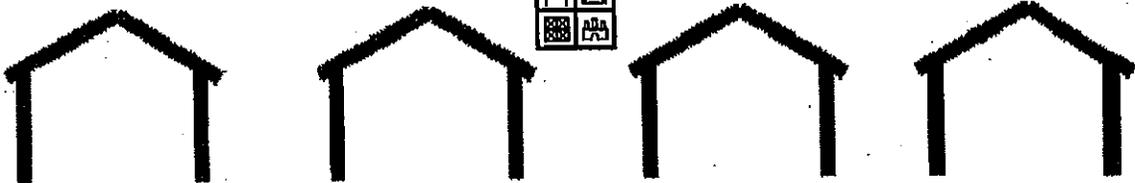


*City of Newark, California*

**Housing Element of the General Plan**

*February 25, 2010*

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*Appendix 1: Community Meeting Comments*

*Appendix 2: AB 1233 RHNA Calculation Methodology*

*Appendix 3: Detailed Site Inventory*

## 5.0 SUMMARY

This housing element presents the City of Newark's plan for housing in the coming years. As required by state law, the element identifies sites sufficient to accommodate the city's share of the regional housing need during the next five years. The housing element also takes a longer-term look at housing and identifies housing sites that are not likely to develop by 2014, but that would provide housing at a later date.

In order to meet state requirements and set forth a rational plan for housing for the city, this housing element is divided into eight sections in addition to this summary. The first six sections provide information about housing in Newark: the amount and condition of housing, the affordability of housing, the amount of housing needed, sites where housing could be located, and factors that limit the production of housing. Some of the key findings from these six sections include:

- The proportion of Newark's population over the age of 65 is increasing; 5.3% of residents were over 65 in 1990, which increased to 8.0% in 2000.
- Two-thirds of Newark's senior-headed households had incomes under \$50,000.
- In 2000, 31% of owners and 36% of renters were paying more than 30% of their monthly income for housing
- Nearly 75% of renters with incomes less than \$20,000 overpaid for housing
- Although housing costs have decreased, the prices are still significant. The median home price in Newark in December 2008 was \$372,500.
- There is a need for more facilities for homeless people; around 10-15 people are regularly turned away from existing homeless shelters.

The Site Inventory section discusses the sites that are available for housing in Newark. By state law, Newark must identify enough sites to meet its share of the Regional Housing Need. In addition, Newark must also identify sites to accommodate housing that was not provided during the last housing element cycle. The table below shows the number of housing units that the city must provide, together with the number of units that are planned for in this housing element.

*Newark's Housing Site Requirements and Provisions*

	<i>Very Low &amp; Low</i>	<i>Moderate</i>	<i>Above Moderate</i>	<i>Total Units</i>
Current Requirements	417	155	291	863
Past Requirements	194	183	515	892
Total Housing Need	611	338	806	1,755
Site Inventory Provides	557	586	618	1,761

*Sources: ABAG Regional Housing Needs, 2007-2014; discussion with Melinda Coy at the California Department of Housing and Community Development, 12/30/08, with calculations outlined in Appendix 2.*

The Goals and Objectives section of the housing element sets forth the city's goals for housing and the related objectives. These goals are to:

1. Preserve and enhance the quality of Newark's residential neighborhoods.
2. Provide housing opportunities for households with a wide range of incomes.
3. Provide housing opportunities for residents with special needs.
4. Seek to balance housing and job growth in Newark.
5. Ensure a choice of housing types and locations to all persons regardless of race, sex, cultural origin, age, marital status, physical handicaps or family composition.
6. Provide affordable housing throughout Newark.

Finally, the last section of the housing element describes the housing programs that will be developed to implement the city's housing goals. This element contains thirteen programs:

1. Facilitate the preparation of specific plans for Areas 2, 3 and 4, and encourage development in those areas.
2. Create mixed use zoning districts in Old Town.
3. Ensure sufficient land has been designated for housing
4. Address issues with foreclosures by participating in the Neighborhood Stabilization Program and other actions as appropriate
5. Amend the zoning ordinance to allow homeless shelters by right in the RH zoning district (SB2)
6. Continue to support regional efforts to end homelessness, such as Alameda County's EveryOne Home Program
7. Provide ongoing support for the Alameda County Housing Repair and Rehabilitation Programs
8. Monitor the city's inclusionary housing program and amend as needed
9. Work with non-profit housing developers and organizations to support efforts to create new housing for seniors, people with disabilities, formerly homeless people, households with moderate incomes or below, especially including extremely low income households, and other special needs populations
10. Create a multifamily design review process for all multifamily projects with five or more units to replace the current requirement for a Conditional Use Permit
11. Amend the Municipal Code to comply with revisions to state density bonus law
12. Work with the community and developers to identify a location for a new Civic Complex, and begin reuse of the existing City Hall site
13. Transitional and supportive housing zoning amendments
14. Amend the zoning ordinance to allow at least 16 units per site at densities of no less than 20 units per acre for all high density sites that are being used to provide housing for low income households.
15. Apply for state and federal funds to construct housing, and give preference to housing projects, especially those for extremely low income households, when allocating city-controlled funds such as CDBG funds and redevelopment funds.

## 5.1 INTRODUCTION

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Newark's housing situation today appears very different from that even a few years ago, but continues to include many challenges. Housing prices are lower, foreclosure rates are higher, and homes are staying on the market longer as people face financial difficulties and/or difficulty getting financing. Some situations are the same, however. Once again, there are more senior citizens on fixed incomes, and there is a lack of affordable housing for seniors and others who need it.

This housing element looks at all of these challenges and presents a comprehensive picture of the issues facing Newark today, as well as a plan for addressing those issues. At the same time, the housing element meets state requirements, particularly in identifying sites for the city's share of the regional housing need. As mandated by state law, this housing element focuses on the five years from 2009 to 2014.

### PUBLIC PARTICIPATION

For this housing element update, Newark started with a community meeting in October 2008 to present the housing element project and explain state requirements. Although advertised on the city's website, through flyers, and in the newspaper, the meeting was poorly attended. Therefore, for the second meeting in November 2008, city staff decided to serve pizza and advertised the meeting as a "Housing Element Planning Pizza Party." In addition, the staff personally emailed everyone who had attended a community meeting for any project in the past couple of years. With these extra steps, over 40 people came to the second meeting. Information from both meetings, including the presentations used at the meetings and a draft map of housing sites, were posted on the city's website shortly after each meeting. Also, the city mailed a letter to all property owners whose lands were included as potential housing sites informing them of this and referring them to city staff with any questions.

To reach people with special needs, notices of the meetings were sent to a list of approximately 20 organizations with a known interest in housing in the area. Recipients included: Second Chance, Satellite Homes, Housing Consortium of the East Bay, East Bay Housing Organizations, ECHO Fair Housing, the Unity Council, Bay Area Community Services, and the Center for Independent Living, among others. A special meeting for these advocacy groups was held early in the process to obtain their suggestions and input.

Once the draft housing element was prepared, another planning pizza party was held in January 2009. This meeting was advertised through the city's website, a press release, an email notice, and a mailing to advocacy groups, property owners, and other interested parties. The draft was also posted on the city's website a week before the community meeting.

At the second and third community meetings, community members' comments were noted on a large flip pad. The notes from these meetings were typed up and can be found in Appendix 1. Community members' comments helped to shape the project in several ways. Because of concerns about using the MacGregor fields for housing, that site was removed from the housing element. In addition, the property owner's concerns about designating the Rosemont Center for mixed use led to elimination of that site in the Housing Element. Other property owners' concerns led to the creation of the transition overlay district, which allows owners to continue

the current use of the property without becoming a nonconforming use, while permitting staff level approval of development under the overlay district provisions.

In February, the Planning Commission and City Council considered the draft housing element, and public notification of those meetings was provided as well. The draft housing element was submitted to the California Department of Housing and Community Development for their informal review, and was used as the basis for the Environmental Impact Report for the Housing Element and related General Plan and zoning amendments.

The Draft Environmental Impact Report (DEIR) was released on February 10 and the comment period ran until May 26. Six comment letters were received during the comment period, and two more shortly thereafter. All eight letters were considered and responded to in the Final Environmental Impact Report (FEIR), which was released on June 29. Both the DEIR and the FEIR were posted on the city's website for the entire comment period, and the FEIR was also sent to everyone who commented on the Draft EIR.

In July, the Planning Commission held a public hearing to consider the Environmental Impact Report. To provide certainty about the timing and availability of the housing sites, the city also considered related General Plan Diagram land use changes and zoning changes. All property owners, as well as all neighbors within 300 feet of each site, were notified of both hearings – approximately 1,500 people.

Concerns raised at that public hearing prompted the city to schedule a fourth community meeting, held on August 27, 2009. Approximately 75 people attended the meeting, many of whom provided comments on the draft housing element. Some residents were particularly concerned about the fact that this housing element plans for more housing than is required by the state. The element includes all potential housing sites through build-out of the city, not just those sites expected to develop by 2014. This was done to provide the city with a long-term plan to help with other planning efforts, such as for infrastructure. In response to the concerns and comments, the housing element was revised to remove two housing sites. This element still plans for all of the units mandated by state law. Notes summarizing comments at the meeting are provided in Appendix 1.

The city received comments from HCD on the draft housing element and revised the element accordingly. The revised version of the housing element was submitted to HCD in October and will be taken to the Planning Commission and City Council for their formal consideration and action in early 2010.

Throughout this process, the city has posted drafts, reports and presentations on the city's Housing Element website: [www.newark.org/NewarkHousingElementUpdate.html](http://www.newark.org/NewarkHousingElementUpdate.html). The website also provides contact information for the Community Development Director, who has responded to residents' questions and concerns on an ongoing basis.

#### **CONSISTENCY WITH THE GENERAL PLAN**

The housing element contains goals, policies, programs and quantified objectives that are generally consistent with other elements of the general plan. If minor inconsistencies occur as

the result of future housing initiatives, they will be resolved by amending the other elements of the general plan.

## 5.2 BACKGROUND

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The following sections describe the population, employment and housing characteristics of Newark using the best available information. The 2000 Census is the primary source of data. This data has been updated, as possible, using data available from projections by the Association of Bay Area Governments (ABAG), estimates of the Demographic Research Unit of the California Department of Finance, city records, city staff, local organizations and local newspapers.

### POPULATION TRENDS

Table 5-1 shows the population of Newark every ten years from 1960 to 2000 and projected population for 2010 to 2030. The percent increase in population from each decade to the next is also shown.

TABLE 5-1 POPULATION, CITY OF NEWARK, 1960-2030

Year	Population	% Increase
1960	9,911	
1970	27,157	174.0
1980	32,126	18.3
1990	37,861	17.9
2000	42,471	12.2
2008*	43,872	3.3
2010	45,000	2.6
2020	48,000	6.7
2030	52,500	9.4

Sources: US Census for 1960-2000 SF3: Table P001; ABAG, *Projections 2007*, p.56; \* 2008 data from CA Dept. of Finance Demographic Resource Unit: Report E-1.

Table 5-1 indicates that Newark went from a small town to a city during the 1960s and then continued to grow through the '70s, '80s and '90s at slightly declining rates. During the '80s the city added population at the rate of about 736 people per year. In the '90s, the city gained an average of 460 people per year. ABAG projects smaller but continuing population gains from 2010 to 2030 as sites for new development in the city are exhausted.

### Age of Population

Table 5-2 shows the distribution of population by age in 1990 and 2000 in Newark and in 2000 in Alameda County. During the 1990s, Newark added about 2,400 people between the ages of 18 and 64 and 1,400 people 65 years old or older. During the same time, the city added 832 children under 18. Overall, the percentage of children decreased and the percentage of people 65 years old and over increased.

However, in 2000 Newark had a smaller percentage of older people and a higher percentage of children than Alameda County as a whole. The 18 to 64 age group was nearly the same percentage of total population in both the city and county.

TABLE 5-2 POPULATION BY AGE, NEWARK AND ALAMEDA COUNTY

Age	Newark 1990		Newark 2000		Alameda County 2000	
	Number	Percent	Number	Percent	Number	Percent
0-17	10,749	28.4	11,581	27.3	353,460	24.5
18-64	25,092	66.3	27,449	64.7	942,618	65.3
65+	2,020	5.3	3,391	8.0	147,663	10.2
<b>Totals</b>	<b>37,861</b>	<b>100.0</b>	<b>42,471</b>	<b>100.0</b>	<b>1,443,741</b>	<b>100.0</b>

Sources: 1990 and 2000 U.S. Census SF3; Table P8

### Racial and Ethnic Composition

Table 5-3 shows Newark's 1990 and 2000 population divided according to race and ethnic group. In the U.S. Census, "persons of Spanish origin" are counted as members of a racial group (white, African American, Asian, etc.) and also counted separately as an ethnic group. In this table, Hispanics have been subtracted from the racial categories and listed as a separate category. In the 2000 Census, people could identify themselves as belonging to more than one race. This becomes a new category in 2000 data. Table 5-3 shows that the percentage of non-Hispanic white people and African Americans dropped during the 1990s, while the percentage of Hispanics and Asians increased. Compared to Alameda County as a whole, Newark had a higher percentage of Hispanics and Asians and a lower percentage of African Americans.

TABLE 5-3 RACIAL AND ETHNIC DISTRIBUTION, NEWARK AND ALAMEDA COUNTY

	Newark 1990		Newark 2000		Alameda Co. 2000
	Number	Percent	Number	Percent	Percent
White	21,865	57.7	16,763	39.5	40.9
Hispanic	8,527	22.5	12,070	28.4	19.0
Asian/Pacific Islander	5,708	15.1	9,189	21.6	20.9
African American	1,586	4.2	1,467	3.5	14.6
Amer. Indian, Aleut, etc.	146	0.4	207	0.5	0.4
Other Races	29	0.1	171	0.4	0.3
Two or More Races	-	-	2,604	6.1	3.9
<b>Totals</b>	<b>37,861</b>	<b>100.0</b>	<b>42,471</b>	<b>100.0</b>	<b>100.0</b>

Sources: 1990 and 2000 U.S. Census

### Households

In 2000, 42,388 Newark residents lived in households and 83 lived in group quarters. As shown in Table 5-4, Newark in 2000 was still a city of traditional families with 80 percent of the households falling into this category compared with about 65 percent for the county. The decade saw a small increase in the percentage of single parent families and a slight decrease in the percentage of married couple families, but the structure of households in Newark stayed basically the same from 1990 to 2000.

TABLE 5-4 HOUSEHOLD COMPOSITION, NEWARK AND ALAMEDA COUNTY 2000

Type of Household	Percent of All Households		
	Newark number	Newark percent	Alameda County percent
Married Couple	8,208	63.0	47.8
Single Parent	2,239	17.2	26.8
<b>Total Family</b>	<b>10,447</b>	<b>80.2</b>	<b>65.3</b>
<b>Non-family</b>	<b>2,577</b>	<b>19.8</b>	<b>34.7</b>
<b>Total Households</b>	<b>13,024</b>	<b>100.0</b>	<b>100.0</b>

Sources: 2000 U.S. Census, SF3 Table P15, P10, P9.

### Household Income

Table 5-5 lists household income in Newark and Alameda County in 1999 as reported in the 2000 Census. Compared with Alameda County, Newark had a higher percentage of households with incomes between \$50,000 and \$150,000, and lower percentages of households earning significantly high or low incomes (less than \$50,000 or more than \$150,000). The median household income in Newark was \$69,350 in 1999, a 37.4 percent increase from the 1989 median income of \$50,471. Newark's 1999 median income was also significantly higher than the Alameda County median income of \$55,946.

TABLE 5-5 HOUSEHOLD INCOME IN NEWARK AND ALAMEDA COUNTY, 1999

Income Category	Newark		Alameda County
	Households	Percent	Percent
Under \$49,999	4,154	31.9	44.5
\$50,000-\$99,999	5,445	41.8	33.3
\$100,000-\$149,999	2,506	19.2	13.5
\$150,000 and over	919	7.1	8.7
<b>Totals</b>	<b>13,024</b>	<b>100.0</b>	<b>100.0</b>

Source: 2000 U.S. Census, SF3: Table P52

Table 5-6 lists ABAG projections of mean household income from the 1990 census figure for each decade up to 2030. This is different from the median income discussed above because "mean" is an average and "median" is the midpoint in a distribution. Mean household income is usually higher than median household income because it is more affected by a few very high incomes.

According to Table 5-6, ABAG predicts that the rapid increase in mean household income between 1990 and 2000 will be followed by much smaller gains in the following two decades. The population increases from 2010 to 2030 are expected to be twice as large as the previous decade's increase, but they will still be much less than the income gains that occurred between 1990 and 2000.

TABLE 5-6 MEAN HOUSEHOLD INCOME IN NEWARK PROJECTED TO 2030

Year	Mean HH Income	Percent Increase
1990	\$65,400	-
2000	94,800	44.9
2010	99,300	4.7
2020	109,700	10.5
2030	119,700	9.1

Source: ABAG, *Projections 2007*, p.59. Household income in constant 2005 dollars

### Poverty

In 1999, 2,323 Newark residents had incomes below the poverty line as defined by the federal government to determine eligibility for federal assistance programs, as shown in Table 5-7 below. The numbers are adjusted annually and relate income to size of household and the presence of children in the household. The table below shows that 12.1 percent of children under 18 years old were living in poverty while only 5.5 percent of the total population was living in poverty.

TABLE 5-7 PERSONS IN POVERTY BY AGE, 1999

Age Group	Total Population*	# in Poverty	% of Total Population
Under 5	2,916	188	6.4
5-17	8,580	490	5.7
18-64	27,499	1,412	5.1
65 or more	3,391	233	6.9
Totals	42,386	2,323	5.5

\*Includes the total population for which poverty status was determined.  
Source: 2000 U.S. Census SF3: Table P87.

### EMPLOYMENT TRENDS

Originally, Newark was a railroad and manufacturing center. During the 1960s, Newark experienced a boom in housing construction and a 174 percent increase in population. Newark became a "bedroom" community for people commuting to jobs outside of the city. However, growth of industry and business from the 1970s onward created more jobs within the city. Between 1990 and 2000, the number of jobs in the manufacturing and service sectors more than doubled. Although job growth has slowed somewhat during the 2000s, Newark enjoys a high employment rate and steady increases in job creation.

### Employed Residents

In 1999, over 95.4 percent of Newark's men and 94.5 percent of women over 15 years old and in the labor force were employed (see Table 5-8). A majority of households have more than one person working. According to ABAG projections, the ratio of employees to households will stay more or less stable from their 1990 levels through 2030 (see Table 5-9). This high rate of participation in the work force can be explained by the facts that most of Newark's population is of working age, household size is quite large with relatively few single person households, and the Silicon Valley economy has been strong.

TABLE 5-8 PERSONS 16 YEARS OLD AND OVER IN THE LABOR FORCE, 1999

	Men		Women		Total Persons	
	Number	Percent*	Number	Percent	Number	Percent
Total in Labor Force	11,868		9,656		21,524	
Employed	11,327	95.4	9,125	94.5	20,452	95.0
Unemployed	541	4.6	531	5.5	1,072	5.0
Not in Labor Force	4,141		6,506		10,647	
Total Person 16+	16,009		16,162		32,171	

\*Percent calculation based on figure for total population in labor force. Source: 2000 U.S. Census, SF3: Table P43

TABLE 5-9 HOUSEHOLDS AND EMPLOYED RESIDENTS, 1990-2030

Date	Households	Employed Residents	Ratio of Employees to Households
1990	12,015	20,592	1.7:1
2000	13,024	20,452	1.6:1
2010	13,620	21,490	1.6:1
2020	14,620	25,000	1.7:1
2030	15,970	29,400	1.8:1

Sources: 1990 and 2000 U.S. Census (1990 and 2000 data) and ABAG, *Projections 2007*, p.57, 60. (2010-2030 projections)

### Jobs

Table 5-10 shows a comparison of two different projections for job growth in Newark. ABAG projects a 20.9 percent increase in jobs between 2005 and 2035. Economic & Planning Systems (EPS) made projections for a Newark impact fee study for the time period between 2006 and buildout. Buildout is a theoretical term that refers to the point at which a city reaches its expected total development. ABAG's projection of a 20.9 percent increase between 2005 and 2035 is much smaller than EPS's projection of a 55.6 percent increase between 2006 and buildout. This discrepancy may be partially explained by the fact that buildout may occur later than 2035.

TABLE 5-10: COMPARATIVE JOB GROWTH PROJECTIONS

	2005/06*	2035	Buildout**	increase	% increase
ABAG	20,590	25,750		5,160	25.1
EPS	20,500		31,900	11,400	55.6

Sources: ABAG *Projections 2007* p.61, Economic & Planning Systems Inc. *Impact Fee*, p.8.

\*ABAG number is from 2005; EPS number is from 2006.

\*\*Buildout is defined as the point at which a city reaches its expected total development.

The types of jobs available is projected to change. Agriculture and mining jobs will hit a steady, low number, manufacturing/wholesale jobs will decrease slightly, and most new jobs will be in the service and retail sectors.

TABLE 5-11: JOBS IN NEWARK BY TYPE, 1990-2030

Type of Job	1990	2000	2010	2020	2030
Agriculture and Mining	10	50	40	40	40
Manufacturing and Wholesale	3,840	8,170	7,660	7,900	7,910
Retail	5,960	5,070	5,300	5,840	6,230
Service	2,480	6,380	7,080	7,950	8,650
Other	2,610	1,750	1,850	1,990	2,070
<b>Totals</b>	<b>14,900</b>	<b>21,420</b>	<b>21,930</b>	<b>23,720</b>	<b>24,900</b>

Source: ABAG, *Projections 2000, 2007* p.61-67

### Jobs-Housing Balance

In California, there is increasing awareness of the need for communities to balance growth in employment with growth in housing. Jobs-housing balance makes it possible for more people to live and work in the same community, reducing the numbers who must commute long distances on increasingly congested highways. Newark initially had an even balance of jobs and housing which was then thrown out of balance by the 1960s housing construction boom. However, Newark has been gaining jobs since efforts to attract industry and business to the city began in the 1970s, and in the past decade housing construction has slowed. By 2000, Newark had roughly one job for every employed resident. As seen in Table 5-11, ABAG predictions show this ratio fluctuating slightly between 2000 and 2030, but overall, Newark should have a relatively even balance between jobs and employed residents.

TABLE 5-12 RATIO OF JOBS TO EMPLOYED RESIDENTS, 1990-2030

	Jobs in Newark	Employed Residents	Ratio of Jobs to Employed Residents
1990	14,900	20,592	0.72:1
2000	21,420	20,910	1.02:1
2010	21,930	21,420	1.02:1
2020	23,720	25,000	0.95:1
2030	24,900	29,400	0.85:1

Source: ABAG, *Projections 2000, 2007*, p.60, 61

When attempting to balance jobs and residents in a city, it is important to note how the types of jobs available correspond to the types of work done by employed residents. As shown in Table 5-13, the service sectors have a higher percentage of employed residents than jobs available. In contrast, there were more retail jobs than employed residents in retail. ABAG predicts that the service sector will experience the most job growth between 1990 and 2030, which should help ameliorate this imbalance.

TABLE 5-13 JOBS IN NEWARK AND EMPLOYED RESIDENTS BY INDUSTRY, 2000

Industry	Jobs in Newark		Jobs of Newark Residents	
	Number	Percent	Number	Percent
Mining and Agriculture	50	0.2	17	0.1
Manufacturing and Wholesale	8,170	38.1	7,374	36.0
Retail	5,070	23.7	2,439	11.9
Service	6,380	29.8	8,095	39.6
Other	1,750	8.2	2,527	12.4
<b>Total</b>	<b>21,420</b>	<b>100.0</b>	<b>20,452</b>	<b>100.0</b>

Sources: ABAG, *Projections 2007*, p.62-67 and 2000 U.S. Census (SF3 Table P49)

As Table 5-14 indicates, the Newark Unified School District and the City of Newark, both public institutions, are the top two employers for the city. It is important to Newark that public servants have the opportunity to live in the city. This is discussed further in section 5.3 of this housing element, which examines housing needs.

TABLE 5-14: TOP 10 EMPLOYERS IN NEWARK, 2008

Company Name	Employee Count
Newark Unified School District	762
City of Newark	443
WorldPac	283
Full Bloom Baking Company	220
Risk Management Solutions	211
LTD Ceramics	202
Cargill Salt	180
ADVO	152
Corporate Express	150
Home Depot	125
Nordstrom Distribution Center	113

Source: Newark Economic Development Manager, 2008.

### HOUSING CHARACTERISTICS

In 2000, Newark had 13,150 housing units of which 10,183 or 77.4 percent were single-family attached and detached houses. The rest were 2,908 multifamily units and 59 mobile homes. As shown in Table 5-15, since 2000, Newark has added 273 housing units, averaging about 34 units per year. This is much less than the 821 units built between 1990 and 2000 at an average of 91 units per year. After an increase of 32 percent during the 1980s, Newark's housing supply increased by very little in the 1990s (6.7 percent). During the first eight years of the 2000s, even less housing was added (only a 2.1 percent increase). The main reason for the drop in housing production is probably that Newark has very little undeveloped land available for new housing.

TABLE 5-15 ANNUAL INCREASE IN HOUSING, 2000-2008

	Total Units	Added Units	Single Family		Multifamily		Mobile Homes
			Dtch'd	Attch'd	2-4	5+	
Total 2000	13,150		8,945	1,238	762	2,146	59
2001	13,241	91	89	0	2	0	0
2002	13,301	60	60	0	0	0	0
2003	13,404	103	103	0	0	0	0
2004	13,415	11	9	0	2	0	0
2005	13,414	-1	-1	0	0	0	0
2006	13,416	2	2	0	0	0	0
2007	13,418	2	0	2	0	0	0
2008	13,423	5	5	0	0	0	0
<b>Total Added</b>		273	267	2	4	0	0
<b>Total 2008</b>	13,423		9,212	1,240	766	2,146	59

Source: California Department of Finance, Demographic Resource Unit, Report E-5

Table 5-16 compares the types of housing produced during the 1980s and 1990s. A major difference between the two decades is that most housing units added in the 1980s were attached single-family houses (condominiums and townhouses) and in the 1990s, most were detached single family houses. This has resulted in fewer units than could have been developed if densities had been higher. However, many of the new detached single-family houses were on small lots with densities that were comparable to the townhouse developments of the 1980s.

TABLE 5-16: COMPARISON OF HOUSING ADDITIONS 1980s THROUGH 1990s

	1980s		1990s		2000-2008	
	Number	Percent	Number	Percent	Number	Percent
Single-Family Detached	436	15.1	476	58.0	267	97.8
Single-Family Attached	1,666	57.8	0	0.0	2	0.7
2-4 Units	59	2.0	29	3.5	4	1.5
5+ Units	723	25.1	316	38.5	0	0.0
Mobile Homes	-2	0.0	0	0.0	0	0.0
<b>Total Units Added</b>	<b>2,882</b>	<b>100.0</b>	<b>821</b>	<b>100.0</b>	<b>273</b>	<b>100.0</b>

Source: California Department of Finance, Demographic Research Unit, Report E-5

### Housing Occupancy

As shown in Table 5-17, 12,992 housing units were occupied at the time of the 2000 Census. Of the 12,992 occupied housing units, owners occupied 9,181 (70.7 %) and renters occupied 3,811 (29.3%). Comparing this data to 1990 data shows a slight increase in the percentage of renters and a decrease in the vacancy rate from 2.2 percent to 1.2 percent.

The number of persons per household increased in Newark from 3.15 persons per household in 1990 to 3.26 persons per household in 2000. The increase reflects the large number of single family houses constructed during the '90s. After 2000, ABAG notes the number of persons per

household in Newark as 3.27 in 2005, and predicts that it will increase to 3.30 persons per household in 2010 and decrease slightly to 3.28 in 2020. Union City was the only city in Alameda County with a higher number of people per unit in 1990, and ABAG projects that will continue to be the case.

TABLE 5-17 HOUSING OCCUPANCY IN NEWARK, 1990 AND 2000

	1990		2000	
	Number	Percent	Number	Percent
Total Housing Units	12,284		13,150	
Vacant	269	2.2	158	1.2
Owner-occupied	8,672	72.2	9,181	70.7
Renter Occupied	3,343	27.8	3,811	29.3

Sources: 1990 and 2000 U.S. Census (SF3: Table H6, H7)

### Overcrowded Housing

In 2000, 1,888 housing units in Newark were occupied by households with more than 1 person per room. Slightly over half (1,017) were rental units. However, because there are more owner-occupied units than rental units in Newark, the percent of rental units occupied by more than 1 person per room (26.7%) is much higher than the percent of owner-occupied units (9.5%). In general, housing units in Newark were quite large with over 90 percent having 2 or more bedrooms and almost 70 percent having 3 or more bedrooms. Owner-occupied units have a higher median number of rooms (5.8) than renter-occupied units (3.9), which may partially explain the high percentage of rental units that are overcrowded. Some households are overcrowded because they are occupied by more than one family or numbers of unrelated people. In these cases, the primary need is not larger units, but more affordable units so that people do not need to double up.

### Housing Condition

Newark's housing stock is beginning to show its age. As shown in Table 5-18 below, the largest number of Newark's housing units (3,905) were built in the 1960s. Most of these are single-family homes and a significant number are in need of minor or major rehabilitation. During the 1970s and 1980s, almost 6,000 units were added, including most of the multifamily and attached single-family houses.

TABLE 5-18 AGE OF HOUSING STOCK

Year Built	# of Units	% of Units
Before 1940	274	2.1
1940-1949	436	3.3
1950-1959	1,535	11.7
1960-1969	3,905	29.7
1970-1979	3,218	24.5
1980-1989	2,476	18.8
1990-1999	1,306	9.9
Totals	13,150	100

Source: 2000 U.S. Census, SF3: Table H34

In 2000, the U.S. Census reported 34 housing units in Newark lacked plumbing, 40 lacked complete kitchen facilities and 83 lacked a telephone. However, these are improvements over the 1990 U.S. Census reports of 54 units without plumbing, 61 without complete kitchen facilities and 100 without a telephone (SF3: Table H47, H50, H43).

In 2005, the City of Newark contracted with Alameda County to have building inspectors from the county's multifamily rehabilitation program conduct windshield survey assessments of 50 multifamily developments. City staff chose the developments from a list of all multifamily developments after eliminating all developments with fewer than five units, all developments less than 10 years old, and all developments known by city staff to be in good condition. The survey was conducted as part of a program from the last version of the housing element to identify properties that would most benefit from a rehabilitation program. County inspectors found that of the fifty developments, four were in need of substantial rehabilitation. Four more were in excellent condition. The remaining 42 developments needed some maintenance work. These results indicate that Newark's multifamily housing stock is largely in good condition, although there are some developments that would benefit from rehabilitation.

Newark participates in Alameda County's Multifamily Rehabilitation Program, and has tried to encourage multifamily homeowners to participate. However, property owners have been reluctant because of the rental restrictions that participation would place on their properties. The program is funded with CDBG monies, which means that over half of the units would need to be occupied by low or moderate households with restricted rents.

Most of Newark's housing stock is not multi-family but single family, however. Most single family homes are in good condition, although some homes have been poorly maintained, often when owned by absentee landlords. The most prevalent problems result from deferred maintenance. They include conditions such as: dry rot, holes in stucco or plaster, leaking roofs, electrical switches or receptacles that don't work, leaking faucets and drain pipes, cracked window panes, ripped carpeting, broken kitchen or bathroom cabinets, parts missing from toilets, chipped sink and tub surfaces, broken appliances (stove elements or space heaters), missing refrigerator/freezer door seals, household garbage stored or scattered on or around a property, and inoperative vehicles.

To address these problems, Newark has a couple of programs for homeowners. Newark's Senior Center has a volunteer program that provides approximately 20 low income senior

citizens with assistance each year. The program focuses on home exteriors, especially yard clean-ups.

Newark also participates in the Alameda County Housing Rehabilitation Program, which provides grants and loans for low-income homeowners to carry out minor home repairs or significant rehabilitation. Applications to the Housing Rehabilitation programs have increased over the past few years, probably due to increased knowledge of the program. One problem is that the program is funded with Community Development Block Grant (CDBG) funds, which have been declining. As a result, the City has started to provide additional funding for the housing rehabilitation programs from its Jurisdictional Improvement Program funds. Even with the additional funding, however, there is a waiting list. Table 5-19 shows the level of funding and the number of projects completed by the City in the past five fiscal years.

TABLE 5-19: HOUSING REHABILITATION PROJECTS FUNDED IN NEWARK, 2003-2008

Fiscal Year	New Funds for Housing Rehabilitation Program	Minor Home Repair Projects Completed	Owner Rehabilitation Projects Completed
2003-2004	\$72,600	12	0
2004-2005	\$71,160	5	2
2005-2006	\$66,850	17	0
2006-2007	\$59,436	17	3
2007-2008	\$124,144*	22	5
2008-2009	\$121,864*	Not yet available	Not yet available

Source: Alameda County Housing Rehabilitation Quarterly Reports

\* Each year includes \$65,000 in additional Jurisdictional Improvement Program funds.

### Housing Costs

According to Joint Ventures Silicon Valley's 2007 *Index of Silicon Valley*, the affordability of housing in Silicon Valley is in decline. The percentage of potential first time home buyers that can afford to purchase the median-priced home dropped by half between 2003 and 2007. From 2005 to 2007, rents increased over twice as fast as median household income.

TABLE 5-20 VALUE OF OWNER-OCCUPIED HOUSING UNITS IN NEWARK AND ALAMEDA COUNTY, 2000

House Value	Newark		Alameda County
	Owner-Occupied Units	Percent	Percent
Less than \$200,000	855	10.3	20.2
\$200,000-\$299,999	3,186	38.4	29.1
\$300,000-\$499,999	3,977	47.9	36.2
\$500,000 or more	286	3.4	14.5
Totals	8,304	100.0	100

Source: 2000 U.S. Census SF3: Table H74, H85. Data are for units for which value was reported.

Table 5-20 shows the distribution of the value of owner-occupied housing units in Newark in 2000. A significant majority of Newark's housing units (86.3 percent) are valued in the middle range, between \$200,000 and \$499,999. Newark has much less extremely low or extremely high value housing, especially when compared with Alameda County as a whole. Only 10.3 percent of Newark's owner-occupied units are valued at less than \$200,000, whereas 20.2 percent of Alameda County's units fall at the lowest end of the scale. Likewise, Newark has only 3.4 percent of its housing valued at over \$500,000, while 14.5 percent of Alameda County's housing is worth over \$500,000.

Table 5-21 shows the distribution of monthly housing costs for homeowners in 2000. The percent paying \$1,500 or more (61 percent) increased immensely from the previous decade (about 25 percent). Of the 8,304 owner-occupied units in Newark, 1,263, or about 15 percent, were not mortgaged. Owners of these units had monthly costs rarely exceeding \$500. Also, those who had owned their houses for a long time had lower mortgage payments than new owners. The median cost for those paying mortgages was \$1,169.

Compared to Alameda County as a whole, Newark had a higher percentage with housing costs between \$1,000 and \$2,000, while Alameda County had a higher percentage paying \$2,500 or more.

TABLE 5-21 MONTHLY COSTS OF OWNER-OCCUPIED UNITS IN NEWARK AND ALAMEDA COUNTY, 2000

	Newark		Alameda County	
	# of Units	% of Units	# of Units	% of Units
Less than \$500	181	2.6	3,576	1.8
\$500-\$999	686	9.7	22,507	11.2
\$1,000-\$1,499	1,870	26.6	47,461	23.7
\$1,500-\$1,999	2,341	33.2	53,596	26.7
\$2,000-\$2,499	1,246	17.7	33,573	16.7
\$2,500 or more	717	10.2	39,826	19.9
Total	7,041	100.0	200,539	100.0

Source: 2000 U.S. Census SF3; Table H90. Data used is only from houses carrying mortgages.

The 1990 U.S. Census showed 90 percent of rentals costing less than \$1,000 for housing, but the monthly rental costs have since increased. Table 5-22 shows the distribution of monthly rental costs in Newark in 2000, with only 47 percent of rentals costing less than \$1,000. However, almost 73 percent of Alameda County rentals were under \$1,000 per month. Generally, monthly housing costs were higher for homeowners than renters, particularly for the homeowners carrying a mortgage.

TABLE 5-22 CONTRACT RENT IN NEWARK, 2000

	Newark		Alameda County	
	# of Rental Units	% of Rental Units	# of Rental Units	% of Rental Units
No Cash Rent	83	2.2	4,844	2.0
Less than \$500	355	9.3	38,553	16.3
\$500-\$749	412	10.8	68,445	28.9
\$750-\$999	1,019	26.8	60,453	25.6
\$1,000-\$1,249	1,011	26.6	33,209	14.1
\$1,250 or more	924	24.3	31,102	13.1
Totals	3,804	100.0	236,606	100.0

Source: 2000 U.S. Census SF3: Table H54.

Through the mid-1990s, housing costs were affected by two regional trends. First, a prolonged recession in the mid-1990s brought actual decreases in housing prices throughout the Bay Area. And, second, mortgage interest rates fell to record lows and remained much lower than during the 1980s. The result was a significant increase in the percentage of households that could afford to buy a house in the Bay Area.

The favorable circumstances did not last long. The last half of the 1990s and the early 2000s saw huge increases in the price of housing. The current recession has reduced housing costs, but they are still significant. Recent housing costs in Newark were estimated by reviewing listings on mlslistings.com, a website for housing in Silicon Valley and nearby communities. In July 2008, 86 residential properties were listed for sale in Newark on mlslistings.com. They ranged from 2 to 5 bedrooms in size and from \$209,000 to \$1,099,888 in prices, with an overall median asking price of \$455,000. This is a \$125,000 or 37.9 percent increase from the 2000 estimated median asking price of \$330,000. Most were 3 and 4 bedroom single-family detached homes.

TABLE 5-23: MEDIAN HOUSING PRICES IN NEWARK, JULY 2008

Number of Bedrooms	Median Asking Price	Range	Total # Listed for Sale
2	\$308,500	\$209,000 - \$405,000	10
3	\$432,000	\$295,900 - \$849,950	46
4	\$502,000	\$299,999 - \$836,000	23
5	\$749,950	\$450,000 - \$1,099,888	7

Source: mlslistings.com, July 24, 2008.

According to rates.interest.com on July 24, 2008, mortgage rates for the Fremont-Newark-Union City area ranged from 6.250 percent to 8.000 percent, and rates of 6.375 were both the median and mode of the 19 lenders' quotes available. Assuming a rate of 6.375 on a 30 year mortgage with 20 percent down, a 3 bedroom house for \$432,000 would incur monthly mortgage payments of \$2,156.

To assess current rental prices, all the current listings on craigslist.org during a week were analyzed. Almost all the rentals offered on Craigslist were single-family homes, townhouses and condos. Between July 17 and July 24, 2008, 50 housing units were listed for rent, ranging from \$1,150 for a 2 bedroom house to \$2,900 for a four-bedroom house. Although rents fluctuated somewhat according to the size of homes, many single-family homes rented for

significantly less than apartments with the same number of bedrooms, which may be because apartments may be newer.

TABLE 5-24: MEDIAN RENTAL PRICES IN NEWARK, JULY 17-24, 2008

Number of Bedrooms	Median Asking Price	Range	Total # Listed for Rent
2	\$1525	\$1,150 - \$1,890	26
3	\$2000	\$1,700 - \$2,900	18
4	\$2375	\$2,100 - \$2,900	6

Source: craigslist.org. July 24, 2008.

### Housing Affordability

Affordable housing is defined as housing that costs 30 percent or less of monthly income. Table 5-25 shows data from the 2000 Census on the percent of owners and renters paying more than 30 percent of monthly income for housing by income categories.

Table 5-25 shows that in 2000 a little over 31 percent of homeowners and 36 percent of renters were paying more than 30 percent of their monthly income for housing. Almost 75 percent of renters with incomes less than \$20,000 paid more than 30 percent of monthly income for housing. For both homeowners and renters, incomes had to reach \$50,000 before households overpaying dropped to 30 percent or less. At the higher incomes, homeowners were more likely than renters to be overpaying for housing. Homeowners comprise about 70 percent of the households and 60 percent of the over-payers; conversely, renters comprise about 30 percent of the households and 40 percent of the over-payers. More than a third of Newark households paid too much for housing, and the problem was most severe for low-income renters.

TABLE 5-25 NEWARK HOUSEHOLDS PAYING MORE THAN 30 PERCENT OF MONTHLY INCOME FOR HOUSING, 2000

Annual Household Income	Owner Households			Rental Households		
	Total #	Paying 30 %+ #	%	Total #	Paying 30 %+ #	%
Less than \$20,000	453	300	66.2	632	469	74.2
\$20,000-\$49,999	1,607	936	58.2	1,151	766	66.5
\$50,000-\$99,999	3,528	1,246	35.3	1,518	145	9.5
\$100,000 or more	2,716	103	3.8	503	0	0.0
Totals	8,304	2,585	31.1	3,804	1,380	36.3

Source: 2000 U.S. Census, SF3: Table H73, H97

ABAG suggests that jurisdictions determine housing affordability using income limits for a family of four provided annually by HCD for each county. Table 5-26 lists the Alameda County income limits for March 2000 for each of the income categories considered in the housing element. The income limits are calculated from a median income of \$67,600. The table also shows the monthly housing cost at 30 percent of monthly income.

Table 5-26 shows that in February 2008, a very low-income family of four should not be paying more than \$1,076 a month for housing. A low-income family could afford to pay between \$1,076 and \$1,656 for housing and a moderate-income family could afford housing costing \$1,626 to \$2,582 per month.

TABLE 5-26 INCOME LIMITS AND AFFORDABLE MONTHLY HOUSING COSTS FOR A FAMILY OF FOUR, ALAMEDA COUNTY, FEBRUARY 2008.

Income Level	Incomes	Affordable Monthly Housing Costs
Extremely Low	up to \$25,850	up to \$646
Very Low	\$25,850 to \$43,050	\$646 to \$1,076
Low	\$43,051 to \$66,250	\$1,076 to \$1,656
Moderate	\$66,251 to \$103,300	\$1,656 to \$2,582
Above Moderate	above \$103,300	above \$2,582

Note: Alameda County median income in February 2008 was \$86,100.

Source: California Department of Housing and Community Development, *Income Limits Pursuant to Title 25, Sec. 6932, California Code of Regulations*, February 2008. Monthly housing cost calculated at 30 percent of monthly income.

As noted above, in summer 2008, it cost approximately \$2,156 per month for a mortgage on the median priced house. Since half the houses are for sale at or less than the median price, it is reasonable to assume that many moderate-income families of four could afford to purchase a house. However, homes constructed in recent years are more expensive. For example, listings of property values on zillow.com showed two houses built in 2003 for sale at \$835,000 and \$749,940.

Rents for 2 to 4 bedroom units in summer 2008 ranged from \$1,150 to \$2,900. Most of the units for rent were single-family homes suitable for a family of four. At these rents, low and very low-income families would have difficulty finding housing they could afford. A 3 bedroom apartment in the newest complex, Sycamore Bay, was listed at \$2,280. These new units would be affordable to some moderate-income families but not to low- or very low-income families.

### Energy Conservation

Newark's municipal code includes a section on Green Building practices. All city or privately owned construction projects whose total costs are greater than \$100,000 must recycle portions of their construction or demolition debris. Provisions for waste management requirements are also included. The municipal code also encourages private developers to incorporate as many green practices as appropriate and feasible (Newark Municipal Code 15.44.010-15.44.110). These practices should all help to conserve energy. The city enforces state energy conservation requirements and the local utility, Pacific Gas and Electric, has an active program to encourage energy conservation that is available to Newark residents. This housing element also promotes energy conservation by proposing infill housing sites, with high density housing and mixed use located along major streets in central areas of the city.

## Non-Discrimination

The ECHO Housing Assistance Center handles discrimination complaints in many East Bay cities including Newark. Part of its funding comes from the federal Community Development Block Grant program through Alameda County. In the year ending June 30, 2008, ECHO counseling services handled 8 fair housing inquiries, and 5 complaints of discrimination in Newark. One complaint was for age and gender discrimination, and 4 for racial discrimination. Discrimination against people of color, families with children, and the physically and mentally disabled continue to be the leading forms of discrimination in ECHO's service area.

TABLE 5-27 TENANT-LANDLORD AND FAIR HOUSING COMPLAINTS

Fiscal Year	Tenant/Landlord Complaints	Fair Housing Inquiries & Complaints
2003-04	111	5
2004-05	157	13
2005-06	87	8
2006-07	151	5
2007-08	112	13

Source: Echo Housing Assistance Center, July 2008.

Complaints related to tenant/landlord relations were much more prevalent. Table 5-27 shows the number of complaints from Newark for each of the last five fiscal years ending June 30, 2008. During the fiscal year 2007-08, ECHO received 112 tenant/landlord complaints from Newark. In the previous 4 years the number of complaints has ranged from 87 in 2005-06 to 157 in 2004-05. Including 2007-08, this totals 618 tenant/landlord complaints. Staff at ECHO indicates that Newark's rate of tenant/landlord complaints is comparable to that of surrounding communities — Fremont, Hayward, San Leandro, and Union City. The largest number of complaints involves evictions and repairs. Some calls regard return of security deposits, and rent increases. Most complaints come from apartment renters rather than renters of single-family houses.

## Preserving Assisted Housing and Housing Conservation

As required by a 1989 addition to the housing element law, Newark has analyzed the need to preserve assisted housing. The only assisted housing project in the city is Newark Gardens, a 200-unit housing project operated by Satellite Senior Homes for low- and very low-income seniors. All 200 units are protected by an Option and Development Agreement executed by the city on May 14, 1981 and applied to the new units constructed in the early 1990s. There is no deadline on the affordability requirement; therefore, no program to preserve existing assisted housing in Newark is needed.

Most of the affordable housing in Newark is not protected by public agreements or subsidies. Increases in market rents and the price of housing threaten the future affordability of currently affordable housing. To conserve its stock of affordable housing, Newark participates in the Section 8 rent subsidy program and the Alameda County housing rehabilitation program. The

rehabilitation program helps conserve affordability by helping owners with maintenance costs.  
In the case of rental properties this can prevent rent increases.

### 5.3 HOUSING NEEDS

Newark recognizes a responsibility to provide sites for a share of regional housing needs and also for meeting, to the extent possible, the special housing needs of Newark residents. The regional housing need is determined by ABAG and allocated to cities and counties in the Bay Area.

#### REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

Under mandate from the state, ABAG allocates the region's housing need to the localities in the San Francisco Bay Area through a process called the Regional Housing Needs Allocation, or RHNA. The recent allocation is for the seven-year period 2007-2014 and must be considered in the housing element. Newark's assigned housing needs by income category are listed in Table 5-28.

TABLE 5-28 HOUSING NEEDS NUMBERS FOR NEWARK, 2007-2014

Household Income	% Median Income	# of Units	% of Units
Very Low	< 51%	257	29.8
Low	51-80%	160	18.5
Moderate	81-120%	155	18.0
Above Moderate	> 120%	291	33.7
<b>Housing Need</b>		<b>863</b>	<b>100.0</b>

Source: ABAG, 6/5/08, Regional Housing Needs, 2007-2014 Allocation.

The state expects Newark to ensure availability of sites for 863 housing units during this seven-year period, 31% less than the previous period's allocation of 1,250 units between 1999 and 2006. However, Newark also needs to incorporate units that were required but not produced during the previous housing element cycle. Table 5-29 shows the total number of units that Newark is required to accommodate during the next housing element cycle. Appendix 2 explains the methodology for determining the number of housing units needed for the past housing element cycle.

TABLE 5-29 TOTAL HOUSING NEEDS ALLOCATION FOR NEWARK THROUGH 2014

	Very Low & Low	Moderate	Above Moderate	Total Units
Current Allocations	417	155	291	863
Past Cycle	194	183	515	892
<b>Total Housing Need</b>	<b>611</b>	<b>338</b>	<b>806</b>	<b>1,755</b>

Source: ABAG Regional Housing Needs, 2007-2014; discussion with Melinda Coy at the California Department of Housing and Community Development, 12/30/08.

In total, Newark is expected to identify and zone land necessary to accommodate 1,755 units by 2014, although the city is not required to actually build these units.

## Newark's Approach to the RHNA Allocation

As part of the work to update this housing element, the City of Newark has developed a long-term plan for housing that provides sites sufficient to accommodate the city's RHNA allocation by 2014, while also identifying sites that will likely not be developed for some time into the future. As a result, the Site Inventory in Section 5.4 provides a comprehensive list of the remaining potential housing sites in the city, both short-and long-term.

### SPECIAL HOUSING NEEDS

State law requires that the housing element address the special needs of the handicapped, elderly, large families, female-headed households, farmworkers, and the homeless. Many residents with special needs qualify for Section 8 rental assistance. Rents in Newark are low enough to make this a viable program in the city. According to the Alameda County Housing Authority, Newark had 297 households using Section 8 in May 2008. Of these, 3 received certificates providing a rent subsidy to bring rent down to no more than 30 percent of income. Another 294 received vouchers in which the renter gets a specified level of subsidy and may qualify for more expensive units by paying more than 30 of monthly income. As shown by the numbers, certificates are being phased out in favor of vouchers.

### Persons with Disabilities

As shown in Table 5-30, over 6,000 or approximately 20 percent of Newark residents over the age of 15 had disabilities in 2000 that impaired their ability to work, get around or care for themselves. Disabilities were a part of life for 17.4 percent of those 16 to 65 years old and 41 percent of those 65 years old and older. The high percentage of seniors with disabilities may indicate a need for special housing and other assistance.

The number of people in Newark with disabilities more than doubled from 1990 to 2000, increasing from 3,037 to 6,394. The increase was predominantly in the 16 to 64 age group, which increased by 124 percent.

TABLE 5-30 DISABILITY STATUS OF NEWARK RESIDENTS, 2000

	16-64 years old		65 years +		Totals	
	#	%	#	%	#	%
Total Population	28,780	89.5	3,391	10.5	32,171	100.0
With Disabilities	5,001	17.4	1,393	41.1	6,394	19.9

Source: 2000 U.S. Census SF3: Table P42

In order to meet the requirements of state law SB 520 and Program 9 of the previous Housing Element, Newark analyzed and addressed constraints on housing for people with disabilities. Several portions of the Zoning Code were amended in March 2006. Residential Care Facilities with six or fewer residents are now permitted in residential districts. Definitions of care facilities have been replaced or amended so as to correspond with the definitions in state law. The districts in which types of facilities are allowed have been adjusted, as have parking requirements. Handicapped ramps may now extend into required yards. Last, the Guidelines

for Community Care Facilities have been simplified and incorporated into the zoning ordinance. These changes addressed the constraints to housing for people with disabilities that were identified in a study conducted in 2005.

The Bay Area Community Services (BACS) coordinates some services for the mentally disabled and the elderly handicapped in the Tri-Cities area. BACS operates an adult day care service in Fremont, which provides recreational and social opportunities for adults over 60 years of age who are physically disabled, frail or have chronic diseases. The clients of the adult day care live with a spouse, family member, or in a board and care home. An objective of the program is to give respite to caregivers. The program can accommodate up to 30 clients, but licensing restrictions place capacity at 24, and BACS estimates an average of 20 clients. Newark is home to another adult day care program for mentally disabled adults that is coordinated by Social Vocational Services. Social Vocational Services estimates a capacity of 90 and an average daily clientele of 41.

In August 2008, the California Department of Social Services's website listed two licensed residential care facilities for adults in Newark, and two with licenses pending. Newark also had 19 residential care facilities for the elderly (California Department of Social Services, Community Care Licensing Division, August 2008).

### Elderly

In 2000, 3,391 people (8.0 percent of Newark's population) were over 64 years old--an increase of 1,300 people (65 percent) since 1990. The number and percentage of senior citizens in Newark is growing. In 2000, 2,766 households (21.2 percent of the 13,024 households) included individuals 65 years and older. In 1990, 1,129 households were headed by persons over 64 years old. In 2000, this had increased by 55 percent to a total of 1,753 households headed by persons over 64 years old. Of these, 1,347 owned their homes and 406 rented their homes.

Income for households headed by seniors was significantly lower than for households headed by householders under 64. Table 5-31 shows that 65.7 percent of the senior households had incomes under \$50,000 while only 26.6 percent of non-senior households fell into this range. However, the percentage of senior-headed households with incomes greater than \$50,000 doubled, going from 16.3 percent in 1990 to 34.3 percent in 2000. Over the same period, the percentage of senior-headed households with incomes under \$10,000 was nearly halved.

TABLE 5-31 HOUSEHOLD INCOME--HOUSEHOLDERS OVER 64 YEARS OLD, 2000

Income Range	Households with Householder 64+		Households with Householders under 64	
	Householder 64+	Percent	Householders under 64	Percent
Under \$10,000	233	13.3	248	2.2
\$10,000-\$49,999	918	52.4	2,755	24.4
\$49,000-\$99,999	438	25.0	5,007	44.4
\$100,000-\$149,999	119	6.8	2,387	21.2
\$150,000 and over	45	2.5	874	7.8
Totals	1,753	100.0	11,271	100.0

Source: 2000 U.S. Census SF3: Table P55

Senior households were also paying higher percentages of their income for housing than other households but, as shown in Table 5-32, the situation was far worse for renters than homeowners. Over 60 percent of households headed by seniors paid 30 percent or less for housing, but almost all owned their homes. Only 35 percent of renters paid 30 percent or less. A total of 577 senior-headed households (35 percent) were paying more than 30 percent of their income for housing.

TABLE 5-32 PERCENT INCOME SPENT ON HOUSING -- HOUSEHOLDS WITH HEAD OVER 64 YEARS OLD

Percent of Income Paid for Housing	Owner-Occupied		Renter-Occupied		Total	
	#	%	#	%	#	%
Less than 20%	688	55.8	87	21.4	775	47.3
20%-30%	175	14.2	55	13.5	230	14.0
30%-34%	77	6.2	62	15.3	139	8.5
Over 35%	277	22.5	161	39.7	438	26.7
Not computed	16	1.3	41	10.1	57	3.5
<b>Total</b>	<b>1,233</b>	<b>100.0</b>	<b>406</b>	<b>100.0</b>	<b>1,639</b>	<b>100.0</b>

Source: 2000 U.S. Census SF3: Table H71, H96

Newark Gardens houses 150 senior households in a project serving low-income seniors. All of these households were receiving Section 8 rental assistance and were not paying more than 30 percent of income for housing. In the early 1990s, Newark contributed \$200,000 toward an expansion of Newark Gardens. However, with the increasing elderly population there is an increased need for senior housing, especially affordable senior housing. In July 2008, the waiting list at Newark Gardens was closed and those at the top of the list had been waiting since 2004 (Email communication with Ryan Chao, Executive Director, July 24, 2008).

### Large Families

In 2005, Newark had a larger average household size (3.27 persons per household) than Alameda County as a whole (2.72). Table 5-33 lists occupied housing units by size of household. In 2000, 2,686 of Newark households (20.7 percent) had 5 or more persons; 1,708 of these households were occupied by owners and 978 by renters. The distribution of household size was about the same for renter and owner households.

TABLE 5-33 OCCUPIED HOUSING UNITS BY SIZE OF HOUSEHOLD, 2000

Persons in HH	Housing Units		Owner-Occupied		Renter-Occupied	
	#	%	#	%	#	%
1	1,835	14.1	1,251	13.6	584	15.3
2	3,584	27.6	2,684	29.2	900	23.6
3	2,492	19.2	1,785	19.4	707	18.5
4	2,395	18.4	1,753	19.1	642	16.8
5 +	2,686	20.7	1,708	18.6	978	25.6
Totals	12,992	100.0	9,181	100.0	3,811	100.0

Source: 2000 U.S. Census SF3: Table H17

It is likely these larger than average households accounted for many of the 1,888 overcrowded housing units in Newark in 2000, but many large households are undoubtedly accommodated in housing of suitable size. As per 2000 Census data, 64 percent of Newark's housing units have 3 or more bedrooms (SF3 Table H41). Newark has a large supply of single-family rentals, and both the owner and rental markets provide reasonably well for larger families. Newark has a significant number of large households in part because it has suitable housing.

### Single-Parent Households

According to the 2000 Census, Newark had a total of 10,447 family households at or above the poverty level. Of those, 2,239 or 21.4 percent were single-parent households. Of the 442 family households with incomes below the poverty level, 233 or 52.7 percent were single-parent households. Clearly, single-parent households are more likely to be living in poverty than dual-parent households. Affordable housing is therefore especially important for this group.

TABLE 5-34 SINGLE PARENT HOUSEHOLDS IN NEWARK

	Total Households	Single-Parent Households	Percent Single Parent Households
Income at or above poverty level	10,447	2,239	21.4
Income below poverty level	442	233	52.7

Source: 2000 U.S. Census SF3: Table P92

This is the case for all single-parent households, both male- and female-headed. Of all male-headed single-parent households, approximately 9% have incomes below the poverty level. Similarly, about 11% of female-headed single-parent households have incomes below the poverty level. In comparison, fewer than 3% of married-couple households had incomes below the poverty level.

### Extremely Low Income Households

Households with extremely low incomes are those with incomes at or below 30% of the Area Median Income. For Alameda County, that means that a family of four would need to have an income of \$25,830 or below (30% of the median income of \$86,100) to be considered extremely low income. Households with extremely low incomes include those who receive public

assistance, such as disability insurance or social security insurance. However, people with full-time jobs can also have extremely low incomes. The annual income for a minimum wage job is currently \$16,640 in California, and a single person household earning \$18,100 or less is considered extremely low income.

TABLE 5-35 HOUSING NEEDS FOR EXTREMELY LOW INCOME HOUSEHOLDS

	Renters	Owners	Total
Total Number of ELI Households	595	424	1,019
Percent with Any Housing Problems	71.8%	71.0%	71.4%
Percent with Cost Burden (30% of income)	63.4%	71%	66.5%
Percent with Severe Cost Burden (50% of income)	52.4%	53.8%	53.0%
Total Number of Households	3,822	9,184	13,006

Source: CHAS Data Book, accessed at <http://socds.huduser.org>, data current as of 2000

### **Existing Needs**

In 2000, there were 1,019 extremely low income (ELI) households in Newark, representing 8% of the total households. Nearly three-quarters of ELI households have housing problems, and over half of the extremely low income households are paying more than 50% of their incomes for housing. This holds true for both renters and homeowners. With such a high percentage of income going to housing, ELI homeowners are at a very high risk for foreclosure. In addition, ELI households are at risk for homelessness if there are unexpected expenses, such as medical bills, or with the loss of a job.

### **Projected Needs**

To calculate the projected housing needs, the City assumed that 50 percent of its very low income regional housing needs are extremely low income households. With a very low income housing need for 257 households, there is therefore a projected need for 129 housing units for ELI households.

This housing element includes three programs that are intended to assist ELI households and provide housing that is affordable to them. Program 4 directs the city to address issues with foreclosures, which are likely to be a particular problem for ELI households. Program 6 calls for the city to support regional efforts to end homeless, such as the Alameda County EveryOne Home Program, which prioritizes supportive housing. Program 9 will continue ongoing efforts to work with organizations interested in constructing housing for people with special needs, including ELI households. To assist with these efforts, the city can provide information about housing sites, can help to apply for funding and support funding applications, and can expedite the application process.

### **Homeless**

The Alameda Countywide Shelter and Services Survey (also known as the Homeless Count), estimated a homeless population of 6,215 in Alameda County in 2003. Of these, 1,260 homeless people reside in the South and East County area, which encompasses the cities of Dublin, Fremont, Livermore, Newark, Pleasanton and Union City. The Homeless Count estimates reflects the number of people in an area at any given time and does not take into account a person's place of origin or location of former residence.

The survey also revealed that there are more females than males among the homeless population in south and east Alameda County. There are as many homeless children as adults, and more than half of the homeless adults are between 35 and 44 years old. One-parent families make up 42 percent of the homeless, almost 30 percent have a physical disability, and over half have alcohol and drug dependency issues.

The City of Newark rents a facility to Second Chance, the only permanent homeless shelter in Newark. Families may stay at the shelter for one month and individuals may stay three weeks. The shelter accepts homeless people who also have drug and alcohol problems and runs a counseling and referral service to help with these problems. When the Housing Element was last updated in 2000, Second Chance had 30 shelter beds – a number estimated to be sufficient at that time. In 2005, the shelter reported that although the shelter's capacity had grown to 33 beds, approximately ten to 15 people were turned away each night.

In addition to Second Chance, Newark's homeless population is also accommodated by Sunrise Village, a Fremont shelter operated by the Tri-City Homeless Coalition. In 2005, Sunrise Village had 66 beds and turned away between five and ten people every night. Families are placed on a waiting list, which typically has 34 families on it. Homeless people can stay at the shelter for a maximum of three months. According to Tri-City Homeless Coalition staff, about 14% of those it serves are from Newark. In addition, the Tri-City Homeless Coalition operates a "winter relief shelter" that provides 44 beds and rotates between local churches, including a Newark church.

While Newark has and supports the Second Chance shelter and the winter relief shelter program, there is clearly unmet need in the city. Three programs in this housing element will help to address this unmet need: Program 5 calls for an amendment to the zoning ordinance to allow homeless shelters by right in the RH zoning district, in accordance with SB2; Program 6 directs the city to continue to support regional efforts to end homelessness, such as Alameda County's EveryOne Home Program; and Program 9 states that the city will work with non-profit housing developers to support efforts to create new housing for special needs populations.

### **Farmworkers**

In 2000, 17 Newark residents were employed in agriculture, forestry, mining and fisheries, according to the U.S. Census (SF3: Table P49); ABAG *Projections 2007* places the number at 50. However, Newark has no remaining land in agriculture and no farmworkers employed in the city. Farmworker housing is not needed in Newark.

## **5.4 SITES AVAILABLE FOR HOUSING**

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For this housing element, Newark has taken a comprehensive, long-term look at all potential housing sites in the city, including those that may not be developed for some years. The analysis attempts to be realistic both in terms of the total assumed capacity, which in many cases is less than that allowed by the maximum density, and in terms of the number of dwelling units likely to be constructed by 2014. These sites are shown on the map on the following page, with sites which are expected to be fully or partially developed by 2014 shown with green circle labels and upper case letters, and sites which are expected to develop on a more long-term time frame shown with red square labels and lower case letters.

All together, the city believes there is the capacity for approximately 5,300 new dwelling units in Newark. About 1,760 new units would be likely to develop by 2014, with the other units expected over the next several decades. The section below discusses each of the sites that expected to develop, either fully or partially, by 2014. That section is followed by a discussion of the sites that are expected to provide housing over the longer term. A detailed table with information on all of the parcels in each site is provided in Appendix 3.

### **HOUSING ELEMENT SITES EXPECTED TO DEVELOP PARTIALLY OR FULLY BY 2014**

This section discusses the housing sites that could reasonably be expected to provide some housing during the planning period. For each site, the discussion includes information on any constraints affecting the site, the rationale for calculating the assumed capacity for the site, and the reasons why the site is expected to develop by 2014. The number of units expected for each site by income level is summarized in Table 5-36 at the end of this section.

All of these sites are already within the Alameda County Water District and the Union Sanitary District. In fact, because all of the sites except for Area 4 are infill sites, they are all accounted for in the Districts' service models. The existing land uses for the sites in the models are either already residential, or are industrial, which would have much greater demands on the systems. For Areas 3 and 4, a Water Supply Assessment has been prepared and the Water District has guaranteed service to those areas. As a result, there is sufficient water and sewer capacity to fully accommodate the city's planned housing.

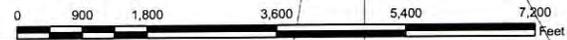
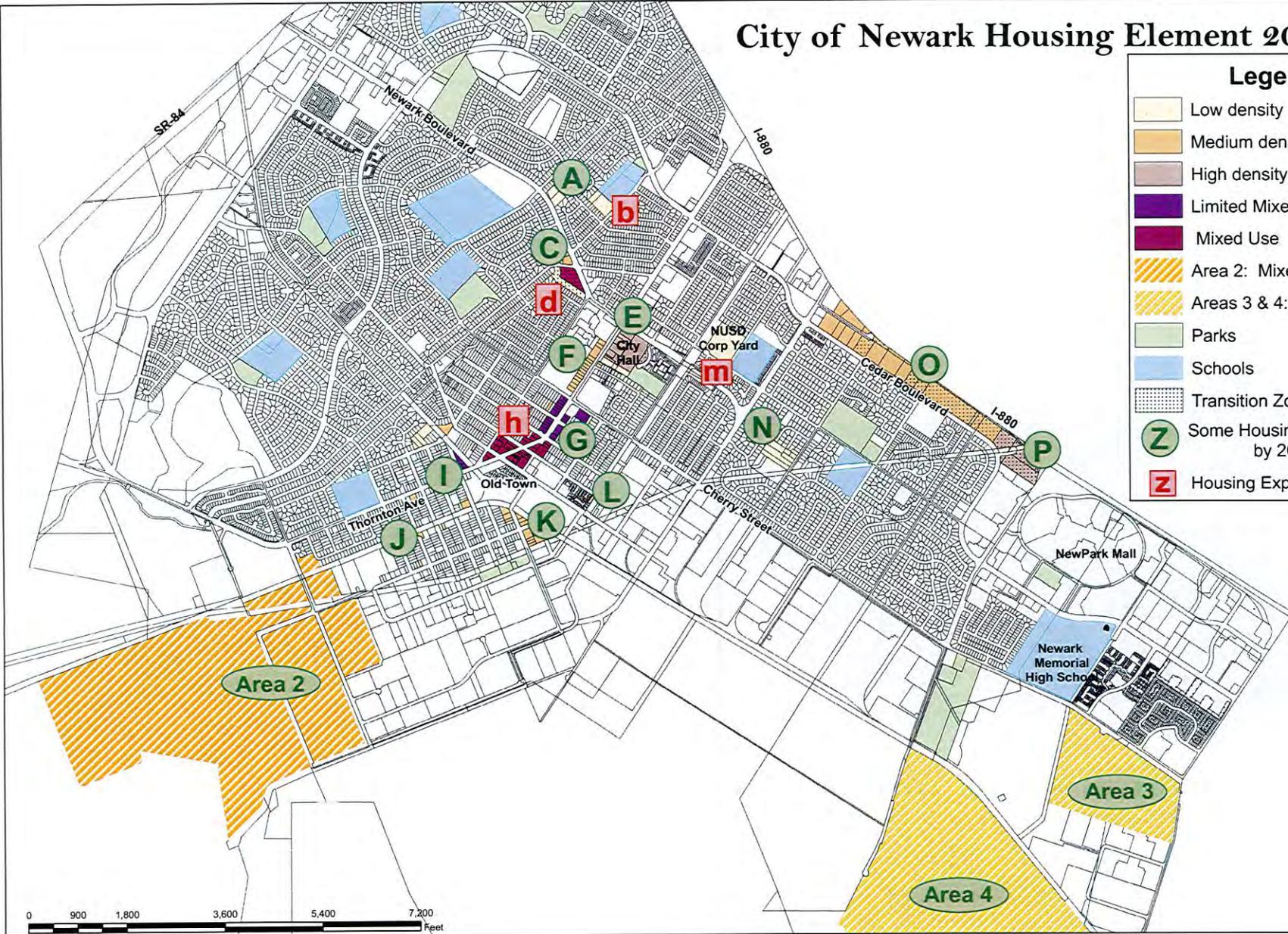
**Site A:** These two large lots are located on Newark Boulevard and currently each house one single family home. Both could be subdivided under existing General Plan and zoning regulations. Under the regulations of the R-6000 district, 10 additional single family homes could be accommodated on the land. These properties are already zoned and planned for housing, and could easily be developed by 2014.

**Site C:** This is a former gas station located on the corner of Newark Boulevard and Mayhews Landing Road. Hazardous materials issues from the gas station use have been cleaned up and will not pose a constraint on housing development on the site. A new residential development is adjacent to the site, where a former commercial shopping center was located. Because the site is small, a medium density will likely be needed to make development feasible, although the density needs to be somewhat compatible

# City of Newark Housing Element 2009 Sites

### Legend

- Low density
- Medium density
- High density
- Limited Mixed Use
- Mixed Use
- Area 2: Mixed densities
- Areas 3 & 4: Mixed densities
- Parks
- Schools
- Transition Zone
- Z Some Housing Expected by 2014
- Z Housing Expected after 2014



with the adjacent single family homes. Therefore, this housing element assumes that the approximately half acre site will be developed at a medium density of 2500 sf/acre to produce a total of nine new homes. The site is vacant and could reasonably be expected to develop by 2014.

Site E: This site is located at the corner of Thornton Avenue and Newark Boulevard, and is currently the location of the outdated City Hall, the library, and some commercial uses. The city plans to develop the site with a private or non-profit partner or partners, with an aim of creating enough revenue to fund the construction of a new civic complex in exchange for some or all of the city-owned parts of the site and entitlements. The value of the land with high-density entitlements would appear to make this feasible. Uses on the site would then change to high density residential development, with a buffer of single family homes adjacent to the existing single family neighborhood west of the site.

The majority of the site will be zoned for the highest density residential district in the city, RH, which has no maximum density. With a buffer at a density of 6000 sf/unit and the remainder of the site developed at a density of approximately 45 units per acre, a total of 13 single family homes and 339 high density housing units could be built on the site. To accommodate this development, City Hall and the library, as well as other commercial uses on the site, would need to relocate to another site or a portion of the existing site. The site may be developed in separate phases, with the parcels identified in the inventory as available during the planning period likely to develop first. Other parcels in the site may be developed independently at a later date.

Construction of a new civic complex has been a project in the city's Capital Improvement Plan for years. The existing City Hall was built in 1966 to the standards of the time. However, the building has an inefficient layout that does not meet the city's current needs. In addition, the building needs a number of repairs and modifications to continue functioning and meet modern standards, including repairs to the leaking roof and changes to improve accessibility for disabled people. An analysis of the existing building found that although the building is likely to remain standing in an earthquake, the building's elevator and other equipment may well be damaged beyond repair, making the building unusable after a seismic event. This would be particularly problematic since the city's Police Department is located in the basement of the city hall.

The intent of this project is to use the land value of the City Hall site to leverage funds to construct a new civic complex. The city owns much of the land on the site, and could make much of it available immediately. In fact, after accounting for the land needed for the existing City Hall and library, and parking for both uses, staff estimates that there are approximately 4.5 acres of land that is currently available on the site. Assuming that one of the currently developed parcels on the site also is converted to housing, there would be approximately 0.4 acres of additional land. Taken together, there would be 4.9 acres of land that can reasonably be expected to be developed by 2014. A total of 213 housing units could be built on this land (211 high density units and 2 low density units), for an overall density of 43 units per acre. If other office

buildings chose to convert to housing, or if the City Hall and/or library were replaced on another site, additional residential units could be built on the site.

Staff is starting work to identify possible future locations for City Hall and the library, and intends to start a community process to evaluate potential new sites in 2010. Options will include building a civic complex in a different location on the same site and moving to a different site. As part of this process, the city will also consider possible locations for the library. The City will then start an RFQ/RFP/ENA process to identify a developer or team of developers who are interested in and able to carry out the project.

Regardless of where the civic complex and library will be located, city staff expects that there will be some period of time during which these uses will remain at their current locations and high density housing will be built on the underutilized and vacant portions of the site. Construction of housing early in the development process will likely be needed in order to fund the construction of the new civic center. City staff has met with developers interested in this project. The site is located next to a park, with good access to transportation and shopping. Given the strong market for rental housing in the area and the many advantages of the site for housing, it appears that development is feasible at this location within the planning period.

Final completion of this project, including construction of the new civic complex, would be likely to occur after 2014. As a result, this housing element assumes that only a portion of the housing that could be accommodated on the site would be provided during the planning period: 2 single-family homes and 211 high-density homes. This assumes that only one office building on the site will convert to housing during the planning period, and that the existing City Hall and library, together with associated parking, remain in their current locations. Over 90% of the housing anticipated on the site by 2014 could be built on land that is already vacant or underutilized.

As an additional guarantee, if in two and a half years after adoption of this element it is determined that this housing site will not work, the city will begin identifying other locations or accelerating development of long-term housing sites. Program 12 of this housing element sets forth the steps the city will take to promote the development of housing on Site E, or to find an alternative site if this site is infeasible.

**Site F:** Site F includes 15 parcels on Thornton Avenue across from Site E and adjacent to the Foxwood Condominium development. The largest of these parcels is vacant, and several others are home to boarded up houses. Of the remainder, eight are single family homes and the remainder are small businesses. The site is zoned and planned for high density residential development. If parcels were consolidated, a total of 104 homes could be located on the site at a density of R-1500, of which 96 would be new homes. However, some of these lots may not be consolidated and some existing businesses and homes may wish to remain. Therefore, this housing element assumes that only 30 new houses would be built on the site by 2014, which could be built on the vacant parcel and the lots of the abandoned homes.

- Site G: Extending along both sides of Thornton Avenue from Cherry Street to Olive Street, this site currently includes some office, retail and housing, as well as a number of vacant parcels. As part of the Old Town Study, Sites G, H and I were all designated for mixed use. Therefore, this site would be zoned Limited Mixed Use (CMUL). The CMUL district allows office, limited commercial uses, and residential on the ground floor, with residential uses required on upper floors. The regulations of the CMUL district are described in the "Constraints" section of this housing element. The maximum residential density is 40 units/acre, but the assumed density in the housing element is 30 units per acre to provide some flexibility. This would allow a total of 134 homes on the site, of which seven would be existing homes and 127 would be new. However, much of this site is already developed and is unlikely to change during the planning period. As a result, this housing element assumes that the only new development by 2014 would be on the vacant parcels, which would provide 38 new housing units if developed separately. However, of the seven vacant parcels, five are adjacent to each other on one side of Thornton Avenue, and the other two are adjacent across the street. Both sets of parcels could therefore be consolidated and could receive the incentives provided for lot consolidation in the CMUL district, such as reduced setbacks, increased density, or similar incentives. With these incentives, there could be 45 or potentially more units on the site, even with the first floor developed as retail.
- Site I: Comprising three parcels west of the train tracks, Site I has a triangular shape. One parcel is vacant; the second has an older outdoor car wash, and the third contains a building that was a former bed store. To allow maximum flexibility, this site will be zoned for Limited Mixed Use (CMUL) and could accommodate a total of 22 new housing units at the assumed density of 30 units/acre (less than the maximum allowed density of 40 units/acre). Since this site is already partially vacant, the housing element anticipates construction of these 22 units by 2014.
- Site J: Site J is different from the other sites in this element in that it includes about 20 vacant parcels, most of which are not located next to each other. All of these parcels are already zoned and planned for residential uses, most at medium or low densities. For each parcel, this housing element assumes development at the base density for the surrounding neighborhood and zoning to determine the number of units that could be provided. Using this methodology, the 13 medium density parcels could provide 68 homes. In addition, the seven low density parcels could provide 17 homes, because one of the parcels is approximately an acre in size and four others are adjacent and could be consolidated.
- Site K: Located between Filbert Street and the train tracks, this site is already both planned and zoned for high density housing. Site K is within the 2001 Redevelopment Project Area. Current uses on the site are primarily auto-related commercial uses. Because the site is located within the redevelopment area and is already designated for housing, this housing element estimates that all of the 91 potential new units (at an average density of 1500 sf/unit) could be built by the end of the housing cycle.
- Site L: This vacant site extends between Magnolia Street and Sycamore Street. Site L was planned as the second phase of an adjacent condominium development, but was never

built. The zoning and General Plan designations for the site will be adjusted from medium density to high density (R-1500), and at that density the site can accommodate 54 new homes. These homes could be reasonably expected to be built by 2014 since the land is vacant.

**Site N:** These parcels are located on Robertson Drive next to a relatively recent single family residential development project. The land is already planned and zoned for housing, and contains four single family homes. The site could easily be developed by 2014. The density of 7000 sf per unit is the density at which the surrounding neighborhood is developed, and would yield a total of 23 new homes.

**Site O:** Situated along the east side of Cedar Boulevard, this long site includes most of the land between Central Avenue and Cedar Terrace. Currently developed with industrial uses, this site was previously envisioned for high density development, but is shown for medium density residential uses in this housing element. This reflects current discussions about the site, which include for a development of 200 townhomes that was approved by the Planning Commission and City Council in January of 2009. Taken together, the site could reasonably be expected to have 567 housing units at a density of 2500 square feet per unit. In the next 5 years, the city expects that the two hundred units which have already been approved will be built.

**Site P:** Site P is located along Cedar Boulevard on both sides of Cedar Court and includes two hotels as well as a vacant parcel. This site would be zoned with a transitional overlayzone that would allow both existing uses and development under the provisions of the RH zoning district, which has no maximum density. The housing element assumes that the site would likely be developed at approximately 30 units per acre. At this density, the site could provide 257 new homes. Because much of the site is currently developed, however, only one vacant parcel is assumed to develop during the planning period. This parcel could accommodate 70 new housing units.

**Area Two:** Also known as the Dumbarton Transit Oriented Development, this area includes approximately 233 acres in the northwestern part of the city. Much of Area Two is currently vacant, although portions are occupied by existing or former industrial buildings. There are numerous hazardous materials issues on the site, but these have been studied and some have been completely or partially remediated. Experts familiar with the issues on the site believe that it can be developed if done with care.

The property owners, the city, and the community developed a concept plan which was approved by the City Council in 2008, and a specific plan for the area is currently being drafted. Area Two will include a range of housing types as well as mixed use development, open space and a community facility such as a performing arts center. This transit-oriented development is expected to include approximately 1,953 new housing units upon completion. Assuming that the specific plan is adopted in 2010, construction could begin in 2010 or 2011. This could result in 100 new high density units, 337 medium density units, and 162 low density units being built by 2014 (599 units total, or approximately 31% of the overall site capacity).

The parcels that are expected to develop first are those that front on Willow Street and Enterprise Drive, as well as those on Hickory Street. These parcels have the easiest access to infrastructure. In addition, hazardous materials issues clean-up on these parcels to commercial standards is nearly complete. For high-density residential development with no soil contact, no additional clean-up will be necessary. Additional clean-up activities needed for lower density housing will be completed well within the planning period.

The high density housing will be located closer to the train station, with medium density housing south of that and low density housing further away. The table in Appendix 3 shows approximately how many housing units are expected at each density on each parcel in Area 2, and which parcels are expected to be wholly or partially developed by 2014.

A total of 15% of the housing built in Area Two will need to be provided at below market rates, and the affordability of these units will be protected by deed restrictions. All below market rate units must be built prior to or at the same time as the market rate units. The affordability levels of the below market rate units will include very low, low and moderate income units, with the required mix determined by the type of development. The city's inclusionary housing ordinance spells out the requirements for the below market rate units.

**Areas 3 & 4:** Located in the southwestern portion of the city, General Plan Areas 3 and 4 jointly contain over 600 acres of the last significant undeveloped land in the city. The city and some interested property owners began to work together to develop a vision for the area several years ago. Several community meetings were held, starting in 2006, and a constraints analysis was completed in the fall of 2007. Several concept plans were then developed. In the spring of 2008 the City Council approved the concept plan to be used as the basis for a specific plan. The specific plan and related Environmental Impact Report are currently being developed, and the city anticipates that these will be completed early in 2009. Although a total of 1,260 housing units are anticipated for Areas 3 and 4, the city does not expect all of these to be built by 2014. By that date, the city expects 165 high density (30 units per acre) units could be built, together with 126 low density (6000 sf per unit or more) homes.

A parcel along Cherry Street will likely be the first part of Areas 3 and 4 to develop. This 37.8 acre parcel will include all 165 high density housing units, together with the 126 low density housing units, and can also accommodate a school and a park. An additional 227 low density units can be accommodated in the rest of Area 3 during the planning period. The table in Appendix 3 shows approximately how many housing units are expected at each density on each parcel in Areas 3 and 4, and further identifies the parcel that is expected to be developed by 2014.

As in Area Two, a total of 15% of the housing built in Areas 3 and 4 will need to be provided at below market rates, and the affordability of these units will be

protected by deed restrictions. All below market rate units must be built prior to or at the same time as the market rate units. The affordability levels of the below market rate units will include very low, low and moderate income units, with the required mix determined by the type of development. The city's inclusionary housing ordinance spells out the requirements for the below market rate units. Development of this site will be governed by a development agreement that will specifically address the required 165 inclusionary units, including their location and phasing.

TABLE 5-36 SUMMARY OF HOUSING UNITS EXPECTED BY 2014 BY DENSITY

Site	Units Previously Made Available*	New Low Density Units	New Medium Density Units	New High Density Units	Total New Units
A	0	10	0	0	10
C	4	0	5	0	5
E	0	2	0	211	213
F	24	0	6	0	6
G	0	0	0	38	38
I	0	0	0	22	22
J (scattered)	47	0	38	0	38
K	91	0	0	0	0
L	32	0	0	22	22
N	7	16	0	0	16
O	0	0	200	0	200
P	0	0	0	70	70
Area 2	0	162	337	100	599
Areas 3 & 4	0	353	0	165	518
<b>TOTALS</b>	<b>205</b>	<b>543</b>	<b>586</b>	<b>628</b>	<b>1,757</b>

\* The "Units Previously Made Available" are from sites that were zoned for or otherwise made available during the previous planning period, and that were used to adjust the 1999 RHNA as shown in Appendix 2.

#### HOUSING ELEMENT SITES EXPECTED TO DEVELOP AFTER 2014

The sites discussed in this section are the longer term housing sites for the city. These sites are eventually expected to provide housing, but not within the planning period.

**Site B:** Located within an established single family neighborhood, this site is the location of the Newark Unified School District offices. Developing the nearly 3 acres on the site at the surrounding density of 6000 sf/du would result in a possible 20 new homes. Since this site has not yet been declared excess by the School District, however, these homes are not expected to be constructed before 2014.

**Site D:** Across the street from Site C, this site is the current location of an underperforming shopping center. This housing element proposes to rezone the land to a transition zone that would allow both the existing uses and development under the Limited Commercial Mixed Use zoning district, with a single family strip along the back of the

site adjacent to the existing single family neighborhood. At densities of 6000 sf/du and 30 du/acre, approximately 17 single family homes and 70 condominiums or apartments could be built on the site. This property is currently in commercial use, however, and that commercial use could continue for some time. As a result, the site is not expected to develop within the planning period.

Site H: This site is the commercial heart of Old Town Newark, extending from Olive Street to Sycamore Street along both sides of Thornton Avenue and including the north side of Thornton Avenue down to the train tracks. A new Commercial Mixed Use zoning district has been drafted for this area that would allow ground floor retail uses with residential uses above. The maximum density is 40 units/acre, although the city used 30 units/acre for its calculations to accommodate any unforeseen complications. At that density, a total of 215 housing units could be provided, which would include seven existing homes and 208 new ones. None of these are expected to be built by 2014.

Site M: Site M consists of the Newark Unified School District Corporation Yard. This site could be converted to housing if the School District's Corporation Yard were relocated to another site, perhaps somewhere where it could be adjacent to the City's Corporation Yard. Locating these facilities next to each other would provide opportunities for the city and school district to share equipment, facilities and expertise, which could benefit both entities. Although 53 homes could be located on the site at a low density of 6000 sf/unit, none are likely to be built during the planning period because the Corporation Yard would need to move and the School District would need to declare the site excess before the site could be developed with housing.

## COMPARISON WITH RHNA

As shown in the previous section, this Site Inventory accounts for a total of 543 low density units, 586 medium density units, and 628 high density units which could be reasonably expected to be built by 2014, in addition to the units that could be built on sites that were made available during the previous planning period. Based on the requirements of AB 2348, this housing element assumes that the low density units provide housing for above moderate income households, the medium density units provide housing for moderate income households, and the high density units provide housing for the low and very low income households. Using those assumptions, the site inventory provides adequate sites for the required numbers of households, as determined through the RHNA process and shown in the table below.

**TABLE 5-37 COMPARISON OF RHNA REQUIREMENTS AND SITE INVENTORY**

	<i>Very Low &amp; Low</i>	<i>Moderate</i>	<i>Above Moderate</i>	<i>Total Units</i>
Current RHNA	417	155	291	863
Past RHNA	194	183	515	892
Total Housing Need	611	338	806	1,755
Site Inventory Provides:	628	586	543	1,757

*Sources: ABAG Regional Housing Needs, 2007-2014; discussion with Melinda Coy at the California Department of Housing and Community Development, 12/30/08, with calculations outlined in Appendix 2.*

**SITES AVAILABLE BY JUNE 2010**

State law now requires cities to rezone sites to meet any unmet need from the previous housing cycle within the first year of the new housing element cycle. As described in Appendix 2, Newark has 892 housing units of unmet need from the last housing cycle. The table below shows all of the sites that are already zoned for housing, not including those sites used in the 1999 RNHA adjustments, plus the sites that will be rezoned in 2009 and early 2010. These sites provide for 528 high density homes, 249 medium density homes, and 154 low density homes, for a total of 931 new homes. Although there are not enough low density sites to meet the required need, there are more than enough high and medium density sites to make up the shortfall. Newark will provide for all unmet need from the previous housing element cycle before June 2010.

**TABLE 5-38 NEW HOUSING SITES MADE AVAILABLE BY JUNE 2010\***

Site	Low Density Units	Medium Density Units	High Density Units	Total Units
A	10	0	0	10
C	0	5	0	5
E	2	0	211	213
F	0	6	0	6
G	0	0	38	38
I	0	0	22	22
J (scattered)	0	38	0	38
L	0	0	22	22
N	16	0	0	16
O	0	200	0	200
P	0	0	70	70
Area 3	126	0	165	291
<b>TOTALS</b>	<b>154</b>	<b>249</b>	<b>528</b>	<b>931</b>
<b>Unmet Need</b>	<b>515</b>	<b>183</b>	<b>194</b>	<b>892</b>

\* Housing units that were counted as part of the RHNA adjustment per AB 1233 (units on sites that were previously made available) are not included in the table above so as not to double-count any units.

All of these sites will be zoned and planned for housing before June of 2010. A few sites are already zoned appropriately. Most other sites will be re-zoned in December 2009, before this housing element is even adopted. Area 3 is the only one of these sites that will need to be

rezoned after the adoption of the housing element. The specific plan and Environmental Impact Report for this area will be adopted early in 2010, and the site will be rezoned at that time.

## **5.5 CONSTRAINTS TO HOUSING DEVELOPMENT**

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State housing element law requires that local governments analyze governmental and non-governmental constraints to the provision of housing and indicate what actions local governments will take to remove or reduce the identified constraints.

### **GOVERNMENTAL CONSTRAINTS**

The requirement to identify governmental constraints is based on the hypothesis that restrictive local policies, regulations and fees limit the supply of land available for housing and are, thus, partly responsible for the lack of affordable housing. Newark is more receptive to housing development than many Bay Area cities and generally has no unreasonable constraints. The city's development regulations are described in detail below.

The housing market in Newark has traditionally provided moderately-priced housing. To increase diversity in the community, Newark's general plan encourages development of more expensive housing as well as housing affordable to low- and very low-income households.

### **Land Use and Site Improvement Requirements**

Newark's general plan includes three residential designations: Low Density Residential (LR), Medium Density Residential (MR), and High Density Residential (HR). The Low Density Residential designation is intended primarily for single-family residential development and includes densities ranging from 4.2 to 8.5 dwellings per net acre. Most residential land in the city falls under this designation.

The Medium Density Residential district accommodates densities ranging from 6.5 to 15 dwellings per net acre, and may include single-family homes as well as duplexes and larger multifamily structures. However, density bonuses may be granted that increase the actual densities. Much of the city's medium density land is located in and around Old Town, near the Historic Newark commercial area on Thornton Avenue.

The High Density Residential district is intended for densities between 15 and 30 dwelling units per net acre, although development at both lower and higher densities is allowed. The largest high-density residential area in the city is located between Cedar Boulevard, Stevenson Boulevard, and Cherry Street and is developed with several condominium complexes.

To implement these General Plan designations, the Zoning Ordinance contains one or more zoning districts that fit with each designation. There are four low density residential zoning districts: R-10,000, R-8,000, R-7,000 and R-6,000; one medium density zoning district: R-2,500; and two high density zoning districts: R-1,500 and RH. Table 5-39 summarizes the uses allowed in each of these districts. Mobile and manufactured housing is considered single-family housing and is permitted accordingly.

TABLE 5-39 USES IN RESIDENTIAL ZONING DISTRICTS

Use	Zoning District						
	R-10000	R-8000	R-7000	R-6000	R-2500	R-1500	RH
One-family	P	P	P	P	P	P	P
Multifamily (<5 units)					P	P	P
Lodging-houses						P	
Room /room & board	P	P	P	P	P	P	P
Noncommercial horticulture	P	P	P	P	P	P	P
Home occupations*	P	P	P	P	P	P	P
Swimming pools	P	P	P	P	P	P	P
Accessory structures	P	P	P	P	P	P	P
Second Units**	P	P	P	P	P	P	P
Residential Care Fac (<7)	P	P	P	P	P	P	P
Small Family Day Cares	P	P	P	P	P	P	P
Community facilities	C	C	C	C	C	C	C
Public utility facilities	C	C	C	C	C	C	C
Multifamily (>5 units)					C	C	C
Planned unit develop't	C	C	C	C	C	C	C
Condominiums					C	C	C
Residential care fac (7-12)	MC	MC	MC	MC	MC	MC	MC
Day care facilities (up to 12)	MC	MC	MC	MC	MC	MC	MC
Large family day cares	MC	MC	MC	MC	MC	MC	MC
Residential care fac (13+)	C	C	C	C	C	C	C
Day care facilities (13+)	C	C	C	C	C	C	C

P = Permitted use; C = Conditional use permit required; MC = Minor conditional use permit required  
 \*Home occupation permit required; \*\*Second unit permit required

The city currently requires a conditional use permit for multifamily projects with 5 or more units. Both the planning commission and city council must hold public hearings before such projects can be approved. Although this can certainly take longer than the approval process for projects that are permitted uses in their zoning districts, experience in Newark shows that requiring a conditional use permit is not usually a serious constraint. Nonetheless, this housing element includes a program (Program 10) to replace the CUP for multifamily projects with non-discretionary design review process.

Single Room Occupancy (SRO) facilities provide a small, low-cost housing option for single-person households. If well designed and constructed, SROs can provide affordable housing for students, recent graduates and single professionals. In Newark, SROs are considered multifamily housing if they include kitchen and bathroom facilities. If an SRO does not include kitchen and bathroom facilities, it will be treated as a hotel. Hotels are permitted uses in the Community Commercial, Visitor and Recreation Commercial, and Regional Commercial zoning districts.

Neither the plan nor the zoning ordinance currently provide explicitly for emergency shelters. However, the current shelter was approved in an R-1500 zone with a conditional use permit. In order to comply with SB2, this housing element includes Program 5 to direct the city to amend the zoning ordinance to allow homeless shelters as a permitted use in the RH zoning district.

Transitional housing provides low-cost rental housing to people who are receiving assistance but expected to transition into market rate housing at a future point in time. The transitional housing unit will then be used for another person requiring assistance. Supportive housing provides permanent housing for people who need assistance and may not be able to move to market rate housing. Supportive housing is often needed for people with developmental or other disabilities, elderly residents, and others who need help with daily living. Transitional and supportive housing serving six or fewer people is treated the same as single family homes, while housing for seven to twelve persons is considered a residential care facility. As shown in Table 5-39, residential care facilities require a minor conditional use permit (MCUP), which can be issued by the zoning administrator. No public hearing is required. A regular Conditional Use Permit is required for residential care facilities serving 13 or more people.

In addition to regulating uses, the zoning ordinance also establishes the development standards for each district. These standards require minimum lot size; minimum site area per dwelling unit; frontage, depth and width of the site; maximum site area that can be covered by structures; minimum amount of usable open space; minimum front, side, and rear yards; distance between main structures; off-street parking and loading facilities; and minimum landscaped area. The city's standards are summarized in Table 5-40 on the following page.

Residential planned unit developments (PUDs) are allowed as a conditional use in all residential zoning districts as long as the site area is at least 20,000 square feet. There are only two requirements for residential PUDs in the zoning ordinance:

- The site development standards shall in the aggregate be at least equivalent to the standards of the zoning district in which the PUD site is located; and
- For sites less than three acres, the average population density per net acre must not be more than that allowed in the zoning district in which the PUD site is located. It may exceed the average population density by not more than ten percent for sites of three or more acres.

As long as these two criteria are met, development standards other than those listed in Table 5-40 could be applied to a residential development through a PUD.

In 2003, Newark amended its zoning code provisions for second units in order to comply with AB 1866 and clarify the city's regulations. Newark allows both guest houses, which do not have kitchens and are not intended for permanent occupancy, and second units, which have kitchens and can be rented out. Second units are allowed with a second unit permit, which is issued by staff based on conditions set forth in the code. For example, these conditions limit the size of a second unit to between 275 and 360 square feet, and allow no more than one bedroom. In addition, only one second unit is allowed on a lot, and lots must meet the minimum lot size for the zoning district. The architecture of the second unit needs to be compatible with that of the main structure as well, and utilities need to be adequate for the second unit. In addition, either the main unit or the second unit must be owner occupied.

TABLE 5-40 DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS

Standard	Zoning District						
	R-10000	R-8000	R-7000	R-6000	R-2500	R-1500	RH
Minimum lot s.f. - permitted uses	10,000	8,000	7,000	6,000	6,000	6,000 sf	6,000
Minimum lot s.f. - conditional uses****	20,000	16,000	14,000	12,000	12,000	12,000 *	12,000
Required site area per unit	1	1	1	1	2500	1500	--
Required frontage (P/C)**	unit/lot	unit/lot	unit/lot	unit/lot	sf/du	sf/du	
Required depth	40'/50'	40'/50'	40'/50'	40'/50'	40'/50'	40'/50'	40'/50'
Required width***	<100'	<100'	<100'	<100'	<100'	<100'	<100'
Max. site covered by structures (P/C)	80-100'	70-100'	65-100'	60-100'	60-100'	60-100'	60-100'
Min. usable open space	50/25%	50/25%	50/25%	50/25%	35/30%	40/35%	45/40%
Minimum front yard	16%	14%	13%	12%	12%	12%	12%
Min. side yard (P/C)	25'	25'	20'	20'	20'	20'	20'
Min. rear yard*****	5'/10'	5'/10'	5'/10'	5'/10'	5'/10'	5'/10'	5'/10'
Maximum building height	15'	15'	15'	15'	10'	10'	10'
Distance between main structures	30'	30'	30'	30'	30'	75'	100'
Off-street parking spaces	N/A	N/A	N/A	N/A	10'	10'	10'
Min. landscaped area	Regardless of the zoning district, single family dwellings must have 2 off-street parking spaces located in a garage or carport. Multifamily developments must have 1.5 spaces for each studio and one-bedroom unit, and 2 spaces for each unit with two or more bedrooms.						
	25%	25%	25%	25%	25%	25%	25%

- \* 7,500 square feet for residential uses only.
- \*\* The numbers in a row annotated with (P/C) are for permitted/conditional uses.
- \*\*\* Exact width depends on the nature of the use and whether or not the lot is on a corner.
- \*\*\*\* Minimum lot sizes double for conditional uses.
- \*\*\*\*\* The zoning ordinance calls for a 20' minimum rear yard in single-family residential district with reduction to 15' with sufficient open space elsewhere on the lot. Most single-family developments qualify for, and are developed with, the 15' rear yard.

**Mixed Use Districts**

Newark has two new mixed use zoning districts: the Commercial Mixed Use (CMU) district and the Commercial Mixed Use Limited (CMUL) district. Both districts allow certain types of commercial uses, and residential uses are permitted on all floors. The maximum residential density in both districts is 40 units per acre. Table 5-41 below summarizes the development standards for the CMU and CMUL districts.

TABLE 5-41 DEVELOPMENT STANDARDS FOR MIXED USE ZONING DISTRICTS

Standard	Zoning District	
	CMU	CMUL
Site Area	No minimum	No minimum
Frontage & depth of site	No minimum	No minimum
Front yards	Max 10 feet	Max 10 feet
Side yards*	Not required	Not required
Rear yards*	Not required	Not required
Building height	45' for mixed use; 35' for all residential structures	45' for mixed use; 35' for all residential structures
Off-street parking	Multifamily developments must have 1.5 spaces for each studio and one-bedroom unit, and 2 spaces for each unit with two or more bedrooms.	

\* Side or rear yards of 20' must be provided where a site adjoins a residential zoning district; one foot is added to the required yard for each three feet in height that a structure exceeds twelve feet

NOTE: required yards, building height, and off-street parking requirements may all be reduced through the lot consolidation incentives provisions.

Because most of the land zoned CMU and CMUL is located in the Old Town area of Newark, which has many small lots, the regulations for these districts provide substantial incentives for lot consolidation. The city hopes to encourage developers to purchase two or more adjacent lots in order to be able to build larger mixed use developments. The lot consolidation provisions allow developers to apply to the Community Development Director for one or more of the following incentives:

- reduced setbacks
- density increase, which can be achieved through reduced setbacks or increased height
- increased height, up to 55'
- reduced application processing time
- reduced on-site parking requirements
- reduction or waiver of fees
- other similar incentives

#### **Transition Overlay Zoning Districts**

To provide for an orderly long-term transition of uses while providing property owners with maximum flexibility, Newark's zoning code allows for transition overlay zoning districts on Sites D, P, and a portion of O. The overlay districts provide that property will continue to operate under its existing zoning, but allow property owners to apply for use of the transition overlay district. For example, a property with existing ML zoning and an RH overlay district could continue to operate under the ML district standards, but the property owner could apply to the Community Development Director to have the property governed by the RH district standards. The property would then be held to the RH district standards. This approach allows the city to allow residential uses in areas without creating nonconforming uses, as would happen if the land were simply rezoned.

## **Inclusionary Zoning Requirements**

Newark requires developers to provide 15% of housing units in projects with five or more units at affordable rates. For rental projects, 40% of the affordable units need to be provided for very low income households, 40% for low income households, and 20% for moderate income households. For ownership projects, 15% of the affordable units must be made available for low income households, and 85% for moderate income households. The inclusionary housing requirements were adopted in 2004. All of the requirements are set forth in Section 17.18 of the Newark Municipal Code.

From discussions with property owners and developers, staff learned that the requirements were discouraging smaller multifamily developments. As a result, the City amended the ordinance in 2008 to provide added flexibility and to allow smaller projects to pay an in-lieu fee rather than constructing the units. As an incentive, the city allows developers to provide alternative designs for below market rate units, including smaller units and different finishes features as long as they meet certain standards. In addition, developers may receive a density bonus consistent with state law as set forth in Section 65915 of the Government Code. Developers also have a variety of alternatives to on-site construction. These include off-site construction, land dedication, provision of rental units as part of a for-sale project, or payment of an in-lieu fee. Developers may also propose to use a combination of these alternatives. Typically, a developer will work with city staff to develop a plan if they want to use alternatives. The plan is then presented to the Planning Commission and City Council. This process has worked well in Newark to date; a developer has never requested the use of alternatives and been denied. Since the 2007 revision of the city's inclusionary housing ordinance based on developer comments about difficulties for small projects, the city has heard no complaints about the inclusionary requirements.

In-lieu fees are allowed under unique circumstances, for developments with fewer than ten units with the approval of the Community Development Director, or for larger developments with the approval of the Planning Commission and City Council. The amount of in-lieu fees is currently set to the difference between the average market rate price and the price for a below market rate unit. Therefore, the amount of the fee varies depending on the market cost of housing and the median income. Current fees are lower because of the lower market prices of homes in Newark. For example, in January 2009, the in-lieu fee would be \$7,918 for each attached four-bedroom moderate income housing unit required.

To ensure that Newark's inclusionary housing program functions as anticipated, especially given changes in market conditions, this housing element includes a program (Program 8) to monitor the impacts of the inclusionary housing requirements. Although the impacts of the inclusionary housing requirements have not been studied under current market conditions, Program 8 will do that.

## **Building Code Requirements**

Newark adopts the current edition of the state construction codes each year, usually with few amendments. In late 2008, the city adopted two amendments to the building code related to fire protection: different standards for sprinklers and required installation of spark arresters on re-roofing projects. Another amendment requires that roof access be provided to roofs which house mechanical equipment, while another adds rodent-proofing requirements. Finally,

Newark clarifies the requirement for a barrier around a swimming pool. These requirements may add some additional cost to residential project, but the costs are relatively small and therefore unlikely to act as a constraint on the provision of housing.

### Review and Permit Procedures and Fees

The most significant reviews/permits that may be required for residential development are preliminary plan review, special civic review, joint staff committee review, conditional use permit, planned unit development, design review, environmental assessment and building permit. Each of these is described below, and the requirements are summarized in Table 5-42.

There is no provision for waiving fees at the staff level for affordable housing projects. However, the City Council can and has waived fees at its discretion.

TABLE 5-42 REVIEWS AND PERMITS FOR RESIDENTIAL DEVELOPMENT

Review/Permit	When Required	Cost	Time to Process <sup>1</sup>
Preliminary Plan Review	Not required but recommended prior to official application.	\$600	2 weeks
Special Civic Review	Projects within SC overlay zoning district.	\$100 /\$1,500 <sup>2</sup>	1-2 months
Joint Staff Committee Review (JSCR)	New buildings & additions to multifamily structures in MR and HR districts if the number of units is fewer than 5.	\$1,200	
Conditional Use Permit (CUP)	Uses listed as conditional uses in the zoning ordinance including multifamily projects with 5 or more units.	\$2,400	3 months
Planned Unit Development Permit	Not required but used to provide flexibility. Processed concurrently with a CUP.	\$3,000	3 months
Design Review	New buildings, additions, major renovations in the MR and HR districts—conducted as part of JSCR or CUP review	none	Concurrent with JSCR or CUP
Environmental Review	Most projects. Review can be simple (negative declaration or mitigated negative declaration) or very complex (full BIR)	Depends on project and impacts	Depends on project and impacts
Building Permit	New exterior construction.	Depends on project <sup>3</sup>	2-3 weeks

<sup>1</sup> Processing time reported here represents the length of time estimated for a large, complex project to move from initial submittal to final action. Smaller, simpler projects would take less time.

<sup>2</sup> Cost is \$100 for an administrative Special Civic Review and \$1,500 for a review requiring the approval of the City Council.

<sup>3</sup> Building permit fees are calculated based on the value of the structure, which is based on the type of building and the size. According to the Building Official, Newark's fees are adjusted regularly as construction costs and market conditions change, and the fees are similar to those in other cities.

#### Preliminary Plan Review

A preliminary plan review is an informal, voluntary review to allow prospective applicants to identify issues relating to projects before applying formally. The Economic Development Division coordinates preliminary plan review. Designated reviewers in the Planning, Engineering, Building Inspection, Fire, and Police departments review the plans to identify any

problems and provide a list of conditions that would be recommended to the approving body for the project. Although this review process is not required, staff highly recommends it to applicants so that they can identify potential issues or problems with the proposed project prior to making a formal submittal. For residential projects, the cost is \$600 and the review takes approximately two weeks. Projects may go through preliminary plan review any number of times prior to the formal submittal.

#### ***Joint Staff Committee Review***

All new residential buildings, additions and major exterior renovations in medium and high-density districts involving fewer than 5 housing units are subject to joint staff committee review. Exceptions are made for buildings not visible from public roads or adjacent residences, parks or commercial buildings or subject to another type of city review such as a conditional use permit.

The joint staff committee consists of the community development director, the public works director and the fire chief, or their designated alternates. Once the committee has acted on an application, the community development director reports the decision to the Planning Commission and City Council. These bodies then have the opportunity to either accept the committee's decision or call up the application for review. Public hearings before the Planning Commission and City Council are not required as part of a Joint Staff Committee Review, however, unlike a conditional use permit. The cost for a joint staff committee review for a residential project is \$1,200. The review may take up to two months, depending on the size and complexity of the project.

#### ***Special Civic Review***

Special Civic Review is required for residential development in the Special Civic (SC) Overlay District that includes residential properties adjacent to public parks and facilities. SC review is limited to examination of "the general exterior appearance, design, color and texture of surface materials or exterior construction or the height of the building" and is intended "to assure an orderly development in the vicinity of such public sites and buildings."

New houses or additions to existing houses in the SC overlay district are subject to administrative review conducted by the zoning administrator. The administrative review is then presented to the Planning Commission as an informational item and to the City Council as a "review optional" item. Administrative Special Civic Review takes approximately 2-3 weeks and the cost was recently reduced from \$250 to \$100. Most parcels in the overlay district are already developed with single family houses and none of the housing sites identified in this element are in the SC district.

#### ***Single Family Design Review***

Single family design review is a staff-level review that is required for all new single family homes, second-story additions or exterior modifications, and first-story additions or exterior modifications along the front of lots (and along street side yards of corner lots). This review is required for mobile and manufactured housing as well as site-built housing. The review is based on the design guidelines, which focus on issues of scale, neighborhood compatibility, and minimization of privacy impacts onto neighboring properties. City staff may exempt both first-story and second-story additions/ exterior modifications that are deemed to be of such a minor nature that they will not conflict with the design review guidelines.

Single family design review costs \$100, involves notification of neighboring property owners, and usually takes about three weeks after submittal of a complete application. Staff's decision may be appealed to the Planning Commission; staff may also refer an application directly to the Commission. The single family design review process was added to Newark's requirements in 2007 due to concerns over the appearance and impacts of homes and additions, including "monster homes."

#### **Conditional Use Permit**

Certain uses are listed in the zoning ordinance as conditional uses. Table 5-39 lists conditional uses in residential districts. Owners need approval from the City Council for a CUP. The council may impose conditions upon the use as part of the approval if necessary to ensure that the use will be compatible with both the purpose and permitted uses of the zoning district. The fee for a conditional use permit is \$2,400 and review can take up to 3 months.

Newark currently requires any residential development with 5 or more units to obtain a conditional use permit (CUP) even if the project is proposed for a compatible multiple-family zone. Newark uses this system in order to allow flexibility in design for multiple-family projects and to ensure that new multi-family projects meet city standards for site design and architecture. Conditions include those necessary to comply with CEQA as well as conditions suggested by the police, fire, building, engineering and planning departments. Some typical conditions include the following:

- Limiting hours of construction;
- Requiring staff or commission/council approval of materials and/or colors not already approved as part of the application;
- Prohibiting certain maintenance activities, such as parking lot cleaning, during nighttime hours;
- Requiring roofs to be built with composition shingle and to be of Class C fire resistive construction or better;
- Requiring a trash enclosure with roof and constructed of materials that will match those of the development;
- Requiring a survey for Burrowing Owls prior to construction.

The impact of these conditions on a project application is difficult to judge because many of the conditions would need to be imposed even if a conditional use permit were not used. As a result, the main impact of the city's conditional use permit requirement is to mandate a higher level of scrutiny by city officials and the public.

Although there is no evidence that Newark's CUP requirement for multi-family projects acts as a constraint on housing, the California Department of Housing and Community Development (HCD) has requested that the city "consider removing the CUP requirement and implementing a formal design review process which does not require discretionary approval for multifamily projects in zones intended for multifamily use." Therefore, Program 10 of this housing element calls for the city to develop a formal design review process for multifamily housing to replace the Conditional Use Permit process for multifamily housing projects in multifamily districts

during 2010. The new process will likely be modeled on and similar to the existing single-family design review, and will not require discretionary approval.

#### ***Planned Unit Development (PUD) Permit***

One special type of conditional use applicable to all residential zoning districts is a planned unit development (PUD). PUDs provide flexibility by allowing projects that deviate somewhat from the zoning regulations when the projects comply with the purposes of the zoning ordinance and general plan. To qualify for a PUD, sites must be at least 20,000 square feet in area and the project must be designed to site development standards roughly equivalent to those of the underlying zoning district. The average population density of the project should also be about the same as that of the underlying zoning district. The cost for a PUD application is \$3,000 (in addition to the \$2,400 fee for a conditional use). The CUP and PUD are processed concurrently so that the time required for a PUD is the same as the 3 months typical of a CUP. Large multifamily projects are typically processed as a PUD in order to provide flexibility with the zoning standards.

#### ***Design Review***

Newark does not have a separate design review process or fee established just for design review, except for single family homes as described above. For other projects, design review is carried out as part of the Joint Staff Committee Review or CUP review, whichever is required. Resolution 5974 adopted in 1990, sets forth guidelines for the design of various types of projects. The guiding principles of design review in Newark are flexibility and recognition that good architecture does not need to cost more than poor architecture. In addition to the standards listed in Table 5-40, the following design guidelines apply to medium- and high-density residential projects:

- Provide adequate space for landscaping along project boundaries.
- Use site design and architecture to enhance residential qualities of the neighborhood.
- Use two to three story structures rather than towers, however, tall structures are okay if the project provides landscaped areas and better relationship to adjoining properties.
- Along major thoroughfares, provide wide landscape bands, limit signs and lighting, use compatible architectural style and materials, and screen mechanical equipment and trash enclosures.
- Provide on-site management, common meeting room and recreational facilities for projects of 20 or more units.
- Screen parking along streets with landscaping, enclose trash facilities and minimize exterior lighting.
- Design to provide for security and safety.

These requirements are all expressions of typical good design and do not confront housing developers with significant extra costs. They are not a constraint to the development of multifamily housing.

#### ***Environmental Assessment***

Under the California Environmental Quality Act (CEQA), most new projects require environmental assessment. The assessment can vary from a reasonably simple initial study and negative declaration to a full environmental impact report depending on the size and

complexity of the project, its anticipated impacts, and the level of public controversy. Most housing projects in Newark, both single family and multifamily, are approved with a negative declaration or a mitigated negative declaration. In these cases, the time required is typically no longer than for the other approvals. However, when an environmental impact report is required, the timing of project approval usually depends on how long it takes to complete the environmental review under CEQA. This can take many months if complex environmental issues are involved.

**Building Permit**

Once a project has been approved and construction is ready to begin, a building permit is needed. Construction plans must be submitted to the Building Department for a review that takes from 2 to 3 weeks. Building permit fees are calculated based on the value of the structure, which is based on the type of building and the size. According to the Building Official, Newark's fees are adjusted regularly as construction costs and market conditions change, and the fees are similar to those in other cities.

**Impact Fees**

In addition to fees paid for plan review, housing developers are subject to impact fees. According to a 2007 study, existing city impact fees in Newark for single-family homes total approximately \$8,000 per unit. For multi-family units, fees are approximately \$6,684 per unit. The fees charged in Newark for residential construction are show in Table 5-43 below. These fees do not include sewer, water and school fees, which are levied by other entities than the city.

TABLE 5-43 NEWARK'S PER UNIT IMPACT FEES

	Single Family	Multifamily
Park-in Lieu	\$2,998	\$2,278
Transportation Fee	\$801	\$460
Public Safety Fee	\$1,989	\$2,079
Community Facilities	\$1,942	\$1,596
Art in Public Places	\$270	\$270
<b>Total</b>	<b>\$8,000</b>	<b>\$6,684</b>

Source: Economic & Planning Systems, Inc., January 2007, Newark Development Impact Fee Study.

Impact fees for residential development in Newark are relatively low compared to other East Bay cities. Table 5-44 compares Newark's fees with those of four other nearby cities for single family and multifamily development.

TABLE 5-44 IMPACT FEES IN NEWARK AND NEARBY CITIES

	Single Family	Multifamily
Newark	\$8,000	\$6,684
Fremont	\$31,050	\$21,092
Livermore	\$21,978	\$14,547
Pleasanton	\$28,077	\$16,231
Union City	\$12,231	\$8,624

Source: Economic & Planning Systems, Inc., January 2007, Newark Development Impact Fee Study.

## **Code Enforcement and Community Preservation**

Newark has two Community Preservation Specialists who are responsible for code enforcement activities in the city. This work is seen as an important way to preserve the city's building stock, and other city staff assist as appropriate. Code enforcement activities are complaint-based, and the identity of the complainer is not divulged to the property owner. The Community Preservation Specialists regularly refer residents to the county-managed landlord-tenant dispute service.

## **NONGOVERNMENTAL CONSTRAINTS**

In Newark, as in much of the rest of the Bay Area, the most significant constraint to providing sites for affordable housing is that available land suitable for residential development is running out. As a result, land costs are significantly higher than in most other parts of the state. Housing prices are also high compared with most other areas, despite recent drops. In November 2008, the median single family home in Newark costs \$390,000, compared to a median home price statewide of \$285,680 (sources: Bay East Association of Realtors (<https://www.bayeast.org/mls/stats/bayeast>) and California Association of Realtors (<http://www.car.org/newsstand/newsreleases/novembersales/?view=Standard>)).

During the boom years of the early 2000s, the demand for housing greatly inflated housing costs so that prices had little or nothing to do with the costs of construction, financing, processing applications, or any other cost factors. Now that the bubble has burst and housing prices are falling, some of these costs may once again come into play.

### **Availability of Financing**

Financing for home construction, purchase or repair is available on equitable terms from private lenders for all parts of Newark. There is no evidence of any redlining. A representative from Trumark Companies, a major housing developer that has applied to build new homes in Newark, stated that financing is a significant constraint right now. Lenders are now requiring more money down and a higher return, which makes it difficult for many projects to pencil out.

### **Price of Land**

Land costs are still high in Newark as the amount of vacant and developable land decreases. It is unclear how the decreasing home sales and values will affect the price of vacant land. However, land costs in Newark are generally somewhat lower than in many other cities in the Bay Area.

### **Cost of Construction**

Another constraint is the cost of construction, which continues to go up. For big projects, even a small increase per square foot can be problematic. Construction costs in Newark are no higher than in other areas of Alameda County or the Bay Area, however.

## **CONSTRAINTS TO HOUSING FOR PERSONS WITH DISABILITIES**

Program 9 of the previous Housing Element called for the city to analyze, address, and remove constraints on housing for people with disabilities, as required by state law SB520. A detailed study was completed in 2005 that identified potential constraints, and in March of 2006, Newark

amended the zoning ordinance to address these constraints. Numerous changes were made to the code, including:

- Amending section 17.16.030 to allow Residential Care Facilities with 6 or fewer residents by right in residential districts, as is required by state law;
- Updating and redefining a number of definitions for community care type facilities in order to make the zoning ordinance both internally consistent and consistent with state law;
- Adjusting the districts in which each type of care facility is allowed;
- Adding facilities that serve more than 13 people to the zoning code;
- Removing unnecessary parking standards;
- Allowing handicapped ramps to extend into required yards; and
- Incorporating the Guidelines for Community Care Facilities were incorporated into the zoning ordinance so that all requirements would be in a single place.

## **5.6 EVALUATION OF THE 2002 HOUSING ELEMENT**

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Since adoption of the 2002 housing element, Newark has made substantial progress. Of the 10 programs listed, 9 have been totally or partially implemented. The city has rezoned approximately 40 parcels of land, implemented an inclusionary housing program and an affordable housing impact fee for new commercial and industrial development, built relationships with nonprofit housing developers, amended the zoning code to remove constraints on housing for people with disabilities, and analyzed impacts of the city's conditional use permit requirement.

The city's program to rehabilitate multifamily housing was partially successful. Newark conducted an inventory of older multifamily housing in the city to identify the buildings most in need of assistance, and contacted owners to encourage them to participate in Alameda County's multifamily rehabilitation program. Because funding for that program is provided by federal Community Development Block Grant (CDBG) dollars, buildings that receive funding are then required to provide 51% or more of the units at affordable rents. However, most of the multifamily developments identified in Newark are small, with fewer than 10 units, and the property owners did not want to participate given the affordability requirements. The city still provides information about the program on its website, but is no longer actively encouraging property owners to participate. In addition, the city is also looking for funds that could be used for a similar program, but with fewer restrictions placed on the property.

Another program that was partially successful was the down payment assistance program. The city contracted with First Home, Inc. to administer the program. First Home held free homebuyer seminars in Newark, which were attended by people from over 126 households, and 26 of these received additional free homebuyer counseling. Several went on to buy homes using other forms of assistance. Three applicants met all of the requirements of the program but did not choose to participate. One problem with this program was that the income levels were low because the funding source was CDBG money, so that the down payment assistance of \$60,000 may not have been enough to enable qualifying people to purchase a home. Another potential problem could have been the ready availability of financing; people may have found options on the market that appeared to be better than the city's down payment program. This is another program that the city could consider revisiting if an alternative source of funding becomes available, such as redevelopment money.

Two programs involved acquiring sites and/or constructing new facilities. One called for new senior housing, or housing for people with other special needs; the other was specifically concerned with homeless shelters. In both cases, the city has talked with several non-profit organizations and helped them study potential sites. Newark also set aside CDBG funds for site acquisition. This work will continue into the future.

The program that proved the most difficult to implement was the local rent subsidy program. Envisioned as a local subsidy modeled on the federal Section 8 program, city staff soon realized that additional staff and funds would be needed to implement this type of program. One additional difficulty is that the rental assistance would likely be considered as income, which could affect participant's ability to qualify for other forms of assistance. Another practical problem was that the amount of money needed to help a single household would be quite high,

limiting the number of households that could be assisted. After much research and consideration, the city determined that this program would not be feasible.

Finally, the 2002 housing element included two programs to rezone land for housing. Program 7 discussed rezoning 19 sites, and Program 8 involved studying and rezoning a single very large site. Both of these programs were partially implemented. For Program 7, 10 of the 19 sites were rezoned, making 150 housing units possible. Most of the remaining sites were not rezoned because they were located in the Old Town neighborhood, and a detailed study of that area was needed first. That study was completed in mid-2008, and the rezonings are included in this housing element. All nine of the sites are considered in the AB 1233 analysis of additional sites for which the city needs to plan. For Program 8, the city conducted a detailed study of the feasibility of developing the site with housing. Due to neighborhood opposition, the city decided to wait until a specific proposal was received. A developer has now submitted an application for a portion of the site, and is proposing to build 200 new townhomes. That application was approved by the City Council in January 2009. The remainder of the site is included in the site inventory for this housing element.

Table 5-45 provides more information on the progress in implementing all the programs in the 2002 element, and also provides an evaluation and recommendations for each program.

TABLE 5-45 EVALUATION OF THE 2002 HOUSING ELEMENT

Programs and Quantified Objectives	Progress to 2008	Evaluation & Recommendations
<p><b>Program 1: Multifamily Housing Conservation and Rehabilitation.</b> Identify apartment buildings in need of rehabilitation, find funding, and develop a rehabilitation program.</p> <p><i>Quantified Objective:</i> Rehabilitate 300 units while conserving their affordability.</p>	<p>Newark staff researched multifamily housing programs in other California cities and potential funding sources. Funding from the state Community Code Enforcement Program was no longer available, and Newark has no redevelopment funds. As a result, the only funding source available was Community Development Block Grant (CDBG) money.</p> <p>Since Newark does not receive enough CDBG funds to run its own rehabilitation program, the city decided to use its CDBG funds to encourage multifamily developments to participate in the Alameda County program by providing additional funding. To that end, Newark allocated CDBG funds for multifamily rehabilitation in FY 2003-04 and FY 2004-05.</p> <p>Information about the County program and additional funding was posted on the city's website and made available in public information kiosks at City Hall.</p> <p>Through a Memorandum of Understanding with Alameda County, Newark then arranged for county building inspectors from the multifamily rehabilitation program to carry out drive-by inspections and assessments of 50 older multifamily developments with more than 5 units. These inspections were used to identify 14 multifamily developments that could particularly benefit from rehabilitation. The City then mailed a letter to each property owner to make them aware of the program, and followed up with telephone calls.</p> <p>Two property owners were interested in the program and were given additional information. However, both declined to participate due to the CDBG-mandated rent restrictions that would be placed on the property if they participated.</p>	<p>This program has had several positive results. First, the city has much more detailed information about the condition of multifamily developments than was available in 2002. In addition, city staff was able to build stronger relationships with the County rehabilitation program, and information about this program is readily available to property owners. The city has also learned that the requirements related to CDBG funding are negatively perceived by most Newark property owners.</p> <p>Based on this experience, the city will continue this program in two ways. First, the city will continue to advertise the Alameda County Multifamily Rehabilitation Program, and will assist any Newark property owners who may decide to participate.</p> <p>Second, city staff will continue to search for additional funding sources that could be used to rehabilitate structures with conditions that are more acceptable to property owners. Many cities use redevelopment funds for this purpose. Newark is currently studying the possibility of expanding its redevelopment area, which could lead to increased housing funds. If these funds become available, they could be a</p>

## Programs and Quantified Objectives

**Program 2: Inclusionary Housing.** Develop and adopt an inclusionary housing program with incentives to mitigate impacts on the cost and supply of market rate housing.

**Quantified Objective:** Produce 25-50 units affordable to very low income households, 25-50 units for low income households, and 25-50 units for moderate income households.

**Program 3: Sites for Senior Housing.** Apply for funds to acquire affordable housing sites and seek a non-profit developer to design and build affordable housing.

## Progress to 2008

Information about the program is still available on the website and at City Hall. However, no units have actually been rehabilitated. It appears that a different funding source, which would place fewer restrictions on the property than CDBG funds, will be needed to make this program work. City staff and consultants are looking for alternative sources of funding.

Newark developed an inclusionary housing requirement and a housing impact fee for nonresidential developments. These were adopted in June 2004. The inclusionary housing program requires developers to provide 15% of units in projects with 5 or more units at affordable rates. For rental projects, 40% of the affordable units need to be provided for very low income households, 40% for low income households, and 20% for moderate income households. For ownership projects, 15% of the affordable units must be made available for low income households, and 85% for moderate income households.

From discussions with developers and property owners, staff learned that the requirements of the program were discouraging smaller multifamily developments. As a result, staff began working in 2007 to develop amendments to the program that would make it work better for smaller projects. These amendments included added flexibility in how the requirement is met and allow smaller projects to pay an in-lieu fee rather than constructing units. The amendments were adopted in January 2008.

In Fiscal Years 2003-04, 2004-05, and 2005-06, the city set aside a total of \$154,261 in Community Development Block Grant funds to use to leverage a site acquisition project. City staff also held discussions with several non-profit developers, including Satellite Housing and Habitat for Humanity, about potential projects in the city. In addition, city staff approached Alameda

## Evaluation & Recommendations

good choice for this program.

The inclusionary housing program has the potential to provide significant amounts of affordable housing in Newark, especially relative to large new housing developments. The program also assists with the city's goal of providing housing throughout the city rather than being concentrated in one neighborhood.

The risk with an inclusionary housing program, however, is that the requirement will serve as a disincentive for new housing development, especially for small projects. To that end, the city amended its program to provide additional flexibility for small projects in particular. One program of this housing element is to continue to monitor the inclusionary housing program and amend it as necessary.

Given the cost of land in Newark, additional funds would be needed to acquire a site for senior or other affordable housing. The city is planning to continue to work with housing developers to encourage and

## Programs and Quantified Objectives

*Quantified Objective:* Provide 15 units for very low income households and 15 units for low income households.

**Program 4: Local Rent Subsidies.** Evaluate the benefits, costs, sources of funding and administrative burden of a local rent subsidy program patterned after Section 8.

*Quantified Objective:* Provide rental subsidies to 50 very low and low income households.

**Program 5: Homeownership Assistance.** Study the possibility of creating a down-payment assistance program with HOME and other funds.

*Quantified Objective:* Provide

## Progress to 2008

County staff about the potential for HOME funds for a housing project in Newark. These efforts laid a solid groundwork for a site acquisition project. However, to date neither the city nor the non-profits have been able to locate a site that is the appropriate size, in a good location, and available for purchase. Another difficulty is that the city has very limited funds for site acquisition.

In 2006 and 2007, the CDBG Site Acquisition funds were re-allocated and used for a needed expansion of the Senior Center. However, the funds were replaced with a new allocation of 2008-09 CDBG funds.

Newark city staff researched the possibility of establishing a local rent subsidy program. Additional staff and funds would be needed to create a program run by the city itself. Staff also looked into the possibility of working with the Housing Authority of Alameda County to provide local rent subsidies for Newark residents on the waiting list for Section 8 assistance. However, this type of assistance would likely be considered as income by other programs, which could affect people's ability to qualify for those programs. Staff from a city in southern California which runs a pilot program of this type stated that the program is very expensive and involves a lot of administration, especially to set up. They suggested that Newark look at other ways of providing housing, as well as benefits that could help free up more of people's incomes for housing expenses.

In 2005, the City of Newark entered into a contract with the Bay Area Homebuyer Agency (BAHBA) to establish and administer a down-payment assistance program for the city. The city also set aside a total of \$90,000 in CDBG funds to be used for the program. City staff worked with BAHBA to establish guidelines and develop an application form and process for the program. BAHBA then held three first-time homebuyer educational

## Evaluation & Recommendations

support this type of project, and will look for other potential funding sources. Some possibilities include HOME funds, additional CDBG funds, Housing Fund monies from the housing impact fee and in-lieu fee, and redevelopment agency funds. The last two of these sources currently have very little money available, but both are anticipated to increase over time.

Based on the research, city staff determined that this program is not feasible given budget constraints. In addition, it appears that there are better ways to use the limited funding that the city has available for housing. This program is therefore not included in the current housing element.

Because the down-payment assistance program was funded with CDBG funds, the maximum income levels of households that could receive assistance was federally determined. These income levels were too low relative to housing prices for a \$60,000

## **Programs and Quantified Objectives**

down-payment assistance to 80 households.

**Program 6: Shelter Capacity Increases.** Conduct a detailed study of local needs, and work with providers to construct a new facility or expand an existing facility if needed.

## **Progress to 2008**

Seminars to both provide information to Newark residents and obtain applications for the program. People from 126 households attended the seminars, and 26 of these received free homebuyer counseling. There were 3 applicants who met all of the requirements for the downpayment assistance program, but did not choose to participate in the program. After three years of operating the program but being unable to provide assistance to a single homebuyer, the city discontinued the program.

The city completed a study of homeless shelter capacity and needs based on discussions with local homeless shelter providers and the results of the 2003 Homeless Count for Alameda County. That study found that there is a need for at least 10-15 additional homeless beds in Newark. As a result, city staff began exploring options for constructing a new facility or expanding the existing Second Chance homeless shelter in Newark. The existing Second Chance shelter has worked well in the city and has a good central location. As a result, city staff looked into expanding Second Chance, but found that in order to expand, the existing facility would need to be completely demolished and replaced.

## **Evaluation & Recommendations**

down payment assistance program to enable people to buy homes. Another problem may have been the ease of obtaining a market rate loan. Given the minimum qualifications for participation in the program, qualified applicants may well have been able to receive larger mortgages so that they did not need down payment assistance.

This housing element update does not include a program for down-payment assistance. However, the city will continue to provide information on homebuyer education resources on the website.

There is unmet need for additional homeless shelter beds in Newark, and the city's existing homeless shelter cannot be expanded. This housing element update sets forth a three-part approach to this problem. First, Program 5 calls for amending the city's zoning ordinance to allow homeless shelters by right in one zoning district (SB2). Second, Program 6 states the city's intention of continuing to support regional efforts to end homelessness, such as Alameda County's EveryOne Home Program. In addition, Program 10 involves working with non-profit organizations to support efforts to create new housing for special needs populations, including formerly

## Programs and Quantified Objectives

**Program 7:** Land Use Changes. Change the General Plan designations and/or zoning for 19 sites in the city. This will create a capacity for 486 new housing units, of which 200 may be developed by the end of the planning period. Of these, 10 would be affordable to very low income households, 10 to low income households, and 50 to moderate income households.

*Quantified Objective:* Change the General Plan designations and/or zoning for selected sites to provide additional housing capacity.

**Program 8:** Reuse of Site #55. Seek the reuse of Site #55, a 24-acre light industrial area located between the I-880 freeway and Cedar Boulevard.

*Quantified Objective:* Add 694 new housing units to the housing supply, with at least 70 units affordable to very low-, low-, and moderate-income households.

## Progress to 2008

Program 7 called for 18 sites to be rezoned, and an additional site to be studied and rezoned if possible. Altogether, the 18 sites would provide the potential for 254 new housing units, with an additional 166 housing units possible on the 19<sup>th</sup> site. Of these sites, 10 have been rezoned. These 10 sites could make 150 new housing units available.

Newark hired a consultant in 2003 to study the feasibility of rezoning this site for high density residential uses. The study looked at hazardous materials contamination on the site as well as potential traffic and other environmental impacts, and found that residential development could be provided on the site with appropriate mitigation measures. However, there was strong neighborhood opposition to rezoning this land for high density residential use. City staff therefore decided to wait until a developer proposed a specific project so that the developer could work with the neighbors to address their concerns. In 2008, the city received a proposal for development of one property owner's portion of this site. This proposal would provide for 200 units, of which 30 (15%) are required to be offered at below market rates.

## Evaluation & Recommendations

homeless people.

Most of the remaining 9 sites were located in the Old Town neighborhood of Newark, and rezoning those sites was delayed until a detailed Old Town study could be completed. That study was finished in mid-2008, and the sites will be rezoned in 2009.

The site that was to be studied was considered for rezoning, but an active chemical plant is located adjacent to the site. As a result, the city has decided not to rezone this site at this time.

Most of these sites are included in the Site Inventory for this element, and all are accounted for in the AB 1233 analysis of the number of housing sites needed.

This site along Cedar Boulevard is included in Site O in the site inventory for this housing element update. The site has been expanded and changed from high density to medium density housing.

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## Programs and Quantified Objectives

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**Program 9:** Analyze, Address and Remove Constraints to Housing for Persons with Disabilities. To comply with SB520, Newark will analyze the "potential and actual governmental constraints upon the maintenance, improvement, or development of housing . . . for persons with disabilities."

**Program 10:** Monitor and Address Impacts of Requiring a Conditional Use Permit (CUP) for Multifamily Projects. Newark's zoning code requires a CUP for all multifamily projects with more than five units. To ensure this is not a constraint on multifamily housing, the city will gather information on new applications for large multifamily projects and analyze it. If an adverse effect is found, the city will change its approval process.

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## Progress to 2008

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In 2005, Newark conducted a study that identified constraints to housing for persons with disabilities, as well as any inconsistencies with current state laws for regulating uses such as care facilities. The study also made suggestions for possible ways to remove those constraints. To address the constraints, Newark developed a comprehensive set of zoning ordinance amendments. These amendments included allowing residential care facilities with 6 or fewer residents in residential districts by right, updating definitions as necessary, allowing facilities in more zoning districts, adjusting parking requirements, and allowing handicapped ramps to extend into side yards. These amendments were adopted by the Newark City Council in March of 2006.

Newark staff examined the files for all multifamily housing project applications that were received between 1995 and 2005, and analyzed the files for evidence of constraints. There were a total of five applications during the fifteen year period. Of these, four were issued permits and two have been built. One received a permit but did not construct the project. The fifth project withdrew the application partway through the application process due to architectural and design issues.

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## Evaluation & Recommendations

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The constraints section of this housing element (Section 5.5) further discusses governmental constraints on housing for people with disabilities. Newark believes that the 2006 amendments to the zoning ordinance have addressed the constraints that previously existed in the city.

The study found that for most of the applications, the requirement for a Conditional Use Permit clearly did not act as a significant constraint on the project. However, because of the small number of applications and because incomplete information was available about all of the applications, this analysis was not definitive. Therefore, this housing element proposes to continue monitoring the CUP requirement to ensure that it does not act as a constraint on multifamily housing development. This proposal is found in Program 11 of this housing element.

## **5.7 GOALS AND POLICIES**

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### **GOAL 1: PRESERVE AND ENHANCE THE QUALITY OF NEWARK'S RESIDENTIAL NEIGHBORHOODS.**

- Policy 1a: Through the design review process, consistently apply high standards of design to both multifamily and single family projects.
- Policy 1b: Increase participation in the Alameda County housing rehabilitation and repair program funded with Community Development Block Grant funds.
- Policy 1c: Encourage participation in Alameda County's multifamily rehabilitation program.
- Policy 1d: Participate in HUD's Neighborhood Stabilization Program to address issues related to high and increasing numbers of foreclosures in Newark.
- Policy 1e: Require efficient energy design and construction of all new residential projects and major rehabilitation projects.
- Policy 1f: Encourage the integration of passive and active solar energy features into new housing developments.

### **GOAL 2: PROVIDE HOUSING OPPORTUNITIES FOR HOUSEHOLDS WITH A WIDE RANGE OF INCOMES.**

- Policy 2a: Develop specific plans and zoning amendments for Areas 2, 3 and 4 to provide significant amounts of land for new residential development. Work with property owners and developers to implement the plans in a timely fashion.
- Policy 2b: Use the planned unit development designation to ensure good overall project quality. Continue to allow relief from development standards to encourage the provision of lower cost housing.
- Policy 3d: Work with housing developers to encourage and support housing designed for and affordable to Newark's elderly residents and/or low-income families.
- Policy 2f: As required by state law, provide a 25 percent density bonus and an additional incentive, or financially equivalent incentive(s), to a developer agreeing to construct at least 20 percent of the units for lower-income

households, or 10 percent of the units for very low-income households, or 50 percent of the units for senior housing.

Policy 2g: Continue to participate in Section 8 rent subsidy programs administered by Alameda County.

Policy 2h: Continue to permit manufactured housing in all residential zones in the city with administrative design review.

Policy 2i: Continue to participate in the Alameda County mortgage credit certificate program to help first-time homebuyers qualify for mortgages, and encourage homebuyers to participate in the program.

**GOAL 3: PROVIDE HOUSING OPPORTUNITIES FOR RESIDENTS WITH SPECIAL NEEDS**

Policy 3a: Continue to enforce all federal, state and local regulations regarding accessibility for the handicapped in multifamily projects.

Policy 3b: Continue to permit group homes designed for handicapped persons to live independently in all residential zones.

Policy 3c: Continue to support the Second Chance emergency shelter.

Policy 3d: As required by SB2, amend Newark's zoning ordinance to allow homeless shelters as a permitted use in at least one zoning district.

Policy 3e: Continue to support regional approaches to ending homelessness, such as EveryOne Home.

Policy 3f: Support the use of available State and Federal funds for community care facilities to help mentally and physically disabled people to live independently.

**GOAL 4: SEEK TO BALANCE HOUSING AND JOB GROWTH IN NEWARK**

Policy 4a: Redesignate all or part of selected commercial and industrial parcels for residential use.

Policy 4b: Continue to impose an affordable housing impact fee applying to new industrial and commercial construction and major additions to commercial and industrial facilities.

**GOAL 5: ENSURE A CHOICE OF HOUSING TYPES AND LOCATIONS TO ALL PERSONS REGARDLESS OF RACE, SEX, CULTURAL ORIGIN, AGE, MARITAL STATUS, PHYSICAL HANDICAPS, OR FAMILY COMPOSITION**

Policy 5a: Continue to provide funding for ECHO Housing Services to address identified problems of discrimination in the housing market in Newark and to help resolve tenant-landlord disputes.

Policy 5b: Strive to provide housing that meets the needs of all persons by encouraging housing that is affordable, that provides access to employment and transportation, and that is located near services such as child care.

**GOAL 6: PROVIDE AFFORDABLE HOUSING THROUGHOUT NEWARK**

Policy 6a: Continue Newark's Inclusionary Housing Program to ensure a range of housing types in new developments.

Policy 6b: Continue to participate in Section 8 rent subsidy programs administered by Alameda County.

## **5.8 PROGRAMS AND QUANTIFIED OBJECTIVES**

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The goals and policies are statements generally describing the approaches Newark will take to meet housing needs in the city. Many refer to ongoing programs that will continue, but several indicate new initiatives the city is prepared to take to help alleviate the lack of affordable housing in the region and city. These programs are described below with current status, timing and expected results listed for each.

### **Program 1. Facilitate the preparation of specific plans for Areas 2, 3 and 4, and encourage development in those areas.**

General Plan Areas 2, 3 and 4 consist of the only significant vacant land remaining in the City of Newark. City staff has been working to promote development in those areas for several years now.

*Status & Timing.* Areas Three and Four are located in the southern area of the city. The Areas 3 and 4 Draft Specific Plan has been drafted and a Draft Environmental Impact Report for this project has been completed and is being circulated. The specific plan for those areas will be considered for adoption early in 2010. Construction is anticipated to begin in the Area 3 portion of the project on Cherry Street shortly after adoption of the Specific Plan.

Area Two is located adjacent to the proposed location of the Newark station on the Dumbarton Rail Line, and therefore is envisioned as a transit-oriented development (TOD). The specific plan is also referred to as the Dumbarton Transit Oriented Development Specific Plan. This planning project received a Station Area Planning Grant from the Metropolitan Transportation Commission. This Planning effort will include a Program Environmental Impact Report, form-based zoning and most entitlements. The background work for the specific plan is underway, with the first community meeting to be held early in 2010. The plan should be completed by early 2011.

Some of the high density housing in Areas Two and Three will be needed to meet the city's state-mandated share of the regional housing need for lower-income households. Therefore, when these parcels are rezoned, the zoning will meet the requirements of Government Code Section 65583.2(h). These requirements include allowing multifamily uses by right with at least 16 units per site at a density no less than 20 units per acre.

*Expected Results – 2009-2014.* Areas Three and Four are anticipated to include approximately 1,260 new residential housing units, of which 165 high density below market rate homes and 353 low density market rate homes are liked to be constructed during the planning period. In Area Two, a total of 1,953 new housing units are planned. Of these, 100 high density units, 337 medium density units, and 162 low density units are expected to be built by 2014.

**Program 2. Create mixed use zoning districts in Old Town.**

The Old Town Residential Infill Housing Study, completed in June 2008, recommends mixed use development in the Old Town neighborhood of Newark, primarily in the historic commercial core on Thornton Avenue. To implement this recommendation, the city has developed mixed use zoning districts and expects to rezone this land (shown as sites G, H and I on the site inventory map) for mixed use in late 2009. The zoning district regulations allow ground floor commercial uses with housing above, at a density of 40 units per acre. Mixed use is permitted, with mandatory Architectural and Site Plan Review (ASR). Entirely residential buildings are permitted in both the Mixed Use and Limited Mixed Use districts. The Mixed Use district may allow entirely commercial buildings with a conditional use permit if the finding can be made that the housing that could be accommodated on-site with mixed use development is not needed to provide Newark's allocation of housing as described in the Housing Element.

The Mixed Use (CMU) and Limited Mixed Use (CMUL) districts are described in the Constraints section of this housing element. Both districts include substantial incentives for lot consolidation, allowing developers who consolidate lots to receive increased density and/or height, reduced parking requirements, or other incentives.

*Status & Timing.* The zoning districts will be adopted and sites G, H and I will be rezoned before the end of 2009, even before the Housing Element is adopted.

*Expected Results--2009-2014.* Three housing element sites will be rezoned as a result of this program: G, H, and I. Together, these have the potential for up to 357 new housing units. City staff estimates that 60 of these housing units could be constructed by 2014.

**Program 3. Ensure sufficient land has been designated for housing**

Outside of Areas 2, 3 and 4 and Old Town, six sites will be rezoned and/or redesignated in the General Plan in late 2009, before this housing element is adopted. Five of these are expected to provide housing by 2014: E, J, L, O and P. In addition, Three sites are planned for longer term development: B, D, and M. Appendix 3 identifies each parcel for these sites, together with the existing and proposed zoning and general plan designations. During the planning period, the city will monitor development on these sites to ensure that it occurs at the densities stated in this housing element, in compliance with Government Code Section 65863.

*Status & Timing.* All of these sites will be rezoned in late 2009, before this housing element is adopted. A portion of one site, Site O, has already been rezoned due to a project application that was approved by the City Council on January 22, 2009.

*Expected Results--2009-2014.* The City will change the zoning and/or General Plan designations for sites B, D, E, J, L, M, O and P before the end of 2009, prior to adoption of this housing element. Throughout the remainder of the planning period, the city will monitor development of these sites to ensure that it occurs at appropriate densities as required by Government Code Section 65863.

**Program 4. Address issues with foreclosures by participating in the Neighborhood Stabilization Program and other actions as appropriate**

The Alameda County Urban County, of which Newark is a member, has qualified for \$2.1 million in Neighborhood Stabilization Program (NSP) funds to help address problems with foreclosures in the city. Newark has a significant number of homes that are in foreclosure or bank owned. According to DataQuick, there were 80 foreclosures in Newark in 2007, and 115 more foreclosures in the first six months of 2008. As of October there were 43 bank-owned homes on the market.

Alameda County has entered into a contract with a non-profit organization to administer this program, and is setting up a \$3 million revolving loan fund. Legal documents are being drafted, and the program should be able to begin acquiring vacant, foreclosed and blighted properties in late October 2009.

*Status & Timing.* Home purchases will begin in October 2009. Newark will submit information on homes that could qualify for purchase and rehabilitation.

*Expected Results—2009-2014.* The NSP is a one-time program, with funds available to be used on a revolving basis for five years. The number of homes that can be assisted through the program will be determined by housing prices, the extent of rehabilitation needed, and the amount of time necessary to complete the repairs and find qualified buyers. Newark expects to assist between one and five homes through this program.

**Program 5. Amend the zoning ordinance to allow homeless shelters by right in the RH zoning district**

As is now required by state law, each city with unmet homelessness need must allow homeless shelters by right in at least one zoning district, so that new shelters could be provided to meet all of the need. Newark therefore will amend its zoning ordinance to allow homeless shelters in the high density RH zoning district without a conditional use permit or other discretionary action. The same development and management standards that are used for multifamily housing in the RH zoning district will be applied to emergency shelters. This district is appropriate because it provides multifamily housing, which will be more similar in density to that found in a homeless shelter. In addition, most of the high density zoning districts in the city are located near major streets and/or commercial centers, thereby providing easy access to transportation and basic needs for residents.

*Status & Timing.* Newark is developing the zoning ordinance amendment and will act on the amendment during 2010.

*Expected Results—2009-2014.* The zoning ordinance amendment will be adopted in 2010. A new homeless shelter to serve the unmet need of 10-15 homeless people per night could be provided by the end of the planning period.

**Program 6. Continue to support regional efforts to end homelessness, such as Alameda County's EveryOne Home Program**

Homelessness is a regional problem which needs a regional solution. Newark's City Council has endorsed the EveryOne Home Program for Alameda County, which presents a regional approach to the problem. The EveryOne Home Program sets forth a vision for a housing-first program that focuses on transitional and supportive housing rather than temporary homeless shelters.

*Status & Timing.* Newark has endorsed the EveryOne Home Program and expects to continue to support the program through the planning period.

*Expected Results—2009-2014.* Newark will continue to support the efforts of the EveryOne Home Program.

**Program 7. Provide ongoing support for the Alameda County Housing Repair and Rehabilitation Programs**

Each year, a portion of Newark's CDBG funds is dedicated to the Housing Repair and Rehabilitation Program according to a formula approved by the Urban County jurisdictions. As the amount of CDBG funds has decreased and the cost of construction and repairs has increased, fewer households have been able to take advantage of this program. At the same time, city staff has begun promoting the program with senior citizens, which has increased demand for the program. To meet this increased demand and compensate for the reduction in dedicated funds, Newark has provided additional CDBG funds to the program. Unless federal funding increases substantially or demand decreases, the city anticipates continuing to provide these extra funds.

*Status & Timing.* Funds for the program are determined early each year, in January and February. Additional funding will be provided to the program whenever funds are needed and available.

*Expected Results—2009-2014.* With the additional funds, Newark anticipates being able to assist approximately 15 households each year through the minor home repair program, and to help another 3 households through the major rehabilitation program.

**Program 8. Monitor the city's inclusionary housing program and amend as needed**

Newark adopted an inclusionary housing program in 2004 in order to ensure that homes at a variety of prices would be available throughout Newark. At the same time that inclusionary housing requirements can provide more affordable housing, however, they can increase the cost of market rate housing and make it more difficult for developers to provide housing. To ensure that Newark's program does not pose a significant constraint on the provision of housing, the city will monitor the program and note any problems that arise. The monitoring will consider any impacts due to changes in market conditions, as well as the costs and benefits of the inclusionary housing requirements. The program will be amended as necessary to address the problems.

*Status & Timing.* Newark has been carrying out this program informally. The city revised the inclusionary housing requirements in 2008 in order to provide more flexibility to developers, especially developers of small projects.

*Expected Results—2009-2014.* The monitoring will continue, with amendments made as needed. The initial analysis will be carried out in 2010 and will be updated every other year. If problems are found due to market conditions or other factors, the monitoring reports will include recommendations for amending the program. These recommendations could include items such as identifying additional incentives for building affordable units.

**Program 9. Work with non-profit housing developers and organizations to support efforts to create new housing for seniors, people with disabilities, formerly homeless people, households with moderate incomes or below, especially including extremely low income households, and other special needs populations**

City staff has worked with a number of organizations in the past few years who are interested in constructing housing for people with special needs. The city can provide information about particular sites, can help to apply for funding and support the funding applications, and can expedite the application process. As part of this program, the city will encourage the provision of units specifically designated for extremely low income households. In addition, as set forth in Program 15, the city may be able to provide some funding through its CDBG jurisdictional funds, Housing Fund, and Redevelopment funds.

*Status & Timing.* This is an ongoing process which will continue throughout the planning period.

*Expected Results—2009-2014.* During this time, the city will assist organizations interested in locating facilities in Newark. Several projects could be constructed during this time period with city assistance, and could provide up to about 250 units of housing.

**Program 10. Create a multifamily design review process for all multifamily projects with five or more units to replace the current requirement for a Conditional Use Permit**

Although there is no evidence that Newark's conditional use permit requirement acts as a constraint on multifamily housing, the city will develop a new multifamily design review process to replace the conditional use permit requirement. The new process will likely be modeled on and similar to the existing single-family design review, and will not require discretionary approval.

*Status & Timing.* The new multifamily design review process will be developed during 2010, and will be adopted by the end of the year.

*Expected Results—2009-2014.* Once the design review process is adopted, multifamily project proposals will be able to use that process rather than obtaining a conditional use permit.

**Program 11. Amend the Municipal Code to comply with revisions to state density bonus law**

Newark will amend its zoning code regulations governing density bonuses in order to comply with revisions to Government Code Section 65915.

*Status & Timing.* This will occur in 2010.

*Expected Results—2009-2014.* This program will promote the financial feasibility of development affordable to lower income households utilizing density bonuses and incentives and concessions.

**Program 12. Work with the community and developers to identify a location for a new Civic Complex, and begin reuse of the existing City Hall site**

This site has many advantages for housing, including its location next to a park and with good access to transportation and shopping. Developers have already expressed interest in the site. Reuse of the site appears to be feasible within the planning period.

Newark staff is starting work to identify possible future locations for City Hall and the library, and anticipates beginning a community process to evaluate potential new sites in 2010. The City will then start an RFQ/RFP/BNA process to identify developers who are both interested in the project and able to carry out the project.

If in two and a half years after adoption of this element it is determined that this housing site will not work, the city will begin identifying other locations or accelerating development of long-term housing sites.

*Status & Timing.* A community process for identifying and evaluating potential new sites for the City Hall and library will begin in 2010. By 2011, the City anticipates releasing an RFQ/RFP/BNA to identify developers who are both interested in the project and capable of carrying it out. Construction could start in late 2012.

*Expected Results—2009-2014.* This program will result in the construction of approximately 2 single family homes and 211 high density condominiums or apartments during the planning period.

**Program 13. Transitional and Supportive Housing Zoning Amendments**

State law (SB 2) now requires all cities to treat 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 zoning district. Newark will amend its zoning code to incorporate definitions of transitional and supportive housing, and to comply with these state requirements.

**Status & Timing.** The zoning ordinance amendments will be completed in 2010.

**Expected Results—2009-2014.** This program will assist in making transitional and supportive housing available during the planning period.

**Program 14. Minimum Densities**

To comply with Section 65583.2(h) of the Government Code, the city will amend its zoning ordinance to allow at least 16 units per site at densities of no less than 20 units per acre for all high density sites that are being used to provide housing for low income households.

**Status & Timing.** The zoning ordinance amendment will be adopted at the same time or shortly after the zoning amendments set forth in Program 10 are adopted.

**Expected Results—2009-2014.** This program will create minimum densities for certain sites, which will encourage higher density, more affordable housing on those sites.

**Program 15. Federal, State and Redevelopment Funds**

The City shall apply for state and federal funds to construct housing, including housing for low income households. For funds that the City controls, such as CDBG jurisdictional funds, the Housing Fund, and Redevelopment Housing Fund monies, projects that would provide housing for extremely low income households will be given preference.

**Status & Timing.** Ongoing, depending on funding programs and fund availability.

**Expected Results—2009-2014.** This program will encourage the construction of housing, and especially housing for extremely low, very low and low income households.

**QUANTIFIED OBJECTIVES**

State law requires jurisdictions to establish quantified objectives relative to the maintenance, preservation, improvement and development of housing. The table below summarizes the quantified objectives of this housing element.

**TABLE 5-46 CITY OF NEWARK'S QUANTIFIED OBJECTIVES**

	New Construction	Rehabilitation	Conservation/ Preservation
Extremely Low	129	--	--
Very Low	128	20	--
Low	361	50	--
Moderate	586	20	--
Above Moderate	557	--	--
Total	1,761	90	--

The objectives for new construction are related to the sites provided and expected to develop by 2014, as set forth in the Site Inventory (Section 5.4) and Programs 1-3. The housing for extremely low income households in particular, and also some low income

households, is expected to be provided with some city assistance as set forth in Program 9.

Rehabilitation objectives are based on the expectation that the city will assist 18 households per year through the Alameda County Minor Home Repair and Owner Rehabilitation Program, as explained in Program 7. All of the households served through this program qualify as low or moderate income households per HUD requirements for CDBG funding. All of the households are also homeowners because of the nature of the program. Therefore, the city estimates that most assistance will go to low income households, with some help provided to very low income and moderate income households.

Newark does not have any subsidized affordable housing units that are at-risk of losing their affordability. There is limited existing market rate affordable housing, which is often multifamily rental housing in poor condition. The city participates in the Alameda County multifamily rehabilitation program, which assists interested property owners with rehabilitation while also preserving affordability, and markets that program to property owners. However, property owners have not been willing to participate in the program because of the rental restrictions that are placed on the property as part of the project. As a result, the city does not anticipate preserving any of these units even though the city will continue to participate in and advertise the program.

## **APPENDIX 1: COMMUNITY MEETING COMMENTS**

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### **Comments from the October 8 Community Meeting:**

- Building sites where seal level is projected to rise—need protection, also for neighboring areas
- Cargill Salt property as potential site? Cargill intends to continue operating
- Convert former auto areas? Want balance, another dealer
- Train station driving Area Two—when? Ten years . . . May be first phase
- Overpass on Central? No money now; housing contributes where impacts
- Plans for a coordinated approach to brownfields in Area Two? Yes
- What would happen to adult education if MacGregor closed? This just designates; city would help if closed
- Some areas already designated for housing? Yes
- Housing element amends General plan; would like to “tune up” whole thing
- Moving City Hall? If value is enough to build new City Hall elsewhere
- How would Area 2 develop given slow train timing? Plan for it now—takes time
- Vacant pads near Sun? Adjacent to industrial development—public safety issue

### **Comments from the January 21 Community Meeting:**

- No hospitals in Newark: isolation in case of earthquake
- Deadline for scoping comments? In early or mid-February; will be posted on website
- Evacuation routes
- Crime impacts
- Comments to [terrence.grindall@newark.org](mailto:terrence.grindall@newark.org)
- Keep it simple!
- Relationship between draft housing element & EIR
- Are sites a done deal? Opportunities for public input at this meeting, through written comments or phone calls, at Planning Commission & City Council meetings
- What is recourse to high density site in neighborhood?
- How do housing programs work with existing businesses on site?
- Can housing be integrated with businesses?
- Expand Newark Gardens? Low impact.

- Who gets to live in Newark Gardens? Is there a preference for Newark residents?
- Impacts to schools?
- Geology and soils should be included in EIR
- Mineral resources should be considered for Area 4
- City revoked permit for Pick-n-Pull; would they force other businesses out?
- Sites R & S will lead to lost tax base & lost industrial uses
- Wetlands in Area 2?
- Toxic clean-up in Area ?
- Overlap between redevelopment & Housing Element sites?
- Is there a map of the redevelopment area boundary?
- Does high speed rail line go through Newark? No.
- Renovation of Old Town?
- Process is owner driven
- New residences in Rosemont Center?
- Percent of projects for low income housing?

**Comments from the August 27 Community Meeting:**

- Site F: problem being near housing
- Will eminent domain be used? No.
- Housing needs in Newark? Not studies; need to use state numbers
- Need to attract & keep businesses. Shop Newark!
- New housing can go two ways
- Where will new kids go to school? Looked at generally.
- Don't have enough power or water
- Does city get part of property tax? 12%; there can also be special assessments
- Some sites seem absurd
- Why doesn't city take out long-term sites? Won't build anyway; why plan more?
- Don't want to be buried with low-income housing
- Looks like high density is all in Old Town—why not in Area 4?
- Why not Lucky's?
- Why put prime real estate in redevelopment area?

- Ruschin School has problems: drainage issues; only 47 homes would fit; impacts adjacent home values by \$10-15,000
- Jr. High site has issues: traffic especially, parking, speeding
- Ruschin School could be park
- How many more police officers/services would be needed? Analyze for proposals
- Ruschin site could provide housing for residents 55+
- Senior housing could help with crime issues
- Newark has need for senior housing
- Concerned about getting rid of school sites
- High density housing brings kids who will need schools
- Police have problems with medium and high density housing
- How to be notified? Put email on sign-in sheet
- Newark has problem with retail. City is working to encourage. Retail provides some jobs and revenue for services
- Newark wants to have a balance of uses
- Making incentive for businesses on sites to leave
- Can we build a lot of houses on the golf course area?
- Small businesses are important. Will these be relocated?
- Where do housing needs come from? State, then Association of Bay Area Governments.
- Penalties for not complying? Not eligible for state grants; Attorney General can sue city.
- Can Newark residents petition state to modify requirements?
- Would sites only be usable for housing? Would not affect existing uses.
- Staff believes it would be better for the city to have a plan that meets state requirements even if there isn't demand.
- Golf course could attract people.
- Area 4 is surrounded by dumps and industrial uses; how is that compatible with housing?

## APPENDIX 2: AB 1233 RHNA CALCULATION METHODOLOGY

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In 2005, the California Legislature passed AB 1233, which mandates that jurisdictions that "failed to mandate or make available adequate sites" to accommodate the numbers assigned to the city for the last housing element must "zone or rezone adequate sites" within one year to provide for those numbers. To determine how many sites must be accounted for, Newark talked with staff at the California Department of Housing and Community Development and developed the following methodology.

**STEP 1:** Start with the RHNA numbers from the previous housing element cycle

	Very Low/Low	Moderate	Above Moderate	Total
1999 RHNA	316	347	587	1250

**STEP 2:** Determine the number of sites that were shown in the 2002 housing element as already zoned for housing. These sites are shown in the following table

Site	Density	Units	Total
29	R-6000	3	68 low density units, counted as above moderate income
30	R-6000	16	
53	R-7000	7	
54	R-7000	42	
26	R-2500	4	133 medium density units, counted as moderate income
27	R-2500	4	
28	R-2500	6	
34	R-2500	14	
41	R-2500	32	
24	R-2500	42	
42	R-2500	31	7 high density units, counted as low/very low income
46	R-1500	7	

**STEP 3:** Determine the number of sites that have been rezoned since adoption of the housing element.

Site	Density	Units	Total
48	R-6000	4	4 low density units, counted as above moderate income
21	R-2500	7	
22	R-2500	11	31 medium density units, counted as moderate income
23	R-2500	3	
35	R-2500	6	
45	R-2500	4	115 high density units, counted as above moderate income
19	R-1500	34	
20	R-1500	57	
43	R-1500	5	
44	R-1500	19	

**STEP 4:** Subtract the number of sites that were shown in the 2002 housing element as already zoned for housing and the number of sites that have been rezoned since adoption of the housing element from the 1999 RHNA to determine the number of sites that need to be accounted for per AB 1233.

	Very Low/Low	Moderate	Above Moderate	Total
1999 RHNA	316	347	587	1250
Sites Ready	7	133	68	208
Sites Rezoned	115	31	4	150
Remaining 99 RHNA	194	183	515	892

## **APPENDIX 3: DETAILED SITE INVENTORY**

Appendix 3: Detailed Site Inventory by Parcel

Site ID	Parcel ID	Current Zoning	Proposed Zoning	Current Use	Proposed Use	Residential Units	Allowable Density	Estimated Density	Office Units	Other Units	Other	On-Site Construction
A	092A-0779-005-00	R-6000	R-6000	LR	LR	Residential	6000 sf/du	6000sf/du	0.71	3	1	4
A	092A-0779-007-00	R-6000	R-6000	LR	LR	Residential	6000 sf/du	6000sf/du	0.96	7	1	5
SUBTOTALS for SITE A												
B	092A-0780-079-00	R-6000	R-6000	P-1	LR	School district offices	6000 sf/du	6000sf/du	2.81	20	0	0
C	092A-0629-043-00	R-2500	R-2500	NC (MR option)	NC (MR option)	Vacant	2500 sf/du	2500 sf/du	0.53	9	0	9
D	092A-0600-001-02	CN	CN (R-6000 overlay)	NC	NC (LR option)	Shopping Center	6000 sf/du	6000 sf/du	2.29	17	0	0
D	092A-0600-007-02	CN	CN (CMU overlay)	NC	NC (CMU option)	Shopping Center	40 units/ac	30units/ac	2.33	70	0	0
SUBTOTALS for SITE D												
E	092A-1096-028-06	CPA	RH	P-1OC	HR	Offices	not specified	45 du/ac	0.39	10	0	0
E	092A-1096-033-03	CPA	RH	P-1OC	HR	Vacant	not specified	45 du/ac	0.75	34	0	34
E	092A-1096-031-02	CPA	RH	OC	HR	Offices	not specified	45 du/ac	0.43	19	0	19
E	092A-1096-029-02	CPA	RH	P-1OC	HR	Offices	not specified	45 du/ac	0.86	22	0	0
E	092A-1096-030-02	CPA	RH	OC	HR	Offices	not specified	45 du/ac	0.84	22	0	0
E	092A-1045-013-11 (009)	CPA	RH	P-1	HR	City Hall	not specified	45 du/ac	0.51	18	0	140
E	092A-1038-011-01 (009)	CPA/OP	RH	P-1	HR	City Hall	not specified	45 du/ac	4.47	190	0	0
E	092A-1038-011-01 (009)	CPA/OP	R-6000	P-1	LR	City Hall	15 du/ac	12 du/ac	0.27	7	0	0
E	092A-1036-028-04 (009)	CPA	RH	P-1OC	HR	Vacant commercial bldg	not specified	45 du/ac	0.22	4	0	0
E	092A-1036-028-04 (009)	CPA	R-6000	P-1OC	LR	Vacant commercial bldg	15 du/ac	12 du/ac	0.56	6	0	0
E	092A-1036-028-07 (009)	CPA	RH	P-1OC	HR	Vacant	not specified	45 du/ac	0.41	18	0	18
E	092A-1036-028-07 (009)	CPA	R-6000	P-1OC	LR	Vacant	15 du/ac	12 du/ac	0.20	2	0	2
SUBTOTALS for SITE E												
F	092A-0919-008-02	R-1500	R-1500	HR	HR	Residential	1500 sf/du	1500 sf/du	0.27	8	1	0
F	092A-0919-009-02	R-1500	R-1500	HR	HR	Residential	1500 sf/du	1500 sf/du	0.21	6	1	0
F	092A-0919-010-02	R-1500	R-1500	HR	HR	Vacant	1500 sf/du	1500 sf/du	0.68	20	0	20
F	092A-0919-011-02	R-1500	R-1500	HR	HR	Residential	1500 sf/du	1500 sf/du	0.21	6	1	0
F	092A-0919-012-02	R-1500	R-1500	HR	HR	Business	1500 sf/du	1500 sf/du	0.16	5	0	0
F	092A-0919-013-02	R-1500	R-1500	HR	HR	Residential	1500 sf/du	1500 sf/du	0.19	6	1	0
F	092A-0919-014-02	R-1500	R-1500	HR	HR	Boarded up home	1500 sf/du	1500 sf/du	0.21	6	0	6
F	092A-0919-015-02	R-1500	R-1500	HR	HR	Boarded up home	1500 sf/du	1500 sf/du	0.16	5	0	5
F	092A-0919-016-02	R-1500	R-1500	HR	HR	Business	1500 sf/du	1500 sf/du	0.18	5	1	0
F	092A-0919-017-02	R-1500	R-1500	HR	HR	Residential	1500 sf/du	1500 sf/du	0.18	5	0	0
F	092A-0919-018-02	R-1500	R-1500	HR	HR	Business	1500 sf/du	1500 sf/du	0.20	6	0	0
F	092A-0919-019-02	R-1500	R-1500	HR	HR	Residential	1500 sf/du	1500 sf/du	0.19	6	1	0
F	092A-0919-020-02	R-1500	R-1500	HR	HR	Residential	1500 sf/du	1500 sf/du	0.24	7	1	0
F	092A-0919-021-02	R-1500	R-1500	HR	HR	Residential	1500 sf/du	1500 sf/du	0.24	7	0	0
F	092A-0919-022-02	R-1500	R-1500	HR	HR	Business	1500 sf/du	1500 sf/du	0.24	7	0	0
SUBTOTALS for SITE F												
G	092-0029-013-00	CPA	CMUL	OC	CMUL	Residential	40 units/ac	30units/ac	0.15	5	1	0
G	092-0029-014-02	CPA	CMUL	OC	CMUL	Residential	40 units/ac	30units/ac	0.08	2	1	0
G	092-0029-015-02	CPA	CMUL	OC	CMUL	Business	40 units/ac	30units/ac	0.09	3	0	0
G	092-0029-016-02	CPA	CMUL	OC	CMUL	Business	40 units/ac	30units/ac	0.17	5	0	0
G	092-0029-017-02	CPA	CMUL	OC	CMUL	Residential	40 units/ac	30units/ac	0.16	5	1	0
G	092-0029-018-02	CPA	CMUL	OC	CMUL	Business	40 units/ac	30units/ac	0.17	5	0	0
G	092-0029-019-02	CPA	CMUL	OC	CMUL	Business/residential	40 units/ac	30units/ac	0.33	10	2	0
G	092-0029-020-02	CC	CMUL	OC	CMUL	Vacant	40 units/ac	30units/ac	0.19	5	0	5
G	092-0030-014-03	CC	CMUL	OC	CMUL	Vacant building	40 units/ac	30units/ac	0.17	5	0	5
G	092-0030-015-02	CC	CMUL	OC	CMUL	Vacant	40 units/ac	30units/ac	0.17	5	0	5
G	092-0030-016-02	CC	CMUL	OC	CMUL	Vacant	40 units/ac	30units/ac	0.17	5	0	5
G	092-0030-017-02	CC	CMUL	OC	CMUL	Vacant	40 units/ac	30units/ac	0.21	9	0	9
G	092-0030-018-04	CC	CMUL	OC	CMUL	Vacant	40 units/ac	30units/ac	0.13	4	0	0
G	092-0050-001-03	CPA	CMUL	OC	CMUL	Business	40 units/ac	30units/ac	0.14	4	0	4
G	092-0050-002-03	CPA	CMUL	OC	CMUL	Vacant	40 units/ac	30units/ac	0.13	4	0	4
G	092-0050-003-03	CPA	CMUL	OC	CMUL	Vacant	40 units/ac	30units/ac	0.96	29	0	0
G	092-0050-013-00	CPA	CMUL	OC	CMUL	Offices	40 units/ac	30units/ac	0.28	8	0	0
G	092-0051-002-03	CC	CMUL	OC	CMUL	Commercial	40 units/ac	30units/ac	0.50	15	0	0
G	092-0051-005-03	CC	CMUL	OC	CMUL	Commercial	40 units/ac	30units/ac	4.47	134	7	38
SUBTOTALS for SITE G												
H	092-0031-015-00	CC	CMU	SPC	CMU	Residential	40 units/ac	30units/ac	0.08	2	1	0
H	092-0031-016-02	CC	CMU	SPC	CMU	Residential	40 units/ac	30units/ac	0.17	5	1	0
H	092-0031-017-00	CC	CMU	SPC	CMU	Residential	40 units/ac	30units/ac	0.21	6	1	0
H	092-0031-018-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.23	7	0	0
H	092-0031-019-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.23	7	0	0
H	092-0031-019-00	CC	CMU	MR	CMU	Commercial	40 units/ac	30units/ac	0.12	4	0	0
H	092-0032-001-02	CC	CMU	MR	CMU	Parking lot	40 units/ac	30units/ac	0.23	7	0	0
H	092-0032-002-00	CC	CMU	MR	CMU	Vacant	40 units/ac	30units/ac	0.36	11	0	0
H	092-0032-003-00	CC	CMU	MR	CMU	Residential	40 units/ac	30units/ac	0.16	5	1	0
H	092-0032-004-00	CC	CMU	MR	CMU	Residential	40 units/ac	30units/ac	0.11	3	1	0
H	092-0032-005-00	CC	CMU	MR	CMU	Residential	40 units/ac	30units/ac	0.26	8	0	0
H	092-0032-006-01	CC	CMU	MR	CMU	Parking lot	40 units/ac	30units/ac	0.23	7	0	0
H	092-0032-008-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.28	8	0	0
H	092-0032-009-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.28	8	0	0
H	092-0032-010-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.06	2	0	0
H	092-0032-011-01	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.01	0	0	0
H	092-0032-011-01	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.42	13	0	0
H	092-0032-011-02	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.20	6	0	0
H	092-0041-003-02	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.26	8	0	0
H	092-0041-004-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.27	8	0	0
H	092-0045-001-02	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.11	3	0	0
H	092-0045-002-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.10	3	0	0
H	092-0045-003-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.15	5	0	0
H	092-0045-004-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.15	5	0	0
H	092-0045-005-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30units/ac	0.13	4	0	0

APN	County/Zone	Proposed Zone	Current Zone	Proposed Use	Current Use	Allowable Density	Estimate Density	Total Capacity	Existing Capacity	New Units	On-Site Constraints	
												Units/Day
H 092-0045-008-01	CC	CMU	SPC	CMU	Commercial	40 units/ac	30 units/ac	0.84	4	0	0	None
H 092-0045-009-00	CC	CMU	SPC	CMU	Vacant	40 units/ac	30 units/ac	0.68	1	0	0	None
H 092-0045-010-00	CC	CMU	SPC	CMU	Vacant	40 units/ac	30 units/ac	0.68	2	0	0	None
H 092-0045-011-00	CC	CMU	SPC	CMU	Vacant	40 units/ac	30 units/ac	0.68	20	0	0	None
H 092-0045-012-00	CC	CMU	SPC	CMU	Commercial	40 units/ac	30 units/ac	0.68	1	0	0	None
H 092-0045-013-00	CC	CMU	SPC	CMU	Vacant	40 units/ac	30 units/ac	0.15	5	0	0	None
H 092-0045-014-00	CC	CMU	SPC	CMU	Vacant	40 units/ac	30 units/ac	0.03	1	1	0	None
H 092-0045-015-00	CC	CMU	SPC	CMU	Residential	40 units/ac	30 units/ac	0.11	3	0	0	None
H 092-0045-016-02	CC	CMU	SPC	CMU	Commercial	40 units/ac	30 units/ac	0.23	7	0	0	None
H 092-0045-001-03	CC	CMU	SPC	CMU	Commercial	40 units/ac	30 units/ac	0.21	6	0	0	None
H 092-0045-001-04	CC	CMU	SPC	CMU	Mobile Lodge	40 units/ac	30 units/ac	0.77	23	0	0	None
H 092-0052-001-04	CC	CMU	SPC	CMU	Vacant	40 units/ac	30 units/ac	0.16	5	0	0	None
H 092-0052-004-00	CC	CMU	SPC	CMU	Vacant	40 units/ac	30 units/ac	0.16	5	1	0	None
H 092-0052-005-02	CC	CMU	SPC	CMU	Residential	40 units/ac	30 units/ac	7.18	215	7	0	None
SUBTOTALS for SITE H												
I 092-0041-001-00	CG	CMUL	HR	CMUL	Commercial	40 units/ac	30 units/ac	0.14	4	0	4	None
I 092-0041-002-01	CG	CMUL	HR	CMUL	Commercial	40 units/ac	30 units/ac	0.37	11	0	11	None
I 092-0041-002-02	CG	CMUL	HR	CMUL	Commercial	40 units/ac	30 units/ac	0.21	6	0	6	None
SUBTOTALS for SITE I												
J 092-0021-015-03	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.77	13	0	13	None
J 092-0024-010-00	R-1500	R-1500	HR	HR	Vacant	1500 sf/du	1500 sf/du	0.16	5	0	5	None
J 092-0029-022-00	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.28	4	0	4	None
J 092-0033-028-01	R-6000	R-6000	LR	LR	Vacant	6000 sf/du	6000 sf/du	0.14	1	0	1	None
J 092-0119-015-00	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.14	3	0	3	None
J 092-0125-002-02	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.41	7	0	7	None
J 092-0125-002-02	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.17	3	0	3	None
J 092-0127-013-00	CG	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.44	8	0	8	None
J 092-0127-020-00	CG	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.44	8	0	8	None
J 092-0131-001-09	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.95	6	0	6	None
J 092-0131-002-04	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.17	3	0	3	None
J 092-0131-003-00	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.14	2	0	2	None
J 092-0134-002-00	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.19	3	0	3	None
J 092-0135-023-00	R-2500	R-2500	MR	MR	Vacant	2500 sf/du	2500 sf/du	0.14	2	0	2	None
J 092-0136-015-00	R-6000	R-6000	LR	LR	Vacant	6000 sf/du	6000 sf/du	0.22	2	0	2	None
J 092A-0465-043-00	R-6000	R-6000	LR	LR	Vacant	6000 sf/du	6000 sf/du	0.46	3	0	3	None
J 092A-0465-044-03	R-6000	R-6000	LR	LR	Vacant	6000 sf/du	6000 sf/du	0.54	4	1	3	None
J 092A-0465-045-04	R-6000	R-6000	LR	LR	Residential	6000 sf/du	6000 sf/du	1.00	7	1	6	None
J 092A-0465-047-00	R-6000	R-6000	LR	LR	Residential	6000 sf/du	6000 sf/du	0.14	1	0	1	None
J 092A-1032-025-00	CPA	R-6000	LR	LR	Vacant	6000 sf/du	6000 sf/du	0.08	1	0	1	None
J 092A-1032-027-00	CPA	R-6000	LR	LR	Vacant	6000 sf/du	6000 sf/du	6.97	87	2	85	None
SUBTOTALS for SITE J												
K 092-0054-004-00	R-1500	R-1500	HR	HR	Residential	1500 sf/du	1500 sf/du	0.19	6	1	5	None
K 092-0054-005-00	R-1500	R-1500	HR	HR	Commercial	1500 sf/du	1500 sf/du	0.21	6	0	6	None
K 092-0054-006-00	R-1500	R-1500	HR	HR	Commercial	1500 sf/du	1500 sf/du	0.31	9	0	9	Potential contamination from auto uses
K 092-0151-019-00	R-1500	R-1500	HR	HR	Commercial	1500 sf/du	1500 sf/du	0.17	5	0	5	Potential contamination from auto uses
K 092-0151-020-00	R-1500	R-1500	HR	HR	Commercial	1500 sf/du	1500 sf/du	0.17	5	0	5	Potential contamination from auto uses
K 092-0151-021-00	R-1500	R-1500	HR	HR	Commercial	1500 sf/du	1500 sf/du	1.94	56	0	56	Potential contamination from auto uses
K 092-0151-022-02	R-1500	R-1500	HR	HR	Commercial	1500 sf/du	1500 sf/du	3.16	92	1	91	Potential contamination from auto uses
SUBTOTALS for SITE K												
L 092-0256-011-00	CG and R-2500	RH	MR	HR	Vacant	40 du/ac	30 du/ac	1.80	54	0	54	None
M 092A-2000-002-04	R-6000	R-6000	P-1	LR	NUSD Corporation Yard	6000 sf/du	6000 sf/du	7.30	53	0	0	Potential contamination from vehicles
N 092A-2143-039-00	R-7000	R-7000	LR	LR	Vacant	7000 sf/du	7000 sf/du	0.96	6	0	6	None
N 092A-2143-040-01	R-7000	R-7000	LR	LR	Vacant	7000 sf/du	7000 sf/du	0.46	3	1	2	None
N 092A-2143-040-02	R-7000	R-7000	LR	LR	Residential	7000 sf/du	7000 sf/du	1.43	9	1	8	None
N 092A-2143-041-00	R-7000	R-7000	LR	LR	Residential	7000 sf/du	7000 sf/du	1.10	7	1	6	None
N 092A-2143-042-00	R-7000	R-7000	LR	LR	Residential	7000 sf/du	7000 sf/du	4.18	26	3	23	None
SUBTOTALS for SITE N												
O 092A-2125-010-02	ML	R-1500	LI	HR	Industrial	1500 sf/du	2500 sf/du	1.04	18	0	0	0
O 092A-2125-011-02	ML	R-1500	LI	HR	Industrial	1500 sf/du	2500 sf/du	1.67	29	0	0	0
O 092A-2125-012-04	ML	R-1500	LI	HR	Vacant	1500 sf/du	2500 sf/du	0.30	5	0	0	0
O 092A-2125-013-00	ML	R-1500	LI	HR	Industrial	1500 sf/du	2500 sf/du	2.12	37	0	0	16
O 092A-2125-015-00	ML	R-1500*	HR	HR*	Vacant	1500 sf/du	2500 sf/du	1.00	16	0	0	25
O 092A-2125-015-00	ML	R-1500*	HR	HR*	Vacant	1500 sf/du	2500 sf/du	1.49	26	0	0	0
O 092A-2125-016-00	ML	R-1500	LI	HR	Industrial	1500 sf/du	2500 sf/du	1.04	18	0	0	32
O 092A-2125-017-00	ML	R-1500*	LI	HR	Industrial	1500 sf/du	2500 sf/du	1.30	22	0	0	0
O 092A-2125-018-01	ML	R-1500*	LI	U (H-R option)	Industrial	1500 sf/du	2500 sf/du	7.18	125	0	0	0
O 092A-2375-002-06	ML	ML (R-1500 overlay)	LI	U (H-R option)	Industrial	1500 sf/du	2500 sf/du	0.57	10	0	0	0
O 092A-2375-002-06	ML	ML (R-1500 overlay)	LI	U (H-R option)	Vacant	1500 sf/du	2500 sf/du	2.22	37	0	0	37
O 092A-2375-022-01	R-1500	R-1500*	HR	HR*	Vacant	1500 sf/du	2500 sf/du	0.52	8	0	0	8
O 092A-2375-026-00	R-1500	R-1500*	HR	HR*	Vacant	1500 sf/du	2500 sf/du	0.01	0	0	0	0
O 092A-2375-027-01	R-1500	R-1500*	HR	HR*	Vacant	1500 sf/du	2500 sf/du	2.71	46	0	0	46
O 092A-2375-027-02	R-1500	R-1500*	HR	HR*	Industrial	1500 sf/du	2500 sf/du	0.38	7	0	0	6
O 092A-2375-028-00	R-1500	R-1500*	HR	HR*	Vacant	1500 sf/du	2500 sf/du	1.54	27	0	0	26
O 092A-2375-030-00	R-1500	R-1500*	HR	HR*	Industrial	1500 sf/du	2500 sf/du	0.20	3	0	0	3
O 092A-2375-031-00	R-1500	R-1500*	HR	HR*	Vacant	1500 sf/du	2500 sf/du	2.94	51	0	0	0
O 092A-2375-032-00	ML	ML (R-1500 overlay)	LI	U (H-R option)	Industrial	1500 sf/du	2500 sf/du	0.27	5	0	0	0
O 092A-2375-033-00	ML	ML (R-1500 overlay)	LI	U (H-R option)	Vacant	1500 sf/du	2500 sf/du	0.83	14	0	0	0
O 092A-2375-036-01	ML	ML (R-1500 overlay)	LI	U (H-R option)	Industrial	1500 sf/du	2500 sf/du	0.35	6	0	0	0
O 092A-2375-037-02	ML	ML (R-1500 overlay)	LI	U (H-R option)	Food control channel	1500 sf/du	2500 sf/du	2.62	46	0	0	0
O 092A-2375-038-04	ML	ML (R-1500 overlay)	LI	U (H-R option)	Industrial	1500 sf/du	2500 sf/du	32.88	567	0	0	200
SUBTOTALS for SITE O												
* indicates parcel for which an application has been approved to develop a total of 200 townhomes												
P 092A-2585-032-00	ML	ML (RH overlay)	LI	U (H-R option)	Commercial	not specified	30 sf/du	2.26	68	0	0	0

