dewing/Brook/Rosedale		3	3.83	35	Some changes to existing zoning	119
SS	Faith Based Organizations		5	9.08	35	Upzone	202
		<b>40</b>				<b>TOTAL</b>	<b>2,001</b>

RHNA Summary					
	VLI	LI	MOD	AMOD	TOTAL
RHNA Allocation	599	344	326	845	2,114
Pipeline Projects (Including ADUs)	70	130	84	496	780
<b>Net RHNA Remaining</b>	<b>529</b>	<b>214</b>	<b>242</b>	<b>349</b>	<b>1,334</b>
<b>OppSites Total Capacity</b>	<b>581</b>	<b>436</b>	<b>330</b>	<b>654</b>	<b>2,001</b>
3523 Golden Gate Way (units to be demo'd)	0	-2	-2	0	-4
Buffer (units) [Total Capacity - Net RHNA]	52	220	86	305	663
Buffer (%) [Buffer Units/Net RHNA]	10%	103%	36%	87%	50%
Lower Income Buffer (VLI + LI)	37%				
Assumptions for LI Analysis Below					
	VLI	LI	MOD	AMOD	TOTAL
<b>Income Distribution on Vacant Sites</b>	<b>30%</b>	<b>30%</b>	<b>20%</b>	<b>20%</b>	<b>100%</b>
Lower Income Units					
Entitled Pipeline Projects (VLI & LI)					72
Accessory Dwelling Unit Capacity (VLI & LI)					128
Capacity on Vacant Sites (VLI & LI)					278
<b>Total Capacity (NOT related to non-vacant sites)</b>					<b>478</b>
RHNA on Nonvacant sites					465
<b>% Lower Income RHNA on Nonvacant sites</b>					<b>49%</b>

Assumptions:	
Council -approved densities	
30-30-20-20 distribution for vacant sites	
SB 4 distribution for FBOs	
RHNA allocation for all other sites	

## 6 CONCLUSIONS

The biggest constraint concerning the development of housing – especially that which is affordable – is the very high cost of development (including but not limited to land costs, labor costs, material costs), and the lack of funding to support that development. The dissolution of Redevelopment Agencies in California has left Lafayette with few tools to support the development of affordable housing within the City. This non-governmental constraint means that in order to develop the approximately 1,300 lower-income units in the RHNA allocation, approximately \$900 million would be needed. Land, construction, and labor costs account for the largest proportion of development costs and, while the City is committed to making concerted efforts to remove constraints, the primary cost drivers are out of the City’s control and will remain a challenge to housing development without State or Federal intervention.

Analysis of past projects and the City’s zoning standards have identified height, setback, and other objective development standards as potential governmental constraints to the development of housing. The Implementation Plan includes multiple programs to address these potential constraints, including but not limited to working with real estate professionals – economists and developers, among others - to analyze the specific impacts of various building standards on the cost to develop housing. From this work, the City is able to make informed changes to zoning requirements to reduce or eliminate these constraints.

**Attachment 1 - Zoning District Development Standards**

**SINGLE-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS**

<b>Zoning District</b>	<b>Minimum Lot Area</b>	<b>Average Lot Width</b>	<b>Minimum Lot Depth</b>	<b>Maximum Building Height</b>	<b>Minimum Side Yards</b>	<b>Minimum Setback</b>	<b>Minimum Rear Yard</b>
<b>R-6</b>	10,000 s.f.	60'	90'	2 ½ stories (35')	5' (15' aggregate)	20'	15'
<b>R-10</b>	10,000 s.f.	80'	90'	2 ½ stories (35')	10' (20' aggregate)	20'	15'
<b>R-12</b>	12,000 s.f.	100'	100'	2 ½ stories (35')	10' (25' aggregate)	20'	15'
<b>R-15</b>	15,000 s.f.	100'	100'	2 ½ stories (35')	10' (25' aggregate)	20'	15'
<b>R-20</b>	20,000 s.f.	120'	120'	2 ½ stories (35')	15' (35' aggregate)	25'	15'
<b>R-40</b>	40,000 s.f.	140'	140'	2 ½ stories (35')	20' (40' aggregate)	25'	15'
<b>R-65</b>	65,000 s.f.	140'	140'	2 ½ stories (35')	20' (40' aggregate)	25'	15'
<b>R-100</b>	100,000 s.f.	200'	200'	2 ½ stories (35')	30' (60' aggregate)	30'	30'
<b>LR-10</b>	10 acres	200'	200'	2 ½ stories (30')	50'	50'	50'
<b>LR-5</b>	5 acres	200'	200'	2 ½ stories (30')	50'	50'	50'

**MULTI-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS**

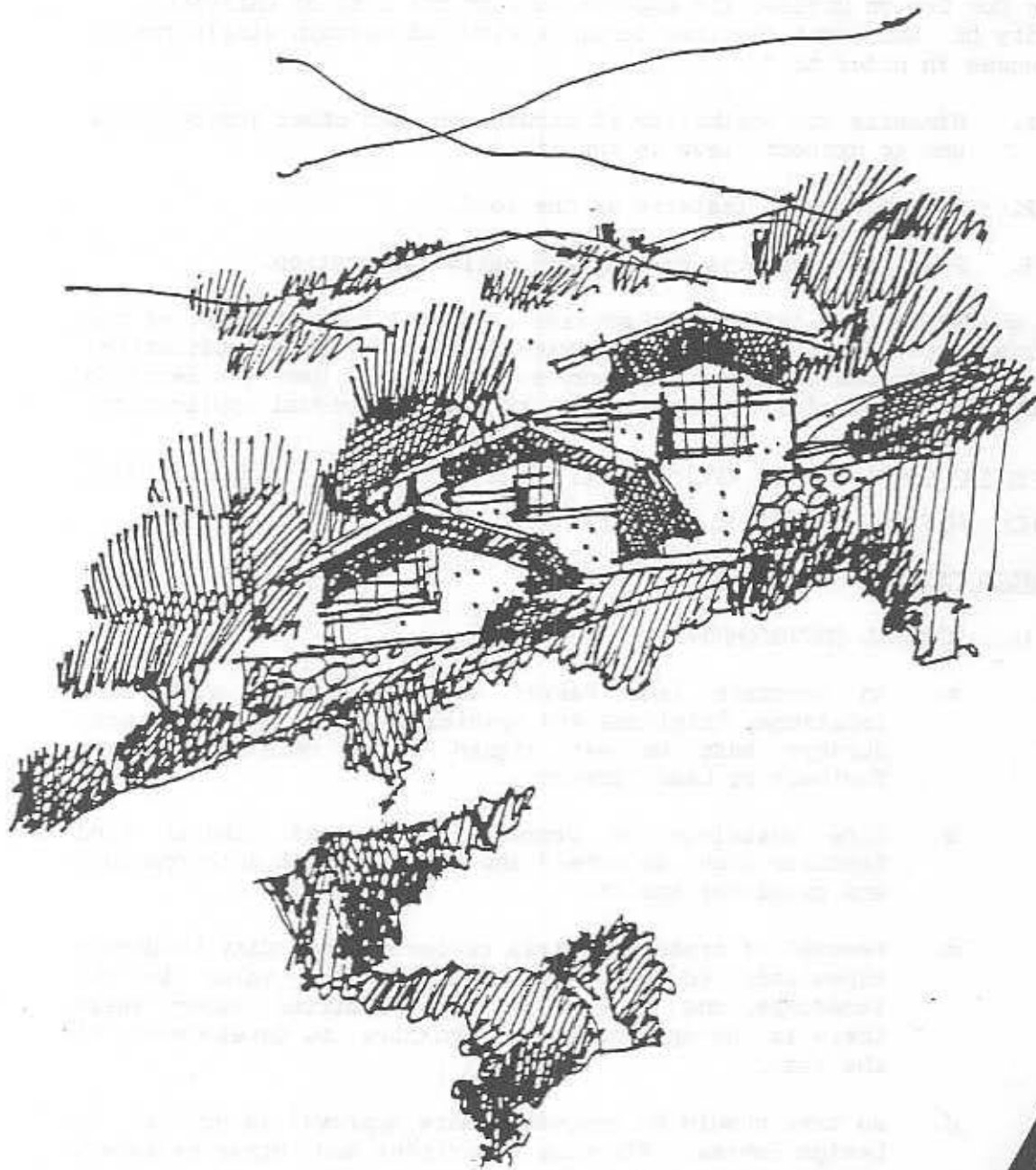
Zoning District	Minimum Lot Area	Average Lot Width	Minimum Lot Depth	Maximum Building Height	Minimum Side Yards	Minimum Setback	Minimum Rear Yard
<b>D-1</b>	10,000 s.f.	80'	90'	1 ½ stories (25')	10'	20'	15'
<b>MRA</b>	10,000 s.f.	80'	90'	25' – 35'	10'- 20'	20'	15'
<b>MRB</b>	10,000 s.f.	80'	90'	35'	10'-20'	20'	15'
<b>MRO</b>	10,000 s.f.	80'	90'	2 - 3 stories (30'- 35')	10'	20'	15'
<b>MRT</b>	No minimum standards			25'	No minimum standards		
<b>MRP</b>	10,000 s.f.	80'	90'	1 story (20')	No minimum standards		



**MIXED COMMERCIAL AND RESIDENTIAL DEVELOPMENT STANDARDS**

Zoning District	Minimum Lot Area	Average Lot Width	Minimum Lot Depth	Maximum Building Height	Minimum Side Yards	Minimum Front Setback	Minimum Rear Yard	Minimum Open Space
<b>RB</b>	5,000 s.f.	N/A	N/A	35'	10' when adjacent to residential			20%
<b>C</b>	7,500 s.f.	55'	75'	35'	10' when adjacent to residential. 20' setback required for three story buildings which may be reduced if findings can be made.	10'	10' when adjacent to residential.	None
<b>SRB</b>	5,000 s.f.	N/A	N/A	35' except in BART Block where height over 35' is allowed but a maximum of 3 stories	10' when adjacent to residential	None except in BART Block where 6' is required	10' when adjacent to residential	20%
<b>C-1</b>	7,500 s.f.	55'	75'	2 ½ - 3 stories (35')	10' when adjacent to residential. Third story setback of 50' required from certain streets and residential zones	10'. Third story setback of 50' required from certain streets and residential zones	10' when adjacent to residential. Third story setback of 50' required from certain streets and residential zones	None
<b>APO</b>	4.94 acres	N/A	N/A	22'-36'	49.21'	26'- 49' 26.25'		20%

Residential  
DESIGN REVIEW GUIDELINES



July 30, 1990

July 30, 1990

## GENERAL GUIDELINES FOR RESIDENTIAL DESIGN REVIEW

The purpose of this document is to highlight, for the benefit of those filing for Design Review, the expectations of the City of Lafayette. The City of Lafayette requires design review of certain single-family residences in order to:

1. Minimize the visibility of structures and other improvements and to protect views to the hills.
2. Retain natural features of the land.
3. Protect vulnerable habitat and native vegetation.

These guidelines are intended to provide a general understanding of the criteria applied in the design review process. Each application, however, is considered unique, the reviewin body will base its decision on findings and conclusions appropriate to each individual application.

### I. RESIDENTIAL GUIDELINES FOR HILLSIDE AND RIDGELINE AREAS

#### A. SITE DESIGN

1. NATURAL ENVIRONMENT:
  - a. An accurate land survey and contour map with tree locations, driplines and special features is necessary. Surveys must be wet signed by a registered Civil Engineer or Land Surveyor.
  - b. Site buildings to preserve trees and natural land features such as creeks and swales, rock out-croppings and prominent knolls.
  - c. Removal of trees requires review by the City Landscape consultant to evaluate condition and value in the landscape, and is generally not permitted except where there is no appropriate alternative to development of the site.
  - d. No tree should be removed before approval is granted by Design Review, Planning Department and other necessary regulatory agencies.

## GENERAL GUIDELINES FOR DESIGN REVIEW

- e. Impacts on the natural visual character of the site should be minimized when viewed from offsite (FIGURE A).
  - f. Minimize the visual impacts of grading. (FIGURE B).
  - g. Minimize cut and fill slopes. Retaining walls within building footprint are preferred over exterior ones. Ease top and toe of cuts and fills. Where feasible cut and fills should balance.
  - h. Do not change the grade within the dripline of trees.
  - i. Identify and protect natyral animal habitat.
2. PHYSICAL IMPACTS/PUBLIC AND PRIVATE SERVICES:
- a. Foundations, retaining walls, etc. should not be placed within the dripline of trees. Any construction requested within the dripline of a tree must be reviewed and approved by the City landscape Consultant.
  - b. Provide for a storm drainage system. Keep impermeable surfaces to a minimum of total property area. Include detention basins or ground water recharge facilities where appropriate. Downspouts should be tied to system.
  - c. Sedimentation, erosion, and soil stability should be addressed with the aid of a full soils report.
  - d. Utilities should be coordinated with adjacent facilities and be designed to minimize tree and grade disturbance.
  - e. Minimize impacts to neighbor's views and privacy.
  - f. Solar shading of adjacent properties should be avoided.
  - g. Avoid siting compressors, pumps, and other mechanical equipment where it is visible or will create a noise problem for adjacent property owners.
  - h. Adequate parking and safe turn-around facilities should be provided. Parking should be hidden from off-site view whenever possible.
  - i. Access roads should be as short as possible.

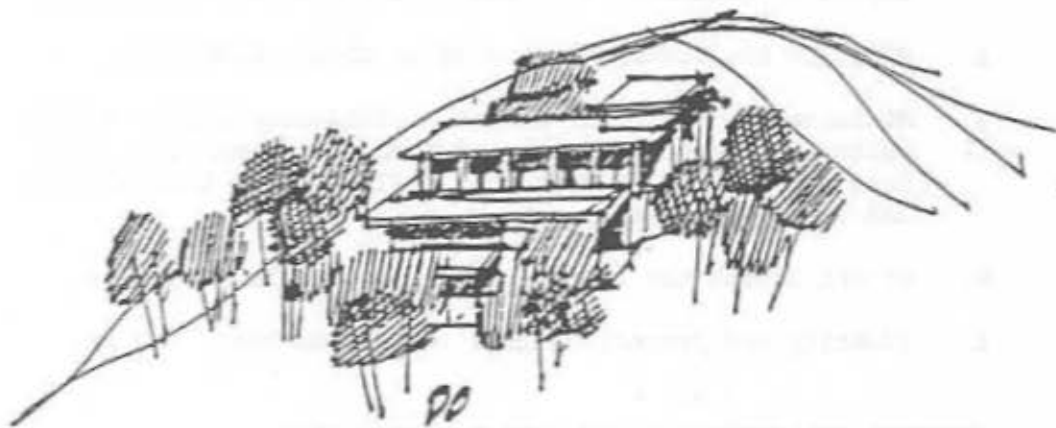
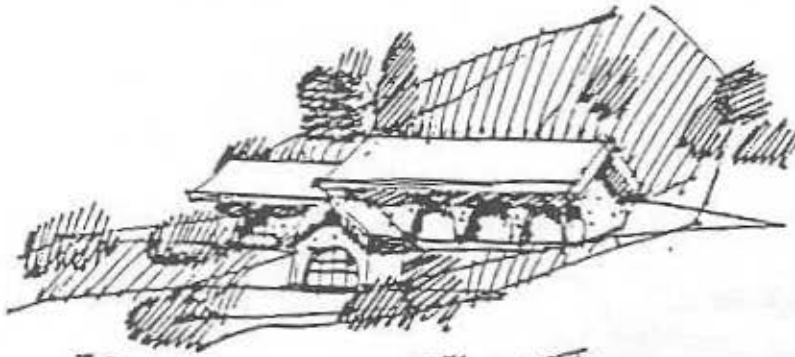
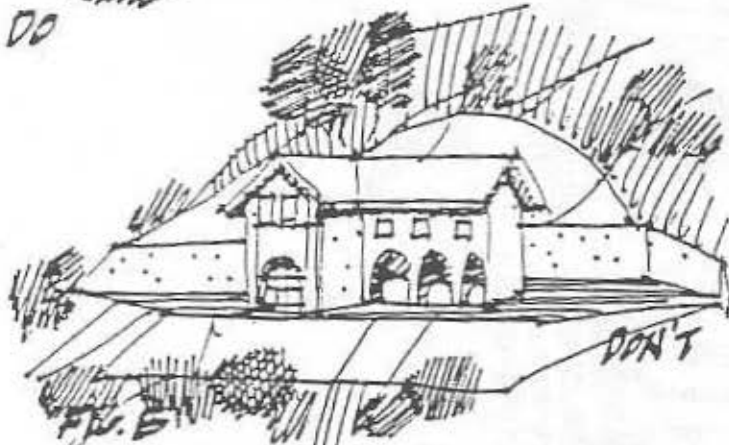


FIG. A MINIMIZE IMPACTS TO THE  
VISUAL CHARACTER OF THE  
SITE



DO



DON'T

FIG B

MINIMIZE IMPACTS OF GRADING

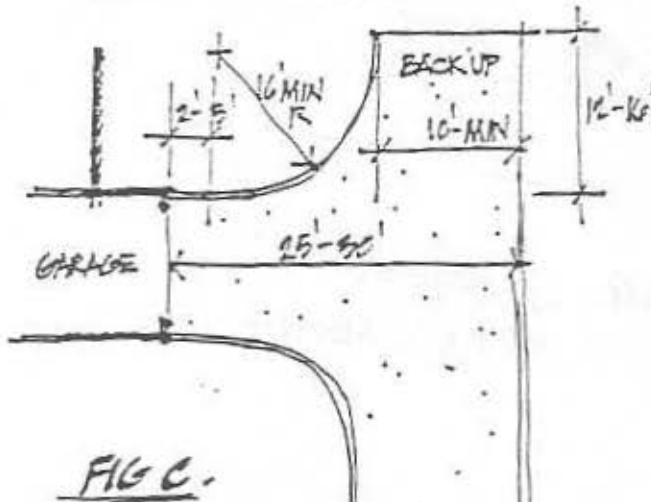


FIG C.

PROVIDE ADEQUATE PACKING at  
TURN AROUND

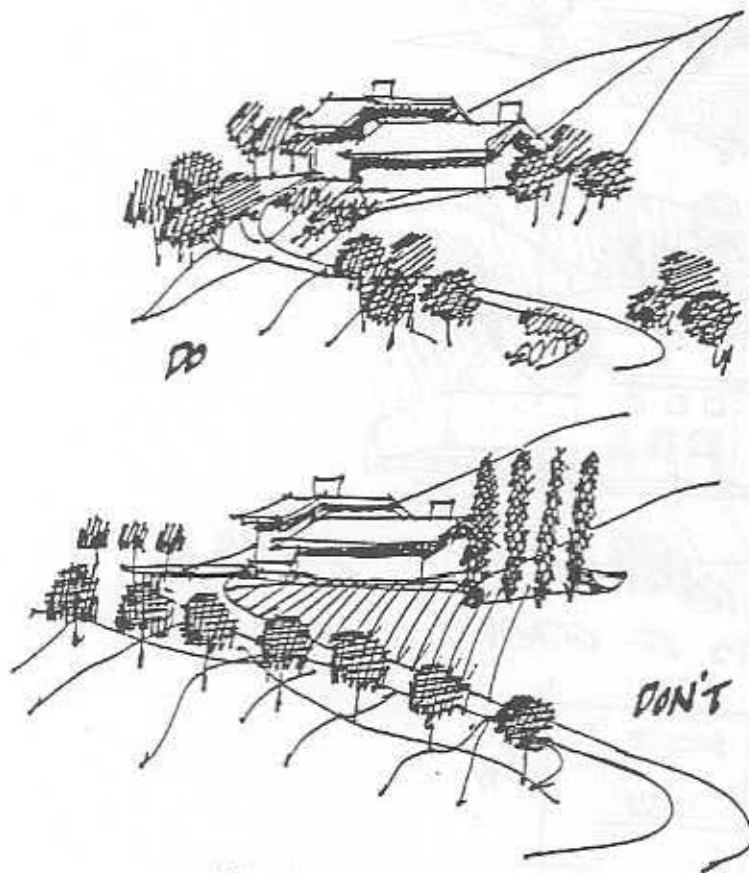


FIG. D  
UTILIZE NATURAL GROUPINGS  
OF PLANTINGS in ARRANGEMENTS

## GENERAL GUIDELINES FOR DESIGN REVIEW

- j. Dedication of right-of-way along public roads for paths, sidewalks, curbs, and gutters should be considered, if applicable.
- k. To avoid severe erosion caused by rains existing vegetation should not be removed from the site until replaced by a building or permanent landscaping.

### 3. LANDSCAPE:

- a. Use Trees for Lafayette by Russell A. Beatty as a guide.
- b. Provide planting to screen buildings from off-site views and to protect privacy of neighbors.
- c. Utilize natural appearing groupings of plants.
- d. Confine fencing to the immediate vicinity of house, pool or garden.
- e. Consider drought tolerance, climate, fire-prevention, and deer compatibility in plant selection.
- f. On open hillsides and in environmentally sensitive areas emphasize appropriate native plant species.
- g. Limit exotic plants and the need for irrigation to the immediate vicinity of the home. Group plants according to their water needs.
- h. Landscape and irrigation plans should include location, size, species, type of irrigation and protection from deer and gophers.

## B. BUILDING DESIGN

### 1. SIZE AND SCALE:

- a. Buildings should be compatible with surrounding land features and/or other development. (FIGURE E)
- b. Buildings, through design, color, and materials should appear to be in scale with site and neighborhood, generally to minimize size or mass.
- c. Buildings in hillside areas should fit existing contours without need for expansive flat grading. Underpinning for structures should be screened and no more than 6' high. (FIGURE F)



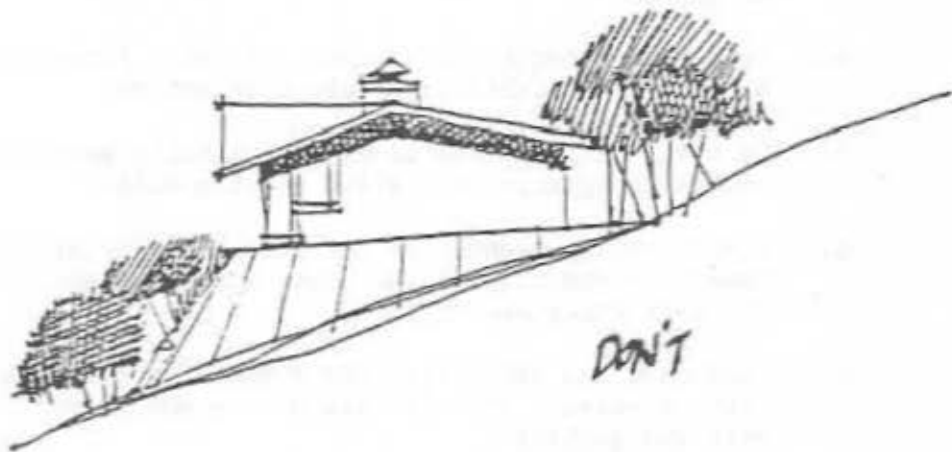
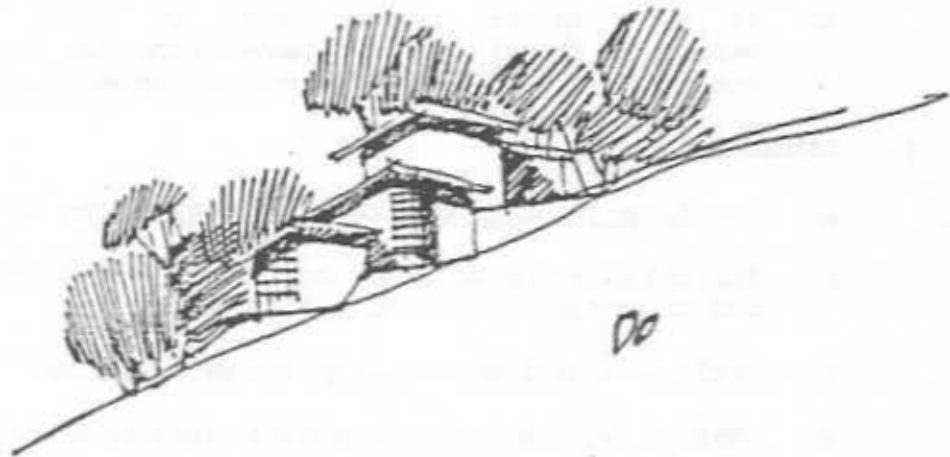


FIG. E  
COMPATIBLE W/ LAND FEATURES  
and AVOID EXCESS FLAT GRADING



FIG. F  
PROVIDE BREAKUP OF MASSING  
A SHADOW RELIEF

## GENERAL GUIDELINES FOR DESIGN REVIEW

### 2. ARCHITECTURAL FORM:

- a. Building facades should be articulated to provide shadows and breakup massing. The downhill facades of two-story homes should step back to the hill.
- b. Roof lines should emphasize horizontal lines and related to the site's slope. (FIGURE G)
- c. Low profile buildings are encouraged on high visibility sites.
- d. Houses with small footprints are encouraged where a site is restricted by existing natural features.

### 3. MATERIALS AND COLORS:

- a. Colors that are similar to ones within the surrounding site environment are encouraged.
- b. On highly visible lots, colors should blend with the environmental backdrop and not draw attention to the building.
- c. Materials should be durable and selected to reduce mass and scale.
- d. Roofing materials should be fire resistive, non-reflective and chosen to blend with the adjacent backdrop.

### C. MOST COMMON MISTAKES IN HILLSIDE DESIGN

1. Inaccurate site information, including tree location, contours.
2. Excessive grading and padding of sites.
3. Oversized homes for building site.
4. Colors that do not blend with setting and draw attention to building.

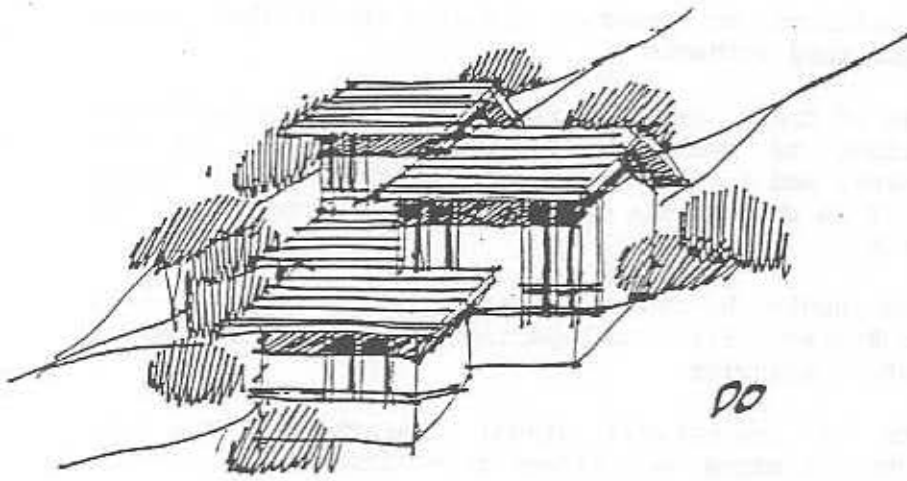
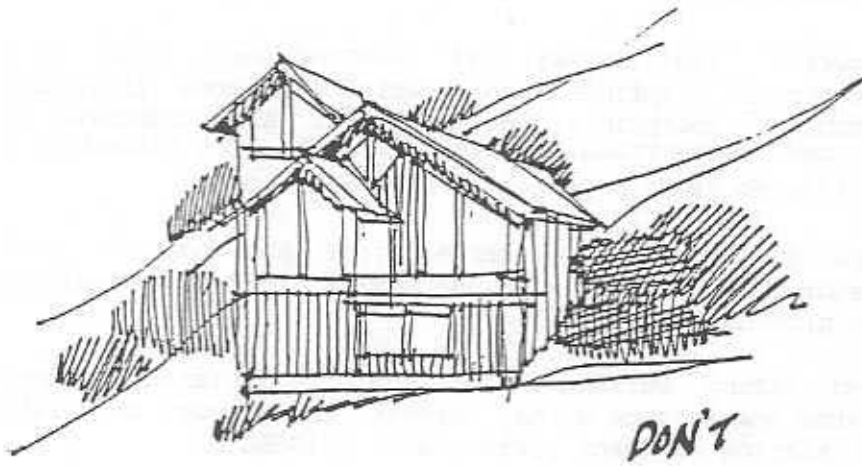


FIG. 6  
ROOFS SHOULD EMPHASIZE HORIZONTAL  
LINES & RELATE TO SITE'S SLOPE

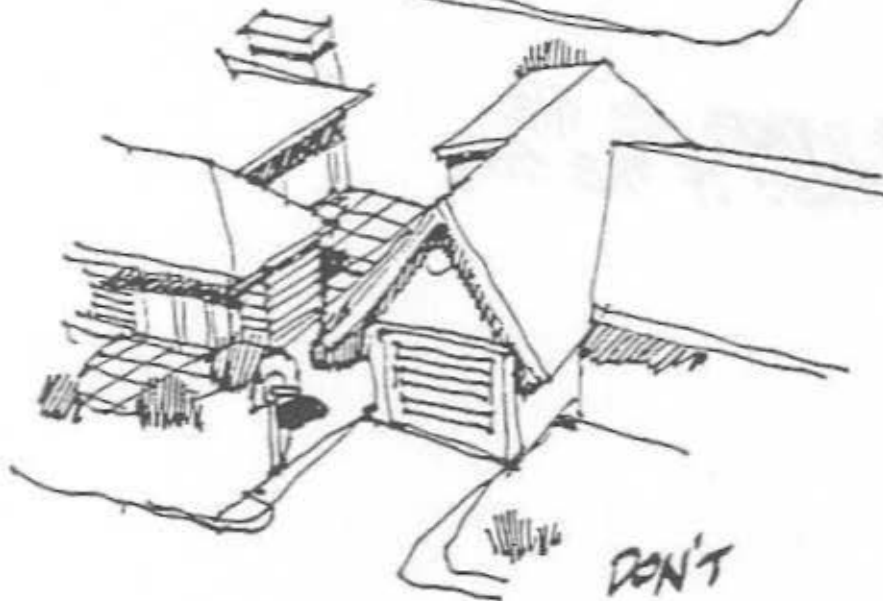
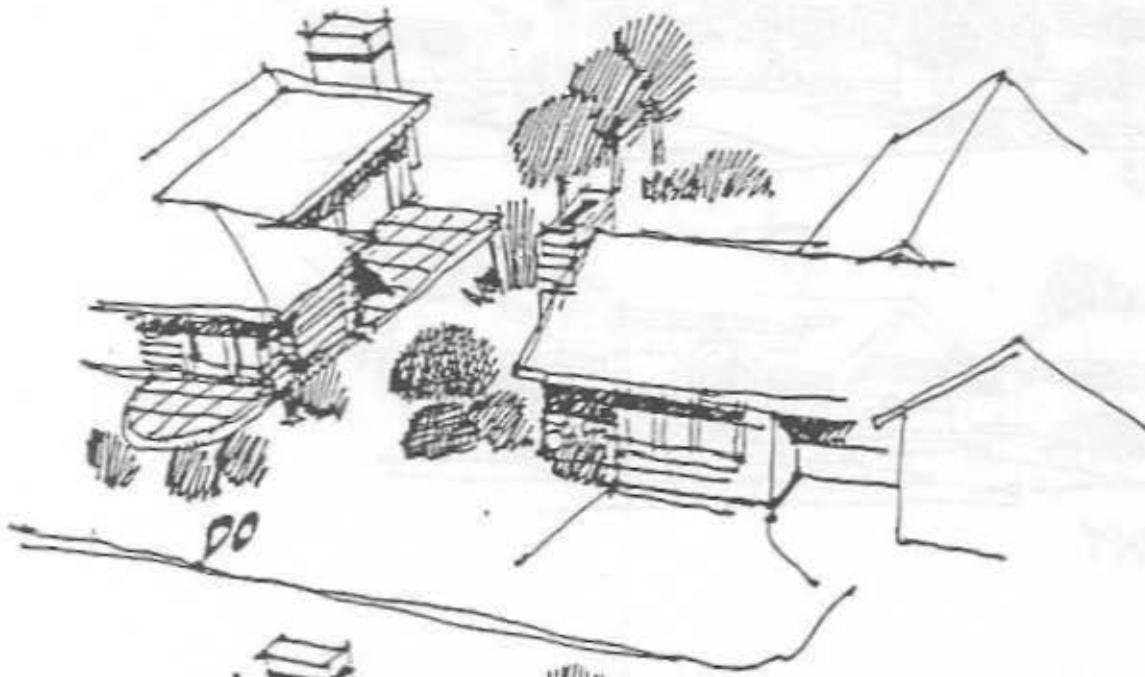
II. RESIDENTIAL GUIDELINES FOR ADDITIONS,  
REMODELING AND NEW HOMES WITHIN  
VALLEY AND INFILL AREAS

A. SITE DESIGN

1. NATURAL ENVIRONMENT:

- a. Accurate land survey and contour map with tree locations, driplines and special features including locations, footprints and heights of all structures on adjacent properties. Surveys shall be wet signed by a registered Civil Engineer or Land Surveyor.
- b. Site buildings to preserve trees and natural land features such as creeks and swales, rock out-croppings and prominent knolls.
- c. When siting buildings and their associated outdoor living and service areas, respect the privacy and views of existing adjacent residences. (FIGURE H)
- d. Site buildings to preserve visually established front and side yard setbacks.
- e. Removal of trees requires review by the City Landscape Consultant to evaluate condition and value in the landscape, and is generally not permitted except where there is no appropriate alternatives to development of the site.
- f. No tree should be removed before approval is granted by Design Review, Planning Department and other necessary regulatory agencies.
- g. Impacts of the natural visual character of the site shall be minimized when viewed from offsite. (FIGURE I)
- h. Minimize visual impacts of grading.
- i. Minimize cut and fill slopes. Retaining walls within building footprint are preferred over exterior ones. Ease top and toe of cuts and fills. Cut and fill should balance.
- j. Do not grade under the dripline of trees.
- k. Identify and protect natural animal habitat.

FIG. H CONSIDER THE VIEWS  
and PRIVACY OF ADJACENT NEIGHBORS



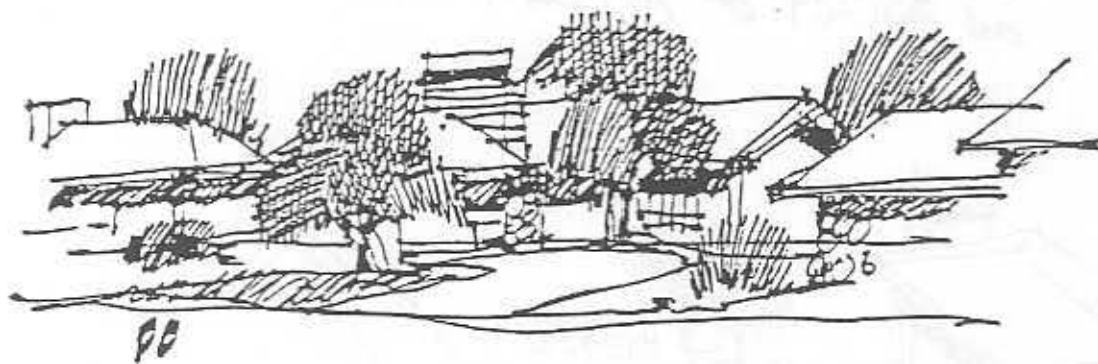


FIG. I  
MINIMIZE THE IMPACTS TO THE  
NATURAL FEATURES OF THE SITE

## GENERAL GUIDELINES FOR DESIGN REVIEW

### 2. PHYSICAL IMPACTS/PUBLIC AND PRIVATE SERVICES:

- a. Foundations, retaining walls, etc. should not be placed within the dripline of trees. Any construction requested within the dripline of a tree must be reviewed and approved by the City Landscape Consultant.
- b. Provide for a closed storm drain system. Keep impermeable surfaces to a minimum of the total property area. Downspouts should be tied to the closed system.
- c. Utilities should be coordinated with existing adjacent facilities and service should be designed to minimize tree and grade disturbance.
- d. On hillside sites, sedimentation, erosion, and soil stability should be addressed with the aid of a comprehensive soils report.
- e. Minimize impacts to a neighbor's views and privacy.
- f. Solar shading of adjacent properties should be avoided. Two-story structures in predominantly single-story neighborhoods must increase upper story sideyard setbacks to minimize impacts. (FIGURE J)
- g. Avoid siting compressors, pumps and other mechanical equipment where it is visible or will create a noise problem for adjacent property owners.
- h. Adequate parking and safe automobile ingress and egress should be provided.
- i. Dedication of rights-of-way along public roads for sidewalks, curbs and gutters, and bikeways should be considered if consistent with existing adjacent development.

### 3. LANDSCAPE:

- a. Use Trees for Lafayette by Russell A. Beatty.
- b. When building within an established neighborhood, front yard landscaping should strive for consistency with the established visual character.
- c. If building on a visible hillside location, landscaping with native plants should be provided for screening and visual relief.



FIG. J PROVIDE ADDITIONAL 2ND FLR  
SETBACKS WHEN ADJACENT TO SINGLE  
LEVEL HOMES

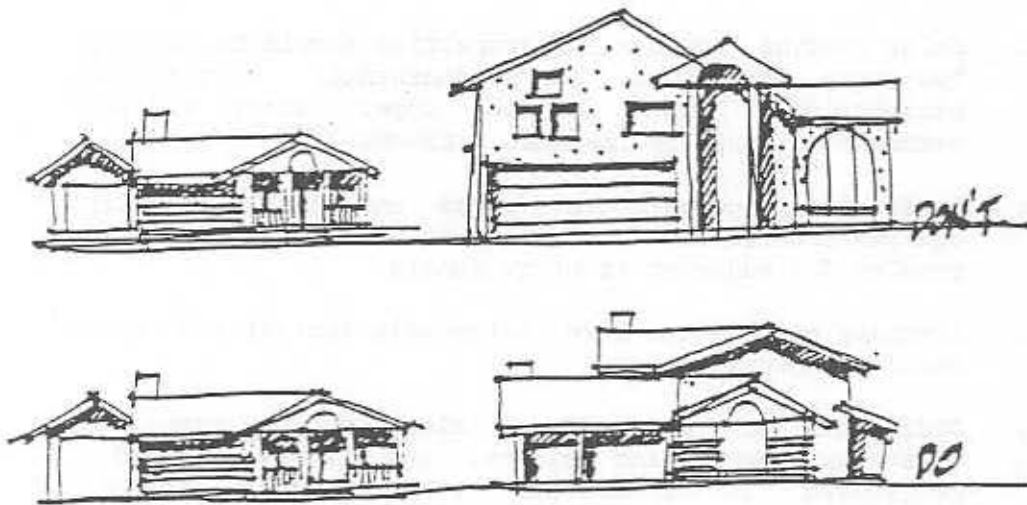
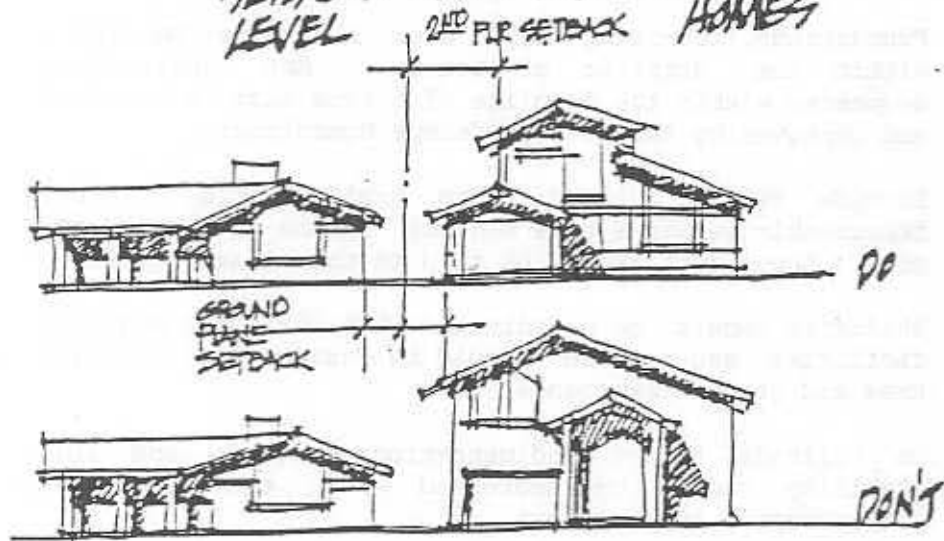


FIG. K  
BUILDINGS SHOULD BE IN SCALE  
WITH ADJACENT NEIGHBORS

## GENERAL GUIDELINES FOR DESIGN REVIEW

- d. Protect the privacy of neighbors with screen planting.
- e. Utilize natural appearing groupings of plants.
- f. Landscape and irrigation plans should include location, size, species, type of irrigation, and protection from deer and gophers.

### B. BUILDING DESIGN

#### 1. SIZE AND SCALE:

- a. Buildings should be compatible with existing development and surrounding land features.
- b. Buildings, through design, color, and materials, should appear to be in scale with the existing neighborhood and site. (FIGURE K)
- c. Infill projects in hillside areas should fit existing contours without need for extensive padding of the site. Underpinning for structures should be screened, architecturally treated and no more than 6' in height.

#### 2. ARCHITECTURAL FORM:

- a. Building forms on infill sites shall not contrast sharply with the existing visual environment. Attention should be given to predominant roof slopes and roof design, amount of facade articulation, orientation of entries and garages, etc. (FIGURE L)
- b. Low profile buildings are encouraged on high visibility sites.
- c. Houses with small footprints are encouraged where a site is restricted by existing natural features.
- d. Overall scale and square footage of building should relate to existing neighborhood visual scale and square footage. (FIGURE M)

#### 3. MATERIALS AND COLORS:

- a. Colors that are similar to ones within the surrounding neighborhood are encouraged.
- b. On highly visible sites, colors should blend with the environmental/neighborhood backdrop and not draw attention to the building.

FIG. L - BUILDINGS SHOULD NOT SHARPLY  
CONTRAST W/ SURROUNDING ARCHITECTURE

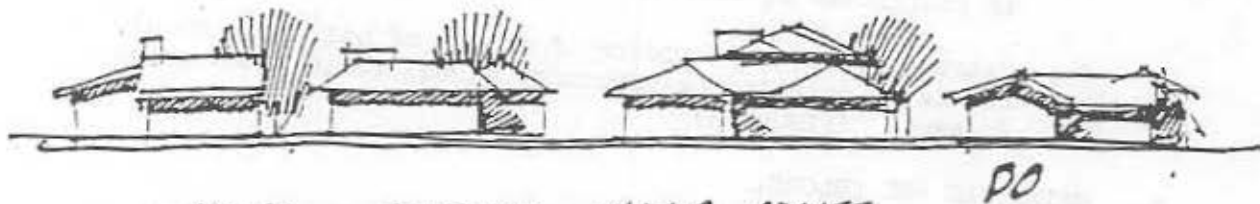
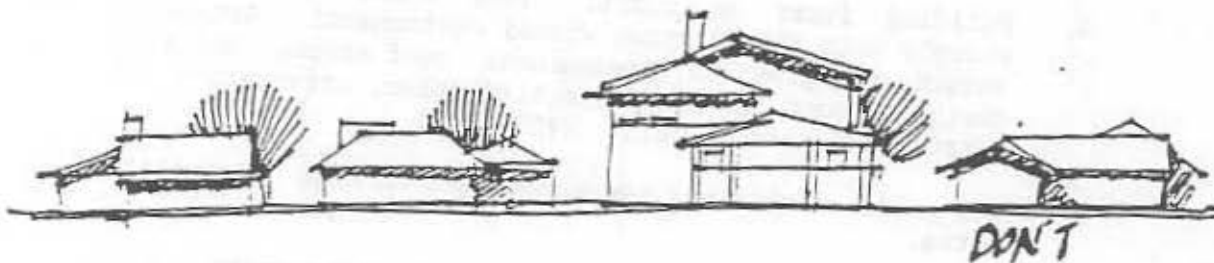
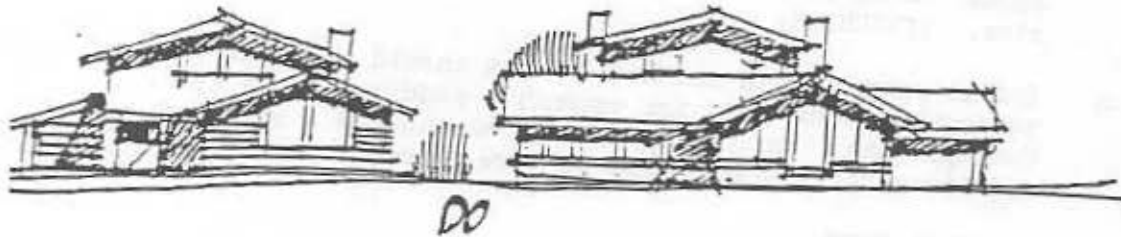


FIG. M - BUILDINGS SHOULD RELATE  
IN SCALE & SQUARE FOOTAGE

## GENERAL GUIDELINES FOR DESIGN REVIEW

- c. Materials should be durable and selected to emphasize neighborhood scale and continuity.
- d. Roofing materials should meet current fire resistive requirements, be non-reflective and chosen to blend with the predominant adjacent visual context.

### C. MOST COMMON MISTAKES ON INFILL SITES

1. Oversized building for neighborhood and site.
2. Inaccurate site information including tree locations, contours, and location of adjacent structures.
3. Colors that do not blend with neighborhood or setting.
4. Excessive grading and/or padding of sites.

**Attachment 3 - Development Impact Fee Analysis**

**CITY OF LAFAYETTE, CA**

Site Information	Single Family			Multifamily - Large			Multifamily - Small		
	Unit S.F.		3100	Unit S.F.		800	Unit S.F.		800
	# of Units		1	# of Units		100	# of Units		10
	Valuation		\$404,798.00	Valuation		\$9,637,600.00	Valuation		\$963,760.00
Fee Classification	Multiplier	Per	Cost	Multiplier	Per	Cost	Multiplier	Per	Cost
<b>Entitlement Fees</b>									
Design Review - Major	\$5,700.00	Set	\$5,700.00	\$5,700.00	Set	\$5,700.00	\$5,700.00	Set	\$5,700.00
Design Review Commission Study Session	\$700.00	Set	\$700.00	\$700.00	Set	\$700.00	\$700.00	Set	\$700.00
<b>TOTAL ENTITLEMENT FEES</b>			<b>\$6,400.00</b>			<b>\$6,400.00</b>			<b>\$6,400.00</b>
<b>Building Fees</b>									
Building Permit Fee	Based on Valuation		\$2,860.56	Based on Valuation		\$16,595.67	Based on Valuation		\$5,047.97
Zoning Plan Check Fee	Based on Valuation		\$2,254.43	Based on Valuation		\$21,751.65	Based on Valuation		\$5,317.96
CCC Fire - Engineering Review	\$158.00	Hr	\$3,160.00	\$158.00	Hr	\$3,160.00	\$158.00	Hr	\$3,160.00
CCC Fire - Construction Plan Review	\$948 + \$0.07/SF		\$1,025.00	\$948 + \$0.07/SF		\$6,408.00	\$948 + \$0.07/SF		\$1,494.00
CCC Building Inspection	Based on Valuation		\$425.83	Based on Valuation		\$5,785.94	Based on Valuation		\$802.99
Land Development Fee	\$158.00	Set	\$158.00	\$948.00	Set	\$948.00	\$948.00	Set	\$948.00
Energy Plan Check	Based on Valuation		\$883.53	Based on Valuation		\$8,297.34	Based on Valuation		\$1,673.99
Access Review	Based on Valuation		\$1,672.96	Based on Valuation		\$11,956.62	Based on Valuation		\$2,708.99
Electrical Inspection Fee	Based on Valuation		\$296.35	Based on Valuation		\$11,170.62	Based on Valuation		\$451.66
Mechanical Inspection Fee	Based on Valuation		\$286.97	Based on Valuation		\$4,433.30	Based on Valuation		\$451.66
Plumbing Inspection Fee	Based on Valuation		\$296.35	Based on Valuation		\$1,041.47	Based on Valuation		\$451.66
Debris Recovery	\$172.00	Set	\$172.00	\$345.00	Set	\$345.00	\$345.00	Set	\$345.00
CA Building Standards Fee	\$500.00	Set	\$500.00	\$1,000.00	Set	\$1,000.00	\$1,000.00	Set	\$1,000.00
<b>TOTAL BUILDING FEES</b>			<b>\$13,991.99</b>			<b>\$92,893.61</b>			<b>\$23,853.89</b>
<b>Impact Fees</b>									
School District Fee	\$3.79	SF	\$9,854.00	\$3.79	SF	\$303,200.00	\$3.79	SF	\$30,320.00
CCC Sanitary District Connection Fee	\$9,300.00	Unit	\$9,300.00	\$9,300.00	unit	\$930,000.00	\$9,300.00	Unit	\$93,000.00
Drainage Impact	\$0.52	SF	\$1,612.00	\$0.52	SF	\$41,600.00	\$0.52	SF	\$41,600.00
Drainage Impact Admin Fee	\$0.03	SF	\$93.00	\$0.03	SF	\$2,400.00	\$0.03	SF	\$240.00
Parkland Impact	\$9,327.00	Unit	\$9,327.00	\$5,638.00	Unit	\$563,800.00	\$5,638.00	Unit	\$56,380.00
Park Facilities	\$8,587.00	Unit	\$8,587.00	\$5,196.00	Unit	\$519,600.00	\$5,196.00	Unit	\$51,960.00
Park Fees Program Admin	1% of Parkland + 1% of Park Facilities		\$179.14	1% of Parkland + 1% of Park Facilities		\$10,834.00	1% of Parkland + 1% of Park Facilities		\$1,083.40
Walkway	\$1,076.22	Unit	\$1,076.22	\$650.59	Unit	\$65,059.00	\$650.59	Unit	\$6,505.90
Walkway Fees Program Admin	\$53.82	Unit	\$53.82	\$32.53	Unit	\$3,253.00	\$32.53	Unit	\$325.30
Lamorinda Sub-Regional Transportation	\$8,472.08	Unit	\$8,472.08	\$5,930.10	Unit	\$593,010.00	\$5,930.10	Unit	\$59,301.00
<b>TOTAL IMPACT FEES</b>			<b>\$48,554.26</b>			<b>\$3,032,756.00</b>			<b>\$340,715.60</b>
<b>TOTAL PROJECT FEES</b>			<b>\$68,946.25</b>			<b>\$3,132,049.61</b>			<b>\$370,969.49</b>
	<b>Cost Per Unit</b>		\$68,946.25			\$31,320.50			\$37,096.95
	<b>Planning and Permit %</b>		30%			3%			8%
	<b>Impact Fee %</b>		70%			97%			92%
	<b>Per sq. ft.</b>		\$22.24			\$39.15			\$46.37

**TOWN OF DANVILLE, CA**

Site Information	Single Family			Multifamily - Large			Multifamily - Small		
	Unit S.F.	3100		Unit S.F.	800		Unit S.F.	800	
	# of Units	1		# of Units	100		# of Units	10	
	Valuation	\$432,647.00		Valuation	\$12,521,600.00		Valuation	\$1,252,160.00	
Fee Classification	Multiplier	Per	Cost	Multiplier	Per	Cost	Multiplier	Per	Cost
<b>Entitlement Fees</b>									
Development Plan Pre-submittal	\$300.00	Set	\$300.00	\$300.00	Set	\$300.00	\$300.00	Set	\$300.00
Preliminary Residential Development	\$3,120.00	Set	\$3,120.00	\$3,120.00	Set	\$3,120.00	\$3,120.00	Set	\$3,120.00
Administrative - Single Family	\$2,400.00	Set	\$2,400.00	\$2,400.00	Set	\$2,400.00	\$2,400.00	Set	\$2,400.00
Fire Department Review	\$342.00	Hr	\$684.00	\$342.00	Hr	\$684.00	\$342.00	Hr	\$684.00
DRB - Pre-Submittal	\$250.00	Set	\$250.00	\$250.00	Set	\$250.00	\$250.00	Set	\$250.00
DRB - Administrative	\$400.00	Set	\$400.00	\$3,600.00	Set	\$3,600.00	\$3,600.00	Set	\$3,600.00
<b>TOTAL ENTITLEMENT FEES</b>			<b>\$7,154.00</b>			<b>\$10,354.00</b>			<b>\$10,354.00</b>
<b>Building Fees</b>									
Building Permit Fee	Based on Valuation		\$2,856.57	Based on Valuation		\$41,901.79	Based on Valuation		\$6,403.05
Building Plan Check Fee	65% of Permit Fee		\$1,856.77	65% of Permit Fee		\$27,236.16	65% of Permit Fee		\$4,161.99
Electrical Permit	20% of Permit Fee		\$571.31	20% of Permit Fee		\$8,380.36	20% of Permit Fee		\$1,280.61
Plumbing Permit	17% of Permit Fee		\$485.62	17% of Permit Fee		\$7,123.30	17% of Permit Fee		\$1,088.52
Mechanical Permit	18% of Permit Fee		\$514.18	18% of Permit Fee		\$7,542.32	18% of Permit Fee		\$1,152.55
Electrical Plan Check	17% of Plan Check		\$315.65	17% of Plan Check		\$4,630.15	17% of Plan Check		\$707.54
Plumbing Plan Check	20% of Plan Check		\$371.35	20% of Plan Check		\$5,447.23	20% of Plan Check		\$832.40
Mechanical Plan Check	18% of Plan Check		\$334.22	18% of Plan Check		\$4,902.51	18% of Plan Check		\$749.16
SMIP Fee	0.013% of Valuation		\$56.24	0.013% of Valuation		\$1,627.81	0.013% of Valuation		\$162.78
CA Building Standards Fee	\$1 per \$25k Valuation		\$17.31	\$1 per \$25k Valuation		\$500.86	\$1 per \$25k Valuation		\$50.09
Comprehensive Planning Fee	0.1% of Valuation (\$2k min.)		\$2,000.00	0.1% of Valuation (\$2k min.)		\$2,000.00	0.1% of Valuation (\$2k min.)		\$2,000.00
Planning Review	\$300.00	Set	\$300.00	\$300.00	Set	\$300.00	\$300.00	Set	\$300.00
Engineering Review	\$300.00	Set	\$300.00	\$300.00	Set	\$300.00	\$300.00	Set	\$300.00
Fire Protection Fee	\$373.00	Set	\$373.00	\$373.00	Set	\$373.00	\$373.00	Set	\$373.00
<b>TOTAL BUILDING FEES</b>			<b>\$10,352.24</b>			<b>\$112,265.50</b>			<b>\$19,561.68</b>
<b>Impact Fees</b>									
School District Fee	\$3.79	SF	\$9,854.00	\$3.79	SF	\$303,200.00	\$3.79	SF	\$30,320.00
CCC Sanitary District Connection Fee	\$9,300.00	Unit	\$9,300.00	\$9,300.00	Unit	\$930,000.00	\$9,300.00	Unit	\$93,000.00
Childcare Facilities	\$335.00	Unit	\$335.00	\$115.00	Unit	\$11,500.00	\$115.00	Unit	\$1,150.00
Park Land In Lieu	\$12,449.00	Unit	\$12,449.00	\$7,251.00	Unit	\$725,100.00	\$6,824.00	Unit	\$68,240.00
Southern Contra Costa Regional Fee	\$1,593.00	Unit	\$1,593.00	\$1,593.00	Unit	\$159,300.00	\$1,593.00	Unit	\$15,930.00
Southern Contra Costa Sub Regional Fee	\$4,395.00	Unit	\$4,395.00	\$4,395.00	Unit	\$439,500.00	\$4,395.00	Unit	\$43,950.00
Transportation Improvement Program	\$2,000.00	Unit	\$2,000.00	\$1,400.00	Unit	\$140,000.00	\$1,400.00	Unit	\$14,000.00
Tri-Valley Transportation Fee	\$5,057.00	Unit	\$5,057.00	\$5,057.00	Unit	\$505,700.00	\$5,057.00	Unit	\$50,570.00
<b>TOTAL IMPACT FEES</b>			<b>\$44,983.00</b>			<b>\$3,214,300.00</b>			<b>\$317,160.00</b>
<b>TOTAL PROJECT FEES</b>			<b>\$62,489.24</b>			<b>\$3,336,919.50</b>			<b>\$347,075.68</b>
	<b>Cost Per Unit</b>		\$62,489.24			\$33,369.19			\$34,707.57
	<b>Planning and Permit %</b>		1.12%			0.12%			1.12%
	<b>Impact Fee %</b>		71.99%			96.33%			91.38%
	<b>Per sq. ft.</b>		\$20.16			\$41.71			\$43.38



**MORAGA, CA**

Site Information	Single Family			Multifamily - Large			Multifamily - Small		
	Unit S.F.	3100		Unit S.F.	800		Unit S.F.	800	
	# of Units	1		# of Units	100		# of Units	10	
	Valuation	\$582,800.00		Valuation	\$15,040,000.00		Valuation	\$1,504,000.00	
Fee Classification	Multiplier	Per	Cost	Multiplier	Per	Cost	Multiplier	Per	Cost
<b>Entitlement Fees</b>									
Study Session - New Construction	\$3,000.00	Dep	\$3,000.00	\$3,000.00	Dep	\$3,000.00	\$3,000.00	Dep	\$3,000.00
Design Review	\$5,000.00	Dep	\$5,000.00	\$5,000.00	Set	\$5,000.00	\$5,000.00	Set	\$5,000.00
Land Use Permit	\$2,000.00	Dep	\$2,000.00	\$2,000.00	Dep	\$2,000.00	\$2,000.00	Dep	\$2,000.00
Advanced Planning Fee	10% of Planning Fees		\$1,000.00	10% of Planning Fees		\$1,000.00	10% of Planning Fees		\$1,000.00
Fire Dept. Design Review	\$339.00	Set	\$339.00	\$339.00	Set	\$339.00	\$339.00	Set	\$339.00
<b>TOTAL ENTITLEMENT FEES</b>			<b>\$11,339.00</b>			<b>\$11,339.00</b>			<b>\$11,339.00</b>
<b>Building Fees</b>									
Building Permit Fee	Based on Valuation		\$540.13	Based on Valuation		\$9,513.60	Based on Valuation		\$1,048.76
Building Plan Check Fee	Based on Valuation		\$3,215.06	Based on Valuation		\$76,105.80	Based on Valuation		\$7,426.16
Construction Inspection Fee	Based on Valuation		\$3,733.66	Based on Valuation		\$25,887.80	Based on Valuation		\$5,604.44
Energy Compliance	Based on Valuation		\$1,148.26	Based on Valuation		\$12,943.40	Based on Valuation		\$2,051.60
Access Compliance	Based on Valuation		\$2,183.26	Based on Valuation		\$18,655.60	Based on Valuation		\$3,191.44
Electrical Inspection	Based on Valuation		\$364.04	Based on Valuation		\$6,918.40	Based on Valuation		\$691.84
Mechanical Inspection	Based on Valuation		\$364.04	Based on Valuation		\$6,918.40	Based on Valuation		\$691.84
Plumbing Inspection	Based on Valuation		\$364.04	Based on Valuation		\$6,918.40	Based on Valuation		\$691.84
Planning Review	\$215.00	Set	\$215.00	\$215.00	Set	\$215.00	\$215.00	Set	\$215.00
Fire Review	\$544.00	Set	\$544.00	\$136.00	Hour	\$1,088.00	\$136.00	Hour	\$1,088.00
SMIP Fee	0.013%	Val	\$75.76	0.013%	Val	\$1,955.20	0.013%	Val	\$195.52
CA Building Standards Fee	\$1 per \$25k Valuation		\$23.31	\$1 per \$25k Valuation		\$601.60	\$1 per \$25k Valuation		\$60.16
<b>TOTAL BUILDING FEES</b>			<b>\$12,770.58</b>			<b>\$167,721.20</b>			<b>\$22,956.60</b>
<b>Impact Fees</b>									
School District Fee	\$3.79	SF	\$9,854.00	\$3.79	SF	\$303,200.00	\$3.79	SF	\$30,320.00
CCC Sanitary District Connection Fee	\$9,300.00	Unit	\$9,300.00	\$9,300.00	Unit	\$930,000.00	\$9,300.00	Unit	\$93,000.00
General Government Impact Fee	\$7,710.00	Unit	\$7,710.00	\$4,989.00	Unit	\$498,900.00	\$4,989.00	Unit	\$49,890.00
Public Safety Impact Fee	\$851.00	Unit	\$851.00	\$550.00	Unit	\$55,000.00	\$550.00	Unit	\$5,500.00
Park Development Impact Fee	\$9,581.00	Unit	\$9,581.00	\$6,200.00	Unit	\$620,000.00	\$6,200.00	Unit	\$62,000.00
Storm Drain Impact Fee	\$419 per 1k SF of Impervious Surface		\$1,298.90	\$419 per 1k SF of Impervious Surface		\$20,950.00	\$419 per 1k SF of Impervious Surface		\$10,475.00
Parkland Development In-Lieu Fee	\$13,933.00	Unit	\$13,933.00	\$9,016.00	Unit	\$901,600.00	\$9,016.00	Unit	\$90,160.00
Lamorinda Fee and Finance Auth. (LFFA)	\$8,472.08	Unit	\$8,472.08	\$5,930.10	Unit	\$593,010.00	\$5,930.10	Unit	\$59,301.00
<b>TOTAL IMPACT FEES</b>			<b>\$60,999.98</b>			<b>\$3,922,660.00</b>			<b>\$400,646.00</b>
<b>TOTAL PROJECT FEES</b>			<b>\$85,109.56</b>			<b>\$4,101,720.20</b>			<b>\$434,941.60</b>
	<b>Cost Per Unit</b>		\$85,109.56			\$41,017.20			\$43,494.16
	<b>Planning and Permit %</b>		28.33%			4.37%			7.89%
	<b>Impact Fee %</b>		71.67%			95.63%			92.11%
	<b>Cost per sq. ft.</b>		\$27.45			\$51.27			\$54.37



**CITY OF ORINDA, CA**

Site Information	Single Family			Multifamily - Large			Multifamily - Small		
	Unit S.F.	3100		Unit S.F.	800		Unit S.F.	800	
	# of Units	1		# of Units	100		# of Units	10	
	Valuation	\$306,900.00		Valuation	\$9,637,600.00		Valuation	\$963,760.00	
Fee Classification	Multiplier	Per	Cost	Multiplier	Per	Cost	Multiplier	Per	Cost
<b>Entitlement Fees</b>									
Development Pre-Application Meeting			N/A	\$188.00	Hr	\$752.00	\$188.00	Hr	\$752.00
Design Review			-			-			-
<b>TOTAL ENTITLEMENT FEES</b>			<b>\$0.00</b>			<b>\$752.00</b>			<b>\$752.00</b>
<b>Building Fees</b>									
Building Permit Fee	Based on Valuation		\$2,257.50	Based on Valuation		\$16,595.67	Based on Valuation		\$5,047.97
Zoning Plan Check Fee	Based on Valuation		\$1,735.57	Based on Valuation		\$21,751.65	Based on Valuation		\$5,317.96
CCC Fire - Engineering Review	\$158.00	Hr	\$3,160.00	\$158.00	Hr	\$3,160.00	\$158.00	Hr	\$3,160.00
CCC Fire - Construction Plan Review	\$948 + \$0.07/SF		\$1,025.00	\$948 + \$0.07/SF		\$6,408.00	\$948 + \$0.07/SF		\$1,494.00
CCC Building Inspection	Based on Valuation		\$368.07	Based on Valuation		\$5,785.94	Based on Valuation		\$802.99
Orinda Building Permit Surcharge	50% of CCC Inspection		\$184.04	50% of CCC Inspection		\$2,892.97	50% of CCC Inspection		\$401.50
General Plan Update Fee	10% of Surcharge + \$152		\$170.40	10% of Surcharge + \$152		\$441.30	10% of Surcharge + \$152		\$192.15
Permit Technology Fee	3% of Surcharge + \$45		\$50.52	3% of Surcharge + \$45		\$131.79	3% of Surcharge + \$45		\$57.04
Land Development Fee	\$158.00	Set	\$158.00	\$948.00	Set	\$948.00	\$948.00	Set	\$948.00
Energy Plan Check	Based on Valuation		\$729.83	Based on Valuation		\$8,297.34	Based on Valuation		\$1,673.99
Access Review	Based on Valuation		\$1,265.70	Based on Valuation		\$11,956.62	Based on Valuation		\$2,708.99
Electrical Inspection Fee	Based on Valuation		\$248.38	Based on Valuation		\$11,170.62	Based on Valuation		\$451.66
Mechanical Inspection Fee	Based on Valuation		\$226.28	Based on Valuation		\$4,433.30	Based on Valuation		\$451.66
Plumbing Inspection Fee	Based on Valuation		\$248.38	Based on Valuation		\$4,433.30	Based on Valuation		\$451.66
Debris Recovery	\$172.00	Set	\$172.00	\$345.00	Set	\$345.00	\$345.00	Set	\$345.00
CA Building Standards Fee	\$500.00	Set	\$500.00	\$1,000.00	Set	\$1,000.00	\$1,000.00	Set	\$1,000.00
<b>TOTAL BUILDING FEES</b>			<b>\$12,499.68</b>			<b>\$99,751.50</b>			<b>\$24,504.59</b>
<b>Impact Fees</b>									
School District Fee	\$4.08	SF	\$10,608.00	\$4.08	SF	\$326,400.00	\$4.08	SF	\$32,640.00
CCC Sanitary District Connection Fee	\$9,300.00	Unit	\$9,300.00	\$9,300.00	Unit	\$930,000.00	\$9,300.00	Unit	\$93,000.00
Park Dedication Fee	\$19,098.00	Unit	\$19,098.00	\$13,327.00	Unit	\$1,332,700.00	\$13,327.00	Unit	\$133,270.00
Transportation Impact Fee - Regional	\$4,236.04	Unit	\$4,236.04	\$2,965.05	Unit	\$296,505.00	\$2,965.05	Unit	\$29,650.50
Transportation Impact Fee - Local	\$4,236.04	Unit	\$4,236.04	\$2,965.05	Unit	\$296,505.00	\$2,965.05	Unit	\$29,650.50
Drainage Impact Fee (Impervious surface charged)	\$1.50	SF	\$4,650.00	\$1.50	SF	\$65,340.00	\$1.50	SF	\$32,670.00
<b>TOTAL IMPACT FEES</b>			<b>\$52,128.08</b>			<b>\$3,247,450.00</b>			<b>\$350,881.00</b>
<b>TOTAL PROJECT FEES</b>			<b>\$64,627.76</b>			<b>\$3,347,953.50</b>			<b>\$376,137.59</b>
	<b>Cost Per Unit</b>		\$64,627.76			\$33,479.53			\$37,613.76
	<b>Planning and Permit %</b>		19.34%			3.00%			6.71%
	<b>Impact Fee %</b>		80.66%			97.00%			93.29%
	<b>Per sq. ft.</b>		\$20.85			\$41.85			\$47.02



**APPENDIX B – Attachment 4 Approval Findings**

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### **§6-215 Findings required for a land use permit**

A land use permit may be granted only when the proposed land use:

1. Is not detrimental to the health, safety, and general welfare of the city;
2. Will not adversely affect the orderly development of property within the city;
3. Will not adversely affect the preservation of property values and the protection of the tax base within the city;
4. Is consistent with the general plan and each element of it and will not adversely affect the policies and goals set forth in the general plan;
5. Will not create a nuisance or enforcement problem within the neighborhood;
6. Will not encourage marginal development within the neighborhood; and
7. Is consistent with the purpose section of the zoning district in which it is located.

### **§6-275(A) Residential Design Review Findings**

In granting approval for projects which occur in single-family and multiple-family residential zoning districts as outlined in Section 6-271(A)(1 and 3-6), the hearing authority shall make all the following findings:

- (1) The approval of the plan is in the best interest of the public health, safety and general welfare;
- (2) General site considerations, including site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development;
- (3) General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings; and
- (4) General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to complement buildings and structures and to provide an attractive environment for the enjoyment of the public.

### **§6-275(D) Downtown Design Review Findings**

The hearing authority shall make the following findings for projects which occurs within the four downtown commercial zoning districts as outlined in Section 6-272(A)(2):

- (1) The project substantially complies with the [Downtown Design Guidelines](#).
- (2) The site design, including building placement, parking & circulation, landscape, and outdoor space, enhances the pedestrian experience, embraces and preserves creeks and natural features, promotes connections, creates visual interest, and relates to the character of the surrounding development.

- (3) The building design, including height and scale, architectural details, and amenities, provides diversity in building form, preserves views of surrounding hillsides and ridges as seen from Mt. Diablo Boulevard, creates an inviting environment for pedestrians, and relates to the character of the surrounding development.
- (4) The project promotes a character relating to Lafayette that is informal with variations in architectural styles, massing, setbacks, and upper story step-backs.
- (5) The project, when adjacent to existing residential dwelling units, is designed to minimize impacts, including noise, privacy, light and glare.

**§6-275(E) Height Exception Findings**

In addition to the findings required in Section 6-275(D), the City Council shall make the following findings to grant a building height exception to allow up to 45 feet in height for rare and exceptional projects which occur within the four downtown commercial zoning districts, excluding the Brown Avenue and the Plaza Way character areas. There is no exception to the three-story limit. The City Council will scrutinize the justifications on a project and site specific basis, considering the unique characteristics surrounding the project. Granting a height exception shall not be considered precedent setting.

- (1) Site opportunities or project necessity:
  - a) The site has unique circumstances, such as topography, setbacks, or backdrops, that mitigate the apparent height when viewed from Mt. Diablo Boulevard without compromising the site's natural features; **or**
  - b) The project is rare and exceptional, designed to mitigate the apparent height, and requires a height exception based on compelling reasons, other than solely economics, as to why the project cannot comply with the 35-foot height requirement.

AND

- (2) The project provides significant public benefits and amenities over and above nexus-based City requirements.

**§6-2067 Finding required for grant of exception permitting development on an existing lot of record within a restricted ridgeline area.**

The planning commission may grant an exception permitting development on an existing lot of record within a restricted ridgeline area if it finds that the site plan and design are such that the proposed development would strictly satisfy the findings set forth in Section 6-2071.

**§6-2071 Findings required for approval of a hillside development permit on an existing lot of record.**

The hearing authority may approve an application for a hillside development permit on an existing lot of record in the hillside overlay district only after making the following findings:

- (a) The development is consistent with the applicable goals and policies of the general plan and is in conformance with applicable zoning regulations;

- (b) The development will preserve open space and physical features, including rock outcroppings and other prominent geological features, streams, streambeds, ponds, drainage swales, native vegetation, native riparian vegetation, animal habitats and other natural features;
- (c) Structures in the hillside overlay district will, to the extent feasible, be located away from prominent locations such as ridgelines, hilltops, knolls and open slopes;
- (d) The development, including site design and the location and massing of all structures and improvements will, to the extent feasible:
  - (1) Minimize the loss of privacy to surrounding residents and not unduly impact, restrict or block significant views;
  - (2) Not have a significant visual impact when viewed from lower elevations from public places, using the viewing evaluation map as a guide to establish locations from which views are considered; and
  - (3) Not interfere with a ridgeline trail corridor or compromise the open space or scenic character of the corridor.
- (e) Within 100 feet of a restricted ridgeline area, or when an exception to a ridgeline setback has been granted, the development will result in each structure being substantially concealed by terrain or vegetation when viewed from lower elevations from public places, using the viewing evaluation map as a guide to establish locations from which views are considered;
- (f) Development grading will be minimized to limit scarring and cutting of hillsides especially for long roads or driveways, preserve existing geologic features, topographic conditions and existing vegetation, reduce short and long-term erosion, slides and flooding, and abate visual impacts;
- (g) The development provides adequate emergency vehicle access, including turn-around space, to the building site and surrounding on-site undeveloped or isolated areas;
- (h) Each structure and proposed landscaping complies with the city's residential design guidelines;
- (i) The new or replacement vegetation for the development is native to the surrounding area in areas abutting open space and natural areas, such as oak woodland, chaparral, grassland and riparian areas, and conforms to the policies of Section 6-2051; and
- (j) The development will not create a nuisance, hazard or enforcement problem within the neighborhood or the city, nor require the city to provide an unusual or disproportionate level of public services.

**§6-2068 Findings required for grant of exception permitting subdivision within a class I ridgeline setback.**

In order to grant an exception to the prohibition of subdivision on a class I ridge imposed by section 6-2023(A), the planning commission shall make, in addition to other findings required by this chapter (refer to section 6-2071), the following findings:

- (a) The prohibition of section 6-2023 has the effect of depriving the property of all economically viable use;
- (b) The density does not exceed the density permitted by the underlying zoning district or the slope density formula, whichever is less; and
- (c) The density permitted does not exceed that necessary to provide the property with an economically viable use.

**§6-2069 Findings required for grant of exception permitting subdivision within a class II or class III restricted ridgeline area.**

In order to grant an exception to the prohibition of subdivision within a class II ridgeline setback imposed by section 6-2023(B) or on a class III ridge imposed by section 6-2024, the planning commission shall find either that:

- (a) Special conditions and unique characteristics of the subject property exist and a site plan and design is such that the proposed development would provide a result that satisfies the strict standards in section 6-2071; or
- (b) The prohibition would deprive the property of all economically viable use and the subdivision meets the standards in section 6-2071 to the maximum extent feasible. In granting an exception under this subsection B the density:
  - (1) Shall not exceed the density permitted by the slope density formula or the underlying zoning district, whichever is less; and
  - (2) Shall not exceed that necessary to avoid an unconstitutional taking of property.

**§6-2070 Grant of exception permitting development within the 15-degree declination.**

The planning commission may grant an exception to the restriction of development within the 15 degree declination line of a class I or class II ridge if it makes the findings in A or B or C below:

- (a) The topography or existing vegetation are such that
  - (1) The building will not have a substantial visual impact and will not silhouette above the ridge when viewed from lower elevations in the city, using the Viewing Evaluation Map as a guide for areas from which views are considered; and
  - (2) The granting of an exception will not interfere with an existing or proposed ridge trail or compromise its open space and scenic character.
- (b) For existing lots of record where it is not possible to substantially conceal the building in conformance with subsection (a) above, the Planning Commission may grant an exception if it finds that:
  - (1) The height, size, siting, design and landscaping are such that the building is concealed to the maximum extent feasible and the structure will not silhouette above the ridge when viewed from lower elevations in the city, using the Viewing Evaluation Map as a guide for areas from which views are considered; and
  - (2) Grant of an exception will not interfere with an existing or proposed ridge trail or compromise its open space and scenic character.
- (c) For subdivision, when the prohibition would deprive the property of all economically viable use and the subdivision meets the standards in section 6-2071 to the maximum extent feasible. In granting an exception under this subsection the density:
  - (1) Shall not exceed the density permitted by the slope density formula or the underlying zoning district, whichever is less; and
  - (2) Shall not exceed that necessary to avoid an unconstitutional taking of property.

**§6-2072 Findings required for approval of a subdivision in the hillside overlay district.**

- (a) The development is consistent with the applicable goals and policies of the general plan and is in conformance with applicable zoning regulations;
- (b) The development will preserve open space and physical features, including rock outcroppings and other prominent geological features, streams, streambeds, ponds, drainage swales, native vegetation, native riparian vegetation, animal habitats and other natural features;
- (c) The design of the subdivision and the proposed development are derived from naturally contoured sites of reasonably regular configuration, do not create building sites on slopes exceeding 30 percent nor result in the need for construction of primary structures outside the areas of 30 percent or less slopes;

- (d) The design of the subdivision and the proposed development will result in each structure being substantially concealed, as required by section 6-2048, when viewed from lower elevations from public places, using the viewing evaluation map as a guide to establish locations from which views are considered;
- (e) The design of the subdivision provides for a trail or portions of trails in conformance with the city's adopted master trails map or an adopted regional trail plan, and the trail is dedicated and conditioned for improvement in accordance with adopted standards;
- (f) The design of the subdivision and proposed development use clustering or other site planning techniques to preserve hillsides, ridgelines, knolls and open space, minimize impacts on wildlife habitats to the extent feasible, and provide for the preservation of vegetation, terrain, scenic vistas, trail corridors, streams or water courses, or other areas of ecological significance through dedication, easement, land trust or other suitable regulation;
- (g) Development grading will be minimized to limit scarring and cutting of hillsides especially for long roads or driveways, preserve existing geologic features, topographic conditions and existing vegetation, reduce short and long-term erosion, slides and flooding, and abate visual impacts;
- (h) The design of the subdivision and the proposed development are arranged so that no portion of the lot exceeding a slope of 35 percent, is proposed to be altered by grading removal or alteration of a natural feature, the removal of vegetation or other activity related to the preparation of the site for development, except fire protection, or other measures necessary for public safety, slope or geologic stabilization or the provision of a trail in conformance with the city's adopted master trails map or an adopted regional trail plan or where the planning commission finds that an exception is necessary to provide the least intrusive or damaging access to an approved building site;
- (i) The development, including site design and the location and massing of all structures and improvements will be located away from prominent locations such as ridgelines, hilltops, knolls and open slopes, preserve the open and uncluttered topography of the city, and not interfere with a ridgeline corridor or compromise the open space or scenic character of the corridor;
- (j) The development and each associated improvement is located and designed to complement the natural terrain and landscape of the site and surrounding properties, and in when in close proximity to an existing neighborhood relates to the development pattern, including density and distribution, of that neighborhood;
- (k) The new or replacement vegetation for the development is native to the surrounding area in areas abutting open space and natural areas, such as oak woodland, chaparral, grassland and riparian areas, excluding planting for erosion control or land stabilization, and conforms to the policies of Section 6-2051;
- (l) The development complies with the city's residential design guidelines, and landscaping will ensure visual relief and complement each proposed structure to provide an attractive environment;
- (m) Each proposed house location and the location of each related structure is sited to minimize loss of privacy and not unduly impact, restrict or block significant views;
- (n) The design of streets, streetlights, storm drainage, utilities and other common improvements incorporated into the subdivision comply with adopted city standards and are designed to preserve the character of the site and surrounding area, minimize visual impact and avoid adverse impacts on surrounding properties and neighborhoods;
- (o) Street right-of-way incorporated into the design of the subdivision is based on the conditions set forth in Section 6-2054 "Streets";
- (p) The design of the subdivision and the proposed development provide adequate emergency vehicle access, including turn-around space, to each building site and surrounding undeveloped areas, while protecting valuable trees, minimizing grading and preserving the natural hillside character of the site and vicinity; and
- (q) The development will not create a nuisance, hazard or enforcement problem within the neighborhood or the city, nor require the city to provide an unusual or disproportionate level of public services.

**§6-214 Findings required for a variance**

1. Because of special circumstances concerning the subject property including size, shape, topography, location or surroundings, the strict application of the zoning regulations deprives the property of privileges enjoyed by other properties in the vicinity and in the same land use district; and
2. The variance will not constitute a grant of special privilege which is not generally available to other property in the vicinity and in the same land use district; and
3. The variance substantially complies with the intent and purpose of the land use district in which the property is classified.

**§3-701 Findings required for approval of grading exceeding 50 cubic yards**

1. The grading will not endanger the stability of the site or adjacent property or pose a significant ground movement hazard to an adjacent property. The decision making authority may require the project geotechnical engineer to certify the suitability of the project supported by appropriate technical studies, including subsurface investigation;
2. The grading will not significantly increase erosion or flooding affecting the site or other property and will not cause impacts to riparian habitats, stream channel capacity or water quality that cannot be substantially mitigated;
3. The grading, when completed, will result in a building site that is visually compatible with the surrounding land;
4. The grading is sensitive to the existing landforms, topography and natural features on the site; and
5. The design of the project preserves existing trees on the site and trees on adjoining property to the extent possible.

**§6-2526 Design Criteria of the Sign Ordinance**

As required by Section 6-2526 of the Lafayette Municipal Code, the Design Review Commission shall apply the following design criteria in reviewing each sign application:

1. Architectural Compatibility. The sign shall be compatible in size, character and quality of design with the exterior architecture of the premises and other structures in the immediate area.
2. Simplicity. To the extent feasible, the sign should be graphic and with limited use of words, with the design emphasis on simplicity of style. A simple design or abstract graphic design is preferred. Similarly, a simple sign frame and supporting structure is preferred.
3. Identification. A commercial sign should be designed for the primary purpose of identifying a business or office.
4. Fewer Signs. In the use of the total sign allowance at a particular premise, the use of a minimum number of signs is preferred to the use of many signs so that a cluttered effect is avoided.
5. Shape, Size and Orientation. The shape of a sign should not conflict with the architectural lines of its setting. Signs should be directed toward the passing motorist and the pedestrian. No sign should be designed to be readable from the freeway or to attract motorists from a great distance.



6. Illumination and Colors. A sign must not overpower its surroundings through hue, saturation and brilliance or close combination of incompatible colors. Sources of illumination should be screened from public view and should be designed to avoid glare onto a street or adjacent property.
7. Landscaping. A sign should be placed with consideration for existing and future growth of trees and other landscaping. A freestanding sign must be placed in a landscaped area or planter, with landscaping maintained in a thriving manner.
8. Compatibility with Adjacent Uses. The design and location of a sign should not impair the visibility or the design quality of existing conforming signs.

**§6-2527 Required Findings for Sign Permit Variance**

When practical difficulty, unnecessary hardship or a result which is inconsistent with the purpose and intent of this chapter occurs from the strict application of this chapter, the design review commission may grant a variance with respect to the regulations in this chapter relating to the height, area, location or number of signs allowed if it finds that all of the following conditions exist:

1. Because of a special circumstance concerning the subject property, including size, shape, topography, location or surroundings, the strict application of this chapter would deprive the applicant of privileges enjoyed at other properties in the vicinity and in the same land use district;
2. The variance would not constitute a grant of special privilege which is not generally available to other property in the vicinity and in the same land use district;
3. The special conditions or unique characteristics of the property were not created by the applicant, property owner, tenant, lessee or any party otherwise in control of the property.

**§6-213 Findings for a Zone Change**

- A. The change proposed is consistent with the general plan and each element of it;
- B. In the case of a general land use regulation, the proposed change is compatible with the uses authorized in, and the regulations prescribed for, the land use district for which it is proposed; and with the regulations for other land use districts; and
- C. Community need is demonstrated for the change proposed.

**§6-1108 Findings for Rezoning to Planned Unit District (P-1)**

In approving and adopting the rezoning application with the preliminary development plan, and subsequently the final development plan, the planning commission and/or the city council, as the case may be, shall find the following:

- A. That the applicant intends to start construction within two and one-half years from the effective date of zoning change;
- B. That the proposed planned unit development substantially conforms to the general plan;
- C. That, in the case of residential development, such development will constitute a residential environment of sustained desirability and stability, and that it will be in harmony with the character of the surrounding neighborhood and community;
- D. That, in the case of commercial development, such development is needed at the proposed location to provide adequate commercial facilities of the type proposed; that traffic congestion will not likely be created by the proposed use, or will be obviated by presently projected improvements and by demonstrable provisions in the

plan for proper entrances and exits, and by internal provisions for traffic and parking; that said development will be attractive and efficient and will fit harmoniously into and will have no adverse effects upon the adjacent or surrounding development;

- E. That, in the case of proposed industrial development, such development is fully in conformity with the applicable performance standards, and will constitute an efficient and well-organized development, with adequate provisions for truck access service and necessary storage; and that such development will have no adverse effect upon adjacent or surrounding development;
- F. That the development of a harmonious, integrated plan justifies exceptions from the normal application of this title.

#### **§6-2408 Findings for a Lot Line Adjustment**

- A. In the after-approved condition each parcel subject to Chapter 6-20, Hillside Regulations, has a building site that meets the requirements of 6-2047 upon which a dwelling unit could be built that meets the requirements of section 6-2048. The hearing body may waive one or more of these requirements if it finds that 1) no lot line adjustment could satisfy the requirements, and 2) in the after-approved conditions each affected parcel is closer to meeting the requirements than it was prior to the lot line adjustment;
- B. Each affected parcel has adequate emergency vehicle access;
- C. In the after-approved condition, each affected parcel complies with the general plan and zoning and building ordinances. In the case of a lot line adjustment between parcels that are subject to Chapter 6-20 but are non-conforming as to the density limits, this finding may be waived; and
- D. In the after-approved condition, each affected parcel does not violate a condition of development previously imposed by the city on any portion of the parcel.

#### **§6-215 & §6-216 Findings for Approval of a Subdivision or a Minor Subdivision**

The findings for approval of the tentative map for a subdivision or a minor subdivision are set forth in §6-215 & §6-216 of the Lafayette Municipal Code and §66474 of the Government Code. The Planning Commission may approve an application for subdivision only when it finds that:

- 1. The proposed subdivision will not be detrimental to the health, safety and general welfare of the city.
- 2. The proposed subdivision will not adversely affect the orderly development of property within the city.
- 3. The proposed subdivision will not adversely affect the preservation of property values and the protection of the tax base within the city.
- 4. The proposed subdivision is consistent with the general plan and each element of it and will not adversely affect the policies and goals set forth in the general plan.
- 5. The proposed subdivision will not create a nuisance or enforcement problem within the neighborhood.
- 6. The proposed subdivision will not encourage marginal development within the neighborhood.
- 7. The proposed subdivision is consistent with the purpose section of the zoning district in which it is located.

#### **Pursuant to Section §66474 of the State Map Act, the hearing body must make the following findings in order to approve a minor subdivision:**

- 1. That the proposed map is consistent with applicable general and specific plans as specified in Section 65451.

2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
3. That the site is physically suitable for the type of development.
4. That the site is physically suitable for the proposed density of development.
5. That the design of the subdivision and/or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

**Findings for Approval of a Subdivision (§66474 Gov't Code)**

The Planning Commission may approve a vesting tentative map if it can make the following findings:

1. That the proposed map is consistent with applicable general and specific plans.
2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
3. That the site is physically suitable for the type of development.
4. That the site is physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

**6-1706 Permit category I: Protected tree on property not associated with a development application.**

- D. Determination. Within 30 days of deeming an application complete, the manager shall approve or deny the application. If the application is referred to a city commission or the city council, the application shall be approved or denied within 60 days of the date the application is deemed complete. In acting on the application, the manager, or committee, commission or city council, shall consider the following factors:
1. Health, condition and form of the tree;
  2. Number, size and location of other trees to remain in the area;
  3. Relationship of the property to riparian corridors, a scenic or biological resource area or a restricted ridgeline area;

4. Role of the tree in a tree grove or woodland habitat;
5. Value of the tree to the neighborhood in terms of visual effect, wind screening and privacy;
6. Damage caused by the tree to utilities, streets, sidewalks or existing private structures or improvements;
7. Role of the tree in mitigating drainage, erosion or geologic stability impacts; and
8. Health and condition of the area within the protected perimeter.

**§6-1707 Permit category II: Protected tree on developed or undeveloped property associated with a development application.**

- D. Determination. The application shall be approved or denied by the manager, design review commission, planning commission or city council based on the factors in subsection 6-1706(D) and the following additional factors:
1. Necessity for the pruning or removal in order to construct a required improvement on public property or within a public right-of-way or to construct an improvement that allows reasonable economic enjoyment of private property;
  2. Extent to which a proposed improvement may be modified to preserve and maintain a protected tree; and
  3. Extent to which a proposed change in the existing grade within the protected perimeter may be modified to preserve and maintain a protected tree.

**§6-584 Specific findings required for demolition permit.**

1. The proposed demolition and development, rehabilitation or other physical change are consistent with the goals and policies of the General Plan and all applicable specific plans; and
2. The proposed demolition will not eliminate an integral structure located in a historic block that would negatively impact the character and aesthetics of that block; or
3. The proposed demolition will not eliminate a structure of architectural or historical significance in the Downtown, unless the benefits to the community from the proposed development, rehabilitation, or physical alteration significantly outweigh the historic, civic, or cultural significance of the existing structure.



**OBJECTIVE STANDARDS  
FOR NEW MULTI-FAMILY AND MULTI-FAMILY MIXED USE DEVELOPMENT IN THE DOWNTOWN**

This form is intended to be completed by the applicant and verified by Planning staff. Select all elements provided as part of the project's design and use the narrative section to describe how the project meets/does not meet the subject standard (or if the standard does not apply).

**OUTDOOR SPACE**

(OS1) Outdoor Space	On lots for which the Lafayette Municipal Code requires open space, ground-level private open space areas shall be designed to include individual components from the following list to achieve a minimum total of twenty (25) points. The total points achieved must include components drawn from a minimum of three of the four categories.			
		Points	Category	Staff Review
<b>Access</b>	• visual access from a public right-of-way	(10)		
	• direct physical access to a public right-of-way	(6)		
	• unobstructed views to or from building interior	(5)		
	• direct physical access to building interior	(3)		
<b>Spatial Definition</b>	• 200-square-foot minimum space	(12)		
	• ground plane change in elevation	(6)		
	• raised planters	(4)		
	• seating wall	(4)		
	• a pergola or trellis	(4)		
<b>Attributes</b>	• water feature/fountain	(8)		
	• way-finding signage	(3)		
	• path lighting	(3)		
<b>Amenities</b>	• moveable chairs (minimum 4)	(3)		
	• benches with backs and armrests (minimum 2)	(3)		
	• tables (minimum 2) with seating	(3)		
	• bicycle racks	(1)		
		(Min. 25 points in 3 categories) <b>TOTAL →</b>		

Applicant Narrative:

Staff Comments:

**CREEKS & LANDSCAPING**

		Meets Standard	Staff Review
(CL1) Creeks	Lots abutting open segments of any creek, as identified in the Downtown Creeks Plan, adopted October 23, 2017 and as amended, shall conform to the following standards: <ul style="list-style-type: none"> <li>• Views of the creek corridor shall be provided from upper level units on walls that face onto the creek.</li> <li>• Side setback areas that are required by Title 6 of the Municipal Code shall allow for views to the creek corridor from the right-of-way at the lot frontage.</li> <li>• For creekside parcels in the Plaza and East End downtown zoning districts that border the flood control channel, replace existing creek fencing with new fencing that meets City of Lafayette Standard Specifications for flood control channel fencing adopted on or after January 1, 2022.</li> </ul>		

Applicant Narrative:

Staff Comments:

		Meets Standard	Staff Review
(CL2) Landscape	For residential projects, the front setback shall maintain a minimum of 40 percent of its surface area as general planting (lawns, shrubs, trees and ground cover). A minimum of one tree shall be provided in the front setback for each 200 square feet or fraction thereof of all landscaping in the front setback.		

Applicant Narrative:

Staff Comments:

<b>CREEKS &amp; LANDSCAPING</b>		Meets Standard	Staff Review
(CL3) <b>Landscape</b>	For mixed-use projects, the front setback shall maintain a minimum 15 percent of its surface area as general planting (lawns, shrubs, trees and ground cover). A minimum of one tree shall be provided in the front setback for each 400 square feet or fraction thereof of all landscaping in the front setback.		
(CL4) <b>Landscape</b>	All landscaping in the creek setback area required by Title 6, §6-1841 of the Lafayette Municipal Code or in any Contra Costa County Flood Control District easement area shall be selected from the plant palette in the Downtown Design Guidelines Appendix – Native Riparian Plant Palette.		
Applicant Narrative:			
Staff Comments:			

<b>PARKING &amp; CIRCULATION</b>		Meets Standard	Staff Review
(PC1) <b>Motorized Vehicles</b>	Surface parking shall be prohibited in all front setback areas on lots with frontages on Mt. Diablo Blvd.		
Applicant Narrative:			
Staff Comments:			
(PC2) <b>Bicycles</b>	For residential projects, fixture(s) to accommodate bicycle parking shall be provided at a ratio of 1 bicycle per each five automobile parking spaces provided. No more than 20 percent of the total required bicycle parking spaces shall be located in the front setback.		
Applicant Narrative:			
Staff Comments:			
(PC3) <b>Bicycles</b>	For mixed use projects, fixture(s) to accommodate bicycle parking shall be provided at a ratio of 1.5 bicycles per each five automobile parking spaces provided. No more than 35 percent of the total required bicycle parking spaces shall be located in the front setback.		
Narrative:			
Staff Comments:			
(PC4) <b>Pedestrians</b>	All surface or structured parking facilities that maintain 15 or more car-parking spaces shall provide 5-foot-wide pedestrian circulation route(s) connecting the parking spaces to a building entrance		
Applicant Narrative:			
Staff Comments:			

<b>HEIGHT &amp; SCALE</b>		Meets Standard	Staff Review
(HS1) <b>Height</b>	Along the front façade, a building shall maintain a consistent height for a linear distance no more than 60 feet. The sixty-foot linear distance shall include buildings on adjacent lots where the side setback distances for both parcels totals less than 15 feet.		
Applicant Narrative:			
Staff Comments:			

HEIGHT & SCALE	Meets Standard	Staff Review
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<b>(HS2) Articulation</b>	On the building street-facing façade, the horizontal dimension shall be no more than 25 feet without an articulation. The articulation shall utilize any combination of the measures below to achieve a minimum of 12 points.			
		Points	Staff Review	
	• A pilaster or pier protruding from the façade a minimum of 8 inches	(5)		
	• A bay window, balcony, or similar pop-out from the building façade (minimum 18 inches)	(5)		
	• Introduction of an architectural element, such as:			
	• trellis attached to façade	(3)		
	• awnings	(3)		
	• a juliet	(3)		
	• railings	(2)		
	• wall sconce lighting	(2)		
• a change of building material and façade color	(2)			
• a change of fenestration type	(2)			
• a minimum 18-inch change in length or width fenestration dimension	(2)			
<b>(Min. 12 points) TOTAL →</b>				

Applicant Narrative:

Staff Comments:

<b>(HS3) Articulation- Secondary Frontage</b>	For corner lots, on the secondary street facade for a minimum horizontal distance of 50 feet, measured from the point at which the two façade planes intersect, the horizontal dimension shall be no more than 25 feet without an articulation. The articulation shall utilize any combination of the measures below to achieve a minimum of 12 points.			
		Points	Staff Review	
	• A minimum change of one foot in the façade plane	(8)		
	• A pilaster or pier protruding from the façade a minimum of 8 inches	(8)		
	• A bay window or similar pop-out from the building façade	(5)		
	• Building entry alcove	(5)		
	• Introduction of an architectural element, such as:	(3)		
	• trellis attached to façade	(3)		
	• awnings	(3)		
	• a juliet	(2)		
• railings	(2)			
• wall sconce lighting	(2)			
• a change of building material and façade color	(2)			
• a change of fenestration type	(2)			
• a minimum 18-inch change in length or width fenestration dimension	(2)			
<b>(Min. 12 points) TOTAL →</b>				

Applicant Narrative:

Staff Comments:

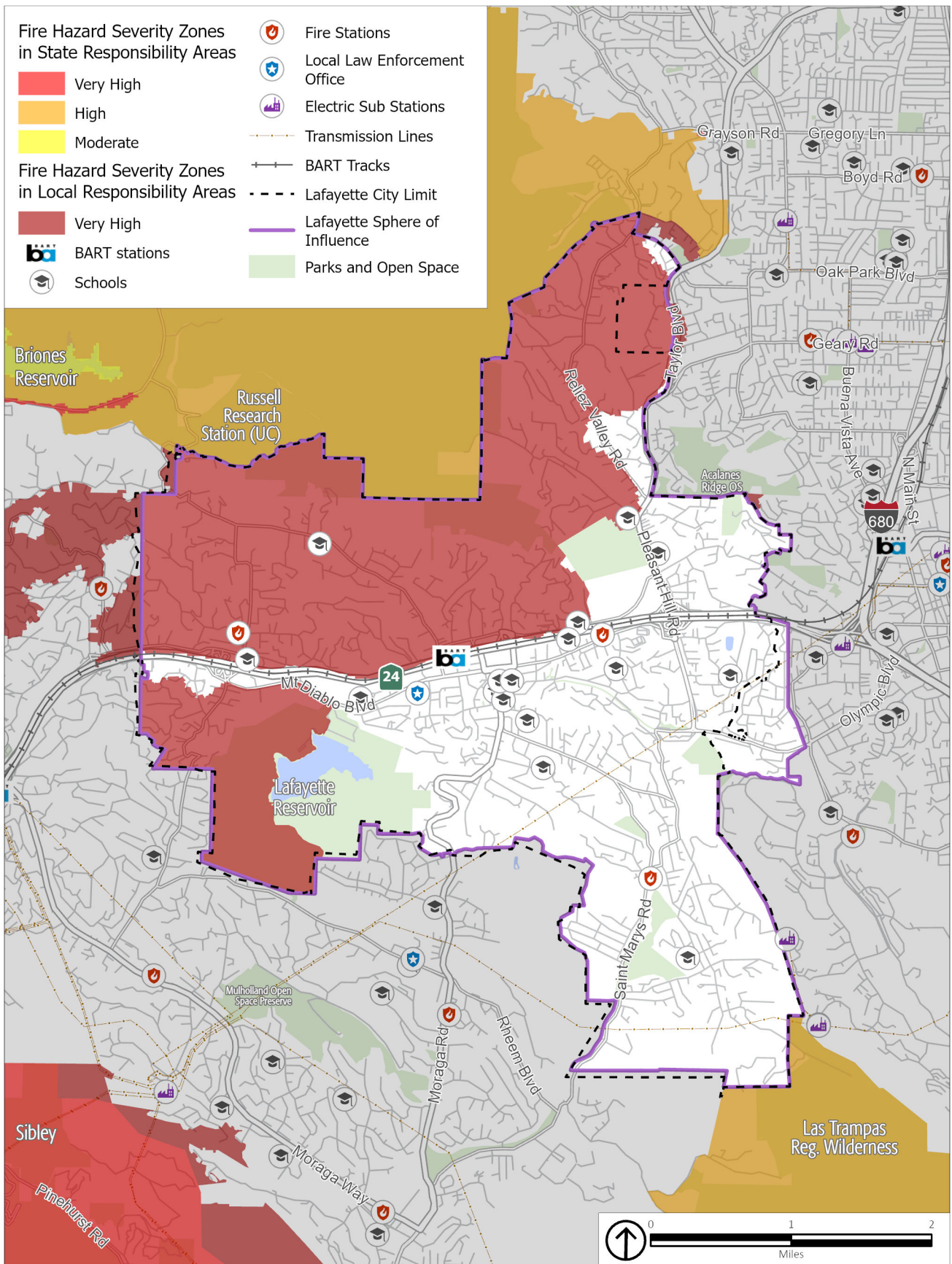
BUILDING DESIGN	Meets Standard	Staff Review
-----------------	----------------	--------------

<b>(BD1) Bulk- Upper Level</b>	<p>The building bulk for upper levels shall be controlled as follows:</p> <ul style="list-style-type: none"> <li>The second story shall have a maximum floor area no greater than 95 percent of the ground-floor floor area. The floor area reduction shall be applied to the street-facing façade. For corner lots, the floor area reduction shall be divided between and applied to both street-facing facades.</li> <li>The third story shall have a maximum floor area no greater than 85 percent of the ground-floor floor area. The floor area reduction shall be applied to the street-facing façade. For corner lots, the floor area reduction shall be divided between and applied to both street-facing facades.</li> </ul>		
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Applicant Narrative:

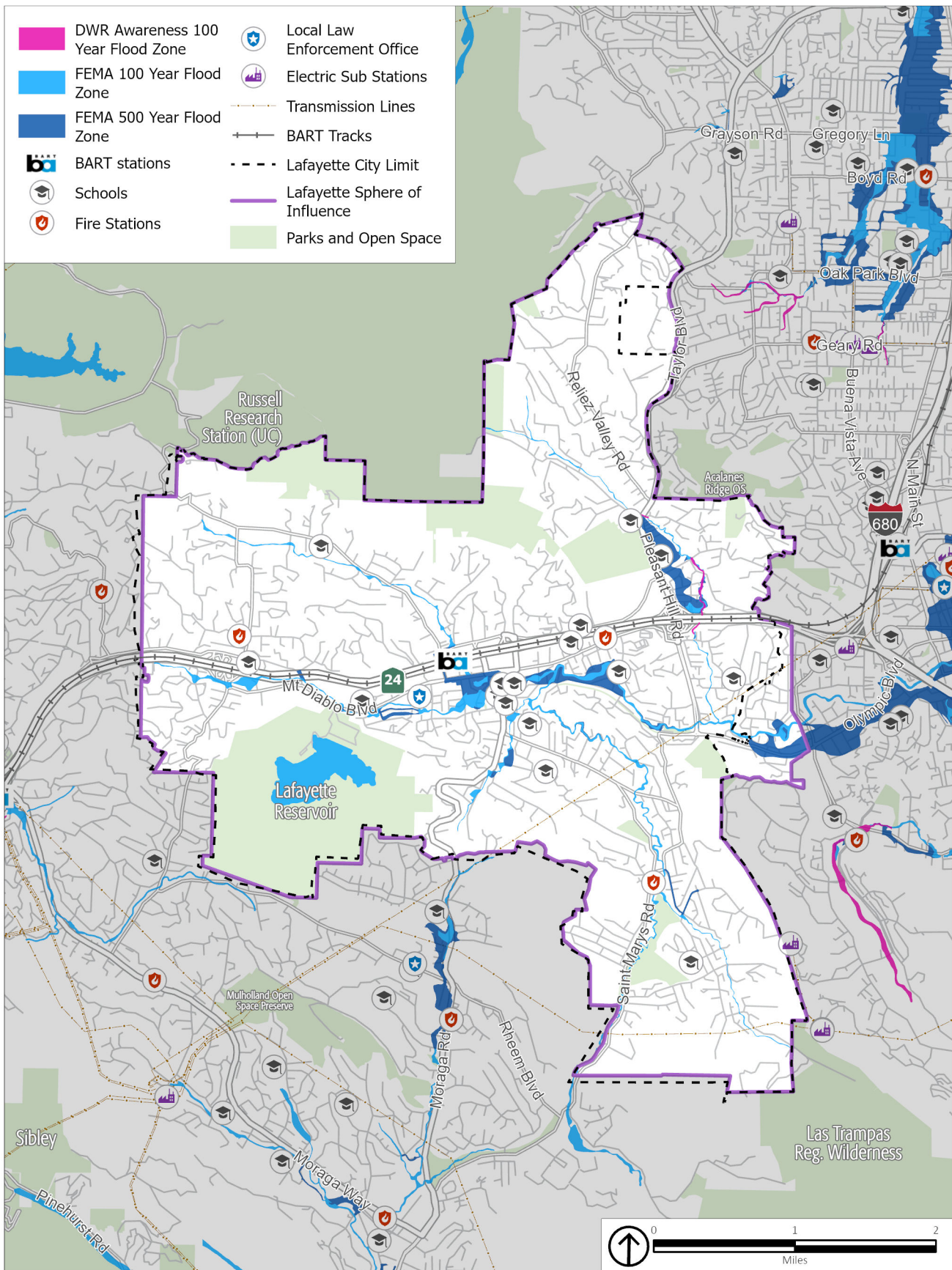
Staff Comments:

APPENDIX B - ATTACHMENT 5 Safety Element Maps

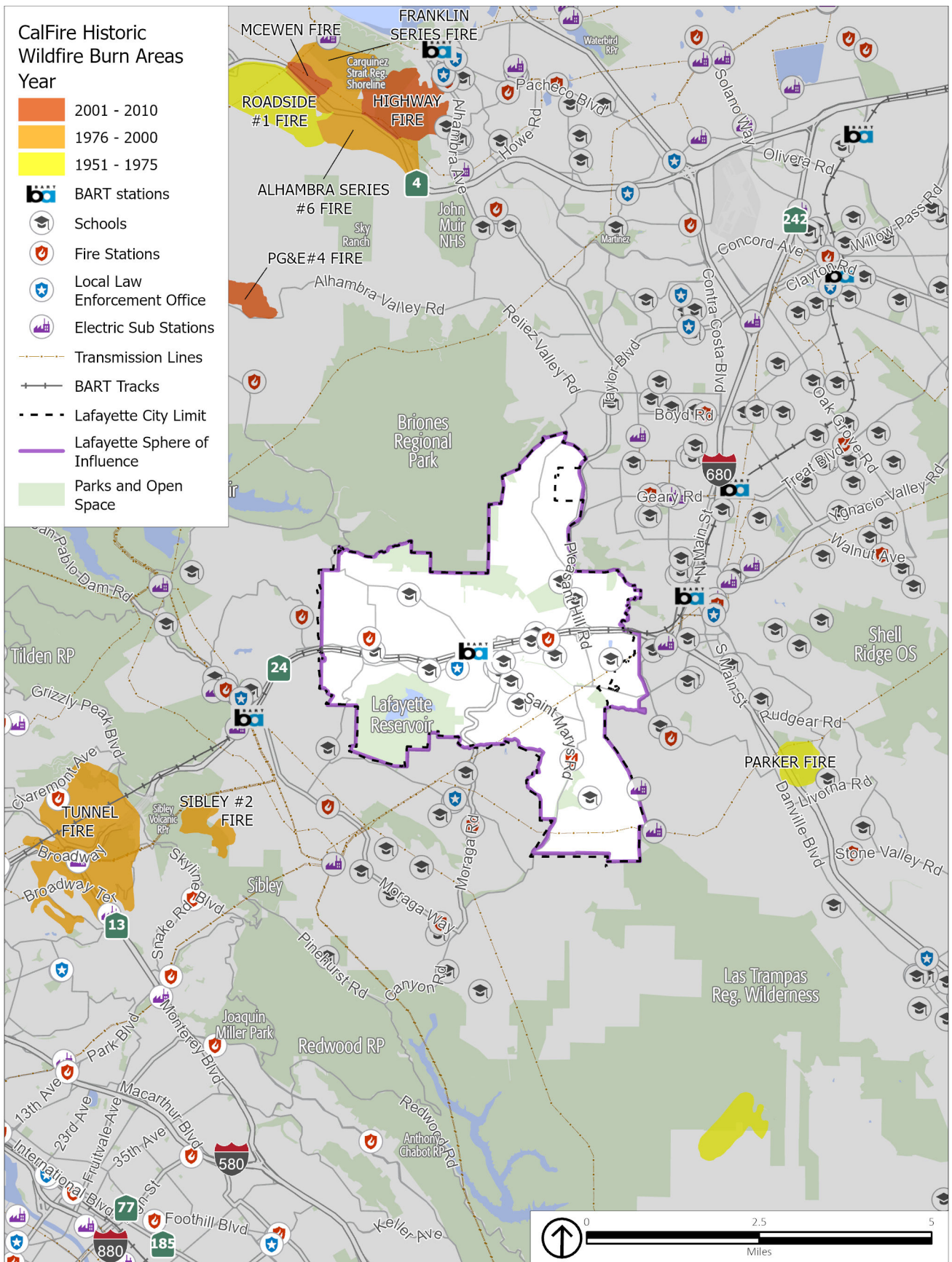


Source: Current map from CAL FIRE Fire and Resource Assessment Program; Cal OES, 2021; Contra Costa County, 2022; Esri, 2022; City of Lafayette, 2022; PlaceWorks 2023.

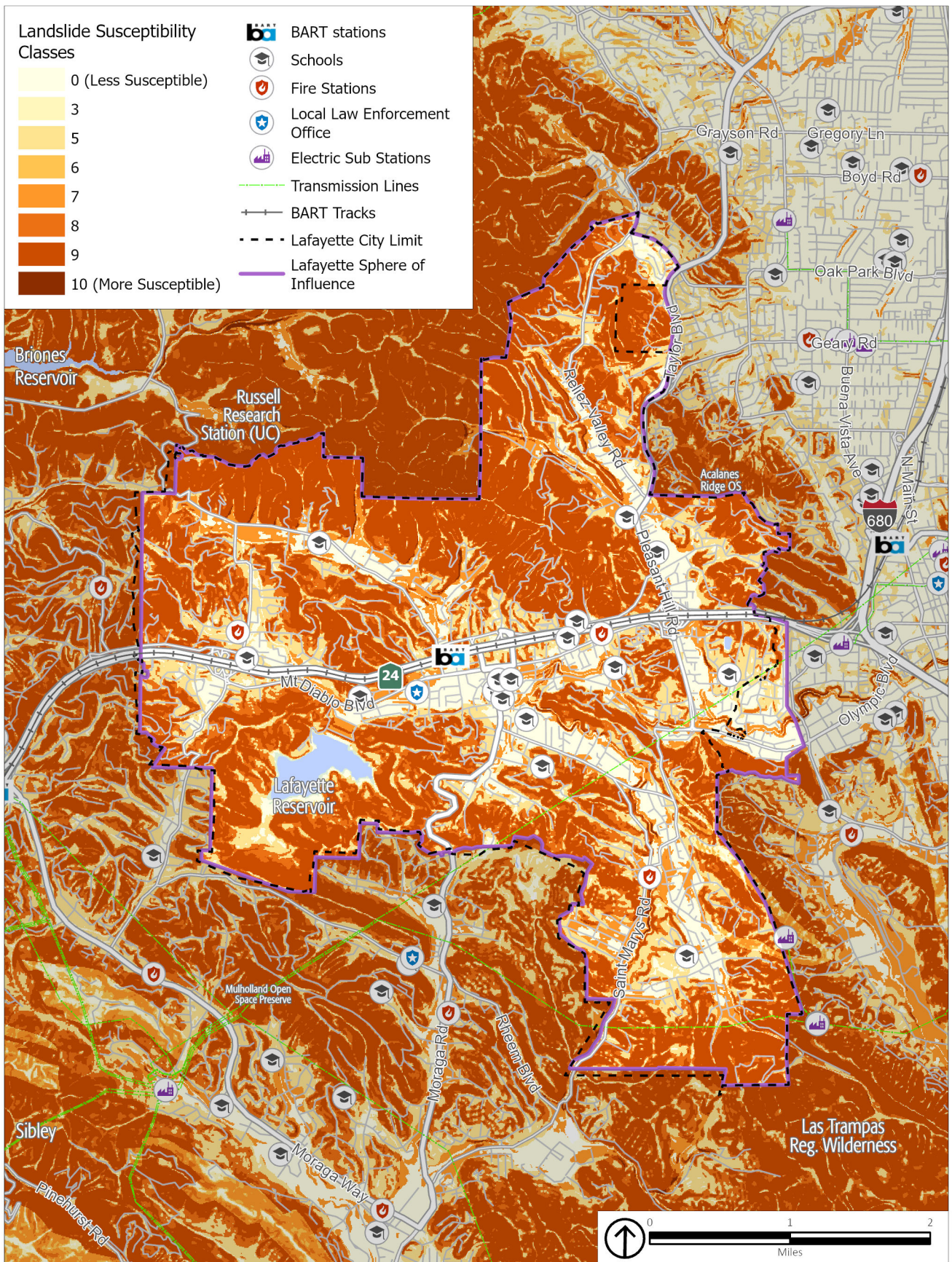




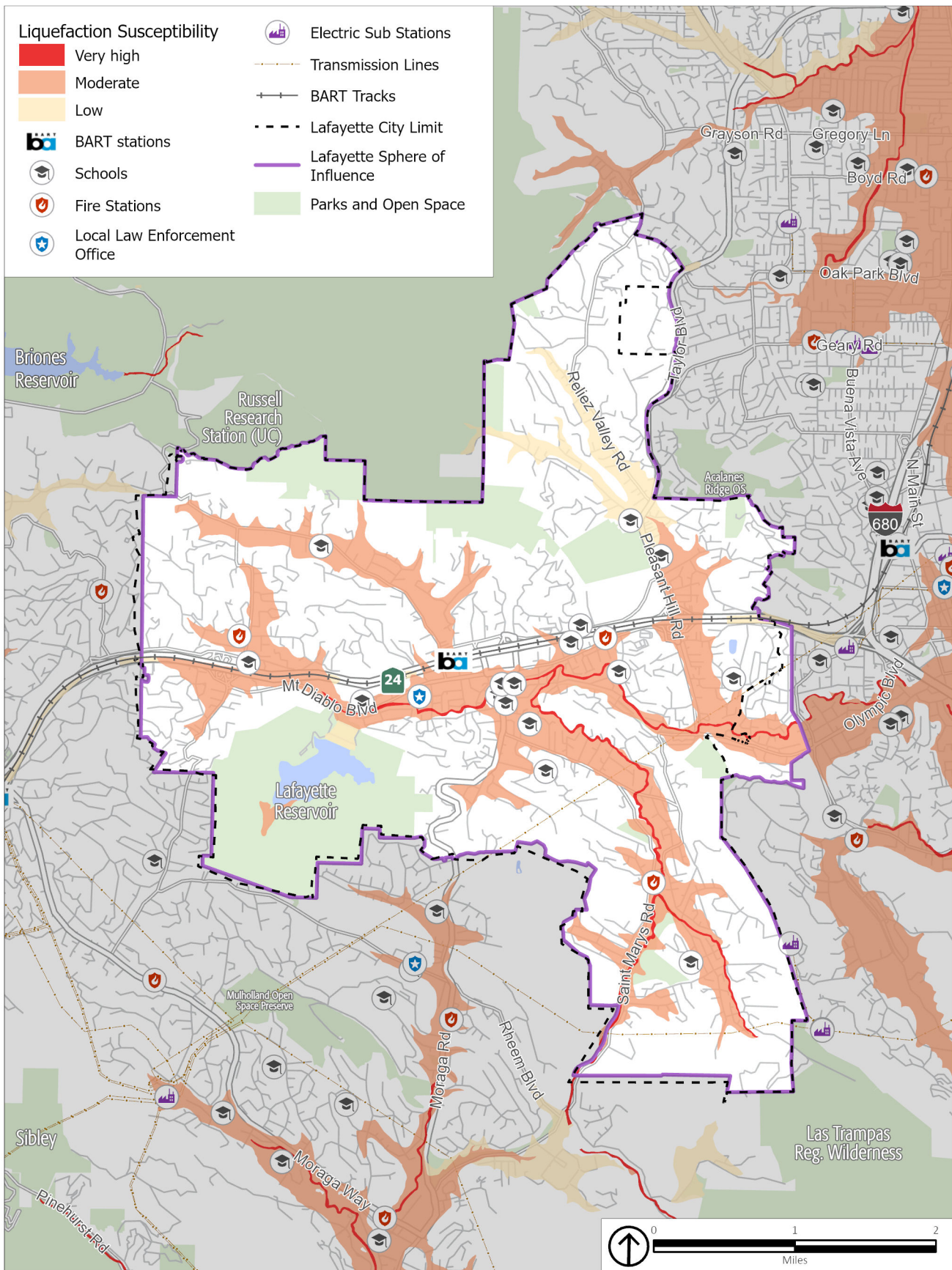
Source: Cal OES, 2021; Contra Costa County, 2022; DWR, 2022; Esri, 2022; FEMA, 2022; City of Lafayette, 2022; PlaceWorks 2023.



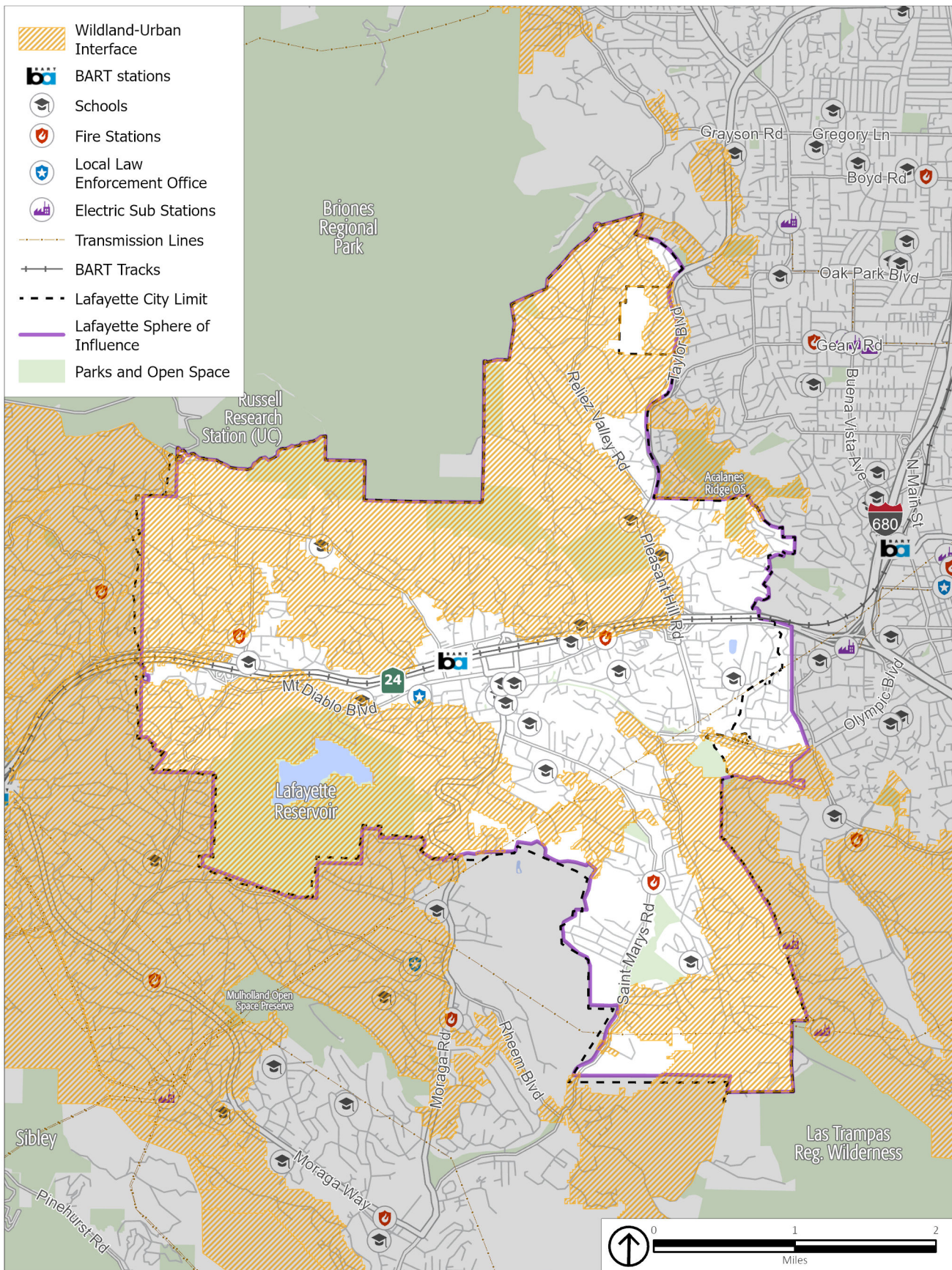
Source: CalFire, 2021; Cal OES, 2021; Contra Costa County, 2022; Esri, 2022; City of Lafayette, 2022; PlaceWorks 2023.



Source: Cal OES, 2021; CGS, 2018; Contra Costa County, 2022; Esri, 2022; City of Lafayette, 2022; PlaceWorks 2023.



Source: Cal OES, 2021; CGS, 2021; Contra Costa County, 2022; Esri, 2022; City of Lafayette, 2022; PlaceWorks 2023.



Source: CalFire, 2007; Calfire, 2021; Cal OES, 2021; Contra Costa County, 2022; Esri, 2022; City of Lafayette, 2022; PlaceWorks 2023.

## APPENDIX C

### Housing Resources and Sites Inventory

Revised [April 22, 2024](#)

6th Cycle Housing Element  
City of Lafayette

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## ATTACHMENTS

Attachment [1A](#): Funding Sources

Attachment [2B](#): Housing Element Sites Inventory

Attachment [3C](#): Opportunity Sites Inventory Parcel Analysis

Attachment [4D](#): Redevelopment Interest Letters from Property Owners

Attachment [5E](#): Opportunity Sites Inventory Map



## 1 OVERVIEW

This appendix presents information on staff resources and funding available to support the City of Lafayette housing programs. It provides a detailed list of the various programs developers of housing can avail themselves of to fund housing projects, especially housing that is affordable. Most affordable projects require multiple sources of funding to fully address the cost of housing, sometimes as many as 12 sources of funding or more.

## 2 FINANCIAL RESOURCES

The extent to which Lafayette can achieve its Housing Element goals and objectives is in large part dependent on the availability of financial resources for implementation. A variety of funds are available to support affordable housing activities in the City, described below. Many, if not most, of these funds do not flow directly to the City, but rather are administered through the County, the State, or the federal government. The City will work with developers to pursue these funding sources.

### 2.1 CITY FUNDS

#### Successor Agency

The primary local source of funds for affordable housing in Lafayette has traditionally been its Redevelopment Agency's Low- and Moderate-Income Housing Fund. However, due to passage of Assembly Bill (AB)x1 26, redevelopment agencies across California were eliminated as of February 1, 2012, removing the primary local tool for creating affordable housing. With the subsequent passage of AB 1484 in June 2012, the Supplemental Educational Revenue Augmentation Funds (SERAF) borrowed by the State from Redevelopment Agencies Low- and Moderate-Income Housing Funds were required to be repaid and deposited into each Successor Agency's Housing Asset Fund.

As part of the City's commitment to dedicate resources towards the preservation and creation of housing, the City Council voted to establish annual contributions of \$215,000 to the housing fund in 2023. The City's goal is to accumulate funds to provide financial support to new affordable housing development. In 2023, the City provided a \$1.5 million-dollar forgivable long-term loan from this fund to provide gap financing for 38 very-low-income units for adults with intellectual and developmental disabilities.

Lafayette has previously used its housing funds to support several projects or otherwise found financial mechanisms to aid project feasibility, including:

- **Chateau Lafayette** This 67-unit project serves low-income senior citizens. The City secured grant funds to replace appliances in the units and replace the roof on the buildings, extending the life of the project.
- **Town Center** The City contributed \$2+M to the redevelopment of the site and construction of housing in direct, indirect, loans, and in-kind contributions (e.g., staff time applying for four grants). The project, completed in 2000, has 60 market-rate units and 15 BMR units restricted to households with very low income (VLI, not exceeding 30% AMI).
- **Eden Housing's Belle Terre Project** The City provided \$3M of housing funds in long-term forgivable loans to Eden for predevelopment, acquisition, and construction (\$3.85 in total

contributions) for a term of 55 years. The project was completed in 2013 and all 46 units are BMR restricted to VLI senior households.

- **Sunflower Hill at Lafayette Lane** Beyond the gap financing loan, the City also agreed to defer ~\$1.2M in impact fees from the time of building permit issuance to instead be due at time of project completion / occupancy.

## 2.2 COUNTY FUNDS

### Community Development Block Grants (CDBG)

The County is an Entitlement jurisdiction under the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) Program. As such, the County receives funding from HUD on an annual basis and is able to provide grants to non-profit and governmental agencies to develop viable urban communities through the provision of services to the low- and moderate-income community. Programs and services include development of housing for persons with special needs; services to the elderly, those with disabilities, and children; expanding economic opportunities; and public improvements.

### HOME Investment Partnership Program

The County also uses HOME Investment Partnership Program (HOME) funds for projects to acquire, rehabilitate, and construct housing for lower-income households. HOME funds can also be used for home buyer or rental assistance.

### Emergency Solutions Grants (ESG)

ESG funds are used to provide shelter and related services to the homeless. The County Department of Conservation and Development (DCD) coordinates the allocation of ESG funds with the County's Homeless Program office and the Continuum of Care (CoC) Board.

## 2.3 OTHER FUNDING SOURCES

The table included as Attachment [A1](#) identifies additional funding federal and State resources for affordable housing activities, including but not limited to new construction, acquisition, rehabilitation, and homebuyer assistance. This list includes those funding sources most likely to be available for housing development in Lafayette.

## 3 ADMINISTRATIVE RESOURCES

### 3.1 CITY OF LAFAYETTE

The City of Lafayette Planning Department provides administrative services, housing and community development services to residents, developers, and others interested in housing issues. In addition, the Department is responsible for oversight of the housing assets of the former Redevelopment Agency. The City of Lafayette Parks and Recreation Department provides a variety of services that support the community's seniors, families, youth and at-risk teens.

### 3.2 CONTRA COSTA COUNTY HOUSING AUTHORITY

The City does not operate its own housing authority but is served by HACCC. HACCC provides rental subsidies and manages and develops affordable housing for low-income families, seniors, and persons with disabilities in Contra Costa County. HACCC administers approximately 9,000 vouchers under the Housing Choice Voucher Program and offers rental assistance for units at 23 properties through the Project Based Voucher Program. HACCC also manages 1,168 public housing units across the county, though none of these units are within Lafayette. The Housing Authority does provide Housing Choice Vouchers to approximately 130 households in Lafayette.

## 4 SITE INVENTORY OVERVIEW

A key component of the Housing Element is a projection of a jurisdiction's housing supply. State law requires that the element identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and make adequate provision for the existing and projected needs of all economic segments of the community. This includes an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, including analysis of the development capacity that can realistically be achieved for each site.

Per State law, the State of California, in conjunction with Association of Bay Area Governments (ABAG), has projected future population figures for the nine Bay Areas counties, which translates into the need for additional housing units. Each jurisdiction is then assigned a portion of the regional need based on factors such as growth of population and adjusted by factors including presence of a major transit station, such as a BART station, proximity to jobs, and high resource areas that have excellent access to amenities, such as good school and employment centers. This assignment is known as the Regional Housing Needs Allocation (RHNA). Each jurisdiction must ensure that there is enough land at appropriate zoning densities to accommodate its RHNA in its Housing Element in four income categories (very low-, low-, moderate- and above moderate-income). The RHNA for City of Lafayette for the Housing Element 2023-2031 is 2,114 units.

The purpose of the Sites Inventory is to evaluate whether there are sufficient sites with appropriate zoning to meet the RHNA goal. It is based on the City's current land use designations and zoning requirements. The analysis does not include the economic feasibility of specific sites, nor does it take into consideration the owner's intended use of the land now or in the future. It does not dictate where residential development will actually occur, and the decision whether or not to develop any particular site always remains with the owner of the property, not the City. Based on previous Housing Elements, the City anticipates that some of the sites on the list will be developed with new housing, some will not, and some housing will be built on sites not listed in the inventory.

## 5 SITE INVENTORY METHODOLOGY

### 5.1 INTRODUCTION

City staff inventoried vacant and underutilized parcels in Lafayette to determine what land is available for development at various levels of density. Types of sites included:

- Vacant sites zoned for residential use.
- Vacant sites zoned for nonresidential use that allow residential development.
- Residentially zoned sites that are capable of being developed at a higher density (non-vacant

sites, including underutilized sites).

- Sites owned or leased by a city, county, or city and county.

In addition, through the efforts of the General Plan Advisory Committee (GPAC), community members were asked to nominate sites for potential inclusion in the inventory. While many of the nominated sites were already on the City's list of potential sites, several new sites were added.

Based on the proposed list of sites, the number of units that might be able to be developed at various affordability levels is then estimated, e.g., available land zoned at higher densities can be counted toward the very low- and low-income level needs, and land zoned at lower densities are counted toward the moderate and above moderate-income housing need. The analysis was also completed using the actual average built densities for developments built on land with various zoning designations over the past five years.

The City of Lafayette's land inventory for future housing includes property zoned for multifamily use that is currently vacant as well as land that is underutilized. This includes sites that are zoned commercial or office but also allow residential. The adequate sites analysis demonstrates that there is enough land to meet the ABAG Regional Housing Needs Allocation with the proposed rezonings. The analysis for affordable housing units for extremely low, very low, and low-income households is based on the assumption that land zoned at densities higher than 30 units to the acre can facilitate affordable housing development.

Staff conducted a site-by-site review of all potential development sites, citywide. Additional sites were nominated by community members under the auspices of the GPAC. As will be demonstrated below, staff currently believes that the RHNA allocation, plus a reasonable buffer, can be accommodated within the downtown.

## 5.2 SITE ELIGIBILITY CRITERIA

Each site – or potential aggregation of sites – was analyzed to discern the likelihood and feasibility of development during the period 2023-2031. Factors such as underperforming or vacant uses, owner or developer interest, age and size of current improvements, site size, and site constraints were reviewed.

Based on guidance from the State following its second review letter of March 29, the City developed a detailed set of criteria against which nominated sites were reviewed to ensure sufficient characteristics were present to justify inclusion in the inventory of sites. Attachment [€3](#) provides a detailed analysis of the opportunity sites inventory and their qualifying criteria. These criteria are as follows:

### **Sites that have one of the following do not need further evaluation:**

1. Parcels that are undeveloped or have vacant buildings
2. Parcels that have current developer or owner interest in redevelopment for housing

If none of the above two options apply, sites must have **at least three** of the following attributes:

3. **Sites containing limited improvements** either based on the nature of the uses (such as parking lots, outdoor storage, primarily vacant) or based on existing FAR (0.[65](#) or less). **Existing uses are similar to uses that have been recycled** based on recent trends as demonstrated in [Table 89](#) and regionally. The pandemic has accelerated many trends that had already been set in motion.

Such uses include: Retail/shopping center: Increased online shopping, reducing demand on retail space --

- a. Office buildings: Increased remote working, reducing demand on office space
- b. Gas station and auto-oriented uses: Increased fuel efficiency and reliability of vehicles, and popularity of hybrid and electrical vehicles, reducing demand for auto-related services
- c. Lower density residential uses in the downtown

There is no minimum or maximum FAR required in the City’s zoning ordinance for housing. As shown in Table 9 further in this document and summarized below, residential projects currently in the pipeline (or with approvals that have recently expired) had a minimum FAR of 0.1 and a maximum FAR of 0.5 when the individual redevelopment project were submitted. Their proposed FAR have a minimum of 0.5 and a maximum of 2.9. For this reason, sites with an existing FAR of 0.5 or less meet the criterion for FAR.

<u>Project Name</u>	<u>Acres</u>	<u>Prior Use</u>	<u>Year Built</u>	<u>Prior FAR</u>	<u>New FAR</u>	<u>Times Greater Than Prior</u>
<u>"The Brant" (Lennar) 3666 Mt Diablo Blvd</u>	<u>2.00</u>	<u>Restaurant, Office Building, Auto Repair and Parking</u>	<u>-</u>	<u>0.3</u>	<u>1.2</u>	<u>4.00</u>
<u>Outdo 3742 Mt Diablo Blvd</u>	<u>0.37</u>	<u>Offices and Parking</u>	<u>1977</u>	<u>0.4</u>	<u>0.5</u>	<u>1.25</u>
<u>"Woodbury Highlands" 5 Woodbury Highlands Court</u>	<u>2.00</u>	<u>Two Office Complexes and Parking</u>	<u>1975</u>	<u>0.3</u>	<u>0.7</u>	<u>2.33</u>
<u>"West End" 3721 Mt Diablo Blvd</u>	<u>0.30</u>	<u>Convalescent Home and Parking</u>	<u>1961</u>	<u>0.5</u>	<u>2.9</u>	<u>5.80</u>
<u>Lenox Lafayette Circle 210 Lafayette Circle</u>	<u>0.38</u>	<u>Restaurant and Parking</u>	<u>1950</u>	<u>0.1</u>	<u>1.5</u>	<u>15.00</u>
<u>"Lafayette Lane" (Corp Terrace) 3470 Mt. Diablo Blvd</u>	<u>4.16</u>	<u>Office Complex and Parking</u>	<u>1982</u>	<u>0.5</u>	<u>1.2</u>	<u>2.40</u>
<u>Lynx/Schadek 3458 Mt Diablo Blvd</u>	<u>0.76</u>	<u>Construction Office and Parking</u>	<u>-</u>	<u>0.2</u>	<u>0.7</u>	<u>3.50</u>
<u>"The Mill at Brown Avenue" 3408 Mt. Diablo Blvd</u>	<u>0.38</u>	<u>Gas Station/Auto Repair</u>	<u>1959/ 1961</u>	<u>0.3</u>	<u>1.5</u>	<u>5.00</u>
<u>Madison Park 3483 Golden Gate Way</u>	<u>1.49</u>	<u>Residential Units Partially Converted to Office/Service and Parking</u>	<u>1962</u>	<u>0.4</u>	<u>1.6</u>	<u>4.00</u>
<u>950 Hough</u>	<u>0.43</u>	<u>Retail Service and Parking</u>	<u>1986</u>	<u>0.2</u>	<u>2.5</u>	<u>12.50</u>
<u>"Oak Hill Proposal" 1001, 1007, and 1009 Oak Hill Rd.</u>	<u>1.13</u>	<u>Office, Retail, and Parking</u>	<u>1950, 1961, 1981</u>	<u>0.3</u>	<u>2.5</u>	<u>8.33</u>
<u>Valley View/Freethy 1059 Aileen St.</u>	<u>1</u>	<u>Vacant single-family residential</u>	<u>1938, 1944, &amp; 1955</u>	<u>0.2</u>	<u>1.8</u>	<u>9.00</u>

4. **Age of structure** - 30+ years as the age threshold for most uses, but 20+ years as the age threshold for retail/commercial uses. Generally, buildings older than 30 years begin to show signs of fatigue and often require significant investments to modernize. A shopping/retail center, however, is considered outdated if it has not been renovated for more than 15 years. Recent news articles comparing the Westfield Mall in Downtown San Francisco and that in Santa Clara points to the critical differentiator - Santa Clara Westfield Mall had undergone a \$1.1 billion renovation in 2019 whereas the one in Downtown San Francisco had not been renovated for more than 16 years. This is because retail trends are fluid and reflect what are "fashionable" at the time.<sup>1</sup>
5. **Single story buildings** - as demonstrated in Table , recent redevelopment projects involve demolition of mostly single-story buildings, although one project demolished a multi-story office building for new mixed-use development.
6. **Improvement to Land Value (ILV) Ratio of 1.0** - ILV can reflect the potential profitability of redeveloping an existing property. In general, a low ILV ratio of 1.0 or less indicates potential for redevelopment, as the land is equal to or worth more than the improvements on site. A low ILV ratio is also often a result of lack of significant improvements in recent years that would trigger a reinvestment. HCD Sites Inventory Guidance also uses an ILV ration of 1.0 as an indicator of potential redevelopment. However, office buildings and commercial/retail centers often have high ILV ratios that are beyond 2.0. A typical shopping center has an ILV ratio of 2.50 to 3.50.

### 5.3 ZONED VERSUS REALISTIC CAPACITY

When establishing realistic unit capacity calculations, the jurisdiction must consider existing development trends of existing or approved residential developments at a similar affordability level in that jurisdiction, as well as the cumulative impact of standards such as maximum lot coverage, height, open space, parking, and floor area ratios. The capacity methodology must be adjusted to account for any limitation as a result of availability and accessibility of sufficient water, sewer, and dry utilities. For non-residential zoned sites (i.e., mixed-use areas or commercial sites that allow residential development), the capacity methodology must account for the likelihood of residential development on these sites. While a site may be zoned to accommodate, say, 100 units, site constraints or other development standards may preclude development to the full 100 units.

Since the certification of the last Housing Element, a series of new laws have been implemented that make it easier for developers to use the State density bonus provisions by providing a certain

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<sup>1</sup> Bankingdive.com, June 14, 2023

percentage of units in proposed developments as affordable.<sup>2</sup> As a result, many developers are taking advantage of the additional density offered, which has resulted in significant changes to the realistic capacity for development. The following table illustrates that for last five years from 2018-2022, ***all*** new residential development projects of nine or more units that have been proposed and/or approved have invoked the density bonus provisions, regardless of whether the development took the extra density, or just used the concessions and waivers. Although the State has specifically stated that cities cannot rely on density bonuses alone to calculate capacity (primarily because use of the density bonus is optional), the City can demonstrate that as-built densities are consistently above zoned density.

**Table 1: 2018-2022 All Multifamily Residential Project Densities & Yields**

Project Name	VLI	LI	MOD	AMOD	Base Units (Before SDBL)	Density Bonus Units (#)	Total Units	Density Bonus (%)	Project Density (du/ac)	Math Capacity	Yield % (Total Units / Mathematical Capacity)
Lenox Lafayette Circle 210 Lafayette Cir	0	0	2	10	12	0	12	0%	32	13	90%
The Mill at Brown Avenue 3408 Mt. Diablo Blvd	0	0	2	11	12	1	13	8%	34	13	98%
West End 3721 Mt. Diablo Blvd	0	0	2	10	12	2	14	17%	47	11	133%
Lafayette Lane (Miramar) 3470 Mt Diablo Blvd	38	0	0	108	146	20	166	14%	40	146	114%
Madison Park 3483 Golden Gate Way	6	4	0	42	52	19	71	37%	48	52	136%
950 Hough Ave (Griggs) 950 Hough Ave	0	0	3	14	17	3	20	18%	47	15	134%
Samantha Townhomes 1050 Stuart St	0	0	2	10	12	0	12	0%	29	14	83%
Lynx/Schadek 3458 Mt. Diablo Blvd	0	1	0	8	9	0	9	0%	16	19	47%
1001 Oak Hill Road 1001 Oak Hill Road	2	4	0	45	40	16	51	40%	45	40	129%
										<b>Average Yield</b>	<b>107%</b>

Although the base density in the downtown is currently 35 dwelling units per acre, the average residential project has resulted in nearly 38 du/ac due to the attractiveness of density bonus provisions to developers.

<sup>2</sup>For more than forty years, California's Density Bonus Law (Government Code Section 65915 et seq.) has been a mechanism to encourage developers to incorporate affordable units within a residential project in exchange for density bonuses and relief from other base development standards through concessions and waivers. The amount of additional density allowed depends on the level of affordability provided.

Despite this, based on feedback from HCD, the City has reviewed the comparatively small number of developments that have not used the density bonus – either for additional density, or for concessions and waivers – to determine the average built density as a percentage of underlying density. Since there are no multifamily developments of ten units or more since 2018 that have elected *not* to use the density bonus, the following table uses projects that were proposed and/or approved earlier.

**Table 2: Residential Project Densities & Yields – Projects without Density Bonus or Waivers/Concessions**

Project Name	VLI	LI	MOD	AMOD	Base Units	Lot Area (Acres)	Zoning Density (du/ac)	Project Density (du/ac)	Math. Capacity	Yield % (Total Units / Math Capacity)
Town Center III 1000 Dewing Ave	0	0	7	62	69	1.02	35	68	36	194%
Lennar Homes 3666 Mt. Diablo Blvd	2	2	6	56	66	2.05	35	32	72	92%
Six by Lenox 954 Mountain View Dr	0	0	0	6	6	0.32	35	19	11	54%
Woodbury Highlands 3700 Mt. Diablo Blvd	6	0	9	84	99	6.55	35	15	229	43%
Valley View Apartments (Freethy) 1059 Aileen St and 1044 Stuart St	0	0	0	42	42	1.22	35	35	43	99%
									Average Yield	88%

In addition, recent mixed-use projects along Mt. Diablo Boulevard demonstrate that substantial housing development can occur alongside ground floor commercial. The following table illustrates that residential development averages about 90% or higher of overall square footage. In addition, despite the fact these two projects did not use the density bonus, they still were able to achieve an average of 124% of zoned capacity.

**Table 3: Mixed Use Projects Densities and Yields**

Mixed Use Project	Percentage Residential	Percentage Commercial	Description	Density Bonus Status
Merrill Gardens	89%	11%	72 units on 1.34 acres (153% of zoned capacity at 35 du/a)	No density bonus, concessions, or waivers
Lennar (The Brant)	96%	4%	66 units on 2.05 acres (95% of zoned density at 35 du/a)	No density bonus, concessions, or waivers
<b>AVG</b>	<b>93%</b>	<b>7%</b>		

As demonstrated above, recent precedence in Lafayette shows an actual development averaging 107% of allowed density. Because of the City’s inclusionary ordinance and the high cost of land in Lafayette, developers have opted to maximize development potential and use the Density Bonus to achieve projects beyond maximum levels, which is reflected in the development trends. In



conjunction with the Housing Element, the implementation plan includes not only an increase in density primarily throughout the Downtown and at FBO sites, it also institutes a new minimum density requirement of 88% to ensure anticipated housing densities are achieved. Policy 10.3.6 is a conservative approach and ensures the inventory of opportunity sites achieves the RHNA targets, plus a buffer of approximately ~~690~~663 units.

#### 5.4 IDENTIFICATION OF SITES FOR AFFORDABLE HOUSING

Sites on the Inventory must also be classified as suitable for various income levels including very low, low, moderate and above moderate. Several housing laws impact how sites are selected for inclusion by income category. In general, sites less than 0.5 acres and larger than 10 acres cannot be considered as available for lower income development *unless* the jurisdiction demonstrates that it has a track record of affordable developments at this size of lot. For the initial proposed inventory, no individual site less than 0.5 acres was allocated toward lower income units; however, as per State guidance, such small sites could be considered either moderate income, above moderate income, or both.

In this iteration of the Housing Element, the City has added one site – known commonly as DeSilva South – to the inventory of opportunity sites. At an estimated 9.75 acres, it is part of a larger parcel of approximately 62 acres. The owner of DeSilva South has expressed interest in redeveloping the 9.75 portion of the larger site for housing. To facilitate its development, the City has included a new program 6.1.i that calls for working with the owner to subdivide the site, as appropriate, and provide incentives to encourage the development of lower-income housing on the site.

The new requirements for Affirmatively Furthering Fair Housing (AFFH; AB 686) dictate that the City avoid, to the extent possible, the location of potential affordable housing in the inventory in a manner that would exacerbate existing concentrations of poverty, as well as contribute to increasing the number of lower-income households in lower-income neighborhoods. The City must also consider locating housing away from environmental constraints such as sea level rise, and near areas of higher or highest opportunities, including quality schools, parks, and educational opportunities. The State indicates that jurisdictions consider the following factors when determining the best locations for affordable housing.

- Proximity to transit.
- Access to high performing schools and jobs.
- Access to amenities, such as parks and services.
- Access to health care facilities and grocery stores.
- Locational scoring criteria for Low-income Housing Tax Credit (TCAC) Program funding.
- Proximity to available infrastructure and utilities.
- Sites that do not require environmental mitigation.
- Presence of development streamlining processes, environmental exemptions, and other development incentives.

One measurement tool to evaluate neighborhood amenities and resources is the Tax Credit Allocation Committee (TCAC) Opportunity Area Map. Each site in the inventory list is rated as either Low, Moderate, High or Highest Resource area utilizing the mapping tool (there are no “Low” or “Moderate” resource areas in Lafayette).

## 5.5 DISTRIBUTION OF UNITS BY AFFORDABILITY

Consistent with State guidance, individual sites less than 0.5 acres were initially assumed to be developed with moderate- and above-moderate income, split 50% to each. For sites larger than 0.5 acres, the distribution of units by income category fell into ~~two~~ four types:

1. For sites in the pipeline, the actual proposed distribution of units by affordability was included. For example, the Brant, located at 3721 Mt. Diablo Blvd., will have a total of 66 units, of which 10 will be lower income. These are the figures used in the spreadsheet.
2. For development on FBO sites, AFFH Action 2.3 tracks a similar distribution of affordability as represented in SB 4:

<u>City Program</u>	<u>VLI</u>	<u>LI</u>	<u>MOD</u>	<u>AMOD</u>
	<u>37.5%</u>	<u>37.5%</u>	<u>20%</u>	<u>5%</u>

3. For vacant sites, the distribution of units by income increases the lower income percentage by a modest amount:

<u>Vacant Sites Income Distribution</u>				
<u>Very Low-Income</u>	<u>Low-Income</u>	<u>Moderate Income</u>	<u>Above Moderate Income</u>	<u>Total</u>
<u>30%</u>	<u>30%</u>	<u>20%</u>	<u>20%</u>	<u>100%</u>

4. For all other sites, the distribution of units by affordability is in the same proportion as the RHNA allocation:

<u>RHNA Allocation Income Distribution</u>				
<u>Very Low-Income</u>	<u>Low-Income</u>	<u>Moderate Income</u>	<u>Above Moderate Income</u>	<u>Total</u>
<u>28%</u>	<u>16%</u>	<u>15%</u>	<u>40%</u>	<u>100%</u>

The ~~State recommends using the proportion of units in the RHNA allocation as a guide for allocating units among sites~~ statute grants flexibility to jurisdictions to determine the distribution of units on sites by income category in whatever ways meets the needs of the community. This mathematical process is intended to demonstrate that there are enough sites zoned at appropriate densities to accommodate all of the RHNA allocation, rather than an assumption about where affordable units will actually be built. In part, this is because the City does not determine specific sites for affordable housing, but rather reviews and evaluates projects as they are proposed by developers.

In addition, because of new rules in the Housing Accountability Act's "No Net Loss" provisions (SB 166 of 2017), the land inventory and site identification programs in the Housing Element must always include sufficient sites to accommodate the unmet RHNA, in terms of the number of housing units, as well as the level of affordability. When a site identified in the Element as available for the

development of housing to accommodate the lower-income portion of the RHNA is developed at a higher income level, the locality must either (1) identify and rezone, if necessary, an adequate substitute site, or (2) demonstrate that the land inventory already contains an adequate substitute site. By distributing units to sites according to the distribution of the RHNA allocation – including above moderate income – it will be easier to ensure ongoing compliance with the No Net Loss provisions.

The City has opted to use the RHNA distribution for the majority of the sites in the inventory in order to spread the risk of the no net loss provisions among all sites in the inventory. On the one hand, going too deep in affordability will mean a greater risk of coming against no net loss provisions sooner rather than later. A simple way to illustrate this is as follows. The first row below shows an inventory in which all assigned units are in the very low and low-income categories. In this case, were a project on that site proposed with all above moderate income units (of any number), the City would have to either (1) make sure there is enough buffer left in the inventory for the 100 VLI/LI units lost; (2) find another site to accommodate those units; or (3) increase the density somewhere to accommodate those 100 units.

	<u>VLI</u>	<u>LI</u>	<u>MOD</u>	<u>AMOD</u>	<u>TOTAL</u>
<u>Only Lower Income</u>	<u>50</u>	<u>50</u>	<u>0</u>	<u>0</u>	<u>100</u>
<u>RHNA Allocation</u>	<u>28</u>	<u>16</u>	<u>15</u>	<u>40</u>	<u>100</u>

Conversely, with the RHNA allocation as the method for distributing units by income, if that same project comes in, only 44 units of VLI/LI need to be accommodated in the buffer, on another site, or on rezoned land.

## 5.6 PROGRESS IN MEETING THE RHNA

In addition to the sites potentially available for development or redevelopment, pipeline projects that have been approved, permitted, or received a certificate of occupancy after June 30, 2022 may be credited toward meeting the RHNA allocation based on the affordability and 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.

For pipeline projects projected to be completed within the planning period, the number and affordability level of below market rate units are established through the City’s Inclusionary Housing Ordinance or provisions of State Density Bonus law and approved through the entitlement process. Sales prices and rents for these units are based upon the income limits and rent limits published by the State annually and are deed restricted through an inclusionary housing agreement. Recording an inclusionary housing agreement outlining unit affordability for a project is a standard requirement prior to the project receiving its Certificate of Occupancy.

Below is a table outlining the status and anticipated completion of these pipeline projects. The developers of West End, Samantha Townhomes, and Lynx/Schadek did not respond to inquiries regarding projected start of construction or completion dates. Two of the pipeline projects listed below, Madison Park and Woodbury Highlands, resubmitted their original proposals to -increase the number of units. Madison Park originally submitted a proposal for 52 units and revised the project to utilize State Density Bonus Law, expanding the project to 71 units.

Pipeline projects in the sites inventory are presumed will receive their Certificate of Occupancy (C of O) after June 30, 2022. ~~If any project receives C of O before this date, or the project does not~~

~~continue, the spreadsheet will be modified accordingly.~~ Potential barriers to the completion of these projects includes the widespread increases in development costs, such as material and labor costs. As pipeline projects are entitled projects, they have been reviewed under CEQA and all have passed their statutory period for challenge under CEQA, thus exposure to a CEQA lawsuit is no longer a potential constraint.

Developers have advised that the Federal Reserve’s spike in interest rates following the pandemic to combat inflation has resulted in significantly increased costs for construction loans. Simultaneously, lenders have tightened up and construction loans are more challenging to secure. The Federal Reserve has halted its actions to raise interest rates and has indicated that it will begin to reduce rates in 2024. This will improve the availability of construction financing to facilitate building of new housing. While the spike in interest rates is temporary, it has nonetheless delayed entitled housing projects that had yet to break ground. Developers with entitled projects have indicated an interest to move forward with building as construction costs and the costs of financing normalize. Barring any unusual circumstances, the City expects to see continued construction on pipeline project, even when picked up by other developers who can take advantage of approved entitlements. Beyond construction costs, there are no other known barriers to development.

**Table 43: Pipeline Project Affordability and Status**

Project Name	Lower Income Capacity	MOD Capacity	AMOD Capacity	Total Capacity	Project Status
The Brant	4	6	56	66	Under construction; Anticipated completion Q4 2023 <del>4</del>
Woodbury Highlands	6	9	84	99	Under construction; anticipated completion Q3 2023 <del>4</del>
West End	0	2	10	12	Approved <u>in 2022</u> , not yet under construction
210 Lafayette Cir.	0	2	10	12	Completed Q4 2022
Samantha Townhomes	0	2	10	12	Approved <u>in 2023</u> , not yet under construction
Lynx/Schadek	1	0	8	9	Approved <u>in 2022</u> , not yet under construction
Mill at Brown	0	2	11	13	Completed Q4 2023
Madison Park	10	0	42	71	Approved <u>in 2021</u> , <u>demolition is complete</u> ; <u>permit issuance likely Q3 2024</u> , <u>completion by Q4 2026</u> .
950 Hough	0	3	14	17	<del>Approved, not yet under construction</del> Under construction; Anticipated completion Q4 2025
Terraces of Lafayette	62	0	253	315	Approved <u>in 2020</u> , <del>not yet under construction</del> <u>initial grading completed</u> ; <u>first CofO’s expected Q3 2027</u> .
Lafayette Lane/Miramar	38	0	128	166	Approved <u>in 2021</u> , not yet under construction
<b>Total</b>	<b>121</b>	<b>26</b>	<b>626</b>	<b>792</b>	

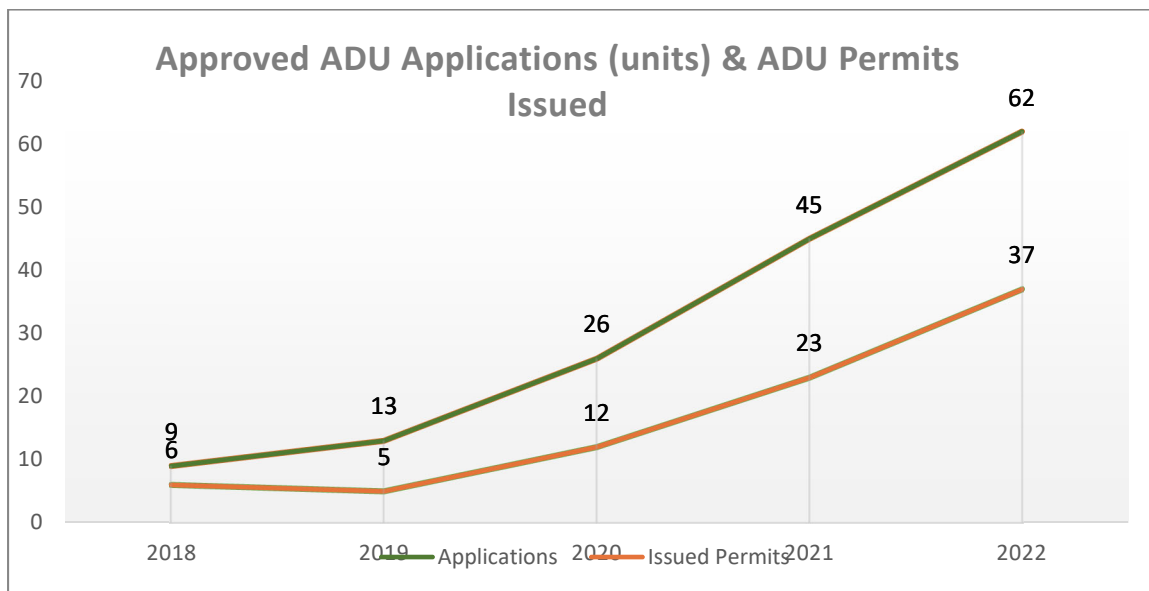
## 5.7 OTHER DEVELOPMENT, INCLUDING ACCESSORY DWELLING UNITS

### 5.7.1 Accessory Dwelling Units

The State allows jurisdictions to count projected development of accessory dwelling units (ADUs) based on prior years' production and trends. Substantial changes in State law pertaining to ADUs in the last several years have made it much easier for homeowners to create ADUs throughout Lafayette. According to City records, 95% of building permits for new housing units were ADUs or JADUs in 2021 (21 units) whereas ADUs and JADUs only comprised 18% of all residential building permits (15 units) in 2020. This increase in applications for these smaller units is due, in part, to the cost and time efficiency of the streamlined permitting processes and reduced construction costs of smaller unit sizes. Applications for ADUs and JADUs remain a high proportion of the proposed new residences in Lafayette with 37 new ADUs permitted in 2022. The City anticipates a sustained interest in this housing type over the coming years, with additional streamlining and reduced fee incentive programs. The City's RHNA strategy assumes that the number of ADU applications and permits will average 27 ADUs per year given the various programs the City will undertake to promote ADU production, for a total of 200 ADUs during the planning period.

In 2022, the City received 62 applications for ADUs and approved 37 permits for ADUs. According to data collected by the City, between 2018 and through 2022, the following number of ADU/JADU permits were issued:

Figure 1: ADU Applications and Permitting, 2018-2022



In addition, the City looked at permits issued through August 2023 to determine the current climate for ADU development and found that there continues to be increased interest in ADU development.

Table 5.45: Accessory Dwelling Unit Permitting Data for Rolling Calendar Year August 2020 – August 2023

Time Period	Issued ADU Permits
Aug 2020 – Aug 2021	18
Aug 2021 – Aug 2022	32
Aug 2022 – Aug 2023	32
<b>Average</b>	<b>27</b>

Based on this information, the inventory projects 27 ADUs per year over the life of the Housing Element. There are several factors that support this projected ADU development:

- **Zoning:** ADUs and Junior ADUs are permitted in every zoning district within the City. Parcels zoned for single family residences may develop both an ADU and a JADU and parcels with multifamily residences may have multiple ADUs and JADUs on the site. The addition of these smaller units throughout the City can efficiently use infill development to provide a housing product that is generally more affordable than others, such as single-family homes.
- **Development fees:** To support the production of ADUs, the City waives development fees for ADUs under 750 sq. ft. in area. The City has adopted Implementation Program 6.3.c to reduce fees for all ADUs as a Housing Element program to reduce the development costs for this housing product.
- **Lot sizes:** Much of the City is restricted to single family uses with larger minimum lot standards. The median lot size in Lafayette is approximately 0.4 acres and the average is close to 1 acre. The availability of land on these larger lots in these single family zoning districts presents a significant opportunity for the creation of more ADUs on currently undeveloped land as well as the conversion of existing accessory buildings, such as pool houses or garages, which are common throughout the City.
- **Household income:** Per American Community Survey data, in 2019, Lafayette’s median household income was approximately \$180,000, nearly 180% of the median income for Contra Costa County as a whole. Property owners with significant disposable income are more likely to have the resources available on-hand or access to a home equity line of credit to finance construction of ADUs. The City will continue to seek avenues to provide financial support to lower-income households for the construction of these wealth-building assets.
- **Population demographics:** Lafayette’s senior population continues to grow. According to 2020 American Community Survey data, approximately 14% of the City’s population is 65 years and older demonstrating a growing need for more senior housing options. Many seniors on fixed income would be unable to relocate given high housing costs, but the opportunity to create a smaller housing unit on their property has become an attractive option to remain within the community. The Senior Services Commission has expressed interest in ADUs as a housing option for the City’s aging population and the Housing Element includes a program to work with this Commission to further understand and support the housing needs of seniors.
- The analysis of permitting ADUs in the City of Lafayette, showing a significant uptick in permits (as well as applications) over the last several years confirms the City’s use of 27 ADUs annually in the inventory. In addition, this methodology was similarly used in a number of certified Housing

Elements in southern California, such as Yorba Linda.

The City distributed a survey to ADU applicants who submitted applications to the City over the past five years to gain a better understanding of the barriers to constructing ADUs. Respondents identified two items that would have been most helpful in the design and construction process as reduced development fees and pre-approved plans. The City aims to promote ADU production by addressing these barriers through development fee reductions and preparation of pre-approved plans to reduce the overall cost and time required to construct a secondary unit. These actions are included in the Implementation Plan in Appendix G as programs 6.3.c ADU Fee Reductions and 6.3.a Permit-Ready ADUs respectively.

A study conducted by the Association of Bay Area Governments (ABAG) from September 2021 found that ADUs are rented at a variety of rates, including at lower incomes. Although the State has not yet officially approved the conclusions of the study, it has agreed that jurisdictions can allocate ADUs towards a range of income levels. For the purposes of this inventory, ADUs are distributed according to the affordability mix recommended by ABAG for use in the Bay Area: 30% very low-income, 30% low-income, 30% moderate-income, and 10% above moderate-income. The income distribution included in the study also demonstrates ADUs are available at rents accessible to lower-income households and can be one means by which the City can affirmatively further fair housing.

### 5.7.2 Publicly-Owned Sites

The one publicly-owned site in the inventory is located at 949 Moraga Rd, which includes multiple City-owned parcels used for parking.

These sites have been on the inventory for two cycles and will comply with rezoning for reused sites. In addition, the Housing Element contains a new program 6.1.6 that commits to facilitate development in the planning period to address compliance with the Surplus Land Act, including outreach with developers and property owners, removing barriers to development, issuing requests for proposals, incentives, fee waivers, priority processing and financial assistance on sites owned by the City. The City will ensure that sites will be available for development during the eight-year planning period and has already received interest in affordable housing development on the site from multiple developers. The Housing Element projects that units on the City owned parcels will be developed at a range of incomes but trending more towards affordable, as will be required in a development agreement with whatever developer is selected for this project.

#### Development Milestones

- [Outreach to developers \(Q4 2024\)](#)
- [Prepare and issue request for proposals \(Q1-Q2 2025\)](#)
- [Review proposals and select development partners \(Q3-Q4 2025\)](#)
- [Design project and submit to City \(Q1-Q2 2026\)](#)
- [City review and approval process \(Q3-Q4 2026\)](#)
- [Provide incentives, fee waivers, priority processing and financial assistance \(Q3-Q4 2026\)](#)
- [In Q1 2027 the City will conduct a mid-term evaluation to determine whether the redevelopment is on-track to be completed by 2031](#)
- [If by Q4 2027 construction has not begun, and it is necessary to maintain the site in the inventory, the City will identify additional site\(s\) to accommodate the projected 23 BMR units within 6 months](#)

### 5.7.3 Lot Consolidation

Over the past decade, Lafayette has seen the redevelopment of many of its existing larger parcels in the downtown into new multifamily housing, which has left only smaller parcels available for residential development. Of the seven sites included in the 5<sup>th</sup> Cycle opportunity sites inventory that were developed with housing, five required lot consolidation. Further, the City has recently approved several projects involving lot consolidation on sites that were not included in the 5<sup>th</sup> Cycle sites inventory, including Lynx (4 lots) and The Mill at Brown Avenue (2 lots).

Remaining downtown parcels that are likely to be redeveloped based upon the State’s opportunity site criteria are generally smaller in size and will require consolidation. In Lafayette, lot consolidation is handled ministerially and the City has included a program to waive fees for lot consolidation requests as part of multifamily development applications anticipating the future need for lot consolidation to build housing downtown. The City’s experience with lot consolidation for recent development of new housing is shown in the following table.

Table 56: Recent Developments Involving Lot Consolidation

Project Name		Number of Lots	Number of Owners	Unit Yield
Lynx	3458 Mt. Diablo Blvd	2	1	9 (1 BMR)
Mill at Brown	3408 Mt. Diablo Blvd.	2	1	13 (2 BMR)
Oak Hill	1001 Oak Hill	4	3	51 (6 BMR)
Woodbury Highlands	3700 Mt. Diablo Blvd.	2	2	99 (15 BMR)
Samantha Townhomes	1050 Stuart St	3	1	12 (2 BMR)
Miramar/Corporate Terrace	3470 Mt. Diablo Blvd	2	2	166 (38 BMR)
Madison Park	3483 Golden Gate Way	2	1	71 (9 BMR)

Based on these trends, the sites inventory has been revised to ensure that small opportunity site development will require minimal lot consolidation. For example, the Blackwood Lane site, which previously was comprised of four owners of five parcels, has now been split into two separate sites, #16 and #22 so that neither opportunity site has more than two owners. Sites 11 and 12 – which were previously a single opportunity site – have similarly been split into two separate sites, partially to ensure ease of consolidation as well as because the resulting halves are separated by a substantial grade change.

[In addition, the City’s lot consolidation program now includes incentives to increase the density of a site, if certain conditions are met. Program 6.1.e, Multifamily Lot Consolidation Incentives, notes the City will enhance the feasibility of affordable housing development by incentivizing consolidation of two or more smaller adjacent parcels through tiered density increases that allow greater density when small parcels are consolidated into a single building site. The City shall provide increases to the base density \(excluding State density bonus\) depending on consolidated parcel size:](#)

<a href="#">Combined Parcel Size</a>	<a href="#">Allowable Density*</a>
<a href="#">Less than 0.50 acre</a>	<a href="#">Base density</a>
<a href="#">0.50 acre to 0.99 acre</a>	<a href="#">5% increase over base density</a>
<a href="#">1.00 acre or more</a>	<a href="#">10% increase over base density</a>

[\\* Excluding State density bonus](#)



### 5.7.4 Faith-Based Organizations in the Inventory

Senate Bill (SB) 4 is a law signed by the Governor to allow and streamline affordable housing on land owned by faith-based organizations (FBOs) and non-profit institutions of higher education. [New research by the Turner Center](#) indicates that there are approximately 38,800 acres of FBO land throughout the state that would be eligible for the benefits proposed under SB 4 and that may be well-positioned for new affordable housing development. ~~As of this writing, the bill is on the governor’s desk for approval.~~

According to Turner, FBOs have a significant amount of underutilized land that could be used to create affordable housing, and the topic of catalyzing housing development on land owned by FBOs has continued to interest policy makers at all levels of government. Several stakeholders, such as philanthropies and mission-driven nonprofits, have also continued efforts to provide support for FBOs to pursue affordable housing development in the form of technical assistance and financial support.<sup>3</sup> Like the City of Orinda, which includes FBOs in its inventory of housing opportunity sites, the City of Lafayette is home to [seven-five](#) FBOs, located throughout the community, that are included in the inventory. [Two FBOs have been removed based on requests from the City Council.](#)

Table 67: Summary of Faith Based Lands Potentially Available for Housing Development

Name	Location	Total Acres	Usable Acres	DU/ AC	Total Units	Realistic Units	VHFHSZ	SB 99
<a href="#">St. Anselm Episcopal</a>	<a href="#">682 Michael Lane</a>	<del>2.62</del>	<del>0.70</del>	35	25	22	<del>N</del>	<del>N</del>
Calvary Baptist/ Living Hope	320 Stanley Blvd	2.29	0.89	35	31	26	N	N
<a href="#">St Perpetua</a>	<a href="#">3454 Hamlin Road (St Mary's Frontage)</a>	<del>14.35</del>	<del>1.69</del>	35	59	52	<del>N</del>	<del>N</del>
Our Savior Lutheran	1035 Carol Lane	4.98	1.48	35	52	45	N	N
Sun Valley Bible Chapel	1031 Leland Drive	2.58	1.56	35	55	48	N	N
Temple Isaiah (N Parking Lot)	945 Risa Road	10.73	1.24	35	43	38	N	N
Lafayette United Methodist	972 Hough/948 East	1.52	1.52	35	52	45	N	N
		<b>52.91</b>	<del>6.69</del>		<b>233</b>	<b>203</b>		

Of the total 52.91 acres owned by FBOs, there are an estimated total of ~~9.08~~[6.69](#) acres available for development, based on factors including slope, maintaining existing buildings, whether in the Very High Fire Hazard Severity Zones (VHFHSZ), etc. None of the sites are SB 99 parcels, which are evacuation-challenged parcels with only one means of ingress/egress.

Although FBOs can avail themselves of the provisions of SB 4, the City has included AFFH Action 2.3 to develop FBOs at a higher density (35 du/ac) and includes them in the housing inventory of opportunity sites. Other cities with certified Housing Elements – among them Orinda, Los Altos, Long Beach, and El Monte – have included FBOs in their inventories. This Housing Element commits to

<sup>3</sup>Turner Center for Housing Innovation: “The Housing Potential for Land Owned by Faith-Based Organizations and Colleges”, August 2023.

rezoning FBO parcels to 35 du/acre and includes a program to incentivize developers to use the City’s program, rather than SB 4. The inventory uses a similar distribution of units by income as found in SB 4, but includes a provision for some above moderate-income units:

Program	Very Low Income	Low Income	Moderate Income	Employee Housing	Above Moderate
SB 4	75%		20%	5%	
City	37.5%	37.5%	20%	N/A	5%

### 5.7.5 Inventory Summary

As seen in [Table 8-](#) below, the adequate sites analysis demonstrates that there is enough land to meet the City’s RHNA [allocation](#). The analysis for affordable housing units for extremely low, very low, and low-income households is based on the assumption that land zoned at densities higher than 30 units to the acre can facilitate affordable housing development. [Less](#) than 50% of the City’s below market rate housing would be developed on lands that are currently occupied with existing uses. [Further](#), the city is experiencing a high volume of residential and mixed-use development projects looking to revitalize these sites and seeking density bonus and other incentives to achieve higher density residential development.

The inventory of opportunity sites includes a range of sites located Citywide that could be developed with up to [2,144,114](#) new housing units, plus a buffer of [approximately 690-663](#) units to ensure ongoing compliance with “no net loss” provisions.

Table 78: Sites Inventory Affordability Breakdown

Planning Area	Common Name	Very Low-Income	Low-Income	Moderate Income	Above Moderate Income	Total	% of Total
<a href="#">RHNA</a>		<a href="#">599</a>	<a href="#">344</a>	<a href="#">326</a>	<a href="#">845</a>	<a href="#">2,114</a>	-
<a href="#">Pipeline</a>		<a href="#">6</a>	<a href="#">66</a>	<a href="#">20</a>	<a href="#">472</a>	<a href="#">564</a>	<a href="#">27%</a>
<a href="#">ADUs</a>		<a href="#">64</a>	<a href="#">64</a>	<a href="#">64</a>	<a href="#">24</a>	<a href="#">216</a>	<a href="#">10%</a>
<a href="#">Remaining RHNA</a>		<a href="#">529</a>	<a href="#">214</a>	<a href="#">242</a>	<a href="#">349</a>	<a href="#">1,334</a>	<a href="#">63%</a>
-		-	-	-	-	-	-
<a href="#">1</a>	<a href="#">West End North</a>	<a href="#">11</a>	<a href="#">6</a>	<a href="#">6</a>	<a href="#">15</a>	<a href="#">38</a>	<a href="#">2%</a>
<a href="#">2</a>	<a href="#">West End South</a>	<a href="#">55</a>	<a href="#">34</a>	<a href="#">28</a>	<a href="#">79</a>	<a href="#">196</a>	<a href="#">10%</a>
<a href="#">3</a>	<a href="#">Downtown Core North</a>	<a href="#">59</a>	<a href="#">37</a>	<a href="#">31</a>	<a href="#">127</a>	<a href="#">254</a>	<a href="#">13%</a>
<a href="#">4</a>	<a href="#">Downtown Core South</a>	<a href="#">12</a>	<a href="#">7</a>	<a href="#">7</a>	<a href="#">17</a>	<a href="#">43</a>	<a href="#">2%</a>
<a href="#">5</a>	<a href="#">East End North</a>	<a href="#">162</a>	<a href="#">93</a>	<a href="#">89</a>	<a href="#">232</a>	<a href="#">576</a>	<a href="#">29%</a>
<a href="#">6</a>	<a href="#">East End South</a>	<a href="#">58</a>	<a href="#">37</a>	<a href="#">33</a>	<a href="#">77</a>	<a href="#">205</a>	<a href="#">10%</a>
<a href="#">9</a>	<a href="#">DeSilva N/S</a>	<a href="#">110</a>	<a href="#">110</a>	<a href="#">74</a>	<a href="#">74</a>	<a href="#">368</a>	<a href="#">18%</a>
<a href="#">13</a>	<a href="#">Dewing/Brook/Rosedale</a>	<a href="#">38</a>	<a href="#">36</a>	<a href="#">21</a>	<a href="#">24</a>	<a href="#">119</a>	<a href="#">6%</a>
<a href="#">Scattered Sites</a>	<a href="#">FBOs</a>	<a href="#">76</a>	<a href="#">76</a>	<a href="#">41</a>	<a href="#">9</a>	<a href="#">202</a>	<a href="#">10%</a>
	<b>TOTAL</b>	<b><a href="#">581</a></b>	<b><a href="#">436</a></b>	<b><a href="#">330</a></b>	<b><a href="#">654</a></b>	<b><a href="#">2,001</a></b>	-
<a href="#">3523 Golden Gateway*</a>		-	<a href="#">-2</a>	<a href="#">-2</a>	-	<a href="#">-4</a>	-
	<a href="#">Buffer</a>	<a href="#">52</a>	<a href="#">220</a>	<a href="#">86</a>	<a href="#">305</a>	<a href="#">663</a>	-
		<a href="#">10%</a>	<a href="#">103%</a>	<a href="#">36%</a>	<a href="#">87%</a>	<a href="#">50%</a>	-
	<a href="#">Overall LI Buffer</a>	<a href="#">37%</a>					

\*Units lost as part of a commercial development

The Sites Inventory was developed to meet all applicable statutory requirements and provide a realistic and achievable roadmap for the city to meet and potentially exceed its RHNA. The Sites Inventory is summarized as follows:

- The housing sites are spread throughout the downtown, with all sites located in the highest resource areas, to meet AFFH requirements.
- The housing projections require some rezoning in the downtown, as well as the rezoning of the DeSilva South parcel on the west end of town.
- The inventory removes sites for potential development from Very High Fire Hazard Severity Zones above Highway 24.
- The inventory relies on Faith Based Organizations to meet some of the RHNA allocation for lower income households, as well as mobility options within the community.
- It includes conservative production and density assumptions for the identified housing sites.
- The city has a significant number of pipeline projects that are anticipated to be completed by the end of the 6<sup>th</sup> housing cycle.
  - 150+ housing units are currently under construction; and
  - 570+ housing units are approved or entitled.
- The housing projections do not have any reliance on new units developed under SB 9.

In addition, the City's General Plan Update process is currently underway, and other Elements of the General Plan will be updated to be consistent with the Housing Element as part of this process.

## 7 NON-VACANT AND RE-USED SITES ANALYSIS

State law requires that for nonvacant sites, the City must demonstrate the potential and likelihood of additional development within the planning period based on extent to which existing uses may constitute an impediment to additional residential development, past experience with converting existing uses to higher density residential development, current market demand for the existing use, 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.

New multifamily development within Lafayette will be predominantly located within the downtown where there are few sites that can be considered vacant. Given the lack of vacant land, the City has developed a substantial track record of nonvacant sites redeveloping from non-housing to housing uses. Subsequent to the last Housing Element, the City revised the zoning code to allow residential development by-right in the Downtown area, resulting in a substantial increase in the number of new housing projects that were proposed and approved. Of the 24 sites included in the 5<sup>th</sup> Cycle Housing Element, 10 have been redeveloped into multifamily housing on nonvacant sites. Several additional sites not included in the inventory have also been approved for new housing totaling hundreds of units; all the sites under redevelopment were nonvacant, some with existing residential units that will be replaced. Two projects, Lafayette Lane and West End, replaced existing commercial properties.

The following table illustrates that [474-567](#) total units in the pipeline are being developed on non-vacant sites. Of these, [65-125](#) units are affordable, either because of inclusionary obligations or because the projects used density bonuses resulting in more affordable units than those required under

inclusionary housing requirements. In addition, the uses existing on-site were fully operational at the time development proposals were submitted to the City demonstrating that even properties with active commercial uses have been changed to residential. The existing uses included offices, retail, a gas station and auto repair facility, and associated parking areas. Examples in the table below included a mix of active and inactive uses. Seven out of ten of these projects that are either approved or under construction are on sites that were not identified as opportunity sites in the 5<sup>th</sup> Cycle Housing Element. Additionally, most of the existing structures on these sites are newer than those on opportunity sites included as part of the sites inventory. One project of particular note is Lafayette Lane, which is an office complex with several active leases that has been approved for conversion to a mixed-use development with 166 new housing units.

Project Name	Acres	In Prior HE?	Prior Use	Year Built	Prior FAR	New FAR	Imp/ Land Value Ratio	Single Story	BMR	TOTAL	Comments
"The Brant" (Lennar) 3666 Mt Diablo Blvd	2.00	Y	Restaurant, Office Building, Auto Repair and Parking	-	<u>0.3</u>	<u>1.2</u>	-	Y	10	66	Existing structures were aging (built in the 1950s) and the lots had substantial surface parking lots. Given its location near goods, services, and transit, the site was ideal for redevelopment into a mixed-use project.
Outdo 3742 Mt Diablo Blvd	0.37	N	Offices and Parking	1977	<u>0.4</u>	<u>0.5</u>	1.4	N	0	6	The site had leased offices in an aging office building <u>which the applicant sought to convert to housing.</u>
"Woodbury Highlands" 5 Woodbury Highlands Court	2.00	Y	Two Office Complexes and Parking	1975	<u>0.3</u>	<u>0.7</u>	1.5	N	15	99	The site had leased offices
"West End" 3721 Mt Diablo Blvd	0.30	N	Convalescent Home and Parking	1961	<u>0.5</u>	<u>2.9</u>	0.7	Y	2	12	This property had an aging structure that did not take advantage of the full development potential of the lot.
Lenox Lafayette Circle 210 Lafayette Circle	0.38	N	Restaurant and Parking	1950	<u>0.1</u>	<u>1.5</u>	-	Y	2	12	The site contained an aging restaurant building with a large parking lot to the rear.
"Lafayette Lane" (Corporate Terrace) 3470 Mt. Diablo Blvd	4.16	N	Office Complex and Parking	1982	<u>0.5</u>	<u>1.2</u>	3.0	N	38	166	The office complex was largely leased at the time of the development proposal.
Lynx/Schadek 3458 Mt Diablo Blvd	0.76	Y	Construction Office and Parking	-	<u>0.2</u>	<u>0.7</u>	0.2	Y	1	9	The existing use was no longer the highest and best use for the property and <u>is located in</u> the East End, which has seen redevelopment from similar uses to mixed-use projects.

"The Mill at Brown Avenue" 3408 Mt. Diablo Blvd	0.38	N	Gas Station/Auto Repair	1959 & 1961	<u>0.3</u>	<u>1.5</u>	-	Y	2	13	The East End contains numerous automotive services but has <u>had-seen</u> several parcels <u>be</u> -redeveloped into mixed use development.
Madison Park 3483 Golden Gate Way	1.49	N	Residential Units Partially Converted to Office/Service and Parking	1962	<u>0.4</u>	<u>1.6</u>	-	N	46	71	The existing structure contained a mix of apartments and personal services, such as hair stylists. The structure was not well maintained, and the large, regularly shaped parcel was desirable for redevelopment.
950 Hough	0.43	N	Retail Service and Parking	1986	<u>0.2</u>	<u>2.5</u>	-	Y	3	20	Existing 3,000 sq. ft. one story commercial serving multiple small businesses.
<u>"Oak Hill Proposal"</u> <u>1001, 1007, and 1009 Oak Hill Rd,</u>	<u>1.13</u>	<u>N</u>	<u>Office, Retail, and Parking</u>	<u>1950, 1961, &amp; 1981</u>	<u>0.3</u>	<u>2.5</u>	<u>.01, 0.9, 1.3, &amp; 3.9</u>	<u>N</u>	<u>6 (prop osed)</u>	<u>51 (propo sed)</u>	<u>Existing retail and office. Parcels are consolidated by single owner. Not yet pipeline project as only initial discussions have taken place. Rezoning will allow density increase from 35 to 60 du/acre.</u>
<u>Valley View/Freethy</u> <u>1059 Aileen St.</u>	<u>1</u>		<u>Vacant single-family residential</u>	<u>1938, 1944, &amp; 1955</u>	<u>0.2</u>	<u>1.8</u>	<u>0.7, 0.9, &amp; 1.1</u>	<u>Y</u>	<u>0</u>	<u>42</u>	<u>Parcels are combined under single owner and were part of a previous multifamily housing approval which has since expired.</u>
			<b>TOTALS</b>		<u>0.3</u>	<u>1.6</u>	<u>&lt;-average</u>		<u>125</u>	<u>567</u>	

Table 89: Projects including Redevelopment of Non-Vacant Sites

As demonstrated by the range of previous land uses for these pending projects, the potential value of new housing in Lafayette often outweighs the value of continuing current uses, regardless of contract terms. In the sites inventory, the City has identified non-vacant sites with existing uses similar to those on redeveloped sites to best reflect the local market trends. In addition, many of these sites were in prior Housing Element inventories, indicating that there is a trend for prior sites to be redeveloped, which was facilitated by making housing development by-right.

In addition to these pipeline projects, the City receives ongoing interest from developers regarding the possibility of redeveloping sites from commercial uses to residential uses. As the demand for commercial space, especially for offices, continues to evolve, some developers will look to redevelop older commercial sites for housing, a trend that will likely continue for the foreseeable future.

Government Code Section 65583.2(g)(2) states that if a housing element relies on nonvacant sites to accommodate 50% or more of its RHNA for lower income households, the nonvacant site's existing use is presumed to impede additional residential development, unless the housing element describes findings based on substantial evidence that the use will likely be discontinued during the planning period. As noted in Section 5.5, the City used three different models to distribute units by affordability on sites. For vacant sites, the distribution was 30% very low-income, 30% low-income, 20% moderate-income, and 20% above moderate income. Using this distribution, the City meets this requirement with only 49% of lower income units on nonvacant sites.

Lafayette Housing Element						
Staff Recommendation: Increase Distribution Percentages on Vacant Sites						
Summary						
Map Area Density Allocations						
Map Area	Description	# Opp Sites	Units/Acre	Comment	Unit Total	
1A	West End North/N	1	0.81	60	Upzone from 35 du/a	38
1B	West End North/S	0	0	35	No change to existing zoning	-
2	West End South	6	4.64	35	No change to existing zoning	196
3A	Downtown Core North/N	6	5.53	60	Upzone from 35 du/a	254
3B	Downtown Core North/S	0	0	35	No change to existing zoning	-
4	Downtown Core South	2	1.39	35	No change to existing zoning	43
5A	East End North/N	6	6.94	60	Upzone from 35 du/a	365
5B	East End North/S	9	5.80	35	No change to existing zoning	211
6	East End South	0	7.43	35	No change to existing zoning	205
7B	Cal Trans/AVF Parking	0	1.22	10	No change to existing zoning	---
8	Deer Hill Corridor	0	17.85	10	No change to existing zoning	---
9-1	DeSilva South	1	9.75	35	Upzone	308
9-2	DeSilva North	1	1.97	35	Upzone	60
13	Dewing/Brook/Rosedale	3	3.83	35	Some changes to existing zoning	119
SS	Faith Based Organizations	5	9.08	35	Upzone	202
					<b>TOTAL</b>	<b>2,001</b>

RHNA Summary					
	VLI	LI	MOD	AMOD	TOTAL
RHNA Allocation	599	344	326	845	2,114
Pipeline Projects (Including ADUs)	70	130	84	496	780
<b>Net RHNA Remaining</b>	<b>529</b>	<b>214</b>	<b>242</b>	<b>349</b>	<b>1,334</b>

OppSites Total Capacity					
	VLI	LI	MOD	AMOD	TOTAL
3523 Golden Gate Way (units to be demo'c)	0	-2	-2	0	-4
Buffer (units) [Total Capacity - Net RHNA]	52	220	86	305	663
Buffer (%) [Buffer Units/Net RHNA]	10%	103%	36%	87%	50%
Lower Income Buffer (VLI + LI)	37%				

Assumptions for LI Analysis Below					
	VLI	LI	MOD	AMOD	TOTAL
<b>Income Distribution on Vacant Sites</b>	<b>30%</b>	<b>30%</b>	<b>20%</b>	<b>20%</b>	<b>100%</b>

Lower Income Units	
Entitled Pipeline Projects (VLI & LI)	72
Accessory Dwelling Unit Capacity (VLI & LI)	128
Capacity on Vacant Sites (VLI & LI)	278
<b>Total Capacity (NOT related to non-vacant sites)</b>	<b>478</b>
RHNA on Nonvacant sites	465
<b>% Lower Income RHNA on Nonvacant sites</b>	<b>49%</b>

Assumptions:	
Council - approved densities	
30-30-20-20 distribution for vacant sites	
SB 4 distribution for FBOs	
RHNA allocation for all other sites	

Lafayette’s downtown was historically a commercial center and land uses were predominantly commercial in nature. However, over the past twenty years, much of the land that has been redeveloped throughout the downtown has resulted in the replacement of commercial uses with residential infill projects. Over the past ten years, there has been one application filed for a new commercial building which, though entitled, has not moved forward (100 Lafayette Circle). In November 2012 the City received an application to build a new bank on a vacant site at 3603 Mt. Diablo Boulevard. This application was initially deemed incomplete, was ultimately completed and approved and construction drawings were submitted and approved in August 2016. This one new commercial development in the downtown in the last ten years is in its fifth year of serving residents of the community.

Recent mixed-use projects along Mt. Diablo Boulevard demonstrate that substantial housing development can occur alongside ground floor commercial. The following table illustrates that residential development averages about 90% or higher of overall square footage. In addition, despite the fact these two projects did not use the density bonus, they still were able to achieve an average of 124% of zoned capacity.

Table 109: Percentage Residential on Mixed-Use Sites

Mixed Use Project	Percentage Residential	Percentage Commercial	Description	Density Bonus Status
Merrill Gardens	89%	11%	72 units on 1.34 acres (153% of zoned capacity at 35 du/a)	No density bonus, concessions, or waivers
Lennar (The Brant)	96%	4%	66 units on 2.05 acres (95% of zoned density at 35 du/a)	No density bonus, concessions, or waivers
<b>AVG</b>	<b>93%</b>	<b>7%</b>		

#### Likelihood of Commercial Development

Based on the City’s records over the past ten years, there has only been one commercial development application on any site that could be developed with either commercial or residential. Public comment has pointed to a number of commercial developments to assert that new commercial development continues and must be factored into the sites analysis. The only commercial development since 2013 was 3540/3546 Mount Diablo Boulevard. Safeway demolished a Valero gas station in 2017, and constructed additional parking there in 2018. *This application was initially submitted in 2012 and thus was not captured in the 10-year look-back period. The applicant re-filed in 2015 which was ultimately approved. The gas station was demolished to expand the Safeway parking lot.*

Other projects cited as evidence that commercial development continues in Lafayette:

- 3603 Mount Diablo Boulevard: The owner constructed a new one-story bank building (for Chase Bank) on land formerly occupied by a gas station demolished in 2002 and then left undeveloped until 2016. *This application was submitted in 2012 and thus was not captured in the 10-year look-back period.*



- 3800 Mount Diablo Boulevard, at Risa Road: A new two-story medical building was built adjacent to the Woodbury housing development in approximately 2014. *This application was submitted in 2012 and thus was not captured in the 10-year look-back period.*
- 100 Lafayette Circle – this the Chamber of Commerce’s replacement building that burned in a fire in 2017. *This application was submitted in 2019 and approved; however, the project has not been built and the entitlements have lapsed. We have similarly not included entitled housing projects whose entitlements have lapsed in the inventory.*

Given that there has been only one commercial development application since 2013, the likelihood of commercial development on opportunity sites is extremely low, even though the City continues to actively seek out best practices for preserving space for local businesses and a vibrant local economy. Based on these analyses of recent developments, including those mixed use projects with residential, the City further finds that a minimum density requirement of 88% will not be a constraint on future development. Accordingly, the City has included Program 10.3.g to amend the zoning ordinance requiring that all new multifamily housing proposed on opportunity sites in commercial or residential zones be developed at a minimum density of 88% of zoned density to ensure maximizing housing on these sites.

## 9 COMPLIANCE WITH AB 725

For jurisdictions that are considered Metropolitan, the element must identify at least 25 percent of the remaining moderate and above-moderate RHNA on sites that allow at least four units of housing (e.g., four plex or greater) (Gov. Code, § 65583.2, subd. (c)(4)). The inventory demonstrates there are no sites that allow less than the prescribed amount for moderate and above-moderate income housing.

## APPENDIX C – Attachment A Funding Sources

Program	Description
Federal Programs	
Continuum of Care (CoC) Program	Funding is available on an annual basis through HUD to quickly rehouse homeless individuals and families.
Farm Labor Housing Direct Loans & Grants (Section 514)	Provides affordable financing to develop housing for domestic farm laborers.
Housing Choice Vouchers	The government's major program for assisting very low-income families, the elderly, and the disabled to afford housing through rental subsidies that pays the difference between the current fair market rent and what a tenant can afford to pay (i.e., 30 percent of their income).
Home Ownership for People Everywhere (HOPE)	Provides grants to low-income people to achieve homeownership.
Housing Opportunities for Persons with AIDS (HOPWA)	Funds are made available countywide for supportive social services, affordable housing development, and rental assistance to persons living with HIV/AIDS.
Housing Preservation Grants	Grants to sponsoring organizations for the repair or rehabilitation of housing owned or occupied by low- and very-low-income rural citizens.
Low-Income Housing Tax Credit (LIHTC) Program	Tax credits for the acquisition, rehabilitation, or new construction of rental housing for lower-income households. Project equity is raised through the sale of tax benefits to investors. 4% and 9% credits available.
Section 108 Loan Guarantee Program	Loans to CDBG entitlement jurisdictions for capital improvement projects that benefit low- and moderate-income persons.
HUD Section 202 Supportive Housing for the Elderly Program	Interest-free capital advance to private, non-profit sponsors to cover the costs of construction, rehabilitation, or acquisition of very low-income senior housing.
HUD Section 221(d)(3) and 221(d)(4)	Insures loans for construction or substantial rehabilitation of multi-family rental, cooperative, and single-room occupancy housing.
Section 811 Project Rental Assistance	Section 811 Project Rental Assistance offers long-term project-based rental assistance funding from HUD. Opportunities to apply for this project-based assistance are through a Notice of Funding Availability published by CalHFA.
State Programs	

## APPENDIX C – Attachment A Funding Sources

Program	Description
Affordable Housing and Sustainable Communities Program (AHSC)	Funds land use, housing, transportation, and land preservation projects that support infill and compact development and GHG emissions.
CalHome	Grants to local public agencies and non-profits to assist first-time homebuyers become or remain homeowners through deferred-payment loans. Funds can also be used for ADU/JADU assistance (i.e., construction, repair, reconstruction, or rehabilitation).
CalHFA Residential Development Loan Program	Loans to cities for affordable, infill, owner-occupied housing developments.
California Emergency Solutions and Housing (CESH)	Grants for activities to assist persons experiencing or at-risk of homelessness.
California Self-Help Housing Program	Grants for sponsor organizations that provide technical assistance for low- and moderate-income families to build their homes with their own labor.
Community Development Block Grant-Corona Virus (CDBG-CV1) – CARES Act Funding	A subsidiary of the CDBG program that provides relief to eligible entities due to hardship caused by COVID-19.
Emergency Housing Assistance Program (EHAP)	Funds for emergency shelter, transitional housing, and related services for the homeless and those at risk of losing their housing.
Golden State Acquisition Fund (GSAF)	Short-term loans (up to five-years) to developers for affordable housing acquisition or preservation.
Homekey	Grants to acquire and rehabilitate a variety of housing types (e.g., hotels, motels, vacant apartment buildings) to serve people experiencing homelessness or who are also at risk of serious illness from COVID-19.
Homeless Emergency Aid Program (HEAP)	\$500 million block grant program designed to provide direct assistance to cities, counties and CoCs to address the homelessness crisis.
Homeless, Housing Assistance and Prevention (HHAP) Program	<p>HHAP Round 1: \$650 million grant to local jurisdictions to support regional coordination and expand or develop local capacity to address immediate homelessness challenges.</p> <p>Round 2: \$300 million grant that provides support to continue to build on regional collaboration to develop a unified regional response to homelessness.</p>
Housing for a Healthy California (HHC)	Funding for supportive housing opportunities intended to create supportive housing for individuals who are recipients of or eligible for health provided through Medi-Cal.

## APPENDIX C – Attachment A Funding Sources

Program	Description
Housing Navigators Program	\$5 million in funding to counties for the support of housing navigators to help young adults aged 18 to 21 secure and maintain housing, with priority given to young adults in the foster care system.
Housing-Related Parks Program	Funds the creation of new park and recreation facilities or improvement of existing park and recreation facilities that are associated with rental and ownership projects that are affordable to very low- and low-income households.
Infill Infrastructure Grant Program (IIG)	Grant funding for infrastructure improvements for new infill housing in residential and/or mixed-use projects.
Local Early Action Planning (LEAP) Grants	Assists cities and counties to plan for housing through providing one-time, non-competitive planning grants.
Local Housing Trust Fund Program (LHTF)	Lending for construction of rental housing projects with units restricted for at least 55 years to households earning less than 60%AMI. State funds matches local housing trust funds as down-payment assistance to first-time homebuyers.
Mortgage Credit Certificate (MCC) Program	Income tax credits to first-time homebuyers to buy new or existing homes.
Multi-Family Housing Program (MHP)	Low-interest, long-term deferred-payment permanent loans for new construction, rehabilitation, and preservation of permanent and transitional rental housing for lower-income households.
No Place Like Home	Invests in the development of permanent supportive housing for persons who need mental health services and are experiencing homelessness or chronic homelessness, or at risk of chronic homelessness.
Permanent Local Housing Allocation Program (PLHA)	Grants (competitive for non-entitlement jurisdictions) available to cities to assist in increasing the supply of affordable rental and ownership housing, facilitate housing affordability, and ensure geographic equity in the distribution of funds.
Predevelopment Loan Program (PDLP)	Short-term loans to cities and non-profit developers for the continued preservation, construction, rehabilitation, or conversion of assisted housing primarily for low-income households.
Regional Early Action Planning (REAP) Grants	Grant funding intended to help COGs and other regional entities collaborate on projects that have a broader regional impact on housing.

## APPENDIX C – Attachment A Funding Sources

Program	Description
SB 2 Planning Grants Program	One-time funding and technical assistance to help local governments adopt and implement plans and process improvements that streamline housing approvals and accelerate housing production.
Supportive Housing Multi-Family Housing Program (SHMHP)	Low-interest loans to developers of permanent affordable rental housing that contain supportive housing units.
Transformative Climate Communities (TCC) Program	Competitive grants for planning and implementation of community-led development and infrastructure projects that achieve major environmental, health, and economic benefits in the state's most disadvantaged communities.
Transit Oriented Development Housing Program (TOD)	Low-interest loans and grants for rental housing that includes affordable units near transit.
Transitional Housing Program (THP)	Funding to counties for child welfare services agencies to help young adults aged 18 to 25 find and maintain housing, with priority given to those previously in the foster care or probation systems.
Veterans Housing and Homelessness Prevention Program (VHHP)	Long-term loans for development or preservation of rental housing for very low- and low-income veterans and their families.
Workforce Housing Program	Government bonds issued to cities to acquire and convert market-rate apartments to housing affordable to moderate-/middle-income households, generally households earning 80% to 120% of AMI.

## Lafayette Housing Element April 22, 2024 City Council-Approved Inventory

### Summary Map Area Density Allocations

Map Area	Description		# OppSites	Units/Acre	Comment	Unit Total
1A	West End	North/N	1	0.81	Upzone from 35 du/a	38
1B	West End	North/S	0	0	No change to existing zoning	-
2	West End	South	6	4.64	No change to existing zoning	196
3A	Downtown Core	North/N	6	5.53	Upzone from 35 du/a	254
3B	Downtown Core	North/S	0	0	No change to existing zoning	-
4	Downtown Core	South	2	1.39	No change to existing zoning	43
5A	East End	North/N	6	6.94	Upzone from 35 du/a	365
5B	East End	North/S	9	5.80	No change to existing zoning	211
6	East End	South	0	7.43	No change to existing zoning	205
7B	Cal Trans/WF Parking		0	1.22	No change to existing zoning	—
8	Deer Hill Corridor		0	17.85	No change to existing zoning	—
9-1	DeSilva South		1	9.75	Upzone	308
9-2	DeSilva North		1	1.97	Upzone	60
13	Dewing/Brook/Rosedale		3	3.83	Some changes to existing zoning	119
SS	Faith Based Organizations		5	6.69	Upzone	202
			<b>40</b>		<b>TOTAL</b>	<b>2,001</b>

**Assumptions:**

- Council -approved densities
- 30-30-20-20 distribution for vacant sites
- SB 4 distribution for FBOs
- RHNA allocation for all other sites
- Note: error of 8 units on McCallou's has been corrected

RHNA Summary					
	VLI	LI	MOD	AMOD	TOTAL
RHNA Allocation	599	344	326	845	2,114
Pipeline Projects (Including ADUs)	70	130	84	496	780
<b>Net RHNA Remaining</b>	<b>529</b>	<b>214</b>	<b>242</b>	<b>349</b>	<b>1,334</b>

OppSites Total Capacity	581	436	330	654	2,001
3523 Golden Gate Way (units to be demo'd)	0	-2	-2	0	-4
Buffer (units) [Total Capacity - Net RHNA]	52	220	86	305	663
Buffer (%) [Buffer Units/Net RHNA]	10%	103%	36%	87%	50%
Lower Income Buffer (VLI + LI)	<b>37%</b>				

Assumptions for LI Analysis Below	VLI	LI	MOD	AMOD	TOTAL
Income Distribution on Vacant Sites	30%	30%	20%	20%	100%

Lower Income Units	
Entitled Pipeline Projects (VLI & LI)	72
Accessory Dwelling Unit Capacity (VLI & LI)	128
Capacity on Vacant Sites (VLI & LI)	278
<b>Total Capacity (NOT related to non-vacant sites)</b>	<b>478</b>
RHNA on Nonvacant sites	465
<b>% Lower Income RHNA on Nonvacant sites</b>	<b>49%</b>

**Lafayette Housing Element**  
**April 22, 2024 Council-Approved Opportunity Sites Inventory**

Type of Site	Map Area	Site ID	General Plan District	North or South of Mt. Diablo Blvd.	Site Name	Address	APN	Acres	Included in previous Element	Density	Maximum Mathematical Yield	Realistic / Actual Yield	VLI	LI	MOD	AMOD	TOTAL
												RHNA	599	344	326	845	2,114
Pipeline	1	-	West End	North	"The Brant" (Lennar)	3666 Mt Diablo Blvd	241-020-020	2.00	Y			66	2	2	6	56	66
Pipeline	1	-	West End	North	Outdo	3742 Mt Diablo Blvd	241-010-042	0.37	N			581	0	0	0	6	6
Pipeline	1	-	West End	North	"Woodbury Highlands"	5 Woodbury Highlands Court	241-020-011	6.55	Y			99	3	0	4	92	99
Pipeline	2	-	West End	South	"West End"	3721 Mt Diablo	241-050-015	0.30	N			12	0	0	2	10	12
Pipeline	4	-	Downtown Core	South	Lenox Lafayette Circle	210 Lafayette Circle	243-150-017	0.38	N			12	0	0	2	10	12
Pipeline	5	-	East End	North	"Samantha Townhomes"	Stuart Street (east)	233-021-011,012, 017	0.60	Y			12	1	0	1	10	12
Pipeline	5	-	East End	North	Lynx/Schadek	3458 Mt Diablo	243-011-016,030,042,056	0.76	Y			9	0	1	0	8	9
Pipeline	5	-	East End	North	"The Mill at Brown Avenue"	3408 Mt. Diablo	233-032-030	0.38	N			13	0	0	2	11	13
Pipeline	13	-	Dewing/Brook/Rosedale	Neighborhood II	950 Hough (Griggs)	950 Hough Ave	243-190-003	0.43	N			20	0	0	3	17	20
Pipeline	SS	-	Scattered Sites	Deer Hill Adjacent	Terraces of Lafayette (O'Brien)	3233 Deer Hill	233-131-029	22.50	N			315	0	63	0	252	315
Scattered Sites	SS	-	Scattered Sites			Scattered Sites	New Accessory Dwelling Units		N		216	216	64	64	64	24	216
<b>TOTAL PIPELINE</b>												70	130	84	496	780	
<b>NET REMAINING RHNA</b>												529	214	242	349	1,334	
Reused	1A	1	West End	North/N	Guinan Blaney	954 Risa Road	241-010-022, 023, 029	0.81	Y	60	49	38	11	6	6	15	38
# OppSites	1A							0.81					11	6	6	15	38
# OppSites	1B		West End	North/S				0		35	0	0	0	0	0	0	0
Reused	2	2	West End	South	Diamond K/Ahmadi Buildings	3671 Mt. Diablo Blvd	241-030-002,003,004,031	1.34	Y	35	47	41	12	7	6	17	42
Reused	2	3	West End	South	Kelly Moore	3707 Mt. Diablo Blvd	241-050-006,007,017,018	0.95	Y	35	33	29	8	5	4	12	29
New	2	4	West End	South	Dudum/Hannah	959 Mt View Drive	241-030-011, 010, 012, 013, 014	0.95	N	35	33	29	8	5	4	12	29
New	2	5	West End	South	Office Building (Trans Bay Cable)	3687 Mt. Diablo Blvd	241-050-022	0.90	N	35	32	28	8	5	4	11	28
	2	6	West End	South	Desco Plaza I and Rear Parking	3685 Mt. Diablo Blvd	241-040-024, 023	1.70	N	35	60	53	15	9	8	21	53
New	2	7	West End	South	Desco Plaza II Front Parking	3675 Mt. Diablo Blvd	241-030-034	0.50	N	35	18	16	4	3	2	6	15
# OppSites	2							4.64					55	34	28	79	196
New	3A	8	Downtown Core	North/N	ATT	Happy Valley Road	243-050-013	0.60	N	60	36	32	9	5	5	13	32
New	3A	9	Downtown Core	North/N	Oak Hill Proposal	1001, 1007, and 1009 Oak Hill Rd	243-030-033, 041, 020, 038	1.13	N	60	68	60	2	4	0	45	51

Type of Site	Map Area	Site ID	General Plan District	North or South of Mt. Diablo Blvd.	Site Name	Address	APN	Acres	Included in previous Element	Density	Maximum Mathematical Yield	Realistic / Actual Yield	VLI	LI	MOD	AMOD	TOTAL
New	3A	10	Downtown Core	North/N		3603 Happy Valley	243-060-002, 019	0.62	N	60	37	25	7	4	4	10	25
New	3A	11	Downtown Core	North/N	McCallou's	1018 Oak Hill	243-020-039	1.32	N	60	79	70	20	11	11	28	70
New	3A	12	Downtown Core	North/N	Millie's Kitchen/Oak Hill East	NA	243-020-007, 030, 010, 011, 031	0.91	N	60	55	46	13	8	7	19	47
New	3A	46	Downtown Core	North/N	Walgreen's	3514 Mt. Diablo Blvd	243-050-001	0.95	N	35	33	29	8	5	4	12	29
# OppSites	3A							5.53					59	37	31	127	254
New	4	12	Downtown Core	South	La Fiesta Square (Northeast Corner)	3529 Mt. Diablo Blvd	243-170-013, 014	0.57	N	35	20	18	5	3	3	7	18
New	4	14	Downtown Core	South	CVS	3625 Mt. Diablo Blvd	243-110-027	0.82		35	29	26	7	4	4	10	25
# OppSites	4							1.39					12	7	7	17	43
New	5A	15	East End	North/N	Hideout (North)	3406 MDB, 1041 Stuart St	233-032-003, 006	1.01	N	60	61	54	15	9	8	21	53
New (Old pipeline)	5A	44	East End	North/N	"Lafayette Lane" (Corporate Terrace)	3470 Mt. Diablo Blvd	243-011-054 (portion)	2.97	N	60	178	157	44	25	24	63	156
Reused	5A	16	East End	North/N	Blackwood Lane	1041, 1029 Blackwood Lane	233-040-006, 007	0.99	Y	60	59	52	15	8	8	21	52
Reused	5A	17	East End	North/N	Lemos (North)	3344 Mt Diablo Blvd	N Portion of 233-022-013	0.70	N	60	42	37	10	6	6	15	37
Reused						Elizabeth St	233-022-014	0.27	N	60	16	14	4	2	2	6	14
New	5A	18	East End	North/S	Valley View/Freethy	1051 Aileen Street	233-021-022, 009, 019	1.00	N	60	60	53	15	9	8	21	53
# OppSites	5A							6.94					103	59	56	147	365
New	5B	19	East End	North/S	Lafayette Animal Hospital/Remax	3390 Mount Diablo Blvd	233-032-025	1.04	N	35	36	32	9	5	5	13	32
New (Old pipeline)	5B	44	East End	North/S	"Lafayette Lane" (Corporate Terrace)	3470 Mt. Diablo Blvd	243-011-054 (south portion), 243-011-030	1.19	N	35	42	37	10	6	6	15	37
New	5B	15	East End	North/S	Hideout (South)	3406 Mt. Diablo Blvd	233-032-006	0.39	N	35	14	12	3	2	2	5	12
Reused	5B	20	East End	North/S	Conti	3434 Mt. Diablo Blvd	233-040-024,039	1.03	Y	35	36	32	9	5	5	13	32
New	5B	21	East End	North/S	Cresco	3380 Mt Diablo Blvd	233-021-007-7, 233-021-006-9, 233-021-005-1, 233-021-014	0.76	N	35	27	24	7	4	4	9	24
Reused	5B	22	East End	North/S	Blackwood Lane fronting MDB	1001, 1005 Blackwood Ln, 3440 Mt. Diablo Blvd	233-040-026, 027, 035	0.81	Y	35	28	25	7	4	4	10	25
New	5B	23	East End	North/S	Brown Ave	1020-1036 Brown Ave	233-032-023, 024, 027, 010	0.58	N	35	20	16	4	3	2	6	15
New	5B	24	East End	North/S	Bonehead's/Locanda Positano	3424 Mt. Diablo Blvd; 1005 Brown Ave	233-031-027, 021	0.73	N	35	26	21	6	3	3	8	20
New	5B	17	East End	North/S	Lemos (South)	3344 Mt Diablo Blvd	S Portion of 233-022-013	0.46	N	35	16	14	4	2	2	6	14
# OppSites	5B							5.80					59	34	33	85	211
Reused	6	25	East End	South	Boswell's	3483 MT DIABLO BLVD	243-231-022	0.77	Y	35	27	24	7	4	4	9	24
Reused	6	26	East End	South	Haws	3484, 3470, 3462 Golden Gateway	243-231-021, 010, 009	0.72	Y	35	25	21	6	3	3	8	20
New	6	27	East End	South	El Charro	3335 Mt. Diablo Blvd	233-110-023, 024, 025	1.17	N	35	41	35	10	6	5	14	35
New	6	28	East End	South	Pedder	3445, 3451 Golden Gate Way	233-051-011, 012	0.56	N	35	20	18	5	3	3	7	18





**APPENDIX C - ATTACHMENT 2**  
**Opportunity Sites Inventory Parcel Analysis**  
**Revised April 22, 2024**

Site 1: Guinan Blaney

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
1a	Guinan Blaney	954 Risa Rd	241-010-022	West End Commercial	C	Y	Offices; Residential, 1	0.26	0.3	Y	60	16	14
1b	Guinan Blaney	950 Risa Rd	241-010-023	West End Commercial	C	Y	Offices; Residential, 2	0.26	0.2	Y	60	16	14
1c	Guinan Blaney	946 Risa Rd	241-010-029	West End Commercial	C	Y	Residential, 2	0.29	0.2	Y	60	17	15
		TOTAL						0.81			60	49	38

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: The site is almost one acre in size, slightly irregularly shaped, with moderate slopes. [No other known environmental or other conditions constrain the site for development, and development can be maximized on site.](#) Adjacent to recently renovated multifamily development (Ladera) and recently constructed multifamily (The Woodbury - 56 units; and Woodbury Highlands - 99 units), potential for parcel consolidation, [since contiguous sites have shared access.](#) Multiple aging buildings across three properties, including 5 existing residential units which would need to be replaced as part of development (the sites inventory realistic capacity accounts for the difference).

Site #	If one of these is met, site is included	
	1. Vacant Parcel or Use	2. Owner/ Developer Interest
1a		
1b		
1c		

If not #1 or #2, must have three of these criteria					
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less	
x	x	1967		0.85	
x	x	1952		0.83	
x	x	1952		1.20	



Site 2: Diamond K/Ahmadi

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
2a	Diamond K/Ahmadi	3671 Mt Diablo	241-030-002	West End Commercial	C	N	Landscape supply store	1.00	0.1	Y	35	35	31
2b	Diamond K/Ahmadi	3669 Mt Diablo	241-030-003	West End Commercial	C	N	Offices	0.12	0.6	Y	35	4	4
2c	Diamond K/Ahmadi	3667 Mt Diablo	241-030-004	West End Commercial	C	N	Vacant office building, parking	0.16	0.7	Y	35	6	5
2d	Diamond K/Ahmadi	3667 Mt Diablo	241-030-031	West End Commercial	C	N	accessory building, parking	0.22	0.3	Y	35	8	7
TOTAL								1.50			35	53	47

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Sites are within 1/2 mile to BART station and thus there are no local parking requirements pursuant to AB 2097. Parcels 241-030-004 and 241-030-031 are underdeveloped and in common ownership. No other known environmental or other conditions to constrain site for development. The site slopes down to the south and given the lot depth of the site, it would be possible to accommodate parking or an additional story of residential at the rear. Although two parcels have an FAR of more than 0.5, other attributes make them ripe for redevelopment, including age of structure, single story status, vacant uses, and low ILV. Existing buildings are over 70 years old and do not maximize use of the area. Consolidation of lots feasible because of regularity of shape, shared access. Realistic capacity takes advantage of topography. Site is similar to West End project, which was approved by the City one block west of the site, in its topography and existing structures.

Site #	If one of these is met, site is included	
	1. Vacant Parcel or Use	2. Owner/ Developer Interest
2a		
2b		
2c	x	
2d		

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
x	x	1946	x	0.1
	x	1931	x	2.3
	x	1949	x	1.7
x	x	1947	x	0.5



Site 3: Kelly Moore

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
3a	Kelly Moore	3703 Mt Diablo	241-050-006	West End Commercial	C	N	Financial service offices	0.16	0.3	Y	35	9	8
3b	Kelly Moore	3701 Mt Diablo	241-050-007	West End Commercial	C	N	Offices, Parking	0.14	0.8	Y	35	5	4
3c	Kelly Moore	3705 Mt Diablo	241-050-017	West End Commercial	C	N	Restaurant, retail, parking	0.20	0.2	Y	35	7	6
3d	Kelly Moore	3707 MT Diablo	241-050-018	West End Commercial	C	N	Paint store, parking	0.45	0.3	Y	35	16	14
		TOTAL						0.95			35	33	29

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Sites are within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Flat site adjacent to existing multifamily. Several restaurants have operated for short periods of time before closing, and there have been noise/nuisance complaints associated with the operation of a restaurant close to residential development. Kelly Moore recently announced the immediate closure of all paint stores, including this site, adding to the feasibility of development. No known environmental or other conditions to constrain site for development. Lot consolidation would be straightforward because the lots share access and currently function as a single site. Although one parcel has an FAR of more than 0.5, according to LoopNet it is at least partially vacant. Realistic capacity assumes mixed use development, with ground floor retail facing Mt. Diablo. Relocation issues are minor and potentially only temporary – some of the businesses can be worked into the ground floor commercial portion of the mixed use development. Existing condition comparable to The Brant (66 units), The Mill at Brown (13 units), Samantha Townhomes (12 units).

Site #	If one of these is met, site is included	
	1. Vacant Parcel or Use	2. Owner/ Developer Interest
3a		
3b	X	
3c		
3d		

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
x	x	1940	x	2.2
	x	1981		5.2
x	x	1965		1.8
x	x	1945	x	0.6



Site 4: Dudum/Hannah

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
4a	Dudum/Hannah	3651 Mt Diablo	241-030-011	West End Commercial	C	N	Restaurants	0.11	1.0	N	35	4	3
4b	Dudum/Hannah	3659 Mt Diablo	241-030-010	West End Commercial	C	N	Parking Lot	0.28	0.0	N	35	10	9
4c	Dudum/Hannah	959 Mountain View	241-030-012	West End Commercial	C	N	Insurance office, parking	0.12	0.2	N	35	4	4
4d	Dudum/Hannah	955 Mountain View	241-030-013	West End Commercial	C	N	Salon and spa, parking	0.22	0.2	N	35	8	7
4e	Dudum/Hannah	953 Mountain View	241-030-014	West End Commercial	C	N	Commercial space, parking	0.22	0.1	N	35	8	7
		TOTAL						0.95			35	33	29

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: All five lots are in common ownership, which can readily facilitate the consolidation of lots for new housing. Site is within 1/2 mile to BART station. Site is level at the front with gradual slope toward the rear; possible utility easement. Parcels currently function as one site; the corner lot configuration enhances the ability to create a statement development. There are no other known environmental or other conditions to constrain site for development. Although one parcel has an FAR of more than 0.5, there are other attributes that make it ripe for redevelopment, including age, one story status, and the fact it is owned by one entity along with adjacent parcels. Significant dedicated surface parking for land uses, aging one-story buildings. Several small businesses are located in older converted single-family structures that could be consolidated into commercial spaces within a new development. All five lots in common ownership. Existing condition comparable to The Brant (66 units), The Mill at Brown (13 units), Samantha Townhomes (12 units).

Site #	If one of these is met, site is included	
	1. Vacant Parcel or Use	2. Owner/ Developer Interest
4a		
4b		
4c		
4d		
4e		

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
	x	1946	x	5.1
x	x			0.0
x	x	1941	x	0.8
x	x	1936		1.1
x	x	1937	x	0.5



Site 5: Office Building (Trans Bay Cable)

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
5a	Office Building (Trans Bay Cable)	3687 Mt Diablo Blvd	241-050-022	West End Commercial	C	N	Offices and parking	0.90	0.70	N	35	32	28

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Owner letter expressed interest in redevelopment. Offices have seen significant turnover and long-term vacancies from 2015-2022. Site is sloping toward the rear with approximately 20 ft grade change; however, there are no other known environmental or other conditions to constrain site for development and the site is regular so as to be able to maximize development. Buildings are over 40 years old and given proximity to transit and services, would be better suited for mixed use development. Comparable to fully entitled 166-unit Lafayette Lane project (38 BMR units), which was a fully leased approx. 81,500 SF office complex. While there is some conflicting information about the existing lease on a portion of the site, the building has been gutted and is listed for sale. If there is an existing lease, it can be bought out.

	If one of these is met, site is included	
Site #	1. Vacant Parcel or Use	2. Owner/ Developer Interest
5a	x	x

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
	x	1985		2.4



Site 6: Desco Plaza I and Rear Parking

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
6a	Desco Plaza and Rear Parking	3685 Mt Diablo Blvd	241-050-024	West End Commercial	C	N	Office building and parking	1.3	0.8	N	35	46	40
6b	Desco Plaza and Rear Parking	3685 Mt Diablo Blvd	241-050-023	West End Commercial	C	N	Parking lot	0.4	0.0	N	35	14	12
		TOTAL						1.7				60	53

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Owner has expressed interest in redevelopment. Situated immediately adjacent to Site 5, both parcels in this site are under the same ownership. Site is sloping toward the rear with approximately 20 ft grade change; however, there are no other known environmental or other conditions to constrain site for development and could be consolidated with Site 5 to create an even more regular development. Given proximity to transit and services, would be better suited for mixed use development. Comparable to fully entitled 166-unit Lafayette Lane project (38 BMR units), which was a fully leased approx. 81,500 SF office complex.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
6a		x		x	x		
6b		x	x	x			x





Site 7: Desco Plaza II and Front Parking

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
7a	Desco Plaza Front Parking	3675 Mt Diablo Blvd	241-030-034	West End Commercial	C	N	Parking lot	0.50	0.0	N	35	18	16

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Current use as a surface parking lot does not maximize land use. Owner has expressed interest in redevelopment of the parking lot for housing. Site is sloping toward the rear with approximately 20 ft grade change. There are no other known environmental or other conditions to constrain site for development. Similar to other cities where parking portions of lots are redeveloped with infill while the commercial use remains. Given proximity to transit and services, would be better suited for mixed use development. Although the current parcel is .48 acres, it is owned by the same entity that owns the office building to the south; therefore, processing a lot line adjustment to increase the size to at least ½ acre will be straightforward. In addition, staff parking for the office building can be accessed from the rear via properties to the west, which have connected parking lots.

Site #	If one of these is met, site is included	
	1. Vacant Parcel or Use	2. Owner/ Developer Interest
7a		x

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
x	x			0.1



Site 8: ATT Switching Station (Parking Infill Only)

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
8a	ATT	Happy Valley Rd	243-050-013	Downtown Core	-	Y	Parking in front of utility station	0.60	0.0	N	60	36	32

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. This site is a portion of an ATT switching station, which is the building immediately to the east of the parking area. This site therefore assumes the switching station will remain; however, as ATT has recently proposed to end all land lines, it is questionable whether the switching station itself will remain. The parking area currently is not associated with the switching station, but is instead a private pay parking lot and has been for approximately 20 years. Access to site is narrow though there is potential to create access through parking lots to the south. The parcel is adjacent to the 69-unit Town Center II and is immediately adjacent to the BART station, making it an attractive site for additional housing. There are no other known environmental or other conditions to constrain site for development. Rezoning of site will increase allowable density from 35 du/acre to 60 du/acre. Significant space dedicated to rented surface parking does not maximize land use.

If one of these is met, site is included		
Site #	1. Vacant Parcel or Use	2. Owner/ Developer Interest
8a		

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or less
X	X		X	N/A



Site 9: Oak Hill Proposal

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
9a	Oak Hill Proposal	1007 Oak Hill Rd	243-030-020	Downtown Core	SRB	Y	Offices	0.34	0.1	N	60	20	18
9b	Oak Hill Proposal	1001 Oak Hill Rd	243-030-033	Downtown Core	SRB	Y	Retail	0.19	0.3	N	60	11	10
9c	Oak Hill Proposal	Oak Hill Rd	243-030-038	Downtown Core	SRB	Y	Parking lot	0.20	0.0	N	60	12	11
9d	Oak Hill Proposal	1009 Oak Hill Rd	243-030-041	Downtown Core	SRB	Y	Retail	0.40	0.5	N	60	24	21
		TOTAL						1.13			60	68	60

NOTES: Proposed development for 51 units (8 BMR). However, it is not considered a pipeline project yet as only a preliminary discussions have taken place, and it is unknown how the potential rezoning will affect the final proposal. All parcels have been consolidated by a single owner. Rezoning of site will increase allowable density from 35 du/acre to 60 du/acre. There are no known environmental or other conditions to constrain site for development.

Site #	If one of these is met, site is included	
	1. Vacant Parcel or Use	2. Owner/ Developer Interest
9a		x
9b		x
9c		x
9d		x

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or less
x	x	1950		0.9
x	x	1961	x	1.3
x	x			0.1
x	x	1981		3.9



Site 10: 3601-3 Happy Valley

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
10a		3601 Happy Valley Rd	243-060-002	Downtown Core	SRB	Y	Residential, 8	0.27	0.6	N	60	16	14
10b		3603 Happy Valley Rd	243-060-019	Downtown Core	SRB	Y	Residential	0.35	0.0	N	60	21	18
		TOTAL						0.62			60	37	25

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Significant grade change from west side of site down towards Happy Valley Rd. However, site is regularly shaped and can maximize development on the site. Rezoning of site will increase allowable density from 35 du/acre to 60 du/acre. Site currently functions as a single parcel, with shared access and parking. Although one parcel has an FAR of more than 0.5, there are other attributes that make it ripe for redevelopment, including age and site configuration. No known environmental or other conditions to constrain site for development. Existing residential units are within aging structures with disproportionate area dedicated to parking. Realistic capacity accounts for 8 existing units. Site is underutilized given proximity to transit and services. Similar to redevelopment of existing occupied mixed-use building at 3483 Golden Gate Way into 71 units (9 BMR).

Site #	If one of these is met, site is included	
	1. Vacant Parcel or Use	2. Owner/ Developer Interest
10a		
10b		

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or less
	x	1964		1.2
x	x	1980*		0.2



\*estimated

Site 11: McCallou's

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
11a	McCallou's	1018 Oak Hill	243-020-039	Downtown Core	RB	Y	Retail, parking	1.32	0.4	N	60	79	62

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. This site is a portion of a roughly 4-acre parcel with a shopping center and surface parking. The property owner has expressed interest in redeveloping this 1.32-acre portion of the parcel with housing. The northern side of the site is bounded by the EBMUD aqueduct which has public access easement for a trail connecting recreational assets within the City. The site has parking access at the front of the existing building which leads to MDB. There are no known environmental or other conditions to constrain site for development. Rezoning of site will increase allowable density from 35 du/acre to 60 du/acre.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or less
11a		X	X	X	1963	X	1.9



Site 12: Millie's Kitchen/Oak Hill East

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/A c	Math Capacity	Realistic Capacity
12a	Millie's Kitchen/ Oak Hill East	1010 Oak Hill	243-020-007	Downtown Core	RB	Y	Real estate office	0.17	0.5	N	60	10	9
12b	Millie's Kitchen/ Oak Hill East	1014 Oak Hill	243-020-030	Downtown Core	RB	Y	Small retail, parking	0.11	0.5	N	60	7	6
12c	Millie's Kitchen/ Oak Hill East	1018 Oak Hill	243-020-010	Downtown Core	RB	Y	Restaurant, parking lot	0.48	0.1	N	60	29	25
12d	Millie's Kitchen/ Oak Hill East	1024 Oak Hill	243-020-011	Downtown Core	RB	Y	Small retail space	0.03	0.3	N	60	2	2
12e	Millie's Kitchen/ Oak Hill East	Oak Hill Rd	243-020-031	Downtown Core	RB	Y	Parking lot	0.12	0.0	N	60	7	6
		TOTAL						0.91			60	55	48

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Four out of the five parcels in this site are held in common ownership by a single property owner, so lot consolidation can occur easily. This site contains a series of small, aging buildings on small lots that would not meet their maximum development potential if redeveloped individually. These parcels currently function as a single site, sharing access and parking. The northern side of the site is bounded by the EBMUD aqueduct which has public access easement for a trail connecting recreational assets within the City. There are no known environmental or other conditions to constrain site for development. Similar to approved developments at 3458 Mt. Diablo Blvd, Samantha Townhomes, and the Mill at Brown Avenue in that all involved lot consolidation on small parcels with existing structures and surface parking.

Site #	If one of these is met, site is included	
	1. Vacant Parcel or Use	2. Owner/ Developer Interest
12a		
12b		
12c		
12d		
12e		

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or less
x	x	1930	x	0.3
x	x	1950	x	0.8
x	x	1930		0.1
x	x	1926	x	0.2
x	x			0.0



Site 13: La Fiesta Square (Northeast Corner)

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
13a	La Fiesta Square (Northeast Corner)	3533 Mt. Diablo	243-170-013	Downtown Core	SRB	N	Small retail space, parking	0.13	0.3	N	35	5	4
13b	La Fiesta Square (Northeast Corner)	3529 Mt. Diablo	243-170-014	Downtown Core	SRB	N	Retail space, parking	0.44	0.4	N	35	15	14
		TOTAL						0.57			35	20	18

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, situated in a prime location for housing with proximity to goods, services and transit. Structures on the site are old and are situated on regularly shaped, flat parcels that have the potential to yield many units with ground floor commercial. Two of three retail spaces are vacant, including a large retail unit that previously housed an art gallery. The gallery has been closed for at least a year, as has the Fedex office. The corner lot configuration enhances the ability to create a statement development. There are no known environmental or other conditions to constrain site for development on this regularly-shaped parcel.

If one of these is met, site is included		
Site #	1. Vacant Parcel or Use	2. Owner/ Developer Interest
13a	x	
13b	x	

If not #1 or #2, must have three of these criteria				
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
x	x	1950	x	1.1
x	x	1976	x	1.9



Site 14: CVS

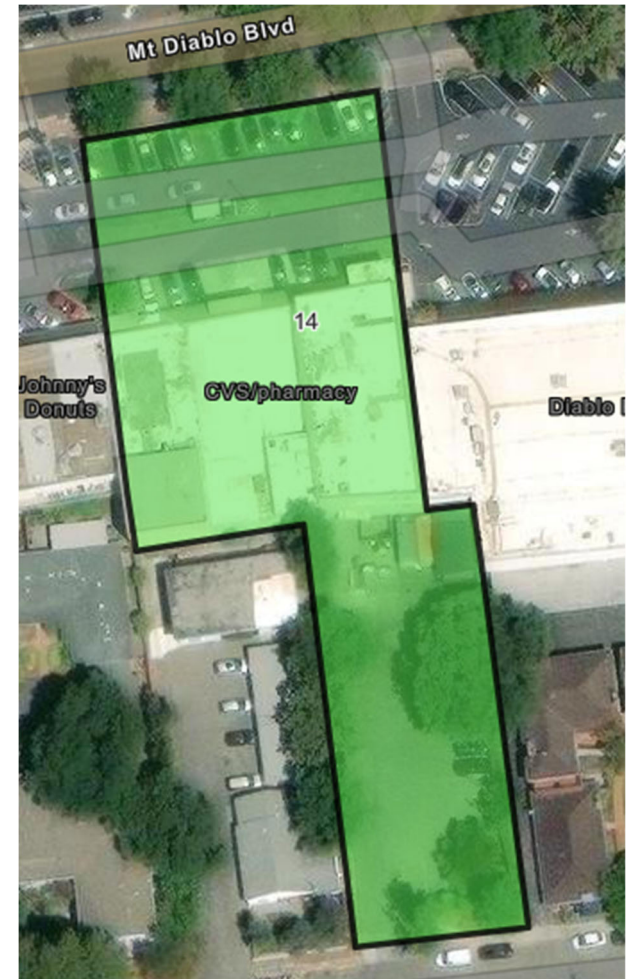
Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
14a	CVS	3625 Mt Diablo	243-110-027	Downtown Core	SRB	N	Drugstore, parking	0.82	0.5	N	35	29	26

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Owner has expressed interest in redevelopment into mixed uses. Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. The site slopes down slightly from Mt. Diablo Blvd presenting an opportunity for enhanced development; there are no other known environmental or other conditions to constrain site for development. The site is in the middle of a single-story shopping center. Current use does not maximize the potential for the parcel given its context and proximity to goods, services and transit. Adjacent to existing multifamily.

Site #	If one of these is met, site is included	
	1. Vacant Parcel or Use	2. Owner/ Developer Interest
14a		x

If not #1 or #2, must have three of these criteria					
3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less	
x	x	1966	x	1.3	





Site 15: Hideout

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/ Ac	Math Capacity	Realistic Capacity
15a	Hideout (former location)	3406 Mt Diablo	N portion of 233-032-006	East End Commercial	C-1	Y	Vacant Restaurant, office bldg, parking	0.63	0.0	N	60	33	29
15b	Hideout (former location)	1041 Stuart St	233-032-003	East End Commercial	C-1	Y	Warehouse, parking	0.38	0.2	N	60	23	20
15c	Hideout (former location)	3406 Mt Diablo	S portion of 233-032-006	East End Commercial	C-1	N	Restaurant, office bldg, parking	0.39	0.6	N	35	14	12
		TOTAL						1.40				75	66

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Parcels under common ownership. As of early 2024, the original Hideout that was located here moved to another location and is now vacant, and several other storefronts are now closed. Irregularly shaped parcels can be consolidated into a single regular parcel, creating opportunities for a significant development. All parcels currently function as a single site, with shared parking and access. Technically, there are only two parcels here; 15a and 15c are one parcel, that has been split into two segments because of different densities on each. Site has slight grade change, but there are no other known environmental or other conditions to constrain site for development. Realistic capacity assumes higher density at the rear portion of site and lower density along Mt Diablo Blvd, as rezoning for a portion of the site will increase from 35 du/acre to 60 du/acre-.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
15a	x		x	x	1947		0.9
15b			x	x	1949	x	0.5
15c	x			x	1947		0.9



Site 16: Blackwood Lane (North)

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
16a	Blackwood Lane (North)	1041 Blackwood Ln	233-040-006	East End Commercial	C-1	Y	Warehouse, parking	0.32	0.5	Y	60	19	17
16b	Blackwood Lane (North)	1029 Blackwood Ln	233-040-007	East End Commercial	C-1	Y	Auto repair shop	0.67	0.2	Y	60	40	35
		TOTAL						0.99			60	59	52

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Linear, rectangular site. Two owners, but both parcels function as a single site, with shared access and parking. Grade change from south to north can be used to increase the number of units. No other environmental or other conditions to constrain site for development. Site contains aging structures and properties are underutilized given zoning potential. Rezoning of site will increase allowable density from 35 du/acre to 60 du/acre. Existing multifamily to the west. Similar to the Mill at Brown project (completed), which involved lot consolidation and had existing auto-oriented uses.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g. FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
16a			x	x	1956	x	1.5
16b			x	x	1957	x	0.0



Site 17: Lemos

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
17a	Lemos (North)	3344 Mt Diablo Blvd	N portion of 233-022-013	East End Commercial	C-1	Y	Commercial space, auto repair, parking lot	0.70	0.4	N	60	42	37
17b	Lemos (North)	Elizabeth St	233-022-014	East End Commercial	C-1	Y	Parking lot	0.27	0.0	N	60	16	14
17c	Lemos (South)	3344 Mt Diablo Blvd	S portion of 233-022-013	East End Commercial	C-1	N	Commercial space, parking lot	0.46	0.4	N	35	16	14
		TOTAL						1.43				74	65

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Significant grade change (40 ft) from south to north, site is adjacent to state highway 24. Parcels under common ownership which would facilitate consolidation, especially given irregular size and shape of the smaller lot. Technically there are only two parcels here, as 17a and 17c are one parcel but which have been split because of different densities proposed on each portion. Rezoning of a portion of the site will increase allowable density from 35 du/acre to 60 du/acre. Significant area dedicated to surface parking; parcels currently function as a single site.- There are no known environmental or other conditions to constrain site for development. Similar to the Mill at Brown, which involved lot consolidation and had existing auto-oriented uses. Site is also comparable to Valley View Apartments project in location and need for lot consolidation.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
17a			x	x	1987	x	1.7
17b			x	x			0.1
17c			x	x	1987	x	1.7



Site 18: Valley View/Freethy

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/ Ac	Math Capacity	Realistic Capacity
18a	Valley View/Freethy	1051 Aileen St	233-021-002	East End Commercial	C-1	Y	Vacant Residential	0.12	0.3	Y	60	7	6
18b	Valley View/Freethy	1059 Aileen St	233-021-019	East End Commercial	C-1	Y	Vacant Residential	0.43	0.1	Y	60	26	23
18c	Valley View/Freethy	1044 Stuart St	233-021-009	East End Commercial	C-1	Y	Vacant Residential	0.45	0.1	Y	60	27	24
		TOTAL						1.00			60	60	53

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Site is a flat, regularly shaped parcel close to grocery, restaurants, and transit, though access to Stuart Street is through a narrow portion of the lot. Parcels are in common ownership, and were part of a previous approved multifamily housing proposal for 42 units on this site; approvals have since expired. There are no known environmental or other conditions to constrain site for development. Existing retail space has been vacant since 2019 and presents an opportunity for redevelopment; significant area dedicated to surface parking

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
18a	x	x	x	x	1938	x	0.7
18b	x	x	x	x	1954	x	0.9
18c	x	x	x	x	1955	x	1.1



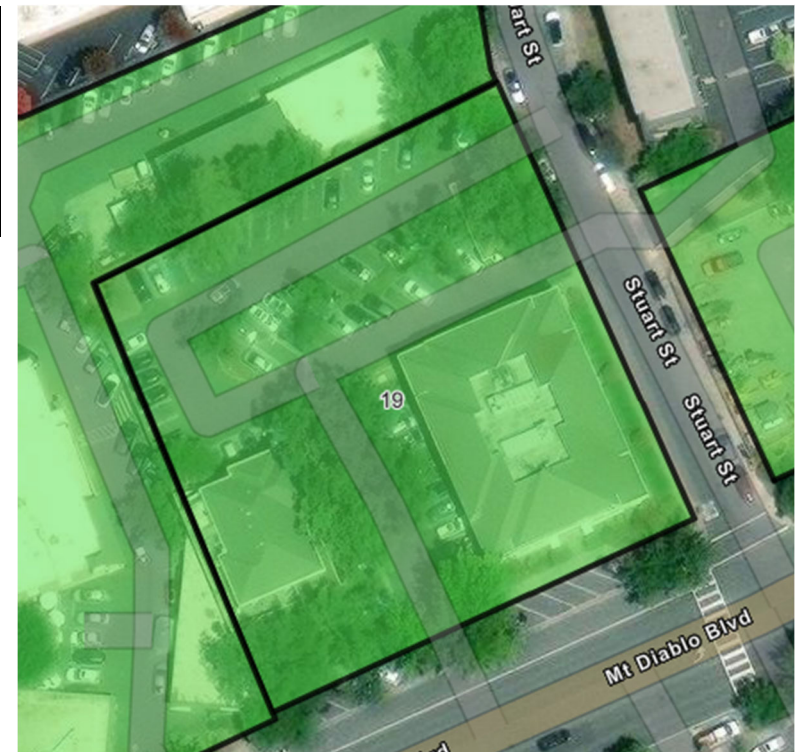
Site 19: Lafayette Animal Hospital/REMAX

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
19a	Lafayette Animal Hospital/REMAX	3390 Mt Diablo	233-032-025	East End Commercial	C-1	N	Veterinary and real estate offices, parking	1.04	0.5	N	35	36	32

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site has a slight slope, but there are no other known environmental or other conditions to constrain site for development. Significant area dedicated to surface parking, and the two buildings on site share access and parking. The ReMax building on the eastern side of the site has regular vacancies, and as of this writing half of the building is vacant. The corner lot configuration enhances the ability to create a statement development. Realistic capacity assumes ground floor retail along Mt. Diablo Blvd.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
19a			x	x	1988		2.8



Site 20: Conti

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
20a	Conti	3434 Mt Diablo Blvd	233-040-024	East End Commercial	C-1	N	Auto repair shop	0.87	0.6	Y	35	30	27
20b	Conti	3430 Mt Diablo Blvd	233-040-039	East End Commercial	C-1	N	Auto repair shop	0.16	0.6	Y	35	6	5
TOTAL								1.03			35	36	32

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Flat rectangular site with aging commercial structures and significant area dedicated to surface parking. Both parcels under common ownership, and both parcels currently function as a single site, sharing access and parking. Although the two parcels have an FAR just over the threshold, there are other attributes that make the sites ripe for development, including age, single story status, single ownership and ILV. In addition, there are a variety of sites that formerly had auto-related uses that have been redeveloped. Similar to the Mill at Brown, which involved lot consolidation and had existing auto-oriented uses. There are no known environmental or other conditions to constrain site for development. Located adjacent to 46-unit senior housing development.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
20a				x	1944	x	1.5
20b				x	1952	x	1.0



Site 21: Cresco

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
21a	Cresco	1032 Stuart St	233-021-007	East end Commercial	C-1	N	Storage yard	0.25	0.1	N	35	9	8
21b	Cresco	3380 Mt Diablo Blvd	233-021-006	East end Commercial	C-1	N	Tool and equipment rental	0.13	0.6	N	35	5	4
21c	Cresco	Mt Diablo Blvd	233-021-005	East end Commercial	C-1	N	Parking Lot	0.13	0.0	N	35	5	4
21d	Cresco	3372 Mt Diablo Blvd	233-021-014	East end Commercial	C-1	N	Dental offices, parking	0.25	0.2	N	35	9	8
TOTAL								0.76			35	27	24

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES:- Site slopes down from the north. Three of the four parcels under common ownership, with lease ending in 2024 for the tool & equipment rental business, so lot consolidation could be easily achieved. The existing parcels currently function as a single site, and share both access and parking. There are no known environmental or other conditions to constrain site for development.- Two of the sites are used as parking lots/storage and the structures on the sites are aging. Adjacent to existing multifamily. Similar to the Mill at Brown, which involved lot consolidation and had existing auto-oriented uses.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
21a			x	x	1976	x	0.1
21b				x	1950	x	4.4
21c			x	x			0.2
21d			x	x	1951	x	1.0



Site 22: Blackwood Lane (South)

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
22a	Blackwood Lane (South)	1005 Blackwood Ln	233-040-035	East End Commercial	C-1	N	Auto repair shop	0.43	0.3	Y	35	15	13
22b	Blackwood Lane (South)	1001 Blackwood Ln	233-040-026	East End Commercial	C-1	N	Parking lot	0.22	0.5	Y	35	8	7
22c	Blackwood Lane (South)	3440 Mt Diablo Blvd	233-040-027	East End Commercial	C-1	N	Auto repair shop	0.16	0.5	Y	35	6	5
		TOTAL						0.81			35	28	25

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Linear, rectangular site. Grade change from south to north can be used to increase the number of units; no other environmental or other conditions to constrain site for development. Two of the three parcels are under common ownership, facilitating lot consolidation. Site contains aging structures and properties are underutilized given zoning potential. These parcels function as a single site, with shared access and parking. Existing multifamily to the west and east. Realistic capacity assumes ground floor commercial along Mt. Diablo Blvd. Similar to the Mill at Brown, which involved lot consolidation and had existing auto-oriented uses.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
22a			x	x	1996	x	1.2
22b			x	x	1994		3.1
22c			x	x	1948	x	0.5





Site 23: Brown Avenue

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
23a	Brown Ave	1020 Brown Ave	233-032-023	East End Commercial	C-1	N	Commercial building, parking	0.15	0.4	N	35	5	5
23b	Brown Ave	Brown Ave	233-032-024	East End Commercial	C-1	N	Parking lot	0.15	0.0	N	35	5	5
23c	Brown Ave	1036 Brown Ave	233-032-027	East End Commercial	C-1	N	Residential, 1	0.13	0.3	N	35	5	4
23d	Brown Ave	1030 Brown Ave	233-032-010	East End Commercial	C-1	N	Residential, 1	0.15	0.2	N	35	5	5
		TOTAL						0.58			35	20	16

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Small sites are substandard in size compared to current zoning. Parcels contain single-family residential structures, some of which have been converted to commercial uses. Minor grade change from north to south; no other known environmental or other conditions to constrain site for development. Lot consolidation will achieve a reasonable development size and shape. Individual parcels currently function as a single site with shared access and parking. Realistic capacity assumes entirely residential development and accounts for loss of residential units.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
23a			x	x	1941		1.6
23b			x	x	1976		0.3
23c			x	x	1934	x	1.0
23d			x	x	1942	x	0.8



Site 24: Bonehead's/Locando Positano

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
24a	Bonehead's/Locanda Positano	1005 Brown Ave	233-031-027	East End Commercial	C-1	N	Restaurant	0.18	0.6	N	35	6	6
24b	Bonehead's/Locanda Positano	3424 Mt Diablo Blvd	233-031-021	East End Commercial	C-1	N	Restaurant, parking	0.55	0.1	N	35	19	17
		TOTAL						0.73			35	26	21

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Sites are in common ownership, facilitating lot consolidation. Irregularly shaped lot with slight grade change; there are no other known environmental or other conditions to constrain site for development. Both parcels include aging commercial structures that do not take advantage of the full development potential for the site. Parcels currently function as a single site. Historic Forge building to remain at corner of Brown Ave and Mt. Diablo Blvd.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
24a				x	1922	x	0.8
24b			x	x	1951	x	1.1



Site 25: Boswell's

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
25a	Boswell's	3483 Mt Diablo Blvd	243-231-022	East End Commercial	C-1	N	Vacant retail building, parking	0.77	0.2	Y	35	27	24

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Site is a flat, regularly shaped parcel close to grocery, restaurants, and transit. Possible utility easements, but no other known environmental or other conditions to constrain site for development. Existing retail space has been vacant since 2019 and presents an opportunity for redevelopment; significant area dedicated to surface parking.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
25a	x		x	x	1960	x	0.8



Site 26: Haws

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
26a	Haws	3484 Golden Gate Way	243-231-021	East end Commercial	C-1	N	Auto repair shop	0.46	0.6	Y	35	16	13
26b	Haws	3470 Golden Gate Way	243-231-010	East end Commercial	C-1	N	Auto repair shop	0.16	0.5	Y	35	6	5
26c	Haws	3462 Golden Gate Way	243-231-009	East end Commercial	C-1	N	Residential, 1	0.10	0.0	Y	35	3	2
TOTAL								0.72			35	25	21

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. ~~Significant grade change between Mt Diablo Blvd and Golden Gate Way.~~ Two of the parcels contain nearly 60-year old buildings; the third parcel contains a single-family structure which was damaged by fire in 2021 and has since been unoccupied with no permit applications to repair the damage. Although one parcel is above the threshold for FAR, other attributes of the site make it ripe for redevelopment. With the exception of the burned building, the existing parcels currently function as a single site, and share access. There are no known environmental or other conditions to constrain site for development. Given the larger area of these lots if consolidated, the site is likely candidate for redevelopment. Across the street from the Madison Park project (71 units). Auto uses may need to be relocated.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
26a			x	x	1964	x	1.7
26b			x	x	1964	x	1.2
26c	x		x	x	2007		0.0



Site 27: El Charro

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
27a	El Charro	3335 Mt Diablo Blvd	233-110-023	East End Commercial	C-1	N	Vacant restaurant space, parking	0.54	0.2	N	35	19	17
27b	El Charro	3335 Mt Diablo Blvd	233-110-024	Medium-density single-family residential	R-10	N	Parking lot	0.30	0.0	N	35	11	9
27c	El Charro	3341 Mt Diablo Blvd	233-110-025	Medium-density single-family residential	R-10	N	Residential, 1	0.33	0.1	N	35	11	9
TOTAL								1.17			35	41	35

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: -All three lots under common ownership. Restaurant space has been vacant since early 2021. City has received inquiries from developers regarding potential for redevelopment of the site. Slopes downward from east to west and there is a creek along the western property line, -but development would not be hindered even with adherence to creek setback requirements. There are no other environmental or other conditions to constrain site for development. Consolidation of the parcels will result in a more regularly-shaped site for development. Significant area dedicated to surface parking-. Realistic capacity assumes ground floor commercial fronting Mt. Diablo Blvd. Potential residents would be temporarily relocated.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
27a	x	x	x	x	1943	x	0.4
27b	x	x	x	x			0.1
27c		x	x	x	1947	x	0.4



Site 28: Pedder

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
28a	Pedder	3445 Golden Gate Way	233-051-011	East End Commercial	C-1	N	Music school, parking	0.16	0.2	N	35	6	5
28b	Pedder	3451 Golden Gate Way	233-051-012	East End Commercial	C-1	N	Offices, parking	0.40	0.	N	35	14	11
		TOTAL						0.56			35	20	18

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site contains shallow lots with substantial grade change at rear due to creek along rear of the site, but development can be maximized while adhering to creek setback requirements. No other known environmental or other conditions to constrain site for development. Lots under common ownership. Parcels may be developed individually but consolidation will maximize redevelopment potential. The two parcels share access and parking; lot consolidation would create a regular shape for development. Structures on the site are aging. Similar to West End (13 units), 950 Hough Ave (20 units) and 210 Lafayette Cir (12 units), which had small or narrow lots that sloped to the rear towards a creek.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
28a			x	x	1935	x	0.1
28b			x	x	1952		0.9



Site 29: Golden Gate (GG) Way

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
29a	GG Way	3477 Golden Gate Way	243-232-010	East End Commercial	C-1	N	Vacant Commercial space	0.09	0.6	Y	35	3	3
29b	GG Way	3475 Golden Gate Way	243-232-011	East End Commercial	C-1	N	Parking lot	0.16	0.0	Y	35	6	5
29c	GG Way	3467 Golden Gate Way	243-232-012	East End Commercial	C-1	N	Salon and Spa	0.21	0.1	Y	35	7	6
29d	GG Way	3461 Golden Gate Way	243-232-013	East End Commercial	C-1	N	Pool service company	0.26	0.2	Y	35	9	8
TOTAL								0.72			35	25	22

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is flat with shallow lots bordered by creek at rear of site. Realistic capacity assumes mixed-use and adherence to creek setback requirements. There are no other known environmental or other conditions to constrain site for development. Each parcel is under separate ownership, however individually it would be challenging to develop for housing. Although one parcel's FAR is above the standard, taken together the existing FAR for the aggregated site is well below the threshold. Consolidation will maximize redevelopment potential and create a more regularly-shaped lot. Similar to West End (13 units), 950 Hough Ave (20 units) and 210 Lafayette Cir (12 units), which were both on irregularly shaped lots with creeks at rear.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
29a	x		x	x	1955	x	0.2
29b			x	x			0.0
29c			x	x	1941	x	0.1
29d			x	x	1932	x	0.1



Site 30: Spa, Parking, Auto Repair

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
30a	Spa, Parking, Auto Repair	3327 Mt Diablo	233-110-003	East End Commercial	C-1	N	Spa, parking lot	0.17	0.1	N	35	6	5
30b	Spa, Parking, Auto Repair	3333 Mt Diablo	233-110-026	East End Commercial	C-1	N	Nail salon, parking	0.31	0.2	N	35	11	10
30c	Spa, Parking, Auto Repair	3331 Mt Diablo	233-110-027	East End Commercial	C-1	N	Auto repair shop	0.32	0.2	N	35	11	10
		TOTAL						0.80			35	28	25

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: All three parcels are under common ownership. Slight grade change from east to west; no other known environmental factors to constrain development. Existing structures are aging and the individual parcels have limited opportunity for expansion given the narrowness of each lot - consolidation will maximize redevelopment potential and create a regularly-shaped parcel. Existing parcels function as a single site, with shared access and parking. Other sites with auto-related uses have been redeveloped with housing, including the Mill at Brown.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
30a			x	x	1954	x	0.5
30b			x	x	1952	x	0.6
30c			x	x	1957	x	0.5





Site 31: Ace Annex, Car Wash

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
31a	Ace Annex, Car Wash	3325 Mt Diablo Blvd	233-110-004	East End Commercial	C-1	N	Hardware store storage annex, parking	0.60	0.2	N	35	21	18
31b	Ace Annex, Car Wash	3319 Mt Diablo Blvd	233-110-005	East End Commercial	C-1	N	Car wash	0.60	0.1	N	35	21	18
		TOTAL						1.20			35	42	37

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Slight grade change from east to west, but there are no other environmental or other conditions to constrain site for development. Parcels contain aging structures in a narrow configuration with significant area dedicated to surface parking. Car-oriented uses will need to be relocated; some businesses could be accommodated in new ground floor retail space. Uses and parcel size/configuration is similar to the Mill at Brown Ave, which merged two parcels totaling approximately 0.38 acres with auto-oriented businesses for the development of 13 units. Although there are two separate owners, lot consolidation will create a more regularly-shaped parcel to maximize development. Existing parcels share access. The corner lot configuration enhances the ability to create a statement development. All existing buildings were constructed in 1965 or earlier and have limited opportunity for expansion given the narrowness of the individual lots. The leases for the storage space and auto body shop are both month to month.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
31a			x	x	1954		0.1
31b			x		1965	x	0.5



Site 32: DeSilva South

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
32a	DeSilva s	Mt Diablo Blvd	252-050-015	Rural Residential 10	LR-10	Y	Vacant	10.0	0.0	N	35	350	308

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Vacant parcel, significant upward slope to south/rear of parcel. However, at almost 10 acres, there is significant flexibility in how a development could be sited. The owner has expressed interest in redeveloping this portion of a 60+-acre parcel for housing. Although this parcel is located in a very high fire hazard severity zone, it abuts a main evacuation route for the City. Any development on the site will conform to best practices for building in wildfire areas. There are no other known environmental or other conditions to constrain site for development.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
32a	X	X	X	X			0.0



Site 33: DeSilva North

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
33a	DeSilva N	Mt Diablo Blvd	252-050-018	Medium density single family residential	R-10	Y	Vacant	1.97	0.0	N	35	69	61

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Vacant parcel, flat along Mt. Diablo Blvd with significant upward slope to south/rear of parcel. Creek along northern property line of lot. However, the site is of such size that siting of a project on this site should not be difficult. Development could be massed towards Mt Diablo, adhering to creek setbacks. There are no other known environmental or other conditions to constrain site for development. Adjacent to existing multifamily housing and will be rezoned for multifamily housing.-

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
33a	x		x	x			0.0



Site 34: Bruzzone

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
34a	Bruzzone	Moraga/St Marys Rd	234-041-001	Admin/Professional/Office	MRO	N	Vacant	2.38	0.0	Y	35	83	73

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Owner has expressed interest to develop this site for housing. Site is just outside 1/2 mile distance to BART station. Vacant flat lot. Site has creek running along the eastern property line and is partially in a flood zones; however, there are no other environmental or other conditions to constrain site for development, and any project will comply with required setbacks. Development similar to 950 Hough Ave and 210 Lafayette Cir, which are both in flood zones.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
34a	x	x	x	x			0.0



Site 35: Dental Office

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
35a	Dental Office	907 Moraga Rd	241-200-027	Admin/professional/Office	MRO	N	Dental offices, parking	0.36	0.2	N	35	13	11
35b	Dental Office	901 Moraga Rd	241-200-040	Admin/professional/Office	MRO	N	Offices, parking	0.21	0.5	N	35	7	6
35c	Dental Office	3530 O'Conner Dr	241-200-041	Admin/professional/Office	MRO	N	Parking lot	0.14	0.0	N	35	5	4
		TOTAL						0.71			35	25	22

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Two of the three parcels are under common ownership. Parcels currently function as a single site, with shared access and parking. There are no known environmental or other conditions to constrain site for development. The corner lot configuration enhances the ability to create a statement development. Structures are 40-60+ years old, with significant space dedicated to surface parking.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
35a			x		1960	x	2.6
35b			x	x	1980		2.1
35c			x	x			0.0



Site 36: City Parking Lot

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
36a	City Parking Lot	941 Moraga Rd	243-210-013	Admin/professional/Office	MRO	N	Parking lot	0.12	0.1	Y	35	4	4
36b	City Parking Lot	943 Moraga Rd	243-210-014	Admin/professional/Office	MRO	N	Parking lot	0.35	0.0	Y	35	12	11
36c	City Parking Lot	945 Moraga Rd	243-210-015	Admin/professional/Office	MRO	N	Parking lot	0.10	0.0	Y	35	4	3
36d	City Parking Lot	949 Moraga Rd	243-210-016	Admin/professional/Office	MRO	N	Parking lot	0.17	0.5	Y	35	6	5
		TOTAL						0.74			35	26	23

INCOME CATEGORIES: VLI, LI, MOD, AMOD

NOTES: All four sites under common ownership by the City, which is looking to yield a higher number of affordable units on the site. Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Site is level at front, sloping up toward rear; however, by consolidating the lots, a more-regularly shaped site will be created, allowing for greater flexibility in design to address slope and other consideration. There are no other known environmental or other conditions to constrain site for development. Current use as a surface parking lot does not take advantage of full development potential.- Adjacent to multifamily and within walking distance to goods, services, and transit.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
36a		x	x	x	1950		0.0
36b		x	x	x			0.0
36c		x	x	x			0.0
36d		x	x	x	1947		0.0



**Site 37: St. Anselm Church – REMOVED FROM INVENTORY**

Site #	Site Name	Address	APN	GP-LUD	Zoning	Rezoned Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
37a	St. Anselm Episcopal	682 Michael Lane	238-121-003	Medium density single-family residential	R-10	Y	Religious institution and parking	0.70	0.0	N	35	25	22

INCOME CATEGORIES: VLI, LI, MOD, AMOD. Proposed income categories will track SB 4 (significantly lower income) - - - - -

NOTES: Parcel total: 2.62 acres. Usable for site: 0.7 acres. Site slopes to north. Existing access easement off Michael Ln to the north.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
37a	x	-	x	-	1960	x	N/A



Site 38: Calvary Baptist/Living Hope

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
38a	Calvary Baptist/Living Hope	3201 Stanley Blvd	177-064-022	Medium density single family residential	R-10	Y	Religious institution and parking	0.89	0.0	N	35	31	27

INCOME CATEGORIES: VLI, LI, MOD, AMOD. Proposed income categories will track SB 4 (significantly lower income).

NOTES: Parcel total: 2.29 acres. Usable for site: 0.89 acres. Site is located north of Hwy 24 but out of Very High Fire Hazard Severity Zone. Flat lot with open space and area dedicated to surface parking. There are no known environmental or other conditions to constrain site for development.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
38a			x		1960	x	N/A





Site 39: St. Perpetua – REMOVED FROM INVENTORY

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
39a	St Perpetua	3454 Hamlin Road (St Mary's Frontage)	239-070-029	Low-density single family residential	R-20	Y	Religious institution and parking	1.69	0.0	N	35	59	52

INCOME CATEGORIES: VLI, LI, MOD, AMOD. Proposed income categories will track SB 4 (significantly lower income).

NOTES: Parcel total: 6.62 acres. Usable for site: 1.69 acres. Nominated as opportunity site by community members in Housing Element update process.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
39a	x	-	x	-	1962	x	N/A



Site 40: Our Savior Lutheran Church

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
40a	Our Savior Lutheran	1035 Carol Lane	233-102-009	Medium density single family residential	R-10	Y	Religious institution and parking	1.48	0.0	N	35	52	46

INCOME CATEGORIES: VLI, LI, MOD, AMOD. Proposed income categories will track SB 4 (significantly lower income).

NOTES: Parcel total: 4.98 acres. Usable for site: 1.48 acres. Owner interest in redeveloping into housing. This section of the parcel is flat and dedicated to surface parking. Creek to the west of the site; similar to West End project, 950 Hough, and 210 Lafayette Cir. Nominated as opportunity site by community members in Housing Element update process. There are no known environmental or other conditions to constrain site for development.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
40a		x	x			x	N/A



Site 41: Sun Valley Bible Chapel

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
41a	Sun Valley Bible Chapel	1031 Leland Drive	185-052-002	Medium density single family residential	R-10	Y	Religious institution and parking	1.56	0.0	N	35	55	48

INCOME CATEGORIES: VLI, LI, MOD, AMOD. Proposed income categories will track SB 4 (significantly lower income).

NOTES: Parcel total: 2.58 acres. Usable for site: 1.56 acres. Mostly flat site with large open area. There are no known environmental or other conditions to constrain site for development.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
41a	x		x		1956	x	N/A



Site 42: Lafayette United Methodist/East Street

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
42a	Lafayette United Methodist Church/East St	972 Hough Ave	243-180-016	High density multifamily residential	MRA	N	Religious institution and parking	1.06	0.0	Y	35	37	33
42b	Lafayette United Methodist Church/East St	948 East St	243-210-004	High density multifamily residential	MRA	N	Residential, 1	0.46	0.1	N	35	15	13
		TOTAL						1.52			35	52	46

INCOME CATEGORIES: VLI, LI, MOD, AMOD. Proposed income categories will track SB 4 (significantly lower income).

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Currently used for surface parking; current land use does not maximize development potential. Although a creek runs through the property, it is underground. Development must ensure maintaining the creek. There are no other known environmental or other conditions to constrain site for development.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
42a			x		1949	x	0.0
42b			x		1949	x	0.7



Site 43: Temple Isaiah (North Parking Lot)

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
43a	Temple Isaiah (N Parking Lot)	945 Risa Road	241-010-046	Low density single family residential	R-40	Y	Religious institution and parking	1.24	0.1	N	35	43	38

INCOME CATEGORIES: VLI, LI, MOD, AMOD. Proposed income categories will track SB 4 (significantly lower income).

NOTES: Parcel total: 10.73 acres. Usable for site: 1.24 acres. North parking lot is flattest portion of the site. There are no known environmental or other conditions to constrain site for development.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
43a			x		1963	x	5.6



Site 44: Corporate Terrace

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
44a	Corporate Terrace (north)	3470 Mt. Diablo Blvd	N Portion of 243-011-054	East End Commercial	C-1	Y	Medical Offices, Parking	2.97	0.48	N	60	178	157
44b	Corporate Terrace (south)	3470 Mt. Diablo Blvd	S Portion of 243-011-054	East End Commercial	C-1	N	Medical Offices, Parking	1.18	0.48	N	35	41	36
44c	Corporate Terrace (south)	3462 Mt. Diablo Blvd	243-011-030	East End Commercial	C-1	N	Parking Lot	0.28	0	N	35	10	9
<b>Total</b>								4.43				229	202

INCOME CATEGORIES: VLI, LI, MOD, AMOD.

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Parcels are in common ownership and were part of a previous approved mixed-use proposal for 166 residential units on this site; approvals have since expired. There are technically only two parcels here; 44a and 44b are a single parcel that has been split because the norther portion of the site is proposed to be upzoned to 60 du/ac. There are no known environmental or other conditions to constrain site for development.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
44a		X-	X		1982		1.6
44b		X-	X		1982		1.6
44c		X	X	X			.01



Site 45: Madison Park

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
45a	Madison Park	3483 Golden Gate Way	243-232-027	East End Commercial	C-1	N	Vacant, formerly multifamily residential	1.11	0.056	N	35	39	35
45b	Madison Park	3491 Golden Gate Way	243-232-028	East End Commercial	C-1	N	Parking Lot	0.38	0.0	N	35	13	11
							Minus Lower Income Units lots						-22
<b>Total</b>								1.49				52	24

INCOME CATEGORIES: VLI, LI, MOD, AMOD.

NOTES: Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Parcels are in common ownership and were part of a previous approved multifamily housing proposal for 71 units on this site; approvals have since expired. The site previously had a mixed-use commercial and residential development with 21 residential units built in 1962 which has been demolished, and the site is now vacant. The parking lot is not being used for parking. Similar to West End (13 units), 950 Hough Ave (20 units) and 210 Lafayette Cir (12 units), which were both on irregularly shaped lots with creeks at rear. There are no known environmental or other conditions to constrain site for development.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
46a	X		X	X	1962		0.0
46b	X		X	X			0.0



Site 46: Walgreens

Site #	Site Name	Address	APN	GP LUD	Zoning	Rezone Needed	Existing Use	Acres	FAR	In Last HE	DU/Ac	Math Capacity	Realistic Capacity
46	Walgreens	3614 Mt. Diablo Blvd	243-050-001	Downtown Core	SRB	N	Drugstore and parking	0.95	0.24	N	35	33	29

INCOME CATEGORIES: VLI, LI, MOD, AMOD.

NOTES: Walgreens has closed this store and it is for sale. Site is within 1/2 mile to BART station, meaning it is no longer subject to local parking requirements pursuant to AB 2097. Site is next to another opportunity site (ATT parking lot). Building on the site is aging and there are no known environmental or other conditions to constrain site for development. The site has existing access to MDB and a narrow access toward Happy Valley Rd from the northwest corner of the parcel.

Site #	If one of these is met, site is included		If not #1 or #2, must have three of these criteria				
	1. Vacant Parcel or Use	2. Owner/ Developer Interest	3. Limited Improvements (e.g., FAR of 0.5 or less; parking lots, etc.)	4. Similar Uses to Other Redeveloped Sites	5. Age More than 20/30 Years	6. Single Story	7. ILV 1.0 or Less
46	X		X	X	1947	X	1.4





LAFAYETTE PLAZA CENTER, LLC  
899 HOPE LANE, LAFAYETTE, CA 94556  
PHONE: 925-284-4369

March 15, 2022

**SENT VIA EMAIL**

Mr. Greg Wolff  
Planning Director, City of Lafayette  
3675 Mr. Diablo Blvd., #210  
Lafayette, CA 94549

Re: Lafayette Housing Element update, residential Housing Opportunity Sites

Dear Mr. Wolff:

I, and other family members are the owners of the popular retail oriented Lafayette Plaza Shopping Center. Another family entity owns the vacant corner parcel located at Moraga Road and St. Mary's Road. The current zoning for the properties is Retail Business District (RB) for the Plaza Shopping Center and Multiple-Family Residential/Professional Office (MRO) for the vacant corner parcel on Moraga Road. I believe both zoning designations currently allow 35 dwelling units per acre (dua) residential density before any density bonus considerations.

The Plaza Center as I mentioned is a very popular shopping destination with several well-known national tenants. We believe that because of the size, layout, and location of our center that it could also be a very desirable residential location. We have always considered this site appropriate for multi-story mixed-use development, including either office or residential.

We would like both of our properties to be included as residential opportunity sites for this housing element (HE) update. We believe that both sites, but especially the Plaza Center, should at least be considered at the current bare minimum density of 35 dwelling units per acre.

We're happy to discuss this in greater detail if needed.

Sincerely,

Joan Bruzzone, Manager



David Bruzzone, Member



March 15<sup>th</sup>, 2022

Mr. Greg Wolf  
Director of Planning and Building  
City of Lafayette  
3675 Mt. Diablo Blvd. Suite #210  
Lafayette, CA 94549

RE: 243-110-027-6  
3625 Mt. Diablo Blvd. Lafayette, CA

Dear Mr. Wolf,

As a follow-up to your letter dated February 8<sup>th</sup>, 2022, and as owner of the above referenced property, I would like to express my interest in having this property included in your Housing Element Study. I am also requesting that this property be included in your Draft Opportunities List for the General Planning updating as well.

My goal is to maintain as much zoning flexibility as possible for this property whether it be for commercial, residential or office.

Should you have any questions please contact Michael Raphael at 925-353-6171 or at [mkraphel1@gmail.com](mailto:mkraphel1@gmail.com). I have hired Michael as my real estate consultant regarding this matter.

Sincerely,



William M. Eames

LAFAYETTE PLAZA CENTER, LLC  
899 HOPE LANE, LAFAYETTE, CA 94556  
PHONE: 925-284-4369

December 29, 2022

**SENT VIA EMAIL**

Mr. Greg Wolff  
Planning Director, City of Lafayette  
3675 Mr. Diablo Blvd., #210  
Lafayette, CA 94549

Re: 2022 Lafayette Housing Element update, residential Housing Opportunity Sites: Lafayette Plaza Center (including 1018 Oak Hill Rd, APN 243-020-010); Vacant parcel, with no address (Located on the corner of Moraga Rd/St. Mary's Road, APN 234-041-001; 2.38 Acres "Moraga Rd. Parcel"), Owner - Hope Lane Lafayette Holdings.

Dear Mr. Wolff:

I sent you a previous letter dated March 15, 2022 requesting accommodation of additional residential density for these properties, which are owned by my family. As I mentioned, our current development plans want to include a strong residential component in addition to our very successful retail/office complex called the Plaza Shopping Center; while our vacant Moraga Rd. Parcel requires a significant increase in density in order for us to advance a viable project. Both of these properties are ideally suited for a much higher density of 75 dwelling units per acre (75 DUA), up from the previous 35 DUA.

This density is necessary because of these properties proximity to public transportation facilities, downtown shopping, and especially with respect to our Moraga Road Property, elementary and junior high schools. The higher density of 75 DUA is a prerequisite that would help us to better afford the cost of podium and/or underground parking, which will be needed on these sites.

The Moraga Rd. Parcel is vacant and near our two downtown schools, Lafayette Elementary and Stanley Junior High and yet still close to the highway and Bart – important development opportunity to better spread out our affordable housing footprint around town, in furtherance of AFFH. Our property is bordered by Moraga Road and St. Mary's Road (two of the Town's main arterials), and a significant wooded area which helps to isolate it, and creates a substantial buffer from the single family homes located on Rosedale Avenue and other single family homes in the area. As I've mentioned previously, we've been considering development plans for this parcel and need enough units to justify the cost of expensive parking options needed to create a successful attractive project.

The Plaza Center (along with our parcel on Oak Hill Road) is an automatic consideration for residential 75 DUA overlay. Our Moraga Rd. Parcel because of the reasons mentioned above, and because it is vacant and "ready to go" is also a great opportunity site for upzoning to 75 DUA.

I hope this clarifies some of the issues we discussed the other day, and I'm happy to discuss this in greater detail if needed. Have a Happy New Year.

Sincerely,

David Bruzzone, Member

December 27th, 2022

Mr. Greg Wolf  
Director of Planning and Building  
Renata Robles  
Senior Planner  
City of Lafayette  
3675 Mt. Diablo Blvd. Suite #210  
Lafayette, CA 94549

RE: 243-110-027-6  
CVS Drug Store  
3625 Mt. Diablo Blvd. Lafayette, CA

Dear Mr. Wolf and Ms. Robles,

As a follow-up to my letter to the City of Lafayette, dated March 15th, 2022, and as owner of the above referenced property, I would like to confirm my interest in having this property included in your Housing Element Study. I am also requesting that this property be included in your Opportunities List for the General Planning updating as well.

CVS Drug Store is my current tenant at the above referenced address. Their lease will be expiring in a few years. CVS does have options available to them. Should they not exercise their next option then my goal would be to redevelop this property into a mixed-use project. There would be retail on the ground floor with residential above. With my property being over 35,000 sf, and the current zoning allowing 35 units per acre, this redevelopment possibility makes solid economic sense.

Should you have any questions please contact Michael Raphel at 925-353-6171 or at [mkraphel1@gmail.com](mailto:mkraphel1@gmail.com). I have hired Michael as my real estate consultant regarding this matter.

Sincerely,



William M. Eames



**OUR SAVIOR'S  
LUTHERAN CHURCH**  
TRANSFORMED BY THE PATH WE WALK TOGETHER

1035 CAROL LANE  
LAFAYETTE, CA 94549  
(925)283-3722  
SPIRIT@OSLC.NET  
WWW.OSLC.NET

August 13, 2023

Lafayette City Council  
3675 Mt. Diablo Blvd  
Lafayette, CA 94549

Dear Council Members,

We are writing to express our congregation's support for the proposal to allow increased housing density on church properties to help Lafayette meet future housing needs.

Like many similarly sized congregations, we have seen a reduction in church attendance over the past two decades leading us to find new ways to continue supporting the community by expanding how our facility is used. As a result, we are home to numerous non-profit organizations that serve the community including:

- [The Springstone School](#), a Nonpublic School, operating on our site since 2003 serving neurodiverse middle and high school learners.
- [Mount Diablo Peace and Justice Center](#), founded in 1969, working in Contra Costa County for a culture of peace through education, advocacy, and community building.
- [Peter Pan Foundation](#) whose mission is to inspire children of all ages to reach their full potential through unique music and theater productions.

As you know there is an acute need for affordable housing in Lafayette and the surrounding communities, which limits opportunities for clergy, teachers, childcare workers, non-profit leaders, and others to afford to live in the community near their places of employment.

We see adding housing on our 5 acre site as a potential way to provide housing for our own clergy and teachers at The Springstone School, but also for others that need access to safe and affordable housing. We have studied the market and our site with the help of a real estate consulting firm, [DCG Strategies](#), and have confirmed both the need for affordable housing and the limitations of the current R-10 zoning.

We encourage you to consider adopting a similar upzoning program for religious-use properties to that adopted in neighboring Orinda, so that organizations like Our Savior's can have the flexibility to bring forth affordable housing projects that will enrich the community and serve those who are otherwise unable to afford to live and work here.

Sincerely,

  
Janice Kittredge  
Congregation President

  
Mark Fenske  
Congregation Vice President

  
Pr. Dan Senter  
Senior Pastor

Cc: Lafayette Planning Department

# Gray Horse Investors

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**Mayor Anduri and Members of**

**The Lafayette City Council**

3675 Mt. Diablo Blvd Suite #350

Lafayette, CA 94549

August 28, 2023

**Re: 3675 Mt. Diablo Blvd. Lafayette, CA**

I have appreciated having the City of Lafayette as a tenant at Desco Plaza III for over 30 years. I have studied the possibility of having housing on our site and request that our property be included as an opportunity site in the City's Housing Element Update.

Sincerely,



**Curt Blomstrand**

Gray Horse Investors Manager and General Partner

3675 Mt. Diablo Blvd. Suite 350

Lafayette, CA 94549

**From:** Russell Gould <russell@exporealtymanagement.com>  
**Sent:** Wednesday, November 08, 2023 8:00 AM  
**To:** cityhall  
**Cc:** Wolff, Greg, John Kevlin, Tuija Catalano, General\_Plan  
**Subject:** City Council Discussion of Opportunity Sites - 3685 Mt. Diablo Boulevard / Desco Plaza I

Dear Members of the City Council,

I am writing to comment on the revised draft Housing Element, with the hope that my comment will be included and considered in the discussion to take place on November 13th. I am the owner of the property at 3685 Mt. Diablo Blvd - as the Manager of Desco Plaza I LLC and Desco Investment LLC, which together own the property at 3685 Mt. Diablo Blvd, also known as Desco Plaza I. I would like to express my support on behalf of the ownership for the inclusion of our property as an Opportunity Site in the Housing Element.

I was previously pleased to see that our property was included in a prior draft of the Housing Element at a base density of 35 Du/Ac, but now it seems that the property was removed from the latest draft based on the contention by others that it will not be practically available for development due to the existing leases on the property including a county office. In fact, it is our hope as owners to be able to develop the property for housing including an affordable housing component, and the existing leases which encumber the property are all short term and do not present an impediment to development.

As an advocate for increased housing supply it is my opinion that this site is most suitable for housing development. With 3685 Mt. Diablo you not only have a willing and able owner but also a site of adequate scale and rational shape, and existing buildings that are not encumbered by leases of any substantial term. There are no leases of substantial term beyond 5 years and all new leases have recently been including redevelopment lease termination clauses. The County of Contra Costa lease in particular expires in March 2025, which is only 17 months away from now. And the site scale will allow for a substantial, efficiently designed housing project - the site is 1.7 acres in total - 1.3 acres for parcel 24 and 0.40 acres for parcel 23 which is also a part. I have attached below the parcel map highlighting the property parcels that I am referring to.

I'm happy to provide whatever information is needed to substantiate these facts, so that our property can be included as a valid RHNA Opportunity Site at a base density of 35 dwelling units per acre or higher. This designation will help us actually develop the site for housing, and therefore help address the housing crisis. Thank you for your consideration.

Sincerely,

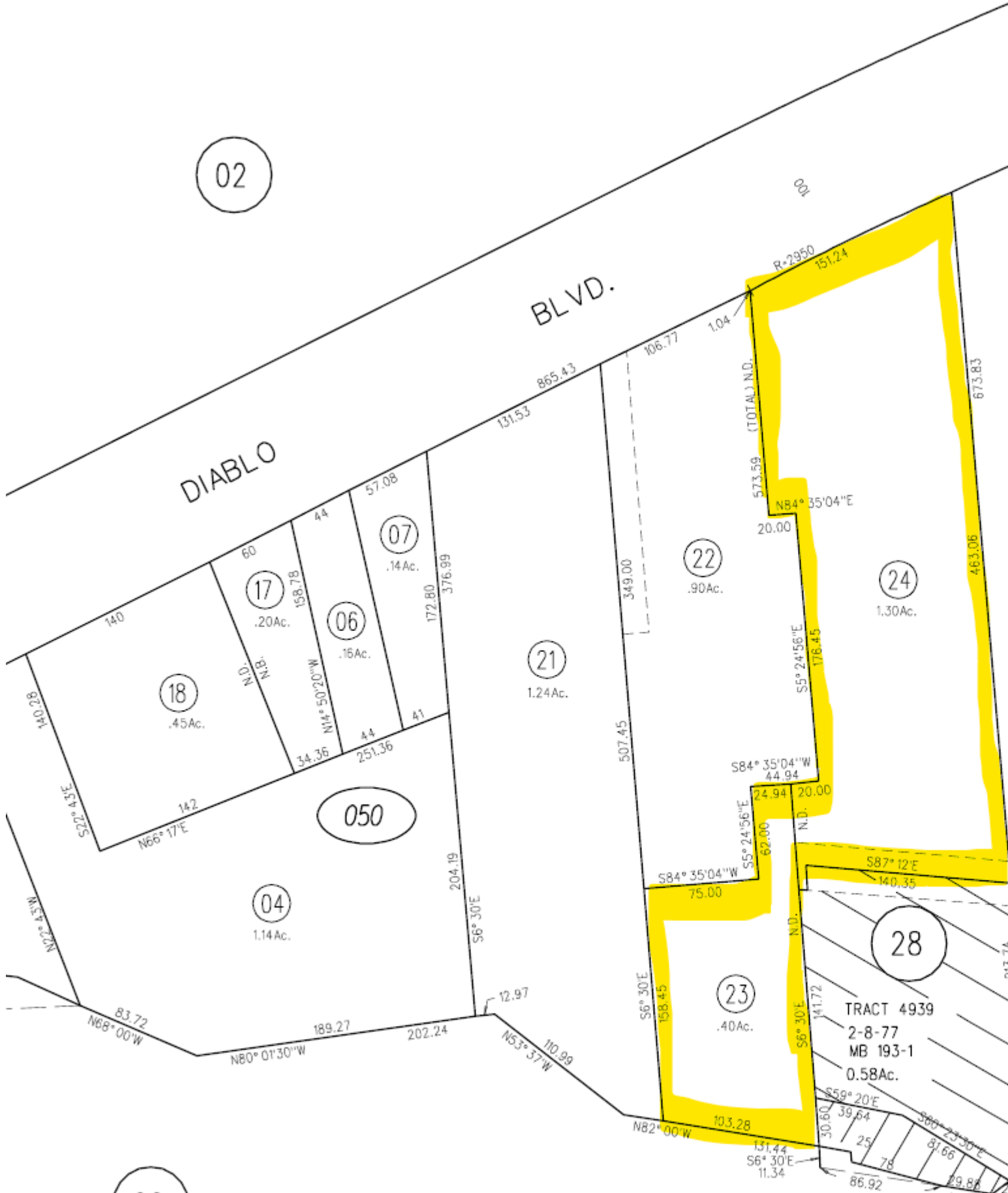
Russell R Gould  
manager on behalf of Desco Plaza I, LLC and Desco Investment, LLC, the owners of 3685 Mt. Diablo Blvd /  
Desco Plaza I.

--

**Russell R. Gould**  
Expo Realty Management LLC  
650-521-7819



02



DIABLO

BLVD.

R-2950

18  
.45Ac.

17  
.20Ac.

06  
.15Ac.

07  
.14Ac.

21  
1.24Ac.

22  
.90Ac.

24  
1.30Ac.

04  
1.14Ac.

050

23  
.40Ac.

28

TRACT 4939  
2-8-77  
MB 193-1  
0.58Ac.

$N68^{\circ}00'W$   
83.72

$N80^{\circ}01'30"W$   
189.27

202.24

$N53^{\circ}37'W$   
110.99

$N82^{\circ}00'W$   
103.28

$S6^{\circ}30'E$   
11.34

86.92

79.86

$N27^{\circ}43'W$   
140.28

$S22^{\circ}43'E$   
140.28

$N66^{\circ}17'E$   
142

$N14^{\circ}50'20"W$   
34.36

251.36

172.80

$S6^{\circ}30'E$   
204.19

12.97

507.45

349.00

131.53

865.43

106.77

1.04

573.59  
(TOTAL) N.D.

$N84^{\circ}35'04"E$   
20.00

$S84^{\circ}35'04"W$   
44.94

$S5^{\circ}24'56"E$   
62.00

$S84^{\circ}35'04"W$   
75.00

$S6^{\circ}30'E$   
158.45

$S6^{\circ}30'E$   
141.72

$S87^{\circ}12'E$   
140.35

673.83

463.06

001

151.24

EDWIN O. DeSILVA  
P.O. Box 2922  
Dublin, CA 94568

November 8, 2023

Mayor Anduri and Members of the Lafayette City Council  
C/O Niroop Srivatsa  
City Manager  
City of Lafayette  
3675 Mount Diablo Blvd., #210  
Lafayette, CA 94549

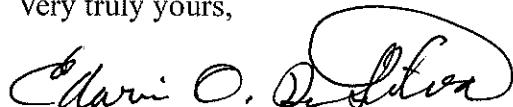
Re: DeSilva 60 Acre Property on Mount Diablo Blvd.

Dear Mayor Anduri and members of the City Council,

We have been following the City's Housing Element Update process and we continue to request that the plus or minus 60 acre parcel known as the "DeSilva Property" be included as an opportunity site in the current Housing Element Update. We support the City's proposal to rezone a minimum of 10 acres of the site to 35 dwelling units to the acre, with a minimum 88% residential yield. We agree to work with the City on a development agreement that will include the dedication of a portion of the site to the City for its use.

We believe that there will be interest in proceeding with construction within the 8 year cycle of this Housing Element. I hereby authorize Jim Summers to represent our interest in this property.

Very truly yours,

  
Edwin O. DeSilva

**From:** Cassidy, Arly  
**Sent:** Monday, April 15, 2024 5:15 PM  
**To:** Wolff, Greg, Urzua, Sonia, Srivatsa, Niroop  
**Subject:** New Project at 3614 MDB (Walgreens)

Hi All,

I just got off the phone with a group that's in contract to buy the Walgreens site, with interest in redeveloping it. They plan retail on the ground floor and apartments above. They mentioned density bonus and reduced parking, and also mentioned interest in working with Diamond Construction (Jeff Stone). Not a lot of other details but I wanted to put it on your radar.

All the best,  
Arly

**Arly A. Cassidy, AICP** (she/her)  
Senior Planner  
City of Lafayette  
Direct: (925) 299-3242 | Main: (925) 284-1976  
[www.lovelafayette.org](http://www.lovelafayette.org)

**From:** Marty Fischer <marty@fischermarketinggroup.com>  
**Sent:** Tuesday, December 12, 2023 9:28 AM  
**To:** cityhall  
**Subject:** Proposed Rezoning of Faith Based Properties  
**Attachments:** City Planning Dept. 12.12.23.pdf

Lafayette City Planning & Building Dept.

Please see the attached letter requesting St. Anselm's Episcopal Church property (APN 238-121-003) be exempted from proposed zoning changes.

Sincerely,

**Martin D. Fischer**  
**Sr. Warden**  
**St. Anselm's Episcopal Church**  
**925 247-4192**

**CAUTION: This email has been originated outside the organization.**

# St. Anselm's Episcopal Church

---



682 Michael Lane  
Lafayette, California 94549  
(925) 284-7420  
www.stanselms.ws  
admin@stanselms.comcastbiz.net

December 12, 2023

City of Lafayette  
Planning & Building Dept.  
3756 Mt. Diablo Blvd. Suite 210  
Lafayette, CA 94549

Delivered By Email & Personal Delivery on 12/12/23

## Re: General Plan – Housing Resources

Dear City Planning:

It has come to our attention that St. Anselm's Episcopal Church, located at 682 Michael Lane in Burton Valley, has been included in a proposed zoning revision to expand multi-unit affordable housing zoning. This appears in Appendix C, titled "Housing Resources and Sites Inventory 2023-12-06," dealing with Faith Based Organizations.

Following discussion, our Vestry (Board) requests that our parcel (APN 238-121-003 and listed as Site 37 in Appendix C) be removed from any consideration to be rezoned multi-unit from its current status. Earlier this year, the proposed site was considered by our Vestry as a possible site for a Rectory to house a future Rector. Please remove the site from any proposed rezoning.

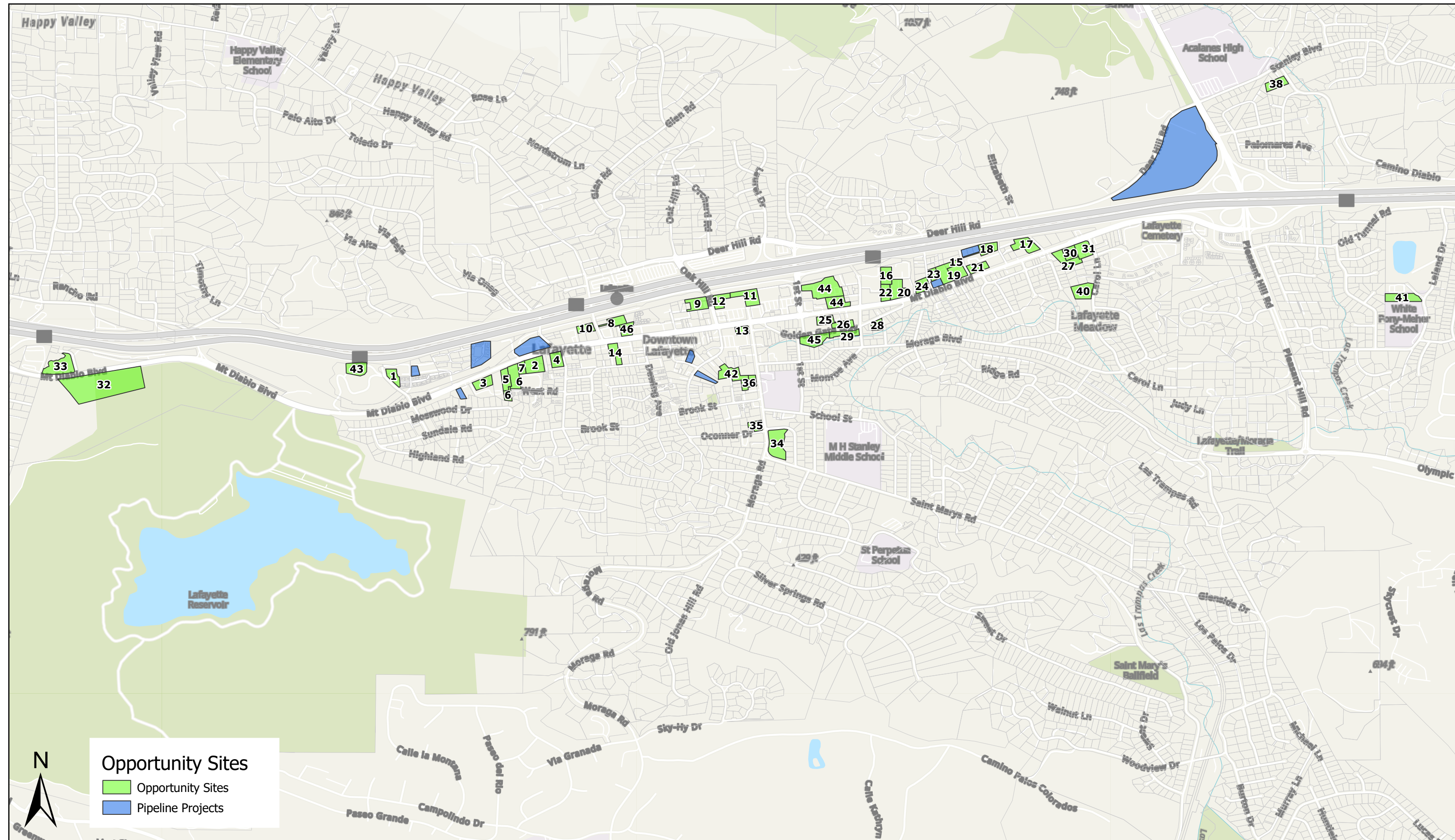
Our Vestry appreciates that this rezoning proposal arises in the context of an important policy goal, to help expand opportunities to build multi-unit affordable housing. Our request to you is not a political statement in support of, or in opposition to, broader land use or zoning proposals. If other Lafayette Faith Based Organizations wish to accept zoning changes to allow multi-unit affordable housing on their property, our Vestry's view is that they should be allowed to do so.

In conclusion, we request that our property be exempted from the rezoning plan.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Martin D. Fischer".

Martin D. Fischer  
Sr. Warden  
St. Anselm's Episcopal Church



## APPENDIX D

### Affirmatively Furthering Fair Housing Assessment

Revised [April 22, 2024](#)

6th Cycle Housing Element  
City of Lafayette

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- Attachment 2B: Lafayette Site Inventory AFFH Supplement
- Attachment 3C: State Fair Housing Laws and Regulations
- Attachment 4D: Contra Costa County Regional Assessment of Fair Housing
- Attachment 5E: UC Merced Segregation Report for Lafayette

## 1. INTRODUCTION

In January 2017, Assembly Bill 686 (AB 686) introduced an obligation to affirmatively further fair housing (AFFH) into California state law. AB 686 requires all housing elements prepared on or after January 1, 2021, to assess fair housing conditions. This Affirmatively Furthering Fair Housing Assessment follows the April 2021 State of California State Guidance for AFFH. The study was conducted as part of the Contra Costa County Collaborative (“C4”), which assisted in the compliance with AFFH requirements for many jurisdictions in the county. It was supplemented by analysis conducted by Root Policy Research, which has created assessments of fair housing for many Bay Area jurisdictions, including all 21 communities of San Mateo County.

The United States’ oldest cities have a history of segregated living patterns—and Northern California cities are no exception. The Association of Bay Area Governments (ABAG), in its recent Fair Housing Equity Assessment, attributes segregation in the Bay Area to historically discriminatory practices—highlighting Federal redlining and discriminatory mortgage approvals—as well as “structural inequities” in society, and “self-segregation” (i.e., preferences to live near similar people).

Researcher Richard Rothstein’s 2017 book *The Color of Law: A Forgotten History of How Our Government Segregated America* chronicles how the public sector contributed to the segregation that exists today. Rothstein highlights several significant developments in the Bay Area region that played a large role in where the region’s non-White residents settled.

### 1.1 CONTRA COSTA COUNTY HISTORY AND CONTEXT

The City of Richmond in Contra Costa County is used in Rothstein’s book to discuss the Federal government’s role in intentionally segregating residents of color in the area both in housing and in employment opportunity. Development in Richmond in the 1940’s during the war and afterward in the 1950’s is not unique to Contra Costa County but is used to demonstrate the types of actions that ensured the segregation, discrimination, and their impacts that would shape the housing landscape throughout the nation for decades to follow.

According to Rothstein, the shipyards and war industries that occupied the coasts in Richmond attracted a population boom. During the 1940’s industry was forced to allow people of color to work in traditionally White occupations due to labor shortages that accompanied the war. As a result of the population boom, the Federal government built public housing to support the shipyards and industries that supplied the war. Housing developments constructed by the government were explicitly segregated by race.

The Federal government stepped in to provide low-interest loans for White families to purchase homes and financed the mass development of for sale housing for White residents in a suburb of Richmond. By 1950, three out of four Black households lived in government funded public housing and others were forced to double up. According to Rothstein, an estimated 4,000 Black residents were living in makeshift shacks, barns, or tents. White residents were offered mortgages and new homes while Black residents were corralled in public housing projects in the city in an early example of de jure segregation.

After the war, White troops returning from war were offered mortgages through the Veterans Administration that required low or no down payments and low interest. These same benefits were not available to returning veterans of color. Contra Costa County continued to develop suburbs surrounding cities that are characterized by large lots and 3- and 4-bedroom homes and office parks. These early acts of segregation by the Federal government remain evident in the demographic and economic composition of the region today.

## 1.2 LAFAYETTE HISTORY AND CONTEXT

According to the Lafayette Historical Society, Lafayette's earliest settlers were members of the Bay Miwok tribe. Native American tribelets living in the area are evidenced in the many relics unearthed during development of the current city.

Prior to the accession of California to the United States, the Government of Mexico allowed citizens to receive grants for land for a nominal fee. The land that is now Lafayette was used for cattle ranching. The Lafayette Historical Society reports that, over time, nearly all of the "vast Mexican ranchos" were lost through occupation by and sale to White American settlers.

Only about 460 housing units were in existence prior to 1940, but after that, development took off: 65% of Lafayette's total housing units were built between 1940 and 1970. Like many communities in the Bay Area, Lafayette prioritized development of single-family detached homes as it grew. Certain types of residents were excluded from purchasing homes in the community. Even today, some members of the Lafayette community live where homeowner association covenants contain discriminatory language, prohibiting sale to certain ethnic groups or nationalities. Although these restrictive covenants have not been enforceable throughout the 50+-year history of the City of Lafayette, their continued existence in historic documents points to a discriminatory past, and may well give pause to potential future purchasers who are not Caucasian.

In addition, there are concerns among some residents that the City is potentially losing its "semi-rural" character, a term the community has used to describe itself since its incorporation. The 1974 General Plan's cover letter to the community states, "The Plan we suggest - also seeks to continue the Lafayette tradition of providing homes for an economic spectrum, through steps designed to restrain the current trend toward a single, affluent class living in our community." At the same time, the Plan had a goal to "Encourage the preservation, wherever possible, of existing single family residential areas, and accommodate a reasonable amount of diversity among citizens of Lafayette in terms of age, income, and cultural background." A key population indicated for lower-income housing opportunities was seniors, who were noted to be on fixed incomes, as well as other "needy" families such as young couples, and those earning less than \$10,000 per year.

The Downtown Core was explicitly mentioned as the appropriate place to include a limited amount of multifamily apartment buildings, whose proximity to the recently constructed BART station as well as goods and services was noted as beneficial to apartment-dwellers. However, the Plan noted that "That there be no residential or commercial high-rise structures in Lafayette, high-rise being defined as buildings in excess of three stories, except in a few truly exceptional instances where higher structures or portions of main structures would be necessary for the economic development of the core area and where it could enhance the architectural beauty or setting of the building." Densities in the Downtown were 35 du/ac, which is still the maximum density today.

The tension around Lafayette’s character and identity has intensified in recent years, in part because of higher density housing proposals that have taken advantage of density bonus provisions, which allow certain developments to exceed local limits on heights, reduce development standards, and obtain concessions and waivers that conflict with local standards. In addition, as the community has become increasingly built out, community members have raised concerns about traffic impacts, wildfire risk and evacuation, and changes to the quality of life enjoyed for so many years.

For example, Lafayette was at the center of a conflict between housing advocates and some residents over the density of a proposed apartment community (The Terraces of Lafayette)<sup>1</sup>. In November 2021, the Superior Court upheld the city’s approval of the development and rejected claims by Save Lafayette (which opposed the development) that the City did not conduct adequate environmental review and that the development was inconsistent with the General Plan. Save Lafayette’s appeal of the decision was ultimately rejected as well.

### 1.3 REPORT CONTENT AND ORGANIZATION

This Affirmatively Furthering Fair Housing (AFFH) Assessment, or AFFH, follows the April 2021 State of California State Guidance for AFFH. The study was conducted as part of the Contra Costa County Collaborative (“C4”), which assisted in the compliance with AFFH requirements for many County jurisdictions. It was supplemented by analysis conducted by Root Policy Research, which has created assessments of fair housing for many Bay Area jurisdictions, including all 21 communities of San Mateo County.

The references to statistics for the County or region as a whole were excerpted from the Contra Costa County Regional Assessment of Fair Housing, also conducted by the C4 group, and it is included in its entirety as an attachment.

The report sections include:

- **Primary Findings and Fair Housing Action Plan** identifies the primary factors contributing to fair housing challenges and the plan for taking meaningful actions to improve access to housing and economic opportunity.
- **Fair Housing Outreach Capacity and Enforcement** reviews lawsuits/enforcement actions/complaints against the jurisdiction; compliance with state fair housing laws and regulations; and jurisdictional capacity to conduct fair housing outreach and education.
- **Integration and Segregation** identifies areas of concentrated segregation, degrees of segregation, and the groups that experience the highest levels of segregation.
- **Access to Opportunity** examines differences in access to education, transportation, economic development, and healthy environments.
- **Disproportionate Housing Needs** identifies which groups have disproportionate housing needs including displacement risk.

---

<sup>1</sup> <https://www.lovelafayette.org/city-hall/quick-links/hot-topics/terraces-of-lafayette>

## 2 OVERVIEW OF AB 686

In January 2017, Assembly Bill 686 (AB 686) introduced an obligation to affirmatively further fair housing (AFFH) into California state law. AB 686 defines “affirmatively further fair housing” to mean “taking meaningful actions, in addition to combat discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for persons of color, persons with disabilities, and other protected classes.

AB 686 requires that all housing elements prepared on or after January 1, 2021, assess fair housing through the following components:

- An assessment of fair housing within the jurisdiction that includes the following components: a summary of fair housing issues and assessment of the City’s fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities; an assessment of contributing factors; and identification and prioritization of fair housing goals and actions.
- A sites inventory that accommodates all income levels of the City’s share of the RHNA that also serves the purpose of furthering more integrated and balanced living patterns.
- Responsive housing programs that affirmatively further fair housing, promote housing opportunities throughout the community for protected classes, and address contributing factors identified in the assessment of fair housing.
- The analysis must address patterns at a regional and local level and trends in patterns over time. This analysis compares the locality at a county level for the purposes of promoting more inclusive communities.

The primary data sources for the AFFH analysis are:

- U.S. Census Bureau’s Decennial Census (referred to as “Census”) and American Community Survey (ACS)
- Contra Costa County Analysis of Impediments to Fair Housing Choice January 2020-2025 (2020 AI).
- Local Knowledge

In addition, HCD has developed a statewide AFFH Data Viewer. The AFFH Data Viewer consists of map data layers from various data sources and provides options for addressing each of the components within the full scope of the assessment of fair housing. The data source and time frame used in the AFFH mapping tools may differ from the ACS data in the 2020 AI. While some data comparisons may have different time frames (often different by one year), the differences do not affect the identification of possible trends.



This section summarizes the primary findings from the Fair Housing Assessment for Lafayette; the factors that contribute to the city's fair housing challenges; and the city's fair housing action plan to address those challenges.

### 3.1 PRIMARY FINDINGS

#### Segregation/Integration

Compared to Contra Costa County overall, Lafayette residents are much less diverse racially and ethnically. Lafayette's residents are 75% non-Hispanic White. Persons of Hispanic descent comprise 8.5% of Lafayette's residents. The next largest racial group is Asian at 11%. Fewer than 1% of Lafayette's residents are Black/African American. The county, in contrast, is 48% non-Hispanic White and 24% Hispanic. 9% of county residents are Black/African American. The only racial group where the city is close to the county is Asian (11% in Lafayette v. 15% in the county).

*Contributing factors:* Lafayette incorporated as a semi-rural community and has a history as a low-density suburban, with good schools, access to jobs, goods and services, and above-average median household income. Limited supply and above average median housing costs have constrained opportunities for residents and workers who need affordable housing from locating in Lafayette.

#### Income and Renter Segregation

Lafayette is a high-income community, with little variance in median household income by neighborhood. Low to moderate income (LMI) households are concentrated in central Lafayette, where 50 – 75 percent of the population is considered LMI, and Downtown Lafayette and along the south side of State Route 24, where about 25 – 50 percent of the population is considered LMI (see [Map 28](#)). The Downtown Lafayette neighborhood also has a higher proportion of renter-occupied households, higher levels of cost-burdened renter households, and the highest share of Housing Choice Voucher holders. Additionally, the vast majority of housing units are 3 or more-bedroom units with limited options for one-bedroom units or studio apartments.

*Contributing factors:* The City's most affordable housing is found in neighborhoods with mixtures of commercial and residential properties, relatively high-density allowances, and those that abut Highway 24. Although these neighborhoods are identified as high opportunity areas and are rated as healthy communities, consistent with the city overall, the concentration of affordable housing limits residents and workers choice of housing in settings outside of mixed-use settings in less traffic-intense environments. The concentration of LMI, renter households, and voucher holders in the downtown area suggests a lack of affordable housing options and rental housing in single family neighborhoods. The increase in ADU development throughout the community will provide new opportunities for lower-income people to find housing that is affordable to them.

#### Disproportionate Housing Needs

The only neighborhood where renters are vulnerable to displacement is also one of two neighborhoods where residents have the best opportunity to find affordable housing. American Indian, Black and Hispanic households experience the most housing problems, higher rates of housing cost burden, higher mortgage loan denial rates, and have a higher proportion of low income households earning less than

50% of AMI, compared to the overall population in the city. American Indian and Black residents are also more likely to live in poverty or experience homelessness. In addition to disproportionate housing needs among racial and ethnic minorities in the City of Lafayette, large family households (5 or more people) experience high rates of housing cost burden.

*Contributing factors:* Barriers to housing choice are largely related to the city's very high costs of housing and rate of affordable production. The City of Lafayette has 126 units of subsidized housing, which represents less than 1% of the county's inventory of subsidized units. The county has 1.5 times the proportion of rentals priced under \$2,000 than the city. Conversely, the city has three times the proportion of units priced over \$3,000 compared to the county. Similarly, the city has seven times the number of for sale homes valued over \$2 million compared to the county.

### 3.2 PRIORITIZATION OF CONTRIBUTING FACTORS AND FAIR HOUSING ACTION PLAN

The factors contributing to the most significant fair housing issues are prioritized according to the level of impact the City can have on the factors. They are as follows:

#### **High: Disproportionate Housing Needs**

- *Contributing factors:* Barriers to housing choice are largely related to the city's very high costs of housing and rate of affordable housing production. The City of Lafayette has 126 units of subsidized housing, which represents less than 1% of the county's inventory of subsidized units. The county has 1.5 times the proportion of rentals priced under \$2,000 than the city. Conversely, the city has three times the proportion of units priced over \$3,000 compared to the county. The city also has seven times the number of for sale homes valued over \$2 million compared to the county.

#### **Medium: Segregation/Integration**

- *Contributing factors:* The city's most affordable housing is found in neighborhoods with mixtures of commercial and residential properties, relatively high-density allowances, and those that abut Highway 24. Although these neighborhoods are identified as high opportunity areas and are rated as healthy communities, consistent with the city overall, the concentration of affordable housing limits residents and workers choice of housing in settings outside of mixed-use settings in less traffic-intense environments. The concentration of LMI, renter households, and voucher holders in the downtown area suggests a lack of affordable housing options and rental housing in single family neighborhoods. The increase in ADU development throughout the community will provide new opportunities for lower-income people to find housing that is affordable to them.

#### **Low: Segregation/Integration**

- *Contributing factors:* Lafayette incorporated as a semi-rural community and has a history as a low-density suburban community, with good schools, access to jobs, goods and services, and above-average median household income. Limited supply and above average median housing costs have constrained opportunities for residents and workers who need affordable housing from locating in Lafayette.

The Fair Housing Action Plan, which utilizes these findings to affirmatively further fair housing, ~~can be found as Attachment A at the end of this document.~~ is incorporated in Appendix G, Implementation Plan.

**4 FAIR HOUSING OUTREACH CAPACITY AND ENFORCEMENT**

**Primary Findings**

- ✓ Between 2015 and June 30, 2020 a total of 148 fair housing cases were filed in Contra Costa County, with **disability** being the top allegation of basis of discrimination followed by **familial status, race, national origin, and sex**.
- ✓ In Lafayette, between 2016 – 2021 two general fair housing inquiries were made to ECHO on the **basis of race**.
- ✓ Overall, the capacity and funding for fair housing organizations in Contra Costa County is insufficient. Greater resources would enable stronger outreach efforts, including populations that may be less aware of their fair housing rights, such as limited-English proficiency residents. **A lack of funding and resources constrains ECHO and BayLegal’s ability to provide fair housing services for people facing discrimination.**

**Does Lafayette have sufficient fair housing resources and capacity?**

No fair housing complaints were filed in the City of Lafayette in recent years. The city’s website provides contact information to Eden Council for Hope and Opportunity, California’s Department of Fair Housing and Employment, and Bay Area Legal Aide. The city could provide more information about the types of actions that constitute discrimination and the complaint process for filing a fair housing complaint.

Fair housing enforcement and outreach capacity refers to the ability of a locality and fair housing entities to disseminate information related to fair housing laws and rights and provide outreach and education to community members. Enforcement and outreach capacity also include the ability to address compliance with fair housing laws, such as investigating complaints, obtaining remedies, and engaging in fair housing testing. The Fair Employment and Housing Act and the Unruh Civil Rights Act are the primary California fair housing laws. California state law extends anti-discrimination protections in housing to several classes that are not covered by the federal Fair Housing Act (FHA) of 1968, including prohibiting discrimination on the basis of sexual orientation.

In Contra Costa County, local housing, social services, and legal service organizations include the Fair Housing Advocates of Northern California (FHANC), Eden Council for Hope and Opportunity (ECHO) Fair Housing, Bay Area Legal Aid, and Pacific Community Services. There are no fair housing enforcement actions against the City, and the City complies with all State and federal fair housing laws.

**Table 1: Fair Housing Advocacy Organizations, Contra Costa County**

Organization	Focus Areas
<b>Fair Housing Advocates of Northern California (FHANC)</b>	Non-profit agency that provides fair housing information and literature in a number of different languages, primarily serves Marin, Sonoma, and Solano County but also has resources to residents outside of the above geographic areas.

<b>Eden Council for Hope and Opportunity (ECHO) Fair Housing</b>	Housing counseling agency that provides education and charitable assistance to the general public in matters related to obtaining and maintaining housing.
<b>Bay Area Legal Aid</b>	Largest civil legal aid provider serving seven Bay Area counties. Has a focus area in housing preservation and homelessness task force to provide legal services and advocacy for those in need.
<b>Pacific Community Services</b>	Private non-profit housing agency that serves East Contra Costa County (Bay Point, Antioch, and Pittsburg) and provides fair housing counseling as well as education and outreach

**4.1 FAIR HOUSING ENFORCEMENT**

California’s Department of Fair Employment and Housing (DFEH) has statutory mandates to protect the people of California from discrimination pursuant to the California Fair Employment and Housing Act (FEHA), Ralph Civil Rights Act, and Unruh Civil Rights Act (with regards to housing).

The FEHA prohibits discrimination and harassment on the basis of race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, sexual orientation, marital status, military or veteran status, national origin, ancestry, familial status, source of income, disability, and genetic information, or because another person perceives the tenant or applicant to have one or more of these characteristics.

The Unruh Civil Rights Act (Civ. Code, § 51) prohibits business establishments in California from discriminating in the provision of services, accommodations, advantages, facilities and privileges to clients, patrons and customers because of their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status.

The Ralph Civil Rights Act (Civ. Code, § 51.7) guarantees the right of all persons within California to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of political affiliation, or on account of sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, immigration status, or position in a labor dispute, or because another person perceives them to have one or more of these characteristics.

**Regional Trends**

Based on DFEH Annual Reports, [Table 2](#) shows the number of housing complaints filed by Contra Costa County to DFEH between 2015–2020. A slight increase in the number of complaints precedes the downward trend from 2016–2020. Note that fair housing cases alleging a violation of FEHA can also involve an alleged Unruh violation as the same unlawful activity can violate both laws. DFEH creates companion cases that are investigated separately from the housing investigation.

Table 2: Number of DFEH Housing Complaints in Contra Costa County (2020)

Year	Housing	Unruh Civil Rights Act
2015	30	5
2016	32	2
2017	26	26
2018	22	2
2019	22	2
2020	20	1

Source: <https://www.dfeh.ca.gov/LegalRecords/?content=reports#reportsBody>

The Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity (HUD FHEO) enforces fair housing by investigating complaints of housing discrimination. [Table 3](#) shows the number of FHEO Filed Cases by Protected Class in Contra Costa County between 2015 and June 30, 2020. Note that no data was collected after June 30, 2020. A total of 148 cases were filed within this time period, with disability being the top allegation of basis of discrimination followed by familial status, race, national origin, and sex. These findings are consistent with national trends stated in FHEO’s FY 2020 State of Fair Housing Annual Report to Congress where disability was also the top allegation of basis of discrimination.

A summary of ECHO’s Fair Housing Complaint Log on fair housing issues, actions taken, services provided, and outcomes can be found in [Table 4](#) and [Table 5](#). Services that were not provided include (2.) Case tested by phone; (4.) Case referred to HUD and (8.) Case accepted for full representation. The most common action(s) taken/services provided are providing clients with counseling, followed by sending testers for investigation, and conciliation with landlords. Regardless of actions taken or services provided, almost 45% of cases are found to have insufficient evidence. About 12% of all cases resulted in successful mediation.

Table 3: Number of FHEO Filed Cases by Protected Class in Contra Costa County (2015–2020)

Year	Number of Filed Cases	Disability	Race	National Origin	Sex	Familial Status
2015	28	17	4	2	2	4
2016	30	14	8	7	5	6
2017	20	12	3	5	1	5
2018	31	20	6	3	4	9
2019	32	27	4	4	4	1
2020	7	4	1	0	2	1
<b>Total</b>	<b>148</b>	<b>94</b>	<b>26</b>	<b>21</b>	<b>18</b>	<b>26</b>
Percentage of Total Filed Cases *Note that cases may be filed on more than one basis.		63.5%	17.5%	14.2%	12.2%	17.6%

Source: Data.Gov - Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity (FHEO) Filed Cases, <https://catalog.data.gov/dataset/fheo-filed-cases>

[Table 3](#) indicates that the highest number of fair housing complaints are due to discrimination against those with disabilities, followed by income source, race, and national origin. A summary of ECHO’s Fair Housing Complaint Log on fair housing issues, actions taken, services provided, and outcomes can be found in [Table 4](#) and [Table 5](#).

Table 4: Action(s) Taken/Services Provided

Protected Class	1	3	5	6	7	Grand Total
Race	21	0	0	2	0	23
Marital Status	0	0	0	1	0	1
Sex	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Familial Status	0	0	0	3	0	3
Sexual Orientation	0	0	0	0	0	0
Sexual Harassment	0	0	0	1	0	1
Income Source	15	0	1	7	1	24
Disability	7	1	14	33	5	60
National Origin	13	0	0	1	0	14
Other	0	0	1	11	5	17
<b>Total</b>	<b>56</b>	<b>1</b>	<b>16</b>	<b>59</b>	<b>11</b>	<b>143</b>

1. Testers sent for investigation; 3. Referred to attorney; 5. Conciliation with landlord; 6. Client provided with counseling; 7. Client provided with brief service; Source: ECHO Fair Housing (2020 - 2021)

Table 5: Outcomes

Protected Class	Counseling provided to landlord	Counseling provided to tenant	Education to Landlord	Insufficient evidence	Preparing Site Visit	Referred to DFEH/HUD	Successful mediation	Grand Total
Race	0	0	2	20	0	1	0	23
National Origin	0	0	1	13	0	0	0	14
Marital Status	0	0	0	1	0	0	0	1
Sex	0	0	0	0	0	0	0	0
Disability	2	25	2	12	0	4	15	60
Religion	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0
Familial Status	0	3	0	0	0	0	0	3
Income Source	3	3	0	16	1	0	1	24
Sexual Harassment	0	8	2	2	1	4	0	17
Other	0	0	0	0	0	1	0	1
<b>Total</b>	<b>5</b>	<b>39</b>	<b>7</b>	<b>64</b>	<b>2</b>	<b>10</b>	<b>16</b>	<b>143</b>

Source: ECHO Fair Housing (2020 - 2021)

## Local Trends

East Bay residents frequently report instances of housing discrimination on the basis of race—in Contra Costa County, for instance, surveyed legal service providers, professional associations, and housing authorities reported having clients who experienced housing discrimination. In nearly half of cases (47%), race was cited as the reason for discrimination and in 37% of cases, national origin was cited.<sup>2</sup> Similar results were found in a review of fair housing complaints between 2009 and 2014 in Alameda County where housing discrimination based on race comprised 30% of complaints.<sup>3</sup> Interestingly, in a stakeholder survey launched for Contra Costa’s 2016 Analysis of Impediments to Fair Housing Choice, social service providers and local government officials cited disability as comprising the majority of the county’s housing discrimination cases. In fact, the 2016 AI identifies “disability and elderly issues” as one of five impediments to fair housing—specifically “around issues of reasonable accommodations [that] results in discrimination against individuals with disabilities.” Residents, alternatively, identified high housing costs, distance from housing to employment, lack of access to public transportation, and poor condition of available units as the greatest local barriers to housing choice.

In the county’s AI resident survey, one-third of respondents reported that they had observed housing discrimination in their community and 13% had experienced housing discrimination. Of those who reported experiencing housing discrimination, residents overwhelmingly explained that discrimination was based on their race (44%), followed by national origin (28%) and familial status (28%)—all of which are protected classes under the Fair Housing Act. It is importantly to note that nearly three in four (72%) housing discrimination cases occurred in rental housing by a landlord or property manager and half in multi-family units—only 25% of cases occurred in single-family homes.

No respondent who had observed or experienced discrimination in housing reported the incidence largely because they did not know where to file a complaint, feared retaliation, were unaware of their rights, or thought it would not make a difference. Lack of understanding and education in fair housing and fair housing protections are explained in-depth below.

## Fair Housing Testing

Fair housing testing is a randomized audit of property owners’ compliance with local, state, and federal fair housing laws. Initiated by the Department of Justice’s Civil Rights Division in 1991, fair housing testing involves the use of an individual or individuals who pose as prospective renters for the purpose of determining whether a landlord is complying with local, state, and federal fair housing laws.

Between 2016 – 2021 two general fair housing inquiries were made to ECHO on the basis of race. Testers from ECHO were sent for investigation but found insufficient evidence to move forward. Additionally, the AFFH Data Viewer provides information on fair housing inquiries submitted to HUD FHEO between 2013 – 2021. Three inquiries were filed during this time; however, the basis of the allegation is not available for these three inquiries.

In Contra Costa County’s 2020 AI, private discrimination was reported at the regional and local level. In 2016, for instance, the California Department of Fair Employment and Housing reported that it had

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<sup>2</sup> Nicole Montojo, Eli Moore, Nicole Mauri, “A History of Racially Exclusionary Housing in the San Francisco Bay Area,” Haas Institute at the University of California Berkeley, (October 2019), <https://belonging.berkeley.edu/rootsraceplace>.

<sup>3</sup> Ibid.



received 32 housing complaints from Contra Costa County residents. The AI also noted results from fair housing testing conducted in 2011 by Fair Housing Marin—now known as Fair Housing Advocates of Northern California—and Bay Area Legal Aid. White and Black testers called 20 housing providers who had posted rental advertisements on Craigslist and found that housing providers treated White and Black testers substantially different with White tests receiving preferential treatment in 55% of calls. In 2012, testing was conducted again to determine national origin discrimination in Richmond. In 30% of tests, Hispanic/Latino testers faced some type of differential treatment compared to non-Hispanic White testers. Differential treatment and better services perpetuate segregation and disparities in opportunity as minorities often experience greater challenges seeking housing in neighborhoods with access to better schools, jobs, and healthcare.

### **Compliance with Federal Housing Laws**

Contra Costa County, as well as the City of Lafayette, is in compliance with numerous federal housing laws that protect residents from housing discrimination and expand housing choice for low-income and non-White populations. Federal laws include:

- Section 504 of the Rehabilitation Act of 1973, forbidding organizations from excluding or denying persons with disabilities program benefits and services;
- Title I of Section 109 of the Housing and Community Development Act of 1974, prohibiting discrimination on the basis of race, color, national origin, disability, age, religion, and sex within Community Development Block Grant (CDBG) programs or activities;
- Home Mortgage Disclosure Act (1975), requiring regional and local financial institutions to maintain, report, and disclose mortgage loan information;
- Executive Order 13166 (2000), requiring recipients of federal funds to take reasonable steps to provide access to limited English proficient (LEP) persons.

### **Compliance with State Housing Laws**

The City of Lafayette and Contra Costa County’s jurisdictions are compliant with state housing laws that protect residents from housing discrimination including:

- Government Code Section 12955 et seq—Fair Employment and Housing Act (FEHA), prohibiting housing discrimination of harassment in housing practices and through public and private land use practices and decisions;
- California Civil Code Section 1940.3, prohibiting landlords from questioning potential residents about their immigration or citizenship status and jurisdictions from passing laws that direct landlords to make such inquiries;
- Government Code Sections 11135, 65008, and 65580-65589.8, prohibiting discrimination in programs funded by the state and in any land use decisions and requiring jurisdictions to address housing option provisions for special needs groups.

## Local Housing Policies

The City of Lafayette has altered its development patterns and committed to identifying development opportunities for its low and moderate-income residents. The city has made various efforts to encourage and promote affordable development—these efforts are listed and elaborated upon below.

Historically, Lafayette promoted affordable housing development by requiring developers to provide affordable units if their project was located in the Redevelopment Project Area – consistent with State Redevelopment Law - which requires developers to reserve 15% of units for very low-, low-, and moderate-income households. In 2011, however, California eliminated the Redevelopment and requirements to provide housing at multiple affordability levels. To reinstate this requirement and encourage the development of affordable housing, Lafayette adopted an inclusionary housing ordinance in 2016 to regulate the percentage of for-sale market-rate units—the city updated the ordinance in 2018 to include rental units. The adopted ordinance requires 15% of multi-family units to be affordable for below market rate (BMR) households. In 2014, Lafayette adopted its Density Bonus ordinance and Chapter 6-36 to facilitate and encourage affordable housing development projects. Developers of affordable housing units are permitted off-site construction and are permitted—rather than complying with affordable housing unit regulations—pay an in-lieu fee. If a project proposal includes at least 25% BMR units, the city will also grant concessions or waivers that allow for the deferral of development impact fees.

The City of Lafayette is in compliance with Senate Bill 2 which requires transitional and supportive housing to be treated as residential use and to allow for emergency shelters to be placed in appropriate zones without discretionary action. After SB 2 was passed by the state legislature, Lafayette updated its zoning ordinance to allow for the establishment of emergency shelters. The city supports the practice of “housing first model” where persons experiencing homelessness are not brought to emergency shelters but rather moved directly into permanent and/or supportive housing.

Lafayette does not provide housing programs directly to its residents; it relies on county and state programs. In 2019, the city established an affordable housing fund to support future housing programs and projects from contributions from both the private and public sectors. In December 2019, \$1.5 million had been deposited into the fund. Though the city does not provide funding programs, there are four affordable developments located throughout the city—two are rentals, two for-sale—and three developments for lower-income seniors.

## Regional and Local Lawsuits

The City of Lafayette has approved all proposed multi-family housing development projects in the last 10 years. Two have been the subject of lawsuits filed by a local group on CEQA and other grounds. As the approval body, the City has defended its actions in court and has, to date, prevailed in trial and appeals courts. Jurisdictions and Contra Costa County’s public housing agencies have been involved in fair housing lawsuits, cases, and settlements. In November 2017, for instance, a disabled woman filed a complaint with HUD against the Housing Authority of the County of Contra Costa (HACCC) and Vallejo Housing Authority (VHA), alleging that both housing authorities violated the Fair Housing Act (FHA) and the Americans with Disabilities Act by denying her reasonable accommodation request for a time extension to search for housing that accepts her housing voucher. HACCC and VHA denied her request and as a result, she lost her voucher. In 2018, they reached a Conciliation/Voluntary Compliance

agreement—the housing authorities were required to pay her \$10,000, reinstate her voucher, and give her more time to find housing.

Another complaint was filed by a disabled resident in the county in 2017 against the Richmond Housing Authority (RHA) for refusing to grant his accommodation request and terminating his Section 8 voucher. As a result of denial, the resident had to store his belongings at a storage facility and reside in homeless shelters with relatives. In December, a Conciliation Agreement was reached—RHA was required to pay the resident \$5,833 for storage costs, reinstate the resident’s Section 8 housing voucher, and attend HUD fair housing training (RHA employees responsible for making the decision).

These complaints filed against housing authorities by disabled residents in Contra Costa County support findings from surveyed housing professionals in the county’s 2017 AI (section above).

As noted previously, the pressure to accommodate more housing in the community has resulted in tensions between those who want increased densities and those who want to protect the current character of the community. The controversy around the Terraces of Lafayette proposal—a 315 moderate-income apartment complex—located on an empty lot away from downtown, is an example of this tension. After granting the project approval in 2015, ‘Save Lafayette’—a group of community members—filed a lawsuit to block the project, claiming that it violated state environmental laws. The group also launched a petition to challenge the project to require City Council to reconsider project approval or put a referendum on the ballot—despite reaching the required number of signatures, the measure was not placed on the ballot as it would have created an inconsistency between the General Plan and Zoning for the property – in violation of state law. Ultimately Measure L was placed on the ballot and a majority of voters passed the measure undoing the project approval.

The San Francisco Bay Area Renters Federation (SFBARF) sued Lafayette after failing to approve the affordable development project, claiming that the city was violating the Housing Accountable Act as the property was zoned for high density housing. By approving a lower density project, SFBARF argued that racial minority groups would be disproportionately affected and would result in discrimination. The court dismissed allegations that the city had broken state housing law—however, Lafayette and SFBARF settled the lawsuit. As part of the settlement, city planning staffers were required to attend training sessions on the Housing Accountability Act and the property developer paid legal fees for SFBARF.

Though Save Lafayette lost their lawsuits, the resulting community engagement brought needed attention to the issue of higher density housing, including that which is affordable.

Fair housing outreach and education is imperative to ensure that those experiencing discrimination know when and how to seek help. Local knowledge gathered through community engagement processes (e.g., county surveys and stakeholder interviews) demonstrates one of Contra Costa County’s and Lafayette’s greatest barrier to housing choice—insufficient information on housing discrimination, fair housing laws and protections, and resources. This section provides knowledge collected from Contra Costa County residents on fair housing and housing discrimination as well as a more detailed description of fair housing services provided by housing, social services, and legal service organizations. Presented in this way allows for a greater opportunity to identify and overcome both regional and local barriers and gaps in fair housing education, services, and resources.

## Fair Housing Regional and Local Knowledge

As mentioned above, residents who experience housing discrimination in Contra Costa County are significantly less likely to report the incident or file a complaint. While lack of awareness and education on laws and protections against housing discrimination is common, Contra Costa County's residents overwhelmingly indicated being unaware of fair housing resources and housing rights. Results from the county's AI survey and residents' fair housing knowledge are examined here.

Survey respondents were asked to indicate their familiarity with fair housing protections, the FHA, and fair housing resources. Notable survey findings include:

- Under 10% of county residents indicated that they are "very familiar" with fair housing laws compared to 70% who responded that they were "somewhat familiar" or "not at all familiar."
- Only 36% of residents are aware that there are laws that provide protection against housing discrimination and 34% know their rights under the Fair Housing Act and California state housing laws; and
- A notable 28% know where to get help if they have or are about to experience housing discrimination.

Public awareness of fair housing rights in the county is likely due to the lack of attention and local reporting housing discrimination and housing rights receives in the region. This is supported by resident survey findings as well—the majority of county residents receive their information on housing and housing rights from conversations with friends and family or from national news stories and outlets. They are least likely, according to survey responses, to be provided information from local, state, or federal government officials or local news outlets and stories (e.g., newspapers). The survey also revealed that residents more often seek fair housing information from immediate sources (e.g., friends or the news) than seeking out resources (e.g., government websites). This presents an opportunity for the county and localities to disseminate information on fair housing laws and violations through residents' preferred news sources.

## Regional Trends

*Fair Housing Advocates of Northern California (FHANC)* -- FHANC is a non-profit agency with a mission to actively support and promote fair housing through education and advocacy. Fair housing services provided to residents outside of Marin, Sonoma, or Solano County include foreclosure prevention services and information, information on fair housing law for the housing industry, and other fair housing literature. The majority of the fair housing literature is provided in Spanish and English, with some provided in Vietnamese and Tagalog.

*Eden Council for Hope and Opportunity (ECHO) Fair Housing* -- ECHO Fair Housing is a HUD-approved housing counseling agency that aims to promote equal access in housing, provide support services to aid in the prevention of homelessness, and promote permanent housing conditions. The organization provides education and charitable assistance to the general public in matters related to obtaining and maintaining housing in addition to rental assistance, housing assistance, tenant/landlord counseling, home seeking, home sharing, and mortgage and home purchase counseling. Although ECHO serves most of Contra Costa County, only one fair housing counselor serves the County. In Contra Costa County,

ECHO Fair Housing provides fair housing services, first-time home buyer counseling and education, and tenant/landlord services (rent review and eviction harassment programs are available only in Concord).

- Fair housing services encompasses counseling, investigation, mediation, enforcement, and education.
- First-time home buyer counseling provides one-on-one counseling with a Housing Counselor on the homebuying process. The Housing Counselor will review all documentation, examine and identify barriers to homeownership, create an action plan, and prepare potential homebuyers for the responsibility of being homeowners. The Housing Counselor will also review the credit reports, determine what steps need to be taken to clean up adverse credit, provide counseling on money-saving methods, and assist in developing a budget.
- First-time home buyer education provides classroom training regarding credit information, home ownership incentives, home buying opportunities, predatory lending, home ownership responsibilities, government-assisted programs, as well as conventional financing. The class also provides education on how to apply for HUD-insured mortgages; purchase procedures, and alternatives for financing the purchase. Education also includes information on fair housing and fair lending and how to recognize discrimination and predatory lending procedures, and locating accessible housing if needed.
- ECHO's Tenant/Landlord Services provides information to tenants and landlords on rental housing issues such as evictions, rent increases, repairs and habitability, harassment, illegal entry, and other rights and responsibilities regarding the tenant/landlord relationship. Trained mediators assist in resolving housing disputes through conciliation and mediation
- In cities that adopt ordinances to allow Rent Reviews (City of Concord only in Contra Costa County), tenants can request a rent review from ECHO Housing by phone or email. This allows tenants who experience rent increases exceeding 10 percent in a 12-month period to seek non-binding conciliation and mediation services.

Though the Contra Costa County Consortium Analysis of Impediments (AI) to Fair Housing states that the organization provides information in Spanish, the ECHO website is predominantly in English with options to translate the homepage into various languages. Navigating the entire site may be difficult for the limited-English proficient (LEP) population.

*Bay Area Legal Aid (BayLegal)* -- BayLegal is the largest civil legal aid provider serving seven Bay Area counties (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara). With respect to affordable housing, BayLegal has a focus area in housing preservation (landlord-tenant matters, subsidized and public housing issues, unlawful evictions, foreclosures, habitability, and enforcement of fair housing laws) as well as a homelessness task force that provides legal services and advocacy for systems change to maintain housing, help people exit homelessness, and protect unhoused persons' civil rights. The organization provides translations for their online resources to over 50 languages and uses volunteer interpreters/translators to help provide language access. Its legal advice line provides counsel and advice in different languages. Specific to Contra Costa County, tenant housing resources are provided in English and Spanish.

The Housing Preservation practice is designed to protect families from illegal evictions, substandard housing conditions, and wrongful denials and terminations of housing subsidies. The practice also works to preserve and expand affordable housing and protect families from foreclosure rescue scams. BayLegal helps low-income tenants obtain or remain in safe affordable housing by providing legal assistance in housing-law related areas such as public, subsidized (including Section 8 and other HUD subsidized projects) and private housing, fair housing and housing discrimination, housing conditions, rent control, eviction defense, lock-outs and utility shut-offs, residential hotels, and training advocates and community organizations.

BayLegal also provides free civil legal services to low-income individuals and families to prevent homelessness and increase housing stability as well as assist unhoused youth/adults address legal barriers that prevent them from exiting homelessness. This is done through a mix of direct legal services, coalition building and partnerships, policy advocacy, and litigation to advocate for systems change that will help people maintain housing, exit homelessness, and protect unhoused persons' civil rights. The Homelessness Task Force (HTF) was developed in response to complex barriers and inequities contributing to homelessness and strives to build capacity and develop best practices across the seven aforementioned counties to enhance BayLegal's coordinated, multi-systems response to homelessness.

*Pacific Community Services, Inc. (PCSI)* -- PCSI is a private non-profit housing agency that serves East Contra Costa County (Bay Point, Antioch, and Pittsburg) and provides fair housing counseling in English and Spanish. Housing Counseling Services provided include:

- Foreclosure Prevention: Consists of a personal interview and the development of a case management plan for families to keep their homes and protect any equity that may have built up. Relief measures sought include loan modification or reduced payments, reinstatement and assistance under 'Keep Your Home' program, forbearance agreements, deed-in-lieu of foreclosure, refinancing or recasting the mortgage, or sale of the property.
- Homeownership Counseling: Prepares first-time buyers for a successful home purchase by helping them in budgeting, understanding the home purchase process, and understanding the fees that lenders may charge to better prepare new buyers when acquiring their first home.
- Rental Counseling; Tenant and Landlord Rights: PCSI provides information and assistance in dealing with eviction and unlawful detainer actions, deposit returns, habitability issues. getting repairs done, mediation of tenant/landlord disputes, assisting tenant organizations, legal referrals to Bay Area Legal Aid and Bar Association resources, pre-rental counseling and budgeting.
- Fair Housing Services: Include counseling regarding fair housing rights, referral services and education and outreach. PCSI offers training for landlords and owners involving issues of compliance with federal and state fair housing regulations.
- Fair Housing Education and Outreach: Offers informative workshops for social service organizations and persons of protected categories. These workshops are designed to inform individuals how to recognize and report housing discrimination.

Though PCSI's list of available services is comprehensive, their website lacks contact information, resources, and accessibility.

Overall, the capacity and funding of the above organizations is generally insufficient. Greater resources would enable stronger outreach efforts, including populations that may be less aware of their fair housing rights, such as limited-English proficiency residents. A lack of funding and resources constrains ECHO and BayLegal’s ability to provide fair housing services for people facing discrimination.

### Local trends

Lafayette has expanded its efforts in providing equal access to housing, schools, and jobs to all residents. Local strategies employed by city leaders include establishing the Equity and Inclusion Task Force and the Community Diversity, Equity, Inclusion and Belonging (DEIB) Committee, participating in countywide programs, and adopting statements and values on diversity and equality. Initiatives between 2021 and 2022 are described below.

*Equity and Inclusion Task Force (2021)*—led by the city mayor, the Task Force was created to develop and implement a multi-pronged approach to address systematic racism in accessing housing, job, and supportive services. City leaders have been active through town halls and community events—throughout 2022 the Task Force and DEIB Committee have hosted numerous community events for residents to share their concerns. In November, a community conversation--titled "'See Us, Hear Us:’ The Renters’ Narrative of Life in Lafayette"—was held for renters to share housing obstacles. The Task Force also works closely with the Lafayette Chamber of Commerce to encourage businesses to foster practices and messages of inclusion and hosts events for residents

*Community Diversity, Equity, Inclusion and Belonging (DEIB) Committee (2021)*—as a result of the Task Force’s success in grassroots, the DEIB Committee was launched. The Committee—composed of community members—meets regularly to discuss and recommend actions that promote values of diversity, equity, and inclusion. In collaboration with the City and community organizations, the DEIB Committee works towards building awareness and educating the community on social and economic injustice and barriers to opportunities through community engagement and advocacy. The Committee also provides recommendations to the City. Recommendations provided by DEIB to City Council in 2021<sup>4</sup> are listed below.

- Include a “Diversity, Equity, Inclusion and Belonging” sub-link on Lafayette’s main website;
- Direct all sub-links on diversity and inclusion to Lafayette’s diversity statement: “Making Lafayette More Inclusive;”
- Include the Chamber of Commerce’s recently adopted DEI statement under the Business sub-link;
- Adopt and add the National Parent Teacher Association (PTA) as “an official diversity and inclusion calendar for Lafayette—promote recognition of cultural events and social issues; introduce multi-cultural topics in regular information; encourage community to share experiences relative to holidays;
- Maintain funding for a staff member liaison to work with the DEIB Committee and DEIB Task Force;
- Provide \$10,000 in funding for compensations for guest moderators/instructors at DEIB-related workshops or events (e.g., racial bias bystander training); and

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<sup>4</sup> <https://www.lovelafayette.org/home/showpublisheddocument/6766/637818156542670000>

- Maintain a DEIB lens in all City roles including police expectations, housing, and the General Plan.

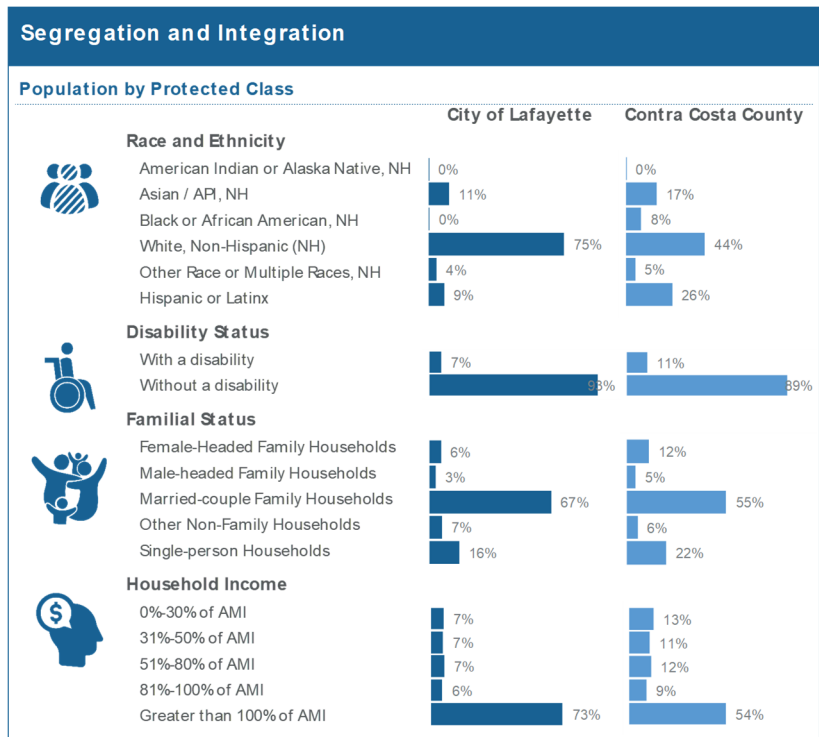
Also, a part of these efforts is encouraging implicit bias training for housing providers and employers and participating in countywide efforts to improve behavioral health services—specifically the Anyone, Anywhere, Anytime (A3) program.

## 5 INTEGRATION AND SEGREGATION

Segregation is defined as the separation or isolation of a race/ethnic group, national origin group, individuals with disabilities, or other social group by enforced or voluntary residence in a restricted area, by barriers to social connection or dealings between persons or groups, by separate educational facilities, or by other discriminatory means.

Residential segregation and racial and ethnic income disparities are the result of historical segregatory zoning ordinances and restrictive covenants and practices of racial steering and blockbusting. Discriminatory housing practices have since been outlawed but the

effects of these policies are still experienced and exacerbated by barriers to housing choice and affordability/inclusion gaps. This section illustrates Lafayette’s complex history with segregatory policies and presents data on racial and ethnic segregation/integration across the city.



To measure segregation in a given jurisdiction, the US Department of Housing and Urban Development (HUD) provides racial or ethnic dissimilarity trends. Dissimilarity indices are used to measure the evenness with which two groups (frequently defined on racial or ethnic characteristics) are distributed across the geographic units, such as block groups within a community. The index ranges from 0 to 100, with 0 meaning no segregation and 100 indicating complete segregation between the two groups. The index score can be understood as the percentage of one of the two groups that would need to move to produce an even distribution of racial/ethnic groups within the specified area. For example, if an index score is above 60, 60 percent of people in the specified area would need to move to eliminate segregation. The following shows how HUD views various levels of the index:

- <40: Low Segregation
- 40-54: Moderate Segregation
- >55: High Segregation



## Primary Findings

- ✓ Compared to Contra Costa County overall, **Lafayette residents are much less diverse racially and ethnically**. Lafayette’s residents are 75% non-Hispanic White. Persons of Hispanic descent comprise 8.5% of Lafayette’s residents. The next largest racial group is Asian at 11%. Fewer than 1% of Lafayette’s residents are Black/African American. The county, in contrast, is 48% non-Hispanic White and 24% Hispanic. 9% of county residents are Black/African American.
- ✓ American Indian (100%), Black (36%), and Hispanic (28%) households **have higher shares of low-income households earning less than 50% AMI** compared to non-Hispanic White households.
- ✓ **Lafayette has a slightly lower population with disabilities**; however, the city’s overall disability statistics are consistent with Contra Costa County’s. Overall, 7 percent of people in Lafayette have a disability of any kind.
- ✓ Lafayette has a similar distribution of household types as neighboring high income and predominantly White communities—a high share of households that are married with children and a low proportion of households that are single parents. The lower share of low-income households, people of color, and single parent households in the City of Lafayette indicates **a lack of housing opportunity for low- or moderate-income households**.
- ✓ **The majority of units are 3- to 4-bedrooms and owner occupied in Lafayette**. The distribution of housing types and size are consistent with the types of households that are most prevalent in the city—married-couple family households.
- ✓ Lafayette has **seven times the number of homes valued over \$2 million** compared to the county as a whole. Similarly, Lafayette has a concentration of high rent rentals with **three times as many units priced above \$3,000** compared to the county overall.
- ✓ Downtown Lafayette has a higher share of LMI households, renter-occupied households, cost burdened households, and Housing Choice Voucher holders. The concentration of renters and low-income households in downtown is reflective of the relative density and affordability of the area. The lack of diversity in surrounding neighborhoods indicates **a lack of supply of rental housing or potential exclusionary behavior from landlords in surrounding neighborhoods**.

### Is Lafayette inclusive of protected classes?

Overall, Lafayette is comprised of high income, predominately non-Hispanic White, and married-couple family households. The exclusivity of the community is supported by a dominance of 3- to 4-bedroom single family detached housing and a lack of rental units. The city is less racially and ethnically diverse compared to the county overall. The city does have a slightly higher rate of residents with a disability.

### What do the data say about how Lafayette is contributing to the region’s housing needs?

Lafayette is providing less than its proportionate share of affordable homes due to a number of factors—mostly high land costs and limited production.

### Are there diverse housing opportunities distributed geographically throughout the city?

Downtown Lafayette achieves the most residential density and relative affordability. As a result of concentrating moderate to high density housing downtown, the downtown area has the highest share of renters, cost burdened households, low income households, and HCV users.

## 5.1 RACE/ETHNICITY

Ethnic and racial composition of a region is useful in analyzing housing demand and any related fair housing concerns as it tends to demonstrate a relationship with other characteristics such as household size, locational preferences and mobility. Prior studies have identified socioeconomic status, generational care needs, and cultural preferences as factors associated with “doubling up”—households with extended family members and non-kin. These factors have also been associated with ethnicity and race. Other studies have also found minorities tend to congregate in metropolitan areas though their mobility trend predictions are complicated by economic status (minorities moving to the suburbs when they achieve middle class) or immigration status (recent immigrants tend to stay in metro areas/ports of entry).

### Regional Trends

Contra Costa County is a large, diverse jurisdiction in which people of color comprise a majority of the population. As of the 2010 Census, 47.75% of residents were non-Hispanic Whites, 8.92% of residents were non-Hispanic Blacks, 24.36% were Hispanics, 14.61% were non-Hispanic Asians or Pacific Islanders, 0.28% were non-Hispanic Native Americans, 3.77% were non-Hispanic multiracial individuals, and 0.30% identified as some other race. Refer to Map 1 for the distribution and proportion of non-white residents at the block group level.<sup>5</sup>

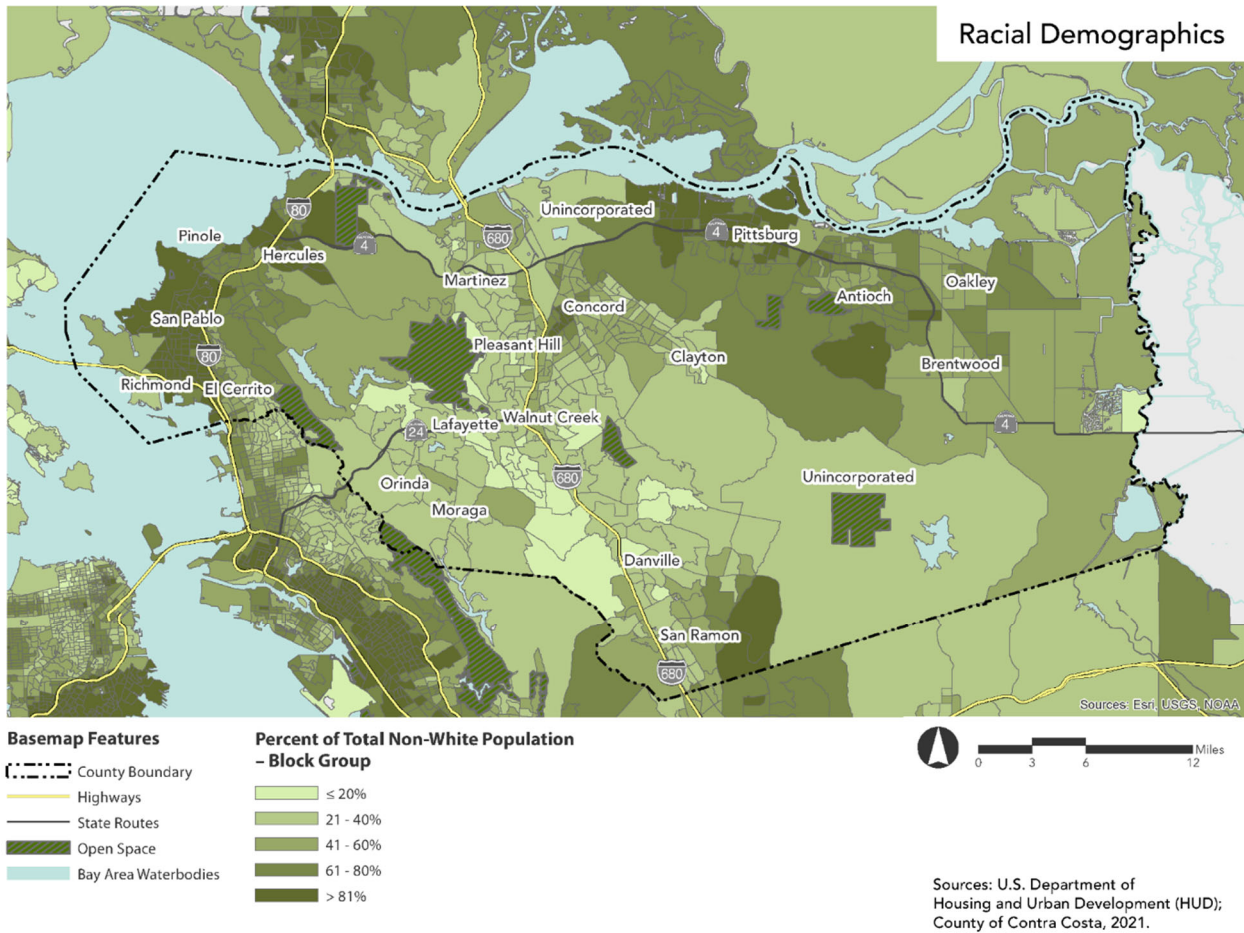
The racial and ethnic demographics of Contra Costa County are similar to but not identical to those of the broader Bay Area Region. Overall, the County is slightly more heavily non-Hispanic White and slightly more heavily Hispanic than the Bay Area Region. The Bay Area Region is more heavily non-Hispanic Asian or Pacific Islander than the County. For all other racial or ethnic groups, the demographics of the County and the Region are relatively similar. [Table 6](#) shows the racial composition of Contra Costa County and the Bay Area.

In Contra Costa County, all minority (non-White) residents combined are considered moderately segregated from White residents, with an index score of 41.86 at the Census tract level and 44.93 at the block group level ([Table 6](#)). Segregation between non-white and white residents has remained relatively steady since 1990. However, since 1990 segregation has increased from low to moderate levels for Hispanic residents, the largest increase amongst all racial/ethnic groups. This trend is commonly seen throughout the State and is likely attributed to an increase of Hispanic residents during the migration boom of the mid-to-late 1990s. A 2% increase in segregation also occurred for Asian or Pacific Islander residents. Block group level data reveals that segregation is more prominent amongst Asian or Pacific Islander residents than what is measured at the tract level (index score of 40.55 at the block group level versus 35.67 at the tract level). For Black residents, segregation has decreased by 13% since 1990. The proportion of Black residents has remained relatively steady during this same period, indicating segregation has been diminishing for the Black population.

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<sup>5</sup> Block groups (BGs) are the next level above census blocks in the geographic hierarchy (census blocks are the smallest geographic area for which the Bureau of the Census collects and tabulates decennial census data). A BG is a combination of census blocks that is a subdivision of a census tract or block numbering area (BNA). A county or its statistically equivalent entity contains either census tracts or BNAs; it cannot contain both. The BG is the smallest geographic entity for which the decennial census tabulates and publishes sample data.

## Map 1: Racial Demographics – Contra Costa County



**Table 6: Racial/Ethnic Dissimilarity Trends (1990–2020) in Contra Costa County**

Dissimilarity Index	1990 Trend	2000 Trend	2010 Trend	Current (2010 Census Block Group)
Non-White/White	41.19	41.95	41.86	44.93
Black/White	67.52	62.54	58.42	61.80
Hispanic/White	36.70	45.24	48.07	49.49
Asian or Pacific Islander/White	34.89	32.73	35.67	40.55

Source: HUD's Affirmatively Furthering Fair Housing Tool (AFFH-T), Table 3 – Racial/Ethnic Dissimilarity Trends, Data version: AFFHT006, released July 10th, 2020.

### Local Trends

According to the 2015-2019 American Community Survey, the majority (75.2 percent) of residents in the City of Lafayette were White, followed by Asian alone (11.2 percent), and Hispanic (8.56 percent), as

shown in [Table 7](#). In comparison to the County, Lafayette is less racially diverse, as only 47.8 percent of County residents are White.

**Table 7: Racial Composition for Contra Costa County and Lafayette**

Race	Contra Costa County	City of Lafayette
White, non-Hispanic	47.75%	75.23%
Black or African-American, non-Hispanic	8.92%	0.49%
American Indian and Alaska Native, non-Hispanic	0.28%	0.06%
Asian, non-Hispanic	14.61%*	11.20%**
Native Hawaiian and Other Pacific Islander, non-Hispanic	N/A	0.03%
Some other race, non-Hispanic	0.30%	0.00%
Two or more races, non-Hispanic	3.77%	4.44%
Hispanic or Latino	24.36%	8.56%

\*Asian and Pacific Islander combined

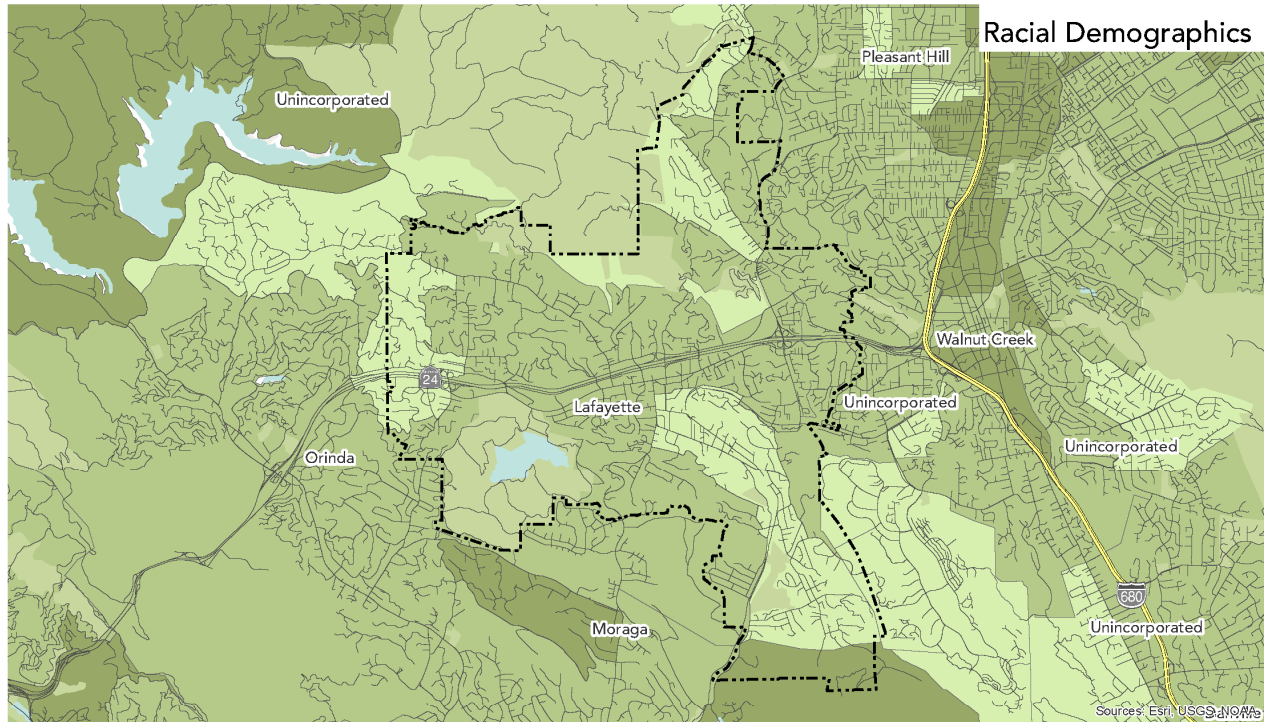
\*\* Asian and Pacific Islander not combined

Sources: American Community Survey, 2015-2019; ABAG Housing Needs Data Package; Contra Costa County Consortium Analysis of Impediments to Fair Housing 2020-2025

Dissimilarity Indices for the City of Lafayette are not provided by the HUD Affirmatively Furthering Fair Housing Tool (AFFH-T) because Lafayette does not directly receive HUD funds through the Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), or Emergency Solutions Grants (ESG) program. According to the Contra Costa County AI, segregation exists between municipalities. The contrast between east and west County communities with high Black and Hispanic population concentrations, such as Antioch, Pittsburg, Richmond, and central County communities with low Black and Hispanic population concentration, like Danville, Lafayette, and Walnut Creek, are examples of segregation across jurisdictions in the County.

The AFFH Data Viewer provides further visualization of the geographic distribution of non-white residents in the City of Lafayette at the block group level, as shown in [Map 2](#). Lafayette has a relatively homogenous distribution and proportion of White residents. For each block group (with the exception of portions of the Happy Valley and Burton Valley neighborhoods), the non-white population ranges between 21 to 40 percent. The Happy Valley and Burton Valley neighborhoods contain portions where the non-white population is even lower at less than 20 percent.

Map 2: Racial Demographics – City of Lafayette



Basemap Features	Percent of Total Non-White Population
Lafayette City Boundary	≤ 20%
Highways	21 - 40%
State Routes	41 - 60%
Bay Area Waterbodies	61 - 80%
Open Space	> 81%



Sources: U.S. Department of Housing and Urban Development (HUD); County of Contra Costa, 2021.

**Table 8** shows the household income distribution by race and ethnicity in the City of Lafayette. Overall, other race or multiple races and non-Hispanic White households have the highest incomes with 90% and 72% earning over 100% AMI respectively. Conversely, American Indian (100%), Black (36%), and Hispanic (28%) households have higher shares of low-income households earning less than 50% AMI.

**Table 8: Household Income Distribution by Race and Ethnicity, Lafayette**

Racial / Ethnic Group	0%-30% of AMI	31%-50% of AMI	51%-80% of AMI	81%-100% of AMI	Greater than 100% of AMI
American Indian or Alaska Native, NH	100%	0%	0%	0%	0%
Asian / API, NH	5%	0%	9%	5%	80%
Black or African American, NH	0%	36%	0%	0%	64%
White, Non-Hispanic (NH)	7%	7%	7%	7%	72%
Other Race or Multiple Races, NH	0%	0%	3%	7%	90%
Hispanic or Latinx	14%	14%	9%	5%	58%
<b>Totals</b>	<b>4,895</b>	<b>4,573</b>	<b>5,985</b>	<b>4,088</b>	<b>19,019</b>

**Table 9** shows poverty rate by race and ethnicity in Lafayette. American Indian and Black residents in the city have higher than average rates of poverty when compared to other residents in the community.

**Table 9: Poverty Rate by Race and Ethnicity, Lafayette**

Racial / Ethnic Group	Poverty Rate
American Indian or Alaska Native (Hispanic and Non-Hispanic)	42.0%
Black or African American (Hispanic and Non-Hispanic)	10.5%
Other Race or Multiple Races (Hispanic and Non-Hispanic)	4.5%
White, Non-Hispanic	3.4%
White (Hispanic and Non-Hispanic)	3.2%
Asian / API (Hispanic and Non-Hispanic)	3.2%
Hispanic or Latinx	3.0%

## 5.2 PERSONS WITH DISABILITIES

In 1988, Congress added protections against housing discrimination for persons with disabilities through the FHA, which protects against intentional discrimination and unjustified policies and practices with disproportionate effects. The FHA also includes the following unique provisions to persons with disabilities: (1) prohibits the denial of requests for reasonable accommodations for persons with disabilities if necessary, to afford an individual equal opportunity to use and enjoy a dwelling; and (2) prohibits the denial of reasonable modification requests. With regards to fair housing, persons with

disabilities have special housing needs because of the lack of accessible and affordable housing, and the higher health costs associated with their disability. In addition, many may be on fixed incomes that further limits their housing options.

### Regional Trends

According to the 2015-2019 American Community Survey (ACS) 5-year estimates, 118,603 residents (10.9% of Contra Costa County’s population) reported having one of six disability types listed in the ACS (hearing, vision, cognitive, ambulatory, self-care, and independent living). The percentage of residents detailed by disability are listed in [Table 10](#)~~Table 10~~ below. Note that an individual may report more than one disability.

**Table 10: Percentage of Populations by Disability Types in Contra Costa County and Lafayette**

Disability Type	Contra Costa County	City of Lafayette
Hearing	2.9%	2.6%
Vision	1.8%	1.5%
Cognitive	4.4%	2.1%
Ambulatory	5.9%	2.7%
Self-Care Difficulty	2.4%	1.3%
Independent Living Difficulty	5.2%	2.3%
<b>Percentage of Total Population with Disability</b>	<b>10.9%</b>	<b>12.5%</b>

Source: 2019 ACS 5-year Estimates

In both Contra Costa County and the City of Lafayette, the percentage of individuals with disabilities also increases with age, with the highest percentage of individuals being those 65 years and older. Refer to [Table 11](#)~~Table 11~~ for the distribution of percentages by age.

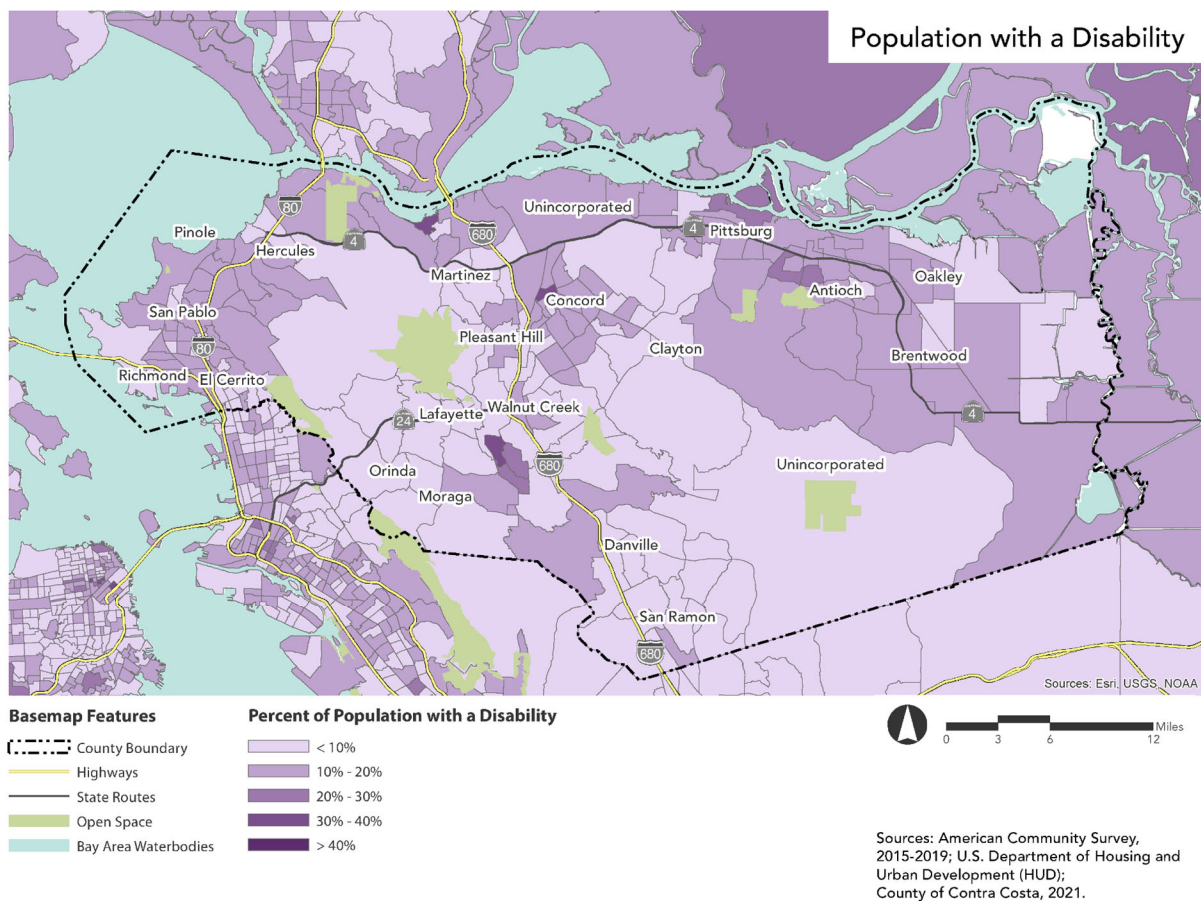
**Table 11: Percentage of Population with Disabilities by Age in Contra Costa County and Lafayette**

Age	Contra Costa County	Age	City of Lafayette
Under 5 years	0.8%	Under 18	2.9%
5 - 17 years	4.9%		
18 - 34 years	6.2%	18 - 64 years	6.3%
35 - 64 years	9.7%		
65 - 74 years	21.5%	65 years and over	50.5%
75 years and over	51.2%		

Source: 2019 ACS 5-year Estimates

In terms of geographic dispersal, there is a relatively homogenous dispersal of persons with disabilities, especially in Central Contra Costa County, where most census tracts have less than 10% of individuals with disabilities. Towards Eastern Contra Costa County, the Western boundary, and parts of Southern Contra Costa County, however, the percentage of population with disabilities increases to 10–20%. Areas with a high percentage of populations with disabilities correspond with areas with high housing choice voucher (HCV) concentration (24% of people who utilize HCVs in Contra Costa County have a disability). This is likely due to residents living on a fixed income (e.g., social security, SSI) due to barriers or discrimination in employment for residents living with a disability. Though use of HCVs does not represent a proxy for actual accessible units, participating landlords remain subject to the FHA to provide reasonable accommodations and allow tenants to make reasonable modifications at their own expense. Areas with a high percentage of populations with disabilities also correspond to areas with high percentages of low-moderate income communities. The above demographic information indicates socioeconomic trends of populations of persons with disabilities.

Map 3: Population with a Disability – Contra Costa County



### Local Trends

Lafayette has a slightly higher population with disabilities; however, the city’s overall disability statistics are consistent with Contra Costa County’s. The greatest percentage of disabilities in Lafayette consists of

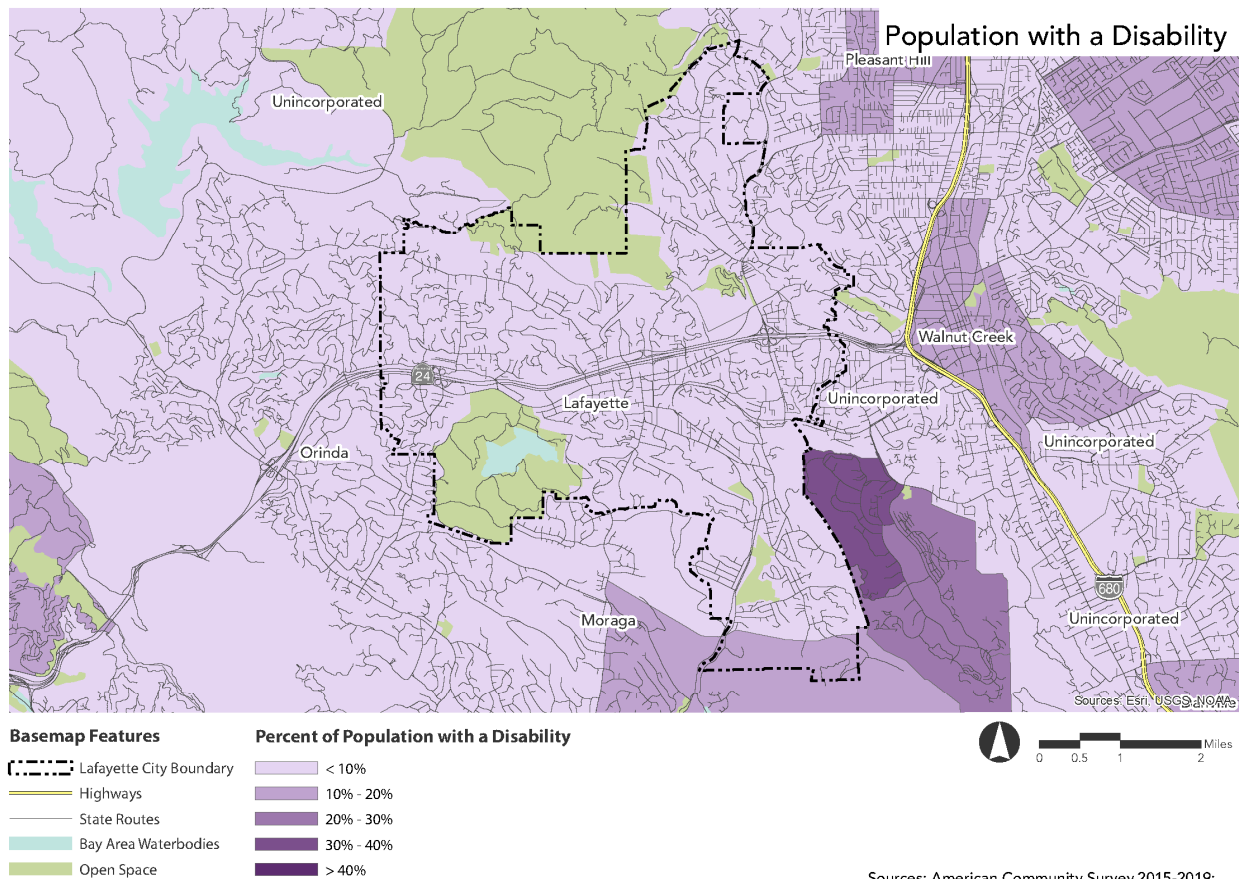


ambulatory disabilities, followed by hearing and cognitive disabilities. Overall, 7 percent of people in Lafayette have a disability of any kind.

As illustrated in ~~Map 22~~ [Map 22](#), Lafayette has a homogenous distribution of residents with disabilities. All Census tracts have less than 10 percent of the population with disabilities. This distribution is similar to adjacent cities such as Orinda. Cities northeast of Lafayette, such as Walnut Creek, and Pleasant Hill have higher concentrations of people with disabilities, where some Census Tracts have a range of 10 – 20 percent of the population with a disability. Generally, these cities also tend to have a higher population of non-white residents and lower median income.

Note that a moderate to high percentage (between 20 – 30 percent and 30 – 40 percent) of population with a disability is located directly adjacent to the city limits. This area is where Rossmoor, a senior housing community in Walnut Creek of roughly 9,000 residents 55 years and above, is located. Availability of senior housing and the presence of a senior community right outside of the city limits could be a contributing factor as to why the city has such a low percentage of population with a disability throughout.

**Map 4: Population with a Disability – City of Lafayette**



Sources: American Community Survey, 2015-2019; U.S. Department of Housing and Urban Development (HUD); County of Contra Costa, 2021.

### 5.3 FAMILIAL STATUS

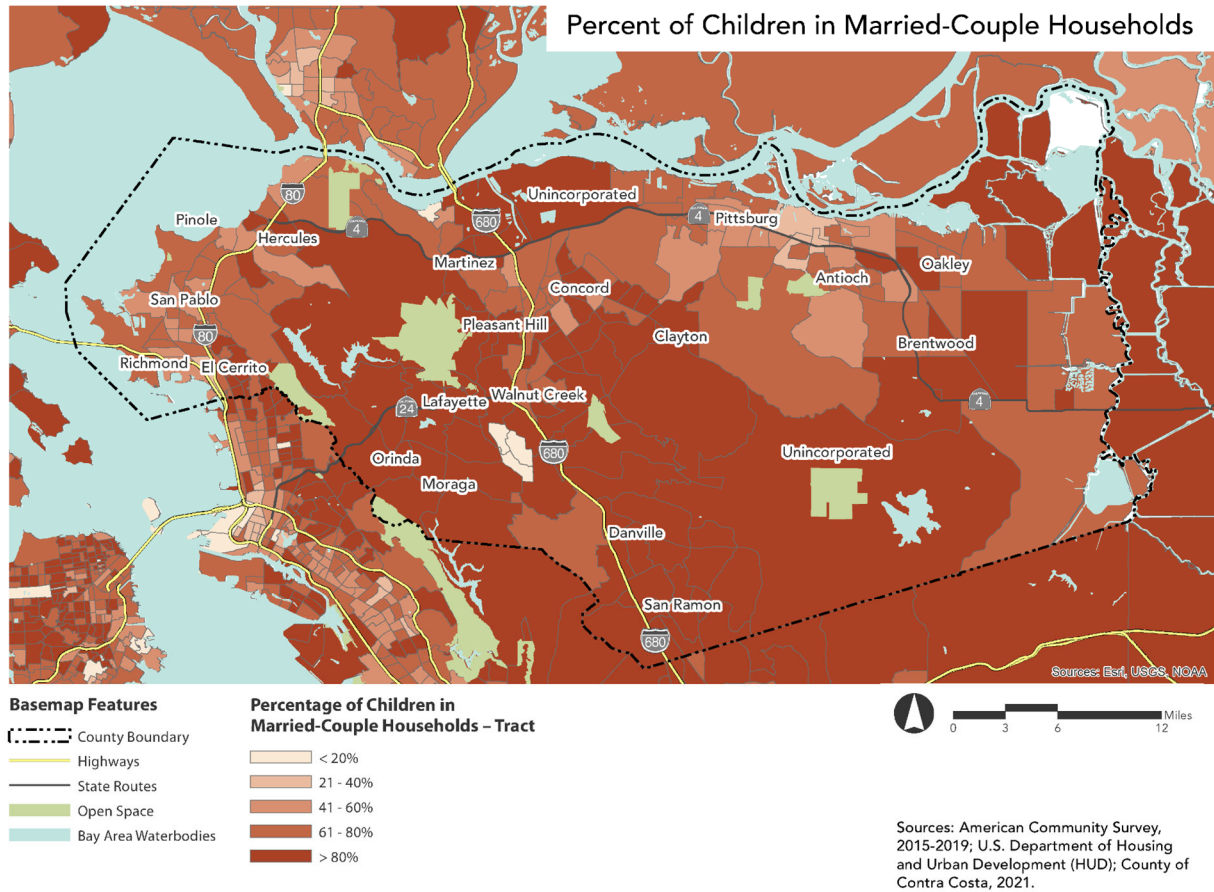
Under the FHA, housing providers may not discriminate because of familial status. Familial status refers to the presence of at least one child under 18 years old, pregnant persons, or any person in the process of securing legal custody of a minor child (including adoptive or foster parents). Examples of familial status discrimination include refusing to rent to families with children, evicting families once a child joins the family (through birth, adoption, or custody), enforcing overly restrictive rules regarding children's use of common areas, requiring families with children to live on specific floors, buildings, or areas, charging additional rent, security deposit, or fees because a household has children, advertising a preference for households without children, and lying about unit availability.

Families with children often have special housing needs due to lower per capita income, the need for affordable childcare, the need for affordable housing, or the need for larger units with three or more bedrooms. Single parent households are also protected by fair housing law. Of particular consideration are female-headed households, who may experience greater housing affordability challenges due to typically lower household incomes compared to two-parent or male-headed households. Often, sex and familial status intersect to compound the discrimination faced by single mothers.

#### Regional Trends

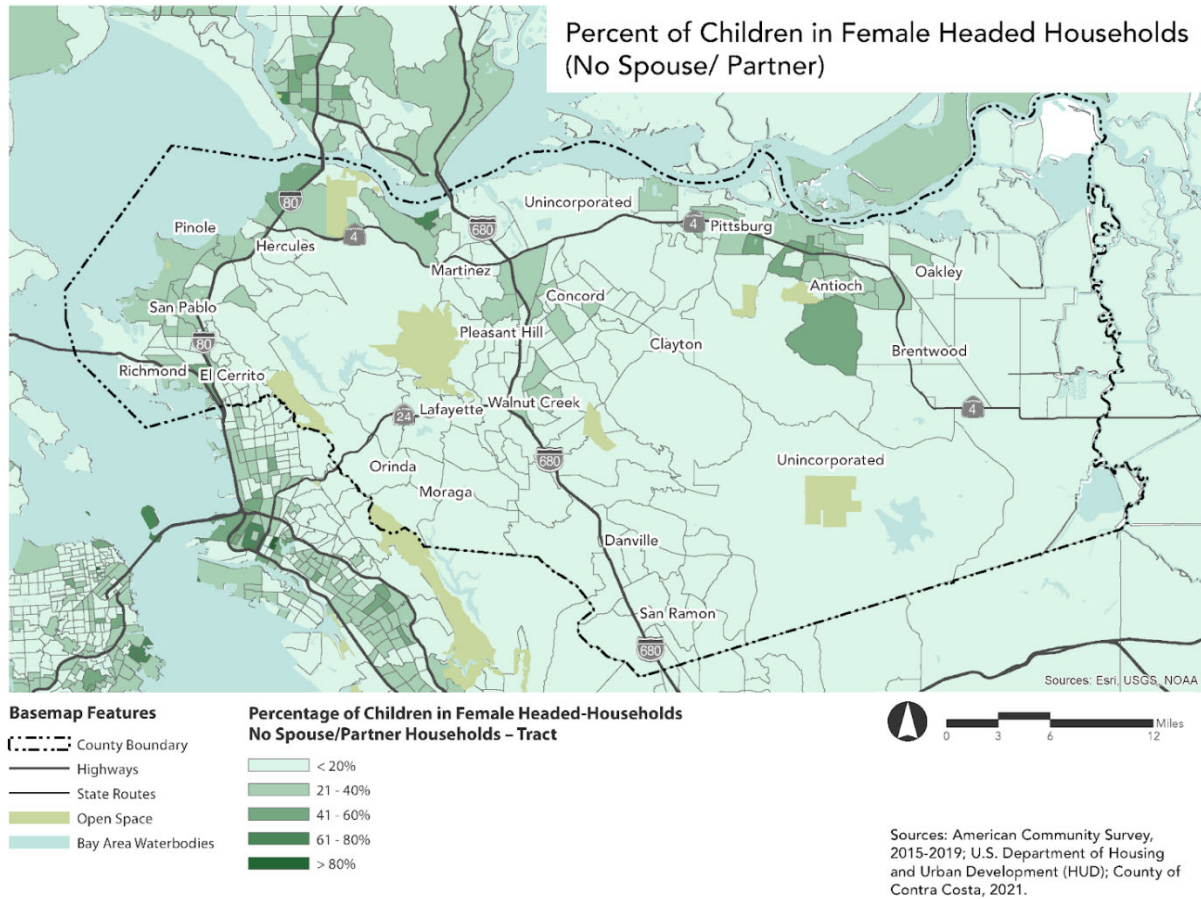
[Map 23](#) indicates that most children living in Contra Costa County live in married-couple households, especially in central parts of the county where the percentage of children in such households exceed 80%. Census tracts adjacent to these areas also have relatively high percentages of children living in married-couple households (60 - 80%). Census tracts with the lowest percentage of children in married-couple households (less than 20%) are located between Pittsburg and Antioch.

Map 5: Percentage of Children in Married-Couple Households – Contra Costa County



Map 24 depicts the concentration of households headed by single mothers in the County by Census Tract. Areas of concentration include Richmond, San Pablo, Rodeo, Bay Point, Pittsburg, Antioch, and to the west of Concord. Those communities are also areas of high minority populations. By contrast, central County, in general, and the portions of central County to the south of the City of Concord have relatively low concentrations of children living in female-headed households (less than 20%). These tend to be more heavily White or White and Asian and Pacific Islander communities.

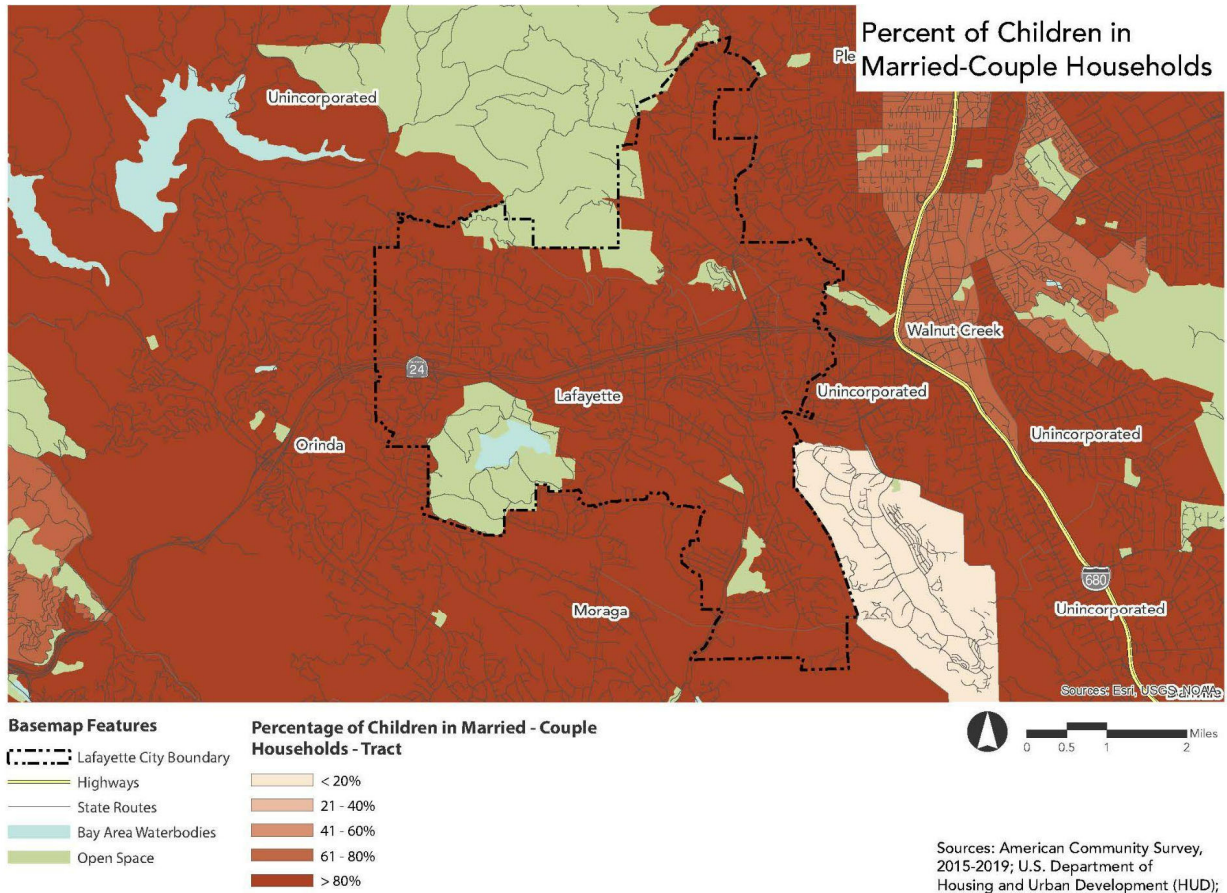
Map 6: Percentage of Children in Female Headed Households – Contra Costa County



### Local Trends

All Census tracts in the City of Lafayette contain 80 percent or over of children living in married-couple households (see [Map 25](#)). Conversely, all tracts in the City contain 20 percent or less of children living in female headed households (see [Map 26](#)). This is a similar distribution to neighboring jurisdictions such as Orinda or Moraga, which also correspond to higher proportions of White residents and higher income households. Cities in the area with more female headed households include Pleasant Hill and Walnut Creek. These communities are also comprised more of non-white residents and lower income and cost burdened households. The lower share of these households in the City of Lafayette indicates a lack of housing opportunity for low- or moderate-income households.

Map 7: Percentage of Children in Married-Couple Households – City of Lafayette



Map 8: Percentage of Children in Female Headed Households – City of Lafayette

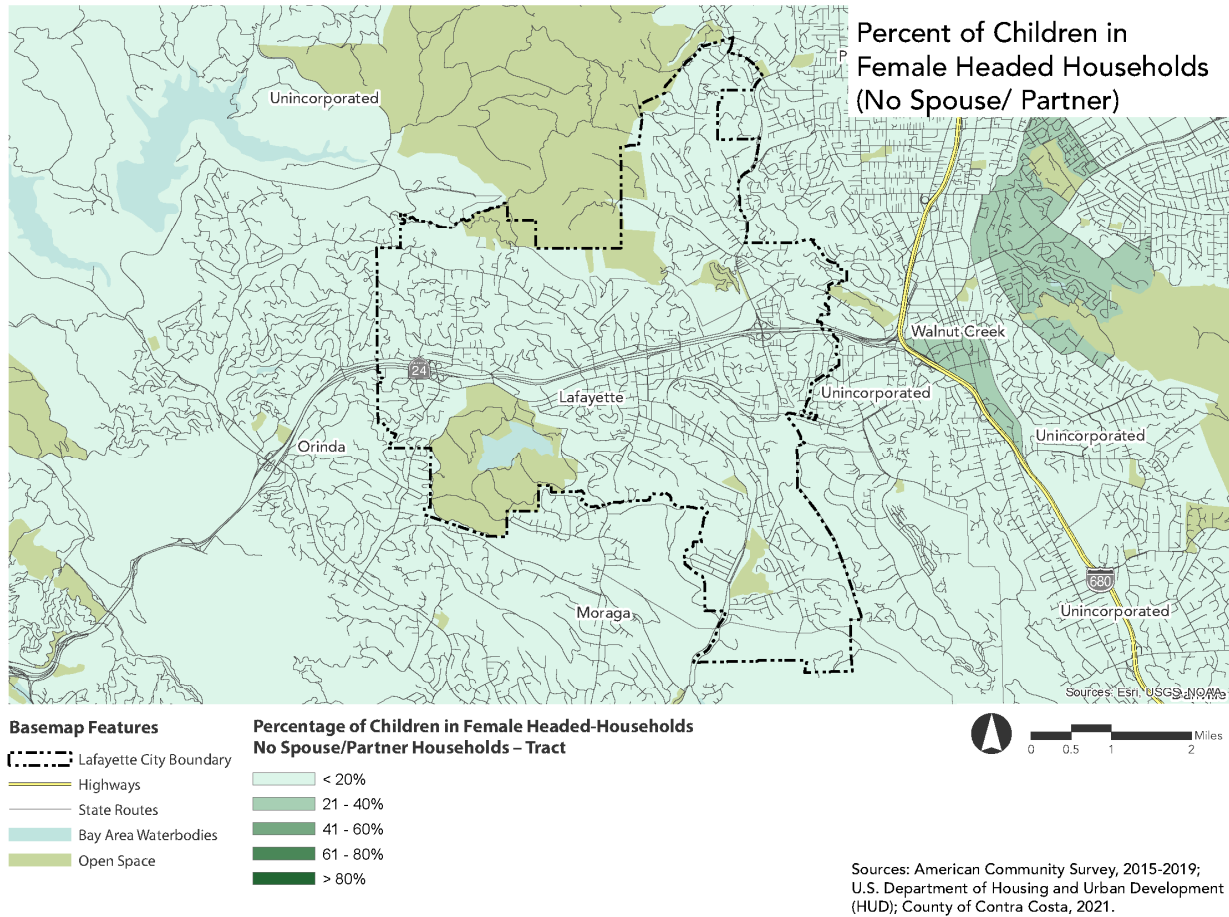


Table 12 shows households by size in the city, Contra Costa County, and the Bay Area. The city has a similar distribution of households by number of people as the county. However, the city has a smaller proportion of single person households compared to the county and Bay Area.

Table 12: Households by Size

Geography	1-Person Household	2-Person Household	3-4-Person Household	5-Person or More Household
Lafayette	16%	38%	35%	11%
Contra Costa County	22%	32%	34%	12%
Bay Area	25%	32%	33%	11%

Source: 2019 5-year ACS

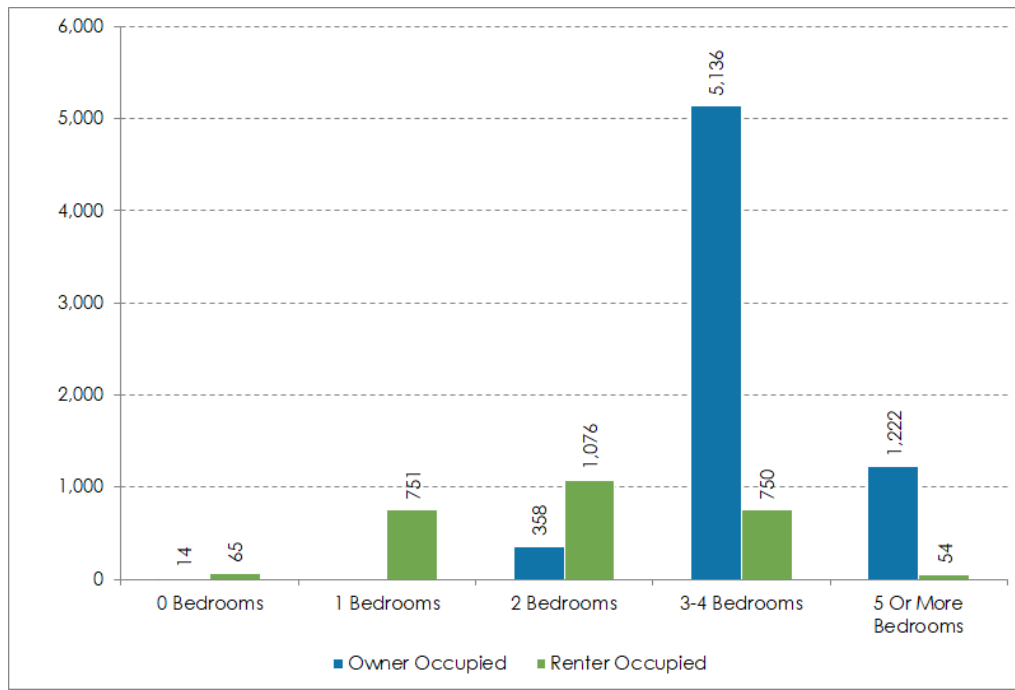
Table 13 shows the tenure of households by type in the City of Lafayette. Overall, 71% of households own their home. Four out of five married-couple families own their home followed by 63% of female-headed households and 55% of male-headed households. Householders living alone (53%) and other family households (37%) have the lowest homeownership rates in the city.

Table 13: Tenure by Household Type, Lafayette

Group	Owner Occupied	Renter Occupied
Married-Couple Family Households	5,130	1,221
Householders Living Alone	817	716
Female-Headed Family Households	374	213
Male-Headed Family Households	166	135
Other Non-Family Households	243	411
<b>Totals</b>	<b>6,730</b>	<b>2,696</b>

Source: 2019 5-year ACS

The following chart shows the number of units in the city by tenure and number of bedrooms. The majority of units are 3- to 4-bedrooms and owner occupied. The distribution of housing types and size are consistent with the types of households that are most prevalent in the city—married-couple family households.



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

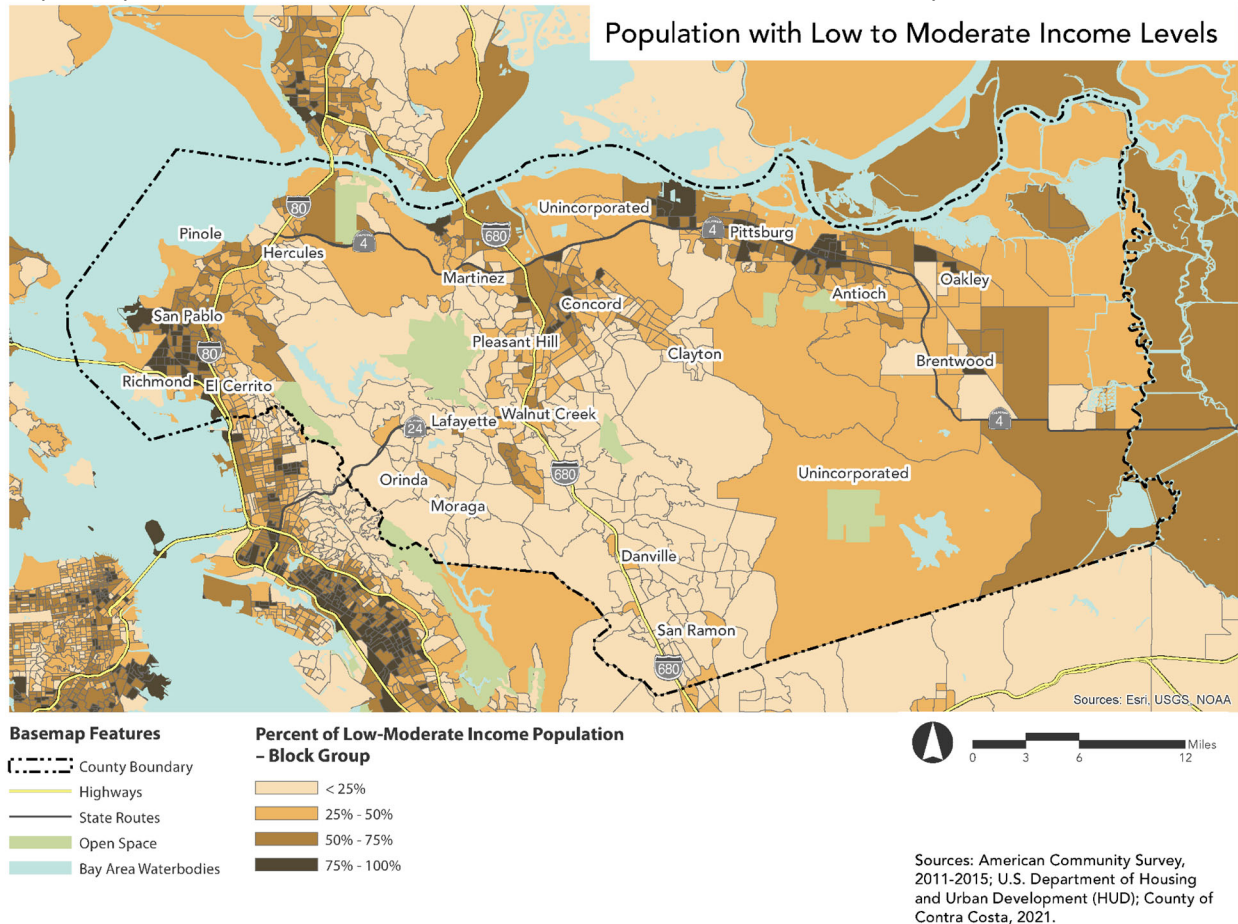
#### 5.4 INCOME LEVEL

Each year, HUD receives custom tabulations of American Community Survey (ACS) data from the U.S. Census Bureau. Known as the "CHAS" data (Comprehensive Housing Affordability Strategy), it demonstrates the number of households in need of housing assistance by estimating the number of households that have certain housing problems and have income low enough to qualify for HUD's programs (primarily 30%, 50%, and 80% of median income). HUD defines a Low to Moderate Income (LMI) area as a census tract or block group where over 51% of the population is LMI (based on HUD income definition of up to 80% of the Area Median Income).

## Regional Trends

[Map 27](#) shows the LMI areas in Contra Costa County by block group. Most of central Contra Costa County has less than 25% of LMI populations. Block groups with high concentrations of LMI (between 75–100% of the population) can be found clustered around Antioch, Pittsburg, Richmond, and San Pablo. There are also small pockets with high percentages of LMI population around Concord. Other areas of the county have a moderate percentage of LMI population (25–75%).

Map 9: Population with Low to Moderate Income Levels – Contra Costa County



[Table 14](#) lists Contra Costa County households by income category and tenure. Based on the above definition, 33.4 percent of Contra Costa County households are considered LMI as they earn less than 80 percent of the HUD Area Median Family Income (HAMFI). Half of all renters are considered LMI compared to only a quarter of owner households.

Table 14: Households by Income Category and Tenure in Contra Costa County

Income Distribution Overview	Owner	Renter	Total
------------------------------	-------	--------	-------



Household Income ≤ 30% HAMFI	6.5%	23.4%	12.3%
Household Income >30% to ≤ 50% HAMFI	8.2%	15.0%	10.5%
Household Income >50% to ≤ 80% HAMFI	10.2%	13.8%	11.4%
Household Income >80% to ≤ 100% HAMFI	8.3%	10.7%	9.1%
Household Income >100% HAMFI	66.7%	36.8%	56.4%
<b>Total Population</b>	<b>257,530</b>	<b>134,750</b>	<b>392,275</b>

Source: HUD Office of Policy Development and Research (PD&R) CHAS Data; 2014–2018 ACS

### Local Trends

Lafayette is generally composed of higher income households. Almost all tracts in the City earn a median income of \$125,000 or higher, which is slightly higher than the area median income for Contra Costa County (\$107,135). Few areas in the City qualify as LMI and are concentrated in central Lafayette, where 50 – 75 percent of the population is considered LMI, and Downtown Lafayette and along the south side of State Route 24, where about 25 – 50 percent of the population is considered LMI (see [Map 28](#)).

The Downtown Lafayette neighborhood also has a higher proportion of renter-occupied households and higher levels of cost-burdened renter households. Lafayette’s downtown is higher density compared to surrounding neighborhoods and is adjacent to major transportation opportunities including State Route 24, a major thoroughfare (Mount Diablo Boulevard), and a BART station. However, the concentration of LMI and renter households in the downtown area suggests a lack of affordable housing options throughout the remaining areas of the city.

To the east/southeast of Lafayette, 50-75 percent of the population is low-moderate income. This area of Walnut Creek contains Rossmoor, a community for residents 55 and older, where individuals may have fixed incomes and may have purchased their residences when prices were lower.

[Table 15](#) provides a list of households by income category and tenure in the City of Lafayette. Generally speaking, there are disparities between the incomes of homeowners and renters, a pattern observed on both the regional and local level. In Lafayette, only 12.3 percent of owner households are considered LMI (earns less than 80% of HAMFI) compared to 36.2 percent of renter households.

Map 10: Population with Low to Moderate Income Levels – City of Lafayette

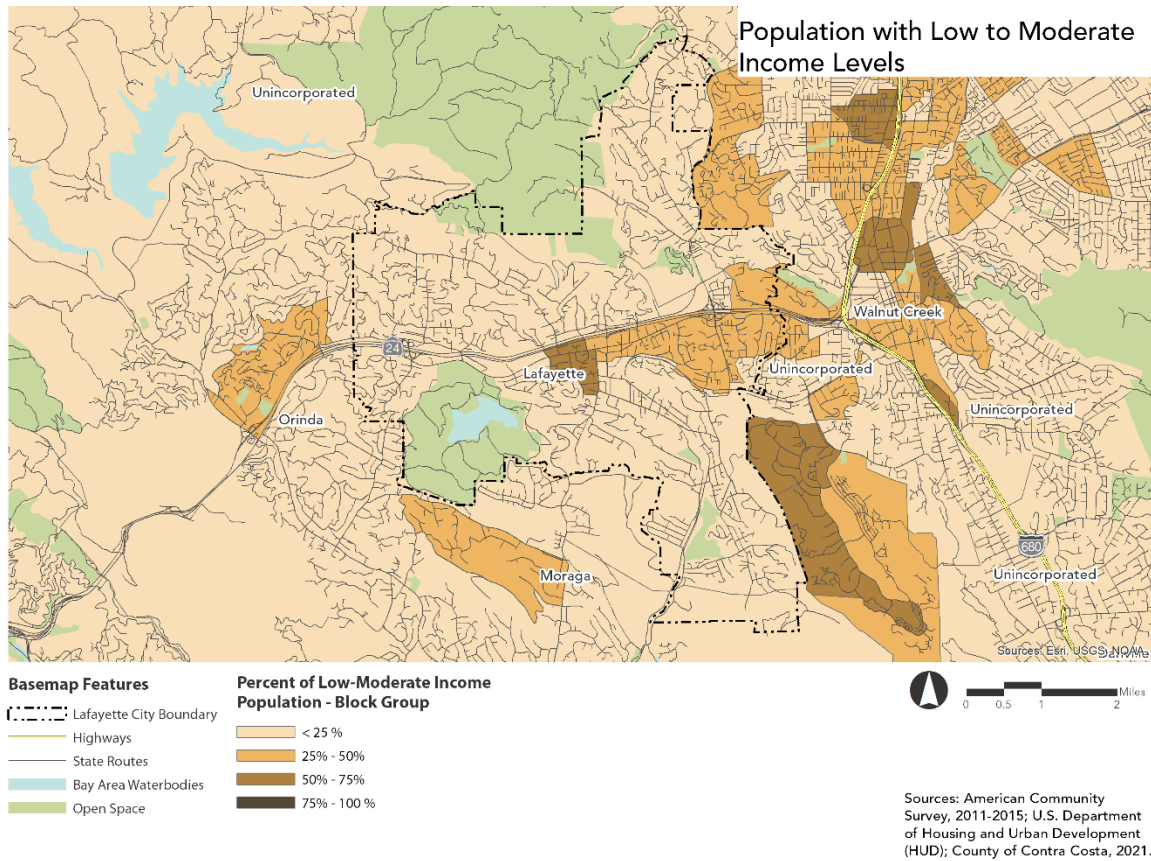


Table 15: Households by Income Category and Tenure in Lafayette

Income Distribution Overview	Owner	Renter	Total
Household Income ≤ 30% HAMFI	3.1%	16.3%	6.8%
Household Income >30% to ≤ 50% HAMFI	4.4%	6.8%	5.1%
Household Income >50% to ≤ 80% HAMFI	4.9%	13/1%	7.2%
Household Income >80% to ≤ 100% HAMFI	4.3%	10.8%	961%
Household Income >100% HAMFI	83.4%	52.9%	74.9%
<b>Total Population</b>	<b>6,770</b>	<b>2,635</b>	<b>9,405</b>

Source: HUD Office of Policy Development and Research (PD&R) CHAS Data; 2014–2018 ACS

**Table 16** shows the for-sale unit distribution by value in Lafayette, Contra Costa County, and the Bay Area overall. Lafayette has seven times the number of homes valued over \$2 million compared to the county as a whole. Additionally, 6% of units are valued under \$750,000 in the city compared to 79% in the county. There are very limited opportunities for affordable ownership opportunities priced below \$250,000 in the City of Lafayette.

**Table 16: For-Sale Unit Distribution by Value**

Geography	Units Valued Less than \$250k	Units Valued \$250k-\$500k	Units Valued \$500k-\$750k	Units Valued \$750k-\$1M	Units Valued \$1M-\$1.5M	Units Valued \$1.5M-\$2M	Units Valued \$2M+
Lafayette	1.1%	1.6%	3.6%	11.8%	36.3%	23.1%	22.5%
Contra Costa County	7.3%	29.1%	27.0%	15.4%	13.1%	4.9%	3.1%
Bay Area	6.1%	16.3%	22.5%	20.1%	17.9%	7.9%	9.2%

Source: 2019 5-year ACS

**Table 17** shows rental units distributed by gross rent in the City of Lafayette, Contra Costa County, and the Bay Area. Similar to home values, Lafayette has a concentration of high rent rentals with three times as many units priced above \$3,000 compared to the county overall.

**Table 17: Rental Units Distributed by Gross Rent**

Geography	Rent less than \$500	Rent \$500-\$1000	Rent \$1000-\$1500	Rent \$1500-\$2000	Rent \$2000-\$2500	Rent \$2500-\$3000	Rent \$3000 or more
Lafayette	6.1%	4.1%	15.8%	19.5%	23.1%	14.1%	17.3%
Contra Costa County	5.4%	10.1%	23.9%	29.8%	17.5%	7.5%	5.8%
Bay Area	6.1%	10.2%	18.9%	22.8%	17.3%	11.7%	13.0%

Source: 2019 5-year ACS

## 5.5 HOUSING CHOICE VOUCHERS (HCV)

Housing Choice Vouchers (HCV) are a form of HUD rental subsidy issued to low-income households that promise to pay a certain amount of the household’s rent. Prices, or payment standards, are set based on the rent in the metropolitan area, and voucher households must pay any difference between the rent and the voucher amount. Participants of the HCV program are free to choose any rental housing that meets program requirements

An analysis of the trends in HCV concentration can be useful in examining the success of the program in improving access to opportunity for voucher holders. The absence of HCV holders can indicate discriminatory behavior among landlords and a lack of opportunity for low income households or renter households more generally. One of the objectives of the HCV program is to encourage participants to avoid high-poverty neighborhoods, and encourage the recruitment of landlords with rental properties in

low-poverty neighborhoods. HCV programs are managed by Public Housing Agencies (PHAs), and the programs assessment structure (Section Eight Management Assessment Program) includes an “expanding housing opportunities” indicator that shows whether the PHA has adopted and implemented a written policy to encourage participation by owners of units located outside areas of poverty or minority concentration.

A study prepared by HUD’s Office of Policy Development and Research found a positive association between the HCV share of occupied housing and neighborhood poverty concentration, and a negative association between rent and neighborhood poverty. This means that HCV use was concentrated in areas of high poverty where rents tend to be lower. In areas where these patterns occur, the program has not succeeded in moving holders out of areas of poverty.

This section will also discuss the Location Affordability Index. The Index was developed by HUD in collaboration with DOT under the federal Partnership for Sustainable Communities. One objective of the Partnership is to increase public access to data on housing, transportation, and land use. Before this Index, there was no standardized national data source on household transportation expenses, which limited the ability of homebuyers and renters to fully account for the cost of living in a particular city or neighborhood.

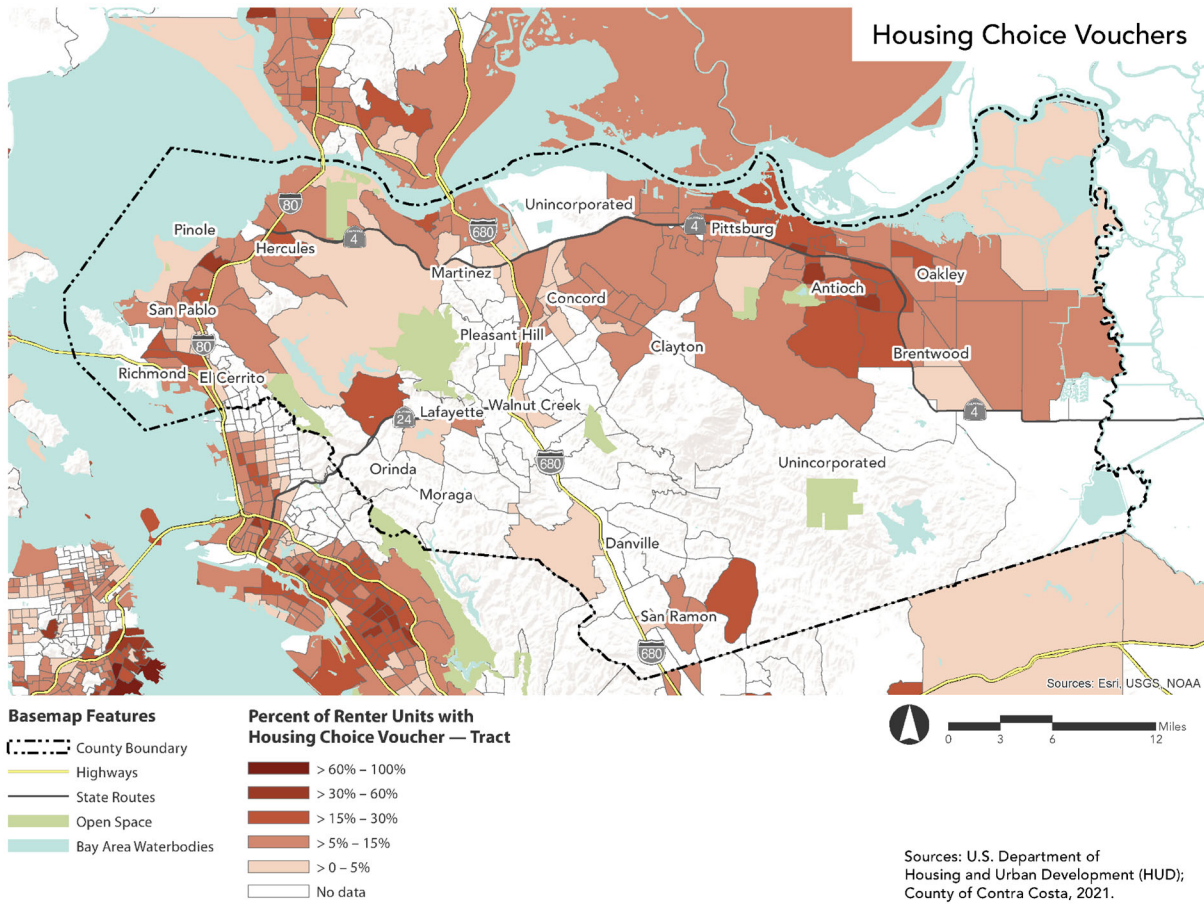
The prevailing standard of affordability in the United States is paying 30% or less of your family’s income on housing, but this fails to account for transportation costs. Transportation costs have grown significantly as a proportion of household income since this standard was established. According to the Bureau of Labor Statistics, in the 1930's American households spent just 8% of their income on transportation. Since then, as a substantial proportion of the U.S. population has migrated from center cities to surrounding suburbs and exurbs and come to rely more heavily (or exclusively) on cars, that percentage has steadily increased, peaking at 19.1% in 2003. As of 2013, households spent on average about 17% of their annual income on transportation, second only to housing costs in terms of budget impact. For many working-class and rural households, transportation costs actually exceed housing costs.

### Regional Trends

In Contra Costa County, the Housing Authority of Contra Costa County (HACCC) administers approximately 7,000 vouchers under the HCV program (and Shelter Care Plus program). Northwest Contra Costa County is served by the Richmond Housing Authority (RHA) that administers approximately 1,851 HCVs. North-central Contra Costa County is served by the Housing Authority of the City of Pittsburg (HACP), which manages 1,118 tenant-based HCVs.

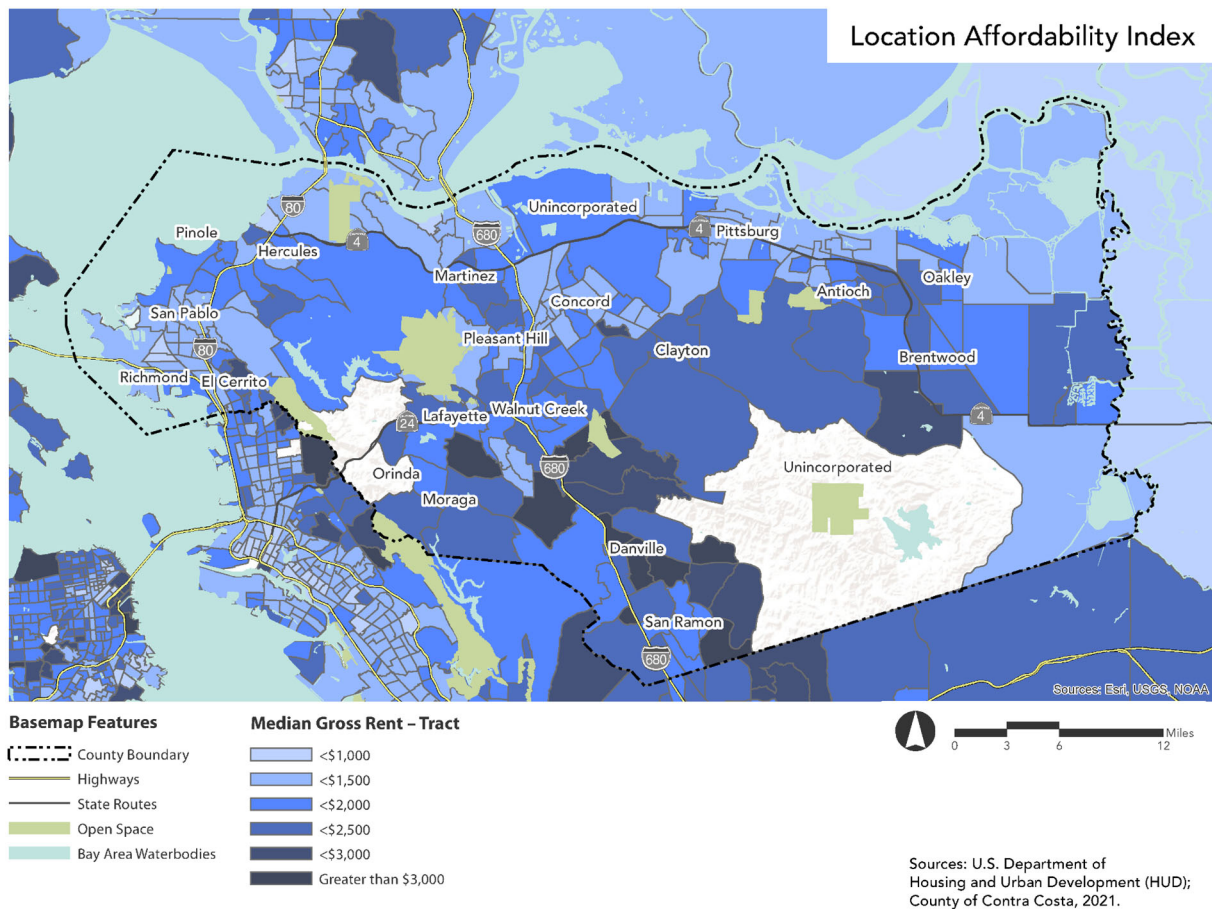
The HCV program serves as a mechanism for bringing otherwise unaffordable housing within reach of low-income populations. With reference to Map 11, the program appears to be most prominent in western Contra Costa County, in heavily Black and Hispanic areas, and in the northeast of the County, in predominantly Black, Hispanic, and Asian areas. Central Contra Costa County largely has no data on the percentage of renter units with HCVs. The correlation between low rents and a high concentration of HCV holders holds true for the areas around San Pablo, Richmond, Martinez, Pittsburg, and Antioch.

Map 11: Percentage of Renter Units with Housing Choice Vouchers – Contra Costa County



[Map 12](#) shows the Location Affordability Index in Contra Costa County; note there is no data for the areas on the map that lack color. In Contra Costa County, the majority of the county has a median gross rent of \$2,000–\$2,500. Central Contra Costa County (areas between Danville and Walnut Creek) have the highest rents around \$3,000 or more. The most affordable tracts in the county are along the perimeter of the County in cities like Richmond, San Pablo, Pittsburg, and Martinez.

Map 12: Location Affordability Index – Contra Costa County



### Local Trends

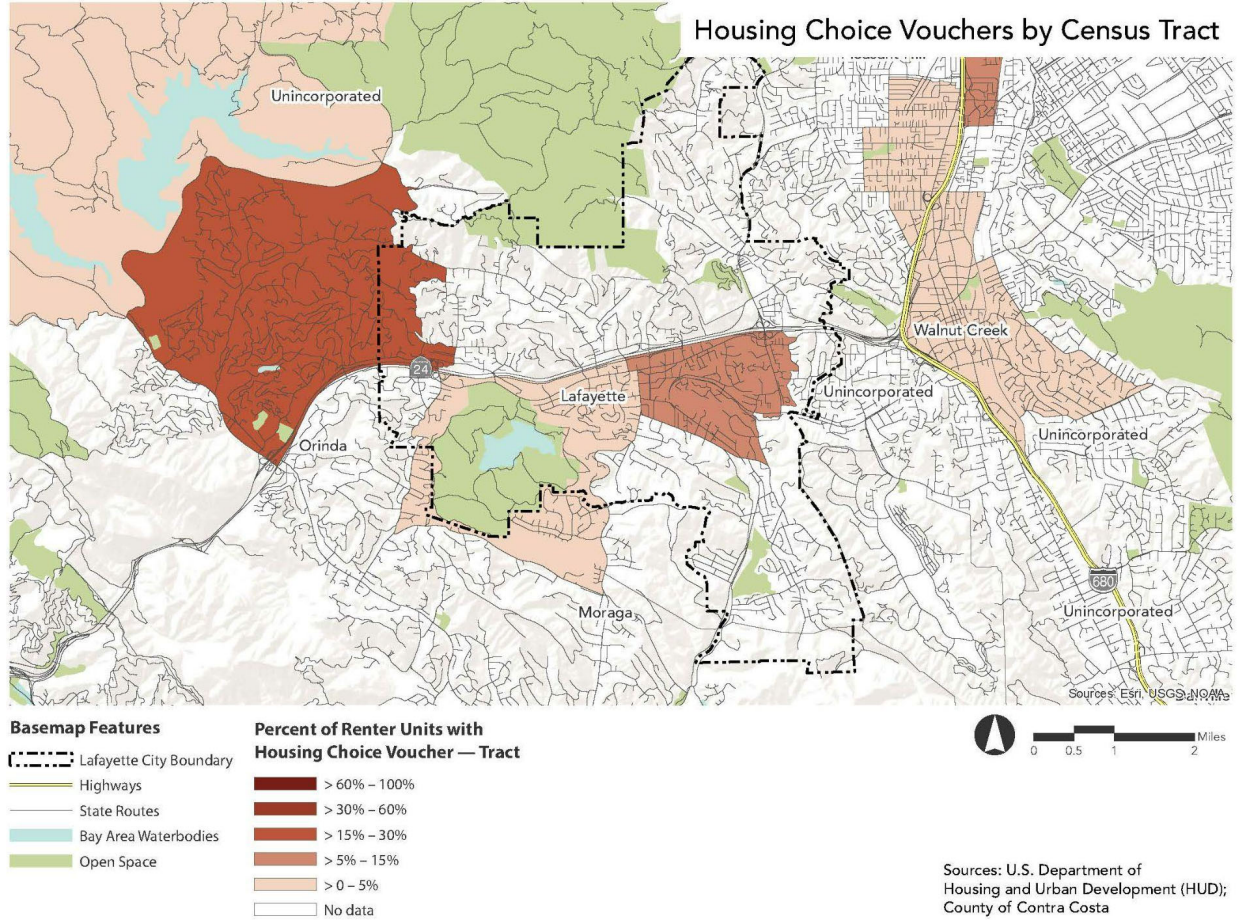
The City of Lafayette does not operate its own housing authority but is served by the Contra Costa County Housing Authority. The City encourages people to contact the CCC Housing Authority for any questions about Section 8 or housing vouchers.

In Lafayette, the areas with HCV use correspond to areas with higher proportion of renter-occupied households, cost-burdened renter households, and LMI households, which are mostly located in Downtown Lafayette (see [Map 13](#)). In this area, between 0 – 15 percent of renter occupied housing units use HCVs.

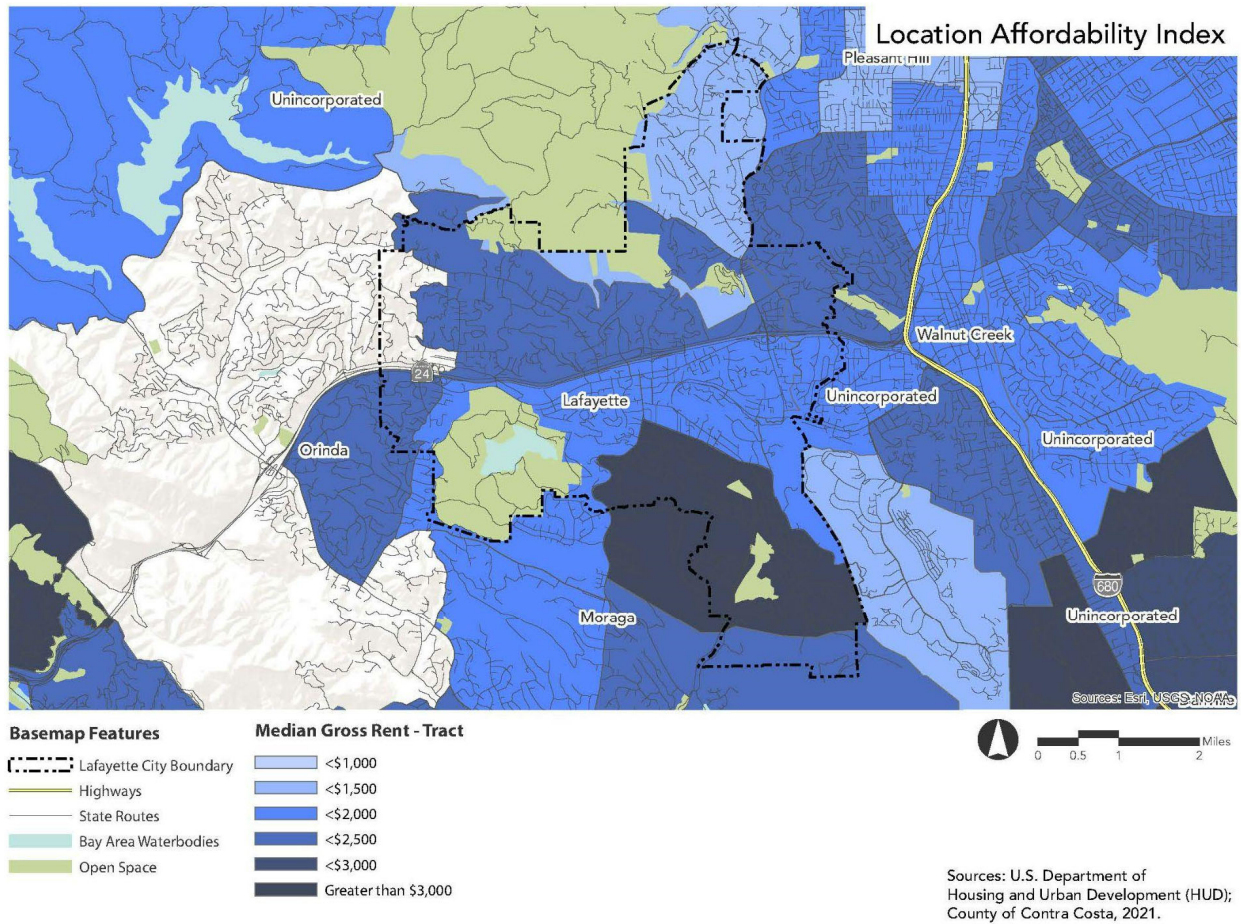
Neighborhoods to the north and south of Downtown have no data available. The absence of renters using housing vouchers to pay for rent indicates a lack of supply of rental housing. According to the Location Affordability Index, the Downtown area is the most affordable, with rents at \$2,000 or less (see

Map 14). The areas to the north and south have the highest costs where rents are \$2,500 or greater. One tract in the Burton Valley neighborhood has rents greater than \$3,000.

Map 13: Percentage of Renter Units with Housing Choice Vouchers – City of Lafayette



Map 14: Location Affordability Index – City of Lafayette



## 5.6 RACIALLY AND ETHNICALLY CONCENTRATED AREAS

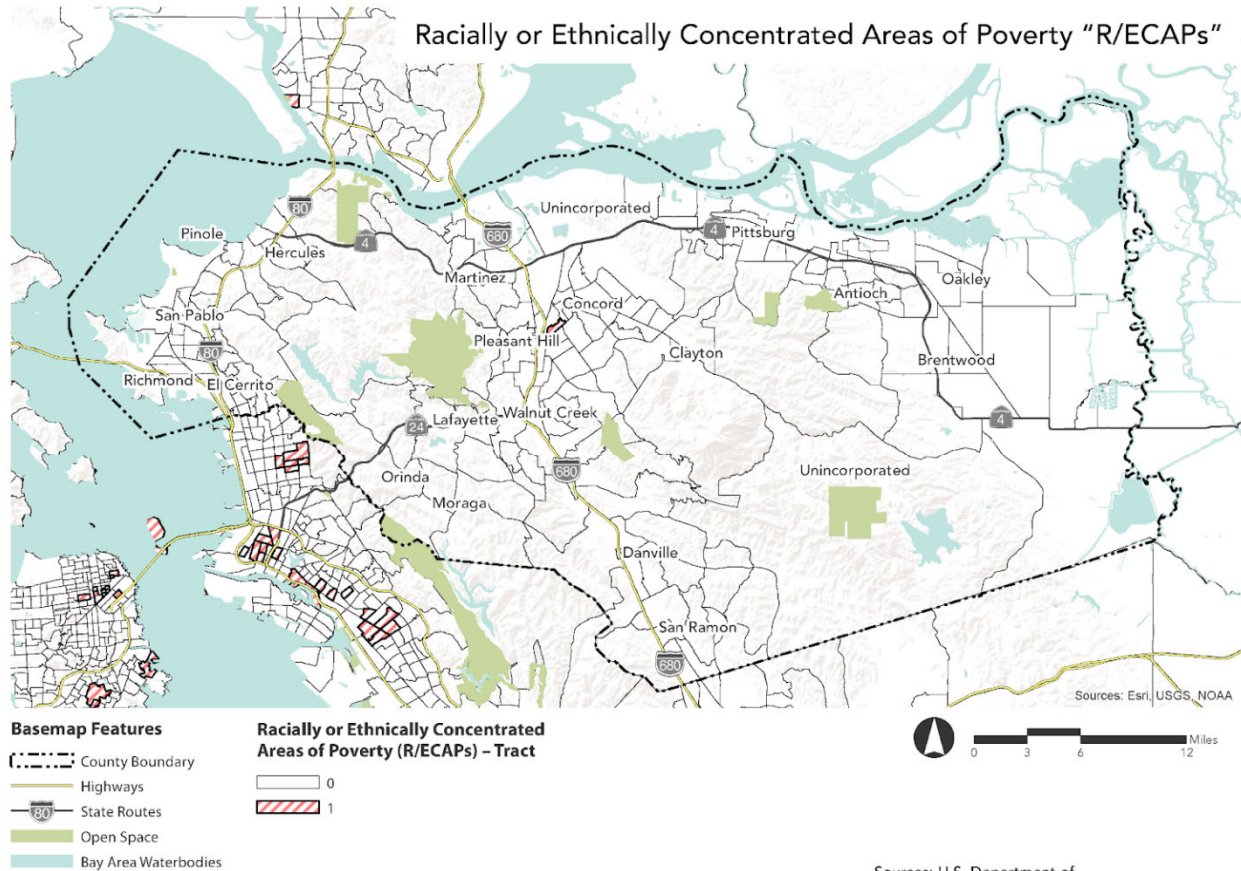
Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs) are geographic areas with significant concentrations of poverty and minority populations. The HUD developed a census-tract based definition of R/ECAP that relies on a racial and ethnic concentration threshold and a poverty test. The threshold states that an area with a non-White population of 50% or more would be identified as a R/ECAP; the poverty test defines areas of extreme poverty as areas where 40% or more of the population live below the federal poverty line or where the poverty rate is three times the average poverty rate for the metropolitan area (whichever is lower). Thus, an area that meets either the racial or ethnic concentration, and the poverty test would be classified as a R/ECAP. Identifying R/ECAPS will facilitate an understanding of entrenched patterns of segregation and poverty due to the legacy effects of historically racist and discriminatory housing laws.

### Regional Trends

In Contra Costa County, the only area that meets the official definition of a R/ECAP is Monument Corridor in Concord (highlighted with red stripes in Map 15 below).



## Map 15: R/ECAPs – Contra Costa County

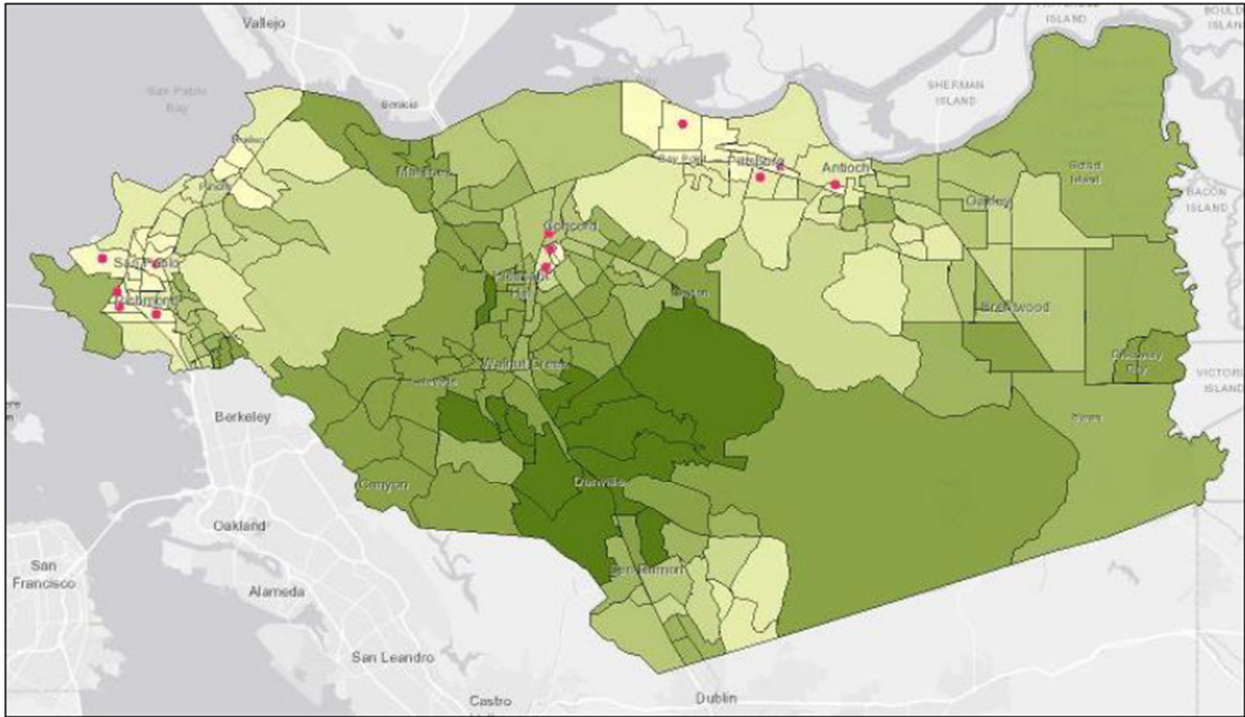


Sources: U.S. Department of Housing and Urban Development, 2009-2013 (HUD); County of Contra Costa, 2021.

Expanded R/ECAPs in Contra Costa County -- According to the 2020 Contra Costa County AI, however, the HUD definition that utilizes the federal poverty rate is not suitable for analysis in the San Francisco Bay Area due to the high cost of living. To account for the higher incomes in the region, the Contra Costa County AI proposes an alternate definition of a R/ECAP that includes majority-minority census tracts that have poverty rates of 25% or more, a lower threshold than HUD's. Under this definition, twelve other census tracts would qualify as R/ECAPs in the areas of Antioch (1), Bay Point (1), Concord (3), Pittsburg (2), North Richmond (1), Richmond (3) and San Pablo (1). Refer to Map 16 for the locations of R/ECAPs based on the expanded definition. Note that the Contra Costa County AI does not provide a legend for the map.

According to the 2012–2016 American Community Survey, 69,326 people lived in these expanded R/ECAPs, representing 6.3% of the County's population. Hispanic and Black populations make up a disproportionately large percentage of residents who reside in R/ECAPs compared to the population of the County or Region as a whole. In Contra Costa County, approximately 53% of individuals living in R/ECAPs are Hispanic, nearly 18% are Black, 19.57% are Mexican American, 4.65% are Salvadoran American, and 1.49% are Guatemalan Americans. Families with children under 18 still in the household comprise almost 60% of the population in Contra Costa County's R/ECAPs. To those already living in poverty, the higher rate of dependent children in their households would translate to a greater strain on their resources.

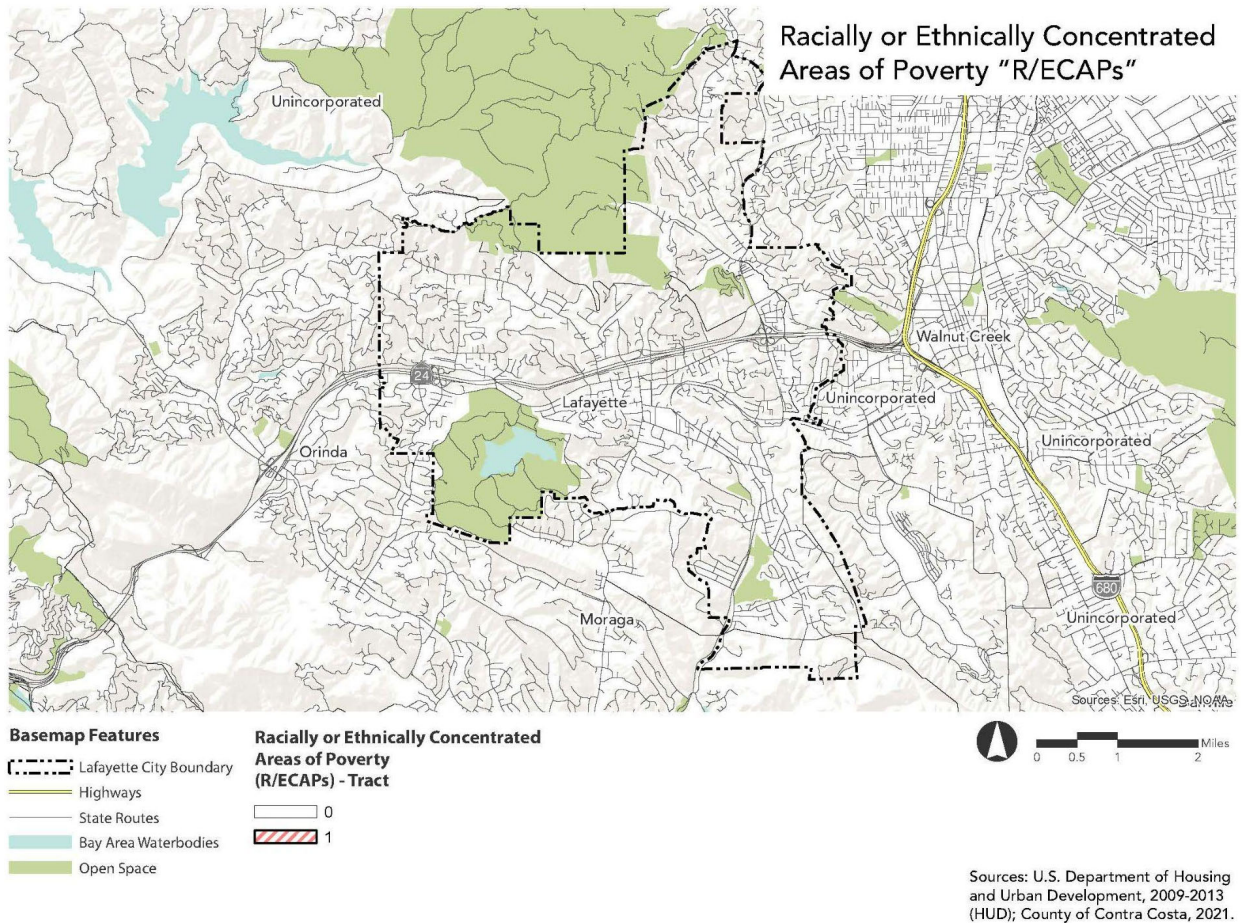
Map 16: Expanded R/ECAPs in Contra Costa County



### Local Trends

There are no R/ECAP areas in Lafayette (Map 17). Even with the expanded definition of R/ECAPs, as discussed in the County's 2020 AI, no R/ECAPS exist within the City.

Map 17: R/ECAPs – City of Lafayette



## 5.7 RACIALLY CONCENTRATED AREAS OF AFFLUENCE (RCAAS)

Racially Concentrated Areas of Affluence (RCAAs) are defined by the HUD as communities with a large proportion of affluent and non-Hispanic White residents. Recent research from the University of Minnesota Humphrey School of Public Affairs shows the importance of including RCAAs in analyses as they reflect past and current policies that create and perpetuate areas of high opportunity and exclusion.<sup>6</sup> RCAAs also identify advantaged and disadvantaged neighborhoods as well as concentrations and segregated groups relative to these neighborhoods (e.g., concentrated poverty versus affluence).

This analysis of Racially Concentrated Areas of Affluence in Lafayette are defined by the Department of Housing and Community Development's as census tracts where 1) the percentage of non-Hispanic White residents is 1.25 times higher than the COG region's percentage of non-Hispanic White residents; and 2) the median household income is two times higher than the COG AMI.

### Regional Trends

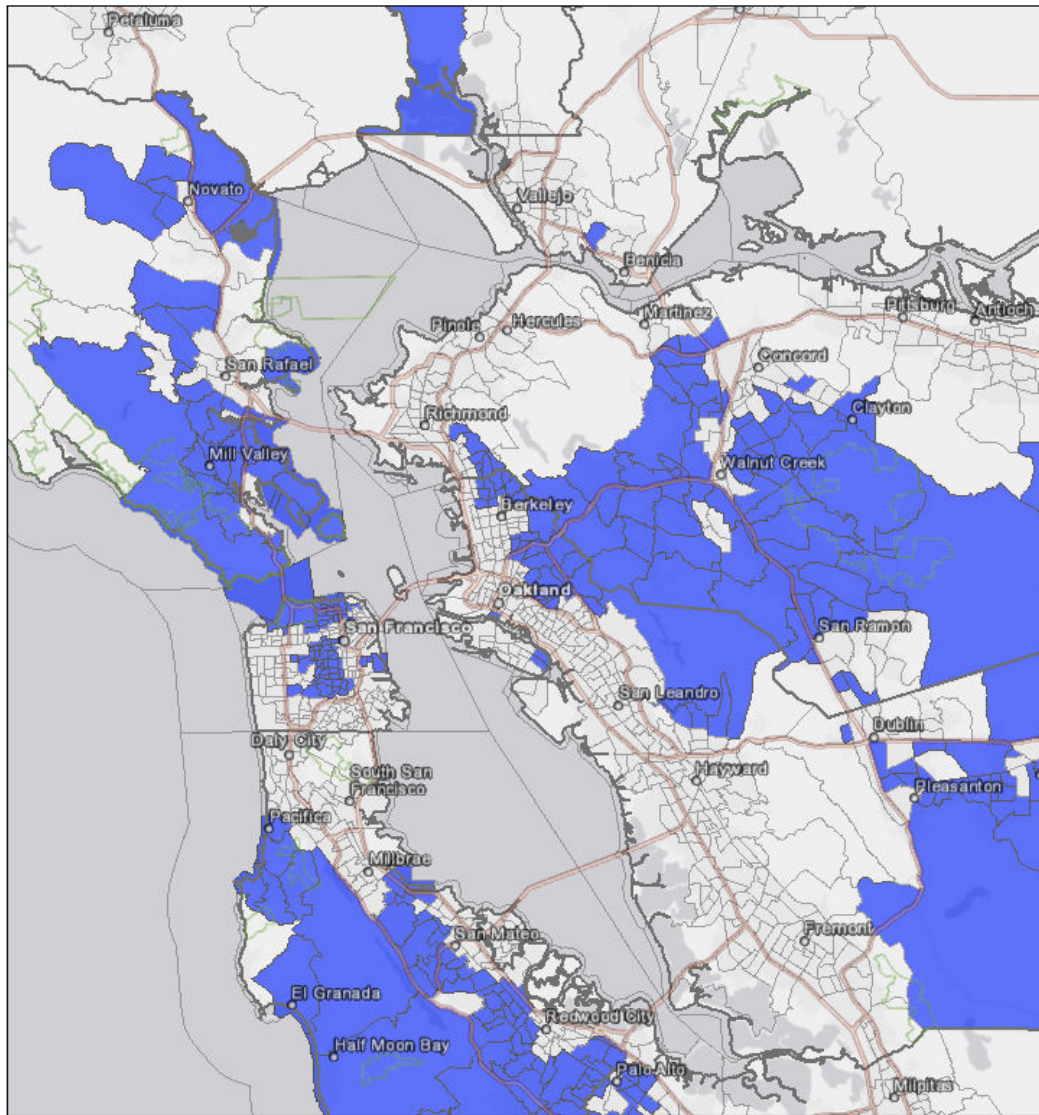
Map 18 and Map 19 illustrate the distribution of RCAAs across the Bay Area region, Contra Costa County, and the City of Lafayette. Cross-referencing these maps, it is important to note geographic

<sup>6</sup> Goetz, E. G., Damiano, A., & Williams, R. A. (2019). Racially Concentrated Areas of Affluence: A Preliminary Investigation. *Cityscape: A Journal of Policy Development and Research*, 21(1), 99–124

patterns: In the Eastern Bay Area, residents living in RCAs are more likely to live further from the coast and are overwhelmingly concentrated in Contra Costa and Alameda counties. Across the Bay, however, residents living in RCAs are directly on the coast with prominent concentrations throughout Marin County. For the Eastern Bay region, this could be attributed to neighboring jurisdictions that are closer to the Bay such as Berkeley and Oakland given their large populations of students and low-income residents—both of which are less likely to earn double the AMI.

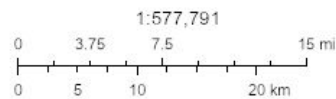
As discussed below, Contra Costa County and the City of Lafayette’s RCAs (Map 19) are relatively consistent with the location patterns of the region overall—especially jurisdictions located to the east and west of Lafayette. RCAs in Lafayette, like similar surrounding jurisdictions, are low density, suburban developments mostly comprised of single-family detached homes and near parks and natural areas.

Map 18: Racially Concentrated Areas of Affluence (RCAs) By Census Tract, Bay Area, 2015-2019



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-  County Boundaries
- (R) Racially Concentrated Areas of Affluence "RCAA" (ACS, 2015 -2019) - Tract
-  0 - Not a RCAA
-  1 - RCAA



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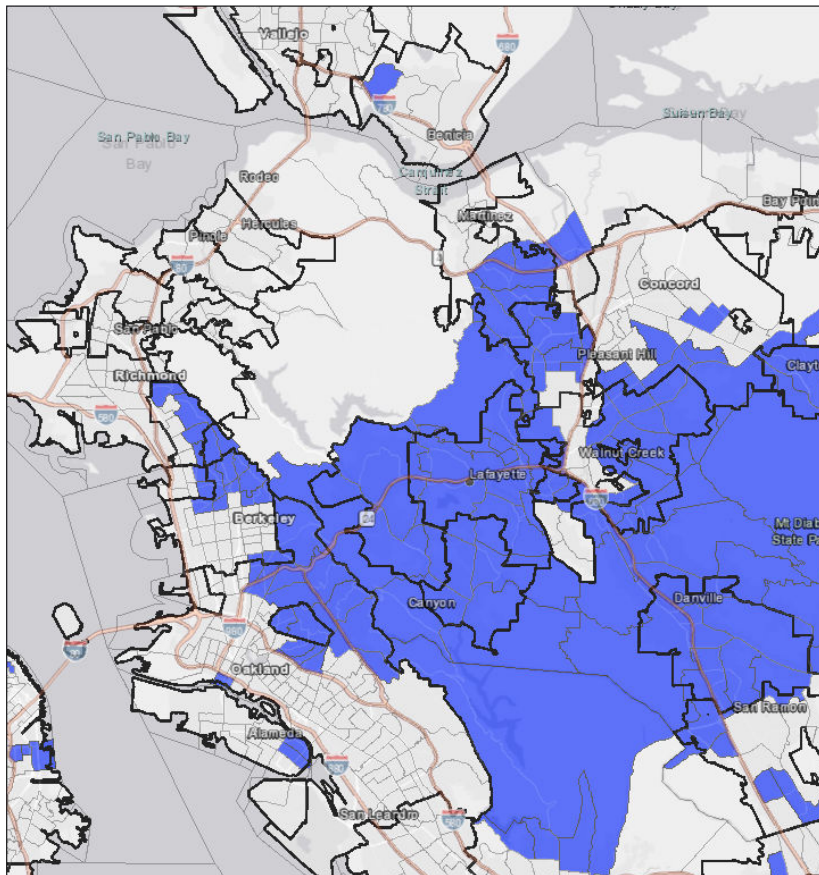
CA HCD  
Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | ESRI, TCAC 2022, HCD 2022, PlaceWorks 2022 |

Source: California Housing and Community Development AFFH Data Viewer

## Local Trends

There is a string of RCAAs that run from Danville to Lafayette and taper off as Walnut Creek emerges (Map 19). This aligns with the cities' racial demographic and median income (summarized in [Table 18](#) below) Not all census tracts/block groups qualify as RCAAs—however, as these maps show, census block groups in Contra Costa County with high White populations often have higher median incomes. This indicates that RCAAs are likely a regional issue where cities have higher proportions of White residents and median incomes.

Map 19: Racially Concentrated Areas of Affluence (RCAAs) by Census Tract, Contra Costa County, 2015-2019



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City/Town Boundaries

(R) Racially Concentrated Areas of Affluence "RCAA" (ACS, 2015 -2019) - Tract

0 - Not a RCAA

1 - RCAA



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CA HCD  
Bureau of Land Management, Esri, HERE, Garmin, USGS, EPA, NPS | PlaceWorks 2021, HUD 2019 | PlaceWorks 2021, HUD 2020 | PlaceWorks 2021, ESRI, U.S. Census | ESRI, TCAC 2022, HCD

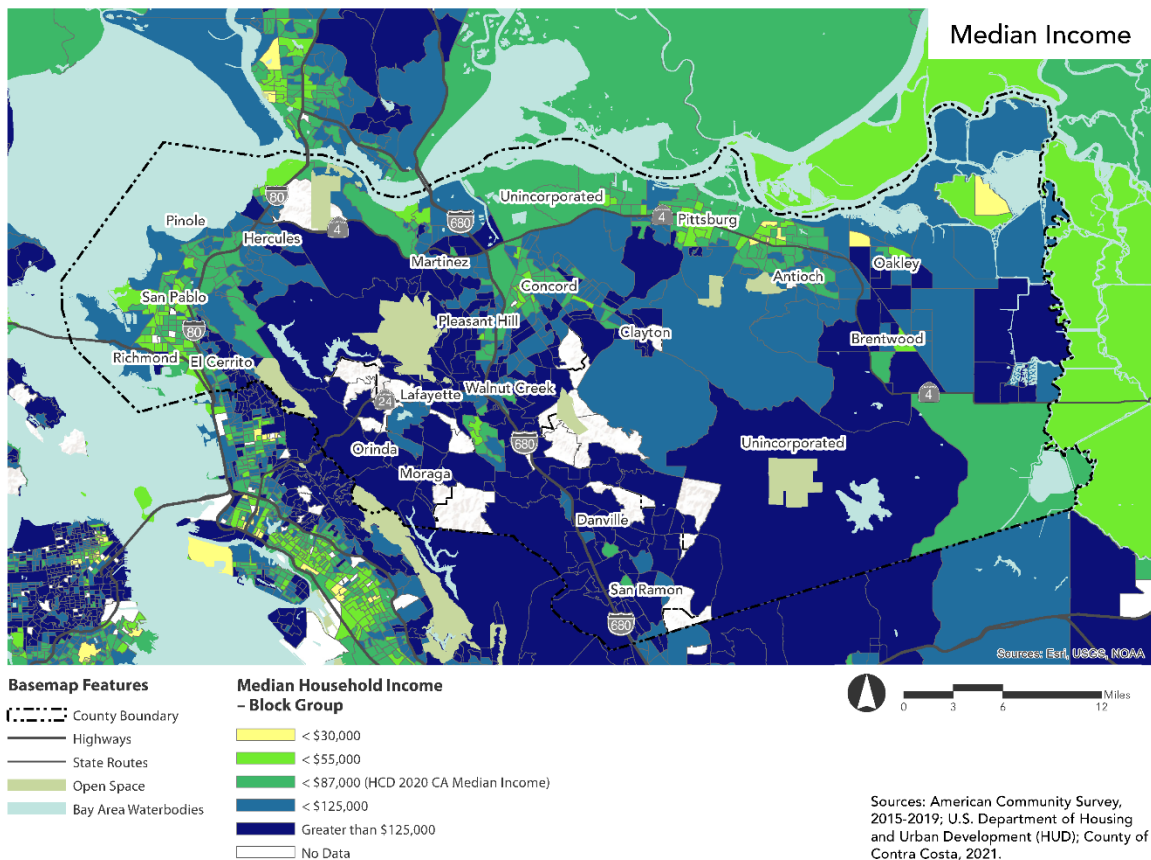
Source: California Department of Housing and Community Development AFFH Data Viewer

Table 18: White Population and Median Household Income of RCAAs in Contra Costa County

City	White Population	Median Household Income (2019)
Danville	80.53%	\$160,808
Lafayette	81.23%	\$178,889
Walnut Creek	74.05%	\$105,948

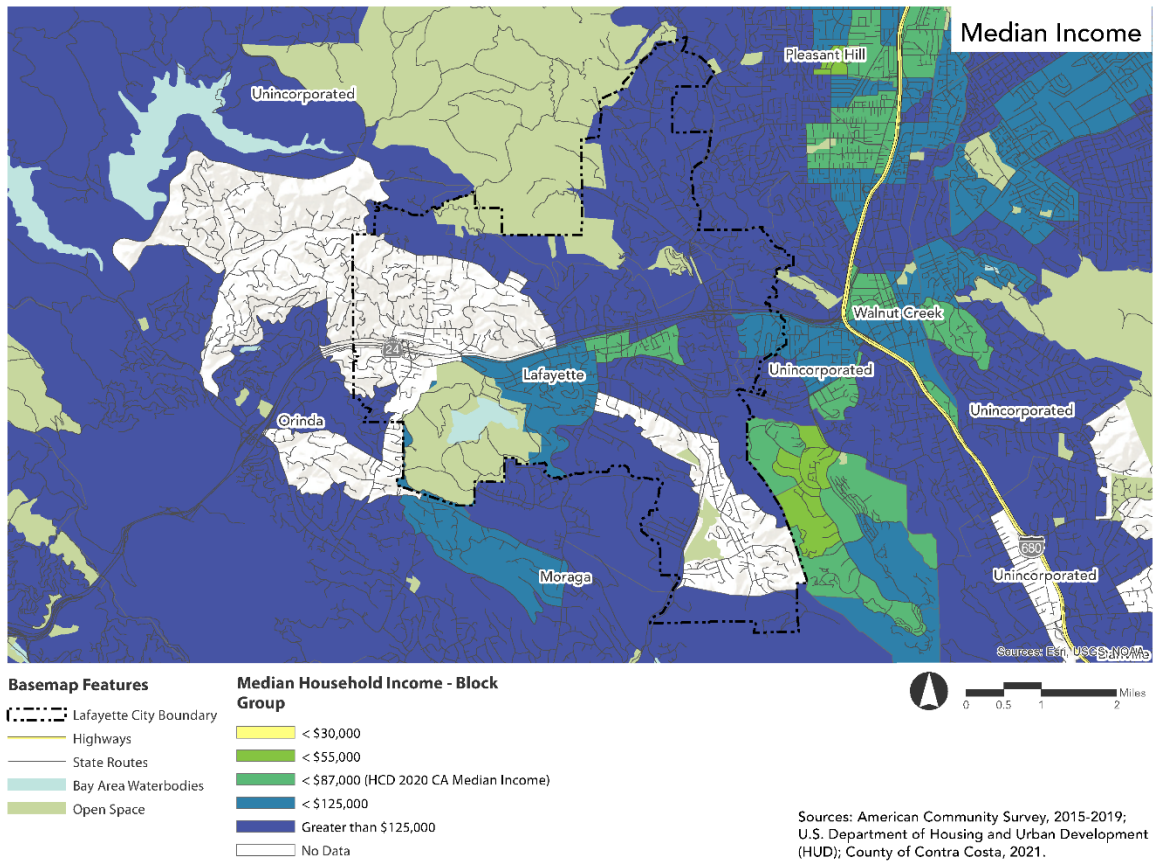
Source: DataUSA.io (2019)

Map 20: Median Household Income - Contra Costa County



Map 21 shows the median household income by block group in the City of Lafayette. There is no data for income levels from the American Community Survey 2015-2019 for northwest and southeast Lafayette. The areas with lowest incomes are located south of State Route 24, along Mount Diablo Boulevard, in the central area of Lafayette, with median incomes between \$55,000 and \$87,000, which is the 2020 California median income according to Housing and Community Development (HCD). Incomes of between \$87,000 and \$125,000 are located towards central Lafayette and eastern Lafayette, while the highest income areas (greater than \$125,000) are located north of State Route 24 and to the southeast.

Map 21: Median Household Income – City of Lafayette



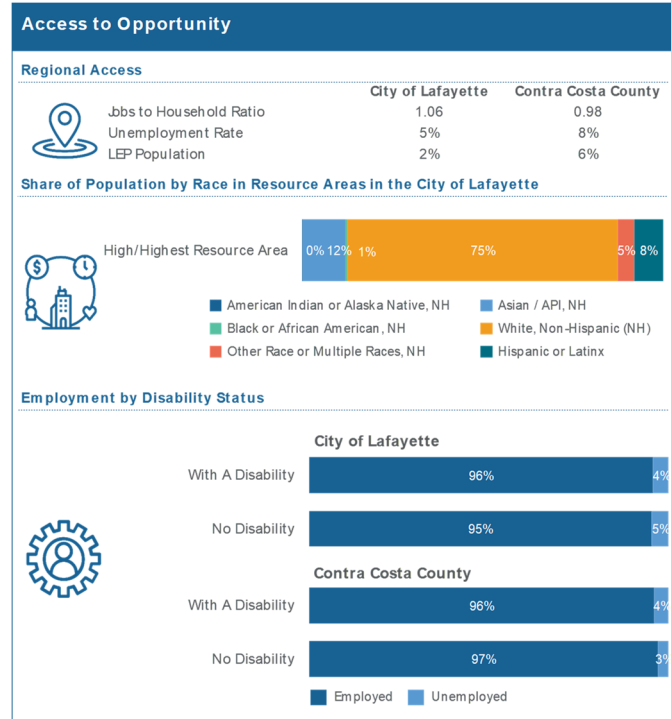


## 6 ACCESS TO OPPORTUNITY

Access to opportunity is a concept to approximate the link between place-based characteristics (e.g., education, employment, safety, and the environment) and critical life outcomes (e.g., health, wealth, and life expectancy). Ensuring access to opportunity means both improving the quality of life for residents of low-income communities, as well as supporting residents' mobility and access to 'high resource' neighborhoods.

### Primary Findings

- ✓ The City of Lafayette is predominantly composed of **highest resource areas**, with no variation in composite scores (see Map 21). This pattern is typically seen in other wealthy and less racially diverse cities such as Danville and Orinda. Cities with more non-white residents and lower income households, such as Concord or Pleasant Hill tend to have lower TCAC composite scores.
- ✓ The entirety of Lafayette has the **highest TCAC education score** above 0.75 indicating more positive educational outcomes (see [Map 25](#)).
- ✓ The Ethnic Diversity Index reflects how evenly distributed these students are among the race/ethnicity categories. The more evenly distributed the student body, the higher the number. The Elementary District's **diversity score has increased slightly in recent years**, from 31 in 2016/17 to 39 in 2020/21, while the high school score increased from 30 to 33 in that same timeframe.
- ✓ Lafayette's Transit Connectivity Index score indicates that many households are not served by high frequency transit. Over 44.4% of population in Lafayette live within a half mile distance of transit; however, **there are disparities in transit access where smaller proportions of non-white residents live near transit**.
- ✓ The majority of the city, areas directly adjacent and radiating out from State Route 24, show **moderately high proximity to jobs**. North- and south-east areas of the city have the lowest scores on the job proximity index.
- ✓ Downtown Lafayette has slightly lower environmental scores compared to the rest of the city. This suggests there may be some **disparities in access to environmental quality**, where the central area of the city contains higher proportions of renters, cost burdened and LMI households.



### 6.1 TCAC MAPS

TCAC Maps are opportunity maps created by the California Fair Housing Task Force (a convening of the Department of Housing and Community Development (HCD) and the California Tax Credit Allocation Committee (TCAC)) to provide research and evidence-based policy recommendations to further HCD's fair housing goals of (1) avoiding further segregation and concentration of poverty and (2) encouraging

access to opportunity through land use policy and affordable housing, program design, and implementation. These opportunity maps identify census tracts with highest to lowest resources, segregation, and poverty, which in turn inform the TCAC to more equitably distribute funding for affordable housing in areas with the highest opportunity through the Low-Income Housing Tax Credit (LIHTC) Program.

**Do all residents in Lafayette have access to opportunity?**

Lafayette generally is a very high opportunity area with high performing schools, economic opportunity, and good environmental outcomes. The city is lacking in access to transportation overall, and there are disparities in access to transportation for racial and ethnic minorities. Generally, if households can afford to enter the Lafayette market there is high access to opportunity,

TCAC Opportunity Maps display areas by highest to lowest resources by assigning scores between 0–1 for each domain by census tracts where higher scores indicate higher “access” to the domain or higher “outcomes.” Refer to [Table 19](#) for a list of domains and indicators for opportunity maps. Composite scores are a combination score of the three domains that do not have a numerical value but rather rank census tracts by the level of resources (low, moderate, high, highest, and high poverty and segregation). The opportunity maps also include a measure or “filter” to identify areas with poverty and racial segregation. The criteria for these filters were:

- Poverty: Tracts with at least 30 percent of population under the federal poverty line;
- Racial Segregation: Tracts with location quotient higher than 1.25 for Blacks, Hispanics, Asians, or all people of color in comparison to the County.

**Table 19: Domains and List of Indicators for Opportunity Maps**

Domain	Indicator
Economic	Poverty Adult Education Employment Job Proximity Median Home Value
Environmental	CalEnviroScreen 3.0 Pollution Indicators and Values
Education	Math Proficiency Reading Proficiency High School Graduation Rates Student Poverty Rates

Source: California Fair Housing Task Force, *Methodology for the 2021 TCAC/HCD Opportunity Maps*, December 2020

High resource areas have high index scores for a variety of opportunity indicators such as high employment rates, low poverty rates, proximity to jobs, high educational proficiency, and limited exposure to environmental health hazards. High resource tracts are areas that offer low-income

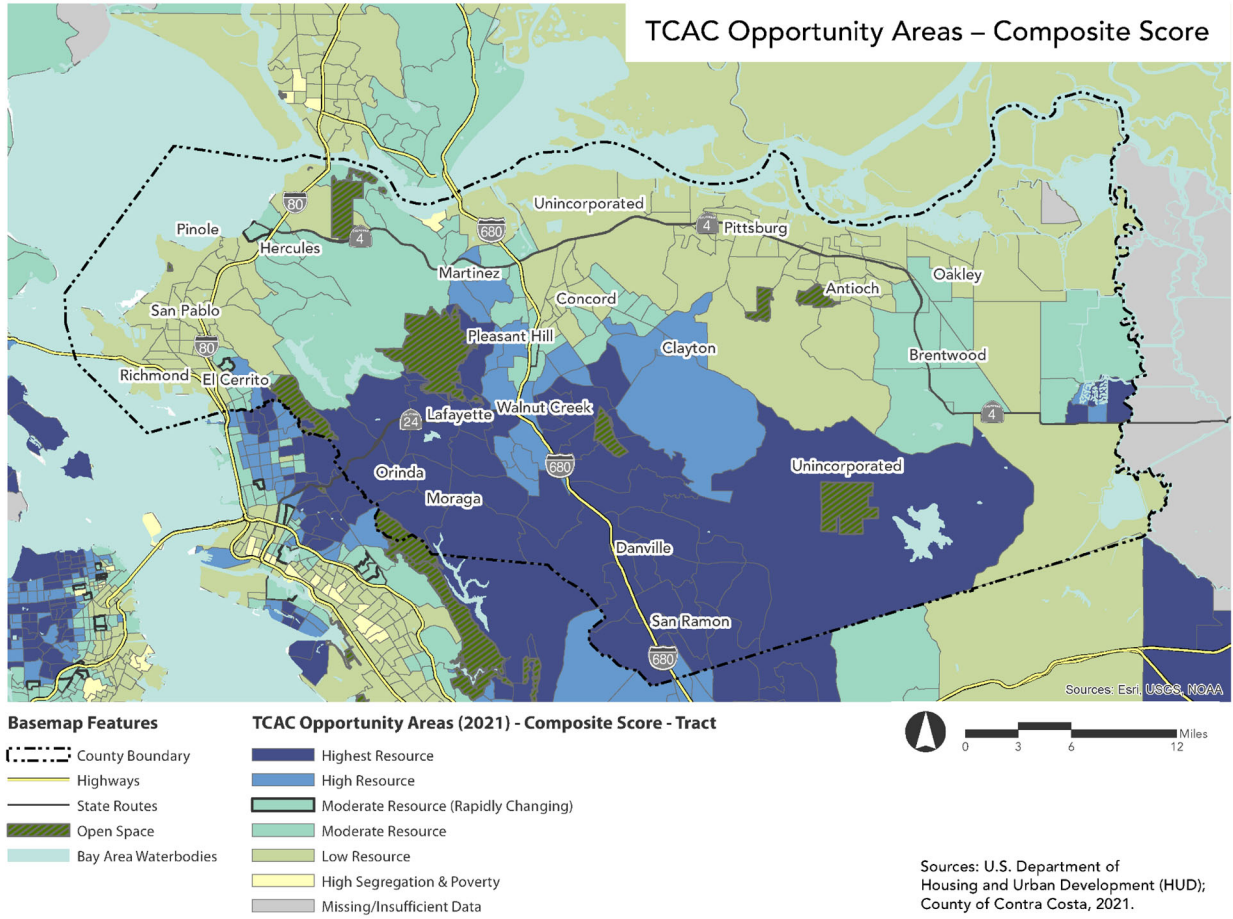
residents the best chance of a high quality of life, whether through economic advancement, high educational attainment, or clean environmental health. Moderate resource areas have access to many of the same resources as the high resource areas but may have fewer job opportunities, lower performing schools, lower median home values, or other factors that lower their indexes across the various economic, educational, and environmental indicators. Low resource areas are characterized as having fewer opportunities for employment and education, or a lower index for other economic, environmental, and educational indicators. These areas have greater quality of life needs and should be prioritized for future investment to improve opportunities for current and future residents.

Information from opportunity mapping can help highlight the need for housing element policies and programs that would help to remediate conditions in low resource areas or areas of high segregation and poverty, and to encourage better access for low and moderate income and black, indigenous, and people of color (BIPOC) households to housing in high resource areas.

### Regional Trends

[Map 22](#) provides a visual representation of TCAC Opportunity Areas in Contra Costa County based on a composite score, where each tract is categorized based on percentile rankings of the level of resources within the region. The only census tract in Contra Costa County considered an area of high segregation and poverty is located in Martinez. Concentrations of low resource areas are located in the northwestern and eastern parts of the county (Richmond to Hercules and Concord to Oakley); census tracts with the highest resources are located in central and southern parts of the county (San Ramon, Danville, Moraga, and Lafayette).

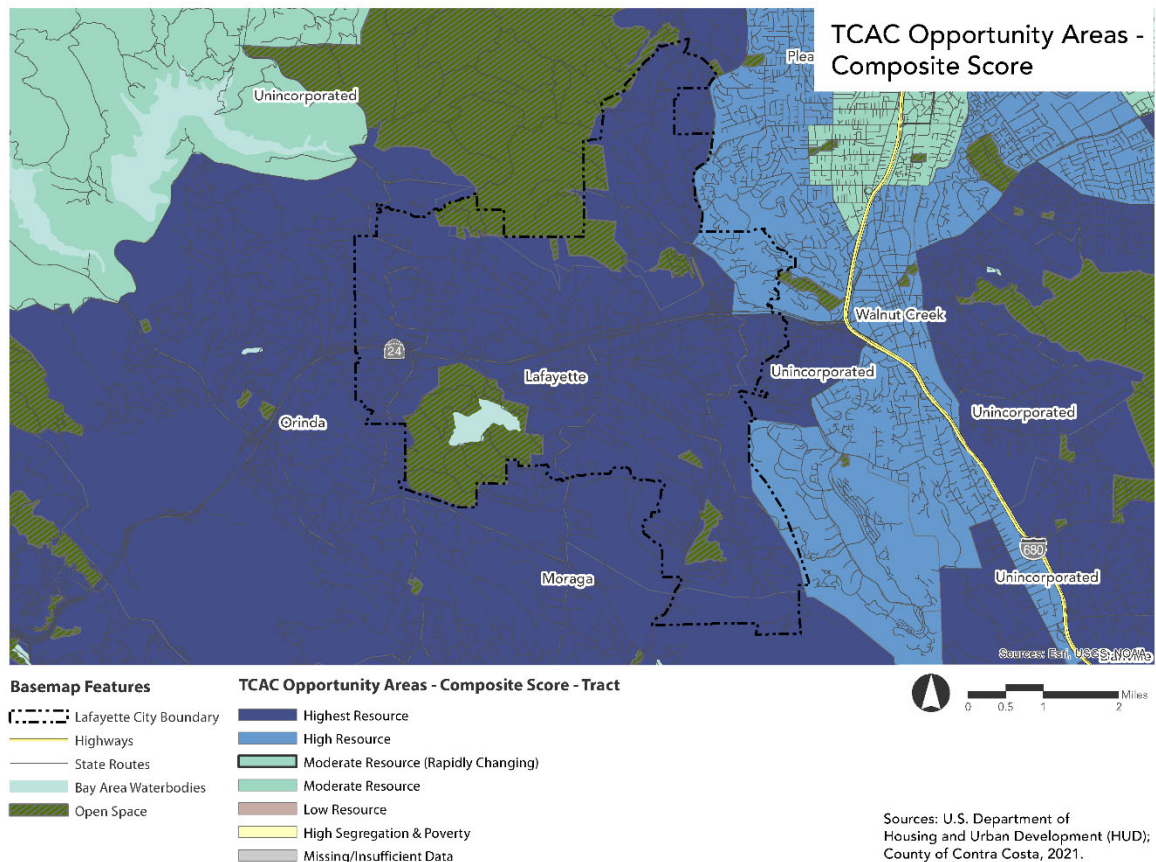
Map 22: TCAC Composite Scores – Contra Costa County



## Local Trends

The City of Lafayette is predominantly composed of highest resource areas, with no variation in composite scores (see [Map 23](#)). This pattern is typically seen in other wealthy and less racially diverse cities such as Danville and Orinda. Cities with more non-white residents and lower income households, such as Concord or Pleasant Hill tend to have lower TCAC composite scores.

Map 23: TCAC Composite Scores – City of Lafayette



## Opportunity Indices

This section presents the HUD-developed index scores based on nationally available data sources to assess residents' access to key opportunity assets in comparison to the County. [Table 20](#) provides index scores or values (the values range from 0 to 100) for the following opportunity indicator indices:

- **School Proficiency Index:** The school proficiency index uses school-level data on the performance of 4th grade students on state exams to describe which neighborhoods have high-performing elementary schools nearby and which are near lower performing elementary schools. The higher the index value, the higher the school system quality is in a neighborhood.

- Labor Market Engagement Index: The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood. This is based upon the level of employment, labor force participation, and educational attainment in a census tract. The higher the index value, the higher the labor force participation and human capital in a neighborhood.
- Transit Trips Index: This index is based on estimates of transit trips taken by a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region (i.e., the Core-Based Statistical Area (CBSA)). The higher the transit trips index value, the more likely residents in that neighborhood utilize public transit.
- Low Transportation Cost Index: This index is based on estimates of transportation costs for a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region/CBSA. The higher the index value, the lower the cost of transportation in that neighborhood.
- Jobs Proximity Index: The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a region/CBSA, with larger employment centers weighted more heavily. The higher the index value, the better the access to employment opportunities for residents in a neighborhood.
- Environmental Health Index: The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level. The higher the index value, the less exposure to toxins harmful to human health. Therefore, the higher the index value, the better the environmental quality of a neighborhood, where a neighborhood is a census block-group.

Table 20: Opportunity Indices in Contra Costa County

Index	School Proficiency	Transit Trip	Low Transportation Cost	Labor Market	Jobs Proximity	Environmental Health
<b>Total Population</b>						
White, Non-Hispanic	69.32	79.83	71.72	68.76	49.30	54.75
Black, Non-Hispanic	34.34	81.81	75.62	42.52	48.12	43.68
Asian or Pacific Islander, Non-Hispanic	59.43	80.81	72.22	66.87	45.27	52.22
Native American, Non-Hispanic	49.99	80.47	73.09	51.19	49.04	47.92
Hispanic	39.38	82.31	75.57	42.30	45.11	43.85
<b>Population Below Federal Poverty Line</b>						
White, Non-Hispanic	55.60	81.05	74.17	55.46	50.67	49.39
Black, Non-Hispanic	25.84	84.03	78.23	32.63	48.69	39.84
Asian or Pacific Islander, Non-Hispanic	46.48	84.04	77.75	52.15	50.02	41.52
Native American, Non-Hispanic	19.92	82.61	75.06	34.52	48.41	46.48
Hispanic	30.50	84.69	78.06	32.01	44.57	38.66

Source: AFFHT Data Table 12; Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA. Note: American Community Survey Data are based on a sample and are subject to sampling variability.

## 6.2 EDUCATION

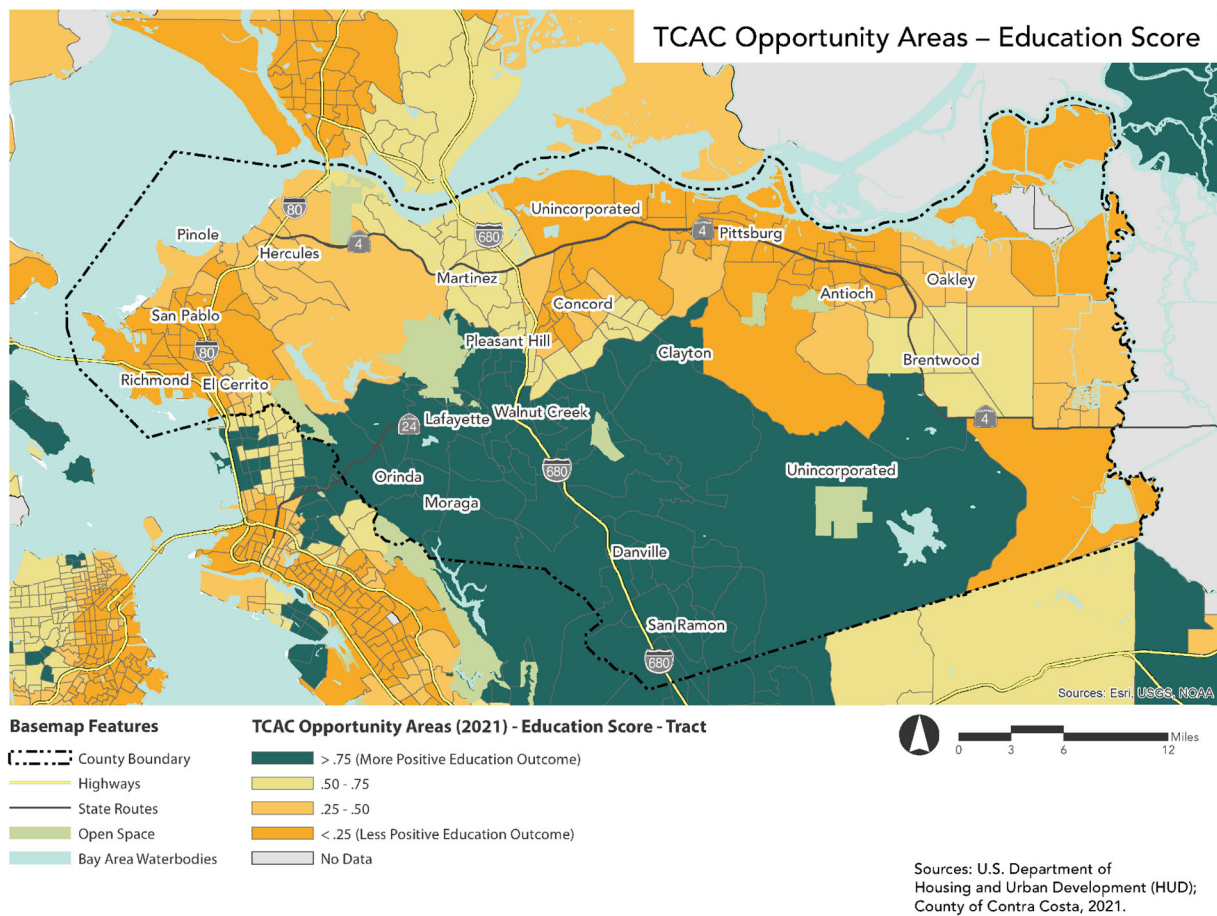
Housing and school policies are mutually reinforcing, which is why it is important to analyze access to educational opportunities when assessing fair housing. At the most general level, school districts with the greatest amount of affordable housing tend to attract larger numbers of LMI families (largely composed of minorities). As test scores reflect student demographics, where Black/Hispanic/Latino students routinely score lower than their White peers, less diverse schools with higher test scores tend to attract higher income families to the school district. This is a fair housing issue because as higher income families move to the area, the overall cost of housing rises and an exclusionary feedback loop is

created, leading to increased economic and racial segregation across districts as well as decreased access to high-performing schools for non-White students.

### Regional Trends

According to the Contra Costa County AI, academic outcomes for low-income students are depressed by the presence of high proportions of low-income classmates; similarly situated low-income students perform at higher levels in schools with lower proportions of low-income students. The research on racial segregation is consistent with the research on poverty concentration—positive levels of school integration led to improved educational outcomes for all students. Thus, it is important wherever possible to reduce school-based poverty concentration and to give low-income families access to schools with lower levels of poverty and greater racial diversity. The 2021 TCAC Opportunity Areas Education Composite Score for a census tract is based on math and reading proficiency, high school graduation rate, and student poverty rate indicators. The score is broken up by quartiles, with the highest quartile indicating more positive education outcomes and the lowest quartile signifying fewer positive outcomes.

Map 24: TCAC Education Score – Contra Costa County





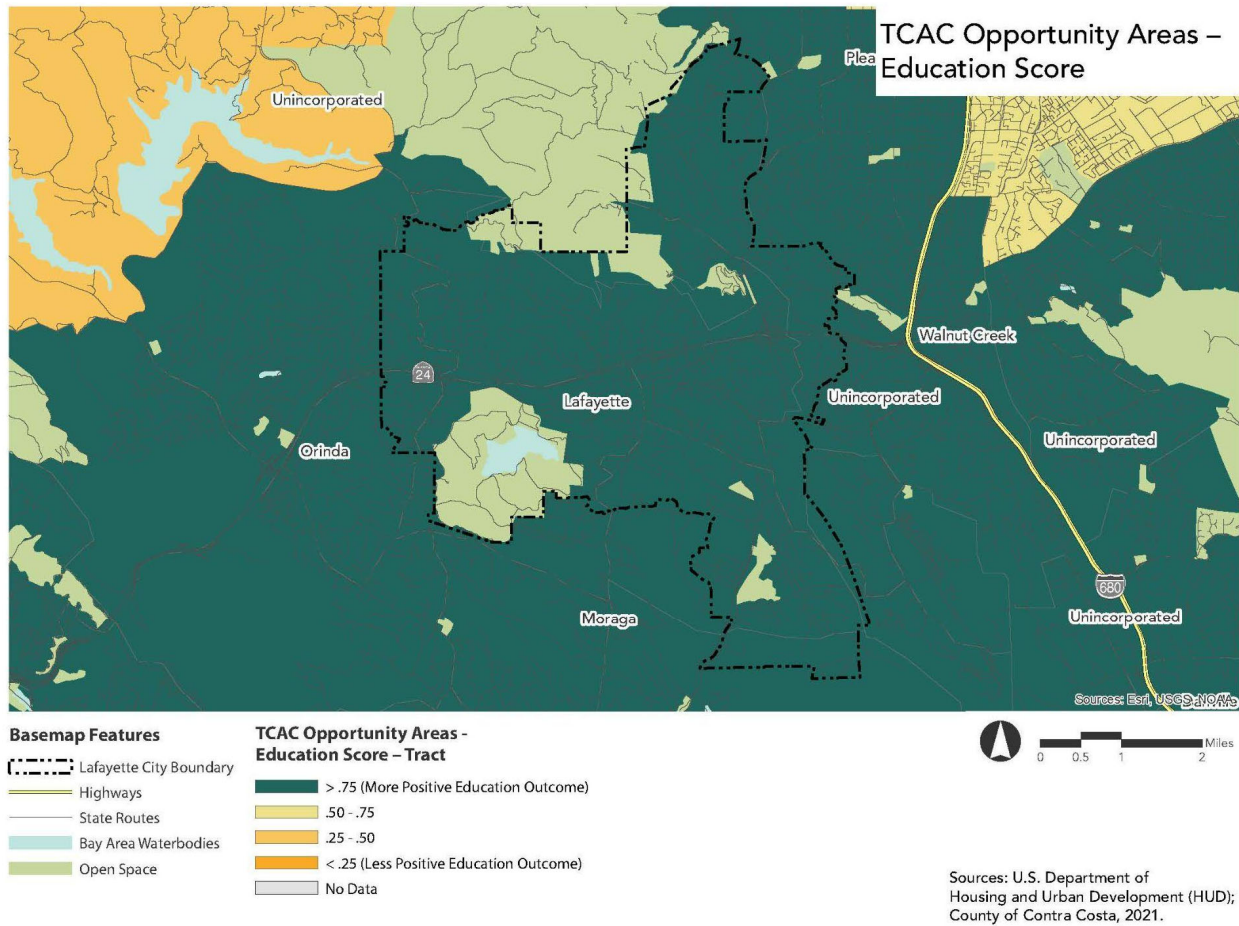
There are 7 public school districts in Contra Costa County, in addition to 26 private schools. [Map 24](#) shows that the northwestern and eastern parts of the county have the lowest education domain scores (less than 0.25) per census tracts, especially around Richmond and San Pablo, Pittsburg, Antioch, east of Clayton, and Concord and its northern unincorporated areas. Census tracts with the highest education domain scores (greater than 0.75) are located in central and southern parts of the county (bounded by San Ramon on the south; Orinda and Moraga on the west; Lafayette, Walnut Creek, Clayton, and Brentwood on the north). Areas with lower education scores correspond with areas with lower income households (largely composed of minorities) and vice versa. [Table 20](#) also indicates that index values for school proficiency are higher for White residents, indicating a greater access to high quality schools regardless of poverty status.

### Local Trends

The entirety of Lafayette has the highest TCAC education score above 0.75 indicating more positive educational outcomes (see [Map 25](#)). According to [publicschoolreview.com](#), Lafayette has a total of six public district schools and 27 private schools. The 33 total schools (both public and private) are broken down as follows: preschools (18), elementary schools (15), middle schools (6) and high schools (4). Lafayette has one of the highest concentrations of top ranked public schools in California. Public schools in the City have an average math proficiency score of 81 percent (versus the California public school average of 40 percent) and a reading proficiency score of 85 percent (versus the 51 percent statewide average). Schools in the City have an average ranking of 10/10, which is in the top one percent of all schools in the State.

The Education Data Partnership reports an ethnic diversity score of 39 for the Lafayette Elementary School District, which has four elementary schools and one middle school, and 33 for Acalanes High School, which is part of the Acalanes Union High School District. The Ethnic Diversity Index reflects how evenly distributed these students are among the race/ethnicity categories. The more evenly distributed the student body, the higher the number. A school where all of the students are the same ethnicity would have an index of 0. The index is out of 100; the highest score any school currently receives in the country is 76. Lafayette Elementary School District's and Acalanes High School District's scores reflect a relatively homogenous student body. The Elementary District's population includes approximately 61.5 percent White students, 11 percent Asian, and 9.2 percent Hispanic or Latino. The Elementary District's diversity score has increased slightly in recent years, from 31 in 2016/17 to 39 in 2020/21, while the high school score increased from 30 to 33 in that same timeframe.

Map 25: TCAC Education Score – City of Lafayette



## Transportation

Access to public transit is of paramount importance to households affected by low incomes and rising housing prices, especially because lower income households are often transit dependent. Public transit should strive to link lower income persons, who are often transit dependent, to major employers where job opportunities exist. Access to employment via public transportation can reduce welfare usage and increase housing mobility, which enables residents to locate housing outside of traditionally low-income neighborhoods.

Transportation opportunities are depicted by two indices: (1) the transit trips index and (2) the low transportation cost index. The transit trips index measures how often low-income families in a neighborhood use public transportation. The index ranges from 0 to 100, with higher values indicating a higher likelihood that residents in a neighborhood utilize public transit. The low transportation cost index measures cost of transportation and proximity to public transportation by neighborhood. It too varies from 0 to 100, and higher scores point to lower transportation costs in that neighborhood.

## Regional Trends

Neither indices, regardless of poverty level, varies noticeably across racial/ethnic categories. All races and ethnicities score highly on both indices with values close in magnitude. If these indices are accurate depictions of transportation accessibility, then it can be concluded that all racial and ethnic classes have high and relatively equal access to transportation at both the jurisdiction and regional levels. If anything, both indices appear to take slightly higher values for non-Hispanic Blacks and Hispanics, suggesting better access to transit and lower costs for these protected groups.

Contra Costa County is served by rail, bus, and ferry transit but the quality of service varies across the county ([Map 26](#), ~~Map 26~~). Much of Contra Costa County is connected to other parts of the East Bay as well as to San Francisco and San Mateo County by Bay Area Rapid Transit (BART) rail service. The Richmond-Warm Springs/South Fremont and Richmond-Daly City/Millbrae Lines serve El Cerrito and Richmond during peak hours while the Antioch-SFO Line extends east from Oakland to serve Orinda, Lafayette, Walnut Creek, Contra Costa Center/Pleasant Hill, Concord, and the Pittsburg/Bay Point station. An eastward extension, commonly known as eBART, began service on May 26, 2018. The extension provides service beyond the Pittsburg/Bay Point station to the new Pittsburg Center and Antioch stations. BART is an important form of transportation that helps provide Contra Costa County residents access to jobs and services in other parts of the Bay Area. The Capitol Corridor route provides rail service between San Jose and Sacramento and serves commuters in Martinez and Richmond.

In contrast to rail transportation, bus service is much more fragmented in the County and regionally. Several different bus systems including Tri-Delta Transit, AC Transit, County Connection, and WestCAT provide local service in different sections of the County. In the Bay Area, there are 18 different agencies that provide bus service. The lack of an integrated network can make it harder for transit riders to understand how to make a trip that spans multiple operators and add costs during a daily commute. For example, an East Bay Regional Local 31-Day bus pass is valid on County Connection, Tri-Delta Transit, and WestCAT, but cannot be used on AC Transit. Additionally, these bus systems often do not have frequent service. In central Contra Costa, County Connection buses may run as infrequently as every 45 to 60 minutes on some routes.

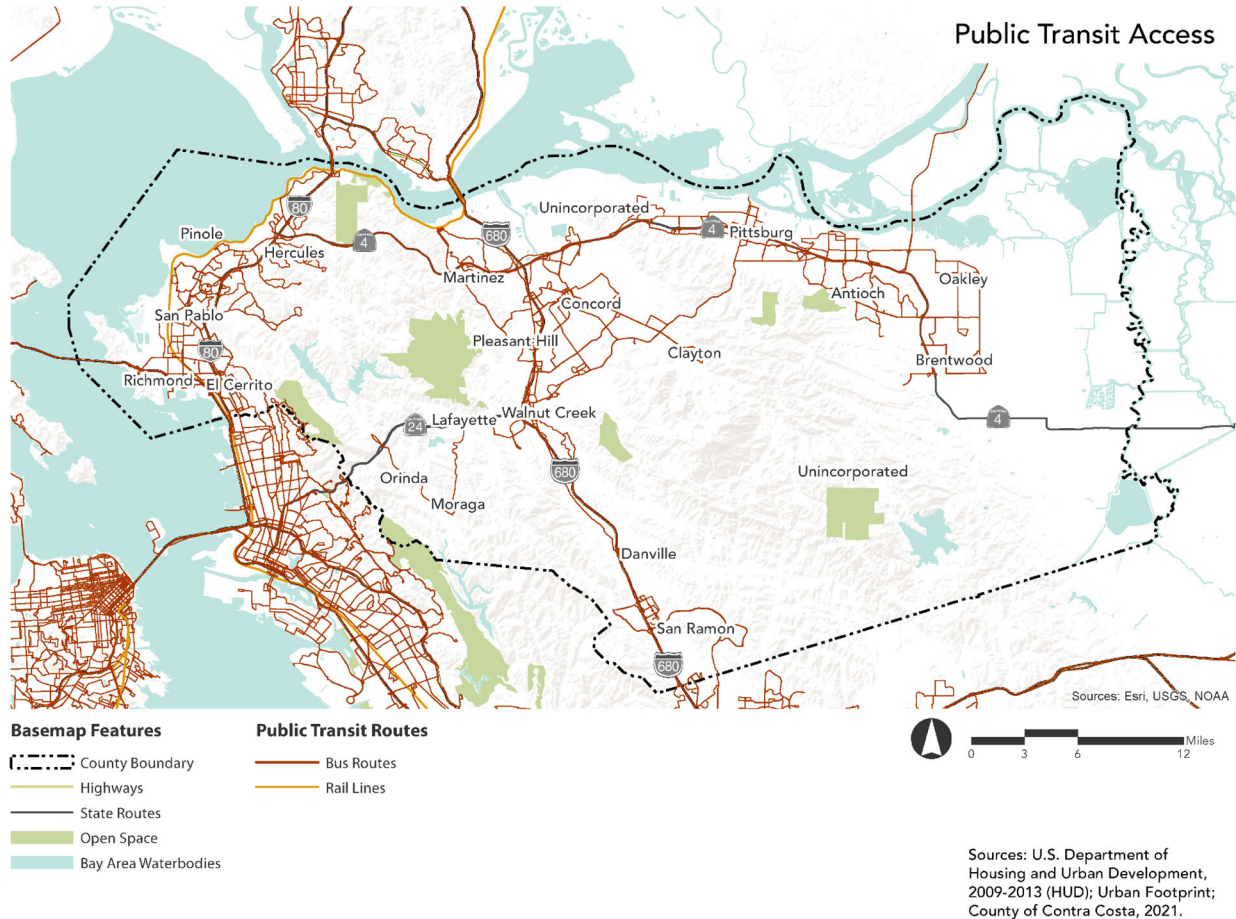
Within Contra Costa County, transit is generally not as robust in east County despite growing demand for public transportation among residents. The lack of adequate public transportation makes it more difficult for lower-income people in particular to access jobs. Average transit commutes in Pittsburg and Antioch exceed 70 minutes. In Brentwood, average transit commute times exceed 100 minutes.

Transit agencies that service Contra Costa County include County Connection, Tri Delta Transit, WestCAT, AC Transit, and BART. The County Connection Bus (CCCTA) is the largest bus transit system in the county that provides fixed-route and paratransit bus service for communities in Central Contra Costa County. Other non-Contra Costa County agencies that provide express service to the county include:

- San Francisco Bay Ferry (Richmond to SF Ferry Building);
- Golden Gate Transit (Line 40);
- WHEELS Livermore Amador Valley Transit Authority (Route 70x);
- SolTrans (Route 80/82 and the Yellow Line);
- Capitol Corridor (Richmond/Martinez to cities between Auburn and San Jose);
- Fairfield & Suisun Transit (Intercity express routes);
- Altamont Corridor Express (commute-hour trains from Pleasanton);

- Napa Vine Transit (Route 29).

Map 26: Public Transit Routes – Contra Costa County



### Local Trends

Lafayette is served by two transit agencies including Bay Area Rapid Transit (BART) and County Connection. ~~Map 27~~ Map 27 shows the limited bus lines that serve Lafayette, primarily providing service and access to the Lafayette BART station and a 600 line serving schools, as shown on the County Connection website. The website alltransit.org measures the number of transit trips per week a household takes and the number of jobs accessible by transit for a geographic area and assigns a score. Based on these factors, Lafayette has a performance score of 4.6 out of 10, which means the City has a low combination of trips per week and number of jobs accessible enabling few people to take transit to work.

The overall Transit Connectivity Index (TCI) for Lafayette is a 4 out of 100. This index is based on the number of bus routes and train stations within walking distance for households in a given block group scaled by the frequency of service. Lafayette’s score indicates that many households are not served by high frequency transit. Over 44.4% of population in Lafayette live within a half mile distance of transit;

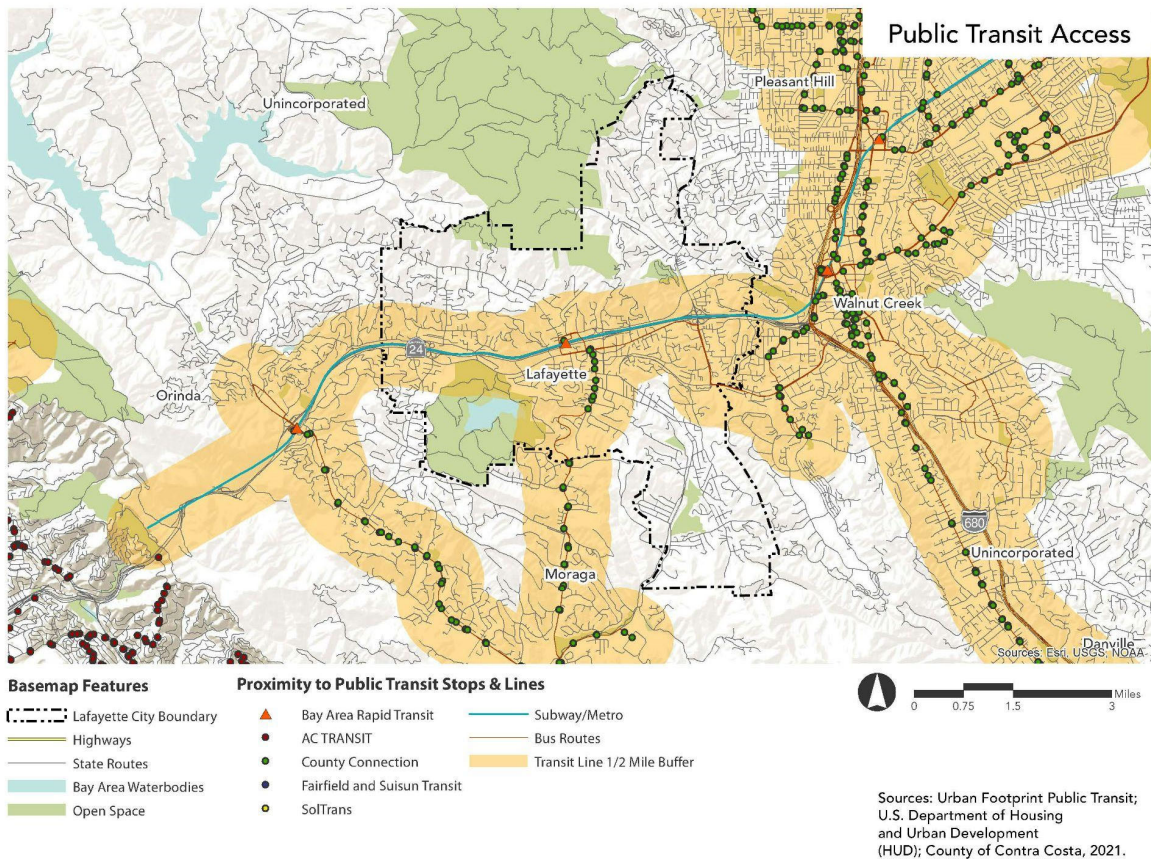
however, there are disparities in transit access where smaller proportions of non-white residents live near transit (see [Table 21](#) ~~Table 21~~).

**Table 21: Population Near Transit in Lafayette by Race/Ethnicity**

Race/Ethnicity	Percentage
White alone	71.8%
Asian alone	11.5%
Hispanic or Latino	9.3%
Some other race alone or Two or more races	5.8%
Black or African American alone	1.5%
American Indian and Alaska Native alone	0.1%
Native Hawaiian and Other Pacific Islander alone	0.0%

Source: alltransit.org

**Map 27: Public Transit Routes – City of Lafayette**



### 6.3 ECONOMIC DEVELOPMENT

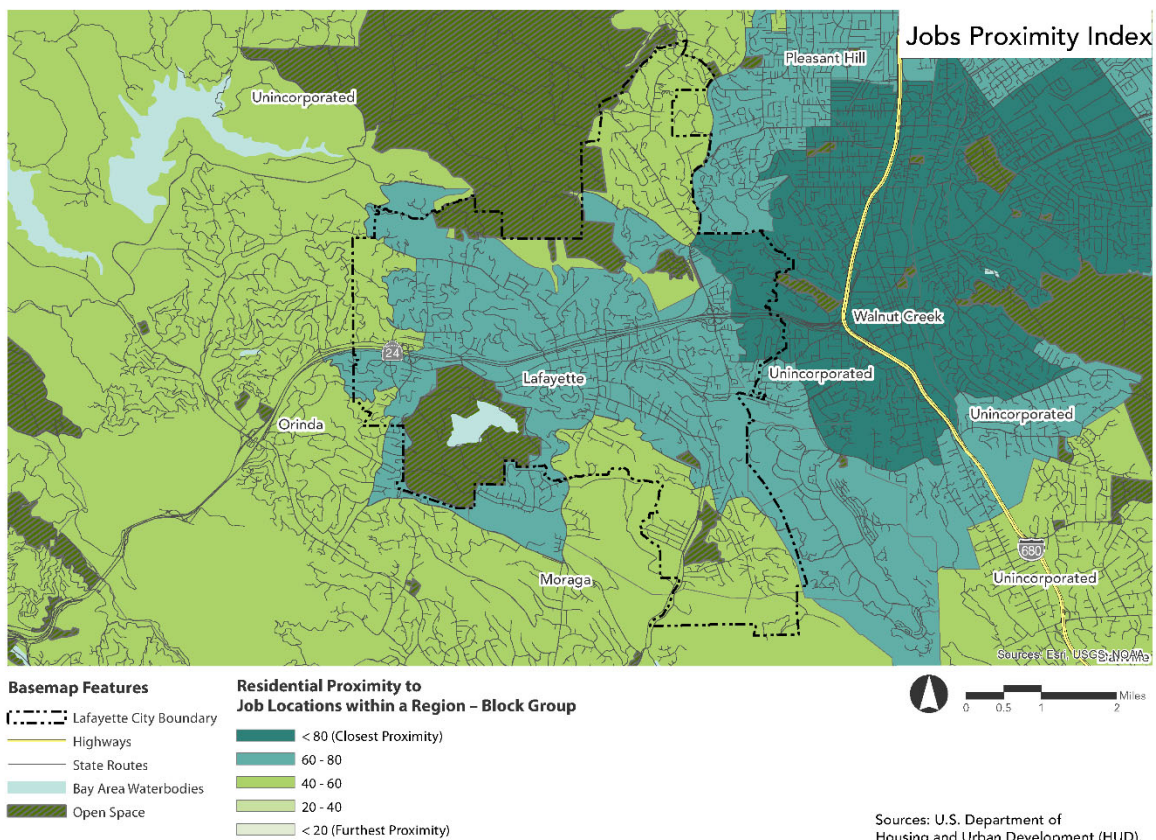
Employment opportunities are depicted by two indices: (1) the labor market engagement index and (2) the jobs proximity index. The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood, considering the

unemployment rate, labor-force participation rate, and percent with a bachelor’s degree or higher. The index ranges from 0 to 100, with higher values indicating higher labor force participation and human capital. The jobs proximity index quantifies the accessibility of a neighborhood to jobs in the region by measuring the physical distances between jobs and places of residence. It too varies from 0 to 100, and higher scores point to better accessibility to employment opportunities.

### Regional Trends

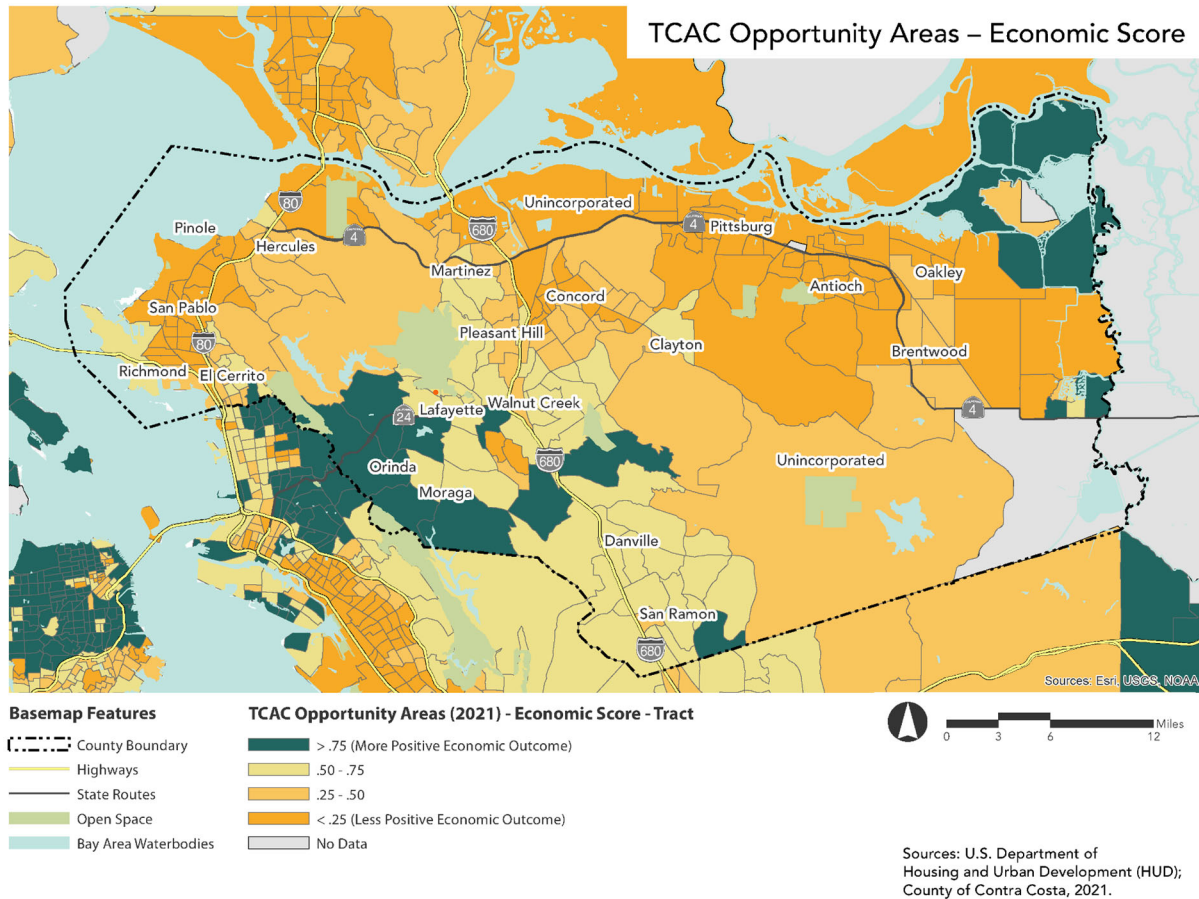
In Contra Costa County, non-Hispanic Whites and non-Hispanic Asians/Pacific Islanders are at the top of the labor market engagement index with scores of 66.76 and 66.87 respectively. Non-Hispanic Blacks and Hispanics score the lowest in the county with scores around 32. (Refer to [Table 20](#) for a full list of indices). [Map 28](#) shows the spatial variability of jobs proximity in Contra Costa County. Tracts extending north from Lafayette to Martinez and its surrounding unincorporated areas have the highest index values followed by its directly adjacent areas. Cities like Pittsburg, Antioch, Brentwood, Oakley, and Hercules have the lowest index scores (less than 20). Hispanic residents have the least access to employment opportunities with an index score of 45.11 whereas White residents have the highest index score of 49.30.

Map 28: Jobs Proximity Index - Contra Costa County



At the end of 2021, Contra Costa County had an unemployment rate of 4.2%---22,900 residents were without a job. Antioch, Pittsburg, and Richmond were amongst the cities with the highest unemployment rates, 6.6%, 5.6%, and 5.2% respectively. These cities were closely followed by Brentwood, Oakley, and San Pablo. The unemployment rates in cities within Contra Costa County correspond with low opportunity index scores.

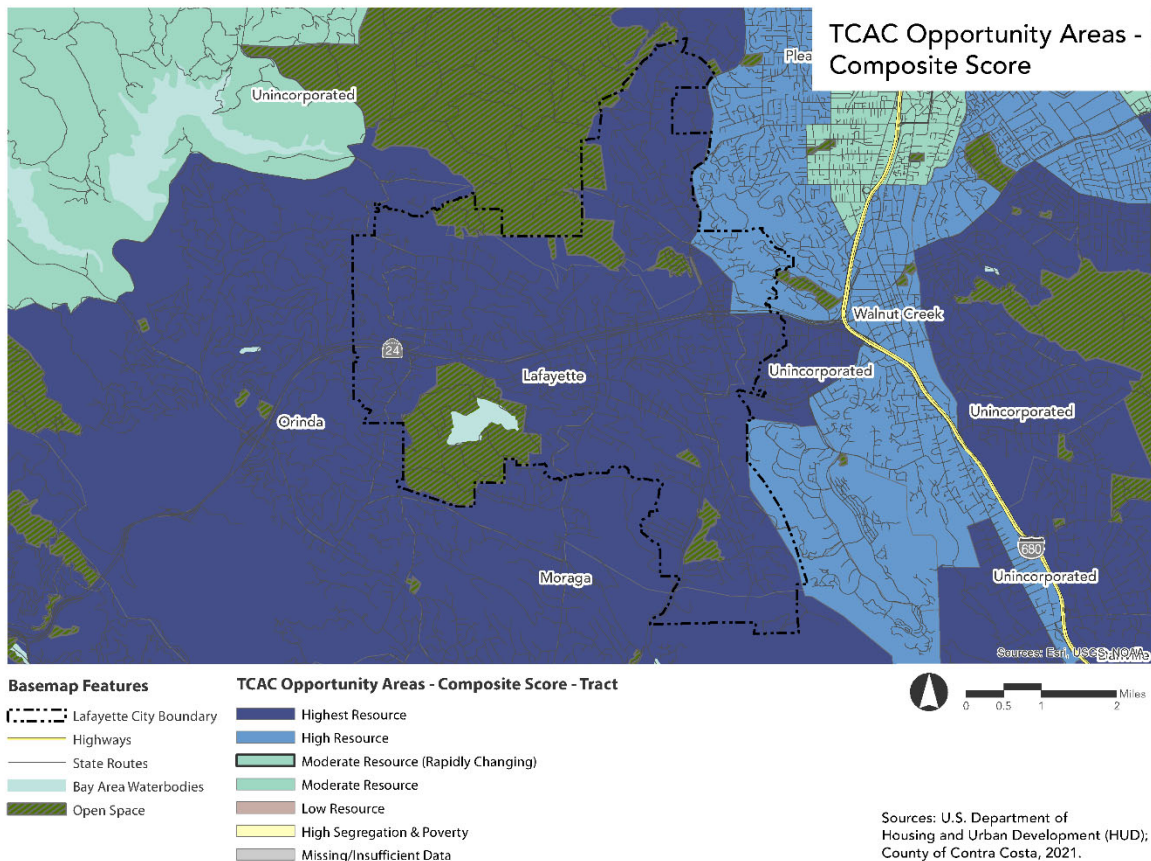
Map 29: TCAC Economic Score - Contra Costa County



## Local Trends

Residents living along the west, parts of the east city border, and near Lafayette Reservoir have a TCAC Economic Score of over 0.75, indicating more economic positive outcome (Map 29 Map 29). Portions of these areas touch the State Route 24 and Downtown, which may be a factor as to why the score is higher due to higher access to major employment centers locally and regionally. Other areas of the city have a score between 0.50 and 0.75. In terms of unemployment, December 2021 unemployment data from the State Employment Development Department reported that Lafayette had an unemployment rate of 2.6 percent, which is approximately half the unemployment rate of the County.

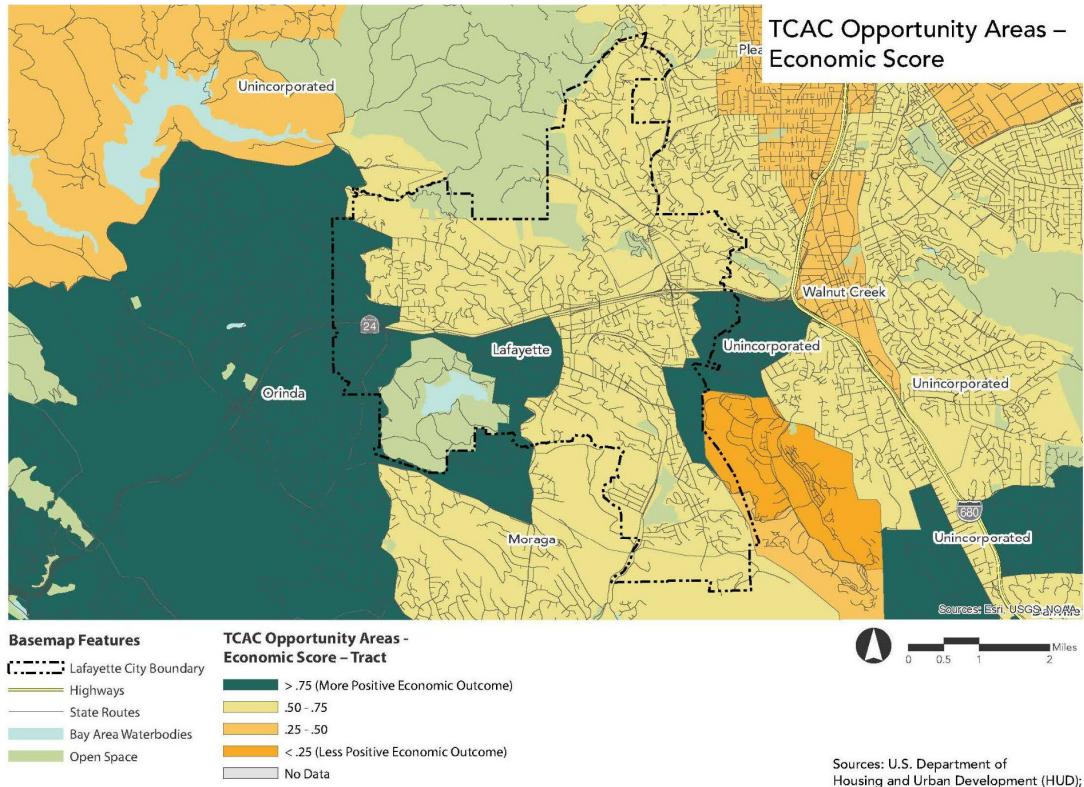
Map 30: TCAC Composite Scores – Lafayette



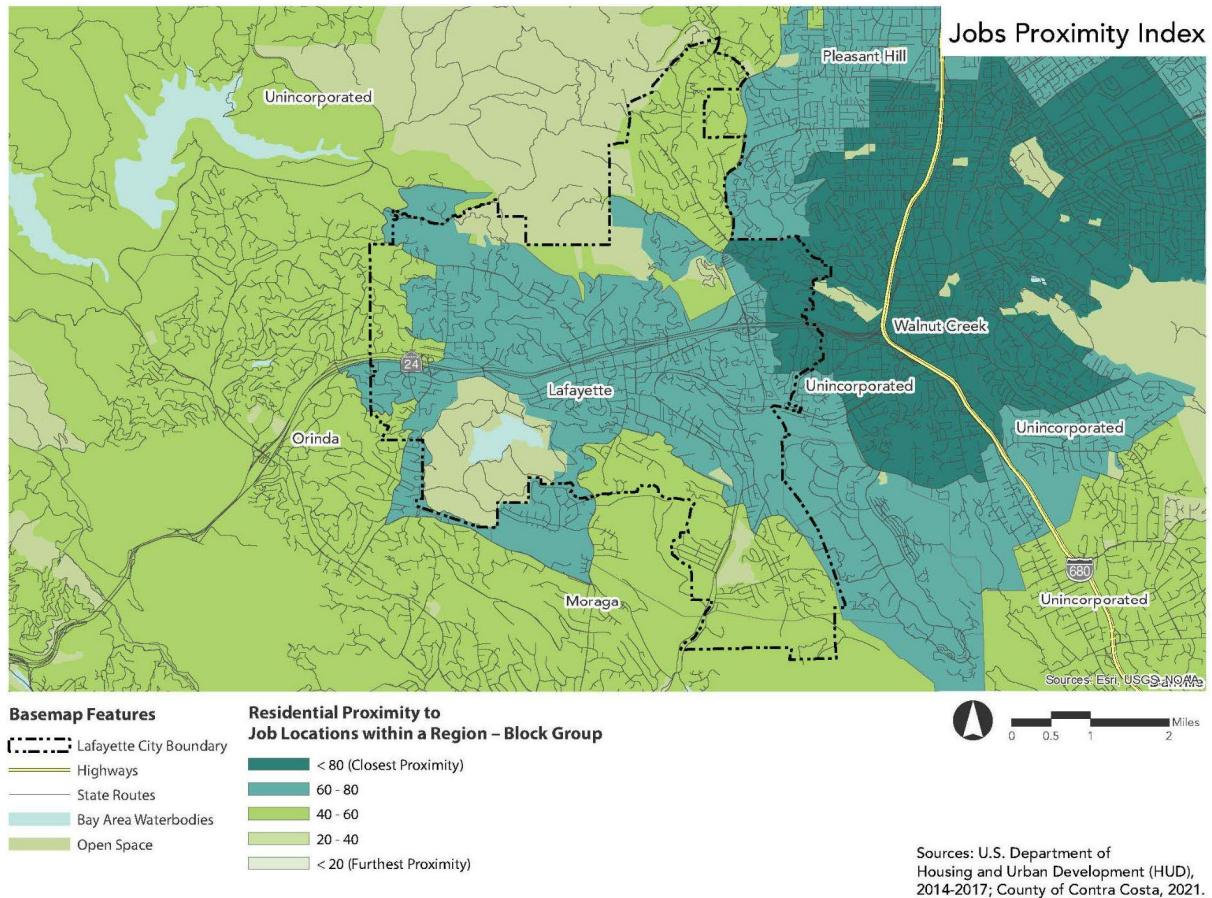
Most of the city, areas directly adjacent and radiating out from State Route 24, show moderately high proximity to jobs. North- and south-east areas of the city have the lowest scores on the job proximity index, indicating lowest accessibility to jobs in the region. According to the 2014 ACS 5-Year Estimates, however, almost 80% of the population spend more than 30 minutes to travel to work.



Map 31: TCAC Economic Score – City of Lafayette



Map 32: Jobs Proximity Index – City of Lafayette



## 6.4 ENVIRONMENT

The Environmental Health Index summarizes potential exposure to harmful toxins at a neighborhood level. Index values range from 0 to 100 and the higher the index value, the less exposure to toxins harmful to human health. Therefore, the higher the value, the better the environmental quality of a neighborhood, where a neighborhood is a census block-group. There are modest differences across racial and ethnic groups in neighborhood access to environmental quality. All racial/ethnic groups in the Consortium obtained moderate scores ranging from low 40s to mid-50s. Non-Hispanic Blacks and Hispanics have the lowest scores amongst all residents in Contra Costa County with scores of 43; whereas non-Hispanic Whites and Asians/Pacific Islanders have the highest scores (over 50) amongst all residents in Contra Costa County (Refer to [Table 20](#) ~~Table 20~~).

CalEnviroScreen was developed by the California Environmental Protection Agency (CalEPA) to evaluate pollution sources in a community while accounting for a community's vulnerability to the adverse effects of pollution. Measures of pollution burden and population characteristics are combined into a single composite score that is mapped and analyzed. Higher values on the index indicate higher cumulative environmental impacts on individuals arising from these burdens and population factors.

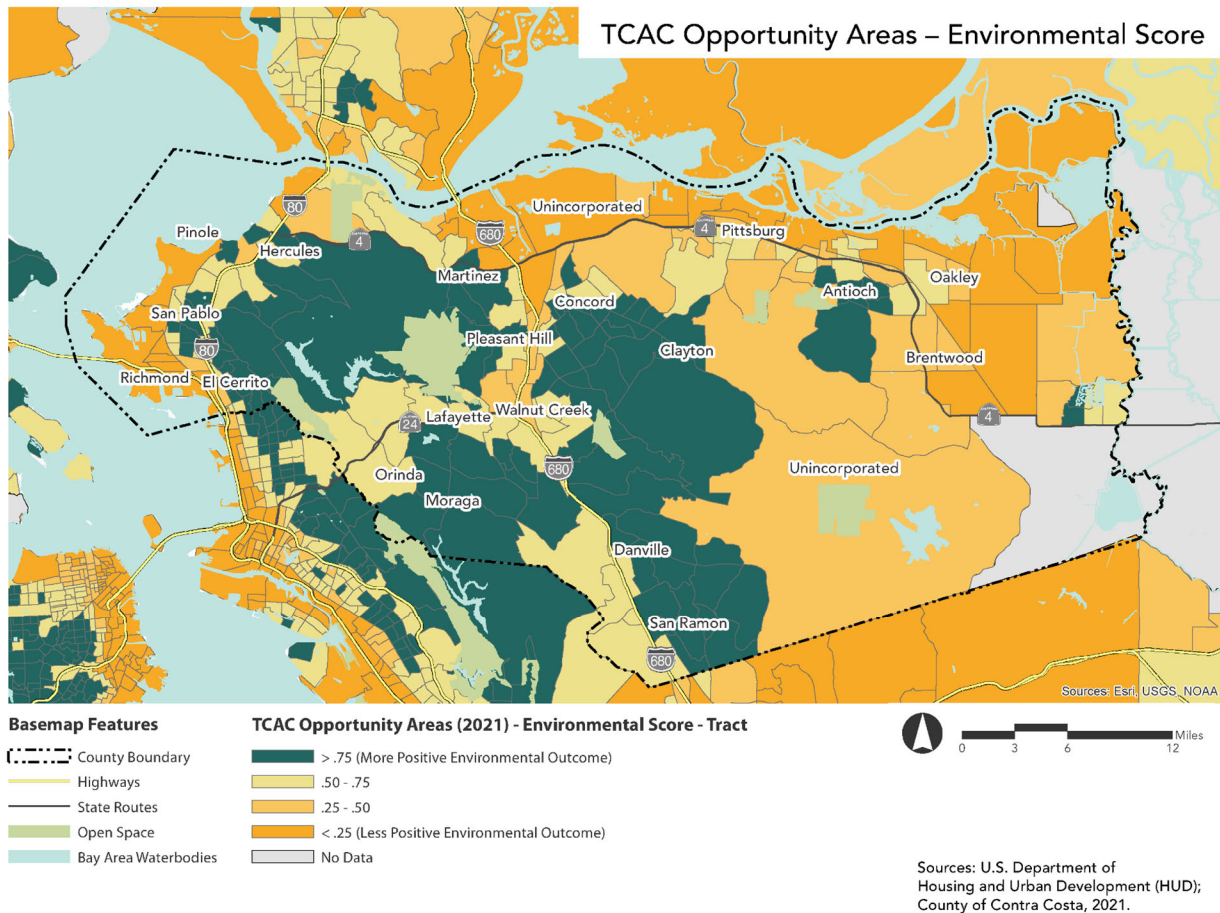
The California Office of Environmental Health Hazard Assessment (OEHHA) compiles these scores to help identify California communities disproportionately burdened by multiple sources of pollution. In addition to environmental factors (pollutant exposure, groundwater threats, toxic sites, and hazardous

materials exposure) and sensitive receptors (seniors, children, persons with asthma, and low birth weight infants), CalEnviroScreen also considers socioeconomic factors such as educational attainment, linguistic isolation, poverty, and unemployment.

### Regional Trends

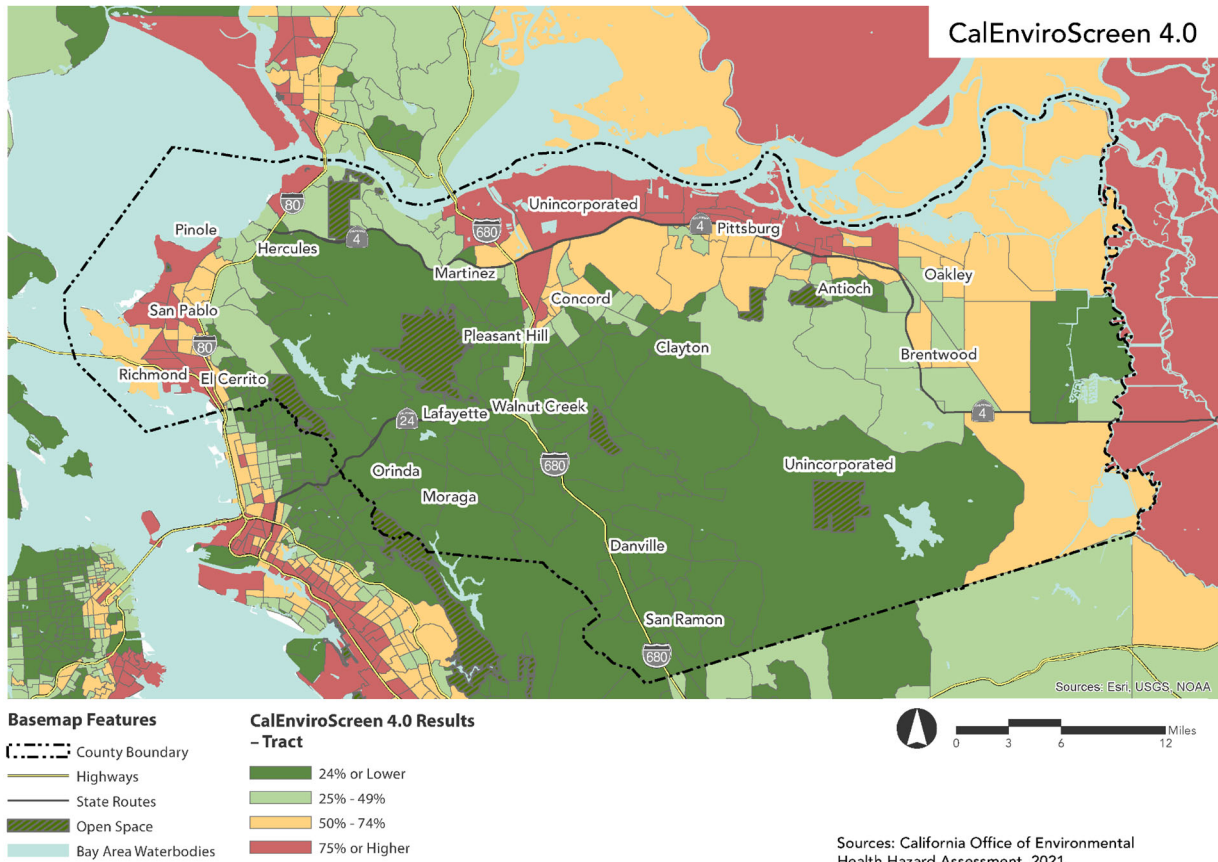
**Map 33** displays the Environmental Score for Contra Costa County based on CalEnviroScreen 3.0 Pollution Indicators and Values that identifies communities in California disproportionately burdened by multiple sources of pollution and face vulnerability due to socioeconomic factors. The highest scoring 25 percent of census tracts were designated as disadvantaged communities. In Contra Costa County, disadvantaged communities include census tracts in North Richmond, Richmond, Pittsburg, San Pablo, Antioch, Rodeo, and Oakley.

**Map 33: TCAC Environmental Score - Contra Costa County**



**Map 34** shows updated scores for CalEnviroScreen 4.0 released by the California Office of Environmental Health Hazard Assessment. Generally speaking, adverse environmental impacts are concentrated around the northern border of the county (Bay Point to Pittsburg) and the western border of the county (Richmond to Pinole). Areas around Concord to Antioch have moderate scores and the rest of the county have relatively low scores. From central Contra Costa County, we see an almost radial gradient effect of green to red (least to most pollution).

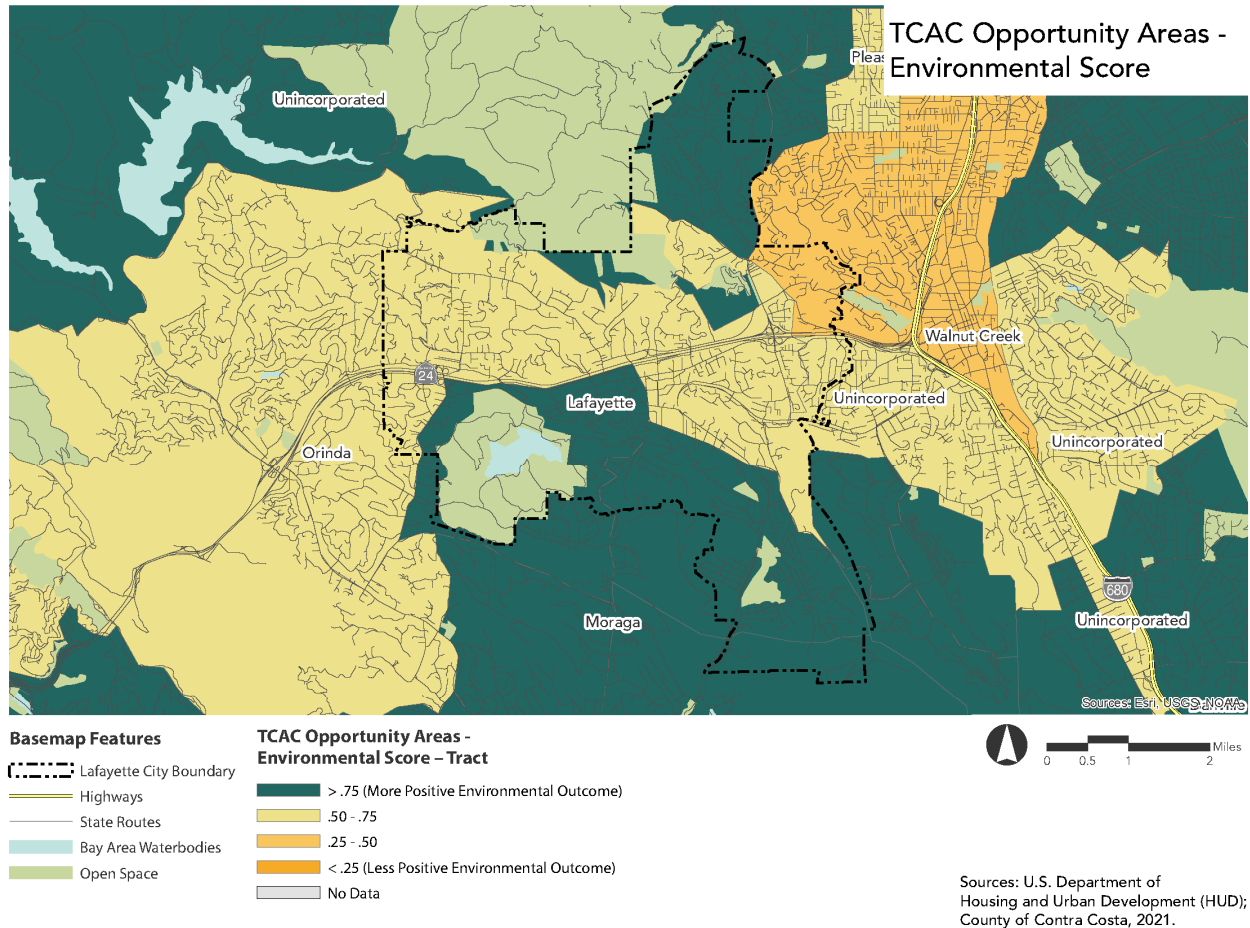
Map 34: CalEnviroScreen 4.0 Results - Contra Costa County



## Local Trends

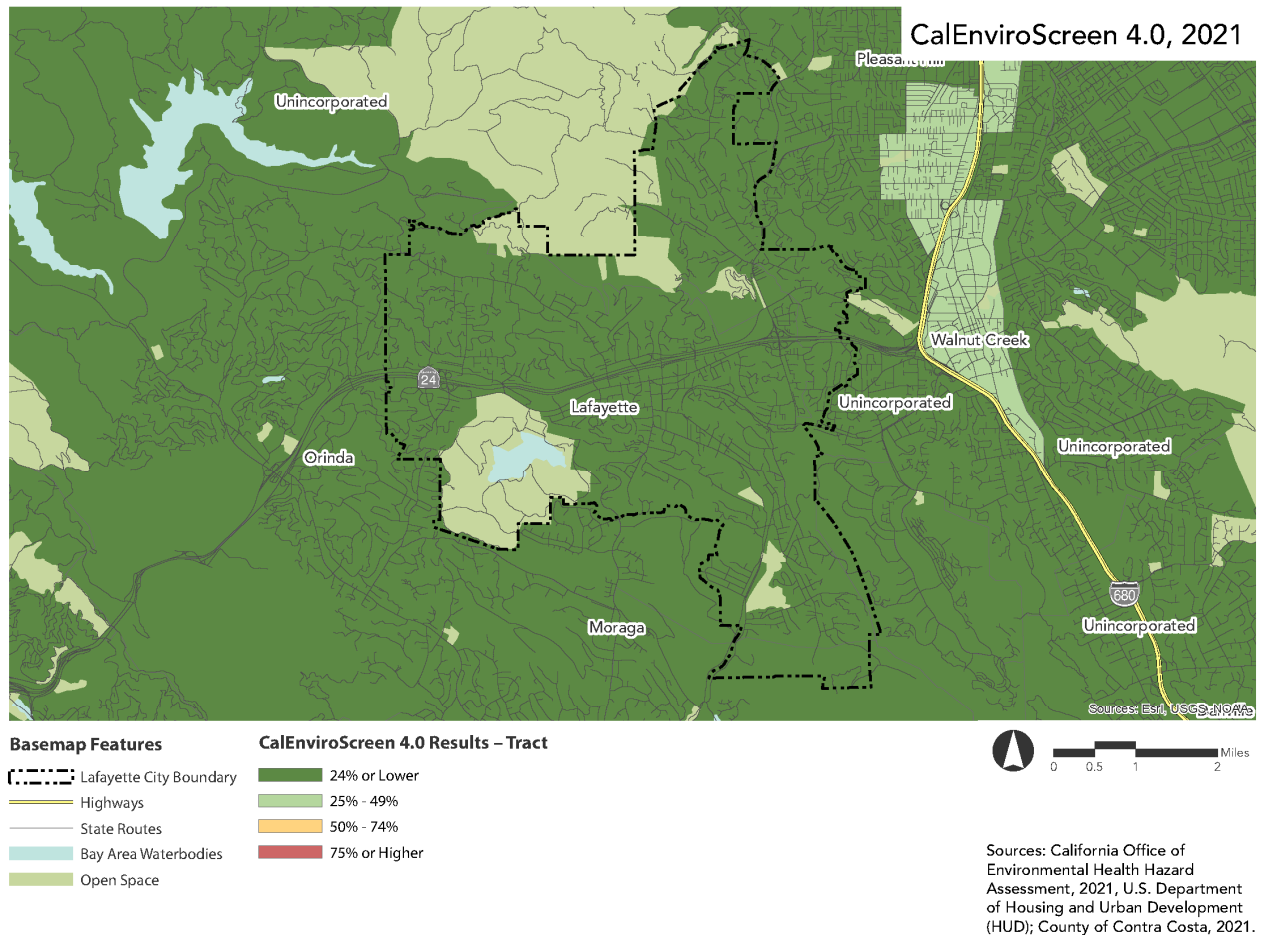
Environmental Scores for the City of Lafayette, shown in ~~Map 35~~ [Map 35](#), are over 0.75 for census tracts in areas north and south of State Route 24. These areas also tend to be closer to open space, such as the Briones Regional Park, Las Trampas Regional Wilderness Park, and Lafayette Reservoir. The central areas tend to have slightly lower scores between 0.50–0.75, which is likely due to the location of State Route 24. This suggests there may be some disparities in access to environmental quality, where the central area of the City contains higher proportions of renters, cost burdened and LMI households.

Map 35: TCAC Environmental Score – City of Lafayette



Updated CalEnviroScreen Scores, shown in ~~Map 36~~ [Map 36](#), indicate that the City as a whole has low levels of pollution. No Census tract in the City scores higher than the 24<sup>th</sup> percentile.

Map 36: CalEnviroScreen 4.0 Results – City of Lafayette



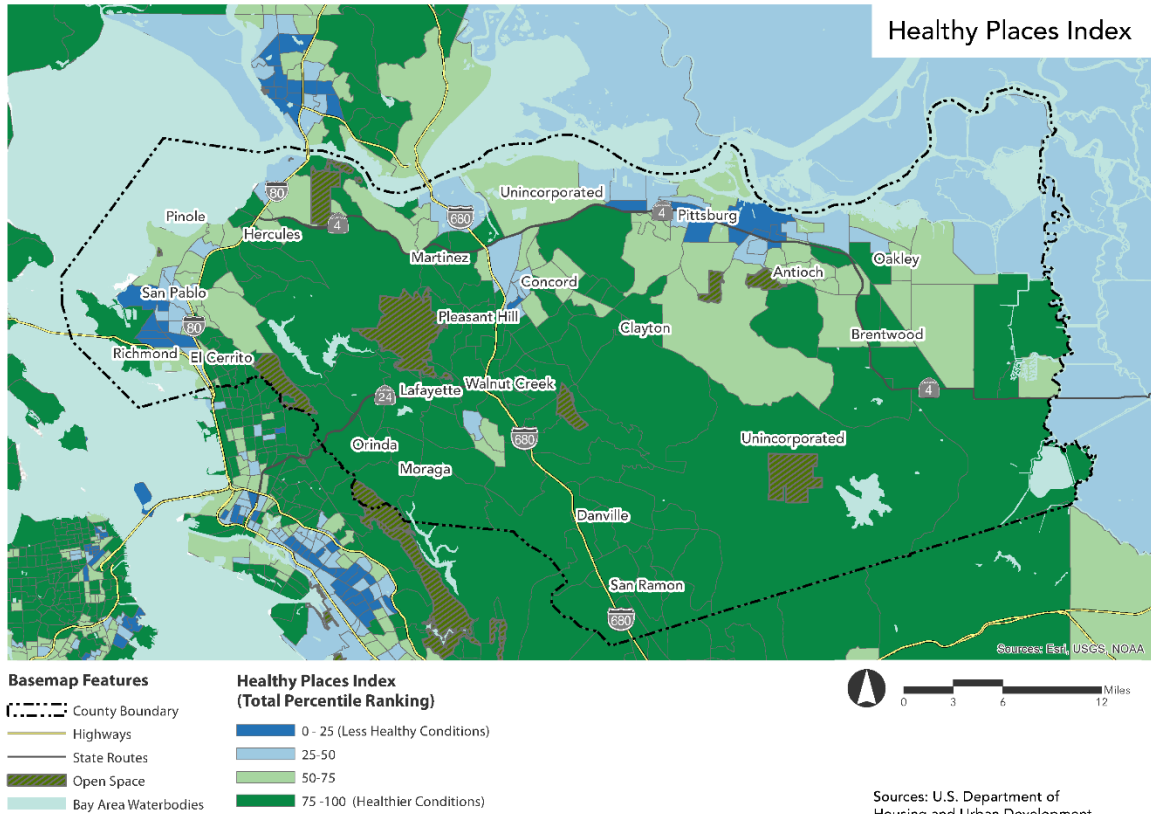
## 6.5 HEALTH AND RECREATION

Residents should have the opportunity to live a healthy life and live in healthy communities. The Healthy Places Index (HPI) is a new tool that allows local officials to diagnose and change community conditions that affect health outcomes and the wellbeing of residents. The HPI tool was developed by the Public Health Alliance of Southern California to assist in comparing community conditions across the state and combined 25 community characteristics such as housing, education, economic, and social factors into a single indexed HPI Percentile Score, where lower percentiles indicate lower conditions.

### Regional Trends

Map 37 shows the HPI percentile score distributions for Contra Costa County. The majority of the County falls in the highest quarter, indicating healthier conditions. These areas have a lower percentage of minority populations and higher median incomes. Cities with the lowest percentile ranking, which indicates less healthy conditions, are Pittsburg, San Pablo, and Richmond. These areas have higher percentages of minority populations and lower median incomes.

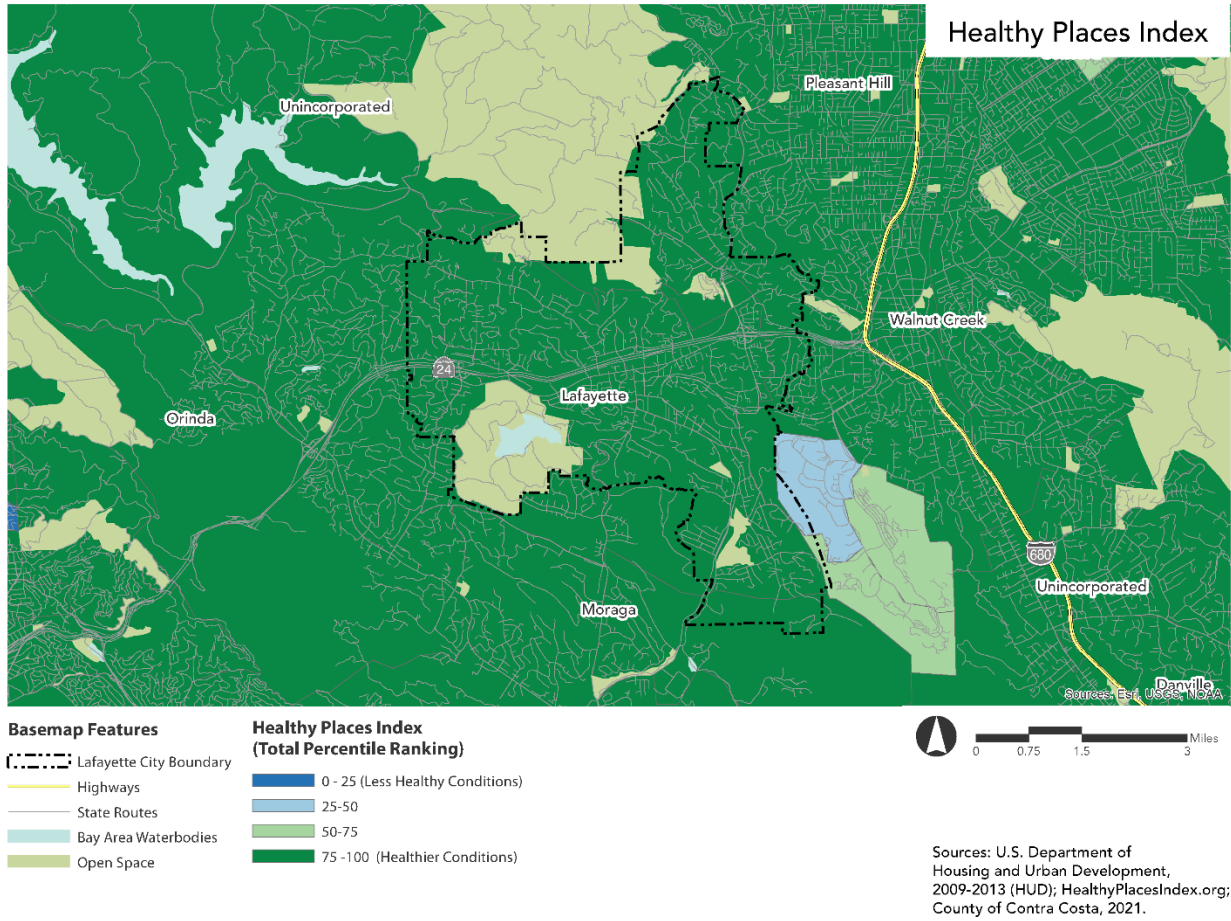
Map 37: Healthy Places Index - Contra Costa County



**Local Trends**

The entire City of Lafayette has an HPI score between 75 to 100 indicating healthier conditions ([Map 38](#)) and no real disparities locally in healthy living conditions.

Map 38: Healthy Places Index – City of Lafayette





### Primary Findings

- ✓ In Contra Costa County, Hispanic and Black residents face particularly severe housing problems. Additionally, there are significant disparities between the rates of housing problems that larger families (households of five or more people) experience and the rates of housing problems that families of five or fewer people experience.
- ✓ In Lafayette, about **26.8% of all households** experience cost burdens.
  - **Renters experience higher rates** of cost burdens than owners (39.3 percent to 21.9 percent respectively).
  - American Indian (100%), Black (57%), and Hispanic (44%) households have the highest rate of cost burden compared to non-Hispanic White households at 26%.
  - **Large families** (5+ persons) are more likely to be cost burdened at 31% compared to 26% for all other households.
- ✓ Low income households are also **more likely to be overcrowded**. 5.3% of extremely low-income households are overcrowded and 4.5% of very low-income households are considered overcrowded.
- ✓ The Census tract in Downtown Lafayette is considered to be a sensitive community—at risk for displacement ([Map 44](#)~~Map 44~~). This census tract also has a **concentration of HCV users, renters, and LMI households**.

#### Do residents in Lafayette have disproportionate housing needs?

American Indian, Black and Hispanic households experience the most housing problems, higher rates of housing cost burden, higher mortgage loan denial rates, and have a higher proportion of low income households earning less than 50% of AMI, compared to the overall population in the city. American Indian and Black residents are also more likely to live in poverty or experience homelessness. In addition to disproportionate housing needs among racial and ethnic minorities in the City of Lafayette, large family households (5 or more people) experience high rates of housing cost burden.

- ✓ The City of Lafayette makes up less than 1% of all publicly assisted units in the county but 2% of the county's total housing units.
- ✓ **American Indian and Black residents** are overrepresented in the homeless population compared to their share of the overall population.
- ✓ Mortgage denial rates are highest for Hispanic (24%), Asian (19%), and Black (18%) households.

Disproportionate housing needs generally refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area. The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census for HUD provides detailed information on housing needs by income level for different types of households in Contra Costa County.

Housing problems considered by CHAS include:

- Housing cost burden, including utilities, exceeding 30% of gross income;
- Severe housing cost burden, including utilities, exceeding 50% of gross income;
- Overcrowded conditions (housing units with more than one person per room); and
- Units with physical defects (lacking complete kitchen or bathroom).

Severe housing problems are defined as households with at least 1 of 4 housing problems: overcrowding, high housing costs, lack of kitchen facilities, or lack of plumbing facilities.

According to the Contra Costa County AI, a total of 164,994 households (43.90%) in the county experience any one of the above housing problems; 85,009 households (22.62%) experience severe housing problems. Based on relative percentage, Hispanic households experience the highest rate of housing problems regardless of severity, followed by Black households and ‘Other’ races.

[Table 22](#) lists the demographics of households with housing problems in the County.

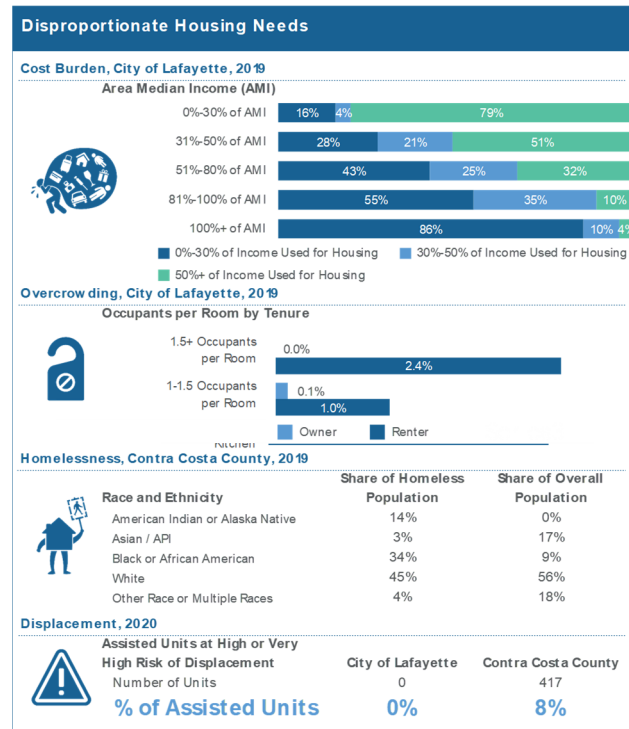
Hispanic and Black residents face particularly severe housing problems. These housing burdens are greatest in portions of Hercules (along with other cities like Richmond, North Richmond, San Pablo, Concord, Martinez, Pittsburg, Antioch, and Oakley).

**Table 22: Demographics of Households with Housing Problems in Contra Costa County**

Demographic	Total Number of Households	Households with Housing Problems		Households with Severe Housing Problems	
White	213,302	80,864	37.91%	38,039	17.83%
Black	34,275	19,316	56.36%	10,465	30.53%
Asian/Pacific Islander	51,353	21,640	42.14%	10,447	20.34%
Native American	1,211	482	39.80%	203	16.76%
Other	10,355	5,090	49.15%	2,782	26.87%
Hispanic	65,201	37,541	57.58%	23,002	35.28%
<b>Total</b>	<b>375,853</b>	<b>164,994</b>	<b>43.90%</b>	<b>85,009</b>	<b>22.62%</b>

Source: Contra Costa County AI (2020)

There are significant disparities between the rates of housing problems that larger families (households of five or more people) experience and the rates of housing problems that families of five or fewer people experience. Larger families tend to experience housing problems more than smaller families.



Non-family households in Contra Costa County experience housing problems at a higher rate than smaller family households, but at a lower rate than larger family households. [Table 23](#) lists the number of households with housing problems according to household type.

**Table 23: Household Type and Size in Contra Costa County**

Household Type	No. of Households with Housing Problems
Family Households (< 5 people)	85,176
Family Households (> 5 people)	26,035
Non-family Households	53,733

Source: Contra Costa County AI (2020)

### 7.1 COST BURDEN (OVERPAYMENT)

Housing cost burden, or overpayment, is defined as households paying 30 percent or more of their gross income on housing expenses, including rent or mortgage payments and utilities. Renters are more likely to overpay for housing costs than homeowners. Housing cost burden is considered a housing need because households that overpay for housing costs may have difficulty affording other necessary expenses, such as childcare, transportation, and medical costs.

#### Regional Trends

As presented in [Table 24](#), almost 52% of all households experience housing cost burdens. Renters experience cost burdens at higher rates than owners (72.80% compared to 40.60%).

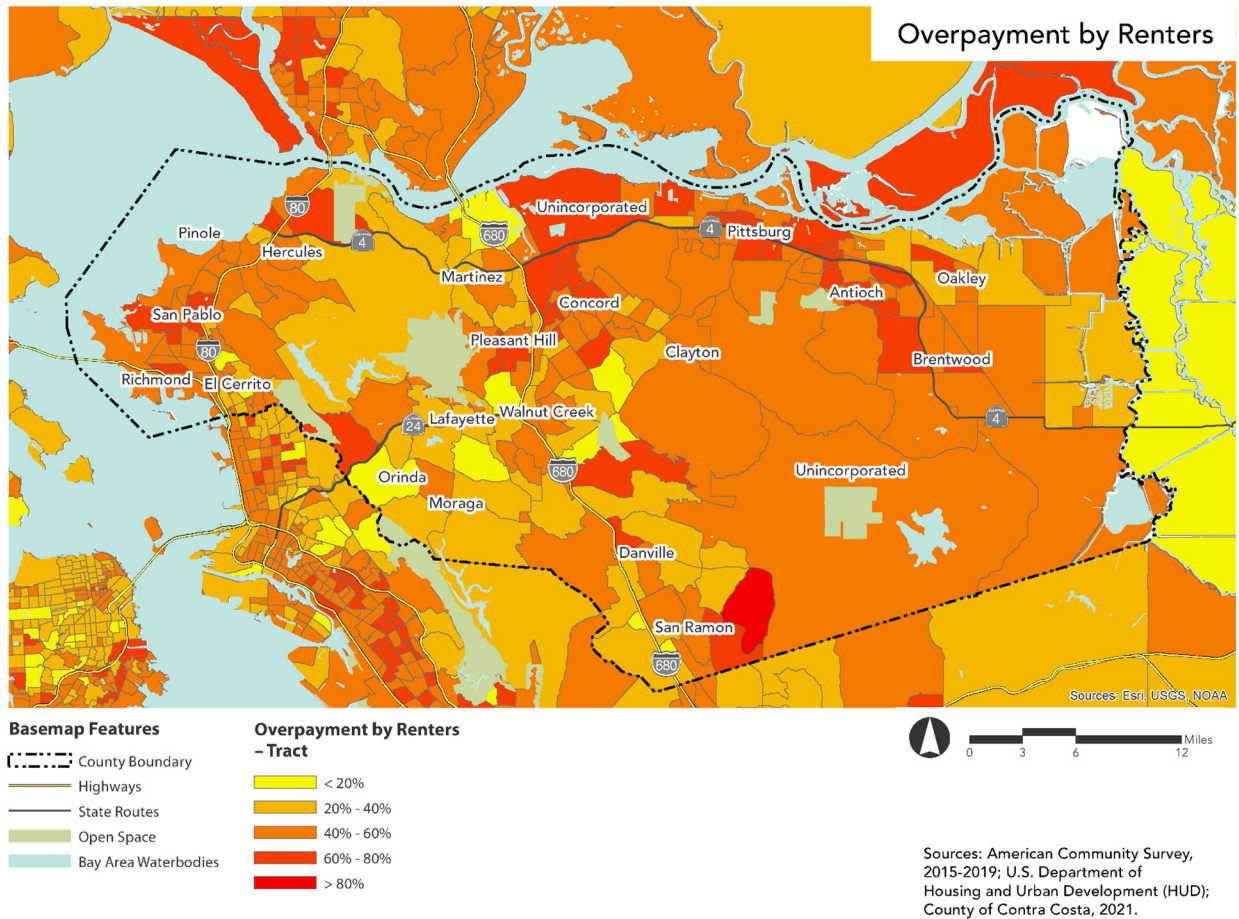
**Table 24: Households that Experience Cost Burden by Tenure in Contra Costa County**

Total Number of Households		Cost Burden		Percentage of Households that Experience Cost Burden
		>30% to ≤ 50%	> 50%	
Owners Only	257,530	44,535	30,010	28.95%
Renters Only	134,750	32,015	33,040	48.28%
All Households	392,275	76,550	63,050	35.59%

Source: <https://www.huduser.gov/portal/datasets/cp.html>

Referring to [Map 39](#), concentrations of cost burdened renter households are located in and around San Pablo, Pittsburg, Antioch, west Brentwood and Oakley, East San Ramon, and northern parts of Concord towards unincorporated areas. In these tracts, over 80 percent of renters experience cost burdens. The majority of east Contra Costa County has 60 – 80 percent of renter households that experience cost burdens; west Contra Costa County has 20 – 40 percent of renter households that experience cost burdens. Census tracts with a low percentage of cost-burdened households are located between San Ramon and Martinez on a north-south axis. In these tracts, less than 20 percent of renter households experience cost burdens.

Map 39: Percentage of Overpayment by Renters - Contra Costa County



### Local Trends

In Lafayette, about 26.8% of all households experience cost burdens. Similar to Contra Costa County, renters experience higher rates of cost burdens than owners (39.3 percent to 21.9 percent respectively), though at a lower level of disparity compared to the county. Refer to [Table 25](#) for households that experience cost burden by tenure.

[Map 40](#) shows higher concentrations of cost burdened renter households in the northern- and western-most tracts of the city, between 40 – 60 percent, compared to majority of the city tracts with 20 – 40% of renters that experience cost burden. Tracts in southern and northeast parts of the cities have the lowest percentage of renters that experience cost burdens.

Tracts with the lowest percentage of overpayment by renters are also tracts with median gross rents of greater than \$3,000. The northwest corner of the city with high percentage of overpayment by renters (between 40 to 60 percent) also corresponds to a high percentage of renter units with HCVs (between 15 to 30 percent).

Table 25: Households that Experience Cost Burden by Tenure in Lafayette

Total Number of Households		Cost Burden		Percentage of Households that Experience Cost Burden
		>30% to ≤ 50%	> 50%	
Owners Only	6,770	660	825	21.9%
Renters Only	2,635	525	510	39.3%
All Households	9,405	1,185	1,335	26.8%

Source: <https://www.huduser.gov/portal/datasets/cp.html>, 2014–2018

Map 40: Percentage of Overpayment by Renters – City of Lafayette

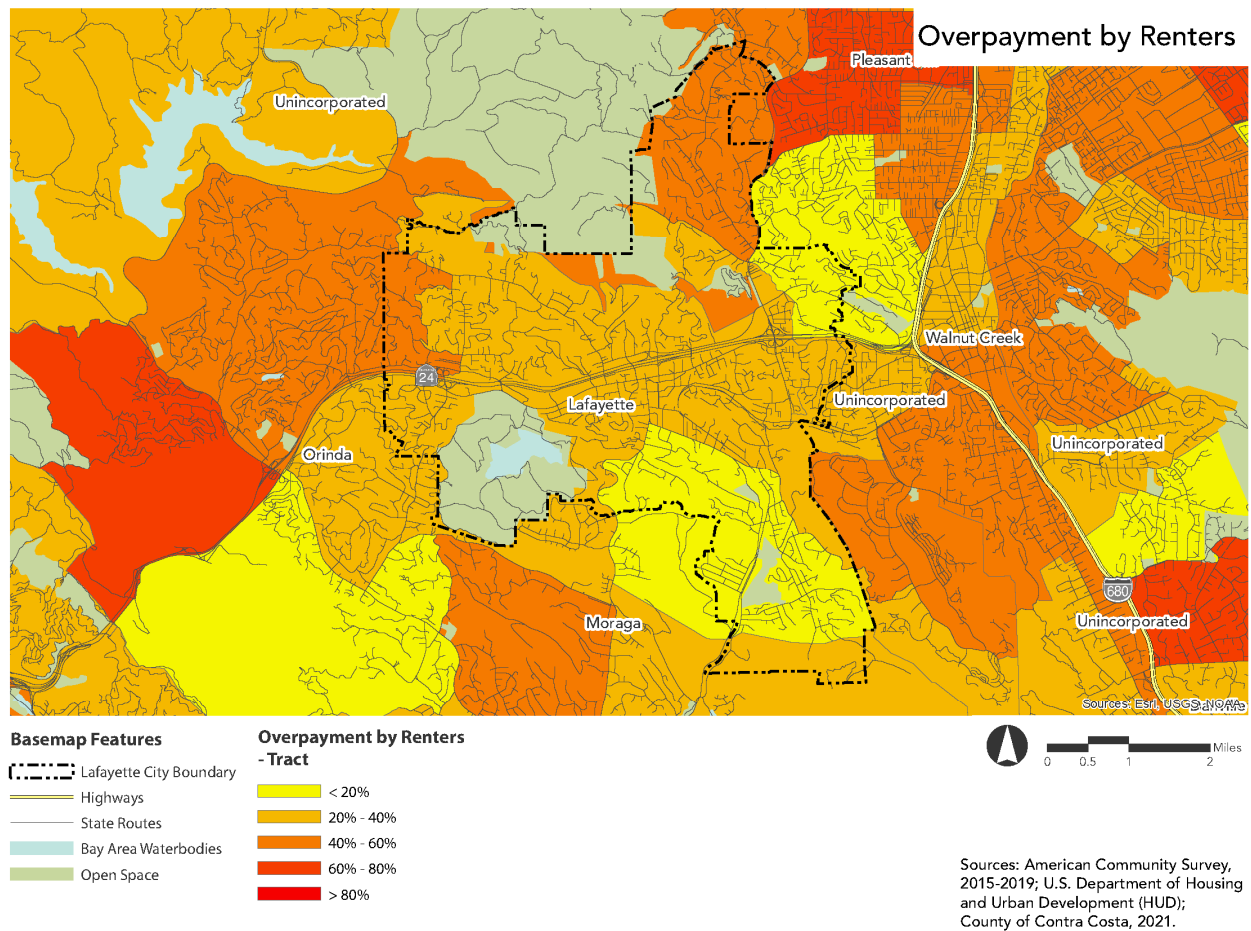


Table 26 shows the share of households that are cost burdened in the city by race and ethnicity. American Indian (100%), Black (57%), and Hispanic (44%) households have the highest rate of cost burden compared to non-Hispanic White households at 26%.

**Table 26: Housing Cost Burden by Race and Ethnicity, Lafayette**

Race & Ethnicity	0%-30% of Income Used for Housing	30%-50% of Income Used for Housing	50%+ of Income Used for Housing
American Indian or Alaska Native, NH	0%	0%	100%
Asian / API, NH	86%	8%	6%
Black or African American, NH	43%	0%	57%
White, Non-Hispanic (NH)	73%	13%	13%
Other Race or Multiple Races, NH	67%	25%	8%
Hispanic or Latinx	56%	13%	31%

Source: Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Table 27 shows the share of households experiencing cost burden by family size. Large families (5+ persons) are more likely to be cost burdened at 31% compared to 26% for all other households.

**Table 27: Housing Cost Burden by Family Size, Lafayette**

	0%-30% of Income Used for Housing	30%-50% of Income Used for Housing	50%+ of Income Used for Housing
All other household types	73%	12%	14%
Large Family 5+ persons	68%	21%	10%
<b>Totals</b>	<b>73%</b>	<b>13%</b>	<b>14%</b>

Source: Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

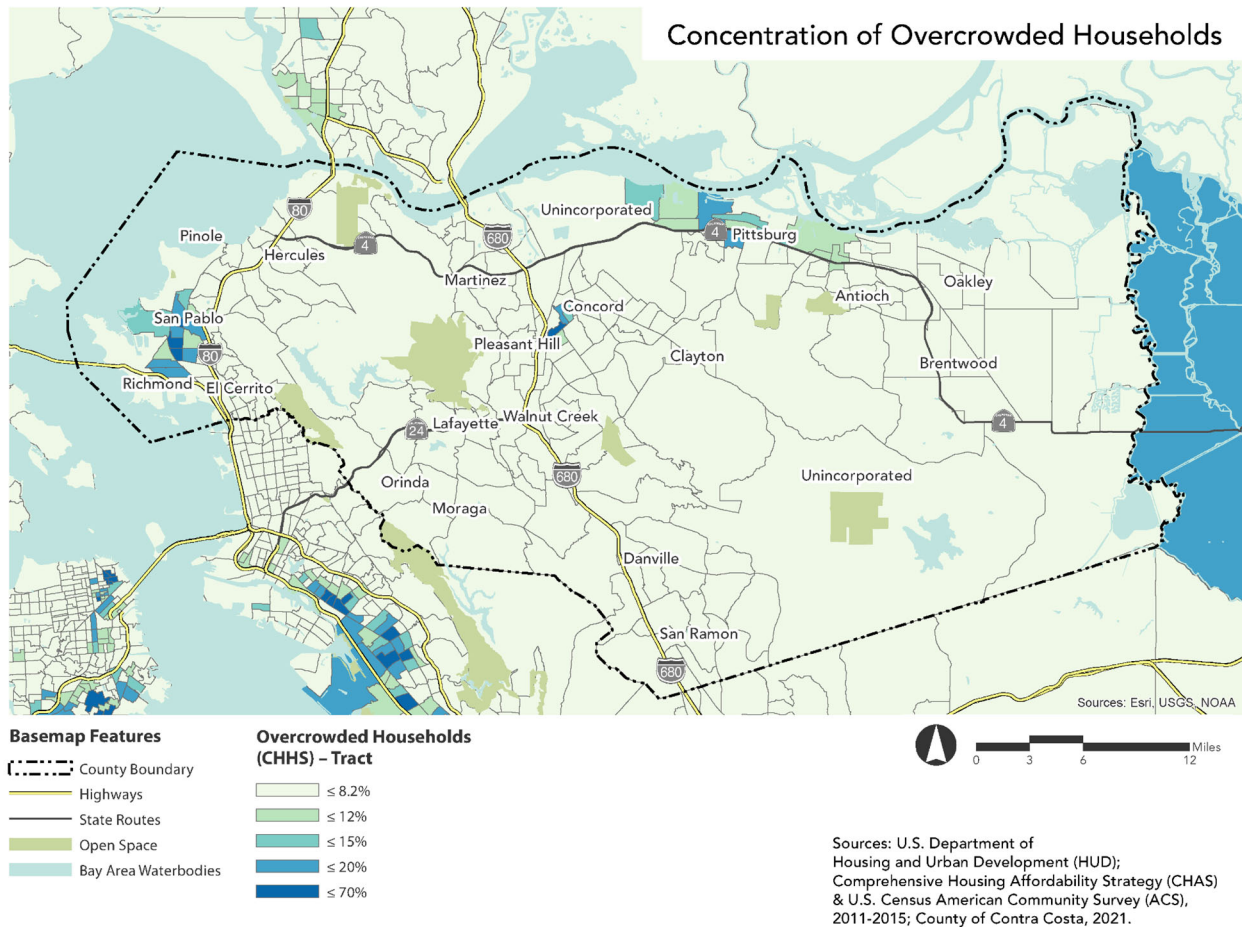
## 7.2 Overcrowded Households

In response to a mismatch between household income and housing costs in a community, some households may not be able to buy or rent housing that provides a reasonable level of privacy and space. According to both California and federal standards, a housing unit is considered overcrowded if it is occupied by more than one person per room (excluding kitchens, bathrooms, and halls).

## Regional Trends

The map below (~~Map 41~~ [Map 41](#)) indicates that Contra Costa County in general has low levels of overcrowded households. Tracts in San Pablo, Richmond, and Pittsburg with higher percentages of non-White population show higher concentrations of overcrowded households compared to the rest of the county. Monument Corridor, the only official R/ECAP in Contra Costa County, a predominantly Hispanic community in Concord, also exhibits more overcrowding than other parts of the County.

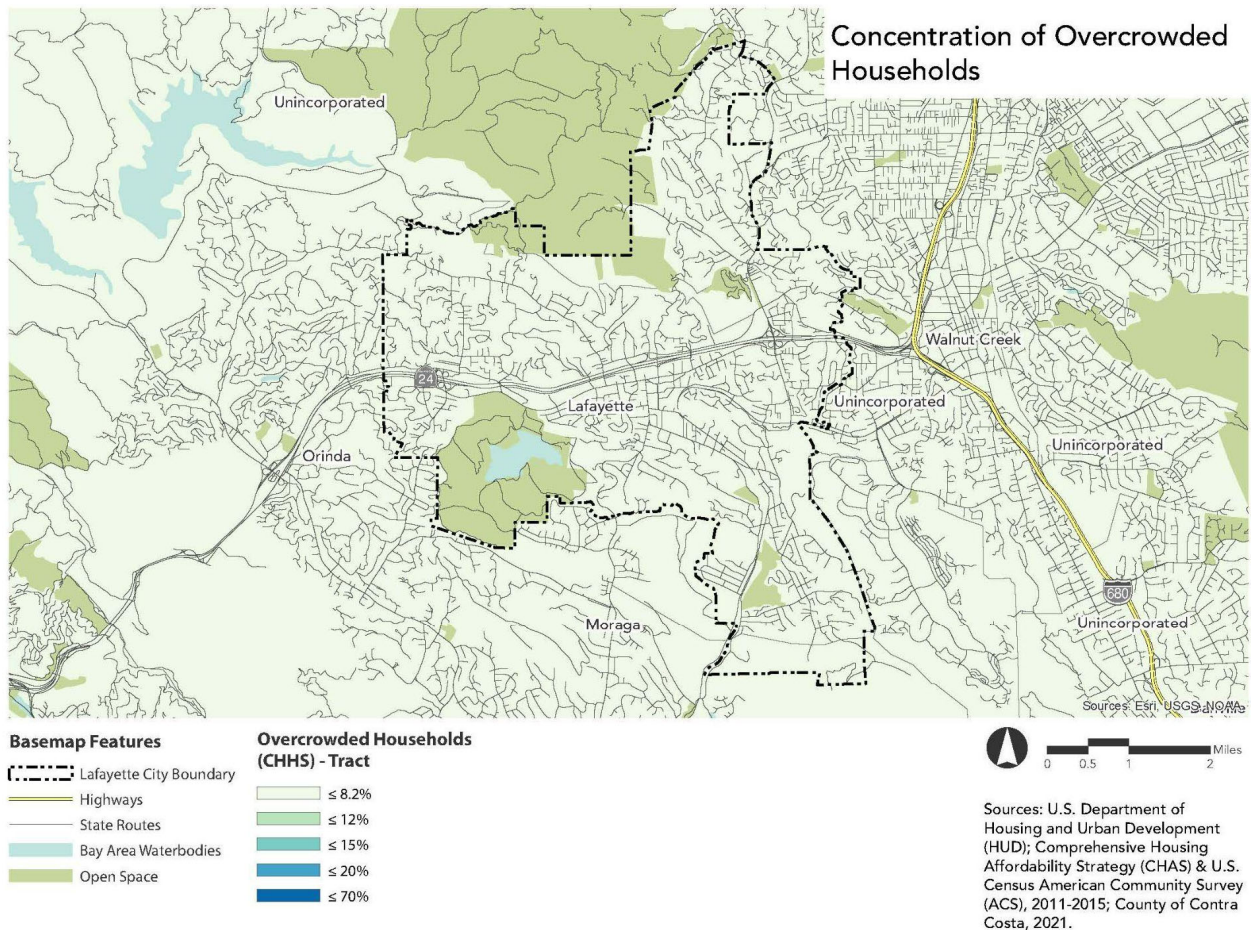
Map 41: Percentage of Overcrowded Households - Contra Costa County



## Local Trends

In Lafayette, 1.03 percent of housing units are overcrowded. Overcrowding occurs mostly in renter-occupied housing where 3.4 percent of renter households are overcrowded versus 0.1 percent of owner-occupied households. Lafayette experiences less overcrowding than Contra Costa County at large, where 5.07 percent of households are overcrowded. Additionally, all Census tracts in the City contain less than the statewide average (8.2 percent) of overcrowded households, as shown in Map 39. While housing costs are high in the City, it appears that most households are not adding more tenants than needed to afford rents, even for cost burdened households. This could mean that there is a variety of housing size types that help keep levels of overcrowding low or that HCV use allows more residents to afford rents and avoid adding more tenants than necessary to their housing situation.

Map 42: Percentage of Overcrowded Households – City of Lafayette



Asian households are the most likely to be overcrowded, as shown in [Table 28](#).

Table 28: Overcrowding by Race and Ethnicity, Lafayette

Race and Ethnicity	More than 1.0 Occupants per Room
American Indian or Alaska Native	0.0%
Asian / API	2.7%
Black or African American	0.0%
Hispanic or Latinx	0.0%
Other Race or Multiple Races	0.0%
White	0.9%
White, Non-Hispanic (NH)	0.9%

Source: Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release



Low-income households are also more likely to be overcrowded, as shown in [Table 29](#). 5.3% of extremely low-income households are overcrowded and 4.5% of very low-income households are considered overcrowded.

**Table 29: Overcrowding by Household Income, Lafayette**

Income Group	1.0 to 1.5 Occupants per Room	More than 1.5 Occupants per Room
0%-30% of AMI	5.3%	0.0%
31%-50% of AMI	4.5%	0.0%
51%-80% of AMI	0.0%	0.0%
81%-100% of AMI	0.7%	0.0%
Greater than 100% of AMI	0.0%	0.4%

Source: Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

### 7.3 SUBSTANDARD CONDITIONS

Incomplete plumbing or kitchen facilities can be used to measure substandard housing conditions.

#### Regional Trends

According to 2015–2019 ACS estimates, shown in [Table 30](#), 0.86% of households in Contra Costa County lack complete kitchen facilities and 0.39% of households lack complete plumbing facilities. Renter households are more likely to lack complete facilities compared to owner households.

**Table 30: Substandard Housing Conditions by Tenure in Contra Costa County**

	Owner	Renter	All HHs
Lacking complete kitchen facilities	0.19%	0.67%	0.86%
Lacking complete plumbing facilities	0.19%	0.20%	0.39%

Source: American Community Survey, 2015-2019 (5-Year Estimates)

#### Local Trends

According to the ACS, 2015-2019 5-year estimates, no households in Lafayette lack complete plumbing facilities and only 0.1 percent lack kitchen facilities.

### 7.4 DISPLACEMENT RISK

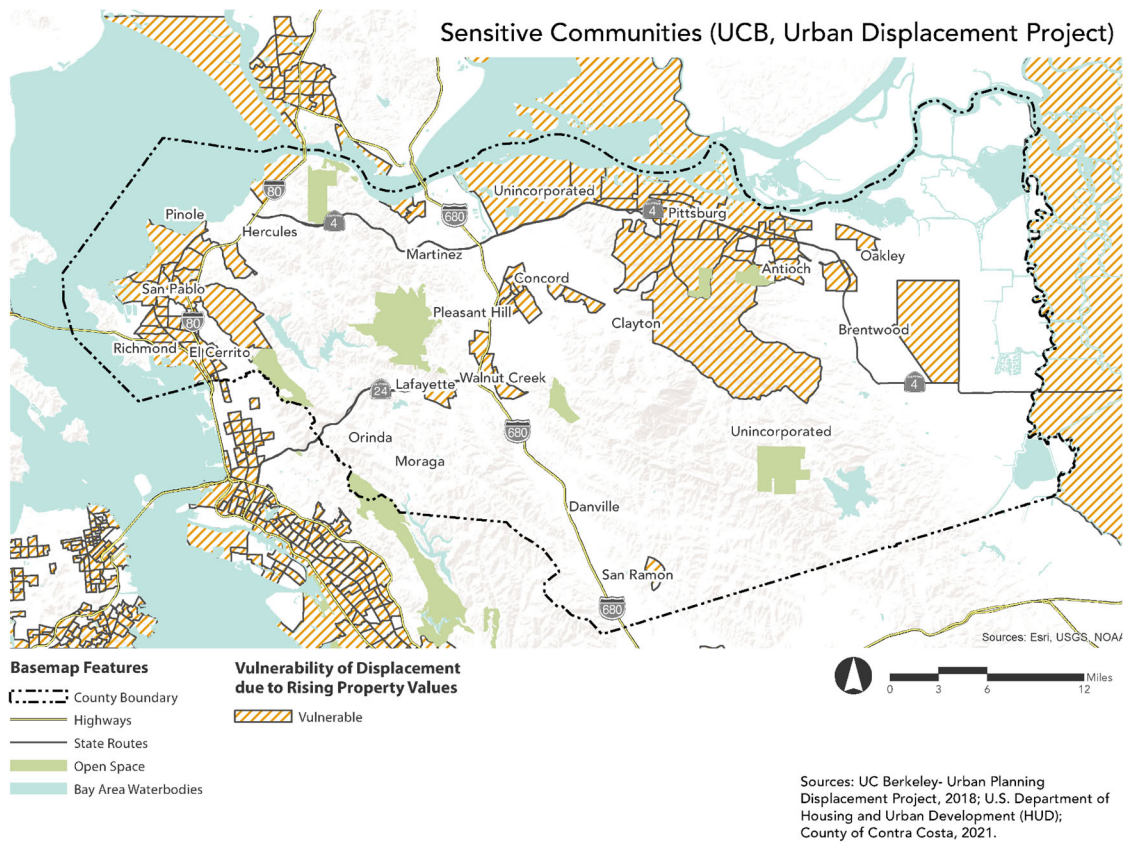
Displacement occurs when housing costs or neighboring conditions force current residents out and rents become so high that lower-income people are excluded from moving in. UC Berkeley’s Urban Displacement Project states that a census tract is a sensitive community if the proportion of very low income residents was above 20% in 2017 and the census tracts meets two of the following criteria: (1) Share of renters above 40 percent in 2017; (2) Share of Non-White population above 50 percent in 2017; (3) Share of very low-income households (50 percent AMI or below) that are also severely rent

burdened households above the county median in 2017; or (4) Nearby areas have been experiencing displacement pressures.

### Regional Trends

Using this methodology, sensitive communities were identified in areas between El Cerrito and Pinole; Pittsburg, Antioch and Clayton; East Brentwood; and unincorporated land in Bay Point. Small pockets of Sensitive Communities are also found in central Contra Costa County from Lafayette towards Concord (Refer to [Map 43](#)).

Map 43: Sensitive Communities (Urban Displacement Project) – Contra Costa County



## Local Trends

In 2015, the UDP conducted research on gentrification and displacement in the Bay Area, which concluded that nearly 48% of Bay Area neighborhoods are experiencing displacement. Western Contra Costa County has experienced the most displacement and gentrification. One census tract in Downtown Lafayette is considered to be a sensitive community ([Map 44](#)). This census tract also has a concentration of HCV users and LMI households.

**Map 44: Sensitive Communities (Urban Displacement Project) – City of Lafayette**

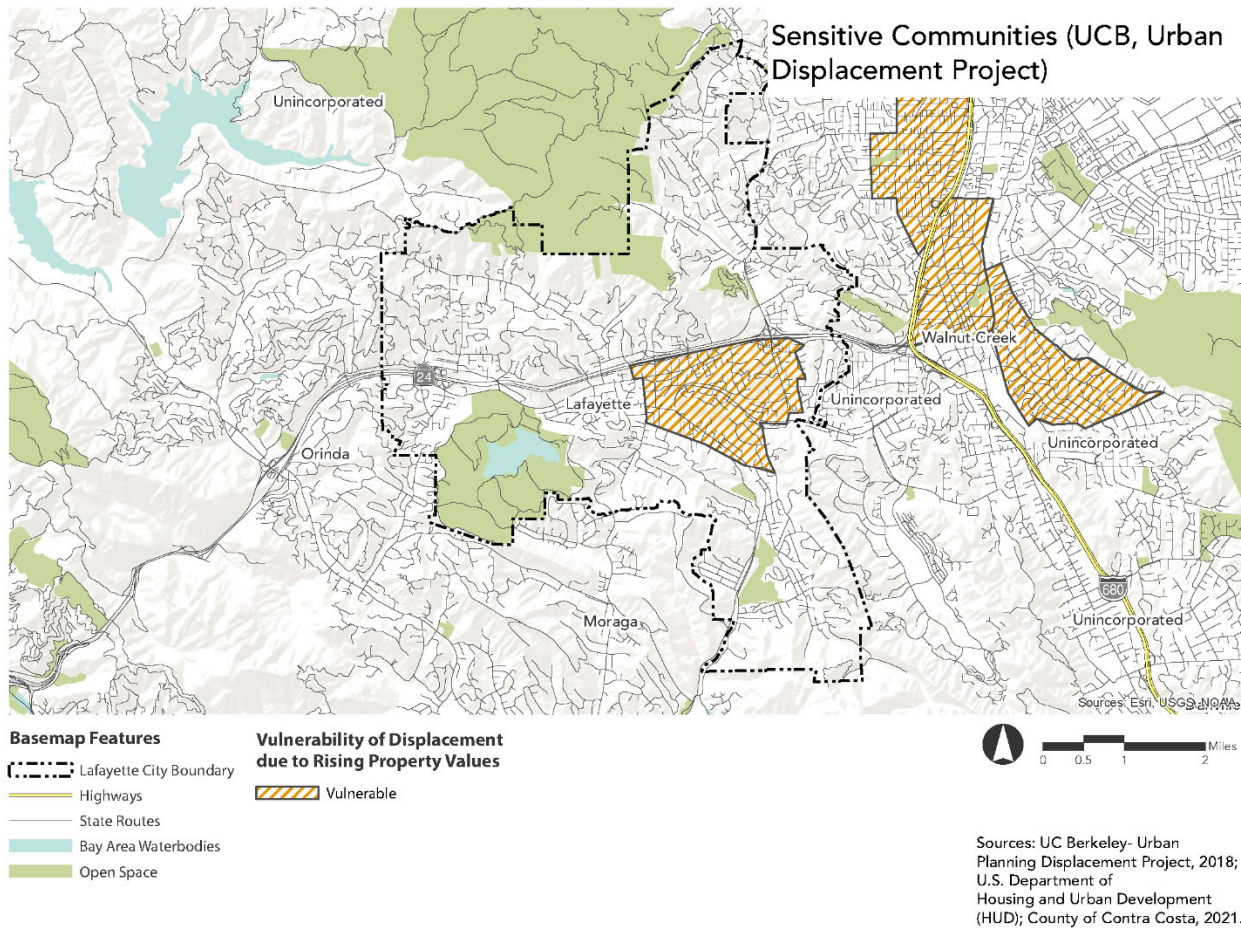


Table 31 shows the number of publicly assisted units at risk for conversion in the City of Lafayette by risk level from low to very high. All 126 units are at a low risk for conversion in the city. The City of Lafayette makes up less than 1% of all assisted units in the county but 2% of the county’s total housing units.

**Table 31: Publicly Assisted Units at Risk for Conversion**

Geography	Low	Moderate	High	Very High	Total Assisted Units in Database
Lafayette	126	0	0	0	126
Contra Costa County	13,403	211	270	0	13,884
Bay Area	110,177	3,375	1,854	1,053	116,459

Source: California Housing Partnership, Preservation Database (2020)

~~Table 32~~ **Table 32** shows the number of housing units permitted between 2015 and 2019 in Lafayette. 16% of units permitted during this time are affordable to LMI households and 7% of units are affordable to very low-income households.

**Table 32: Housing Permitted, 2015-2019, Lafayette**

Income Group	Value
Above Moderate Income Permits	1,453
Very Low Income Permits	123
Moderate Income Permits	94
Low Income Permits	51
<b>Totals</b>	<b>1,721</b>

Source: 5th Cycle Annual Progress Report Permit Summary (2020)

## 7.5 HOMELESSNESS

~~Table 33~~ **Table 33** shows the number of people experiencing homelessness by family type and presence of children. Generally, households with children are more likely to use emergency shelters and households without children are more likely to be unsheltered. 86% of people experiencing homelessness are in households without children.

Table 33: People Experiencing Homelessness by Household Type, Contra Costa County

	People in Households Composed Solely of Children Under 18	People in Households with Adults and Children	People in Households without Children Under 18
Sheltered - Emergency Shelter	0	159	359
Sheltered - Transitional Housing	0	32	118
Unsheltered	0	128	1,499

Source: Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

Table 34 shows the share of the homeless and overall population by race and ethnicity in Contra Costa County. American Indian and Black residents are overrepresented in the homeless population compared to their share of the overall population.

Table 34: Share of the Homeless and Overall Population by Race, Contra Costa County

Racial / Ethnic Group	Share of Homeless Population	Share of Overall Population
American Indian or Alaska Native (Hispanic and Non-Hispanic)	14.5%	0.5%
Asian / API (Hispanic and Non-Hispanic)	3.1%	17.2%
Black or African American (Hispanic and Non-Hispanic)	33.8%	8.7%
White (Hispanic and Non-Hispanic)	45.0%	55.8%
Other Race or Multiple Races (Hispanic and Non-Hispanic)	3.7%	17.7%
<b>Totals</b>	<b>100.0%</b>	<b>100.0%</b>

Source: Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

Table 35 shows the share of the homeless and overall population by ethnicity. Non-Hispanic residents are overrepresented in the homeless population compared to Hispanic residents.

Table 35: Share of the Homeless and Overall Population by Ethnicity, Contra Costa County

Latinx Status	Share of Homeless Population	Share of Overall Population
Hispanic/Latinx	16.6%	25.4%
Non-Hispanic/Latinx	83.4%	74.6%
<b>Totals</b>	<b>100.0%</b>	<b>100.0%</b>

Source: Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

**Table 36** shows residents experiencing homelessness and chronic substance abuse and severe mental illness are the most prevalent special populations in Contra Costa County followed by victims of domestic violence, veterans, and residents with HIV/AIDS.

**Table 36: Homeless Population by Special Population**

	Chronic Substance Abuse	HIV/AIDS	Severely Mentally Ill	Veterans	Victims of Domestic Violence
Sheltered - Emergency Shelter	86	4	128	25	28
Sheltered - Transitional Housing	31	1	27	14	6
Unsheltered	377	4	364	75	80

Source: Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019)

## 7.5 MORTGAGE APPLICATIONS

**Table 37** shows mortgage applications in the City of Lafayette by race and ethnicity. Mortgage denial rates are highest for Hispanic (24%), Asian (19%), and Black (18%) households.

**Table 37: Mortgage Applications and Denial Rate by Race and Ethnicity, Lafayette**

Racial / Ethnic Group	Application approved but not accepted	Application denied	Application withdrawn by applicant	File closed for incompleteness	Loan originated	Denial Rate
American Indian or Alaska Native, Non-Hispanic	0	0	2	0	2	0%
Asian / API, Non-Hispanic	6	27	24	8	112	19%
Black or African American, Non-Hispanic	1	2	2	1	8	18%
White, Non-Hispanic	20	134	115	36	684	16%
Hispanic or Latinx	2	14	12	5	42	24%
Unknown	8	52	56	28	286	15%
<b>Totals</b>	<b>37</b>	<b>229</b>	<b>211</b>	<b>78</b>	<b>1,134</b>	<b>16%</b>

Source: Home Mortgage Disclosure Act (HMDA) Data, 2021

Goal 5: Affirmatively further fair housing by taking meaningful actions that overcome patterns of segregation and foster inclusive communities.

AFFH Actions	Fair Housing Issues	Contributing Factors	Fair Housing Category	Type of Action	Responsible Party	Objectives	Quantified Objectives	Timeline	Recommended Revision
<b>AFFH Action Area 1. Enhancing housing mobility strategies:</b> removing barriers to housing in areas of opportunity and strategically enhancing access.									
<b>AFFH Action 1.1:</b> Support residential development that brings new publicly subsidized and naturally affordable market rate multifamily housing to Lafayette.	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing and opportunities for low- and moderate-income households; community resistance to development.	Disparities in access to opportunities	Land use resources	City of Lafayette	Provide staff support, land use flexibilities, and financial resources to developers who propose to develop publicly subsidized and naturally affordable market rate housing.	Develop regular roundtable discussions with developers (every year in the winter) to highlight goals, policies, and programs to meet development needs. Include information on the City's website about potential opportunities for development, including the list of housing opportunity sites, development and impact fees, and other information.  See also Policy 6.1.h.	Develop website additions by the middle of 2024; conduct roundtable discussions beginning in January 2025.	Conduct bi-annual proactive outreach with developers following adoption of the City Budget beginning July 2024, to apprise of housing opportunities, funding available, discuss constraints. Assist developers with pursuing funding opportunities as needed on consistent with State NOFAs, etc.  Following these discussions, bring staff report with recommendations to address identified constraints, development standards modifications, etc. to PC during Q4 annually, with CC approval to make recommended changes in Q1 of the following year. Implementation would begin Q2 of that year. (In conjunction with 6.1.b)

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<b>AFFH Action 1.2:</b> Design a regional forgivable loan program for homeowners to construct an ADU that is held affordable for low to moderate income households for 15 years.	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high-density housing.	Disparities in access to opportunities	Land use resources	ABAG funded Contra Costa County Collaborative (C4), EBHO, other cities	Increase opportunities for lower-income households to find housing that is affordable.	Design a regional loan forgiveness program.	Begin design in Summer 2025 and complete by winter 2026.	Working with Contra Costa County Collaborative of other jurisdictions, begin design of a loan program in Q2 2025. Complete design by Q1 2026. Implement in Q3 2026
<b>AFFH Action 1.3:</b> Develop a policy to target inclusion of all types of affordable housing.	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County. Senior developments typically serve non-Hispanic White residents	Lack of affordable housing and opportunities for low- and moderate-income households; community resistance to development.	Disparities in access to opportunities	Land use resources	City of Lafayette	Ensure equitable treatment of developments that serve low- and moderate-income households; develop more affordable housing for diverse populations	Conduct a best practice review of Cities that have developed specific targets for various kinds of affordable housing; select the policies most appropriate for Lafayette and implement by 2027.	Conduct best practices work in 2026; bring recommendations to Council in the beginning of 2027; implement program by mid-2027.	Conduct best practices work in Q3 2026; bring recommendations to Council for approval in Q2 2027; implement program Q3 2027.
<b>AFFH Action Area 2. Encouraging new housing choices and affordability in high resource areas:</b> promoting housing supply, choices and affordability in areas of high opportunity and outside of areas of concentrated poverty. Address this need through accessory dwelling units, SB 9 developments, and other programs. <u>TOTAL GOAL: 160 units</u>									
AFFH Actions	Fair Housing Issues	Contributing Factors	Fair Housing Category	Type of Action	Responsible Party	Objectives	Quantified Objectives	Original Timeline	Recommended Revision
<b>AFFH Action 2.1:</b> Pilot a by-right approval for low density attached housing that exceeds the BMR affordability requirements.	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing and opportunities for low and moderate income households to live in the city	Disproportionate housing need for low income households and protected classes	Land use resources	TBD	Increase development of accessible units beyond minimum requirements	Develop pilot program with other jurisdictions that would create more opportunities for lower income households to live in Lafayette. See also Policy 6.1.h  <u>GOAL: create 40 new units of housing within the 8-year period</u>	End of 2027	<u>Prepare review to PC in Q2 2027; bring recommendation to CC in Q4 2027; implement program in Q1 2028</u> <u>Conduct best practice review beginning in Q3 2027; bring forward recommendations to City Council in Q2 2028; adopt recommendations and implement in Q4 2028 (note: contingent</u>



							<a href="#">Geographic target: low density, high opportunity, high income neighborhoods throughout the City outside of VHFHSZ.</a>		<a href="#">upon collaboration with other jurisdictions)</a>
<b>AFFH Action 2.2:</b> Evaluate and adjust the city's inclusionary and density bonus programs to allow a smaller unit contribution (<15%), larger density bonuses, and/or increased city support in exchange for affordable units that address the needs of under-represented residents with disproportionate housing needs (e.g., child-friendly developments with day care on site for single parents, and 3-4 bedroom units for larger families).	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Disproportionate housing need for low income households and protected classes	Disparities in access to opportunities	Land use resources	City of Lafayette	Expand the variety of housing units produced under the inclusionary housing and density bonus programs after those programs have had time to produce results. Ensure that the units being created are needed by and affirmatively marketed to county residents and workers who are under-represented in the city	Perform a feasibility analysis to redesign the program to allow a menu of options (e.g., 8% of units for extremely low income or 15% for low income or 30% for moderate income).  See also Policy 6.1.h; <a href="#">6.1.c</a>	Begin design in Summer 2024 and complete by winter 2025.	Concurrent with the Nexus Studies (1.2.a), hire consultant in Q1 2024 to conduct study to determine financial feasibility of a variety of options. Bring recommendation to PC in Q4 of 2024 for recommendations, bring to CC for approval in Q1 of 2025. Implement revised program in Q2 of 2025.
<b>AFFH Action 2.3:</b> Rezone Faith Based Organization sites to provide housing on site, especially that which is affordable	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing	Disparities in access to opportunities	Land use resources	City of Lafayette	Provide “missing middle” and lower-income opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion	Rezone Faith Based Organization sites to allow development of lower income housing on site at a density of 35 du/acre, mirroring affordability requirements of SB 4 and developing additional incentives to encourage use. Extend objective standards to these sites.  <a href="#">The City will conduct outreach, education, assistance with entitlements and facilitate partnerships with nonprofit developers.</a>	NEW	<a href="#">Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC and CC in Q3 2024.</a>  <a href="#">Evaluate the effectiveness of the program in 2027. If projections for development are not being met, the City commits to alternative actions such as rezoning or identifying sites if necessary by 2028.</a>

							<p><u>Geographic target: low density, high opportunity, high income neighborhoods outside of VHFHSZ to allow for greater inclusion.</u></p> <p>GOAL: create 75 new units of housing within the 8-year period</p>		
<p><b>AFFH Action 2.4:</b> Allow a second JADU in return for a short-term income restriction</p>	<p>Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.</p>	<p>Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing</p>	<p>Disparities in access to opportunities</p>	<p>Land use resources</p>	<p>City of Lafayette</p>	<p>Provide “missing middle” opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion</p>	<p>Allow single-family owners to add a second JADU in return for income restricting the unit for 5-10 years.</p> <p><u>GOAL: create 20 new units of JADUs within the 8-year period</u></p> <p><u>Geographic target: low density, high opportunity, high income neighborhoods in any area where ADUs and JADUs are allowed</u></p>	<p>NEW</p>	<p>Prepare research on similar programs in <a href="#">Q3 2023; Q1 2024</a> make recommendations to PC in <a href="#">Q2-Q4 2024</a>; bring recommendation to CC in <a href="#">Q3-Q1 2024/2025</a>; implement program in <a href="#">Q1-Q3 2025</a></p>
<p><b>AFFH Action 2.5:</b> Allow conversion of existing single-family dwellings into 2-4 units within <a href="#">1/24 mile of Mt. Diablo Boulevard between Risa Road and Carol Lane the Downtown boundaries, outside of the VHFHSZs</a></p>	<p>Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.</p>	<p>Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing</p>	<p>Disparities in access to opportunities</p>	<p>Land use resources</p>	<p>City of Lafayette</p>	<p>Provide “missing middle” opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion</p>	<p>Allow single-family owners to <u>create up to four units, by either subdividing an existing single-family unit, or a building new unit in its place within the same envelope.</u></p> <p><u>GOAL create 20 new units of housing within the 8-year period. Geographic target: low density, high opportunity, high income neighborhoods, outside of the VHFHSZs and within ½ mile of the Downtown’s boundaries.</u></p>	<p>NEW</p>	<p>Prepare code revisions and bring to PC in Q3 2026 and CC in <a href="#">Q2-Q4 2026</a>; implement program in Q1 2027</p>
<p><b>AFFH Action 2.6:</b> Increase the maximum density in low-density multifamily zones</p>	<p>Under-representation of Hispanic and Black/African American</p>	<p>Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of</p>	<p>Disparities in access to opportunities</p>	<p>Land use resources</p>	<p>City of Lafayette</p>	<p>Provide “missing middle” opportunities to increase housing choice in lower</p>	<p>Increase the zoning density from 17 to 20 du/ac in the low-density multifamily zones; <u>establish or modify development standards as</u></p>	<p>NEW</p>	<p>Prepare proposal and make recommendations on rezoning proposal to PC in Q1 2026; bring recommendation to CC</p>

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	residents in Lafayette relative to Contra Costa County.	land zoned to allow moderate or high density housing				density, high opportunity areas to allow for greater inclusion	<u>appropriate to facilitate maximum densities.</u>  <u>GOAL: create 20 new units of housing within the 8-year period.</u>  <u>Geographic target: all neighborhoods in the D-1 zone.</u>		in Q3 2026; implement program in Q1 2027
<b>AFFH Action 2.7:</b> Incentivize developers to provide a range of unit sizes to provide more “affordable by design” units	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing	Disparities in access to opportunities	Land use resources	City of Lafayette	Provide “missing middle” opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion	Develop incentives to obtain more units in a diversity of sizes  <u>GOAL: obtain commitments in 5 housing developments of 20 units or more to ensure a diversity of units</u>  <u>Geographic target: Multifamily residential districts in high opportunity, high income neighborhoods to allow for greater inclusion</u>	NEW	Prepare proposal to PC in Q4 2026; make recommendations on rezoning proposal to PC in Q1 2027; bring recommendation to CC in Q3 2027; implement program in Q1 2028
<b>AFFH Action 2.8:</b> <u>Monitor implementation of “missing middle” options to determine if mid-cycle changes are needed</u>	<u>Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.</u>	<u>Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing</u>	<u>Disparities in access to opportunities</u>	<u>Land use resources</u>	<u>City of Lafayette</u>	<u>Provide “missing middle” opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion</u>	<u>Review mid-cycle the performance of missing middle actions to determine if changes are warranted</u>  <u>GOAL: review the missing middle programs and modify as necessary to achieve success</u>  <u>Geographic target: Citywide</u>	<u>NEW</u>	<u>Prepare review to PC in Q2 2027; bring recommendation to CC in Q4 2027; implement program in Q1 2028</u>
<b>AFFH Action Area 3. Improving place-based strategies to encourage community conservation and revitalization including preservation of existing affordable housing:</b> involves approaches that are focused on conserving and improving assets in areas of lower opportunity and concentrated poverty.									

<p><b>AFFH Action 3.1:</b> As part of updates to the General Plan and the Downtown Specific Plan, evaluate the need for housing rehabilitation in older multifamily developments throughout the community. Create a plan to join rehabilitation efforts with infrastructure improvements, such as trails, recreation areas, and other amenities.</p>	<p>Residents occupying housing in one of the two most affordable neighborhoods of the city face greater housing livability challenges.</p>	<p>Need for rehabilitation because of low rents and deferred maintenance.</p>	<p>Disparities in access to opportunities</p>	<p>Land use resources</p>	<p>City of Lafayette to lead</p>	<p>Create opportunities for livability improvements without increasing housing costs.</p>	<p>Develop policy for the use of City funding that addresses rehabilitation needs of the community. Goal: rehabilitate 90 units during the life of the Housing Element, 30 ELI, 30 VLI, 30 LI. Concentrate efforts in the downtown, where lower income households currently are located.</p>	<p>Begin best practices research in 2027; complete review and develop policy by 2028, with implementation in early 2029.</p>	<p>Begin best practices research in Q3 2027; bring forward recommendations to PC and CC in Q2 2028; implement in Q1 2029.</p>
<p><b>AFFH Action Area 4. Protecting existing residents from displacement:</b> strategies that protects residents in areas of lower or moderate opportunity and concentrated poverty and preserves housing choices and affordability.</p>									
<p><b>AFFH Action 4.1:</b> Develop a plan to preserve the city's affordable units that will expire in the next decade to keep them affordable long term.</p>	<p>Very high rates of cost burden for &lt;50% AMI households and Black and Hispanic households; high rates of overcrowding among minority populations.</p>	<p>Lack of affordable housing citywide; low housing production</p>	<p>Disproportionate housing needs</p>	<p>Human resources</p>	<p>City of Lafayette</p>	<p>Work with property owners of existing assisted housing developments for lower-income households and partner with nonprofits to determine methods to extend affordability covenants to preserve affordable units, including assistance from the City.</p>	<p>Conduct best practices research on other jurisdictions' programs and prepare recommendations to City Council.</p>	<p>Conduct best practices work in 2025; bring recommendations to Council in the beginning of 2026; implement program by mid-2026.</p>	<p>Conduct best practices work in Q3 2025; bring recommendations to Council for approval in Q2 2026; implement program Q3 2026.</p>

APPENDIX D – ATTACHMENT 1, FAIR HOUSING ACTION PLAN

<b>AFFH Action 4.2:</b> Partner with fair housing service providers to perform fair housing training for landlords and tenants. Focus enforcement efforts on race-based discrimination and reasonable accommodations.	Landlords refuse to rent to Section 8 voucher holders or are unaware regarding laws against discrimination for source of income.	Lack of accessible affordable units; Lack of access to economic opportunity; Concentration in low income and low opportunity census tracts; Lack of understanding of reasonable accommodation requirements by landlords and property owners.	Outreach Capacity and Enforcement	Human resources	Fair Housing Service Providers; C4	Increase awareness of fair housing laws and tenants' rights to reduce unlawful discrimination and displacement.	Work with C4 and fair housing service providers to provide training every two years in the Spring, targeting 30 landlords each training.	Begin working with C4 to develop scope in 2024; launch first training in Spring 2025	In coordination with C4, develop scope beginning in Q4 2024; launch first training in Q3 2025
<b>AFFH Action Area 5. Outreach and Enforcement – see these actions in the general policies, above.</b>									
Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions		
4.1.a	Equal Housing Opportunity	Promote equal housing opportunity by supporting the investigation and disposition of housing discrimination complaints. Work with service providers to ensure that information is disseminated to the community as needed.	Planning and Building Dept. (PBD)	City	Ongoing	Annually, as part of the APR process	In Q4 <del>2023</del> 2024, reach out to the County and service providers to request annual collection of data on fair housing concerns within Lafayette. As part of the Annual Progress Report research prior to submittal to HCD in April, re-contact service providers and the County for information on fair housing issues within the City.		
4.1.b	Fair Housing Resources	Create a webpage specific to fair housing including resources for residents who feel they have experienced discrimination, information about filing fair housing complaints with HCD or HUD, and information about protected classes under the Fair Housing Act.	PBD	City	2023	Bi-Annually	Create the webpage in Q4 in <del>2023</del> 2024. Update the website every two years, in Q4. Provide information to 80 LMI households over the planning cycle.		

## APPENDIX D

### Attachment 2: Site Inventory AFFH Supplement

AB 686 requires an analysis of sites identified to meet RHNA obligations for their ability to affirmatively further fair housing. The City of Lafayette’s proposed RHNA sites can accommodate approximately 2,592 new units — 574 units for very low income households, 426 units for low income households, 300 units for moderate income households, and 1,292 units for above moderate income households. Of these units, a total of 776 units are already in the development pipeline—44 units for very low income households, 66 units for low income households, 20 units for moderate income households, and 646 units for above moderate income households.

Figure A-1 shows the location of Census Tracts in Lafayette, while Figure A-2 shows the geographic distribution of the proposed RHNA sites. Overall, the City’s RHNA proposed sites are almost entirely located in two Census Tracts—Census Tracts 3490 and 3500. The majority of the City’s proposed RHNA units (52% of all proposed units) are located in Census Tract 3490, which is situated along the southern border of CA-24 and east of Moraga Road. The area has a combination of low and moderate density residential and a major commercial corridor along Mt. Diablo Road that runs parallel to CA-24. There are a number of schools within this tract and several apartment buildings.

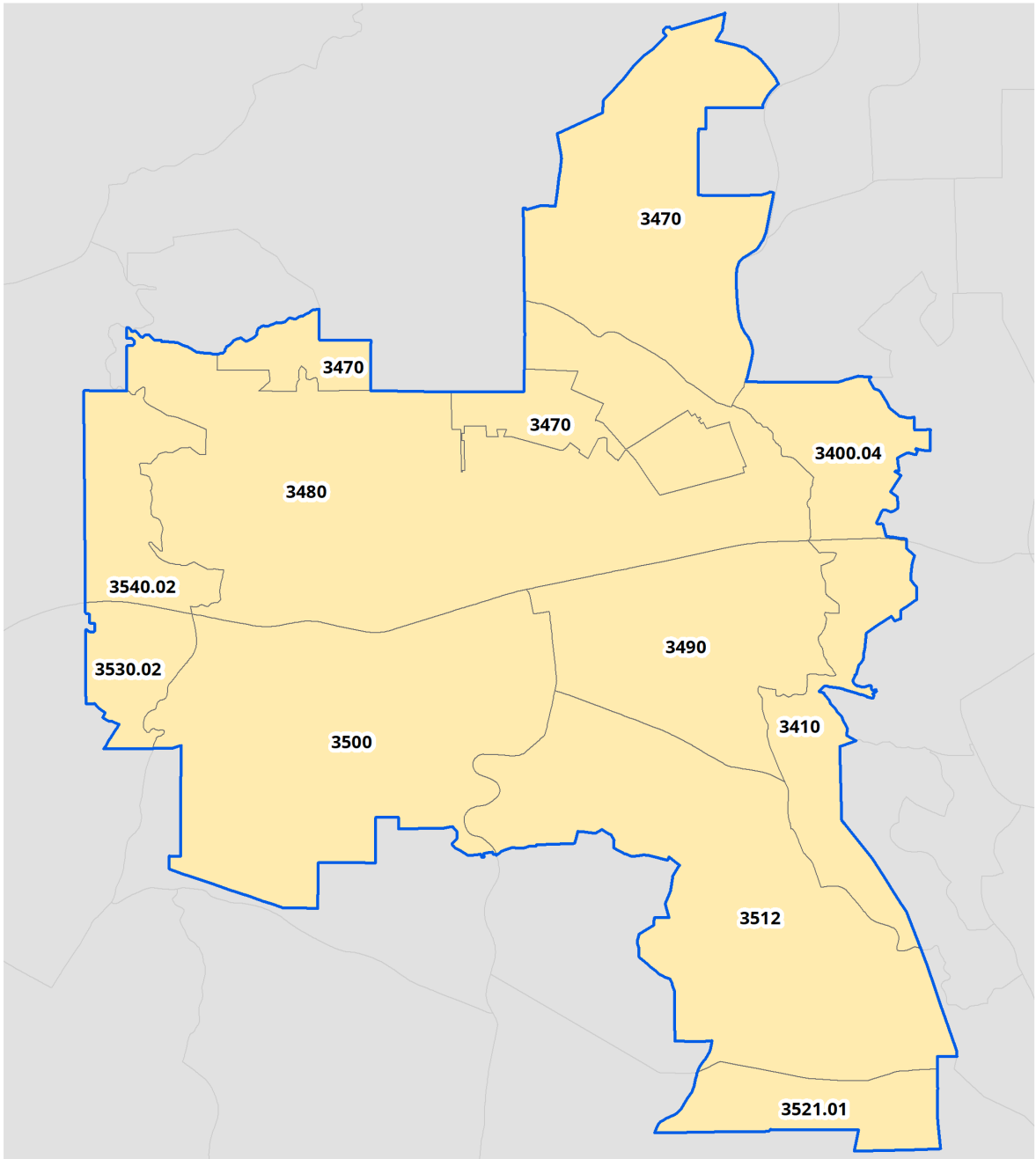
Census Tract 3500, which contains 42% of the City’s proposed RHNA units, is located in Lafayette on the southern border of CA-24 and west of Moraga Road. The area has a combination of low and moderate density residential and a major commercial corridor along Mt. Diablo Road that runs parallel to CA-24. The western portion of the Tract is a recreational area surrounding the Lafayette reservoir.

Figures A-3 and A-4 present the distribution of the City’s proposed RHNA units by Census Tract, income level, and AFFH indicators. Figures A-5 through A-10 map the location of proposed RHNA units compared to several AFFH indicators.

The analysis of the RHNA unit location against these indicators demonstrates that:

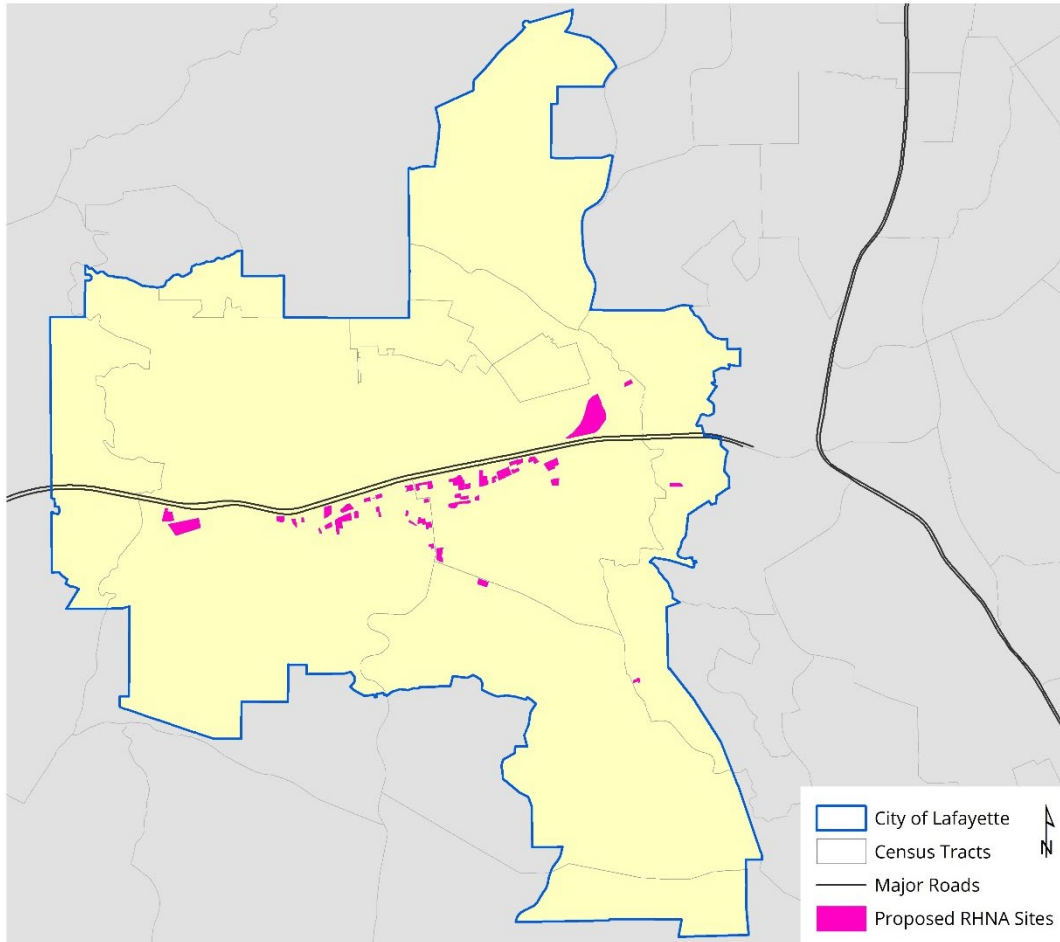
- Census Tracts 3490 and 3500, where 94% of the City’s proposed RHNA units are located, have slightly greater proportions of non-White residents compared to the city overall. These Census tracts are both considered “highest resource” areas. The distribution of RHNA units within these Census tracts will add income diverse housing and broaden housing choices for low- and moderate-income households in these areas.
- No RHNA units are located in R/ECAPs.
- All of the City’s proposed RHNA units are located within the highest resource areas, as defined by the California Tax Credit Allocation Committee (TCAC).

**Figure A-1.**  
**City of Lafayette Census Tracts**



Source: U.S. Census and Root Policy Research.

**Figure A-2.**  
**Geographic Distribution of Proposed RHNA Sites by Census Tract**



Source: U.S. Census and Root Policy Research.



**Figure A-3.**  
**City of Lafayette Proposed RHNA Units by Income and Census Tract**

Census Tract	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Census Tract 3410	26	26	14	3	69
Census Tract 3480	10	10	5	1	26
Census Tract 3490	267	203	126	756	1,352
Census Tract 3500	251	167	145	529	1,092
Census Tract 3512	20	20	10	3	53
	<b>574</b>	<b>426</b>	<b>300</b>	<b>1,292</b>	<b>2,592</b>

Source: City of Lafayette and Root Policy Research.

**Figure A-4.**  
**Proposed RNHA Sites by Census Tract, Income Level, and AFFH Indicators**

Census Tract	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Percent Non-White Population	Median Household Income	TCAC Opportunity Area Category	Percent Overpayment by Renters	Percent Overcrowded Households	Displacement Risk
Census Tract 3410	26	26	14	3	31%	\$139,797	Highest Resource	55%	1%	Lower
Census Tract 3480	10	10	5	1	19%	\$250,000+	Highest Resource	33%	0%	Lower
Census Tract 3490	267	203	126	756	23%	\$117,852	Highest Resource	42%	5%	Lower
Census Tract 3500	251	167	145	529	26%	\$190,817	Highest Resource	35%	4%	Lower
Census Tract 3512	20	20	10	3	17%	\$250,000+	Highest Resource	0%	0%	Lower
<b>Total Units</b>	<b>574</b>	<b>426</b>	<b>300</b>	<b>1,292</b>						

Source: HCD AFFH Data Viewer, 2021 5-year ACS data, City of Lafayette, and Root Policy Research.

### **Segregation and Integration**

Compared to Contra Costa County overall, Lafayette residents are much less diverse racially and ethnically. According to 2021 5-year ACS data, just less than a quarter of residents in the city of Lafayette identify as non-white (21%). Asian residents (9.9%) and residents who identify as two or more races (9%) represent the greatest non-white populations in the city. In contrast, half of the county's residents identify as non-white. Specifically, 26% of county residents identify as Hispanic, 22% identify as some other race or more than two races, and 9% as Black/African American.

Of Census Tracts within the city with proposed RHNA sites, there are three Census Tracts with greater proportions of non-White populations compared to the city — primarily located in the Downtown area. The Census Tracts with the greatest concentrations of non-White populations with proposed RHNA units are Census Tract 3410 (31%), Census Tract 3500 (26%), and Census Tract 3490 (23%). According to the UC Berkeley Urban Displacement Project, Census Tracts 3410 and 3490 are designated as “Asian-White”, while Census Tract 3500 is designated as “Asian-Latinx-White.”

Within these three Census Tracts, the City's Sites Inventory proposes 544 units for very low-income households, 396 units for low income households, 285 units for moderate income households, and 1,288 units for above moderate-income households. This represents 95% of the City's proposed units for very low-income households, 93% of units for low income households, 95% of units for moderate income households, and nearly all units for above moderate-income households.

The city's most affordable housing is found in Census Tracts 3490 and 3500 with mixtures of commercial and residential properties and relatively high-density allowances. This is atypical, as most affordable housing requires denser environments to be financially feasible. These Census Tracts are identified as “highest opportunity” areas and are rated as healthy communities, consistent with the city overall.

With 94% of the proposed RHNA units located in Census Tracts 3490 and 3500, the City would add affordable housing opportunities to areas where low and moderate income households are most likely to live in Lafayette—but the increase is likely to be modest, given the relatively low share of low and moderate income households in these tracts. Locating these units in areas designated as “highest opportunity” and with good access to public transportation and other amenities will help stabilize low- and moderate-income households and prevent further displacement of renter households.

### **Racially and Ethnically Concentrated Areas of Poverty and Affluence**

Per HUD's definition, there are no Census Tracts designated as racially and ethnically concentrated areas of poverty (R/ECAP) in the city of Lafayette. Additionally, the City does not have any Census Tracts designated as “High Segregation and Poverty”, as defined by California's Tax Credit Allocation Committee (TCAC).

According to 2021 5-year ACS data, the median household income in Lafayette is \$192,546, which is significantly higher than the median income of Contra Costa County (\$110,455). The three Census Tracts in the city that have a greater proportion of non-white residents also have a lower median

income relative to the City’s median income—Census Tract 3410 (31% non-white population, \$139,797 median household income), Census Tract 3490 (23% non-white population, \$117,852 median household income), and Census Tract 3500 (26% non-white population, \$190,817 median household income). Although these tracts have lower median household incomes relative to the city, they are all designated as “highest opportunity” resource areas. None of the City’s Census Tracts with proposed RHNA units are designated as vulnerable to displacement.

Conversely, every Census Tract in the city of Lafayette is considered a Racially Concentrated Area of Affluence (RCAA). Therefore, all of the RHNA units proposed will be located in an RCAA, providing access to affluent neighborhoods in Lafayette for low- and moderate-income households.

### **Disparities in Access to Opportunity**

Figure A-7 shows the opportunity area designation for each Census Tract in the city of Lafayette. With the exception of Census Tract 3470 (where there are no proposed RHNA sites), all other Census Tracts in the city are designated as “highest resource.” As such, all proposed RHNA sites will be in locations that provide the highest access to opportunity for low- and moderate-income households living in the city.

### **Disproportionate Housing Needs**

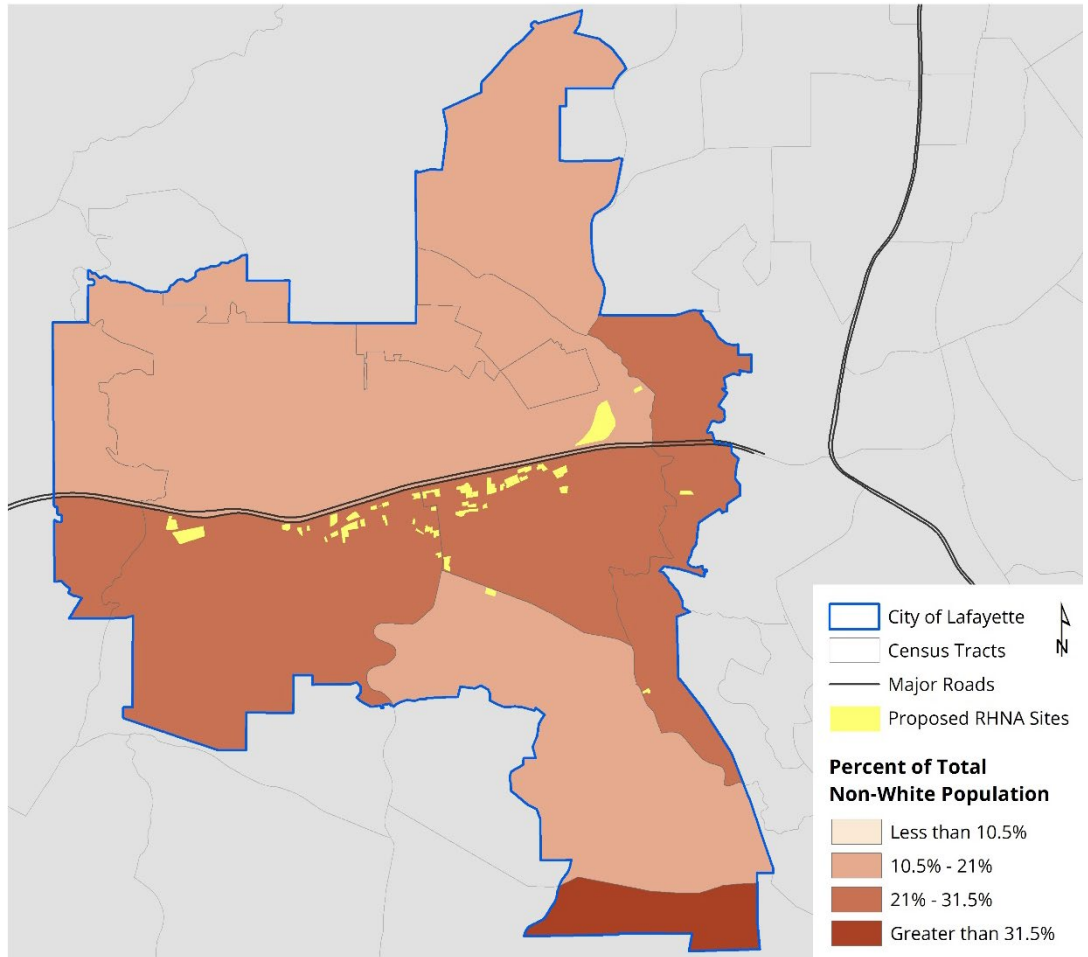
Cost burden, or households paying more than 30% of the household income on housing costs, is a challenge impacting renters in certain areas of the city of Lafayette. Of the five Census Tracts in Lafayette with proposed RHNA sites, three Census Tracts have a greater proportion of renter households experiencing cost burden relative to the city overall (33% of renters in Lafayette experience cost burden).

Of the three Census Tracts with a greater proportion of renters experiencing cost burden relative to the city, the renters in Census Tracts 3410 (55% of renters experience cost burden) and 3490 (42%) have a significantly higher proportion of renters paying more than 30% of their household income on housing. Within these two Census Tracts, the City proposes locating 293 very low income units, 229 low income units, 140 moderate income units, and 759 above moderate income units, which represents 51% of very low income units, 54% of low income units, 47% of moderate income units, and 59% of above moderate income units proposed by the City. The provision of units in these Tracts will provide more opportunities for housing choice for low to moderate income households in the city’s more affordable areas.

In addition to cost burden, overcrowded households can signify a mismatch between the types of housing needed by residents and the types of housing available and affordable to those families. In 2021, just 2% of the city’s households were considered overcrowded, defined as more than one person per bedroom in a household. The two Census Tracts in Lafayette with higher proportions of overcrowded households relative to the city overall are Tracts 3490 (5%) and 3500 (4%). As previously described, 94% of all of the proposed RHNA units in Lafayette are located in these two Census Tracts, which will provide more housing opportunities that might better meet the needs of households living in overcrowded conditions.

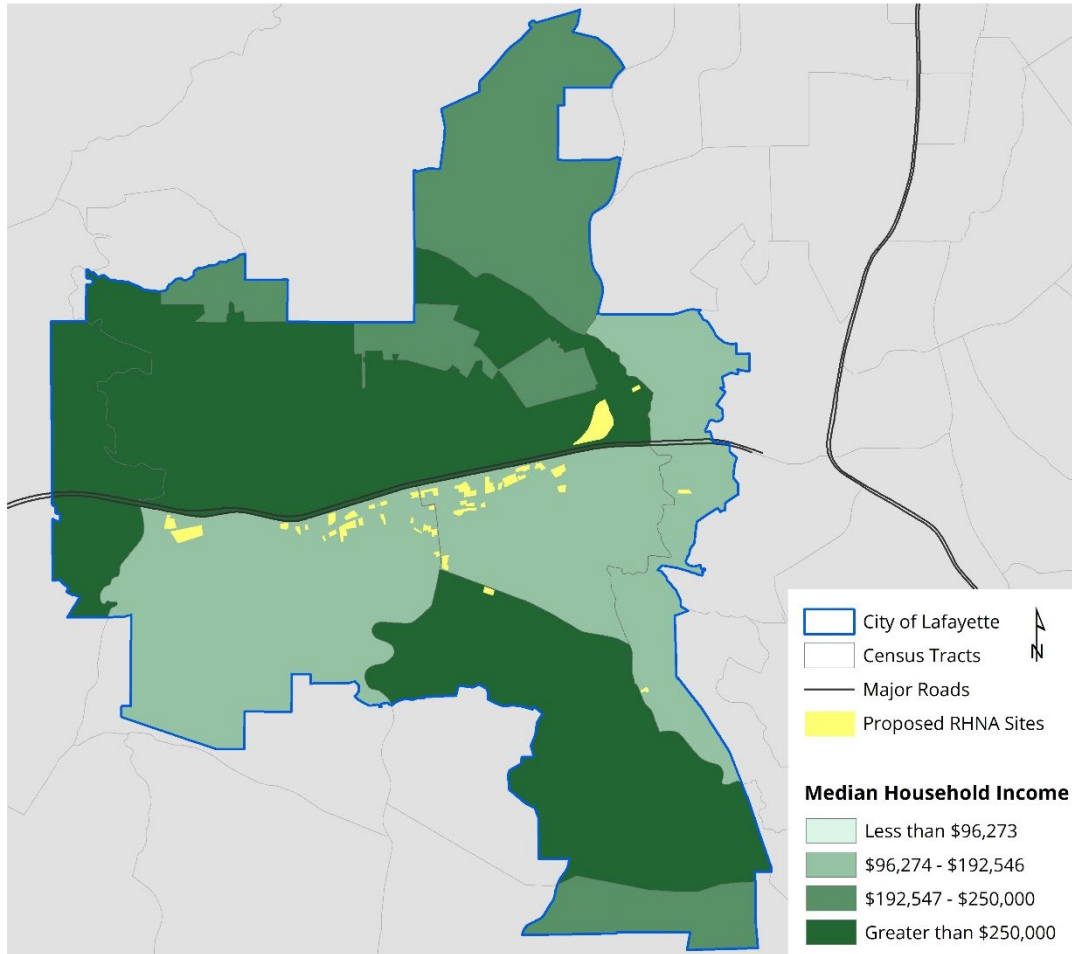
Additionally, American Indian, Black, and Hispanic households in Lafayette disproportionately experience housing problems, have higher rates of housing cost burden and mortgage loan denial rates, and have a higher proportion of low income households earning less than 50% of AMI compared to the city's overall population. The locations of the proposed RHNA sites do not directly exacerbate the segregation of any of these racial or ethnic groups in the city.

**Figure A-5.**  
**Proposed RHNA Sites by Percent of Non-White Population and Census Tract, 2021**



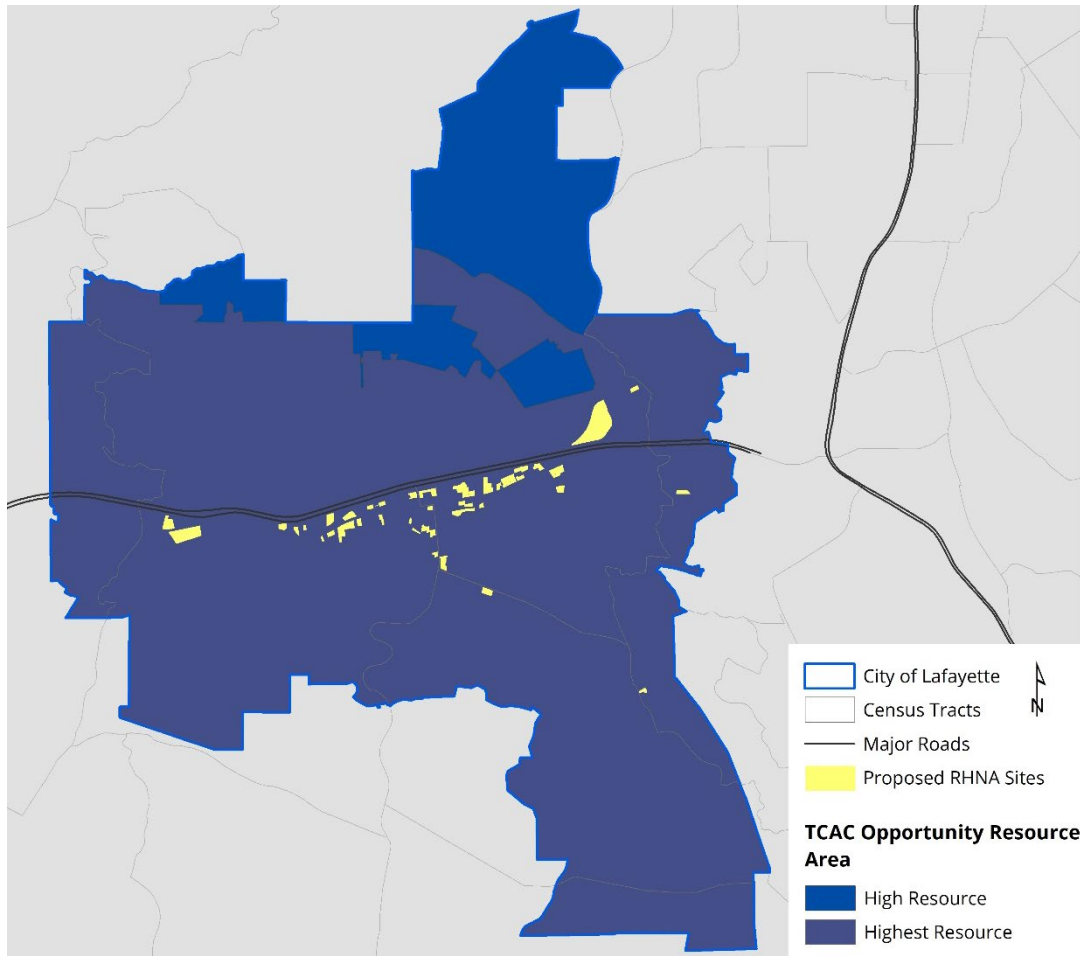
Source: 2021 5-year ACS and Root Policy Research

**Figure A-6.**  
**Proposed RHNA Sites by Median Household Income and Census Tract, 2021**



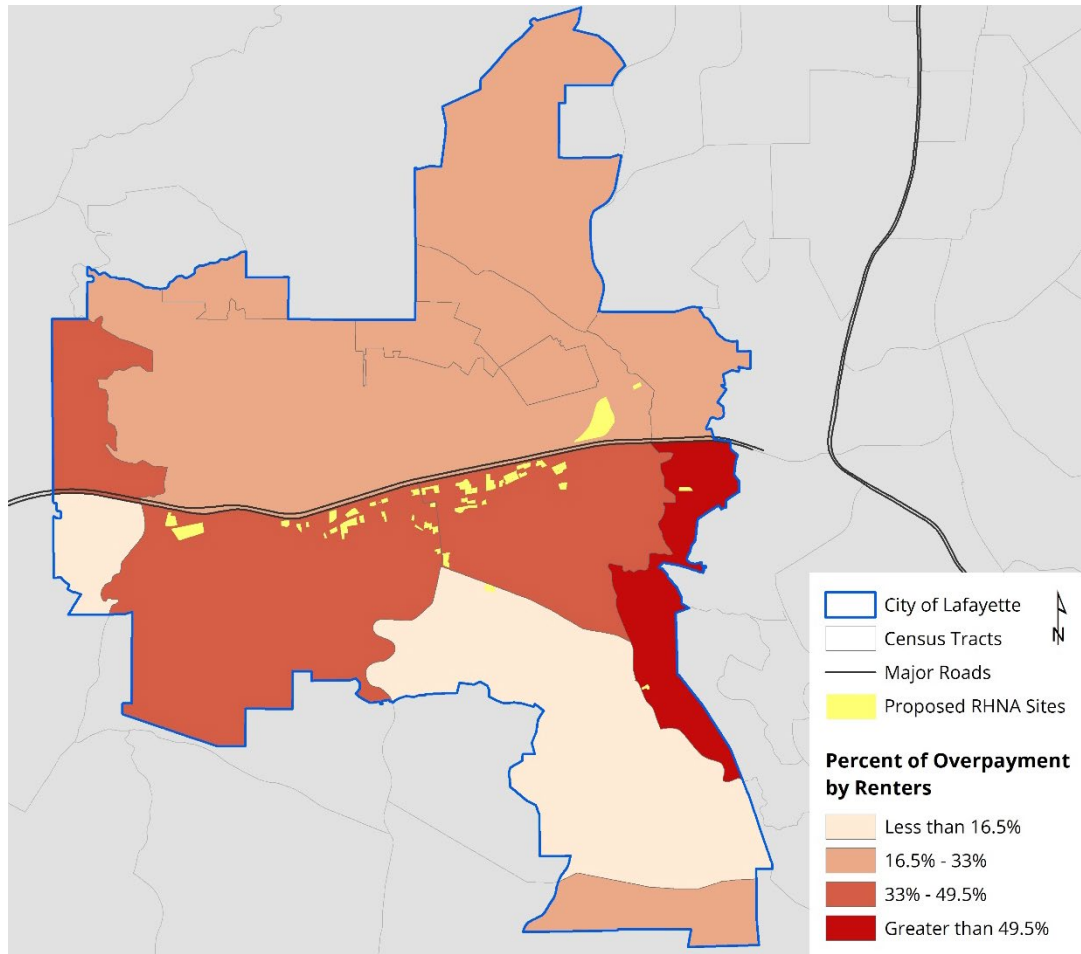
Source: 2021 5-year ACS and Root Policy Research.

**Figure A-7.**  
**Proposed RHNA Sites by TCAC Opportunity Resource Area Designation and Census Tract, 2023**



Source: HCD AFFH Data Viewer (California’s Tax Credit Allocation Committee) and Root Policy Research.

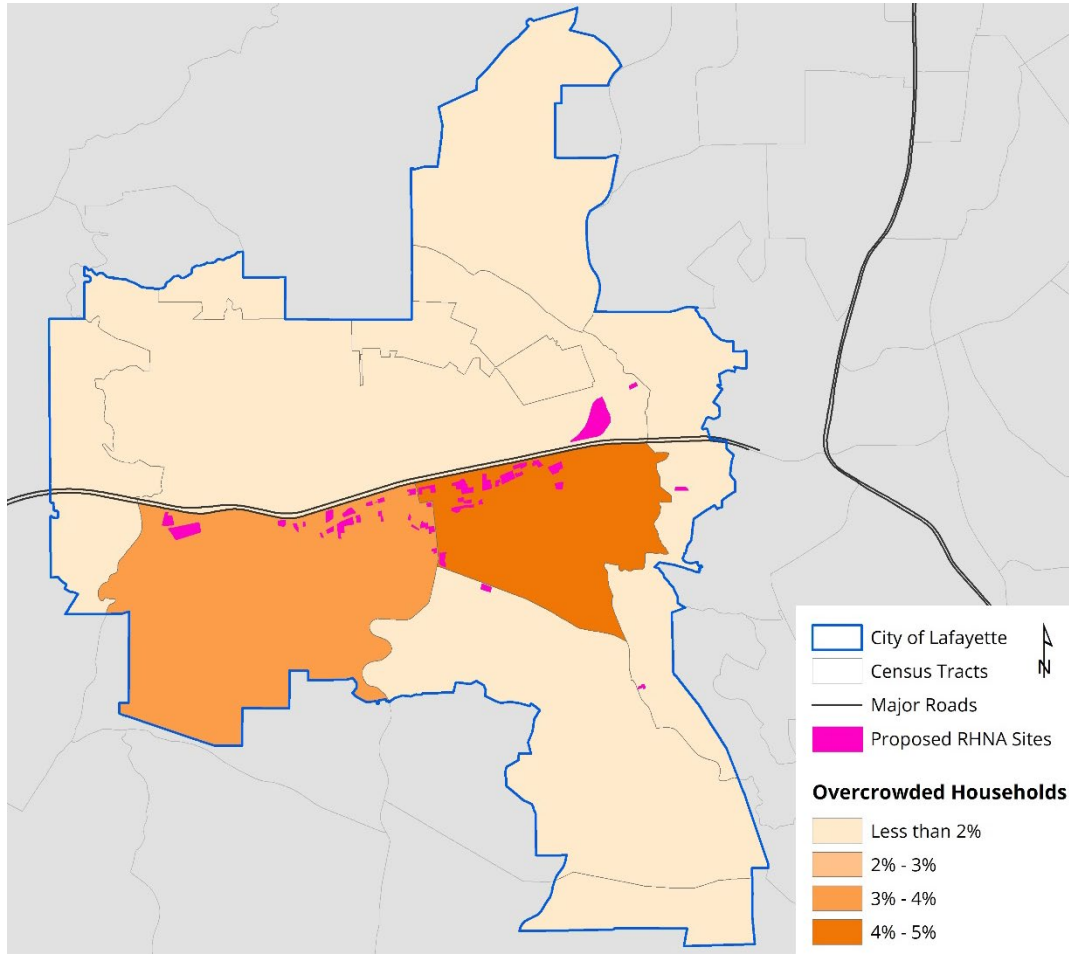
**Figure A-8.**  
**Proposed RHNA Sites by Percent of Renter Overpayment (Cost Burden) and Census Tract, 2021**



Source: 2021 5-year ACS and Root Policy Research.

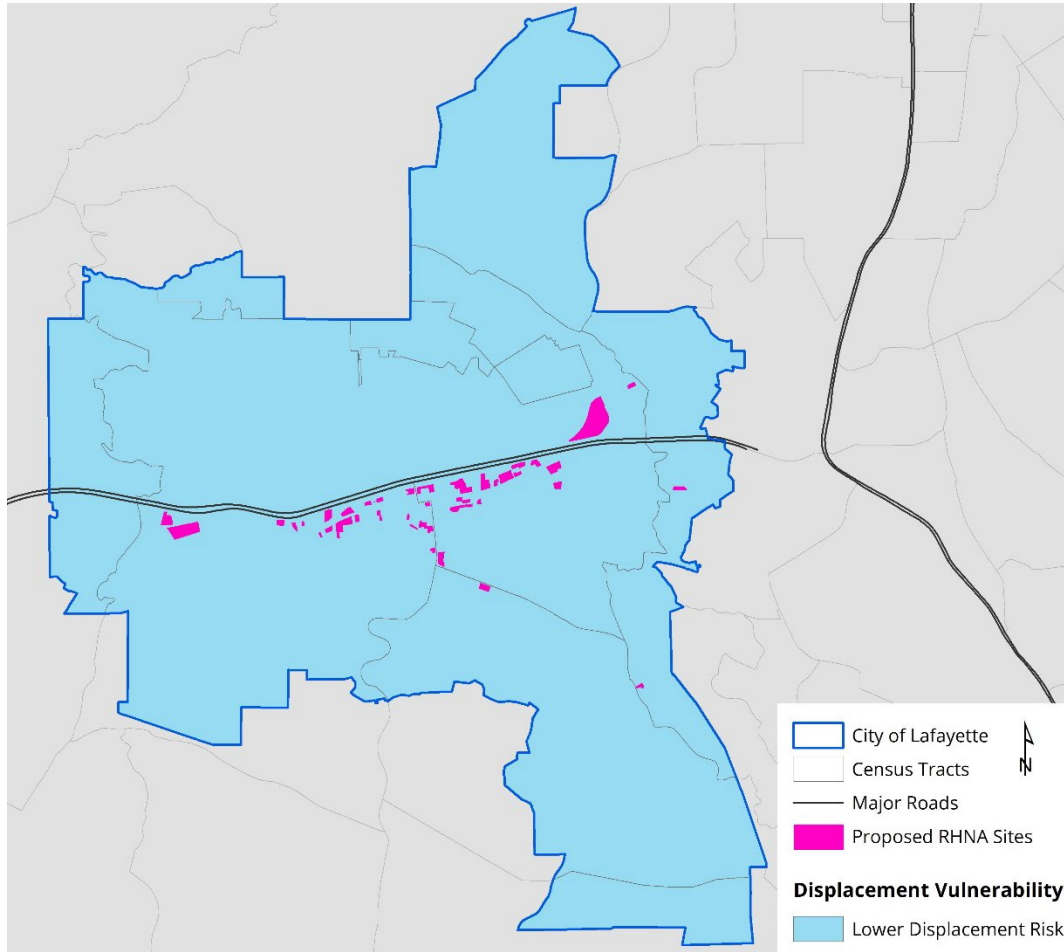


**Figure A-9.**  
**Proposed RHNA Sites by Percent of Overcrowded Households and Census Tract, 2021**



Source: 2021 5-year ACS and Root Policy Research.

**Figure A-10.**  
**Proposed RHNA Sites by Vulnerability to Displacement and Census Tract, 2022**



Source: HCD AFFH Data Viewer (Sensitive Communities UCB, Urban Displacement Project) and Root Policy Research.

## APPENDIX D

### Attachment 3: State Fair Housing Laws

This attachment summarizes key state laws and regulations related to mitigating housing discrimination and expanding housing choice.

**California Fair Employment and Housing Act (FEHA)** (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2) is the state fair housing law that prohibits those engaged in the housing business—landlords, real estate agents, home sellers, builders, mortgage lenders, and others—from discriminating against tenants or homeowners.

California law protects individuals from illegal discrimination by housing providers based on:

- Race, color
- Ancestry, national origin
- Citizenship, immigration status
- Primary language
- Age
- Religion
- Disability, mental or physical
- Sex, gender
- Gender identity, gender expression
- Marital status
- Familial status
- Source of income
- Military or veteran status

**Government Code section 65008.** Covers actions of a city, county, city and county, or other local government agency, and makes those actions null and void if the action denies an individual or group of individuals the enjoyment of residence, landownership, tenancy, or other land use in the state because of membership in a protected class, the method of financing, and/or the intended occupancy.

- For example, a violation under Government Code section 65008 may occur if a jurisdiction applied more scrutiny to reviewing and approving an affordable development as compared to market-rate developments, or multifamily housing as compared to single family homes.
- Government Code section 65008, subdivision (e), authorizes preferential treatment of affordable housing

**Government Code section 8899.50** requires all public agencies to administer programs and activities relating to housing and community development in a manner to affirmatively further fair housing and avoid any action that is materially inconsistent with its obligation to affirmatively further fair housing.

**Government Code section 11135 et seq.** 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 or perceived membership in a protected class.

**Density Bonus Law** (Gov. Code, section 65915) requires California jurisdictions to adopt ordinances that specify how density bonuses will be offered to incentivize affordable housing. The state law contains the minimum specifications for density bonuses.

**Housing Accountability Act** (Gov. Code, section 65589.5) prohibits local agencies from disapproving housing developments, including farmworker housing and emergency shelters, or requiring conditions that make such housing infeasible except under certain conditions specified in the law.

**No-Net-Loss Law** (Gov. Code, section 65863) is meant to ensure that development opportunities remain available throughout a jurisdiction's regional housing need allocation (RHNA) period, especially for low and moderate income households. It prohibits jurisdictions from lowering residential densities without substantial evidence.

**Least Cost Zoning Law** (Gov. Code, section 65913.1) requires jurisdictions to designate and zone sufficient vacant land for residential use with sufficient standards in relation to growth projections.

**Excessive subdivision standards** (Gov. Code, section 65913.2) prohibits jurisdictions from imposing design criteria that make residential development infeasible.

**Limits on growth controls** (Gov. Code, section 65302.8) describes how flood plains are used in comprehensive planning and zoning.

**Housing Element Law** (Gov. Code, section 65583, esp. subs. (c) (5), (c) (10) governs state-required housing elements.

# Assessment of Fair Housing: Contra Costa County Regional Analysis

Prepared by:



March 2022

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# Affirmatively Furthering Fair Housing

## **Introduction and Overview of AB 686**

In January 2017, Assembly Bill 686 (AB 686) introduced an obligation to affirmatively further fair housing (AFFH) into California state law. AB 686 defined “affirmatively further fair housing” to mean “taking meaningful actions, in addition to combat discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for persons of color, persons with disabilities, and other protected classes.

## **Analysis Requirements**

AB 686 requires that all housing elements prepared on or after January 1, 2021, assess fair housing through the following components:

An assessment of fair housing within the jurisdiction that includes the following components: a summary of fair housing issues and assessment of the City’s fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities; an assessment of contributing factors; and identification and prioritization of fair housing goals and actions.

A sites inventory that accommodates all income levels of the City’s share of the RHNA that also serves the purpose of furthering more integrated and balanced living patterns.

Responsive housing programs that affirmatively further fair housing, promote housing opportunities throughout the community for protected classes, and address contributing factors identified in the assessment of fair housing.

The analysis must address patterns at a regional and local level and trends in patterns over time. This analysis compares the locality at a county level for the purposes of promoting more inclusive communities.

## **Sources of Information**

The primary data sources for the AFFH analysis are:

- U.S. Census Bureau’s Decennial Census (referred to as “Census”) and American Community Survey (ACS)
- Contra Costa County Analysis of Impediments to Fair Housing Choice January 2020-2025 (2020 AI).
- Local Knowledge

In addition, HCD has developed a statewide AFFH Data Viewer. The AFFH Data Viewer consists of map data layers from various data sources and provides options for addressing each of the components within the full scope of the assessment of fair housing. The data source and time frame used in the AFFH mapping tools may differ from the ACS data in the 2020 AI. While some data comparisons may have different time frames (often different by one year), the differences do not affect the identification of possible trends.

## ~~ASSESSMENT OF FAIR HOUSING ISSUES~~

### Fair Housing Enforcement and Outreach

Fair housing enforcement and outreach capacity refers to the ability of a locality and fair housing entities to disseminate information related to fair housing laws and rights, and provide outreach and education to community members. Enforcement and outreach capacity also includes the ability to address compliance with fair housing laws, such as investigating complaints, obtaining remedies, and engaging in fair housing testing. The Fair Employment and Housing Act and the Unruh Civil Rights Act are the primary California fair housing laws. California state law extends anti-discrimination protections in housing to several classes that are not covered by the federal Fair Housing Act (FHA) of 1968, including prohibiting discrimination on the basis of sexual orientation.

In Contra Costa County, local housing, social services, and legal service organizations include the Fair Housing Advocates of Northern California (FHANC), Eden Council for Hope and Opportunity (ECHO) Fair Housing, Bay Area Legal Aid, and Pacific Community Services.



**Table 1**

<b>Organization</b>	<b>Focus Areas</b>
Fair Housing Advocates of Northern California (FHANC)	Non-profit agency that provides fair housing information and literature in a number of different languages, primarily serves Marin, Sonoma, and Solano County but also has resources to residents outside of the above geographic areas.
Eden Council for Hope and Opportunity (ECHO) Fair Housing	Housing counseling agency that provides education and charitable assistance to the general public in matters related to obtaining and maintaining housing.
Bay Area Legal Aid	Largest civil legal aid provider serving seven Bay Area counties. Has a focus area in housing preservation and homelessness task force to provide legal services and advocacy for those in need.
Pacific Community Services	Private non-profit housing agency that serves East Contra Costa County (Bay Point, Antioch, and Pittsburg) and provides fair housing counseling as well as education and outreach

**Fair Housing Enforcement**

California’s Department of Fair Employment and Housing (DFEH) has statutory mandates to protect the people of California from discrimination pursuant to the California Fair Employment and Housing Act (FEHA), Ralph Civil Rights Act, and Unruh Civil Rights Act (with regards to housing).

The FEHA prohibits discrimination and harassment on the basis of race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, sexual orientation, marital status, military or veteran status, national origin, ancestry, familial status, source of income, disability, and genetic information, or because another person perceives the tenant or applicant to have one or more of these characteristics.

The Unruh Civil Rights Act (Civ. Code, § 51) prohibits business establishments in California from discriminating in the provision of services, accommodations, advantages, facilities and privileges to clients, patrons and customers because of their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status.

The Ralph Civil Rights Act (Civ. Code, § 51.7) guarantees the right of all persons within California to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of political affiliation, or on account of sex, race, color, religion, ancestry,

national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, immigration status, or position in a labor dispute, or because another person perceives them to have one or more of these characteristics.

**Table 2: Number of DFEH Housing Complaints in Contra Costa County (2020)**

<b>Year</b>	<b>Housing</b>	<b>Unruh Civil Rights Act</b>
2015	30	5
2016	32	2
2017	26	26
2018	22	2
2019	22	2
2020	20	1

Source: <https://www.dfeh.ca.gov/LegalRecords/?content=reports#reportsBody>

Based on DFEH Annual Reports, Table 2 shows the number of housing complaints filed by Contra Costa County to DFEH between 2015–2020. A slight increase in the number of complaints precedes the downward trend from 2016–2020. Note that fair housing cases alleging a violation of FEHA can also involve an alleged Unruh violation as the same unlawful activity can violate both laws. DFEH creates companion cases that are investigated separately from the housing investigation.

The Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity (HUD FHEO) enforces fair housing by investigating complaints of housing discrimination. Table 3 shows the number of FHEO Filed Cases by Protected Class in Contra Costa County between 2015 and 2020. A total of 148 cases were filed within this time period, with disability being the top allegation of basis of discrimination followed by familial status, race, national origin, and sex. These findings are consistent with national trends stated in FHEO’s FY 2020 State of Fair Housing Annual Report to Congress where disability was also the top allegation of basis of discrimination.

**Table 3: Number of FHEO Filed Cases by Protected Class in Contra Costa County (2015–2020)**

Year	Number of Filed Cases	Disability	Race	National Origin	Sex	Familial Status
2015	28	17	4	2	2	4
2016	30	14	8	7	5	6
2017	20	12	3	5	1	5
2018	31	20	6	3	4	9
2019	32	27	4	4	4	1
2020	7	4	1	0	2	1
<b>Total</b>	<b>148</b>	<b>94</b>	<b>26</b>	<b>21</b>	<b>18</b>	<b>26</b>
Percentage of Total Filed Cases *Note that cases may be filed on more than one basis.		63.5%	17.5%	14.2%	12.2%	17.6%

Source: Data.Gov - Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity (FHEO) Filed Cases, <https://catalog.data.gov/dataset/fheo-filed-cases>

Table 3 indicates that the highest number of fair housing complaints are due to discrimination against those with disabilities, followed by income source, race, and national origin.

A summary of ECHO’s Fair Housing Complaint Log on fair housing issues, actions taken, services provided, and outcomes can be found in Table 4 and Table 5.

**Table 4: Action(s) Taken/Services Provided**

Protected Class	1	3	5	6	7	Grand Total
Race	21	0	0	2	0	23
Marital Status	0	0	0	1	0	1
Sex	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Familial Status	0	0	0	3	0	3
Sexual Orientation	0	0	0	0	0	0
Sexual Harrassment	0	0	0	1	0	1
Income Source	15	0	1	7	1	24
Disability	7	1	14	33	5	60
National Origin	13	0	0	1	0	14
Other	0	0	1	11	5	17
Total	56	1	16	59	11	143

1. Testers sent for investigation; 3. Referred to attorney; 5. Conciliation with landlord; 6. Client provided with counseling; 7. Client provided with brief service; Source: ECHO Fair Housing (2020 - 2021)

**Table 5: Outcomes**

<b>Protected Class</b>	<b>Counseling provided to landlord</b>	<b>Counseling provided to tenant</b>	<b>Education to Landlord</b>	<b>Insufficient evidence</b>	<b>Preparing Site Visit</b>	<b>Referred to DFEH/HUD</b>	<b>Successful mediation</b>	<b>Grand Total</b>
Race	0	0	2	20	0	1	0	23
National Origin	0	0	1	13	0	0	0	14
Marital Status	0	0	0	1	0	0	0	1
Sex	0	0	0	0	0	0	0	0
Disability	2	25	2	12	0	4	15	60
Religion	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0
Familial Status	0	3	0	0	0	0	0	3
Income Source	3	3	0	16	1	0	1	24
Sexual Harrassment	0	8	2	2	1	4	0	17
Other	0	0	0	0	0	1	0	1
<b>Total</b>	<b>5</b>	<b>39</b>	<b>7</b>	<b>64</b>	<b>2</b>	<b>10</b>	<b>16</b>	<b>143</b>

Source: ECHO Fair Housing (2020 - 2021)

Services that were not provided include (2.) Case tested by phone; (4.) Case referred to HUD and (8.) Case accepted for full representation. The most common action(s) taken/services provided are providing clients with counseling, followed by sending testers for investigation, and conciliation with landlords. Regardless of actions taken or services provided, almost 45% of cases are found to have insufficient evidence. Only about 12% of all cases resulted in successful mediation.

## **Fair Housing Testing**

Fair housing testing is a randomized audit of property owners' compliance with local, state, and federal fair housing laws. Initiated by the Department of Justice's Civil Rights Division in 1991, fair housing testing involves the use of an individual or individuals who pose as prospective renters for the purpose of determining whether a landlord is complying with local, state, and federal fair housing laws.

ECHO conducts fair housing investigations in Contra Costa County (except Pittsburg) and unincorporated Contra Costa County. The 2020 Contra Costa County AI, however, did not report any findings on fair housing testing on the county level, however, it does bring to attention that private discrimination is a problem in Contra Costa County that continues to perpetuate segregation. Based on fair housing testing conducted in the City of Richmond, it was found that there was significant differential treatment in favor of White testers over Black testers in 55% of phone calls towards 20 housing providers with advertisements on Craigslist. Because Whites receive better services, they tend to live in neighborhoods apart from minority groups.

## **Fair Housing Education and Outreach**

Fair housing outreach and education is imperative to ensure that those experiencing discrimination know when and how to seek help. Find below a more detailed description of fair housing services provided by local housing, social services, and legal service organizations

### Fair Housing Advocates of Northern California (FHANC)

FHANC is a non-profit agency with a mission to actively support and promote fair housing through education and advocacy. Fair housing services provided to residents outside of Marin, Sonoma, or Solano County include foreclosure prevention services & information, information on fair housing law for the housing industry, and other fair housing literature. Majority of the fair housing literature is provided in Spanish and English, with some provided in Vietnamese and Tagalog.

### Eden Council for Hope and Opportunity (ECHO) Fair Housing

ECHO Fair Housing is a HUD-approved housing counseling agency that aims to promote equal access in housing, provide support services to aid in the prevention of homelessness, and promote permanent housing conditions. The organization provides education and charitable assistance to the general public in matters related to obtaining and maintaining housing in addition to rental assistance, housing assistance, tenant/landlord counseling, homeseeking, homesharing, and mortgage and home purchase counseling. In Contra Costa County, ECHO Fair Housing provides fair housing services, first-time home buyer counseling and education, and tenant/landlord services (rent review and eviction harassment programs are available only in Concord).

- Fair housing services encompasses counseling, investigation, mediation, enforcement, and education.
- First-time home buyer counseling provides one-on-one counseling with a Housing Counselor on the homebuying process. The Housing Counselor will review all documentation, examine and identify barriers to homeownership, create an action plan, and prepare potential homebuyers for the responsibility of being homeowners. The Housing Counselor will also review the credit reports, determine what steps need to be taken to clean up adverse credit, provide counseling on money-saving methods, and assist in developing a budget.
- First-time home buyer education provides classroom training regarding credit information, home ownership incentives, home buying opportunities, predatory lending, home ownership responsibilities, government-assisted programs, as well as conventional financing. The class also provides education on how to apply for HUD-insured mortgages; purchase procedures, and alternatives for financing the purchase. Education also includes information on fair housing and fair lending and how to recognize discrimination and predatory lending procedures, and locating accessible housing if needed.
- ECHO's Tenant/Landlord Services provides information to tenants and landlords on rental housing issues such as evictions, rent increases, repairs and habitability, harassment, illegal entry, and other rights and responsibilities regarding the tenant/landlord relationship. Trained mediators assist in resolving housing disputes through conciliation and mediation
- In cities that adopt ordinances to allow Rent Reviews (City of Concord only in Contra Costa County), tenants can request a rent review from ECHO Housing by phone or email. This allows tenants who experience rent increases exceeding 10 percent in a 12-month period to seek non-binding conciliation and mediation services.

Though the Contra Costa County Consortium Analysis of Impediments (AI) to Fair Housing states that the organization provides information in Spanish, the ECHO website is predominantly in English with options to translate the homepage into various languages. Navigating the entire site may be difficult for the limited-English proficient (LEP) population.

#### Bay Area Legal Aid (BayLegal)

BayLegal is the largest civil legal aid provider serving seven Bay Area counties (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara). With respect to affordable housing, BayLegal has a focus area in housing preservation (landlord-tenant matters, subsidized and public housing issues, unlawful evictions, foreclosures, habitability, and enforcement of fair housing laws) as well as a homelessness task force that provides legal services and advocacy for systems change to maintain housing, help people exit homelessness, and protect unhoused persons' civil rights. The organization provides translations for their online resources to over 50 languages and uses volunteer interpreters/translators to help provide language access. Its legal advice line provides counsel and advice in different languages. Specific to Contra Costa County, tenant housing resources are provided in English and Spanish.

The Housing Preservation practice is designed to protect families from illegal evictions, substandard housing conditions, and wrongful denials and terminations of housing subsidies. The practice also works to preserve and expand affordable housing and protect families from foreclosure rescue scams. BayLegal helps low-income tenants obtain or remain in safe affordable housing by providing legal assistance in housing-law related areas such as public, subsidized (including Section 8 and other HUD subsidized projects) and private housing, fair housing and housing discrimination, housing conditions, rent control, eviction defense, lock-outs and utility shut-offs, residential hotels, and training advocates and community organizations.

BayLegal also provides free civil legal services to low-income individuals and families to prevent homelessness and increase housing stability as well as assist unhoused youth/adults address legal barriers that prevent them from exiting homelessness. This is done through a mix of direct legal services, coalition building and partnerships, policy advocacy, and litigation to advocate for systems change that will help people maintain housing, exit homelessness, and protect unhoused persons' civil rights. The Homelessness Task Force (HTF) was developed in response to complex barriers and inequities contributing to homelessness, and strives to build capacity and develop best practices across the seven aforementioned counties to enhance BayLegal's coordinated, multi-systems response to homelessness.

#### Pacific Community Services, Inc. (PCSI)

PCSI is a private non-profit housing agency that serves East Contra Costa County (Bay Point, Antioch, and Pittsburg) and provides fair housing counseling in English and Spanish. Housing Counseling Services provided include:

- Foreclosure Prevention: Consists of a personal interview and the development of a case management plan for families to keep their homes and protect any equity that may have built up. Relief measures sought include: loan modification or reduced payments, reinstatement and assistance under 'Keep Your Home' program, forbearance agreements, deed-in-lieu of foreclosure, refinancing or recasting the mortgage, or sale of the property
- Homeownership Counseling: Prepares first-time buyers for a successful home purchase by helping them in budgeting, understanding the home purchase process, and understanding the fees that lenders may charge to better prepare new buyers when acquiring their first home.
- Rental Counseling; Tenant and Landlord Rights: PCSI provides information and assistance in dealing with eviction and unlawful detainer actions, deposit returns, habitability issues. getting repairs done, mediation of tenant/landlord disputes, assisting tenant organizations, legal referrals to Bay Area Legal Aid & Bar Association resources, pre-rental counseling and budgeting
- Fair Housing Services: Include counseling regarding fair housing rights, referral services and education and outreach. PCSI offers training for landlords and owners involving issues of compliance with federal and state fair housing regulations.

- Fair Housing Education and Outreach: Offers informative workshops for social service organizations and persons of protected categories. These workshops are designed to inform individuals how to recognize and report housing discrimination.

Though promising, PCSI lacks contact information, resources, and accessibility on their website.

Overall, in terms of capacity, the capacity and funding of the above organizations is generally insufficient. Greater resources would enable stronger outreach efforts, including populations that may be less aware of their fair housing rights, such as limited-English proficiency and LGBTQ residents. Although ECHO serves most of Contra Costa County, it suffers from a severe lack of resources and capacity, with only one fair housing counselor serving the County. A lack of funding also constrains BayLegal's ability to provide fair housing services for people facing discrimination, which further burdens groups like ECHO that provide such services.

## Integration and Segregation

Segregation is defined as the separation or isolation of a race/ethnic group, national origin group, individuals with disabilities, or other social group by enforced or voluntary residence in a restricted area, by barriers to social connection or dealings between persons or groups, by separate educational facilities, or by other discriminatory means.

To measure segregation in a given jurisdiction, the US Department of Housing and Urban Development (HUD) provides racial or ethnic dissimilarity trends. Dissimilarity indices are used to measure the evenness with which two groups (frequently defined on racial or ethnic characteristics) are distributed across the geographic units, such as block groups within a community. The index ranges from 0 to 100, with 0 meaning no segregation and 100 indicating complete segregation between the two groups. The index score can be understood as the percentage of one of the two groups that would need to move to produce an even distribution of racial/ethnic groups within the specified area. For example, if an index score is above 60, 60 percent of people in the specified area would need to move to eliminate segregation. The following shows how HUD views various levels of the index:

- <40: Low Segregation
- 40-54: Moderate Segregation
- >55: High Segregation

### Race/Ethnicity

Ethnic and racial composition of a region is useful in analyzing housing demand and any related fair housing concerns as it tends to demonstrate a relationship with other characteristics such as household size, locational preferences and mobility. Prior studies have identified socioeconomic status, generational care needs, and cultural preferences as factors associated with "doubling up" — households with extended family members and non-kin. These factors have also been associated with ethnicity and race. Other studies have also found minorities tend to congregate in metropolitan



areas though their mobility trend predictions are complicated by economic status (minorities moving to the suburbs when they achieve middle class) or immigration status (recent immigrants tend to stay in metro areas/ports of entry).

Contra Costa County is a large, diverse jurisdiction in which people of color comprise a majority of the population. As of the 2010 Census, 47.75% of residents were non-Hispanic Whites, 8.92% of residents were non-Hispanic Blacks, 24.36% were Hispanics, 14.61% were non-Hispanic Asians or Pacific Islanders, 0.28% were non-Hispanic Native Americans, 3.77% were non-Hispanic multiracial individuals, and 0.30% identified as some other race.

The racial and ethnic demographics of Contra Costa County are similar to but not identical to those of the broader Bay Area Region. Overall, the County is slightly more heavily non-Hispanic White and slightly more heavily Hispanic than the Bay Area Region. The Bay Area Region is more heavily non-Hispanic Asian or Pacific Islander than the County. For all other racial or ethnic groups, the demographics of the County and the Region are relatively similar. Table 6 shows the racial composition of Contra Costa County and the Bay Area.

**Table 6: Racial Composition**

	<b>Contra Costa County</b>	<b>Bay Area**</b>
White, non-Hispanic	47.75%	39.30%
Black or African-American, non-Hispanic	8.92%	5.80%
American Indian and Alaska Native, non-Hispanic	0.28%	0.20%
Asian, non-Hispanic	14.61%*	26.70%*
Native Hawaiian and Other Pacific Islander, non-Hispanic	N/A	N/A
Some other race, non-Hispanic	0.30%	N/A
Two or more races, non-Hispanic	3.77%	N/A
Hispanic or Latino	24.36%	23.50%

\*Asian and Pacific Islander combined

\*\*Bay Area refers to members of the Association of Bay Area Governments (ABAG), which are the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma

Sources: American Community Survey, 2015-2019; ABAG Housing Needs Data Package; Contra Costa County Consortium Analysis of Impediments to Fair Housing 2020-2025

As explained above, dissimilarity indices are measures of segregation, with higher indices meaning higher degree of segregation. In Contra Costa County, all minority (non-White) residents combined are considered moderately segregated from White residents, with an index score of 41.86 at the Census tract level and 44.93 at the block group level (Table 7). Segregation between non-white and white residents has remained relatively steady since 1990. However, since 1990 segregation has increased from low to moderate levels for Hispanic residents, the largest increase amongst all racial/ethnic groups. This trend is commonly seen throughout the State and is likely attributed to

an increase of Hispanic residents during the migration boom of the mid-to-late 1990s. A two percent increase in segregation also occurred for Asian or Pacific Islander residents. Block group level data reveals that segregation is more prominent amongst Asian or Pacific Islander residents than what is measured at the tract level (index score of 40.55 at the block group level versus 35.67 at the tract level). For Black residents, segregation has actually decreased by 13 percent since 1990. The proportion of Black residents has remained relatively steady during this same time period, indicating segregation has been diminishing for the Black population. The above pattern holds true for the greater Bay Area Region as well.

**Table 7: Racial/Ethnic Dissimilarity Trends (1990–2020)**

Dissimilarity Index	Contra Costa County				Bay Area Region			
	1990 Trend	2000 Trend	2010 Trend	Current (2010 Census Block Group)	1990 Trend	2000 Trend	2010 Trend	Current (2010 Census Block Group)
Non-White/White	41.19	41.95	41.86	44.93	44.67	44.68	43.10	45.89
Black/White	67.52	62.54	58.42	61.80	66.72	63.71	59.29	63.49
Hispanic/White	36.70	45.24	48.07	49.49	43.56	49.67	49.59	51.24
Asian or Pacific Islander/White	34.89	32.73	35.67	40.55	45.55	44.94	44.33	48.21

Source: HUD’s Affirmatively Furthering Fair Housing Tool (AFFH-T), Table 3 – Racial/Ethnic Dissimilarity Trends, Data version: AFFHT006, released July 10th, 2020.

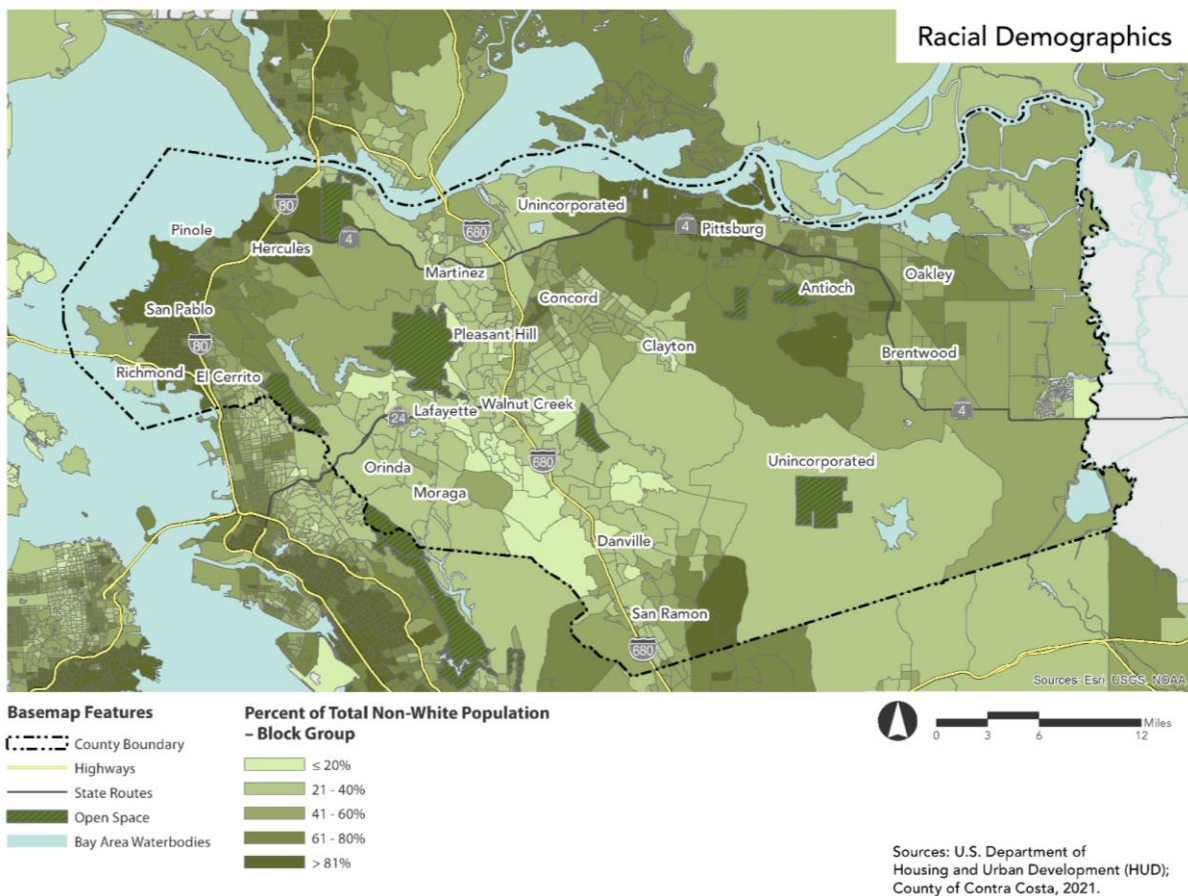
Note: The table presents Decennial Census values for 1990, 2000, 2010, all calculated by HUD using census tracts as the area of measurement. The “current” figure is calculated using block groups from the 2010 Decennial Census, because block groups can measure segregation at a finer grain than census tracts due to their smaller geographies. See [https://www.hud.gov/program\\_offices/fair\\_housing\\_equal\\_opp/affh](https://www.hud.gov/program_offices/fair_housing_equal_opp/affh) for more information.

According to the 2020 AI, the areas of segregation found throughout Contra Costa County include:

- Black residents concentrated in the cities of Antioch, Hercules, Pittsburg, and Richmond and the unincorporated community of North Richmond.
- Hispanic residents concentrated in the cities of Pittsburg, Richmond, and San Pablo; in specific neighborhoods within the cities of Antioch, Concord, and Oakley; and in the unincorporated communities of Bay Point, Montalvin Manor, North Richmond, and Rollingwood.
- Asians and Pacific Islanders concentrated in the Cities of Hercules and San Ramon, unincorporated communities of Camino Tassajara and Norris Canyon, and within neighborhoods in the cities of El Cerrito and Pinole.

- Non-Hispanic White residents concentrated in the cities of Clayton, Lafayette, Orinda, and Walnut Creek; in the Town of Danville; and in the unincorporated communities of Alamo, Alhambra Valley, Bethel Island, Castle Hill, Diablo, Discovery Bay, Kensington, Knightsen, Port Costa, Reliez Valley, San Miguel, and Saranap.
- There are also concentrations of non-Hispanic Whites within specific neighborhoods in the cities of Concord, Martinez, and Pleasant Hill. In general, the areas with the greatest concentrations of non-Hispanic Whites are located in the southern portions of central Contra Costa County

Additionally, the AFFH Data viewer provides information on the proportion on non-white residents at the block group level (Map 1) and further supports the trends highlighted in the 2020 AI.



**Map 1: Minority Concentrated Areas**

### Persons with Disabilities

In 1988, Congress added protections against housing discrimination for persons with disabilities through the FHA, which protects against intentional discrimination and unjustified policies and practices with disproportionate effects. The FHA also includes the following unique provisions to persons with disabilities: (1) prohibits the denial of requests for reasonable accommodations for

persons with disabilities, if necessary, to afford an individual equal opportunity to use and enjoy a dwelling; and (2) prohibits the denial of reasonable modification requests. With regards to fair housing, persons with disabilities have special housing needs because of the lack of accessible and affordable housing, and the higher health costs associated with their disability. In addition, many may be on fixed incomes that further limit their housing options.

According to the 2015-2019 American Community Survey (ACS) 5-year estimates, 118,603 residents (10.9% of Contra Costa County’s population) reported having one of six disability types listed in the ACS (hearing, vision, cognitive, ambulatory, self-care, and independent living). The percentage of residents detailed by disability are listed in Table 8 below. Though Contra Costa County has a higher percentage of population with disabilities, the county’s overall disability statistics are fairly consistent with the greater Bay Area, with ambulatory disabilities making up the greatest percentage of disabilities, followed by independent living, cognitive, hearing, self-care, and vision disabilities. Across the Bay Area and Contra Costa County, the percentage of individuals with disabilities also increases with age, with the highest percentage of individuals being those 75 years and older. Refer to Table 9 for the distribution of percentages by age.

**Table 8: Percentage of Populations by Disability Types**

<b>Disability Type</b>	<b>Contra Costa County</b>	<b>Bay Area*</b>
Hearing	2.9%	2.6%
Vision	1.8%	1.7%
Cognitive	4.4%	3.9%
Ambulatory	5.9%	5.4%
Self-Care Difficulty	2.4%	2.4%
Independent Living Difficulty	5.2%	5.1%
Percentage of Total Population with Disability	10.9%	9.8%

*\*Bay Area refers to San Francisco-Oakland-Berkeley, CA Metro Area*

*Source: 2019 ACS 5-year Estimates*

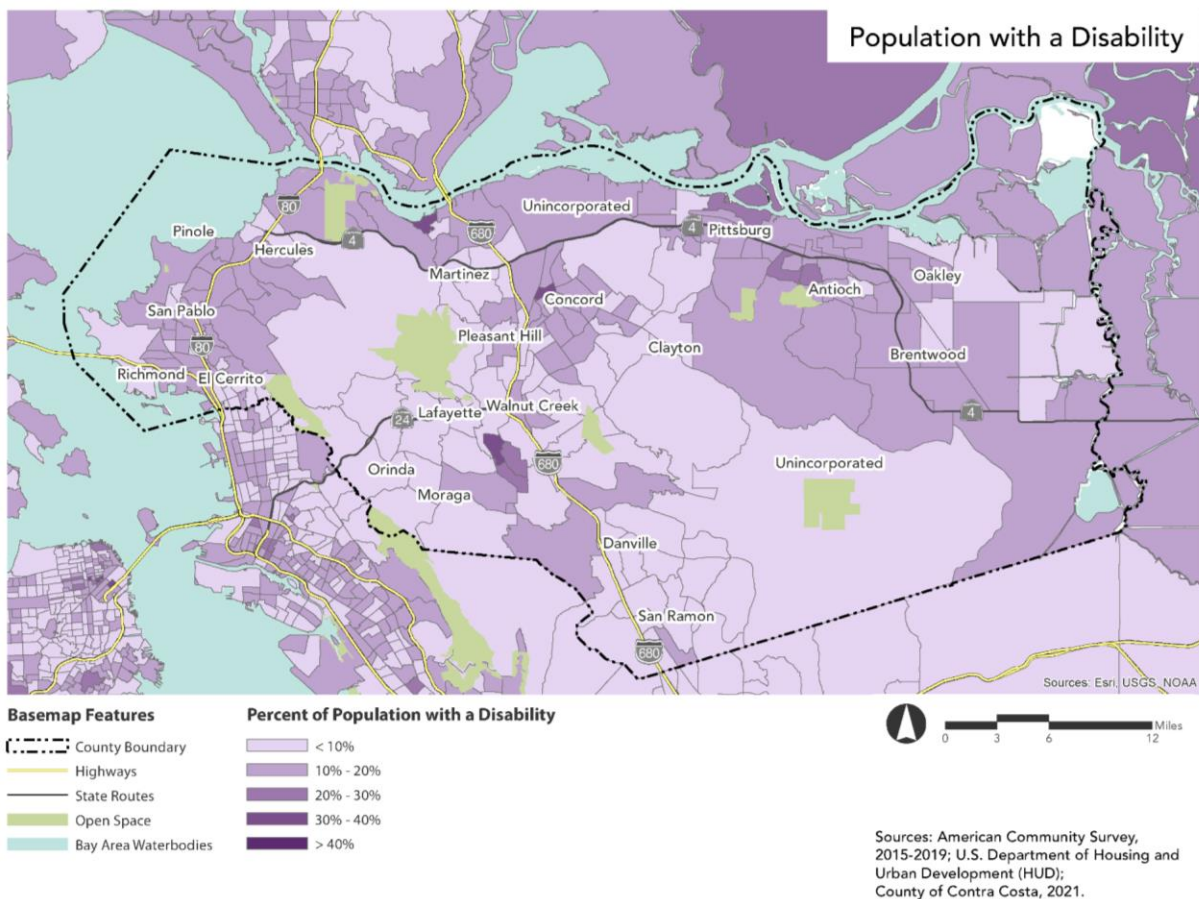
**Table 9: Percentage of Population with Disabilities by Age**

<b>Age</b>	<b>Contra Costa County</b>	<b>Bay Area*</b>
Under 5 years	0.8%	0.6%
5 - 17 years	4.9%	3.7%
18 - 34 years	6.2%	4.3%
35 - 64 years	9.7%	8.7%
65 - 74 years	21.5%	20.5%
75 years and over	51.2%	50.0%

*\*Bay Area refers to San Francisco-Oakland-Berkeley, CA Metro Area*

*Source: 2019 ACS 5-year Estimates*

In terms of geographic dispersal, there is a relatively homogenous dispersal of persons with disability, especially in Central Contra Costa County, where most census tracts have less than 10% of individuals with disabilities. Towards Eastern Contra Costa County, the Western boundary, and parts of Southern Contra Costa County, however, the percentage of population with disabilities increases to 10–20%. Pockets where over 40% of the population has disabilities can be observed around Martinez, Concord, and the outskirts of Lafayette. Comparing Map 2 and Map 6, note that areas with a high percentage of populations with disabilities correspond with areas with high housing choice voucher concentration (24% of people who utilize HCVs in Contra Costa County have a disability). Though use of HCVs do not represent a proxy for actual accessible units, participating landlords remain subject to the FHA to provide reasonable accommodations and allow tenants to make reasonable modifications at their own expense. Areas with a high percentage of populations with disabilities also correspond to areas with high percentages of low-moderate income communities. The above demographic information indicates socioeconomic trends of populations of persons with disabilities.



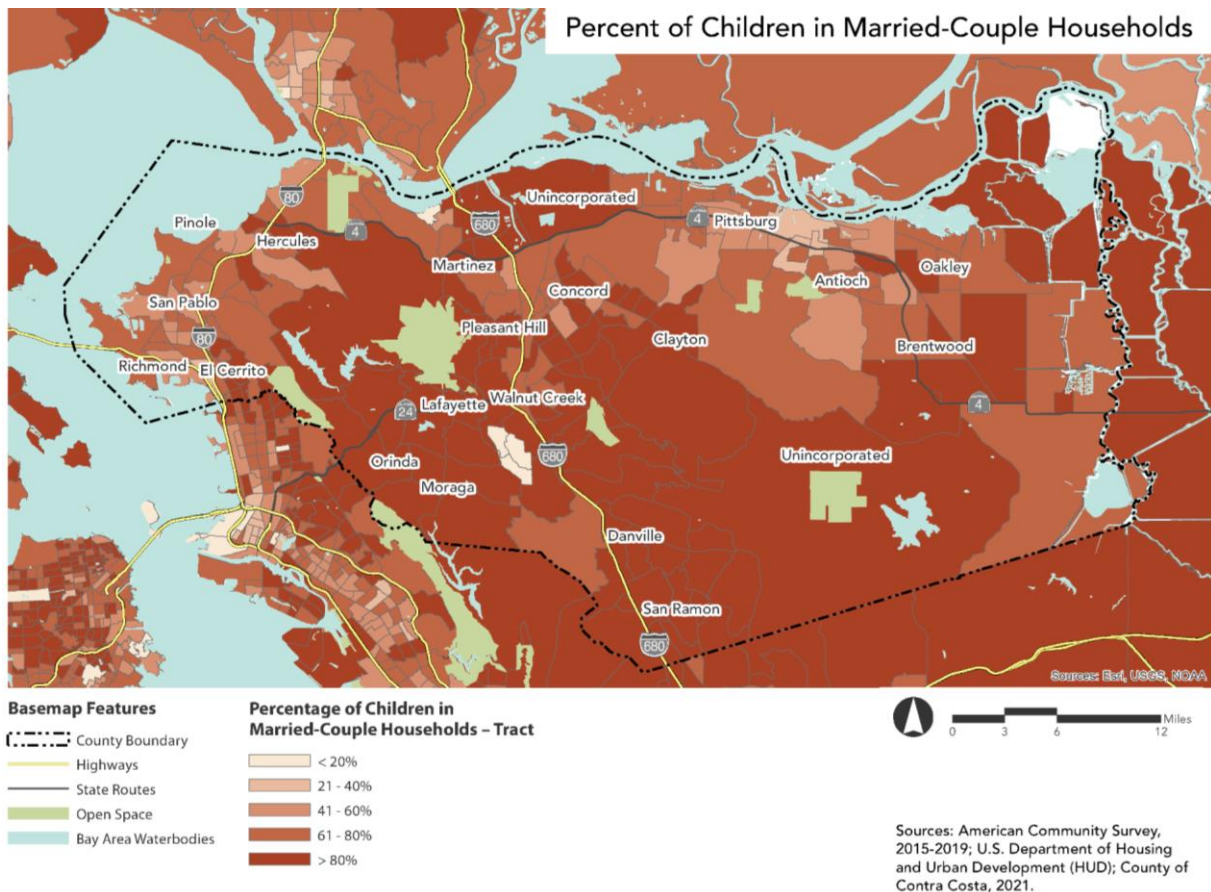
**Map 2 Distribution of Population with a Disability**

### Familial Status

Under the FHA, housing providers (e.g. landlords, property managers, real estate agents, or property owners) may not discriminate because of familial status. Familial status refers to the presence of

at least one child under 18 years old, pregnant persons, or any person in the process of securing legal custody of a minor child (including adoptive or foster parents). Examples of familial status discrimination include refusing to rent to families with children, evicting families once a child joins the family (through birth, adoption, or custody), enforcing overly restrictive rules regarding children’s use of common areas, requiring families with children to live on specific floors, buildings, or areas, charging additional rent, security deposit, or fees because a household has children, advertising a preference for households without children, and lying about unit availability.

Families with children often have special housing needs due to lower per capita income, the need for affordable childcare, the need for affordable housing, or the need for larger units with three or more bedrooms. Single parent households are also protected by fair housing law. Of particular consideration are female-headed households, who may experience greater housing affordability challenges due to typically lower household incomes compared to two-parent households. Often, sex and familial status intersect to compound the discrimination faced by single mothers.

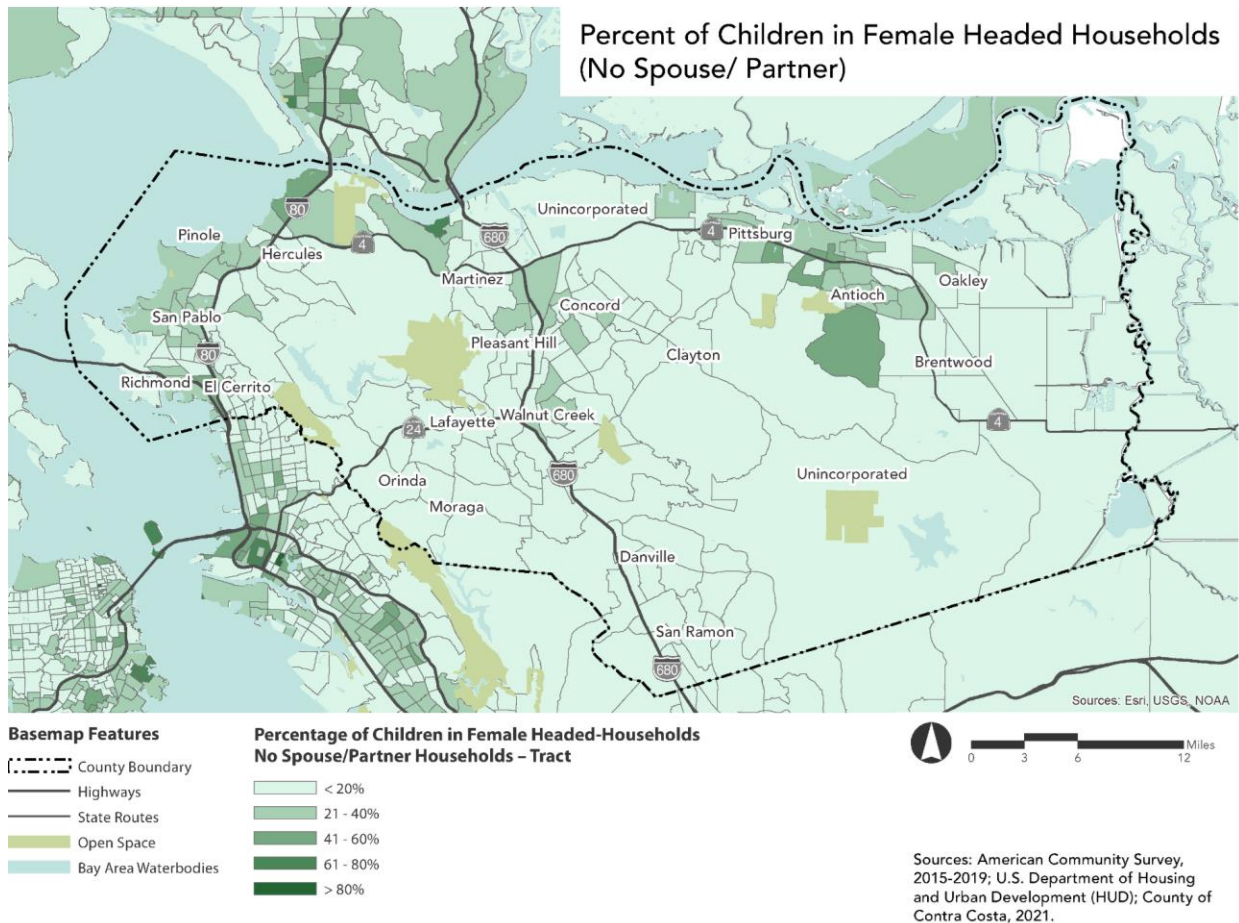


**Map 3 Distribution of Percentage of Children in Married-Couple Households**

Map 3 indicates that most children living in Contra Costa County live in married-couple households, especially in central parts of the county where the percentage of children in such households exceed 80%. Census tracts adjacent to these areas also have relatively high percentages of children

living in married-couple households (60 - 80%). Census tracts with the lowest percentage of children in married-couple households (less than 20%) are located between Pittsburg and Antioch.

Map 4 depicts the concentration of households headed by single mothers in the County by Census Tract. Areas of concentration include Richmond, San Pablo, Rodeo, Bay Point, Pittsburg, Antioch, and to the west of Concord. Those communities are also areas of high minority populations. By contrast, central County, in general, and the portions of central County to the south of the City of Concord have relatively low concentrations of children living in female-headed households (less than 20%). These tend to be more heavily White or White and Asian and Pacific Islander communities.



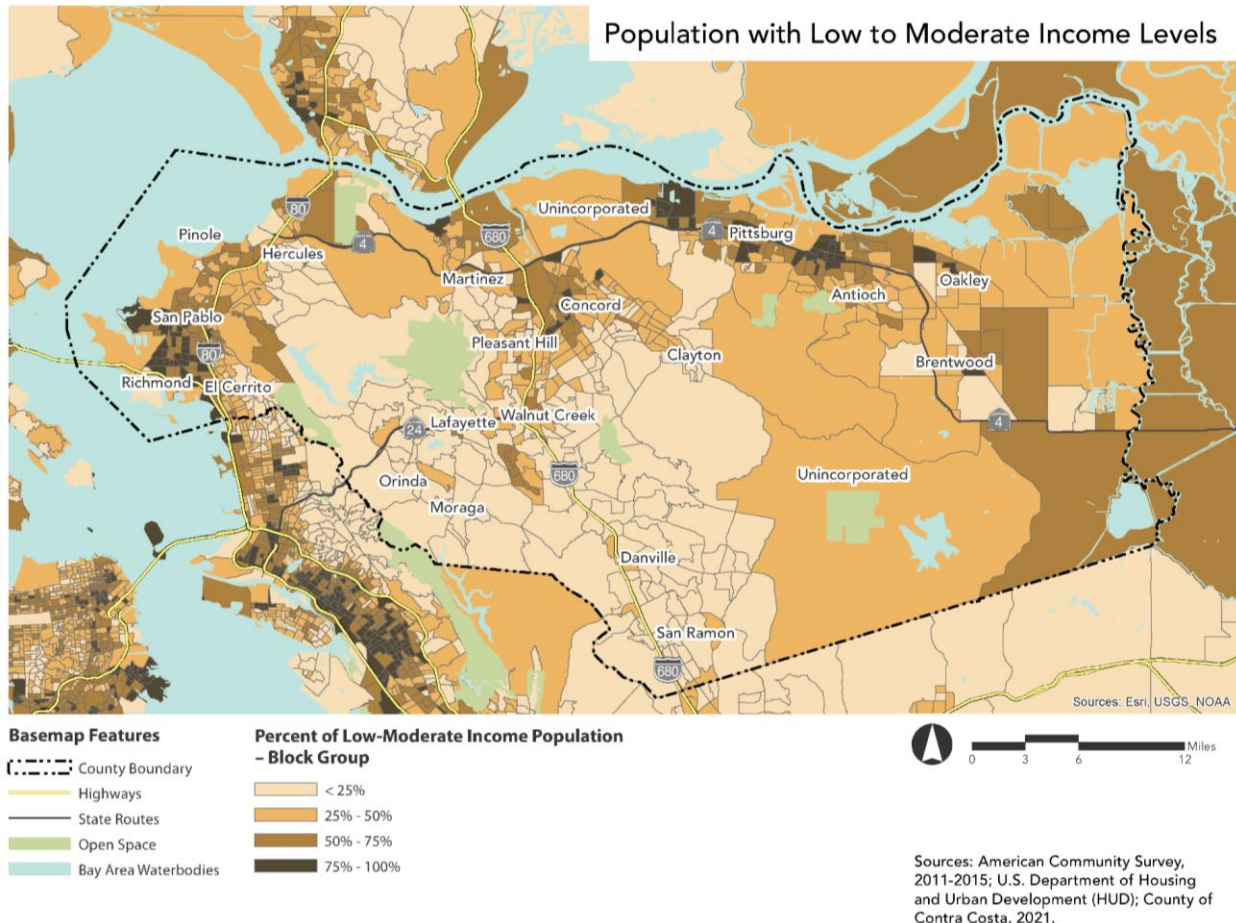
**Map 4 Distribution of Percentage of Children in Female-Headed, No-Spouse or No-Partner Households**

Income Level

Each year, the HUD receives custom tabulations of American Community Survey (ACS) data from the U.S. Census Bureau. Known as the "CHAS" data (Comprehensive Housing Affordability Strategy), it demonstrates the number of households in need of housing assistance by estimating the number of households that have certain housing problems and have income low enough to qualify for HUD's programs (primarily 30, 50, and 80 percent of median income). HUD defines a

Low to Moderate Income (LMI) area as a census tract or block group where over 51 percent of the population is LMI (based on HUD income definition of up to 80 percent of the Area Median Income).

Map 5 shows the LMI areas in Contra Costa County by block group. Most of central Contra Costa County has less than 25% of LMI populations. Block groups with high concentrations of LMI (between 75–100% of the population) can be found clustered around Antioch, Pittsburg, Richmond, and San Pablo. There are also small pockets with high percentages of LMI population around Concord. Other areas of the county have a moderate percentage of LMI population (25–75%).



**Map 5 Distribution of Percentage of Population with Low to Moderate Income Levels**

Table 10 lists Contra Costa County households by income category and tenure. Based on the above definition, 38.71% of Contra Costa County households are considered LMI as they earn less than 80% of the HUD Area Median Family Income (HAMFI). Almost 60% of all renters are considered LMI compared to only 27.5% of owner households.



**Table 10: Households by Income Category and Tenure in Contra Costa County**

<b>Income Distribution Overview</b>	<b>Owner</b>	<b>Renter</b>	<b>Total</b>
Household Income <= 30% HAMFI	7.53%	26.95%	14.40%
Household Income >30% to <=50% HAMFI	8.85%	17.09%	11.76%
Household Income >50% to <=80% HAMFI	11.12%	15.16%	12.55%
Household Income >80% to <=100% HAMFI	8.98%	9.92%	9.31%
Household Income >100% HAMFI	63.52%	30.89%	51.98%
Total Population	248,670	135,980	384,645

Source: HUD Office of Policy Development and Research (PD&R) CHAS Data; 2011–2015 ACS

Housing Choice Vouchers (HCV)

Housing Choice Vouchers (HCV) are a form of HUD rental subsidy issued to a low-income household that promises to pay a certain amount of the household’s rent. Prices, or payment standards, are set based on the rent in the metropolitan area, and voucher households must pay any difference between the rent and the voucher amount. Participants of the HCV program are free to choose any rental housing that meets program requirements

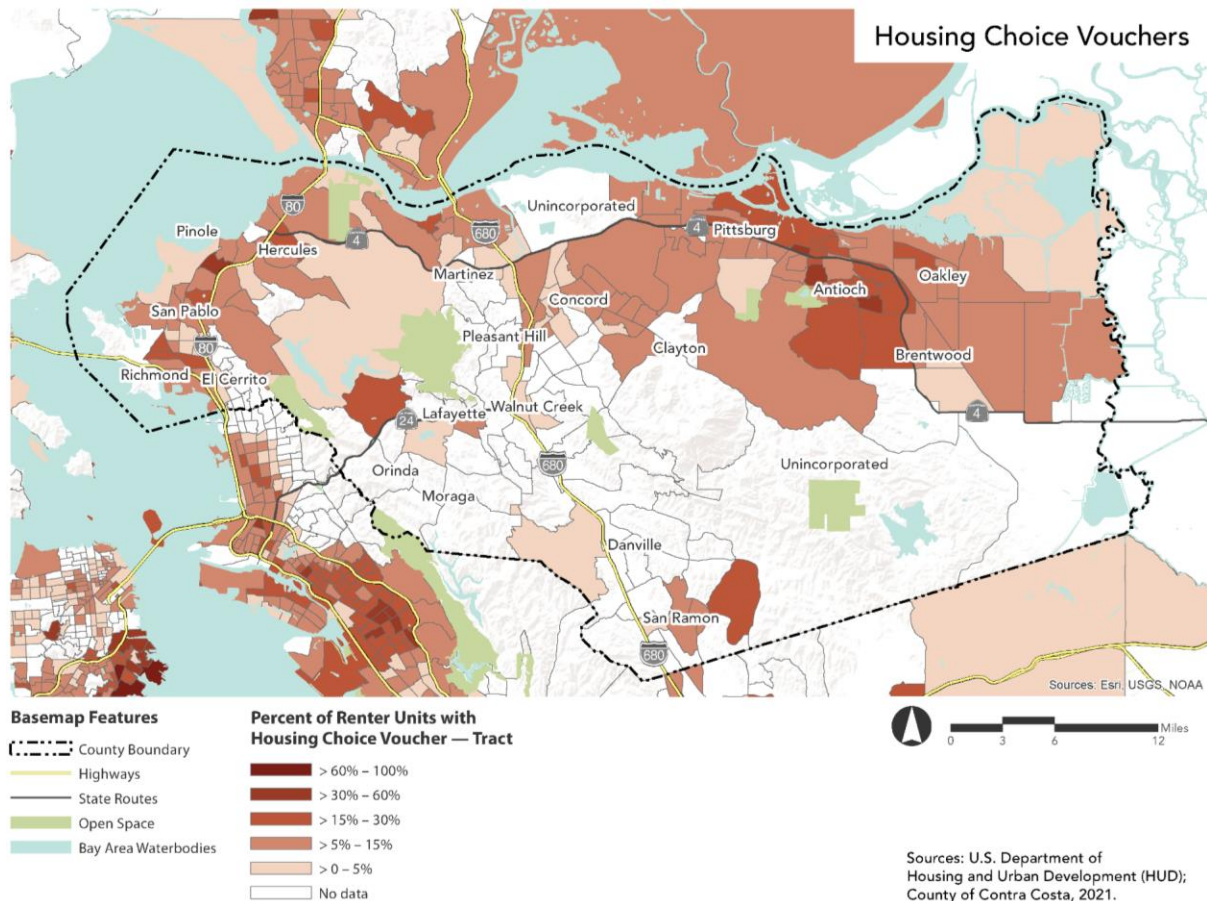
An analysis of the trends in HCV concentration can be useful in examining the success of the program in improving the living conditions and quality of life of its holders. One of the objectives of the HCV program is to encourage participants to avoid high-poverty neighborhoods, and encourage the recruitment of landlords with rental properties in low-poverty neighborhoods. HCV programs are managed by Public Housing Agencies (PHAs), and the programs assessment structure (Section Eight Management Assessment Program) includes an “expanding housing opportunities” indicator that shows whether the PHA has adopted and implemented a written policy to encourage participation by owners of units located outside areas of poverty or minority concentration.

A study prepared by HUD’s Office of Policy Development and Research found a positive association between the HCV share of occupied housing and neighborhood poverty concentration, and a negative association between rent and neighborhood poverty. This means that HCV use was concentrated in areas of high poverty where rents tend to be lower. In areas where these patterns occur, the program has not succeeded in moving holders out of areas of poverty.

In Contra Costa County, the Housing Authority of Contra Costa County (HACCC) administers approximately 7,000 units of affordable housing under the HCV program (and Shelter Care Plus program). Northwest Contra Costa County is served by the Richmond Housing Authority (RHA) that administers approximately 1,851 HCVs. North-central Contra Costa County is served by the Housing Authority of the City of Pittsburg (HACP), which manages 1,118 tenant-based HCVs.

The HCV program serves as a mechanism for bringing otherwise unaffordable housing within reach of low-income populations. With reference to Map 6, the program appears to be most prominent in western Contra Costa County, in heavily Black and Hispanic areas, and in the

northeast of the County, in predominantly Black, Hispanic, and Asian areas. Central Contra Costa County largely has no data on the percentage of renter units with HCVs. The correlation between low rents and a high concentration of HCV holders holds true for the areas around San Pablo, Richmond, Martinez, Pittsburg, and Antioch.



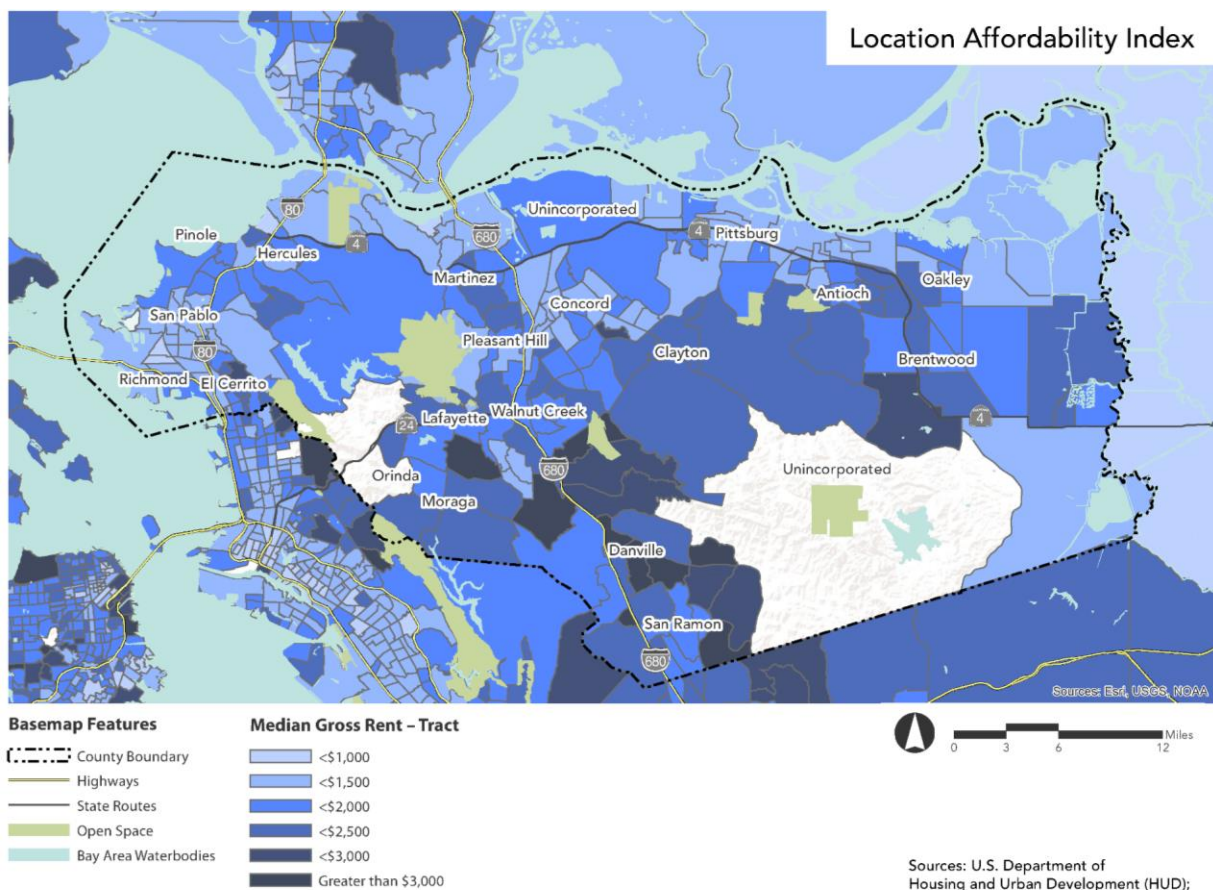
**Map 6 Distribution of Percentage of Renter Units with Housing Choice Vouchers**

Map 7 shows the Location Affordability Index in Contra Costa County. The Index was developed by HUD in collaboration with DOT under the federal Partnership for Sustainable Communities. One objective of the Partnership is to increase public access to data on housing, transportation, and land use. Before this Index, there was no standardized national data source on household transportation expenses, which limited the ability of homebuyers and renters to fully account for the cost of living in a particular city or neighborhood.

The prevailing standard of affordability in the United States is paying 30 percent or less of your family’s income on housing, but this fails to account for transportation costs. One reason is that transportation costs have grown significantly as a proportion of household income since this standard was established. According to the Bureau of Labor Statistics, in the 1930’s American households spent just 8 percent of their income on transportation. Since then, as a substantial

proportion of the U.S. population has migrated from center cities to surrounding suburbs and exurbs and come to rely more heavily (or exclusively) on cars, that percentage has steadily increased, peaking at 19.1 percent in 2003. As of 2013, households spent on average about 17 percent of their annual income on transportation, second only to housing costs in terms of budget impact. And for many working-class and rural households, transportation costs actually exceed housing costs.

In Contra Costa County, we see that the majority of the county has a median gross rent of \$2,000–\$2,500. Central Contra County (areas between Danville and Walnut Creek) have the highest rents around \$3,000 or more. The most affordable tracts in the county are along the perimeter of the County in cities like Richmond, San Pablo, Pittsburg and Martinez.



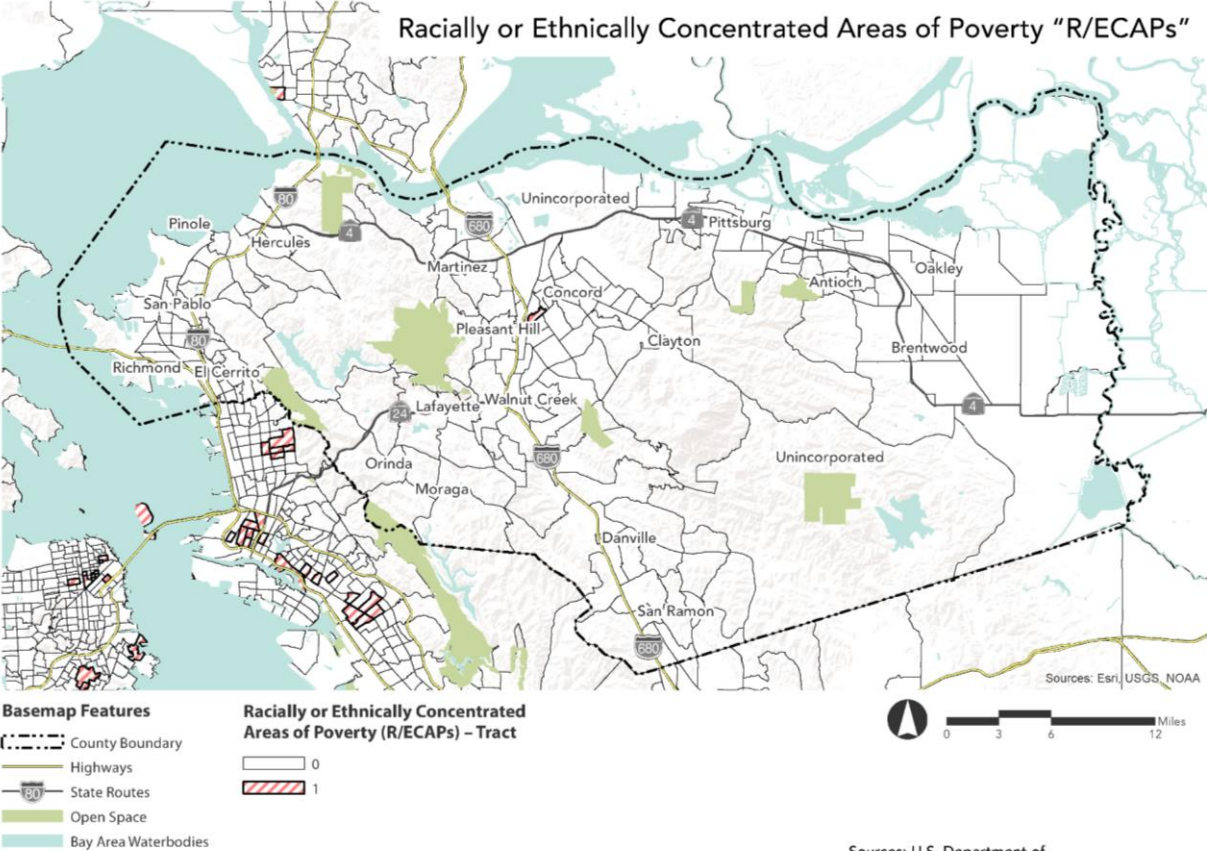
**Map 7 Location Affordability Index**

# Racially and Ethnically Concentrated Areas

## Racially and Ethnically Concentrated Areas of Poverty (R/ECAP)

Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs) are geographic areas with significant concentrations of poverty and minority populations. HUD developed a census-tract based definition of R/ECAP that relies on a racial and ethnic concentration threshold and a poverty test. The threshold states that an area with a non-White population of 50% or more would be identified as a R/ECAP; the poverty test defines areas of extreme poverty as areas where 40% or more of the population live below the federal poverty line or where the poverty rate is three times the average poverty rate for the metropolitan area (whichever is lower). Thus, an area that meets either the racial or ethnic concentration, and the poverty test would be classified as a R/ECAP. Identifying R/ECAPS facilitates an understanding of entrenched patterns of segregation and poverty due to the legacy effects of historically racist and discriminatory housing laws.

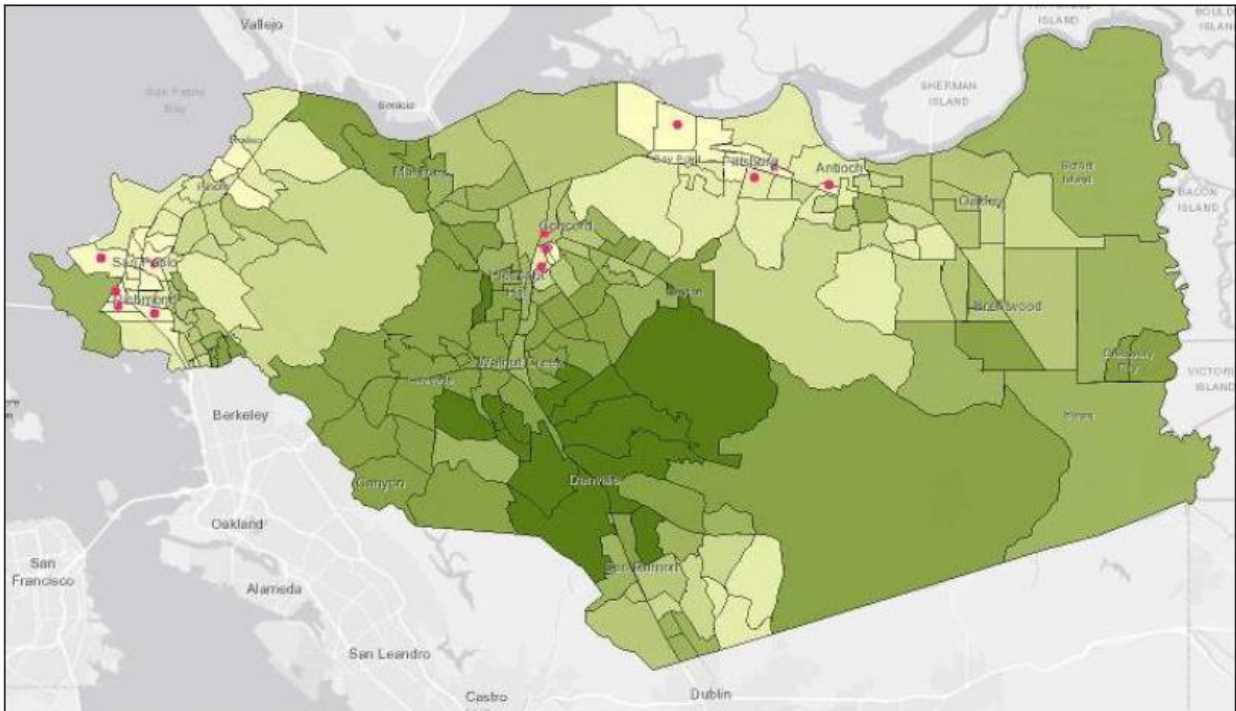
In Contra Costa County, the only area that meets the official definition of a R/ECAP is Monument Corridor in Concord (highlighted with red stripes in Map 8 below).



## Map 8 R/ECAPs in Contra Costa County

### **Expanded R/ECAPs in Contra Costa County**

According to the 2020 Contra Costa County AI, however, the HUD definition that utilizes the federal poverty rate is not suitable for analysis in the San Francisco Bay Area due to the high cost of living. The HUD definition would severely underestimate whether an individual is living in poverty. The Contra Costa County AI proposes an alternate definition of a R/ECAP that includes majority-minority census tracts that have poverty rates of 25 percent or more. Under this definition, twelve other census tracts would qualify as R/ECAPs in the areas of Antioch, Bay Point, Concord, Pittsburg, North Richmond, Richmond and San Pablo (Refer to Map 9).



### **Map 9 Expanded R/ECAPs in Contra Costa County**

Source: Contra Costa County Analysis of Impediments to Fair Housing Choice January 2020-2025 (2020 AI).

Note: The 2020 AI does not provide a legend for the map shown above nor does it name the specific 12 additional R/ECAPs identified. The map shows the general location of the expanded R/ECAPs identified in the County.

- Antioch: One R/ECAP located between Highway 4 (on the southern end) and railroad tracks (on the northern end). Somerville Road and L Street form the eastern and western boundaries.
- Bay Point: One R/ECAP located north of Willow Pass Road and goes all the way to the water. It is roughly bounded to the east by Loftus Road and the west by Port Chicago Highway.
- Concord: Three R/ECAPS that share borders with each other. They are all located in the Monument Corridor area of Concord and include the one official R/ECAP identified through

the HUD AFFH Data and Mapping Tool. The R/ECAPs are roughly bounded by Highway 242 to the west, and Monument Boulevard to the east.

- Pittsburg: Two R/ECAPS that border each other. The northern R/ECAP is bounded by E. 14th Street to the north and Highway 4 to the south. The other R/ECAP, immediately to the south of the first, is similarly bounded by Highway 4 to the north and Buchanan Road to the south. It is bounded by Railroad Avenue to the west.
- North Richmond: One R/ECAP with Giant Road as its eastern boundary. It lies between W. Gertrude Avenue to the south and Parr Boulevard to the north. The census tract extends all the way to the water on the west side.
- Richmond: Three R/ECAPs roughly located within the Iron Triangle area. Two of the R/ECAPs are stacked on top of each other and form a triangle shape. The southern border aligns with Ohio Avenue, and sides of the triangle area bounded by Richmond Parkway to the west, and the railroad tracks along Carlson Boulevard to the east. The third R/ECAP is directly to the east of the other two. It extends roughly to Highway 80 on its eastern side, and the southern border is formed by Cutting Boulevard. The western boundary is shared with the other two R/ECAPs, and is formed by the railroad tracks along Carlson Boulevard. The northern boundary roughly aligns with Macdonald Avenue.
- San Pablo: One R/ECAP bounded by Highway 80 to the east, and El Portal Road to the north. The western boundary is formed by San Pablo Avenue and 23rd Street. The southern boundary roughly traces the San Pablo city boundary

According to the 2012-2016 American Community Survey, 69,326 people lived in these expanded R/ECAPs, representing 6.3 percent of the County's population. Hispanic and Black populations make up a disproportionately large percentage of residents who reside in R/ECAPs compared to the population of the County or Region as a whole. In Contra Costa County, approximately 53% of individuals living in R/ECAPs are Hispanic, nearly 18% are Black, 19.57% are Mexican American, 4.65% are Salvadoran American, and 1.49% are Guatemalan Americans. Families with children under 18 still in the household comprise almost 60% of the population in Contra Costa County's R/ECAPs, significantly higher than neighboring metropolitan areas of San Francisco, Oakland, and Hayward. To those already living in poverty, the higher rate of dependent children in their households would translate to a greater strain on their resources.

### **Racially Concentrated Areas of Affluence (RCAAs)**

Racially Concentrated Areas of Affluence (RCAAs) are defined by the HUD as communities with a large proportion of affluent and non-Hispanic White residents. According to a policy paper published by the HUD, non-Hispanic Whites are the most racially segregated group in the United States. In the same way neighborhood disadvantage is associated with concentrated poverty and high concentrations of people of color, distinct advantages are associated with residence in affluent, White communities. RCAAs are currently not available for mapping on the AFFH Data Viewer. As such, an alternate definition of RCAA from the University of Minnesota Humphrey School of Public Affairs is used in this analysis. RCAAs are defined as census tracts where (1) 80

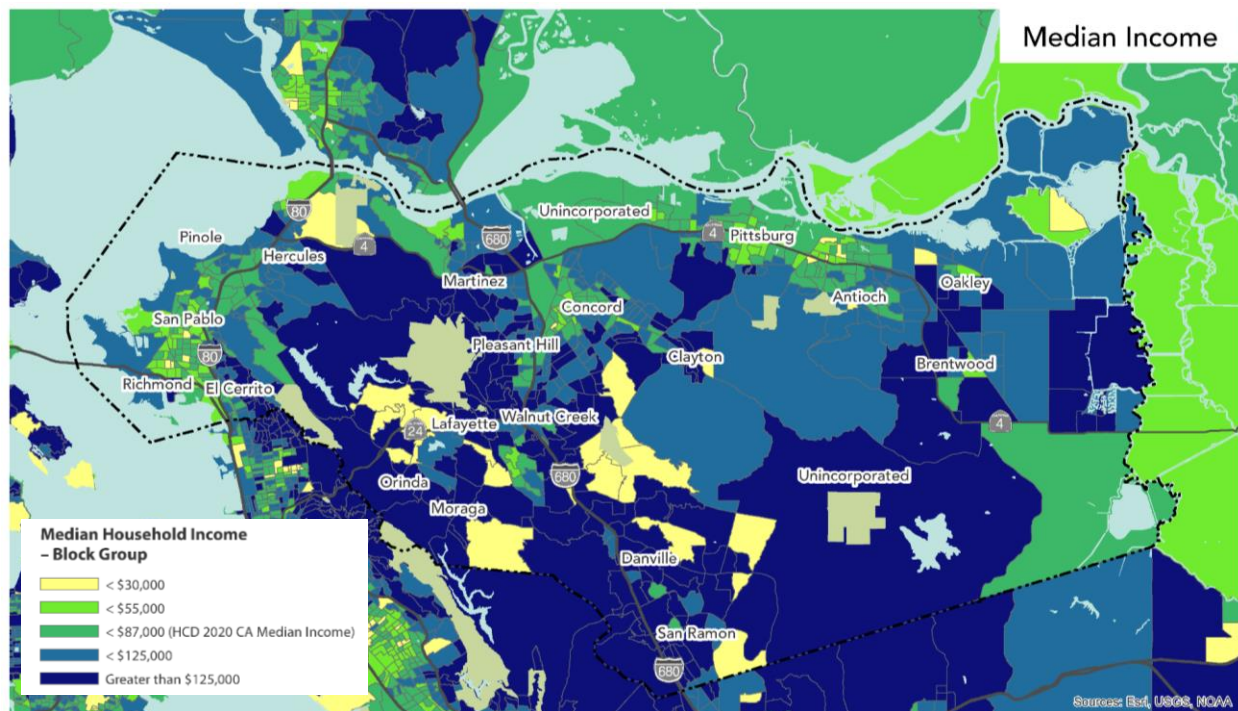
percent or more of the population is white, and (2) the median household income is \$125,000 or greater (slightly more than double the national median household income in 2016).

By cross-referencing Map 1 and Map 10, we can see a string of RCAs running from Danville to Lafayette and that tapers off towards Walnut Creek. This aligns with the cities' racial demographic and median income (summarized in Table 11 below). Although not all census tracts/block groups meet the criteria to qualify as RCAs, there is a tendency for census block groups with higher white populations to have higher median incomes throughout the county.

**Table 11: White Population and Median Household Income of RCAs in Contra Costa County**

City	White Population	Median Household Income (2019)
Danville	80.53%	\$160,808
Lafayette	81.23%	\$178,889
Walnut Creek	74.05%	\$105,948

Source: DataUSA.io (2019)



Sources: American Community Survey, 2015-2019; U.S. Department of Housing and Urban Development (HUD); County of Contra Costa, 2021.

**Map 10 Median Household Income in Contra Costa County**

# Access to Opportunity

Access to opportunity is a concept to approximate the link between place-based characteristics (e.g. education, employment, safety, and the environment) and critical life outcomes (e.g. health, wealth, and life expectancy). Ensuring access to opportunity means both improving the quality of life for residents of low-income communities, as well as supporting residents' mobility and access to 'high resource' neighborhoods.

## **TCAC Maps**

TCAC Maps are opportunity maps created by the California Fair Housing Task Force (a convening of the Department of Housing and Community Development (HCD) and the California Tax Credit Allocation Committee (TCAC)) to provide research and evidence-based policy recommendations to further HCD's fair housing goals of (1) avoiding further segregation and concentration of poverty and (2) encouraging access to opportunity through land use policy and affordable housing, program design, and implementation. These opportunity maps identify census tracts with highest to lowest resources, segregation, and poverty, which in turn inform the TCAC to more equitably distribute funding for affordable housing in areas with the highest opportunity through the Low-Income Housing Tax Credit (LIHTC) Program.

TCAC Opportunity Maps display areas by highest to lowest resources by assigning scores between 0–1 for each domain by census tracts where higher scores indicate higher "access" to the domain or higher "outcomes." Refer to Table 12 for a list of domains and indicators for opportunity maps. Composite scores are a combination score of the three domains that do not have a numerical value but rather rank census tracts by the level of resources (low, moderate, high, highest, and high poverty and segregation). The opportunity maps also include a measure or "filter" to identify areas with poverty and racial segregation. The criteria for these filters were:

- Poverty: Tracts with at least 30 percent of population under the federal poverty line;
- Racial Segregation: Tracts with location quotient higher than 1.25 for Blacks, Hispanics, Asians, or all people of color in comparison to the County



**Table 12: Domains and List of Indicators for Opportunity Maps**

Domain	Indicator
Economic	Poverty Adult Education Employment Job Proximity Median Home Value
Environmental	CalEnviroScreen 3.0 Pollution Indicators and Values
Education	Math Proficiency Reading Proficiency High School Graduation Rates Student Poverty Rates

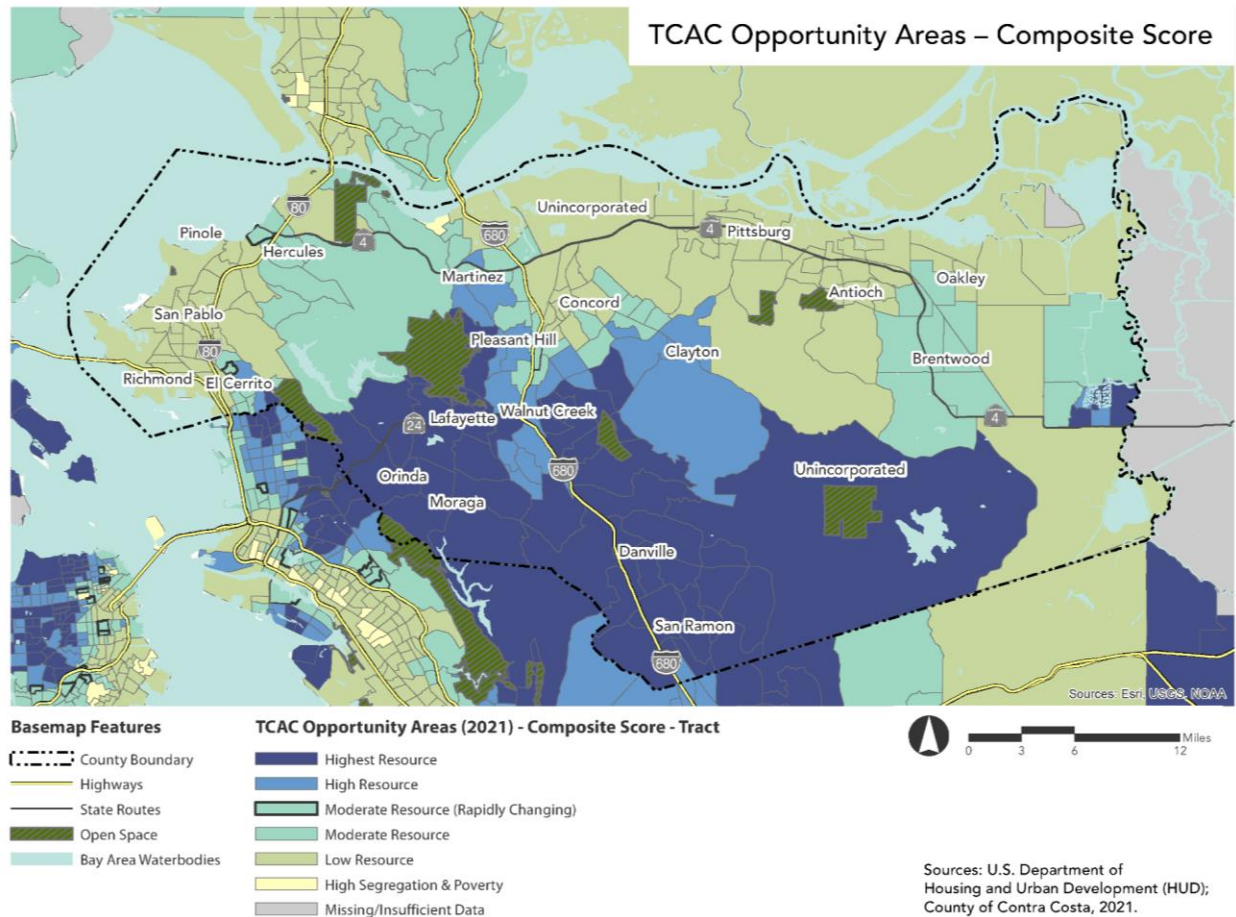
Source: California Fair Housing Task Force, *Methodology for the 2021 TCAC/HCD Opportunity Maps*, December 2020

High resource areas have high index scores for a variety of opportunity indicators such as high employment rates, low poverty rates, proximity to jobs, high educational proficiency, and limited exposure to environmental health hazards. High resource tracts are areas that offer low-income residents the best chance of a high quality of life, whether through economic advancement, high educational attainment, or clean environmental health. Moderate resource areas have access to many of the same resources as the high resource areas but may have fewer job opportunities, lower performing schools, lower median home values, or other factors that lower their indexes across the various economic, educational, and environmental indicators. Low resource areas are characterized as having fewer opportunities for employment and education, or a lower index for other economic, environmental, and educational indicators. These areas have greater quality of life needs and should be prioritized for future investment to improve opportunities for current and future residents.

Information from opportunity mapping can help highlight the need for housing element policies and programs that would help to remediate conditions in low resource areas or areas of high segregation and poverty, and to encourage better access for low and moderate income and black, indigenous, and people of color (BIPOC) households to housing in high resource areas.

Map 11 provides a visual representation of TCAC Opportunity Areas in Contra Costa County based on a composite score, where each tract is categorized based on percentile rankings of the level of resources within the region. The only census tract in Contra Costa County considered an area of high segregation & poverty is located in Martinez. Concentrations of low resource areas are located in the northwestern and eastern parts of the county (Richmond to Hercules and Concord to Oakley); census tracts with the highest resources are located in central and southern parts of the county

(San Ramon, Danville, Moraga, and Lafayette).



**Map 11 Composite Score of TCAC Opportunity Areas in Contra Costa County**

### **Opportunity Indices**

This section presents the HUD-developed index scores based on nationally available data sources to assess residents’ access to key opportunity assets in comparison to the County. Table 13 provides index scores or values (the values range from 0 to 100) for the following opportunity indicator indices:

- **School Proficiency Index:** The school proficiency index uses school-level data on the performance of 4th grade students on state exams to describe which neighborhoods have high-performing elementary schools nearby and which are near lower performing elementary schools. *The higher the index value, the higher the school system quality is in a neighborhood.*
- **Labor Market Engagement Index:** The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood. This is based upon the level of employment, labor force participation, and educational attainment in a census tract. *The higher the index value, the higher the labor force participation and human capital in a neighborhood.*

- **Transit Trips Index:** This index is based on estimates of transit trips taken by a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region (i.e. the Core-Based Statistical Area (CBSA)). *The higher the transit trips index value, the more likely residents in that neighborhood utilize public transit.*
- **Low Transportation Cost Index:** This index is based on estimates of transportation costs for a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region/CBSA. *The higher the index value, the lower the cost of transportation in that neighborhood.*
- **Jobs Proximity Index:** The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a region/CBSA, with larger employment centers weighted more heavily. *The higher the index value, the better the access to employment opportunities for residents in a neighborhood.*
- **Environmental Health Index:** The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level. The higher the index value, the less exposure to toxins harmful to human health. *Therefore, the higher the index value, the better the environmental quality of a neighborhood, where a neighborhood is a census block-group.*

**Table 13 Opportunity Indices in Contra Costa County**

<b>Index</b>	<b>School Proficiency</b>	<b>Transit Trip</b>	<b>Low Transportation Cost</b>	<b>Labor Market</b>	<b>Jobs Proximity</b>	<b>Environmental Health</b>
<b>Contra Costa County</b>						
<b>Total Population</b>						
White, Non-Hispanic	69.32	79.83	71.72	68.76	49.30	54.75
Black, Non-Hispanic	34.34	81.81	75.62	42.52	48.12	43.68
Asian or Pacific Islander, Non-Hispanic	59.43	80.81	72.22	66.87	45.27	52.22
Native American, Non-Hispanic	49.99	80.47	73.09	51.19	49.04	47.92
Hispanic	39.38	82.31	75.57	42.30	45.11	43.85
<b>Population Below Federal Poverty Line</b>						
White, Non-Hispanic	55.60	81.05	74.17	55.46	50.67	49.39
Black, Non-Hispanic	25.84	84.03	78.23	32.63	48.69	39.84
Asian or Pacific Islander, Non-Hispanic	46.48	84.04	77.75	52.15	50.02	41.52
Native American, Non-Hispanic	19.92	82.61	75.06	34.52	48.41	46.48
Hispanic	30.50	84.69	78.06	32.01	44.57	38.66

*Note: American Community Survey Data are based on a sample and are subject to sampling variability.*

*Source: AFFHT Data Table 12; Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA*

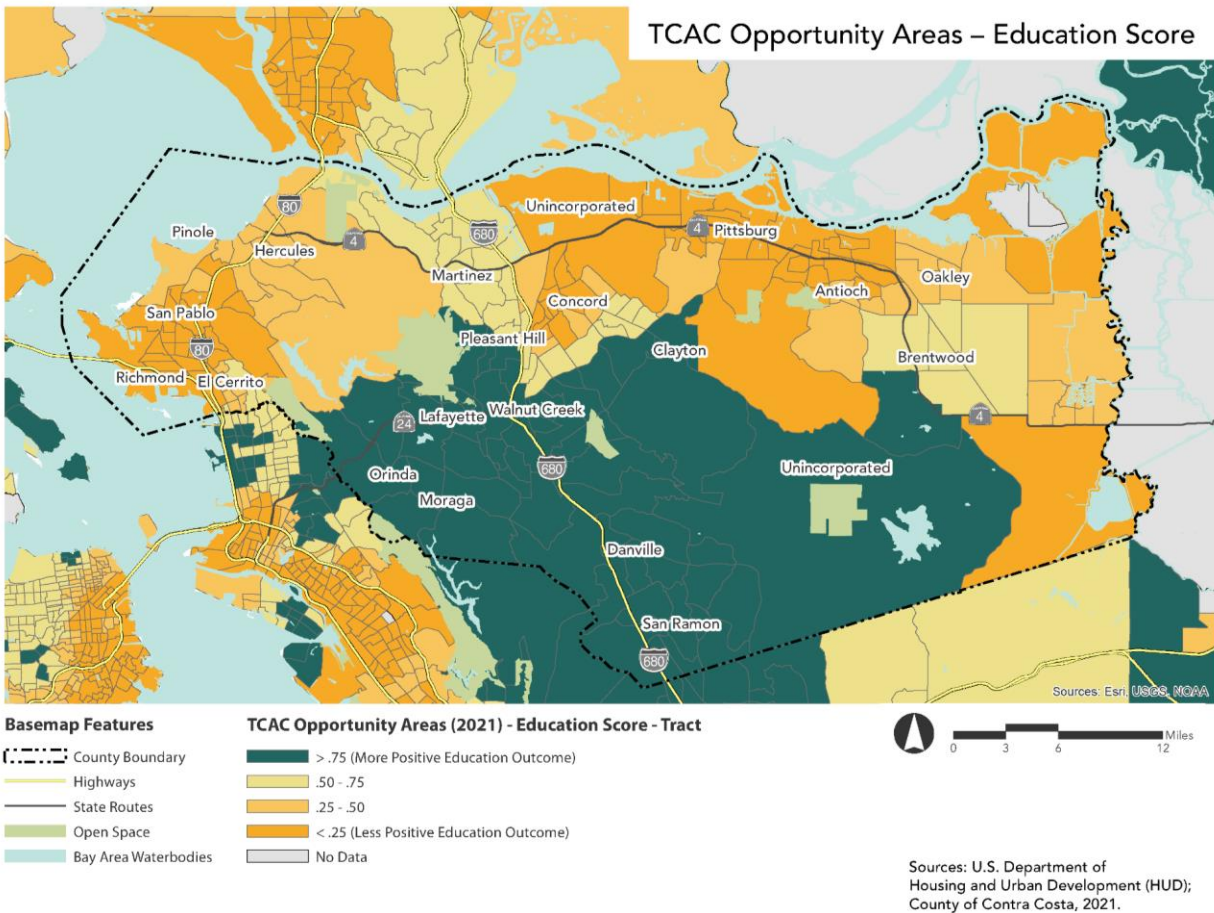
## Education

Housing and school policies are mutually reinforcing, which is why it is important to analyze access to educational opportunities when assessing fair housing. At the most general level, school districts with the greatest amount of affordable housing tend to attract larger numbers of LMI families (largely composed of minorities). As test scores are a reflection of student demographics, where Black/Hispanic/Latino students routinely score lower than their White peers, less diverse schools with higher test scores tend to attract higher income families to the school district. This is a fair housing issue because as higher income families move to the area, the overall cost of housing rises and an exclusionary feedback loop is created, leading to increased racial and economic segregation across districts as well as decreased access to high-performing schools for non-White students.

According to the Contra Costa County AI, academic outcomes for low-income students are depressed by the presence of high proportions of low-income classmates; similarly situated low-income students perform at higher levels in schools with lower proportions of low income students. The research on racial segregation is consistent with the research on poverty concentration—positive levels of school integration led to improved educational outcomes for all students. Thus, it is important wherever possible to reduce school-based poverty concentration and to give low-income families access to schools with lower levels of poverty and greater racial diversity.

The 2021 TCAC Opportunity Areas Education Composite Score for a census tract is based on math and reading proficiency, high school graduation rate, and student poverty rate indicators. The score is broken up by quartiles, with the highest quartile indicating more positive education outcomes and the lowest quartile signifying fewer positive outcomes.

There are 19 public school districts in Contra Costa County, in addition to 124 private schools and 19 charter schools. Map 12 shows that the northwestern and eastern parts of the county have the lowest education domain scores (less than 0.25) per census tracts, especially around Richmond and San Pablo, Pittsburg, Antioch, east of Clayton, and Concord and its northern unincorporated areas. Census tracts with the highest education domain scores (greater than 0.75) are located in central and southern parts of the county (bounded by San Ramon on the south; Orinda and Moraga on the west; Lafayette, Walnut Creek, Clayton, and Brentwood on the north). Overlaying Map 10 and Map 12 reveals that areas with lower education scores correspond with areas with lower income households (largely composed of minorities) and vice versa. With reference to Table 13, we also see that index values for school proficiency are higher for White residents, indicating a greater access to high quality schools regardless of poverty status.



**Map 12 TCAC Opportunity Areas' Education Score in Contra Costa County**

### Transportation

Access to public transit is of paramount importance to households affected by low incomes and rising housing prices, especially because lower income households are often transit dependent. Public transit should strive to link lower income persons, who are often transit dependent, to major employers where job opportunities exist. Access to employment via public transportation can reduce welfare usage and increase housing mobility, which enables residents to locate housing outside of traditionally low-income neighborhoods.

Transportation opportunities are depicted by two indices: (1) the transit trips index and (2) the low transportation cost index. The transit trips index measures how often low-income families in a neighborhood use public transportation. The index ranges from 0 to 100, with higher values indicating a higher likelihood that residents in a neighborhood utilize public transit. The low transportation cost index measures cost of transportation and proximity to public transportation by neighborhood. It too varies from 0 to 100, and higher scores point to lower transportation costs in that neighborhood.

Neither indices, regardless of poverty level, varies noticeably across racial/ethnic categories. All races and ethnicities score highly on both indices with values close in magnitude. If these indices

are accurate depictions of transportation accessibility, it is possible to conclude that all racial and ethnic classes have high and relatively equal access to transportation at both the jurisdiction and regional levels. If anything, both indices appear to take slightly higher values for non-Hispanic Blacks and Hispanics, suggesting better access to transit and lower costs for these protected groups.

Contra Costa County is served by rail, bus, and ferry transit but the quality of service varies across the county. Much of Contra Costa County is connected to other parts of the East Bay as well as to San Francisco and San Mateo County by Bay Area Rapid Transit (BART) rail service. The Richmond-Warm Springs/South Fremont and Richmond-Daly City/Millbrae Lines serve El Cerrito and Richmond during peak hours while the Antioch-SFO Line extends east from Oakland to serve Orinda, Lafayette, Walnut Creek, Contra Costa Center/Pleasant Hill, Concord, and the Pittsburg/Bay Point station. An eastward extension, commonly known as eBART, began service on May 26, 2018. The extension provides service beyond the Pittsburg/Bay Point station to the new Pittsburg Center and Antioch stations. BART is an important form of transportation that helps provide Contra Costa County residents access to jobs and services in other parts of the Bay Area. The Capitol Corridor route provides rail service between San Jose and Sacramento and serves commuters in Martinez and Richmond.

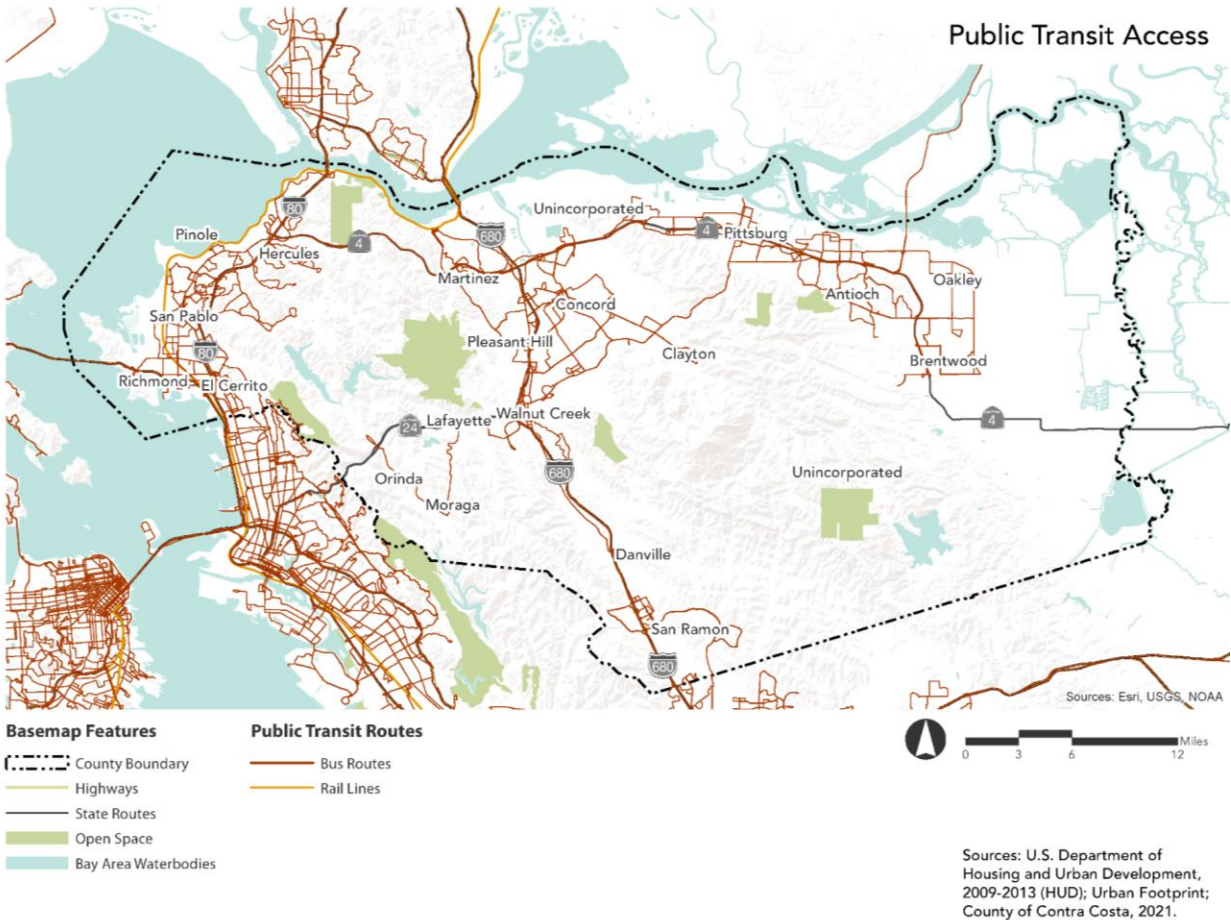
In contrast to rail transportation, bus service is much more fragmented in the County and regionally. Several different bus systems including Tri-Delta Transit, AC Transit, County Connection, and WestCat provide local service in different sections of the County. In the Bay Area, there are 18 different agencies that provide bus service. The lack of an integrated network can make it harder for transit riders to understand how to make a trip that spans multiple operators and add costs during a daily commute. For example, an East Bay Regional Local 31-Day bus pass is valid on County Connection, Tri-Delta Transit, and WestCAT, but cannot be used on AC Transit. Additionally, these bus systems often do not have frequent service. In central Contra Costa, County Connection buses may run as infrequently as every 45 to 60 minutes on some routes.

Within Contra Costa, transit is generally not as robust in east County despite growing demand for public transportation among residents. The lack of adequate public transportation makes it more difficult for lower-income people in particular to access jobs. Average transit commutes in Pittsburg and Antioch exceed 70 minutes. In Brentwood, average transit commute times exceed 100 minutes.

Transit agencies that service Contra Costa County include County Connection, Tri Delta Transit, WestCAT, AC Transit, and BART. The County Connection Bus (CCCTA) is the largest bus transit system in the county that provides fixed-route and paratransit bus service for communities in Central Contra Costa. Other non-Contra Costa agencies that provide express service to the county include:

- San Francisco Bay Ferry (Richmond to SF Ferry Building);
- Golden Gate Transit (Line 40);

- WHEELS Livermore Amador Valley Transit Authority (Route 70x);
- SolTrans (Route 80/82 and the Yellow Line);
- Capitol Corridor (Richmond/Martinez to cities between Auburn and San Jose);
- Fairfield & Suisun Transit (Intercity express routes);
- Altamont Corridor Express (commute-hour trains from Pleasanton);
- Napa Vine Transit (Route 29)



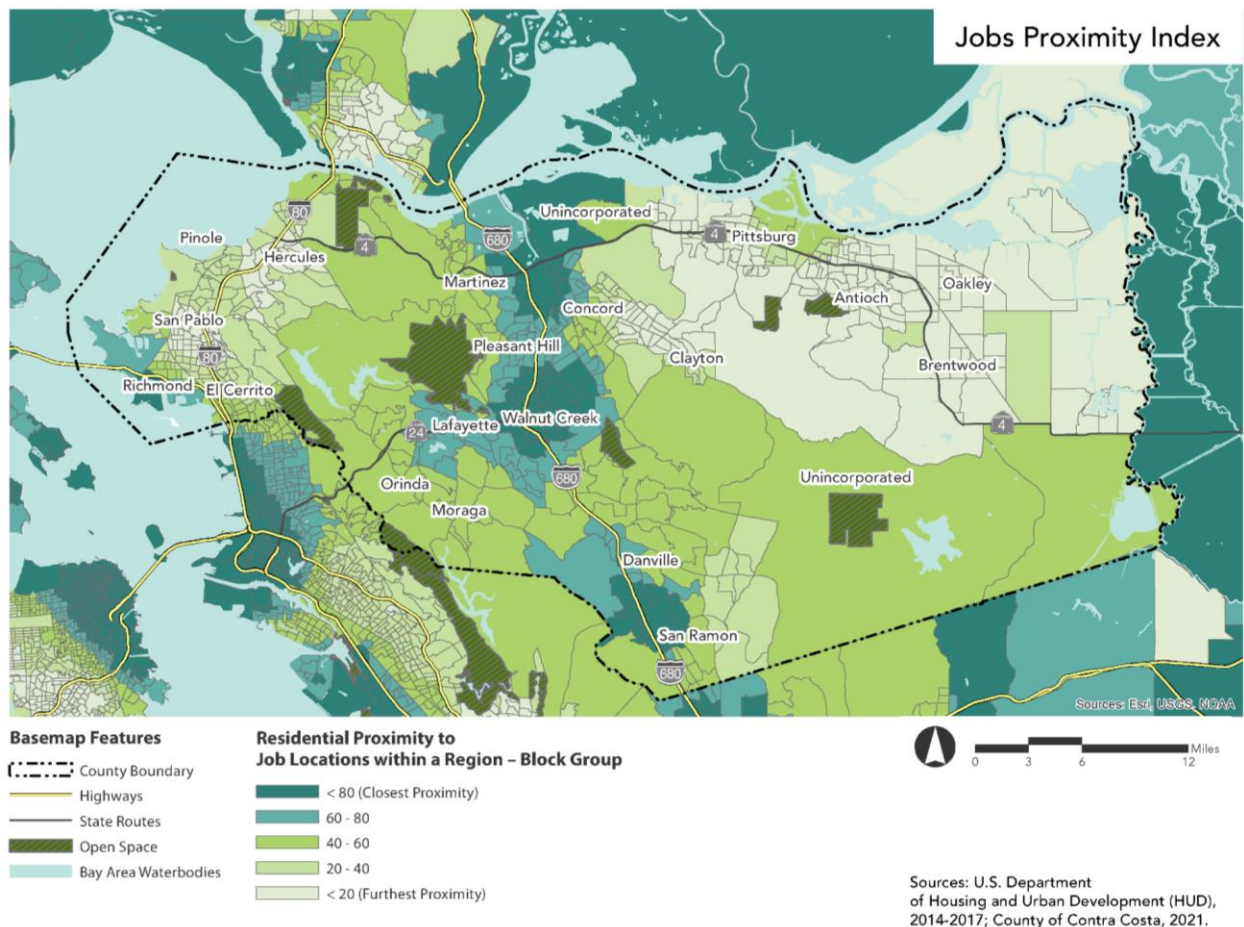
**Map 13 Public Transit Routes in Contra Costa County**

Economic Development

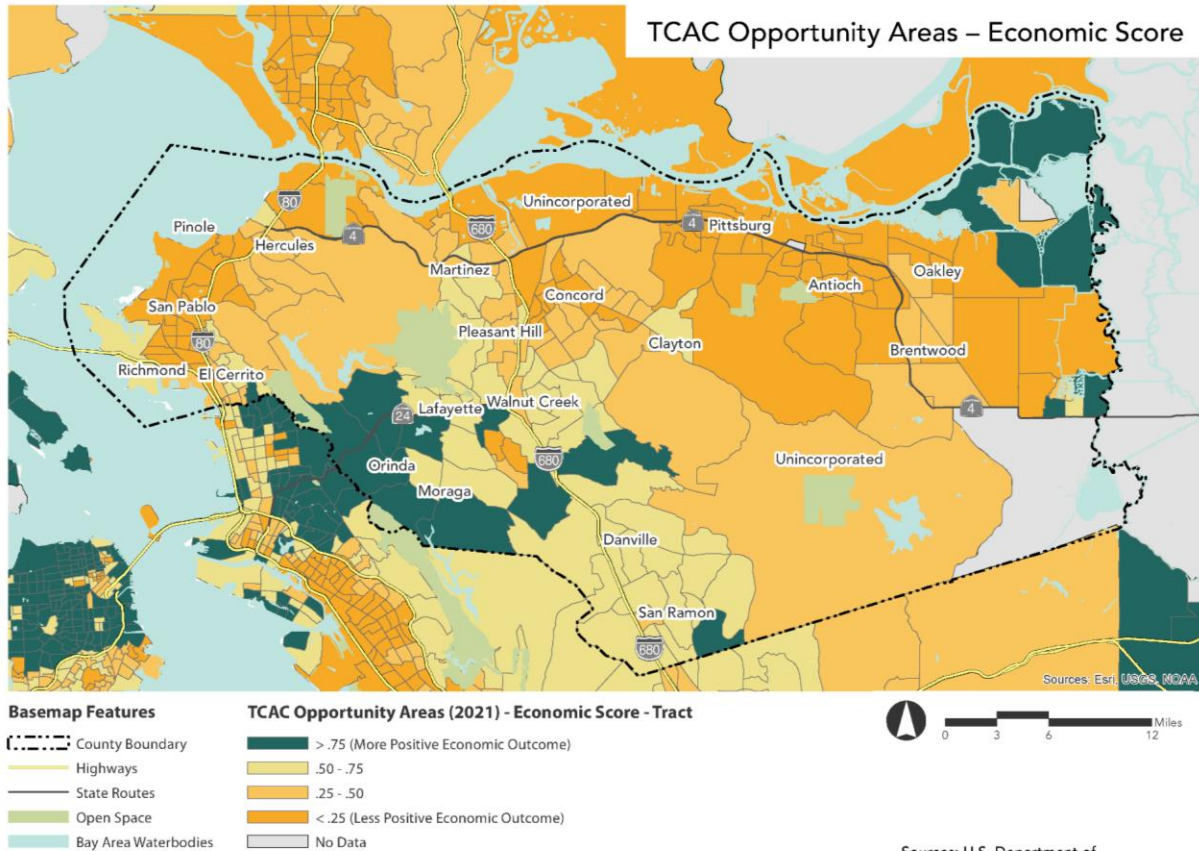
Employment opportunities are depicted by two indices: (1) the labor market engagement index and (2) the jobs proximity index. The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood, taking into account the unemployment rate, labor-force participation rate, and percent with a bachelor’s degree or higher. The index ranges from 0 to 100, with higher values indicating higher labor force participation and human capital. The jobs proximity index quantifies the accessibility of a neighborhood to jobs in the region by measuring the physical distances between jobs and places of residence. It too varies from 0 to 100, and higher scores point to better accessibility to employment opportunities.



In Contra Costa County, non-Hispanic Whites and non-Hispanic Asians/Pacific Islanders are at the top of the labor market engagement index with scores of 66.76 and 66.87 respectively. Non-Hispanic Blacks and Hispanics score the lowest in the county with scores around 32. (Refer to Table 13 for a full list of indices). Map 14 shows the spatial variability of jobs proximity in Contra Costa County. Tracts extending north from Lafayette to Martinez and its surrounding unincorporated areas have the highest index values followed by its directly adjacent areas. Cities like Pittsburg, Antioch, Brentwood, Oakley, and Hercules have the lowest index scores (less than 20). Hispanic residents have the least access to employment opportunities with an index score of 45.11 whereas White residents have the highest index score of 49.30.



**Map 14 Residential Proximity to Job Locations in Contra Costa County**



**Map 15 TCAC Opportunity Areas' Economic Score in Contra Costa County**

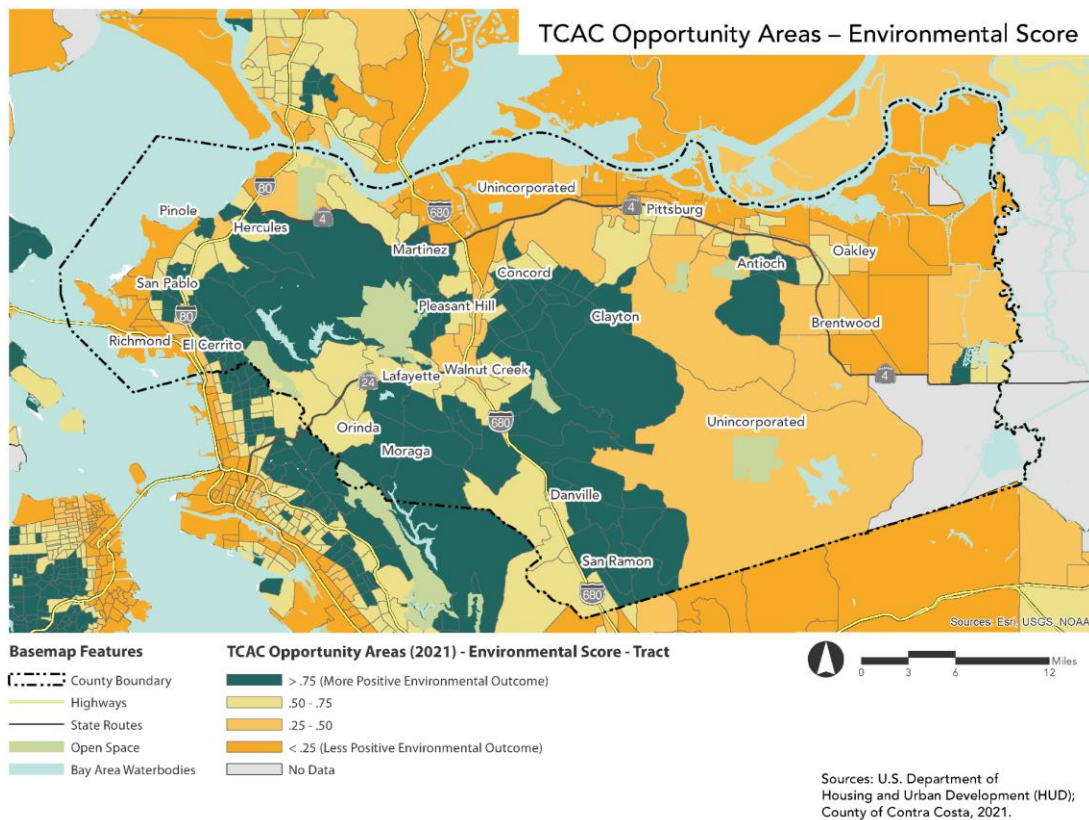
Environment

The Environmental Health Index summarizes potential exposure to harmful toxins at a neighborhood level. Index values range from 0 to 100 and the higher the index value, the less exposure to toxins harmful to human health. Therefore, the higher the value, the better the environmental quality of a neighborhood, where a neighborhood is a census block-group. There are modest differences across racial and ethnic groups in neighborhood access to environmental quality. All racial/ethnic groups in the Consortium obtained moderate scores ranging from low 40s to mid-50s. Non-Hispanic Blacks and Hispanics have the lowest scores amongst all residents in Contra Costa County with scores of 43; whereas non-Hispanic Whites and Asians/Pacific Islanders have the highest scores (over 50) amongst all residents in Contra Costa County (Refer to Table 13).

CalEnviroScreen was developed by the California Environmental Protection Agency (CalEPA) to evaluate pollution sources in a community while accounting for a community's vulnerability to the adverse effects of pollution. Measures of pollution burden and population characteristics are combined into a single composite score that is mapped and analyzed. Higher values on the index indicate higher cumulative environmental impacts on individuals arising from these burdens and population factors.

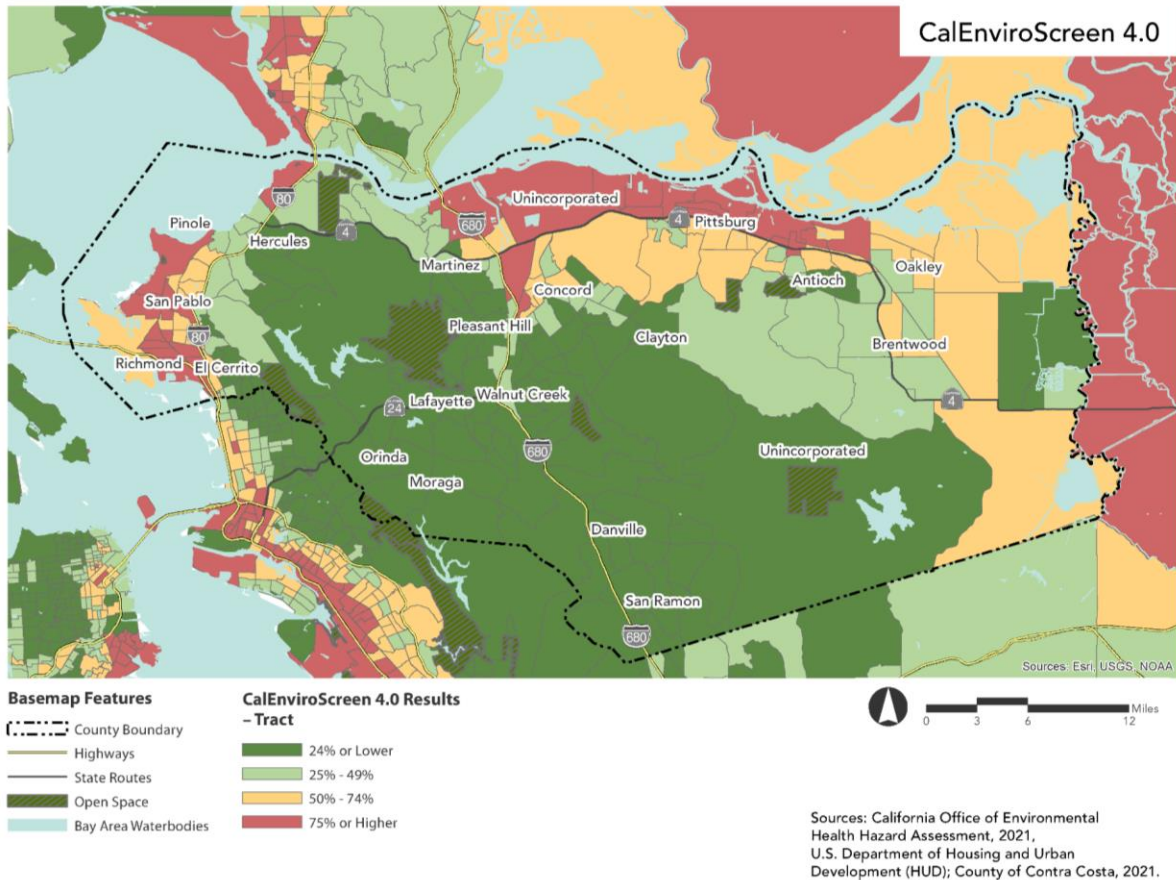
The California Office of Environmental Health Hazard Assessment (OEHHA) compiles these scores to help identify California communities disproportionately burdened by multiple sources of pollution. In addition to environmental factors (pollutant exposure, groundwater threats, toxic sites, and hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma, and low birth weight infants), CalEnviroScreen also considers socioeconomic factors such as educational attainment, linguistic isolation, poverty, and unemployment.

Map 16 below displays the Environmental Score for Contra Costa County based on CalEnviroScreen 3.0 Pollution Indicators and Values that identifies communities in California disproportionately burdened by multiple sources of pollution and face vulnerability due to socioeconomic factors. The highest scoring 25 percent of census tracts were designated as disadvantaged communities. In Contra Costa County, disadvantaged communities include census tracts in North Richmond, Richmond, Pittsburg, San Pablo, Antioch, Rodeo, and Oakley.



**Map 16 TCAC Opportunity Areas' Economic Score in Contra Costa County**

Map 17 shows updated scores for CalEnviroScreen 4.0 released by the California Office of Environmental Health Hazard Assessment. Generally speaking, adverse environmental impacts are concentrated around the northern border of the county (Bay Point to Pittsburg) and the western border of the county (Richmond to Pinole). Areas around Concord to Antioch have moderate scores and the rest of the county have relatively low scores. From central Contra Costa County, we see an almost radial gradient effect of green to red (least to most pollution).

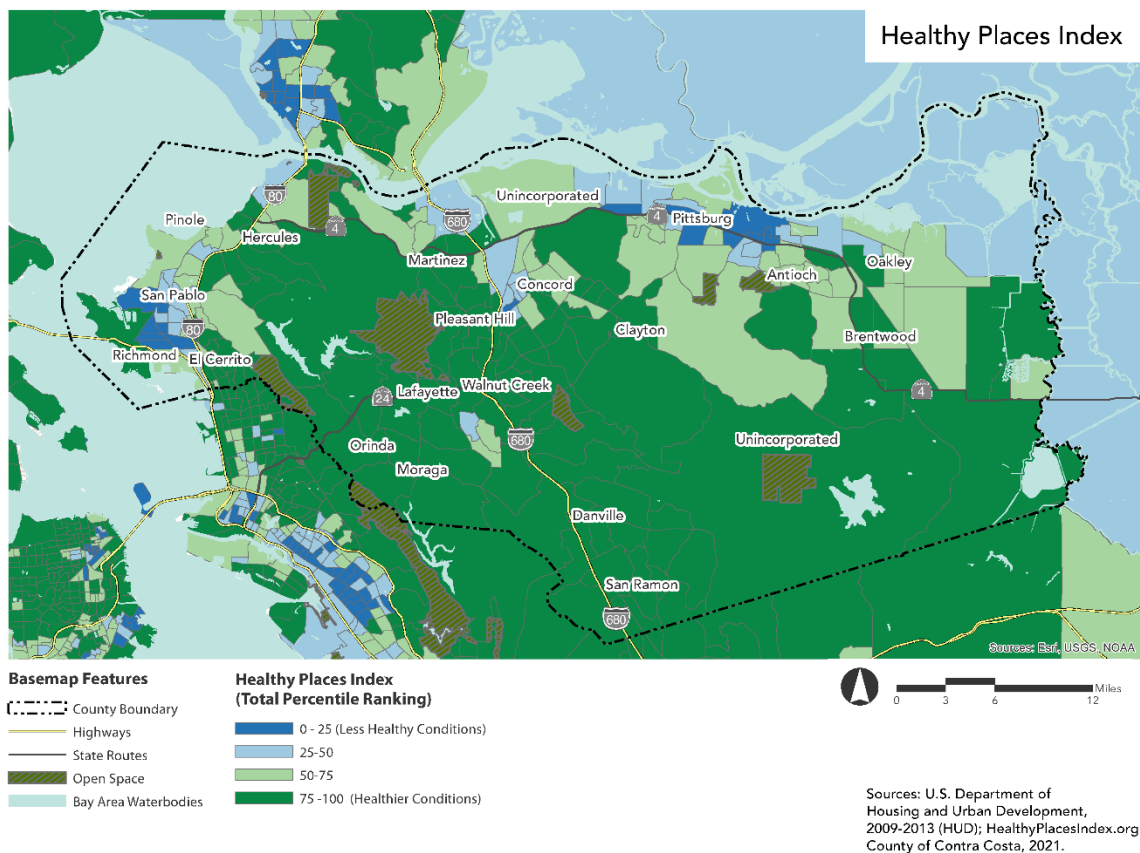


**Map 17 CalEnviroScreen 4.0 Results in Contra Costa County**

## Health and Recreation

Residents should have the opportunity to live a healthy life and live in healthy communities. The Healthy Places Index (HPI) is a new tool that allows local officials to diagnose and change community conditions that affect health outcomes and the wellbeing of residents. The HPI tool was developed by the Public Health Alliance of Southern California to assist in comparing community conditions across the state and combined 25 community characteristics such as housing, education, economic, and social factors into a single indexed HPI Percentile Score, where lower percentiles indicate lower conditions.

Map 18 shows the HPI percentile score distributions for Contra Costa County. The majority of the County falls in the highest quarter, indicating healthier conditions. These areas have a lower percentage of minority populations and higher median incomes. Cities with the lowest percentile ranking, which indicates less healthy conditions, are Pittsburg, San Pablo, and Richmond. These areas have higher percentages of minority populations and lower median incomes.



**Map 18 Healthy Places Index in Contra Costa County**

## Home Loans

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home, particularly considering the continued impacts of the lending/credit crisis. In the past, credit market distortions and other activities such as “redlining” were prevalent and prevented some groups from having equal access to credit. The Community Reinvestment Act (CRA) in 1977 and the subsequent Home Mortgage Disclosure Act (HMDA) were designed to improve access to credit for all members of the community and hold the lender industry responsible for community lending. Under HMDA, lenders are required to disclose information on the disposition of home loan applications and on the race or national origin, gender, and annual income of loan applicants.

However, lending discrimination continues to be a contributing factor to disproportionate housing needs, as class groups who struggle to obtain access to loans are more likely to experience housing problems such as cost burdens, overcrowding, and substandard housing, and to be renters rather than homeowners. When banks and other financial institutions deny loan applications from people of color, they are less likely to achieve home ownership and instead must turn to the rental market. As Contra Costa’s rental housing market grows increasingly unaffordable, Blacks and Hispanics are disproportionately impacted. Table 14 below shows that home loan applications by Black/Hispanic/Latino individuals are uniformly denied at higher rates than those of Whites or Asians. Because blacks and Hispanics in the region are denied loans at far higher rates than white and Asians, their families are far more likely to have less access to quality education, healthcare, and employment.

When minorities are unable to obtain loans, they are far more likely to be relegated to certain areas of the community. While *de jure* segregation (segregation that is created and enforced by the law) is currently illegal, the drastic difference in loans denied between whites and minorities perpetuates *de facto* segregation, which is segregation that is not created by the law, but which forms a pattern as a result of various outside factors, including former laws.

**Table 14: Home Loan Application Denial Rates by Race/Ethnicity in Contra Costa County**

Race/ Ethnicity	FHA, FSA/RHA, and VA Home- Purchase Loans	Conventional Home-Purchase Loans	Refinance Loans	Home Improvement Loans	Multi-Family Homes
White, non- Hispanic	9.2%	8.0%	16.6%	19.5%	9.5%
Black, non- Hispanic	14.8%	13.5%	27.1%	34.6%	29.4%
Asian, non- Hispanic	13.1%	9.8%	15.2%	19.3%	12.3%
Hispanic	11.3%	12.0%	22.3%	31.0%	28.6%

Source: Contra Costa County AI (2020)

# Disproportionate Housing Needs

Disproportionate housing needs generally refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area. The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census for HUD provides detailed information on housing needs by income level for different types of households in Contra Costa County. Housing problems considered by CHAS include:

- Housing cost burden, including utilities, exceeding 30 percent of gross income;
- Severe housing cost burden, including utilities, exceeding 50 percent of gross income;
- Overcrowded conditions (housing units with more than one person per room); and
- Units with physical defects (lacking complete kitchen or bathroom)

According to the Contra Costa County AI, a total of 164,994 households (43.90%) in the county experience any one of the above housing problems; 85,009 households (22.62%) experience severe housing problems. Based on relative percentage, Hispanic households experience the highest rate of housing problems regardless of severity, followed by Black households and 'Other' races. Table 15 lists the demographics of households with housing problems in the County.

**Table 15: Demographics of Households with Housing Problems in Contra Costa County**

	<b>Total Number of Households</b>	<b>Households with Housing Problems</b>		<b>Households with Severe Housing Problems</b>	
White	213,302	80,864	37.91%	38,039	17.83%
Black	34,275	19,316	56.36%	10,465	30.53%
Asian/Pacific Islander	51,353	21,640	42.14%	10,447	20.34%
Native American	1,211	482	39.80%	203	16.76%
Other	10,355	5,090	49.15%	2,782	26.87%
Hispanic	65,201	37,541	57.58%	23,002	35.28%
Total	375,853	164,994	43.90%	85,009	22.62%

Source: Contra Costa County AI (2020)

There are significant disparities between the rates of housing problems that larger families (households of five or more people) experience and the rates of housing problems that families of five or fewer people experience. Larger families tend to experience housing problems more than smaller families. Non-family households in Contra Costa experience housing problems at a higher rate than smaller family households, but at a lower rate than larger family households. Table 16 lists the number of households with housing problems according to household type.

**Table 16: Household Type & Size**

<b>Household Type</b>	<b>No. of Households with Housing Problems</b>
Family Households (< 5 people)	85,176
Family Households (> 5 people)	26,035
Non-family Households	53,733

Source: Contra Costa County AI (2020)

### Cost Burden (Overpayment)

Housing cost burden, or overpayment, is defined as households paying 30 percent or more of their gross income on housing expenses, including rent or mortgage payments and utilities. Renters are more likely to overpay for housing costs than homeowners. Housing cost burden is considered a housing need because households that overpay for housing costs may have difficulty affording other necessary expenses, such as childcare, transportation, and medical costs.

As presented in Table 17, almost 52% of all household's experience cost burdens. Renters experience cost burdens at higher rates than owners (72.80% compared to 40.60%).

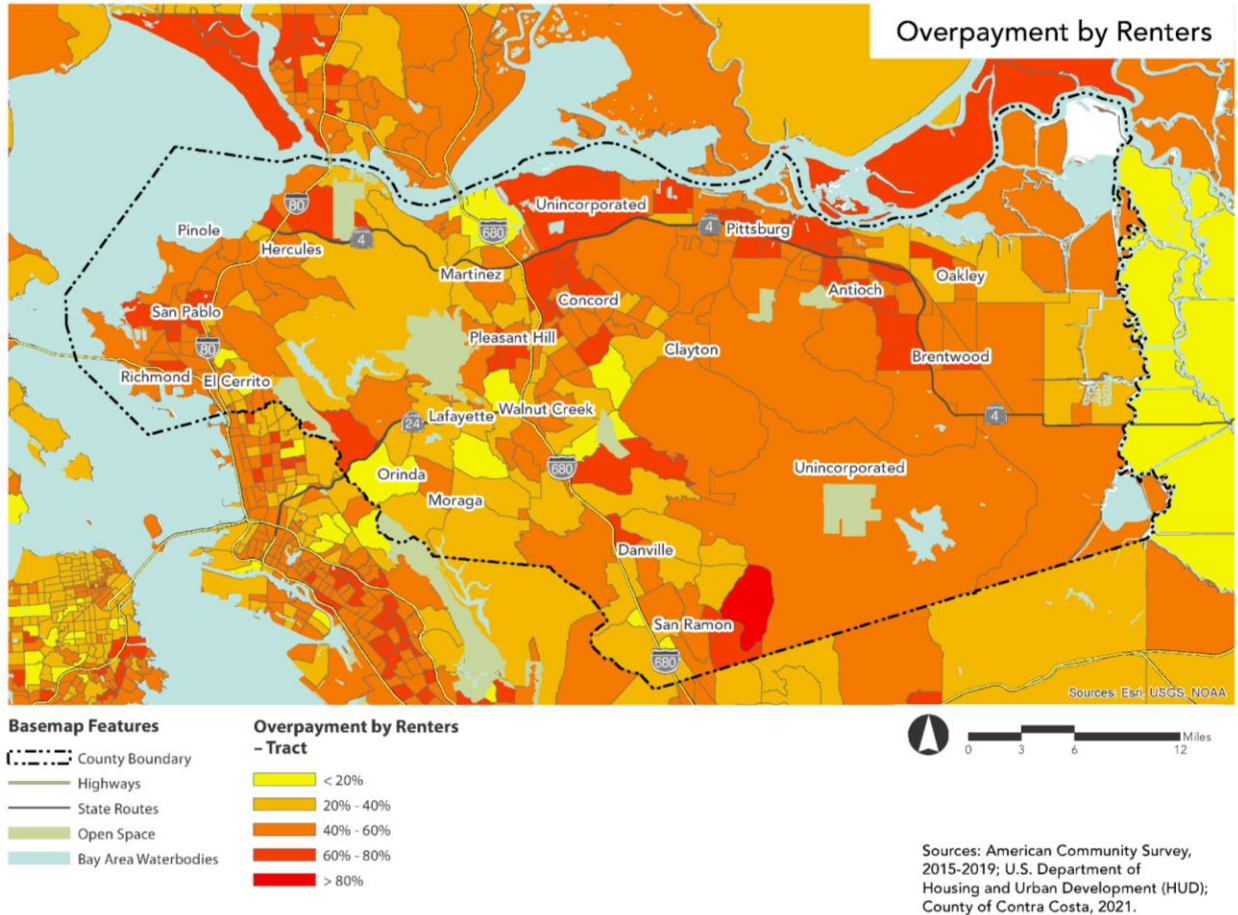
**Table 17: Households that Experience Cost Burden by Tenure in Contra Costa County**

<b>Total Number of Households</b>		<b>Cost burden &gt; 30%</b>	<b>Cost burden &gt; 50%</b>	<b>Percentage of Households that Experience Cost Burden</b>
Owners Only	257,530	74,545	30,010	40.60%
Renters Only	134,750	65,055	33,040	72.80%
All Households	392,275	139,595	63,050	51.66%

Source: <https://www.huduser.gov/portal/datasets/cp.html>

Referring to Map 19, we see concentrations of cost burdened renter households in and around San Pablo, Pittsburg, Antioch, west Brentwood and Oakley, East San Ramon, and northern parts of Concord towards unincorporated areas. In these tracts, over 80% of renters experience cost burdens. Majority of east Contra Costa has 60 - 80% of renter households that experience cost burdens; west Contra Costa has 20 - 40% of renter households that experience cost burdens. Census tracts with a low percentage of cost-burdened households are located between San Ramon and Martinez on a north-south axis. In these tracts, less than 20 percent of renter households experience cost burdens.

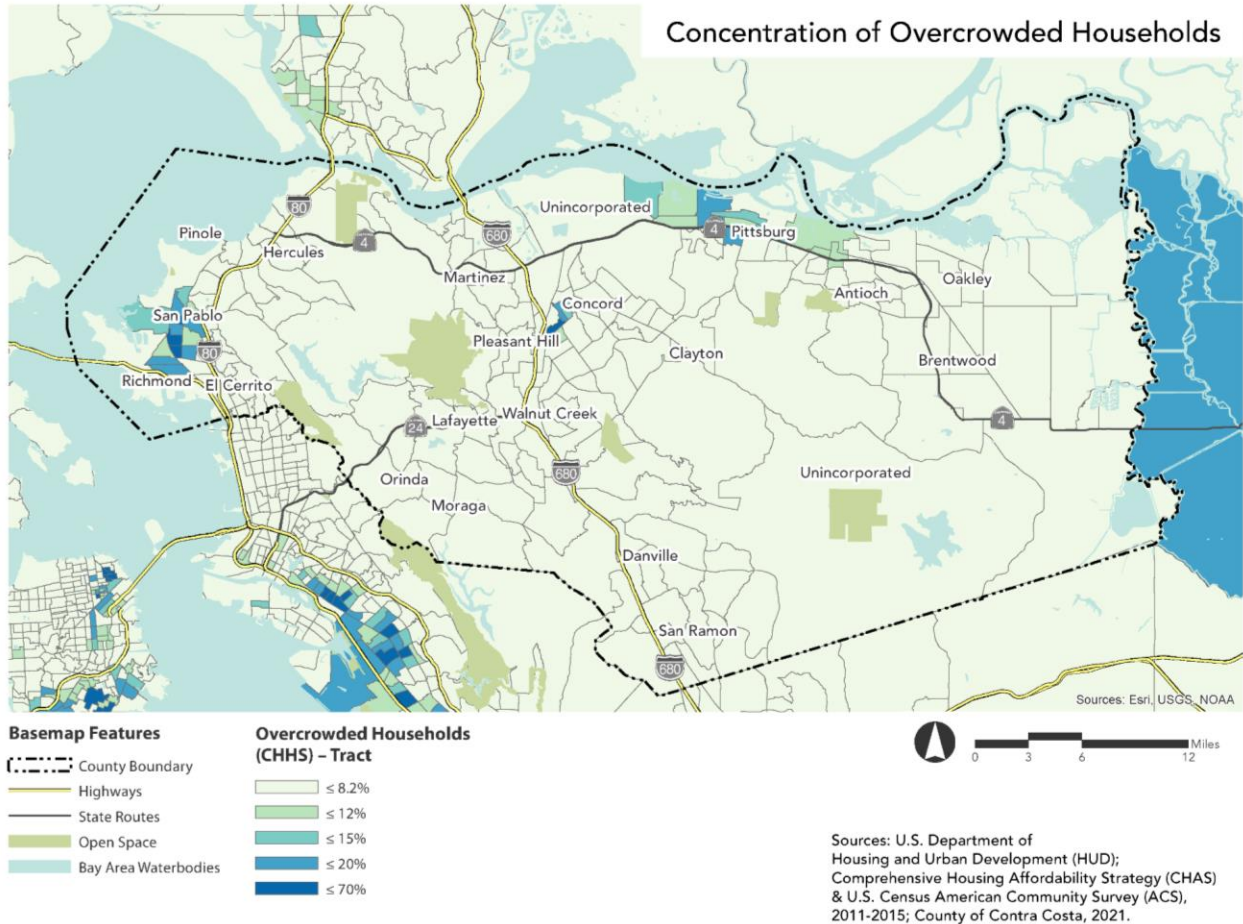




**Map 19 Distribution of Percentage of Overpayment by Renters in Contra Costa County**

Overcrowded Households

Overcrowding is defined as housing units with more than one person per room (including dining and living rooms but excluding bathrooms and kitchen). Map 20 indicates that Contra Costa County in general has low levels of overcrowded households. Tracts in San Pablo, Richmond, and Pittsburg with higher percentages of non-White population show higher concentrations of overcrowded households compared to the rest of the county. Monument Corridor, the only official R/ECAP in Contra Costa County, a predominantly Hispanic community in Concord, also exhibits more overcrowding than other parts of the County.



**Map 20 Distribution of Percentage of Overcrowded Households in Contra Costa County**

Substandard Conditions

Incomplete plumbing or kitchen facilities can be used to measure substandard housing conditions. According to 2015–2019 ACS estimates, shown in Table 18, 0.86% of households in Contra Costa County lack complete kitchen facilities and 0.39% of households lack complete plumbing facilities. Renter households are more likely to lack complete facilities compared to owner households.

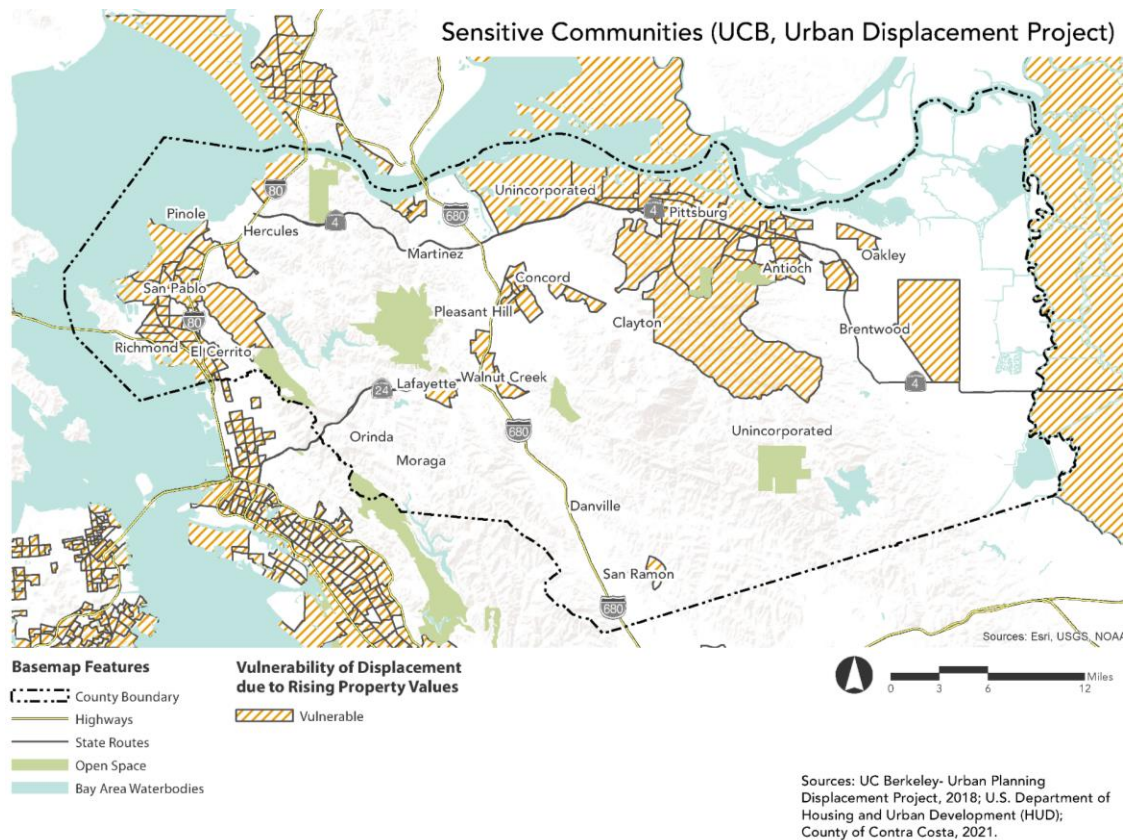
**Table 18: Substandard Housing Conditions by Tenure in Contra Costa County**

	<b>Owner</b>	<b>Renter</b>	<b>All HHs</b>
Lacking complete kitchen facilities	0.19%	0.67%	0.86%
Lacking complete plumbing facilities	0.19%	0.20%	0.39%

Source: American Community Survey, 2015-2019 (5-Year Estimates)

# Displacement Risk

Displacement occurs when housing costs or neighboring conditions force current residents out and rents become so high that lower-income people are excluded from moving in. UC Berkeley's Urban Displacement Project states that a census tract is a sensitive community if the proportion of very low income residents was above 20% in 2017 and the census tracts meets two of the following criteria: (1) Share of renters above 40 percent in 2017; (2) Share of Non-White population above 50 percent in 2017; (3) Share of very low-income households (50 percent AMI or below) that are also severely rent burdened households above the county median in 2017; or (4) Nearby areas have been experiencing displacement pressures. Using this methodology, sensitive communities were identified in areas between El Cerrito and Pinole; Pittsburg, Antioch and Clayton; East Brentwood; and unincorporated land in Bay Point. Small pockets of Sensitive Communities are also found in central Contra Costa County from Lafayette towards Concord (Refer to Map 21).

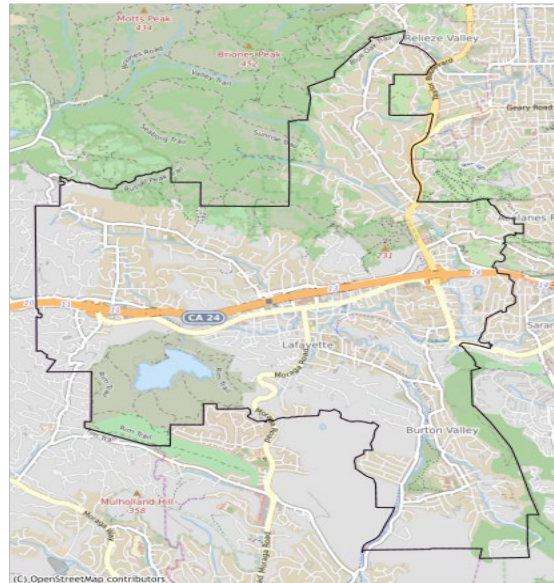


**Map 21 Sensitive Communities as Defined by the Urban Displacement Project**

# AFFH SEGREGATION REPORT: LAFAYETTE

UC Merced Urban Policy Lab and ABAG/MTC Staff

Version of Record: March 06, 15:45:34



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# 1 INTRODUCTION

The requirement to Affirmatively Further Fair Housing (AFFH) is derived from The Fair Housing Act of 1968, which prohibited discrimination concerning the sale, rental, and financing of housing based on race, color, religion, national origin, or sex—and was later amended to include familial status and disability.<sup>1</sup> The 2015 U.S. Department of Housing and Urban Development (HUD) Rule to Affirmatively Further Fair Housing and California Assembly Bill 686 (2018) mandate that each jurisdiction takes meaningful action to address significant disparities in housing needs and access to opportunity.<sup>2,3</sup> AB 686 requires that jurisdictions incorporate AFFH into their Housing Elements, which includes inclusive community participation, an assessment of fair housing, a site inventory reflective of AFFH, and the development of goals, policies, and programs to meaningfully address local fair housing issues. ABAG and UC Merced have prepared this report to assist Bay Area jurisdictions with the Assessment of Fair Housing section of the Housing Element.

## Assessment of Fair Housing Components

The Assessment of Fair Housing includes five components, which are discussed in detail on pages 22-43 of [HCD's AFFH Guidance Memo](#):

- A: Summary of fair housing enforcement and outreach capacity
- B: Integration and segregation patterns, and trends related to people with protected characteristics
- C: Racially or ethnically concentrated areas of poverty
- D: Disparities in access to opportunity
- E: Disproportionate housing needs, including displacement risk

## 1.1 Purpose of this Report

This report describes racial and income segregation in Bay Area jurisdictions. Local jurisdiction staff can use the information in this report to help fulfill a portion of the second component of the Assessment of Fair Housing, which requires analysis of integration and segregation patterns and trends related to people with protected characteristics and lower incomes. Jurisdictions will still need to perform a similar analysis for familial status and populations with disability.

This report provides segregation measures for both the local jurisdiction and the region using several indices. For segregation between neighborhoods within a city (intra-city segregation), this report includes isolation indices, dissimilarity indices, and Theil's-H index. The isolation index measures

<sup>1</sup> <https://www.justice.gov/crt/fair-housing-act-2>

<sup>2</sup> HCD AFFH Guidance Memo

<sup>3</sup> The 2015 HUD rule was reversed in 2020 and partially reinstated in 2021.

segregation for a single group, while the dissimilarity index measures segregation between two groups. The Theil's H-Index can be used to measure segregation between all racial or income groups across the city at once. HCD's AFFH guidelines require local jurisdictions to include isolation indices and dissimilarity indices in the Housing Element. Theil's H index is provided in addition to these required measures. For segregation between cities within the Bay Area (inter-city segregation), this report includes dissimilarity indices at the regional level as required by HCD's AFFH guidelines. HCD's AFFH guidelines also require jurisdictions to compare conditions at the local level to the rest of the region; and this report presents the difference in the racial and income composition of a jurisdiction relative to the region as a whole to satisfy the comparison requirement.

## 1.2 Defining Segregation

Segregation is the separation of different demographic groups into different geographic locations or communities, meaning that groups are unevenly distributed across geographic space. This report examines two spatial forms of segregation: neighborhood level segregation *within* a local jurisdiction and city level segregation *between* jurisdictions in the Bay Area.

**Neighborhood level segregation (*within* a jurisdiction, or *intra-city*):** Segregation of race and income groups can occur from neighborhood to neighborhood *within* a city. For example, if a local jurisdiction has a population that is 20% Latinx, but some neighborhoods are 80% Latinx while others have nearly no Latinx residents, that jurisdiction would have segregated neighborhoods.

**City level segregation (*between* jurisdictions in a region, or *inter-city*):** Race and income divides also occur *between* jurisdictions in a region. A region could be very diverse with equal numbers of white, Asian, Black, and Latinx residents, but the region could also be highly segregated with each city comprised solely of one racial group.

There are many factors that have contributed to the generation and maintenance of segregation. Historically, racial segregation stemmed from explicit discrimination against people of color, such as restrictive covenants, redlining, and discrimination in mortgage lending. This history includes many overtly discriminatory policies made by federal, state, and local governments (Rothstein 2017). Segregation patterns are also affected by policies that appear race-neutral, such as land use decisions and the regulation of housing development.

Segregation has resulted in vastly unequal access to public goods such as quality schools, neighborhood services and amenities, parks and playgrounds, clean air and water, and public safety (Trounstine 2015). This generational lack of access for many communities, particularly people of color and lower income residents, has often resulted in poor life outcomes, including lower educational attainment, higher morbidity rates, and higher mortality rates (Chetty and Hendren 2018, Ananat 2011, Burch 2014, Cutler and Glaeser 1997, Sampson 2012, Sharkey 2013).

## 1.3 Segregation Patterns in the Bay Area

Across the San Francisco Bay Area, white residents and above moderate-income residents are significantly more segregated from other racial and income groups (see Appendix 2). The highest levels of racial segregation occur between the Black and white populations. The analysis completed for this report indicates that the amount of racial segregation both *within* Bay Area cities and *across* jurisdictions in the region has decreased since the year 2000. This finding is consistent with recent research from the Othering and Belonging Institute at UC Berkeley, which concluded that “[a]lthough 7



of the 9 Bay Area counties were more segregated in 2020 than they were in either 1980 or 1990, racial residential segregation in the region appears to have peaked around the year 2000 and has generally declined since.”<sup>4</sup> However, compared to cities in other parts of California, Bay Area jurisdictions have more neighborhood level segregation between residents from different racial groups. Additionally, there is also more racial segregation *between* Bay Area cities compared to other regions in the state.

## 1.4 Segregation and Land Use

It is difficult to address segregation patterns without an analysis of both historical and existing land use policies that impact segregation patterns. Land use regulations influence what kind of housing is built in a city or neighborhood (Lens and Monkkonen 2016, Pendall 2000). These land use regulations in turn impact demographics: they can be used to affect the number of houses in a community, the number of people who live in the community, the wealth of the people who live in the community, and where within the community they reside (Trounstine 2018). Given disparities in wealth by race and ethnicity, the ability to afford housing in different neighborhoods, as influenced by land use regulations, is highly differentiated across racial and ethnic groups (Bayer, McMillan, and Reuben 2004).<sup>5</sup> ABAG/MTC plans to issue a separate report detailing the existing land use policies that influence segregation patterns in the Bay Area.

### Definition of Terms - Geographies

**Neighborhood:** In this report, “neighborhoods” are approximated by tracts.<sup>6</sup> Tracts are statistical geographic units defined by the U.S. Census Bureau for the purposes of disseminating data. In the Bay Area, tracts contain on average 4,500 residents. Nearly all Bay Area jurisdictions contain at least two census tracts, with larger jurisdictions containing dozens of tracts.

**Jurisdiction:** Jurisdiction is used to refer to the 109 cities, towns, and unincorporated county areas that are members of ABAG. Though not all ABAG jurisdictions are cities, this report also uses the term “city” interchangeably with “jurisdiction” in some places.

**Region:** The region is the nine-county San Francisco Bay Area, which is comprised of Alameda County, Contra Costa County, Marin County, Napa County, San Francisco County, San Mateo County, Santa Clara County, Solano County, and Sonoma County.

<sup>4</sup> For more information, see <https://belonging.berkeley.edu/most-segregated-cities-bay-area-2020>.

<sup>5</sup> Using a household-weighted median of Bay Area county median household incomes, regional values were \$61,050 for Black residents, \$122,174 for Asian/Pacific Islander residents, \$121,794 for white residents, and \$76,306 for Latinx residents. For the source data, see U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B19013B, Table B19013D, B19013H, and B19013I.

<sup>6</sup> Throughout this report, neighborhood level segregation measures are calculated using census tract data. However, the racial dot maps in Figure 1 and Figure 5 use data from census blocks, while the income group dot maps in Figure 8 and Figure 12 use data from census block groups. These maps use data derived from a smaller



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geographic scale to better show spatial differences in where different groups live. Census block groups are subdivisions of census tracts, and census blocks are subdivisions of block groups. In the Bay Area, block groups contain on average 1,500 people, while census blocks contain on average 95 people.

## 2 RACIAL SEGREGATION IN CITY OF LAFAYETTE

### Definition of Terms - Racial/Ethnic Groups

The U.S. Census Bureau classifies racial groups (e.g. white or Black/African American) separately from Hispanic/Latino ethnicity.<sup>7</sup> This report combines U.S. Census Bureau definitions for race and ethnicity into the following racial groups:

**White:** Non-Hispanic white

**Latinx:** Hispanic or Latino of any race<sup>8</sup>

**Black:** Non-Hispanic Black/African American

**Asian/Pacific Islander:** Non-Hispanic Asian or Non-Hispanic Pacific Islander

**People of Color:** All who are not non-Hispanic white (including people who identify as “some other race” or “two or more races”)<sup>9</sup>

### 2.1 Neighborhood Level Racial Segregation (*within City of Lafayette*)

Racial dot maps are useful for visualizing how multiple racial groups are distributed within a specific geography. The racial dot map of Lafayette in Figure 1 below offers a visual representation of the spatial distribution of racial groups within the jurisdiction. Generally, when the distribution of dots does not suggest patterns or clustering, segregation measures tend to be lower. Conversely, when clusters of certain groups are apparent on a racial dot map, segregation measures may be higher.

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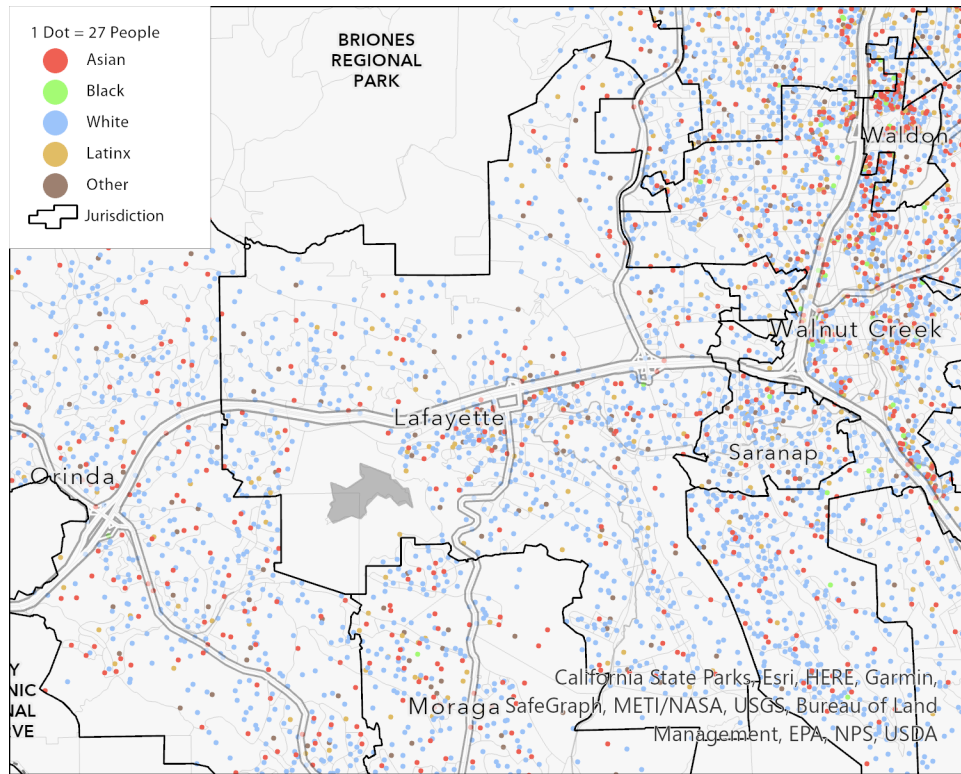
<sup>7</sup> More information about the Census Bureau’s definitions of racial groups is available here:

<https://www.census.gov/topics/population/race/about.html>.

<sup>8</sup> The term Hispanic has historically been used to describe people from numerous Central American, South American, and Caribbean countries. In recent years, the term Latino or Latinx has become preferred. This report generally uses Latinx to refer to this racial/ethnic group.

<sup>9</sup> Given the uncertainty in the data for population size estimates for racial and ethnic groups not included in the Latinx, Black, or Asian/Pacific Islander categories, this report only analyzes these racial groups in the aggregate People of Color category.





**Figure 1: Racial Dot Map of Lafayette (2020)**

*Universe: Population. Source: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002.*

*Note: The plot shows the racial distribution at the census block level for City of Lafayette and vicinity. Dots in each census block are randomly placed and should not be construed as actual placement of people.*

There are many ways to quantitatively measure segregation. Each measure captures a different aspect of the ways in which groups are divided within a community. One way to measure segregation is by using an **isolation index**:

- The isolation index compares each neighborhood’s composition to the jurisdiction’s demographics as a whole.
- This index ranges from 0 to 1. Higher values indicate that a particular group is more isolated from other groups.
- Isolation indices indicate the potential for contact between different groups. The index can be interpreted as the experience of the average member of that group. For example, if the isolation index is .65 for Latinx residents in a city, then the average Latinx resident in that city lives in a neighborhood that is 65% Latinx.

Within City of Lafayette the most isolated racial group is white residents. Lafayette’s isolation index of 0.709 for white residents means that the average white resident lives in a neighborhood that is 70.9% white. Other racial groups are less isolated, meaning they may be more likely to encounter other racial groups in their neighborhoods. The isolation index values for all racial groups in Lafayette for the years 2000, 2010, and 2020 can be found in Table 1 below. Among all racial groups in this jurisdiction, the white population’s isolation index has changed the most over time, becoming less segregated from other racial groups between 2000 and 2020.

The “Bay Area Average” column in this table provides the average isolation index value across Bay Area jurisdictions for different racial groups in 2020.<sup>10</sup> The data in this column can be used as a comparison to provide context for the levels of segregation experienced by racial groups in this jurisdiction. For example, Table 1 indicates the average isolation index value for white residents across all Bay Area jurisdictions is 0.491, meaning that in the average Bay Area jurisdiction a white resident lives in a neighborhood that is 49.1% white.

**Table 1: Racial Isolation Index Values for Segregation within Lafayette**

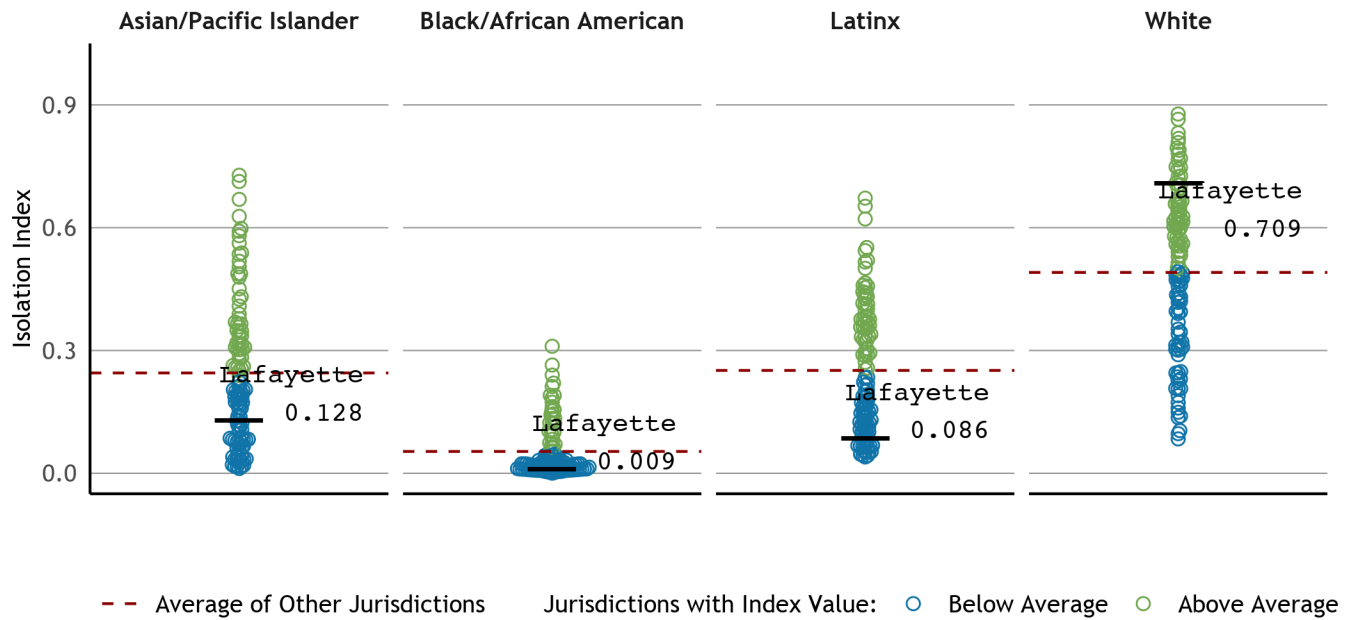
Race	Lafayette			Bay Area Average
	2000	2010	2020	2020
Asian/Pacific Islander	0.089	0.098	0.128	0.245
Black/African American	0.008	0.010	0.009	0.053
Latinx	0.044	0.065	0.086	0.251
White	0.839	0.796	0.709	0.491

Universe: Population.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, Census 2010, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

Figure 2 below shows how racial isolation index values in Lafayette compare to values in other Bay Area jurisdictions. In this chart, each dot represents a Bay Area jurisdiction. For each racial group, the spread of dots represents the range of isolation index values among Bay Area jurisdictions. Additionally, the black line within each racial group notes the isolation index value for that group in City of Lafayette, and each dashed red line represents the Bay Area average for the isolation index for that group. Local staff can use this chart to contextualize how segregation levels for racial groups in their jurisdiction compare to other jurisdictions in the region.

<sup>10</sup> This average only includes the 104 jurisdictions that have more than one census tract, which is true for all comparisons of Bay Area jurisdictions’ segregation measures in this report. The segregation measures in this report are calculated by comparing the demographics of a jurisdiction’s census tracts to the jurisdiction’s demographics, and such calculations cannot be made for the five jurisdictions with only one census tract (Brisbane, Calistoga, Portola Valley, Rio Vista, and Yountville).



**Figure 2: Racial Isolation Index Values for Lafayette Compared to Other Bay Area Jurisdictions (2020)**

Universe: Bay Area Jurisdictions.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002.

Another way to measure segregation is by using a **dissimilarity index**:

- This 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.
- The dissimilarity index ranges from 0 to 1. Higher values indicate that groups are more unevenly distributed (e.g. they tend to live in different neighborhoods).

### **Dissimilarity Index Guidance for Cities with Small Racial Group Populations**

*The analysis conducted for this report suggests that dissimilarity index values are unreliable for a population group if that group represents approximately less than 5% of the jurisdiction's total population.*

HCD's AFFH guidance requires the Housing Element to include the dissimilarity index values for racial groups, but also offers flexibility in emphasizing the importance of various measures. ABAG/MTC recommends that when cities have population groups that are less than 5% of the jurisdiction's population (see Table 4), jurisdiction staff use the isolation index or Thiel's H-Index to gain a more accurate understanding of their jurisdiction's neighborhood-level segregation patterns (*intra-city segregation*).

If a jurisdiction has a very small population of a racial group, this indicates that segregation between the jurisdiction and the region (*inter-city segregation*) is likely to be an important feature of the jurisdiction's segregation patterns.

*In City of Lafayette, the Black/African American group is 0.7 percent of the population - so staff should be aware of this small population size when evaluating dissimilarity index values involving this group.*

Table 2 below provides the dissimilarity index values indicating the level of segregation in Lafayette between white residents and residents who are Black, Latinx, or Asian/Pacific Islander. The table also provides the dissimilarity index between white residents and all residents of color in the jurisdiction, and all dissimilarity index values are shown across three time periods (2000, 2010, and 2020).

In Lafayette the highest segregation is between Black and white residents (see Table 2). Lafayette's Black /white dissimilarity index of 0.299 means that 29.9% of Black (or white) residents would need to move to a different neighborhood to create perfect integration between Black residents and white residents. However, local jurisdiction staff should note that this dissimilarity index value is not a reliable data point due to small population size. See callout box above for more information.

The "Bay Area Average" column in this table provides the average dissimilarity index values for these racial group pairings across Bay Area jurisdictions in 2020. The data in this column can be used as a comparison to provide context for the levels of segregation between communities of color are from white residents in this jurisdiction.

For example, Table 2 indicates that the average Latinx/white dissimilarity index for a Bay Area jurisdiction is 0.207, so on average 20.7% of Latinx (or white residents) in a Bay Area jurisdiction would need to move to a different neighborhood within the jurisdiction to create perfect integration between Latinx and white residents in that jurisdiction.

**Table 2: Racial Dissimilarity Index Values for Segregation within Lafayette**

Race	Lafayette			Bay Area Average
	2000	2010	2020	2020
Asian/Pacific Islander vs. White	0.127	0.084	0.090	0.185
Black/African American vs. White	0.196*	0.245*	0.299*	0.244
Latinx vs. White	0.144*	0.145	0.094	0.207
People of Color vs. White	0.122	0.100	0.076	0.168

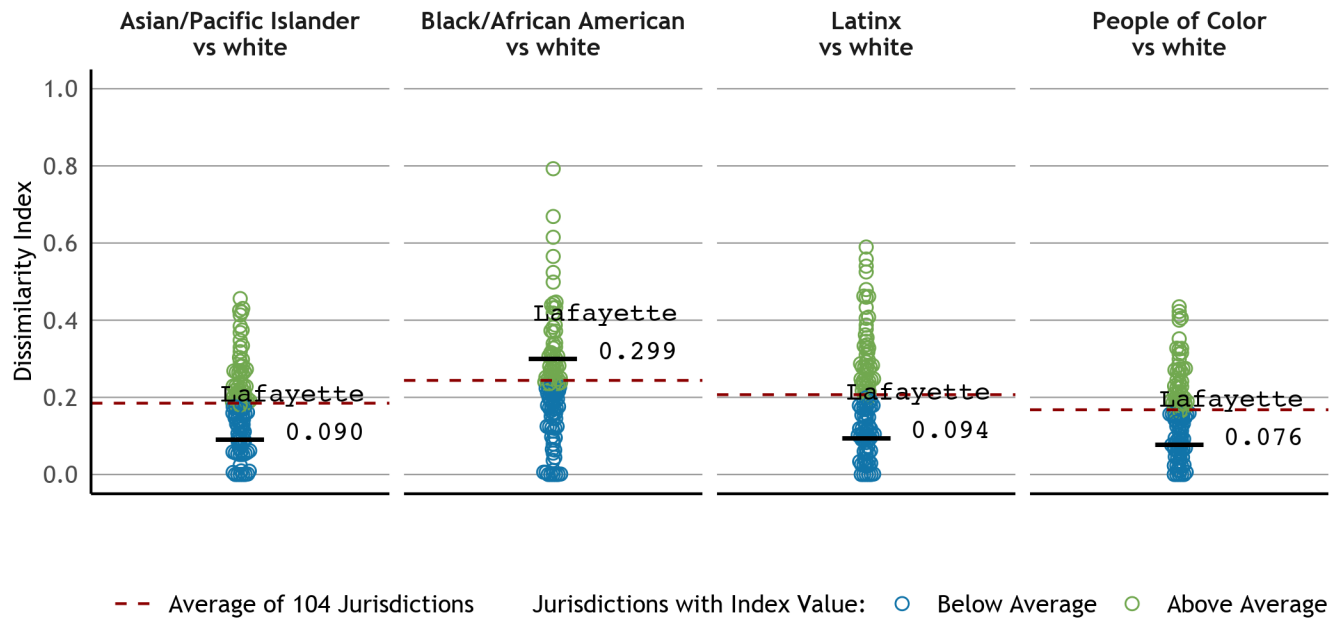
Universe: Population.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, Census 2010, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

Note: If a number is marked with an asterisk (\*), it indicates that the index is based on a racial group making up less than 5 percent of the jurisdiction population, leading to unreliable numbers.

Figure 3 below shows how dissimilarity index values in City of Lafayette compare to values in other Bay Area jurisdictions. In this chart, each dot represents a Bay Area jurisdiction. For each racial group pairing, the spread of dots represents the range of dissimilarity index values among Bay Area jurisdictions. Additionally, the black line within each racial group pairing notes the dissimilarity index value in Lafayette, and each dashed red line represents the Bay Area average for the dissimilarity index for that pairing. Similar to Figure 2, local staff can use this chart to contextualize how segregation levels between white residents and communities of color in their jurisdiction compare to the rest of the region. However, staff should be mindful of whether a racial group in their jurisdiction has a small population (approximately less than 5% of the jurisdiction’s population), as the dissimilarity index value is less reliable for small populations.





**Figure 3: Racial Dissimilarity Index Values for Lafayette Compared to Other Bay Area Jurisdictions (2020)**

Universe: Bay Area Jurisdictions.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002.

Note: The analysis conducted for this report suggests that dissimilarity index values are unreliable for a population group if that group represents approximately less than 5% of the jurisdiction’s total population. ABAG/MTC recommends that when cities have population groups that are less than 5% of the jurisdiction’s population (see Table 4), jurisdiction staff could focus on the isolation index or Thiel’s H-Index to gain a more accurate understanding of neighborhood-level racial segregation in their jurisdiction.

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. Neighborhoods are weighted by their size, so that larger neighborhoods play a more significant role in determining the total measure of segregation.
- The index ranges from 0 to 1. 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.
- For jurisdictions with a high degree of diversity (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 values for neighborhood racial segregation in Lafayette for the years 2000, 2010, and 2020 can be found in Table 3 below. The “Bay Area Average” column in the table provides the average Theil’s H Index across Bay Area jurisdictions in 2020. Between 2010 and 2020, the Theil’s H Index for racial segregation in Lafayette stayed the same, suggesting that there is now about the same amount of neighborhood level racial segregation within the jurisdiction. In 2020, the Theil’s H Index for

racial segregation in Lafayette was lower than the average value for Bay Area jurisdictions, indicating that neighborhood level racial segregation in Lafayette is less than in the average Bay Area city.

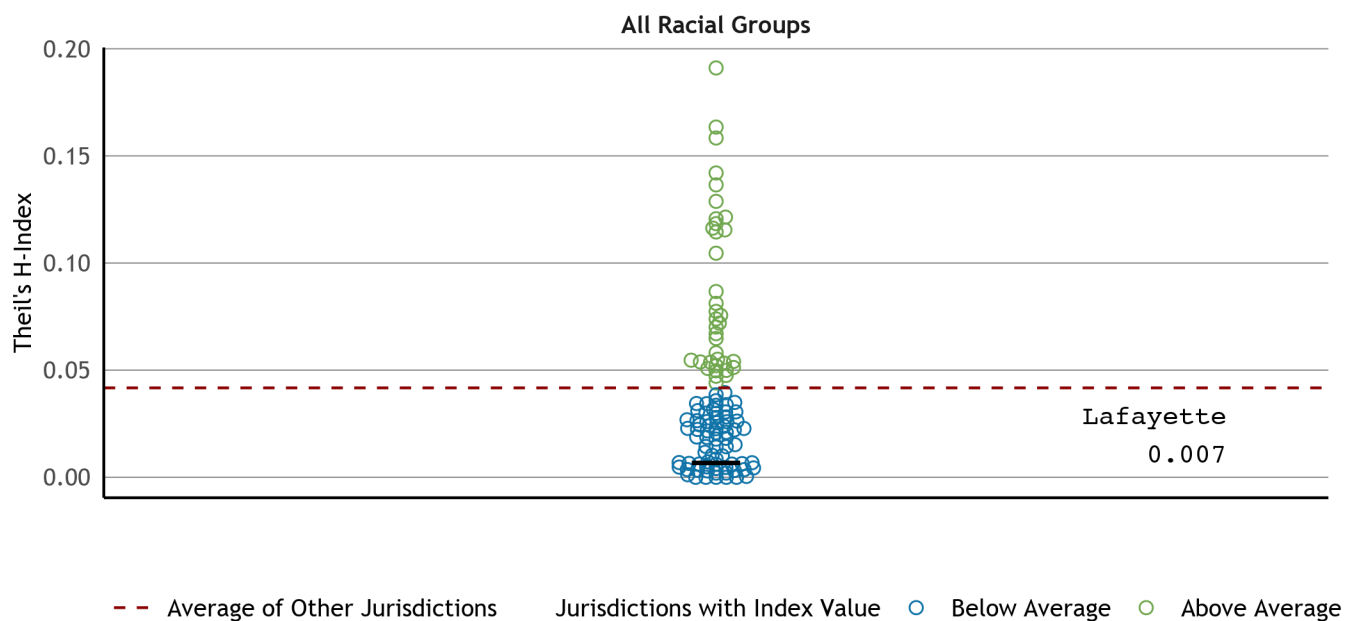
**Table 3: Theil’s H Index Values for Racial Segregation within Lafayette**

Index	Lafayette			Bay Area Average
	2000	2010	2020	2020
Theil's H Multi-racial	0.009	0.007	0.007	0.042

Universe: Population.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, Census 2010, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

Figure 4 below shows how Theil’s H index values for racial segregation in Lafayette compare to values in other Bay Area jurisdictions in 2020. In this chart, each dot represents a Bay Area jurisdiction. Additionally, the black line notes the Theil’s H index value for neighborhood racial segregation in Lafayette, and the dashed red line represents the average Theil’s H index value across Bay Area jurisdictions. Local staff can use this chart to compare how neighborhood racial segregation levels in their jurisdiction compare to other jurisdictions in the region.



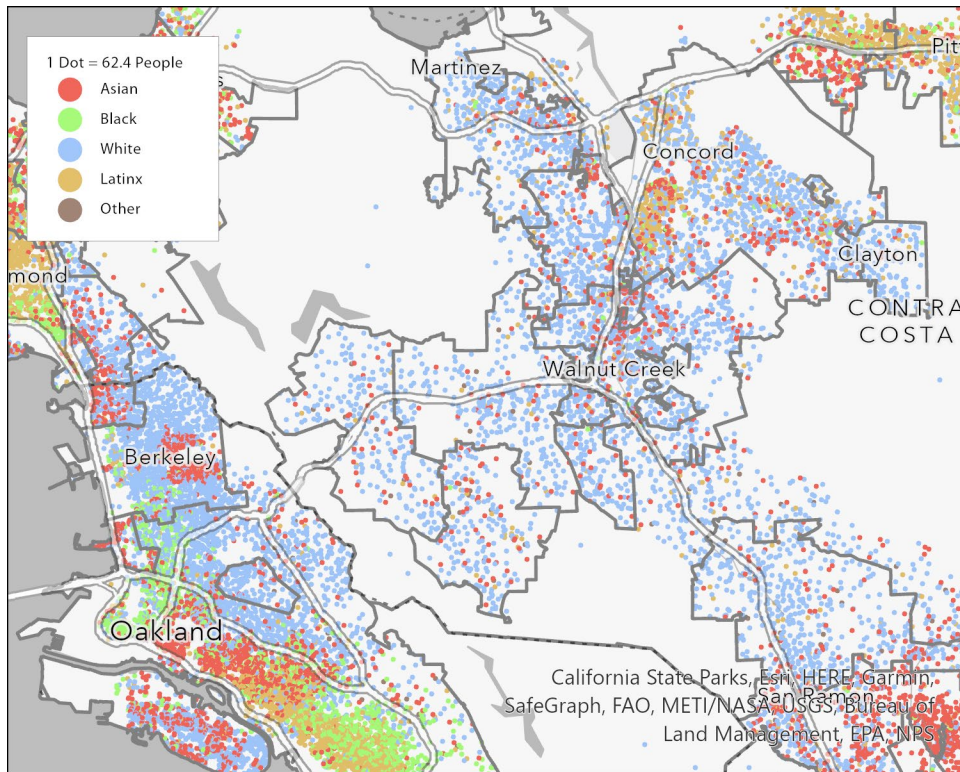
**Figure 4: Theil’s H Index Values for Racial Segregation in Lafayette Compared to Other Bay Area Jurisdictions (2020)**

Universe: Bay Area Jurisdictions.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002.

## 2.2 Regional Racial Segregation (*between Lafayette and other jurisdictions*)

At the regional level, segregation is measured between *cities* instead of between *neighborhoods*. Racial dot maps are not only useful for examining neighborhood racial segregation within a jurisdiction, but these maps can also be used to explore the racial demographic differences between different jurisdictions in the region. Figure 5 below presents a racial dot map showing the spatial distribution of racial groups in Lafayette as well as in nearby Bay Area cities.



**Figure 5: Racial Dot Map of Lafayette and Surrounding Areas (2020)**

*Universe: Population.*

*Source: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002.*

*Note: The plot shows the racial distribution at the census block level for City of Lafayette and vicinity. Dots in each census block are randomly placed and should not be construed as actual placement of people.*

To understand how each city 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 as a whole. The racial demographics in Lafayette for the years 2000, 2010, and 2020 can be found in Table 4 below. The table also provides the racial composition of the nine-county Bay Area. As of 2020, Lafayette has a higher share of white residents than the Bay Area as a whole, a lower share of Latinx residents, a lower share of Black residents, and a lower share of Asian/Pacific Islander residents.

**Table 4: Population by Racial Group, Lafayette and the Region**

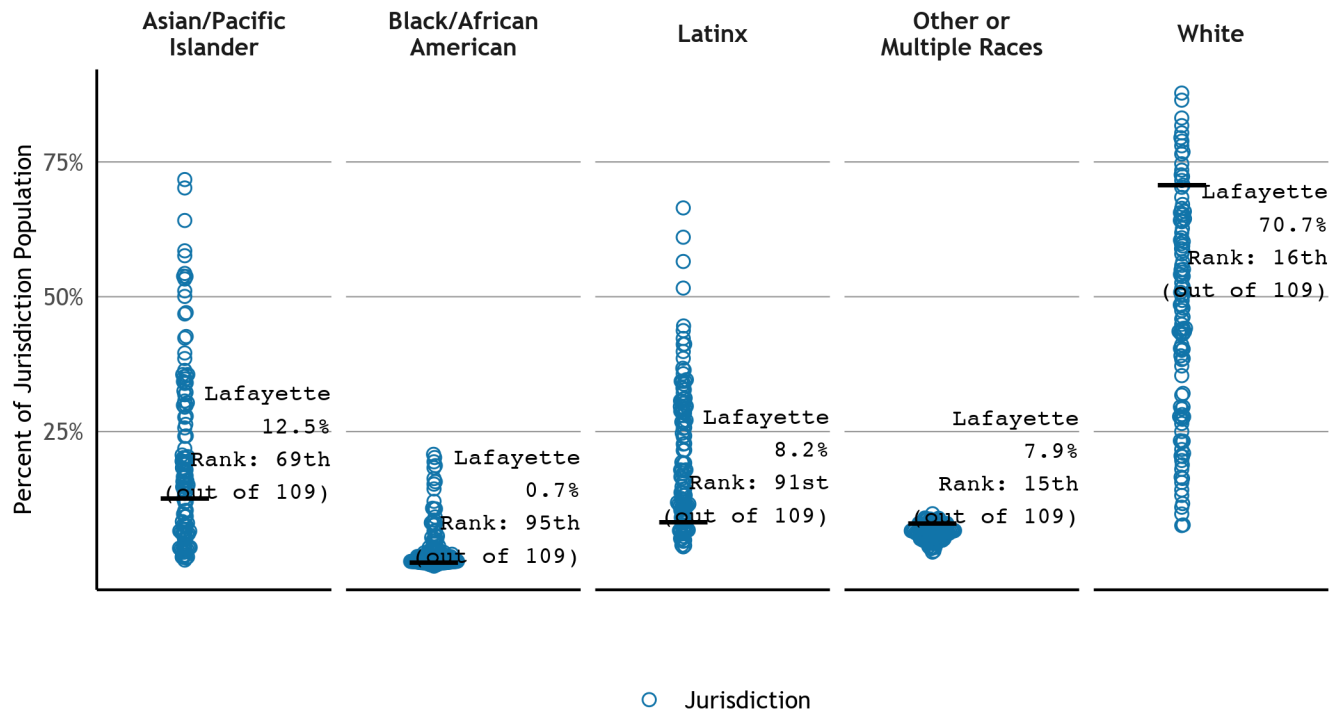
Race	Lafayette			Bay Area
	2000	2010	2020	2020
Asian/Pacific Islander	8.2%	9.0%	12.5%	28.2%
Black/African American	0.5%	0.6%	0.7%	5.6%
Latinx	4.0%	5.8%	8.2%	24.4%
Other or Multiple Races	3.2%	4.0%	7.9%	5.9%
White	84.2%	80.6%	70.7%	35.8%

Universe: Population.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, Census 2010, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

Figure 6 below compares the racial demographics in Lafayette to those of all 109 Bay Area jurisdictions.<sup>11</sup> In this chart, each dot represents a Bay Area jurisdiction. For each racial group, the spread of dots represents the range of that group’s representation among Bay Area jurisdictions. Additionally, the black line within each racial group notes the percentage of the population of City of Lafayette represented by that group and how that percentage ranks among all 109 jurisdictions. Local staff can use this chart to compare the representation of different racial groups in their jurisdiction to those groups’ representation in other jurisdictions in the region, which can indicate the extent of segregation between this jurisdiction and the region.

<sup>11</sup> While comparisons of segregation measures are made only using the 104 jurisdictions with more than one census tract, this comparison of jurisdiction level demographic data can be made using all 109 jurisdictions.



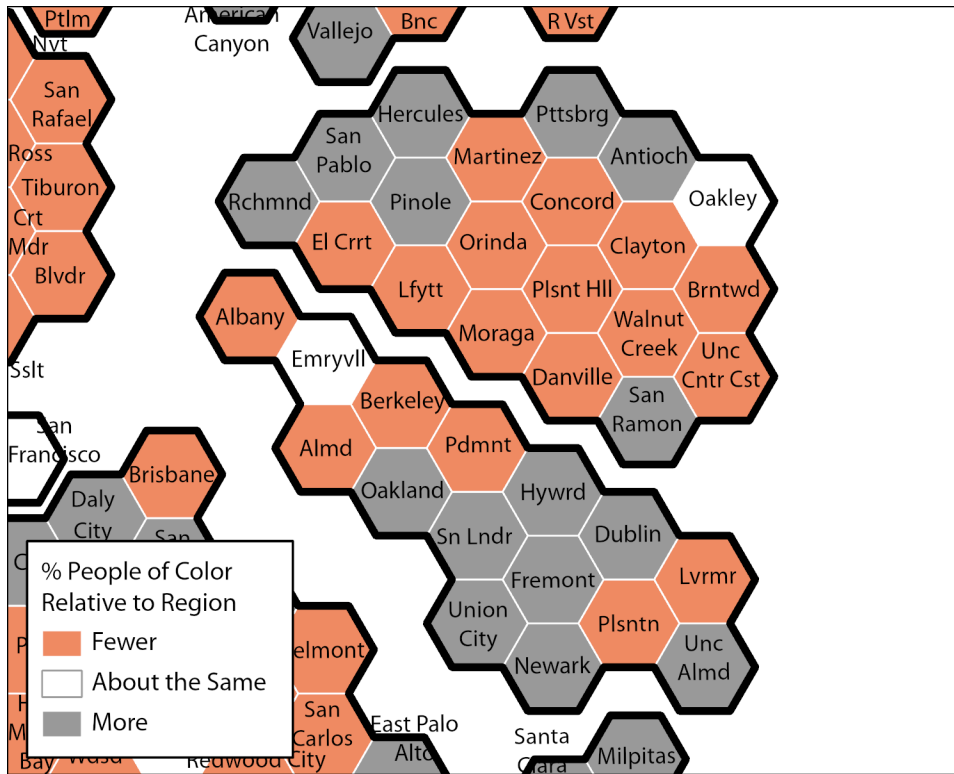
**Figure 6: Racial Demographics of Lafayette Compared to All Bay Area Jurisdictions (2020)**

Universe: Bay Area Jurisdictions.

Source U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002.

The map in Figure 7 below also illustrates regional racial segregation between Lafayette and other jurisdictions. This map demonstrates how the percentage of people of color in Lafayette and surrounding jurisdictions compares to the Bay Area as a whole:

- Jurisdictions shaded orange have a share of people of color that is less than the Bay Area as a whole, and the degree of difference is greater than five percentage points.
- Jurisdictions shaded white have a share of people of color comparable to the regional percentage of people of color (within five percentage points).
- Jurisdictions shaded grey have a share of people of color that is more than five percentage points greater than the regional percentage of people of color.



**Figure 7: Comparing the Share of People of Color in Lafayette and Vicinity to the Bay Area (2020)**

Universe: Population.

Source: U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002.

Note: People of color refer to persons not identifying as non-Hispanic white. The nine-county Bay Area is the reference region for this map.

Segregation between jurisdictions in the region can also be analyzed by calculating regional values for the segregation indices discussed previously. Table 5 presents dissimilarity index, isolation index, and Theil’s H index values for racial segregation for the entire nine-county Bay Area in 2010 and 2020. In the previous section of this report focused on neighborhood level racial segregation, these indices were calculated by comparing the racial demographics of the census tracts within a jurisdiction to the demographics of the jurisdiction as a whole. In Table 5, these measures are calculated by comparing the racial demographics of local jurisdictions to the region’s racial makeup. For example, looking at the 2020 data, Table 5 shows the white isolation index value for the region is 0.429, meaning that on average white Bay Area residents live in a jurisdiction that is 42.9% white in 2020. An example of regional dissimilarity index values in Table 5 is the Black/white dissimilarity index value of 0.459, which means that across the region 45.9% of Black (or white) residents would need to move to a different jurisdiction to evenly distribute Black and white residents across Bay Area jurisdictions. The dissimilarity index values in Table 5 reflect recommendations made in HCD’s AFFH guidance for calculating dissimilarity at the region level.<sup>12</sup> The regional value for the Theil’s H index measures how

<sup>12</sup> For more information on HCD’s recommendations regarding data considerations for analyzing integration and segregation patterns, see page 31 of the AFFH Guidance Memo.

diverse each Bay Area jurisdiction is compared to the racial 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. The regional Theil's H index value for racial segregation decreased slightly between 2010 and 2020, meaning that racial groups in the Bay Area are now slightly less separated by the borders between jurisdictions.

**Table 5: Regional Racial Segregation Measures**

<b>Index</b>	<b>Group</b>	<b>2010</b>	<b>2020</b>
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 Multi-racial	All Racial Groups	0.103	0.097

*Universe: Population.*

*Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, 2010 Census of Population and Housing, Table P4.*

**Definition of Terms - Income Groups**

When analyzing segregation by income, this report uses income group designations consistent with the Regional Housing Needs Allocation and the Housing Element:

**Very low-income:** individuals earning less than 50% of Area Median Income (AMI)

**Low-income:** individuals earning 50%-80% of AMI

**Moderate-income:** individuals earning 80%-120% of AMI

**Above moderate-income:** individuals earning 120% or more of AMI

Additionally, this report uses the term "lower-income" to refer to all people who earn less than 80% of AMI, which includes both low-income and very low-income individuals.

The income groups described above are based on U.S. Department of Housing and Urban Development (HUD) calculations for 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).

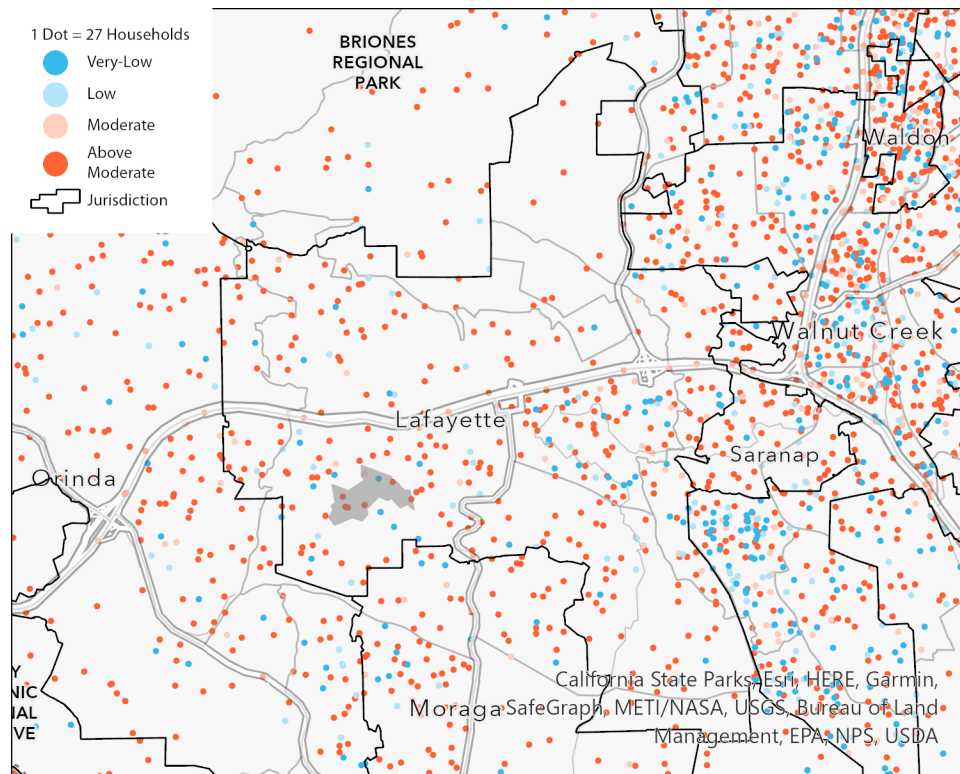
The income categories used in this report are based on the AMI for the HUD metro area where this jurisdiction is located.

### 3.1 Neighborhood Level Income Segregation (*within Lafayette*)

Income segregation can be measured using similar indices as racial segregation. Income dot maps, similar to the racial dot maps shown in Figures 1 and 5, are useful for visualizing segregation between multiple income groups at the same time. The income dot map of Lafayette in Figure 8 below offers a visual representation of the spatial distribution of income groups within the jurisdiction. As with the racial dot maps, when the dots show lack of a pattern or clustering, income segregation measures tend to be lower, and conversely, when clusters are apparent, the segregation measures may be higher as well.







**Figure 8: Income Dot Map of Lafayette (2015)**

*Universe: Population.*

*Source: U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data.*

*Note: The plot shows the income group distribution at the census block group level for City of Lafayette and vicinity. Dots in each block group are randomly placed and should not be construed as actual placement of individuals.*

The isolation index values for all income groups in Lafayette for the years 2010 and 2015 can be found in Table 6 below.<sup>13</sup> Above Moderate-income residents are the most isolated income group in Lafayette. Lafayette’s isolation index of 0.703 for these residents means that the average Above Moderate-income resident in Lafayette lives in a neighborhood that is 70.3% Above Moderate-income. Among all income groups, the Very Low-income population’s isolation index has changed the most over time, becoming more segregated from other income groups between 2010 and 2015.

Similar to the tables presented earlier for neighborhood racial segregation, the “Bay Area Average” column in Table 6 provides the average isolation index value across Bay Area jurisdictions for different income groups in 2015. The data in this column can be used as a comparison to provide context for the levels of segregation experienced by income groups in this jurisdiction. For example, Table 6 indicates the average isolation index value for very low-income residents across Bay Area jurisdictions is 0.269,

<sup>13</sup> This report presents data for income segregation for the years 2010 and 2015, which is different than the time periods used for racial segregation. This deviation stems from the [data source recommended for income segregation calculations](#) in HCD’s AFFH Guidelines. This data source most recently updated with data from the 2011-2015 American Community Survey 5-year estimates. For more information on HCD’s recommendations for calculating income segregation, see [page 32 of HCD’s AFFH Guidelines](#).

meaning that in the average Bay Area jurisdiction a very low-income resident lives in a neighborhood that is 26.9% very low-income.

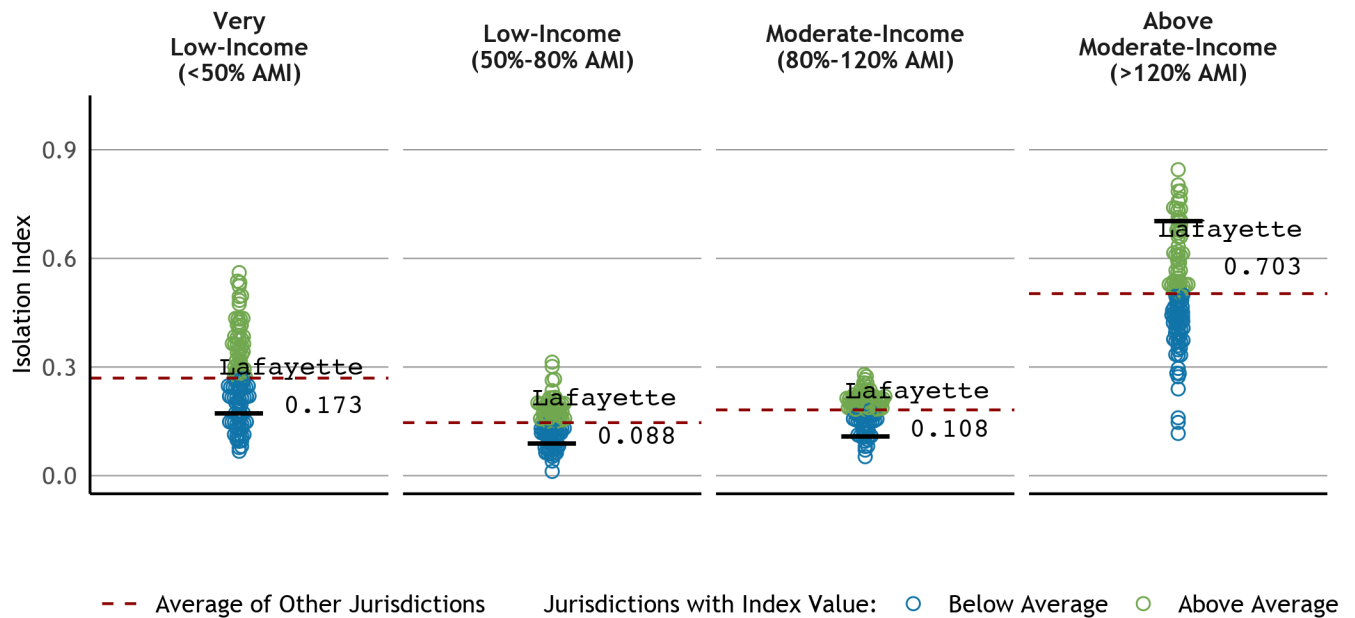
**Table 6: Income Group Isolation Index Values for Segregation within Lafayette**

Income Group	Lafayette		Bay Area Average
	2010	2015	2015
Very Low-Income (<50% AMI)	0.092	0.173	0.269
Low-Income (50%-80% AMI)	0.071	0.088	0.145
Moderate-Income (80%-120% AMI)	0.124	0.108	0.183
Above Moderate-Income (>120% AMI)	0.743	0.703	0.507

*Universe: Population.*

*Source: Data for 2015 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.*

Figure 9 below shows how income group isolation index values in Lafayette compare to values in other Bay Area jurisdictions. In this chart, each dot represents a Bay Area jurisdiction. For each income group, the spread of dots represents the range of isolation index values among Bay Area jurisdictions. Additionally, the black line within each income group notes the isolation index value for that group in Lafayette, and each dashed red line represents the Bay Area average for the isolation index for that group. Local staff can use this chart to contextualize how segregation levels for income groups in their jurisdiction compare to the rest of the region.



**Figure 9: Income Group Isolation Index Values for Lafayette Compared to Other Bay Area Jurisdictions (2015)**

Universe: 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.

Table 7 below provides the dissimilarity index values indicating the level of segregation in Lafayette between residents who are lower-income (earning less than 80% of AMI) and those who are not lower-income (earning above 80% of AMI). This data aligns with the requirements described in HCD’s AFFH Guidance Memo for identifying dissimilarity for lower-income households.<sup>14</sup> Segregation in Lafayette between lower-income residents and residents who are not lower-income increased between 2010 and 2015. Additionally, Table 7 shows dissimilarity index values for the level of segregation in Albany between residents who are very low-income (earning less than 50% of AMI) and those who are above moderate-income (earning above 120% of AMI). This supplementary data point provides additional nuance to an analysis of income segregation, as this index value indicates the extent to which a jurisdiction’s lowest and highest income residents live in separate neighborhoods.

Similar to other tables in this report, the “Bay Area Average” column shows the average dissimilarity index values for these income group pairings across Bay Area jurisdictions in 2015. For example, Table 7 indicates that the average dissimilarity index between lower-income residents and other residents in a Bay Area jurisdiction is 0.198, so on average 19.8% of lower-income residents in a Bay Area jurisdiction would need to move to a different neighborhood within the jurisdiction to create perfect income group integration in that jurisdiction.

<sup>14</sup> For more information, see page 32 of HCD’s AFFH Guidance Memo.

In 2015, the income segregation in Lafayette between lower-income residents and other residents was higher than the average value for Bay Area jurisdictions (See Table 7). This means that the lower-income residents are more segregated from other residents within Lafayette compared to other Jurisdictions in the region.

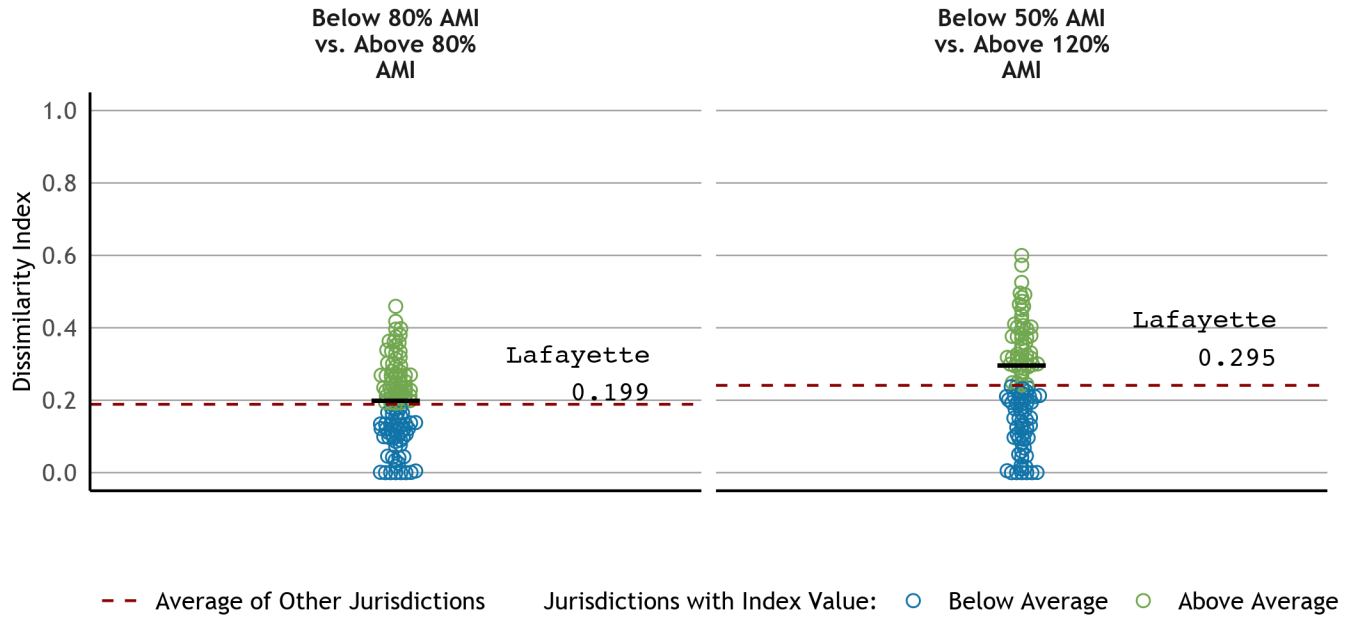
**Table 7: Income Group Dissimilarity Index Values for Segregation within Lafayette**

Income Group	Lafayette		Bay Area Average
	2010	2015	2015
Below 80% AMI vs. Above 80% AMI	0.146	0.199	0.198
Below 50% AMI vs. Above 120% AMI	0.179	0.295	0.253

*Universe: Population.*

*Source: Data for 2015 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.*

Figure 10 below shows how dissimilarity index values for income segregation in Lafayette compare to values in other Bay Area jurisdictions. In this chart, each dot represents a Bay Area jurisdiction. For each income group pairing, the spread of dots represents the range of dissimilarity index values among Bay Area jurisdictions. Additionally, the black line within each income group pairing notes the dissimilarity index value in Lafayette, and each dashed red line represents the Bay Area average for the dissimilarity index for that pairing. Local staff can use this chart to contextualize how segregation levels between lower-income residents and wealthier residents in their jurisdiction compared to the rest of the region.



**Figure 10: Income Group Dissimilarity Index Values for Lafayette Compared to Other Bay Area Jurisdictions (2015)**

Universe: 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.

The Theil's H Index values for neighborhood income group segregation in Lafayette for the years 2010 and 2015 can be found in Table 8 below. The "Bay Area Average" column in this table provides the average Theil's H Index value across Bay Area jurisdictions for different income groups in 2015. By 2015, the Theil's H Index value for income segregation in Lafayette was more than it had been in 2010. In 2015, the Theil's H Index value for income group segregation in Lafayette was lower than the average value for Bay Area jurisdictions, indicating there is less neighborhood level income segregation in Lafayette than in the average Bay Area city.

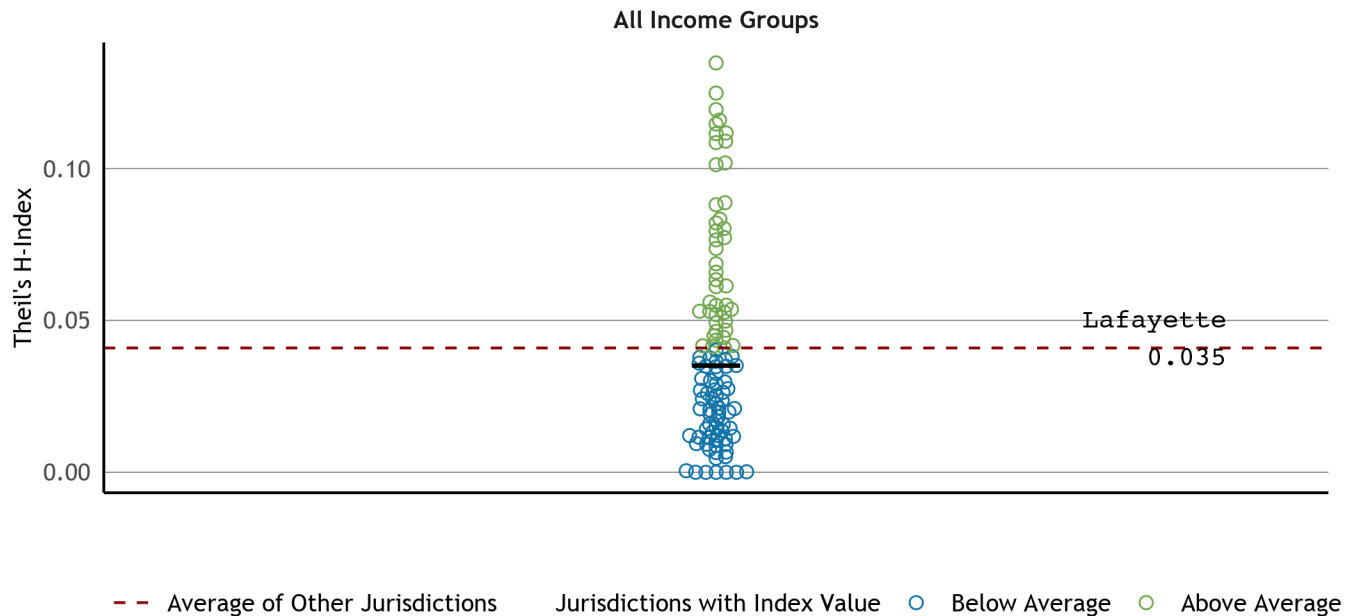
**Table 8: Theil's H Index Values for Income Segregation within Lafayette**

	Lafayette		Bay Area Average
Index	2010	2015	2015
Theil's H Multi-income	0.018	0.035	0.043

Universe: Population.

Source: Data for 2015 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.

Figure 11 below shows how Theil's H index values for income group segregation in Lafayette compare to values in other Bay Area jurisdictions in 2015. In this chart, each dot represents a Bay Area jurisdiction. Additionally, the black line notes the Theil's H index value for income group segregation in Lafayette, and the dashed red line represents the average Theil's H index value across Bay Area jurisdictions. Local staff can use this chart to compare how neighborhood income group segregation levels in their jurisdiction compare to other jurisdictions in the region.



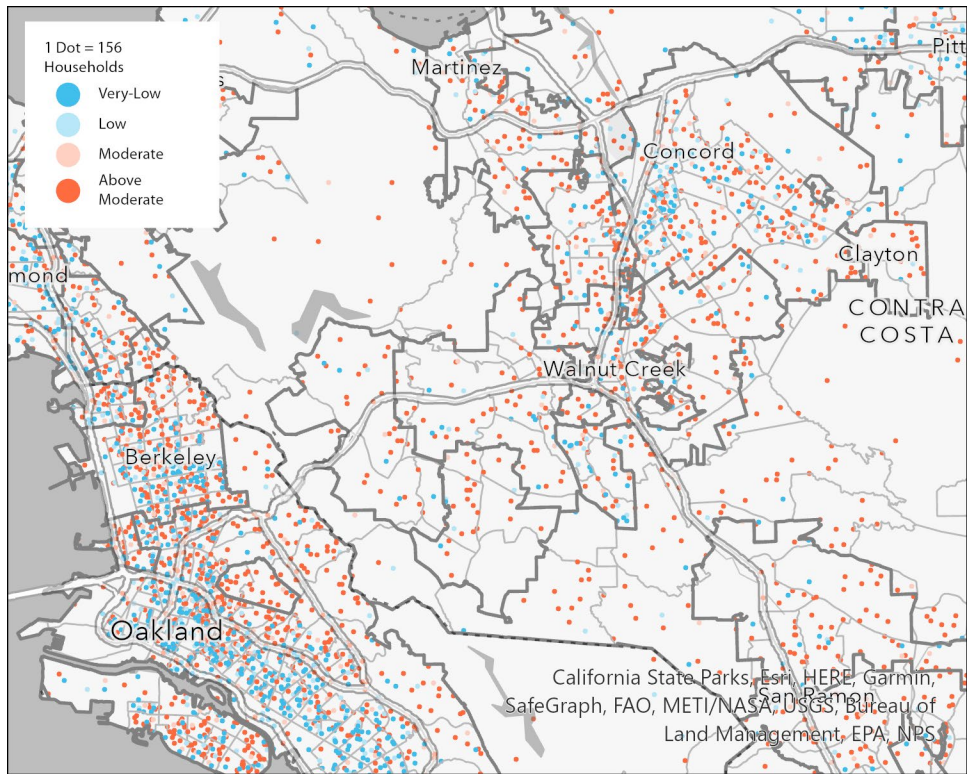
**Figure 11: Income Group Theil's H Index Values for Lafayette Compared to Other Bay Area Jurisdictions (2015)**

*Universe: 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.*

### 3.2 Regional Income Segregation (*between Lafayette and other jurisdictions*)

At the regional level, segregation is measured between jurisdictions instead of between neighborhoods. Income dot maps are not only useful for examining neighborhood income segregation within a jurisdiction, but these maps can also be used to explore income demographic differences between jurisdictions in the region. Figure 12 below presents an income dot map showing the spatial distribution of income groups in Lafayette as well as in nearby Bay Area jurisdictions.



**Figure 12: Income Dot Map of Lafayette and Surrounding Areas (2015)**

*Universe: Population.*

*Source: U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data.*

*Note: The plot shows the income group distribution at the census block group level for City of Lafayette and vicinity. Dots in each block group are randomly placed and should not be construed as actual placement of individuals.*

When looking at income segregation between jurisdictions in the Bay Area, one can examine how Lafayette differs from the region. The income demographics in Lafayette for the years 2010 and 2015 can be found in Table 9 below. The table also provides the income composition of the nine-county Bay Area in 2015. As of that year, Lafayette had a lower share of very low-income residents than the Bay Area as a whole, a lower share of low-income residents, a lower share of moderate-income residents, and a higher share of above moderate-income residents.

**Table 9: Population by Income Group, Lafayette and the Region**

Income Group	Lafayette		Bay Area
	2010	2015	2015
Very Low-Income (<50% AMI)	8.18%	13.77%	28.7%
Low-Income (50%-80% AMI)	5.78%	7.04%	14.3%
Moderate-Income (80%-120% AMI)	11.84%	10.02%	17.6%
Above Moderate-Income (>120% AMI)	74.2%	69.17%	39.4%

Universe: Population.

Source: Data for 2015 is from Housing U.S. Department of and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.

Figure 13 below compares the income demographics in Lafayette to other Bay Area jurisdictions.<sup>15</sup> Like the chart in Figure 3, each dot represents a Bay Area jurisdiction. For each income group, the spread of dots represents the range of that group's representation among Bay Area jurisdictions. The smallest range is among jurisdictions' moderate-income populations, while Bay Area jurisdictions vary the most in the share of their population that is above moderate-income. Additionally, the black lines within each income group note the percentage of Lafayette population represented by that group and how that percentage ranks among other jurisdictions. Local staff can use this chart to compare the representation of different income groups in their jurisdiction to those groups' representation in other jurisdictions in the region, which can indicate the extent of segregation between this jurisdiction and the region.

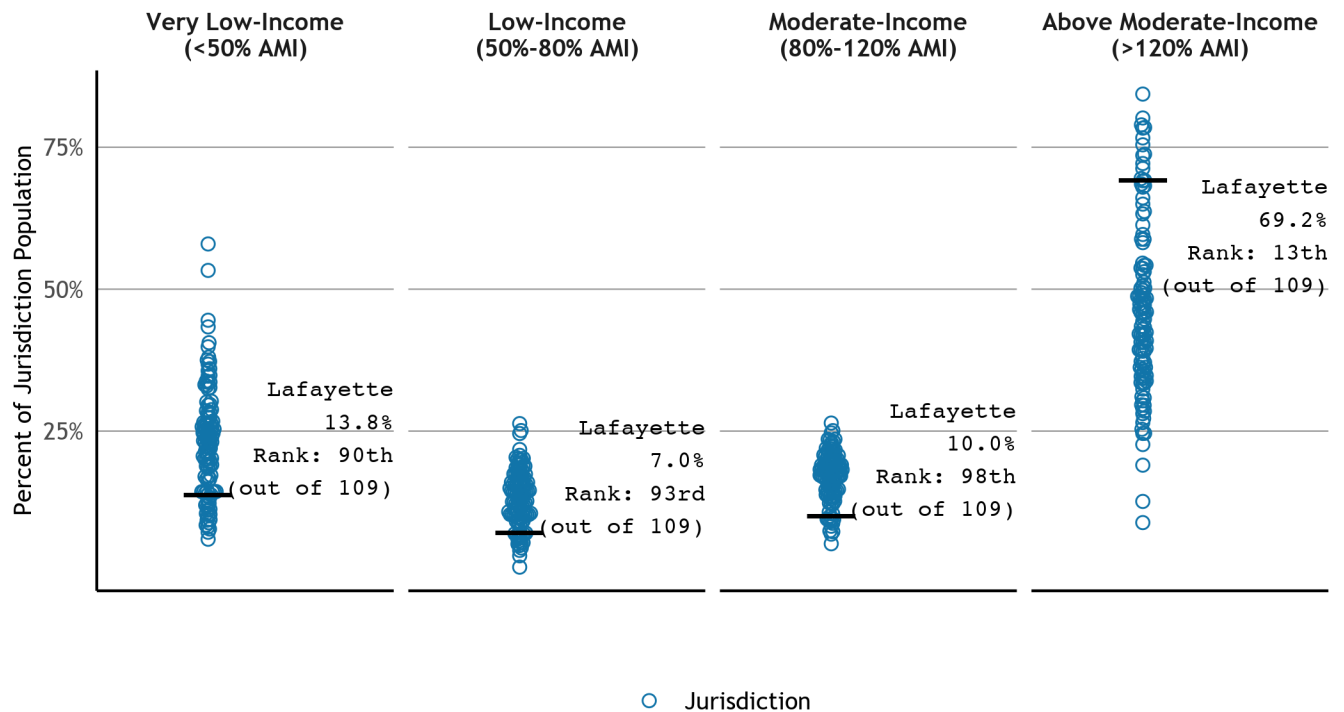


Figure 13: Income Demographics of Lafayette Compared to Other Bay Area Jurisdictions (2015)

Universe: 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.

<sup>15</sup> While comparisons of segregation measures are made only using the 104 jurisdictions with more than one census tract, this comparison of jurisdiction level demographic data can be made using all 109 jurisdictions.



Income segregation between jurisdictions in the region can also be analyzed by calculating regional values for the segregation indices discussed previously. Similar to the regional racial segregation measures shown in Table 5, Table 10 presents dissimilarity index, isolation index, and Theil's H index values for income segregation for the entire nine-county Bay Area in 2010 and 2015. In the previous section of this report focused on neighborhood level income segregation, segregation indices were calculated by comparing the income demographics of the census tracts within a jurisdiction to the demographics of the jurisdiction as a whole. In Table 10, these measures are calculated by comparing the income demographics of local jurisdictions to the region's income group makeup. For example, looking at 2015 data, Table 10 shows the regional isolation index value for very low-income residents is 0.315 for 2015, meaning that on average very low-income Bay Area residents live in a jurisdiction that is 31.5% very low-income. The regional dissimilarity index for lower-income residents and other residents is 0.194 in 2015, which means that across the region 19.4% of lower-income residents would need to move to a different jurisdiction to create perfect income group integration in the Bay Area as a whole. The regional value for the Theil's H index measures how diverse each Bay Area jurisdiction is compared to the income group diversity of the whole region. A Theil's H Index value of 0 would mean all jurisdictions within the Bay Area have the same income demographics as the entire region, while a value of 1 would mean each income group lives exclusively in their own separate jurisdiction. The regional Theil's H index value for income segregation decreased slightly between 2010 and 2015, meaning that income groups in the Bay Area are now slightly less separated by the borders between jurisdictions.

**Table 10: Regional Income Segregation Measures**

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 Multi-income	All Income Groups	0.034	0.032

Universe: Population.

Source: Data for 2015 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.

## 4 APPENDIX 1: SUMMARY OF FINDINGS

### 4.1 Segregation in City of Lafayette

- The isolation index measures the segregation of a single group, and the dissimilarity index measures segregation between two different groups. The Theil's H-Index can be used to measure segregation between all racial or income groups across the city at once.
- As of 2020, white residents are the most segregated compared to other racial groups in Lafayette, as measured by the isolation index. White residents live in neighborhoods where they are less likely to come into contact with other racial groups.
- Among all racial groups, the white population's isolation index value has changed the most over time, becoming less segregated from other racial groups between 2000 and 2020.
- According to the dissimilarity index, within Lafayette the highest level of racial segregation is between Black and white residents.<sup>16</sup> However, local jurisdiction staff should note that this dissimilarity index value is not a reliable data point due to small population size.
- According to the Theil's H-Index, neighborhood racial segregation in Lafayette stayed the same between 2010 and 2020. Neighborhood income segregation increased between 2010 and 2015.
- Above Moderate-income residents are the most segregated compared to other income groups in Lafayette. Above Moderate-income residents live in neighborhoods where they are less likely to encounter residents of other income groups.
- Among all income groups, the Very Low-income population's segregation measure has changed the most over time, becoming more segregated from other income groups between 2010 and 2015.
- According to the dissimilarity index, segregation between lower-income residents and residents who are not lower-income has increased between 2010 and 2015. In 2015, the income segregation in Lafayette between lower-income residents and other residents was higher than the average value for Bay Area jurisdictions.

### 4.2 Segregation Between City of Lafayette and Other jurisdictions in the Bay Area Region

- Lafayette has a higher share of white residents than other jurisdictions in the Bay Area as a whole, a lower share of Latinx residents, a lower share of Black residents, and a lower share of Asian/Pacific Islander residents.

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<sup>16</sup> The analysis conducted for this report suggests that dissimilarity index values are unreliable for a population group if that group represents approximately less than 5% of the jurisdiction's total population. ABAG/MTC recommends that when cities have population groups that are less than 5% of the jurisdiction's population (see Table 15 in Appendix 2), jurisdiction staff could focus on the isolation index or Thiel's H-Index to gain a more accurate understanding of neighborhood-level racial segregation in their jurisdiction.



- Regarding income groups, Lafayette has a lower share of very low-income residents than other jurisdictions in the Bay Area as a whole, a lower share of low-income residents, a lower share of moderate-income residents, and a higher share of above moderate-income residents.



## 5 APPENDIX 2: SEGREGATION DATA

Appendix 2 combines tabular data presented throughout this report into a more condensed format. This data compilation is intended to enable local jurisdiction staff and their consultants to easily reference this data and re-use the data in the Housing Element or other relevant documents/analyses.

Table 11 in this appendix combines data from Table 1, Table 2, and Table 3 in the body of the report. Table 12 in this appendix combines data from Table 6, Table 7, and Table 8 in the body of the report. Table 13 represents a duplication of Table 5 in the body of the report; Table 14 represents a duplication of Table 10 in the body of the report; Table 15 in this appendix represents a duplication of Table 4 in the body of the report, while Table 16 represents a duplication of Table 9 in the body of the report.

**Table 11: Neighborhood Racial Segregation Levels in Lafayette**

Index	Race	Lafayette			Bay Area Average
		2000	2010	2020	2020
Isolation	Asian/Pacific Islander	0.089	0.098	0.128	0.245
	Black/African American	0.008	0.010	0.009	0.053
	Latinx	0.044	0.065	0.086	0.251
	White	0.839	0.796	0.709	0.491
Dissimilarity	Asian/Pacific Islander vs. White	0.127	0.084	0.090	0.185
	Black/African American vs. White	0.196*	0.245*	0.299*	0.244
	Latinx vs. White	0.144*	0.145	0.094	0.207
	People of Color vs. White	0.122	0.100	0.076	0.168
Theil's H Multi-racial	All	0.009	0.007	0.007	0.042

Universe: Population.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, 2010 Census of Population and Housing, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

Note: If a number is marked with an asterisk (\*), it indicates that the index is based on a racial group making up less than 5 percent of the jurisdiction population, leading to unreliable numbers.

**Table 12: Neighborhood Income Segregation Levels in Lafayette**

Index	Income Group	Lafayette		Bay Area Average
		2010	2015	2015
Isolation	Very Low-Income (<50% AMI)	0.092	0.173	0.269
	Low-Income (50%-80% AMI)	0.071	0.088	0.145
	Moderate-Income (80%-120% AMI)	0.124	0.108	0.183
	Above Moderate-Income (>120% AMI)	0.743	0.703	0.507
Dissimilarity	Below 80% AMI vs. Above 80% AMI	0.146	0.199	0.198
	Below 50% AMI vs. Above 120% AMI	0.179	0.295	0.253
Theil's H Multi-racial	All	0.018	0.035	0.043

Universe: Population.

Source: Income data for 2015 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.

**Table 13: Regional Racial Segregation Measures**

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 Multi-racial	All Racial Groups	0.103	0.097

Universe: Population.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, 2010 Census of Population and Housing, Table P4.

**Table 14: Regional Income Segregation Measures**

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 Multi-income	All Income Groups	0.034	0.032

Universe: Population.

Source: Data for 2015 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.

**Table 15: Population by Racial Group, Lafayette and the Region**

Race	Lafayette			Bay Area
	2000	2010	2020	2020
Asian/Pacific Islander	8.19%	9.04%	12.52%	35.8%
Black/African American	0.54%	0.64%	0.67%	5.6%
Latinx	3.95%	5.81%	8.17%	28.2%
Other or Multiple Races	3.15%	3.96%	7.94%	24.4%
White	84.17%	80.55%	70.69%	5.9%

Universe: Population.

Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, 2010 Census of Population and Housing, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

**Table 16: Population by Income Group, Lafayette and the Region**

Income Group	Lafayette		Bay Area
	2010	2015	2015
Very Low-Income (<50% AMI)	8.18%	13.77%	28.7%
Low-Income (50%-80% AMI)	5.78%	7.04%	14.3%
Moderate-Income (80%-120% AMI)	11.84%	10.02%	17.6%
Above Moderate-Income (>120% AMI)	74.2%	69.17%	39.4%

Universe: Population.

Source: Data for 2015 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2011-2015 Low- and Moderate-Income Summary Data. Data for 2010 is from U.S. Department of Housing and Urban Development, American Community Survey 5-Year 2006-2010 Low- and Moderate-Income Summary Data.

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**APPENDIX E**  
**Review of the Prior Housing Element**  
**2015-2023**  
Revised April 22, 2024

6th Cycle Housing Element  
City of Lafayette

## 1 INTRODUCTION

In addition to this status report, the State Department of Housing and Community Development has provided guidance on reporting about the impact of actions of special needs groups, specifically: “Provide a description of how past programs were effective in addressing the housing needs of the special populations. This analysis can be done as part of describing the effectiveness of the program if the jurisdiction has multiple programs to specifically address housing needs of special needs populations or if specific programs were not included, provide a summary of the cumulative results of the programs in addressing the housing need terms of units or services by special need group.”

Although the City is not a direct provider of services to people with special needs, the City worked diligently to continuously promote housing for special-needs groups in a variety of ways.

- The City has worked with Hello Housing, a BMR management organization, with ensuring that vacant inclusionary BMR units are available to lower income households, including those with special needs. Going forward, the City will ensure affirmative marketing for BMR units specifically to households with special needs.
- In addition, the City will evaluate the BMR program to provide incentives to developers that will increase the number of units specifically targeted to underrepresented residents with disproportionate needs, including those with special needs, such as single female heads of household.
- Accessory dwelling units (ADUs) can be an affordable option for many low-income households. The City will institute an occupancy survey to determine rent levels and special needs populations served by ADUs.
- In 2014, the City worked successfully with Eden Housing to complete the development of 46 units affordable to extremely low- and very low-income senior households at the Belle Terre Senior Housing project.

The following review notes where information on past performance includes data on special needs groups, and links programs going forward where this information will be collected.

Program	Status	Comments
<p><b>Program H-1.1.1: Rehabilitation/Preservation Program:</b> Support the Contra Costa County Housing Authority (CCCHA), which provides low interest loans for the rehabilitation of homes owned or occupied by low- to moderate-income households. The City will continue to assist in citizen awareness of this rehabilitation loan program by a) making pamphlets on this program available at City Hall and at the public library; b) contacting neighborhood groups in older residential areas with this information; c) continuing building code enforcement through the County's Building Division; and d) continuing to provide updated information through the City's website, Vistas (the City newsletter) and other relevant media.</p> <p>Responsibility: Planning Department  Financing: City and County  Scheduling: Ongoing</p>	Ongoing.	<p>Pamphlets are available at the City offices and Contra Costa Building Inspection Department. The existing program is not within the jurisdiction of the City and is not a measurable or timebound item. There is still value in providing information on home rehabilitation programs for low-income homeowners and the program should be converted into a policy.</p> <p>Effectiveness: Low. The City received only one or two inquiries about assistance for rehabilitating homes; these inquiries were referred to the County.</p> <p>Appropriateness: The Housing Element contains two new programs to support lower income households in accessing rehabilitation funding through the County, and as part of this process, data on special needs households will be collected.. See new policies 7.2.b and 7.2.c.</p>
<p><b>Program H-1.1.2: Code Enforcement Program:</b> Continue the code enforcement program to encourage the rehabilitation and/or elimination of physically obsolete and substandard housing.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Annually as an ongoing program</p>	Ongoing	<p>The City hired a full time Code Enforcement Officer in 2006. The Lafayette Municipal Code was updated in 2009 to provide new regulations for a more robust code enforcement and property maintenance program. In 2021, the Code Enforcement Officer handled four hundred and sixteen cases. Fifty-five cases involved property maintenance and upkeep.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Continue with the program. As noted in program 10.1.a, the City will request ongoing collection of data on special needs groups.</p>

Program	Status	Comments
<p><b>Program H-1.2.1: Maintenance of Existing Residential Zoning:</b> Retain existing residential zoning and revise the Zoning Ordinance to disallow commercial uses, other than residential businesses, in these zones. Continue to require architectural review of non-residential structures (e.g. schools, churches, fire houses, police stations, utility structures) in residential zones to ensure conformity with existing neighborhood character.</p> <p>Responsibility: Planning Department Financing: City Schedule: Ongoing</p>	Ongoing	<p>Requirements for design review for non-residential structures and uses in residential zones are included in the municipal code. This program is not necessary to achieve its intended purpose as the zoning code enables this review.</p> <p>Effectiveness: Low.</p> <p>Appropriateness: Discontinue the program. There is no information to report on special needs groups.</p>
<p><b>Program H-1.2.2</b></p>		<p><i>Omitted as typo in previous Housing Element.</i></p>
<p><b>Program H-1.2.3: Conversion of Housing Units Downtown:</b> Work with property owners through the permitting process to convert and reclaim illegally converted units back to their original residential use.</p> <p>Responsibility: Planning Department Financing: City Scheduling: 2016-2017</p>	Completed	<p>The City has prioritized the retention of housing in the downtown and worked with two property owners to return residential units previously illegally converted into commercial spaces. One property has received entitlements to be redeveloped into 71 units with 9 below-market-rate units. In 2014, the City adopted an ordinance establishing a process for an applicant to receive temporary approvals for commercial uses in residential spaces.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Continue with the program. A variety of programs in this new Housing Element will address the loss of units, and each program will document the households affected by these programs according to special needs, among other factors. See AFFH Action 4.2, programs 6.2.a, 6.2.b, 6.2.c, 7.2.b, and 7.2.c.</p>

Program	Status	Comments
<p><b>Program H-1.4.1: Condominium Conversions:</b> Consider amendments to the existing condominium conversion regulations (Chapter 32 of Title 6 of the Municipal Code). Amendments that would be considered include exemption of limited equity residential cooperatives that provide long-term affordability for the units; requirement of relocation assistance by the proponent when units are converted; and requirement of first right of refusal by occupants. Where there are existing affordable units, require conversion projects to retain the same number of affordable units when they convert to ownership. Periodically review the provisions of the Condominium Conversion Ordinance to ensure that it adequately protects the existing rental housing stock. Conversions will require that 15% of the units be set aside for affordable housing.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: 2018</p>	Not completed	<p>Recent changes in state law have established regulations to require relocation assistance and first right of refusal, which were objectives in the existing program. The program should be amended to reassess these regulations to incorporate best practices within the context of the current regulatory environment to retain affordable housing units.</p> <p>Effectiveness: Not known.</p> <p>Appropriateness: Amend the program. There is no information to report on special needs groups.</p>
<p><b>Program H-1.5.1: Energy Conservation Program:</b> Provide information for public distribution on programs which provide assistance for energy conservation improvements, and information on sustainability and climate change. Make this information available on the City’s web page, at the City offices, the Contra Costa County Building Inspection Department, the Lafayette Library and at the annual Earth Day event. Coordinate community activities and programs with Sustainable Lafayette.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Ongoing</p>	Ongoing	<p>The existing program is not a measurable or timebound item and should not be retained as a program. As a policy, this item can still support energy conservation through the provision of information to the public.</p> <p>Effectiveness: Unknown.</p> <p>Appropriateness: Convert the program to an ongoing policy. There is no information to report on special needs groups.</p>

Program	Status	Comments
<p><b>Program H-1.5.2: Green Building Incentives:</b> Offer incentives to property owners whose buildings exceed minimum CalGreen requirement, such as obtain a U.S Green Building Council Leadership in Energy and Environmental Design (LEED) Certification, Build-It-Green Green Point Rated Certification (GPR), or a self-certification equivalent. Incentives may include granting Environmental Awards of Excellence and posting details of the building on the City’s website, and providing plaques certifying that the building exceeds the City’s minimum green building standards.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Ongoing</p>	<p>Green Awards: Ongoing</p> <p>Green building incentives: Not completed.</p>	<p>Each year, the City Council presents Environmental Awards of Excellence to local residents, institutions and businesses to recognize their contributions to a more sustainable Lafayette. The most recent Environmental Awards for green buildings were awarded in 2015. Beyond the awards, an incentives program has not yet been developed.</p> <p>Effectiveness: Low.</p> <p>Appropriateness: Continue with the program. There is no information to report on special needs groups.</p>
<p><b>Program H-1.5.3: Annual Earth Day Event:</b> Continue to co-sponsor the Earth Day event with Sustainable Lafayette and Lafayette Chamber of Commerce which is held annually in Downtown Lafayette. At this event, booths are provided to the local schools and other organizations interested in environmental sustainability to help them publicize their efforts to promote sustainability.</p> <p>Responsibility: City Council  Financing: City, Sustainable Lafayette and Chamber of Commerce  Scheduling: Annual</p>	<p>Ongoing</p>	<p>Annual Earth Day celebrations were held in April from 2015 through 2019. Events were not held in 2020 or 2021 due to the COVID-19 pandemic. The existing program is not a measurable or timebound item and should not be retained as a program. As a policy, this item can still support energy conservation and sustainability through the provision of information to the public.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Convert the program to an ongoing policy. There is no information to report on special needs groups.</p>

Program	Status	Comments
<p><b>Program H-1.5.4: Home Energy Retrofit Program:</b> Work with Contra Costa County to offer subsidized home energy assessments and rebates on the cost of energy efficiency improvements to residents proposing home improvement projects that achieve at least a 20% reduction in home energy consumption.</p> <p>Responsibility: Planning Department  Financing: State Energy Program grant  Scheduling: Ongoing</p>	Ongoing	<p>The existing program is not within the jurisdiction of the City nor is it a measurable or timebound item. As a policy, this item can still support energy conservation and sustainability through the provision of information to the public.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Convert the program to an ongoing policy. There is no information to report on special needs groups.</p>
<p><b>Program H-1.5.6: Environmental Action Plan:</b> Develop a plan to include specific goals, policies and programs for community sustainability.</p> <p>Responsibility: Planning Department  Financing: City, Sustainable Lafayette, and Chamber of Commerce  Scheduling: 2016</p>	Completed	<p>The City adopted an Environmental Action Plan in 2017; as such, the program has been completed.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Completed. There is no information to report on special needs groups.</p>
<p><b>Program H-1.6.1: Review Existing Zoning Regulations that Protect Existing Smaller Units:</b> Strengthen design review findings to ensure that new homes and additions are in keeping with the character of the neighborhood.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: 2016</p>	Completed and amended	<p>Over the last several years, the City has received requests to substantially enlarge smaller, older homes in existing neighborhoods or replace them with larger homes – both of which can undermine the existing character of the neighborhoods, have impacts on neighboring properties, and adversely affect the variety of single family house types and supply of affordable housing in the City. The City Council directed staff to further clarify the factors to be considered when evaluating neighborhood compatibility; however, recent changes in state law have put in place requirements to only review developments against objective design standards. The City plans to amend this program to focus on development of</p>

Program	Status	Comments
		<p>objective design standards for residential development more broadly.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Amend the program. There is no information to report on special needs groups.</p>
<p><b>Program H-1.7.1: Capital Improvement Program:</b> Provide for annual review by the Planning Commission and City Council of the City's Capital Improvement Program (CIP) to determine what special priorities are needed for capital improvement projects required to maintain the community's older residential neighborhoods. Review of the CIP shall also include verification that areas needing improvement are scheduled for funding to address these needs at a specific time in the future.</p> <p>Responsibility: Engineering Department  Financing: City  Scheduling: Annually as an ongoing program</p>	Ongoing	<p>The Planning Commission and the City Council review the CIP annually. The City prioritizes resources to areas of Lafayette that need it the most. In 2021, the following streets in the older neighborhoods closest to the downtown were resurfaced – Moraga Road and Reliez Valley Road.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Continue with the program. There is no information to report on special needs groups.</p>
<p><b>Program H-1.8.1: Ongoing Monitoring of Conversion Risks:</b> Monitor affordable projects at risk of conversion to market rate. Maintain regular communication with the owners of any subsidized projects in Lafayette to keep up-to-date on plans to maintain affordability. Assist in outreach and education to tenants as needed.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Annually as an ongoing program</p>	Ongoing	<p>No market rate conversions were considered or approved during the current reporting period.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Convert the program to an ongoing policy. Both Belle Terre and Chateau Lafayette have special needs residents, specifically very low-income seniors. In total, 113 seniors are served in these two communities. The City's ongoing policy 6.5 will continue to monitor units at risk of conversion to market rate.</p>



Program	Status	Comments
<p><b>Program H-1.8.2: Ongoing Monitoring of Federal Preservation Activities:</b> Monitor Federal actions and appropriations regarding extension of Section 8 contracts, and actively support additional appropriations. With respect to the Town Center Tax credit project and Chateau Lafayette, work with the owners to determine expected actions and assist with any negotiations that would result in the preservation of these units.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: 2015 for Town Center and Chateau Lafayette; otherwise, ongoing</p>	Ongoing	<p>Lafayette’s eligibility for funds like CDBG and HOME are limited, but the City’s housing consultant monitors Federal preservation activities and appropriations on an ongoing basis to find appropriate sources for preservation activities. Because this program is dependent on funding sources that do not have a definite release date, this program should be converted to an ongoing policy to provide direction when federal funds become available.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Convert the program to an ongoing policy. Both Belle Terre and Chateau Lafayette have special needs residents, specifically very low-income seniors. In total, 113 seniors are served in these two communities. The City’s ongoing policy 6.5 will continue to monitor units at risk of conversion to market rate.</p>
<p><b>Program H-1.8.3: Respond to Notices of Intent to Prepay:</b> Support efforts to retain existing FHA and HUD subsidized low-income units through use of local, regional and national resources, CDBG funds, Redevelopment Housing Set-Aside funds, and other solutions.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Annually as an ongoing program</p>	Ongoing	<p>The City has not received any notices of intent to prepay in the planning period.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Convert the program to an ongoing policy. Both Belle Terre and Chateau Lafayette have special needs residents, specifically very low-income seniors. In total, 113 seniors are served in these two communities. The City’s ongoing policy 6.5 will continue to monitor units at risk of conversion to market rate.</p>

Program	Status	Comments
<p><b>Program H-1.8.4: Support Ongoing Rental Subsidies in Lafayette:</b> Continue to support the County Housing Authority housing rental subsidies to lease units in Lafayette for very-low and low-income households. The Section 8 program is the most useful program the City has to subsidize families in rental apartments, and its continuation is important to maintain some subsidized rentals for families</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Annually as an ongoing program</p>	Ongoing	<p>The existing program is not a measurable or timebound item but is required by state law and should be retained as an ongoing policy.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Convert the program to an ongoing policy. There is no information to report on special needs groups.</p>
<p><b>Program H-2.1.1: Housing Rehabilitation in Non-Residential Areas:</b> Encourage housing rehabilitation in commercial zoning districts, subject to funding availability.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Ongoing</p>	Ongoing	<p>No homes were rehabilitated in the commercial zoning districts during the reporting period. The existing program is not a measurable or timebound item, but remains important as a broader policy for the City to ensure preservation of existing housing in the downtown.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Convert the program to an ongoing policy. The Housing Element contains two new programs to support lower income households in accessing rehabilitation funding through the County, and as part of this process, data on special needs households will be collected. See new policies 7.2.b and 7.2.c.</p>

Program	Status	Comments
<p><b>Program H-2.1.2: New Mixed-Use Developments:</b> Support, as appropriate, projects that include a mix of both residential and commercial development in the Downtown by providing incentives such as scheduling joint study sessions of the City Council and commissions to gather early input, considering reductions in parking requirements if studies demonstrate different peak periods between land uses and facilitating interagency coordination during the development review process. For projects fronting downtown streets, consider requiring that housing be located on upper floors, allowing for commercial uses on the ground floor on a project-by-project basis.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Ongoing</p>	Ongoing	<p>Lafayette has experienced a loss of commercial space throughout the downtown due to residential development and should study requiring ground floor commercial space to provide some degree of replacement space. This requirement may affect financial feasibility of development and must be based on and responsive to the needs of business in Lafayette.</p> <p>Effectiveness: Moderate-high.</p> <p>Appropriateness: Amend the program. There is no information to report on special needs groups.</p>
<p><b>Program H-2.4.1: Downtown Strategy and Specific Plan:</b> Implement the goals, policies and programs of the Downtown Strategy and Specific Plan</p> <p>Responsibility: Planning Department  Financing: City and Redevelopment Agency  Scheduling: Update parking ordinance and implement a parking management strategy (2015) Amend zoning ordinance to be consistent with the Downtown Strategy, Specific Plan, and Design Guidelines, including establishing step-backs for upper stories based on a percentage of lot depth (2015) Develop multifamily design guidelines (2017)</p>	Completed	<p>Each of the implementation measures identified in the program were completed in the timeframe. The program should be amended to update the Downtown Specific Plan to be consistent with the Housing Element and zoning regulations.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Amend the program. There is no information to report on special needs groups.</p>

Program	Status	Comments
<p><b>Program H-2.4.2: Downtown Density:</b> Conduct an analysis of zoning densities in the Downtown area to determine whether density changes are warranted to address traffic, parking, neighborhood compatibility, and other impacts. that developments are compatible with surrounding uses.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: 2017</p>	Completed	<p>Recently enacted State law prohibits local jurisdictions from downzoning or otherwise reducing the development potential below that which was permissible on January 1, 2018. The program should be continued to review downtown densities to accommodate RHNA.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Amend the program. There is no information to report on special needs groups.</p>
<p><b>Program H-2.4.3: RHNA Monitoring Program:</b> Maintain the residential sites inventory that can accommodate the City’s regional housing needs allocation of 361 units. Update the inventory annually to monitor the consumption of residential and mixed use properties. If sites in the inventory are developed for non-housing purposes, new sites will be added to the inventory to ensure the City’s ongoing compliance with the “no net loss” provisions of Housing Element Law. Post the Housing Element sites inventory on the City’s website as a tool for developers, and provide as a handout at the public counter.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Annually as part of the Housing Element Annual Report</p>	Ongoing	<p>The assessment is conducted annually and the inventory has been posted on the City’s website.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Continue the program. There is no information to report on special needs groups.</p>

Program	Status	Comments
<p><b>Program H-2.5.1: Second Dwelling Unit Construction:</b> Periodically review the existing Second Unit Ordinance and the number of such units that have been built in the past three years to determine what modifications of this section of the Zoning Ordinance may be required to increase the number of these units constructed. Continue to fast track processing for units meeting established standards.</p> <p>Responsibility: Planning Department Financing: City and Housing Developers Scheduling: Ongoing</p>	Ongoing	<p>The City Council has a longstanding practice of subsidizing the application fees for accessory dwelling units (f.k.a. second units), and they are fast-tracked. The City Council has updated the municipal code to address changes in state law effective 1/1/2017 and 1/1/2020. Whereas historically the maximum permissible size of an ADU was 750 sq.ft., it is now 1,200 sq.ft. Several additional changes were made, primarily to streamlining. This program should be amended to direct staff to maintain an accessory dwelling unit ordinance in conformance with state law.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Amend the program. As noted above, ADUs can be an affordable option for many low-income households. The City will institute an occupancy survey to determine rent levels and special needs populations served by ADUs</p>
<p><b>Program H-2.7.1: Infill Sites:</b> Develop and maintain an inventory of vacant and/or underdeveloped residential land, distinguishing between land within the City limits and land within the City's Sphere of Influence.</p> <p>Responsibility: Planning Department Financing: City Scheduling: Completed</p>	Completed	<p>The inventory of vacant and underdeveloped land has been provided to developers interested in building in Lafayette and posted on the City's web site. Updating this inventory does not have a definite timeline as changes to the inventory are dependent on development proposals and not in the City's control. The inventory will be reviewed annually as part of the Annual Progress Report, but the program should be converted to an ongoing policy.</p> <p>Effectiveness: Moderate to high.</p> <p>Appropriateness: Convert the program to an ongoing policy. There is no information to report on special needs groups.</p>

Program	Status	Comments
<p><b>Program H-2.7.2: Lot Consolidation and Redevelopment of Non-Vacant Sites:</b> Where appropriate and available, provide assistance to developers of residential projects to redevelop non-vacant sites. The program may include incentives for lot consolidation for affordable housing purposes such as:</p> <ol style="list-style-type: none"> <li>1.) Streamlined permitting process, including scheduling joint meetings with City Boards;</li> <li>2.) Priority processing of applications;</li> <li>3.) Financial assistance from the Redevelopment Agency to pay the processing fees for lot consolidations and/or purchase and consolidate small and odd-shaped lots;</li> <li>4.) Technical assistance to property owners and developers including assessor parcel data as described in H-2.8.5, posting the inventory on the City’s web site, offering tours of the Downtown to prospective developers and scheduling pre-application meetings free of charge to explain the City’s development standards and review process;</li> <li>5.) Fee deferrals to the Certificate of Occupancy phase of the project</li> </ol> <p>The development incentives contained within this section shall encourage the effective utilization and consolidation of parcels to encourage more viable development opportunities. The City will monitor the effectiveness of these incentives on an annual basis and revise as needed.</p> <p>Responsibility: Redevelopment Agency/ Planning Department  Financing: Redevelopment Agency/City  Scheduling: 2011 and ongoing</p>	<p>Ongoing</p>	<p>There have been several recent developments in the downtown that have consolidated lots. The City no longer has access to Redevelopment funds to subsidize fees and the City already schedules joint meetings with hearing bodies to streamline project review times and provides technical assistance to developers. The program should be amended to work with owners of small lots to assess level of interest in lot consolidation and develop new incentives to support conversion of these sites to residential or mixed uses.</p> <p>Effectiveness: Low.</p> <p>Appropriateness: Amend the program. There is no information to report on special needs groups.</p>

Program	Status	Comments
<p><b>Program H-3.1.2: Housing Fund:</b> Create a Housing Fund with contributions of funds collected from private and public sources to implement and/or supplement the City's housing programs. Consider funding programs specifically designed to make housing available to extremely low, very low, low and moderate-income populations. Use of the Housing Fund will be governed by guidelines as set out in the Municipal Code. There are several possible sources and uses of this fund. Loans, grants, developer fees and other funding sources could be used to reduce the cost of land acquisition and construction for affordable housing, and to prevent and reduce homelessness. Give priority to projects that contain extremely low-income units. Explore the feasibility of imposing fees to fund affordable housing, for example, through building permit surcharges or commercial linkage fees. Any return of Redevelopment Funds (through repayments or other activities) will be added to the Housing Fund for re-use as affordable housing funds.</p> <p>Responsibility: Planning and Finance, City Manager  Financing: City and other sources listed above  Scheduling: 2019</p>	Completed	<p>The Housing Fund was created in 2019 and contains approximately \$1.9 million. The City should amend the program to create an implementation plan for these funds as well as identify ongoing sources of revenue for the Fund to subsidize affordable housing.</p> <p>Effectiveness: Low after the elimination of redevelopment. The existing Housing Fund will be reviewed to prioritize funding to provide housing to special needs groups.</p> <p>Appropriateness: Amend the program. Any funds expended through the Housing Fund will include documentation of households served by income, special needs, and other factors.</p>
<p><b>Program H-3.1.3: Tax-Exempt Financing:</b> Require developers utilizing tax-exempt financing to include language in agreements with the City permitting persons and households eligible for HUD Section 8 rental assistance or Housing Voucher Folders to apply for below-market-rate units provided in the development.</p> <p>Responsibility: Planning Department  Financing: City and housing developers utilizing tax-exempt revenue bonds.  Scheduling: Ongoing</p>	Ongoing	<p>This program has been effective as non-discrimination language is included in standard development agreements for projects providing below-market-rate units. This program should be considered for inclusion as part of a new program to develop conditions of approval specific to multifamily developments.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Amend the program. There is no information to report on special needs groups.</p>

Program	Status	Comments
<p><b>Program H-3.1.4: Available Funding:</b> Support efforts to obtain available State and federal assistance to develop affordable housing for seniors, large households, households with children and those with special needs by providing City Council/Redevelopment Agency Board resolutions of support to developers of affordable housing projects. Also consider, on a case-by-case basis, providing the developers of affordable housing projects with Redevelopment Agency housing set aside funds to improve the chances of securing State and federal assistance. Give funding priority to projects that contain extremely low-income units. Actively pursue such grant opportunities as the Transportation for Livable Communities and Station Area Grant.</p> <p>Responsibility: Planning Department  Financing: Local, State and federal sources  Scheduling: Ongoing; includes Tax Credits (usually July and March); HOME/CDBG funds (November); AHP funds (March), and other HUD programs (usually once a year or more). The City will support applications for all funding opportunities according to applicable NOFA schedules.</p>	Ongoing	<p>The City has and will continue to actively pursue grant opportunities as Redevelopment funds are no longer available. However, because the City cannot control when developments eligible for state and federal assistance will be proposed, the program should be converted to an ongoing policy to provide direction when such projects are proposed.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Convert the program to an ongoing policy. There is no information to report on special needs groups. The City did assist in the development of a 46-unit development for very-low income seniors (Belle Terre), some of whom were persons of color.</p>
<p><b>Program H-3.1.5: Tax Increment Financing Activities:</b> Support State and regional efforts to reinstate redevelopment-like tools to require the provision of and fund the development of affordable housing.</p> <p>Responsibility: PBD and Finance, City Manager  Financing: City  Scheduling: Ongoing</p>	Ongoing	<p>The City will continue to support efforts for financial assistance for affordable housing; however, the program should be converted to an ongoing policy to provide direction when such efforts arise.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Convert the program to an ongoing policy. There is no information to report on special needs groups.</p>



Program	Status	Comments
<p><b>Program H-3.2.1: Senior Housing:</b> Support the establishment of a virtual senior village which enables seniors to remain in their homes and which provides a one-stop resource by providing transportation, health, legal, financial and other assistance to its members.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: 2020</p>	Completed	<p>The virtual senior village was launched in 2015 to make resources for aging-in-place available. The City will develop a new program to support the housing needs of seniors in Lafayette.</p> <p>Effectiveness: High.</p> <p>Appropriateness: Creation of the village is complete and the City contributes \$60,000 annually to support Lamorinda Village services. The Village serves approximately 280 seniors per year.</p>
<p><b>Program H-3.3.1: Developmentally Disabled:</b> Consider implementing programs to coordinate housing activities and outreach with the. Regional Center and its partners, as well as Las Trampas and Futures Explored, to encourage housing providers to designate a portion of new affordable housing developments for persons with disabilities, including persons with developmental disabilities, and pursue funding sources designated for persons with special needs and disabilities.</p> <p>Responsibility: PBD  Financing: City and the Regional Center  Scheduling: 2019</p>	Ongoing	<p>Ongoing. Miramar Capital's Lafayette Lane project contains 166 units overall, 38 of which are restricted to very low income BMR households. Miramar has partnered with Sunflower Hill and these units will be dedicated to individuals with intellectual and developmental disabilities.</p> <p>Effectiveness: High. The provision of housing for persons with development disabilities addresses a critical underserved need in the community.</p> <p>Appropriateness: Continue with the program. A total 38 units are set aside for persons with intellectual and developmental disabilities.</p>
<p><b>Program H-3.4.1: Density Bonus Regulations:</b> Consistent with State Density Bonus Law, support developments that provide affordable housing and/or senior housing utilizing density bonuses, when affordability is provided above and beyond what is already required in the redevelopment area. Provide concessions and waivers as required by law.</p> <p>Responsibility: Planning Department</p>	Completed	<p>The City Council adopted a density bonus ordinance in 2014, which has been used many times by developers in the past few years. However, there have been recent changes in State Density Bonus Law and amendments are needed to the City's Ordinance. This program should be amended to include language for the City to update its Ordinance to be consistent with state law.</p>

Program	Status	Comments
Financing: City and developers Scheduling: Ongoing		Effectiveness: Moderate.  Appropriateness: Amend the program. The 166-unit project called Lafayette Lane includes 38 units that are set aside for persons with intellectual and developmental disabilities, and use the density bonus to achieve an additional 20 units over the base allowable number of units.
<p><b>Program H-3.5.1: Larger Units:</b> Consider requiring that developers include three-bedroom units in proposed multifamily developments. As part of this analysis determine what percentage of the total units should be three bedroom units, and what size of development should trigger this requirement. Provide fast tracking to projects that provide larger units suitable for families.</p> <p>Responsibility: Planning Department            Financing: City            Scheduling: 2017</p>	Ongoing	<p>The City continues to encourage developers to provide larger units in projects, but no requirement has been established. To get a better understanding of the financial implications of requiring larger units, the City should conduct a study to assess impacts of three bedroom units on development feasibility.</p> <p>Effectiveness: Moderate</p> <p>Appropriateness: Amend the program. The City will encourage a certain percentage of units be 3-bedroom and analyze what percentage of the total units should be three-bedroom units, and what size of development would qualify for an incentive. See policy 7.1.c.</p>
<p><b>Program H-3.6.2: Emergency Shelter Capacity Monitoring Program:</b> Ensure that there are sufficient sites in appropriate zones to accommodate an emergency shelter of up to 30 beds. If C-1 sites identified in the inventory are developed for non-shelter purposes, new sites and/or zones will be identified after a detailed analysis of available land has been conducted to ensure that the new sites are of appropriate size and have suitable and adequate capacity to accommodate the City’s emergency shelter needs.</p> <p>Responsibility: Planning Department</p>	Ongoing	<p>The 2020 homeless count conducted by Contra Costa Health Services reveals that there were three homeless persons in Lafayette. The City maintains zoning which allows emergency shelters to be established. The current best practices for homeless persons no longer includes emergency shelters, but rather a housing first model, moving people directly into permanent, supportive housing. The City should convert this program to an ongoing policy maintains emergency shelter capacity.</p> <p>Effectiveness: Moderate.</p>

Program	Status	Comments
Financing: City Scheduling: Annually as part of the Annual Report on the Housing Element		Appropriateness: Convert the program to an ongoing policy. See policy 7.1.f. The City will adopt Zoning Code amendments to ensure compliance with emergency shelter requirements, including for parking (Gov. Code 65583 (a)(4)(A))
<p><b>Program H-3.7.1: Ongoing Estimates of the Demand for Emergency Housing:</b> Consult with the Contra Costa County Task Force on Homelessness to maintain ongoing estimates of the demand for emergency housing in Lafayette.</p> <p>Responsibility: Planning Department            Financing: City            Scheduling: Ongoing every other year</p>	Completed	<p>The 2020 homeless count conducted by Contra Costa Health Services reveals that there were three homeless persons in Lafayette. The City will continue to participate in Countywide efforts to count the homeless; however, because this information is not maintained by the City, this program should be converted to a policy.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Convert the program to an ongoing policy. Note that several policies in the 6<sup>th</sup> cycle address homelessness issues, including 7.2.a; 7.1.f and others.</p>
<p><b>Program H-4.1.1: Equal Housing Opportunity:</b> Promote equal housing opportunity by supporting the investigation and disposition of housing discrimination complaints. Work with service providers to ensure that information is disseminated to the community as needed.</p> <p>Responsibility: Planning Department            Financing: City            Scheduling: Ongoing</p>	Completed	<p>Pamphlets on fair housing are available at City offices. Since the City is not equipped to handle housing discrimination complaints, it will refer inquiries to the appropriate agencies as an ongoing policy.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Convert the program to an ongoing policy. The City’s robust AFFH policies will address many of the ongoing concerns of households with special needs. See Appendix G, Implementation Plan.</p>

Program	Status	Comments
<p><b>Program H-4.1.2: Nondiscrimination Clauses:</b> Provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed with City assistance.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Ongoing</p>	Ongoing	<p>This program has been effective as non-discrimination language for rental agreements and deed restrictions is included in standard development agreements for projects providing below-market-rate units. While the City has limited funds to provide assistance, this program should be considered for inclusion as part of a new program to develop conditions of approval specific to multifamily developments.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Amend the program. There is no information to report on special needs groups.</p>
<p><b>Program H-5.1.1: Fast-Track Processing:</b> Provide fast track processing for projects with affordable housing. Fast track processing means giving projects with affordable housing units a priority over other non-public health and safety related projects in the processing and review by City staff. It does not mean eliminating any of the City’s regular public notice and hearings or other project review procedures. Publicize this incentive by adding it to the City’s development application forms and posting it on the City’s web site.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: Ongoing</p>	Ongoing	<p>This program is preempted by state laws requiring streamlined ministerial processing of residential developments including affordable housing in addition to pre-existing time limitation of permit review. The City will continue to follow the state’s requirements for streamlined review of affordable housing projects.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Discontinue the program. There is no information to report on special needs groups.</p>
<p><b>Program H-5.1.2: Application Fees:</b> Consider a reduction in development application fees for housing projects containing 25% or more units that are affordable to extremely low, very low, low and moderate income households.</p> <p>Responsibility: Planning Department</p>	Ongoing	<p>No development proposals qualified for the reduction in the 5<sup>th</sup> Cycle planning period. The City should explore alternative programs to reduce costs for affordable housing projects or incentivize higher proportion of affordable units.</p> <p>Effectiveness: Low.</p>

Program	Status	Comments
Financing: City Scheduling: Ongoing		Appropriateness: Discontinue the program. There is no information to report on special needs groups.
<p><b>Program H-5.1.3: Development Impact Fees:</b> Consider deferring the collection of City impact fees to the certificate of occupancy stage for projects containing 25% or more units that are affordable to very low, low and moderate income households.</p> <p>Responsibility: Planning Department            Financing: City            Scheduling: Ongoing</p>	Ongoing	<p>The City has approved this request from developers of recent projects with affordable housing units to defer collection of impact fees to the certificate of occupancy stage. Fee deferral helps reduce overall development costs. This program should be considered for inclusion as part of a new program to develop conditions of approval specific to multifamily developments.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Amend the program. There is no information to report on special needs groups.</p>
<p><b>Program H-5.1.4: CEQA Process:</b> Follow CEQA procedures to expedite permit processing for all development, including a) encouraging preliminary project review by staff and b) considering the use of mitigated negative declarations, focused EIR's and other procedures where appropriate.</p> <p>Responsibility: Planning Department            Financing: City            Scheduling: Ongoing</p>	Ongoing	<p>Development projects are reviewed for compliance with CEQA. Most infill housing projects in the neighborhoods receive categorical exemptions.</p> <p>Effectiveness: Moderate.</p> <p>Appropriateness: Continue with the program. There is no information to report on special needs groups.</p>
<p><b>Program H-5.1.5: Review and Revise the Zoning Ordinance:</b> Review the Zoning Ordinance and consider revisions to the following governmental constraints on the development of housing:</p>	Completed.	<p>Effectiveness: High.</p> <p>Appropriateness: Completed. There is no information to report on special needs groups.</p>

Program	Status	Comments
<p>a) Consider the strict regulation of the conversion of existing multiple family residential units in the C, C-1, SRB, and RB Zoning Districts.</p> <p>b) Include definitions for the following. Ensure that zoning districts where these uses are allowed clearly identify such uses.</p> <ul style="list-style-type: none"> <li>▪ group homes</li> <li>▪ emergency shelters</li> <li>▪ residential care facilities</li> <li>▪ senior housing</li> <li>▪ foster care home</li> <li>▪ family care home</li> <li>▪ transitional housing</li> <li>▪ supportive housing</li> <li>▪ Single-Room Occupancy units</li> </ul> <p>c) Ensure that the definition of “family” is consistent with State and federal law.</p> <p>d) Add language to the Code that specifically indicates that transitional housing and supportive housing are residential uses subject only to those restrictions that apply to other residential uses of the same type in the same zone.</p> <p>Responsibility: Planning Department  Financing: City  Scheduling: 2016</p>		
<p><b>Program H-5.3.1: Annual Report:</b> Prepare an annual report to the City Council and Planning Commission that describes the amount and type of housing activity correlated with an updated summary of the City's housing needs.</p> <p>Responsibility: Planning Department</p>	Ongoing	<p>Effectiveness: Moderate.</p> <p>Appropriateness: Continue the program. Future reports will include information on special needs households when available.</p>

Program	Status	Comments
Financing: City Scheduling: Annually		
<b>Program H-5.3.2: Demographic Information:</b> Update demographic information as the complete results of the 2010 Census, and other data, become available. Responsibility: Planning Department Financing: City Scheduling: Ongoing	Ongoing	Effectiveness: Moderate.  Appropriateness: Continue the program. The City will continue to provide information on special needs groups.

## APPENDIX F

### Public Participation in the Housing Element Update

Revised April 22, 2024



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## 1 INTRODUCTION

Throughout the development of this Housing Element, the City strived to foster a transparent and participatory process and the result is a plan that is informed and reflects input received at each major phase of the process. This chapter describes the City’s efforts to engage all segments of the community during the preparation of the Housing Element, including the numerous individuals, organizations, and agencies with which the City consulted, and the methods of community outreach.

## 2 CITIZEN-LED PLANNING

Under the direction of the City Council, staff recruited for and assembled an 11-member General Plan Advisory Committee (GPAC) composed of geographic district, chamber of commerce, and nonprofit representatives selected by lottery and commission and committee members nominated by their body to serve on the GPAC. GPAC members were volunteers from the community tasked with not only promoting participation by their respective constituents, but also to bring the input received into the group’s deliberations. Below is a list of the GPAC members [involved in the development of the Housing Element](#):

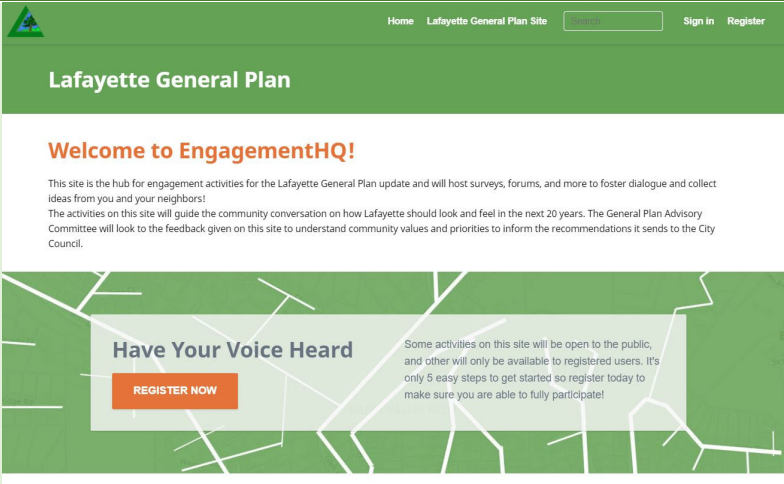
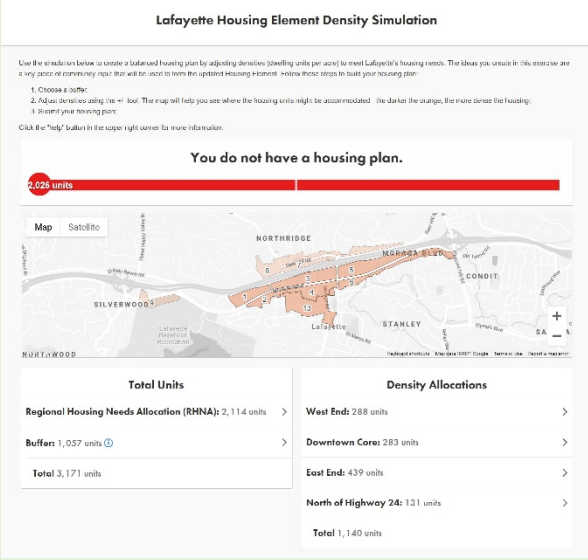
General Plan Advisory Committee	
<b>At-Large</b>	Chris Lee (2021 Chair)
<b>Acalanes Valley &amp; Happy Valley</b>	Sarah Blumenfeld; Mike Kim (2020-2021)
<b>Burton Valley</b>	Kristine Rasmussen
<b>Reliez Valley</b>	Jim Cervantes (2022 Chair, 2021 Vice Chair)
<b>Downtown</b>	Suzy Kelly
<b>Chamber of Commerce</b>	Matt Pease (2022 Vice Chair)
<b>Nonprofit</b>	Beth Needel, Lafayette Library & Learning Center
<b>Parks, Trails, and Recreation Commission</b>	Carol Singer
<b>Transportation and Circulation Commission</b>	Stella Wotherspoon; Dick Craig (2020-2021)
<b>Senior Services Commission</b>	Don Jenkins
<b>Youth Commission</b>	Namratha Kasalanati (2020-2022) Emma Hunt (2022)
Non-Voting Liaisons	
<b>City Council</b>	Teresa Gerringner (2022); Susan Candell (2021)
<b>Planning Commission</b>	Anna Radonich

The public review process is key to a successful housing element update in that it helps to identify the housing needs of a community, better understand a community’s concerns, and it educates the public about the State requirements. The City, led by the General Plan Advisory Committee (GPAC), undertook nearly two years of education about the Housing Element requirements, intensive outreach through a variety of channels, and public participation to inform the Housing Element. The GPAC used this input to ensure community voices were incorporated not only into the planning process, but also into the policies and programs within the resultant document. As the Committee moved through the update process, GPAC members would regularly update their constituencies about the most current happenings, including reports at Commission and Committee meetings and communications to their neighborhood and other stakeholders.

### 3 OUTREACH AND ENGAGEMENT

Due to restrictions on gatherings during the COVID-19 pandemic, the City had to pivot to online engagement activities. To that end, the City exercised a range of methods to obtain public participation for the Housing Element Update, as outlined below:

Activity	Outreach
<b>Introductory Meetings</b>	The Planning Commission and City Council were introduced to the 2023-2031 Housing Element update process and review options in August 2020.
<b>General Plan Advisory Committee Recruitment</b>	Postcards advertising for the GPAC lottery were mailed to every household in Lafayette and two online introductory sessions were held to introduce the General Plan and Housing Element update, and answer questions about participation in the Committee. After over a month of recruitment, 90 people applied for the five geographic district representative seats. Staff also presented at public City Commission meetings to seek nominees to serve on the GPAC.
<b>General Plan Update Website</b>	The City created a dedicated website for the General Plan update with several pages covering topics specific to the Housing Element, including information on the Regional Housing Needs Allocation process, environmental review, wildfire management, and more. The website has been updated regularly with information, exhibits, and engagement opportunities throughout the update process to create a centralized location for current information. Meeting materials, recordings, and action agendas are posted to this page for ease of access and tracking of Housing Element update activities. The City also created informational videos to provide a clear information about the Housing Element. As of April 2022, the website was visited 10,400 times with 24,000 page views.
<b>General Plan Update E-mail Address</b>	The City set up a dedicated e-mail address ( <a href="mailto:generalplan@lovelafayette.org">generalplan@lovelafayette.org</a> ) to receive and respond to questions and receive public comments for items related to the Housing Element and General Plan.
<b>Online Engagement</b>	The City created an online hub for engagement which hosted a range of activities for members of the public to provide their ideas and input. Activities included surveys, ideas walls, a forum for discussion, mapping activities, and polls. 1,100 members of the public registered for the engagement platform to participate in the online activities.

Activity	Outreach																								
	 <p>The City also developed a custom map-based housing planning activity wherein participants identify regions of the city where the RHNA should be allocated; this online activity was found to be such an effective engagement tool that the Association of Bay Area Governments contracted with the developer to provide licenses to 25 other Bay Area jurisdictions. The City used its variety of social media channels, including Facebook, Instagram, and NextDoor, to spread the word about engagement opportunities and receive/respond to questions from the public.</p>  <table border="1" data-bbox="803 1207 1356 1386"> <thead> <tr> <th colspan="2">Total Units</th> <th colspan="2">Density Allocations</th> </tr> </thead> <tbody> <tr> <td>Regional Housing Needs Allocation (RHNA):</td> <td>2,114 units</td> <td>West End:</td> <td>288 units</td> </tr> <tr> <td>Buffers:</td> <td>1,057 units</td> <td>Downtown Core:</td> <td>283 units</td> </tr> <tr> <td>Total:</td> <td>3,171 units</td> <td>East End:</td> <td>439 units</td> </tr> <tr> <td></td> <td></td> <td>North of Highway 24:</td> <td>131 units</td> </tr> <tr> <td></td> <td></td> <td>Total:</td> <td>1,140 units</td> </tr> </tbody> </table>	Total Units		Density Allocations		Regional Housing Needs Allocation (RHNA):	2,114 units	West End:	288 units	Buffers:	1,057 units	Downtown Core:	283 units	Total:	3,171 units	East End:	439 units			North of Highway 24:	131 units			Total:	1,140 units
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<p><b>Housing Element 101 Sessions</b></p>	<p>During February and March 2021, the City and the GPAC kicked off its Housing Element update with intensive public education. The City held six informational sessions to provide an overview of the Housing Element, State requirements, and the timeline and next steps for the Housing Element update process. The events were promoted through the City's weekly e-newsletter, City social media channels, and printed brochures for the event were mailed to every household in the City. Over 420 members of the public participated in the sessions to learn about the update and ask questions.</p>																								

Activity	Outreach																				
	<div data-bbox="526 254 792 296" style="border: 1px solid black; padding: 5px;"> <p><b>How do I get involved?</b></p> <p>The Housing Element is an opportunity to define Lafayette's values and establish a vision for the future and you are a critical part in creating that vision! There are many ways to get involved, including attending public meetings, talking to your neighbors, completing online surveys, and writing in your ideas. Because this is a big undertaking, it requires many steps to get to a final document that reflects the community's interests.</p> <p><b>1. Study up!</b> You wouldn't take a test without studying, right? This is where we lay the groundwork and get information to inform decisions down the road.</p> <p><b>2. Collaborate!</b> You will have opportunities to talk with your neighbors and connect about your ideas. Check the General Plan website for updates on a community workshop the week of March 22nd.</p> <p><b>3. Speak Up!</b> You need to give your two cents to make sure the Housing Element includes everyone's perspective for a strong plan that translates values to actions. Much of this will be through EngagementHQ, the hub for community input.</p> <p>The General Plan website is regularly updated with meeting information and project updates. Visit <a href="http://PlanLafayette.org">PlanLafayette.org</a> to find activities, information on housing, materials from past meetings, and details on future meetings.</p> </div> <div data-bbox="800 254 1066 296" style="border: 1px solid black; padding: 5px;"> <p><b>Log on to Housing Element 101</b></p> <p>Join live, remote sessions throughout February and March to meet your General Plan Advisory Committee (GPAC) representative and learn about the Housing Element update process.</p> <p>During this session, you will receive an overview of what a Housing Element is and does, background on why it needs to be updated, and how it affects your community.</p> </div> <div data-bbox="816 470 1052 716"> <p>Visit <a href="http://PlanLafayette.org">PlanLafayette.org</a> for a high-resolution version of this map</p> </div> <div data-bbox="526 772 1060 877"> <p><b>Lafayette Housing Element Community Engagement Timeline   January - July 2021</b></p> <table border="1"> <tr> <td>Public Information Meetings, Open House, and Public Surveys</td> <td>Public Input and Feedback</td> <td>City and County Review of Public Input and Preferred Alternatives</td> <td>Final Recommendation Process</td> </tr> <tr> <td>JAN</td> <td>FEB</td> <td>MAR</td> <td>APR</td> </tr> <tr> <td></td> <td></td> <td></td> <td>MAY</td> </tr> <tr> <td></td> <td></td> <td></td> <td>JUNE</td> </tr> <tr> <td></td> <td></td> <td></td> <td>JULY</td> </tr> </table> </div> <div data-bbox="1084 247 1354 890" style="border: 1px solid black; padding: 10px;"> <p><b>Housing Element 101 Meeting Information</b></p> <p>All sessions will be held over Zoom Webinar. Visit <a href="http://www.PlanLafayette.org">www.PlanLafayette.org</a> to register and receive log in information.</p> <p><b>Registration is Required</b></p> <p>Write in questions ahead of time to <a href="mailto:generalplan@lovelafayette.org">generalplan@lovelafayette.org</a></p> <p><b>Burton Valley</b> Thursday, February 18th at 6PM</p> <p><b>Downtown</b> Thursday, February 25th at 6PM</p> <p><b>Special Session for Community Organizations</b> Wednesday, March 3rd at 6PM</p> <p><b>Special Session for Youth</b> Thursday, March 4th at 6PM</p> <p><b>Acañanes Valley &amp; Happy Valley</b> Thursday, March 11th at 6PM</p> <p><b>Reliez Valley</b> Thursday, March 18th at 6PM</p> </div>	Public Information Meetings, Open House, and Public Surveys	Public Input and Feedback	City and County Review of Public Input and Preferred Alternatives	Final Recommendation Process	JAN	FEB	MAR	APR				MAY				JUNE				JULY
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<p><b>Outreach to Hard-to-Reach Populations</b></p>	<p>The City conducted targeted outreach to hard-to-reach populations, such as renters, seniors, and populations who have little to no proficiency in English.</p> <ul style="list-style-type: none"> <li>- Apartment dwellers: The City sent seven mailings to every household in Lafayette, including apartment units. This effort was made to expand the reach from just property owners to also include every resident.</li> <li>- Seniors: The Senior Services Committee as well as contacts at senior housing complexes received updates regarding the Housing Element update. The City made Zoom trainings available to ensure the senior population could participate in online engagement activities.</li> <li>- Non-English speakers: Several printed materials were translated to three different languages and live interpretation services were made available to participate in workshops.</li> </ul>																				
<p><b>Stakeholder E-mail List</b></p>	<p>The City developed a stakeholder list of over 1,300 individuals and organizations to build awareness of the Housing Element Update among community members. The stakeholder list was comprised of community members who participated in workshops, subscribed to General Plan notifications, school newsletters, homeowners associations, City Commissions and Committee members, and architects and developers working in Lafayette.</p>																				
<p><b>City E-Notifications</b></p>	<p>The City set up a special e-notification option for the General Plan Update wherein subscribers would be notified when items relating to the Housing Element and General Plan were going to be discussed at a meeting. Notifications would include meeting date and time, log on information, and links to meeting materials.</p>																				

Activity	Outreach
<p><b>Online Community Workshops</b></p>	<p>In April and May 2021, the City and GPAC held four public workshops to help identify community priorities surrounding housing and involve members of the public in the planning process. The workshops were promoted through postcards mailed to every household in Lafayette and provided to downtown businesses, online notifications in the City’s weekly newsletter, e-mails to the stakeholder list, and posts on the City’s social media channels. A total of 577 people registered for the workshops and 385 people attended the sessions; peak attendance for a single session was 118 participants. Input from these sessions were documented and both provided to the GPAC and posted online for review by the public.</p> <p>The workshops covered the following topics:</p> <ol style="list-style-type: none"> <li>1. <b>Cultivating Connection:</b> What are community priorities surrounding housing? Participants created a foundation of mutual understanding by discussing not only their experiences with housing in Lafayette, but also their priorities for future housing.</li> <li>2. <b>Identifying the Issues:</b> Based on the priorities identified, what are the problems we are trying to solve? Participants created problem statements for the GPAC, Planning Commission, and City Council to consider in the update process.</li> <li>3. <b>Solution Generation:</b> Participants used a custom online simulation tool to distribute the Regional Housing Needs allocation across the City and identify where added density should go.</li> <li>4. <b>Site Identification:</b> What specific sites would be appropriate for new housing development? Participants were provided a worksheet and research resources to identify potential</li> </ol>

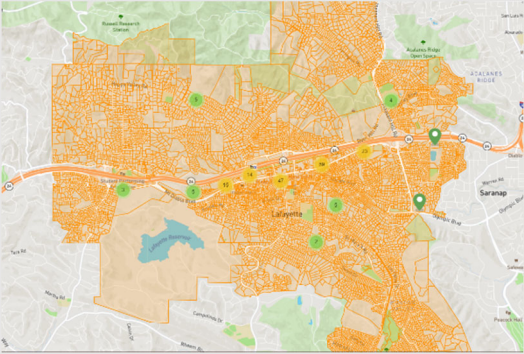
**SAVE THE DATE**



You've studied up and learned about the Housing Element through the Housing Element 101 information sessions and now it's time for us to hear from you! The General Plan Advisory Committee invites you to participate in a series of community workshops where you'll collaborate with your neighbors to develop solutions to meet the city's housing needs and state requirements.


**HOUSING ELEMENT COMMUNITY WORKSHOPS**

- Cultivating Connection | April 22 at 7PM**  
Join your neighbors to start the conversation on shared values around housing and understand the breadth of personal experiences within Lafayette.
- Identifying the Issues | April 29 at 7PM**  
Participants will frame the scope and causes of challenges facing the city to lay the groundwork for creating solutions.
- Solution Generation | May 6 at 7PM**  
Develop an understanding of density and housing types and begin to identify possible locations for where housing might best be located.
- Site Identification | May 13 at 7PM**  
A deep dive into possible solutions, in this workshop community members will work together to identify "opportunity sites", which are potential specific locations that could or should accommodate new housing units.

Visit the "Get Involved" page on [PlanLafayette.org](http://PlanLafayette.org) for more information!



Activity	Outreach
	<p>opportunity sites to accommodate the RHNA units. Community members identified potential sites for new housing.</p>
<p><b>In-Person Workshops</b></p>	<p>In June 2021 and January 2022, the City held in-person workshops to replicate the online workshops. Participants were able to undertake the same activities to learn about the Housing Element update and provide their input. These in-person sessions were held for the public at the library as well as special sessions for youth involvement held at Acalanes High School.</p>   <p>The City also held Fair Housing workshops which were publicized in multiple languages and interpretation services were made available to participants. The sessions were advertised in English, Spanish, and Chinese and interpretation was offered in any language needed, though participation in non-English channels was limited. In total, approximately 1,000 individuals attended these workshops. The workshops were promoted through postcards mailed to every household in Lafayette and provided to downtown businesses, tabling at the Taste of Lafayette event, online notifications in the City’s weekly newsletter, e-mails to the stakeholder list, and posts on the City’s social media channels.</p>

Activity	Outreach
<p><b>Fair Housing Sessions</b></p>	<p>Community members were invited to participate in two fair housing workshops in March 2022. Information on the sessions was provided in English, Spanish, and Chinese and mailed to every household in the City and posted through the City’s online channels. To ensure the sessions were accessible to those with varying work, family, or school schedules, one session was held on a weeknight and the other session was held on a weekend morning. Live interpretation services were also offered via the mailings and promotional materials to ensure all parties interested in attending could participate in the language they are most comfortable using.</p> <div data-bbox="841 470 1365 835" style="border: 1px solid #ccc; padding: 5px; margin: 10px 0;">  <p><b>Have you experienced discrimination while trying to rent or purchase a home?</b>  <b>¿Ha sufrido usted discriminación al intentar rentar o comprar una vivienda?</b>  <b>您在租房或买房时是否受到过歧视?</b></p> <p><b>Federal and State fair housing laws prohibit discrimination.</b>      Help city leaders work towards a more inclusive Lafayette by sharing your experience at an upcoming workshop or take an online survey.</p> <p><b>Las leyes federales y estatales de vivienda justa prohíben la discriminación.</b>      Ayude a los líderes de la Ciudad a trabajar por un Lafayette más inclusivo compartiendo su experiencia en un próximo taller o contestando la encuesta en línea.</p> <p><b>联邦和州公平住房法禁止歧视。</b>      通过在即将举行的研讨会上分享您的经历或参加网上调查，帮助城市领导打造一个更具包容性的Lafayette。</p> </div> <p>In total, eighteen individuals joined the sessions and included people who did not currently live in Lafayette. Attendees learned about fair housing requirements and violations, how to report a violation, and had the opportunity to share their experiences to better inform how the City may remove barriers to housing in Lafayette.</p>
<p><b>Weekly Roundup E-Newsletter</b></p>	<p>Current information about the Housing Element Update is included regularly in the Newsletter. This has a large email distribution, and it is posted every week as the first item on the City’s homepage.</p>
<p><b>Community-Based Organizations</b></p>	<p>Dozens of community and special needs organizations were also invited to attend public hearings and provide feedback on the City’s process and draft documents.</p>
<p><b>GPAC Meetings</b></p>	<p>In addition to the many public workshops, the GPAC held 30 public meetings to collaborate on the drafting the document. Members of the public were welcome to attend and participated providing their input to the Committee for consideration during deliberations.</p>
<p><b>Planning Commission Review</b></p>	<p>Throughout the update process, the GPAC liaison provided updates to the full Commission on GPAC activities. The Planning Commission reviewed sections of the draft Housing Element in a public setting over the course of seven meetings in early 2022. During its review, the Commission considered the GPAC’s recommendations on the Housing Element components and received additional public input into the document.</p>



Activity	Outreach
<b>City Council Review</b>	Staff regularly updated the Council on GPAC activities. The Council received regular updates on GPAC activities and the Housing Element process between early 2020 and spring of 2022. The City Council provided feedback on the draft Housing Element at public meetings on May 9 and May 23.
<b>Commissions &amp; Committees</b>	The Planning Commission and City Council liaisons and City Commission representatives reported back to their respective commissions and Council on a regular basis. Commissions provided input on the GPAC's process and deliberations.

## 4 KEY TAKEAWAYS

The feedback received from this public outreach influenced the drafting of the Housing Element as GPAC members, Planning Commissioners, and City Councilmembers incorporated community feedback at every stage of the update process.

- Housing is personal: People often have differing views on housing because it is a very personal issue tied to feelings of safety, belonging, and identity. Often the comments reflected people's current housing situation. Several people shared meaningful stories of themselves, or their loved ones being priced out of their communities and struggling to remain in Lafayette.
- Preservation of Lafayette's character: Lafayette residents cherish the small-town community and semi-rural ambience of their community. To the maximum extent consistent with Lafayette's housing obligations under state law, the community desires to both promote and enhance those cherished characteristics.
- The price of housing is a major concern: Community members voiced concerns about the high cost to rent or buy a home today, either for themselves, friends, or family. It is an issue that touches a lot of lives. There was significant concern raised that service workers, teachers, first responders, and small business owners were being priced out of Lafayette.
- Affordable housing is a concern: Participants felt that more needed to be done to promote affordable housing.
- Other common themes: Preservation of open space, school and infrastructure capacity, wildfire risk, the interconnected nature of land-use and transportation decisions, and diversity.

The extensive outreach and community engagement conducted over the past year played a significant role in the development of the goals, policies, and programs within the 2023-2031 Housing Element. Feedback and insights from tenants, lower-income residents, property owners and developers helped to highlight new policy opportunities and ways to strengthen and improve existing policies. The overarching challenge of housing affordability and availability was heard during most every meeting and conversation. In addition, themes such as investing in improving infrastructure, maintaining commercial space downtown and quality design, and improving access to affordable housing options helped inform policies in the Housing Element as well as the General Plan Update, which is being prepared concurrently. The following is a summary list of topics and the associated policy(s) that were added or improved as a result of that community and stakeholder feedback.

- **Policy H-1.2** Evaluate and establish funding for new infrastructure.
- **Policy H-2.2** Support mixed-use development.
- **Policy H-6.1** Facilitate and support the production of new affordable housing units.
- **Policy H-9.1** Encourage quality design.

A number of organizations and individuals provided extensive comment and recommendations for consideration in the Housing Element. The City often heard from residents about the need to avoid planning higher-density housing in the City's Very High Fire Hazard Severity Zones, as well as in areas where concerns were raised about potential extended evacuation times. In response, the Housing Element does not include sites in its inventories in places such as the Glen, Happy Valley, and along Deer Hill. Comments also received by the Chamber of Commerce requested limiting areas of the Downtown for increased densities to help protect existing businesses from being lost.

Two organizations – Inclusive Lafayette and East Bay for Everyone – provided written comments and testimony regarding concerns that the BART station lots, because they are not currently in the BART Transit—Oriented Development (TOD) workplan in the near term, should not be included in the inventory of opportunity sites because they are unlikely to be developed during the eight-year planning cycle. In addition, many residents expressed concern that the lots, which are also in a VHFHSZ, should not be included in the inventory.

Although the City has been – and will continue to be – active in engaging BART in the eventual development of those sites, the station parking lots were not included in the inventory, because the time it takes to complete all of the initiatives required to move up in the workplan will be substantial.

Other comments from Inclusive Lafayette and East Bay for Everyone included, but are not limited to, the following:

- **Programs should have firm commitments for the completion of each item with discrete deadlines.** The City's revised Housing Element includes greater specificity for each item in the implementation plan.
- **The City should consider current height limits and setbacks as constraints to housing.** The Housing Element Implementation Plan (Appendix G) includes several actions to address potential constraints on the development of housing, including Program 8.2.a, review of development standards, including specific targets and deadlines. [The City commits to ensuring development standards facilitate maximum housing densities permitted under the zoning.](#)

- **The City should reduce parking minimums.** The City’s Program 6.1.d calls for the revision of the City’s parking standards in conformance with AB 2097, which prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within 1/2 mile of public transit. In addition, the program now calls for alternative parking options, allowing tandem parking, hydraulic lifts and other mechanisms to facilitate parking in a variety of ways.
- **The City should encourage higher density throughout the Downtown.** The revised Housing Elements includes increased densities throughout the Downtown. Please see the revised inventory of opportunity sites.
- **The City should distribute multifamily housing throughout Lafayette, not just in the Downtown, to meet the goals of Affirmatively Furthering Fair Housing.** The City must consider a variety of factors when locating potential multifamily housing, especially that which is affordable. Of considerable concern is the fact that 46% of Lafayette is in a Very High Fire Hazard Severity Zone. Increased density in these locations would not only impact traffic and therefore evacuation times, there are fewer services available to lower income households in these areas, including transit, groceries, and other services. To further complicate the matter, the State Attorney General has recently released guidance to consider when locating new developments in wildfire-prone areas. Based on these and other factors – including the analysis that demonstrates proposed affordable developments will not exacerbate poverty conditions in the Downtown – the City has chosen not to locate substantial numbers of new housing outside of the Downtown. Most growth will occur downtown, along with additional residences and ADUs throughout the community. In addition, the City has addressed AFFH mobility concerns by including Faith Based Organizations as opportunity sites, which are distributed throughout the community outside of VHFHSZs. The Housing Element includes several programs to increase housing opportunities throughout the community. See AFFH Action Area 2.
- **The City should commit to generating local funding for affordable housing.** The City includes several programs that will potentially address funding needs for affordable housing, including 1.1.a, 1.2.b, 6.1.h, 7.1.b, and 7.2.a.

**APPENDIX G Housing Element Implementation Plan**

Revised April 22, 2024

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**Goal 1: Develop infrastructure through funding mechanisms that support the demands of current and future residents, housing, commercial, and retail development.**

**Policy 1.1 Capital Improvements:** Ensure that capital improvement needs of existing neighborhoods and mixed-use commercial/residential are identified and addressed.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
1.1.a	Capital Improvement Program	Given added impacts of new residential development on existing infrastructure, the City must regularly identify where additional capital improvements are needed. On an annual basis, the Planning Commission and City Council will review the City's Capital Improvement Program (CIP) to determine what special priorities are needed for capital improvement projects required to support existing and new residential and commercial development consistent with the General Plan, and in particular the Circulation Element. Review of the CIP shall also include verification that areas needing improvement are scheduled for funding to address these needs at a specific time in the future.	Engineering Department (Capital Projects Assessment Committee; Transportation and Circulation Committee)	City	Annually	Annually	On an Annual basis, prepare Capital Improvements Plan in Q1 for review by CPAC. Bring recommendations to PC and CC in Q2.

**Policy 1.2 Funding:** Evaluate and establish funding mechanisms to provide new infrastructure to support residential and commercial development.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
1.2.a	Nexus Studies	Nexus studies are required to set the fees the city charges for new development to offset impacts to infrastructure the City maintains, like parks and storm drains. Many of the City's existing nexus studies are outdated and warrant updating to establish fees commensurate with present-day costs for labor and materials. Under a new state law, AB602, jurisdictions are now required to update their development fees every 8 years. The City will complete a comprehensive update of development impact fee nexus studies to ensure fees align with current costs for infrastructure maintenance.	Planning and Building Dept. (PBD)	City	2025	12-18 months	Hire consultant in Q1 2024 to conduct study to determine appropriate impact fees for new development. Bring recommendation to PC in Q4 of 2024 for recommendations, bring to CC for approval in Q1 of 2025. Implement revised fees in Q2 of 2025.
1.2.b	Special Tax Districts	Tax districts can be an effective tool to generate local revenue dedicated to infrastructural improvements and maintenance. Because there are several kinds of special tax districts with a range of applicability, a study is needed to understand what tax districts would work best in the context of Lafayette and what would be needed to implement this kind of financing program. The City will conduct a study to assess the efficacy of special tax districts to fund public services and infrastructure to support new development. The study will identify and analyze options appropriate for Lafayette and, if applicable, develop an implementation plan.	PBD	City	2031	24-30 months	Hire consultant in Q1 2029 to conduct study of special tax districts' applicability to Lafayette. Bring recommendations to the CC in Q1 of 2030, with the CC taking action on the recommendation in Q3 of 2030, with implementation by Q1 of 2031

**Policy 1.3 Capital Needs:** Ensure that capital improvement needs are regularly identified and addressed through coordination across City Departments.

**Goal 2: Promote a vibrant commercial and cultural downtown that meets the needs of residents and visitors and encourages a mix of retail, commercial, and residential building through zoning.**

**Policy 2.1 Downtown Development:** Provide clear direction to property owners, the public, and developers on expectations and requirements surrounding land use and design in the downtown.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
2.1.a	Downtown Specific Plan	SB 35 requires cities to review new multifamily residential developments against objective design standards to streamline project review and reduce overall development costs. The City has completed Phase I of developing its objective standards for downtown development and intends to complete a second phase. As needed, the City will update the Downtown Specific Plan for consistency with Phase II of Objective Standards and land use and zoning standards. In addition, the City will develop written procedures for SB 35 projects.	Planning and Building Dept. (PBD)	City	2024	12 months	<a href="#">Hire consultant to update the DSP in Q2 2024. Bring revisions to PC in Q1 of 2025, and to CC for approval of changes in Q2 2025. Implement beginning Q3 2025.</a>
2.1.b	New mixed-use Developments	Lafayette has experienced a loss of commercial space throughout the downtown due to residential development. Requiring ground floor commercial space would provide some degree of replacement space, but this requirement may affect financial feasibility of development and must be based on and responsive to the needs of business in Lafayette. The City will conduct a study of potential impacts of requiring ground floor commercial as part of downtown residential development on project feasibility, local economic development, and overall land use planning. This program will need to be coordinated with the Land Use element, which sets land use districts for the city.	PBD	City	2026	18-24 months	Prepare feasibility study of the impacts of ground floor commercial on residential developments in Q1 2025. Bring recommendations to PC in Q2 2026, for CC consideration and approval or recommended actions in Q4 of 2026.

**Policy 2.2 New mixed-use Developments:** Support, as appropriate, projects that include a mix of both residential and commercial development in the Downtown by providing incentives such as scheduling joint study sessions of the City Council and commissions to gather early input, considering reductions in parking requirements if studies demonstrate different peak periods between land uses and facilitating interagency coordination during the development review process.

**Policy 2.3 Housing Rehabilitation in Non-Residential Areas:** Encourage housing rehabilitation in commercial zoning districts.



**Goal 3: Promote environmental responsibility, long-term sustainability, and adaptability in residential development and related infrastructure to minimize impacts to global climate change.**

**Policy 3.1 Energy Conservation, Sustainability and Climate Change:** Promote available energy conservation programs, and develop new programs to address sustainability and climate change issues.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
3.1.a	CEQA Process	Project-level review of environmental impacts of new housing developments is required under the California Environmental Quality Act ("CEQA"). The City shall follow CEQA procedures to expedite permit processing for all development, including encouraging preliminary project review by staff and considering the use of categorical exemptions, mitigated negative declarations, focused EIR's and other procedures to adequately assess environmental impacts, suitable mitigations, and reduce project delays where appropriate.	Planning and Building Dept. (PBD)	City	Ongoing	Ongoing as projects are submitted	
3.1.b	Electrification for New Residential Construction	State Housing Element Law call for the City to promote energy conservation in housing. The City will review and consider efforts within other Contra Costa County communities that have or plan to institute energy efficiency standards beyond those of the California building and residential codes by requiring electrification of new residential developments in lieu of natural gas or oil. The City will review these efforts and consider implementation of similar requirements for development in Lafayette.	PBD, Environmental Task Force	City	<del>2025</del> 2024	24 months	<a href="#">Conduct a best practices review of the County and other cities' efforts toward electrification in Q1 2024. Bring recommendations to PC in Q4 2024, with CC adopting recommendations in Q2 2025. Implement in Q4 2025.</a>

<b>Policy 3.2 Energy Conservation:</b> Provide information to the public on programs for energy conservation improvements and other actions.	Bi-annually and ongoing	Update the City's website with information every two years, in Q4, beginning in <del>2024</del> 2023. Maintain information at City offices for distribution.
<b>Policy 3.3 Annual Earth Day:</b> Sponsor an annual Earth Day event, providing info to citizens on environmental sustainability.	Annually	Sponsor an Earth Day event every year in April.
<b>Policy 3.4 Home Energy Retrofit Program:</b> Work with the County to publicize Home Energy and Improvement Programs.	Bi-annually and ongoing	Update the City's website with information every two years, in Q4, beginning in <del>2023</del> 2024. Maintain information at City offices for distribution.

**Goal 4: Promote housing opportunities for all persons regardless of race, age, gender, sexual orientation, marital status, ability, or national origin.**

**Policy 4.1 Equal Housing Opportunity:** Continue to facilitate non-discrimination in housing in Lafayette. See also AFFH actions, below.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
4.1.a	Equal Housing Opportunity	Promote equal housing opportunity by supporting the investigation and disposition of housing discrimination complaints. Work with service providers to ensure that information is disseminated to the community as needed.	Planning and Building Dept. (PBD)	City	Ongoing	Annually, as part of the APR process	In Q4 <del>2023</del> 2024, reach out to the County and service providers to request annual collection of data on fair housing concerns within Lafayette. As part of the Annual Progress Report research prior to submittal to HCD in April, re-contact service providers and the County for information on fair housing issues within the City.
4.1.b	Fair Housing Resources	Create a webpage specific to fair housing including resources for residents who feel they have experienced discrimination, information about filing fair housing complaints with HCD or HUD, and information about protected classes under the Fair Housing Act.	PBD	City	<del>2023</del> 2024	Bi-Annually	Create the webpage in Q4 in <del>2024</del> 2023. Update the website every two years, in Q4. Provide information to 80 LMI households over the planning cycle.

**Policy 4.2 Nondiscrimination Clauses:** Provide nondiscrimination clauses in rental agreements and deed restrictions for housing constructed with City assistance.

Goal 5: Affirmatively further fair housing by taking meaningful actions that overcome patterns of segregation and foster inclusive communities.

AFFH Actions	Fair Housing Issues	Contributing Factors	Fair Housing Category	Type of Action	Responsible Party	Objectives	Quantified Objectives	Timeline	Recommended Revision
<b>AFFH Action Area 1. Enhancing housing mobility strategies:</b> removing barriers to housing in areas of opportunity and strategically enhancing access.									
<b>AFFH Action 1.1:</b> Support residential development that brings new publicly subsidized and naturally affordable market rate multifamily housing to Lafayette.	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing and opportunities for low- and moderate-income households; community resistance to development.	Disparities in access to opportunities	Land use resources	City of Lafayette	Provide staff support, land use flexibilities, and financial resources to developers who propose to develop publicly subsidized and naturally affordable market rate housing.	Develop regular roundtable discussions with developers (every year in the winter) to highlight goals, policies, and programs to meet development needs. Include information on the City's website about potential opportunities for development, including the list of housing opportunity sites, development and impact fees, and other information.  See also Policy 6.1.h.	Develop website additions by the middle of 2024; conduct roundtable discussions beginning in January 2025.	Conduct bi-annual proactive outreach with developers following adoption of the City Budget beginning July 2024, to apprise of housing opportunities, funding available, discuss constraints. Assist developers with pursuing funding opportunities as needed on consistent with State NOFAs, etc.  Following these discussions, bring staff report with recommendations to address identified constraints, development standards modifications, etc. to PC during Q4 annually, with CC approval to make recommended changes in Q1 of the following year. Implementation would begin Q2 of that year. (In conjunction with 6.1.b)

<b>AFFH Action 1.2:</b> Design a regional forgivable loan program for homeowners to construct an ADU that is held affordable for low to moderate income households for 15 years.	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high-density housing.	Disparities in access to opportunities	Land use resources	ABAG funded Contra Costa County Collaborative (C4), EBHO, other cities	Increase opportunities for lower-income households to find housing that is affordable.	Design a regional loan forgiveness program.	Begin design in Summer 2025 and complete by winter 2026.	Working with Contra Costa County Collaborative of other jurisdictions, begin design of a loan program in Q2 2025. Complete design by Q1 2026. Implement in Q3 2026
<b>AFFH Action 1.3:</b> Develop a policy to target inclusion of all types of affordable housing.	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County. Senior developments typically serve non-Hispanic White residents	Lack of affordable housing and opportunities for low- and moderate-income households; community resistance to development.	Disparities in access to opportunities	Land use resources	City of Lafayette	Ensure equitable treatment of developments that serve low- and moderate-income households; develop more affordable housing for diverse populations	Conduct a best practice review of Cities that have developed specific targets for various kinds of affordable housing; select the policies most appropriate for Lafayette and implement by 2027.	Conduct best practices work in 2026; bring recommendations to Council in the beginning of 2027; implement program by mid-2027.	Conduct best practices work in Q3 2026; bring recommendations to Council for approval in Q2 2027; implement program Q3 2027.
<b>AFFH Action Area 2. Encouraging new housing choices and affordability in high resource areas:</b> promoting housing supply, choices and affordability in areas of high opportunity and outside of areas of concentrated poverty. Address this need through accessory dwelling units, SB 9 developments, and other programs. <u>TOTAL GOAL: 160 units</u>									
AFFH Actions	Fair Housing Issues	Contributing Factors	Fair Housing Category	Type of Action	Responsible Party	Objectives	Quantified Objectives	Original Timeline	Recommended Revision
<b>AFFH Action 2.1:</b> Pilot a by-right approval for low density attached housing that exceeds the BMR affordability requirements.	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing and opportunities for low and moderate income households to live in the city	Disproportionate housing need for low income households and protected classes	Land use resources	TBD	Increase development of accessible units beyond minimum requirements	Develop pilot program with other jurisdictions that would create more opportunities for lower income households to live in Lafayette. See also Policy 6.1.h  <u>GOAL: create 40 new units of housing within the 8-year period</u>	End of 2027	<u>Prepare review to PC in Q2 2027; bring recommendation to CC in Q4 2027; implement program in Q1 2028</u> <u>Conduct best practice review beginning in Q3 2027; bring forward recommendations to City Council in Q2 2028; adopt recommendations and implement in Q4 2028 (note: contingent</u>

							<u>Geographic target: low density, high opportunity, high income neighborhoods throughout the City outside of VHFHSZ.</u>		<u>upon collaboration with other jurisdictions)</u>
<b>AFFH Action 2.2:</b> Evaluate and adjust the city's inclusionary and density bonus programs to allow a smaller unit contribution (<15%), larger density bonuses, and/or increased city support in exchange for affordable units that address the needs of under-represented residents with disproportionate housing needs (e.g., child-friendly developments with day care on site for single parents, and 3-4 bedroom units for larger families).	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Disproportionate housing need for low income households and protected classes	Disparities in access to opportunities	Land use resources	City of Lafayette	Expand the variety of housing units produced under the inclusionary housing and density bonus programs after those programs have had time to produce results. Ensure that the units being created are needed by and affirmatively marketed to county residents and workers who are under-represented in the city	Perform a feasibility analysis to redesign the program to allow a menu of options (e.g., 8% of units for extremely low income or 15% for low income or 30% for moderate income).  See also Policy 6.1.h; <u>6.1.c</u>	Begin design in Summer 2024 and complete by winter 2025.	Concurrent with the Nexus Studies (1.2.a), hire consultant in Q1 2024 to conduct study to determine financial feasibility of a variety of options. Bring recommendation to PC in Q4 of 2024 for recommendations, bring to CC for approval in Q1 of 2025. Implement revised program in Q2 of 2025.
<b>AFFH Action 2.3:</b> Rezone Faith Based Organization sites to provide housing on site, especially that which is affordable	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing	Disparities in access to opportunities	Land use resources	City of Lafayette	Provide "missing middle" and lower-income opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion	Rezone Faith Based Organization sites to allow development of lower income housing on site at a density of 35 du/acre, mirroring affordability requirements of SB 4 and developing additional incentives to encourage use. Extend objective standards to these sites.  <u>The City will conduct outreach, education, assistance with entitlements and facilitate partnerships with nonprofit developers.</u>	NEW	<u>Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC and CC in Q3 2024.</u>  <u>Evaluate the effectiveness of the program in 2027. If projections for development are not being met, the City commits to alternative actions such as rezoning or identifying sites if necessary by 2028.</u>

							<p><u>Geographic target: low density, high opportunity, high income neighborhoods outside of VHFHSZ to allow for greater inclusion.</u></p> <p>GOAL: create 75 new units of housing within the 8-year period</p>		
<b>AFFH Action 2.4:</b> Allow a second JADU in return for a short-term income restriction	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing	Disparities in access to opportunities	Land use resources	City of Lafayette	Provide “missing middle” opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion	<p>Allow single-family owners to add a second JADU in return for income restricting the unit for 5-10 years.</p> <p><u>GOAL: create 20 new units of JADUs within the 8-year period</u></p> <p><u>Geographic target: low density, high opportunity, high income neighborhoods in any area where ADUs and JADUs are allowed</u></p>	NEW	Prepare research on similar programs in <a href="#">Q3 2023; Q1 2024</a> make recommendations to PC in <a href="#">Q2-Q4 2024</a> ; bring recommendation to CC in <a href="#">Q3-Q1 2024/2025</a> ; implement program in <a href="#">Q1-Q3 2025</a>
<b>AFFH Action 2.5:</b> Allow conversion of existing single-family dwellings into 2-4 units within 1/2 mile of <a href="#">Mt. Diablo Boulevard between Risa Road and Carol Lane</a> <del>the Downtown boundaries</del> , <u>outside of the VHFHSZs (see map of eligible sites at the end of this document)</u>	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing	Disparities in access to opportunities	Land use resources	City of Lafayette	Provide “missing middle” opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion	<p>Allow single-family owners to <u>create up to four units, by either subdividing an existing single-family unit, or a building new unit in its place within the same envelope.</u></p> <p>GOAL <u>create 20 new units of housing within the 8-year period. Geographic target: low density, high opportunity, high income neighborhoods, outside of the VHFHSZs and within ½ mile of the Downtown’s boundaries.</u></p>	NEW	Prepare code revisions and bring to PC in Q3 2026 and CC in <a href="#">Q2-Q4 2026</a> ; implement program in Q1 2027
<b>AFFH Action 2.6:</b> Increase the maximum density in low-density multifamily zones	Under-representation of Hispanic and Black/African American	Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of	Disparities in access to opportunities	Land use resources	City of Lafayette	Provide “missing middle” opportunities to increase housing choice in lower	Increase the zoning density from 17 to 20 du/ac in the low-density multifamily zones; <u>establish or modify development standards as</u>	NEW	Prepare proposal and make recommendations on rezoning proposal to PC in Q1 2026; bring recommendation to CC

	residents in Lafayette relative to Contra Costa County.	land zoned to allow moderate or high density housing				density, high opportunity areas to allow for greater inclusion	<u>appropriate to facilitate maximum densities.</u>  <u>GOAL: create 20 new units of housing within the 8-year period.</u>  <u>Geographic target: all neighborhoods in the D-1 zone.</u>		in Q3 2026; implement program in Q1 2027
<b>AFFH Action 2.7:</b> Incentivize developers to provide a range of unit sizes to provide more “affordable by design” units	Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.	Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing	Disparities in access to opportunities	Land use resources	City of Lafayette	Provide “missing middle” opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion	Develop incentives to obtain more units in a diversity of sizes  <u>GOAL: obtain commitments in 5 housing developments of 20 units or more to ensure a diversity of units</u>  <u>Geographic target: Multifamily residential districts in high opportunity, high income neighborhoods to allow for greater inclusion</u>	NEW	Prepare proposal to PC in Q4 2026; make recommendations on rezoning proposal to PC in Q1 2027; bring recommendation to CC in Q3 2027; implement program in Q1 2028
<b>AFFH Action 2.8:</b> <u>Monitor implementation of “missing middle” options to determine if mid-cycle changes are needed</u>	<u>Under-representation of Hispanic and Black/African American residents in Lafayette relative to Contra Costa County.</u>	<u>Lack of affordable housing; Prevalence of large lot single family development and zoning restrictions; Lack of land zoned to allow moderate or high density housing</u>	<u>Disparities in access to opportunities</u>	<u>Land use resources</u>	<u>City of Lafayette</u>	<u>Provide “missing middle” opportunities to increase housing choice in lower density, high opportunity areas to allow for greater inclusion</u>	<u>Review mid-cycle the performance of missing middle actions to determine if changes are warranted</u>  <u>GOAL: review the missing middle programs and modify as necessary to achieve success</u>  <u>Geographic target: Citywide</u>	<u>NEW</u>	<u>Prepare review to PC in Q2 2027; bring recommendation to CC in Q4 2027; implement program in Q1 2028</u>

<b>AFFH Action Area 3. Improving place-based strategies to encourage community conservation and revitalization including preservation of existing affordable housing:</b> involves approaches that are focused on conserving and improving assets in areas of lower opportunity and concentrated poverty.									
<b>AFFH Action 3.1:</b> As part of updates to the General Plan and the Downtown Specific Plan, evaluate the need for housing rehabilitation in older multifamily developments throughout the community. Create a plan to join rehabilitation efforts with infrastructure improvements, such as trails, recreation areas, and other amenities.	Residents occupying housing in one of the two most affordable neighborhoods of the city face greater housing livability challenges.	Need for rehabilitation because of low rents and deferred maintenance.	Disparities in access to opportunities	Land use resources	City of Lafayette to lead	Create opportunities for livability improvements without increasing housing costs.	Develop policy for the use of City funding that addresses rehabilitation needs of the community. Goal: rehabilitate 90 units during the life of the Housing Element, 30 ELI, 30 VLI, 30 LI. Concentrate efforts in the downtown, where lower income households currently are located.	Begin best practices research in 2027; complete review and develop policy by 2028, with implementation in early 2029.	Begin best practices research in Q3 2027; bring forward recommendations to PC and CC in Q2 2028; implement in Q1 2029.
<b>AFFH Action Area 4. Protecting existing residents from displacement:</b> strategies that protects residents in areas of lower or moderate opportunity and concentrated poverty and preserves housing choices and affordability.									
<b>AFFH Action 4.1:</b> Develop a plan to preserve the city's affordable units that will expire in the next decade to keep them affordable long term.	Very high rates of cost burden for <50% AMI households and Black and Hispanic households; high rates of overcrowding among minority populations.	Lack of affordable housing citywide; low housing production	Disproportionate housing needs	Human resources	City of Lafayette	Work with property owners of existing assisted housing developments for lower-income households and partner with nonprofits to determine methods to extend affordability covenants to preserve affordable units, including assistance from the City.	Conduct best practices research on other jurisdictions' programs and prepare recommendations to City Council.	Conduct best practices work in 2025; bring recommendations to Council in the beginning of 2026; implement program by mid-2026.	Conduct best practices work in Q3 2025; bring recommendations to Council for approval in Q2 2026; implement program Q3 2026.



<b>AFFH Action 4.2:</b> Partner with fair housing service providers to perform fair housing training for landlords and tenants. Focus enforcement efforts on race-based discrimination and reasonable accommodations.	Landlords refuse to rent to Section 8 voucher holders or are unaware regarding laws against discrimination for source of income.	Lack of accessible affordable units; Lack of access to economic opportunity; Concentration in low income and low opportunity census tracts; Lack of understanding of reasonable accommodation requirements by landlords and property owners.	Outreach Capacity and Enforcement	Human resources	Fair Housing Service Providers; C4	Increase awareness of fair housing laws and tenants' rights to reduce unlawful discrimination and displacement.	Work with C4 and fair housing service providers to provide training every two years in the Spring, targeting 30 landlords each training.	Begin working with C4 to develop scope in 2024; launch first training in Spring 2025	In coordination with C4, develop scope beginning in Q4 2024; launch first training in Q3 2025
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**AFFH Action Area 5. Outreach and Enforcement – see these actions in the general policies, above.**

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
4.1.a	Equal Housing Opportunity	Promote equal housing opportunity by supporting the investigation and disposition of housing discrimination complaints. Work with service providers to ensure that information is disseminated to the community as needed.	Planning and Building Dept. (PBD)	City	Ongoing	Annually, as part of the APR process	In Q4 <del>2023</del> 2024, reach out to the County and service providers to request annual collection of data on fair housing concerns within Lafayette. As part of the Annual Progress Report research prior to submittal to HCD in April, re-contact service providers and the County for information on fair housing issues within the City.
4.1.b	Fair Housing Resources	Create a webpage specific to fair housing including resources for residents who feel they have experienced discrimination, information about filing fair housing complaints with HCD or HUD, and information about protected classes under the Fair Housing Act.	PBD	City	2023	Bi-Annually	Create the webpage in Q4 in <del>2023</del> 2024. Update the website every two years, in Q4. Provide information to 80 LMI households over the planning cycle.

**Goal 6: Promote the expansion of the housing throughout the City to accommodate a variety of housing types that are attractive and affordable to potential renters and home buyers at a wide range of income levels.**

**Policy 6.1 Production of New Lower-Income Units:** Facilitate and support the production of new affordable housing units to meet the needs of a range of income levels.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
6.1.a	<b>Conditions of Approval for Multifamily Housing</b>	Develop Conditions of Approval for new multifamily residential development to include conditions that include, but are not limited to, the following: 1.) An ongoing condition to require all developers creating affordable housing with deed restrictions to include language in agreements with the City permitting persons and households eligible for HUD Section 8 rental assistance or Housing Voucher Folders to apply for below-market-rate units consistent with Federal Fair Housing regulations; 2.) Deferral of development fees to certificate of occupancy for projects including 15% or more affordable units to reduce overall development costs; 3.) The owner/applicant will provide documentation the tenant was offered first right of refusal pursuant to SB 330 provisions prior to issuance of a building permit.	Planning and Building Dept. (PBD)	City	<del>2023</del> 2024	8 months	Prepare conditions in Q3 <del>2023-2024</del> and begin implementation in Q4 <del>2023-2024</del> . Provide conditions as informational item to PC and CC in Q4 <del>2023-2024</del> for approval.
6.1.b	<b>Funding Sources to Support Affordable Housing Development</b>	Due to the high land and construction costs in Lafayette, development of deeply affordable housing (extremely low-income, low-income) is generally financially infeasible without significant subsidization. Since the dissolution of the Redevelopment Agency, the City no longer has access to millions of dollars from the state to contribute towards development. The City has an existing Housing Trust Fund with limited funds and needs to find ongoing sources of revenue to provide meaningful financial support towards the production of affordable housing to meet its RHNA goals and affirmatively further fair housing through increased access to housing and high resource areas. Use and allocation of existing and future funds will be determined as part of this program, which may include supporting the rehabilitation of existing multifamily residential properties among other activities. The City will create a plan to utilize existing funds in the City's Housing Trust Fund and identify additional sources for ongoing revenues, such as commercial development linkage fees, vacancy taxes, or real estate transfer tax, to subsidize and support access to affordable housing opportunities.	PBD	City	2025	Bi-Annually	<u>Conduct bi-annual proactive outreach beginning in Q3 2024, bring recommendations to PC Q4 2024, with CC approval in Q1 2025. Implement changes in Q2 2025. Repeat process beginning in 2026 and every 2 years after.</u>

6.1.c	<b>Inclusionary Housing Ordinance</b>	<p>The City's Inclusionary Housing Ordinance requires projects with 7 or more units to provide a minimum of 15% affordable units. Inclusionary Housing requirements can contribute towards affordable housing options in Lafayette beyond the direct provision of units through two additional methods.</p> <p>1) The City does not currently permit an in-lieu fee option for Inclusionary Housing Units preferring instead to have the units actually constructed and integrated into the project; However to capture fees to support affordable housing production. The City will conduct a fee study to establish an inclusionary housing in-lieu fee and revise the existing Inclusionary Housing Ordinance to incorporate an in-lieu fee for fractional affordable units for housing projects with fewer than 7 units. The fee study will assess potential impacts of such in-lieu fees on smaller residential projects. Revenues from in-lieu fees will be directed towards production of below-market-rate units in the city to replace segregated living patterns and will be implemented through the Housing Trust Fund.;</p> <p>2) Inclusionary Housing requirements specify that the bedroom counts, amenities, and distribution throughout the project of affordable units be comparable to those of market rate units. The ordinance allows for flexibility with respect to size and finishes (e.g. the BMR units can be smaller and outfitted with laminate counters instead of granite). The City will develop objective criteria for the size, amenities, distribution of affordable units, and other development features as part of its Inclusionary Housing Ordinance to create more equitable development outcomes.</p> <p>GOAL: <u>60 BMR units over the eight years.</u></p> <p><u>GEOGRAPHIC TARGET: Multifamily developments throughout the community in high resource, highest opportunity areas.</u></p>	PBD	City	2029	24 months	<p>1) Combine with nexus fee analysis. Hire consultant in Q1 2024 to conduct study to determine financial feasibility of in-lieu fee amounts. Bring recommendation to PC in Q4 of 2024 for recommendations, bring to CC for approval in Q1 of 2025. Implement revised fees in Q2 of 2025.</p> <p>2) With respect to objective criteria for development features, hire a consultant to conduct a best practices review in Q1 2027 and prepare recommendations to present to PC in Q4. Bring to CC in Q2 2028 for approval, implementing by <del>Q4 2029</del><u>Q3 2028</u>.</p>
6.1.d	<b>Parking Standards</b>	<p>Land costs and basic construction costs for residential developments have rapidly increased, which has in turn increased the cost of housing. Costs associated with the provision of parking may result in fewer total units or prevent the financial feasibility of development. Additionally, how people travel continues to change as more focus is being placed on alternative modes of transportation such as bikes and rideshares and remote work. The City's parking ordinance currently permits reductions to parking standards for multifamily residential projects in proximity to BART or those that provide public or shared parking. Additionally, there are also reduced parking standards within the Senior Housing Overlay District. Parking reductions may be expanded to include additional kinds of development to reduce development costs to provide affordable and sustainable housing. <u>In addition, the City will commit to codifying alternative parking standards such as hydraulic lifts and tandem parking spaces.</u></p> <p>AB 2097 (2021) prohibits jurisdictions from instituting parking minimums for projects near transit (within a 1/2 mile of BART) or in areas with low</p>	PBD	City	<del>2024</del> <u>2025</u>	18 months	<p>Beginning in Q3 of <del>2023</del><u>2024</u>, prepare amendments to the Zoning Code. Bring to the PC in Q2 <del>2024</del><u>2025</u>, and to the CC in Q3 of <del>2024</del><u>2025</u>. Implement in Q4 <del>2024</del><u>2025</u>.</p>

		car use. The City will review the requirements of AB 2097 and revise or adopt new parking standards to conform with legal requirements.													
6.1.e	<b>Multifamily Lot Consolidation Fee Waiver/Incentives</b>	<p>The City incentivizes the consolidation of lots for the development of housing, primarily through reviewing lot mergers through a ministerial process. This process reduces the time and effort required to combine lots for a development project. Given that many of the largest parcels in the downtown have already been redeveloped, most new development will require the consolidation of multiple lots, which the City aims to streamline to promote the production of housing in Lafayette. Several recent residential developments have already combined smaller parcels to create a more developable lot. To further incentivize the consolidation of lots, the City will waive lot merger processing fees for multifamily housing developments.</p> <p><u>The City will enhance the feasibility of affordable housing development by incentivizing consolidation of two or more smaller adjacent parcels through tiered density increases that allow greater density when small parcels are consolidated into a single building site. The City shall provide increases to the base density (excluding State density bonus) depending on consolidated parcel size:</u></p> <table border="1" data-bbox="758 959 1445 1090"> <thead> <tr> <th><u>Combined Parcel Size</u></th> <th><u>Allowable Density*</u></th> </tr> </thead> <tbody> <tr> <td><u>Less than 0.50 acre</u></td> <td><u>Base density</u></td> </tr> <tr> <td><u>0.50 acre to 0.99 acre</u></td> <td><u>5% increase over base density</u></td> </tr> <tr> <td><u>1.00 acre or more</u></td> <td><u>10% increase over base density</u></td> </tr> </tbody> </table> <p><u>* Excluding State density bonus</u></p>	<u>Combined Parcel Size</u>	<u>Allowable Density*</u>	<u>Less than 0.50 acre</u>	<u>Base density</u>	<u>0.50 acre to 0.99 acre</u>	<u>5% increase over base density</u>	<u>1.00 acre or more</u>	<u>10% increase over base density</u>	PBD	City	Ongoing	Ongoing, as projects are proposed	
<u>Combined Parcel Size</u>	<u>Allowable Density*</u>														
<u>Less than 0.50 acre</u>	<u>Base density</u>														
<u>0.50 acre to 0.99 acre</u>	<u>5% increase over base density</u>														
<u>1.00 acre or more</u>	<u>10% increase over base density</u>														
6.1.f	<b>Refine Fee Structure for Various Housing Types</b>	As part of the analysis of constraints on the production of housing, the Contra Costa County Collaborative (C4) analyzed the fees levied on single family housing as compared with small and large multifamily developments on a per-unit basis. While the analysis appears to demonstrate that the fees charged by the City are on par with - and sometimes significantly less than -- fees levied in other jurisdictions on a per-unit basis, there are some situations in which multifamily housing, especially smaller developments, pay disproportionately larger fees than other housing types on a per-square-foot basis. The City will review the overall fee structure for housing developments to discern impacts on per-square-foot basis can be improved, and refine the structure to address disproportionate costs by housing type.	PBD	City	2024	Combine with nexus study fee analysis	<p>Consistent with 1.2.a, Hire consultant in Q1 2024 to conduct study to determine financial feasibility of in-lieu fee amounts. Bring recommendation to PC in Q4 of 2024 for recommendations, bring to CC for approval in Q1 of 2025. Implement revised fees in Q2 of 2025.</p> <p>With respect to objective criteria for development features, hire a consultant to conduct a best practices review in Q1 2027 and prepare recommendations to present to PC in Q4. Bring to CC in Q2 2028 for approval, implementing by Q3 2028.</p>								

6.1.g	Publicly-Owned Sites	<p>Facilitate development in the planning period <u>for the redevelopment of 949 Moraga</u> to address compliance with the Surplus Land Act, including:</p> <ul style="list-style-type: none"> <li>• <u>Outreach to developers (Q4 2024)</u></li> <li>• <u>Prepare and issue request for proposals (Q1-Q2 2025)</u></li> <li>• <u>Review proposals and select development partners (Q3-Q4 2025)</u></li> <li>• <u>Design project and submit to City (Q1-Q2 2026)</u></li> <li>• <u>City review and approval process (Q3-Q4 2026)</u></li> </ul> <p><u>Provide incentives, fee waivers, priority processing and financial assistance (Q3-Q4 2026)</u></p> <ul style="list-style-type: none"> <li>• <u>In Q1 2027 the City will conduct a mid-term evaluation to determine whether the redevelopment is on-track to be completed by 2031</u></li> <li>• <u>If by Q4 2027 construction has not begun, and it is necessary to maintain the site in the inventory, the City will identify additional site(s) to accommodate the projected 23 BMR units within 6 months</u></li> </ul> <p><u>GOAL: a minimum of 23 units of BMR housing.</u></p>	PBD	City	2026	12 months	<p><u>Outreach to developers in Q4 2024, develop an RFP for City-owned sites for development as housing sites in Q1 2025. Bring the RFP to the CC for approval in Q2 2025; issue RFP in Q2 2025; analyze proposals and select development partners in Q3-Q4 2025; provide incentives, fee waivers, priority processing and financial assistance in Q3-Q4 2026; conduct City review and approval process in Q3-Q4 2026.</u></p>
6.1.h	Support Affordable Housing Development	<p>Work with housing developers to expand opportunities for affordable lower-income housing for special-needs groups, including persons with physical and developmental disabilities, female-headed households, large families, extremely low-income households, and persons experiencing homelessness by creating partnerships, providing incentives, and pursuing funding opportunities:</p> <ul style="list-style-type: none"> <li>• Support affordable housing development for special-needs groups throughout the city, including in areas that are predominantly single-family residential. The target populations include seniors; persons with disabilities, including developmental disabilities; female-headed households; <del>and</del> homeless persons <u>and extremely low-income households</u> to reduce the displacement risk for these residents from their existing homes and communities.</li> <li>• Promote the use of the density bonus ordinance, application process streamlining, and fee deferrals to encourage affordable housing, with an emphasis on encouraging affordable housing in high-resource areas and areas with limited rental opportunities currently.</li> </ul>	PBD and CCC Building Department	City/County	2024	Annually	<p>Ongoing, as projects are processed by the City. Annually apply for funding and annually engage with the Regional Center of the East Bay and public and/or private sponsors.</p>

		<ul style="list-style-type: none"> <li>• Facilitate the approval process for land divisions, lot line adjustments, and/or specific plans or master plans resulting in parcel sizes that enable affordable housing development and process fee deferrals related to the subdivision for projects affordable to lower-income households.</li> <li>• Give priority to permit processing for projects providing affordable housing for special- needs groups <u>and extremely low-income households.</u></li> <li>• <u>Work with public or private sponsors and annually identify development opportunities for housing for special needs and extremely low-income households and take all actions necessary to promote incentives, funding and feasibility and expedite processing of such projects.</u></li> <li>• Encourage residential development near parks, open space, transit routes, civic uses, social services, and other health resources.</li> <li>• Partner with nonprofit and for-profit affordable housing developers to support their financing applications for state and federal grant programs, tax-exempt bonds, and other programs that become available.</li> <li>• Pursue federal, state, and private funding for low- and moderate-income housing by applying for state and federal monies for direct support of lower-income housing construction and rehabilitation, <u>specifically for development of housing affordable to extremely low-income households and households with special needs.</u></li> <li>• Pursue partnerships with the Regional Center of the East Bay to identify funding opportunities and promote housing for persons with disabilities.</li> <li>• <u>Annually track progress towards new development. If significant progress has not been made by Q4 2027, seek additional development opportunities and increase outreach efforts to developers by Q2 2028.</u></li> </ul>					
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6.1.i	<b>Facilitate Development of the DeSilva South Site</b>	The DeSilva South site, at 9.75 acres, is currently a part of a much larger parcel of approximately 60 acres. Based on owner interest in redeveloping the 9.75-acre site with housing, the City will coordinate with the property owner and provide assistance and incentives as needed to facilitate the creation of the appropriate parcel configuration and encouraging affordability to lower income households.	PBD and CCC Building Department	City	2026	24-36 months	Beginning in Q2 of 2024, conduct outreach to the property owner regarding mechanisms for subdividing the larger parcel and outlining options for housing development; bring proposals for redevelopment to the PC in Q4 2025 and CC in Q1 2026 for approval.
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**Policy 6.2 Retention of Existing Lower-Income Units:** Seek to retain existing subsidized very low-, low- and moderate-income housing units, especially those that will be available for conversion to market rate housing. Retention of such units should have high priority for available funds.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
6.2.a	<b>Data Collection for SB 330 Housing Replacement</b>	<p>SB 330 requires developers demolishing housing to replace any restricted affordable or rent-controlled units and comply with specified requirements, including the provision of relocation assistance and a right of first refusal in the new housing to displaced occupants. This program will track compliance with SB 330 regulations for every project proposing unit demolition.</p> <p>As permits are requested for the demolition of housing, the City will obtain information related to the following and require one-for-one replacement when required: 1.) The number of existing residential units proposed to be demolished or converted; and 2.) The number of these residential units by bedroom count occupied within the last five years by persons and families of low or moderate income, which would be required for replacement.</p>	PBD	City	Ongoing	Ongoing, as projects are proposed	Draft templates for requesting required information in Q1 <del>2023</del> <u>2024</u> and implement in Q2 <del>2023</del> <u>2024</u> .
6.2.b	<b>Retention of Affordable Units: Demolitions</b>	<p>SB 330 requires developers demolishing housing to replace any restricted affordable or rent-controlled units and comply with specified requirements, including the provision of relocation assistance and a right of first refusal in the new housing to displaced occupants. This program will track compliance with SB 330 regulations for every project proposing unit demolition. As noted in the replacement policy in 10.3.a, these zoning changes will require replacement housing obligations of the same requirements as set forth in Government Code section 65915, subdivision (c), paragraph (3), specifically referencing sections (h) and (i). Staff will undertake this program in concert with AFFH Action Item 4.1.</p> <p>As permits are requested for the demolition of housing, the City will obtain information related to the following and require one-for-one replacement when required: 1.) The number of existing residential units proposed to be demolished or converted; and 2.) The number of these residential units by bedroom count occupied within the last five years by persons and families of low or moderate income, which would be required for replacement.</p>	PBD	City	2026	12 months	<u>Conduct best practices review pertaining to the retention of affordable rental units, including those that are "naturally affordable" in Q3 of 2025. Bring the analysis with recommended programs to CC in Q4 of 2025, with CC approval of programs in Q1 of 2026. Implement programs by Q2 of 2026. Target: conserve 32 units over planning cycle.</u>
6.2.c	<b>Condominium Conversions</b>	The City will research best practices and consider amendments to the condominium conversion regulations within the context of the current regulatory environment to retain affordable housing units through condominium conversions.	PBD	City	2030	16 months	Conduct best practices review pertaining to condo conversions in Q3 of 2028. Bring the analysis with recommended programs to CC in Q2 of 2029, with CC approval of programs in Q4 of 2029. Implement programs in Q1 of 2030. Target: conserve 8 units over planning cycle.



6.2.d	<b>Retention of Affordable Units: Housing Rehabilitation</b>	Participate in Contra Costa County's housing rehabilitation program and publicize the availability of the County's low-interest loan programs for lower- income seniors and other households. The City will coordinate with County staff to confirm program requirements and eligibility annually. The City will advertise the program on the City's website and in its newsletters. The City will also distribute information on the program in areas of concentrated rehabilitation need or senior households, where need for the program may be greatest.	PBD/CCC Conservation and Development	City/ County	Ongoing	Bi-Annually	Target: refer 24 households to the County's rehabilitation programs over the planning period.
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**Policy 6.3 Accessory Dwelling Units (ADUs):** Continue to support the construction of accessory dwelling units, pursuant to the City's Accessory Dwelling Unit Ordinance.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
6.3.a	<b>Permit-Ready ADUs</b>	In accordance with AB 671, local governments must include in their General Plan housing elements plans to incentivize and promote the creation of affordable accessory dwelling units (ADUs). Permit-ready plans remove the need for households to hire architects and engineers to create a custom designs and reduce the time needed for project approvals, thus reducing the overall costs to create new housing units. The City will develop packages of pre-approved designs for ADUs, including manufactured units, to expedite processing to reduce overall costs to development. The City will publicly post a list of manufactured housing units that meet the City's ADU Ordinance development standards.	Planning and Building Dept. (PBD)	City	2025	12 months	Conduct a best practices review of pre-approved plans, beginning in Q1 of 2024. Bring recommendations to DRC/PC in Q4 2024 for recommended approval. Bring to CC in Q1 2025 for approval. Implement in Q2 2025.
6.3.b	<b>Accessory Dwelling Unit Monitoring</b>	<p>The City is committed to ongoing compliance with State Law regulating accessory dwelling units (ADUs). As needed, the City will review and update the existing Accessory Dwelling Unit Ordinance for conformance with regulatory updates.</p> <p>In addition, the City will monitor permitted ADUs and affordability every other year and take appropriate action, including adjusting assumptions or rezoning within one year if sites inventory is negatively impacted to ensure compliance with no net loss provisions.</p>	PBD	City	Ongoing	Bi-annually. 12 months	<u>Beginning in Q1 2024, review permitting data for the prior year, making adjustments to the sites inventory accordingly. If needed, prepare recommended rezonings or other adjustments for PC consideration in Q3, with CC approval in Q4. Implement changes in Q1 the following year. Make these adjustments every two years, as needed.</u>

6.3.c	<b>ADU Fee Reductions</b>	To promote the development of accessory dwelling units (ADUs) and reduce the overall costs associated with this housing product, the City will temporarily reduce development impact fees for all ADUs permitted under the City's ordinance for a four-year period. While fee reductions are a helpful tool to promote development, development fees ensure publicly owned facilities receive adequate funding for maintenance and expansion. The City will assess the efficacy and financial impacts of this program mid-cycle to determine whether it should be continued beyond four years. Simultaneous to impact fee reductions, the City will promote the program as well as the availability of pre-approved plans throughout the community. ADUs can be a wealth-building asset for low-income households and information on building or converting ADUs will be targeted towards low-income populations within the City.	PBD	City	2028	48 months	Temporarily implement fee reductions for ADUs beginning Q1 2023. Analyze efficacy and impacts during Q3 2027. Make recommendations to PC for any changes in Q1 2028, with CC approval of proposed changes in Q2 2028. Implement changes in Q3 2028
6.3.d	<b>ADU Occupancy Survey</b>	The City currently lacks detailed information on the occupancy and tenure of ADUs in the City. The City will develop a survey for applicants seeking approvals for ADUs to provide basic information about the project, including, but not limited to, the number of anticipated occupants, whether the unit will be rented or provided to family, and if it is to be rented, what the anticipated rent will be. This data will be used to more accurately track the City's progress towards its RHNA goals and understand development trends within the City.	PBD	City	2024	6 months, then as applications come in	Develop a survey in Q1 <del>2023-2024</del> and distribute to existing applicants for ADUs. Prepare an analysis of potential constraints or concerns with the program In Q3 <del>2023-2024</del> and bring to PC. Bring recommended changes to CC in Q1 <del>2024-2025</del> .  Continue to distribute the survey to new applicants as they come in, and provide a report to PC and CC in Q3 annually, beginning in 2025.

- Policy 6.4 Ongoing Monitoring of Conversion Risks:** Monitor affordable projects at risk of conversion to market rate. Maintain regular communication with the owners of any subsidized projects in Lafayette to keep up-to-date on plans to maintain affordability. Assist in outreach and education to tenants as needed.
- Policy 6.5 Ongoing Monitoring of Federal Preservation Activities:** Monitor Federal actions and appropriations regarding extension of Section 8 contracts, and actively support additional appropriations. Work with the owners to determine expected actions and assist with any negotiations that would result in the preservation of these units.
- Policy 6.6 Respond to Notices of Intent to Prepay:** Support efforts to retain existing FHA and HUD subsidized low-income units through use of local, regional and national resources, CDBG funds, Redevelopment Housing Set-Aside funds, and other solutions.
- Policy 6.7 Support Ongoing Rental Subsidies in Lafayette:** Continue to support the County Housing Authority housing rental subsidies to lease units in Lafayette for very-low and low-income households. The City will continue to promote the program by providing information to the community on the value of this program and the need for participant landlords through the Housing Choice Voucher program.
- Policy 6.8 Available Funding:** Support efforts to obtain available State and federal assistance to develop affordable housing, including housing for seniors, large households, households with children and those with special needs, by providing City Council resolutions of support to developers of affordable housing projects.
- Policy 6.9 Tax Increment Financing Activities:** Support State and regional efforts to reinstate Redevelopment-like tools to require the provision of and fund the development of affordable housing.
- Policy 6.10 Manufactured Housing:** As required under State law, allow placement of manufactured housing units on permanent foundations where single family residential uses are permitted.
- Policy 6.11 Diversity of Housing Types:** Promote development of a range of housing types, like fourplexes and SB 9 housing development, to address the "missing middle" of housing affordability.

**Goal 7: Promote access to affordable housing opportunities for persons with special housing needs such as seniors, developmentally disabled, large households, and very low to moderate income households.**

**Policy 7.1 Special Population Housing Needs:** Collaborate with leaders of special population services to understand housing needs and priorities to inform city decision making.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
7.1.a	Senior Housing	Collaborate with the Lafayette Senior Services Commission and the Lamorinda Village to develop an outreach program to build awareness of age-friendly housing options and services, which may include Accessory Dwelling Units, home sharing, downsizing, Universal Design standards, and more.	Planning and Building Dept. (PBD); Parks, Trails, and Recreation (Senior Services); Lamorinda Village	City	2029	6 months	In Q2 2028, begin collaboration with interested parties to develop program ideas. Implement programs in Q4 2028
7.1.b	Developmentally Disabled	Meet with local advocates for children and adults with developmental disabilities, such as the Regional Center of the East Bay, Brilliant Corners, Las Trampas School, Sunflower Hill, Futures Explored, and others to more specifically understand housing needs for populations with developmental disabilities and how to inform housing providers to provide a portion of new affordable housing units for persons with disabilities. Discuss a plan to pursue funding sources designated for persons with special needs and disabilities to aid the development of housing units for this population.	PBD	City	2026	18-24 months	<a href="#">Meet with advocates Q1 2025. Bring recommendations to PC in Q2 2026 for CC consideration and approval or recommended actions in Q4 of 2026.</a>
7.1.c	Larger Units	Large households – defined by HUD as having five or more members - 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. These lower income households, priced out of the ownership market, will need affordable rentals. The City will analyze the impacts of requiring a certain percentage of units be 3-bedroom on project feasibility. As part of this analysis determine what percentage of the total units should be three-bedroom units, and what size of development should trigger this requirement.	PBD	City	2027	12 months	Beginning in Q1 2027, conduct a best practices review, including interviews with developers of housing, on the feasibility of providing larger units. Bring recommendations to PC in Q3 2027, then bring recommended actions to CC in Q4 2027. Implement proposed improvements in 2028.
7.1.d	Permanent Supportive Housing	Supportive Housing shall be a by-right use in zones where multifamily and mixed-uses are permitted, including nonresidential zones permitting multifamily uses pursuant to Government Code section 65651. To be consistent with AB 2162, the City will allow by-right 100% affordable housing that has 25% or 12 units of permanent supportive housing, where multifamily or mixed-use housing is permitted. Group homes of seven or more persons will be considered through an objective process similar to other residential uses of the same form.	PBD	City	2024	18 months	<a href="#">Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC in Q4 2024, and to the CC in Q1 of 2025. Implement in Q2 2025.</a>
7.1.e	Group Homes for Seven or More Persons	The City will adopt Zoning Code amendments to allow group homes for seven or more residents, specifically for people with disabilities, as a permitted use in zones where residential is allowed.	PBD	City	<del>2025</del> 2024	18 months	<a href="#">Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC in Q4 2024, and to the CC in Q1 of 2025. Implement in Q2 2025.</a>

7.1.f	<b>Emergency Shelters</b>	The City will adopt Zoning Code amendments to ensure compliance with emergency shelter requirements, including for parking (Gov. Code 65583 (a)(4)(A)), as well as AB 2339. <u>Capacity will be based on at least 200 square feet per person, and any other aspect of the existing code that is contrary to State law will be amended to be in compliance. The City will amend the definition of emergency shelters to include other forms of interim housing. In addition, emergency shelters will be permitted by-right without discretionary review.</u>	PBD	City	<del>2025</del> 2024	18 months	<u>Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC in Q4 2024, and to the CC in Q1 of 2025. Implement in Q2 2025.</u>
7.1.g	<b>Reasonable Accommodation</b>	To approve a Reasonable Accommodation request for housing for persons with disabilities, the Zoning Code requires findings be made that no detrimental impacts would result aesthetically, or to surrounding uses, properties, or structures. Some of these findings are considered subjective. The City will revise the Zoning Code to include only objective findings that can provide certainty in outcomes.	PBD	City	<del>2025</del> 2024	12 months	<u>Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC in Q4 2024, and to the CC in Q1 of 2025. Implement in Q2 2025.</u>

**Policy 7.2 Information and Resources:** Ensure information on housing options and choice is accessible, current, and useful to special populations.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
7.2.a	<b>Resources for Housing for Special Populations</b>	The City will review and update its current website with the goal of improving navigation of the site and making more information available on the City’s website. The update will create and publicize a list of federal, state, regional, and local community assistance programs that may be available to residents, dependent on certain qualification criteria. The City will periodically update this list to ensure information is up-to-date and promote access to housing and community assistance programs, particularly to the City’s elderly and other special needs populations (disabled/developmentally disabled, large households, female-headed households, homeless, and students). Such programs may include: <ul style="list-style-type: none"> <li>- Financial Assistance for low-income homeowners to construct ADUs</li> <li>- Information on private programs for shared living.</li> <li>- Available funding programs for low-income first time homebuyers.</li> </ul>	Planning and Building Dept. (PBD)	City	<del>2023</del> 2024	Bi-annually	Update the website every two years, in Q4, beginning in <del>2023</del> 2024.

**Goal 8: Facilitate a mix of housing types with development standards appropriate for the subject neighborhood.**

**Policy 8.1 Infill Housing:** Encourage private housing development on existing infill sites to utilize existing infrastructure.

Program ID	Program	Revised/New Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
8.1.a	<b>Lot Consolidation and Redevelopment of Non-Vacant Sites</b>	<p>Many lots in the downtown most likely to be redeveloped are smaller or non-vacant properties, both of which serve as barriers to development. Affordable housing requires a minimum lot area and density to reach financial feasibility. Consolidation of small lots can increase opportunities for new affordable housing throughout the downtown.</p> <p>The City will establish an outreach program and conduct engagement with owners of small lots to assess the level of interest in lot consolidation and understand what City support would encourage lot consolidation, such as elimination of application fees and support for relocation of commercial tenants. Based on this feedback, the City will explore developing other incentives and ways to support conversion of these sites to residential or mixed-uses.</p>	PBD	City	2025	12-18 months	In Q2 2024, develop an outreach program to address lot consolidation. Outreach to owners in Q4 2024. Develop recommendations to incentivize consolidation in Q1 2025. Bring recommendations to PC in Q2 2025, and to CC in Q3 2025 for approval. Implement the program in Q4 2025.

**Policy 8.2 Development Standards:** Establish development standards for residential buildings that are sensitive to neighborhood context.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
8.2.a	<b>Review of Development Standards</b>	<p>Height and density requirements are natural constraints on unlimited development and the City seeks more information from real estate economics consultants to better understand the impacts of these and other requirements on project feasibility. The goal is to best design zoning standards to remove unnecessary barriers to project feasibility and increase housing production. <u>The City commits to revise heights, setbacks, and upper story setbacks to facilitate achieving maximum densities.</u></p> <p>The City will conduct interviews and roundtables with local developers, including affordable housing developers, real estate economics consultants, and other professionals to understand the impacts of development standards on project feasibility and consider revisions, and community members to understand neighborhood-specific considerations.</p>	Planning and Building Dept. (PBD)	City	2026	18 months	Beginning in Q3 2024, convene a roundtable discussion regarding development standards. Bring recommendations to PC in Q2 2025, and to CC in Q3 2025. Implement improvements in Q1 2026.

**Policy 8.3 Density Bonus:** Provide a density bonus to projects that provide a required percentage of total units affordable to very-low and low-income households and for units meeting the special housing needs identified in this Element.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
8.3.a	Density Bonus Regulations	<p>Under California Government Code Section 65915 (“State Density Bonus Law”), jurisdictions must adopt a local Density Bonus Ordinance consistent with state law. Recent updates to State Density Bonus law, AB 1763 and AB 2345, provide incentives for 100 percent affordable housing and those that are close to transit. The City will update the City's Density Bonus Ordinance for consistency with State Density Bonus Law.</p> <p>The City will also consider removing City Council Review from section 6-3611 LMC for Tier 3 Density Bonus concessions and waivers to further streamline project entitlements.</p>	Planning and Building Dept. (PBD)	City	2025	6 months and annually	<p>Draft updated DBO in Q1 2024; take recommended changes to PC Q2 2024; to CC and implement in Q4 2024. Every year after in Q1, review new laws pertaining to DBL and update ordinance similarly.</p> <p>For Tier 3 DB concessions and waivers, bring recommended changes to PC in Q1 2025 and bring to CC in Q2 2025; implement changes in Q3 2025.</p> <p><a href="#">See also AFFH item 2.2</a></p>

**Goal 9: Promote a wide variety of housing types that balance valued aspects of the existing community character, including quality design, scale, and preservation of natural features.**

**Policy 9.1 Design and Aesthetics:** Encourage quality design in new residential development.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
9.1.a	Objective Design Standards	Further develop objective standards to ensure that new residential development is in keeping with the design and aesthetics of the neighborhood and community character by completing Phase II of Objective Design Standards. <a href="#">Complying with Objective Design Standards will be deemed to meet approval findings. The City will review ordinances, guidelines and other documentation to ensure that subjective criteria are not relied on for approval and it is clear to the reader that complying with objective design standards will be deemed to meet approval findings.</a>	Planning and Building Dept. (PBD)	City	2028	18 months	Beginning in Q2 2026, prepare Phase II ODS, bring recommended revisions to DRC/PC in Q1 2027, and bring revisions to CC for approval in Q3 2027, with implementation in Q4 2028

**Goal 10: Adopt and implement a Housing Element that complies with State Law.**

**Policy 10.1 Housing Rehabilitation:** Pursue available funding for the preservation, rehabilitation and weatherization of viable older housing to preserve neighborhood character and retain a supply of housing units for all income categories.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
10.1.a	Code Enforcement	Continue the code enforcement program to encourage the rehabilitation and/or elimination of physically obsolete and substandard housing.	PBD, Code Enforcement	City	Ongoing	Ongoing	Target: abate 8 units for code violations resulting in conservation of units over the planning period.

**Policy 10.2 Regional Housing Needs:** Provide for additional housing by encouraging the construction of multifamily housing.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
10.2.a	RHNA Monitoring	The City will maintain the residential sites inventory that can accommodate the City’s regional housing needs allocation of 2,114 units. Update the inventory annually to monitor the consumption of residential and mixed-use properties. If sites in the inventory are developed for non-housing purposes, new sites will be added to the inventory and/or residential densities will be reassessed to ensure the City’s ongoing compliance with the “no net loss” provisions of Housing Element Law. The Housing Element sites inventory will be posted on the City’s website as a tool for developers, and provided as a handout at the public counter.	Planning and Building Dept. (PBD)	City	Annually, as part of the HE Annual Progress Report	Annually	Beginning in Q1 2024, review the inventory against known production to determine amount of existing capacity for housing. Prepare recommendations to PC in Q2 to address losses and ensure an adequate reserve of housing. Bring recommendations to CC in Q2 for approval of recommendations.

10.2.b	<b>Establish By-Right Housing Designation for Reused Sites</b>	Amend the Zoning Code to establish a By-Right designation for housing sites reused from prior Housing Element for housing projects that propose a minimum of 20% affordable units. The program will be implemented within the first three years of the planning period, with minimum zoning of at least 30 units per acre. (Gov. Code, §65583.2, subd. (c).)	PBD	City	2024	18 months	<u>Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC in Q4 2024, and to the CC in Q1 of 2025. Implement in Q2 2025.</u>
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**Policy 10.3 City Leadership:** Provide active leadership in implementing the policies and programs contained in the Housing Element.

Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
10.3.a	<b>Zoning to Accommodate RHNA</b>	The City shall make available through land use planning and zoning an adequate inventory of vacant and underutilized sites to accommodate the City’s Regional Housing Needs Allocation (RHNA). Within three years of Housing Element adoption, rezone land to provide adequate capacity for at least 2,114 units on suitable sites. The rezoning program would rezone parcels with a minimum density of 30 du/ac for lower-income sites. <u>Development standards will be established on rezoned sites to facilitate maximum allowable densities.</u> The City will also incorporate a replacement housing provision for any sites with existing residential use and will permit multifamily uses without discretionary action. Specifically, the City will comply with Gov. Code Section 65582.1 subd. (h) and (i).	PBD	City	2024	12 months	Beginning in Q2 of <del>2023</del> 2024, prepare amendments to the Zoning Code to specifically rezone opportunity sites as follows: <ul style="list-style-type: none"> <li>• <del>23.318.66</del> acres to 35 du/a</li> <li>• <del>9.3611.52</del> acres to 60 du/a</li> </ul> Rezoning will also involve adoption of appropriate development standards for the planned residential capacity <u>on rezoned sites to facilitate maximum allowable densities.</u> In addition, these zoning changes will require replacement housing obligations of the same requirements as set forth in Government Code section 65915, subdivision (c), paragraph (3), specifically referencing sections (h) and (i). Bring to the PC and CC in Q3 <del>2023</del> 2024.



10.3.b	<b>BART Transit-Oriented Development Work Plan</b>	The City will continue to take actions necessary to ensure ongoing dialogue with BART staff for future development on the BART sites. These actions include, but are not limited to, the following: <ul style="list-style-type: none"> <li>• Collaborate with BART staff dedicated to this work <u>(quarterly meetings with staff to discuss strategies)</u>;</li> <li>• Research potential financial resources to assist in the development of the sites, <u>(this includes investigating ways</u> such as grants and bonds to subsidize affordable housing or buy out the remaining leases for the solar panels); and</li> <li>• Provide other support to BART to facilitate the opportunity to develop the sites <u>within the eight-year period</u>, including strategizing ways to address the need for replacement parking.</li> </ul>	PBD	City	2030	8 years	As these sites are no longer in the inventory, no specific actions are reported here. However, the item remains in the implementation plan for staff tracking.
10.3.c	<b>Farmworker Housing</b>	The City will amend the its Municipal Code to treat employee/farmworker housing that serves six or fewer persons as a single-family structure and permit it in the same manner as other single-family structures of the same type within the same zone across all zones that allow single-family residential uses. The amendment will also treat employee/farmworker housing consisting of no more than 12 units or 36 beds as an agricultural use and permit it in the same manner as other agricultural uses in the same zone, in compliance with the California Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6).	PBD	City	<del>2025</del> 2024	18 months	<u>Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC in Q4 2024, and to the CC in Q1 of 2025. Implement in Q2 2025.</u>
10.3.d	<b>Low Barrier Navigation Centers</b>	The City shall amend its Zoning Ordinances to ensure compliance with State law to allow low barrier navigation centers by right in mixed-use zones and nonresidential zones permitting multifamily uses.	PBD	City	<del>2024</del> 2025	18 months	<u>Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC in Q4 2024, and to the CC in Q1 of 2025. Implement in Q2 2025.</u>
10.3.e	<b>"Family" Definition</b>	Ensure that the definition of "family" is consistent with State and Federal law.	PBD	City	<del>2025</del> 2024	18 months	<u>Beginning in Q2 of 2024, prepare amendments to the Zoning Code. Bring to the PC in Q4 2024, and to the CC in Q1 of 2025. Implement in Q2 2025.</u>
10.3.f	<b>Discretionary Review Processes</b>	City shall amend its Zoning Ordinances to establish clearly-defined standards for review by each hearing body to provide greater certainty of the costs and timing associated with entitlements.	PBD	City	2027	10 months	Beginning in Q1 2027, conduct a best practices review of the standards used by other jurisdictions. Bring recommendations to PC in Q4 2027, then bring recommended actions to CC in Q1 2028. Implement proposed improvements in Q2 2028.

10.3.g	<b>Minimum Density Requirement</b>	The City shall amend its Zoning Ordinance to require that all new multifamily housing proposed on opportunity sites in commercial or multifamily zones be developed at a minimum density of 88% of zoned density to ensure maximizing housing on opportunity sites.	PBD	City	2024	2 months	Beginning in Q4 of <del>2023</del> 2024, develop zoning code amendments to require proposals for multifamily housing on opportunity sites be developed at a minimum of 88% of zoned capacity. Adopt zoning code revisions by January 31, 2025.
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**Policy 10.4 Annual Review of Housing Element Implementation:** Provide for annual review by the Planning Commission and City Council of progress in implementing the Housing Element.

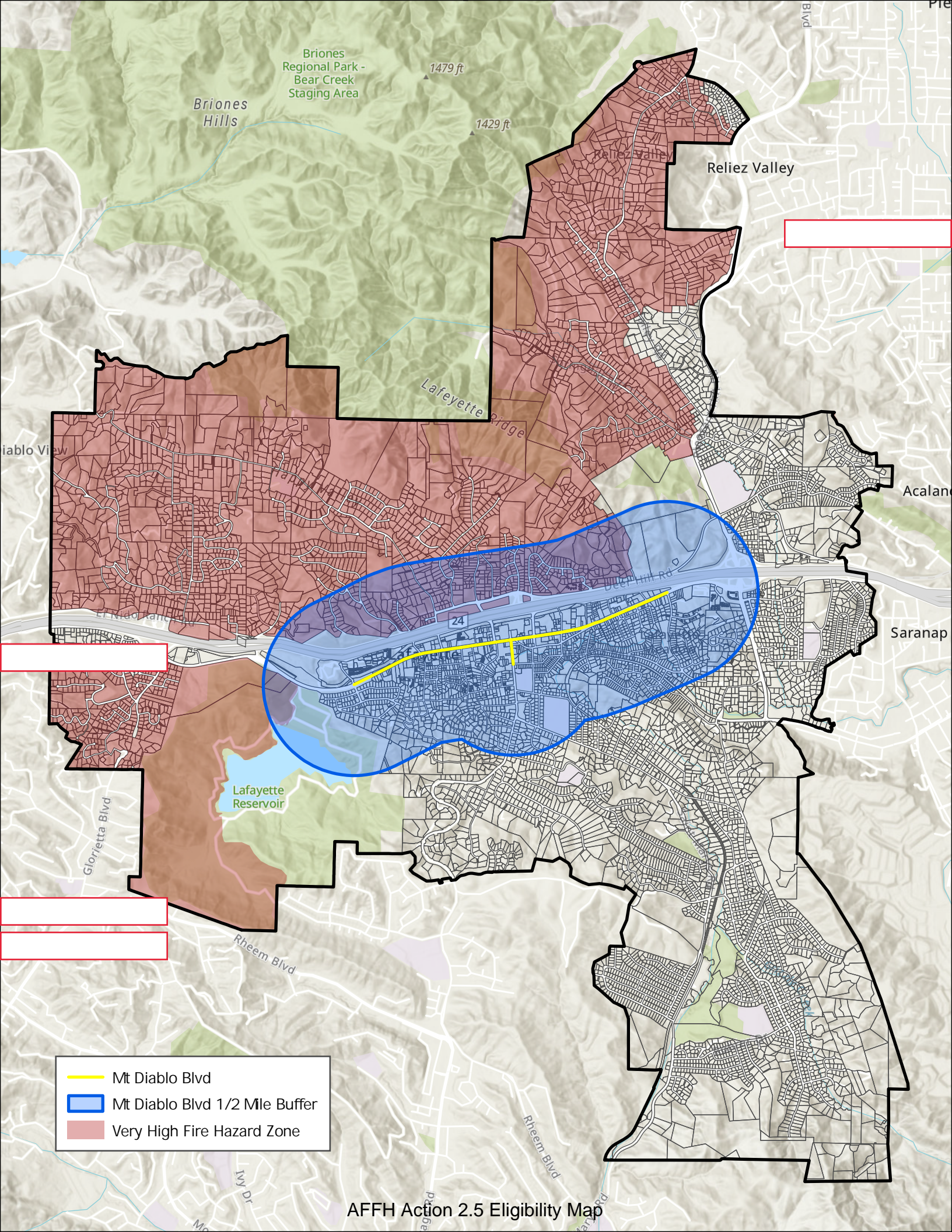
Program ID	Program	Objective	Responsibility	Financing	Completion Timeframe	Duration	Actions
10.4.a	<b>Annual Report</b>	Prepare an annual report to the City Council and Planning Commission that describes the amount and type of housing activity correlated with an updated summary of the City's housing needs.	Planning and Building Dept. (PBD)	City	Annually		

**Policy 10.5 Public Participation:** Encourage and support public participation in the formulation and review of the City's housing and development policies.

**Policy 10.6 Conversion of Illegally Converted Residential Units:** Work with property owners through the permitting process to reclaim units illegally converted from residential to commercial uses back to their original residential use.

**Policy 10.7 Housing Rehabilitation and Preservation:** Support the Contra Costa County Housing Authority (CCCHA), which provides low interest loans for the rehabilitation of homes owned or occupied by low- to moderate-income households.

**Policy 10.8 Employee Housing:** The City will continue to comply with provisions of State law regarding employee housing, including but not limited to allowing any employee housing providing accommodations for six or fewer employees to be treated as a single-family structure with a residential land use designation.



- Mt Diablo Blvd
- Mt Diablo Blvd 1/2 Mile Buffer
- Very High Fire Hazard Zone

AFFH Action 2.5 Eligibility Map