

2023–2031
Housing Element Update

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Table of Contents

CHAPTER 1: INTRODUCTION1-1

- Consistency with State Law 1-1
- Housing Element Organization 1-3
- Public Participation..... 1-4
- Summary of Engagement Activities..... 1-4
- Summary of Community Feedback 1-11

CHAPTER 2: EXISTING NEEDS ASSESSMENT2-1

- Introduction 2-1
- Demographic Profile..... 2-1
- Employment Trends 2-11
- Household Characteristics..... 2-16
- Special Needs Populations 2-25
- Housing Stock Profile..... 2-40
- Housing Costs and Affordability 2-44
- Assisted Housing at Risk of Conversion 2-53

CHAPTER 3: SITES INVENTORY3-1

- Introduction 3-1
- Regional Housing Needs Allocation 3-1
- Residential Sites Inventory 3-2
- Projection of Accessory Dwelling Units 3-29
- RHNA Summary 3-30
- Alternative Rezone Approach..... 3-31
- Infrastructure Availability 3-31
- Environmental Constraints 3-33

CHAPTER 4 : FAIR HOUSING ASSESSMENT.....4-1

- Introduction 4-1
- Fair Housing Assessment..... 4-2
- Fair Housing Enforcement, Education, and Outreach 4-3
- Historical Development and Investment 4-11
- Integration and Segregation..... 4-13
- Concentrated Areas of Race/Ethnicity and Income..... 4-34
- Access to Opportunities 4-40
- Disproportionate Housing Needs 4-61
- Other Relevant Factors..... 4-77
- Assessment of Sites Inventory and Fair Housing..... 4-80
- Fair Housing Issues, Contributing Factors, and Actions..... 4-94

CHAPTER 5: HOUSING PROGRAMS AND FINANCIAL RESOURCES5-1

- County Programs..... 5-1
- Federal and State Programs 5-2

Energy Conservation 5-8

CHAPTER 6: POTENTIAL HOUSING CONSTRAINTS.....6-1

 Governmental Constraints 6-1

 Non-Governmental Constraints 6-30

CHAPTER 7: EVALUATION OF THE PREVIOUS (2015-2023) HOUSING ELEMENT7-1

 Construction Achievements 7-1

 Program Evaluation 7-2

CHAPTER 8: HOUSING PLAN.....8-1

 Goals and Policy Actions..... 8-1

 Goal 1: Production of New Housing 8-2

 Action 1.1: Rezone Adequate Sites to Meet Remaining RHNA Need 8-2

 Action 1.2: Maintain an Inventory of Available Land Resources 8-3

 Action 1.3: Encourage Development of New Affordable Rental Housing 8-3

 Action 1.4: Promote Accessory Dwelling Units 8-4

 Action 1.5: Objective Standards 8-4

 Action 1.6: Density Bonus Ordinance 8-4

 Action 1.7: Monitor Development Fees 8-5

 Action 1.8: Amendments to the Downtown Specific Plan..... 8-5

 Goal 2: Preservation and Conservation of Existing Housing Stock 8-6

 Action 2.1: Rehabilitation of Existing Housing Units 8-6

 Action 2.2: Code Enforcement 8-6

 Action 2.3: Downtown-specific Investment Program..... 8-7

 Action 2.4: Monitor Assisted Housing Units 8-7

 Goal 3: Increase Access to Housing Opportunities..... 8-8

 Action 3.1: Increase Access to Homeownership 8-8

 Action 3.2: Promote Fair Housing 8-8

 Action 3.3: Housing Choice Voucher Program 8-9

 Action 3.4: Housing for Extremely-Low Income Households and Special Needs Groups..... 8-9

 Action 3.5: Reasonable Accommodation Procedures 8-10

 Action 3.6: Zoning Amendments for Special Needs Housing 8-10

 Action 3.7: Adequate Emergency Shelter Sites 8-11

 Action 3.8: Increase Capacity for Civic Engagement 8-11

 Action 3.9: Tenants’ Rights Information..... 8-12

 Quantified Objectives..... 8-12

Appendices

- A Public Engagement Materials
- B All Other Sites

Figures

Figure 1-1: Responses to “Have you or are you experiencing any of the following housing issues?” 1-5

Figure 1-2: Summary of Responses to “What do you feel is the most significant housing problem facing Oakley residents? (Choose up to three)” 1-5

Figure 1-3: Summary of Responses to AHO Site Selection 1-6

Figure 1-4: Flyers to Advertise Engagement Opportunities 1-8

Figure 1-5: Workshop Activity Board..... 1-9

Figure 2-1: Regional Population Trends, Oakley, Contra Costa County, and Bay Area, 2000-2020 2-2

Figure 2-2: Population by Age, Oakley, 2019 2-5

Figure 2-3: Population by Race and Ethnicity, Oakley, 2000-2019..... 2-8

Figure 2-4: Senior and Youth Population by Race, Oakley, 2019 2-10

Figure 2-5: Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence, Oakley, 2019 2-13

Figure 2-6: Jobs-Household Ratio, Oakley, Contra Costa County, and Bay Area 2002-2018 2-14

Figure 2-7: Average Unemployment Rates, Oakley, Contra Costa County, and Bay Area, 2010-2021..... 2-15

Figure 2-8: Households by Type, Oakley, 2019 2-17

Figure 2-9: Housing Tenure, Oakley, Contra Costa County, and the Bay Area, 2019..... 2-18

Figure 2-10: Housing Tenure by Race, Oakley, 2019..... 2-19

Figure 2-11: Housing Tenure by Age, Oakley, 2019 2-20

Figure 2-12: Housing Tenure by Housing Type, Oakley, 2019..... 2-21

Figure 2-13: Household Income Level by Tenure, Oakley, 2017 2-23

Figure 2-14: Overcrowding by Tenure, Oakley, 2017 2-24

Figure 2-15: Overcrowding by Income Level, Oakley, 2017 2-25

Figure 2-16: Senior Households by Income and Tenure, Oakley, 2017..... 2-27

Figure 2-17: Household Size by Tenure, Oakley, 2019 2-29

Figure 2-18: Housing Units by Number of Bedrooms, Oakley, 2019..... 2-30

Figure 2-19: Female-Headed Households by Poverty Status, Oakley, 2019..... 2-31

Figure 2-20: Disability by Type, Oakley, 2019..... 2-32

Figure 2-21: Homelessness and Shelter Status, Contra Costa County, 2019 2-35

Figure 2-22: Characteristics of the Population Experiencing Homelessness, Contra Costa County, 2019 2-35

Figure 2-23: Racial Demographics of the Homeless Population, Contra Costa County, 2019 2-36

Figure 2-24: Farm Operations and Farm Labor, Contra Costa County, 2002-2017..... 2-39

Figure 2-25: Vacancy Rates, Oakley, Contra Costa County, Bay Area, 2019..... 2-42

Figure 2-26: Vacant Units by Type, Oakley, Contra Costa County and Bay Area, 2019.. 2-42

Figure 2-27: Home Values of Owner-Occupied Units, 2019..... 2-45

Figure 2-28: Zillow Home Value Index (ZHVI), 2021..... 2-46

Figure 2-29: Contract Rents for Renter-Occupied Units, 2019..... 2-47

Figure 2-30: Median Contract Rent, Oakley, Contra Costa County and Bay Area, 2019 2-48

Figure 2-31: Cost Burden by Income Group, Oakley, 2017	2-50
Figure 2-32: Cost Burden by Tenure, Oakley.....	2-51
Figure 2-33: Cost Burden of Renter Households by Income Level, Oakley	2-52
Figure 2-34: Cost Burden of Owner Households by Income Level, Oakley	2-52
Figure 3-1: Sites Inventory Map, City of Oakley, 2022 (REVISED MAP).....	3-3
Figure 3-2: Downtown Sites, City of Oakley, 2022 (UPDATED MAP).....	3-27
Figure 3-3: Environmental Constraints (NEW MAP).....	3-35
Figure 4-1 Racial Dot Map of Oakley and Surrounding Areas, 2020	4-15
Figure 4-2: Racial Demographics in Contra Costa County	4-16
Figure 4-3: Racial Demographics in Oakley	4-19
Figure 4-4: Comparison of Racial Isolation Index Values, Oakley and all Bay Area Jurisdictions, 2019.....	4-21
Figure 4-5: Comparison of Racial Dissimilarity Index Values, Oakley vs All Other Bay Area Jurisdictions, 2019	4-22
Figure 4-6: Distribution of Population with a Disability in Contra Costa County.....	4-24
Figure 4-7a: Distribution of Population with a Disability in Oakley, 2015-2019.....	4-25
Figure 4-7b: Distribution of Population with a Disability in Oakley, 2010-2014.....	4-25
Figure 4-8: Distribution of Percentage of Children in Married-Couple Households in Contra Costa County	4-27
Figure 4-9: Distribution of Percentage of Children in Female-Headed, No-Spouse or No-Partner Households in Contra Costa County.....	4-28
Figure 4-10: Percent of Children in Married-Couple Households by Tract in Oakley.....	4-29
Figure 4-11: Percent of Children in Female-Headed Households by Tract in Oakley.....	4-29
Figure 4-12: Distribution of Percentage of Population with Low to Moderate Income Levels in Contra Costa County.....	4-31
Figure 4-13: Distribution of Percentage of Population with Low to Moderate Income Levels in Oakley	4-33
Figure 4-14: R/ECAPs in Contra Costa County.....	4-35
Figure 4-15: Expanded R/ECAPs in Contra Costa County	4-36
Figure 4-16: R/ECAPs in Oakley	4-36
Figure 4-17: Median Household Income in Contra Costa County.....	4-37
Figure 4-18a: Median Household Income in Oakley, 2015-2019	4-39
Figure 4-18b: Median Household Income in Oakley, 2010-2014.....	4-39
Figure 4-19: Composite Score of TCAC Opportunity Areas in Contra Costa County	4-43
Figure 4-20: TCAC Composite Scores in Oakley.....	4-44
Figure 4-21: TCAC Opportunity Areas' Education Score in Contra Costa County.....	4-45
Figure 4-22: TCAC Opportunity Areas' Education Score in Oakley.....	4-48
Figure 4-23: Public Transit Routes in Contra Costa County.....	4-50
Figure 4-24: Public Transit Routes in Oakley	4-51
Figure 4-25: Transit Metric Map in Oakley.....	4-52
Figure 4-26: Job Proximity Index in Contra Costa County	4-53

Figure 4-27: TCAC Opportunity Areas’ Economic Score in Contra Costa County 4-54

Figure 4-28: Job Proximity Index in Oakley 4-55

Figure 4-29: TCAC Opportunity Areas’ Economic Score in Oakley 4-56

Figure 4-30: TCAC Opportunity Areas’ Environmental Score in Contra Costa County ... 4-57

Figure 4-31: CalEnviroScreen 4.0 Results in Contra Costa County 4-58

Figure 4-32: TCAC Opportunity Areas’ Environmental Score in Oakley 4-59

Figure 4-33: CalEnviroScreen 4.0 Results in Oakley 4-59

Figure 4-34: Healthy Places Index in Contra Costa County 4-60

Figure 4-35: Healthy Places Index in Oakley..... 4-61

Figure 4-36: Distribution of Percentage of Overpayment by Renters in Contra Costa County 4-64

Figure 4-37a: Distribution of Percentage of Overpayment by Renters in Oakley, 2015-2019 4-65

Figure 4-37b: Distribution of Percentage of Overpayment by Renters in Oakley, 2010-2014 4-66

Figure 4-38: Distribution of Percentage of Overcrowded Households in Contra Costa County 4-67

Figure 4-39: Distribution of Percentage of Overcrowded Households in Oakley..... 4-68

Figure 4-40: Sensitive Communities as Defined by the Urban Displacement Project in Contra Costa County..... 4-70

Figure 4-41: Sensitive Communities as Defined by the Urban Displacement Project in Oakley..... 4-71

Figure 4-42: Distribution of Percentage of Renter Units with HCVs in Contra Costa County 4-73

Figure 4-43: Location Affordability Index in Contra Costa County 4-74

Figure 4-44: Distribution of Percentage of Renter Units with Housing Choice Vouchers in Oakley..... 4-75

Figure 4-45: Location Affordability Index in Oakley..... 4-76

Figure 4-46: Distribution of Sites Inventory and Percent of Total Non-White Population by Census Tract 4-82

Figure 4-47: Sites Inventory and Racial/Ethnic Distribution by Census Tract, Oakley 4-82

Figure 4-48: Distribution of Sites Inventory and Median Household Income by Census Tract 4-84

Figure 4-49: Sites Inventory Income Distribution by Median Income of Census Tract, Oakley..... 4-84

Figure 4-50: Sites Inventory and Percent of Population with a Disability by Census Tract 4-85

Figure 4-51: Sites Inventory and Percent of Population with a Disability 4-86

Figure 4-52 Sites Inventory and Distribution of Female-Headed Households with Children 4-87

Figure 4-53: Sites Inventory and Distribution of Female-Headed Households with Children 4-87

Figure 4-54: Sites Inventory and TCAC/HCD Opportunity Areas 4-88

Figure 4-55: Sites Inventory and TCAC/HCD Opportunity Areas, Oakley	4-89
Figure 4-56: Sites Inventory and Distribution of Overpayment by Renters.....	4-90
Figure 4-57: Sites Inventory and Distribution of Overpayment by Renters.....	4-90
Figure 4-58: Sites Inventory and Areas at Risk of Displacement	4-91
Figure 4-59: Sites Inventory and Areas at Risk of Displacement, Oakley	4-92
Figure 4-60: Sites Inventory and Distribution of Current Housing Choice Voucher (HCV) Households.....	4-93
Figure 4-61: Sites Inventory and Distribution of Current Housing Choice Voucher (HCV) Households.....	4-93
Figure 6-1: Comparison of Estimated Single-family Residential Fees in Contra Costa County Jurisdictions	6-23
Figure 6-2: Comparison of Estimated Residential Fees in Contra Costa County Jurisdictions (10-Unit Multifamily Development).....	6-24
Figure 6-3: Comparison of Estimated Residential Fees in Contra Costa County Jurisdictions (100-Unit Multifamily Development).....	6-24
Tables	
Table 1-1: Summary of Community Workshop Feedback AHO Site Selection	1-10
Table 2-1: Regional Population Trends 2010-2020	2-2
Table 2-2: Population Growth, Oakley, 2010-2020	2-3
Table 2-3: Projected Population Growth, Santa Clara County Jurisdictions, 2020- 2040	2-3
Table 2-4: Population by Age, Oakley, Contra Costa County, and California, 2010 and 2019	2-6
Table 2-5: Racial and Ethnic Composition, Oakley, 2019	2-9
Table 2-6: Employment by Industry, Oakley, 2019.....	2-11
Table 2-7: Total Projected Job Growth, Contra Costa County 2020-2040	2-16
Table 2-8: Income Level Definitions	2-21
Table 2-9: HUD/HCD Income Limits based on Persons per Household, Contra Costa County, 2022	2-22
Table 2-10: Housing Needs for Extremely Low-Income Households, Oakley, 2018.....	2-26
Table 2-11: Population with Developmental Disabilities by Type of Residence, Oakley, 2020.....	2-33
Table 2-12: Emergency Shelters and Transitional Housing Included in the 2020 Point in Time County, Contra Costa County	2-38
Table 2-13: Number of Housing Units Oakley and Contra Costa County – 2000-2013..	2-40
Table 2-14: Housing Inventory By Unit Type	2-40
Table 2-15: Unit Size by Tenure, Oakley, 2019.....	2-41
Table 2-16: Housing Stock by Year Built, Oakley, 2019	2-43
Table 2-17: Ability to Pay for Housing Based on HCD Income Limits, 2022	2-49
Table 2-18: Inventory of Publicly-Assisted Rental Housing, Oakley, 2022.....	2-53
Table 2-19: Qualified Entities, Contra Costa County	2-56

Table 3-1: Regional Housing Needs Allocation, City of Oakley, 2023-2031..... 3-2

Table 3-2: Final Maps Approved and Under Construction 3-5

Table 3-3: Vacant Land with Tentative Subdivision Maps 3-7

Table 3-4: Capacity On Existing AHO Sites..... 3-12

Table 3-5: Capacity On Candidate AHO Sites 3-13

Table 3-6: Potential AHO Sites 3-14

Table 3-7: Downtown Specific Plan Sites..... 3-26

Table 3-8: Inventory of Available Residential Land for Development 3-29

Table 3-9: ADU Building Permits, City of Oakley (2018-2022)..... 3-30

Table 3-10: Sites Inventory Capacity Summary, City of Oakley (2023-2031) 3-31

Table 4-1: Number of DFEH Housing Complaints in Contra Costa County (2015-2020) 4-4

Table 4-2: Number of FHEO Filed Cases by Protected Class in Contra Costa County (2015–2020)..... 4-4

Table 4-3: Action(s) Taken/Services Provided by Protected Class..... 4-5

Table 4-4: Outcomes 4-6

Table 4-5: Fair Housing Advocacy Organizations, Contra Costa County..... 4-7

Table 4-6: Racial/Ethnic Dissimilarity Trends (1990–2020) in Contra Costa County 4-17

Table 4-7: Racial Composition for Contra Costa County and Oakley..... 4-18

Table 4-8: Neighborhood Racial Segregation Measures Oakley, 2000-2020 4-20

Table 4-9: Regional Racial Segregation Measures..... 4-20

Table 4-10: Percentage of Populations by Disability Types in Contra Costa County and Oakley..... 4-23

Table 4-11: Percentage of Population with Disabilities by Age in Contra Costa County and Oakley 4-23

Table 4-12: Households by Income Category and Tenure in Contra Costa County..... 4-30

Table 4-13: Population by Income Group, Oakley and the Region..... 4-31

Table 4-14: Households by Income Category and Tenure in Oakley, 2015..... 4-32

Table 4-15: Neighborhood Income Segregation Levels in Oakley 4-33

Table 4-16: Regional Income Segregation Measures 4-34

Table 4-17: White Population and Median Household Income of RCAAs in Contra Costa County 4-38

Table 4-18: Opportunity Indices in Contra Costa County..... 4-41

Table 4-19: Domains and List of Indicators for Opportunity Maps 4-42

Table 4-20: Freedom High School Enrollment by Race/Ethnicity..... 4-47

Table 4-21: Demographics of Households with Housing Problems in Contra Costa County 4-62

Table 4-22: Number of Households with Housing Problems by Household Type in Contra Costa County 4-62

Table 4-23: Households that Experience Cost Burden by Tenure in Contra Costa County 4-63

Table 4-24: Households that Experience Cost Burden by Tenure in Oakley	4-64
Table 4-25: Substandard Housing Conditions by Tenure in Contra Costa County	4-68
Table 4-26: Substandard Housing Conditions by Tenure in Oakley.....	4-69
Table 4-27: Mortgage Applications by Race, 2018-2019.....	4-78
Table 4-28: Housing Authority of Contra Costa County Publicly Supported Housing and Census Tract Demographics	4-79
Table 4-29: Census Tracts with the Largest Number of LIHTC Properties, Contra Costa County	4-80
Table 4-30: Fair Housing Issues, Contributing Factors, and Actions.....	4-95
Table 5-1: Federal and State Funding Programs	5-4
Table 6-1: Oakley General Plan Land Use Designations Allowing Residential Uses.....	6-2
Table 6-2: Permitted Residential Uses by zoning District.....	6-5
Table 6-3: Summary of Residential Zoning Requirements	6-6
Table 6-4: Residential Parking Requirements.....	6-7
Table 6-5: Downtown Specific Plan Permitted Uses by Subarea.....	6-8
Table 6-6: Development Standards for Multi-Family Construction in the Affordable Housing Overlay	6-11
Table 6-7: City of Oakley Residential Fees.....	6-21
Table 6-8: Development Plan Review Process.....	6-27
Table 6-9: Residential Land Listed for Sale, Oakley, CA (April 2022)	6-31
Table 7-1: RHNA Progress - Permitted Units Issued by Affordability	7-1
Table 7-2: Evaluation of 2015-2023 City of Oakley Housing Element Programs.....	7-4
Table 8-1: Quantified Objective Summary 2023-2031 Planning Period.....	8-12

Chapter 3: Sites Inventory

Introduction

Every city and county in California is mandated through State Housing Element Law to demonstrate it has adequate sites available through appropriate zoning and development standards and with the required infrastructure for a variety of housing types and income levels. The City must demonstrate it has adequate sites with capacity to accommodate the projected need for housing through the 2023-2031 planning period. This chapter describes the City's assigned housing target, called the Regional Housing Needs Allocation (RHNA), and provides the City's strategy for how it will accommodate the RHNA.

Regional Housing Needs Allocation

The State Department of Finance (DOF) is responsible for developing the total Statewide housing demand projection. With the State Department of Housing and Community Development (HCD), this demand is apportioned to each of the State's regions. The demand represents the number of additional units needed to accommodate the anticipated growth in the number of households, to replace expected demolitions and conversions of housing units to non-residential uses, and to allow for a future vacancy rate conducive to a healthy functioning housing market.

The Association of Bay Area Governments (ABAG), the Council of Governments (COG) representing the region, in cooperation with local jurisdictions, is responsible for allocating the region's projected new housing demand in each jurisdiction. This process is known as the Regional Housing Needs Allocation (RHNA) and the goals are referred to as the RHNA goals or the "regional share" goals for new housing construction. The allocation takes into account factors such as employment opportunities, market demand for housing, availability of suitable sites and public facilities, community patterns, types and tenure of housing needs and others. The allocation is divided into four income categories:

- Very-Low Income – 0 to 50 percent of the median income
- Low Income – 51 to 80 percent of the median income
- Moderate Income – 81 to 120 percent of the median income
- Above-Moderate Income – more than 120 percent of the median income

In determining a jurisdiction's share of new housing needs by income category, the allocation is adjusted to avoid an over-concentration of lower-income households in one jurisdiction. In addition to the allocation in the four income categories, State law also

requires cities to consider the needs of Extremely-Low Income (ELI) households earning 30 percent or less of the median income. The City assumes that 50 percent of the very low-income housing need is equal to the extremely low-income housing need. As such, there is a projected need for 139 extremely low-income housing units.

Table 3-1 shows the RHNA assigned to Oakley for the 2023-2031 Housing Element. It should be noted that the RHNA projection period is June 30, 2022 – December 31, 2030, which differs slightly from the Housing Element planning period of January 31, 2023 – January 31, 2031. As shown in the table, ABAG allocated 1,058 new housing units to Oakley, which includes 279 very low-, 161 low-, 172 moderate-, and 446 above moderate-income units.

TABLE 3-1: REGIONAL HOUSING NEEDS ALLOCATION, CITY OF OAKLEY, 2023-2031

	Very Low- Income Units ¹	Low-Income Units	Moderate- Income Units	Above Moderate- Income Units	Total
2023-2031 RHNA	279	161	172	446	1,058
Percent of Total	26%	15%	16%	42%	100%

Notes: ¹ Extremely low-income allocation is equal to 50 percent of very low-income allocation (134 units).

Source: Source: Association of Bay Area Council of Governments (ABAG), Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031 (Adopted December 2021).

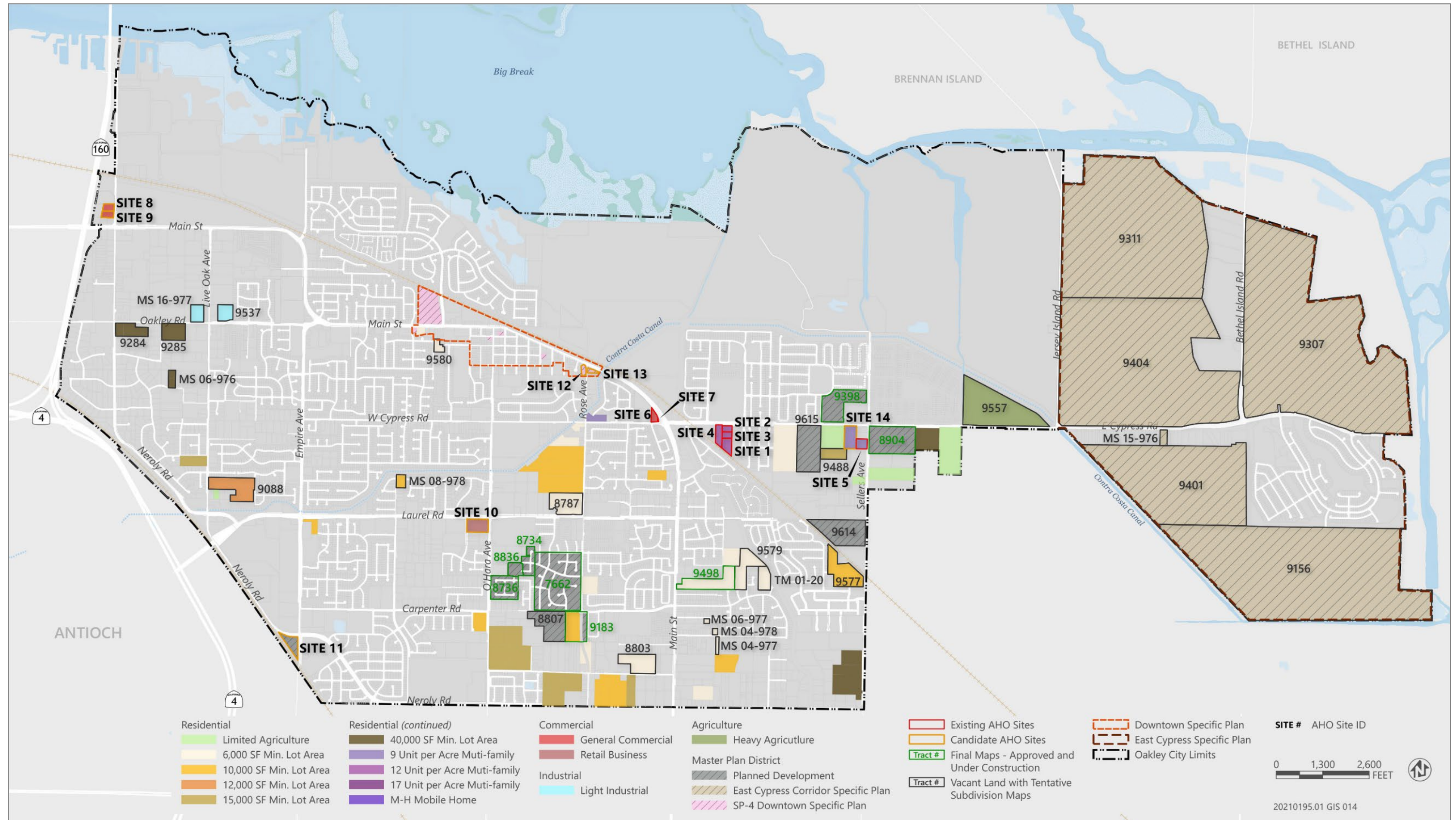
Residential Sites Inventory

This section describes the residentially-zoned land available to accommodate the City's RHNA. This includes entitled single-family lots that have not yet been built, vacant and underutilized sites that have potential for housing development, and a projection of accessory dwelling units.

Entitled Single-family Lots

Table 3-2 lists final subdivision maps for fully entitled residential developments. Most of these subdivisions are under construction. Building permits that were pulled prior to the start of the sixth cycle RHNA period (June 30, 2022) are counted toward the fifth cycle RHNA. However, the sixth cycle RHNA can be reduced by the number of lots that are entitled but have not been built or for which building permits were issued after June 30, 2022. As shown in table 3-2, there are eight entitled final maps with remaining capacity for 427 single-family units that can be credited toward the sixth cycle RHNA. All of these units are expected to be affordable only to above moderate-income households and are therefore credited toward the above moderate-income RHNA. After accounting for these entitled lots, the remaining above moderate-income RHNA is only 19 units. Entitled final maps are shown on Figure 3-1.

Figure 3-1: Sites Inventory Map, City of Oakley, 2022



Source: Data received from City of Oakley in 2022 and downloaded from Contra Costa County in 2022

TABLE 3-2: FINAL MAPS APPROVED AND UNDER CONSTRUCTION							
Subdivision Tract Number	Development Name	Project Location	Resolution Number	Approved Lots/Units	Building Permits Issued prior to June 30, 2022	Remaining Units	Status as of December 2022
7662	Stonewood - Seeno	Rose Lane	CC 05-03	215	36	179	Under construction. 80 permits pulled as of December 2022.
8734	Seeno Homes	Grapevine Ln.	County Approved	28	0	28	Under construction
8736	Pheasant Meadows – Discovery Buildings	1860 O-Hara	CC-125-05	42	0	42	Under construction. 30 permits pulled as of December 2022.
8836	Vintner View – Discovery Builders	Grapevine Ln.	CC-82-06	16	0	16	Not yet under construction.
8904	Baldocchi Estates	Southeast corner of East Cypress Rd. and Sellers. Ave.	CC 08-06	97	18	79	Under construction. 38 permits pulled as of December 2022.
9183	Stonewood 3	Southwest of Simoni Ranch Rd. and Little Ranch Cir.	CC 82-09	31	10	21	Partially constructed.
9398	Woodbury (Emerson Ranch Neighborhood 6)	Within Emerson Ranch Subdivision (NW corner of Sellers Ave. and Cypress Rd.	CC 87-16	104	69	35	All remaining lots under construction as of December 2022.
9498	Acacia	5360 Main Street	CC 119-19	108	81	27	All remaining lots under construction as of December 2022.
Total				641 single family	214 single family	427 single family	

Source: City of Oakley Planning Department, June 2022.

Vacant and Underutilized Sites

The Housing Element is required “to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction’s share of the regional housing need for all income levels” (Government Code Section 65583.2(a)). This section identifies vacant and underutilized sites in the inventory and describes the methodology for calculating capacity on these sites by income level.

Vacant Land In Tentative Subdivision Maps

The City has a significant amount of vacant land with tentative maps, either approved or under review, with capacity for 4,736 single-family units. Table 3-3 lists these sites, which are shown on Figure 3-1. The capacity on these sites is inventoried in the Housing Element based on the number of lots identified in the tentative maps.

Several of these tentative subdivision maps are within the East Cypress Specific Plan Area, with nearly 4,000 housing units planned. Property owners are actively working to build and certify the levee system to provide flood protection to the area. Development is expected to occur in phases as levee improvements are completed. Summer Lake North, which has capacity for 824 homes, recently completed an interim levee and is working to get it certified. Grand Cypress Preserve, which makes up a majority of the entitled portions of the East Cypress Corridor Specific Plan, has 3,167 entitled homes. The development team has submitted levee plans and is working toward starting levee construction sometime in 2023.

Exact phasing and timing for development in the East Cypress Specific Plan is unknown at this time, but based on the anticipated timing of the levee improvements and stated interest by the developers, the Housing Element inventory assumes 25 percent of the capacity within this area to develop within the timeframe of the Housing Element, which is equal to 999 homes.

TABLE 3-3: VACANT LAND WITH TENTATIVE SUBDIVISION MAPS								
Subdivision Tract Number	APN(s)	Development Name	Project Location	Size (Acres)	General Plan	Zoning	Resolution Number	Approved Lots/Units
8787	035-220-035	Rosewood	4073 Rose Ave.	12.06	Single Family High	R-6	CC 40-10	61
8803	034-210-009	Brownstone 10 - DCM Group	Brownstone Rd	10.79	Single Family High	R-6	CC 18-07	50
8807	034-110-007	Villa Grove - Discovery Builders	2080 O'Hara	15.03	Single Family Low	P-1	CC 37-07	50
9088	041-030-032, 041-030-033, 041-030-046	Cedarwood	Knox Lane between Michelle Lane and Live Oak Ave.	14.2	Single Family Low	R-12	CC 09-10	34
9284	041-080-001, 041-080-002	The Ranchettes at Neroly	Oakley Rd.	6.81	Single Family Very Low	R-40	CC 111-18	13
9285	041-090-002	Estates at Vineyard Acres	Knarlwood Rd. and Oakley Rd.	7.1	Single Family Very Low	R-40	CC 70-12	7
CITYWIDE TENTATIVE SUBDIVISION MAPS								
9488	033-170-021	Castro Property	East side of Machado Lane, south of East Cypress Road	5.06	Single Family Low	R-15	CC 120-18	10
9537	037-100-043	2480 Oakley Road Residential Development	2480 Oakley Road	4.35	Light Industrial	LI	89-20	22
9557	032-081-025, 032-081-026, 032-320-809	Burroughs Subdivision	Northeast corner of E. Cypress Rd and Knightsen Avenue	43.69	Single Family High	A-3	58-21	208
9577	033-150-011, 033-150-018	Oakley Village Subdivision	West of Sellers Ave., just west of the railroad tracks	14.44	Single Family Medium	R-10	135-21	42

TABLE 3-3: VACANT LAND WITH TENTATIVE SUBDIVISION MAPS								
Subdivision Tract Number	APN(s)	Development Name	Project Location	Size (Acres)	General Plan	Zoning	Resolution Number	Approved Lots/Units
9579	033-030-028, 033-030-032	Honey/Creekside Subdivision	463 and 560 Honey Lane	10.62	Single Family High	R-6	CC 38-22	57
9580	035-090-082	Golden Oak Subdivision	At western terminus of West Ruby Street and eastern terminus of Wildcat Way	1.9	Single Family High	R-6	CC 128-22	8
MS 04-977	033-090-045, 033-090-046, 033-090-047	Thompson	151 Hill Ave	1.02	Single Family High	R-6	PC 16-05	3
MS 04-978	033-053-065, 033-053-066, 033-053-067	Zel Debelich	140 Hill Ave	0.59	Single Family High	R-6	PC 27-05	3
MS 06-976	041-090-042, 041-090-043	Hooper Property	2836 Stirrup Drive	2.27	Single Family Very Low	R-40	PC 20-06	2
MS 06-977	033-053-070	Dyer Property	115 Douglas Rd.	0.49	Single Family High	R-6	PC 26-06	2
MS 08-978	035-050-012	4190 Brown Road	4190 Brown Rd	2.18	Single Family High	R-10	CC 76-09	4
MS 16-977	037-080-021	Hamman Minor Subdivision	2540 Oakley Rd.	4	Light Industrial	LI	CC 85-16	3
Citywide Tentative Subdivision Maps Subtotal								571 single family

TABLE 3-3: VACANT LAND WITH TENTATIVE SUBDIVISION MAPS								
Subdivision Tract Number	APN(s)	Development Name	Project Location	Size (Acres)	General Plan	Zoning	Resolution Number	Approved Lots/Units
EAST CYPRES SPECIFIC PLAN¹								
9156	020-140-048, 020-140-049, 020-150-003	Bethel Island LLC (Biggs)	South of Summer Lake South and North of Rock Slough	347.32	SP-4	SP-1	CC 149-20 CC 122-11	1,205
9307	032-340-006, 032-370-006, 032-370-012, 032-370-019, 032-370-021, 032-370-033, 032-370-035, 032-370-036	Summer Lake North	N/E corner of East Cypress Rd. and Bethel Island Rd.	408.18	SP-4	SP-1	CC 116-11	824
9311	032-082-001, 032-270-802	KT KB Oakley, LLC	Between Bethel Is. Rd., Jersey Is. Rd. and south of Dutch Slough Rd.	330.46	SP-4	SP-1	CC 45-12	276
9401	032-050-003, 032-370-028	Dal Porto South	2989 East Cypress Road	182.29	SP-4	SP-1	CC 96-15	403
9404	032-082-005, 032-082-013, 032-270-803, 703-208-003	Leshar	NE corner of Easy Cypress Rd. and Jersey Island Rd.	362.27	SP-4	SP-1	CC 98-15 CC 150-20	1,283
MS 15-976	032-070-006	Farr Tentative Parcel Map	2601 East Cypress Rd.	2.02	SP-4	SP-1	CC 97-15	2
<i>East Cypress Specific Plan Subtotal</i>								3,993 single family
Inventoried Units in East Cypress Specific Plan (i.e., 25% of total capacity)								999 single family

TABLE 3-3: VACANT LAND WITH TENTATIVE SUBDIVISION MAPS								
Subdivision Tract Number	APN(s)	Development Name	Project Location	Size (Acres)	General Plan	Zoning	Resolution Number	Approved Lots/Units
PENDING PROJECTS								
TM 01-20	033-030-030	Honey Lane Subdivision	637 Honey Lane	4.95	Single Family High	R-6	N/A	19
9614	033-150-013	Sellers Avenue Subdivision	5911 Sellers Ave.	20.46	Single Family Medium	P-1	N/A	77
9615	033-190-003, 033-190-004	Machado Lane Subdivision	Machado Ln. and East Cypress Rd.	19.63	Single Family Medium	P-1	N/A	76
<i>Pending Projects Subtotal</i>								172 single family
Total Inventoried Units Within Tentative Subdivision Maps								1,742 single family

Notes

1) It is assumed that 25% of the units counted in the East Cypress Specific Plan would be built during the planning period.

Source: City of Oakley Planning Department, December 2022

Affordable Housing Overlay District Sites

The low- and very low-income RHNA categories, collectively referred to as the “lower-income RHNA,” are almost always the most challenging income levels for cities to accommodate. Under State law, Oakley is considered a “metropolitan” jurisdiction because it is located within a metropolitan region with a population exceeding 2 million and has a local population that exceeds 25,000. State law establishes a “default density standard” of 30 units per acre for lower-income units in metropolitan jurisdictions. This is the density that is “deemed appropriate” to accommodate Oakley’s lower-income RHNA.

As described in Chapter 6: Constraints, the Affordable Housing Overlay (AHO) is the City’s primary strategy for meeting the lower-income RHNA. The AHO applies on top of the base zoning and allows housing densities that exceed the maximum units per acre otherwise allowed in a zoning district, if a development meets the State density bonus criteria.

Existing AHO Sites

The City originally created the AHO following adoption of the 2007 Housing Element to accommodate the lower-income RHNA and achieve State certification of the Housing Element. The AHO district was adopted with a density of 24 units per acre and higher densities could be achieved using a State density bonus. In previous Housing Element cycles, HCD accepted a market-based analysis demonstrating that 24 units per acre was an adequate density for building lower-income housing in Oakley. However, with changes in market conditions and more stringent review by HCD, 24 units per acre is no longer considered adequate, meaning that the City’s existing AHO sites (shown in Figure 3-1 and outlined in Table 3-4 below) cannot be counted towards the lower-income RHNA until the allowable density is increased to 30 units per acre. Because the existing AHO sites cannot count toward the lower-income RHNA at this time, the City has a shortfall of 434 lower-income units and a rezone obligation. Action 1.1 in the Housing Plan outlines that as part of the City’s rezone program, the City will be increasing the maximum density of the AHO to 30 units per acre to be consistent with the default density standard. Once this action is taken, the existing AHO sites will count toward meeting the lower-income RHNA. Additionally, all of these sites were previously counted in the fifth cycle Housing Element and are therefore subject to by-right approvals, as outlined in Action 1.1.

Candidate AHO Sites

The City has a shortfall of 434 lower-income units. Per state law, the City has three years from the adoption deadline of January 31, 2023, to rezone enough land to accommodate 434 lower-income units, as described in Action 1.1. The City will go through a separate public process and take action to rezone an adequate number of sites to meet the lower-income RHNA. Figure 3-1 shows the initial candidate AHO sites to consider for rezoning, with more details provided in Table 3-5 on each site. These candidate AHO sites have been presented and initially vetted by the public, the Planning Commission, and City Council, but could still change as the City begins working on the rezone program and solidifying sites to include in the AHO District. The City has also identified a list of potential AHO sites, outlined in Table 3-6 below. These sites, along with other sites, could potentially be considered and included in the AHO District as part of the rezone program.

TABLE 3-4: CAPACITY ON EXISTING AHO SITES

AHO Site	Site Name	APN	Size (Acres)	Vacant or Underutilized ¹	Base Zoning	General Plan	Potential Units (at 24 units/acre)	25% Reduced Capacity for Non-Vacant Sites	25% Reduced Capacity for Underlying Zoning	Units Counted Toward Lower-Income RHNA
1	E. Cypress Rd. & Van Pelt Ln. Lot 1	033-012-007	2.4	Underutilized (single family home)	M-12	Residential High	57 units	-14 units	N/A	43 units
2	E. Cypress Rd. & Van Pelt Ln. Lot 2	033-012-008	1.12	Underutilized (single family home)	M-12	Residential High	26 units	-7 units	N/A	20 units
3	E. Cypress Rd. & Van Pelt Ln. Lot 3	033-012-009	1.12	Underutilized (single family home)	M-12	Residential High	26 units	-7 units	N/A	20 units
4	E. Cypress Rd. & Van Pelt Ln. Lot 4	033-012-012	2.39	Underutilized (single family home)	M-12	Residential High	57 units	-14 units	N/A	43 units
5	6381 Sellers Ave.	033-180-007	1.98	Underutilized (single family home)	M-9	Residential Medium	47 units	-12 units	N/A	35 units
6+7	W. Cypress Rd. & Main St. Lot	035-282-058, 035-282-062	1.19	Underutilized (single family home)	C	Commercial	28 units	-7 units	-7 units	14 units
Total Capacity on AHO Sites							241 units			174 units

Source: City of Oakley and Ascent, 2022

Notes: ¹ See site profiles below for more detailed description of existing uses on underutilized sites.

TABLE 3-5: CAPACITY ON CANDIDATE AHO SITES										
AHO Site	Site Name	APN	Size (Acres)	Vacant or Underutilized ¹	Base Zoning	General Plan	Potential Units (at 24 units/acre)	25% Reduced Capacity for Non-Vacant Sites	25% Reduced Capacity for Underlying Zoning	Units Counted Toward Lower-Income RHNA
8	Bridgehead & Main Lot 1	051-052-108	1.42	Vacant	C	Commercial	34 units	N/A	-9 units	26 units
9	Bridgehead & Main Lot 2	051-052-106	1.42	Vacant	C	Commercial	34 units	N/A	-9 units	26 units
10	S/W Corner of Laurel Rd. and O'Hara Ave.	034-080-031	4.99	Underutilized	RB	Commercial	119 units	-30 units	-30 units	60 units
11	3300 Neroly Rd.	053-071-046	3.66	Vacant	P-1	Residential High, Commercial	87 units	N/A	N/A	87 units
12	4671 Rose Ave.	035-182-015	0.83	Vacant	SP-4	Commercial Downtown	19 units	N/A	-5 units	14 units
13	S/E Corner of Main St. & Rose Ave.	035-281-007	0.65	Vacant	SP-4	Commercial Downtown	15 units	N/A	-4 units	11 units
14	901 E. Cypress Rd.	033-180-015	2.8	Underutilized	M-9	Residential Medium	67 units	-17 units	N/A	50 units
Total Capacity on Proposed AHO Sites							375 units			273 units

Source: City of Oakley and Ascent, 2022

Notes: ¹ See site profiles below for more detailed description of existing uses on underutilized sites.

TABLE 3-6: POTENTIAL AHO SITES						
APN	Acres	Vacant or Underutilized	Base Zoning	General Plan	Max Capacity	Potential Units (at 24 units/acre)
037-040-027	0.74	Vacant	C	Commercial	22	17
037-040-026	2.48	Vacant	C	Commercial	74	59
033-110-003	8.46	Vacant	R-6, C	Residential Low/Medium, Commercial	253	203
033-100-004	7.65	Vacant	R-6, C	Residential Low/Medium, Commercial	229	183
Total					578	462

Source: Ascent, June 2022.

Methodology for Estimating Capacity on AHO Sites

Government Code Section 65583.2(c) requires the City to demonstrate that the projected residential development capacity of the sites identified in the Housing Element can realistically be achieved. When establishing realistic unit capacity calculations, the City must consider development trends of existing or approved residential developments at a similar affordability level, as well as the cumulative impact of standards such as maximum lot coverage, height, open space, and parking requirements. Furthermore, when the site has the potential to be developed with nonresidential uses, requires redevelopment, or has an overlay zone allowing the underlying zoning to be utilized for residential units, these capacity limits must be reflected in the Housing Element.

In accordance with State law, the estimated capacity on AHO sites is not calculated at the maximum capacity of 30 units per acre, but instead at a realistic capacity or “discounted” capacity.

Realistic Density Assumptions

Sites in the inventory are generally assumed to build out at 80 percent of the maximum density. This includes AHO sites that would be included in the lower-income inventory. Therefore, capacity on AHO sites is calculated based on a density of 24 units per acre, which is 80 percent of the proposed maximum density of 30 units per acre. Recent affordable housing developments in the City have generally been built at or above the density of 24 units per acre. Affordable housing developments above 24 units per acre have utilized a State density bonus to exceed the 24 unit per acre limit. The following is a list of recently built or approved affordable developments on AHO-zoned sites and the density at which they were built:

- Twin Oaks Senior Residence Mixed Use (under construction): 22.2 units per acre (92.5 percent of base density)
- Carol Lane Apartments (built in phases)
 - ▶ Oak Ridge Family Apartments: 24.0 units per acre (100 percent of base density)
 - ▶ Oak Meadows Family Apartments: 31.6 units per acre (132 percent of base density)
 - ▶ Oak Forest Senior Villas: 27.3 units per acre (114 percent of base density)

The average density of these recently built affordable housing developments in the AHO District is 26.3 units per acre. While two of these projects used a State density bonus to exceed the base density of 24 units per acre, under the proposed increase to 30 units per acre, future affordable housing developments are expected to be built at higher densities than past developments. The realistic density of 24 units per acre used in this analysis is conservative based on these development trends.

Non-Vacant Site Assumptions

While most of the sites in the sites inventory are vacant, some of the sites, particularly the existing AHO sites, have existing single family homes on the sites and are therefore considered non-vacant. Once the City implements Action 1.1 and increases the density on AHO sites to 30 units per acre, the City will be relying on non-vacant sites to meet about 40 percent of the lower-income RHNA.

Most new development in Oakley involves demolition of an existing single-family structure on a large rural lot to build residential subdivisions. Examples of this trend include:

- The Vines at Oakley Subdivision, a 9.8-acre site consisting of a single-family structure and vineyard, that redeveloped into a 63-unit residential subdivision.
- Construction on the 108-unit Acacia Subdivision is currently underway on a 13.4-acre site, which once consisted of two homes on two rural residential parcels.
- The approximately 140-acre site of the Emerson Ranch Subdivision developed into a 671-unit subdivision, along with a park, stormwater pond, and future 8-acre commercial site is another example. Before development, the site contained two rural residential homes.
- More recently, two homes were removed from the Elm Lane/Anton multi-family project, which is currently under construction. This large-family workforce housing project of 170-units includes 16 affordable units and is developing on an AHO site.



Before (February 2022) and after (March 2023) aerial images of the Elm Lane/Anton multi-family project.

Source: Google Earth Pro

The sites in the AHO inventory have similar characteristics to these sites and others that have been recently developed in the City. The nine non-vacant AHO sites included in the inventory all have older single-family homes. It is common in Oakley for existing older homes to be torn down to allow for new residential development, or the existing home sometimes remains and new residential infill is built around it. None of the non-vacant sites have existing commercial uses. However, recognizing that existing uses might be an impediment to housing development, the capacity calculations for AHO sites that have existing uses have been discounted by 25 percent to provide a more conservative estimate for future capacity. The site profiles on the following pages describe the age and condition of existing single-family homes on non-vacant existing and candidate AHO sites.

Overlay vs. Base Zoning Assumptions

Because the AHO is an overlay zone, the base zoning of the AHO sites allows for uses other than multifamily housing to be built. Where the base zoning of an AHO site allows for commercial or single-family residential development, the capacity calculations have been further discounted by 25 percent to account for the possibility that the site could be developed with something other than multifamily housing. Discounts are shown in Tables 3-4 and 3-5 and noted in the site profiles for the existing and candidate AHO sites.

AHO Capacity and Site Descriptions

Figure 3-1 shows the location of the existing and candidate AHO sites as well as all other sites included in the Housing Element inventory. Table 3-4 identifies the existing AHO sites, Table 3-5 identifies the candidate AHO sites, and Table 3-6 identifies the potential AHO sites. Following the tables are individual site descriptions for both existing and candidate AHO sites. As described above, the inventoried capacity has been discounted for non-vacant sites and sites with base zoning other than multifamily. After accounting for realistic density and these additional discounts, on some sites this results in a more than 50 percent reduction of the actual capacity for housing. The resulting capacity is reflective of development trends on AHO sites during the Fifth Housing Element cycle, during which about 40 percent of the combined very low- and low-income RHNA were met on AHO sites.

Sites 1 through 4: E. Cypress Rd. & Van Pelt Ln. Lots (Existing AHO Sites)



SITE DESCRIPTION

APN	033-012-007 (Site 1) 033-012-008 (Site 2)	033-012-009 (Site 3) 033-012-012 (Site 4)
Address	67 Van Pelt Ln. (Site 1) 251 E. Cypress Rd. (Site 2)	43 Van Pelt Ln. (Site 3) 211 E. Cypress Rd. (Site 4)
Acres	2.40 (Site 1) 1.12 (Site 2)	1.12 (Site 3) 2.39 (Site 4)
General Plan	Residential High (RH)	
Zoning	Multiple-Family Residential District (M-12)/Affordable Housing Overlay (AHO)	
Realistic Capacity/ Income Level	43 Lower-Income Units (Site 1) 20 Lower-Income Units (Site 2)	20 Lower-Income Units (Site 3) 43 Lower-Income Units (Site 4)
Existing Use	Non-Vacant (single-family home)	
Site Description	<p>Existing AHO Sites 1 through 4 are a cluster of existing single-family residences on East Cypress Rd. and Van Pelt Lane. The homes are all more than 40 years old built in 1970 (Site 1), 1979 (Site 2), 1972 (Site 3), and 1930 (Site 4). They are within ½ mile of existing AHO Sites 6 and 7. The sites are currently non-vacant with a base zoning of M-12 that would allow for multifamily development. The sites are located on a completely improved and dedicated arterial and there are no major infrastructure improvements needed. The sites are also adjacent to The Courtyards at Cypress Grove Apartments, an existing affordable project, making it a prime infill site that could continue a similar housing type. Site 4 is currently (December 2022) listed for sale and advertised as a development opportunity for multifamily housing. While the sites could be purchased and consolidated to make one large development site, each site could also be developed independently or developed in phases.</p> <p><u>Max Capacity at 30 units per acre:</u> 72 units (Site 1), 33 units (Site 2), 33 units (Site 3), 72 units (Site 4)</p> <p><u>Assumptions (Sites 1-4):</u></p> <ul style="list-style-type: none"> • 80% of max density (24 du/acre realistic density) • 25% reduction for non-vacant site 	

Site 5: 6381 Sellers Ave. (Existing AHO Site)



SITE DESCRIPTION

APN	033-180-007
Address	6381 Sellers Ave.
Acres	1.98
General Plan	Residential Medium (RM)
Zoning	Multiple-Family Residential District (M-9)/Affordable Housing Overlay (AHO)
Realistic Capacity/ Income Level	35 Lower-Income Units
Existing Use	Non-Vacant (single-family)
Site Description	<p>Existing AHO Site 5 is located on Sellers Ave. next to proposed AHO Site 14. This parcel has existing residences and accessory structure on the front part of the lot facing Sellers Ave. and is underutilized based on several factors, including building age and condition and improvement to land value ratio of 0.16. The primary residence was built in 1921. The home is currently inspected as part of the City's Rental Inspection Program and has had code violations in the past. The site is mostly surrounded by undeveloped land to the south and west; however, this area has been under constant development since the City's incorporation and continues to receive new planning entitlements for both residential and commercial projects. The site could be consolidated with proposed AHO Site 14 for a larger development project or could be developed independently. The Planning Department has received inquiries from a developer interested in developing housing on this site.</p> <p><u>Max Capacity at 30 units per acre: 59 units</u></p> <p><u>Assumptions:</u></p> <ul style="list-style-type: none"> • 80% of max density (24 du/acre realistic density) • 25% reduction for non-vacant site

Sites 6 and 7: W. Cypress Rd. & Main St. Lot (Existing AHO Site)



SITE DESCRIPTION

APN	035-282-058 (Site 6) 035-282-062 (Site 7)
Address	120 W. Cypress Rd. (Site 6)
Acres	1.19 (Sites 6 and 7)
General Plan	CO (Commercial)
Zoning	C (General Commercial) District/Affordable Housing Overlay (AHO)
Realistic Capacity/ Income Level	14 Lower-Income Units (Sites 6 and 7)
Existing Use	Non-Vacant (single-family home)
Site Description	<p>Existing AHO Sites 6 and 7 are located at the corner of West Cypress Rd. and Main St. There is one older single-family home on the site built in 1978 surrounded by a large open field. The home and associated improvements cover less than 22 percent of the site, making it a largely underutilized site and the improvement to land value ratio is 0.02. The underlying zoning is commercial, but the site is below grade, making commercial development a challenge. The site is served by transit, with several bus stops nearby. It is adjacent to Big Oak Mobile Home & RV Park. Iron House Elementary School, Delta Vista Middle School, and existing AHO Sites 1-4 are within a ½ mile from the site. The two parcels are counted as one site in capacity calculations.</p> <p><i>Sites 1, 2, 3, 4, 6, and 7 were included in the fifth cycle RHNA and is therefore subject to by-right approvals per Policy Action 1.1 in the Housing Plan.</i></p> <p><u>Max Capacity at 30 units per acre:</u> 35 units (Sites 6 and 7) <u>Assumptions (Sites 6 and 7):</u></p> <ul style="list-style-type: none"> • 80% of max density (24 du/acre realistic density) • 25% reduction for non-vacant site • 25% reduction for non-multifamily base zoning

Sites 8 and 9: Bridgehead & Main Lots (Candidate AHO Sites)



SITE DESCRIPTION

APN	051-052-108 (Site 8) 051-052-106 (Site 9)
Address	Bridgehead Rd.
Acres	1.42 (Site 8) 1.42 (Site 9)
General Plan	CO (Commercial)
Zoning	C (General Commercial) District
Realistic Capacity/ Income Level	26 Lower-Income Units (Site 8) 26 Lower-Income Units (Site 9)
Existing Use	Vacant
Site Description	<p>Sites 8 and 9 are vacant lots located near the intersection of Main St., Bridgehead Rd., and Neroly Rd. that appear to be under common ownership. They are surrounded by commercial uses including a gas station, convenience stores, fast food, and coffee storefronts. North of Site 8 is a legal, non-conforming mobile home park, and north and east of the sites is an approximately 80-acre vineyard approved as the River Oaks Crossing Specific Plan, a commercial planned development approved in 2008.</p> <p><u>Max Capacity at 30 units per acre:</u> 42 units (Site 8), 42 units (Site 9)</p> <p><u>Assumptions (Sites 8 and 9):</u></p> <ul style="list-style-type: none"> • 80% of max density (24 du/acre realistic density) • 25% reduction for non-multifamily base zoning

Site 10: Oakley Rd. & SR-160 (Candidate AHO Site)



SITE DESCRIPTION

APN	034-080-031
Address	40 Mercedes Lane (S/W corner of Laurel Rd. and O'Hara Ave.)
Acres	4.99
General Plan	CO (Commercial)
Zoning	RB (Retail Business) District
Realistic Capacity/Income Level	60 Lower-Income Units
Existing Use	Non-Vacant (single-family home)
Site Description	<p>Most of Site 10 is undeveloped with the exception of one residence in the southwest corner of the parcel built in 1993. It has an improvement to land value ratio of 0.55. It is surrounded by residential neighborhoods to the west and south and is across the street from Laurel Elementary School to the west. A gas station and convenience store were recently developed on the corner of Laurel Rd. and O'Hara Ave. in the shopping center to the north. The existing home could remain and the undeveloped portion of the site could develop as multifamily housing.</p> <p><u>Max Capacity at 30 units per acre:</u> 149 units</p> <p><u>Assumptions:</u></p> <ul style="list-style-type: none"> • 80% of max density (24 du/acre realistic density) • 25% reduction for non-vacant site • 25% reduction for non-multifamily base zoning

Site 11: 3300 Neroly Rd. (Candidate AHO Site)



SITE DESCRIPTION

APN	053-071-046
Address	3300 Neroly Rd.
Acres	3.66
General Plan	RH (Residential High) and CO (Commercial)
Zoning	P-1 (Planned Unit Development) District
Realistic Capacity/Income Level	87 Lower-Income Units
Existing Use	Vacant
Site Description	<p>Site 11 is the site of a formerly approved residential and office mixed-use project, "Empire Station." The project entitlements have since expired. The site is near the Slatten Ranch shopping center in Antioch, and Brentwood Junction shopping center in Brentwood. Land directly east and northeast is zoned for commercial uses and includes the Diamond Hills Sports Club and approved Thatch Plaza commercial center.</p> <p><u>Max Capacity:</u> 109 units <u>Assumptions (Sites 8 and 9):</u></p> <ul style="list-style-type: none"> 80% of max density (24 du/acre realistic density)

Sites 12 & 13: 4671 Rose Ave. & S/E Corner of Main St. & Rose Ave. (Candidate AHO Sites)



SITE DESCRIPTION

APN	035-182-015 (Site 12) 035-281-007 (Site 13)
Address	4671 Rose Ave. and S/E corner of Main St. and Rose Ave.
Acres	0.83 (Site 12) 0.65 (Site 13)
General Plan	CD (Commercial Downtown)
Zoning	SP-4 (Downtown Specific Plan) District (Downtown Support Area)
Realistic Capacity/Income Level	14 Lower-Income Units (Site 12) 11 Lower-Income Units (Site 13)
Existing Use	Vacant
Site Description	<p>Sites 12 and 13 are located off Main St. and Rose Ave. adjacent to the Contra Costa Canal. This land is surrounded by residential, small commercial uses, and is near the Post Office. Both sites are within the Oakley Downtown Specific Plan area.</p> <p><u>Max Capacity:</u> 24 units (Site 12), 19 units (Site 13)</p> <p><u>Assumptions</u> (Sites 12 and 13):</p> <ul style="list-style-type: none"> • 80% of max density (24 du/acre realistic density) • 25% reduction for non-multifamily base zoning

Site 14: 901 E. Cypress Rd. (Candidate AHO Site)



SITE DESCRIPTION

APN	033-180-015
Address	901 E. Cypress Rd.
Acres	4.9 total acres (est. 2.8 developable acres)
General Plan	RM (Residential Medium)
Zoning	M-9 (Multi-Family Residential) District
Realistic Capacity/Income Level	50 Lower-Income Units
Existing Use	Non-Vacant (single-family home)
Site Description	<p>Site 14 is located along East Cypress Rd. next to existing AHO Site 5. This parcel has existing residences and accessory structures on the southern portion that could remain and the northern portion developed, or the entire site could redevelop. The estimated capacity assumes the existing residence remains and the parcel is subdivided to allow residential fronting E. Cypress Rd. It is mostly surrounded by undeveloped land to the south and west; however, this area has been under constant development since the City's incorporation and continues to receive new planning entitlements for both residential and commercial projects. The site could be consolidated with AHO Site #5 for a larger development project or could develop independently.</p> <p><u>Max Capacity at 30 units per acre:</u> 147 units (assumes development on entire site)</p> <p>Assumptions:</p> <ul style="list-style-type: none"> • 80% of max density (24 du/acre realistic density) • 25% reduction for non-vacant site

Downtown Specific Plan Sites

The Downtown Specific Plan (DSP), adopted in 2010 and last amended in 2017, establishes development standards for Downtown Oakley. The DSP has three subareas: the Downtown Core (DC), the Downtown Support (DS), and the Residential Commercial Conversion Opportunity (R/CCO). The three subareas allow for residential uses at different densities, as follows:

- Downtown Core: Up to 45 units per acre
- Downtown Support: 17 to 24 units per acre
- Residential/Commercial Conversion Opportunity: Up to 16.7 units per acre

Housing Element Chapter 6: Constraints, provides more details on the development standards and requirements for the DSP.

There are five sites within the DSP that are included in the Housing Element sites inventory. Four of the sites are in the Downtown Support Area, where residential infill is recommended, and one site is in the Downtown Core Area. Based on the City's history of approving multifamily housing at or above 24 units per acre (see Realistic Density discussion on page 3-13), the capacity on the sites in the DSP Downtown Support Area is based on a realistic density of 17 units per acre, which is equal to 70 percent of the maximum density. The one site within the Downtown Core, where there is no minimum density but a maximum density of up to 45 units per acre, a realistic density of 24 units per acre is assumed, based on the City's history of approving multifamily housing at this density. (Note: there are also two proposed AHO sites within the DSP boundary. These sites are described in the AHO discussion above and are not included in the summary of DSP sites.)

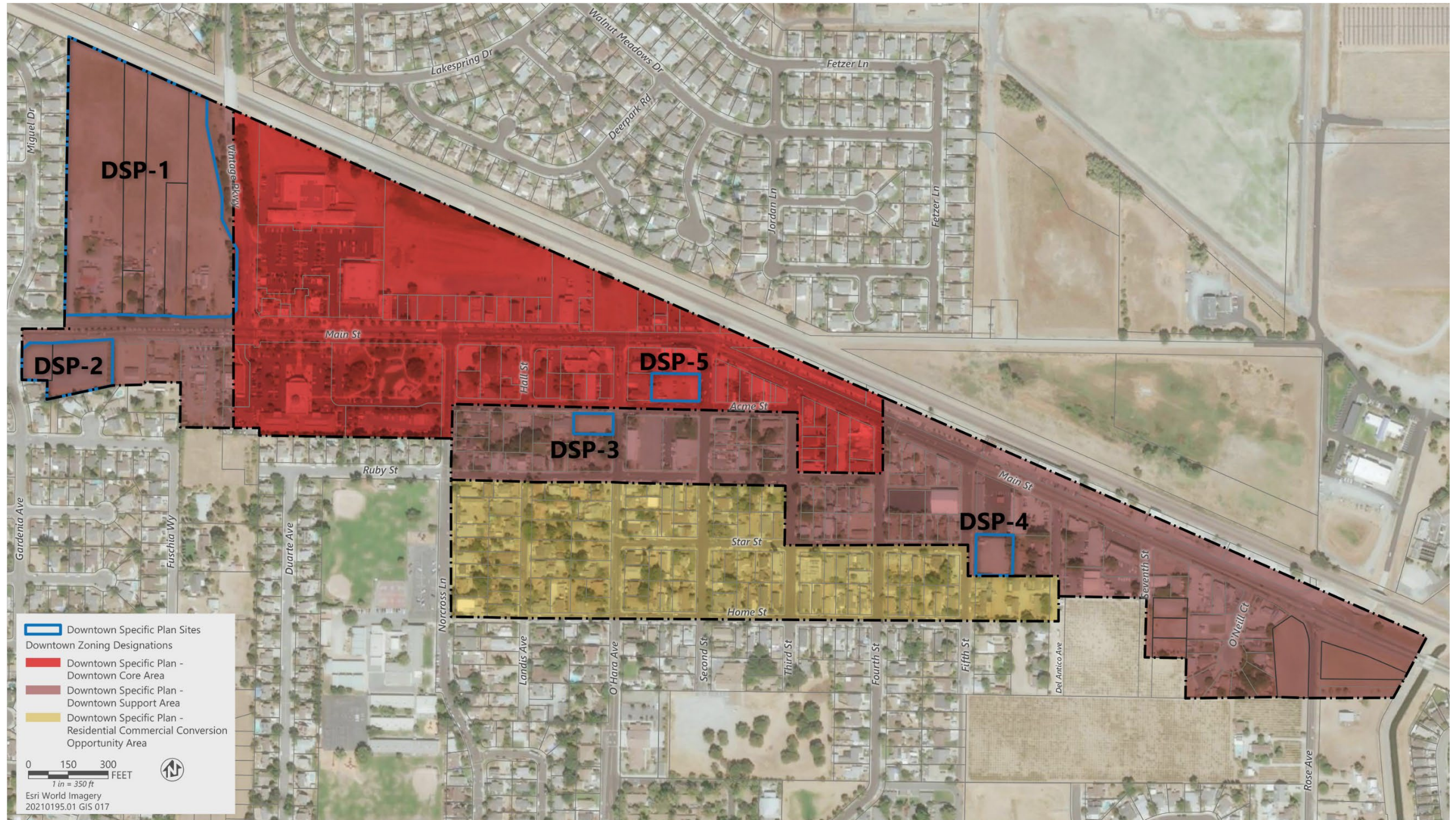
The densities allowed in the DSP could provide for a broad range of housing types. Based on the allowed densities, the size of the sites, and the requirements of the DSP, these sites are considered appropriate to accommodate the moderate-income RHNA. However, there is a new requirement of State law - Assembly Bill 725 (2021) – which requires that at least 25 percent of the remaining above moderate-income RHNA be accommodated on sites that allow at least four units of housing, and that at least 25 percent of the remaining moderate-income RHNA be accommodated on sites that allow at least four units of housing but a density of no more than 100 units per acre. As described on page 3-2, Oakley has a remaining need of only 19 above moderate-income units, meaning that 5 units in the above moderate-income category must be met on sites meeting the AB 725 criteria. The City has a remaining moderate-income RHNA of 172 units, meaning that at least 43 units in the moderate-income category must be met on sites meeting the AB 725 criteria. The DSP sites are used to satisfy the requirements of AB 725. The DSP sites shown on Figure 3-2 and in Table 3-7 have a total estimated realistic capacity of 226 housing units. The Housing Element allocates 5 of the total units toward the above moderate-income RHNA to satisfy the 25 percent requirement and allocates the remaining 221 units toward the moderate-income RHNA.

TABLE 3-7: DOWNTOWN SPECIFIC PLAN SITES

Site ID	APNs	Acres	DSP Subarea	Density Range	Realistic Density	Inventoried Units	Income Level	Site Description
DSP-1	037-150-026, 037-150-027, 037-150-028, 037-150-029, 037-150-030, 037-200-007	12.43 total (10.7 developable acres)	Downtown Support	Up to 24 u/a (DS)	17 u/a	181	Mod	Referred to as the "Vintage Parkway Site" in the DSP, this site is envisioned as a mix of townhomes and multiunit residential. Nonvacant site. Existing building space on the site totals about 20,000 square feet, mostly single-family homes and outbuildings.
DSP-2	035-424-012, 035-424-016	1.38	Downtown Support	Up to 24 u/a	17 u/a	23	Mod	Vacant site on south side of Main Street at Gardenia Avenue.
DSP-3	035-113-009	0.26	Downtown Support	Up to 24 u/a	17 u/a	4	Mod	Vacant site at corner of Acme Street and O'Hara Avenue.
DSP-4	035-171-016	0.49	Downtown Support	Up to 24 u/a	17 u/a	8	Mod	Vacant site at corner of 5th Street and Star Street. Wire fence surrounds the property but there are no permanent structures.
DSP-5	035-121-005	0.42	Downtown Core	Up to 45 u/a	24 u/a	5 mod/5 above mod	Mod/ Above Mod	Vacant site at the corner of Acme Street and 2nd Street. Previous structure has been demolished.
Total							226 total units (5 Above Moderate, 221 Moderate)	

Source: Ascent, June 2022.

Figure 3-2: Downtown Sites, City of Oakley, 2022



Source: Data received from City of Oakley in 2022 and downloaded from Contra Costa County in 2022

All Other Sites

In addition to the AHO sites and DSP sites, the City has approximately 267 acres of vacant and underutilized residential land without a current project entitlement or development agreement in place. Altogether these other sites are anticipated to accommodate 16 of the moderate-income RHNA and 776 of the above moderate-income RHNA, assuming 80 percent of maximum capacity on sites. Sites included in Table 3-8 are shown on Figure 3-1. Appendix B describes each vacant and underutilized parcels, identifying the zoning designation, General Plan designation, APN, acreage, existing uses, realistic capacity, and maximum development potential.

All of the underutilized parcels are minimally developed with single family homes and/or accessory structures and do not have extensive development that would limit the future use of the parcel for the residential uses considered in the General Plan.

TABLE 3-8: INVENTORY OF AVAILABLE RESIDENTIAL LAND FOR DEVELOPMENT						
Zoning Designation ¹	Number of Sites	Total Acres	Maximum Dwelling Units Per Acre	Maximum Dwelling Unit Potential	Realistic Yield (80% of Max) ²	Inventoried Income Level
Agricultural Living	5	41.33	1	38	31	Above Moderate
Single Family R-40	4	30.98	1	32	27	Above Moderate
Single Family R-15	10	58.30	2.3	162	134	Above Moderate
Single Family R-10	11	85.13	3.8	364	296	Above Moderate
Single Family R-6	9	43.83	5.5	361	288	Above Moderate
M-9 – Multifamily Residential	1	2,46	9.6	21	16	Moderate
Total		265.48		978	792	

Notes:

¹ All sites included in the table have a General Plan designation that is compatible with the zoning

² 80% of maximum capacity, except for sites with proposed/approved projects, which are calculated based on the number of units in the project

³ Includes 'detached' multifamily units in East Cypress Specific Plan

Source: Ascent 2022; City of Oakley, 2014; Contra Costa County GIS, 2014, East Cypress Specific Plan, 2006; De Novo Planning Group, 2014.

Projection of Accessory Dwelling Units

Per State law, a projection of the number of ADUs expected to be built within the eight-year planning period can also be considered as part of the inventory. The City has seen a slight increase in the rate of ADU production since 2018 when the State passed several bills to facilitate ADUs statewide. In 2020, the City adopted an ADU ordinance consistent with the requirements under State law. Table 3-9 shows the total number of ADU building permits issued by year since 2018. ADU production has remained steady, with the City issuing permits for 2.4 ADUs per year, on average.

TABLE 3-9: ADU BUILDING PERMITS, CITY OF OAKLEY (2018-2022)

Year	ADU Permits Issued
2018	1
2019	3
2020	2
2021	2
2022*	4
Average	2.4

*The 2022 ADU building permits issued number is a prorated estimate, based on two building permits approved/issued by the City from January 1 to June 1, 2022. The City has approved/issued two ADU building permits.

Source: City of Oakley, 2022.

Source: City of Oakley and Ascend, 2022.

For the purpose of the Housing Element, the City assumes that ADU production will continue at the same pace experienced since 2018, resulting in 19 ADUs counted toward the 2023-2031 RHNA. ABAG prepared the Affordability of Accessory Dwelling Units in September 2021 to provide jurisdictions a foundation for housing element assumptions. The report is based on a statewide survey conducted by the University of California at Berkeley's Center for Community Innovation, in collaboration with Baird + Driskell Community Planning in 2020. ABAG analyzed the raw survey data for Bay Area ADUs constructed in 2018 or 2019 to determine affordability. According to the ABAG report, 43 percent of ADUs, based on the East Bay counties surveyed, are assumed to be used as short-term rentals, home offices, or other non-residential uses. As such, of the 19 ADUs expected to be produced, only 10 ADUs are assumed to be available on the market as rental housing or housing for family and friends.

Using ABAG affordability recommendations for ADUs, the sites inventory includes a projection of 6 ADUs affordable to lower-income households, or 60 percent of the projected ADU units. Three ADUs, or 30 percent of projected units, are affordable to moderate-income households, and 1 ADU, or 10 percent of projected units are affordable to above-moderate income households.

RHNA Summary

Table 3-10 provides a summary of Oakley's ability to meet the 2023-2031 RHNA. Based on the housing units in residential entitlements, Downtown Specific Plan sites, vacant sites with tentative maps, all other sites, and projection of ADUs, the City has a shortfall of 434 lower-income units, and a surplus of 68 moderate-income units and 2,505 above moderate-income units. The City must identify at least 21.7 additional acres to accommodate the shortfall of 434 lower-income units. The City's plan to address the rezone obligation is described in Policy Action 1.1.

TABLE 3-10: SITES INVENTORY CAPACITY SUMMARY, CITY OF OAKLEY (2023-2031)				
	Lower ¹	Moderate	Above Moderate	Total
Regional Housing Needs Allocation	440	172	446	1,058
Residential Entitlements	—	—	427	427
Downtown Specific Plan Sites	—	221	5	226
Vacant Sites with Tentative Maps			1,742	1,742
All Other Sites	—	16	776	792
Accessory Dwelling Unit (ADU) Projection	6	3	1	10
Total Capacity	6	240	2,951	3,197
Surplus (+) / Shortfall(-)	-434	+68	+2,505	2,139
Potential Future Capacity				
Existing AHO Sites	174	—	—	174
Candidate AHO Sites	273	—	—	273

Notes: ¹ Lower-income includes extremely low-, very low-, and low-income.

Source: Ascent, 2022.

Alternative Rezone Approach

A recent court opinion issued in April 2023 by the State’s Fifth Appellate District found that Affordable Housing Overlay Districts (AHOs) in the City of Clovis do not satisfy its rezoning program obligation to meet the lower-income RHNA (Martinez vs. Clovis). As a result, HCD is currently analyzing the decision and suggested that the City amend the adopted City of Oakley 2023-2031 Housing Element to include an alternative approach to meeting the lower-income shortfall if the overlay zone is determined to not satisfy the rezoning program requirements. The alternative approach would be to modify the base zoning to satisfy the lower-income RHNA obligation. Sites identified in this Housing Element as candidate AHO sites would still be considered in this alternative approach. These sites, along with additional sites, will be vetted and confirmed through a public process outlined in Policy Action 1.1. The optional amendments would only require implementation if HCD determines Oakley’s AHO will not satisfy its lower-income RHNA rezoning obligation.

Infrastructure Availability

This section addresses the adequacy and availability of water, sewer, and dry utilities relative to the sites in the inventory. Availability of infrastructure is not expected to pose a constraint on residential development within the time frame of the Housing Element. The following paragraphs summarize the status of each of those services essential to residential development.

Water

The Diablo Water District (DWD) provides water service to Oakley and surrounding areas within its Diablo Water District Sphere of Influence (SOI), which includes the Cypress Corridor, Hotchkiss Tract, Veale Tract, and Knightsen, as well as the City of Oakley. Additionally, DWD is the Groundwater Sustainability Agency within its SOI and is responsible for the management and protection of groundwater resources and interconnected ecosystems. The City and its SOI expansion areas are entirely within the DWD boundary.

The DWD 2020 Facilities Plan and 2020 Urban Water Management Plan identify the sources of DWD's water supply, existing and projected water use, and the storage, treatment, and distribution system needed to serve its customers. DWD's 2020 Facilities Plan indicates that DWD currently serves about 42,000 residents and anticipates serving a 2040 population estimated at about 64,000 persons. In 2019, DWD's average day demand was 4.9 mgd and the maximum day demand was 10.0 mgd. At buildout, an average day demand of 12.55 mgd and a maximum day demand of 25.1 mgd are forecast. Water storage, treatment, and distribution facilities will need to be extended under buildout conditions, which is anticipated by the DWD 2020 Facilities Plan.

Groundwater use and quality is managed through a variety of mechanisms. DWD's groundwater is from the East Contra Costa Subbasin, which is managed under the East Contra Costa Subbasin Groundwater Sustainability Plan (ECCS GSP). DWD is the Groundwater Sustainability Agency (GSA) that is charged with the implementation of the ECCS GSP for the Oakley area. The ECCS GSP addresses historical and projected water supply, establishes a water budget for historical, current, and projected conditions, establishes sustainable management criteria to address water use and quality, and includes actions and implementation measures.

DWD's water supply is adequate to meet the RHNA and all of the sites included in the sites inventory are served by adequate water infrastructure or have planned access.

Sewer

The Ironhouse Sanitary District (ISD) provides wastewater service to Oakley, Bethel Island, and unincorporated areas of eastern Contra Costa County. The City of Oakley and its SOI areas are entirely within ISD's boundary. The wastewater services involve the transmission of wastewater from residential, commercial, and light industry to a treatment facility and the final disposal of the wastewater and residual waste solids.

ISD's infrastructure includes gravity and pressure pipelines, pumping stations, and the Ironhouse Water Recycling Facility (IWRf). The IWRf is located on 285 acres adjacent to the south side of Big Break and the San Joaquin River; ISD also owns approximately 3,500 acres on Jersey Island. The IWRf has a current treatment capacity of 4.3 mgd dry weather flow and 8.6 mgd maximum wet weather flow.

Significant development has and is expected to occur within ISD's boundaries, consistent with the City's General Plan. ISD will continue to be responsible for providing adequate infrastructure for collection, conveyance, treatment, and recycling. This will require that

the District implement phased improvements to its infrastructure, including its treatment and recycling facilities, pump stations, force mains, and other pipelines.

The ISD has capacity to meet the projected housing needs through the Housing Element Planning Period. All of the sites in the sites inventory have adequate sewer access or planned access.

Dry Utilities

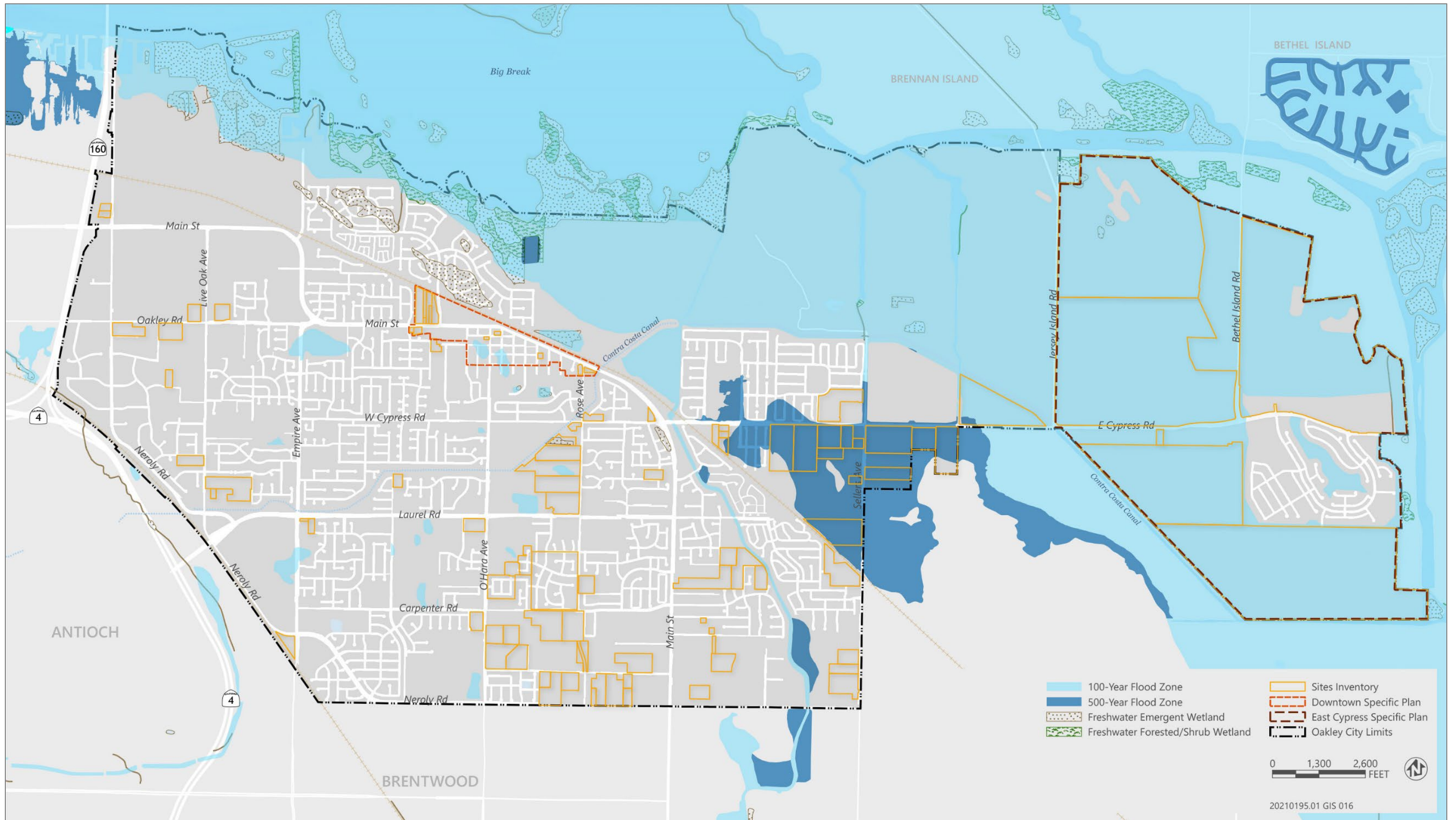
Electricity and gas is provided to Oakley by Pacific Gas and Electric (PG&E). Telephone, cable and broadband services are provided by a variety of services providers, including AT&T, Comcast, and Verizon. All of the sites identified in the inventory have access to dry utilities or planned access.

Environmental Constraints

Figure 3-3 shows environmental constraints in Oakley. As described in the Constraints Chapter, the biggest environmental constraint in Oakley is flood risk. The East Cypress Specific Plan is within the 100-year flood zone. A comprehensive engineered levee system will be constructed as part of the development of the Specific Plan for flood control purposes consistent with FEMA requirements. The levee system will protect new development while enhancing protection of existing residences within the Specific Plan Area. The engineered levee will extend completely around the boundaries of the proposed new development within the Specific Plan Area but will not surround the wetlands/dune area or the existing agricultural and residential areas located north and east of the development area. The new master levee system will remove existing single family residential areas adjacent to East Cypress Road from the 100-year storm event floodplain and will provide improved emergency access to existing residents along Sandmound Boulevard, Dutch Slough Road and adjoining areas in the event of a breach of the existing non-engineered levee surrounding these areas. The engineered levee system will also serve as a primary component of the comprehensive development of multi-use trails within the Specific Plan Area. Multi-use equestrian, biking and pedestrian trails will be developed on the top of each levee connecting to multi-use trails within arterial roadways and greenways within the Specific Plan Area.

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Figure 3-3: Environmental Constraints



Source: FEMA Flood Zones 2021, National Wetlands Inventory 2022, City of Oakley 2022, and Contra Costa County in 2022.

Chapter 8: Housing Plan

Goals and Policy Actions

This section describes the City of Oakley’s Housing Plan for the 2023-2031 Housing Element planning period. The Housing Plan identifies specific goals and actions to address housing needs and meet statutory requirements. In developing this Housing Plan, the City assessed its existing and future housing needs, evaluated the performance of existing programs, and collaborated with residents and stakeholders to identify sites for future affordable housing.

The City of Oakley has identified the following goal topics:

- Production of New Housing
- Preservation and Conservation of the Existing Housing Stock
- Increase Access to Housing Opportunities

For each goal, the City developed a set of actions to carry out the goal. The actions specify objectives, primary responsibility, and an estimated timeframe for accomplishment. These timeframes are general guidelines and may be adjusted based on City staffing and budgetary considerations. At the end of the Housing Plan, Table 8-2 summarizes the quantified objectives for the 2023-2031 Housing Element planning period.

Goal 1: Production of New Housing

Provide adequate sites to accommodate the City’s share of regional housing needs, including housing for special needs groups, through appropriate zoning and development standards; and where appropriate, removal of identified governmental constraints to the development of housing.

ACTION 1.1: REZONE ADEQUATE SITES TO MEET REMAINING RHNA NEED

To ensure the availability of adequate sites to accommodate the City’s projected future construction needs by income category, the City shall rezone adequate sites to accommodate the remaining RHNA of 434 lower-income units for the 2022-2030 RHNA projection period. The Affordable Housing Overlay (AHO) District will be applied to at least 21.7 acres and will establish a minimum density of 20 units per acre and maximum density of 30 units per acre consistent with the “default density” standards of Government Code Section 65583.2(3)(B) and shall expand the base zones to which the AHO may be applied. The City will emphasize distributing the AHO sites more evenly across the city and in more developed and well-established areas, ensuring new sites are identified in higher income areas to affirmatively further fair housing. The City will establish a minimum affordability requirement of 20 percent and ensure that the AHO permits owner-occupied and rental multifamily uses by right pursuant to Government Code Section 65583.2(i) for developments in which 20 percent or more units are affordable to lower income households. In accordance with Government Code Section 65583.2(h), at least 50 percent of the City’s remaining lower income RHNA need (217 units) will be accommodated on parcels designated exclusively for residential uses. The City will identify new AHO sites through a public process that includes education and addressing community concerns about the benefits and impacts of affordable housing. The City will make an effort to involve all segments of the community in the selection of AHO sites and modifications to the AHO ordinance, including lower-income residents and organizations that represent them. If HCD determines that the AHO is not a satisfactory tool to meet the lower-income RHNA rezone obligation, the City will pursue an alternative approach to rezone sites where the base zoning would be amended to a minimum of 20 units per acre and maximum of 30 units per acre to satisfy the lower-income RHNA obligation and would also be pursuant to Government Code Section 65583.2 (h)(i). The City will consider the candidate AHO sites, along with additional sites, in implementing this alternative approach.

Objective:	Provision of adequate sites to accommodate the remaining Regional Housing Needs Allocation of 434 extremely low-, very low-, and low-income units. Modifications to AHO Ordinance to facilitate the development of more housing choices for lower-income households. Inclusive community engagement that involves lower-income residents.
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Update the AHO Ordinance by January 31, 2024, and rezone AHO sites prior to January 31, 2026

ACTION 1.2: MAINTAIN AN INVENTORY OF AVAILABLE LAND RESOURCES

The City shall maintain a current inventory of Housing Element sites to assist developers in identifying land suitable for residential development. To ensure adequate sites are available throughout the planning period to meet the City’s RHNA, the City shall continue to update the inventory on an ongoing basis as projects are approved and new sites are rezoned. To ensure sufficient residential capacity is maintained to accommodate the RHNA need, the City shall make findings related to the potential impact on the City’s ability to meet its unmet regional housing needs allocation when approving applications to rezone sites included in the lower- and moderate-income sites inventory or develop a lower- or moderate-income housing element site with fewer units or at a higher income than what is assumed for the site in the Housing Element sites inventory, consistent with “no-net-loss” zoning requirements in Government Code Section 65863. If at any point it is determined that the City does not have adequate capacity to meet the unmet lower- or moderate-income RHNA, the City shall identify and make available a replacement site within 180 days.

Objective:	Capacity to accommodate RHNA of 440 lower- and 172 moderate-income units
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Ongoing, update inventory as development projects are approved

ACTION 1.3: ENCOURAGE DEVELOPMENT OF NEW AFFORDABLE RENTAL HOUSING

The City shall encourage new affordable rental housing by continuing to offer regulatory and financial incentives, such as a reduction in development standards, density bonuses, expedited permit processing, fee deferrals, and public works modifications to allow cost savings to developers of affordable rental housing units. The City shall support funding requests by affordable housing developers for CDBG and/or HOME funds through the Contra Costa County CDBG Urban County and Contra Costa County HOME Consortium. Following implementation of Action 1.1, the City will distribute a news blast to affordable housing developers in the region advertising the AHO Ordinance amendments, AHO sites, and incentives available for affordable housing development. The City shall provide targeted outreach and support to developers of special needs housing, including housing for persons with disabilities, developmental disabilities, and extremely low income housing.

Objective:	Increase housing mobility for lower-income households by supporting the development of 160 low-, 140 very low-, and 50 extremely low-income/special needs housing units
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Distribute news blast to affordable housing developers within three months of implementing Action 1.1. Provide ongoing support to affordable housing developers as projects are proposed.

ACTION 1.4: PROMOTE ACCESSORY DWELLING UNITS

The City shall monitor changes in State law and update the Accessory Dwelling Unit (ADU) Ordinance to maintain compliance with State law. The City shall facilitate the construction of new accessory dwelling units by promoting the Pre-Approved ADU Program including the ADU How-to-Guide for Oakley residents, homeowners, and contractors made available on the City website. The City released a City newsletter article in 2022 when the pre-approved plans and how-to-guide were first prepared, and will continue to promote these resources in the City newsletter and on the City website main page annually. The City will notify people of the resources as they call with questions and interest in ADUs.

Objective:	Target the production of 40 ADUs, including 16 ADUs using pre-approved plans to improve housing mobility through expanded housing choices for lower- and moderate-income households
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Ongoing, monitor legislative changes annually and update ordinance within the timeframe required by new legislation. Re-publish newsletter article and highlight on City website main page by June 2023 and annually thereafter.

ACTION 1.5: OBJECTIVE STANDARDS

The City shall prepare and adopt objective development and design standards for residential and mixed-use development to facilitate housing production by providing clarity and certainty for applicants proposing residential development in the City. The City will also review the design guidelines within the AHO Ordinance and incorporate objective standards that facilitate the development of housing at the densities allowed under the modified AHO Ordinance. Adopting objective standards will help the City comply with Senate Bill 35 and the Housing Accountability Act. The City will post information on SB 35 ministerial approval procedures on the City website and ensure approval timelines comply with SB 35 and SB 330.

Objective:	Comply with State law and accelerate housing production through clear development standards
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	December 2023

ACTION 1.6: DENSITY BONUS ORDINANCE

The City shall continue to use the Density Bonus Ordinance and associated incentives to encourage affordable housing, including housing for seniors and other special needs populations. The City shall revise the existing Density Bonus Ordinance in conjunction with the update to the AHO ordinance to comply with current State law, and shall monitor changes in State law annually and revise the Ordinance when required by any future revisions to State density bonus law.

Objective:	Implement Density Bonus Ordinance in compliance with State law
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Update Density Bonus Ordinance by January 31, 2024. Review State density bonus law annually and amend ordinance within the timeframe required by new legislation as necessary to maintain compliance with State law

ACTION 1.7: MONITOR DEVELOPMENT FEES

The City shall continue to monitor required development fees including in-lieu fees, development impact fees, and processing fees, with the aim of reducing constraints on the development of affordable housing, including, but not limited to, senior housing, housing for farmworkers, emergency/transitional housing, housing for persons with disabilities (including developmental), single room occupancies, and accessory dwelling units. Where fees are established and administered by regional agencies, such as the Regional Transportation Development Impact Fee, Ironhouse Sanitary District Fee, and Diablo Water District Fee, the City will request the administering agency to review and reduce fees if the City has determined that the agency’s fee is constraining residential development, particularly development of affordable housing and/or housing for special needs groups.

Objective:	Reduce constraints on the development of affordable housing
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Annual monitoring in conjunction with the Annual Progress Report. If fees are determined to be a constraint, the City shall convene a meeting with regional agencies within three months to identify ways to reduce the constraint on development.

ACTION 1.8: AMENDMENTS TO THE DOWNTOWN SPECIFIC PLAN

The City shall review and amend the Downtown Specific Plan to establish a by-right density for residential development, develop objective development standards that facilitate residential and mixed-use development, allow accessory dwelling units and special needs housing types consistent with State law, and remove internal inconsistencies to ensure development standards are clear and consistent.

Objective:	Accelerate housing production in the downtown by providing clarity and transparency in the application of development standards
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	December 2024

Goal 2: Preservation and Conservation of Existing Housing Stock

Preserve, conserve, and improve the condition of existing housing stock for all income levels to maintain community character.

ACTION 2.1: REHABILITATION OF EXISTING HOUSING UNITS

The City shall encourage the rehabilitation of existing housing units by providing information on programs available to assist in housing rehabilitation, including programs like the Neighborhood Preservation Program (www.cccounty.us/4334/Neighborhood-Preservation-Program) appropriate for single family homeowners and programs appropriate for multifamily housing owners, such as the Contra Costa County Rental Rehabilitation Loan Program, the HUD 203(k) program, the CDBG Urban County, Contra Costa County HOME Consortium, and additional programs as they become available through the City's website, at City Hall, and in conjunction with the City's code enforcement program.

Objective:	Continue to provide information on housing rehabilitation assistance to minimize displacement. Target outreach to properties in areas of greatest need, including in Northwest Oakley and in and around Downtown. Encourage rehabilitation of 75 housing units during the planning period.
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Update City website by December 2024

ACTION 2.2: CODE ENFORCEMENT

Within current staffing limits, the City will continue to implement the Property Maintenance Program and Residential Rental Inspection Program to enforce the City's Building Code to address code violations that affect single-family and multi-family housing units. The code enforcement strategy will include identifying focus areas with high concentrations of substandard housing, contacting owners of units identified as substandard, offering inspection services, and providing information on available housing rehabilitation programs.

Objective:	Maintain quality neighborhoods and safe and habitable rental housing and minimize displacement of tenants. Target outreach to properties in areas of greatest need, including in Northwest Oakley and in and around Downtown.
Responsible Department:	Building
Financing Source:	General Fund
Time Frame:	Ongoing

ACTION 2.3: DOWNTOWN-SPECIFIC INVESTMENT PROGRAM

The City will continue to invest in infrastructure and capital improvements in Downtown Oakley (e.g., storm drain, sidewalks, crosswalks, lighting, parking, future Amtrak station, and library facility) to improve safety, expand transit access, create new amenities, and encourage new private investment in and around Downtown that increases access to opportunity for low resource neighborhoods in Oakley.

Objective:	Provide adequate infrastructure and encourage revitalization of Downtown Oakley to improve pedestrian safety and expand access to transit, services, and amenities to residents living in low resource neighborhoods in and around Downtown
Responsible Department:	Public Works & Engineering
Financing Source:	General Fund, Storm Water Fund, Gas Tax Fund, Street Maintenance and Rehabilitation Fund, Measure J
Time Frame:	Initiate sidewalk repair and replacement projects in Spring 2023. Begin demolition of Sheriff's Substation for new library facility in Spring/Summer 2023. Release Request for Proposals (RFPs) for Architectural Design and Economic Analysis for new library facility in Summer 2023. Initiate Downtown storm drain improvement project in Summer 2023. Initiate street resurfacing and repair in Summer 2023.

ACTION 2.4: MONITOR ASSISTED HOUSING UNITS

The City has not identified any assisted housing units at-risk of converting to market-rate in the 10 years from the start of the planning period. However, the City will continue to maintain a database of assisted housing units and regularly monitor assisted housing units to ensure compliance with affordability requirements. The City shall require projects that received government funding and/or were granted a density bonus to provide at least three years notice prior to the conversion of any deed-restricted affordable rental units to market rate. Annual reports, which are submitted by owners and managers of affordable units, will be reviewed to ensure that all deed restrictions and agreements are in compliance.

Objective:	Preserve existing deed-restricted affordable units
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Annual monitoring

Goal 3: Increase Access to Housing Opportunities

Affirmatively further fair housing by promoting housing opportunities for all persons, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status or disability and ensuring policies and development regulations follow the principle of equal access to housing opportunities.

ACTION 3.1: INCREASE ACCESS TO HOMEOWNERSHIP

To increase access to homeownership for very low-, low-, and moderate-income households, the City will support homeownership programs carried out by non-profit housing corporations through provision of land, financial assistance, and/or technical assistance, as feasible. The City will disseminate information about available County first time homebuyer programs through an informational brochure that will be provided at City offices, the library, and the City website.

Objective:	Support first-time homeownership opportunities for 15 local households to enhance housing mobility for lower-income and moderate-income households
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	2023 and ongoing

ACTION 3.2: PROMOTE FAIR HOUSING

The City will continue to encourage the enforcement of federal and state fair housing standards. The City will acquire and maintain fair housing materials to educate the community on a variety of fair housing issues. The City will provide flyers and brochures in English and other languages that are available from the California Department of Fair Housing and Employment and the federal Office of Fair Housing and Equal Opportunity, as appropriate, that highlight the provisions of federal and state fair housing laws. Materials will be distributed at public locations such as the library, senior center and City offices and provided on the City website. The City will continue to handle fair housing complaints and refer residents to the State Fair Employment and Housing Commission.

Objective:	Promote Fair Housing standards and compliance with fair housing laws to ensure residents of protected classes have equal opportunity for housing
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Contact State agencies to secure informational materials by November 2023 and distribute materials by June 2024 and annually thereafter

ACTION 3.3: HOUSING CHOICE VOUCHER PROGRAM

The City shall continue to support the Housing Authority of Contra Costa County in its continuing administration of the Housing Choice Voucher (HCV) Program to assist very low-income Oakley households. The City shall collaborate with the Housing Authority on an educational campaign to educate landlords about their obligation to accept vouchers under fair housing laws and to encourage landlords in single-family neighborhoods to actively participate in the HCV Program as a way to affirmatively further fair housing. If feasible, the City shall coordinate with the Housing Authority to explore the creation of incentive based program to encourage landlords to accept housing choice vouchers.

Objective:	Reduce source of income discrimination and improve housing mobility and access to opportunity by increasing HCV usage in Oakley's single-family neighborhoods by 10 new vouchers
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Initiate collaboration with the Housing Authority in 2025; ongoing

ACTION 3.4: HOUSING FOR EXTREMELY-LOW INCOME HOUSEHOLDS AND SPECIAL NEEDS GROUPS

The City shall encourage the development of housing units for extremely low-income households (earning 30 percent or less of the median income for Contra Costa County) and for households with special housing needs, including persons with disabilities and developmental disabilities, farmworkers, and persons/families experiencing or at-risk of homelessness. The City shall encourage the development of housing for extremely low income households utilizing a variety of activities such as outreach to housing developers through individual and group meetings, proactively seeking partnerships with housing developers, providing in-kind technical assistance, providing financial assistance or land write-downs when feasible, providing expedited processing, identifying grant and funding opportunities and providing support to developers in seeking funding, and/or offering additional incentives, such as density bonuses and parking reductions above and beyond those offered in the AHO.

Objective:	50 units of extremely-low income and/or special needs housing
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Outreach to developers of special needs housing in 2024 and bi-annually thereafter; ongoing support of development projects

ACTION 3.5: REASONABLE ACCOMMODATION PROCEDURES

To accommodate the housing needs of persons with disabilities and provide a streamlined permit review process, the City shall prepare and adopt a reasonable accommodation ordinance. The City shall update the City’s website to specify the City’s procedures for accommodating requests and to include a dedicated contact or application form specific to reasonable accommodation requests.

Objective:	Facilitate access to fair housing for persons with disabilities
Responsible Department:	Planning/Building
Financing Source:	General Fund
Time Frame:	Adopt reasonable accommodation ordinance by June 2025

ACTION 3.6: ZONING AMENDMENTS FOR SPECIAL NEEDS HOUSING

The City shall amend the Zoning Code to ensure compliance with State law and encourage special needs housing as follows:

- Allow transitional and supportive housing in the Agricultural Limited zone.
- Allow Low Barrier Navigation Center developments by right in mixed-use zones and nonresidential zones permitting multi-unit uses (Government Code Sections 65660-65668).
- Ensure parking for emergency shelters is based on the number of employees consistent with Government Code Section 65583(a)(4)).
- Allow for the approval of 100 percent affordable developments that include a percentage of supportive housing units, either 25 percent or 12 units, whichever is greater, without a conditional use permit or other discretionary review in all zoning districts where multifamily and mixed-use development is permitted (Government Code Section 65651(a)).
- Reduce constraints for residential care facilities for more than six persons by ensuring inclusion in all residential zones and providing approval certainty and objectivity for housing for persons with disabilities.
- Add provisions ensuring that manufactured homes on permanent foundations are allowed in the same manner and in the same zones as other single family dwellings, consistent with Government Code Section 65852.3.
- Add a broad and inclusive definition of “family” that complies with fair housing laws.

Objective:	Compliance with State law
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Within one year of Housing Element adoption

ACTION 3.7: ADEQUATE EMERGENCY SHELTER SITES

The City currently (2023) allows emergency shelters as a by-right permitted use on the Civic Center site within the Downtown Specific Plan. The City shall identify an additional zoning district where emergency shelters will be allowed as a by-right, permitted use. The zoning district shall be a residential zoning district and shall have adequate available sites (e.g., vacant site or building that can be converted to a shelter) with capacity to accommodate at least 50 beds of emergency shelter. Emergency shelters shall be permitted consistent with the requirements of Government Code Section 65583.

Objective:	Monitor Sources of Development Financing
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	January 2024

ACTION 3.8: INCREASE CAPACITY FOR CIVIC ENGAGEMENT

The City shall work to increase capacity for civic engagement with an emphasis on building capacity among historically underrepresented populations. This shall include conducting targeted outreach to affordable housing building leaders on opportunities for civic engagement; considering reinitiating the Oakley Leadership Academy to develop civic leadership, and to build a stronger community through well-informed and engaged residents; and continuing to engage with and support the Oakley Youth Advisory Council (OYAC), which is open to youth that live in Oakley or attend school in Oakley between 6th and 12th grade, to build capacity for civic participation and raise awareness of opportunities to participate in City events.

Objective:	To build capacity for civic engagement among historically underrepresented populations
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	Conduct targeted outreach to affordable housing building leaders quarterly starting in 2023. Work with the OYAC in 2023 to identify ways to reach underserved and underrepresented populations in planning processes such as the General Plan and Housing Element. Consider initiating Leadership Academy in 2024.

ACTION 3.9: TENANTS' RIGHTS INFORMATION

The City will partner with fair housing organizations to ensure that resident have information about the California Tenant Protection Act of 2019 (AB 1482). Develop print and online educational materials and make materials availability at City facilities, on the City's website, and at apartment complexes throughout the City.

Objective:	Disseminate information to community and fair housing organizations
Responsible Department:	Planning
Financing Source:	General Fund
Time Frame:	January 2025

Quantified Objectives

Table 8-1 summarizes the quantified objectives by income category for the 2023-2031 Housing Element planning period. State law (California Government Code Section 65583[b]) requires that housing elements contain quantified objectives for the maintenance, preservation, and construction of housing. The quantified objectives set a target goal for Oakley to strive for based on needs, resources, and constraints.

TABLE 8-1: QUANTIFIED OBJECTIVE SUMMARY 2023-2031 PLANNING PERIOD						
Program Types	Extremely Low-Income	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
New Construction ¹	139	140	161	172	446	1,058
Rehabilitation ²	—	—	25	50	—	75
Conservation/Preservation	—	—	739	—	—	739

¹ The New Construction target is equal to the City's RHNA.

² The City does not have resources for a City-led housing rehabilitation program, but directs residents to outside resources.

² The City has not identified any assisted units at-risk of converting to market rate during the planning period. The Rehabilitation target is equal to the number of assisted rental units. Exact income level of the 739 units is unknown.