

MEMO

Date: January 31, 2000

To: Regional Housing Needs Determination Contacts

Cc: City, Town and County Managers and Administrators
Community Development and Planning Directors
City and Town Mayors
County Board of Supervisors Chairs and Presidents
(Without Attachments)

From: Eugene Leong, Executive Director
Alex Amoroso, Senior Planner

Re: Regional Housing Needs Determination 1999-2006
Release of Preliminary Numbers

This memo and attachment serves as official transmittal of the Regional Housing Needs Distribution (RHND) responsibilities for each Bay Area jurisdiction. The RHND numbers are being released for a second time, and a new timeline for the process is attached for review. As a result of several regional meetings and feedback from jurisdictions, the ABAG Executive Board has decided to restart the 90 day review and revision period.

The RHND process is a State mandate, devised to address the need for and planning of housing across a range of affordability and in all communities throughout the State. Each jurisdiction within the Bay Area (101 cities, 9 counties) is given a share of the anticipated **regional housing need**. The Bay Area's **regional housing need** is specified by the California State Department of Housing and Community Development (HCD), and finalized through negotiations with ABAG. The timeframe for the current RHND process is January 1, 1999 through June 30, 2006 (a seven and a half year planning period).

Attached to this memo, you will find a table that shows the **housing need** responsibility that ABAG has identified for your jurisdiction, as well as other jurisdictions in your county (Attachment 1). As required by law, this table further delineates each jurisdiction's housing need responsibility by income category. Additionally, this memo has attachments related to the following subject areas:

- A revised schedule for the RHND process shows important dates related to comment, review and appeals processes. A listing and description of the "Revision Guidelines, Criteria and Definitions" related to the RHND process should be used by jurisdictions wishing to address their numbers and related issues, during the 90 day revision and review period and the appeal process. (Attachment 2)
- Appeals Process and Guidelines outlines the State guidelines, additional ABAG criteria for appeals, and the appeal committee make-up. (Attachment 3)
- Sphere of Influence (SOI) issues are addressed through the information provided (Attachment 4).

Questions and comments should be directed to:

ABAG
Alex Amoroso, Senior Planner
P.O. Box 2050
Oakland, CA 94604-2050
510.464.7955
AlexA@abag.ca.gov

RHND information is available for review and download on the abagOnline web-site at:
www.abag.ca.gov/planning/housingneeds/index.htm

Attachment 1

Re-Release of Regional Housing Needs Determination (RHND) Numbers

Summary

As of December 1, 1999, each jurisdiction received their share of the RHND numbers. The numbers were forwarded to elected officials and staff members identified as RHND contacts for each jurisdiction. This initiated a **90 day revision and response period** for each jurisdiction to review and comment on their share of the RHND numbers. **At their recent January 20, 2000 meeting, the ABAG Executive Board has approved staff's recommendation to restart the 90 day revision period, effective February 1, 2000.** This will initiate a new 90-day revision and response period, allowing each jurisdiction more time to comment, and/or propose revisions to their RHND allocation.

Modifications made to this point.

Since the December release of numbers, revisions have been proposed by several jurisdictions. ABAG staff is currently reviewing these proposals for consistency with the identified criteria as outlined in Housing Element law. (*See attachment 2*) Due to independent rounding, staff as made minor modifications to the income distribution numbers. The numbers for income category breakdown of the RHND allocation are rounded to the nearest whole unit.

Staff expects that all potential revisions will be brought back to the Executive Board for final approval at their July 20, 2000 meeting.

Note:

The RHND allocation numbers for incorporated cities do not include spheres of influence. The RHND allocation is based solely upon current city boundaries as defined in Projections 2000.

The time frame for the current RHND process is January 1, 1999 through June 30, 2006 (A seven and a half year planning period.)

The new RHND allocation numbers have been updated and made available for on-line viewing. In addition, Sphere of Influence (SOI) numbers have been identified for each jurisdiction and can be found on the web site as well.

Potential Revisions Under Review

Proposed Revision

City of Cupertino/ Santa Clara County

ABAG staff conferred with City staff. Proposed revision would modify the City of Cupertino's household growth figure of 3,337 to 1,843, reducing the RHND allocation of 4,212 to 2,463. In March 1999, Cupertino annexed 1,562 housing units in the formerly unincorporated Rancho Rinconada neighborhood. These housing units were included as part of the ABAG Projections 2000 households for the year 2006, but were not added to the Department of Finance (DOF) 1999 base numbers. Consequently, Cupertino will experience these units as housing growth between 1999 and 2006, when in fact, these housing units already exist and should be part of the 1999 DOF base.

Staff Recommended Action

Accept proposed revision, and modify the methodology to account for the annexation of the formerly unincorporated Rancho Rinconada neighborhood into the City of Cupertino.

Explanation of Modifications

Staff has converted the 1,562 housing unit figure to 1,494 households using the DOF E-5 report's 1999 vacancy rate of 4.34%. These households were then added to the City of Cupertino's 1999 DOF households figure of 16,661, changing the base number to 18,155 households. This reduces the original household growth of 3,337 (1.88% of the total growth for the region) to 1,843 households (1.04% of the total growth for the region). This modification to the DOF base numbers reduces the city of Cupertino's RHND allocation from 4,212 units to 2,463 units. Due to the Rancho Rinconada neighborhood originally being an unincorporated portion of Santa Clara County, the number of households added to the City of Cupertino has to be subtracted from the unincorporated Santa Clara county DOF 1999 households base figure used in the methodology. Subsequently, the unincorporated number of households as reported in the 1999 DOF E-5 report was reduced from 33,417 to 31,923 (a net decrease of 1,494), resulting in a new household growth of 2,415 over the 1999-2006 time period. This modification to the DOF base numbers increases the unincorporated Santa Clara county's RHND allocation of 1,239 to 2,989.

Under review (No recommendation made as of yet)

- San Ramon, Daugherty Valley, Contra Costa County
- Livermore Annexation, Alameda County

REGIONAL HOUSING NEEDS DETERMINATIONS

1999-2006 Housing Element Period

ASSOCIATION OF
BAY AREA
GOVERNMENTS

JURISDICTION REVIEW
SECOND OFFICIAL RELEASE

February 1, 2000

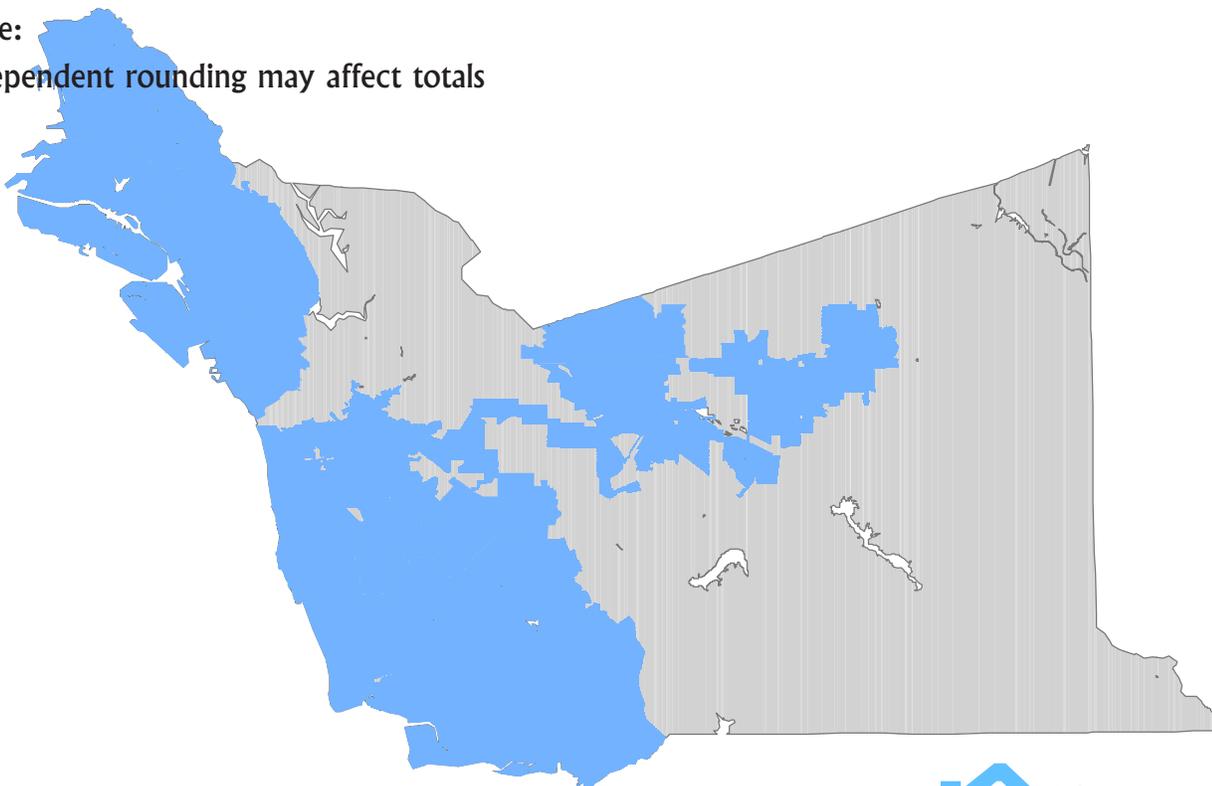
SAN FRANCISCO
BAY AREA

ABAG Regional Housing Needs Determination
Allocation Distributed By Income Category
1999-2006 Distribution Cycle
Alameda County

HCD Regional Housing Need
230,743

Jurisdiction	RHND Allocation	Very Low	Low	Moderate	Above Moderate	Average Yearly Need
ALAMEDA	1,559	321	196	437	605	208
ALBANY	132	31	16	36	49	18
BERKELEY	721	201	88	175	257	96
DUBLIN	4,891	720	495	1,285	2,391	652
EMERYVILLE	677	156	85	195	241	90
FREMONT	6,612	1,067	649	1,774	3,122	882
HAYWARD	1,861	411	232	544	674	248
LIVERMORE	3,889	669	381	1,059	1,780	519
NEWARK	989	163	91	272	463	132
OAKLAND	4,677	1,356	602	1,175	1,544	624
PIEDMONT	29	4	2	6	17	4
PLEASANTON	4,537	656	424	1,101	2,356	605
SAN LEANDRO	1,023	230	129	293	371	136
UNION CITY	2,626	457	263	747	1,159	350
ALAMEDA UNINCORPORATED	11,763	3,962	1,739	3,064	2,998	1,568
County total	45,986	10,404	5,392	12,163	18,027	6,132

Note:
Independent rounding may affect totals

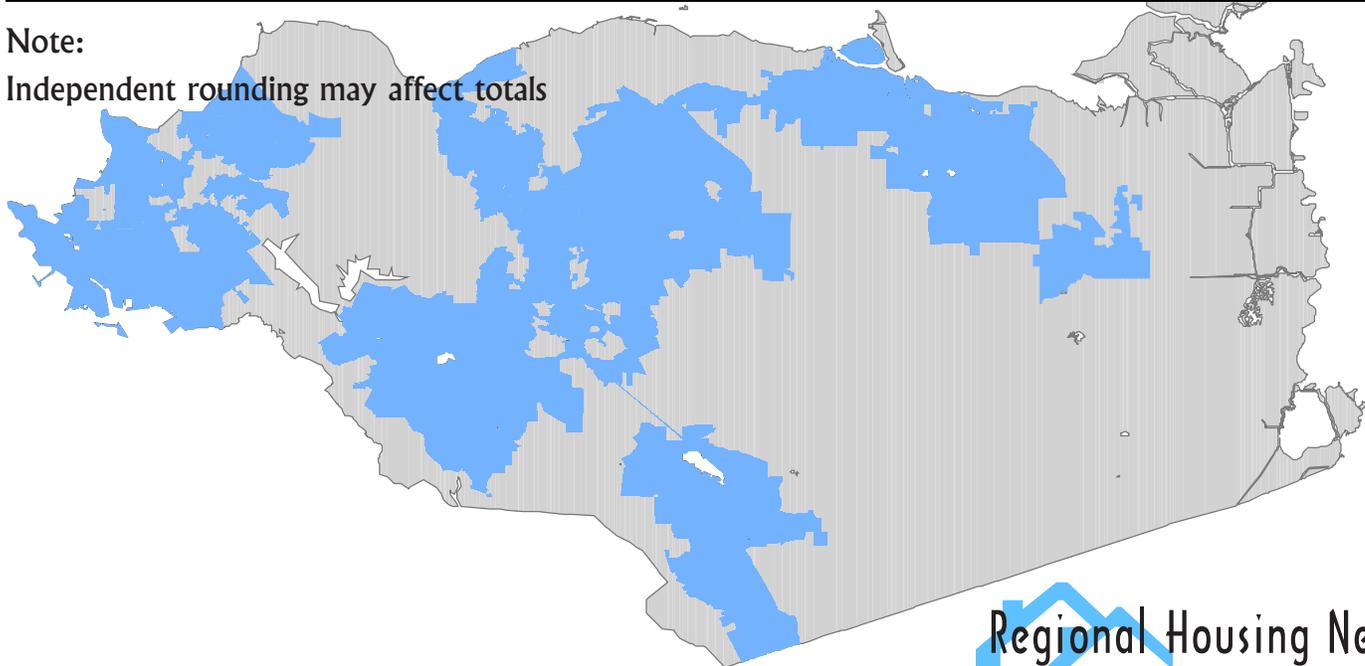


ABAG Regional Housing Needs Determination
Allocation Distributed By Income Category
1999-2006 Distribution Cycle
Contra Costa County

HCD Regional Housing Need
230,743

Jurisdiction	RHND Allocation	Very Low	Low	Moderate	Above Moderate	Average Yearly Need
ANTIOCH	5,698	1,180	670	1,465	2,383	760
BRENTWOOD	6,100	1,362	734	1,421	2,583	813
CLAYTON	768	95	60	143	470	102
CONCORD	1,608	315	195	417	681	214
DANVILLE	1,409	179	116	271	843	188
EL CERRITO	222	45	28	57	92	30
HERCULES	1,059	135	87	259	578	141
LAFAYETTE	243	38	22	52	131	32
MARTINEZ	982	182	105	248	447	131
MORAGA	246	36	21	52	137	33
OAKLEY	874	152	93	230	399	117
ORINDA	323	46	27	62	188	43
PINOLE	327	55	41	83	148	44
PITTSBURG	2,634	561	319	724	1,030	351
PLEASANT HILL	572	104	65	139	264	76
RICHMOND	1,599	415	198	408	578	213
SAN PABLO	266	79	38	66	83	35
SAN RAMON	4,254	576	371	932	2,375	567
WALNUT CREEK	1,256	220	152	315	569	167
CONTRA COSTA UNINCORPORATED	10,083	2,048	1,226	2,577	4,232	1,344
County total	40,523	7,823	4,568	9,921	18,211	5,401

Note:
Independent rounding may affect totals

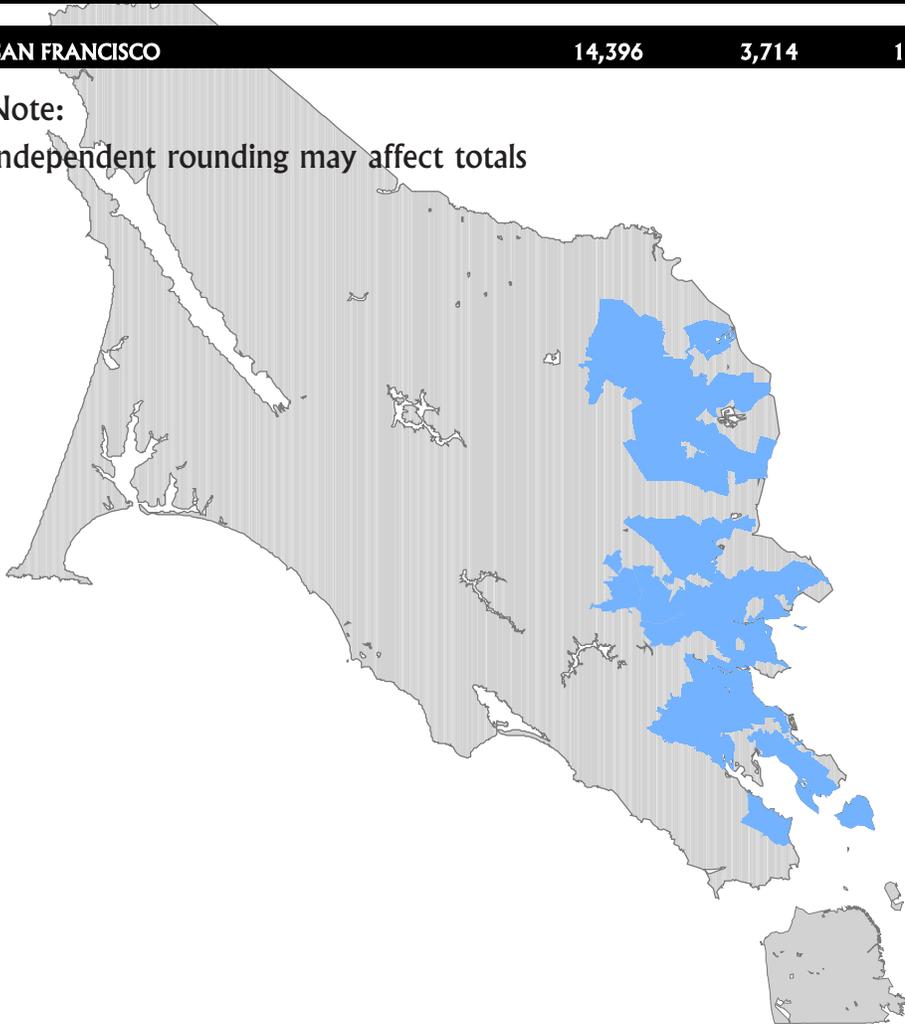


ABAG Regional Housing Needs Determination
Allocation Distributed By Income Category
1999-2006 Distribution Cycle
San Francisco and Marin Counties

HCD Regional Housing Need
230,743

Jurisdiction	RHND Allocation	Very Low	Low	Moderate	Above Moderate	Average Yearly Need
BELVEDERE	18	3	1	3	11	2
CORTE MADERA	99	16	10	25	48	13
FAIRFAX	79	15	9	23	32	11
LARKSPUR	103	19	10	29	45	14
MILL VALLEY	202	36	20	49	97	27
NOVATO	2,252	417	219	635	981	300
ROSS	19	3	2	4	10	3
SAN ANSELMO	192	42	18	49	83	26
SAN RAFAEL	1,951	416	200	520	815	260
SAUSALITO	177	31	15	43	88	24
TIBURON	150	24	14	29	83	20
MARIN UNINCORPORATED	1,321	216	126	241	738	176
County total	6,563	1,238	644	1,650	3,031	876
SAN FRANCISCO	14,396	3,714	1,552	3,953	5,177	1,919

Note:
Independent rounding may affect totals



Regional Housing Needs Jurisdictional Review Numbers



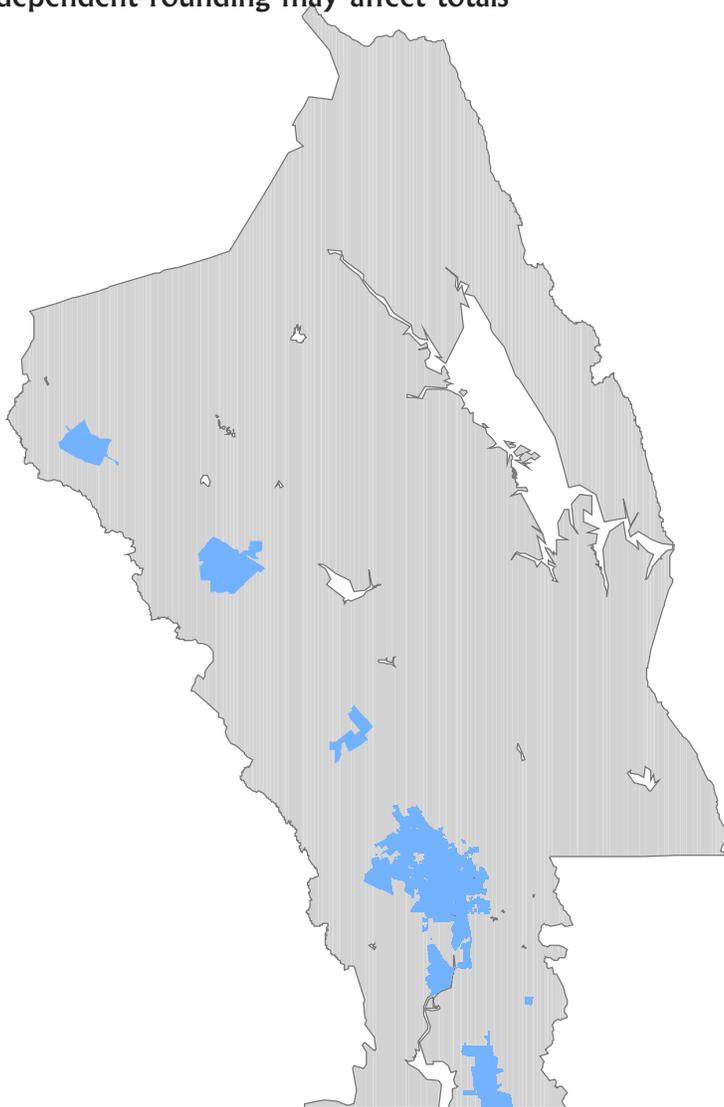
**ABAG Regional Housing Needs Determination
Allocation Distributed By Income Category
1999-2006 Distribution Cycle
Napa County**

HCD Regional Housing Need
230,743

Jurisdiction	RHND Allocation	Very Low	Low	Moderate	Above Moderate	Average Yearly Need
AMERICAN CANYON	1,306	228	183	346	549	174
CALISTOGA	192	49	35	45	63	26
NAPA	2,959	619	449	748	1,143	395
ST. HELENA	130	28	19	33	50	17
YOUNTVILLE	79	19	14	18	28	11
NAPA UNINCORPORATED	1,772	365	251	416	740	236
County total	6,438	1,308	951	1,606	2,573	859

Note:

Independent rounding may affect totals

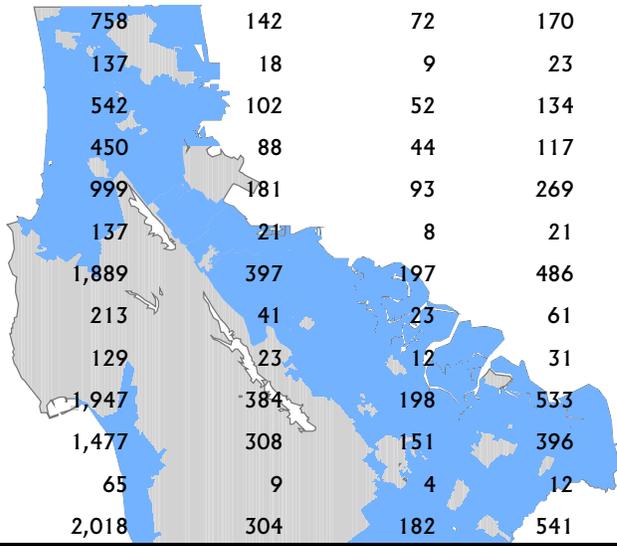


Regional Housing Needs Jurisdictional Review Numbers

ABAG Regional Housing Needs Determination
Allocation Distributed By Income Category
1999-2006 Distribution Cycle
San Mateo County

HCD Regional Housing Need
230,743

Jurisdiction	RHND Allocation	Very Low	Low	Moderate	Above Moderate	Average Yearly Need
ATHERTON	113	15	7	18	73	15
BELMONT	271	49	26	68	128	36
BRISBANE	346	87	36	90	133	46
BURLINGAME	282	55	29	78	120	38
COLMA	44	10	5	12	17	6
DALY CITY	978	199	101	273	405	130
EAST PALO ALTO	1,005	281	120	271	333	134
FOSTER CITY	659	92	53	157	357	88
HALF MOON BAY	758	142	72	170	374	101
HILLSBOROUGH	137	18	9	23	87	18
MENLO PARK	542	102	52	134	254	72
MILLBRAE	450	88	44	117	201	60
PACIFICA	999	181	93	269	456	133
PORTOLA VALLEY	137	21	8	21	87	18
REDWOOD CITY	1,889	397	197	486	809	252
SAN BRUNO	213	41	23	61	88	28
SAN CARLOS	129	23	12	31	63	17
SAN MATEO	1,947	384	198	533	832	260
SOUTH SAN FRANCISCO	1,477	308	151	396	622	197
WOODSIDE	65	9	4	12	40	9
SAN MATEO UNINCORPORATED	2,018	304	182	541	991	269
County total	14,459	2,806	1,422	3,761	6,470	1,927



Note:
Independent rounding may affect totals

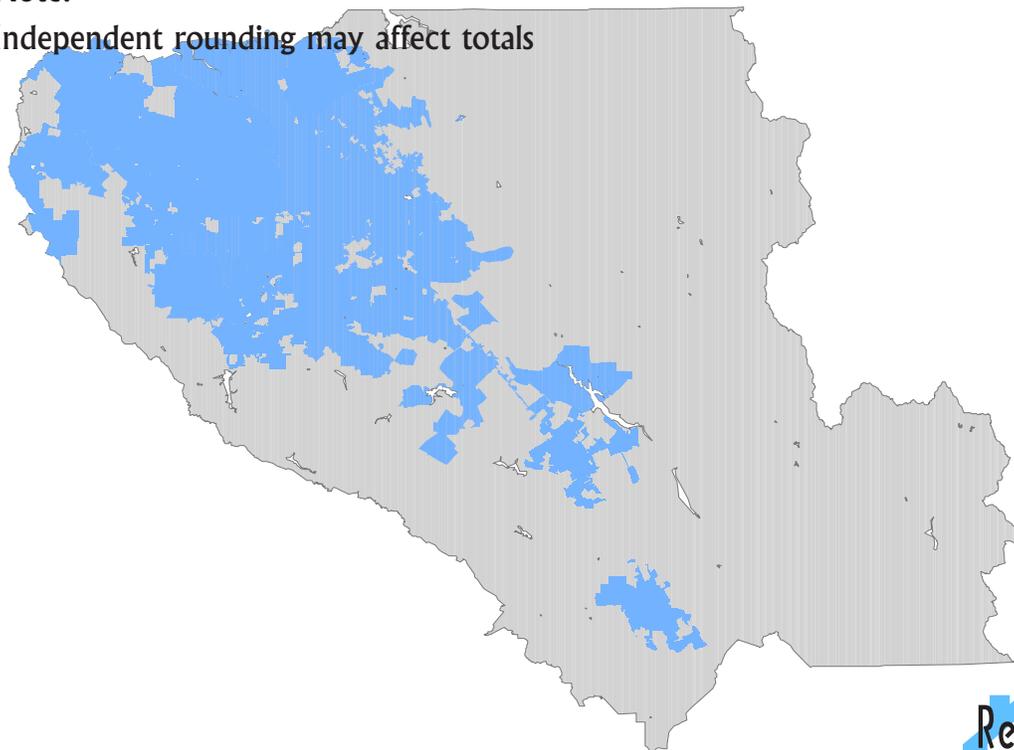
ABAG Regional Housing Needs Determination
Allocation Distributed By Income Category
1999-2006 Distribution Cycle
Santa Clara County

HCD Regional Housing Need
230,743

Jurisdiction	RHND Allocation	Very Low	Low	Moderate	Above Moderate	Average Yearly Need
CAMPBELL	1,068	228	110	291	439	142
CUPERTINO	4,212	640	320	984	2,268	562
GILROY	3,677	891	340	1,004	1,442	490
LOS ALTOS	300	44	24	64	168	40
LOS ALTOS HILLS	70	8	4	13	45	9
LOS GATOS	206	37	19	49	101	27
MILPITAS	2,745	442	231	718	1,354	366
MONTE SERENO	124	17	8	22	77	17
MORGAN HILL	2,991	549	285	734	1,423	399
MOUNTAIN VIEW	2,941	602	294	845	1,200	392
PALO ALTO	1,001	191	86	243	481	133
SAN JOSE	24,950	5,113	2,345	6,716	10,776	3,327
SANTA CLARA	4,228	866	408	1,182	1,772	564
SARATOGA	590	82	42	117	349	79
SUNNYVALE	3,713	715	362	1,032	1,604	495
SANTA CLARA UNINCORPORATED	1,240	278	140	555	267	165
County total	54,056	10,703	5,018	14,569	23,766	7,207

Note:

Independent rounding may affect totals

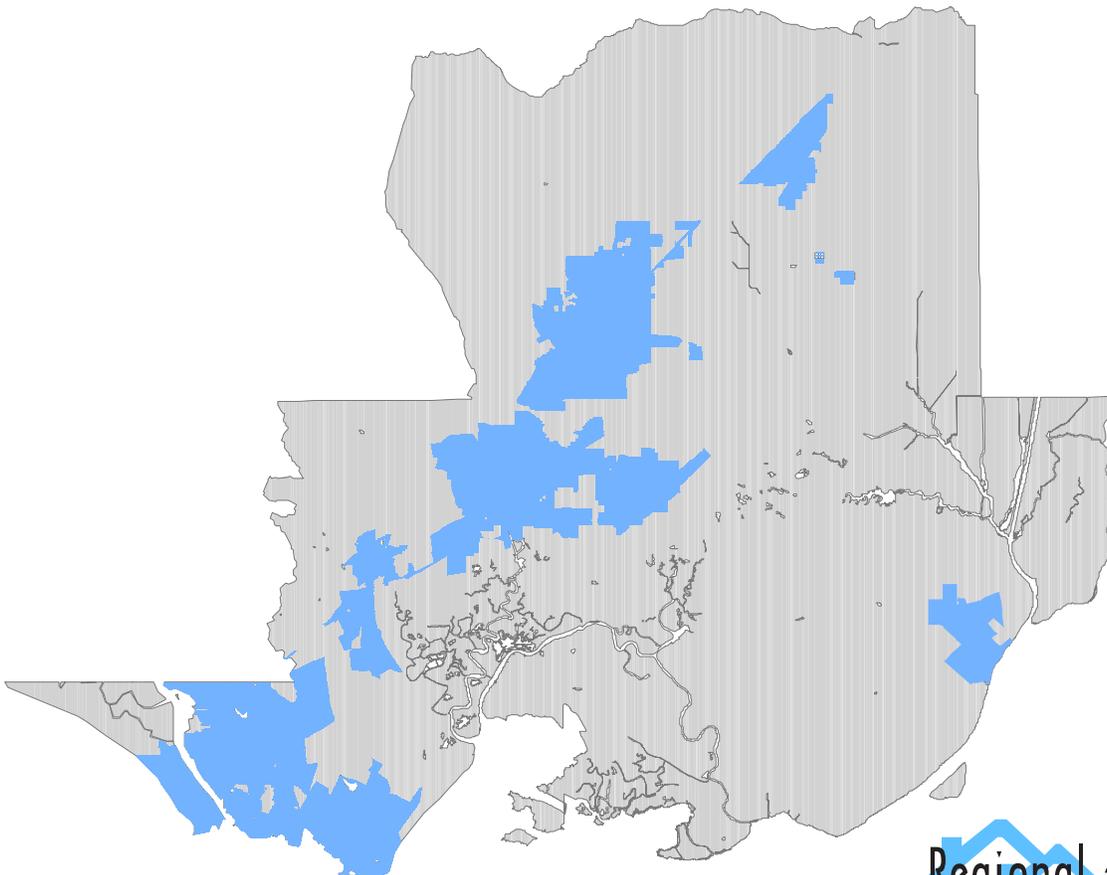


ABAG Regional Housing Needs Determination
Allocation Distributed By Income Category
1999-2006 Distribution Cycle
Solano County

HCD Regional Housing Need
230,743

Jurisdiction	RHND Allocation	Very Low	Low	Moderate	Above Moderate	Average Yearly Need
BENICIA	181	31	22	39	89	24
DIXON	1,359	249	225	349	536	181
FAIRFIELD	3,287	658	505	831	1,293	438
RIO VISTA	2,175	559	305	530	781	290
SUISUN CITY	921	176	116	233	396	123
VACAVILLE	4,339	807	604	1,088	1,840	579
VALLEJO	2,950	629	442	703	1,176	393
SOLANO UNINCORPORATED	7,434	1,371	1,019	2,093	2,951	991
County total	22,646	4,480	3,238	5,866	9,062	3,019

Note:
Independent rounding may affect totals



Regional Housing Needs Jurisdictional Review Numbers

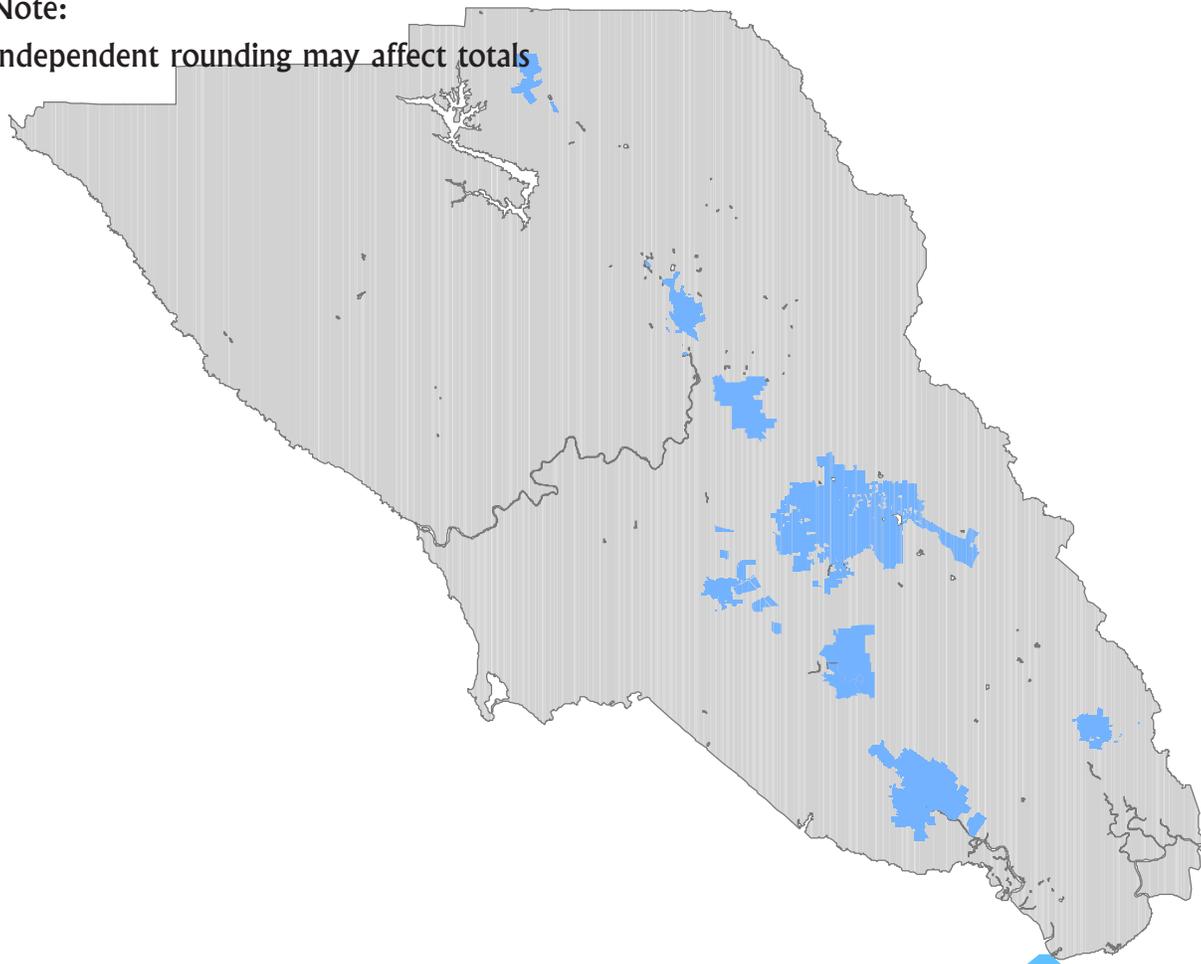
ABAG Regional Housing Needs Determination
Allocation Distributed By Income Category
1999-2006 Distribution Cycle
Sonoma County

HCD Regional Housing Need
230,743

Jurisdiction	RHND Allocation	Very Low	Low	Moderate	Above Moderate	Average Yearly Need
CLOVERDALE	413	93	52	124	144	55
COTATI	483	96	55	140	192	64
HEALDSBURG	593	116	83	176	218	79
PETALUMA	597	108	67	162	260	80
ROHNERT PARK	878	166	115	245	352	117
SANTA ROSA	5,465	1,101	712	1,502	2,150	729
SEBASTOPOL	157	33	20	43	61	21
SONOMA	578	124	78	157	219	77
WINDSOR	3,471	722	401	930	1,418	463
SONOMA UNINCORPORATED	13,041	2,522	2,186	2,969	5,364	1,739
County total	25,676	5,081	3,769	6,448	10,378	3,424

Note:

Independent rounding may affect totals

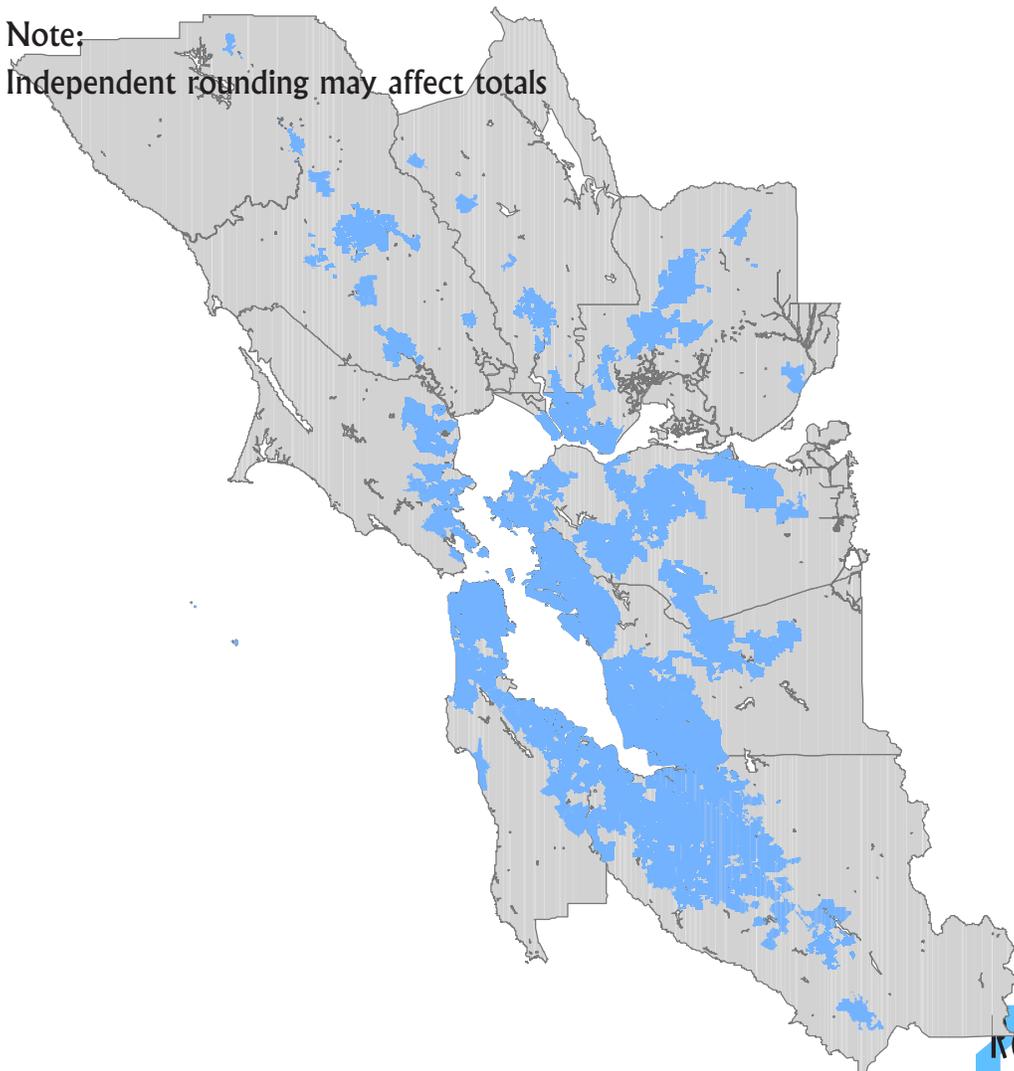


ABAG Regional Housing Needs Determination
Allocation Distributed By Income Category
1999-2006 Distribution Cycle
San Francisco Bay Region

HCD Regional Housing Need
230,743

Jurisdiction	RHND Allocation	Very Low	Low	Moderate	Above Moderate	Average Yearly Need
Alameda County	45,986	10,404	5,392	12,163	18,027	6,132
Contra Costa County	40,523	7,823	4,568	9,921	18,211	5,401
Marin County	6,563	1,238	644	1,650	3,031	876
Napa County	6,438	1,308	951	1,606	2,573	859
San Francisco	14,396	3,714	1,552	3,953	5,177	1,919
San Mateo County	14,459	2,806	1,422	3,761	6,470	1,927
Santa Clara County	54,056	10,703	5,018	14,569	23,766	7,207
Solano County	22,646	4,480	3,238	5,866	9,062	3,019
Sonoma County	25,676	5,081	3,769	6,448	10,378	3,424
Region Total	230,743	47,557	26,554	59,937	96,695	30,764

Note:
Independent rounding may affect totals



ABAG Regional Housing Distribution Model

Methodology Explanation with Underlying Data Sources

1999-2006 Distribution Cycle

Jurisdiction	Name of Jurisdiction				
Households 2006	Households 1999	Household Growth	Regional Household Growth Total	Share of Household Growth	
Projections 2000	1999 DOF E-5 Report	Calculated Value	Calculated Value	Calculated Value	
Jobs 2006	Jobs 1999	Job Growth	Regional Job Growth Total	Share of Job Growth	
Projections 2000	Projections 2000	Calculated Value	Calculated Value	Calculated Value	
Share of Job Growth	Weight Factor	Share of Household Growth	1 Minus Weight	HCD Regional Need	Construction Need
Calculated Value	0.1 ABAG Policy	Calculated Value	0.9	230,743	Calculated Value
				Average Yearly Need	Calculated Value
		50% Towards The Regional Average		Percentage of Regional Need	Calculated Value
Income Category	1990 Income Percentage	1999 Income Percentage	Construction Need		
Very Low	HCD	Calculated Value	Calculated Value		
Low	HCD	Calculated Value	Calculated Value		
Moderate	HCD	Calculated Value	Calculated Value		
Above Moderate	HCD	Calculated Value	Calculated Value		

ABAG Regional Housing Needs Determination
 Income Distribution
 1999-2006 Distribution Cycle
 1998 Income Category
 Breakdown by County

County	Area Median Income	Income Limits for a family of four.					
		Very Low Up to 50%	Low Between 50% and 80%		Moderate Between 80% and 120%		Above Moderate Above 120%
Alameda	\$ 63,300	\$ 31,650	\$ 31,651	\$ 50,640	\$ 50,641	\$ 75,960	\$ > 75,960
Contra Costa	\$ 63,300	\$ 31,650	\$ 31,651	\$ 50,640	\$ 50,641	\$ 75,960	\$ > 75,960
Marin	\$ 68,600	\$ 34,300	\$ 34,301	\$ 54,880	\$ 54,881	\$ 82,320	\$ > 82,320
Napa	\$ 51,800	\$ 25,900	\$ 25,901	\$ 41,440	\$ 41,441	\$ 62,160	\$ > 62,160
San Francisco	\$ 68,600	\$ 34,300	\$ 34,301	\$ 54,880	\$ 54,881	\$ 82,320	\$ > 82,320
San Mateo	\$ 68,600	\$ 34,300	\$ 34,301	\$ 54,880	\$ 54,881	\$ 82,320	\$ > 82,320
Santa Clara	\$ 77,200	\$ 38,600	\$ 38,601	\$ 61,760	\$ 61,761	\$ 92,640	\$ > 92,640
Solano	\$ 51,800	\$ 25,900	\$ 25,901	\$ 41,440	\$ 41,441	\$ 62,160	\$ > 62,160
Sonoma	\$ 54,300	\$ 27,150	\$ 27,151	\$ 43,440	\$ 43,441	\$ 65,160	\$ > 65,160
Region	\$ 63,300	\$ 31,650	\$ 31,651	\$ 50,640	\$ 50,641	\$ 75,960	\$ > 75,960

Annual Cost for Housing Considered Affordable
 Breakdown by County

County	Area Median Income	Annual cost of housing for a family of four.					
		Very Low Up to 50%	Low Between 50% and 80%		Moderate Between 80% and 120%		Above Moderate Above 120%
Alameda	\$ 18,990	\$ 9,495	\$ 9,496	\$ 15,192	\$ 15,193	\$ 22,788	\$ > 22,788
Contra Costa	\$ 18,990	\$ 9,495	\$ 9,496	\$ 15,192	\$ 15,193	\$ 22,788	\$ > 22,788
Marin	\$ 20,580	\$ 10,290	\$ 10,291	\$ 16,464	\$ 16,465	\$ 24,696	\$ > 24,696
Napa	\$ 15,540	\$ 7,770	\$ 7,771	\$ 12,432	\$ 12,433	\$ 18,648	\$ > 18,648
San Francisco	\$ 20,580	\$ 10,290	\$ 10,291	\$ 16,464	\$ 16,465	\$ 24,696	\$ > 24,696
San Mateo	\$ 20,580	\$ 10,290	\$ 10,291	\$ 16,464	\$ 16,465	\$ 24,696	\$ > 24,696
Santa Clara	\$ 23,160	\$ 11,580	\$ 11,581	\$ 18,528	\$ 18,529	\$ 27,792	\$ > 27,792
Solano	\$ 15,540	\$ 7,770	\$ 7,771	\$ 12,432	\$ 12,433	\$ 18,648	\$ > 18,648
Sonoma	\$ 16,290	\$ 8,145	\$ 8,146	\$ 13,032	\$ 13,033	\$ 19,548	\$ > 19,548
Region	\$ 18,990	\$ 9,495	\$ 9,496	\$ 15,192	\$ 15,193	\$ 22,788	\$ > 22,788

Attachment 2

Regional Housing Needs Determination (RHND) Revision Process
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Summary

At their January 20, 2000 meeting, the ABAG Executive Board has approved staff's recommendation to restart the 90 day revision period, effective February 1, 2000. This will initiate a new 90-day revision and response period, allowing each jurisdiction more time to comment, and/or propose revisions to their RHND allocation. The new timeline will be as follows:

- **Second release numbers to each jurisdiction (February 1, 2000)**
- **Initiate the required 90 Day jurisdictional review period (Begins February 1, 2000-----Ends April 30, 2000)**
- **ABAG Staff 60 days to respond to jurisdictional comments and questions (Begins May 1, 2000-----Ends June 30, 2000)**
- **Executive Board requested to approve final RHND numbers (July 20, 2000)**
- **Appeals Process initiated as necessary (July 24, 2000)**

By April 30, 2000, each jurisdiction must submit in writing any proposed revision to the RHND allocation number according to guidelines defined in Government Code, section 65584(a). This attachment sets forth the process and procedures for requesting revisions to the RHND allocation for jurisdictions in the ABAG region.

Revision Guidelines, Criteria and Definitions

Within 90 days following a determination of housing needs allocation by the ABAG Executive Board a city or county may propose to revise the determination of its share of the regional housing need in accordance with the considerations set forth in government code 65584, subdivision (a). The proposed revised share shall be based upon available data and accepted planning methodology, and supported by adequate documentation, including analysis of factors and circumstances justifying a revision.

Review and Determination of Request for Revision

Within 60 days after the time period for the revision by the city or county, ABAG shall accept the proposed revision, modify the earlier determination, or indicate, based upon available data and accepted planning methodology, why the proposed revision is inconsistent with the earlier determination of housing need.

The following factors will be used in the review process (as applies):

- a) Request for revision must be:
 - i. Based upon available data
 - ii. Take into consideration market demand for housing
 - iii. Employment opportunities
 - iv. The availability of suitable sites and public facilities
 - v. Commuting patterns
 - vi. Type and tenure of housing need
 - vii. The loss of units contained in assisted housing developments as defined in paragraph (8) of subdivision (a) of Section 65583, that changed to non-low-income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions,
 - viii. The housing needs of farmworkers
- b) Any revision will be localized within the same county as the requesting jurisdiction

Additional criteria to be considered in the Revision Process

Ordinances limiting residential construction do not justify a revision.

Any ordinance, policy, or standard of a city or county that directly limits, by number, the building permits that may be issued for residential construction, or limits for a set period of time the number of buildable lots that may be developed for residential purposes, shall not be a justification for a determination or a reduction in the share of a city or county of the regional housing need.

Exemptions: Moratorium on residential construction.

Any city or county that imposes a moratorium on residential construction for a specified period of time in order to preserve and protect the public health and safety is exempt from this limitation. If a moratorium is in effect, the city or county shall, prior to a revision, adopt findings that specifically describe the threat to the public health and safety and the reasons why construction of the number of units specified as its share of the regional housing need would prevent the mitigation of that threat.

Power to review and revise housing need does not extend to implementation

Any authority to review and revise the share of a city or county of the regional housing need granted under this section shall not constitute authority to revise, approve, or disapprove the manner in which the share of the city or county of the regional housing need is implemented through its housing program.

Revision of County numbers

ABAG shall reduce the share of regional housing needs of a county if all of the following conditions are met:

- a) One or more cities within the county agree to increase its share or their shares by an amount that will make up for the reduction.

- b) The transfer of shares shall only occur between a county and cities within that county.
- c) The county's share of low-income and very low-income housing shall be reduced only in proportion to the amount by which the county's share of moderate- and above moderate-income housing is reduced.
- d) ABAG shall have authority over the approval of the proposed reduction, taking into consideration the criteria of govt. code 65584-subdivision (a).

Revision Determination by ABAG

If ABAG accepts the proposed revision or modifies its earlier determination, the city or county shall use that share. ABAG shall ensure that the current total housing need is maintained. If ABAG indicates that the proposed revision is inconsistent with the regional housing need, the city or county shall use the share that was originally determined by ABAG. The housing element shall contain an analysis of the factors and circumstances, with all supporting data, justifying the revision. All materials and data used to justify any revision shall be made available upon request by any interested party within seven days upon payment of reasonable costs of reproduction unless the costs are waived due to economic hardship.

Denial/ Approval of request for revision

If ABAG, does not accept the proposed revision, then the city or county shall have the right to request one public hearing to review the determination within 30 days. The city or county shall be notified within 30 days by certified mail, return receipt requested, of the date of the public hearing regarding the determination. The date of the hearing shall be at least 30 days from the date of the notification. Before making the final determination, ABAG shall consider comments, recommendations, available data, accepted planning methodology, and local geological and topographic restraints on the production of housing.

Judicial Review

The determination of ABAG shall be subject to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

Definitions and Criteria

The following definitions will be used to evaluate each jurisdictions request for a revision of its share of housing need for the region.

1. Accepted Planning Methodology: refers to the logical organization and analysis of acceptable data that is consistent with government code, section 65584(a).
2. Acceptable Data: Alternative data that is used for requesting a revision of a Jurisdiction's RHND allocation must meet all of the following requirements
 - a. Available: data which is generally accessible to the public that is not constrained for use by proprietary conditions or other conditions effectively making it difficult to obtain.

- b. Accurate: data which is reasonably free from defect, developed in accordance with an established methodology, and have produced reliable estimates over time.
 - c. Current: data that is more recent than existing data sets used in the RHND methodology and thus portrays local conditions in a more accurate and representative method.
 - d. Replicable: data which can be reproduced in other jurisdictions and lend themselves to widespread application to a housing market area larger than a single jurisdiction.
3. Consistent: data which takes into consideration the criteria cited in govt. code, section 65584(a) as further defined in other supporting statutes and case law.
- a. Market factors for housing
 - b. Employment opportunities
 - c. Commuting patterns
 - d. Availability of suitable sites and public facilities
 - e. Loss of units in assisted housing developments
 - f. Housing needs of farm-workers; and
 - g. Reducing over concentration of affordable housing
4. Regional Housing Needs Determination: refers to the number of units as determined by the State Department of Housing and Community Development (HCD) of which will be allocated during the RHND planning period that considers Household Growth and Employment Patterns in the ABAG region.
5. Supported by adequate documentation: refers to the methods used to acquire and/or compute alternative data, which must be fully explained and incorporated into the revision request.
6. Jobs/Housing Balance: refers to the ratio of jobs and housing in each jurisdiction.
7. Income categories: State Law requires that ABAG distributes the housing need to each jurisdiction based upon HCD defined income categories (Very Low, Low, Moderate, Above Moderate)
- a. Very Low is defined as income levels which are below 50% of the adjusted gross area median income
 - b. Low is defined as income levels which are greater than 50% and less than 80% of the adjusted gross area median income
 - c. Moderate is defined as income levels which are greater than 80% and less than 120% of the adjusted gross area median income
 - d. Above Moderate is defined as income levels which are equal to or greater than 120% of the adjusted gross area median income

Attachment 3

Appeals Process and Guidelines for the Regional Housing Needs Determination (RHND)

Summary

Following the 90-day Revision period (April 30,2000) staff will have 60-days (May 1, 2000 thru June 30, 2000) to respond to jurisdictions requesting a revision of their RHND allocation. Once adjustments have been made to the jurisdictional numbers (if any), ABAG staff will bring “final numbers” to the Executive Board for approval at their July 20, 2000 meeting. Should the Executive Board approve the final numbers in July, **an appeal period begins**, and runs for **approximately 60-90 days**. The appeal process allows for jurisdictions to appeal the adopted ABAG numbers, in writing, **within 30 days of the final determination by the Executive Board on July 20, 2000**. This written appeal would initiate **a public hearing**, requiring 30 days notice of a hearing date. Once all appeals have been heard and decided, the entire packet of RHND numbers will be returned to the Executive Board for approval. These guidelines set forth the process and procedure for jurisdictions requesting an appeal of the Executive Board’s final approval of the RHND allocation.

Appeal Time Requirements

1. 30 days to initiate appeal
2. 30 days to set hearing
3. 30 days notice of meeting

Appeal Guidelines and Criteria

Under state law, government code 65584, subdivision (a), jurisdictions are given the opportunity to comment and propose revisions to their share of the RHND. According to the government code, any revision must meet the test of accepted methodology, readily available data, and be consistent with State identified criteria for the RHND.

Under state law, (govt. code 65584 subdivision (c) para. 2 subpara. (A)), a jurisdiction shall have the right to at least one appeal following the final approval of the housing need determinations for the region by the ABAG Executive Board. Any appeal made shall be based upon the same state identified criteria as used in the revision and response process (See Attachment 2). In addition, ABAG has identified the following criteria to be included in the Appeal Process:

Additional Appeal Criteria

- Each jurisdiction in the ABAG region will be given one opportunity to appeal the decision by the Executive Board.
- The jurisdiction that is appealing shall identify another recipient (other jurisdiction(s)) willing to incorporate any proposed reduction in housing need.
- Any revision of housing need will be accomplished within the same county as the appealing jurisdiction.
- Previous available information not raised during the 90-day Review and Revision period cannot be presented during the appeals process.

Appeals Committee

In order to ensure that appeals to the revised housing need are handled within the State mandated 60-day time frame, all appeals will be handled by a committee established by the Executive Board. This Appeals Committee will be made up of three (3) Executive Board members, three (3) elected officials from the Regional Planning Committee Members, and one housing/planning professional from the Housing Methodology Committee. **The Appeal Committee will have final decision making authority on all appeals.**

Any revision made during the Appeals process will be incorporated into the final RHND numbers and brought back to the Executive Board for final approval.

Attachment 4

Issues related to Allocating Housing Units in Unincorporated Lands within City Spheres of Influence.

Summary

The ABAG Regional Housing Needs Distribution (RHND) allocation for incorporated jurisdictions shows a preliminary assignment of housing need within current city boundaries, excluding those areas in the city's sphere of influence outside of the current city boundaries. The unincorporated areas of each county have received an allocation which includes these unincorporated portions of each city's sphere of influence, in addition to numbers for the unincorporated areas outside the SOI's. The distribution of housing unit needs between cities and counties has raised a particular issue of concern to both ABAG and Bay Area jurisdictions (particularly the counties). This attachment sets forth a suggested process for transfer of the RHND allocation between a city and county during the Revision process.

Discussion

The methodology uses existing city boundaries for defining RHND shares. This means that all RHND responsibilities (housing units) that are assigned to unincorporated land within a city's Sphere of Influence (SOI) are actually assigned to the county. This method assigns numbers of housing units from the cities' unincorporated SOI's to the counties' RHND responsibility. The counties are then responsible to plan for the additional units, based on the State Housing Element Law.

During the 1989 ABAG RHND process, each city was given responsibility to plan for housing units within their SOI. This created significant burdens on the cities by requiring creation of a plan for lands that were not under their direct control. The reverse is now true, in that the 1999 RHND requires counties to plan for units.

Planning for large numbers of units in unincorporated areas of the region could encourage sprawl type development. This is contrary to ABAG's policies on growth and many counties' strategies of directing growth within existing cities and urbanized areas.

To address this issue, ABAG has formed a policy which allows counties and cities to exchange RHND responsibilities. During the 90 day review/ revision period (February 1 through April 30, 2000) cities and counties have the opportunity to redistribute regional need at the county level. All of the following conditions apply:

1. All cities and the county (for a given county) must agree to redistributing that collective set of numbers as determined by the RHND allocation.
2. ABAG must be notified, in writing, by all jurisdictions, that they plan to participate in the redistribution, by March 1, 2000.

3. The total RHND allocation identified for a given county and its incorporated cities will remain static. The distribution percentages assigned to each jurisdiction will remain unchanged as well.
4. A final and authorized agreement must be reached by all the involved jurisdictions by April 30, 2000
5. Should an agreement not be reached, the county and its incorporated cities shall use the final RHND allocation as approved by the ABAG Executive Board (*Staff expects this final approval will be given during the July 20, 2000 Executive Board meeting*).

Available Sphere of Influence Information

ABAG staff has identified housing units within unincorporated areas. Those that are within the SOI of each city and those units outside of the SOI's (within county lands) have been divided into groups for use in any redistribution. Refer to tables 1-8 for each county's SOI numbers. This information is also available on the ABAG Regional Housing Needs website at www.abag.ca.gov/planning/housingneeds/index.html

This process would require greater collaboration between county and city jurisdictions for planning unincorporated land within city spheres of influence. Through negotiations between city and county representatives, the number and density of units to be accommodated within certain unincorporated lands can be effectively planned.

ABAG Regional Housing Needs Determination
Housing Need in the Unincorporated Portion
of a Jurisdictions Sphere of Influence
1999-2006 Distribution Cycle
Alameda County

Jurisdiction	Column 1	Column 2	Column 3
	RHND Allocation* Current City Boundaries	RHND Allocation Unincorporated SOI	RHND Allocation SOI Boundaries
ALAMEDA	1,559	0	1,559
ALBANY	132	0	132
BERKELEY	721	0	721
DUBLIN	4,891	1,370	6,261
EMERYVILLE	677	0	677
FREMONT	6,612	0	6,612
HAYWARD	1,861	287	2,148
LIVERMORE	3,889	2,178	6,067
NEWARK	989	0	989
OAKLAND	4,677	0	4,677
PIEDMONT	29	0	29
PLEASANTON	4,537	267	4,804
SAN LEANDRO	1,023	0	1,023
UNION CITY	2,626	91	2,717
Unincorporated*	11,763		** 7,570
Alameda County Total	45,986	4,193	45,986

Note:

* RHND Allocation based upon ABAG Projections 2000 Jurisdiction Boundaries

** Subtract sum total of column 2 from sum total of column 1.

Independent rounding may affect totals

ABAG Regional Housing Needs Determination
Housing Need in the Unincorporated Portion
of a Jurisdictions Sphere of Influence
1999-2006 Distribution Cycle
Contra Costa County

Jurisdiction	Column 1	Column 2	Column 3
	RHND Allocation* Current City Boundaries	RHND Allocation Unincorporated SOI	RHND Allocation SOI Boundaries
ANTIOCH	5,698	61	5,759
BRENTWOOD	6,100	8	6,108
CLAYTON	768	0	768
CONCORD	1,608	228	1,836
DANVILLE	1,409	0	1,409
EL CERRITO	222	0	222
HERCULES	1,059	0	1,059
LAFAYETTE	243	0	243
MARTINEZ	982	67	1,049
MORAGA	246	0	246
OAKLEY	874	0	874
ORINDA	323	0	323
PINOLE	327	0	327
PITTSBURG	2,634	355	2,989
PLEASANT HILL	572	119	691
RICHMOND	1,599	195	1,794
SAN PABLO	266	0	266
SAN RAMON	4,254	15	4,269
WALNUT CREEK	1,256	762	2,018
Unincorporated*	10,083		** 8,273
Contra Costa County Total	40,523	1,810	40,523

Note:

* RHND Allocation based upon ABAG Projections 2000 Jurisdiction Boundaries

** Subtract sum total of column 2 from sum total of column 1.

Independent rounding may affect totals



ABAG Regional Housing Needs Determination
Housing Need in the Unincorporated Portion
of a Jurisdictions Sphere of Influence
1999-2006 Distribution Cycle
San Francisco and Marin Counties

	Column 1	Column 2	Column 3
Jurisdiction	RHND Allocation* Current City Boundaries	RHND Allocation Unincorporated SOI	RHND Allocation SOI Boundaries
BELVEDERE	18	0	18
CORTE MADERA	99	13	112
FAIRFAX	79	19	98
LARKSPUR	103	104	207
MILL VALLEY	202	131	333
NOVATO	2,252	25	2,277
ROSS	19	0	19
SAN ANSELMO	192	26	218
SAN RAFAEL	1,951	73	2,024
SAUSALITO	177	150	327
TIBURON	150	43	193
Unincorporated*	1,321		** 737
Marin County Total	6,563	584	6,563
SAN FRANCISCO	14,396	0	14,396

Note:

* RHND Allocation based upon ABAG Projections 2000 Jurisdiction Boundaries

** Subtract sum total of column 2 from sum total of column 1.

Independent rounding may affect totals

ABAG Regional Housing Needs Determination
Housing Need in the Unincorporated Portion
of a Jurisdictions Sphere of Influence
1999-2006 Distribution Cycle
Napa County

	Column 1	Column 2	Column 3
Jurisdiction	RHND Allocation* Current City Boundaries	RHND Allocation Unincorporated SOI	RHND Allocation SOI Boundaries
AMERICAN CANYON	1,306	165	1,471
CALISTOGA	192	0	192
NAPA	2,959	60	3,019
ST. HELENA	130	0	130
YOUNTVILLE	79	0	79
Unincorporated*	1,772		** 1,547
Napa County Total	6,438	225	6,438

Note:

* RHND Allocation based upon ABAG Projections 2000 Jurisdiction Boundaries

** Subtract sum total of column 2 from sum total of column 1.

Independent rounding may affect totals



ABAG Regional Housing Needs Determination
Housing Need in the Unincorporated Portion
of a Jurisdictions Sphere of Influence
1999-2006 Distribution Cycle
San Mateo County

	Column 1	Column 2	Column 3
Jurisdiction	RHND Allocation* Current City Boundaries	RHND Allocation Unincorporated SOI	RHND Allocation SOI Boundaries
ATHERTON	113	2	115
BELMONT	271	0	271
BRISBANE	346	0	346
BURLINGAME	282	4	286
COLMA	44	0	44
DALY CITY	978	157	1,135
EAST PALO ALTO	1,005	0	1,005
FOSTER CITY	659	0	659
HALF MOON BAY	758	0	758
HILLSBOROUGH	137	0	137
MENLO PARK	542	0	542
MILLBRAE	450	0	450
PACIFICA	999	0	999
PORTOLA VALLEY	137	5	142
REDWOOD CITY	1,889	439	2,328
SAN BRUNO	213	0	213
SAN CARLOS	129	58	187
SAN MATEO	1,947	45	1,992
SOUTH SAN FRANCISCO	1,477	0	1,477
WOODSIDE	65	0	65
Unincorporated*	2,018		** 1,308
San Mateo County Total	14,459	710	14,459

Note:

* RHND Allocation based upon ABAG Projections 2000 Jurisdiction Boundaries

** Subtract sum total of column 2 from sum total of column 1.

Independent rounding may affect totals

ABAG Regional Housing Needs Determination
Housing Need in the Unincorporated Portion
of a Jurisdictions Sphere of Influence
1999-2006 Distribution Cycle
Santa Clara County

	Column 1	Column 2	Column 3
Jurisdiction	RHND Allocation* Current City Boundaries	RHND Allocation Unincorporated SOI	RHND Allocation SOI Boundaries
CAMPBELL	1,068	0	1,068
CUPERTINO	4,212	24	4,236
GILROY	3,677	76	3,753
LOS ALTOS	300	14	314
LOS ALTOS HILLS	70	0	70
LOS GATOS	206	42	248
MILPITAS	2,745	105	2,850
MONTE SERENO	124	7	131
MORGAN HILL	2,991	136	3,127
MOUNTAIN VIEW	2,941	7	2,948
PALO ALTO	1,001	134	1,135
SAN JOSE	24,950	588	25,538
SANTA CLARA	4,228	0	4,228
SARATOGA	590	7	597
SUNNYVALE	3,713	66	3,779
Unincorporated*	1,240		** 34
Santa Clara County Total	54,056	1,206	54,056

Note:

* RHND Allocation based upon ABAG Projections 2000 Jurisdiction Boundaries

** Subtract sum total of column 2 from sum total of column 1.

Independent rounding may affect totals

ABAG Regional Housing Needs Determination
Housing Need in the Unincorporated Portion
of a Jurisdictions Sphere of Influence
1999-2006 Distribution Cycle
Solano County

	Column 1	Column 2	Column 3
Jurisdiction	RHND Allocation* Current City Boundaries	RHND Allocation Unincorporated SOI	RHND Allocation SOI Boundaries
BENICIA	181	0	181
DIXON	1,359	255	1,614
FAIRFIELD	3,287	1,832	5,119
RIO VISTA	2,175	68	2,243
SUISUN CITY	921	15	936
VACAVILLE	4,339	1,473	5,812
VALLEJO	2,950	125	3,075
Unincorporated*	7,434		** 3,666
Solano County Total	22,646	3,768	22,646

Note:

* RHND Allocation based upon ABAG Projections 2000 Jurisdiction Boundaries

** Subtract sum total of column 2 from sum total of column 1.

Independent rounding may affect totals

ABAG Regional Housing Needs Determination
Housing Need in the Unincorporated Portion
of a Jurisdictions Sphere of Influence
1999-2006 Distribution Cycle
Sonoma County

	Column 1	Column 2	Column 3
Jurisdiction	RHND Allocation* Current City Boundaries	RHND Allocation Unincorporated SOI	RHND Allocation SOI Boundaries
CLOVERDALE	413	16	429
COTATI	483	9	492
HEALDSBURG	593	13	606
PETALUMA	597	17	614
ROHNERT PARK	878	1,578	2,456
SANTA ROSA	5,465	995	6,460
SEBASTOPOL	157	29	186
SONOMA	578	673	1,251
WINDSOR	3,471	0	3,471
Unincorporated*	13,041		** 9,711
Sonoma County Total	25,676	3,330	25,676

Note:

* RHND Allocation based upon ABAG Projections 2000 Jurisdiction Boundaries

** Subtract sum total of column 2 from sum total of column 1.

Independent rounding may affect totals