CITY OF NEWARK
CITY COUNCIL

City Administration Building, City Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: city.clerk@newark.org

TELECONFERENCE LOCATION - Minn Kappabashi, 3-25-13 Nishi-Asakusa, Taitou-ku, Tokyo 111-0035, Japan

AGENDA

Thursday, April 9, 2026
7:00 P.M.

Michael K. Hannon, Mayor
Matthew Jorgens, Vice Mayor
Terrence Grindall, Council Member
Julie Del Catancio, Council Member
Eve Marie Little, Council Member

A. ROLL CALL

B. PRESENTATIONS

1. Proclaiming April 2026 as Earthquake Preparedness Month
2. Proclaiming April as Fair Housing Month
3. Proclaiming April as American Muslim Appreciation and Awareness Month
4. Proclaiming April 19 - 25, 2026, as National Crime Victims' Rights Week
5. District Attorney Jones Dickson's Presentation

C. PUBLIC COMMENT

The public is invited to address the City Council on any item not listed on the agenda. Public Comments are generally limited to 5 minutes per speaker. Please note that State law prohibits the Council from acting on non-agenda items.

D. CONSENT CALENDAR

Consent Calendar items are considered to be routine and may be approved by one motion. There will be no separate discussion on these items unless there is a request by a Council Member, a staff member, or a member of the public to remove an item for separate discussion and action.

1. Approval of Audited Demands

2. Approval of the March 26, 2026, City Council Minutes for the special and regular Meetings

3. Waive full reading and introduce by title only an Ordinance of the City Council of the City Of Newark Amending Chapter 2.14, “Public Art Committee”, of the Newark Municipal Code

4. Adopt a resolution authorizing the City Manager to execute the third amendment to the Contractual Services Agreement with Art Builds Community for on-call public art consulting services and amend the 2024-2026 Biennial Budget and Capital Improvement Plan

5. Adopt a resolution approving the updated Operational Area Agreement between the City of Newark and the Alameda County Office of Emergency Management (ACOEM)

6. Adopt a resolution amending the 2024-2026 Biennial Budget and Capital Improvement Plan for Fiscal Year 2025-26 to reallocate two positions; amending the City’s salary schedule in conformance with California Code of Regulations, Title 2, Section 570.5; and approving a side letter agreement with the Newark Police Association reflecting a classification change

E. PUBLIC HEARINGS

F. OTHER BUSINESS

1. Adopt a resolution approving appointments to the Public Art Committee

2. Receive report regarding business license tax analysis and provide direction regarding potential next steps related to evaluating potential ballot measure

3. Adopt a Resolution Approving an Agreement with Community Planning Collaborative to Update the City's General Plan in the amount not-to-exceed contract amount of $145,939

4. Receive a report on the status of implementation of the 2025 Housing Element Annual Progress Report and Informational Update on the Affordable Housing Work Plan

G. CITY MANAGER UPDATES

H. CITY COUNCIL MATTERS

City Council Members report on attendance at intergovernmental agency meetings, conferences, and seminars since the last meeting. City Council Members may also announce upcoming events and coordinate attendance; report on local events attended since the last meeting; and make brief comments on issues of concern.

I. CLOSED SESSION

J. ADJOURNMENT

MEETING INFORMATION

Members of the public may attend the meeting in person, watch online, or watch on Cable Channel 26. The ability to observe online or Cable Channel 26 is predicated on those technologies being available and functioning without technical difficulties. Should those platforms not be available, or become non-functioning, or should the City Council otherwise encounter technical difficulties that make those platforms unavailable, the City Council will proceed with business in person unless otherwise prohibited by law.

How to view the meeting remotely
Livestream online at YouTube: https://www.youtube.com/@cityofnewark3077/streams. Copy/paste the YouTube URL into your browser if the link does not automatically open.

Cable Channel 26 - if the meeting does not broadcast live, please contact your service provider and request the City of Newark channel lineup.

Zoom will no longer be available for public participation unless required by Assembly Bill 2449. Should a Council Member or the Mayor attend the meeting via Zoom.com pursuant to Assembly Bill 2449, then the Webinar ID 879 9489 8454 will be activated. The Mayor will make an announcement at the beginning of the meeting that the City will be allowing public comment via Zoom. Raise your virtual hand to notify the City Clerk that you would like to speak during the item that you wish to speak on.

How to submit written Public Comment
Send an email to City Clerk by 3:00 p.m. the day of the meeting. Please identify the agenda item number in the subject line of your email. Emails will be compiled into one file and will be distributed to the City Council before the meeting. No question shall be asked of a council member, city staff, or an audience member except through the Mayor. No person shall interrupt the meeting. Any person who refuses to carry out instructions given by the Mayor for the purpose of maintaining order may be guilty of an infraction and may result in removal from the meeting.

Council Meeting Access/Materials
The agenda packet is available for review at Agendas and Minutes. The packet is typically posted to the City website the Friday before the meeting, but no later than 72 hours before the meeting. Pursuant to Government Code 54957.5, supplemental materials distributed less than 72 hours before this meeting, to a majority of the City Council, will be made available for public inspection at this meeting and will be made available for public inspection during regular business hours at the David W. Smith City Hall, 37101 Newark Boulevard, Newark CA. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection. For those persons who require special accommodations, please contact the city.clerk@newarkca.gov at least two days prior to the meeting at City Clerk or 510-578-4266.

Certification of Meeting Notice and Agenda Posting
This notice and agenda were posted on the City's website and at the City Hall bulletin board located at 37101 Newark Boulevard, Newark, CA, at least 72 hours prior to the meeting date, in accordance with the Ralph M. Brown Act.

Mission Statement
It is our mission to serve and partner with our community to continually enhance the quality of life of everyone in Newark.

Senior Staff Members

David J. Benoun
City Manager

Lenka Hovorka
Assistant City Manager

Kristopher J. Kokotaylo
City Attorney

Edwin Miranda
CIO/Information Technology Director

Brittney Frye
Human Resources Director

Howard Young
Public Works Director

Ryan Nishimoto
ACFD Deputy Chief

Steven Turner
Community Development Director

Krysten Lee
Finance Director

Jonathan Arguello
Police Chief

Neetu Salwan
City Clerk

Colleen Lettire
Communications and Public Engagement Manager

Roya Gonzalez
Strategic Initiatives Manager
Recreation and Community Services Interim Director

STAFF REPORT

Item B. 1.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Neetu Salwan, City Clerk
SUBJECT	Proclaiming April 2026 as Earthquake Preparedness Month

April is recognized as Earthquake Preparedness Month to encourage residents to prepare for inevitable seismic activity. A proclamation has been prepared and Emergency Services Coordinator Richard Martinez will be at the meeting to accept it.

Attachments

Proclamation No. 1976

PROCLAMATION NO. 1967

EARTHQUAKE PREPAREDNESS MONTH

WHEREAS, Californians have witnessed and experienced earthquakes that have resulted in significant property damage, injuries and loss of life, and indirect costs; and

WHEREAS, as many as 10,000 earthquakes occur each year in California and mitigation measures can save lives, reduce property damage, and alleviate economic dislocation caused by earthquakes; and

WHEREAS, California is the first state in the nation to offer free, cutting-edge technology to alert Californians before shaking begins through the Earthquake Warning California system, including MyShake App, Android Alerts, and Wireless Emergency Alerts; and

WHEREAS, the City promotes readiness through free community training programs such as the **Community Emergency Response Team** (CERT), which equips residents with lifesaving skills including disaster response, fire safety, basic first aid skills and how to build a go bag; and

WHEREAS, the City's **Plan, Prepare, Respond, and Recover (PPRR)** outreach program provides tailored preparedness education and training to business organizations, community-based organizations, faith-based organizations, homeowner associations, and apartment communities to strengthen neighborhood resilience; and

WHEREAS, these programs empower residents to take personal responsibility for emergency preparedness, support their neighbors during disasters, and contribute to a coordinated and effective community response; and

WHEREAS, building a culture of preparedness across our whole community—including seniors, youth, renters, and non-English speaking populations—ensures that Newark is better positioned to withstand and recover from seismic events;

NOW, THEREFORE, I, Michael K. Hannon, Mayor of the City of Newark, on behalf of the Newark City Council, do hereby proclaim April 9, 2026 as

EARTHQUAKE PREPAREDNESS MONTH

in Newark and encourage all residents and businesses to be prepared.

IN WITNESS THEREOF, I have hereunto set forth my hand and caused the Official Seal of the City of Newark, State of California, to be affixed this Ninth Day of April, Two Thousand Twenty -six.

MICHAEL K. HANNON
Mayor

STAFF REPORT

Item B. 2.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Neetu Salwan, City Clerk
SUBJECT	Proclaiming April as Fair Housing Month

This year marks the 58th anniversary of the Fair Housing Act, the landmark law signed by President Lyndon B. Johnson that prohibits housing discrimination based on race, color, national origin, religion, sex (including gender identity and sexual orientation), disability, and familial status. Proclamations have been prepared proclaiming April as Fair Housing Month and will be presented to members of the Bay East Associations of REALTORS® and ECHO Housing.

Attachments

Proclamation No. 1969

Proclamation No. 1980

PROCLAMATION NO. 1969

FAIR HOUSING MONTH

WHEREAS, the Fair Housing Act, enacted into federal law on April 11, 1968, established a national policy of fair housing with a goal of eliminating racial segregation and ending housing discrimination for all who live in the United States; and

WHEREAS, the Fair Housing Act prohibits discrimination based on race, color, religion, sex, disability, familial status, and national origin; and

WHEREAS, fair housing is a positive community good, benefiting the environment and our social fabric; and

WHEREAS, the City of Newark is a community of inclusion strengthened by its diversity, and acts of housing discrimination and barriers to equal housing opportunity violate our shared value of decency and fairness; and

WHEREAS, Fair Housing is integral to the ethical commitment of members of the National Association of REALTORS® and the Bay East Association of REALTORS® and is critical to the ability of all real estate professionals to serve their clients, customers, and communities.

NOW, THEREFORE, I, Michael K. Hannon, Mayor of the City of Newark, on behalf of the Newark City Council, do hereby proclaim April 2026 as

FAIR HOUSING MONTH

in Newark and recognize the City of Newark as an inclusive community committed to fair housing that will further advocate for equal opportunities for all residents and prospective residents of Newark.

IN WITNESS THEREOF, I have hereunto set forth my hand and caused the Official Seal of the City of Newark, State of California, to be affixed this Ninth Day of April, Two Thousand Twenty-six.

MICHAEL K. HANNON
Mayor

PROCLAMATION NO. 1980

FAIR HOUSING MONTH

WHEREAS, the Fair Housing Act, enacted into federal law on April 11, 1968, established a national policy of fair housing with a goal of eliminating racial segregation and ending housing discrimination for all who live in the United States; and

WHEREAS, the Fair Housing Act prohibits discrimination based on race, color, religion, sex, disability, familial status, and national origin; and

WHEREAS, fair housing is a positive community good, benefiting the environment and our social fabric; and

WHEREAS, the City of Newark is a community of inclusion strengthened by its diversity, and acts of housing discrimination and barriers to equal housing opportunity violate our shared value of decency and fairness; and

WHEREAS, the Eden Council for Hope and Opportunity (**ECHO Housing**) was founded in 1964 and incorporated in 1965 by community volunteers dedicated to equal housing opportunities and the prevention and elimination of homelessness; and

WHEREAS, ECHO Housing's primary service component continues to be equal housing access, reaching over 3,000 clients per year with housing information, referrals, and assistance and in recent years adding services directed to intervention and prevention of homelessness;

NOW, THEREFORE, I, Michael K. Hannon, Mayor of the City of Newark, on behalf of the Newark City Council, do hereby proclaim April 2026 as

FAIR HOUSING MONTH

in Newark and recognize the City of Newark as an inclusive community committed to fair housing and further advocate for equal opportunities for all residents and prospective residents of Newark.

IN WITNESS THEREOF, I have hereunto set forth my hand and caused the Official Seal of the City of Newark, State of California, to be affixed this Ninth Day of April, Two Thousand Twenty-six.

MICHAEL K. HANNON
Mayor

STAFF REPORT

Item B. 3.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Neetu Salwan, City Clerk
SUBJECT	Proclaiming April as American Muslim Appreciation and Awareness Month

April has been proclaimed American Muslim Appreciation and Awareness Month to recognize the contributions, history, and resilience of American Muslims. A representative for the Council on American-Islamic Relations, California, will be at the meeting to receive it.

Attachments

Proclamation No. 1970

PROCLAMATION NO. 1970

AMERICAN MUSLIM APPRECIATION AND AWARENESS MONTH

WHEREAS, enriched by the unparalleled diversity of its residents, the City of Newark takes great pride in supporting individual religious freedoms and is strengthened by the contributions of its diverse populations, including those who practice Islam; and

WHEREAS, over 90,000 Muslims live in Alameda County, and make innumerable contributions to the cultural, political, and economic fabric and well-being of our community; and

WHEREAS, in 2024, the Council on American-Islamic Relations received 8,658 complaints nationwide, the highest number in its 30-year history, reflecting a 7.4% increase from 2023; and

WHEREAS, the City of Newark acknowledges the importance of peace and justice, understanding that Muslims deserve to live in peace and safety; and

WHEREAS*,* the Al-Medina Education Center, established in 2009 in the City of Newark, provides spiritual, educational, and social services to the Bay Area and beyond, offering regular prayers and programming for all ages while promoting a purposeful life rooted in Islamic values and a commitment to unity, growth, and service; and

WHEREAS, it is appropriate to acknowledge and promote awareness of the myriads of invaluable contributions of American Muslims and extend to them the respect and camaraderie every American deserves.

NOW, THEREFORE, I, Michael K. Hannon, Mayor of the City of Newark, on behalf of the Newark City Council, do hereby proclaim the month of April as

AMERICAN MUSLIM APPRECIATION AND AWARENESS MONTH

in Newark and urge all Newark residents to take the opportunity to better understand, recognize, and appreciate the rich history and shared experiences of American Muslims.

IN WITNESS THEREOF, I have hereunto set forth my hand and caused the Official Seal of the City of Newark to be affixed this Ninth Day of April Two Thousand Twenty-six.

MICHAEL K. HANNON
Mayor

STAFF REPORT

Item B. 4.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	
SUBJECT	Proclaiming April 19 - 25, 2026, as National Crime Victims' Rights Week

A proclamation has been prepared declaring April 19 - 25, 2026, as National Crime Victims' Rights Week. This proclamation recognizes the efforts being made to assist crime victim survivors. A representative from the Alameda County District Attorney's Office Victim-Witness Assistance Division will accept the proclamation.

Attachments

Proclamation No. 1968

PROCLAMATION NO. 1968

NATIONAL VICTIMS' RIGHTS WEEK

WHEREAS, more than 26 million people become victims of crime each year, and these crimes affect family members, friends, neighbors, and co-workers. The Alameda County Victim-Witness Division is dedicated to ensuring the rights of crime victims and their families by providing services to aid in their recovery from the emotional, psychological, social, and economic impact of crime as they reclaim their sense of safety, well-being, and dignity. The Victim/Witness staff assists victims of crime without regard to a person's race, gender, religion, nationality, sexual orientation, and gender identity or immigration status; and

WHEREAS, the Alameda County District Attorney's Office Victim/Witness Assistance Program was the first such program established in 1974, beginning with one Victim Advocate. Today, the Alameda County District Attorney's Office employs more than 40 individuals dedicated to working with Victims of Crime; and

WHEREAS, in 1984, the Crime Victims Fund was established by the Victims of Crime Act to provide a permanent source of support for crime victim services and compensation. Alameda County District Attorney's Office Victim-Witness Assistance Division partners with survivors, community service providers, criminal justice professionals and victims to enhance a criminal justice system response that is accessible, culturally competent, and appropriate for all victims of crime; and

WHEREAS, in 2025, the Alameda County District Attorney's Office served more thatn 13,160 survivors countywide, awarded more than $2,029,103 in California Victim Compensation Board Program (CalVCB) funds to survivors, and recovered more than one million dollars in stolen property through the Organized Retail Theft Vertical Prosecution Unit; and

WHEREAS, National Victims' Rights Week, provides an opportunity to celebrate the energy, creativity and commitment of advocates for victims' rights;

NOW, THEREFORE, I, Michael K. Hannon, Mayor of the City of Newark, on behalf of the Newark City Council, do hereby proclaim April 19 - 25, 2026, as

NATIONAL VICTIMS' RIGHTS WEEK

and reaffirm the commitment to respect and enforce victims' rights and address their needs and express our appreciation for those victims of crime who have turned personal tragedy into a motivating force to improve the response to victims of crime and build a more just community.

IN WITNESS THEREOF, I have hereunto set forth my hand and caused the Official Seal of the City of Newark, State of California, to be affixed this Ninth Day of April, Two Thousand Twenty-six.

MICHAEL K. HANNON
Mayor

STAFF REPORT

Item B. 5.

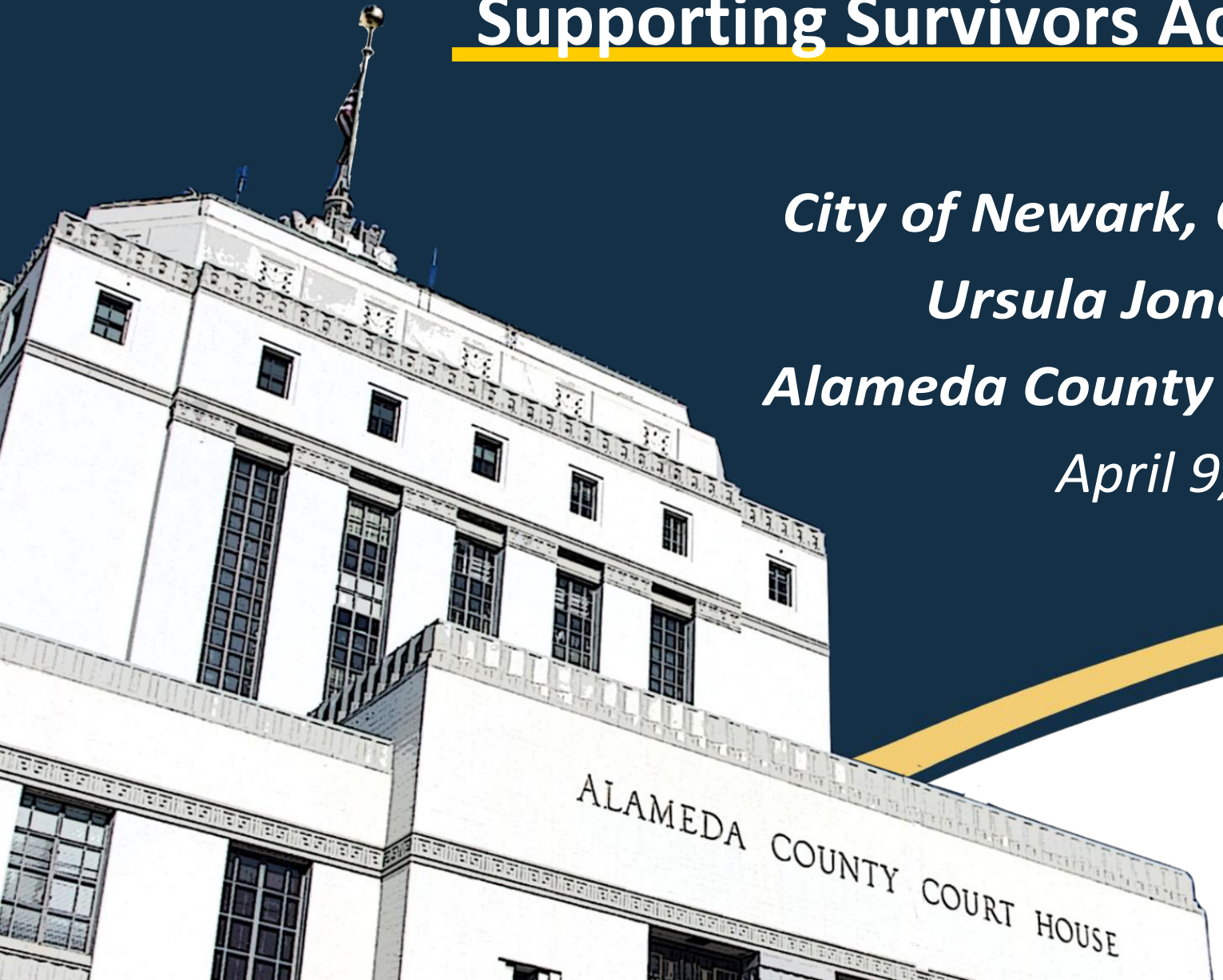
DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Neetu Salwan, City Clerk
SUBJECT	District Attorney Jones Dickson's Presentation

Alameda County District Attorney Ursula Jones Dickson will provide the Council with an update on the State of the District Attorney's Office. A copy of the presentation is attached.

Attachments

DA Jones Dickson's Presentation

Protect. Empower. Restore.
Supporting Survivors Across Alameda County



City of Newark, Council Meeting

Ursula Jones Dickson

Alameda County District Attorney

April 9, 2026

Mission

Ethically prosecute those who commit crimes, uphold the rights of victims and provide them with compassionate support, and protect the communities that we serve. Collaborate with justice and community partners and foster policies that prioritize public safety and restore public trust. Reinforce innovative programs that provide opportunities for rehabilitation and reintegration, and to enhance the lives of the residents of Alameda County.

Mandate

The District Attorney's Office represents the People of the State of California ethically, professionally and with integrity, in criminal, civil and juvenile matters. The DA's Office will always pursue the truth, demonstrate commitment to fair and equitable justice for all, and ensure that victims of crime are treated with respect, dignity, and empathy.

Meet the DA

Ursula Jones Dickson

District Attorney Ursula Jones Dickson is the District Attorney of Alameda County, sworn in February 18, 2025. A former Alameda County Superior Court judge and longtime county prosecutor, she began her career in the Alameda County District Attorney's Office after earning her B.A. from UC Berkeley and her J.D. from the University of San Francisco School of Law (1998). Appointed to the Superior Court in 2013, she served 11 years, including as Presiding Judge of the Juvenile Courts.

As District Attorney, her appointment marks a return to principled prosecution rooted in accountability, public safety, and victim advocacy, with a focus on trust, community engagement, and equitable justice.

Our Branches

- René C. Davidson Courthouse
- Consumer, Environmental, and Worker Protection
- East County Hall of Justice (ECHOJ)
- Juvenile Justice Center
- Fremont Hall of Justice
- Victim Witness Assistance
- Family Justice Center
- Wiley W. Manuel Courthouse

Rebuilding Community Trust

Strengthening Your DA's Office

- **Launched the Regional Organized Retail Theft Task Force:** Established a countywide Organized Retail Theft Task Force to address repeat, organized offenders. Restructured the Organized Retail Theft Vertical Prosecution Unit to improve results.

- **Bolster Operations:** Filled leadership positions, relaunched dormant grant and consumer protection initiatives, and began a top-to-bottom fiscal review. These actions will create a more transparent and accountable office.

- **Restored Prosecutorial Capacity:** By removing internal bottlenecks, prosecutors were able to process cases more efficiently, reviewing over 22,386 referrals and increasing felony filings.

- **Reaffirmed Commitment to Fair and Equitable Justice:** Focused on consistent, community-informed decision-making rooted in public trust, service, and legal integrity.

Serving Survivors & Supporting Safety

- **Advanced Gun Violence Prevention:** The District Attorney worked to ensure that Alameda County was one of only four counties selected for the AB 1344 Gun Violence Restraining Order Pilot Program, thereby expanding collaboration with law enforcement and providing prosecutors with a vital tool to intervene before tragedy occurs.

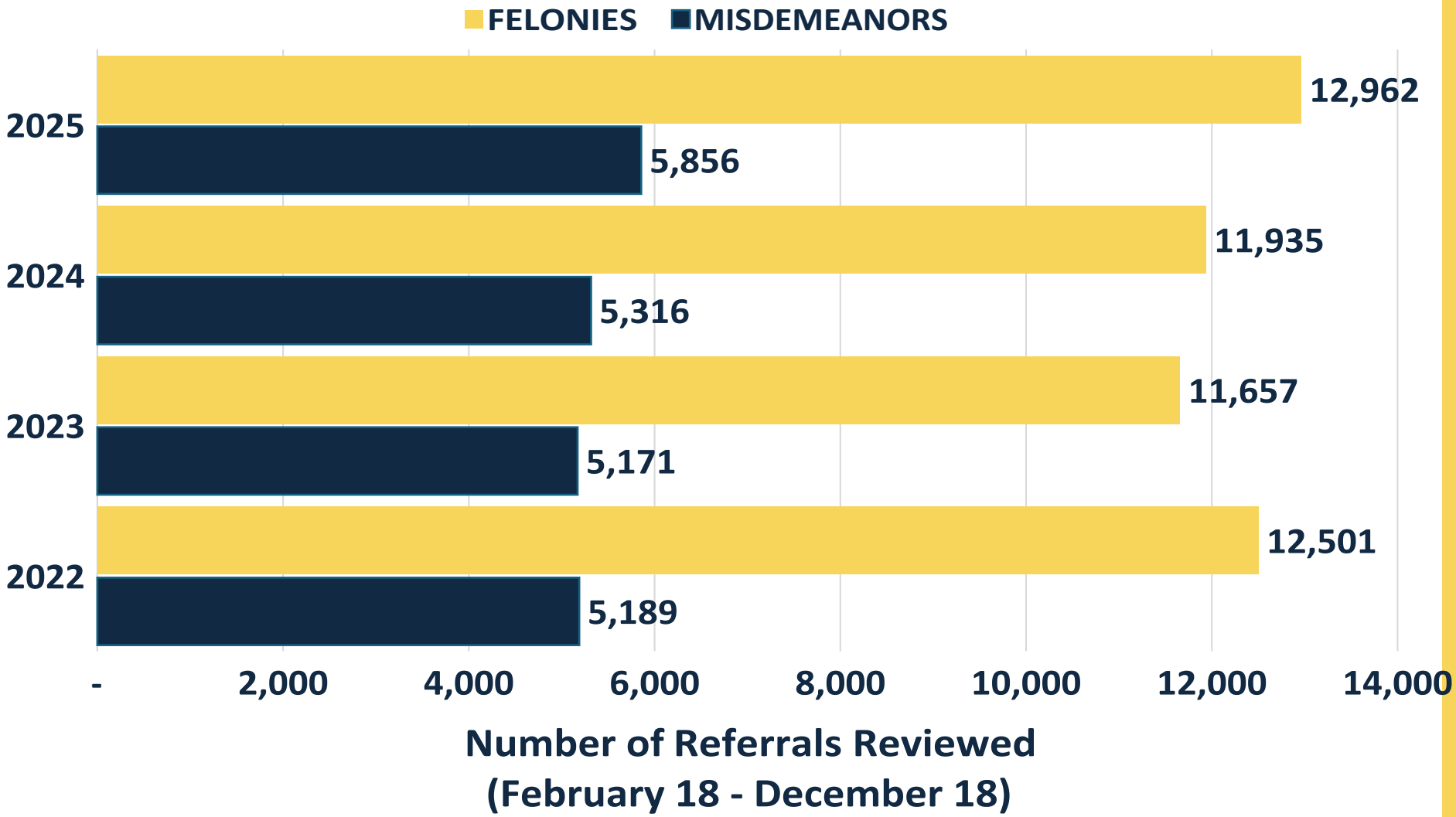
- **Strengthened Community Stakeholder Engagement:** Convened safety conversations with business owners, survivors, and faith leaders across Alameda County to hear directly from the community.

- **Protected Resources:** Fought against devastating budget cuts that would have further harmed victims – successfully securing new funding to protect victims and support the Alameda County Family Justice Center and the Trauma Recovery Center. These efforts preserved essential lifelines for thousands of residents.

Justice By the Numbers

Referrals Reviewed

TOTAL NUMBER OF REFERRALS REVIEWED (FEB. 18 - DEC. 18 BY YEAR)



*In Custody Referrals Only

TOTAL REFERRALS

First 10 Months
Feb. 18 – Dec. 18

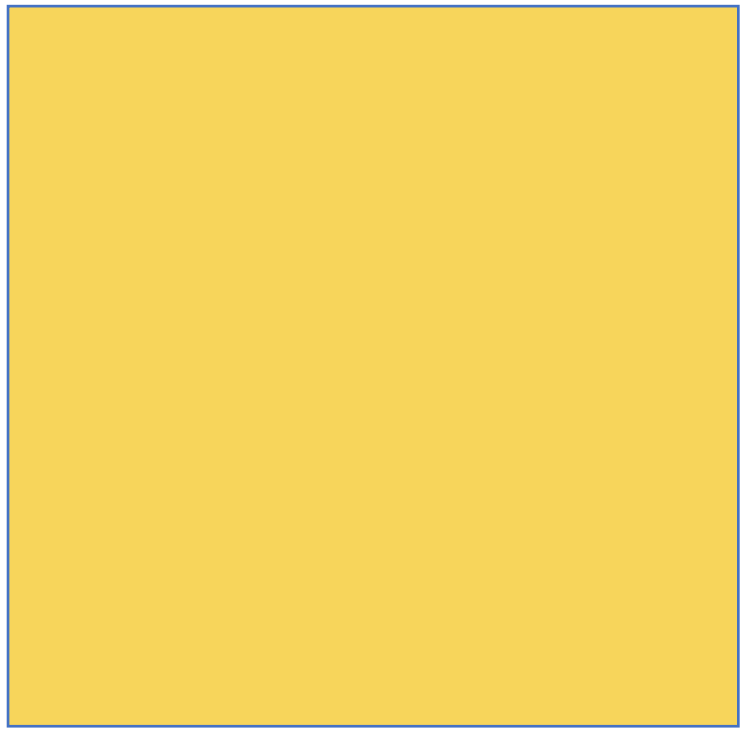
2022: 17,690
2023: 16,828
2024: 17,251
2025: 18,818

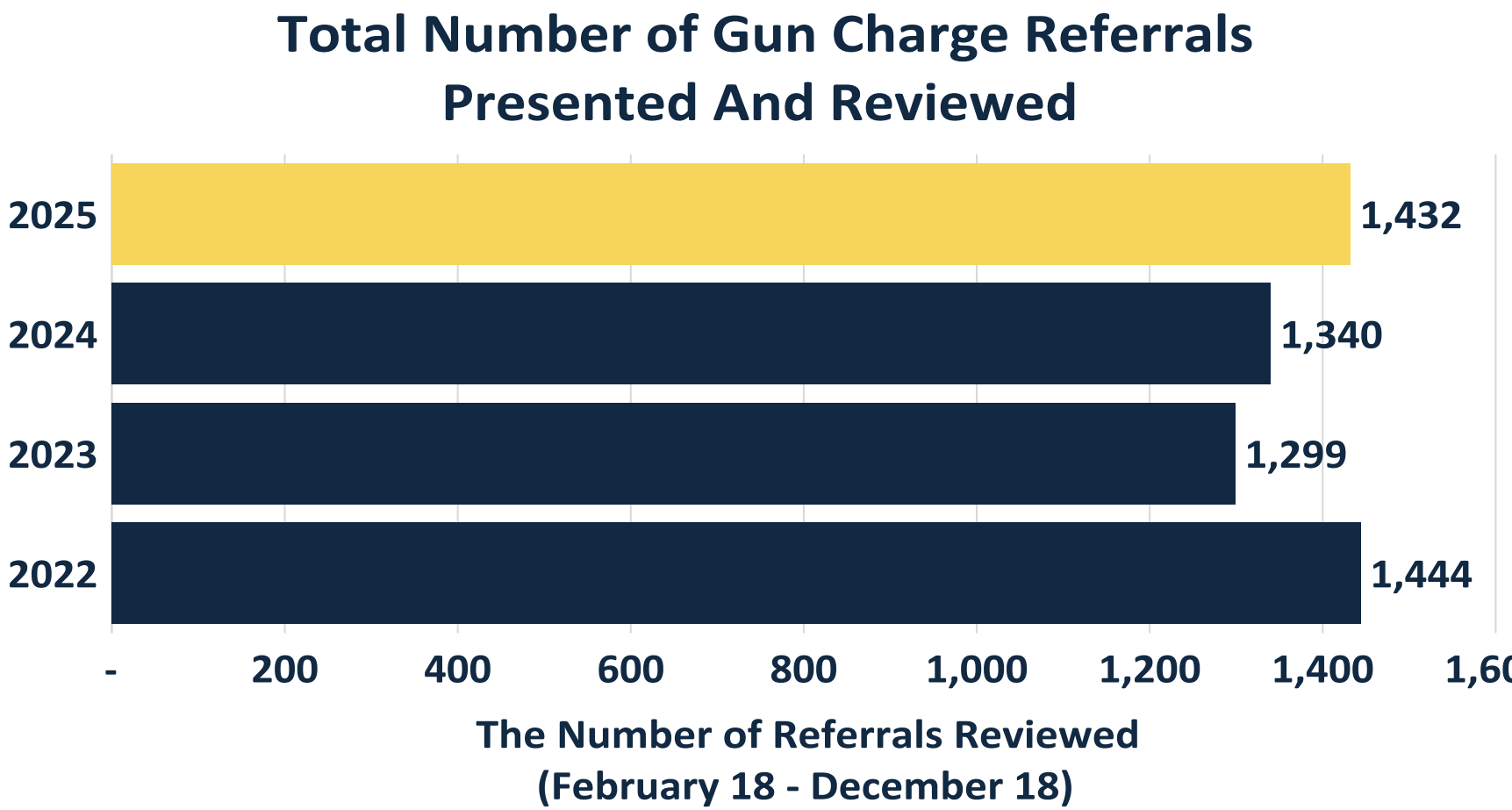
Each referral may include one or more criminal charges.

The offense level reflects the most serious conduct the suspect was arrested for.

First 10 Months:

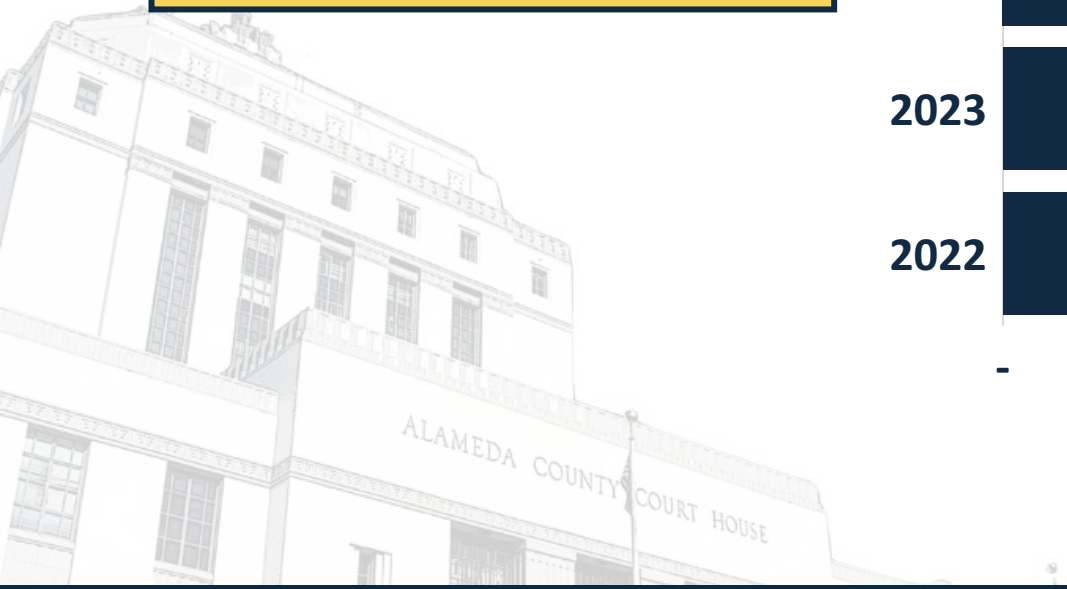
First 10 Months:



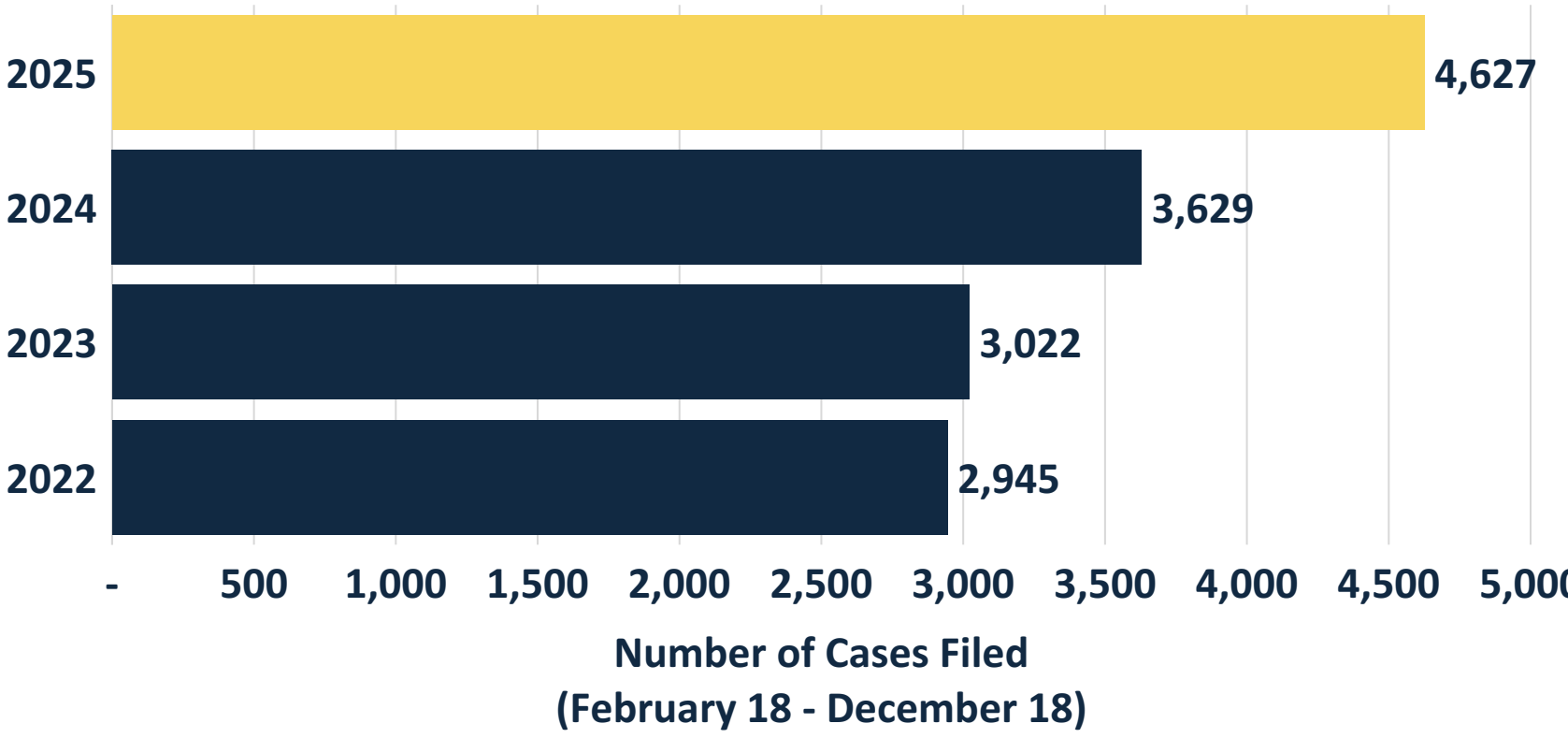


Theft-Related Property Crime Cases

First 10 Months:

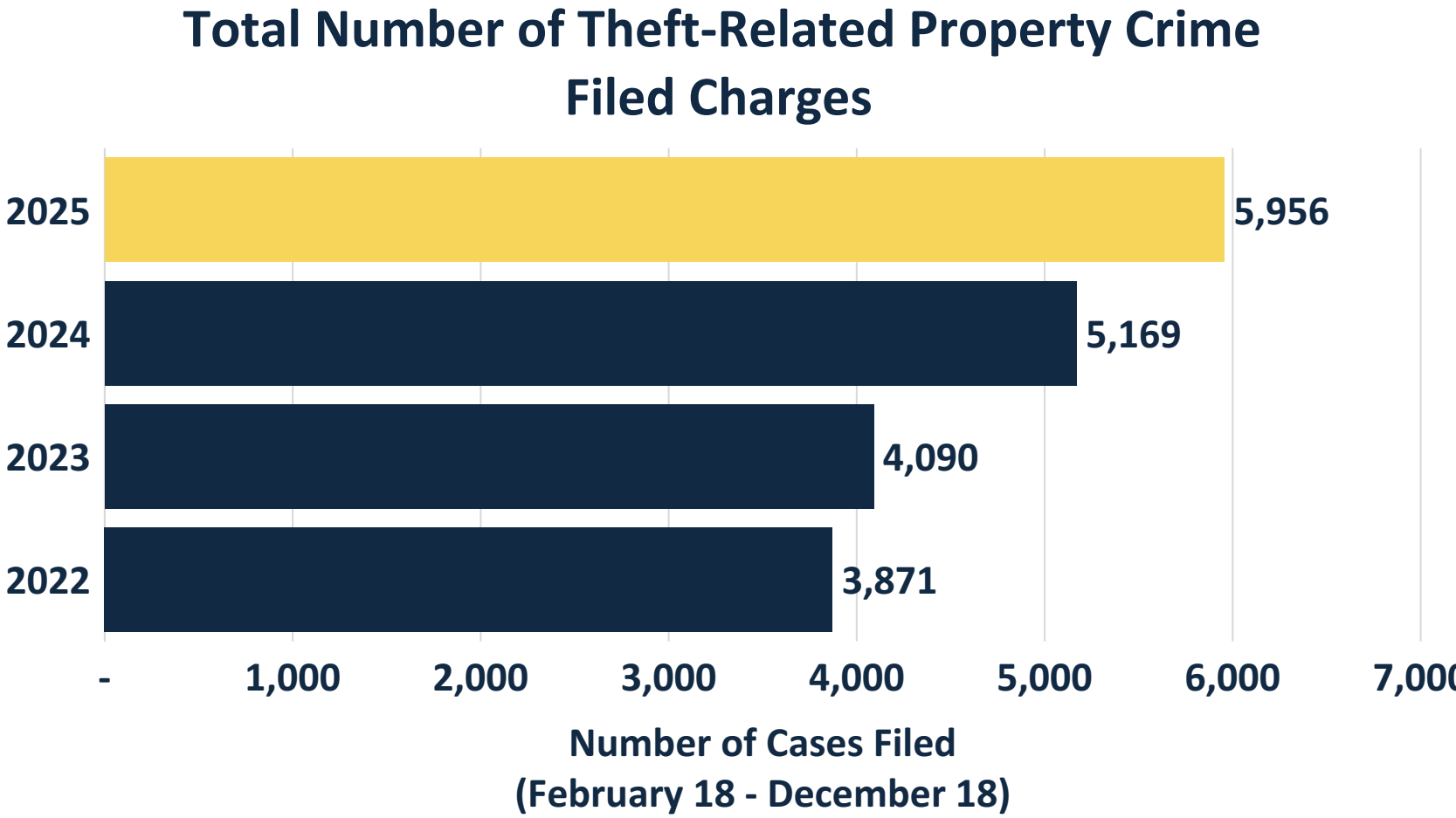


Total Number of Theft-Related Property Crime Filed Cases



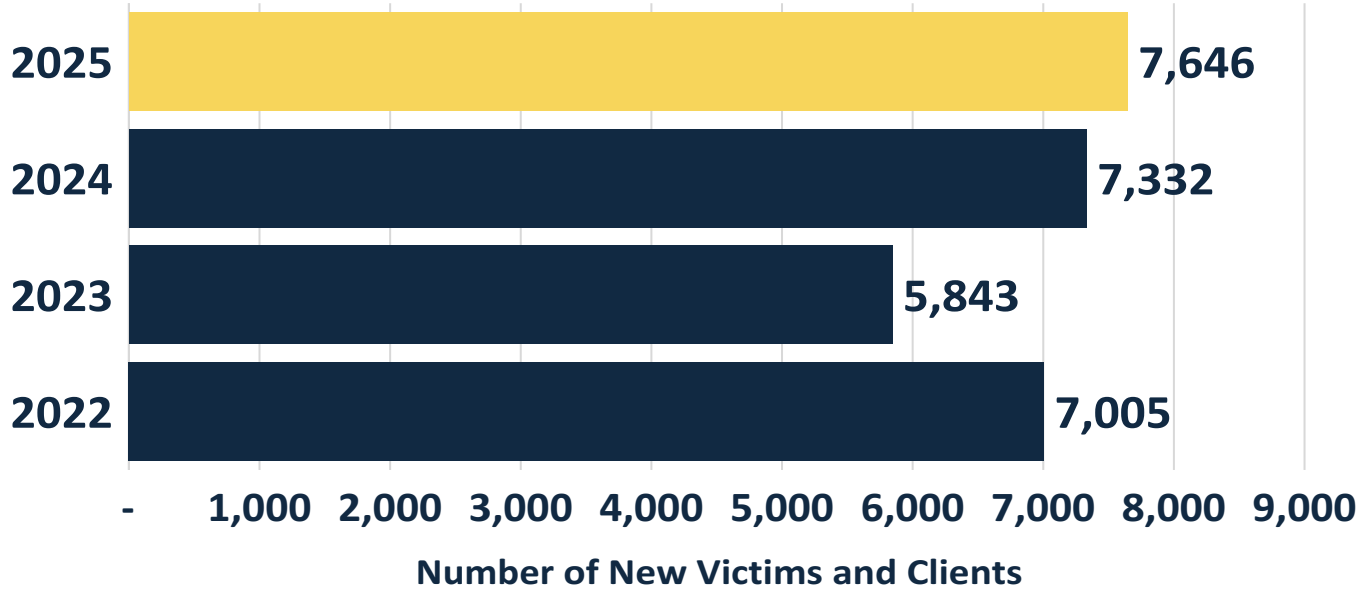
Theft-Related Property Crime Charges

First 10 Months:



First 10 Months:

New Victims and Clients Receiving Services Between 2022 - 2025



We offer services to all crime types, including but not limited to…

- Identity Theft
- Battery
- Drunk Driving
- Violation of a Protective Court Order
- Property Crimes
- Domestic Violence
- Aggravated Assault

The Work Ahead

What's Ahead — Fair Charging, Safer Communities

As we continue to serve the people of Alameda County, our focus is on delivering justice through decisive, fair, and effective prosecution for victims of crime.

Key Priorities:

- **Developing a Hate Crimes Unit:** We will be providing community education about hate crimes, hate incidents, and hate speech, as well as actively prosecuting hate crime cases.
- **Restoring our Human Trafficking, Wage Theft and Labor Exploitation Efforts:** We're reestablishing focused efforts to prosecute traffickers and protect victims of exploitation and wage theft.
- **Improving and Expanding Victim Witness Services:** We're enhancing Victim Witness Advocates training to better support victims throughout the legal process—from charging to trial.
- **Launching our Inaugural Annual Report:** Released in January 2025 to highlight the work over the past year.

SCAN ME

VIEW THE DA'S DOCKET AT: DA.ALAMEDACOUNTYCA.GOV OR SCAN THE QR CODE.

Rebuilding Community Trust

- We are committed to working alongside community leaders to improve public safety, increase trust, and ensure accountability through fair charging decisions.
- **Our engagement efforts support better justice outcomes:**
  - ***Town Halls and Safety Forums:*** Help our office understand real concerns that impact safety and charging decisions
  - ***Community Listening Sessions:*** Inform how we apply the law with fairness, clarity, and consistency across diverse communities.
  - ***Continual Conversations with Local Leaders:*** A space for regular dialogue with neighborhood leaders and other community stakeholders on how charging, enforcement, and prevention affect the communities they serve.

Partnering to Promote Safety and Justice

- **Neighborhood organizations are essential partners in building safer communities. You are often the first to hear concerns, offer comfort after harm, and guide community trust in public institutions.**

- **Your involvement strengthens our legal response and our service to the people of Alameda County.**

- **How We Can Work Together:**
  - **Host a Listening Session or Safety Forum** Invite the DA's Office to engage your networks, neighborhood groups, service or faith organizations directly, to help us better understand community concerns, shape charging decisions, and build trust in communities that may distrust law enforcement or lack information on legal rights.
  - **Encourage Crime Reporting:** Neighborhood leaders often hear of threats, bias, or harm before they're reported to law enforcement. Encouraging timely reporting helps us respond quickly, investigate thoroughly, and ensure accountability under the law.
  - **Share DA Office Resources:** Make information available in your business, newsletters or congregation about victim services, crime reporting, and legal rights. Many victims are more likely to seek help when trusted community voices connect them to our office.

Contact Information

CONSUMER, ENVIRONMENTAL & WORKER PROTECTION/PUBLIC ASSISTANCE FRAUD
7677 Oakport Street, Suite 650
Oakland, CA 94621
Phone: (510) 383-8600
Email: askcepd-da@acgov.org

EAST COUNTY HALL OF JUSTICE
5149 Gleason Drive, #220
Dublin, CA 94568
Phone: (925) 803-7171
Email: askechoj-da@acgov.org

FAMILY JUSTICE CENTER
470 27th Street
Oakland, CA 94612
Phone: (510) 267-8800
Email: ask.FJC@acgov.org

FREMONT HALL OF JUSTICE
39439 Paseo Padre Parkway
Fremont, CA 94538
Phone: (510) 795-2500
Email: askfhj-da@acgov.org

JUVENILE JUSTICE
2500 Fairmont Drive, Suite C3071
San Leandro, CA 94578
Phone: (510) 667-4470
Email: askjjc-da@acgov.org

RENE C. DAVIDSON COURTHOUSE
1225 Fallon Street, Suite 900
Oakland, CA 94612
Phone: (510) 272-6222
Email: alcoda@acgov.org

VICTIM WITNESS ASSISTANCE
1401 Lakeside Drive, Suite 802
Oakland, CA 94612
Phone: (510) 272-6180
Email: askvw-da@acgov.org

WILEY W. MANUEL COURTHOUSE
661 Washington Street, Room 225
Oakland, CA 94607
Phone: (510) 268-7500
Email: askwwm-da@acgov.org

Questions?

Community Outreach and Legislation Division

L.D. Louis

Email: L.D.Louis@acgov.org

Austin Bruckner Carrillo

Email: Austin.Bruckner2@acgov.org

Phone: (510) 272-5014

STAFF REPORT

Item D. 1.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Bengil Ranillo, Accounting Assistant II
SUBJECT	Approval of Audited Demands

Attachments

Audited Demands 03.12.26
Audited Demands 03.19.26

LIVE Newark CA LIVE

Payment Batch Register

Bank Account: AP - ZBA ACCOUNTS PAYABLE

Batch Date: 03/12/2026

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE						
Check	03/12/2026	16327	Accounts Payable	AFLAC		1,055.92
	Invoice	Date	Description		Check Sort Code	Amount
	935129	03/04/2026	AFLAC STD - FEBRUARY 2026 PREMIUMS			1,055.92
Check	03/12/2026	16328	Accounts Payable	ALAMEDA COUNTY SHERIFF'S OFFICE		8,000.00
	Invoice	Date	Description		Check Sort Code	Amount
	10287	02/25/2026	ACADEMY TUITION - BIRKELAND AND VUONG 02/17-08/25/26			8,000.00
Check	03/12/2026	16329	Accounts Payable	ALL CITY MANAGEMENT SERVICES, INC.		8,226.53
	Invoice	Date	Description		Check Sort Code	Amount
	PS-INV104057	02/20/2026	SCHOOL CROSSING GUARD SVCS 02/01-02/14/26			8,226.53
Check	03/12/2026	16330	Accounts Payable	ALLIED AUTO STORES INC		432.93
	Invoice	Date	Description		Check Sort Code	Amount
	FEB'26	02/28/2026	ALLIED-FLEET SUPPLIES 02/11-02/24/26			432.93
Check	03/12/2026	16331	Accounts Payable	ARROWHEAD FORENSICS		180.69
	Invoice	Date	Description		Check Sort Code	Amount
	189677	02/16/2026	EVIDENCE SUPPLIES			180.69
Check	03/12/2026	16332	Accounts Payable	BAY CENTRAL PRINTING		3,030.12
	Invoice	Date	Description		Check Sort Code	Amount
	204864	01/30/2026	B/C MASTERS SHELLS / 34,500			3,030.12
Check	03/12/2026	16333	Accounts Payable	STATE DISBURSEMENT UNIT		1.38
	Invoice	Date	Description		Check Sort Code	Amount
	PPE 2.28.26	03/04/2026	GARNISH - CASE 200000002128365 - 2/15/26-2/28/26			1.38
Check	03/12/2026	16334	Accounts Payable	UNITED PACIFIC		90.00
	Invoice	Date	Description		Check Sort Code	Amount
	010126-013126	01/31/2026	CAR WASH 01/01-01/31/26			90.00
Check	03/12/2026	16335	Accounts Payable	COMCAST		1,540.51
	Invoice	Date	Description		Check Sort Code	Amount
	8821-032826	02/24/2026	TELEVISION & PUBLIC WIFI ACCESS 03/01-03/28/26			1,540.51
Check	03/12/2026	16336	Accounts Payable	KEVIN DEFRANCO		992.70
	Invoice	Date	Description		Check Sort Code	Amount

	0214-022026EXP	02/14/2026	EXPENSE REIMBURSEMENT FOR AOAP/NDPA CONFERENCE 02/14-02/20/26			992.70
Check	03/12/2026	16337 Accounts Payable	DELTA DENTAL OF CALIFORNIA			18,344.65
	Invoice	Date	Description		Check Sort Code	Amount
	BE006954570	03/04/2026	DELTA PPO BASE & BUY-UP - MARCH 2026 PREMIUMS			18,344.65
Check	03/12/2026	16338 Accounts Payable	DELTA DENTAL INSURANCE COMPANY			183.33
	Invoice	Date	Description		Check Sort Code	Amount
	BE006953245	03/04/2026	DELTA CARE - MARCH 2026 PREMIUMS			164.51
	BE006953963	03/04/2026	DELTA CARE COBRA - MARCH 2026 PREMIUMS			18.82
Check	03/12/2026	16339 Accounts Payable	DICIV, INC.			5,000.00
	Invoice	Date	Description		Check Sort Code	Amount
	YZDDWCB2-0001	02/20/2026	GEN AI CONSULTING			5,000.00
Check	03/12/2026	16340 Accounts Payable	EYEP-SOLUTIONS INC			10,145.80
	Invoice	Date	Description		Check Sort Code	Amount
	26-68	01/30/2026	SECURITY INSTALL PROGRESS BILLING 9 - 01/30/26			10,145.80
Check	03/12/2026	16341 Accounts Payable	GRAINGER			114.03
	Invoice	Date	Description		Check Sort Code	Amount
	9812478353	02/18/2026	CARPET SEAM BINDER			114.03
Check	03/12/2026	16342 Accounts Payable	GYM DOCTORS			450.00
	Invoice	Date	Description		Check Sort Code	Amount
	00177075	02/19/2026	FITNESS CENTER MAINTENANCE 02/18/26			225.00
	00176042	01/22/2026	FITNESS CENTER MAINTENANCE 01/21/26			225.00
Check	03/12/2026	16343 Accounts Payable	HDL SOFTWARE, LLC			4,085.82
	Invoice	Date	Description		Check Sort Code	Amount
	SIN059932	01/31/2026	UUT SUPPORT / RETURNS / EXEMPTION RETURNS - JAN 2026			4,085.82
Check	03/12/2026	16344 Accounts Payable	HELIX ENVIRONMENTAL PLANNING, INC.			4,785.00
	Invoice	Date	Description		Check Sort Code	Amount
	132618	02/27/2026	EIR CONSULTING - HARVEST COMMUNITY PRJCT - SVCS THRU 01/22/26			4,785.00
Check	03/12/2026	16345 Accounts Payable	HOLIDAYGOO, INC.			2,862.33
	Invoice	Date	Description		Check Sort Code	Amount
	21947	02/18/2026	PLASTIC EGGS FOR FAMILY DAY AT THE PARK 2026			2,862.33
Check	03/12/2026	16346 Accounts Payable	JEREMIAH HOWSONEY			56.58
	Invoice	Date	Description		Check Sort Code	Amount
	0217-021926EXP	02/17/2026	MEAL REIMBURSEMENT FOR AOAP/NDPA CONFERENCE 02/17-02/19/26			56.58
Check	03/12/2026	16347 Accounts Payable	IDN WILCO			99.89
	Invoice	Date	Description		Check Sort Code	Amount
	10988801-00	01/13/2026	CAM LOCK EZ			99.89
Check	03/12/2026	16348 Accounts Payable	KBA DOCUMENT SOLUTIONS, LLC			2,243.54
	Invoice	Date	Description		Check Sort Code	Amount
	55Y1585269	02/17/2026	COPIER LEASE YEAR 4 OF 5 - OVERAGES 01/21-02/20/26			2,243.54

Check	03/12/2026	16349	Accounts Payable	KNORR SYSTEMS INTERNATIONAL	969.00

Invoice	Date	Description	Check Sort Code	Amount
298591	02/20/2026	SILLIMAN BVW SYSTEM LEAK 02/12/26		969.00

Check	03/12/2026	16350	Accounts Payable	LOOMIS	347.32

Invoice	Date	Description	Check Sort Code	Amount
13932978	02/28/2026	ARMORED CAR SERVICE - 02/26		347.32

Check	03/12/2026	16351	Accounts Payable	MIKE YORKS INVESTIGATIONS	1,050.00

Invoice	Date	Description	Check Sort Code	Amount
2026-03	03/05/2026	BACKGROUND INVESTIGATIONS 02/19-03/05/26		1,050.00

Check	03/12/2026	16352	Accounts Payable	PACIFIC GAS & ELECTRIC	10,653.76

Invoice	Date	Description	Check Sort Code	Amount
1859-010426	02/27/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 11/26-12/28/25		5,845.99
9045-010426	02/27/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 11/23-12/24/25		477.34
2305-022326	02/23/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 11/24-12/25/25		313.39
5555-022526	02/25/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 01/28-02/18/26		96.08
7460-021326	02/13/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 12/25-01/26/26		3,920.96

Check	03/12/2026	16353	Accounts Payable	PHOENIX GROUP INFORMATION SYSTEMS	611.60

Invoice	Date	Description	Check Sort Code	Amount
012026101	02/18/2026	PARKING CITATION PROGRAM JANUARY 2026		611.60

Check	03/12/2026	16354	Accounts Payable	PLAN JPA	4,976.50

Invoice	Date	Description	Check Sort Code	Amount
PLAN-0510	02/18/2026	GENERAL LIABILITY CLAIMS FY 25/26 - JANUARY 2026		4,976.50

Check	03/12/2026	16355	Accounts Payable	REDFLEX TRAFFIC SYSTEMS, INC.	17,400.00

Invoice	Date	Description	Check Sort Code	Amount
INV0117729	02/28/2026	REDLIGHT CAMERA MONITORING FEBRUARY 2026		17,400.00

Check	03/12/2026	16356	Accounts Payable	DOUBLETREE BY HILTON NEWARK-FREMONT	11,663.35

Invoice	Date	Description	Check Sort Code	Amount
1771626629	02/20/2026	EMPLOYEE SERVICE AWARDS VENUE 02/19/26		11,663.35

Check	03/12/2026	16357	Accounts Payable	SFPUC	4,113.23

Invoice	Date	Description	Check Sort Code	Amount
83667	01/22/2026	SFPUC RENT WATER AC#2866 03/01/26		3,063.89
83639	01/22/2026	SFPUC RENT WATER AC#3642 03/01/26		1,049.34

Check	03/12/2026	16358	Accounts Payable	LINCOLN AQUATICS	819.00

Invoice	Date	Description	Check Sort Code	Amount
SL056751	01/30/2026	POOL CHEMICALS		819.00

Check	03/12/2026	16359	Accounts Payable	YORK RISK SERVICE GROUP, INC. A SEDGWICK COMPANY	7,705.00

Invoice	Date	Description	Check Sort Code	Amount
400000282646	02/13/2026	WORKERS COMPENSATION ADMIN FEES - 01/01/26-01/31/26		3,852.50
400000282649	02/13/2026	WORKERS COMPENSATION ADMIN FEES - 02/01/26-02/28/26		3,852.50

Check	03/12/2026	16360	Accounts Payable	STANDARD INSURANCE COMPANY		1,495.83
	Invoice		Date	Description	Check Sort Code	Amount
	LTD MARCH 2026		03/04/2026	STANDARD LTD - MARCH 2026 PREMIUMS		1,495.83
Check	03/12/2026	16361	Accounts Payable	STANDARD INSURANCE COMPANY		1,949.46
	Invoice		Date	Description	Check Sort Code	Amount
	MAR VISION 2026		03/04/2026	STANDARD VISION - MARCH 2026 PREMIUMS		1,949.46
Check	03/12/2026	16362	Accounts Payable	STAPLES		854.18
	Invoice		Date	Description	Check Sort Code	Amount
	7008791968		02/15/2026	OFFICE SUPPLIES 02/05-02/13/26		854.18
Check	03/12/2026	16363	Accounts Payable	CLASSIC GRAPHICS		3,394.27
	Invoice		Date	Description	Check Sort Code	Amount
	52187		02/16/2026	VEH 271 REAR DOOR REPAIR 02/16/26		2,408.34
	52196		02/18/2026	VEH 324 PAINT AND REPAIR HINGE 02/18/26		985.93
Check	03/12/2026	16364	Accounts Payable	PACIFIC CAR WASH		424.88
	Invoice		Date	Description	Check Sort Code	Amount
	CON122025		12/28/2025	CAR WASH AND DETAIL THRU 12/02/25		424.88
Check	03/12/2026	16365	Accounts Payable	TEN-FOUR COMMUNICATIONS, INC		930.00
	Invoice		Date	Description	Check Sort Code	Amount
	67179		02/05/2026	FIRE ENGINE EMERGENCY SERVICE CALL 02/02/26		930.00
Check	03/12/2026	16366	Accounts Payable	THE ED JONES COMPANY		90.82
	Invoice		Date	Description	Check Sort Code	Amount
	60646		02/16/2026	TOP RIBBON - FELIX		90.82
Check	03/12/2026	16367	Accounts Payable	DITTO TRANSCRIPTS		328.73
	Invoice		Date	Description	Check Sort Code	Amount
	17795		12/31/2025	TRANSCRIPTION OUTSOURCING CASE## 25-I-001 12/31/25		328.73
Check	03/12/2026	16368	Accounts Payable	BOSCO OIL INC DBA VALLEY OIL		3,241.54
	Invoice		Date	Description	Check Sort Code	Amount
	692051		02/25/2026	CASTROL EDGE 02/25/26		3,241.54
Check	03/12/2026	16369	Accounts Payable	WEISSMAN'S DESIGNS FOR DANCE		5,981.51
	Invoice		Date	Description	Check Sort Code	Amount
	264207832		02/18/2026	2026 DANCE REVUE COSTUMES FOR BETTY GENTRY DANCE PROGRAM		5,266.79
	264231486		02/18/2026	2026 DANCE REVUE COSTUMES FOR BETTY GENTRY DANCE PROGRAM		374.47
	264236330		02/18/2026	2026 DANCE REVUE COSTUMES FOR BETTY GENTRY DANCE PROGRAM		18.68
	264205364		02/18/2026	2026 DANCE REVUE COSTUMES FOR BETTY GENTRY DANCE PROGRAM		277.96
	264218360		02/18/2026	2026 DANCE REVUE COSTUMES FOR BETTY GENTRY DANCE PROGRAM		18.68
	264224833		02/18/2026	2026 DANCE REVUE COSTUMES FOR BETTY GENTRY DANCE PROGRAM		24.93
Check	03/12/2026	16370	Accounts Payable	WEX BANK		4,239.83
	Invoice		Date	Description	Check Sort Code	Amount
	111132711		03/06/2026	CHEVRON CC 03/06/25		4,239.83
Check	03/12/2026	16371	Accounts Payable	JERRALD YANG		48.00
	Invoice		Date	Description	Check Sort Code	Amount

	0108-030526EXP	03/04/2026	ACTC MONTHLY MEETINGS PARKING 01/08-03/05/26			48.00
Check	03/12/2026	16372 Accounts Payable	ORION SECURITY			1,155.20
	Invoice	Date	Description		Check Sort Code	Amount
	135441	02/21/2026	UNARMED, UNIFORMED SECURITY GUARD 02/17/26-02/20/26			1,155.20
Check	03/12/2026	16373 Accounts Payable	NEEDEL , JACOB			1,000.00
	Invoice	Date	Description		Check Sort Code	Amount
	2026-00001379	03/04/2026	SPECIAL EVENT PERMIT SECURITY DEPOSIT REFUND			1,000.00
EFT	03/12/2026	1925 Accounts Payable	REDWOOD PUBLIC LAW, LLP	122105980 / 8595354209		4,186.00
	Invoice	Date	Description		Check Sort Code	Amount
	17808	10/31/2025	LEGAL SERVICES - VERIZON WIRELESS FACILITY - SVCS THRU 10/31/25			2,536.00
	18875	01/31/2026	LEGAL SVCS/SANCTUARY WEST/ACQ. OF PROPERTY - SVCS THRU 01/31/26			825.00
	18890	01/31/2026	LEGAL SVCS/SANCTUARY WEST/SCHOOL SITE PRJCT/SVCS THRU 01/31/26			275.00
	18886	01/31/2026	LEGAL SERVICES - HARVEST COMMUNITY @ OHLONE - SVCS THRU 1/31/26			550.00
EFT	03/12/2026	1926 Accounts Payable	SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.	121000248 / 4942808510		14,761.18
	Invoice	Date	Description		Check Sort Code	Amount
	SF-8510-01854009	03/02/2026	WORKERS COMPENSATION CLAIMS -02/02/26-02/28/26			14,761.18
AP ZBA ACCOUNTS PAYABLE Totals:			Transactions: 49			$176,311.94

Checks:	47	$157,364.76
EFTs:	2	$18,947.18

LIVE Newark CA LIVE

Payment Batch Register

Bank Account: AP - ZBA ACCOUNTS PAYABLE

Batch Date: 03/19/2026

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE						
Check	03/19/2026	16374	Accounts Payable	ALAMEDA COUNTY WATER DISTRICT		777.43
	Invoice	Date	Description		Check Sort Code	Amount
	0131-030226	03/03/2026	ACWD HYDRANT 01/31-03/02/26			777.43
Check	03/19/2026	16375	Accounts Payable	ARUP		15,010.00
	Invoice	Date	Description		Check Sort Code	Amount
	5006-2505873	02/20/2026	SEA LEVEL RISE VULNERABILITY 11/25			15,010.00
Check	03/19/2026	16376	Accounts Payable	BAY CENTRAL PRINTING		102.49
	Invoice	Date	Description		Check Sort Code	Amount
	205182	02/26/2026	BUSINESS CARD IMPRINTING- M.SMITH			102.49
Check	03/19/2026	16377	Accounts Payable	BPR CONSULTING GROUP, INC		44,743.74
	Invoice	Date	Description		Check Sort Code	Amount
	3797	01/13/2026	BI FIELD INSPECTION AND RELATED PROFESSIONAL SVCS 12/01-12/31/25			39,877.54
	3912	02/11/2026	BI FIELD INSPECTION AND RELATED PROFESSIONAL SVCS 01/01-01/31/26			4,866.20
Check	03/19/2026	16378	Accounts Payable	BURTON'S FIRE INC		110.59
	Invoice	Date	Description		Check Sort Code	Amount
	S 70901	02/26/2026	REAR MUD FLAP			110.59
Check	03/19/2026	16379	Accounts Payable	SABRE BACKFLOW LLC		287.39
	Invoice	Date	Description		Check Sort Code	Amount
	5078	12/04/2025	BACKFLOW CALIBRATION 12/04/25			287.39
Check	03/19/2026	16380	Accounts Payable	GUSTAVO CHATA		238.50
	Invoice	Date	Description		Check Sort Code	Amount
	0109-01302026	02/11/2026	TENNIS LESSONS/INSTRUCTOR SERVICES 01/09-01/30/26			238.50
Check	03/19/2026	16381	Accounts Payable	CINTAS CORP		3,981.86
	Invoice	Date	Description		Check Sort Code	Amount
	FEB'26	02/28/2026	UNIFORM/MATS FEBRUARY 2026			3,981.86
Check	03/19/2026	16382	Accounts Payable	COUNTY OF ALAMEDA		1,967.50
	Invoice	Date	Description		Check Sort Code	Amount
	FEBRUARY 26	03/04/2026	CITATION PROCESSING FEES - FEBRUARY '26			1,967.50

Check	03/19/2026	16383	Accounts Payable	CSW I ST2		45,311.30

Invoice	Date	Description	Check Sort Code	Amount
2602116	02/28/2026	DESIGN SERVICES FOR OLD TOWN STREETSCAPE IMPROVEMENTS 01/26		45,311.30

Check	03/19/2026	16384	Accounts Payable	COASTLAND CIVIL ENGINEERING		14,578.75

Invoice	Date	Description	Check Sort Code	Amount
63926	02/28/2026	2025 SLURRY SEAL PROJECT THROUGH 02/28/26		1,572.50
63096	10/31/2025	2025 SLURRY SEAL PROJECT THROUGH 10/31/25		5,006.25
63511	12/31/2025	2025 SLURRY SEAL PROJECT THROUGH 12/31/25		7,145.00
63720	01/31/2026	2025 SLURRY SEAL PROJECT THROUGH 01/31/26		855.00

Check	03/19/2026	16385	Accounts Payable	DRAEGER, INC		449.50

Invoice	Date	Description	Check Sort Code	Amount
136361079	02/24/2026	PAS DEVICE REPAIR 01/05/26		449.50

Check	03/19/2026	16386	Accounts Payable	FEHR & PEERS		19,027.39

Invoice	Date	Description	Check Sort Code	Amount
193336	02/17/2026	TASK ORDER #2 - TRUCK REROUTING STUDY 12/27-01/30/26		7,406.50
193337	02/17/2026	NEWARK ATP SERVICES 09/29-01/30/26		11,620.89

Check	03/19/2026	16387	Accounts Payable	FLIP BIRD FILMS LLC		1,100.00

Invoice	Date	Description	Check Sort Code	Amount
1385	02/09/2026	PHOTOGRAPHY FOR RIBBON CUTTING 02/09/26		1,100.00

Check	03/19/2026	16388	Accounts Payable	FOLGERGRAPHICS, INC		2,860.79

Invoice	Date	Description	Check Sort Code	Amount
146513	02/25/2026	POSTCARDS FOR SUMMER 2026 GUIDE		2,860.79

Check	03/19/2026	16389	Accounts Payable	GHD INC.		53,589.73

Invoice	Date	Description	Check Sort Code	Amount
380-0077460	09/05/2025	TASK ORDER NO. 4 - NEWARK QUIET ZONES 08/25		11,963.73
380-0075571	08/07/2025	TASK ORDER NO. 4 - NEWARK QUIET ZONES 08/25		17,929.25
380-0079442	10/13/2025	TASK ORDER NO. 4 - NEWARK QUIET ZONES 09/25		23,696.75

Check	03/19/2026	16390	Accounts Payable	GRAINGER		5,961.44

Invoice	Date	Description	Check Sort Code	Amount
9728865040	12/02/2025	ELECTRIC CLOTHES IRON		36.29
9731031648	12/03/2025	FUSE		118.94
9730483386	12/03/2025	SHOWER CURTAIN		47.18
9746502880	12/17/2025	GAS INFRD FLAT PANEL HEATER		696.44
9736007262	12/09/2025	SHOWER CURTAIN HOOKS		15.92
9777219453	01/20/2026	SECURITY FLOODLIGHT		171.39
9778560889	01/20/2026	SHOWER CURTAIN		65.55
9778580903	01/20/2026	WIRING DEVICE RETAINER		79.92
9781921029	01/22/2026	POLARIZED PLUG		95.98
9784363690	01/26/2026	LIGHTING DIMMER CONTROL		142.95
9794361676	02/03/2026	CONDUIT FITTING		66.34
9803214833	02/10/2026	COMMERCIAL STEAM CLEANER		4,424.54

Check	03/19/2026	16391	Accounts Payable	HILLYARD-INC.		207.28

	Invoice	Date	Description	Check Sort Code	Amount
	90055825	02/27/2026	TOILET SEAT COVERS		207.28
Check	03/19/2026	16392 Accounts Payable	INFO-TECH RESEARCH GROUP INC.		59,092.67
	Invoice	Date	Description	Check Sort Code	Amount
	242209	02/24/2026	SE CORE MEMBERSHIP - 02/28/26-02/28/27		59,092.67
Check	03/19/2026	16393 Accounts Payable	KBA DOCUMENT SOLUTIONS, LLC		204.80
	Invoice	Date	Description	Check Sort Code	Amount
	906080804	03/15/2026	AGREEMENT 717-8255790-002 - MAR '26		204.80
Check	03/19/2026	16394 Accounts Payable	KNORR SYSTEMS INTERNATIONAL		1,866.60
	Invoice	Date	Description	Check Sort Code	Amount
	298695	02/23/2026	CARBON DIOXIDE REFILL 02/13/26		971.91
	298869	02/24/2026	SILLIMAN ACTIVITY POOL SERVICE 02/14/26		894.69
Check	03/19/2026	16395 Accounts Payable	LABCONCO CORPORATION		1,687.80
	Invoice	Date	Description	Check Sort Code	Amount
	F00000015358	02/23/2026	FILTERS FOR EVIDENCE ROOM		1,687.80
Check	03/19/2026	16396 Accounts Payable	LPC SERVICES, INC.		1,781.00
	Invoice	Date	Description	Check Sort Code	Amount
	85280	02/27/2026	PEST SERVICES - VIOLA BLYTHE #102704 2/27/26		185.00
	85284	02/27/2026	PEST SERVICES - SERVICE CENTER #102702 2/27/26		225.00
	85283	02/27/2026	PEST SERVICES - SILLIMAN #102710 2/27/26		425.00
	85286	02/27/2026	PEST SERVICES - PD #104419 2/27/26		201.00
	85281	02/27/2026	PEST SERVICES - CITY HALL #102699 2/27/26		225.00
	85287	02/27/2026	PEST SERVICES - SENIOR CENTER #102706 2/27/26		325.00
	85289	02/27/2026	PEST SERVICES - LIBRARY #116524 2/27/26		195.00
Check	03/19/2026	16397 Accounts Payable	MNS ENGINEERS INC		31,128.30
	Invoice	Date	Description	Check Sort Code	Amount
	90577	07/12/2025	ON-CALL PUBLIC WORKS CONSTRUCTION INSPECTION SERVICES 06/25		31,128.30
Check	03/19/2026	16398 Accounts Payable	NAVIA BENEFIT SOLUTIONS CLIENT PAY		200.00
	Invoice	Date	Description	Check Sort Code	Amount
	11064892	02/26/2026	FY 25/26 COBRA ADMINISTRATION FEES - 02/01/26 TO 02/28/26		200.00
Check	03/19/2026	16399 Accounts Payable	NICHOLS CONSULTING ENGINEERS, CHTD		7,299.55
	Invoice	Date	Description	Check Sort Code	Amount
	123055512	02/23/2026	TASK ORDER NO. 2 - THORNTON AVE. PAVEMENT REHAB 02/26		7,299.55
Check	03/19/2026	16400 Accounts Payable	OWEN EQUIPMENT CO		858.02
	Invoice	Date	Description	Check Sort Code	Amount
	00070619	02/27/2026	AY-TOW BAR LINK		858.02
Check	03/19/2026	16401 Accounts Payable	PACIFIC GAS & ELECTRIC		6,115.19
	Invoice	Date	Description	Check Sort Code	Amount
	0870-030926	03/09/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 01/30-03/02/26		101.26
	2305-030426	03/04/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 01/27-02/25/26		133.74

	9045-030626	03/06/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 01/27-02/25/25		306.24
	4455-030526	03/05/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 02/19-02/26/26		152.79
	0552-030526	03/05/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 01/28-02/26/26		94.65
	3926-030626	03/06/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 01/29-03/01/26		133.60
	1859-030626	03/06/2026	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 01/29-03/01/26		5,192.91
Check	03/19/2026	16402 Accounts Payable	PACIFIC OFFICE AUTOMATION		996.75
	Invoice	Date	Description	Check Sort Code	Amount
	4410180	02/23/2026	CANON IMAGERUNNER C3926I COLOR MFP		996.75
Check	03/19/2026	16403 Accounts Payable	PARK INK		2,170.79
	Invoice	Date	Description	Check Sort Code	Amount
	30746	02/26/2026	GIVEAWAY ITEMS FOR REC JOB FAIR		2,170.79
Check	03/19/2026	16404 Accounts Payable	PLAN JPA		11,909.00
	Invoice	Date	Description	Check Sort Code	Amount
	PLAN-0490	01/23/2026	GENERAL LIABILITY CLAIMS FY25/26 - DECEMBER 2025		11,909.00
Check	03/19/2026	16405 Accounts Payable	RINGCENTRAL INC.		5,456.88
	Invoice	Date	Description	Check Sort Code	Amount
	CD_001359183	02/22/2026	UNIFIED TELEPHONE SYSTEM - 02/20-03/19/26		5,456.88
Check	03/19/2026	16406 Accounts Payable	JOSE RODRIGUEZ		145.44
	Invoice	Date	Description	Check Sort Code	Amount
	010526EXP	01/05/2026	1ST BOOT REIMBURSEMENT 01/05/26		145.44
Check	03/19/2026	16407 Accounts Payable	RUGGERI-JENSEN-AZAR		2,937.00
	Invoice	Date	Description	Check Sort Code	Amount
	97317	10/21/2025	ON-CALL ENGR SERV-1807, 6991 THORNTON AVE THROUGH 09/28/25		2,670.00
	97703	12/16/2025	ON-CALL ENGR SERV-1807, 6991 THORNTON AVE THROUGH 11/30/25		267.00
Check	03/19/2026	16408 Accounts Payable	SNG & ASSOCIATES, INC.		32,427.00
	Invoice	Date	Description	Check Sort Code	Amount
	2025-NEW-0819	10/22/2025	ON-CALL CIVIL ENGINEERING PLAN REVIEW SERVICES 08/25		19,054.00
	2025-NEW-0919	11/03/2025	ON-CALL CIVIL ENGINEERING PLAN REVIEW SERVICES 09/25		13,373.00
Check	03/19/2026	16409 Accounts Payable	S.B.R.P.S.T.C.		151.00
	Invoice	Date	Description	Check Sort Code	Amount
	177332INV	02/26/2026	PC832 LAWS OF ARREST- DE ANGELO 05/11-05/15/26		151.00
Check	03/19/2026	16410 Accounts Payable	ST. FRANCIS ELECTRIC, LLC.		7,250.00
	Invoice	Date	Description	Check Sort Code	Amount
	24054527	02/27/2026	TRAFFIC SIGNAL & STREET LIGHT MAINTENANCE - 02/27/26		7,250.00
Check	03/19/2026	16411 Accounts Payable	CLASSIC GRAPHICS		2,886.15
	Invoice	Date	Description	Check Sort Code	Amount
	51857	11/24/2025	2019 F-250 CUSTOM FABRICATION 11/24/25		2,886.15
Check	03/19/2026	16412 Accounts Payable	THE GOODYEAR TIRE & RUBBER COMPANY		841.51
	Invoice	Date	Description	Check Sort Code	Amount
	184-1103878	02/26/2026	ROAD SERVICE 02/26/26		841.51

Check	03/19/2026	16413	Accounts Payable	TRUE NORTH COMPLIANCE SERVICES, INC.	325.00

Invoice	Date	Description	Check Sort Code	Amount
25-03-032	04/01/2025	BI FIELD INSPECTION AND RELATED PROFESSIONAL SERVICES 03/25		325.00

Check	03/19/2026	16414	Accounts Payable	TYLER TECHNOLOGIES, INC.	35,802.19

Invoice	Date	Description	Check Sort Code	Amount
045-550892	01/21/2026	ANNUAL SAAS FEE - YEAR 1 (PRORATED 01/01/26-08/31/26)		87,537.33
045-554153	02/20/2026	CR FOR INV045-529016 / PO2026-168		(4,119.29)
045-554150	02/20/2026	CR FOR INV045-528703 / PO2026-213		(54,115.85)
045-554334	02/24/2026	VPN DEVICE & INSTALL FEE		6,500.00

Check	03/19/2026	16415	Accounts Payable	UNIVERSAL BUILDING SERVICES & SUPPLY CO	363.75

Invoice	Date	Description	Check Sort Code	Amount
543775	02/23/2026	JANITORIAL SERVICES - FAMILY RESOURCE CENTER 02/02/26		363.75

Check	03/19/2026	16416	Accounts Payable	VERDE DESIGN INC	14,456.00

Invoice	Date	Description	Check Sort Code	Amount
15-2319400	08/07/2025	NEWARK PARK SIGNAGE & DOCUMENTATION 06/26-07/25/25		1,426.00
1-2505500	01/14/2026	REVIEW & RECOMMENDATION FOR PLAYGROUND 11/26 - 12/25/25		6,759.20
2-2505500	02/17/2026	REVIEW & RECOMMENDATION FOR PLAYGROUND 12/26 - 01/25/26		6,270.80

Check	03/19/2026	16417	Accounts Payable	VSS INTERNATIONAL, INC.	81,244.83

Invoice	Date	Description	Check Sort Code	Amount
20020812	02/25/2026	25-080 CA NEWARK 2025 STREET SLURRY SEAL PROG CIPA10006 02/28/26		81,244.83

Check	03/19/2026	16418	Accounts Payable	WEST COAST ARBORISTS INC	39,467.26

Invoice	Date	Description	Check Sort Code	Amount
241232	02/28/2026	STREET TREE MAINTENANCE 02/16-02/28/26		39,467.26

Check	03/19/2026	16419	Accounts Payable	DAILY JOURNAL CORPORATION	63.75

Invoice	Date	Description	Check Sort Code	Amount
B4020822	03/12/2026	PC PH NOTICE - DR2024-009 03/10/26		63.75

Check	03/19/2026	16420	Accounts Payable	ZUMAR INDUSTRIES	695.58

Invoice	Date	Description	Check Sort Code	Amount
56022	02/27/2026	CANTILEVER ARM SUPPORT		695.58

Check	03/19/2026	16421	Accounts Payable	FEAR OVERLOAD LLC	5,000.00

Invoice	Date	Description	Check Sort Code	Amount
CDD000021.C25014	03/16/2026	REFUND MUP2025-022 - NATHAN POLANCO, FEAR OVERLOAD HAUNTED HOUSE		5,000.00

Check	03/19/2026	16422	Accounts Payable	GUPTA , RASHMI	240.00

Invoice	Date	Description	Check Sort Code	Amount
774418	03/11/2026	REFUNDING AS A CHECK DUE TO SYSTEM ERROR FOR RENTAL DEPOSIT		240.00

Check	03/19/2026	16423	Accounts Payable	TAN , WEIHUA	135.00

Invoice	Date	Description	Check Sort Code	Amount

	774417		03/11/2026	REFUND AS CHECK DUE TO SYSTEM ERROR FOR A SKATEBOARDING CLASS			135.00
Check	03/19/2026	16424	Accounts Payable	THORSTEINSSON , CLAUDIA			500.00
	Invoice		Date	Description		Check Sort Code	Amount
	775110		03/16/2026	COMMUNITY CENTER RENTAL DEPOSIT REFUND			500.00
EFT	03/19/2026	1929	Accounts Payable	GOV CONNECTION (ACH)	211070175 / 1310873272		40,344.63
	Invoice		Date	Description		Check Sort Code	Amount
	77301858		02/05/2026	ADOBE VIP LICENSE RENEWAL 12/23/25-12/22/26			47,101.83
	77372870		02/26/2026	ADOBE ACROBAT SIGN 12/23/25-12/22/26			4,514.30
	77401614		03/07/2026	CREDIT - ADOBE ACROBAT SIGN / INV77301858			(11,271.50)
EFT	03/19/2026	1930	Accounts Payable	REDWOOD PUBLIC LAW, LLP	122105980 / 8595354209		47,738.08
	Invoice		Date	Description		Check Sort Code	Amount
	18876		01/31/2026	LEGAL SERVICES - CENTRAL AVENUE OVERPASS - SVCS THRU 01/26			210.00
	17800		10/31/2025	LEGAL SERVICES FOR MOWRY VILLAGE PROJECT - SVCS THRU 10/31/25			27,289.58
	18057		11/30/2025	LEGAL SERVICES FOR MOWRY VILLAGE PROJECT - SVCS THRU 11/30/25			20,238.50
EFT	03/19/2026	1931	Accounts Payable	STANTEC CONSULTING SERVICES INC (ACH)	111000012 / 3752096026		6,120.40
	Invoice		Date	Description		Check Sort Code	Amount
	2529368		02/27/2026	EIR CONSULTING FOR MOWRY VILLAGE PRJCT - PER. ENDING 01/30/26			6,120.40

AP ZBA ACCOUNTS PAYABLE Totals:		Transactions: 54	$660,207.60
Checks:	51	$566,004.49	
EFTs:	3	$94,203.11	

STAFF REPORT

Item D. 2.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Neetu Salwan, City Clerk
SUBJECT	Approval of the March 26, 2026, City Council Minutes for the special and regular Meetings

Attachments

March 26 Special Meeting Minutes
March 26 Regular Meeting Minutes

CITY OF NEWARK
CITY COUNCIL MEETING
Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: city.clerk@newarkca.gov

DRAFT MINUTES

Thursday, March 26, 2026
5:30 P.M.

A. ROLL CALL

Mayor Hannon called the meeting to order at 5:36 p.m. Vice Mayor Jorgens, Council Members Grindall, and Catancio were present.

Council Member Little present at 6:29 p.m.

B. PRESENTATIONS

1. Commending Catalina Farias

Mayor Hannon presented a commendation to Ms. Catalina Farias's first great grandson.

2. Commending Juli Borrego

Mayor Hannon presented a commendation to Library Clerk Juli Borrego from Lincoln School.

3. Proclaiming March 2026 as Celebrating Senior Nutrition Programs and Their Efforts to End the Wait Month

Mayor Hannon presented a proclamation to Program Manager Tammy Duran from SOS Meals on Wheels.

4. Proclaiming Government Finance Professionals Week (March 23–27, 2026)

Mayor Hannon presented a proclamation to Finance Director Krysten Lee and her team.

5. Presentation of 2025 CPRS Award of Excellence to the City of Newark

Treasurer Leah Martinez from CPRS presented a 2025 CPRS Award of Excellence to Recreation Coordinator Katie Fuerte.

Mayor called for a recess at 6:12 p.m. The meeting resumed at 6:19 p.m.

6. Work Session for 2026-2028 Biennial Budget

City Manager Benoun, Assistant City Manager Hovorka, and Finance Director Krysten Lee delivered a presentation on the 2026-2028 Biennial Budget, covering the Budget Process, Economic Trends, Financial Update, Strategic Priorities and City Initiatives, as well as upcoming departmental initiatives and future steps. The presentation is on file with the City Clerk.

No one from the audience requested to speak.

Council members asked clarifying questions, engaged in discussion, and provided feedback to staff.

C. ADJOURNMENT

Mayor Hannon adjourned the meeting at 8:10 p.m.

_____

Neetu Salwan, City Clerk

CITY OF NEWARK
CITY COUNCIL MEETING
Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: city.clerk@newarkca.gov

DRAFT MINUTES

Thursday, March 26, 2026
7:00 P.M.

A. ROLL CALL

Mayor Hannon called the meeting to order at 8:20 p.m. Vice Mayor Jorgens, Council Members Grindall, Catancio, and Little were present.

B. PRESENTATIONS

None.

C. PUBLIC COMMENT

No one from the audience requested to speak.

D. CONSENT CALENDAR

No one from the audience requested to speak.

Council Member Catancio moved, Council Member Grindall seconded, to approve Consent Calendar items D.1 to D.6, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption. The motion passed, 5 AYES.

1. Approval of Audited Demands

2. Approval of March 12, 2026, City Council Minutes

3. Adopt a resolution designating, by title, the City Manager, Assistant City Manager, and Finance Director as Authorized Agents and authorizing the California Governor's Office of Emergency Services (Cal OES) Form 130 - Designation of Applicant's Agent Resolution for Non-State Agencies
Resolution No.11828

4. Adopt a resolution acknowledging receipt of a report made by the Fire Chief of the Alameda County Fire Department regarding the inspection of certain occupancies required to perform annual inspections in such occupancies pursuant to sections 13146.2 And 13146.3 of the California Health and Safety Code
Resolution No. 11829

5. Mid-Year Budget Review and adoption of a Resolution Amending the 2024–2026 Biennial Budget and Capital Improvement Plan for Fiscal Year 2025-26
   Resolution No. 11830

6. Initiation of Fiscal Year 2026-27 Landscaping and Lighting Assessment District Proceedings and authorization to execute amendment No. 3 to the Contractual Services Agreement with Francisco & Associates for the Administration of the City's Landscaping and Lighting Districts and other Special Financing District Administration Services
   Resolution No. 11831
   Resolution No. 11832

E. PUBLIC HEARINGS

None.

F. OTHER BUSINESS

1. Adopt a resolution authorizing an agreement with Macks Craic, Inc., dba Mack5 for Consulting Project Management Services in an amount of $4,398,229, for the Fire Stations #27 and #29 Replacement Project (CIP No. 1410)
   Resolution No. 11833

   City Manager Benoun provided introductory remarks and project background.

   City Engineer Miki Tsubota gave the presentation. The presentation is on file with the City Clerk.

   No one from the audience requested to speak.

   Council members asked clarifying questions and engaged in discussion.

   Council Member Little moved, and Vice Mayor Jorgens seconded, to adopt a resolution authorizing an agreement with Macks Craic, Inc., dba Mack5. The motion passed, 5 AYES.

2. Introduction of the Five-Year Capital Improvement Plan and request for direction on utilizing excess Measure GG and Measure LL funding with respect to the Central Avenue Overpass Project or the Cultural Arts Center Project

   City Manager Benoun provided introductory remarks and requested that Council provide direction to staff based on the options outlined below:

   Option 1 (Staff Recommendation):
   - Suspend Overpass Project and work to reallocate funds to other viable City projects
   - Refine funding analysis to pay for the Cultural Arts Center

   Option 2:
   - Refine funding analysis to pay for the Overpass Project
   - No Cultural Arts Center project

Option 3:

- Suspend Overpass Project and work to reallocate funds to other viable City projects.
- No Cultural Arts Center project.
- Refine funding analysis for alternative projects

City Engineer Miki Tsubota gave the presentation. The presentation is on file with the City Clerk.

No one from the audience requested to speak.

Council members asked clarifying questions, engaged in discussion, and provided direction to staff.

Mayor Hannon moved, Council Member Little seconded, not to proceed with the Central Avenue overpass project. The motion passed, 4 Ayes, with Council Member Grindall opposed

Mayor Hannon moved, Vice Mayor Grindall seconded, to approve the Option 1 directing staff to proceed with issuing RFPs and hiring a consultant, using a project budget of up to $63 million based on Concept C. Staff will return with a refined project plan, updated cost analysis, revenue feasibility, programming options, and integration into the Five-Year CIP.The motion passed, 5 AYES.

Staff will prepare a list of prioritized transportation and infrastructure improvements for Council review, along with recommendations for ACTC fund allocations and reallocations at a future meeting.

G. CITY MANAGER UPDATES

City Manager Benoun announced:

1. Document Shredding Event on Saturday, April 4, 2026, from 9:00 a.m. to 12:00 p.m. at 37440 Filbert Street, contact Shobna.sharma@newarkca.gov or call (510) 578-4929 for more information.

2. Free compost will be available and delivered to your residence on a first-come, first-served basis. Sign-up is required by March 31, 2026, at https://www.newarkca.gov/residents/compost-soil-giveaway.

3. Family Day at the Park, Spring Showcase, on Saturday, March 28, 2026, from 10:00 a.m. to 12:30 p.m. at Newark Community Center Park, 35501 Cedar Blvd. including various fun activities.

H. CITY COUNCIL MATTERS

Council Member Little announced several upcoming community events: the Pan y Café by Arteaga's grand opening on March 27, a comedy night at Swiss Park that evening, and a fundraising night on April 17 at the Tri-City Athletic Center for the Newark Knights Softball team. She noted that volunteers are needed for the Coastal Cleanup on April 25, hosted by the Don Edwards San Francisco Bay National Wildlife Refuge, and shared that the Newark Memorial High School boys' volleyball team is seeking support for new uniforms.

Council Member Grindall noted that the Optimist Club is sponsoring the Egg Hunt at Family Day in the Park and thanked them for their partnership with the City.

Council Member Catancio attended the Newark Girls Softball League opener. She will volunteer at Family Day in the Park, noting the egg hunt schedule: adaptive needs at 10:00 a.m., and hunts for ages 4 and under and 5+ at 10:30 a.m.

Vice Mayor Jorgens highlighted Newark's early baseball history, noting the 1900s Wedgewoods - mostly local iron workers - who played across the Bay Area and celebrated the 1910 Dumbarton Rail Bridge opening, helping shape the city's community pride.

I. CLOSED SESSION

None.

J. ADJOURNMENT

Mayor Hannon adjourned the meeting at 10:02 p.m.

_____

Neetu Salwan, City Clerk

STAFF REPORT
Item D. 3.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Jessennia Taimani, Recreation and Community Services Supervisor I
SUBJECT	Waive full reading and introduce by title only an Ordinance of the City Council of the City Of Newark Amending Chapter 2.14, “Public Art Committee”, of the Newark Municipal Code

SUMMARY AND RECOMMENDATION

At the March 12, 2026, City Council meeting, City Council directed staff to return with revisions to Newark Municipal Code Chapter 2.14, Public Art Committee to increase the number of committee members, remove alternate positions and revise the requirements for the non-voting high school member. The proposed ordinance increases the number of committee members from five and two alternates to nine members and revising the requirement for the high school student to be a resident of Newark.

Staff recommends that the City Council waive the full reading and introduce by title only an Ordinance of the City Council of the City Of Newark Amending Chapter 2.14, “Public Art Committee”, of the Newark Municipal Code.

BACKGROUND

On January 8, 2026 the City Council adopted the ordinance adding Chapter 2.14, "Public Art Committee", which establishes the structure, roles, and appointment process for new committee members to help guide implementation of the City’s Public Art Program, among other duties.

Applications for the Public Art Committee were open for approximately four weeks, during which time the City received 26 applications. The Mayor reviewed each application and conducted interviews. Given the strong community interest and the number of highly qualified candidates, the item was brought forward for discussion at the March 12, 2026 City Council meeting. Following City Council discussion, the City Council directed staff to make amendments and return to City Council at a future date.

DISCUSSION/ANALYSIS

Following City Council direction, staff is proposing the following changes to Chapter 2.14 regarding the composition of the Public Art Committee. The revisions increase the number of voting members from five to nine, eliminate the two alternate member positions, and maintain one non-voting high school advisory member. The high school advisory seat has also been revised to allow participation from any Newark resident high school student, rather than being limited to a single school. These amendments result in a net increase of four additional voting members.

PAC Composition	Adopted Ordinance	Amended Ordinance
Voting Member	5	9
Alternate Member (non-voting)	2	0
High School Member (non-voting)	1	1
Total Members	8	10

With the increase from five to nine voting members, the number of members first appointed to the two- and four-year terms are also increased in the proposed changes. Four members would be appointed for two-year terms (previously two members), while five members would be appointed for five-year terms (previously three members). These revisions reflect City Council direction to expand the committee's membership in response to strong community interest. The update to the high school advisory seat further broadens participation by allowing any Newark-resident high school student to serve.

FISCAL IMPACT

There is no fiscal impact associated with this action.

STRATEGIC PRIORITY AREA

Strengthen Community through Education and Engagement

REVIEW AND APPROVAL

Prepared by - Jessennia Taimani, Recreation and Community Services Supervisor I
Reviewed by - Roya Gonzalez, Interim Recreation and Community Services Director
Reviewed by - Lenka Hovorka, Assistant City Manager
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - David J. Benoun, City Manager

Attachments

Ordinance Amending Chapter 2.14
Exhibit A Ordinance Amending Chapter 2.14

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWARK AMENDING CHAPTER 2.14, "PUBLIC ART COMMITTEE", OF THE NEWARK MUNICIPAL CODE

WHEREAS, the City Council previously added Chapter 2.14, "Public Art Committee", to the Newark Municipal Code ("NMC"); and

WHEREAS, the City Council desires to amend Chapter 2.14 of the NMC to revise the requirements for membership and increase the members of the Public Art Committee; and

WHEREAS, the City council is authorized to establish boards, commissions and committees of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWARK DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above recitals ("Recitals") are true and correct and made a part of this Ordinance.

SECTION 2. CEQA. The City Council independently finds and determines that this action is exempt from further California Environmental Quality Act (CEQA) environmental review pursuant to CEQA Guidelines sections 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment).

SECTION 3. Newark Municipal Code Chapter 2.14. Chapter 2.14 "Public Art Committee," of the Newark Municipal Code is hereby amended, with additions reflected in underline and removal reflected in ~~strikethrough~~, as provided in Exhibit A, incorporated hereto and made a part of this Ordinance.

SECTION 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 5. Publication and effective date. Within fifteen (15) days from and after adoption, this Ordinance shall be published once in a newspaper of general circulation printed and

published in Alameda County and circulated in the City of Newark, in accordance with California Government Code Section 36933. This Ordinance shall take effect thirty (30) days after its adoption.

EXHIBIT A

Chapter 2.14 PUBLIC ART COMMITTEE

2.14.010 Created; Purpose.

There is created a committee to consist of ~~five~~ nine members, which shall constitute a quorum~~,~~ and one non-voting advisory member, ~~and two alternate members,~~ which shall be designated as the Public Art Committee of the City of Newark. The Committee is to support the provision of visual public art in the City.

2.14.020 Membership; Appointment; Term of Office.

A. The Committee shall consist of ~~five (5)~~ nine (9) members, constituting a quorum and meeting the qualifications identified in Section 2.14.030. ~~The Committee shall also consist of two (2) alternate members who shall attend the regular and special meetings of the committee in the absence of a regular member. In the absence of a regular member at a regular or special meeting, the alternate shall move to the seat of a regular member and participate as a regular member. The qualifications, appointment, removal and other requirements applicable to the alternate members shall be the same as those for regular members. Alternate members shall rotate participation in the absence of a regular member in the event that more alternate members are available than regular members are absent~~.

B. The Committee shall also consist of one (1) non-voting advisory member who shall be a ~~Newark Memorial h~~H~~igh s~~S~~chool student residing within the City of Newark meeting the qualifications identified in Section 2.14.040.

C. The Mayor shall appoint members to the Committee, subject to approval of the City Council.

D. In making appointments, the City Council shall consider the following categories:

1) Active members of a City-based, art focused, registered nonprofit organization, entity or facility.
2) Persons with experience in the public art field as either an artist, installer, or designer, including any person with professional credentials and work experience as exhibiting or performing artists, contemporary museum and gallery art curators, arts management professionals, arts educators, or design professionals such as architects, landscape architects, and urban planners.
3) Members of the general public, including students and community members with a passion for art.

2.14.030 Qualifications.

Members of the Committee shall have demonstrated, through community service or business experiences, a strong commitment to and knowledge of the artistic, aesthetic, and cultural quality of life in Newark, and will appreciate the role the arts can play in the cultural development and economic vitality of the community. In addition, the non-voting advisory member must be a ~~Newark Memorial~~ h~~H~~igh s~~S~~chool s~~S~~tudent residing within the City of Newark.

2.14.040 Terms of Office.

The terms of office of the voting members of the Committee shall be for four years; provided, however, that of the ~~five~~ nine members first appointed ~~two~~ four shall be appointed for the term of two years, and ~~three~~ five for the term of four years. The term of office for the non-voting advisory member of the Committee shall be one year. All Committee members, including the non-voting member, may be considered for reappointment, subject to the Mayor's recommendation and City Council approval.

2.14.050 Removal From Office; Vacancies.

A. Any appointed members of the Committee may be removed either by the Mayor, subject to the approval of the City Council, or by a majority vote of the City Council. Any time a Committee member has unexcused absences during a consecutive six-month period in excess of three meetings, their seat shall be automatically vacated. The following shall constitute valid excuses for failing to attend a meeting: 1. serious illness and/or injury of the Committee and/or their immediate family; 2. death in the family; 3. employment conditions requiring travel outside the Bay Area, evening meetings, etc.; 4. lack of transportation to the meeting; 5. previously scheduled vacation or travel.

B. Any vacancies among the appointed members shall be filled by appointment by the Mayor, subject to approval of the City Council, for the unexpired portion of the term.

2.14.060 Organization.

As soon as practicable following the termination of the term of office of any Committee member, the Public Art Committee shall organize, by electing from its members a Chairman and Vice Chairman to serve at the pleasure of the Committee. A secretary shall be designated for the recording of minutes of the Committee and to keep a record of its resolutions, proceedings and transactions. The secretary may be, but need not be, a member of the Committee and shall serve at the pleasure of the Committee.

2.14.070 Meetings.

The Committee shall fix the times and places of regular meetings of the Committee, which shall be held a minimum of twice per year. All meetings of the Committee shall be open to the public.

2.14.080 Powers and Duties.

The Public Art Committee shall have the following duties and responsibilities:

A. The powers and duties conferred and imposed upon the Public Art Committee by Chapter 12.36 of this code and the City Council approved Guidelines.
B. In accordance with City Council-approved guidelines, conducting public art proposal processes (such as requests for proposals, reviewing and acting on artist/artwork selection panel for public art fund projects,) for City-sponsored projects requiring public art installations.
C. Establishing and approving the Public Art Program mission and curatorial and programmatic goals, policies, and guidelines and developing and updating a Public Art Workplan outlining specific public art projects, locations, and budgets.
D. Reviewing and approving recommendations for maintenance and conservation of artwork, deaccession of artwork, and acceptance of artwork gifts and loans, in accordance with each respective policy.
E. Encouraging and promoting art programs and activities within the City.
F. Making recommendations to the City Council regarding local visual and performing art needs, activities and programs.
G. Receiving and gathering input from the community on issues relevant to art policies.
H. Enhancing community awareness of art resources.
I. Performing such other functions and render such other reports and recommendations as may be directed by the City Council.
J. Exercising only the powers herein above enumerated or as otherwise designated by the City Council.

STAFF REPORT

Item D. 4.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Jessennia Taimani, Recreation and Community Services Supervisor I
SUBJECT	Adopt a resolution authorizing the City Manager to execute the third amendment to the Contractual Services Agreement with Art Builds Community for on-call public art consulting services and amend the 2024-2026 Biennial Budget and Capital Improvement Plan

SUMMARY AND RECOMMENDATION

Art Builds Community provides on-call public art consulting services and has played a key role in supporting the planning, execution, and implementation of the recommendations and goals outlined in the City's Public Art Master Plan (PAMP) update, May 2024. Continued services are needed to further advance the objectives of the PAMP.

Staff recommends that the City Council adopt a resolution (1) authorizing the City Manager to execute the third amendment to the agreement with Art Builds Community, increasing the not-to-exceed amount by $75,000 from $135,000 to $210,000 and extending the term through June 30, 2027; and (2) authorizing an amendment to the 2024–2026 Biennial Budget and Capital Improvement Plan to allocate $75,000 from the Art in Public Places Fund (Fund 626) for this agreement.

BACKGROUND

On June 13, 2024, the City Council approved the Public Art Master Plan (PAMP). This PAMP provides a strategic framework for developing, implementing, and managing a vibrant and impactful public art program in Newark. The PAMP recommends dedicated public art staff, supplemented as needed by consultants. Following adoption of the PAMP, a new full-time Recreation & Community Supervisor I position with 40% of time dedicated to public art was added to the budget, partially funded by the Art in Public Places fund, to oversee the PAMP's implementation. However, additional consultant support is needed to ensure the program's success.

On September 12, 2024, City Council adopted Resolution No. 11683, authorizing an agreement with Art Builds Community to provide on-call public art consulting services with a not-to-exceed amount of $135,000. Subsequently, a First and Second Amendment were executed to extend the term of the contract through November 2025.

Art Builds Community has played a key role in advancing the recommendations outlined in the PAMP and assisted in ensuring the City's Public Art Program aligns with industry standards and best practices.

During the term of their contract, Art Builds Community has supported the initiation of several projects and administrative efforts, including:

- Coordination with a local artist to create "Welcoming City" artwork as part of the City's efforts to communicate artistically its commitment to building a neighborly community that is inclusive, hospitable, and welcoming to all
- Prepared and issued Requests for Qualifications (RFQs) for public art in the Old Town Streetscape Project
- Coordinated an ad hoc selection committee to review artist proposals, conduct interviews, and select artists for the Old Town Streetscape Project
- Led design coordination and scope development for artist projects, including budget evaluation and alignment for Old Town artistic elements
- Supported development, execution, and amendment of artist contracts
- Facilitated public art integration in Capital Improvement Plan projects through coordination with project teams and artists during concept refinement and design development
- Provided technical assistance to City staff, as needed

Additionally, the City completed a key recommendation outlined in the PAMP with the adoption of two ordinances: Chapter 12.36 "Public Art in Public Places and Private Development" and Chapter 2.14 "Public Art Committee". With these policies now in place, the focus shifts from policy development to program implementation. During this transition, the continued expertise of Art Builds Community will provide valuable support to staff as the City begins administering the newly adopted ordinances and advancing additional public art initiatives.

DISCUSSION/ANALYSIS

This item represents the third amendment to the agreement; however, it is the first amendment requesting additional funding. Prior amendments extended the term of the agreement only and did not increase the not-to-exceed amount.

The original not-to-exceed amount of $135,000 supported core public art program activities, including management of artist selection processes for Capital Improvement Projects, assistance in transitioning the Public Art Program from the City Manager's Office to the Recreation and Community Services Department, and ongoing technical assistance to City staff and contracted artists. The proposed additional $75,000 reflects the continued need for consultant support through the extended term of the agreement.

To support implementation of the PAMP recommendations, the amendment would extend the agreement with Art Builds Community through June 30, 2027, and authorize continued services as outlined in the scope of work. The scope of work will include, but is not limited to:

- Supporting staff with artist outreach, coordination, and scheduling related to the Utility Box Art program
- Assisting staff with the implementation of public art in the Old Town Streetscape

Project through fabrication and installation following completion of design
- Acquiring artists and contract development of the rotating art exhibit in the lobby of City Hall
- Providing technical assistance related to public art policies, procedures, and artist contracts as requested by staff
- Supporting future projects that may emerge from the Public Art Committee based on evolving needs or community input

FISCAL IMPACT

The third amendment to the Art Builds Community Contractual Services Agreement increases the not-to-exceed amount by $75,000 from $135,000 to $210,000.

Therefore, an amendment to the 2024–2026 Biennial Budget and Capital Improvement Plan is needed to appropriate $75,000 from the available fund balance of the Art in Public Places Fund (Fund 626). Any unspent appropriations at the end of Fiscal Year 2025-26 will be carried forward into Fiscal Year 2026-27 to support completion of project.

STRATEGIC PRIORITY AREA

Strengthen Community through Education and Engagement

REVIEW AND APPROVAL

Prepared by - Jessennia Taimani,Recreation and Community Services Supervisor I
Reviewed by - Roya Gonzalez, Interim Recreation and Community Services Director
Reviewed by - Lenka Hovorka, Assistant City Manager
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - David J. Benoun, City Manager

Attachments

Art Builds Community Contractual Services Agreement Resolution

Third Amendment of Art Builds Community Contractual Services Agreement

Art Builds Community Contractual Services Agreement with 1st and 2nd Amendments

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD AMENDMENT TO THE CONTRACTUAL SERVICES AGREEMENT WITH ART BUILDS COMMUNITY, LLC. FOR PUBLIC ART CONSULTING SERVICES AND AUTHORIZING AN AMENDMENT OF THE 2024-2026 BIENNIAL BUDGET AND CAPITAL IMPROVEMENT PLAN

WHEREAS, on June 13, 2024, City Council approved the Public Art Master Plan May 2024 Update (PAMP); and

WHEREAS, the City required public art consulting services to augment staff resources and provide public art expertise to successfully implement the tasks outlined in the PAMP; and

WHEREAS, the City entered into an agreement with Art Builds Community, LLC (Agreement) to provide on-call public art consulting in an amount not-to-exceed $135,000 through June 30, 2025; and

WHEREAS, the First and Second Amendments to the Agreement were subsequently executed to extend the term of the agreement through November 13, 2025; and

WHEREAS, continuing public art consulting services are needed for technical expertise, program and project support; and

WHEREAS, a budget amendment in the amount of $75,000 from the unappropriated fund balance of the Art in Public Places Fund (Fund 626) is required to fund the increased contract costs to a total Agreement not-to-exceed amount of $210,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby authorizes the City Manager to execute the Third Amendment to the Agreement with Art Builds Community, LLC in a form approved by the City Attorney, to increase the not-to-exceed amount of the Agreement by $75,000 for a total not-to-exceed amount of $210,000, and to extend the term of the Agreement through June 30, 2027.

BE IT FURTHER RESOLVED that the City Council of the City of Newark hereby authorizes an amendment to the 2024-2026 Biennial Budget and Capital Improvement Plan by appropriating $75,000 as follows:

	Description	Account	Amount
FROM:	Art in Public Places Fund Balance	626.3000	$75,000
TO:	Art in Public Places Contractual Services	626.70.071.710.6220	$75,000

BE IT FURTHER RESOLVED that the City Council of the City of Newark hereby further authorizes the carryover of any unused appropriation from this allocation into the following fiscal year.

THIRD AMENDMENT TO CONRTRACTUAL SERVICES AGREEMENT BETWEEN THE CITY OF NEWARK AND ART BUILDS COMMUNITY, LLC

This Third Amendment to Contractual Services Agreement between the City of Newark, a municipal corporation, ("City") and Art Builds Community LLC a sole proprietor ("Consultant") (sometimes referred to as "Parties") dated December 17, 2024 (the "Agreement"), is entered into as of March 26, 2026, for the provision of specialized professional services (Public Art Consulting Services)

RECITALS

WHEREAS, the Parties executed the Agreement for the provision of specialized professional services (Public Art Consulting Services); and

WHEREAS, Section 8, Modifications, of the Agreement allows the Parties to amend the Agreement provided that the amendment is in writing signed by the Parties; and

WHEREAS, the Parties desire to amend the Agreement, Section 2 to increase the amount not-to-exceed to Two Hundred Ten Thousand ($210,000); and

WHEREAS, the Parties desire to amend the Agreement, Section 1.1 to extend the term of service end date; and

WHEREAS, the Parties desire to amend the Agreement, Section 10.9 to designate a new "Contract Administrator".

NOW, THEREFORE, the Parties hereby agree as follows:

1. Section 2 "Compensation" of the Agreement is amended to increase the not to exceed by Seventy-five Thousand dollars ($75,000) to Two Hundred Ten Thousand dollars ($210,000) from a previous sum of One Hundred Thirty-five Thousand dollars ($135,000).

2. Section 1.1 "Terms of Services" of the Agreement, is amended to extend the effective date by one year and seven months and shall end on June 30, 2027 (from a previous end date of November 13, 2025)

3. Section 10.9 "Contract Administrator" is amended to designate Jessennia Taimani as the Contract Administrator.

4. With the exception of the foregoing, all other terms and conditions in the Agreement, as amended, remain in force and effect.

City of Newark

Consultant

_____

David J. Benoun
City Manager

_____

Amanda Rawson
Owner
Art Builds Community LLC

Dated: _____

Dated: _____

Attest:

_____
Neetu Salwan
City Clerk

Approved as to Form:

_____
Kristopher J. Kokotaylo
City Attorney

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C24081

CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF NEWARK AND ART BUILDS COMMUNITY, LLC. FOR PUBLIC ART CONSULTING SERVICES

This Agreement for consulting services ("Agreement") is made by and between the City of Newark, a municipal corporation, ("City") and Art Builds Community, a limited liability company), with offices located at 510 S. 1st St., San Jose, CA 95113, ("Consultant"), (together referred to as the "Parties") as of Dec. 17, 2024(the "Effective Date").

Section 1. Services. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A and incorporated herein, at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 Term of Services. The term of this Agreement shall begin on the Effective Date and shall end on June 30th, 2025 and Consultant shall complete the work described in Exhibit A on or before that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as referenced in Section 8.

1.2 Standard of Performance. Consultant shall perform all services required pursuant to this Agreement according to the standards observed by a competent practitioner of the profession in which Consultant is engaged and in the geographical area in which Consultant practices its profession.

1.3 Assignment of Personnel. Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 Time is of the Essence. Time is of the essence. Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to timely finish the Scope of Work, to meet the standard of performance provided in Section 1.1 and 1.2 above and to satisfy Consultant's obligations hereunder.

Section 2. COMPENSATION. City hereby agrees to pay Consultant a sum not to exceed one hundred thirty five thousand dollars, ($135,000) notwithstanding any contrary indications that may be contained in Consultant's proposal for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Consultant's proposal, attached as Exhibit A, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner

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specified herein. Except as specifically authorized by City in writing, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 Invoices. Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information, unless waived by the Contract Administrator:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- Project name & number if applicable;
- Purchase Order number to expedite payment;
- The beginning and ending dates of the billing period;
- A task summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder;
- Consultant shall give separate notice to the City when the total number of hours worked by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours within a 12-month period.

2.2 Monthly Payment. City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 Final Payment. City shall pay the last 10% of the total sum due pursuant to this Agreement within 60 days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 Total Payment. City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred

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by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

2.5 Hourly Rate/Fees. Unless the services provided are for a lump sum or flat fee, fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the compensation cost proposal attached hereto as Exhibit B. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit B, the Agreement shall prevail.

2.6 Reimbursable Expenses. Reimbursable expenses are specified in Exhibit B, attached hereto and incorporated herein. Reimbursable expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses shall not include a mark-up and are billed as a direct costs. In no event shall expenses be advanced by the City to the Consultant. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.

2.7 Payment of Taxes. Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

2.8 Payment upon Termination. In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets to verify costs incurred to that date.

2.9 Authorization to Perform Services. The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

2.10. Business License. The Consultant is not authorized to perform services or incur costs whatsoever under the terms of this Agreement until Consultant applies for and has been issued a business license from the City pursuant to Title 5 of the Newark Municipal Code.

Section 3. FACILITIES AND EQUIPMENT. Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any

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facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Section 4. INSURANCE REQUIREMENTS. Before beginning any work under this Agreement, Consultant, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to beginning work to the City. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the subcontractor(s) and provided evidence that such insurance is in effect to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution.

4.1 Required Coverage. Consultant shall maintain all required insurance listed herein for the duration of this Agreement.

COVERAGE	TYPE OF INSURANCE	MINIMUM LIMITS
A	**Commercial General Liability** Premises Liability; Products and Completed Operations; Contractual Liability; Personal Injury and Advertising Liability	$2,000,000 per occurrence; Bodily Injury and Property Damage $4,000,00 in the aggregate; Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis
B	**Commercial or Business Automobile Liability** All owned vehicles, hired or leased vehicles, non-owned, borrowed and permissive uses. Personal Automobile Liability is acceptable for individual contractors with no transportation or hauling related activities	$1,000,000 per occurrence; Any Auto; Bodily Injury and Property Damage. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition), Code 1 (any auto). No endorsement shall be attached limiting the coverage.

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C	**Workers' Compensation (WC) and Employers Liability (EL)** Required for all contractors with employees	WC: Statutory Limits EL: $100,000 per accident for bodily injury or disease. Consultant may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. The insurer shall waive all rights of subrogation against the City and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement

4.2 **Additional requirements.** Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

a. All required insurance shall be maintained during the entire term of the Agreement with the following exception: Insurance policies and coverage(s) written on a claims-made basis shall be maintained during the entire term of the Agreement and until three (3) years following termination and acceptance of all work provided under the Agreement, with the retroactive date of said insurance (as may be applicable) concurrent with the commencement of activities pursuant to this Agreement

b. All insurance required above with the exception of Professional Liability, Personal Automobile Liability, Workers' Compensation and Employers Liability, shall be endorsed to name as additional insured: City of Newark, its City Council, and all City officers, agents, employees, volunteers and representatives.

c. For any claims related to this Agreement or the work hereunder, the Consultant's insurance covered shall be primary insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

d. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after 30 days' prior written notice has been provided to the City.

e. Certificates of Insurance: Before commencing operations under this Agreement, Consultant shall provide Certificate(s) of Insurance and applicable insurance endorsements, in form and satisfactory to City, evidencing that all required insurance coverage is in effect. The City reserves the rights to require the Consultant to provide complete, certified copies of all required insurance policies.

f. Subcontractors: Consultant shall include all subcontractors as an insured (covered party) under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

g. Claims-made limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

i. The retroactive date of the policy must be shown and must be before the date of the Agreement.

ii. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.

iii. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must purchase an extended period coverage for a minimum of three (3) years after completion of work under this Agreement.

iv. A copy of the claim reporting requirements must be submitted to the City for review prior to the commencement of any work under this Agreement.

4.3 All Policies Requirements.

a. Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII. Insurance shall be maintained through an insurer with a minimum A.M. Best Rating of A- or better, with deductible amounts acceptable to the City. Acceptance of Consultant's insurance by City shall not relieve or decrease the liability of Consultant hereunder. Any deductible or self-insured retention amount or other similar obligation under the policies shall be the sole responsibility of the Consultant.

b. Deductibles and Self-Insured Retentions. Consultant shall disclose to and obtain the written approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, employees, and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration and defense expenses.

c. Wasting Policies. No policy required by this Section 4 shall include a "wasting" policy limit (i.e. limit that is eroded by the cost of defense).

d. Waiver of Subrogation. Consultant hereby agrees to waive subrogation which any insurer or contractor may require from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to affect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the consultant, its employees, agents, and subcontractors.

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4.4 Remedies. In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.

Consultant shall indemnify, defend with counsel acceptable to City, and hold harmless City and its officers, officials, employees, agents and volunteers from and against any and all liability, loss, damage, claims, expenses, and costs (including without limitation, attorney's fees and costs and fees of litigation) (collectively, "Liability") of every nature arising out of or in connection with Consultant's performance of the Services or its failure to comply with any of its obligations contained in this Agreement, except such Liability caused by the sole negligence or willful misconduct of City.

The Consultant's obligation to defend and indemnify shall not be excused because of the Consultant's inability to evaluate Liability or because the Consultant evaluates Liability and determines that the Consultant is not liable to the claimant. The Consultant must respond within 30 days, to the tender of any claim for defense and indemnity by the City, unless this time has been extended by the City. If the Consultant fails to accept or reject a tender of defense and indemnity within 30 days, in addition to any other remedy authorized by law, so much of the money due the Consultant under and by virtue of this Agreement as shall reasonably be considered necessary by the City, may be retained by the City until disposition has been made of the claim or suit for damages, or until the Consultant accepts or rejects the tender of defense, whichever occurs first.

With respect to third party claims against the Consultant, the Consultant waives any and all rights of any type to express or implied indemnity against the Indemnitees.

Notwithstanding the forgoing, to the extent this Agreement is a "construction contract" as defined by California Civil Code Section 2782, as may be amended from time to time, such duties of consultant to indemnify shall not apply when to do so would be prohibited by California Civil Code Section 2782.

In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or

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subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Section 6. STATUS OF CONSULTANT.

6.1 Independent Contractor. At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.

6.2 Consultant Not an Agent. Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

7.1 Governing Law. The laws of the State of California shall govern this Agreement.

7.2 Compliance with Applicable Laws. Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.

7.3 Other Governmental Regulations. To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 Licenses and Permits. Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 Nondiscrimination and Equal Opportunity. Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, genetic information, marital status, sex, sexual orientation, gender, or

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gender identity, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Consultant thereby.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 Termination. City may cancel this Agreement at any time and without cause upon written notification to Consultant. Consultant may cancel this Agreement upon thirty (30) days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all work product, including, but not limited to documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 Extension. City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall require a written amendment to this Agreement, as provided for herein. Consultant understands and agrees that, if City grants such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the Contract Administrator, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

8.3 Amendments. The Parties may amend this Agreement only by a writing signed by all the Parties.

8.4 Assignment and Subcontracting. City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.

8.5 Survival. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.

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8.6 Options upon Breach by Consultant. If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:

8.6.1 Immediately terminate the Agreement;

8.6.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;

8.6.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or

8.6.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

8.6.5 No remedy mentioned in this Agreement is intended to be exclusive of any other right, power, or remedy, permitted by law. Neither the failure nor the delay on the part of the City to exercise any such rights and remedies shall operate as a waiver thereof, nor shall any single or partial exercise by the City of any such right or remedy preclude any other or further exercise of any such right or remedy.

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 Records Created as Part of Consultant's Performance. All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement and City may use, reuse or otherwise dispose of the documents without Consultant's permission. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

9.2 Consultant's Books and Records. Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of 3 years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement. All such records should be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible.

9.3 Inspection and Audit of Records. Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under

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California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds $10,000.00, the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of 3 years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

10.1 Attorneys' Fees. If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 Venue. In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Alameda or in the United States District Court for the Northern District of California.

10.3 Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 No Implied Waiver of Breach. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

10.5 Successors and Assigns. The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

10.6 Use of Recycled Products. Consultant shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

10.7 Conflict of Interest. Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.* Consultant hereby warrants that it is not now, nor has it been in the previous 12 months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code § 1090 *et seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be

Docusign Envelope ID: B99A97A4-C54B-43C2-8B0C-0A789B578323

required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

10.8 Solicitation. Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 Contract Administration. This Agreement shall be administered by the City Manager, or his designee, identified as Roya Gonzalez ("Contract Administrator"). All correspondence, meeting documentation, invoices and project deliverables shall be directed to or through the Contract Administrator.

10.10 Notices. Any notice, demand, request, consent or approval that either party is required to give the other pursuant to this Agreement, shall be in writing and may be given by either (i) personal service, (ii) delivery by reputable overnight delivery service (e.g. Federal Express) which provides a receipt showing date and time of delivery, (iii) certified United States mail, postage prepaid, return receipt requested, or (iv) by email transmission . Notice shall be effective upon personal delivery or delivery to the addresses specified below, as reflected on the receipt of delivery or return receipt, as applicable.

Any written notice to Consultant shall be sent to:

Amanda Rawson
Art Builds Community, LLC.
510 S. 1st Street
San Jose, CA 95113

All other written notices to City shall be sent to:

Roya Gonzalez Strategic Initiatives Manager City of Newark 37101 Newark Blvd. Newark, CA 94560	with a copy to	Kristopher J. Kokotaylo, City Attorney City of Newark 37101 Newark Blvd. Newark, CA 94560

10.12 RESERVED

10.13 Integration. This Agreement, including the scope of work attached hereto and incorporated herein as Exhibits A and B represent the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.

Exhibit A	Scope of Services
Exhibit B	Cost Proposal

10.14 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

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The Parties have executed this Agreement as of the Effective Date.

CITY OF NEWARK

DocuSigned by:
075767B2C2304C4...
CITY MANAGER

ATTEST:

DocuSigned by:
Sheila Harrington
AD90989DBABE45E...
for Sheila Harrington, CITY CLERK

APPROVED AS TO FORM:

Signed by:
kristopher kokotaylo
ABDB916180E345C...
KRISTOPHER J. KOKOTAYLO CITY ATTORNEY

ART BUILDS COMMUNITY

DocuSigned by:
Amanda Rawson
F7D45D5884884D0...,

Title: _____

5638310.1
Version 3.2.21

Docusign Envelope ID: B99A97A4-C54B-43C2-8B0C-0A789B578323

EXHIBIT A

SCOPE OF SERVICES

Art Builds Community will provide public art consulting services for FY2024-2025. The scope of work would include but is not limited to:

- Assisting the City in identifying potential members, developing an application and assisting in developing the Public Art Committee guidelines.
- Assisting staff on developing the request for qualifications and managing the implementation of the Utility Box Art program.
- Assisting staff on the management of public art in the Central Overpass project.
- Assisting staff on the management of public art in the Old Town Streetscape project.
- Assisting staff with other Public Art related projects, as needed.

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EXHIBIT B

COMPENSATION SCHEDULE

The total not-to-exceed amount for this contract is $135,000. The proposal was developed based on an estimate of the hours required for each task, at an hourly rate of $150 per hour. Work will be invoiced monthly, based on the actual hours worked.

docusign

Certificate Of Completion

Envelope Id: B99A97A4-C54B-43C2-8B0C-0A789B578323
Subject: Complete with Docusign: C24081_Art_Builds_Com.pdf
Source Envelope:
Document Pages: 16
Certificate Pages: 5
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Signatures: 4
Initials: 0

Status: Completed

Envelope Originator:
Kathy Slafter
37101 Newark Boulevard
Newark, CA 94560
kathy.slafter@newark.org
IP Address: 50.145.38.134

Record Tracking

Status: Original
12/12/2024 3:37:19 PM

Holder: Kathy Slafter
kathy.slafter@newark.org

Location: DocuSign

Signer Events	Signature	Timestamp
Amanda Rawson amanda@artbuildscommunity.com Partner, Art Builds Community Security Level: Email, Account Authentication (None)	DocuSigned by: Amanda Rawson F7D45D5864884D0...	Sent: 12/12/2024 3:43:08 PM Viewed: 12/15/2024 12:57:58 PM Signed: 12/15/2024 12:58:27 PM
	Signature Adoption: Pre-selected Style Using IP Address: 157.131.87.147	
Electronic Record and Signature Disclosure: Accepted: 12/15/2024 12:57:58 PM ID: 6b093960-f24b-4516-8639-011e98efb5a9		
Kristopher Kokotaylo kristopher.kokotaylo@redwoodpubliclaw.com Security Level: Email, Account Authentication (None)	Signed by: kristopher kokotaylo ABDB916160E345C...	Sent: 12/15/2024 12:58:28 PM Viewed: 12/16/2024 9:23:22 AM Signed: 12/16/2024 9:23:44 AM
	Signature Adoption: Pre-selected Style Using IP Address: 96.68.142.17	
Electronic Record and Signature Disclosure: Accepted: 12/16/2024 9:23:22 AM ID: d4cd910f-d9ca-4820-8697-ae38888bd743		
David J. Benoun david.benoun@newark.org NEWARK CITY MANAGER David Benoun Security Level: Email, Account Authentication (None)	DocuSigned by: 075767B2C2304C4...	Sent: 12/16/2024 9:23:45 AM Viewed: 12/16/2024 10:12:29 AM Signed: 12/16/2024 10:12:35 AM
	Signature Adoption: Drawn on Device Using IP Address: 12.3.205.238	
Electronic Record and Signature Disclosure: Accepted: 12/16/2024 10:12:29 AM ID: ddda7c3f-5a24-4dd9-a405-01dc9a06ff99		
Sheila Harrington sheila.harrington@newark.org City Clerk City of Newark Security Level: Email, Account Authentication (None)	DocuSigned by: Sheila Harrington AD90989DBABE45E...	Sent: 12/17/2024 10:29:59 AM Viewed: 12/17/2024 10:30:33 AM Signed: 12/17/2024 10:30:50 AM
	Signature Adoption: Pre-selected Style Using IP Address: 12.3.205.238	
Electronic Record and Signature Disclosure: Not Offered via DocuSign		

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp
Agent Delivery Events	**Status**	**Timestamp**
Intermediary Delivery Events	**Status**	**Timestamp**
Certified Delivery Events	**Status**	**Timestamp**
Carbon Copy Events	**Status**	**Timestamp**
Roya Gonzalez roya.gonzalez@newark.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 12/17/2024 10:30:52 AM Viewed: 12/17/2024 10:46:48 AM
Kathy Slafter kathy.slafter@newark.org Executive Assistant/Deputy City Clerk City of Newark Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 12/17/2024 10:30:53 AM Resent: 12/17/2024 10:30:56 AM
Witness Events	**Signature**	**Timestamp**
Notary Events	**Signature**	**Timestamp**

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	12/12/2024 3:43:08 PM
Envelope Updated	Security Checked	12/17/2024 10:29:58 AM
Envelope Updated	Security Checked	12/17/2024 10:29:58 AM
Envelope Updated	Security Checked	12/17/2024 10:29:58 AM
Envelope Updated	Security Checked	12/17/2024 10:29:58 AM
Certified Delivered	Security Checked	12/17/2024 10:30:33 AM
Signing Complete	Security Checked	12/17/2024 10:30:50 AM
Completed	Security Checked	12/17/2024 10:30:53 AM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Newark (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Newark:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: sheila.harrington@newark.org

To advise City of Newark of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at sheila.harrington@newark.org and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from City of Newark

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to sheila.harrington@newark.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Newark

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to sheila.harrington@newark.org and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify City of Newark as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by City of Newark during the course of your relationship with City of Newark.

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FIRST AMENDMENT TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF NEWARK AND ART BUILDS COMMUNITY, LLC. FOR PUBLIC ART CONSULTING SERVICES

This First Amendment to Consulting Services Agreement between the City of Newark, a municipal corporation, ("City") and Art Builds Community, LLC., Inc a sole proprietor ("Consultant") (sometimes referred to as "Parties") dated December 17, 2024 (the "Agreement"), is entered into as of July 9, 2025, for the provision of specialized professional services (Public Art Consulting Services)

RECITALS

WHEREAS, the Parties executed the Agreement for the provision of specialized professional services (Public Art Design Consultant); and

WHEREAS, Section 8, Modifications, of the Agreement allows the Parties to amend the Agreement provided that the amendment is in writing signed by the Parties; and

WHEREAS, the Parties desire to amend the Agreement, Section 1.1 to extend the term of service end date; and

WHEREAS, City staff is authorized to execute this Amendment in a form approved by the City Attorney.

NOW, THEREFORE, the Parties hereby agree as follows:

1. Section 1.1 "Terms of Services" of the Agreement, is amended to extend the effective date by three months and shall end on September 11,2025 (from a previous end date on June 30, 2025).

2. Exhibit A (Scope of Work) is amended to include the extension to service dates which is hereby incorporated by reference.

3. With the exception of the foregoing, all other terms and conditions in the Agreement, as amended, remain in force and effect.

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City of Newark

DocuSigned by:
David Benoun
075767B2C2304C4...

David J. Benoun
City Manager

Dated: 7/22/2025

Consultant

DocuSigned by:
Amanda Rawson
F7D43D5864384D0...

Amanda Rawson
Partner
Art Builds Community, LLC

Dated: 7/18/2025

Attest:

Signed by:
Sheila Harrington
509DE0E350304EE...
Sheila Harrington
City Clerk

Approved as to Form:

Signed by:
Kristopher Kokotaylo
ABDB916180E345C...
Kristopher J. Kokotaylo
City Attorney

Docusign Envelope ID: 4EDDA88D-A982-4FEA-BA13-4F02404A4009

SECOND AMENDMENT TO THE CONSULTING SERVICES AGREEMENT BETWEEN THE CITY OF NEWARK AND ART BUILDS COMMUNITY, LLC. FOR PUBLIC ART CONSULTING SERVICES

This Second Amendment to Consulting Services Agreement between the City of Newark, a municipal corporation, ("City") and Art Builds Community, LLC., Inc a sole proprietor ("Consultant") (sometimes referred to as "Parties") dated December 17, 2024 (the "Agreement"), is entered into as of October 20, 2025, for the provision of specialized professional services (Public Art Consulting Services)

RECITALS

WHEREAS, the Parties executed the Agreement for the provision of specialized professional services (Public Art Design Consultant); and

WHEREAS, Section 8, Modifications, of the Agreement allows the Parties to amend the Agreement provided that the amendment is in writing signed by the Parties; and

WHEREAS, the Parties desire to amend the Agreement, Section 1.1 to extend the term of service end date; and

WHEREAS, City staff is authorized to execute this Amendment in a form approved by the City Attorney.

NOW, THEREFORE, the Parties hereby agree as follows:

1. Section 1.1 "Terms of Services" of the Agreement, is amended to extend the effective date by two months and shall end on November 13, 2025 (from a previous end date on September 11,2025).

2. Exhibit A (Scope of Work) is amended to include the extension to service dates which is hereby incorporated by reference.

3. With the exception of the foregoing, all other terms and conditions in the Agreement, as amended, remain in force and effect.

Docusign Envelope ID: 4EDDA88D-A982-4FEA-BA13-4F02404A4009

City of Newark

DocuSigned by:
David Benoun
075767B2C2304C4...

David J. Benoun
City Manager

Dated: 10/21/2025

Consultant

DocuSigned by:
Amanda Rawson
F7D45D5864884D0...

Amanda Rawson
Partner
Art Builds Community, LLC

Dated: 10/21/2025

Attest:

Signed by:
Kathy Slafter
BF5F959CC59B4CF...

Kathy Slafter
Deputy City Clerk

Approved as to Form:

Signed by:
Kristopher Kokotaylo
ABDB910180E345C...

Kristopher J. Kokotaylo
City Attorney

STAFF REPORT
Item D. 5.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Richard Martinez, Emergency Coordinator
SUBJECT	Adopt a resolution approving the updated Operational Area Agreement between the City of Newark and the Alameda County Office of Emergency Management (ACOEM)

SUMMARY AND RECOMMENDATION

The Alameda County Office of Emergency Management has updated the countywide Operational Area Agreement that defines how cities, special districts, and the County coordinate emergency management preparedness, response, recovery, and mitigation activities. The previous agreement involving the City of Newark has been in place since 1995. The updated agreement modernizes operational coordination, aligns with current State and Federal emergency management frameworks, and clarifies roles and responsibilities within the Alameda County Operational Area. The Alameda County Board of Supervisors adopted the updated agreement on January 27, 2026.

Staff recommends City Council adopt a resolution approving the updated Operational Area Agreement between the City of Newark and the Alameda County Office of Emergency Management (ACOEM) for a ten-year term to ensure Newark remains an integrated partner in Operational Area emergency management activities.

BACKGROUND

California's Standardized Emergency Management System (SEMS) requires jurisdictions to organize and coordinate emergency response through Operational Areas, typically aligned with county boundaries. Alameda County serves as the Operational Area for all cities and special districts within the county, including the City of Newark.

Operational Areas facilitate:

- Coordination of emergency response and resources
- Information sharing and situational awareness
- Mutual aid requests and resource ordering
- State and Federal assistance access

- Regional planning, training, and exercises

The City of Newark entered into its original Operational Area Agreement with Alameda County in 1995. Since that time, emergency management practices, technologies, and regulatory requirements have evolved significantly, including:

- Updates to SEMS and the National Incident Management System (NIMS)
- Expansion of disaster planning requirements
- Advancements in emergency communications systems
- Growth in whole community and regional coordination models

To reflect these changes, ACOEM conducted a comprehensive update of the

Operational Area Agreement in coordination with Operational Area partners.

DISCUSSION/ANALYSIS

Purpose of the Updated Agreement

The updated agreement formalizes continued participation in the Alameda County Operational Area and establishes a ten-year term. It clarifies governance, coordination structures, and expectations for all participating jurisdictions.

Key objectives include:

- Strengthening regional emergency coordination
- Enhancing resource management processes
- Standardizing information sharing protocols
- Supporting compliance with SEMS/NIMS requirements
- Improving access to State and Federal disaster assistance

Roles and Responsibilities

Under the agreement, Alameda County / ACOEM will:

- Coordinate Operational Area emergency management activities
- Maintain the Operational Area Emergency Operations Center

- Facilitate situational awareness and intelligence sharing
- Coordinate mutual aid and resource requests
- Provide training, planning, and exercise support

Under the agreement, the City of Newark will:

- Maintain its local emergency management program
- Activate and operate its Emergency Operations Center as needed
- Coordinate resource requests through the Operational Area
- Participate in Operational Area planning, training, and exercises
- Share situational status information during emergencies

Operational Benefits to Newark

Participation ensures the City:

- Maintains eligibility for disaster reimbursement
- Receives mutual aid support during large scale incidents
- Accesses regional planning and training resources
- Benefits from coordinated public information efforts
- Integrates into countywide preparedness initiatives

FISCAL IMPACT

There is no fiscal impact associated with this action. Participation in the Operational Area supports eligibility for State and Federal disaster cost recovery, which can significantly offset local response and recovery expenditures following declared emergencies.

STRATEGIC PRIORITY AREA

Foster a Safe and Healthy Community
Strengthen Community through Education and Engagement

REVIEW AND APPROVAL

Prepared by - Richard Martinez, Emergency Services Coordinator
Reviewed by - Lenka Hovorka, Assistant City Manager
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - David J. Benoun, City Manager

Attachments

Resolution - Agreement Alameda County Area Emergency Management Organization
Exhibit A - Agreement Alameda County Area Emergency Management Organization

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING AN AGREEMENT FOR PARTICIPATION IN THE ALAMEDA COUNTY OPERATIONAL AREA EMERGENCY MANAGEMENT ORGANIZATION

WHEREAS, the potential for a major catastrophe due to natural or human-caused disaster necessitates all government entities within Alameda County to be prepared to share resources and information among themselves, as well as with the State of California in order to protect public welfare; and

WHEREAS, greater efficiency and disaster preparedness, response, recovery, and mitigation can be achieved by joining the efforts of the County of Alameda, other cities, special districts, and other public benefit non-profit corporations together in pre-disaster agreements; and

WHEREAS, the California Emergency Services Act makes reference to the "operational area" and defines it as an "an intermediate level of the state emergency services organization" created to perform extraordinary functions for local governments within a county area such as strengthening mutual coordination, providing a focal point and conduit for disaster information, and assisting in the efficient management of resources; and

WHEREAS, the sharing of resources in an emergency among public agencies is coordinated under the auspices of the California Master Mutual Aid Agreement; and

WHEREAS, on January 8, 2026, the City Council approved the City of Newark Emergency Operations Plan 2025 Revision and affirmed alignment with the Alameda County operational Area Emergency Operations Plan; and

WHEREAS, the City of Newark derives significant benefit from participation in the Agreement through coordinated emergency preparedness and response efforts, enhanced cost recovery eligibility, and greater access to specialized training resources.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newark, California, that the Agreement to participate in the Alameda County Operational Area Emergency Management Organization, as it was approved by the Alameda County Board of Supervisors on January 27, 2026 and attached hereto as Exhibit A, is hereby adopted.

BE IT FURTHER RESOLVED that the City Manager, or their designee, is authorized to execute and submit all documents which may be necessary for completing the Agreement.

ALAMEDA COUNTY SHERIFF'S OFFICE

YESENIA SANCHEZ
SHERIFF-CORONER

AGENDA: _____ January 27, 2026

January 2, 2026

Honorable Board of Supervisors
County Administration Building
1221 Oak Street, Suite 536
Oakland, CA 94612-4305

SUBJECT: APPROVE AN AGREEMENT FOR PARTICIPATION IN THE ALAMEDA COUNTY OPERATIONAL AREA EMERGENCY MANAGEMENT ORGANIZATION

Dear Board Members:

RECOMMENDATION:

Approve an agreement with cities, special districts, and nonprofit corporations to participate in the Alameda County Operational Area Emergency Management Organization, establishing a unified framework for disaster preparedness, response, recovery, and mitigation, effective upon execution by all parties through December 31, 2035, with no monetary compensation required except for reimbursement of direct costs under mutual aid agreements.

DISCUSSION/SUMMARY:

On May 10, 2016 (File No. 29782, Item No. 44), your Board approved an agreement that allows the County of Alameda and other local public entities to work together by sharing resources and information to protect the public.

The protection of life, property, and the environment is a shared responsibility of local, state, and federal governments. To support this responsibility, Alameda County, in collaboration with the cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, and Union City, along with special districts and nonprofit corporations, has elected to enter into an agreement to promote a unified and coordinated approach among state and local agencies, facilitate mutual aid, and ensure the efficient and effective use of regional and local resources during a catastrophic event. The Alameda County Operational Area is an intermediate level of the state emergency services organization, consisting of a county and all political subdivisions within the County area.

The agreement integrates and coordinates the County's available facilities and personnel into an efficient and effective organizational structure by defining roles, policies, and general procedures in accordance with the Standardized Emergency Management System. This approach ensures the most effective and cost-efficient allocation of resources. This provides a framework for collaboration and covers essential areas including communications, equipment, medical services, financial matters, and environmental and economic resources.

This agreement has been approved as to form by County Counsel.

FINANCING:

No additional appropriation is required. There will be no increase in net County cost as a result of your approval.

VISION 2036 GOALS:

This agreement meets the 10x goal pathways of **Crime Free County**, in support of our shared visions of **Safe and Livable Communities**.

Respectfully submitted,

Signed by:
April Luckett-Fahimi
7B226C003FF04FA...

for
Yesenia Sanchez
Sheriff-Coroner

YS:APE:ape

AGREEMENT FOR PARTICIPATION IN ALAMEDA COUNTY OPERATIONAL AREA EMERGENCY MANAGEMENT ORGANIZATION

This Agreement is made this _____ day of _____, 2026, by and between the County of Alameda and the cities, special districts, and other public benefit non-profit corporations that are parties to this Agreement.

WHEREAS, the potential for a major catastrophe due to natural or manmade disaster requires all government entities within Alameda County to be prepared to share resources and information among themselves as well as with the State of California in order to protect public welfare; and

WHEREAS, greater efficiency and disaster preparedness response, recovery, and mitigation can be achieved by joining the efforts of the County of Alameda, the Cities, Special Districts, and other public benefit non-profit corporations together in pre-disaster agreements; and

WHEREAS, the California Emergency Services Act makes reference to the "operational area" and defines it as "an intermediate level of the state emergency services organization" created to perform extraordinary functions for local governments within a county area such as strengthening mutual coordination, providing a focal point and conduit for disaster information, and assisting in the efficient management of resources;

THE COUNTY, CITES, SPECIAL DISTRICTS, AND OTHER PUBLIC BENEFIT NON-PROFIT CORPORATIONS AGREE AS FOLLOWS:

1. RECOGNITION OF AND PARTICIPATION IN AN OPERATIONAL AREA EMERGENCY MANAGEMENT ORGANIZATION

The parties to this Agreement recognize an Operational Area, as the term is defined in the California Emergency Services Act (*California Government Code §8550 et seq.*) which designates an intermediate level of organization, cooperation, and planning between public entities within Alameda County boundaries.

The County of Alameda, cities, special districts, and other public benefit non-profit corporations that are parties to this Agreement shall participate in this organizational structure, which is a partnership for a systematic approach for exchanging disaster intelligence, mutual aid requests, and resource requests in emergencies and also to provide emergency preparedness on a day-to-day basis through cooperative training and exercise activities.

The Operational Area Emergency Management Organization will be the primary contact point during an emergency in Alameda County for sharing disaster intelligence among local agencies and between the Operational Area Emergency Management Organization and state and federal agencies requesting information.

The Operational Area Emergency Management Organization will assist parties to this agreement to share resources before, during, and after an emergency, as well as to prepare, respond, and recover from disasters that strike Alameda County. The Operational Area Emergency Management Organization will prioritize competing needs according to the policies and procedures approved by the Operational Area Council.

0-2026-7

Each of the parties to this Agreement will designate individuals to be trained to represent their agency in the Operational Area Emergency Management Organization. The training will be an orientation on the policies and procedures of the Operational Area Emergency Management Organization. Each party to this Agreement will also designate, in writing, a line of succession of officials who are empowered to represent the party to the Operational Area Emergency Management Organization.

2. CONSIDERATION

The consideration under this Agreement is the mutual advantage of protection afforded to each of the parties to this Agreement. There shall not be any monetary compensation required from any to another party as a condition of assistance provided under the agreement, except for reimbursement of direct costs as designated in mutual aid agreements. Nothing in this agreement shall be construed as altering any preexisting disaster response agreements between the parties.

3. STANDARDIZED EMERGENCY MANAGEMENT SYSTEM

The Operational Area Emergency Management Organization and its policies and procedures will be regulated by the Standardized Emergency Management System as stated in *California Government Code §8607*, and its implementing regulations, *California Code of Regulations, Title 19, Division 2, Office of Emergency Services, Standardized Emergency Management System*, and guidelines. The incident command system and a multi-agency coordination system, as described in those regulations and guidelines, will be used for coordination and direction of the parties to this agreement participating in emergency efforts. The *Alameda County Emergency Operations Plan* shall be the primary method and criteria used to conduct Operational Area Emergency Operations Center activities.

4. OPERATIONAL AREA COORDINATOR

The Sheriff/Director of Emergency Services is the Operational Area Coordinator. It is the responsibility of the Operational Area Coordinator to oversee the operation of the Operational Area Emergency Management Organization and to reasonably interpret the terms of this agreement.
It is the responsibility of the Operational Area Coordinator to encourage equal representation by parties to the agreement on a day-to-day basis and to include representatives of affected parties to this agreement and mutual aid coordinators in the operational decision making before, during, and after a disaster strikes Alameda County.

5. COUNCIL

An Operational Area Council is hereby established consisting of a representational membership of the party jurisdictions to this Agreement. The Council shall include one voting representative from each of the following:

a. The President of the **Board of Supervisors**, or his/her designee;

b. The **Sheriff/Director of Emergency Services**, or his/her designated alternate;

c. The **Alameda County Administrator**, or his/her designated alternate;

d. The **County Agency Heads** having primary functional responsibilities in a disaster, or their designated alternates;

Including, but not limited to:

1. Auditor-Controller
2. Fire Department
3. General Services Agency
4. Alameda County Health
5. Human Resource Services
6. Public Works Agency
7. Sheriff's Office
8. Social Services Agency

e. The President of the **Alameda County Emergency Managers' Association**, or his/her designated alternate;

f. The President of the **Alameda County Fire Chiefs' Association**, or his/her designated alternate;

g. The President of the **Alameda County Chiefs of Police and Sheriff's Association**, or his/her designated alternate;

h. A City Manager of a **North County City**, or his/her designated alternate, chosen annually by the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont to represent them in the Council;

i. A City Manager of a **South County City**, or his/her designated alternate, chosen annually by the cities of Fremont, Hayward, Newark, San Leandro, and Union City to represent them in the Council;

j. A City Manager of an **East County City**, or his/her designated alternate, chosen annually by the cities of Dublin, Livermore, and Pleasanton to represent them in the Council;

k. A General Manager of a **Regional District** based in Alameda County, or his/her designated alternate, chosen annually by participating regional districts, defined as a special district having service areas in more than one county, to represent them in the Council;

l. A General Manager of a **Special District**, or his/her designated alternate, chosen annually by participating special districts having their entire service area within the boundaries of Alameda County to represent them in the Council;

m. The **Alameda County Superintendent of Schools**, or his/her designated alternate, to represent the school districts of Alameda County;

n. A Director of a **Public Benefit Non-profit Corporation**, or his/her designated alternate, chosen annually by the Alameda County Voluntary Organizations Active in Disaster executive committee to represent them in the Council;

o. A Chief Executive Officer or President, or his/her designated alternate, of a **private sector company** doing business in this county that is an active member of the Emergency Managers' Association of Alameda County and is selected annually by the Operational Area Coordinator; and

p. Such representatives of **other organizations**, either civic, business, labor, veterans, professional or other organizations having an official group or organization having disaster responsibility and may be appointed by the Operational Area Coordinator.

It is the responsibility of the Operational Area Council to set the policies and procedures for the governing of the Operational Area Emergency Management Organization and to review and approve recommendations for changes to these policies and procedures on an annual basis. The Operational Area Council will also serve as the Alameda County Civil Defense and Disaster Council, as described in the *Alameda County Administrative Code, Chapter 2.118.* The County of Alameda will supply staff support for the Operational Area Council.

6. PROVISION OF FACILITIES AND SUPPORT

The County of Alameda shall provide its emergency operations center as the site for the Operational Area Emergency Management Organization. The County of Alameda will provide support staff for the emergency operations center and all reasonable supplies for the Operational Area Emergency Management Organization during actual activations, drills, and exercises. All parties to this Agreement may provide representatives for decision making and liaison to operational elements of the Operational Area Emergency Management Organization when activated.
The Operational Area Emergency Management Organization will facilitate the mutual aid systems used by local agencies to assist each other in a disaster with the resources necessary to save lives, mitigate property loss, and meet the basic needs of the people.

7. TERM OF AGREEMENT

This Agreement shall be effective from the date executed by all parties until December 31, 2035. This Agreement may be terminated prior to the conclusion of the term by mutual agreement of a majority of the member parties.

8. WITHDRAWAL OF PARTY

Any party to this Agreement may withdraw as a party to this Agreement prior to the termination of the term of this Agreement upon giving thirty (30) days prior written notice to all other parties.

9. ADDITIONAL PARTIES

Additional parties, who are public entities within the geographical boundaries of Alameda County, may join in this Agreement and become a member party upon execution of an Exhibit to this Agreement in which the entity agrees to be subject to the conditions and terms of this Agreement. The executed Exhibit shall become a part of this Agreement automatically after the expiration of thirty (30) days following notification by the new party to all other parties to the execution of the exhibit. Thereafter, the entity shall be considered to be a party of this Agreement unless the entity withdraws as provided herein. Provided however, in the event any existing party to the Agreement gives all other parties notice of its objection to the addition of the particular entity becoming a member to this Agreement within the thirty (30) day notice period, the addition of such party to this Agreement shall require the consent of a two-thirds majority to the then member parties.

10. INDEMNIFICATION AND HOLD HARMLESS

Each of the parties agree to indemnify and hold the other parties harmless and waives all claims for compensation for any loss, damage, personal injury, or death incurred in consequences of the acts or omissions of the indemnifying parties' own employees and agents in the performance of this Agreement.

It is the intent of the parties that, where negligence is determined to have been contributory, principles of comparative fault will be followed, and each party shall bear the proportionate costs of any loss, damage, expense, and liability attributable to the party's negligence.

11. SALARIES, EMPLOYMENT AND WORKERS COMPENSATION BENEFITS

The salaries, employment and workers compensation benefits of each employee participating in the Operational Area Emergency Management Organization shall be the responsibility of the party employing the individual. It is understood that each party's employees have no rights, benefits, or special employment status conferred by reason of this Agreement.

IN WITNESS WHEREOF THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT AS FOLLOWS:

COUNTY OF ALAMEDA,
a political subdivision of the
State of California

By David J. Haubert
DAVID HAUBERT, President
Board of Supervisors

I hereby certify under penalty of perjury that the President of the Board of Supervisors was duly authorized to execute this document on behalf of the County of Alameda by a majority vote of the Board on 1/27/2026; and that a copy has been delivered to the President as provided by Government Code section 25103.

ATTEST: BRITNEY DAVIS
Clerk, Board of Supervisors
Alameda County, California

By Nancy French, Deputy
Clerk, Board of Supervisors

APPROVED AS TO FORM AND CONTENT:

DONNA ZIEGLER
County Counsel

By Signed by: Clay Christianson
Clay Christianson
Deputy County Counsel

STAFF REPORT
Item D. 6.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Brittney Frye, Human Resources Director
SUBJECT	Adopt a resolution amending the 2024-2026 Biennial Budget and Capital Improvement Plan for Fiscal Year 2025-26 to reallocate two positions; amending the City's salary schedule in conformance with California Code of Regulations, Title 2, Section 570.5; and approving a side letter agreement with the Newark Police Association reflecting a classification change

SUMMARY AND RECOMMENDATION

Following a comprehensive classification and compensation review, staff approved the reclassification of one Police Records Supervisor position to Police Records and Evidence Supervisor. The classification has been revised and retitled to more accurately reflect the position's full scope, including oversight of both police records and property and evidence functions.

Additionally, staff recommends reallocating one vacant 0.75 full-time equivalent (FTE) Administrative Assistant position in the Recreation and Community Services Department to a 1.0 FTE Management Analyst I/II position to better align staffing with current operational and analytical needs.

Staff recommends that the City Council adopt a resolution amending the 2024–2026 Biennial Budget and Capital Improvement Plan for Fiscal Year 2025–26 to reallocate both positions, approve the salary for the updated classification of Police Records and Evidence Supervisor by amending the salary schedule to reflect this change, in conformance with California Code of Regulations, Title 2, Section 570.5, and approve a Side Letter Agreement with the Newark Police Association to reflect the classification title change.

BACKGROUND

The City engaged Distinction & Degree, a consulting firm specializing in public-sector classification studies, to evaluate the Police Records Supervisor classification to ensure alignment with current duties, organizational needs, internal equity, and market standards. The review included a position questionnaire, interviews, analysis of duties, internal comparisons, and market benchmarking.

Following a review of the consultant's findings and pursuant to Personnel Rules and Regulations (Rule III, Section 5), staff approved reclassification of the position effective April 12, 2026. City Council approval is needed for an approximate $6,000 budget adjustment and to set the salary.

Separately, since August 2025, the Recreation and Community Services Department has experienced a vacancy in one Administrative Assistant position. During this period of vacancy, the department evaluated its operational needs and identified a gap in staff capacity dedicated to complex analytical and administrative work. The reallocation is proposed to be effective April 12, 2026, and is intended to align authorized staffing with current and anticipated departmental needs.

DISCUSSION/ANALYSIS

Police Classification Reallocation

The current Police Records Supervisor classification is structured within the Public Safety Clerk series and emphasizes advanced records work. The proposed Police Records and Evidence Supervisor classification identifies the position as a first-line, non-sworn working supervisor with broader oversight responsibility for both records and property and evidence functions.

Key distinctions include:

- Scope of Responsibility: The proposed classification expands oversight to include both records and property and evidence functions, whereas the current classification is primarily limited to records.
- Supervisory Role: The proposed role is clearly defined as a non-sworn working supervisor who both oversees staff and performs complex, technical work.
- Complexity and Sensitivity: The proposed classification reflects responsibility for sensitive, highly confidential, and complex materials and functions, including oversight related to body-worn camera footage and evidence operations.
- Knowledge and Expertise: The proposed classification includes broader subject matter expertise in records management and property and evidence control within a law enforcement setting.
- Minimum Qualifications: The proposed classification broadens the qualifying experience and more clearly reflects the supervisory and operational responsibilities of the position.

These differences support the conclusion that the proposed classification more accurately reflects the position’s current responsibilities and distinguishes it from the existing classification.

In addition, staff recommends updating the salary range for the revised Police Records and Evidence Supervisor classification to reflect the scope, complexity, and level of responsibility associated with the position. The recommended salary range is $115,960.00 to $140,982.40 annually, consistent with the consultant’s recommendations and internal equity considerations. This salary more accurately reflects the full range of supervisory duties, including oversight of both police records and property and evidence functions.

The classification results, including classification and compensation changes, were discussed and agreed to with the classification's recognized labor group, Newark Police Association.

Recreation and Community Services Reallocation
The Recreation and Community Services Department currently has one vacant 0.75 FTE Administrative Assistant position due to a retirement in August 2025. During the vacancy, staff identified increasing demands for higher-level analytical and administrative work rather than the work previously performed by the position, which was more clerical in nature.

Reallocating the position to a 1.0 FTE Management Analyst would provide dedicated support for:

- Budget development and monitoring
- Financial forecasting
- Grant administration
- Research and analysis
- Process improvement
- Performance tracking
- Contract administration
- Implementation of citywide initiatives

This change better aligns staffing resources with current and anticipated service needs. Centralizing these responsibilities in a dedicated analytical position will improve operational efficiency, reduce administrative burdens on supervisory staff, and allow them to focus on program oversight, service delivery, and staff management.

FISCAL IMPACT

The Police Department reclassification will require a General Fund appropriation of $5,930 for Fiscal Year 2025–26. The Recreation and Community Services Department reallocation is expected to be absorbed through current-year vacancy savings.

Future costs will be incorporated into the City’s regular biennial budget process for both reallocated positions.

STRATEGIC PRIORITY AREA

Boost Financial Resilience and Excellence in Service Delivery

REVIEW AND APPROVAL

Prepared by - Brittney Frye, Human Resources Director
Reviewed by - Roya Gonzalez, Interim Recreation and Community Services Director
Reviewed by - Lenka Hovorka, Assistant City Manager
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - David J. Benoun, City Manager

Attachments

Resolution Reallocation and Reclassification
NPA Side Letter of Agreement
Police Records and Evidence Supervisor Job Classification
Salary Schedule Effective April 12, 2025

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AMENDING THE 2024–2026 BIENNIAL BUDGET AND CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2025–26 TO REALLOCATE POSITIONS; APPROVING AN AMENDMENT TO THE CITY'S SALARY SCHEDULE IN CONFORMANCE WITH CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5; AND APPROVING A SIDE LETTER OF AGREEMENT WITH THE NEWARK POLICE ASSOCIATION

WHEREAS, the 2024-2026 Biennial Budget and Capital Improvement Plan was adopted by the City Council on June 27, 2024; and

WHEREAS, the City conducted a comprehensive Reclassification Study of the Police Records Supervisor position in the Police Department; and

WHEREAS, the study concluded, and the City confirmed that the duties performed by the incumbent are consistent with a higher-level supervisory role overseeing both police records and property and evidence functions; and

WHEREAS, the consultant recommended updating the Police Records Supervisor classification title to Police Records and Evidence Supervisor and increasing the classification salary range to accurately reflect the position's scope and level of responsibility; and

WHEREAS, the City engaged in meet and confer as required by law and both the City and the Newark Police Association agreed to the revised and retitled classification changes; and

WHEREAS, the Recreation and Community Services Department has experienced a vacancy in a 0.75 full-time equivalent Administrative Assistant position and the City has revaluated its operational needs; and

WHEREAS, the City identified a need for higher-level analytical and administrative support and recommends reallocating the position to a 1.0 full-time equivalent Management Analyst to better align with current and anticipated service needs; and

WHEREAS, the City Council finds it appropriate to amend the 2024-2026 Biennial Budget and Capital Improvement Plan to reflect these allocations.

NOW THEREFORE, BE IT RESOLVED that the City Council hereby authorizes an amendment to the 2024-2026 Biennial Budget and Capital Improvement Plan to reallocate one full-time equivalent classification of Pollice Records Supervisor to one full-time equivalent classification of Police Records and Evidence Supervisor and reallocate one .75 full-time equivalent Administrative Assistant to one full-time equivalent Management Analyst, effective April 12, 2026.

BE IT FURTHER RESOLVEDthat the City Manager is authorized to execute a Side Letter between the City and Newark Police Association, in form approved by the City Manager, and take such additional actions as necessary to implement the Side Letter.

BE IT FURTHER RESOLVED that the City Council hereby approves an amendment to the City's Salary Schedule to reflect the compensation pursuant to the revised classification of Police Records and Evidence Supervisor, effective April 12, 2026.

Classification	Frequency	Step 1	Step 2	Step 3	Step 4	Step 5
Police Records and Evidence Supervisor	Hourly Biweekly Annual	$55.75 $4,460.00 $115,960.00	$58.54 $4,683.20 $121,763.20	$61.47 $4,917.60 $127.857.60	$64.54 $5,163.20 $134,243.20	$67.78 $5,422.40 $140,982.40

BE IT FURTHER RESOLVED that the City Council hereby approves an amendment to the 2024-2026 Biennial Budget and Capital Improvement Plan for Fiscal Year 2025-26 as follows:

Personnel Allocation

Add: One (1) full-time equivalent Police Records and Evidence Supervisor

Add: One (1) full-time equivalent Management Analyst I/II

Delete: One (1) full-time equivalent Police Records Supervisor

Delete: One .75 full-time equivalent Administrative Assistant

Account Allocation

TO: 110.30.033.330.5110 SALARIES (FT/RPT) $4,300

TO: 110.30.033.330.5220 MEDICARE $62

TO: 110.30.033.330.5510 DEFINED BNFT PLAN (CalPERS) $1,566

FR: 110.3000 UNAPPROPRIATED FUND BALANCE $5930

of Newark
NEWARK
california

Human Resources Department
37101 Newark Boulevard
Newark, CA 94560

To: Newark Police Association (NPA) Executive Board

From: Brittney Frye, Human Resources Director
David Benoun, City Manager

Subject: Side Letter of Agreement Between the City of Newark and the Newark Police Association Regarding Classification Retitle and Salary Adjustment

Date: March 25, 2026

This side letter of agreement is entered into by and between the City of Newark ("City") and the Newark Police Association ("NPA") to modify language within the Memorandum of Understanding ("MOU") covering the term July 1, 2025, through June 30, 2028. The purpose of this Side Letter is to reflect the agreed-upon classification retitle and corresponding salary adjustment.

Background
The City conducted a reclassification study of the Police Records Supervisor position, which determined that the scope of duties more accurately reflects a supervisory role overseeing both police records and property and evidence functions. As a result, the City proposed retitling the classification to Police Records and Evidence Supervisor and updating the salary range to align with the enhanced responsibilities.

The City and NPA met and conferred regarding these changes and reached agreement on the revised classification title and compensation.

Agreement
The parties agree to the following:

1. The classification of Police Records Supervisor shall be retitled to Police Records and Evidence Supervisor, and the duties of the classification shall be updated to reflect the expanded scope and level of responsibility.

2. The salary for the Police Records and Evidence Supervisor classification shall be updated as reflected in the approved salary schedule adopted by City Council and outlined int the following chart:

Frequency	Step 1	Step 2	Step 3	Step 4	Step 5
Hourly	$55.75	$58.54	$61.47	$64.54	$67.78
Biweekly	$4,460.00	$4,683.20	$4,917.60	$5,163.20	$5,422.40
Annual	$115,960.00	$121,763.20	$127.857.60	$134,243.20	$140,982.40

3.

4. All references in the MOU to Police Records Supervisor shall be understood to refer to Police Records and Evidence Supervisor.

This side letter will become effective upon approval by the City Council and shall remain in effect for the duration of the MOU.

Dated: _____

For the City of Newark:

_____
David J. Benoun, City Manager

For the Newark Police Association:

_____
Steven Losier, NPA President

Police Records and Evidence Supervisor

Class Specification
Revised 3/26
Class ID: 645
Unit: NPA
Probation: 12 Months
FLSA: Non-Exempt

DEFINITION
Under general direction, organizes, directs, assigns, supervises, and participates in the work of assigned Records and Property and Evidence Unit personnel; oversees public safety records management and property and evidence operations; performs the most complex and sensitive records and evidence related work; and performs related duties as assigned.

SUPERVISION RECEIVED AND EXERCISED
Receives general supervision from the assigned Police Support Services Manager. Exercises direct supervision over assigned Records and Property and Evidence Unit staff.

DISTINGUISHING CHARACTERISTICS
This is a non-sworn working supervisor classification within the Public Safety Clerk, Property and Evidence Technician, or closely related series. Positions at this level are distinguished by responsibility for supervising staff and overseeing both police records and property and evidence functions. Incumbents exercise independent judgement and discretion in coordinating unit activities, resolving complex operational issues, and ensuring compliance with legal and procedural requirements.

Employees in this classification perform the most complex and sensitive duties within the functional areas, including supervision of assigned records, and property and evidence unit staff, handling escalated issues, and managing work involving the most confidential, sensitive, or graphic information. Employees at this level are required to be fully proficient in all assigned program areas and have a high degree of accountability, decision-making authority, and public interaction.

EXAMPLES OF JOB FUNCTIONS (Illustrative Only)
Organize, schedule, assign, train, lead, and review the work of assigned records, and property and evidence unit personnel and volunteers.

Exercise direct supervision over assigned staff; perform the most difficult and complex work in records, and property and evidence unit activities, including handling difficult problems/determining appropriate course of action; provide or coordinate staff training; conduct performance evaluations; work with employees to correct deficiencies; evaluate work requirements and prioritize assignments based on multiple, sometimes competing priorities (e.g. time sensitivity; confidentiality; etc.)

Coordinate and administer activities related to various records systems and projects; coordinate with other departments, divisions, and agencies related to the work assigned; maintain work-related records; compile, audit, and report statistical information; process criminal and traffic warrants; and monitor release of police and accident reports.

Direct maintenance of departmental record-keeping system in accordance with legal requirements, and City and departmental policies and standards; release police reports and criminal record

information in accordance with regulations and procedures; ensure confidentiality of information is maintained according to applicable laws, rules, regulations, and administrative orders.

Evaluate the impact of emerging technology and related legislation on operations; implement and interpret operating procedures and submit recommendations for change; make recommendations for changes and improvements to existing standards and procedures; provide recommendations for assigned unit-related budget planning.

Respond as appropriate to comments and concerns expressed by the public regarding the release, maintenance, and processing of public safety records.

Use a personal computer to enter and retrieve information related to work assignments and record-keeping.

Build and maintain positive working relationships with co-workers, other City employees, and the public using principles of good customer service.

Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Principles and practices of current records management practices and property/evidence control used in municipal law enforcement.
- Chain of custody principles and evidence handling standards.
- Pertinent local, State and Federal laws, ordinances and rules, public records acts, and penal code sections.
- Principles and practices of supervision, training, planning, and reviewing the work of others.
- Current office procedures and computer equipment, including various filing and recordkeeping systems, personnel scheduling, and operation of automated information and communication systems.
- Research techniques and procedures.
- Criminal justice procedures including knowledge of court rules and procedures.
- Standard business arithmetic.
- Correct English usage, including spelling, grammar, and punctuation.

Skill or Ability to:

- Perform the most complex public safety records, property and evidence processing and maintenance work.
- Plan, assign and review the work of assigned staff.
- Supervise, train, and evaluate assigned staff.
- Organize, prioritize, and coordinate work activities of records, and property and evidence unit.
- Read and interpret rules, policies, procedures, and written instructions.
- Communicate clearly and concisely, both orally and in writing using appropriate English grammar and syntax.
- Communicate clearly and effectively with people from a variety of socio-economic backgrounds.
- Maintain clear and accurate records.
- Interpret tables and compare numbers.
- Read and synthesize information from police reports, manuals, state codes, warrants, and maps.

- Establish and maintain effective working relationships with those contacted in the course of the work.
- Use initiative and sound judgment within established guidelines.
- Evaluate operational impact of emerging technology and related legislation and recommend procedural changes as appropriate.
- Exercise discretion when performing or assigning sensitive tasks.
- Work under pressure, exercise good judgment, and make sound decisions in emergency situations.
- Type accurately at a rate of 45 net words per minute.
- Respectfully and effectively collaborate with a variety of people of varying backgrounds and roles. Demonstrate tact, professionalism, and diplomacy.

Education and Experience:

Any combination of education and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:

Possession of a high school diploma or equivalent, and three (3) years of progressively responsible experience in law enforcement support services, including records management and/or property and evidence functions, including at least one (1) year of lead/supervisory responsibility.

License and Certificate:

Possession of a valid driver license and a satisfactory driving record throughout employment.

PHYSICAL DEMANDS

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer, and to operate a motor vehicle to visit various City and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person and over the telephone. Standing in and walking between work areas is frequently required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification frequently bend, stoop, kneel, and reach to perform assigned duties, as well as push and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects up to 25 pounds with the use of proper equipment. Reasonable accommodations will be made for individuals on a case-by-case basis.

ENVIRONMENTAL CONDITIONS

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures. The principal duties of this class are performed in a police station environment with exposure to criminal offenders, mentally ill individuals, and persons potentially infected with communicable diseases. Willingness and ability to work any shift; work holidays, weekends, scheduled and emergency overtime; be available on call, as required; willingness to work a variety of assignments and to rotate to different assignments as directed. Wear uniform or professional business attire required; comply with departmental grooming standards.

CITY OF NEWARK
Salary Schedule Effective 04/12/2026

	Step 1			Step 2			Step 3			Step 4			Step 5		
Classification	**Hourly**	**Biweekly**	**Annual**	**Hourly**	**Biweekly**	**Annual**	**Hourly**	**Biweekly**	**Annual**	**Hourly**	**Biweekly**	**Annual**	**Hourly**	**Biweekly**	**Annual**
Accountant	54.64	4,371.20	113,651.20	57.38	4,590.40	119,350.40	60.25	4,820.00	125,320.00	63.25	5,060.00	131,560.00	66.42	5,313.60	138,153.60
Accounting Assistant I	38.05	3,044.00	79,144.00	39.96	3,196.80	83,116.80	41.95	3,356.00	87,256.00	44.05	3,524.00	91,624.00	46.26	3,700.80	96,220.80
Accounting Assistant II	41.84	3,347.20	87,027.20	43.93	3,514.40	91,374.40	46.12	3,689.60	95,929.60	48.43	3,874.40	100,734.40	50.86	4,068.80	105,788.80
Accounting Technician I	44.27	3,541.60	92,081.60	46.49	3,719.20	96,699.20	48.81	3,904.80	101,524.80	51.25	4,100.00	106,600.00	53.81	4,304.80	111,924.80
Accounting Technician II	48.70	3,896.00	101,296.00	51.14	4,091.20	106,371.20	53.70	4,296.00	111,696.00	56.38	4,510.40	117,270.40	59.20	4,736.00	123,136.00
Administrative Assistant	44.15	3,532.00	91,832.00	46.35	3,708.00	96,408.00	48.67	3,893.60	101,233.60	51.11	4,088.80	106,308.80	53.66	4,292.80	111,612.80
Administrative Support Specialist I	34.48	2,758.40	71,718.40	36.20	2,896.00	75,296.00	38.01	3,040.80	79,060.80	39.92	3,193.60	83,033.60	41.90	3,352.00	87,152.00
Administrative Support Specialist II	37.63	3,010.40	78,270.40	39.51	3,160.80	82,180.80	41.49	3,319.20	86,299.20	43.56	3,484.80	90,604.80	45.74	3,659.20	95,139.20
Animal Control Officer	42.90	3,432.00	89,232.00	45.05	3,604.00	93,704.00	47.30	3,784.00	98,384.00	49.67	3,973.60	103,313.60	52.15	4,172.00	108,472.00
Assistant City Manager	126.92	10,153.60	263,993.60	Range 26									152.31	12,184.80	316,804.80
Assistant Engineer-Civil	57.38	4,590.40	119,350.40	60.25	4,820.00	125,320.00	63.26	5,060.80	131,580.80	66.41	5,312.80	138,132.80	69.74	5,579.20	145,059.20
Assistant Maintenance Superintendent	70.65	5,652.00	146,952.00	Range 14									84.78	6,782.40	176,342.40
Assistant Planner	51.64	4,131.20	107,411.20	54.22	4,337.60	112,777.60	56.93	4,554.40	118,414.40	59.77	4,781.60	124,321.60	62.76	5,020.80	130,540.80
Assistant to the City Manager	67.29	5,383.20	139,963.20	Range 13									80.75	6,460.00	167,960.00
Associate Civil Engineer	66.44	5,315.20	138,195.20	69.75	5,580.00	145,080.00	73.24	5,859.20	152,339.20	76.90	6,152.00	159,952.00	80.75	6,460.00	167,960.00
Associate Planner	59.10	4,728.00	122,928.00	62.07	4,965.60	129,105.60	65.17	5,213.60	135,553.60	68.42	5,473.60	142,313.60	71.84	5,747.20	149,427.20
Building Inspector I	56.07	4,485.60	116,625.60	58.87	4,709.60	122,449.60	61.82	4,945.60	128,585.60	64.91	5,192.80	135,012.80	68.15	5,452.00	141,752.00
Building Inspector II	58.87	4,709.60	122,449.60	61.82	4,945.60	128,585.60	64.91	5,192.80	135,012.80	68.15	5,452.00	141,752.00	71.56	5,724.80	148,844.80
Building Maintenance Mechanic I	42.01	3,360.80	87,380.80	44.13	3,530.40	91,790.40	46.32	3,705.60	96,345.60	48.65	3,892.00	101,192.00	51.08	4,086.40	106,246.40
Building Maintenance Mechanic II	46.28	3,702.40	96,262.40	48.59	3,887.20	101,067.20	51.03	4,082.40	106,142.40	53.59	4,287.20	111,467.20	56.25	4,500.00	117,000.00
Chief Building Official	96.75	7,740.00	201,240.00	Range 20									117.60	9,408.00	244,608.00
Chief Information Officer/Information	115.12	9,209.60	239,449.60	Range 24									138.13	11,050.40	287,310.40
Child Care Instructor	28.15	2,252.00	58,552.00	29.58	2,366.40	61,526.40	31.06	2,484.80	64,604.80	32.61	2,608.80	67,828.80	34.27	2,741.60	71,281.60
City Clerk	81.80	6,544.00	170,144.00	Range 17									98.14	7,851.20	204,131.20
City Engineer	99.44	7,955.20	206,835.20	Range 21									119.33	9,546.40	248,206.40
City Manager													184.22	14,737.60	383,177.60
Communications and Public Engagement	77.91	6,232.80	162,052.80	Range 16									93.49	7,479.20	194,459.20
Community Development Director	115.12	9,209.60	239,449.60	Range 24									138.13	11,050.40	287,310.40
Community Engagement Manager	70.65	5,652.00	146,952.00	Range 14									84.78	6,782.40	176,342.40
Community Preservation Manager	77.91	6,232.80	162,052.80	Range 16									93.49	7,479.20	194,459.20
Community Preservation Specialist I	46.75	3,740.00	97,240.00	49.09	3,927.20	102,107.20	51.54	4,123.20	107,203.20	54.12	4,329.60	112,569.60	56.83	4,546.40	118,206.40
Community Preservation Specialist II	51.43	4,114.00	106,964.00	54.00	4,319.92	112,317.92	56.69	4,535.52	117,923.52	59.53	4,762.56	123,826.56	62.51	5,001.04	130,027.04
Community Service Officer	43.39	3,471.20	90,251.20	45.55	3,644.00	94,744.00	47.83	3,826.40	99,486.40	50.22	4,017.60	104,457.60	52.74	4,219.20	109,699.20
Crime Analyst	57.38	4,590.40	119,350.40	60.25	4,820.00	125,320.00	63.26	5,060.80	131,580.80	66.41	5,312.80	138,132.80	69.74	5,579.20	145,059.20
Deputy Community Development Director	96.75	7,740.00	201,240.00	Range 20									117.60	9,408.00	244,608.00
Deputy Economic Development Director	96.75	7,740.00	201,240.00	Range 20									117.60	9,408.00	244,608.00
Deputy Finance Director	96.75	7,740.00	201,240.00	Range 20									117.60	9,408.00	244,608.00
Engineering Technician I	48.39	3,871.20	100,651.20	50.81	4,064.80	105,684.80	53.35	4,268.00	110,968.00	56.01	4,480.80	116,500.80	58.82	4,705.60	122,345.60
Engineering Technician II	51.82	4,145.60	107,785.60	54.41	4,352.80	113,172.80	57.13	4,570.40	118,830.40	59.99	4,799.20	124,779.20	62.99	5,039.20	131,019.20
Environmental Services Manager	77.91	6,232.80	162,052.80	Range 16									93.49	7,479.20	194,459.20
Equipment Mechanic I	43.20	3,456.00	89,856.00	45.36	3,628.80	94,348.80	47.63	3,810.40	99,070.40	50.01	4,000.80	104,020.80	52.51	4,200.80	109,220.80
Equipment Mechanic II	47.56	3,804.80	98,924.80	49.94	3,995.20	103,875.20	52.43	4,194.40	109,054.40	55.06	4,404.80	114,524.80	57.81	4,624.80	120,244.80
Executive Assistant	49.07	3,925.60	102,065.60	51.52	4,121.60	107,161.60	54.10	4,328.00	112,528.00	56.80	4,544.00	118,144.00	59.64	4,771.20	124,051.20
Facilities Supervisor	63.84	5,107.20	132,787.20	67.03	5,362.40	139,422.40	70.39	5,631.20	146,411.20	73.90	5,912.00	153,712.00	77.59	6,207.20	161,387.20
Finance Director	115.12	9,209.60	239,449.60	Range 24									138.13	11,050.40	287,310.40
General Laborer	31.40	2,512.00	65,312.00	32.98	2,638.40	68,598.40	34.63	2,770.40	72,030.40	36.37	2,909.60	75,649.60	38.18	3,054.40	79,414.40
Housing Policies and Programs Manager	81.80	6,544.00	170,144.00	Range 17									98.14	7,851.20	204,131.20
Human Resources Director	115.12	9,209.60	239,449.60	Range 24									138.13	11,050.40	287,310.40
Human Resources Technician	45.08	3,606.40	93,766.40	47.34	3,787.20	98,467.20	49.70	3,976.00	103,376.00	52.19	4,175.20	108,555.20	54.80	4,384.00	113,984.00
Information Technology Analyst	60.27	4,821.60	125,361.60	63.27	5,061.60	131,601.60	66.45	5,316.00	138,216.00	69.76	5,580.80	145,100.80	73.25	5,860.00	152,360.00

CITY OF NEWARK
Salary Schedule Effective 04/12/2026

	Step 1			Step 2			Step 3			Step 4			Step 5		
Classification	**Hourly**	**Biweekly**	**Annual**	**Hourly**	**Biweekly**	**Annual**	**Hourly**	**Biweekly**	**Annual**	**Hourly**	**Biweekly**	**Annual**	**Hourly**	**Biweekly**	**Annual**
Information Technology Technician I	44.17	3,533.60	91,873.60	46.38	3,710.40	96,470.40	48.70	3,896.00	101,296.00	51.13	4,090.40	106,350.40	53.69	4,295.20	111,675.20
Information Technology Technician II	49.47	3,957.60	102,897.60	51.94	4,155.20	108,035.20	54.54	436,320.00	113,443.20	57.27	4,581.60	119,121.60	60.13	4,810.40	125,070.40
Junior Engineer-Civil	49.57	3,965.60	103,105.60	52.05	4,164.00	108,264.00	54.65	4,372.00	113,672.00	57.39	4,591.20	119,371.20	60.26	4,820.80	125,340.80
Landscape & Parks Maintenance Worker I	39.25	3,140.00	81,640.00	41.20	3,296.00	85,696.00	43.27	3,461.60	90,001.60	45.43	3,634.40	94,494.40	47.72	3,817.60	99,257.60
Landscape & Parks Maintenance Worker II	43.22	3,457.60	89,897.60	45.39	3,631.20	94,411.20	47.65	3,812.00	99,112.00	50.03	4,002.40	104,062.40	52.53	4,202.40	109,262.40
Landscape Inspector	40.33	3,226.40	83,886.40	42.35	3,388.00	88,088.00	44.46	3,556.80	92,476.80	46.69	3,735.20	97,115.20	49.02	3,921.60	101,961.60
Lead Childcare Instructor	32.40	2,592.00	67,392.00	34.02	2,721.60	70,761.60	35.72	2,857.60	74,297.60	37.51	3,000.80	78,020.80	39.38	3,150.40	81,910.40
Maintenance Superintendent	85.90	6,872.00	178,672.00	Range 18									103.07	8,245.60	214,385.60
Maintenance Supervisor	63.84	5,107.20	132,787.20	67.03	5,362.40	139,422.40	70.39	5,631.20	146,411.20	73.90	5,912.00	153,712.00	77.59	6,207.20	161,387.20
Management Analyst I	51.64	4,131.20	107,411.20	54.23	4,338.40	112,798.40	56.93	4,554.40	118,414.40	59.78	4,782.40	124,342.40	62.76	5,020.80	130,540.80
Management Analyst II	57.38	4,590.40	119,350.40	60.25	4,820.00	125,320.00	63.26	5,060.80	131,580.80	66.42	5,313.60	138,153.60	69.74	5,579.20	145,059.20
Permit Technician	43.88	3,510.40	91,270.40	46.07	3,685.60	95,825.60	48.37	3,869.60	100,609.60	50.79	4,063.20	105,643.20	53.33	4,266.40	110,926.40
Police Captain	107.44	8,595.20	223,475.20	Range 22 - CAP									128.94	10,315.20	268,195.20
Police Chief	124.39	9,951.00	258,726.00	Range 26 - CHIEF									149.27	11,941.20	310,471.20
Police Lieutenant	92.78	7,422.40	192,982.40	Range 19 - LT									111.33	8,906.40	231,566.40
Police Officer	63.11	5,048.80	131,268.80	66.27	5,301.60	137,841.60	69.58	5,566.40	144,726.40	73.06	5,844.80	151,964.80	76.71	6,136.80	159,556.80
Police Records and Evidence Supervisor	55.75	4,460.00	115,960.00	58.54	4,683.20	121,763.20	61.47	4,917.60	127,857.60	64.54	5,163.20	134,243.20	67.78	5,422.40	140,982.40
Police Sergeant	76.54	6,123.20	159,203.20	80.37	6,429.60	167,169.60	84.38	6,750.40	175,510.40	88.60	7,088.00	184,288.00	93.03	7,442.40	193,502.40
Police Support Services Manager	81.80	6,544.00	170,144.00	Range 17									98.14	7,851.20	204,131.20
Principal Civil Engineer	81.80	6,544.00	170,144.00	Range 17									98.14	7,851.20	204,131.20
Principal Planner	81.80	6,544.00	170,144.00	Range 17									98.14	7,851.20	204,131.20
Property and Evidence Technician	41.85	3,348.00	87,048.00	43.94	3,515.20	91,395.20	46.13	3,690.40	95,950.40	48.45	3,876.00	100,776.00	50.87	4,069.60	105,809.60
Public Safety Clerk	40.83	3,266.40	84,926.40	42.87	3,429.60	89,169.60	45.01	3,600.80	93,620.80	47.26	3,780.80	98,300.80	49.63	3,970.40	103,230.40
Public Safety Dispatch Supervisor	57.90	4,632.00	120,432.00	60.80	4,864.00	126,464.00	63.83	5,106.40	132,766.40	67.03	5,362.40	139,422.40	70.38	5,630.40	146,390.40
Public Safety Dispatcher	50.09	4,007.20	104,187.20	52.60	4,208.00	109,408.00	55.22	4,417.60	114,857.60	57.98	4,638.40	120,598.40	60.88	4,870.40	126,630.40
Public Works Director	115.12	9,209.60	239,449.60	Range 24									138.13	11,050.40	287,310.40
Public Works Inspector	58.88	4,710.40	122,470.40	61.83	4,946.40	128,606.40	64.92	5,193.60	135,033.60	68.16	5,452.80	141,772.80	71.57	5,725.60	148,865.60
Recreation and Community Services Director	115.12	9,209.60	239,449.60	Range 24									138.13	11,050.40	287,310.40
Recreation and Community Services Supervisor I	57.39	4,591.20	119,371.20	60.26	4,820.80	125,340.80	63.26	5,060.80	131,580.80	66.44	5,315.20	138,195.20	69.75	5,580.00	145,080.00
Recreation and Community Services Supervisor II	63.27	5,061.60	131,601.60	66.45	5,316.00	138,216.00	69.76	5,580.80	145,100.80	73.25	5,860.00	152,360.00	76.91	6,152.80	159,972.80
Recreation Coordinator	45.18	3,614.40	93,974.40	47.43	3,794.40	98,654.40	49.81	3,984.80	103,604.80	52.30	4,184.00	108,784.00	54.91	4,392.80	114,212.80
Red Light Photo Enforcement Technician	41.63	3,330.40	86,590.40	43.71	3,496.80	90,916.80	45.90	3,672.00	95,472.00	48.19	3,855.20	100,235.20	50.61	4,048.80	105,268.80
Senior Accountant	63.27	5,061.60	131,601.60	66.45	5,316.00	138,216.00	69.76	5,580.80	145,100.80	73.25	5,860.00	152,360.00	76.91	6,152.80	159,972.80
Senior Administrative Support Specialist	41.40	3,312.00	86,112.00	43.47	3,477.60	90,417.60	45.65	3,652.00	94,952.00	47.93	3,834.40	99,694.40	50.33	4,026.40	104,686.40
Senior Building Inspector	61.52	4,921.60	127,961.60	64.59	5,167.20	134,347.20	67.82	5,425.60	141,065.60	71.21	5,696.80	148,116.80	74.78	5,982.40	155,542.40
Senior Building Maintenance Mechanic	50.97	4,077.60	106,017.60	53.52	4,281.60	111,321.60	56.18	4,494.40	116,854.40	59.01	4,720.80	122,740.80	61.94	4,955.20	128,835.20
Senior Civil Engineer	78.40	6,272.00	163,072.00	82.32	6,585.60	171,225.60	86.44	6,915.20	179,795.20	90.77	7,261.60	188,801.60	95.28	7,622.40	198,182.40
Senior Equipment Mechanic	52.36	4,188.80	108,908.80	54.97	4,397.60	114,337.60	57.72	4,617.60	120,057.60	60.62	4,849.60	126,089.60	63.65	5,092.00	132,392.00
Senior Information Technology Analyst	66.44	5,315.20	138,195.20	69.75	5,580.00	145,080.00	73.24	5,859.20	152,339.20	76.90	6,152.00	159,952.00	80.75	6,460.00	167,960.00
Senior Landscape & Parks Maintenance Worker	47.59	3,807.20	98,987.20	49.97	3,997.60	103,937.60	52.48	4,198.40	109,158.40	55.09	4,407.20	114,587.20	57.84	4,627.20	120,307.20
Senior Landscape Inspector	47.59	3,807.20	98,987.20	49.97	3,997.60	103,937.60	52.48	4,198.40	109,158.40	55.09	4,407.20	114,587.20	57.84	4,627.20	120,307.20
Senior Management Analyst	66.02	5,281.60	137,321.60	69.33	5,546.40	144,206.40	72.79	5,823.20	151,403.20	76.43	6,114.40	158,974.40	80.25	6,420.00	166,920.00
Senior Planner	68.42	5,473.60	142,313.60	71.84	5,747.20	149,427.20	75.43	6,034.40	156,894.40	79.21	6,336.80	164,756.80	83.17	6,653.60	172,993.60
Senior Street Maintenance Worker	47.60	3,808.00	99,008.00	49.98	3,998.40	103,958.40	52.48	4,198.40	109,158.40	55.10	4,408.00	114,608.00	57.86	4,628.80	120,348.80
Strategic Initiatives Manager	85.90	6,872.00	178,672.00	Range 18									103.07	8,245.60	214,385.60
Street Maintenance Worker I	39.25	3,140.00	81,640.00	41.20	3,296.00	85,696.00	43.27	3,461.60	90,001.60	45.43	3,634.40	94,494.40	47.72	3,817.60	99,257.60
Street Maintenance Worker II	43.22	3,457.60	89,897.60	45.38	3,630.40	94,390.40	47.65	3,812.00	99,112.00	50.03	4,002.40	104,062.40	52.53	4,202.40	109,262.40
Urban Forest Supervisor	55.75	4,460.00	115,960.00	58.54	4,683.20	121,763.20	61.47	4,917.60	127,857.60	64.54	5,163.20	134,243.20	67.78	5,422.40	140,982.40
Vehicle Abatement Officer	34.29	2,743.20	71,323.20	35.99	2,879.20	74,859.20	37.80	3,024.00	78,624.00	39.70	3,176.00	82,576.00	41.67	3,333.60	86,673.60

STAFF REPORT

Item F. 1.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Neetu Salwan, City Clerk
SUBJECT	Adopt a resolution approving appointments to the Public Art Committee

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At the January 8, 2026, City Council meeting, the Council adopted Ordinance No. 558, adding chapter 2.14, “Public Art Committee”, to the Newark Municipal Code, establishing the City’s first Public Art Committee (“Committee”). The Committee advises the City Council on public art matters and supports the development and placement of visual public art within the City.

Committee vacancies were advertised for approximately four weeks and the City received 26 applications. Mayor Hannon conducted applicant interviews. Due to strong community interest and a highly qualified applicant pool, Mayor Hannon requested on March 12, 2026, that the Council expand the Committee. The City Council agreed with the Mayor's recommendation to revise the committee makeup of five voting members, one non-voting Newark Memorial High School student and two alternates, to a committee makeup of nine voting members, one non-voting high school student residing within the City of Newark and no alternates. The City Council directed staff to prepare an ordinance amending the municipal code to reflect the proposed committee makeup. The proposed ordinance is scheduled for introduction on April 9, 2026 and adoption on April 23, 2026.

Voting members serve four-year terms; however, for the initial appointments, five members will serve four-year terms and four members will serve two-year terms. The non-voting student member will serve a one-year term. All members may be reappointed, subject to the Mayor’s appointment and City Council approval. Committee members serve without compensation.

Mayor Hannon recommends appointing the following five applicants to serve four-year terms: Susan Helmer, Ish Amitoj Kaur, Alyssa Lopez, Tetiana Taganska, and Diana Wittebort; the following four applicants to serve two-year terms: Erin Evers, Kristina Garcia-Santiago, Lucia Gutierrez, and Jessica Lopez; and Raul Penalozaas as the non-voting high school student for a one-year term.

If the City Council approves the recommended applicants, their appointments to the

Public Art Committee will take effect on the same date that the proposed ordinance amending Newark Municipal Code Chapter 2.14 takes effect. The amended ordinance is scheduled for adoption on April 23, 2026, and will take effect 30 days later. Accordingly, the tentative effective date for all appointments is May 23, 2026. The appointments will not take effect if the ordinance does not become effective.

Attachments

Resolution Public Art Committee Members Appointments

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING THE MAYOR'S APPOINTMENTS TO THE PUBLIC ART COMMITTEE

WHEREAS, the City Clerk advertised vacancies for members on the Public Art Committee pursuant to Newark Municipal Code Chapter 2.14 and received applications from: Tetiana Taganska, Susan Helmer, Alyssa Lopez, Diana Wittebort, Ish Amitoj Kaur, Jessica Lopez, Lucia Gutierrez, Kristina Garcia-Santiago, Erin Evers, and Raul Penaloza; and

WHEREAS, the Mayor of the City of Newark has considered the applications; and

WHEREAS, the Mayor of the City of Newark has appointed Tetiana Taganska, Susan Helmer, Alyssa Lopez, Diana Wittebort, and Ish Amitoj Kaur to the Public Art Committee for a term expiring May 23, 2030; and

WHEREAS, the Mayor of the City of Newark has appointed Jessica Lopez, Lucia Gutierrez, Kristina Garcia-Santiago, and Erin Evers to the Public Art Committee for a term expiring May 23, 2028; and

WHEREAS, the Mayor of the City of Newark has appointed Raul Penaloza to the non-voting high school member position on the Public Art Committee for a term expiring May 23, 2027; and

WHEREAS, the appointments shall not be effective until the effective date of Ordinance No. 564.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the Public Art Committee appointments to be effective upon the effective date of Ordinance No 564.

BE IT FURTHER RESOLVED that the appointments will not take effect if Ordinance No. 564 does not take effect.

STAFF REPORT
Item F. 2.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	David Benoun, City Manager
SUBJECT	Receive report regarding business license tax analysis and provide direction regarding potential next steps related to evaluating potential ballot measure

SUMMARY AND RECOMMENDATION

The City of Newark's Business License Tax ("BLT") ordinance has not undergone a comprehensive structural modernization since 1970. Over the past five decades, Newark's economy, similar to the economy throughout the greater bay area, has expanded and diversified, including growth in logistics, contractor activity, professional services, and regional-serving businesses. Many of these changes are related to the transformation in the nature of economic activity throughout the region and nationally over the past 55 years. However, the City's existing BLT continues to rely on outdated classifications and capped fee schedules that do not scale proportionately with business activity. As a result, the BLT is structured in a manner that is inequitable and disproportionate in terms of impact to small and large businesses and equitable tax burden on business activity.

At the City Council meeting, the City Council will receive a presentation from the City's tax consultant, HdL Companies ("HdL"), that will analyze the City's existing BLT relative to the current economic conditions and more modern business license taxes that have been approved by voters in other jurisdictions. Following that presentation, staff recommends that the Council consider directing staff to take certain next steps that would assist in evaluating whether the City Council should place a measure on the ballot this fall that would simplify and modernize the existing BLT. These next steps include conducting a community survey and voter feasibility analysis, among others.

BACKGROUND

Newark's Current BLT and Analysis by HdL

The City of Newark's Business License Tax ordinance was adopted in 1970, and amended in 1979, 1983, and 1990 to adjust the tax rate. However, it has not been structurally modernized post-Proposition 218. Voter approval is now required to adjust the tax rate. During this period, Newark's economy has evolved substantially, including increased logistics and distribution activity, growth in professional services, and

expansion of regional-serving commercial businesses.

A review of the City's business registry shows approximately 3,103 licensed businesses reporting an estimated $5.12 billion in taxable gross receipts. Despite this level of economic activity, the City currently generates only approximately $1.47 million annually in business license tax revenue. Analysis conducted as part of the Business License Tax Study by HdL indicates that economic activity is highly concentrated. To illustrate the point, the largest 100 businesses account for approximately 75 percent of total reported gross receipts but contribute only approximately 47 percent of total business license tax revenue under the existing BLT.

Regional comparisons further indicate that Newark generates less business license tax revenue per resident and per business than peer jurisdictions that have modernized their business license tax structures. For example, Union City voters recently approved a BLT that established a variable gross receipts-based framework that more closely aligns tax contributions with business activity and economic scale and have increased their annual BLT revenue by approximately $3.5 million per year.

To evaluate potential modernization strategies, the City retained HdL to analyze the City's current BLT and develop alternative tax models. The study evaluated several options. Staff recommend that the City Council consider a variable gross receipts model to significantly improve the alignment between business activity and tax contribution and substantially increase the City's long-term revenue capacity. This report and HdL's presentation will focus on this model.

Analysis of Newark's BLT

Over the past six fiscal years, business license tax revenue has averaged approximately $1.41 million annually, indicating that the existing structure does not scale proportionately with business growth or economic output.

Registry analysis conducted as part of the tax study indicates:

- Approximately 3,103 licensed businesses operate in Newark.
- Businesses report approximately $5.12 billion in taxable gross receipts.
- As noted above, the largest 100 businesses generate roughly 75 percent of reported gross receipts but contribute only about 47 percent of total business license tax revenue.

These findings indicate that the current tax structure does not proportionately reflect business size or economic footprint. As a result, smaller and mid-sized businesses may bear a larger share of the tax burden relative to their economic activity. Additionally, some business types that do not generate meaningful revenue for the City through sales tax or through other revenue sources receive favorable tax treatment under the current BLT. Examples include warehousing and logistics uses, administrative and support offices (taxed on payroll), professional services, and certain property-related activities such as rental and real estate businesses.

Regional comparisons also indicate that Newark generates significantly lower business license tax revenue per capita and per business than comparable cities that have modernized their tax structures. These comparisons highlight the structural limitations of the City's current BLT and the potential benefits of modernization.

DISCUSSION/ANALYSIS

Current BLT Structure

Newark's current BLT requires businesses conducting operations within the City to obtain an annual business license and pay the applicable tax. The BLT applies to businesses operating in Newark, including those maintaining or representing a Newark business location.

Under the current BLT, the tax is calculated using different methods depending on the type of business activity. These include gross receipts for most commercial businesses; gross payroll for administrative offices or certain service operations; employee-based fees for certain professions (such as real estate agents); vehicle counts for delivery or transportation businesses; flat-fee categories for certain temporary or specialized business activities; and project value for contractors through quarterly or annual registration.

These methods correspond to multiple fee schedules and business classifications within the Municipal Code. Many of these classifications were adopted over time and reflect legacy business categories, resulting in a structure that can be complex to administer and that does not consistently scale with business size or overall economic activity. The original BLT was adopted prior to voter-approved Constitutional initiatives such as Proposition 218. Currently, the City is precluded from amending the BLT without voter approval because any revision would impact tax rates.

The HdL Study identified the following concerns:

- Tax contributions do not proportionately reflect business size or economic footprint.
- Newark's revenue per capita and per business lags comparable jurisdictions.
- The ordinance contains legacy classifications that complicate administration and reflect varying types of taxes and categories.
- The structure does not align with modern business models or industrial throughput.

Proposed Simplification & Modernization Option

To address these issues, the HdL Study evaluated three potential approaches to modernization. This report will focus on the variable gross receipts model.

The proposed variable gross receipts would amend the BLT to, among other things: 1) Simplify the categories by reducing the total number of business types and activity from over 30 categories and subcategories to an estimated five standardized categories plus one exempt category; 2) Under most circumstances establish an across the board gross receipts tax that will scale and increase depending on the amount of business

activity generated – resulting in larger businesses paying equitable costs relative to business activity occurring within the City; 3) Lower the flat rate business tax amount for small businesses resulting in a tax decrease for small businesses within the jurisdiction; 4) Ensure that certain types of uses (for example, warehouse uses and certain professional services) which do not generate sales tax revenue pay a higher percentage of gross receipts in business license tax; and 5) Generate approximately $4.6 million to $6.7 million in additional BLT revenue, depending on the rate structure selected, compared to the City's current annual revenue of approximately $1.5 million, inclusive of penalties and registration fees.

The variable gross receipts model represents a significant improvement over the existing structure and provides a scalable framework that adjusts as economic activity grows.

The Union City City Council placed a BLT modernization measure on the ballot to establish a variable gross receipts model in November 2024 (Measure QQ). Voters overwhelmingly approved Measure QQ with 81.62% voter approval. Union City anticipated that Measure QQ would generate approximately $3.5 million in additional revenue. Union City staff confirmed that actual revenues to date are consistent with the initial projections and expectations.

Policy Considerations

As part of the BLT review, staff and HdL evaluated impacts and other equity considerations from a policy standpoint in assessing a gross receipts–based tax framework. Certain types of business activity, for example logistics operations, warehousing, and construction-related enterprises, can place greater demand on the need for City services and occupy a significant amount of real estate within the City. Despite this, many of these business types pay little or even no sales tax. Meanwhile, retail uses do not generally have the same impacts, but consumers pay a state and local sales tax when making purchases at these locations which provides revenue to the City's general fund.

Recognizing these conditions as a policy consideration provides context for evaluating how different business activities may place varying demands on City services and the impact on their occupation of limited real estate in the City. For example, the proposed BLT could establish a higher gross receipt tax rate for logistics, warehousing and distribution uses than for retail uses to ensure that businesses are sharing equitably in their burden on the need for City services relative to the amount of real estate that they occupy.

Similarly, professional services may generate significant gross receipts and business activity but result in minimal or no sales tax revenue. Despite this, professional services can occupy locations within the City that are desirable for retail uses. The primary difference is that professional services will generally provide little for the City by way of revenue, while retail uses will provide sales tax revenue.

A variable gross receipts-based framework, particularly one that includes multiple

categories, allows the City to recognize differences in industrial throughput, contractor activity, and professional services while maintaining administrative clarity.

Additionally, while the variable gross receipts model will likely result in larger businesses paying a proportionate amount for their economic activity, the proposed BLT can establish a minimum tax rate that will result in many small businesses paying lower taxes than they are currently paying under the existing BLT. As businesses scale up, they will pay more in BLT. This will reverse the current inequity under the existing BLT that results in large businesses paying proportionately less than medium and small businesses.

Next Steps

Staff is seeking direction from the City Council to proceed with potential simplification and modernization of the BLT, which could include the following next steps:

1. Business community outreach and stakeholder engagement
2. Refinement of revenue modeling and category definitions
3. Preparation of ordinance language
4. Public education and outreach
5. Community survey and voter feasibility analysis

BLT changes would ultimately require Newark voter approval. Placement of a proposed ballot measure for a general tax requires a supermajority (4/5) vote of the City Council. Should the City Council wish to move forward, staff would recommend proceeding with the evaluation to determine the feasibility of a potential measure for November 2026.

FISCAL IMPACT

Should Newark voters vote to simplify and modernize the city's BLT as discussed above, then it is anticipated that the City would receive an increase of approximately $4.6 million to $6.7 million in general fund revenue.

These funds could be used for any legitimate governmental purpose, including, but not limited to:

- Strengthen reserves and sustain long-term fiscal resilience
- Stabilize the General Fund to address any potential structural imbalance
- Mitigate risk associated with the December 31, 2029, Utility Users Tax ("UUT") sunset
- Support capital improvement projects
- Address deferred infrastructure needs, including street and right-of-way maintenance.

STRATEGIC PRIORITY AREA

Boost Financial Resilience and Excellence in Service Delivery

REVIEW AND APPROVAL

Prepared by - Kristopher J. Kokotaylo, City Attorney
Krysten Lee, Finance Director
David J. Benoun, City Manager
Reviewed and Approved by - David J. Benoun, City Manager

Attachments

Presentation Tax Study

CITY OF NEWARK
BUSINESS LICENSE TAX
Tax Study Report

Presented By HdL Companies

The Challenge

HdL Companies

Why consider changing at all?

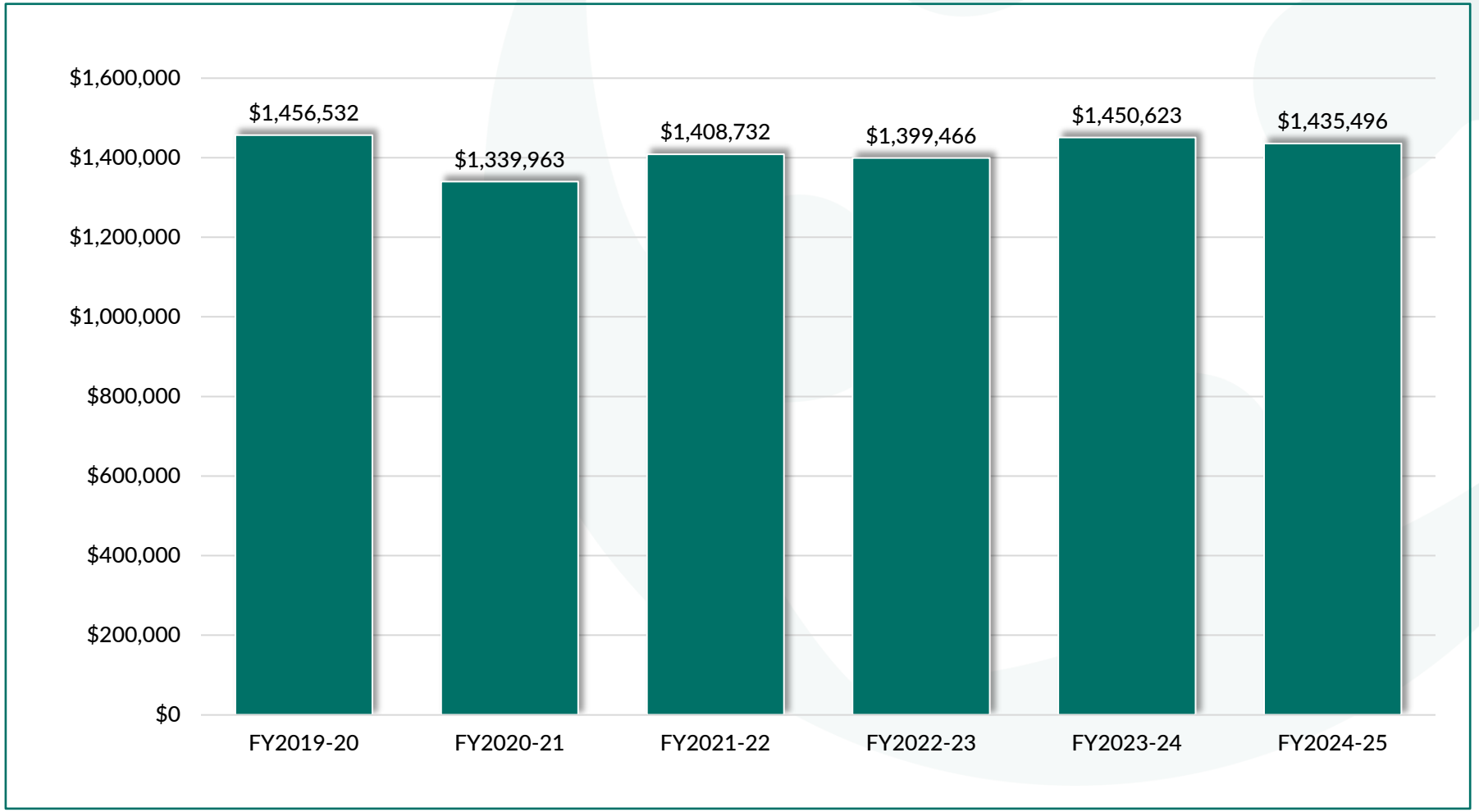
- Improving equity and proportionality.
- Acting on the opportunity to prepare for the future.
- Strengthen reserves and sustain long-term fiscal resilience.
- Provide funding that can be used for any purpose including support of city initiatives, such as capital improvement projects and infrastructure needs.

Current System Limitations

- Flat revenue trend
- System complexity
- Inconsistent tax methods

Revenue Not Keeping Pace

6-Year Revenue Trend Based on the License Period



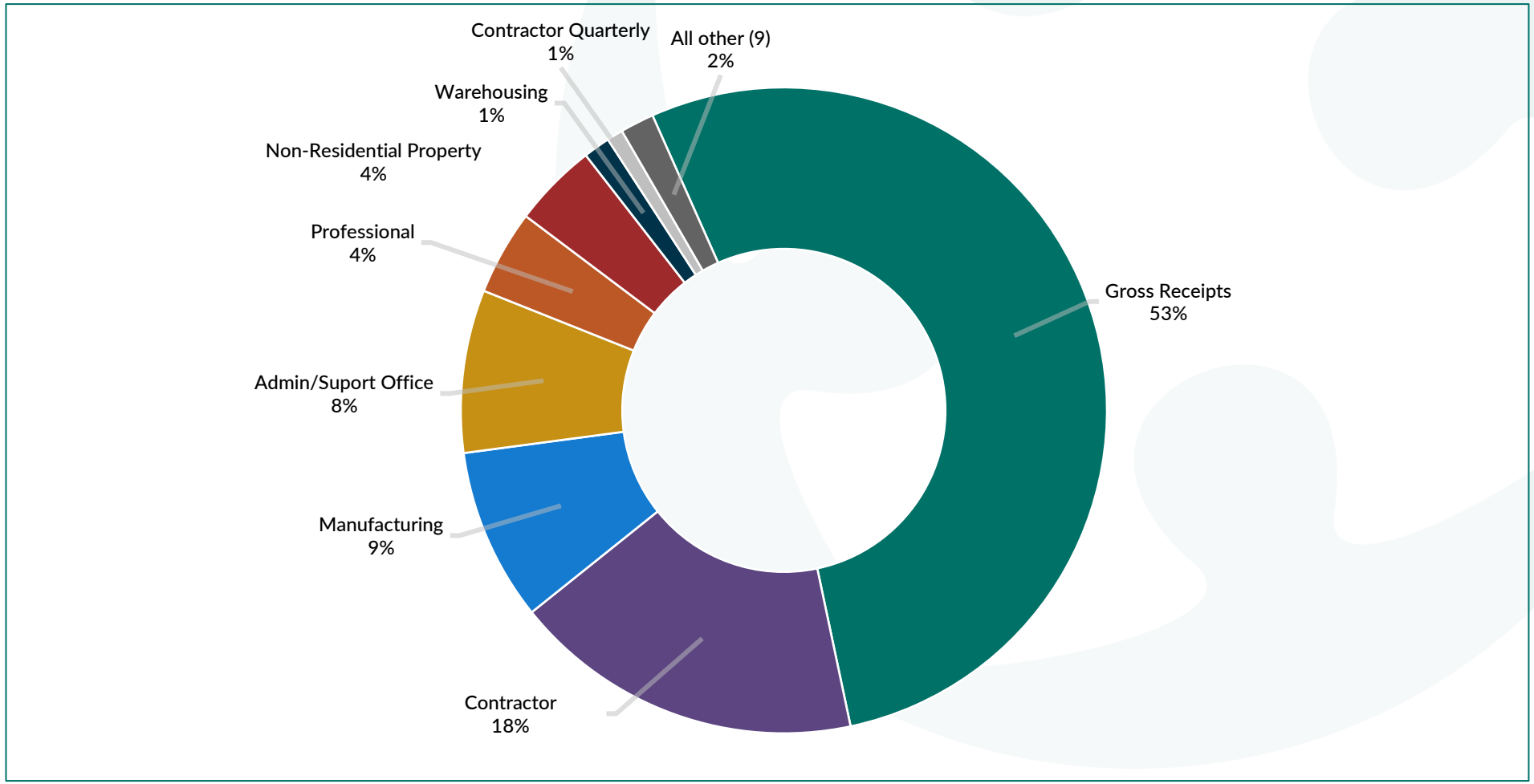
The revenues appearing in this graph were provided by the City of Newark

System Complexity
License Rates, Counts, and Tax Basis

Rate Types	Count of Business	Primary Tax Basis
Retail/Wholesale/General Businesses	1,542	Gross Receipt
Contractor	658	Gross Receipt
Contractor Quarterly	228	Gross Receipt
Professional	136	Gross Receipt
Non-Residential Property	118	Gross Receipt
Multiple Rate Types	113	Varied rates based on classification
Non-Profit	78	Exempt
Manufacturing	49	Gross Receipt
Admin/Support Office	43	Gross Payroll Tax
Delivery	43	Vehicle-based Flat fee (Optional GR Election)
All Other (7)	95	Varied Rates based on Classification
Total	3,103	

Not a New Tax

Total Share of Tax Revenue Generated by Rate Type



Reworking the business license tax presents a chance for Newark to modernize its tax structure and ensure that it is aligned with today's economy and tomorrow's fiscal needs.

An Overview

HdL Companies

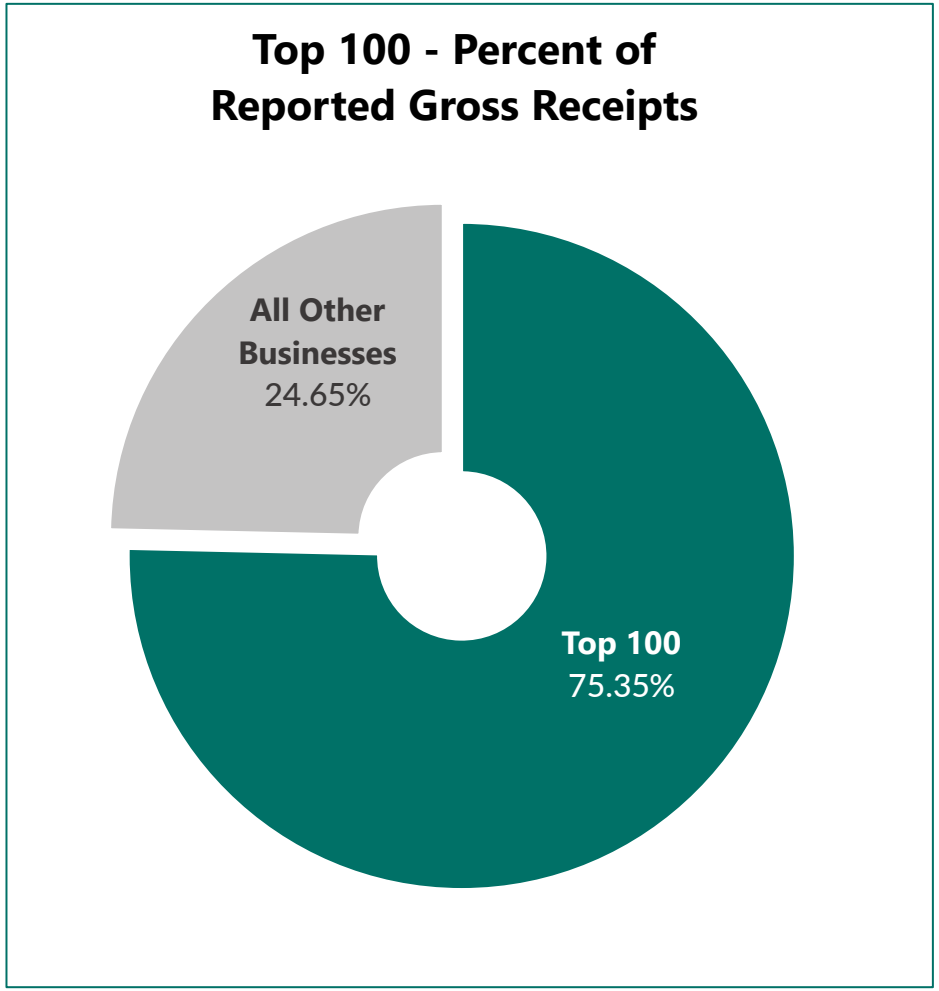
How Does a Gross Receipts Tax Work?

A business makes money by selling goods or services. This revenue is known as the ***gross receipts*** of the business. This is different than sales tax, because gross receipts include ALL business revenue, rather than just sales made in a specific jurisdiction.

The city applies the rate or formula to the gross receipts to calculate the tax due.

The business pays the tax based on its total business revenue.

Misalignment Between Business Activity and Contribution



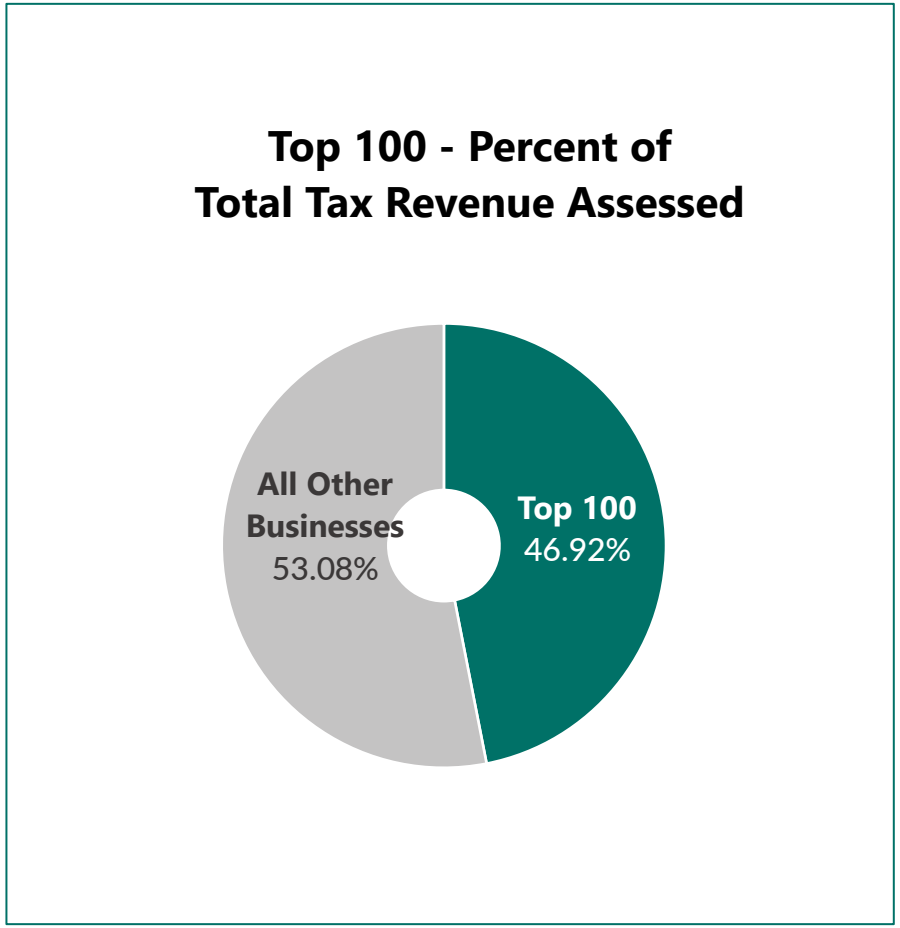
Currently, the top 100 businesses generate 75% of gross receipts…

HdL Companies

Misalignment Between Business Activity and Contribution

…but only 47% of tax assessed.

This highlights that the current structure does not fully reflect differences in business scale.



HdL Companies

What Does the Misalignment Show?

If Business License Tax worked as a flat percentage of revenue, the percentage of gross receipts would be proportional to the tax assessed. A misalignment indicates that this is not happening. Why?

- Lower rates for certain industries
- Caps
- Thresholds
- Exclusions

Large businesses dominate gross receipts, but structural features of the tax system reduce their effective tax rate—shifting more of the burden onto others.

The Proposal

HdL Companies

The Proposal

The City is proposing to modernize how it funds essential services by implementing a modest business-based tax tied to economic activity.

Updating the structure would allow the City to better align tax contributions with economic activity while maintaining a clear and predictable system for businesses.

About half of the City's businesses are already taxed based on gross receipts, meaning the proposed models adjust the structure rather than introducing a new tax base.

HdL Companies

The Models the Study Considered

Model 1

- Increase existing Business License Tax rate by 40%

Model 2

- Change existing Business License Tax structure to one flat rate for all businesses ($25 flat rate up to $25,000 of gross receipts, then $1.25 per thousand dollars of gross receipts above $25,000)

Model 3

- Enact a variable rate for businesses based on business types (base rate plus variable rate for income above $25,000)
- Simplifies existing categories and replaces them with five base categories and one exempt categories (Exempt, Contractor, General/Retail, Professional, Property Rental, and Services)
- Model provides two options (Options 1 & 2) with options for rate schedules

HdL Companies

The Models the Study Considered

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- Model provides two options (Options 1 & 2) with options for rate schedules

HdL Companies

Model 3 Variable Gross Receipts Rate
Model's Revenue Impact

Business Type	Number of Businesses	Est. Taxable Gross Receipts *(in millions)*	FY2025 Charges	Option 1: Variable Gross Receipts Est. Revenue	Option 2: Variable Gross Receipts Est. Revenue
Contractor	917	$389	$272,000	$765,000	$765,000
General/Retail	631	$1,341	$396,000	$1,342,000	$586,000
Industrial	188	$1,547	$219,000	$1,547,000	$699,000
Professional	394	$689	$206,000	$2,053,000	$1,712,000
Property Rental	192	$224	$97,000	$663,000	$498,000
Service	703	$926	$278,000	$1,839,000	$1,839,000
Exempt	78	$0	$0	$0	$0
Total	3,103	$5,116	$1,468,000	$8,209,000	$6,099,000
			Increased Business Tax Revenue	*$6,741,000*	*$4,631,000*

Tax Model Comparisons

Annual Revenue, Revenue Increase, And Median Tax Assessed

	FY2025 Charges	Option 1: Variable Gross Receipt Rate	Option 2: Variable Gross Receipt Rate
Projected Revenue	$1,468,000	$8,209,000	$6,099,000
Business Tax Revenue Increase		*$6,741,000*	*$4,631,000*

	FY2025 Charges	Option 1: Variable Gross Receipt Rate	Option 2: Variable Gross Receipt Rate
Median Tax Amount	$96	$145	$118

HdL Companies

Model 3 Variable Gross Receipts Rate
Model Structure

Categories*	Flat Rate	Option 1: Rates Per Thousand	Option 2: Rates Per Thousand
Contractor	$25 Flat Rate *Up to $25,000 Gross Receipts*	$2.00	$2.00
General/Retail		$1.00	$0.43
Industrial		$1.00	$0.45
Professional		$3.00	$2.50
Property Rental		$3.00	$2.25
Services		$2.00	$2.00
Exempt	$0.00	$0.00	$0.00

*Categories are roughly defined in Appendix A

Impact

HdL Companies

Sample Business Profiles

Small Business

- More predictable tax structure is **simple** and **transparent**
- **Low flat rate** for businesses with gross receipts less than $25,000 promotes equity for microenterprises

Midsize Business

- Growing businesses can better **predict their costs** as they scale
- For businesses with multiple California locations, gross receipts taxes are a familiar structure and **promote consistency**

Large Business

- A gross receipts tax allows large businesses to contribute in proportion to their economic footprint, helping fund the infrastructure, services, and community investments that support a stable workforce, efficient operations, and a thriving local customer base in the city where they operate

Tax Model Comparisons
Business Scenarios – Estimated Revenue

Business Scenarios	Gross Receipts	Employees/ Units	Newark (Current)	Option 1: Variable Gross Receipts	Option 2: Variable Gross Receipts	Union City
Microenterprise (retail)	$25,000	1 Emp.	$39	$25	$25	$132
Restaurant	$625,000	15 Emp.	$431	$625	$283	$269
Family Dentistry	$1,250,000	10 Emp.	$1,625	$3,700	$3,088	$3,125
Apartment Complex	$2,500,000	15 Emp. 120 Units	$1,186	$7,450	$5,594	$5,625
Grocery Store	$15,000,000	40 Emp.	$3,061	$15,000	$6,464	$6,450
Large Scale Distribution / Logistics	$40,000,000	125 Emp.	$3,811	$40,000	$18,014	$18,000
		Total	$10,153	$66,800	$33,468	$33,601

HdL Companies

A Reimagined Business License Tax Moves Toward a Fairer Share

The proposed models change the rate structure so that businesses with larger gross receipts contribute a greater share of total business license tax revenue, while small businesses contribute a smaller share. This shifts the distribution of tax responsibility within the business community and aligns contributions more closely with the scale of business activity, while maintaining the City's overall revenue objectives.

A Reimagined Business License Tax Moves Toward a Fairer Share

Additionally, some business types that do not generate meaningful revenue for the City through sales tax or through other revenue sources receive favorable tax treatment under the current BLT. Examples include:

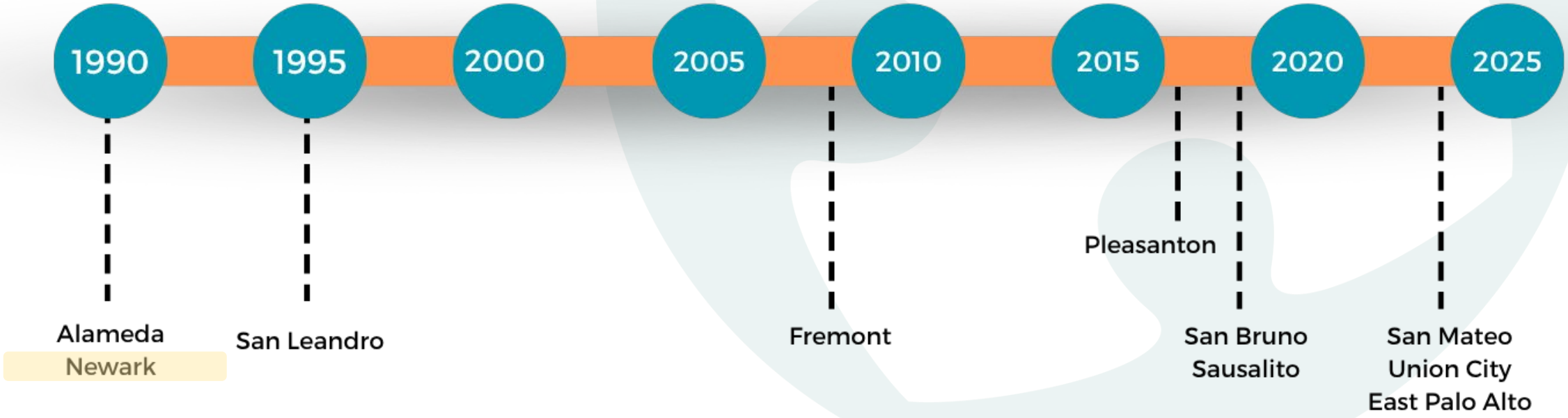
- warehousing and logistics uses,
- administrative and support offices (taxed on payroll),
- professional services, and
- certain property-related activities, such as rental and real estate businesses.

The new structure would address this imbalance by moving business to the gross-receipts basis.

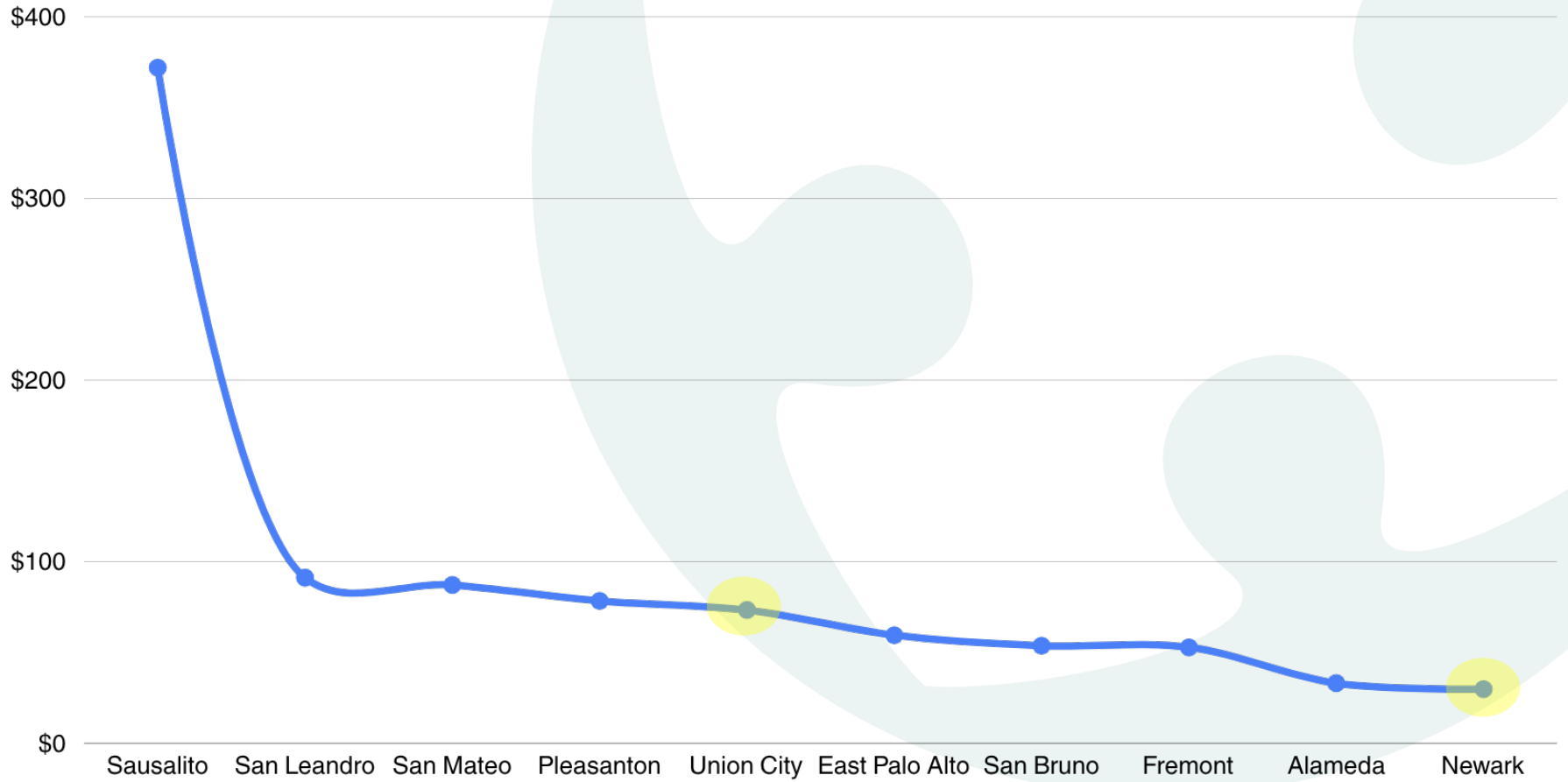
What are Newark's Peers Doing?

HdL Companies

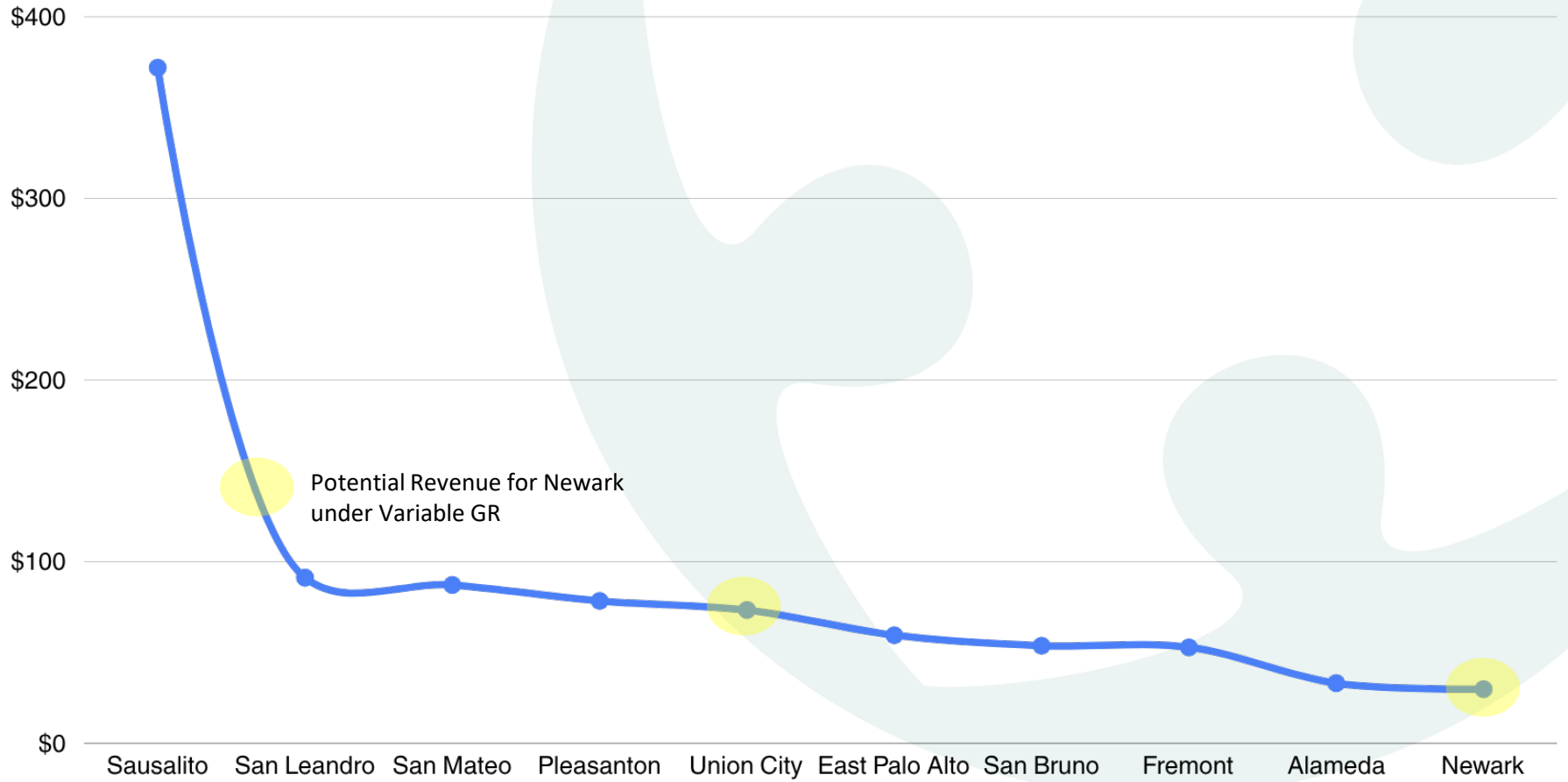
Business License Tax Statute Last Update



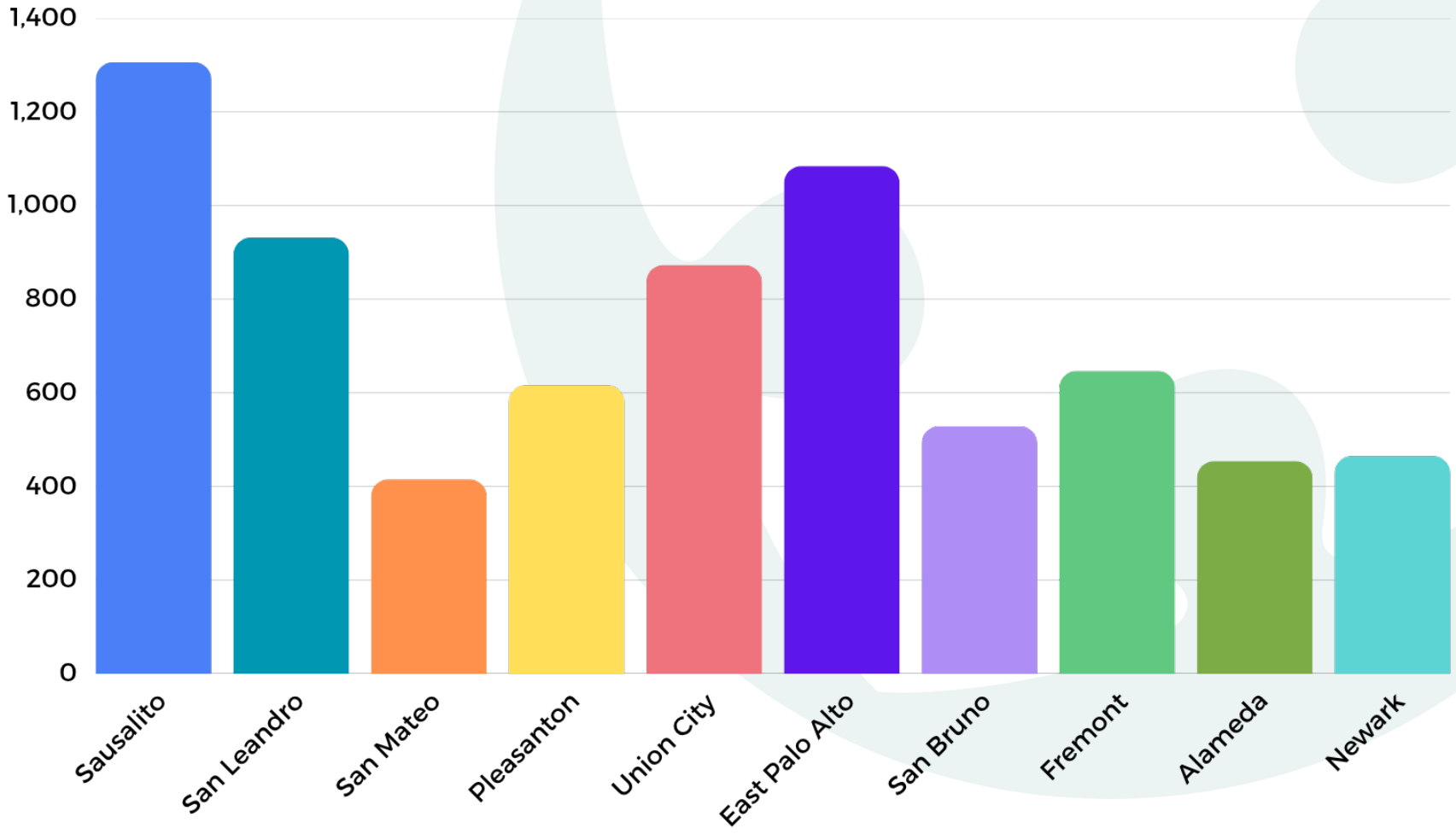
Revenue Per Capita



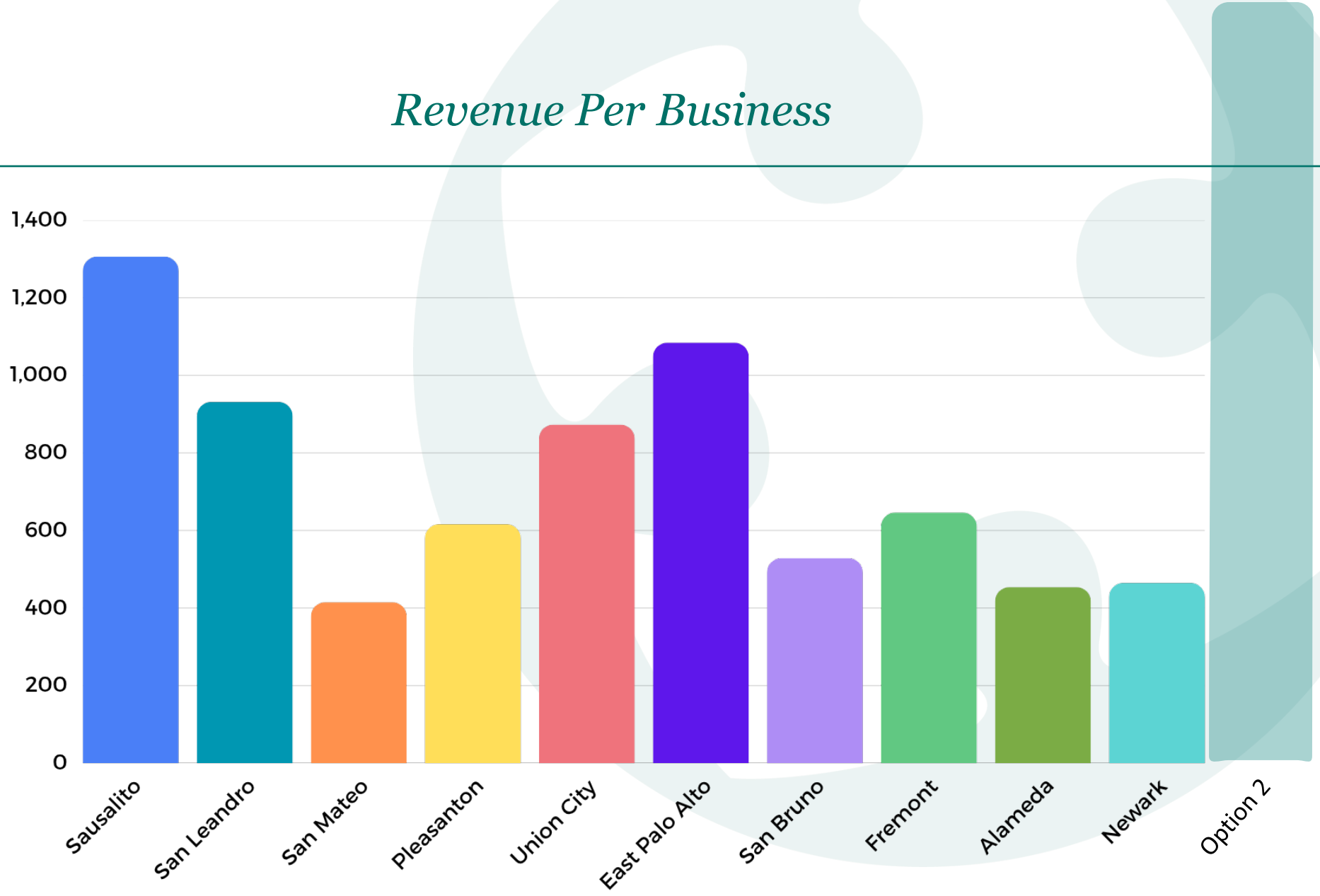
Revenue Per Capita



Revenue Per Business



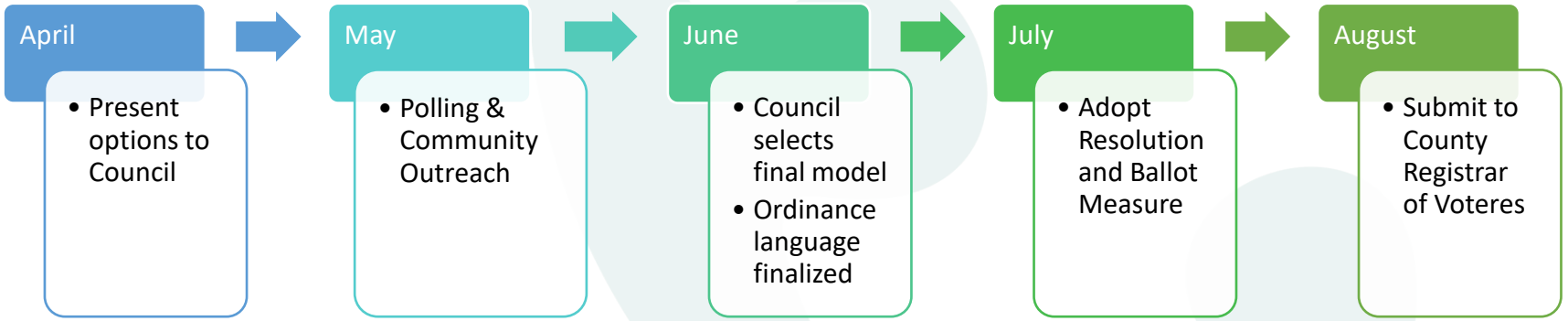
Revenue Per Business



What's Next?

HdL Companies

Procedurally—What happens next?



Questions?

HdL Companies

STAFF REPORT

Item F. 3.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Art Interiano, Deputy Community Development Director
SUBJECT	Adopt a Resolution Approving an Agreement with Community Planning Collaborative to Update the City's General Plan in the amount not-to-exceed contract amount of $145,939

SUMMARY AND RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to enter into an agreement with Community Planning Partners to provide professional planning services. The planning services are needed to address the requirement of California Senate Bill 1425 to update the City's General Plan Open Space Element. The Open Space Element would be revised to assess gaps and opportunities related to equitable access, climate resilience, and rewilding. The contract amount has a not-to-exceed limit of $145,939.

BACKGROUND

Staff recommends approval of a contract agreement with a professional planning firm to provide services related to compliance with California State Bill 1425 (SB 1425). SB 1425 mandates that every city and county in California review and update their local open space plans. Having an Open Space Element is a state requirement in the city's General Plan. In Newark, the city's General Plan has a Parks, Recreation and Open Space Element which serves the city's Open Space Element. Staff is seeking to contract with a consultant to assist with compliance with SB 1425 and, therefore, is seeking a professional planning firm with experience with the requirements of SB 1425.

The General Plan updates in consideration of SB 1425 must include plans and action programs that address:

- Equitable access to open space, considering social, economic, and racial equity.
- Climate resilience and other benefits are coordinated with the safety element.
- Rewilding opportunities to preserve and enhance natural ecosystems.

Newark's diverse open space network includes parks and recreational spaces, wetlands and aquatic habitats, trails, utility and transportation corridors, and private and public lands with habitat and/or flood management value. The city's General Plan elements are the best source of information on how the city views the integration of future development with those natural resources. The 2013 City of Newark General

Plan is the City's long-range (20-25 years), forward-looking planning document that provides a comprehensive statement of the goals, policies, and actions that guide future growth and conservation in the city. It presents a vision for Newark's future and a strategy to achieve it. The General Plan is intended to help Newark respond to changes in technology, transportation, demographics, the environment, and the economy.

Significant General Plan amendments include the 2023-2031 Housing Element and the Safety Element (formerly known as the Environmental Hazards Element), both updated and adopted in late 2023. The compliance objective to address SB 1425 requires jurisdictions to review and update their open space plans and to include an action program with implementation measures. Newark seeks focused, practical revisions that embed: (a) equitable access to open space, (b) climate adaptation/mitigation co-benefits (cooling, flood attenuation, carbon sequestration), and (c) habitat connectivity and rewilding opportunities. The update must cross-reference and remain consistent with related elements and plans.

DISCUSSION/ANALYSIS

The City issued a Request for Proposals (RFP) on November 14, 2025. In accordance with the City's Purchasing Rules and Regulations, the RFP was made available on the City's website for at least 14 days. As part of that RFP, two proposals were submitted, one by Community Planning Collaborative and the other by Urban Planning Partners. Both proposals were of good quality and evaluated and weighed according to the following criteria:

- Project understanding and SB 1425 compliance strategy
- Team qualifications and availability
- Community engagement and equity approach
- Schedule and QA/QC plan
- Cost proposal and value

Based on that criterion, the Community Planning Collaborative (CPC) proposal was chosen. CPC has assembled a team of locally based firms, including Barry Miller Consulting and Environmental Collaborative. Both firms have significant experience in Alameda County, particularly in Newark. Below are past notable works performed in Newark.

- Newark's 2013 Parks, Recreation & Open Space Element
- Newark's 2023-2031 Housing Element
- Conducted biological and wetland assessments throughout Newark and Alameda County and provided biological consulting and resource management services to many local agencies

Given the CPC team qualifications, experience and proposal cost (CPC provided the lowest cost proposal), staff is recommending the selection of CPC consultants for professional planning services for the update of the General Plan in accordance with SB 1425. The agreement would be for a not-to-exceed amount of $145,939.

As part of the CPC's scope of work, the team will perform the following tasks:

Task 1. Project Initiation and Management
- 1.1 Kickoff & Work Plan
- 1.2 Project Management

Task 2. Baseline Conditions, Data, & Mapping
- 2.1 Inventory & Mapping
- 2.2 Existing Plans Consistency Review

Task 3. Community Engagement
- 3.1 Engagement Plan
- 3.2 Community Engagement

Task 4. Policy Framework & Draft Element Revisions
- 4.1 Policy Development Working Meeting
- 4.2 Admin Draft Element
- 4.3 Public Draft Element

Task 5. Environmental Review Support

Task 6. Hearings, Adoption & Final Materials

FISCAL IMPACT

The total contract amount is not-to-exceed $145,939 and will be funded through the Community Development Maintenance Fund (Account No. 625.50.054.540.6220). There is no direct impact to the General Fund. The funding source is designated for General Plan–related work, and sufficient funds are available to support this expenditure.

STRATEGIC PRIORITY AREA

Foster a Safe and Healthy Community

REVIEW AND APPROVAL

Prepared by - Art Interiano, Deputy Community Development Director
Reviewed by - Steven Turner, Community Development Director
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - David J. Benoun, City Manager

Attachments

Draft Resolution CPC

Draft Contractual Service Agreement with CPC

CPC CSA PP

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACTUAL SERVICE AGREEMENT WITH COMMUNITY PLANNING COLLABORATIVE TO PROVIDE PROFESSIONAL PLANNING SERVICES

WHEREAS, on April 9, 2026 the City of Newark awarded a Contractual Services Agreement (the "Agreement") to Community Planning Collaborative (the "Consultant") to provide professional planning services; and

WHEREAS, Community Planning Collaborative will provide professional planning services to update the City's General Plan to comply with the requirements of California State Bill 1425 (SB1425). The compliance objective under SB1425 requires jurisdictions to review and update open-space planning and to include an action program with implementation measures. The City seeks focused, practical revisions that embed: (a) equitable access to open space, (b) climate adaptation/mitigation co-benefits (cooling, flood attenuation, carbon sequestration), and (c) habitat connectivity and rewilding opportunities. The update must cross-reference and remain consistent with related elements and plans.

WHEREAS, the Agreement shall be in the amount not to exceed $145,939 to provide the existing scope of services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newark that the City Manager is hereby authorized to execute the Contractual Services Agreement with Community Planning Collaborative, in a form approved by the City Attorney, in the amount not to exceed $145,939.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to take all other actions consistent with this Resolution, including any necessary revisions to the scope of work for the Agreement, in a form approved by the City Attorney.

CONSULTING SERVICES AGREEMENT BETWEEN
THE CITY OF NEWARK
AND
COMMUNITY PLANNING COLLABORATIVE
FOR PLANNING SERVICES

This Agreement for consulting services ("Agreement") is made by and between the City of Newark, a municipal corporation, ("City") and BAIRD + DRISKELL + ABRAMS COMMUNITY PLANNING, a California corporation, doing business as COMMUNITY PLANNING COLLABORATIVE, whose address is PO Box 3616, Berkeley, CA. 94703, ("Consultant")
, (together referred to as the "Parties") as of _____, 2026__ (the "Effective Date").

Section 1. **Services**. Subject to the terms and conditions set forth in this Agreement, Consultant shall provide to City the services described in the Scope of Work attached as Exhibit A and incorporated herein, at the time and place and in the manner specified therein. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit A, the Agreement shall prevail.

1.1 **Term of Services.** The term of this Agreement shall begin on the Effective Date and shall end on __12/31/2026_____, and Consultant shall complete the work described in Exhibit A on or before that date, unless the term of the Agreement is otherwise terminated or extended, as provided for in Section 8. The time provided to Consultant to complete the services required by this Agreement shall not affect the City's right to terminate the Agreement, as referenced in Section 8. This is a long-range planning project, and the duration shall overlap multiple fiscal years, but shall not extend beyond FY 27/28. Funding for services beyond the current fiscal year will be included in future City budgets but is subject to City Council approval of annual appropriations.

1.2 **Standard of Performance.** Consultant shall perform all services required pursuant to this Agreement according to the standards observed by a competent practitioner of the profession in which Consultant is engaged and in the geographical area in which Consultant practices its profession.

1.3 **Assignment of Personnel.** Consultant shall assign only competent personnel to perform services pursuant to this Agreement. In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the reassignment of any such persons, Consultant shall, immediately upon receiving notice from City of such desire of City, reassign such person or persons.

1.4 **Time is of the Essence.** Time is of the essence. Consultant shall devote such time to the performance of services pursuant to this Agreement as may be reasonably necessary to timely finish the Scope of Work, to meet the standard of performance provided in Section 1.1 and 1.2 above and to satisfy Consultant's obligations hereunder.

Section 2. **COMPENSATION.** City hereby agrees to pay Consultant a sum not to exceed One Hundred Forty Five Thousand Nine Hundred and Thirty-Nine Dollars, ($145,939) notwithstanding any contrary indications that may be contained in Consultant's proposal for services to be performed and reimbursable costs incurred under this Agreement. In the event of a conflict between this Agreement and Consultant's proposal, attached as Exhibit A, regarding the amount of compensation, the Agreement shall prevail. City shall pay Consultant for services rendered pursuant to this

Agreement at the time and in the manner set forth herein. The payments specified below shall be the only payments from City to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all invoices to City in the manner specified herein. Except as specifically authorized by City in writing, Consultant shall not bill City for duplicate services performed by more than one person.

Consultant and City acknowledge and agree that compensation paid by City to Consultant under this Agreement is based upon Consultant's estimated costs of providing the services required hereunder, including salaries and benefits of employees and subcontractors of Consultant. Consequently, the parties further agree that compensation hereunder is intended to include the costs of contributions to any pensions and/or annuities to which Consultant and its employees, agents, and subcontractors may be eligible. City therefore has no responsibility for such contributions beyond compensation required under this Agreement.

2.1 Invoices. Consultant shall submit invoices, not more often than once a month during the term of this Agreement, based on the cost for services performed and reimbursable costs incurred prior to the invoice date. Invoices shall contain the following information, unless waived by the Contract Administrator:

- Serial identifications of progress bills; i.e., Progress Bill No. 1 for the first invoice, etc.;
- Project name & number if applicable;
- Purchase Order number to expedite payment;
- The beginning and ending dates of the billing period;
- A task summary containing the original contract amount, the amount of prior billings, the total due this period, the balance available under the Agreement, and the percentage of completion;
- At City's option, for each work item in each task, a copy of the applicable time entries or time sheets shall be submitted showing the name of the person doing the work, the hours spent by each person, a brief description of the work, and each reimbursable expense;
- The total number of hours of work performed under the Agreement by Consultant and each employee, agent, and subcontractor of Consultant performing services hereunder;
- Consultant shall give separate notice to the City when the total number of hours worked by Consultant and any individual employee, agent, or subcontractor of Consultant reaches or exceeds 800 hours within a 12-month period.

2.2 Monthly Payment. City shall make monthly payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall have 30 days from the receipt of an invoice that complies with all of the requirements above to pay Consultant.

2.3 Final Payment. City shall pay the last 10% of the total sum due pursuant to this Agreement within 60 days after completion of the services and submittal to City of a final invoice, if all services required have been satisfactorily performed.

2.4 Total Payment. City shall pay for the services to be rendered by Consultant pursuant to this Agreement. City shall not pay any additional sum for any expense or cost whatsoever incurred by Consultant in rendering services pursuant to this Agreement. City shall make no payment for any extra, further, or additional service pursuant to this Agreement.

In no event shall Consultant submit any invoice for an amount in excess of the maximum amount of compensation provided above either for a task or for the entire Agreement, unless the Agreement is modified prior to the submission of such an invoice by a properly executed change order or amendment.

2.5 Hourly Rate/Fees. Unless the services provided are for a lump sum or flat fee, fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the compensation cost proposal attached hereto as Exhibit B. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit B, the Agreement shall prevail.

2.6 Reimbursable Expenses. Reimbursable expenses are specified in Exhibit B, attached hereto and incorporated herein. Reimbursable expenses not listed in Exhibit B are not chargeable to City. Reimbursable expenses shall not include a mark-up and are billed as a direct costs. In no event shall expenses be advanced by the City to the Consultant. Reimbursable expenses are included in the total amount of compensation provided under this Agreement that shall not be exceeded.

2.7 Payment of Taxes. Consultant is solely responsible for the payment of employment taxes incurred under this Agreement and any similar federal or state taxes.

2.8 Payment upon Termination. In the event that the City or Consultant terminates this Agreement pursuant to Section 8, the City shall compensate the Consultant for all outstanding costs and reimbursable expenses incurred for work satisfactorily completed as of the date of written notice of termination. Consultant shall maintain adequate logs and timesheets to verify costs incurred to that date.

2.9 Authorization to Perform Services. The Consultant is not authorized to perform any services or incur any costs whatsoever under the terms of this Agreement until receipt of authorization from the Contract Administrator.

2.10. Business License. The Consultant is not authorized to perform services or incur costs whatsoever under the terms of this Agreement until Consultant applies for and has been issued a business license from the City pursuant to Title 5 of the Newark Municipal Code.

Section 3. **FACILITIES AND EQUIPMENT.** Except as set forth herein, Consultant shall, at its sole cost and expense, provide all facilities and equipment that may be necessary to perform the services required by this Agreement. City shall make available to Consultant only the facilities and equipment listed in this section, and only under the terms and conditions set forth herein.

City shall furnish physical facilities such as desks, filing cabinets, and conference space, as may be reasonably necessary for Consultant's use while consulting with City employees and reviewing records and the information in possession of the City. The location, quantity, and time of furnishing those facilities shall be in the sole discretion of City. In no event shall City be obligated to furnish any facility that may involve incurring any direct expense, including but not limited to computer, long-distance telephone or other communication charges, vehicles, and reproduction facilities.

Section 4. **INSURANCE REQUIREMENTS.** Before beginning any work under this Agreement, Consultant, at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Consultant and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Consultant shall provide proof satisfactory to City of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to beginning work to the City. Consultant shall maintain the insurance policies required by this section throughout the term of this Agreement. The cost of such insurance shall be included in the Consultant's bid. Consultant shall not allow any subcontractor to commence work on any subcontract until Consultant has obtained all insurance required herein for the subcontractor(s) and provided evidence that such insurance is in effect to City. Verification of the required insurance shall be submitted and made part of this Agreement prior to execution.

4.1 **Required Coverage**. Consultant shall maintain all required insurance listed herein for the duration of this Agreement.

COVERAGE	TYPE OF INSURANCE	MINIMUM LIMITS
A	**Commercial General Liability** Premises Liability; Products and Completed Operations; Contractual Liability; Personal Injury and Advertising Liability	$1,000,000 per occurrence; Bodily Injury and Property Damage $2,000,000 in the aggregate; Commercial general coverage shall be at least as broad as Insurance Services Office Commercial General Liability occurrence form CG 0001 (most recent edition) covering comprehensive General Liability on an "occurrence" basis

B	**Commercial or Business Automobile Liability** All owned vehicles, hired or leased vehicles, non-owned, borrowed and permissive uses. Personal Automobile Liability is acceptable for individual contractors with no transportation or hauling related activities	$1,000,000 per occurrence; Any Auto; Bodily Injury and Property Damage. Automobile coverage shall be at least as broad as Insurance Services Office Automobile Liability form CA 0001 (most recent edition), Code 1 (any auto). No endorsement shall be attached limiting the coverage.
C	**Workers' Compensation (WC) and Employers Liability (EL)** Required for all contractors with employees	WC: Statutory Limits EL: $100,000 per accident for bodily injury or disease. Consultant may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. The insurer shall waive all rights of subrogation against the City and its officers, officials, employees, and volunteers for loss arising from work performed under this Agreement
D	**Professional Liability/Errors & Omissions** Includes endorsements of contractual liability	$1,000,000 per occurrence $2,000,000 policy aggregate; Any deductible or self-insured retention shall not exceed $150,000 per claim

4.2 **Additional requirements.** Each of the following shall be included in the insurance coverage or added as a certified endorsement to the policy:

a. All required insurance shall be maintained during the entire term of the Agreement with the following exception: Insurance policies and coverage(s) written on a claims-made basis shall be maintained during the entire term of the Agreement and until three (3) years following termination and acceptance of all work provided under the Agreement, with the retroactive date of said insurance (as may be applicable) concurrent with the commencement of activities pursuant to this Agreement

b. All insurance required above with the exception of Professional Liability, Personal Automobile Liability, Workers' Compensation and Employers Liability, shall be endorsed to name as

additional insured: City of Newark, its City Council, and all City officers, agents, employees, volunteers and representatives.

c. For any claims related to this Agreement or the work hereunder, the Consultant's insurance covered shall be primary insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.

d. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after 30 days' prior written notice has been provided to the City.

e. Certificates of Insurance**:** Before commencing operations under this Agreement, Consultant shall provide Certificate(s) of Insurance and applicable insurance endorsements, in form and satisfactory to City, evidencing that all required insurance coverage is in effect. The City reserves the rights to require the Consultant to provide complete, certified copies of all required insurance policies.

f. Subcontractors**:** Consultant shall include all subcontractors as an insured (covered party) under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

g. Claims-made limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

i. The retroactive date of the policy must be shown and must be before the date of the Agreement.

ii. Insurance must be maintained and evidence of insurance must be provided for at least five years after completion of the Agreement or the work, so long as commercially available at reasonable rates.

iii. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of this Agreement, Consultant must purchase an extended period coverage for a minimum of three (3) years after completion of work under this Agreement.

iv. A copy of the claim reporting requirements must be submitted to the City for review prior to the commencement of any work under this Agreement.

4.3 All Policies Requirements.

a. Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII. Insurance shall be maintained through an insurer with a minimum A.M. Best Rating of A- or better, with deductible amounts acceptable to the City. Acceptance of Consultant's insurance by City shall not relieve or decrease the liability of

Consultant hereunder. Any deductible or self-insured retention amount or other similar obligation under the policies shall be the sole responsibility of the Consultant.

b. Deductibles and Self-Insured Retentions. Consultant shall disclose to and obtain the written approval of City for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of this Agreement. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, employees, and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration and defense expenses.

c. Wasting Policies. No policy required by this Section 4 shall include a "wasting" policy limit (i.e. limit that is eroded by the cost of defense).

d. Waiver of Subrogation. Consultant hereby agrees to waive subrogation which any insurer or contractor may require from vendor by virtue of the payment of any loss. Consultant agrees to obtain any endorsements that may be necessary to affect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the consultant, its employees, agents, and subcontractors.

4.4 Remedies. In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

- Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
- Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
- Terminate this Agreement.

Section 5. INDEMNIFICATION AND CONSULTANT'S RESPONSIBILITIES.

Consultant shall indemnify, defend with counsel acceptable to City, and hold harmless City and its officers, officials, employees, agents and volunteers from and against any and all liability, loss, damage, claims, expenses, and costs (including without limitation, attorney's fees and costs and fees of litigation) (collectively, "Liability") resulting from any negligent or wrongful act or omission, recklessness, or willful misconduct with Consultant's performance of the Services or its failure to comply with any of its obligations contained in this Agreement, except such Liability caused by the negligence or willful misconduct of City, its officers, employees, or agents.

The Consultant's obligation to defend and indemnify shall not be excused because of the Consultant's inability to evaluate Liability or because the Consultant evaluates Liability and determines that the Consultant is not liable to the claimant. The Consultant must respond within 30 days, to the tender of

any claim for defense and indemnity by the City, unless this time has been extended by the City. If the Consultant fails to accept or reject a tender of defense and indemnity within 30 days, in addition to any other remedy authorized by law, so much of the money due the Consultant under and by virtue of this Agreement as shall reasonably be considered necessary by the City, may be retained by the City until disposition has been made of the claim or suit for damages, or until the Consultant accepts or rejects the tender of defense, whichever occurs first.

With respect to third party claims against the Consultant, the Consultant waives any and all rights of any type to express or implied indemnity against the Indemnitees.

Notwithstanding the forgoing, to the extent this Agreement is a "construction contract" as defined by California Civil Code Section 2782, as may be amended from time to time, such duties of consultant to indemnify shall not apply when to do so would be prohibited by California Civil Code Section 2782.

In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

Section 6. STATUS OF CONSULTANT.

6.1 Independent Contractor. At all times during the term of this Agreement, Consultant shall be an independent contractor and shall not be an employee of City. City shall have the right to control Consultant only insofar as the results of Consultant's services rendered pursuant to this Agreement and assignment of personnel pursuant to Subparagraph 1.3; however, otherwise City shall not have the right to control the means by which Consultant accomplishes services rendered pursuant to this Agreement. Notwithstanding any other City, state, or federal policy, rule, regulation, law, or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing services under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any and all claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in the California Public Employees Retirement System (PERS) as an employee of City and entitlement to any contribution to be paid by City for employer contributions and/or employee contributions for PERS benefits.

6.2 Consultant Not an Agent. Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

Section 7. LEGAL REQUIREMENTS.

7.1 Governing Law. The laws of the State of California shall govern this Agreement.

7.2 Compliance with Applicable Laws. Consultant and any subcontractors shall comply with all laws applicable to the performance of the work hereunder.

7.3 Other Governmental Regulations. To the extent that this Agreement may be funded by fiscal assistance from another governmental entity, Consultant and any subcontractors shall comply with all applicable rules and regulations to which City is bound by the terms of such fiscal assistance program.

7.4 Licenses and Permits. Consultant represents and warrants to City that Consultant and its employees, agents, and any subcontractors have all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required to practice their respective professions. Consultant represents and warrants to City that Consultant and its employees, agents, any subcontractors shall, at their sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals that are legally required to practice their respective professions. In addition to the foregoing, Consultant and any subcontractors shall obtain and maintain during the term of this Agreement valid Business Licenses from City.

7.5 Nondiscrimination and Equal Opportunity. Consultant shall not discriminate, on the basis of a person's race, religion, color, national origin, age, physical or mental handicap or disability, medical condition, genetic information, marital status, sex, sexual orientation, gender, or gender identity, against any employee, applicant for employment, subcontractor, bidder for a subcontract, or participant in, recipient of, or applicant for any services or programs provided by Consultant under this Agreement. Consultant shall comply with all applicable federal, state, and local laws, policies, rules, and requirements related to equal opportunity and nondiscrimination in employment, contracting, and the provision of any services that are the subject of this Agreement, including but not limited to the satisfaction of any positive obligations required of Consultant thereby.

Consultant shall include the provisions of this Subsection in any subcontract approved by the Contract Administrator or this Agreement.

Section 8. TERMINATION AND MODIFICATION.

8.1 Termination. City may cancel this Agreement at any time and without cause upon written notification to Consultant. Consultant may cancel this Agreement upon thirty (30) days' written notice to City and shall include in such notice the reasons for cancellation.

In the event of termination, Consultant shall be entitled to compensation for services performed to the effective date of termination; City, however, may condition payment of such compensation upon Consultant delivering to City any or all work product, including, but not limited to documents, photographs, computer software, video and audio tapes, and other materials provided to Consultant or prepared by or for Consultant or the City in connection with this Agreement.

8.2 Extension. City may, in its sole and exclusive discretion, extend the end date of this Agreement beyond that provided for in Subsection 1.1. Any such extension shall require a written amendment to this Agreement, as provided for herein. Consultant understands and agrees that, if City grants such an extension, City shall have no obligation to provide Consultant with compensation beyond the maximum amount provided for in this Agreement. Similarly, unless authorized by the

Contract Administrator, City shall have no obligation to reimburse Consultant for any otherwise reimbursable expenses incurred during the extension period.

8.3 Amendments. The Parties may amend this Agreement only by a writing signed by all the Parties.

8.4 Assignment and Subcontracting. City and Consultant recognize and agree that this Agreement contemplates personal performance by Consultant and is based upon a determination of Consultant's unique personal competence, experience, and specialized personal knowledge. Moreover, a substantial inducement to City for entering into this Agreement was and is the professional reputation and competence of Consultant. Consultant may not assign this Agreement or any interest therein without the prior written approval of the Contract Administrator. Consultant shall not subcontract any portion of the performance contemplated and provided for herein, other than to the subcontractors noted in the proposal, without prior written approval of the Contract Administrator.

8.5 Survival. All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating liability between City and Consultant shall survive the termination of this Agreement.

8.6 Options upon Breach by Consultant. If Consultant materially breaches any of the terms of this Agreement, City's remedies shall include, but not be limited to, the following:

8.6.1 Immediately terminate the Agreement;

8.6.2 Retain the plans, specifications, drawings, reports, design documents, and any other work product prepared by Consultant pursuant to this Agreement;

8.6.3 Retain a different consultant to complete the work described in Exhibit A not finished by Consultant; or

8.6.4 Charge Consultant the difference between the cost to complete the work described in Exhibit A that is unfinished at the time of breach and the amount that City would have paid Consultant pursuant to Section 2 if Consultant had completed the work.

8.6.5 No remedy mentioned in this Agreement is intended to be exclusive of any other right, power, or remedy, permitted by law. Neither the failure nor the delay on the part of the City to exercise any such rights and remedies shall operate as a waiver thereof, nor shall any single or partial exercise by the City of any such right or remedy preclude any other or further exercise of any such right or remedy.

Section 9. KEEPING AND STATUS OF RECORDS.

9.1 Records Created as Part of Consultant's Performance. All reports, data, maps, models, charts, studies, surveys, photographs, memoranda, plans, studies, specifications, records, files, or any other documents or materials, in electronic or any other form, that Consultant prepares or obtains

pursuant to this Agreement and that relate to the matters covered hereunder shall be the property of the City. Consultant hereby agrees to deliver those documents to the City upon termination of the Agreement and City may use, reuse or otherwise dispose of the documents without Consultant's permission. It is understood and agreed that the documents and other materials, including but not limited to those described above, prepared pursuant to this Agreement are prepared specifically for the City and are not necessarily suitable for any future or other use. City and Consultant agree that, until final approval by City, all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without prior written consent of both parties.

9.2 Consultant's Books and Records. Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to the City under this Agreement for a minimum of 3 years, or for any longer period required by law, from the date of final payment to the Consultant to this Agreement. All such records should be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible.

9.3 Inspection and Audit of Records. Any records or documents that Section 9.2 of this Agreement requires Consultant to maintain shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of the City. Under California Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds $10,000.00, the Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of the City, for a period of 3 years after final payment under the Agreement.

Section 10 MISCELLANEOUS PROVISIONS.

10.1 Attorneys' Fees. If a party to this Agreement brings any action, including an action for declaratory relief, to enforce or interpret the provision of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees in addition to any other relief to which that party may be entitled. The court may set such fees in the same action or in a separate action brought for that purpose.

10.2 Venue. In the event that either party brings any action against the other under this Agreement, the parties agree that trial of such action shall be vested exclusively in the state courts of California in the County of Alameda or in the United States District Court for the Northern District of California.

10.3 Severability. If a court of competent jurisdiction finds or rules that any provision of this Agreement is invalid, void, or unenforceable, the provisions of this Agreement not so adjudged shall remain in full force and effect. The invalidity in whole or in part of any provision of this Agreement shall not void or affect the validity of any other provision of this Agreement.

10.4 No Implied Waiver of Breach. The waiver of any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

10.5 Successors and Assigns. The provisions of this Agreement shall inure to the benefit of and shall apply to and bind the successors and assigns of the parties.

10.6 Use of Recycled Products. Consultant shall prepare and submit all reports, written studies and other printed material on recycled paper to the extent it is available at equal or less cost than virgin paper.

10.7 Conflict of Interest. Consultant may serve other clients, but none whose activities within the corporate limits of City or whose business, regardless of location, would place Consultant in a "conflict of interest," as that term is defined in the Political Reform Act, codified at California Government Code Section 81000 *et seq.*

Consultant shall not employ any City official in the work performed pursuant to this Agreement. No officer or employee of City shall have any financial interest in this Agreement that would violate California Government Code Sections 1090 *et seq.* Consultant hereby warrants that it is not now, nor has it been in the previous 12 months, an employee, agent, appointee, or official of the City. If Consultant was an employee, agent, appointee, or official of the City in the previous twelve months, Consultant warrants that it did not participate in any manner in the forming of this Agreement. Consultant understands that, if this Agreement is made in violation of Government Code § 1090 *et seq.*, the entire Agreement is void and Consultant will not be entitled to any compensation for services performed pursuant to this Agreement, including reimbursement of expenses, and Consultant will be required to reimburse the City for any sums paid to the Consultant. Consultant understands that, in addition to the foregoing, it may be subject to criminal prosecution for a violation of Government Code § 1090 and, if applicable, will be disqualified from holding public office in the State of California.

10.8 Solicitation. Consultant agrees not to solicit business at any meeting, focus group, or interview related to this Agreement, either orally or through any written materials.

10.9 Contract Administration. This Agreement shall be administered by the City Manager, or his designee, identified as ___Steven Turner_____ ("Contract Administrator"). All correspondence, meeting documentation, invoices and project deliverables shall be directed to or through the Contract Administrator.

10.10 Notices. Any notice, demand, request, consent or approval that either party is required to give the other pursuant to this Agreement, shall be in writing and may be given by either (i) personal service, (ii) delivery by reputable overnight delivery service (e.g. Federal Express) which provides a receipt showing date and time of delivery, (iii) certified United States mail, postage prepaid, return receipt requested, or (iv) by email transmission. Notice shall be effective upon personal delivery or delivery to the addresses specified below, as reflected on the receipt of delivery or return receipt, as applicable.

Any written notice to Consultant shall be sent to:

Community Planning Collaborative
3106 Shattuck Avenue
Berkeley, CA 94705

All other written notices to City shall be sent to:

Steven Turner Community Development Director City of Newark 37101 Newark Blvd. Newark, CA 94560	with a copy to	Kristopher J. Kokotaylo, City Attorney City of Newark 37101 Newark Blvd. Newark, CA 94560

10.11 Professional Seal. Where applicable in the determination of the contract administrator, the first page of a technical report, first page of design specifications, and each page of construction drawings shall be stamped/sealed and signed by the licensed professional responsible for the report/design preparation. The stamp/seal shall be in a block entitled "Seal and Signature of Registered Professional with report/design responsibility," as in the following example.

_____ Seal and Signature of Registered Professional with report/design responsibility.

10.12 Integration. This Agreement, including the scope of work attached hereto and incorporated herein as Exhibits A, Community Planning Collaborative's project proposal, represents the entire and integrated agreement between City and Consultant and supersedes all prior negotiations, representations, or agreements, either written or oral.

Exhibit A Scope of Work, Deliverables & Compensation

10.13 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

SIGNATURES ON FOLLOWING PAGE

The Parties have executed this Agreement as of the Effective Date.

CITY OF NEWARK

_____
CITY MANAGER

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM:

_____
KRISTOPHER J. KOKOTAYLO
CITY ATTORNEY

COMMUNITY PLANNING COLLABORATIVE

_____

Title: _____

5638310.1
Version 3.2.21

EXHIBIT A

SCOPE OF SERVICES AND COMPENSATION SCHEDULE

.

SCOPE OF WORK & DELIVERABLES

Task 1. Project Initiation and Management

1.1 Kickoff & Work Plan

Hold initial conversations with project partners to customize the project scope as needed. Once resolved, lead a kickoff meeting to align on goals, methodology, timeline, and engagement plan; establish clear communication protocols and points of contact; and catalog relevant data sources, plans, programs, and key stakeholders.

Deliverables:

- Detailed project scope, schedule, budget and management plan
- Kick-off meeting (virtual)
- Kick-off meeting summary

1.2 Project Management

This task includes on-going coordination and project meetings.

Deliverables:

- Ongoing team coordination and meeting notes (SharePoint or Google Docs)
- Bi-weekly 30-minute check-ins with City staff to ensure clear coordination. 14 meetings are assumed.
- Risk/issue log to track and manage issues that could affect the project schedule, quality, or deliverables
- Regular project invoices and updates

Task 2. Baseline Conditions, Data, & Mapping

2.1 Inventory & Mapping

Prepare a data-driven baseline following Section 5.3 of LCI's SB 1425 Technical Advisory by compiling existing information, maps, and figures and developing any supplemental maps to identify issues and opportunities as required by SB 1425, such as:

- **Parks Access and Equity Maps** – Historically underrepresented communities overlaid with open space, parks, tree canopy data, walksheds, transit sheds and demographic data to identify gaps in access/benefits
- **Climate Resilience Maps** – Climate-related hazards (e.g., flood plains, stormwater risk areas, sea-level rise zones, fire hazard severity zones, extreme heat) affecting open space and adjacent communities
- **Biodiversity and Connectivity Maps** – Habitat types, regulated ecological resources (e.g., sensitive communities, special status species habitat, jurisdictional wetlands), wildlife movement corridors, and potential urban rewilding sites (e.g., vacant parcels, utility easements)
- **Opportunity and Gap Maps** – Overlay and compare multiple data layers to identify where needs, vulnerabilities, and opportunities converge

Deliverables

- Existing Conditions and Constraints and Opportunities Map Atlas
- Technical Appendix that includes data sources, methods, assumptions, and results

2.2 Existing Plans Consistency Review

Review relevant local plans, including the Parks, Recreation and Open Space Element, Safety Element, Conservation and Sustainability Element, Land Use Element, Climate Action Newark, Citywide Parks Master Plan, Tri-City Local Hazard Mitigation Plan, and relevant plans and programs of resource management agencies. Evaluate the extent to

which each plan addresses the requirements of SB 1425, identifying any areas where SB 1425's requirements are not adequately met. Develop actionable recommendations and clear next steps to ensure SB 1425 compliance.

Deliverables

- Plan consistency matrix that identifies relevant plans; existing strategy, goals, policies, action items, and implementation; compliance description (including gap assessment); and proposed action

Task 3. Community Engagement

3.1 Engagement Plan

Develop an engagement plan describing how community members will be informed about the Element update and invited to provide input. This plan will include goals and objectives for community engagement, a description of each engagement activity, methods to inform the community of each activity, and roles and responsibilities for the consultant team and City staff. It will also include a plan for Tribal consultation.

Deliverables

- Draft engagement plan for City staff review and feedback
- Final engagement plan

3.2 Community Engagement

Hold up to three community events. Hold up to five virtual interviews with key stakeholder groups and/or individuals in the community. Develop a project website or information for webpage on the City's existing website to provide project information and post a survey.

Deliverables

- List of key stakeholders
- Outreach materials in English and Spanish
- Presentation materials
- Project website or content to be used within the City's existing website templates
- Online survey in English and Spanish
- Community engagement summary report

Task 4. Policy Framework & Draft Element Revisions

4.1 Policy Development Working Meeting

Hold up to two one-hour working meetings with City staff to brainstorm on goals, policies, actions, and metrics.

Deliverables

- Meeting agenda(s)
- Supporting materials to elicit feedback

4.2 Admin Draft Element

Prepare a draft update to the Element that incorporates SB 1425 requirements and integrates input gathered through Tasks 3.2 and 4.1. The draft will clearly articulate a vision and goals centered on equity, climate resilience, and rewilding; include publication-ready figures, tables, and maps; and identify specific updates, policies, and implementation actions needed to address the gaps identified in Task 2. Implementation actions will specify concrete steps, timelines, and responsible parties, along with key performance indicators and protocols for monitoring and reporting progress.

Deliverables

- Admin Draft Element
- Revised Admin Draft Element, based on feedback from City staff

4.3 Public Draft Element

Prepare the draft Element for public review, incorporating City staff feedback in Task 4.2.

Deliverables

- Public Draft Element
- Online survey / feedback form to enable the broader community to provide feedback on the draft Element
- Summary of community feedback provided in the survey

Task 5. Environmental Review Support

Advise City staff on appropriate CEQA pathway for the Element revisions. This decision will be informed by City staff guidance, community feedback, and the recommended Element updates. Team will work with City to identify best path and appropriate team to complete CEQA documentation. *Budget does not include CEQA documents at this time.*

Deliverables

- Brief memo recommending the appropriate CEQA pathway

Task 6. Hearings, Adoption & Final Materials

6.1 Hearings

Prepare staff reports, slide decks, and graphics for Planning Commission and City Council hearings. Prepare for and attend up to four hearings.

Deliverables

- Staff reports
- Presentation graphics and slide deck summarizing engagement, findings, and recommended updates

6.2 Final Element

Following approval and review at hearings, amend and finalize the Element based on direction from City Council and Planning Commission.

Deliverables

- Final Element (Microsoft Word and accessible PDF) that includes an implementation matrix
- Editable files and metadata
- Maintenance memo for future updates

Scope Assumptions

- City staff will provide all relevant GIS data in its possession to assist with the existing conditions analysis.
- City staff will provide a single set of non-conflicting and actionable comments for all deliverables.
- City staff will be responsible for the following activities:
    - Conducting outreach for events.
    - Securing facilities, permits, and tables for community workshops and pop-up events.
    - Providing staff to support community events.
    - Preparing written responses to comments on the Public Draft Element.

PROJECT SCHEDULE

The team has confirmed its capacity to meet the schedule as specified in the RFP. At kickoff, the project team will reassess and update the schedule with City staff.

PROPOSED SCHEDULE		JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY
Task 1	**Project initiation & Management**							
1.1	Kickoff (virtual) & Work Plan							
1.2	Project Management							
Task 2	**Baseline Conditions, Data & Mapping**							
2.1	Inventory & Mapping			REPORT				
2.2	Existing Plans Consistency Review			REPORT				
Task 3	**Community Engagement**							
3.1	Engagement Plan							
3.2.1	Community Events (3, in person))							
3.2.2	Stakeholder Interviews (5, virtual)							
3.3.3	Online survey							
3.3.4	Website							
Task 4	**Policy Framework & Draft Element Revisions**							
4.1	Policy Development Working Meeting							
4.2	Admin Draft Element				ADMIN			
4.3	Public Draft Element					PUBLIC		
Task 5	**Environmental Review Support**							
5.1	Environmental Review Support (TBD)							
Task 6	**Hearings, Adoption & Final Materials**							
6.1	Hearings (3, in-person) and preparation of materials						PC	CC
6.2	Final Element						FINAL	

5 PROPOSED BUDGET & BILLING RATES

The team welcomes the opportunity to discuss and refine the scope and budget to best match the City's priorities.

		Community Planning Collaborative						Subcontractor Partners					Direct	*TOTALS*	
		Driskell	Wang	Didech/ Close	Associate	Hours	Subtotal	Miller	Martin	DMS*	Hours	Subtotal		*Hours*	*TOTAL*
	Hourly Rate	*$290*	*$265*	*$185*	*$165*			*$175*	*$200*	*$150*					
Task 1	**Project Initiation & Management**														
1.1	Kickoff (virtual) & Work Plan	0	4	6	4	14	$2,830	4	0	0	4	$700	$0	*18*	*$3,530*
1.2	Project Management	0	12	28	7	47	$9,515	10	8	0	18	$3,350	$0	*65*	*$12,865*
	Subtotals	**0**	**16**	**34**	**11**	**61**	**$12,345**	**14**	**8**	**0**	**22**	**$4,050**	**$0**	***83***	***$16,395***
Task 2	**Baseline Conditions, Data & Mapping**														
2.1	Inventory & Mapping	0	4	12	60	76	$13,180	4	44	12	60	$11,300	$200	*136*	*$24,680*
2.2	Existing Plans Consistency Review	2	6	20	8	36	$7,190	4	0	0	4	$700	$0	*40*	*$7,890*
	Subtotals	**2**	**10**	**32**	**68**	**112**	**$20,370**	**8**	**44**	**12**	**64**	**$12,000**	**$200**	***176***	***$32,570***
Task 3	**Community Engagement**														
3.1	Engagement Plan	0	3	8	0	11	$2,275	2	0	0	2	$350	$0	*13*	*$2,625*
3.2.1	Community Events (3, in person)	0	8	31	6	45	$8,845	10	0	0	10	$1,750	$600	*55*	*$11,195*
3.2.2	Stakeholder Interviews (5, virtual)	0	6	15	0	21	$4,365	2	0	0	2	$350	$0	*23*	*$4,715*
3.3.3	Online surveys	0	2	8	12	22	$3,990	2	0	0	2	$350	$0	*24*	*$4,340*
3.3.4	Website (content only, see optional task below)	0	1	4	4	9	$1,665	2	0	0	2	$350	$0	*11*	*$2,015*
3.3.5	Engagement Report	0	1	4	6	11	$1,995	0	0	0	0	$0	$0	*11*	*$1,995*
	Subtotals	**0**	**21**	**70**	**28**	**119**	**$23,135**	**18**	**0**	**0**	**18**	**$3,150**	**$600**	***137***	***$26,885***
Task 4	**Policy Framework & Draft Element Revisions**														
4.1	Policy Development Working Meeting	2	4	6	4	16	$3,410	4	2	0	6	$1,100	$0	*22*	*$4,510*
4.2	Admin Draft Element	4	12	48	20	84	$16,520	10	2	0	12	$2,150	$0	*96*	*$18,670*
4.3	Public Draft Element	2	4	10	10	26	$5,140	4	2	0	6	$1,100	$0	*32*	*$6,240*
	Subtotals	**8**	**20**	**64**	**34**	**126**	**$25,070**	**18**	**6**	**0**	**24**	**$4,350**	**$0**	***150***	***$29,420***
Task 5	**Environmental Review Support**														
5.1	Environmental Review Support	0	2	4	0	6	$1,270	4	2	0	6	$1,100	$0	*12*	*$2,370*
	Subtotals	**0**	**2**	**4**	**0**	**6**	**$1,270**	**4**	**2**	**0**	**6**	**$1,100**	**$0**	***12***	***$2,370***
Task 6	**Hearings, Adoption & Final Materials**														
6.1	Hearings (4, in-person) and preparation of materials	0	25	40	15	80	$16,500	0	0	0	0	$0	$420	*80*	*$16,920*
6.2	Final Element	0	4	10	10	24	$4,560	4	2	0	6	$1,100	$0	*30*	*$5,660*
	Subtotals	**0**	**29**	**50**	**25**	**104**	**$21,060**	**4**	**2**	**0**	6	**$1,100**	**$420**	***110***	***$22,580***
	TOTALS:	***10***	***98***	***254***	***166***	***528***	***$103,250***	***66***	***62***	***12***	***140***	***$25,750***	**$1,220**	***668***	***$130,220***
	** DMS is Martin's mapping subconsultant*											*10% subcontractor managementt/direct expenses fee*			*$2,697*
															$13,022
	Updated March 2026 to include 1 additional public hearing (1 staff)													***TOTAL***	***$145,939***
Optional															
3.2	Chinese document translation - $0.35/word, 300 word min	0	0	0	0	0	$0	0	0	0	0	$0	TBD	*TBD*	*TBD*
3.2.1	In-person Spanish interpretatation/equip (per meeting)	0	0	0	0	0	$0	0	0	0	0	$0	$1,000	*0*	*$1,000*
3.2.1	In-person Spanish facilitation (CPC staff) (per meeting)	0	0	0	5	5	$825	0	0	0	0	$0	$0	*5*	*$825*
3.3.4	Website (full standalone website)	0	2	40	18	60	$10,900	2	0	0	2	$350	$0	*62*	*$11,250*
5.2	Environmental Review - CEQA Documentation TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	36	TBD	TBD	TBD	TBD	*TBD*	*TBD*

Billed hourly, invoiced monthly, not-to-exceed total

UPDATE TO OPEN SPACE ELEMENT

April 9, 2026

Community Development Department

UPDATE TO OPEN SPACE ELEMENT

COMPLIANCE WITH SB1425

What is SB 1425?

California Senate Bill 1425 (2022) requires all cities and counties to update their General Plan open-space elements, to address climate resilience, equitable access, and rewilding. These updates must integrate nature-based climate solutions and ensure open-space accessibility align with Newark's General Plan Elements.

UPDATE TO OPEN SPACE ELEMENT

SB1425

Key Requirements

- Climate Resilience: Integrating policies that enhance the ability of open space to provide nature-based climate solutions (e.g., flood protection, fire management).
- Equitable Access: Ensuring that all residents, regardless of social, economic, or racial background, have access to open space, requiring coordination with Environmental Justice policies.
- Rewilding Opportunities: Addressing opportunities for ecological restoration and habitat connectivity, often linked with land-use elements.

UPDATE TO OPEN SPACE ELEMENT

SB1425

Project Approach

Based on the key requirements and the Governor's Office of Land Use and Climate Innovation SB 1425 Open Space Element Update Technical Advisory. Key documents to be analyzed will include:

- Climate Action Newark
- Safety Element
- Tri-City Local Hazard Mitigation Plan
- Citywide Parks Master Plan
- Conservation and Sustainability Element
- Land Use Element

UPDATE TO OPEN SPACE ELEMENT

SB1425

Community Collaborative Planning (CPC)

- CPC in collaboration with Barry Miller Consulting and Environmental Collaborative
- Newark Experience: Includes 2013 General Plan (except Housing Element), 6th Cycle Housing Element and Inclusionary Ordinance
- Key Members: Kristy Wang, David Driskell, Kate Didech, Barry Miller and James Martin

UPDATE TO OPEN SPACE ELEMENT

SB1425

Community Collaborative Planning (CPC)

Project Tasks:

1. Project Initiation and Management
2. Baseline Conditions, Data, & Mapping
3. Community Engagement
4. Policy Framework & Draft Element Revisions
5. Environment Review Support
6. Hearings, Adoption & Final Materials

The overall timeline for this project is 6 months at a cost of $145,939

UPDATE TO OPEN SPACE ELEMENT

SB1425

Staff requests that the City Council approve the contract service agreement with Community Planning Collaborative to update the General Plan Parks, Recreation, and Open Space Element to comply with SB 1425

STAFF REPORT

Item F. 4.

DATE	04/09/2026
TO	Honorable Mayor and City Council Members
FROM	Michael Coulom, Housing Policy and Programs Manager
SUBJECT	Receive a report on the status of implementation of the 2025 Housing Element Annual Progress Report and Informational Update on the Affordable Housing Work Plan

SUMMARY AND RECOMMENDATION

Staff recommends that the City Council receive the 2025 Housing Element Annual Progress Report and provide direction on an update to the City's Affordable Housing Work Plan and forthcoming 2026-2031 Capital Improvement Plan.

BACKGROUND

Pursuant to the California Government Code (GC) Section 65400, local jurisdictions are required to prepare an Annual Progress Report (APR) on the status and progress towards implementing the General Plan's Housing Element to the Department of Housing and Community Development (HCD) and the Governor's Office of Land Use and Climate Innovation (LCI) by April 1 of each year. This Staff Report provides a high-level summary of the 2025 APR and reflects the accomplishments for the third year of the 2023 – 2031 (6th Cycle) Housing Element. The period covered in this report is January 1 to December 31, 2025.

The APR provides the state and the public with an annual update on local governments' progress towards meeting their Regional Housing Needs Allocation (RHNA) over the entire planning cycle. It also tracks the implementation of the goals, policies, and programs defined in each jurisdiction's Housing Element. This process gives local governments an opportunity to assess programs and identify necessary adjustments to improve implementation.

The 2025 APR is significant because it marks the middle of the 6th Cycle Housing Element. HCD has indicated its intent to more extensively scrutinize this "mid-cycle" review to ensure jurisdictions are fulfilling their commitments to timely and effective implementation of all Housing Element programs. As such, the APR provides more granular detail on program implementation progress than in past years. If HCD believes a jurisdiction is not implementing its Housing Element in a timely and effective fashion, it may request a mid-cycle consultation and compel a jurisdiction to implement or augment such programs to achieve housing goals.

City Council approved the 2021-2023 Affordable Housing Work Plan on May 13, 2021 (Resolution 11,201) to guide the City's investments through the end of the 5th Cycle Housing Element. That plan is now obsolete and City Council has requested staff update the plan to support 6th Cycle Housing Element implementation.

DISCUSSION/ANALYSIS

On October 26, 2023, the City Council adopted Newark's 6th Cycle Housing Element after a robust community and stakeholder engagement process and presentation to the Planning Commission (Attachment 4). Subsequently, HCD certified the City's Housing Element on December 21, 2023, finding it in compliance with state law. The Housing Element consists of two primary components, the first being an evaluation of the City's RHNA targets, and the second being the goals, policies and programs that the City has identified to achieve its RHNA production goals and otherwise meet the housing needs of all members of the community.

The City has reported its Housing Element progress to HCD and LCI in the form of an APR each year since 2017 for the 2015-2023 (5th Cycle) Housing Element and has already submitted reports for the first three years of the 6th Cycle, including the APR for 2025.

RHNA Allocation Process

A key component of the APR is to provide data on overall housing production and affordability within a jurisdiction. This information helps determine whether jurisdictions are on track to meet the state-mandated target number of housing units to plan for in their communities. This target is called the Regional Housing Needs Allocation, or RHNA. RHNA is based on estimates from the State Department of Finance (DOF), which projects how many homes will be needed to accommodate projected population growth during the planning period and to address existing housing shortages and affordability across all income levels. DOF establishes the total housing need for each region in California. That need is then distributed by the region's Council of Governments (COG) to individual cities and counties. In the San Francisco Bay Area, the Association of Bay Area Governments (ABAG) serves as the COG and is responsible for assigning RHNA targets to each local jurisdiction.

The Bay Area is currently in the 6th Cycle Housing Element planning period which accounts for years 2023-2031. Newark's 6th Cycle RHNA target is 1,874 new homes. This is significantly higher than the City's 5th Cycle RHNA target of 1,078 homes, but still approximately 600 fewer homes than the 2,146 units the City actually permitted in the 5th Cycle. Table 1 in Attachment 2 (Housing APR Data Visualization) summarizes Newark's 6th Cycle RHNA by income band and compares it to the City's 5th Cycle RHNA achievements.

Housing units counted toward RHNA are reported in the APR using detailed project information, including addresses, permit numbers, dates of completed application submittals, issued entitlements, issued and finaled building permits, affordability levels, housing tenure, and whether the project used any streamlining provisions. All data is

reported for the calendar year, covering the period from January 1 to December 31. HCD publishes a data dashboard visualizing APRs from all local jurisdictions at www.hcd.ca.gov/housing-open-data-tools/apr-dashboard.

State law is primarily concerned with the number of building permits a jurisdiction issues, however, as that signals actual housing production activity contributing toward the City's RHNA target. State laws such as Senate Bill 423 (2023, formerly known as SB 35), for example, allows mixed-income housing projects to opt in to a streamlined ministerial approval process (SMAP) in jurisdictions that have not met their RHNA targets. Newark is currently subject to SMAP because it did not achieve its 5th Cycle RHNA targets for low- and very low-income permits. Projects that reserve at least 50 percent of units for low-income households may opt in to SMAP.

2025 RHNA Progress

The City issued building permits for 139 housing units in 2025, roughly half of which are attributable to the 73-unit CCCMA Assisted Living Facility project at 6214 Thornton Avenue consisting of a four-story building with 73 residential rooms and 97 memory care beds for senior residents. Approximately 23 percent of total units permitted were single-family dwellings intended for homeownership at above moderate-income rates. Accessory Dwelling Units (ADUs) account for the remaining 24 percent of the total units permitted in 2025.

The City entitled 288 new housing units in 2025 (see Table 2 in Attachment 2). Entitled units were distributed across four projects: one multifamily development, two single-family dwelling (SFD) projects, and a large-scale residential development that includes both single-family homes and a multifamily apartment building. Thirteen percent of entitled units are designated for very low-income households, twelve percent for low-income households, and the remainder for above moderate-income households.

Finally, the City issued certificates of occupancy (COO) to mark completion of 53 housing units in 2025. Roughly 74 percent of completed units were single-family detached dwellings for above-moderate income households, with the remainder consisting of ADUs. Table 3 in Attachment 2 summarizes all entitled, permitted, and completed units in 2025 by affordability level, and Table 4 (Attachment 2) summarizes the projects by structure type.

Development Trends and Comparison to Previous Years

Compared to previous years, the number of housing units permitted and completed in 2025 decreased. The City issued 139 units in 2025 compared to 185 permits issued in 2024. This reflects continued softening in the market for new construction as the result of the high cost of debt, labor and materials, and is consistent with trends in other ABAG jurisdictions. Notably, the number of units receiving Certificates of Occupancy in 2025 is significantly lower than in prior years, with only approximately 50 units completed compared to about 250 in 2024 and 450 in 2022. This decrease is to be expected, as several large developments completed construction in earlier years, while more recent projects have not yet reached final inspection. Optimistically, entitled units increased to 288 from the 162 units entitled in 2024, although this is still down from the high of 370 units in 2022. Figure 1 in Attachment 2 shows the change in entitled,

permitted, and completed projects by unit count between 2022 and 2025.

While the City is making progress toward its RHNA goals, it is doing so at a slower rate relative to this stage of the 6th Cycle. Newark is halfway through the 6th Cycle and has issued permits for approximately 22 percent of the 1,874 units in the total RHNA. Unlike in previous years, the City is not on target to meet RHNA targets for any income band. Table 5 in Attachment 2 presents the number of building permits issued for new homes cumulatively and during each year of the 6th Cycle thus far. It is likely the City will continue to be subject to SB 423 and projects that restrict at least 10 percent of units to low-income households, or 20 percent to moderate-income households, will be eligible to opt in to a streamlined ministerial approval process until at least 2031.

The City has a pipeline of several hundred homes for which entitlement applications have been submitted or approved, such as but not limited to FMC Willow, Mowry Village, and the SAHA Thornton Avenue Apartments. The former two projects are reliant on significant and expensive site preparation work prior to pulling building permits, and the latter is dependent on scarce and highly competitive public subsidy. Table 6 in Attachment 2 summarizes entitled housing units for major projects that are still in the pipeline and have not yet received building permits. Building permits for these projects would bring the City's RHNA progress to 61 percent in total (see Table 7 in Attachment 2).

For additional details on the permits and projects included in the 2025 Housing Element Annual Progress Report, please refer to Attachment 1 (Housing Element APR Tables).

Accessory Dwelling Unit (ADU) Production
The growth of Accessory Dwelling Units represents a significant contribution to the city's RHNA production goals. City Council approved Ordinance 563 in January to amend Newark Municipal Code Section 17.26.040 (Accessory Dwelling Units). The ordinance took effect March 14, 2026 and augments ADU design standards to comply with state law and best practices.

The Association of Bay Area Governments (ABAG) publishes guidelines on how to count ADUs in the APR. Jurisdictions are allowed to use ADUs to satisfy RHNA requirements by reporting actual or anticipated affordability levels. In cases where data is not available, jurisdictions may apply ABAG's ADU affordability methodology for their APRs covering calendar years 2023, 2024, and 2025. This methodology makes the following assumptions for ADU affordability:

1. 30 percent of ADUs are affordable to very low-income households.
2. 30 percent are affordable to low-income households.
3. 30 percent are affordable to moderate-income households.
4. 10 percent are affordable to above moderate-income households.

ADUs are a reliable way of making RHNA progress across all income levels. In 2025, the City issued building permits for 34 ADUs, showing an increase of approximately 17 percent compared to the 29 ADUs permitted in 2024. ADU production in Newark is anticipated to grow now that the newly amended ADU Ordinance has gone into effect,

allowing for greater incentives and allowances for ADU production. Additional production may also increase when interest rates decline, making financing more accessible for homeowners and developers.

Table 8 in Attachment 2 shows the number of ADUs permitted in 2025, categorized by income level.

Notable Affordable Housing Accomplishments
In the past year and ongoing, the City has made significant progress in advancing the development of affordable and accessible housing across all income levels. Key accomplishments include the following:

- *Mowry Village (P2020-002)*: Entitled in December 2025, the project will include 30 homes affordable to very low- and low-income households, and one manager's unit. The project is in predevelopment.
- *SAHA Thornton Avenue Apartments (DR2023-003)*: Entitled in April 2025, this 5-story development will provide 59 affordable units, including one manager's unit. Alameda County awarded $2.9 million to the project in January 2026 to reserve 13 units for households exiting or at-risk of homelessness. Staff and the developer are working together to advance the project as quickly as possible. The project is working to secure low-income housing tax credits and additional necessary funding from other agencies.
- *Terracina at FMC Willow (RZ2020-001)*: City Council approved this 91-unit affordable housing community as part of the FMC Willow / Grand Park development. Lennar, the master developer, has commenced site work for the larger FMC Willow and Grand Park development. The project is working to secure low-income housing tax credit financing and plans to commence construction in the first half of 2027 if awarded.
- *Timber Senior Housing*: This 79-unit affordable senior housing development will celebrate its grand opening on May 29, 2026. 20 units are reserved for seniors exiting or at-risk of homelessness and 20 have vouchers from the Housing Authority of the County of Alameda. The project is the first to implement the City's policy giving preference to households who live or work in Newark. 34 percent of preference-eligible units were offered to Newark community members.

Housing Element Programs Progress
The Housing Element identifies seven goals, 32 policies, and 45 programs to meet the housing needs of all members of the community. **Table D in Attachment 1 (2025 Annual Progress Report)** provides detailed information on each program, including implementation status and alignment with the goals and policies.

The City has completed approximately 29 percent of Housing Element programs, with 65 percent in progress or continuous over the duration of the 6th Cycle. Only six percent of programs have not yet started. Staff have tentatively agendized at least five additional programs for City Council's consideration in the next three months, which would bring the City to a completion rate of 40 percent. Additional programs are on track for council consideration before the end of 2026.

HCD sent a letter to the City on December 21, 2023, confirming the adopted Housing

Element is substantially compliant with state law (see **Attachment 3**). The letter identified 19 programs for which the City must continue timely and effective implementation. Staff expect HCD to focus its mid-cycle review on these programs. The APR documents progress with each of these programs and realistic pathways to completion within 12 months.

Affordable Housing Work Plan- Overview
City Council adopted the 2021-2023 Affordable Housing Work Plan with three years remaining in the fifth Housing Element cycle (2015-2023). At that time, the City had exceeded its RHNA targets for above moderate-income housing but was not on track to meet targets for other income bands. The purpose of the 2021-2023 Affordable Housing Work Plan was to direct housing impact fees and policy to meet very low-, low-, and moderate-income targets. The City developed this plan with support from Baird + Driskell Planning, now known as Community Planning Collaborative, who also supported the City in preparing the 6th Cycle Housing Element.

The 2021-2023 Affordable Housing Work Plan identified priority populations for housing assistance, based on available data and input from City Council and the Planning Commission. Priority populations included young families, key workers like teachers and first responders, people and families at risk of homelessness, people with disabilities and other special housing needs, and low-income seniors. The plan further identified priority housing types, namely rental apartments of medium to high density in select areas, condominiums and townhomes (including for first-time homebuyers), and missing middle housing types such as duplexes and four-plexes.

In order to achieve the Fifth Cycle RHNA targets and address City-identified priorities, the plan established an investment framework for spending housing impact fees across six program areas. 40 percent of funds were earmarked for development of new affordable housing, 40 percent for acquisition of sites or other uses that advanced affordable housing production, and the remainder allocated to the Housing Element update, the Inclusionary Housing Study and Nexus Study, preparation of a local preference policy, and a first-time homebuyer program.

The City ultimately achieved 42.1 percent of its Fifth Cycle RHNA target for very low-income housing permits, 35.3 percent for low-income, 22.8 percent for moderate-income, and 515.8 percent for above moderate-income. Since the 2021-2023 Affordable Housing Work Plan was passed, the City has completed the Housing Element Update, Inclusionary Housing Study, local preference policy, and committed $12 million in City resources and acquired land for affordable housing production. The City is also preparing to formally update its Nexus Study for impact fees and to launch a first-time homebuyer program.

Affordable Housing Work Plan- Update
City Council has requested that staff update the Affordable Housing Work Plan. The timing for this request is prudent given the 2021-2023 plan's programming is complete or nearing completion, and the City is now approaching the middle of the 6th Cycle. Staff request preliminary feedback from City Council on the purpose, goals, and priorities of the Work Plan, its term, and how to approach use of housing impact fees.

The 2025 APR demonstrates that the City may still expect to meet its RHNA targets for above moderate-income homes if the developers of large projects with approved entitlements or submitted applications are able to advance to permitting. Achieving very low-, low-, and moderate-income targets will require continued focus from the City, however. The priority populations identified in the 2021-2023 Work Plan would typically fall into these income categories. With a median home price of $1.4 million and trending upward, the majority of the City's existing housing stock does not serve these populations.

The Housing Element includes several programs aimed at addressing the housing needs of these priority populations and removing constraints to developing priority housing types. Some of these programs include amending zoning and development standards to permit duplexes and small multi-unit buildings, streamlining approval processes to improve development certainty and reduce development costs, studying and updating parking standards, considering the reuse of underutilized City and Newark Unified School District property for affordable housing development, and developing or implementing specific plans for Newpark Mall, Old Town, and Four Corners. Several of these programs are already underway and will be presented to City Council over the course of 2026 and 2027.

The City has collected substantial housing impact fee revenue to support affordable housing development and program implementation. The Fund has approximately $29 million available to spend as of April 2026. This does not include projected revenue from approved residential projects and non-residential projects that will pay the housing impact fee. Staff have identified the following potential actions to include in a revised investment framework:

1. Notice of Funding Availability (NOFA): One or more competitive applications for Housing Impact Funds to support production of 100 percent affordable housing.
2. Augmented Funding for existing projects in the wake of reduced state and federal contributions.
3. First Time Homebuyer Program: Continued program implementation and funding to be formally recommended at an upcoming City Council meeting.
4. Homeless Action Plan implementation.
5. Partnering with Newark Unified School District to provide technical assistance and evaluate school sites for reuse with housing and other benefits.
6. An Affordable Housing Fund Innovation Study to assess how to further leverage housing investments, and
7. A Mid-Cycle Constraints Analysis to perform a 360-degree review of the City's regulations, policies, and practices that help or hinder housing production, and identify recommendations for meaningful improvement.

Affordable Housing Work Plan- Staff Recommendations
Staff recommend the City Council provides direction on an update to the Affordable Housing Work Plan.

- Should the Work Plan's goal be to achieve 6th Cycle RHNA targets?
    - Staff recommend the Work Plan's goal and purpose be to

direct housing-related spending and programming toward achieving 6th Cycle RHNA targets for very low-, low-, and moderate-income households.

- Should the Work Plan's term extend through the end of the 6th Cycle?
  - Staff recommend a five-year work plan for years 2026 through 2031 (the remainder of the 6th Cycle)
- Should the Work Plan adopt the same priority populations and housing types as the previous plan?
  - Staff recommend maintaining priority populations and housing types, which also align with the 6th Cycle Housing Element.
- How should the Work Plan's Investment Framework reflect these priorities?
  - Staff recommend the majority of housing impact fees be directed toward producing and preserving the City's inventory of affordable housing, consistent with the previous plan.
  - Staff recommend retaining funding for the First Time Homebuyer Program, with formal recommendations to be presented in the coming months.
  - Staff recommend earmarking a percentage of funds for implementation of the forthcoming Homeless Action Plan, including homelessness prevention.
  - Staff recommend earmarking additional funding to analyze how to further leverage housing investments.

FISCAL IMPACT

The 2024-2026 Biennial Budget established two Capital Improvement Plan (CIP) projects totaling $850,000 pertaining to Housing Element implementation, both of which are now nearly exhausted. Staff recommend establishing two CIP projects for the 2026-2031 CIP to support continued Housing Element implementation. One CIP project would reserve funds for further assessments and revisions to Title 17 of Newark Municipal Code (Zoning), should the Planning Commission and City Council direct staff to make further zoning changes to achieve housing goals, or should Title 17 require revisions to comply with state law. A second CIP project would serve to implement additional Housing Element programs as directed by City Council or as deemed necessary by the California Department of Housing and Community Development to retain Housing Element compliance.

Housing Programs – Implementation of Adopted Housing Element:	$450,000
Title 17 (Zoning) Housing-related Assessment and Updates:	$400,000

STRATEGIC PRIORITY AREA

Further Economic Vitality and Housing for All

REVIEW AND APPROVAL

Prepared by - Michael Coulom, Housing Policy and Programs Manager
Reviewed by - Steven Turner, Community Development Director
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - David J. Benoun, City Manager

Attachments

Staff Presentation

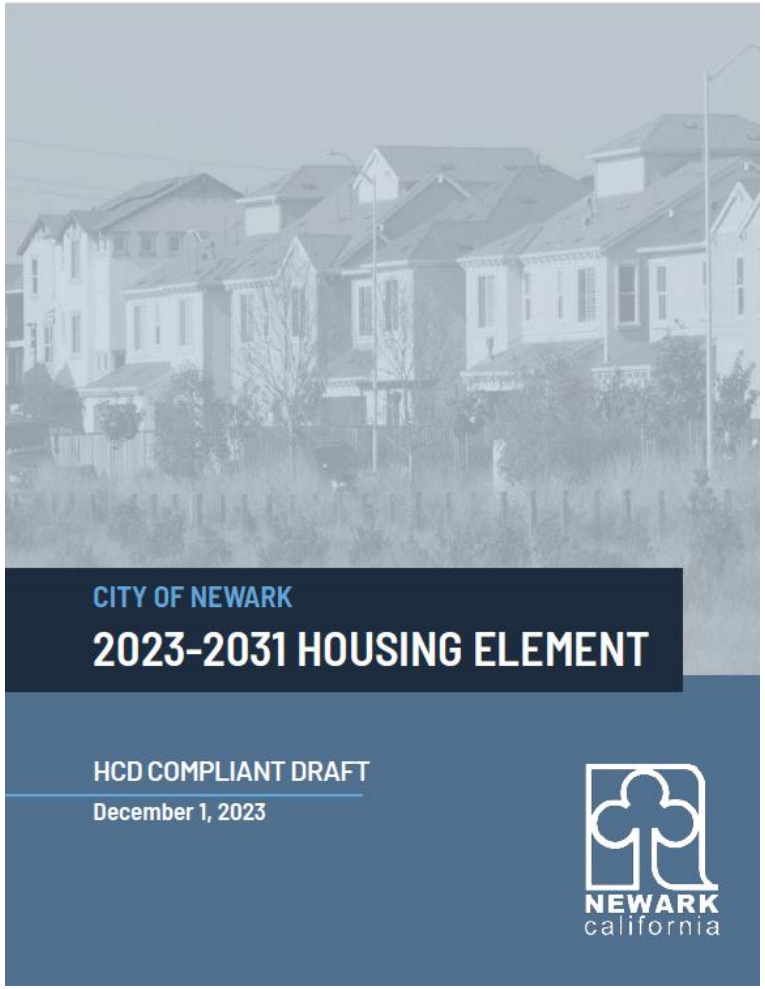
1. 2025 Annual Progress Report
2. Housing APR Data Visualization
3. HCD Housing Element Compliance Letter
4. 2023-2031 6th Cycle Housing Element

2025 Housing Element APR and Affordable Housing Work Plan

City Council Meeting
April 9, 2026

Agenda

1. Introductions
2. Annual Progress Report Background
3. Mid-Cycle Review
4. Affordable Housing Work Plan
5. CEQA
6. Next Steps
7. Staff Recommendation
8. Q&A



Introductions

City of Newark

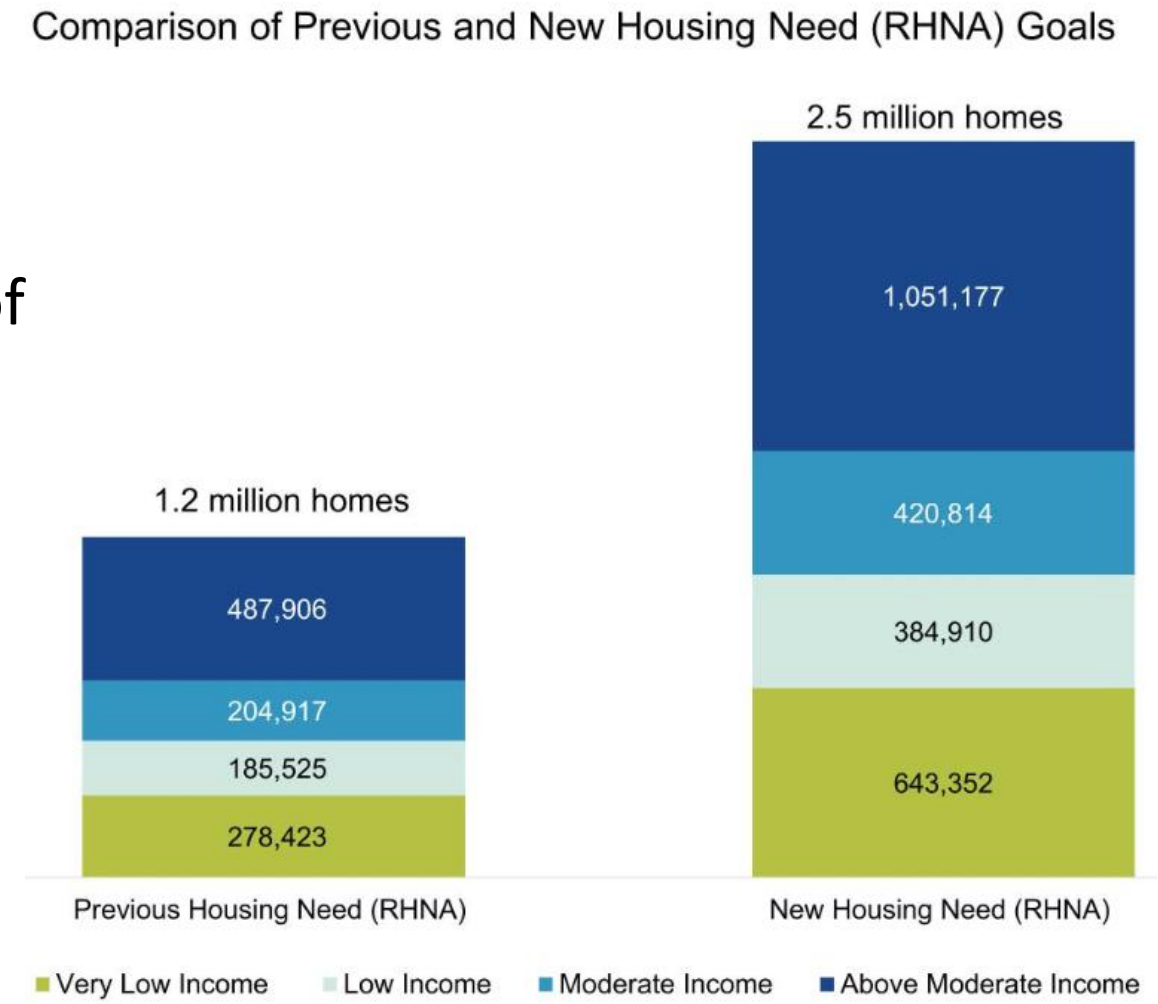
Michael Coulom, Housing Policy and Programs Manager

Yvonne Huynh, Assistant Planner

California needs 2.5 million more homes

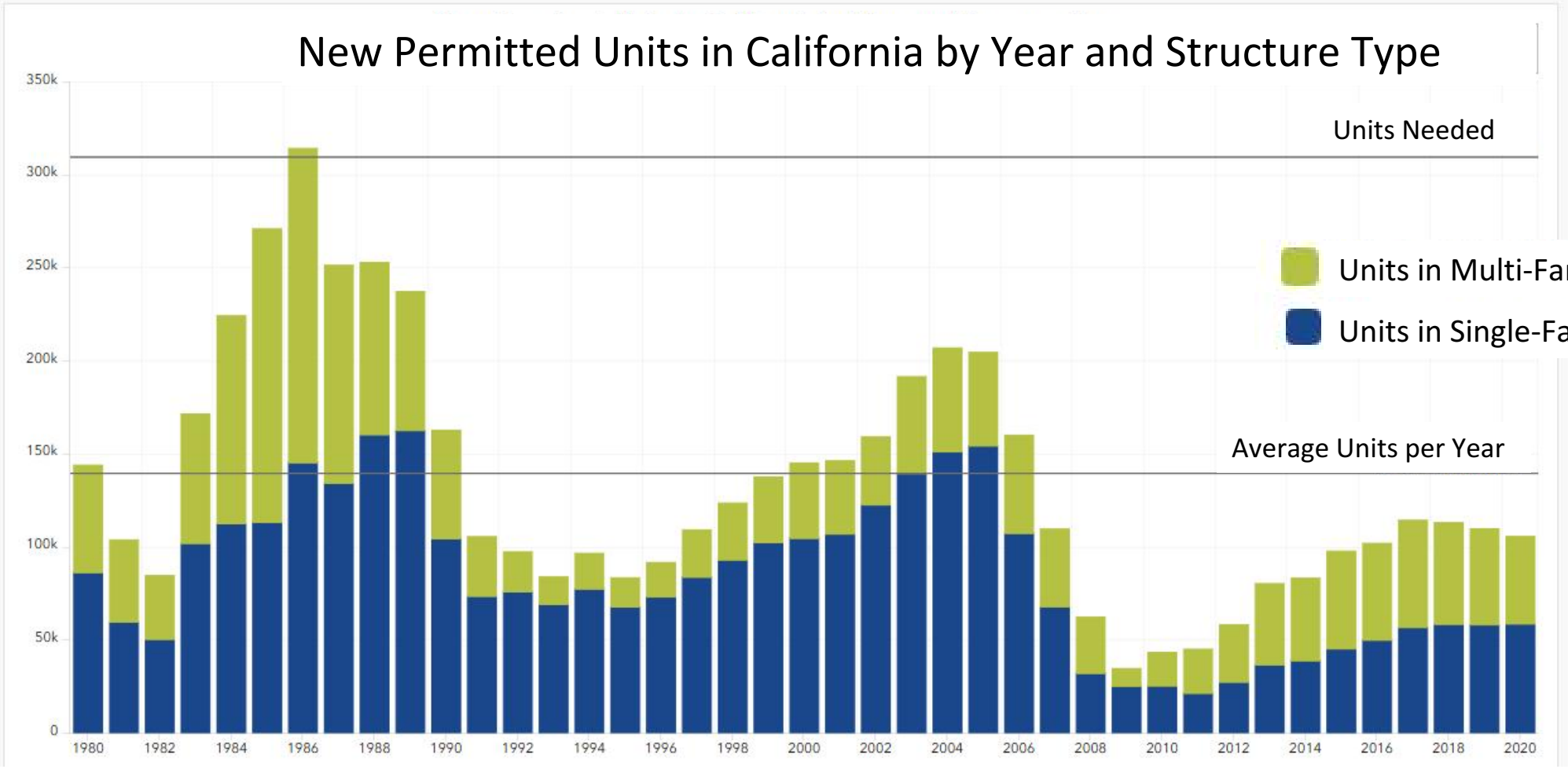
The Department of Finance's methodology for the 6th Housing Element Cycle showed a doubling of housing need since Cycle 5

- 2.5 million more homes are needed by 2030 to adequately address the state's housing affordability crisis
- Over 1 million of these are low- and very-low income homes



Source: 2022 Statewide Housing Plan

We are starting from a deficit

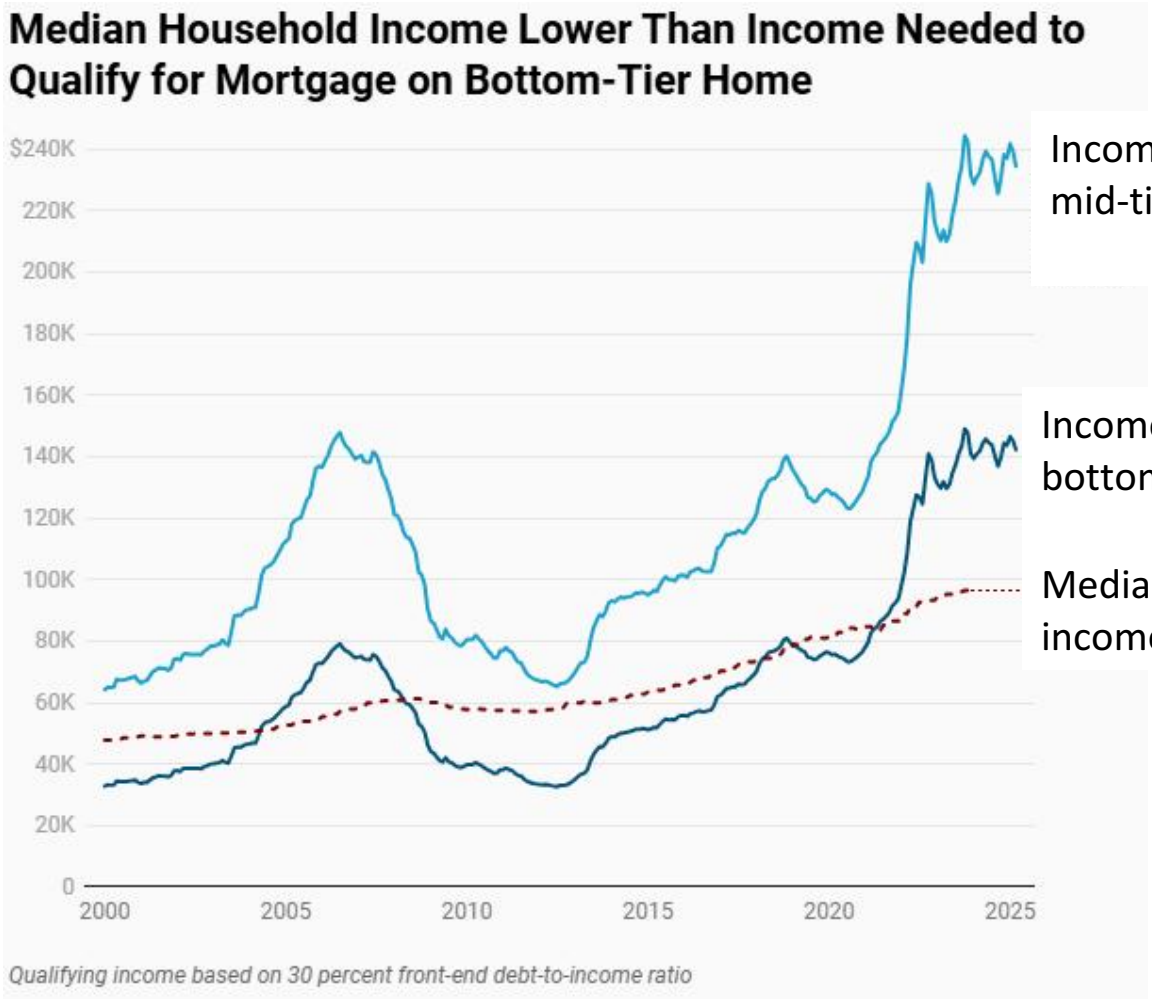


Source: 2022 Statewide Housing Plan

Homeownership Is Becoming Out of Reach

In Alameda County

- **64%**: Increase in cost of homebuying since January 2020
- **$5,414**: Monthly cost for bottom-tier homeownership
- **$2,753:** monthly rent



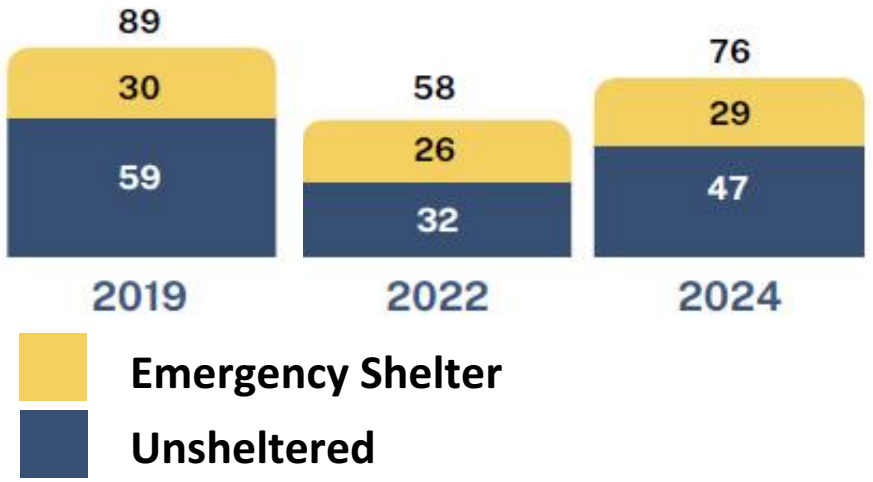
Source: https://lao.ca.gov/LAOEconTax/Article/Detail/793

Newark Point in Time and McKinney-Vento Counts

76 people experienced homelessness in Newark in 2024 by HUD's definition.

227 students experienced homelessness in Newark in School Year 2024-25 by DOE's definition.

Newark Point in Time (PIT) Count



2024-25 School Year McKinney Vento NUSD Count

	% of Total Student Body	% of Homeless Student Body	Doubled Up	Temporary Shelter
African American	3%	3%	*	*
Asian	**19%**	**14%**	**84.4%**	**15.6%**
Filipino	8%	4%	*	*
Hispanic or Latino	**52%**	**65%**	**93.2%**	**4.8%**
White	8%	5%	**100.0%**	*
Two or More Races	6%	2%	*	*
Other (AI/AN, PI, Not Reported)	5%	**7%**	*	NA

* Data suppressed for student privacy

National Implications

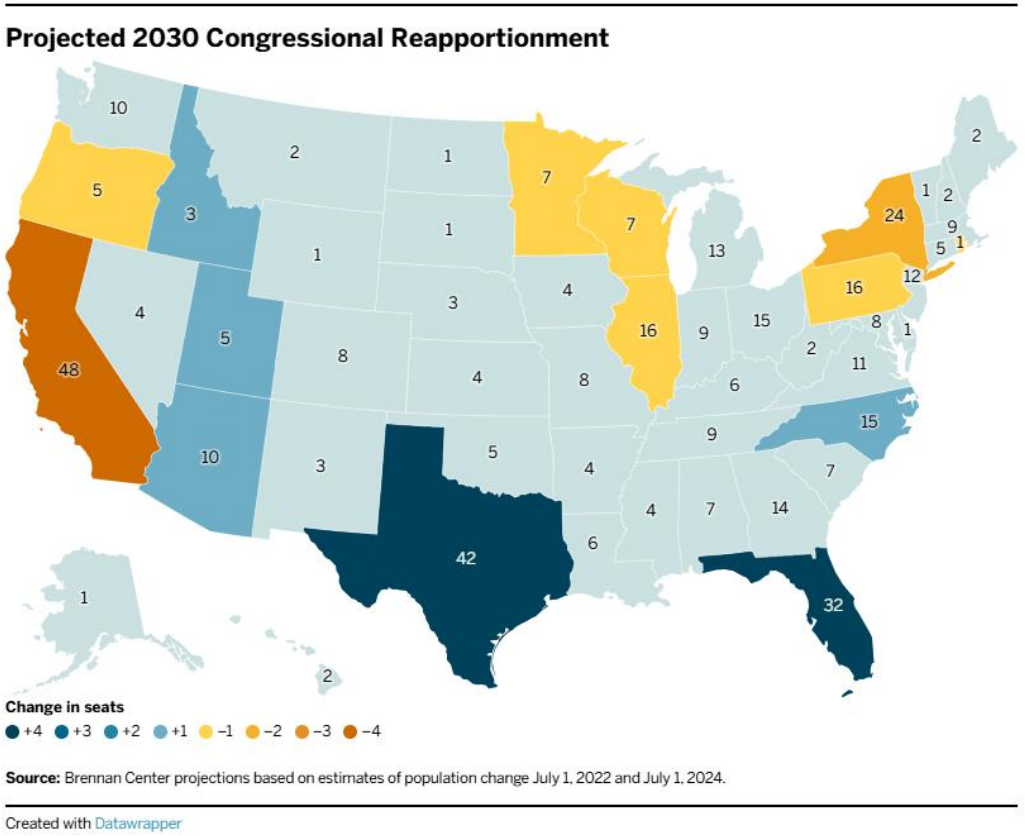
California's population growth has slowed

- From 2010 to 2020, California grew by 5.8%, slower than the national rate of 6.8 percent
- CA lost 412,000 people between 2020 - 2023
- International migration has slowed
- Birth rates hit a record low in 2024

California lost a congressional seat in 2020

California could lose an additional 4-5 seats and electoral college votes in 2030

Source: Public Policy Institute of California, 2025



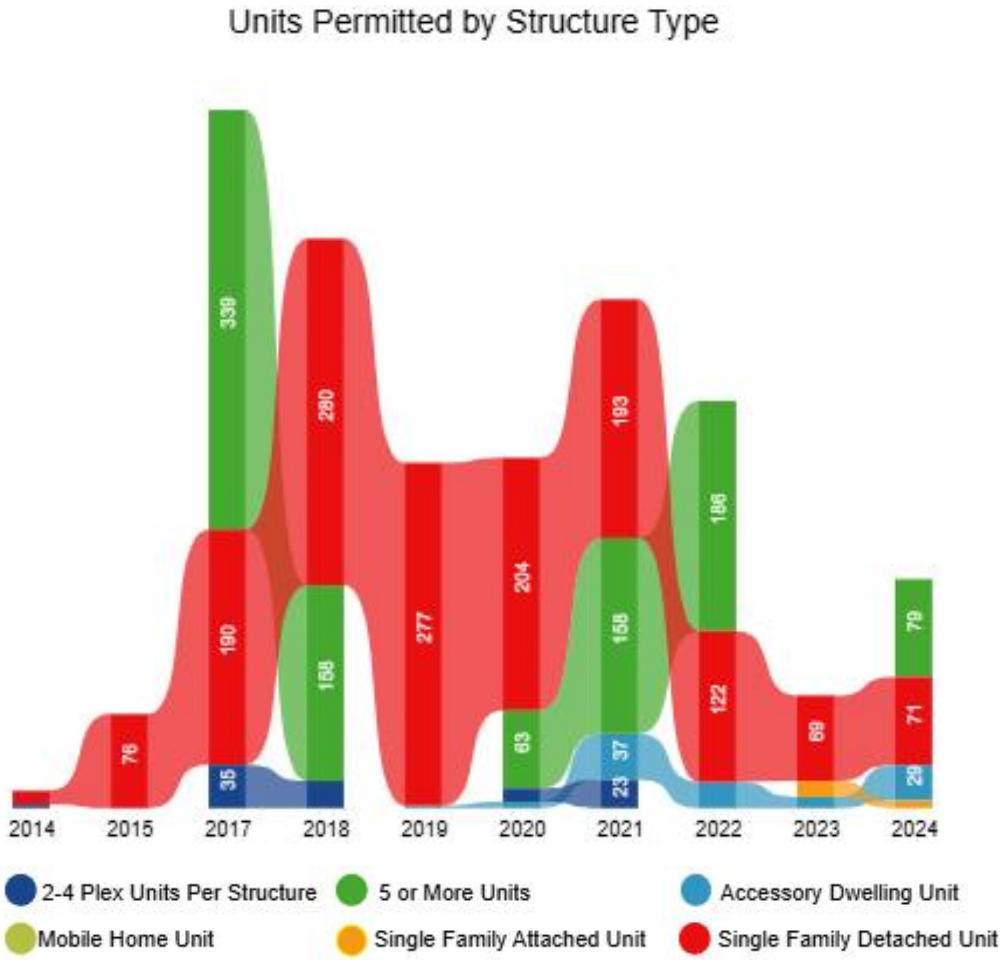
Source: Li and Feliz, 2023

Annual Progress Report (APR)

- The Annual Progress Report is of great importance to the City and the State

- 6th Cycle Housing Element (2023 – 2031)
  - Adopted October 26, 2023
  - Certified by HCD on December 21, 2023

- Pursuant to GC §65400, the APR:
  - Due April 1 annually to HCD and LCI
  - Tracks progress on RHNA targets
  - Monitors goals, policies, programs in Housing Element



Source: HCD Annual Progress Report Dashboard

2023 – 2031 Housing Element

Newark's Housing Element is an affordability strategy

6th Cycle Housing Targets

- 1,874 new homes
  - 464 Very Low-Income
  - 268 Low-Income
  - 318 Moderate-Income
  - 824 Above Moderate
- 0.4 percent of regional RHNA
- 2,507 homes permitted in Cycle 5

2023-2031 Housing Element Goals

1. Preserve and Improve Existing Housing
2. Facilitate the Development of More Homes for More People
3. Reduce and Remove Constraints to Affordable Housing Development
4. Help People Stay in Their Homes and Communities
5. Increase Access to Affordable Housing
6. Enhance Quality of Life, Equity, and Environmental Justice
7. Further Fair Housing Throughout the City

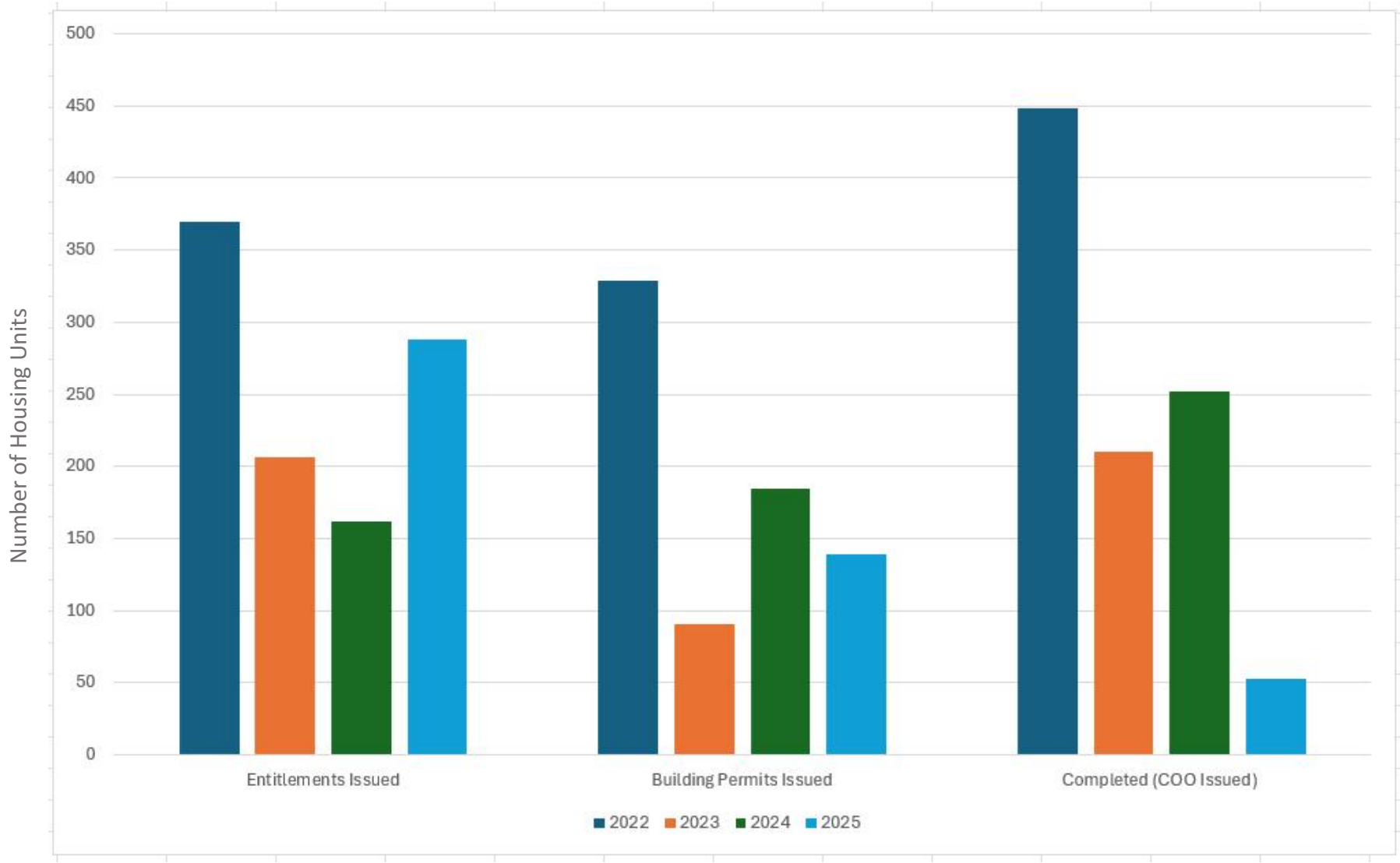
Regional Housing Needs Allocation (RHNA)

	5th Cycle			6th Cycle	
Income Category	RHNA	Units Permitted	Units Permitted (%)	RHNA	Percent of RHNA
Very Low Income (up to 50% AMI)	330	139	42%	464	25%
Low Income (51-80% AMI)	167	59	35%	268	14%
Moderate Income (81-120% AMI)	158	36	23%	318	17%
Above Moderate Income (121 AMI+)	423	2,168	513%	824	44%
Total	1,078	2,402	223%	1,874	100%

2025 Units by Structure Type

Structure Type	Entitled	Permitted	Completed
Single Family, Attached	-	8	4
Single Family, Detached	197	24	35
2 to 4 Unit	-	-	-
5+ Units	90	73	-
ADU	1	34	14
Mobile Homes	-	-	-
Total	**288**	**139**	**53**

Projects Permit Status (2022-2025)



Housing Production Progress

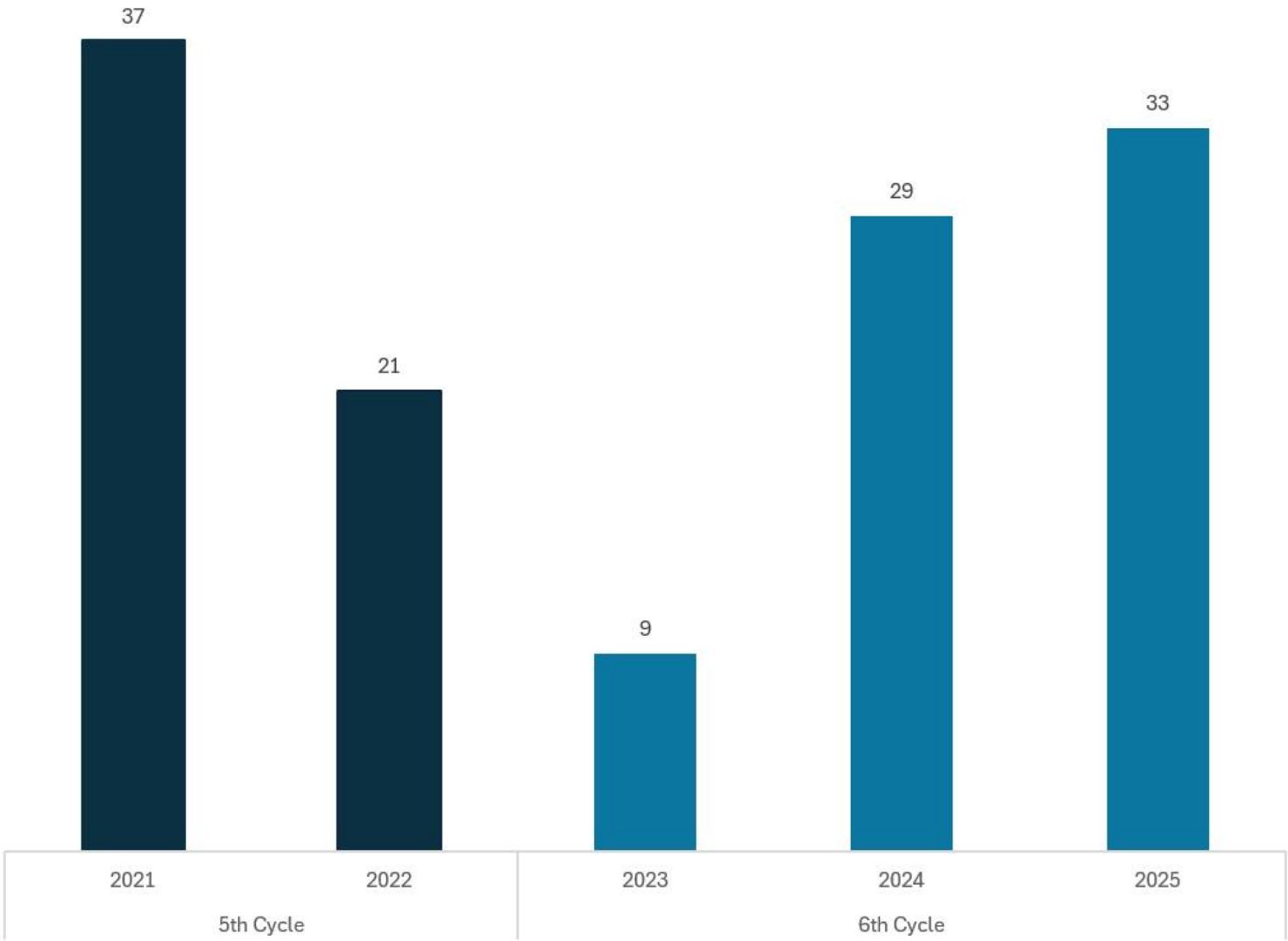
Income Level	RHNA Allocation by Income Level	2023	2024	2025	Total Units to Date (All years)	Total Remaining RHNA by Income Level	Percentage of Goal Met
Very Low	464	-	87	10	97	387	21%
Low	268	-	9	10	19	249	7%
Moderate	318	-	9	10	19	299	6%
Above Moderate	824	84	80	109	273	551	33%
Total	**1,874**	**84**	**185**	**139**	**408**	**1486**	**22%**

Housing Production – Modeled Progress

Income Level	RHNA Allocation by Income Level	2023	2024	2025 (Model)	Entitled Units Added (Table 6)	Total Units to Date (All years)	Total Remaining RHNA by Income Level	Percentage of Goal Met
Very Low	464	-	87	111	101	198	387	43%
Low	268	-	9	80	70	89	249	33%
Moderate	318	-	9	30	20	39	299	12%
Above Moderate	824	84	80	662	553	826	551	100%
Total	**1,874**	**84**	**185**	**883**	**744**	**1152**	**1486**	**61%**

- Major entitlement projects included: Mowry Village, Lepakshi Homes, FMC Willow, SAHA Thornton Avenue Apartments

ADUs Permits Issued (2021-2031)

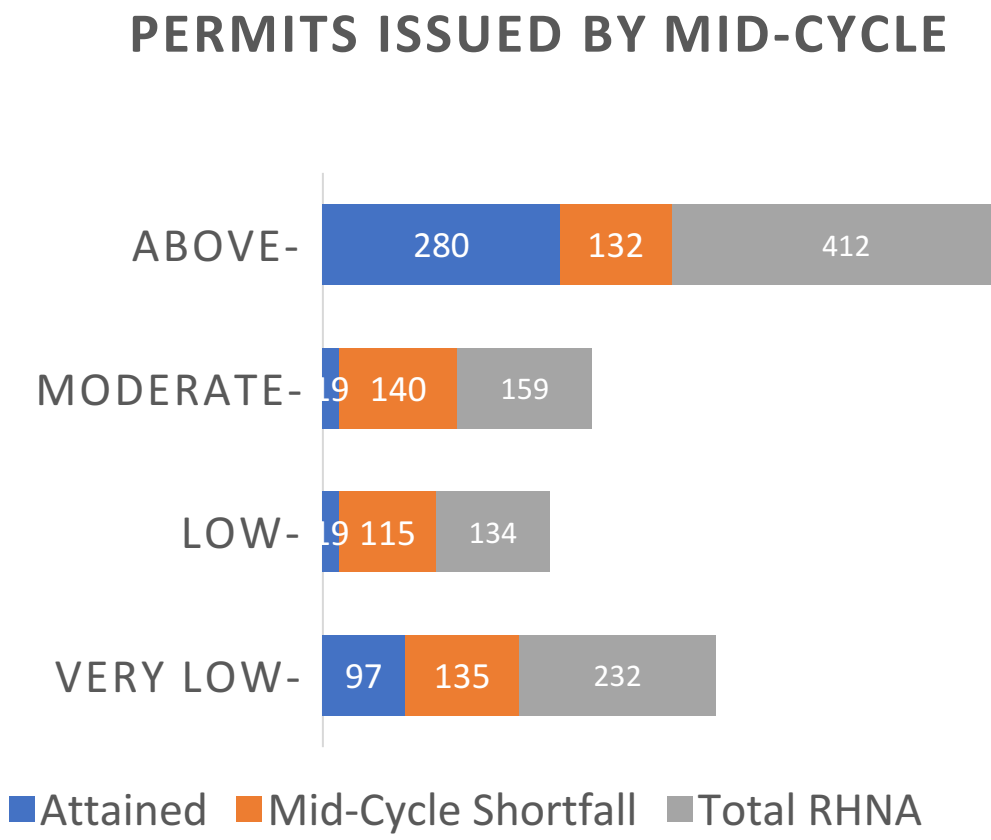


2025 Affordable Housing Accomplishments

- **SAHA Thornton Avenue Apartments:** City Council and the Planning Commission fully entitled the 59-home 100% affordable housing community April 2025. Alameda County awarded the project $2.95 million in January 2026 to reserve 13 units for households existing homelessness.
- **Terracina:** The 91-unit affordable housing component of the FMC Willow and Harbor Point projects commenced sitework in March.
- **Timber Senior Housing:** The 79-home affordable senior community is slated for a grand opening in May and is the first project to implement the City's live/work local preference policy.

Mid-Cycle Review

- Newark is making RHNA progress but at a slower rate relative to the middle of the cycle.
- Newark has issued permits for 35 percent of its RHNA while 50 percent through the cycle.
- This is common among ABAG jurisdictions.
- Qualifying projects in Newark will have continued eligibility for the Streamlined Ministerial Approval Process (SMAP, SB 423)
  - Minimum 10 percent of units restricted to low-income, or 20 percent restricted to moderate-income households.



Housing Element Program Progress

The Mid-Cycle review also evaluates programmatic progress.

- Failure to demonstrate progress may result in Housing Element decertification or other interventions by HCD.

6th Cycle Housing Element Live Progress Report				
Goal	**# Programs**	**% In Progress**	**% Not Started**	**% Complete**
H1: Preserve & Improve Existing Housing	2	100%	0%	0%
H2: Develop More Homes 4 More People	12	83%	0%	17%
H3: Reduce and Remove AH Dev Constraints	6	83%	0%	17%
H4: Help People Stay in Communities	11	64%	18%	18%
H5: Increase Access to Affordable Housing	4	75%	25%	0%
H6: Enhance Quality of Life, Equity, EJ	4	0%	0%	100%
H7: Further Fair Housing Throughout City	6	50%	0%	50%
Total	**45**	**65%**	**6%**	**29%**

HE Progress: Retaining Compliance

HCD's December 23, 2023 substantial compliance findings letter identified 19 programs for **"timely and effective" implementation**.

Program		Current Status	Next City Milestone
H2.1	Develop New Housing Options	In Progress	Fall / Winter 2026
H2.2	ADU Program	Complete	January 2026
H2.3	Four Corners Plan Area Mixed-Use	In Progress	Winter / Spring 2027
H2.6	Work in Partnership with NUSD	In Progress	June 2026
H2.8	Zoning for Missing Middle Housing Types	In Progress	Fall/Winter 2026
H2.9	Area Specific Plans	Continuous	N/A
H2.10	Single-Room Occupancy Housing	In Progress	June 2026
H2.11	Small Sites Incentives	In Progress	Spring / Summer 2026
H2.12	Make Maximum Residential Densities	In Progress	June 2026

HE Progress: Retaining Compliance

HCD's December 23, 2023 substantial compliance findings letter identified 19 programs for **"timely and effective" implementation**.

Program		Current Status	Next City Milestone
H3.4	Zoning: Mixed-Use in Commercial Zones	In Progress	June 2026
H3.5	Parking Standards Update	In Progress	Fall / Winter 2026
H3.6	By-Right Approval of 20% Affordable Projects	Complete	January 2024
H4.4	Small Sites Program	Not Yet Started	Work Plan Update
H4.9	No Net Loss of Units	Continuous	N/A
H4.10	Special Needs Housing Zoning Amendments	In Progress	June 2026
H4.11	Housing Persons Experiencing Homelessness	In Progress	Work Plan Update
H5.4	Affordable Housing Overlay	In Progress	Winter/Spring 2027
H7.5	Mid-Cycle Review	In Progress	April 2026

Recommended Capital Improvement Projects

- The 2024 - 2026 Capital Improvement Plan allocated funds to five projects related to Housing Element implementation, all of which are now encumbered or nearing encumberment
  - Four Corners Area Plan ($350,000)
  - Implementation of Adoption Housing Element ($450,000)
  - NewPark Place Specific Plan Enhancement and Expansion ($300,000)
  - Rental Housing Inspection Program Assessment ($150,000)
  - Title 17 (Zoning) Housing-related Assessment and Updates ($400,000)

- Staff recommend allocating funds to re-establish two CIP projects to continue Housing Element implementation
  - Implementation of Adopted Housing Element ($450,000)
  - Title 17 (Zoning) Housing-related Assessment and Updates ($400,000)

2021 – 2023 Affordable Housing Work Plan

- **Council Resolution No. 11,201** approved the 2021-2023 Work Plan.
- **Context**: City was exceeding targets for above moderate-income housing but behind in all other categories.
- **Purpose**: Direct housing impact fees and policy to meet very low-, low-, and moderate-income RHNA targets.

5th Cycle RHNA Permits by Affordability

	5th Cycle Permits	5th Cycle RHNA	% Attained
Very Low Income	139	330	42.1%
Low Income	59	167	35.3%
Moderate Income	36	158	22.8%
Above Moderate Income	2,273	423	537.4%

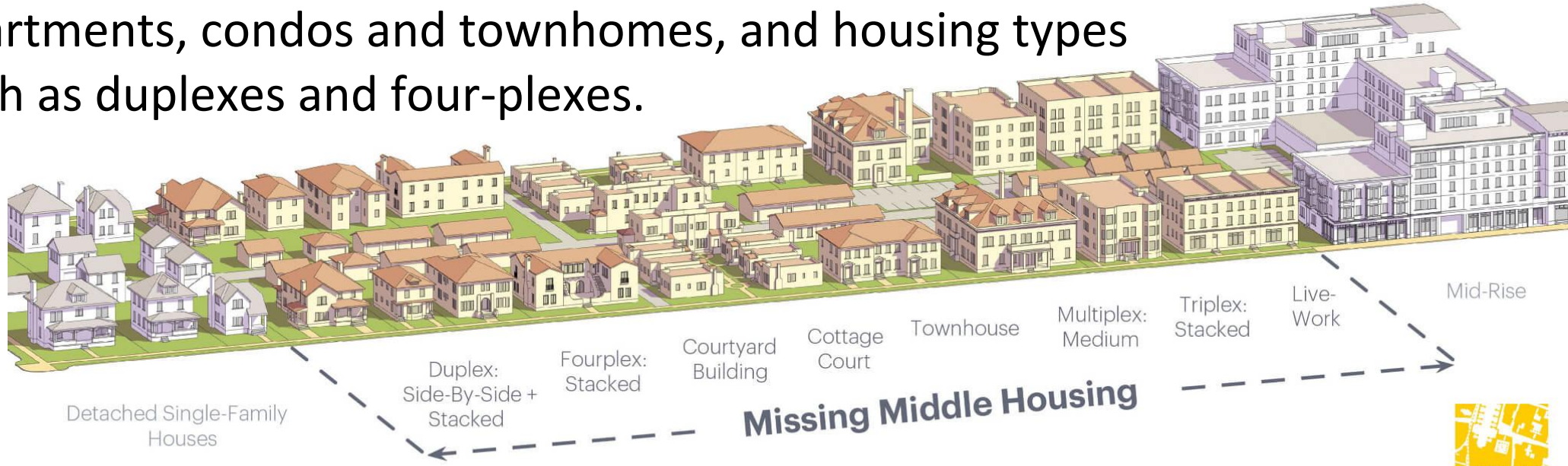
100.0%
Percent Through Cycle

1/31/2015	1/31/2023
Start Date	End Date

Source: HCD Annual Progress Report Dashboard

2021 – 2023 Affordable Housing Work Plan

- **Priority Populations:** Young families, key workers, people at risk of homelessness, people with disabilities and other special housing needs, and low-income seniors.
- **Priority Housing Types:** Medium to high density apartments, condos and townhomes, and housing types such as duplexes and four-plexes.



2021 – 2023 Work Plan Investment Framework

Program	Allocated	Spent	Status
Housing Element Update	$150-200,000	$400,000	Complete
Inclusionary Housing and Nexus Study*	$100,000	$200,000** $40,000	Complete/ In Progress
Funding NOFA	40% of Fund	$19,265,000	Complete
Local Preference Policy	$50,000	†	Complete
First-Time Homebuyer	$50,000 + 5% of Fund	$200,000	In Progress
Sites Acquisition and Other	40% of Fund	$0	Incomplete

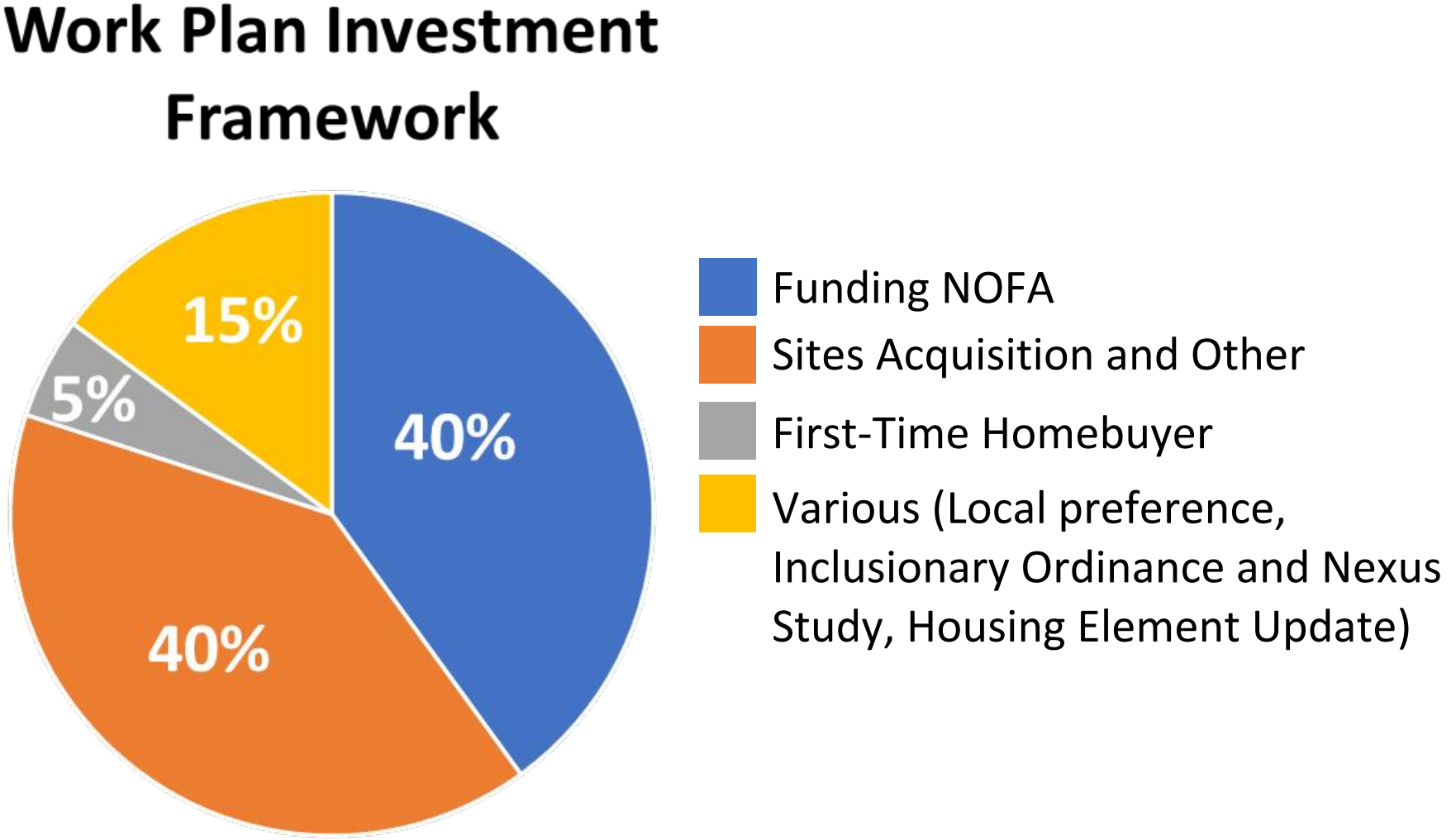
*The Inclusionary Housing and Nexus Studies are being implemented as separate projects.

**The Inclusionary Housing Study contract included the development of Tenant Protections programming.

† Completed as part of Inclusionary Housing Study

Housing Impact Fee (HIF)
Community Development Maintenance Fee (CDMF)

2021-2023 Work Plan Investment Framework



Update to Affordable Housing Work Plan

- **Timing is prudent**
  - 2021-2023 programs are complete
  - Mid-Cycle Review ongoing
  - Achieving goals requires additional City intervention

- **Housing Impact Fee Fund has a healthy balance:**
  - $29 million: Existing available revenue (approximate)
  - Additional projected revenue

- **Additional Housing Element programs will require expenditure.**

Potential Work Plan Programs

1. Notice of Funding Availability (NOFA): A competitive application for Housing Impact Funds for 100 percent affordable housing.
   - **Boost:** Combine application with surplus City land
   - **Boost:** Consider use of SMAP or local alternative
   - **Boost:** Partner with other funders to accelerate development.
2. Augmented Funding for existing projects: Augment awards for existing or planned housing projects in the wake of reduced state and federal contributions.
3. First-Time Homebuyer Program: Continued implementation and funding.
4. Homeless Action Plan Implementation: Target a percentage of funds to implement HAP recommendations and prevent homelessness.

Potential Work Plan Programs

5. NUSD Partnership and Technical Assistance: Support NUSD in evaluating school sites for reuse with housing and other community benefits.
   - **Boost:** Proactively amend land uses to improve development potential.
   - **Boost:** Streamline approvals to increase market value and developer interest.
6. Affordable Housing Fund Innovation Study: Analyze different models for structuring and spending Housing Impact Fees, such as a local housing trust fund, a revolving loan fund, and/or local rental assistance or shallow subsidy programs.
7. Mid-Cycle Constraints Analysis: Perform a 360° review of the City's regulations, policies, and practices that help or hinder housing production, and identify recommendations for meaningful improvement.

Potential Work Plan Investment Framework

Program	Approximate Current Balance: $29 million Percent of Fund	Estimated Actual
NOFA: Maintain and Expand Affordable Housing Inventory	80%	$23 million
First Time Homebuyer Program	10%	$3 million
Implement Homeless Action Plan	10%	$3 million
NUSD Partnership	-	$300,000
Innovative Funding and Constraints Analyses	-	$150,000

Updated Work Plan Questions

- Should the Work Plan's **goal** be to achieve Sixth Cycle RHNA targets?
- Should the Work Plan's **term** extend through the end of the Sixth Cycle?
- Should the Work Plan adopt the same **priority populations** as the previous plan?
- Should the Work Plan adopt the same **priority housing types** as the previous plan?
- What should be included in the **Investment Framework**?

Strategic Priority Area

Further Economic Vitality and Housing for All

CEQA Analysis

The Housing Element APR and work plan are exempt from further environmental review under California Environmental Quality Act Guidelines, Article 5, §15061(b)(3). The APR and work plan are administrative activities conducted by the City that will not result in direct or indirect physical changes to the environment. The activity is covered by the commonsense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the activities in question will have a significant effect on the environment.

Next Steps

- Staff will respond to any feedback received from HCD on the APR and report to Council accordingly.
- Staff will incorporate Council direction into a draft Affordable Housing Work Plan and return to Council with recommendations.
- Achieving housing goals will require continued focus on entitled projects that have not yet been permitted, ***and*** getting more projects in the pipeline.

Recommendation

- Receive a report on the status of implementation of the 2025 Housing Element Annual Progress Report.
- Provide direction on the preparation of an updated Affordable Housing Work Plan.
- Authorize establishment of two capital improvement projects for continued Housing Element implementation.

Question and Answer

Staff welcome questions from City Council and input on the Affordable Housing Work Plan.

Please Start Here

General Information	
Jurisidiction Name	Newark
Reporting Calendar Year	2025
Contact Information	
First Name	Yvonne
Last Name	Huynh
Title	Assistant Planner
Email	yvonne.huynh@newarkca.gov
Phone	5105784258
Mailing Address	
Street Address	37101 Newark Blvd
City	Newark, CA
Zipcode	94560

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated. If a project is no longer has any reportable activity, you may delete the project by selecting a cell in the row and typing ctrl + d.

Click here to download APR Instructions

Click here to add rows to a table. If you add too many rows, you may select a cell in the row you wish to remove and type ctrl + d.

v_01_07_26

Optional: This runs a macro which checks to ensure all required fields are filled out. The macro will create two files saved in the same directory this APR file is saved in. One file will be a copy of the APR with highlighted cells which require information. The other file will be list of the problematic cells, along with a description of the nature of the error.

with the table split across 4 tabs, each of which can fit onto a single page for easier printing. Running this macro will remove the comments on the column headers, which contain the instructions. Do not save the APR file after running in order to preserve comments once it is reopened.

Optional: This macro identifies dates entered that occurred outside of the reporting year. RHNA credit is only given for building permits issued during the reporting year.

Link to the online system: https://hcd.my.site.com/hcdconnect

Toggles formatting that turns cells green/yellow/red based on data validation rules.

Submittal Instructions

Please save your file as Jurisdictionname2025 (no spaces). Example: the City of San Luis Obispo would save their file as SanLuisObispo2025

Housing Element Annual Progress Reports (APRs) forms and tables must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1 of each year for the prior calendar year; submit separate reports directly to both HCD and OPR pursuant to Government Code section 65400. There are two options for submitting APRs:

1. **Online Annual Progress Reporting System - Please see the link to the online system to the left.** This allows you to upload the completed APR form into directly into HCD's database limiting the risk of errors. If you would like to use the online system, email APR@hcd.ca.gov and HCD will send you the login information for your jurisdiction. *Please note: Using the online system only provides the information to HCD. The APR must still be submitted to OPR. Their email address is opr.apr@opr.ca.gov.*

2. **Email -** If you prefer to submit via email, you can complete the excel Annual Progress Report forms and submit to HCD at APR@hcd.ca.gov and to OPR at opr.apr@opr.ca.gov. Please send the Excel workbook, not a scanned or PDF copy of the tables.

Jurisdiction	Newark	
Reporting Year	2025	(Jan. 1 - Dec. 31)
Housing Element Planning Period	6th Cycle	01/31/2023 - 01/31/2031

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Acutely Low	Deed Restricted	0
	Non-Deed Restricted	0
Extremely Low	Deed Restricted	0
	Non-Deed Restricted	0
Very Low	Deed Restricted	0
	Non-Deed Restricted	10
Low	Deed Restricted	0
	Non-Deed Restricted	10
Moderate	Deed Restricted	0
	Non-Deed Restricted	10
Above Moderate		109
Total Units		**139**

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	0	8	4
Single-family Detached	197	24	35
2 to 4 units per structure	0	0	0
5+ units per structure	90	73	0
Accessory Dwelling Unit	1	33	14
Mobile/Manufactured Home	0	0	0
Total	**288**	**138**	**53**

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	67	138
Not Indicated as Infill	0	0

Housing Applications Summary	
Total Housing Applications Submitted:	6
Number of Proposed Units in All Applications Received:	366
Total Housing Units Approved:	288
Total Housing Units Disapproved:	0

Use of SB 423 Streamlining Provisions - Applications	
Number of SB 423 Streamlining Applications	0
Number of SB 423 Streamlining Applications Approved	0

Units Constructed - SB 423 Streamlining Permits			
Income	Rental	Ownership	Total
Acutely Low	0	0	0
Extremely Low	0	0	0
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	**0**	**0**	**0**

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	0	0
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 423 (2023)	0	0

Ministerial and Discretionary Applications	# of	Units
Ministerial	2	2
Discretionary	4	364

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	3
Number of Units in Applications Submitted Requesting a Density Bonus	90
Number of Projects Permitted with a Density Bonus	0
Number of Units in Projects Permitted with a Density Bonus	0

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	42
Sites Rezoned to Accommodate the RHNA	0

Jurisdiction	Newark
Reporting Year	2025 (Jan. 1 - Dec. 31)
Planning Period	6th Cycle 01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table A
Housing Development Applications Submitted

Project Identifier					Unit Types		Date Application Submitted	Proposed Units - Affordability by Household Incomes											Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Historic Sites	Density Bc Applica
1					2	3	4					5							6	7	8	9	10	11
Prior APN*	**Current APN**	**Street Address**	**Project Name***	**Local Jurisdiction Tracking ID**	**Unit Category** (SFA,SFD,2 to 4,5+,ADU,MH)	**Tenure** R=Renter O=Owner	**Date Application Submitted** (see instructions)	**Acutely Low-Income Deed Restricted**	**Acutely Low-Income Non Deed Restricted**	**Extremely Low-Income Deed Restricted**	**Extremely Low-Income Non Deed Restricted**	**Very Low-Income Deed Restricted**	**Very Low-Income Non Deed Restricted**	**Low-Income Deed Restricted**	**Low-Income Non Deed Restricted**	**Moderate-Income Deed Restricted**	**Moderate-Income Non Deed Restricted**	**Above Moderate-Income**	**Total PROPOSED Units by Project**	**Total APPROVED Units by project**	**Total DISAPPROVED Units by Project**	**Please select state streamlining provision/s the application was submitted pursuant to.**	**Is this project located on a site with an associated historical designation as outlined in Government Code Section 65400(a)(2)(N) and reported on Table L?**	**Did the housing development application seek incentives or concessions pursuant to Government Code section 65915?**
Summary Row: Start Data Entry Below								0	0	15	0	39	0	34	0	0	0	474	366	288	0			
	92A-919-16- 2, 92A-919-17-2, 92A-919-18	6347, 6361, and 6375 THORNTON AVE	Thornton Ave Apartments	DR2023-003, MUP2023-018	5+	R	3/25/2025			15		29		14			1	59	59		NONE	No	Yes
	092A075000800	35660 CEDAR BLVD	3130 SF Two Story House with 420 SF Attached Garage	SFDR2024-025	SFD	O	5/20/2025										1	1	1		NONE	No	No
	092A051107900	35824 BETTENCOURT ST	Front addition and attached ADU	SFDR2024-022	ADU	O	5/14/2025										1	1	1		NONE	No	No
	537-0850-001-11, 537-0850-001-13, 537-0850-002	7400-7550 Mowry Ave	Mowry Village (Single-Family Homes)	P2020-002, RZ2020-003, DR2020-005	SFD	O	12/11/2025										198		196		NONE	No	Yes
	537-0850-002	7400-7550 Mowry Ave	Mowry Village (Apartment Units)	P2020-002, RZ2020-003, DR2020-006	5+	R	12/11/2025					10		20			1	31	31		NONE	No	Yes
	TMP794	39399 Cherry St	Ohlone College Harvest Housing	GP2025-001, SPPL2025-001, RZ2025-001, MUP2025-017, DR2025-002, TTM2025-001	5+	R	12/18/2025										274	274			NONE	No	No
																		0					
																		0					
																		0				

Jurisdiction	Norwalk
Reporting Year	2020 (Jan. 1 - Dec. 31)
Housing Element Cycle	5th Cycle (October 15, 2013 - October 15, 2021)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Table A2

Annual Building Activity Report Summary - New Construction, Entitled, Permitted, and Completed Units

| Project Identifier | | | | | Unit Types | | Affordability by Household Incomes - Completed Entitlement | | | | | | | | | | | Affordability by Household Incomes - Building Permits | | | | | | | | | | | Affordability by Household Incomes - Certificate of Occupancy | | | | | | | | | | | Streamlining | Historic Sites | infill | Housing with Financial Assistance and/or Deed Restrictions | | | Housing without Financial Assistance or Deed Restrictions | Term of Affordability or Deed Restriction | Demolished/Destroyed Units | | | Density Bonus | | | | Notes |
|---|---|---

Jurisdiction Wynvale

Reporting Year 2026

Date [illegible]

Planning Staff [illegible]

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

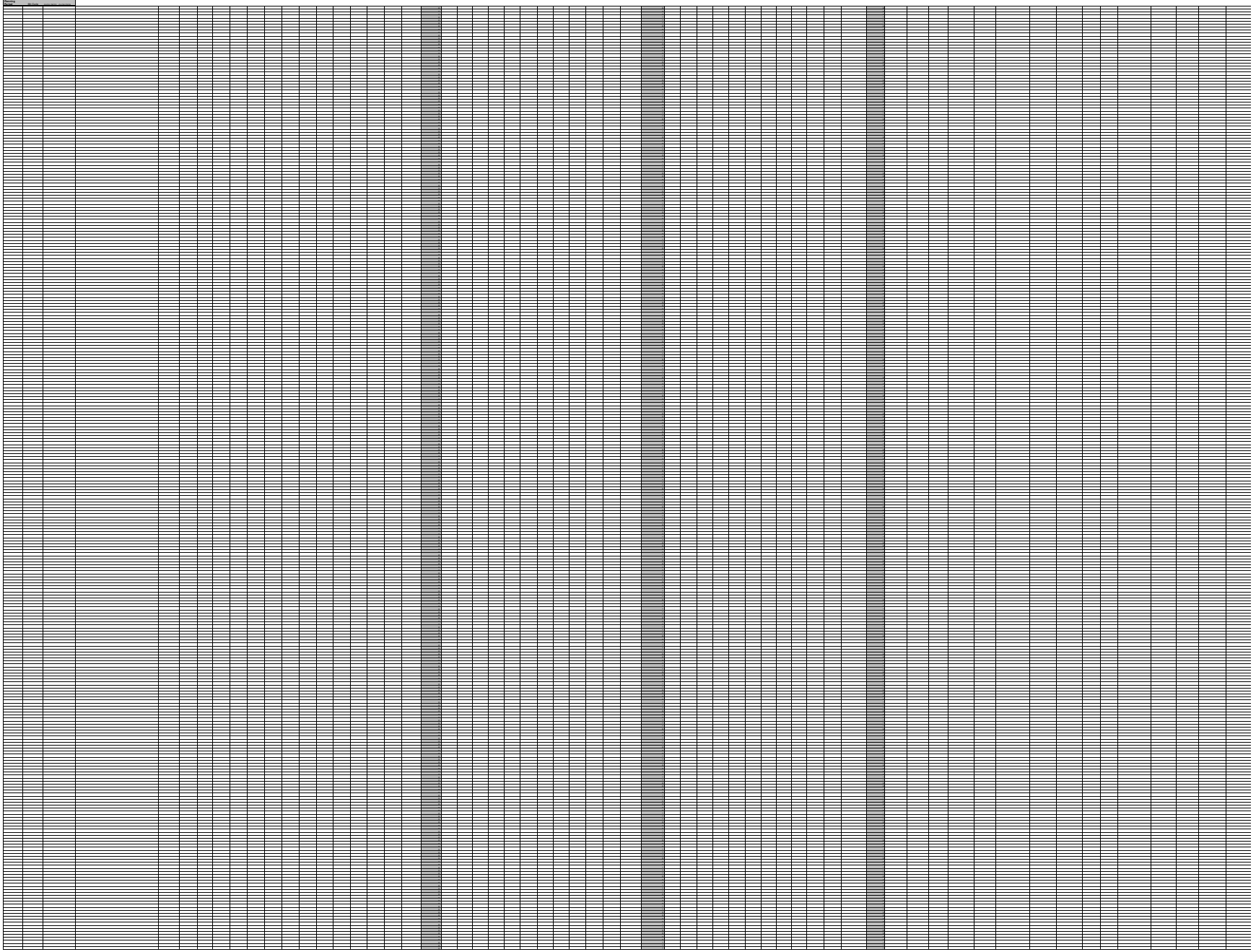
| | | |

Jurisdiction:	Name of
Reporting Year:	2018 (Jan. 1 - Dec. 31)
Reporting Period:	Report Submittal Deadline:

ANNUAL ELEMENT PROGRESS REPORT

Structure Fitment Implementation

Note: "1" indicates an optional field

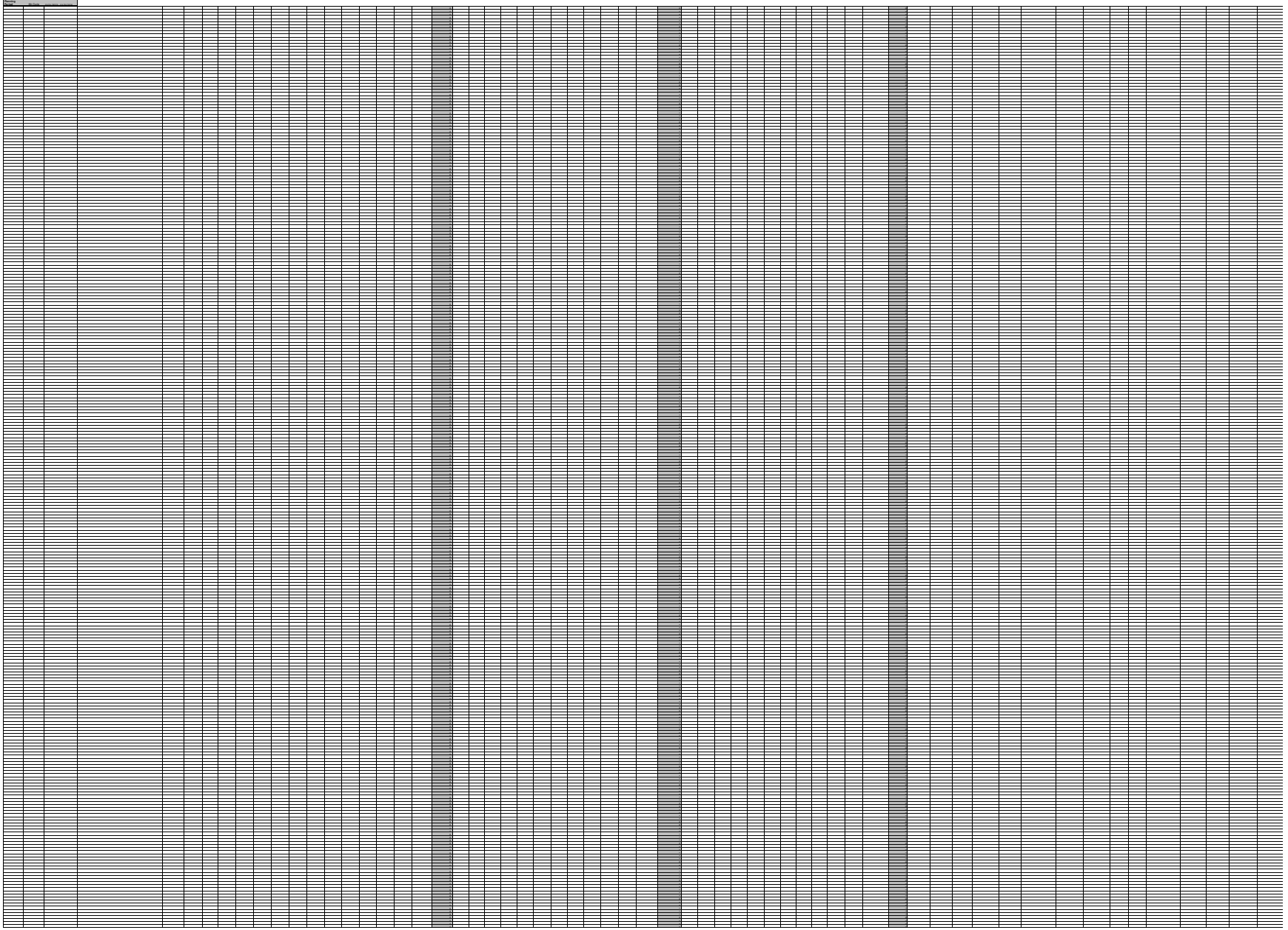


Jurisdiction	Name
Reporting Year	2008 (Jan 1 - Dec 31)
Planning Period	Start Date (Jan 1) End Date

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field



Jurisdiction	Newark	
Reporting Year	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

		1	Projection Period	2									3	4
Income Level		**RHNA Allocation by Income Level**	**Projection Period - 06/30/2022-01/30/2023**	**2023**	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**Total Units to Date (all years)**	**Total Remaining RHNA by Income Level**
Acutely Low	Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	-
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-		
Extremely Low	Deed Restricted		-	-	20	-	-	-	-	-	-	-	20	-
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-		
Very Low	Deed Restricted	464	124	-	58	-	-	-	-	-	-	-	**221**	**243**
	Non-Deed Restricted		-	-	9	10	-	-	-	-	-	-		
Low	Deed Restricted	268	-	-	-	-	-	-	-	-	-	-	**19**	**249**
	Non-Deed Restricted		-	-	9	10	-	-	-	-	-	-		
Moderate	Deed Restricted	318	-	-	-	-	-	-	-	-	-	-	**19**	**299**
	Non-Deed Restricted		-	-	9	10	-	-	-	-	-	-		
Above Moderate		824	96	84	80	109	-	-	-	-	-	-	**369**	**455**
Total RHNA		**1,874**												
Total Units			**220**	**84**	**185**	**139**	**-**	**-**	**-**	**-**	**-**	**-**	**628**	**1,246**

*For years prior to 2025, Acutely Low-Income units are reported within the Extremely Low-Income category

*For jurisdictions that received RHNA determinations for the current cycle prior to the passage of AB 3093 (September 19, 2024):
- You were not allocated Acutely Low-Income and Extremely Low-Income RHNA targets, therefore the allocations in Field 1 are listed as "0"
  - If you wish to set your own targets in these income categories for informational purposes, contact HCD staff at apr@hcd.ca.gov.
- All Acutely Low-Income and Extremely Low-Income units reported during the cycle are counted towards Very-Low Income RHNA progress

*For years prior to 2025, data on deed-restricted vs. non-deed restricted Extremely Low-Income units is approximated from whether the projects reported any deed-restricted Very Low-Income Units. If you wish to edit this historical data for accuracy or have any questions about the data, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

Please Note: Table B does not currently contain data from Table F or Table F2 for prior years. You may login to the APR system to see Table B that contains this data.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact HCD staff at apr@hcd.ca.gov.

Jurisdiction	Newark	
Reporting Year	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table C

Sites Identified or Rezoned to Accommodate Shortfall Housing Need and No Net-Loss Law

Project Identifier				Date of Rezone	RHNA Shortfall by Household Income Category				Rezone Type	Sites Description							
1				2	3				4	5	6	7	8		9	10	11
APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Date of Rezone	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Rezone Type	Parcel Size (Acres)	General Plan Designation	Zoning	Minimum Density Allowed	Maximum Density Allowed	Realistic Capacity	Vacant/Nonvacant	Description of Existing Uses
Summary Row: Start Data Entry Below																	

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Jurisdiction	Newark	
Reporting Year	2025	(Jan. 1 - Dec. 31)

Table D

Program Implementation Status pursuant to GC Section 65583

Housing Programs Progress Report

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4	5	6	7	8	9
Name of Program	**Objective**	**Projected Completion Date in Housing Element**	**Applicable Cycle**	**Status of Program Implementation**	**Program Implementation Details**	**Quantified Outcomes: Category**	**Quantified Outcomes: Count**	**Supporting Documents**
PROGRAM H1.1: Housing, Rehabilitation & Repair Programs	**The City plans to support 13 households per year with home rehabilitation. The City will facilitate place-based revitalization by focusing on lower-income households with rehabilitation programs and promoting availability of programs in areas with a high concentration of housing in need of rehabilitation and repair, such as the Old Town and Mirabeau Park areas.**	12/31/2031	6th Cycle	***Continuous***	**The City promotes Alameda County's Healthy Homes program. Structures improved so far this cycle have an average age of 55 years.**	Households	33	I12_Monitoring
PROGRAM H1.2: Develop citywide rental inspection program to maintain high-quality housing throughout the City.	**Update Newark's Community preservation and nuisance abatement ordinance to create a proactive citywide rental inspection program, and develop an online reporting system for tenants to report substandard housing conditions. Support 12 rental units in improved condition per year.**	6/30/2024	6th Cycle	***In Progress***	**Pilot program has commenced, with inspections beginning in April 2026. See Supporting Documents for detailed program schedule.** **Implementation was delayed due to staff constraints.**	Units		I13_Work Plan

PROGRAM H2.I: Develop new housing options in areas of the city close to services such as parks, schools and grocery stores, with existing infrastructure.	**Draft and implement SB9 and SB10 ordinances to provide additional opportunities for missing middle housing. Review the City's Zoning Ordinance and Subdivision Ordinance and implement updates as needed to provide clarity and facilitate housing development under SB9. These include adopting updated definitions, use regulations, development standards, and ministerial processes. Production and affordability will be monitored every two years and alternative actions will be implemented if necessary to meet the RHNA. In coordination with research being conducted at the State level, pursue opportunities to incentivize and provide funding assistance for homeowners to provide affordable units under SB9 to further housing opportunities and more affordable homeownership options in high-opportunity areas. Develop and implement the City's SB9 Ordinance to expand the housing supply in single-family zones by allowing for lot splits, cottage housing developments, triplexes and duplexes. 120 moderate-income SB9 units developed during the housing element cycle, with a focus on expanding housing opportunity in neighborhoods in the northern portion of the city. Through programs such as H3.2, Objective Design Standards, and H3.5, Parking standards update and study, the city will be able to ensure that development standards, including parking and open space requirements, are not a constraint to development. Adopt an SB10 Ordinance to allow up to 10 units to be developed on smaller residential parcels throughout the City, with a goal to produce 80 units of missing middle housing, targeting 75% of these units in**	6/30/2024	6th Cycle	***In Progress***	**The City has drafted SB 9 and 10 ordinances (see Supporting Documents) which are under review by the City Attorney's Office.** **The City is preparing draft Objective Design Standards (Program H3.2) for public review, which include standards for "Missing Middle" housing types commensurate with SB 9 and small SB 10 projects.** **As stated in the Housing Element, the City is pursuing SB 9 and 10 in coordination with Program H2.8, for which the City is under contract for and beginning a study and rezonings.** **The City has not received any SB 9 applications.**	Units		See files "Draft SB 9 Ordinance.docx" and Draft SB 10 Ordinance.docx"
PROGRAM H2.2: Accessory Dwelling Unit (ADU) Program.	**•Increase viability and uptake of accessory dwelling units through a multi-pronged approach. Develop an ADU calculator to be available for Newark residents, pre-approved plans, and increase community outreach, in partnership with Alameda County.** **•Work to develop a series of incentives and a low-interest loan program (if feasible in collaboration with Alameda County) to bring more ADU production for affordable rental housing to the city, specifically in areas that are identified as high in opportunity by the Tax Credit Allocation Committee.** **•Per SB 897, Increase height limits for detached accessory dwelling units on a lot with an existing multifamily or multistory building to 18 feet and 25 feet if the unit is attached to a primary dwelling.** **•Per AB 345, Accessory Dwelling units built or developed by non profit entities to be sold separately from the primary residence to a qualified buyer.** **•Remove parking requirements**	6/30/2026	6th Cycle	***Completed***	**City Council adopted a statutorilly compliant ADU ordinance on February 13, 2026 and it will take effect in March 2026. The ordinance exceeds statutory minimum design and development standards to incentivize and boost production.** **The City created a pre-approved ADU program in 2025 but has yet to receive any plan submittals.** **The City is on track to meet or exceed unit targets.**	Units	160	See Table A Ordinance No. 563 https://www.newarkca.gov/departments/community-development/planning-division/pre-approved-adu-program

PROGRAM H2.3: Investigate opportunities in the Four Corners area to facilitate market-rate and affordable housing and promote neighborhood revitalization through increased mixed use development and walkability.	**•Creation of a community-guided plan for the Four Corners area (in between Lake-Rosemont and Mirabeau Neighborhoods), to bring housing and local retail to the area. The plan will consist of community engagement, with the objective of developing community-led decision-making around housing, commercial space, and public infrastructure improvements. As a key element of the community guided Four Corners area plan, the city will incorporate the Transit Oriented Communities (TOC) development policies and requirements as a portion of the Four Corners area is within a transit priority area. The Four Corners area is zoned for community commercial, which does not allow for residential development by right, but housing may be considered as a component of planned developments within these areas in the event a shopping center is reused. The regulations provided in AB2011 are available to property owners, to facilitate the redevelopment of older underutilized strip malls in the Four Corners area. •For example, per state law AB2011, 4.5 acres of underutilized land can be developed with mixed-income housing at 80 dwelling units per acre due to being within 0.5 miles of the proposed Ardenwood rail stop as part of the South Bay Connect rail realignment project.**	12/31/2025	6th Cycle	***In Progress***	**City staff have engaged City Council to collect input on a plan for the Four Corners area. Council has expressed strong interest in a plan for the area and identified it as a priority for the Community Development Department. On February 18, 2026 the City released a request for proposals for qualified consultants or consultant teams to support the City in development of a Four Corners Specific Plan. The requested scope of work includes community and stakeholder engagement and rezonings. Implementation was delayed due to staff capacity and uncertainty regarding the area's relation to MTC's Transit-Oriented Communities Policy and the South Bay Connect project. The City is electing to proceed even though those closely related efforts are still uncertain.**	Units	360	I16_4 Corners Specific Plan RFP
PROGRAM H2.4: Universal Design Ordinance	**Develop a Universal Design ordinance for new construction of single-family, accessory dwelling units, duplex, and building 20 units or larger.**	6/30/2025	6th Cycle	***Completed***	**In lieu of developing an individual universal design ordinance, universal design was incorporated into the City's adopted building code (Newark Municipal Code Title 15). Further amendments to the building code are currently prohibited per AB 130 (2025). See Supporting Documents for a memorandum outlining H2.4 completion.**	Other		Memorandum I17_Ordinance No. 555

PROGRAM H2.5: Develop a local response to support people experiencing homelessness.	**•The City of Newark adopted a resolution endorsing the Alameda County Home Together 2026 Implementation Plan to address homelessness. •Newark is preparing a local homelessness plan intended to be consistent with the Home Together 2026 Plan, which will further the objectives of the County plan. The City will maintain a city webpage to (www.newark.org/resiclents/homelessness) provide a connection to resources for those at risk of, or experiencing homelessness. The City has responded to homelessness needs by proactively partnering with an affordable housing developer and services provider to create and support 124 units of housing for homeless households and people at risk of becoming homeless. •To develop this plan, the City shall work with the appropriate homeless agencies, community stakeholders, and faith-based organizations to identify new strategies, funding, and opportunities to provide new emergency shelter and transitional housing options and address the needs of 40 unsheltered persons (in addition to the completed 124-unit HomeKey project) annually in need of emergency shelter or temporary housing.**	12/31/2024	6th Cycle	***In Progress***	**City Council approved a contract with Strategic Change Partners on September 11, 2025 to support the City in developing a 5-year Homeless Action Plan. Strategic Change Partners is engaging stakeholders and developing the plan for City Council adoption by September 2026. Implementation was delayed due to staff capacity and uncertainty regarding the Alameda County Home Together "Refresh" and Alameda County Measure W investment framework. The City is working to align the 5-year plan's recommendations with those of the County's work, which is on a similar but delayed timeline.**	Other		I18_Contract
PROGRAM H2.6: Work in Partnership with the Newark Unified School District	**•Develop a strategy in collaboration with the Newark Unified school district and the community on a long term development plan and funding for the redevelopment of school district owned sites. •AB 2295 supports housing development on property owned by a local educational agency for teachers and staff on both active and vacant district owned properties. AB2295 establishes minimum standards for development, including a minimum of 10 units, deed restricted for affordability for 55 years and be offered to district teachers and staff. The units are required to be for low and moderate income households, with thirty percent of units required to be for very low incomes. The development standards are 35 feet, with a minimum density of 30 dwelling units per acre.**	12/31/2025	6th Cycle	***In Progress***	**The City now hosts NUSD Board meetings at City Hall in the spirit of collaboration and resource sharing. The City has notified NUSD of its interest in partnering and providing technical assistance and resources to develop a long-term develpoment plan for surplus and underutilized NUSD sites. The NUSD Board has met to discuss formation of a 7/11 Commission to plan for property disposition but has yet to take action to form this statutorilly-required commission. The Board has requested an assessment of all district properties be conducted prior to forming the 7-11 committee. NUSD is working to select an asset management consultant.**	Other		I19_26.02.17 NUSD Agenda
PROGRAM H2.7: Affordable Housing Development Fund	**Support the development of at least 343 lower-income units.**	12/31/2031	6th Cycle	***Continuous***	**The City has committed funding for 262 lower income homes across three projects, two of which are now complete and one of which is seeking matching funds. The City's commitments include $19.3 million in direct assistance and an additional $1.2 million in land value. The City is considering pairing future notices of funding availability with notices of surplus land availability in 2026 (Program H.3).**	Units	262	I20_Ordinance No. 560 I20_Cedar Loan I20_Reso No. 11730 SAHA Loan I20_Reso No. 11731SAHA SLA I20_Timber Loan

PROGRAM H2.8: Zoning for Missing Middle Housing Types	**•To remove constraints and better encourage small multi-family developments in the RS, RL, and RM zoning districts, particularly in the northeast area of the city, including Lake-Rosemont, Mirabeau, and Mayhews Landing neighborhoods, zoning text amendments will be implemented. •Zoning text amendments to may include, but are not limited to: oMinimum Lot Size: 5,000 square feet for all building types. oMinimum Lot Width: 50 feet for all building types. oParking Requirements: Parking requirements include a minimum of 1 space per unit for a multifamily dwelling outside the specific plan areas and mixed-use zones, Remove requirements for covered parking spaces, allow parking to be located within required setbacks, and remove guest parking requirements. oOpen Space Requirements: Review 400 square foot/unit requirement in RL zoning districts. •Study feasible densities, identify sites, corridors, and neighborhoods for intensification. Develop a strategy to increase allowable densities to at least 15 du/ac, housing choices, and affordability in RL and high opportunity areas with a target of 200 moderate-income units in the planning period (as noted in Program H2.1) •Zoning text amendments will be implemented to support the overall strategy to encourage small, multi-family developments. •The City shall evaluate the effectiveness of meeting missing middle housing targets of these strategies by 2027, including but not limited to further increasing**	12/31/2024	6th Cycle	***In Progress***	**The City is under contract with a consultant to commence community engagement, studies, and rezoning to achieve the quantified objectives of this program. Implementation was delayed due to staff capacity.**	Other		I21_Task Order
PROGRAM H2.9: Area Specific Plans	**1,594 total units for the three specific plan areas. 147 very low, 101 low, 82 moderate and 1,263 above moderate units.**	12/31/2031	6th Cycle	***Continuous***	*Development underway and through 2031* **In progress The City continues to implement specific plans for the Old Town, Bayside, and Newpark Mall areas. -Old Town: Continuing consideratino of modified development impact fees and other incentives. Entitled one mixed-use condominium project in the plan area, including 13 below-market units, as well as two projects just outside of the plan area for affordable housing and supportive senior living. -Newpark Mall: The City conducted Technical Assistance Panel with the Urban Land Institute in February 2026 to evaluate the amended specific plan and generate strategies for implementation and to attract new development. The City is received applications for over 1,000 housing units in the plan area, but is now expecting revised applications in light of AB 1893. -Bayside: The developer is completing buildout of the 134-unit Bridgeway development. A subsequent 279-unit phase, FMC Willow, is entitled and coordinating infrastructure improvement plans with the City and other public agencies. The City is**	Units		Old Town: Newpark Mall: Bayside:

PROGRAM H2.10: Single Room Occupancy Housing	**In order to support an increase in this housing type in the city, SROs will be permitted use in Residential Medium Density, Commercial Mixed Use and Residential High Density, with a priority for SRO development to occur along transit corridors. Review and update existing development standards (Chapter 17.26.230), including parking requirements, to ensure they are not a barrier to the development of SROs. City fees for SRO projects will remain in line with fees for multifamily projects.**	12/31/2024	6th Cycle	***In Progress***	**The City is implementing this program in coordination with several other programs that involve zoning amendments in order to maximize outcomes. Items will be presented to the Planning Commission in March 2026 and to City Council in April 2026.** **The City is beginning by revising definitions of RM, CMU, and RH zoning to permit SROs. Subsequently, the City intends to review and amend parking standards in coordination with Program H3.5.** **Development fees will be considered as part of the City's ongoing nexus study.**	Other		Draft Ordinance(s)
PROGRAM H2.11: Small Sites Incentives	**Implement a lot consolidation incentive program to catalyze development on small sites. The program would include deferring fees specifically for consolidation, expediting permit processing, providing flexible development standards such as setback requirements, reduced parking or increased heights, committing resources for development of affordable housing on small sites, and/or increasing allowable density or lot coverage. In addition, the city will adopt a development standard waiver system for cases when city requirements may preclude development on small sites.**	6/30/2025	6th Cycle	***In Progress***	**Fee deferrals are being considered as part of the ongoing nexus study (H3.3) and fee reform for the Old Town Specific Plan Area.** **Other development incentives, including development and design standard reforms and a waiver system, are being considered as part of the Objective Design Standards project (H3.2)**	Other		Draft ODS?
PROGRAM H2.12: Ensure maximum densities are achievable	**Review, and amend as necessary, city requirements and development standards in all zones that allow residential development to ensure that maximum densities are achievable. This includes those standards and requirements related to maximum units per building, maximum building coverage, required open space per unit, minimum lot area, setbacks, height limits, parking (also see Program H3.5) and limits on allowable densities. Specifically, remove the MUP requirement for buildings over 35 feet in the RM and RH zones and review whether the 60-foot height limit in the CMU zone (outside of the Old Town Specific Plan area) is a constraint on development and make needed changes, or allowing for flexibility to achieve maximum allowable densities. The analysis will consider impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints.**	12/31/2024	6th Cycle	***In Progress***	**The City is reviewing and reforming standards to achieve maximum densities as part of the Objetive Design Standards project (H3.2), including removing the MUP requirement for buildings over 35 feet in RM and RH zones and reviewing the 60-foot height limit in the CMU zone.**	Other		Draft ODS?

PROGRAM H3.1: Streamline Ministerial Approval Permit Procedures	**Prepare and publish administrative procedures by 2024 for the processing of housing developments eligible for streamlined review pursuant to SB 35. Assign a staff member to support the streamlined development review.**	6/30/2026	6th Cycle	***In Progress***	**The City is implementing this program in coordination with program H3.2 to maximize outcomes and streamline implementation among applicants and staff. Recent larger project applications have been instructive real world examples to inform procedure development.**	Other		Draft Design Review chapter?
PROGRAM H3.2: Develop objective design standards for single-family and multi-family developments and infill housing	**Develop new objective design standards that result in designs that reflect the needs of the community while supporting new developments that are responsive to local ecological conditions and climate change while reducing development costs where applicable.**	6/30/2024	6th Cycle	***In Progress***	**The City contracted with a consultant in October 2024 to assist with developing objective design standards. The City held community and stakeholder engagement activities in winter 2024-25 and anticipates adopting objective design standards in spring 2026. Staff published a draft for public review in March.** **This project incorporates ODS noted in program H3.4.**	Other		Draft ODS and Zoning?
PROGRAM H3.3: Assess and update impact fees	**The city will undergo a comprehensive impact fee study to assess and update the impact fee structure to reflect the needs of the community and ensure fee structure is in line with neighboring jurisdictions. Currently the policy in the Old Town Specific Plan area is to temporarily reduce fees to encourage development.** **The City will provide a fee waiver for senior and housing for people with disabilities.**	12/31/2023	6th Cycle	***In Progress***	**The City is conducting a nexus study to review and update development impact fees. The City anticipates the study to be completed and adopted by mid-2026.**	Other		Draft Nexus Study?
PROGRAM H3.4: Adjust zoning to allow mixed use in current Commercial zones	**Amend the City's Neighborhood Commercial and Community Commercial zones and land use code to create objective standards for mixed-uses and facilitate the redevelopment of commercial sites to mixed-use.**	6/30/2025	6th Cycle	***In Progress***	**The City contracted with a consultant in October 2024 to assist with developing objective design standards for residential and mixed-use developments. Staff published a draft for public review in March.** **Definitions of Commercial-Mixed Use, Neighborhood Commercial, Community Commercial are being revised to permit residential uses.**	Other		Draft ODS and Zoning?

PROGRAM H3.5: Parking standards update and study	**•Update the Zoning Ordinance to encourage infill development for housing for persons with disabilities, senior housing, accessory dwelling units. •Engage with the development community to discuss changes to parking minimums. Identify and implement parking requirement reductions in NMC 17.23.50, eliminating parking minimums for ADUs, and/or unbundled parking from the dwelling unit for large housing projects. Revised parking changes include: oSenior Parking: Reduce from 1 space per unit to .5 spaces per unit oRemove parking requirements for ADUs oTwo Unit Dwelling: Remove the guest parking requirement oMulti Unit Dwelling: □Reduce covered parking requirement to 0.5 spaces per unit □Reduce guest parking to 0.25 spaces per unit □Reduce overall parking requirement for studios and one bedrooms to 1 space per unit. □Reduce 2-plus bedroom requirement to 1.5 spaces per unit with 0.25 spaces for guest parking. •Provide more opportunities for alternatives to individual automobile such as: oCAR SHARING □One stall reduction for each stall dedicated and designated for use by a locally-operating car sharing program, such as Zipcar. oON-STREET PARKING CREDIT □One-half stall reduction for each new public, on-street parking stall provided as part of a project (through the installation of angled or perpendicular**	6/30/2025	6th Cycle	***In Progress***	***The City has contracted with a consultant to study and recommend parking and transportation demand management standards for new development. Zoning amendments are anticipated to be adopted by the end of 2026.*** **Parking minimums for ADUs were eliminated per Ordinance 563 (2026).**	Other		Ordinance 563 Parking Contract/Task Order
PROGRAM H3.6: By-Right Approval of Projects with 20 Percent Affordable Units on "Reused" Sites	**602 total units, 304 very low and low income units, 67 moderate income units and 231 above moderate income units.**	12/31/2024	6th Cycle	***Completed***	**Ordinance complete as of January 2024.** **No units have been developed on this site as of yet. Sites 8 and 9 have active approved entitlements for 88 units, including 13 low-income units. The City has received a preliminary plan review application for 56 market-rate units on site 18.**	Units		I31_Ordinance No. 547
PROGRAM H4.1: Develop Anti-Displacement Programs for the Old-Town Newark Specific Plan Area	**Apply local preference ordinance to new residential development in the Old Town area. Convene an Old Town community working group composed of residents, youth and business owners in the neighborhood. This group will work with staff to develop neighborhood priorities for an anti displacement program for the Old Town Newark Specific Plan area that supports community residents and small businesses to stay in place**	6/30/2026	6th Cycle	***In Progress***	**A live/work preference policy was adopted as part of the City's updated inclusionary housing requirements in January 2026.** **Consideration of further anti-displacement measures for Old Town are under consideration and subject to staff capacity.**	Other		I32_Ordinance No. 560
PROGRAM H4.2: Develop a Tenant/Community Opportunity to Purchase Policy	**The recommendations will include a framework for an ordinance, administrative and supportive policies, program process and design, community engagement plan, and identification of costs and funding sources for implementation.**	6/30/2026	6th Cycle	***Not Yet Started***	**Commencement of this program will commence subject to staff capacity, budget and further prioritization.**	Other		
PROGRAM H4.3: Develop a Just Cause Eviction Ordinance	**Develop and implement a just cause eviction ordinance for the city to cover tenants under state law when AB 1482 expires in 2029. Support 15 low income residents per year to stay in their homes.**	6/30/2025	6th Cycle	***Completed***	**Ordinance adopted January 2026.** **Program monitoring will commence in 2026 (quantifying beneficiaries).**	Persons		I34_Ordinance No. 561

PROGRAM H4.4: Small Sites Program	**Develop an RFP for small sites program. Recipients of funding from the Small Sites Program sign a 55-year regulatory agreement that governs the income limits for tenants and rents that can be charged. The program will focus on the Old Town/ Central area, identified as vulnerable to displacement, and with higher concentrations of low income residents.**	6/30/2027	6th Cycle	***Not Yet Started***	**The City is updating its Affordable Housing Work Plan and will consider the Small Sites Acquisition Program for inclusion.**	Other		March 26, 2026 staff report
PROGRAM H4.5:Connect Residents to Existing Shared Housing Programs	**Work to connect 20 residents per year to existing shared housing resource programs through non profit partners for Newark such as the Home Match program.**	6/30/2027	6th Cycle	***Continuous***	**The City refers individuals to Home Match, a shared housing resource portal in the Bay Area, including Alameda and Contra Costa Counties.** **The City does not have data from Home Match on the number of Newark residents who obtain housing through the service.**	Persons		https://www.housing.newarkca.gov/resources#assistancesupport
PROGRAM H4.6: Support Tenant Stability Though Minimum Lease Terms and Relocation Assistance	**Develop an ordinance outlining minimum lease terms and relocation assistance for renters.**	6/30/2024	6th Cycle	***Completed***	**A relocation assistance ordinance was adopted in January 2026.** **Community engagement for this project, as well as recent state legislation concerning lease terms and security deposit regulation obviated the need for Minimum Lease Terms. In lieu of this and in response to tenant and landlord interest, the City adopted an anti-harassment ordinance and rent review and mediation program.**	Other		I34_Ordinance No. 561
PROGRAM H4.7: Identify Housing Opportunities For Those With Developmental Disabilities	**20 units to increase housing opportunities for those with developmental disabilities in Newark.**	6/30/2024	6th Cycle	***In Progress***	**In April 2024, the City approved entitles for the 59-unit Thornton Avenue Apartments project with 10 units for I/DD households.**	Units	10	I38_SAHA Entitlements
PROGRAM H4.8: Connect Residents with Foreclosure assistance.	**Connect residents with existing foreclosure prevention resources for Alameda County to stem the displacement of 20 low and moderate income residents. With a focus on Hispanic/ Latinx, Indigenous and Black residents.**	6/30/2024	6th Cycle	***Continuous***	**The City participates in the Alameda Urban County Emergency Mortgage Assistance Program to provide one-time grants of up to $30,000 to help homeowners pay for home-related delinquincies, offered in connection with legal services. The City promotes this service on its website, www.housing.newarkca.gov.**	Persons		https://www.housing.newarkca.gov/resources#homebuyerassistance
PROGRAM H4.9: No Net Loss of Units	**Replace any of the units if (a) they are planned to be demolished for purposes of building new housing, and (b) they are determined to be occupied by low-income residents.**	12/31/2023	6th Cycle	***Continuous***	**The City implements No Net Loss Law. The City has not received any applications for demolition without replacement of residential structures, or demolition of dwelling units known to be occupied by low-income households.**	Other		
PROGRAM H4.10: Zoning Ordinance Amendments for Special Needs Housing	**Ensure compliance with State law**	10/26/2024	6th Cycle	***In Progress***	**The City is implementing this program in coordination with several other programs that involve zoning amendments in order to maximize outcomes. Items will be presented to the Planning Commission in March 2026 and to City Council in April 2026.**	Other		Draft Ordinance(s)

PROGRAM H4.11: Scattered Site Housing for Persons Experiencing Homelessness	**Conversion of a Homekey-funded hotel containing 124 units for households experiencing homelessness and households at risk of homelessness was completed in 2023. Through a scattered-sites program, purchase 1-2 single-family properties in partnership with nonprofits utilizing available funds to provide extremely low-income housing units for persons experiencing homelessness, with a goal of identifying the majority of sites in high resource census tracts**	12/31/2026	6th Cycle	***In Progress***	***The Cedar Community Apartments (Project Homekey) was completed in 2023 and a certificate of occupancy was issued.*** ***The City will consider making scattered site housing an eligible use of funds in upcoming NOFAs (program H2.7) and continues to look out for regional, state, and federal opportunities for scattered site housing funding.***	Units	124	I42_Cedar COO
PROGRAM H5.1: First-Time Homebuyer Assistance	**The City will target an average of four households for down payment assistance each year, with a focus on recruitment of moderate-income BIPOC households.**	6/30/2024	6th Cycle	***In Progress***	**The City refers individuals to the Alameda County AC Boost program for first-timehomebuyer assistance. 2 households successfully utilized the program to purchase homes in Newark during the 6th Cycle.** **City Council approved a contract with Hello Housing in July 2025 to design and administer a first-time homebuyer program. Council is expected to approve program guidelines and other documents in April 2026 to formally launch the program.**	Households	2	I43_DPAL Guidelines I43_Hello Housing Contract
PROGRAM H5.2: Affordable Housing Development Programs	**778 housing units over the period of the Housing Element. 326 very low, 326 low income units, 126 moderate units**	12/31/2031	6th Cycle	***Continuous***	**BMR Units entitled, permitted, and completed in 6th cycle so far:** **VLI: 291** **LI: 112** **MI: 11** **The City updated its inclusionary housing ordinance in 2026 to prioritize inclusionary-build requirements, as opposed to collecting in-lieu fees, consistent with HE Policy H5.4. The City continues to collect in-lieu fees from certain projects, complies with state density bonus law, and intends to release subsequent NOFA(s) in accordance with program H2.7.**	Units	414	I44_Ordinance No. 560

PROGRAM H5.3: Public Lands for dedicated affordable housing.	**1.Rezone PF (Public Facility) zoned land to allow affordable housing as a permitted use, by-right. 2.Rezone publicly owned land, from Single Family to Mid-rise Residential for the development of 20 new housing units targeted for disabled, single-parent, and low and moderate- income households. 3.Develop a public land framework/ policy that enables a coordinated interagency approach to public land reuse. 4.Maintain long-term ownership of public sites to ensure permanent affordability and long-term financial benefits. 5.Work with the school district to reuse excess and underutilized school sites and meet the needs of the local education workforce for the creation of 50 new units of housing for low and moderate-income households. 6.Consider interim uses of public sites that can provide amenities to the community (e.g., housing for those experiencing homelessness, art installations and non-profit art spaces) 7.The City shall also continue to monitor the status of available land owned by other public agencies and actively work with developers that may wish to develop such properties for affordable housing.**	12/31/2025	6th Cycle	***In Progress***	**The City is rezoning PF to permit 100% affordable housing. The City is drafting a public lands strategy and anticipates adopting it before the end of 2026. The City is coordinating with Newark Unified School District in accordance with program H2.6, and processing an application for 174 homes on surplus Ohlone Community College Land. The City is considering interim uses of public sites in the development of its 5-year Homeless Action Plan, in accordance with program H2.5.**	Other		Draft ODS and Zoning?
PROGRAM H5.4: Affordable Housing Overlay Zone	**Work to develop a series of incentives such as reduced parking requirements, and fast tracked permitting to bring increased production of affordable rental housing to the Four Corners area and other high opportunity areas of the city.**	6/30/2026	6th Cycle	***In Progress***	**The City is developing an Affordable Housing Overlay Zone as part of the Four Corners Specific Plan process (H2.3).**	Other		l46_4 Corners Specific Plan RFP
PROGRAM H6.1: In Response to Multi-Year Drought Conditions, Support a Community Reduction of Local Water Usage	**Develop a citywide water-wise garden challenge, and partner with local non-profit organizations and city departments to support the transformation of yards and medians with drought-tolerant plants. Update municipal code to incorporate language on drought-resistant landscaping.**	6/30/2026	6th Cycle	***Completed***	**In January 2026 the City adopted Climate Action Newark, an update to its Climate Action Plan. The Plan includes 4 individual actions to prioritize water-wise practices, including partnering with local non-profits, updating municipal code, and otherwise incentivizing residential water conservation.**	Other		https://www.newarkca.gov/departments/green-newark/climate-action-plan
PROGRAM H6.2: Encourage Water Utilities to Participate in BayREN's Water Upgrades $ave Program	**Provide information in citywide mailings twice a year and post on City of Newark website and social media outlets.**	6/30/2025	6th Cycle	***Completed***	**In January 2026 the City adopted Climate Action Newark, an update to its Climate Action Plan. The Plan includes several actions to partner with BayREN and encourage participation in their programs. The City hired a Communications and Public Engagement Manager in 2025 to revamp the Newark News and connect community members to more resources.**	Other		https://www.newarkca.gov/departments/green-newark/climate-action-plan https://www.newarkca.gov/departments/city-manager-s-office/newark-news

PROGRAM H6.3: Cool Roofs for Cool Homes	**Amend the City's building ordinance to exceed Title 24 standards by requiring cool roofs for all new or replacement roofs.**	6/30/2025	6th Cycle	**Completed**	**The City updated its building code in November 2025 to comply with the latest California Building Code, which exceeds requirements for cool roofs in effect at time of Housing Element adoption (Newark Municipal Code Title 15).** **Further amendments to the building code are currently prohibited per AB 130 (2025).**	Other		l49_Ordinance No. 555
PROGRAM H6.4: Flood Risk Disclosure for New Development	**Require developments in the flooding and other high-risk inundation areas to disclose flood risks and identify appropriate flood mitigation actions for incorporation into project design.**	6/30/2025	6th Cycle	**Completed**	**The City adopted an update to the Tri-City Local Hazard Mitigation Plan in September 2024. Since then, the City has approved entitlements for the Mowry Village Project. The project includes mitigations and conditions of approval to mitigate flood and inundation risk. Subsequent projects, if any, will have similar mitigation requirements.**	Other		https://www.newarkca.gov/residents/emergency-preparedness/local-hazard-mitigation-plan-lhmp https://www.newarkca.gov/departments/community-development/planning-division/projects-under-environmental-review
PROGRAM H7.1: Training for Voucher Program and Landlord Responsibilities	**Hold two workshops annually for rental property owners/managers**	6/30/2025	6th Cycle	***Completed***	**The City promotes fair housing and tenants rights programs offered by ECHO Housing, including via in-person pop up events at the Newark Public Library.** **The City will contract with a HUD-certified housing counselor to advise tenants and landlords on their rights and obligations under AB 1482 and Newark Ordinance 561 (2026), before the ordinance takes effect in May 2026.**	Meetings	6	https://www.echofairhousing.org/events.html
PROGRAM H7.2: Increase City Access, and Partner With Community Organizations To Ensure That Community Members Have Access To Tenant Rights Information and Fair Housing In Multiple Languages.	**•Cocreation of tenants rights information in collaboration with local community organizations made accessible in culturally relevant ways and in a variety of formats such as videos, flyers, social media and public workshops.** **•The city is working to install and implement the community development information module on the city's website. The city expects to have this operational by the end of 2023 or early 2024. The City has launched a service called "TextMyGov" which is a streamlined way to interact with community members on various topics and services. Users can send questions or concerns via text on mobile devices. Responses are provided via a return text with links to additional information and city services. Users can also register to receive push notifications via text on various city topics such as general city affairs (in English and Spanish), City Council meetings, and community events.**	6/30/2024	6th Cycle	**Completed**	**In 2026, the City opened the Newark Resource Center, a one-stop shop for housing and social services. The Resource Center is operated by the City with flex space for community organizations and service providers.**	Other		https://www.housing.newarkca.gov/ https://www.newarkca.gov/departments/recreation-and-community-services/human-services

PROGRAM H7.3: Work with Newark Unified School District to Distribute Housing Resources	**Information on housing resources and general family support resources for district families distributed through multiple sources to increase accessibility and that families are connected with housing resources for those experiencing homelessness. Translated into relevant languages for families in Newark. An example would be information published on the website.**	6/30/2025	6th Cycle	***In Progress***	**The City and NUSD leadership are coordinating to identify respecitive capacities, roles and responsibilities for collaboration and information sharing. The City anticipates referencing this program in its forthcoming Homelessness Action Plan.**	Other		I53_Contract
PROGRAM H7.4: Affirmatively Market Affordable Housing	**Information on housing resources and general family support resources for district families distributed through multiple sources to increase accessibility and that families are connected with housing resources for those experiencing homelessness. Translated into relevant languages for families in Newark. An example would be information published on the website.**	6/30/2025	6th Cycle	***Completed***	**The City created a multi-lingual website for housing resources in 2024.** **In 2026, the City opened the Newark Resource Center, a one-stop shop for housing and social services. The Resource Center is operated by the City with flex space for community organizations and service providers.**	Other		https://www.housing.newarkca.gov/
PROGRAM H7.5: Monitor housing programs through a mid-cycle review	**Review quantified objectives for housing construction, rehabilitation, and conservation.**	12/31/2026	6th Cycle	***In Progress***	**The City continuously monitors Housing Element implementation progress and is updating its Affordable Housing Work Plan in 2026 to ensure goals are met.**	Other		I55_2024 APR Staff Report

Jurisdiction	Newark
Reporting Period	2025 (Jan. 1 - Dec. 31)
Period	6th Cycle 01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table E

Commercial Development Bonus Approved pursuant to GC Section 65915.7

Project Identifier				Units Constructed as Part of Agreement				Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
1				2				3	4
APN	Street Address	Project Name+	Local Jurisdiction Tracking ID+	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Description of Commercial Development Bonus	Commercial Development Bonus Date Approved
Summary Row: Start Data Entry Below									

Jurisdiction	Newark	
Reporting Period	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F

Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)

Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.

Activity Type	Units that Do Not Count Towards RHNA+ Listed for Informational Purposes Only				Units that Count Towards RHNA + Note - Because the statutory requirements severely limit what can be counted, please contact HCD at apr@hcd.ca.gov and we will unlock the form which enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1+. For detailed reporting requirements, see the chcklist here:
	Extremely Low-Income+	Very Low-Income+	Low-Income+	TOTAL UNITS+	Extremely Low-Income+	Very Low-Income+	Low-Income+	TOTAL UNITS+	https://www.hcd.ca.gov/community-development/docs/adequate-sites-checklist.pdf
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Newark	
Reporting Period	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

For up to 25 percent of a jurisdiction's moderate-income regional housing need a

Project Identifier			
1			
Prior APN+	**Current APN**	**Street Address**	**Project Name+**
Summary Row: Start Data Entry Below			

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Above Moderate Income Units Converted to M

llocation, the planning agency may include the number of units in an ex
for the unit. Before adding information to this table, please ensure h

	Unit Types			
	2	3		
Local Jurisdiction Tracking ID	**Unit Category** (2 to 4,5+)	**Tenure R=Renter**	**Very Low-Income Deed Restricted**	**Very Low-Income Non Deed Restricted**
			0	0

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F2
oderate Income Pursuant to Government Code section 65400.2

xisting multifamily building that were converted to deed-restricted rental housing for moderate-ir
ousing developments meet the requirements described in Government Code 65400.2(b).

Affordability by Household Incomes After Conversion

				4
Low- Income Deed Restricted	**Low- Income Non Deed Restricted**	**Moderate-Income Deed Restricted**	**Moderate-Income Non Deed Restricted**	**Above Moderate-Income**
0	0	0	0	0

ıcome households by the imposition of affordability covenants and restrictions

Units credited toward Moderate Income RHNA		Notes
5		6
Total Moderate Income Units Converted from Above Moderate	**Date Converted**	**Notes**
0		

Jurisdiction	Newark
Reporting Period	2025 (Jan. 1 - Dec. 31)
Period	6th Cycle 01/31/2023 - 01/31/2031

element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation

Table G

Locally Owned Lands Included in the Housing Element Sites Inventory that have been sold, leased, or otherwise disposed of

Project Identifier						
1				2	3	4
APN	**Street Address**	**Project Name+**	**Local Jurisdiction Tracking ID+**	**Realistic Capacity Identified in the Housing Element**	**Entity to whom the site transferred**	**Intended Use for Site**
Summary Row: Start Data Entry Below						

Jurisdiction	Newark	**NOTE: This ta of ALL surplu jurisdiction ov**
Reporting Period	2025	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PRO
Housing Element Imp

Table H
Locally Owned Sur

Parcel Identifier			
1	2	3	4
APN	**Street Address/Intersection**	**Existing Use**	**Number of Units**
Summary Row: Start Data Entry Below			

ble must contain an inventory s/excess lands the reporting wns	Note: "+" indicates an optional field Cells in grey contain auto-calculation formulas

GRESS REPORT
plementation

plus Sites

Designation	Size	Notes
5	6	7
Surplus Designation	**Parcel Size (in acres)**	**Notes**

Jurisdiction	Newark	
Reporting Period	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

NOTE: STUDENT HOUSING WITH DENSITY BONUS ONLY. This table only needs to be completed if there were student housing projects WITH a density bonus approved pursuant to Government Code65915(b)(1)(F)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note:
Cells in gre

Table J

Student housing development for lower income students for which was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Se

Project Identifier				Project Type	Date	Units (Beds/Student Capacity) Approved						
1				2	3	4						
APN	**Street Address**	**Project Name+**	**Local Jurisdiction Tracking ID+**	**Unit Category** (SH - Student Housing)	**Date**	**Very Low-Income Deed Restricted**	**Very Low-Income Non Deed Restricted**	**Low- Income Deed Restricted**	**Low- Income Non Deed Restricted**	**Moderate-Income Deed Restricted**	**Moderate-Income Non Deed Restricted**	**Above Moderate-Income**
Summary Row: Start Data Entry Below												

Jurisdiction	Newark	
Reporting Period	2025	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	01/31/2023 - 01/31/2031

ANNU

Local governments are required to inform HCD about any local tenant preference ordinan
Code 7061 (SB 649, 2022, Cortese). Effective January 1, 2023, local governments adoptir
m

Does the Jurisdiction have a local tenant preference policy?	Yes
If the jurisdiction has a local tenant preference policy, provide a link to the jurisdiction's webpage containing authorizing local ordinance and supporting materials.	
Notes	

JAL ELEMENT PROGF

Table K
Tenant Preferenc

ce the local government maintains
ıg a tenant preference are required
ıore than 90 days after the ordinan

https://www.housing.newarkca.g

RESS REPORT

e Policy

when the jurisdiction submits their annual progress report on housin
to create a webpage on their internet website containing authorizing
ce becomes operational.

ov/current-efforts#inclusionary-ordinance

g approvals and production, per Government
g local ordinance and supporting materials, no

Jurisdiction	Newark		**NOTE: This tabl your jurisdiction**
Reporting Period	2025	(Jan. 1 - Dec. 31)	**Local register of none, leave blan**

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Housing Eleme

Ta

Historica

Parcel Identifier		**Desig**	
1			
APN	**Street Address/Intersection**	**Date of Designation**	**Designation Level**
Summary Row:			

e needs to be completed with any sites within
ı that were newly added to a National, State, or
f historic places within the reporting year. If
ık.

T PROGRESS REPORT
ent Implementation

able L
al Resources

gnation		Size
2		3
Historic Site Period	Areas of Significance	Parcel Size (in acres)

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Notes

4
Notes

Jurisdiction	Newark
Reporting Year	2025

Please update the status of the proposed uses listed i

Total Award Amount	$

Task	$ Amount Awarded
LEAP Award Notification	$150,000.00

Summary of entitlements, building permits, and certific

Completed Enti
In
Acutely Low
Extremely Low
Very Low
Low
Moderate

Moderate
Above Moderate
Total Units

Building Per
In
Acutely Low
Extremely Low
Very Low
Low
Moderate
Above Moderate
Total Units

Certificate of Oc
In
Acutely Low
Extremely Low
Very Low
Low
Moderate
Above Moderate
Total Units

(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROG
Local Early Action Planning
(CCR Title 25 §6

n the entity's application for funding and the corresponding impact on housing within the regio

150,000.00	*Total award*

$ Cumulative Reimbursement Requested	
$150,000.00	

cates of occupancy (auto-populated from Table A2)

tlement Issued by Affordability Summary	
come Level	Current Year
Deed Restricted	0
Non-Deed Restricted	0
Deed Restricted	15
Non-Deed Restricted	0
Deed Restricted	39
Non-Deed Restricted	0
Deed Restricted	34
Non-Deed Restricted	0
Deed Restricted	0

Non-Deed Restricted	0
	200
	288

mits Issued by Affordability Summary	
come Level	**Current Year**
Deed Restricted	0
Non-Deed Restricted	0
Deed Restricted	0
Non-Deed Restricted	0
Deed Restricted	0
Non-Deed Restricted	10
Deed Restricted	0
Non-Deed Restricted	10
Deed Restricted	0
Non-Deed Restricted	10
	109
	139

cupancy Issued by Affordability Summary	
come Level	**Current Year**
Deed Restricted	0
Non-Deed Restricted	0
Deed Restricted	0
Non-Deed Restricted	0
Deed Restricted	0
Non-Deed Restricted	2
Deed Restricted	0
Non-Deed Restricted	2
Deed Restricted	0
Non-Deed Restricted	3
	46
	53

RESS REPORT
(LEAP) Reporting
202)

n or jurisdiction, as applicable, categorized based on the eligible uses specified in Sec

amount is auto-populated based on amounts entered in rows 15-26.

Task Status	Other Funding
In Progress	None

ction 50515.02 or 50515.03, as applicable.

Notes
The LEAP grant was applied to the Housing Element/Safety Element update effort. Reimbursement was received in January 2025.

Exhibit B – Housing APR Data Visualization

Table 1 – City of Newark RHNA Housing Allocations for 2023-2031 Planning Period

	5th Cycle			6th Cycle	
Income Category	**RHNA**	**Units Permitted**	**Units Permitted (%)**	**RHNA**	**Percent of RHNA**
Very Low Income (up to 50% AMI)	330	139	42%	464	25%
Low Income (51-80% AMI)	167	59	35%	268	14%
Moderate Income (81-120% AMI)	158	36	23%	318	17%
Above Moderate Income (121 AMI+)	423	2,168	513%	824	44%
Total	1,078	2,402	223%	1,874	100%

Table 2 – 2025 Entitled Housing Projects and Developments

Project Name	**Very Low Income**	**Low Income**	**Moderate Income**	**Above Moderate Income**	**Total**
Thornton Ave Apartments	44	14	-	1	59
Front addition and attached ADU	-	-	-	1	1
3130 SF Two Story House with 420 SF Attached Garage	-	-	-	1	1
Mowry Village	10	20		197	227
Total	**54**	**34**	**0**	**200**	**288**

Table 3 – 2025 Affordability Levels of Development Projects

Income Level		**Entitled**	**Permitted**	**Completed**
Very Low	*Deed Restricted*	54	0	0
	Non-Deed Restricted	0	10	2
Low	*Deed Restricted*	34	0	0
	Non-Deed Restricted	0	10	2
Moderate	*Deed Restricted*	0	0	0
	Non-Deed Restricted	0	10	3
Above Moderate		200	109	46
Total Units		**288**	**139**	**53**

Table 4 – 2025 Units by Structure Type

Structure Type	Entitled	Permitted	Completed
Single Family, Attached	-	8	4
Single Family, Detached	197	24	35
2 to 4 Unit	-	-	-
5+ Units	90	73	-
ADU	1	34	14
Mobile Homes	-	-	-
Total	**288**	**139**	**53**

Figure 1. Development Projects Permits Status (2022-2025)

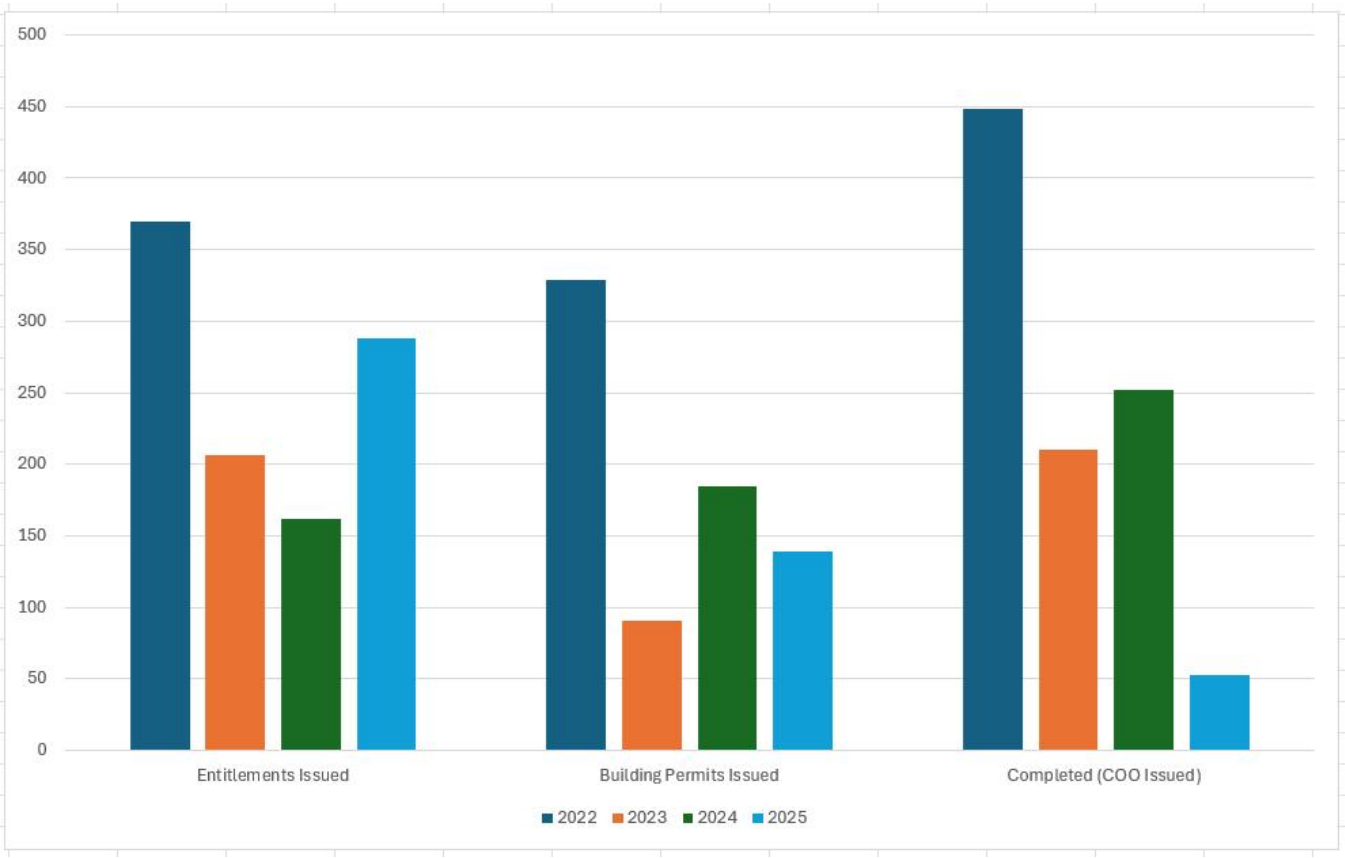

Table 5 – Progress towards Regional Housing Needs Allocation

Income Level	RHNA Allocation by Income Level	2023	2024	2025	Total Units to Date (All years)	Total Remaining RHNA by Income Level	Percentage of Goal Met
Very Low	464	-	87	10	97	387	21%
Low	268	-	9	10	19	249	7%
Moderate	318	-	9	10	19	299	6%
Above Moderate	824	84	80	109	273	551	33%
Total	**1,874**	**84**	**185**	**139**	**408**	**1486**	**22%**

Table 6 – Approved Entitlement Projects Pending Building Permit Issuance

Entitlement Projects	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Thornton Ave Apartments	44	14	-	1	59
FMC Willow	47	23	20	280	370
Lepakshi Homes	-	13	-	75	88
Mowry Village	10	20		197	227
Total	**101**	**70**	**20**	**553**	**744**

Table 7 – Modeled Progress towards Regional Housing Needs Allocation

Income Level	RHNA Allocation by Income Level	2023	2024	2025 (Model)	Entitled Units Added (Table 6)	Total Units to Date (All years)	Total Remaining RHNA by Income Level	Percentage of Goal Met
Very Low	464	-	87	111	101	198	387	43%
Low	268	-	9	80	70	89	249	33%
Moderate	318	-	9	30	20	39	299	12%
Above Moderate	824	84	80	662	553	826	551	100%
Total	**1,874**	**84**	**185**	**883**	**744**	**1152**	**1486**	**61%**

Table 8 – 2025 Issued ADU Units by Estimated Affordability

Income Category	Percentage of Total	Permitted ADUs
Very Low *(Non Deed Restricted)*	30%	10
Low *(Non Deed Restricted)*	30%	10
Moderate *(Non Deed Restricted)*	30%	10
Above Moderate	10%	4
Total	**100%**	**34**

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

December 21, 2023

David Benoun, City Manager
City of Newark
37101 Newark Blvd
Newark, CA 94560

Dear David Benoun:

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

Thank you for submitting the City of Newark's (City) housing element, which was adopted October 26, 2023 and received on November 1, 2023. The California Department of Housing and Community Development (HCD) also received modifications on December 11, 2023. All modifications were authorized by Resolution Number 11575 and were made available to the public for seven days before HCD's review. The City confirmed the modifications are consistent with the direction and authority granted by Resolution 11575. In addition, HCD considered comments from East Bay for Everyone, pursuant to Government Code section 65585, subdivision (c). Pursuant to Government Code section 65585, HCD is reporting the results of its review.

HCD is pleased to find the adopted housing element, including modifications, in substantial compliance with State Housing Element Law (Gov. Code, § 65580 et seq) as of the date of this letter. The adopted element, including all modifications, meets the requirements described in HCD's October 17, 2023 review.

Additionally, the City must continue timely and effective implementation of all programs including, but not limited to, the following:

- Program H2.1 (Develop New Housing Options)
- Program H2.2 (Accessory Dwelling Unit (ADU) Program)
- Program H2.3 (Four Corners Area Mixed use Development)
- Program H2.6 (Work in Partnership with the Newark Unified School District)
- Program H2.8 (Zoning for Missing Middle Housing Types)
- Program H2.9 (Area Specific Plans)
- Program H2.10 (Single Room Occupancy Housing)
- Program H2.11 (Small Sites Incentives)
- Program H2.12 (Maximum Residential Densities)
- Program H3.4 (Mixed Use in Commercial Zones)

- Program H3.5 (Parking Standards Update)
- Program H3.6 (By-Right Approval of Projects with 20 Percent Affordable Units)
- Program H4.4 (Small Sites Program)
- Program H4.9 (No Net Loss of Units)
- Program H4.10 (Zoning Ordinance Amendments for Special Needs Housing)
- Program H4.11 (Housing for Persons Experiencing Homelessness)
- Program H5.4 (Affordable Housing Overlay Zone)
- Program H7.5 (Mid-cycle Review)
- Program H7.6 (Annual Progress towards the City's RHNA Goals)

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the City did not adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), programs to make prior identified sites available or address a shortfall of capacity to accommodate the regional housing need allocation (RHNA) (e.g., Program H3.6) must be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

The City must monitor and report on the results of these and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

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

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

HCD appreciates the hard work and dedication the housing element update team provided throughout the housing element review and update process. HCD wishes the

City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If you have any questions or need additional technical assistance, please contact Helen Eldred, of our staff, at Helen.Eldred@hcd.ca.gov.

Sincerely,

Paul McDougall
Senior Program Manager

CITY OF NEWARK

2023-2031 HOUSING ELEMENT

HCD COMPLIANT DRAFT

December 1, 2023

NEWARK
california

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ACKNOWLEDGEMENTS

City of Newark Staff

Steven Turner, Community Development Director

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Consultant Team

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Community Planning Collaborative
Clara Cheeves
Bowen Close
Josh Ellsworth
Corinne Tsai

Newark Community

The City would like to extend its thanks to the community members, advocates and organizations that contributed to this report. An incomplete list of those who contributed their time and knowledge toward this draft is below:

- All the community members that filled out a survey, and attend a community meeting
- Alameda County Department of Health Developmental Disabilities Council
- Clark W. Redeker Newark Senior Center
- El Tímpano
- Greenbelt Alliance
- Housing Consortium of the East Bay
- Promotores
- Second Chance Inc.
- Newark Public Library
- Newark Unified School District: Newark Parent leadership team
- Newark Planning Commission

SECTION 1 INTRODUCTION

The city of Newark is a growing, vibrant, multicultural city with a diverse commercial and business sector, and an inclusive community character. The City is committed to ensuring that all current and future residents continue to enjoy Newark's distinctive attributes through the implementation of policies and programs that ensure that all residents have access to housing that meets the full range of household and community needs. To this end, the City is currently engaged in the implementation of an ambitious affordable housing work plan adopted by the Newark City Council in May, 2021. This Work Plan lays the foundation for the update of the City's General Plan Housing Element, an opportunity for Newark to plan for housing to meet the needs of all segments of Newark's diverse community.

A. Purpose and Organization of the Housing Element

Housing Element Purpose

California law recognizes the vital role that local governments play in the availability, adequacy, and affordability of housing. Every jurisdiction in California is required to adopt a long-range General Plan to guide its physical development, and the Housing Element is one of the seven required elements of the General Plan. Housing Element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law recognizes that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain housing production. Housing Element statutes also require the State Department of Housing and Community Development (HCD) to review local housing elements for compliance with State law and to report their findings to the local government.

California's Housing Element law requires that each city and county develop local housing programs to meet its "fair share" of existing and future housing needs for all income groups. The Association of Bay Area Governments (ABAG) is responsible for developing and assigning these regional needs, or "RHNA", to Bay Area jurisdictions. Pursuant to the RHNA planning period, the Newark Housing Element is an eight-year plan extending from 2023 to 2031, also referred to as the 6th Cycle Housing Element.

Newark's Housing Element identifies strategies and programs that focus on:

1. Preserving and improving existing housing
2. Removing governmental and other constraints to housing development
3. Promoting and expanding fair and equitable housing opportunities
4. Assisting in the creation of new affordable housing in the City
5. Providing sites for new housing to be built
6. Addressing existing and emergent housing challenges related to climate change

Element Organization

The 2023-2031 Newark Housing Element is comprised of the following major components:

- An introduction to review the requirements of the Housing Element, recent State laws and the community engagement process
- A community profile evaluating Newark's demographic, household and housing characteristics and related housing needs
- An analysis of governmental and non-governmental constraints on housing production and maintenance
- A detailed analysis of sites to accommodate the City's RHNA for the planning period
- An evaluation of available resources to facilitate the production and maintenance of housing, including housing sites, financial and administrative resources available for housing, and opportunities for energy conservation
- A Housing Plan for addressing the City's identified housing needs, constraints and resources; including housing goals, policies and programs

A series of appendices provide additional documentation.

- **Appendix A** is a presentation of the Housing Needs analysis.
- **Appendix B** provides a summary of public input received from the variety of community engagement opportunities undertaken throughout the Housing Element update process.
- **Appendix C** presents the parcel-specific Housing Element sites inventory.

B. Changes in State Housing Law

In response to California's worsening affordable housing crisis, in each of the last several years the State legislature has enacted a series of bills aimed at increasing production, promoting affordability and creating greater accountability for localities in addressing their housing needs. The following items in Table 1-1 represent substantive changes to State housing law since Newark's last Housing Element was adopted and certified in 2014.

Table 1-1: New State Housing Laws Relevant to Housing Element Update

Housing Bills	Bill Overview
Housing Element Sites Analysis and Reporting AB 879 (2017); AB 1397 (2017); SB 6 (2019)	Requires cities to zone more appropriately for their share of regional housing needs and in certain circumstances require by-right development on identified sites. Site analysis must also include additional justification for being chosen, particularly for sites identified to address lower income needs.
No Net Loss Zoning SB 166 (2017)	Requires cities to identify additional low-income housing sites in their Housing Element when market- rate housing is developed on a site currently identified for low-income housing.
Affirmatively Furthering Fair Housing AB 686 (2017)	Housing Elements must contain an Assessment of Fair Housing, consistent with the federal Affirmatively Furthering Fair Housing (AFFH) Final Rule. The AFFH sections must include a summary of fair housing issues in the jurisdiction; a summary of fair housing data including contributing factors to fair housing issues; analysis of Housing Element sites in relation to AFFH; and an AFFH program that includes meaningful action.
Accessory Dwelling Units and Junior Accessory Dwelling Units AB 494 (2017), SB 229 (2017), AB 68 (2019), AB 881 (2019), AB 587 (2019), SB 13 (2019), AB 670 (2019), AB 671 (2019), AB 3182 (2020)	The State enacted legislation in both 2017 and 2019 to further assist and support the development of ADUs, including "by right" approval for one-bedroom units less than 850 square feet and two-bedroom units less than 1,000 square feet. and Junior ADUs less than 500 square feet.
Density Bonus AB 1763 (2019), AB 2345 (2020)	Permits 100% affordable projects to be built denser and taller through three modifications to current Density Bonus Law. AB 2345 creates additional incentives and also requires the annual progress report to include if density bonuses have been granted.
Housing Crisis Act of 2019 SB 330 (2019)	Seeks to boost homebuilding by expediting approvals for housing development, including application processing times. SB 339 also prevents jurisdictions from decreasing a site's housing capacity through tools such as downzoning if that would preclude a jurisdiction from meeting its RHNA targets. Also, any project that includes demolition of housing units must replace or exceed that number of units. Any demolished units occupied by low-income households must be replaced with new units that are affordable to that same income level.

Housing Bills	Bill Overview
Surplus Land for Affordable Housing SB 1486 (2019), AB 1255 (2019)	Expands definition of surplus land and puts additional restrictions on the disposal of surplus land. Jurisdictions must include information about surplus lands in the Housing Element and Annual Progress Reports. A central inventory of surplus lands also must be submitted to HCD.
Emergency and Transitional Housing Act AB 139 (2019)	Amends assessment method to show site capacity, including using the most up-to-date point-in-time count. Additionally, the bill modifies parking requirement for emergency shelters. The Housing Element must include all of this information as well as analysis of the jurisdiction's special needs populations.
Supportive Housing Streamlined Approval AB 2162 (2018)	Requires supportive housing to be a use by right and eliminates parking if close to transit.
Safety Element Changes SB 1035 (2018), SB 99 (2019), SB 747 (2019)	Updates requirements for the General Plan Safety Element including expanded information on environmental hazards facing jurisdictions and analysis of emergency evacuation routes. These updates must occur at the same time as the Housing Element updates.

C. Relation to Other General Plan Elements

The City of Newark's General Plan is comprised of the following eleven Chapters: 1) Introduction; 2) Planning Framework; 3) Land Use; 4) Transportation; 5) Housing; 6) Economic Development; 7) Conservation and Sustainability; 8) Parks, Recreation, and Open Space; 9) Environmental Hazards (to be renamed Safety Element); 10) Health and Wellness; and 12) Community Services and Facilities. Except for the Housing Element which was updated to be consistent with other elements, the other Newark General Plan Elements were adopted by the Newark City Council on December 12, 2013. State law requires that the General Plan be internally consistent. The Housing Element is consistent with Goals and Policies of the other elements of the General Plan.

The City will ensure consistency between the Housing Element and the other General Plan elements so that policies introduced in one element are consistent with other elements. Whenever any element of the General Plan is amended in the future, the Housing Element will be reviewed and modified, if necessary, to ensure continued consistency between elements.

General Plan and Housing Element Consistency

The City of Newark's General Plan, adopted in 2013, is the city's long term vision for the growth and development. There are a number of elements that are interconnected with the goals and policies of the Housing Element: The Land Use Element, Transportation Element, Economic Development Element, and the Health and Wellness Element.

The Land Use Element seeks to encourage redevelopment and promote infill in strategic areas to create new pedestrian oriented, high-density, mixed-use, and transit-oriented development, especially around the proposed Dumbarton Rail station and Old Town neighborhood. The Land Use Element seeks to ensure that the design of new development is responsive to existing residential neighborhoods and community character. The Land Use Element's policies and actions encourage new housing opportunities for all residents, through increasing ADU production and inclusionary zoning, to co-locate services, parks and recreation to increase access to residential opportunities.

The Transportation Element reinforces elements of the Land Use Element through the emphasis on high density, mixed use housing development in proximity to public transportation. The element also looks at the addressing parking requirements for housing to ensure the number of parking spaces is reflective to the use, resident type and location.

The Economic Development Element is focused on the revitalization of the NewPark Mall area, reducing commuter times through jobs housing balance, and ensuring that new development has a positive economic impact for the city.

The Health and Wellness Element looks at connecting land use planning with the reduction of greenhouse gas emissions and general community health through increasing access to healthy foods. This year a new chapter will be added to the Health and Wellness Element, this chapter will work to:

- Reduce **pollution exposure** and improve **air quality**
- Promote access to **public facilities**
- Promote access to **healthy foods**
- Promote **safe and sanitary homes**
- Promote **physical activity**
- Promote **civic engagement**

Upon adoption, this Housing Element will be incorporated into the 2013 General Plan, updating the existing Housing Element. This Housing Element was prepared to maintain internal consistency with other elements of the General Plan. In addition, State law requires that other General Plan elements be reviewed and/or modified upon adoption of the Housing Element. Senate Bill (SB) 1035 requires the safety element to be revised upon update of the Housing Element to include new information on fire hazards, flood hazards, and climate adaptation and

resilience strategies. The City will be updating the Environmental Hazards Element (to be renamed the Safety Element) in conjunction with the 2023-2031 Housing Element update. The City will maintain consistency between the Housing Element and the other General Plan elements so that policies introduced in one element are consistent with other elements.

D. Community Engagement

The City of Newark maintains an ongoing commitment to providing meaningful community engagement in partnership with community based organizations and in collaboration with other city departments in order to reach all segments of the population.Through a multi-pronged and multi-lingual approach, City staff worked to provide opportunities for community engagement over the course of the Housing Element update process.

Findings from the Community Engagement process were used to inform Newark's Fair Housing Assessment and the goals, policies, and programs of the Housing Element update. See Section 3 (Affirmatively Furthering fair Housing) and 6 (Goals, Policies, & Programs) for more information.

Public Comment from HCD review process

During the HCD Review process, the City received comment letters from East Bay for Everyone, Save the Bay, Greenbelt Alliance and the Planning Commission and the public. Comments and responses received during the comment period focused on making adjustments to parking to better facilitate affordable housing development, programs to increase missing middle housing, aligning housing with active transportation investments and concern about housing development in the floodplain areas of the city. Comment letters and responses can be found in Appendix D.

Outreach Methods Utilized:

Social Media

The City and consultants utilized social media promotion for pop up events, promoting the website and a housing survey through Facebook. Content was posted on Facebook pages for the City of Newark, Newark Unified School District, Promotores, and Newark Recreation and Community Services.

Posters and Flyers

In addition to social media, the city used more traditional forms of communication, including the distribution of posters and flyers. Posters were distributed and posted in a variety of public places throughout the city, including parks, community centers, and other public buildings, local

businesses and with faith-based communities. Posters and flyers were translated into Spanish, Simplified Chinese, Vietnamese and Tagalog in order to reach a broad spectrum of the community.

Places the city posted:

- Newark Public Library
- Mel Nunes Skate Park
- NewBark Dog Park
- Restaurants in partnership with community groups
- Senior Center
- Silliman Community Activity Center
- Newark Community Center and childcare center

Flyers were shared at popular and frequented sites in the community and distributed at in-person community events. The flyers had a QR code that connected residents directly to the website and housing survey.

Website

The city also created a unique, dedicated stand-alone website that is translatable in three languages, and also touches on issues of environmental justice. The website is the hub for the community to access information on the housing element update and opportunities for engagement including in-person events, email updates, and our survey.

In Person Engagement: Meeting The Community Where They Are

The city conducted in person community engagement in a variety of locations and events around the city. They engaged with residents at Family Day in the Park on April 9, 2022, spent time connecting with folks at the Newark Public Library on a busy Saturday, visited the senior center for Bingo, and Tri City food pantry mobile pop up. These provided an opportunity for city staff to answer questions, and encourage residents to take part in the housing survey.

One On One Interviews and Listening Sessions

The city conducted one-on-one interviews with staff from the Housing Consortium of the East Bay (HCEB), an organization that creates inclusive communities for individuals with developmental disabilities or other special needs, and a member of the Newark Parent leadership team with Newark Unified School district. We gained insight and guidance into the needs of families and those with developmental disabilities.

Meeting with a member of the Newark Parent leadership team, the city heard there needs to be more affordable housing, as families are being displaced, or forced to live in hotels on a short-term basis. The member shared that households are kept out of the rental market due to unattainable

income requirements, and they cited the need for rent control in order to make housing more attainable. There is a need to have more homeownership opportunities that are attainable to a larger demographic. The lack of stable housing and internet access places these children at a disadvantage both educationally, mentally and physically. Increasing access to enrichment and after school activities at the Silliman Center was seen as a beneficial element for the city to develop in conjunction with affordable housing.

Survey

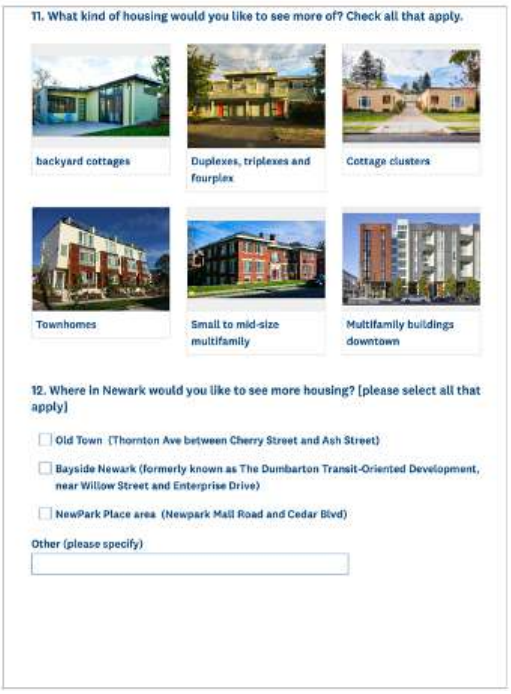
From March 15th through April 30th 2022, 342 people participated in the City of Newark's online community conversation about housing issues and opportunities in Newark. 300 of those responses were in English, 38 in Spanish and 4 in Chinese.

Participants were invited to answer a series of 22 questions covering housing experience and preference, environmental justice and demographic information. The survey was hosted on the SurveyMonkey platform accessible via the city's webpage.

The survey was distributed and advertised in multilingual materials through various platforms to reach as broad of a cross section of the community as possible. It was promoted through the social media pages of the City of Newark, Newark Recreation and Community Services, Newark Police Department, and Newark Unified School District. It was also listed in print newsletters that were sent to all Newark residents, the Clark W. Redeker Newark Senior Center email list, and the Alameda County Health Department Developmental Disabilities council list. To reach those lacking internet access, we conducted in-person outreach at the city's Family Day in the Park event and the Newark Library where residents and workers could take our survey on paper or an iPad.

We also utilized our partnerships with local organizations to share our survey with special needs populations. We worked in partnership with the group Promotores to reach the Latino community. We also reached out to nonprofit organizations that support people experiencing and escaping from domestic violence, and transitioning from homelessness, to share the survey with them. With the intention of connecting with families, we reached out to the Newark Unified School District parent leadership committees, and was able to gain valuable insight into the needs of families in the city.

Essential insight from the survey is that quality of life, in addition to increasing housing affordability and homeownership opportunities for Newark residents is of great importance and concern. For the full survey questions and responses, see Appendix B.



Example survey page

Example flyer

WHAT WE HEARD **Residents are very concerned about housing affordability**

53% of respondents to the English language survey are very concerned about housing affordability. 87% of respondents in the Spanish language survey are very concerned about housing affordability.

The three biggest issues to address for housing affordability:

1. More homeownership opportunities, especially affordable homeownership for first time homebuyers
2. More affordable rental opportunities
3. Low cost home improvements for seniors and low income households

The most urgent affordable housing needs are: housing on both ends of the spectrum. Housing for large families as well as for smaller households.

1. Housing for families: Large and intergenerational. Housing for single parents was brought up in comments repeatedly throughout the survey
2. Housing for smaller households
3. Housing for low income and underserved households
4. Housing for seniors

WHAT WE HEARD **Housing prices have risen, making housing unaffordable to many**

- 40% of respondents are in housing that is not affordable to them
- 17% of respondents are in housing that they can afford but does not meet their needs
- 43% in housing they can afford and like

WHAT WE HEARD **Not everyone feels that they live in a neighborhood of opportunity**

What would make your neighborhood feel like it has more opportunity?

1. City infrastructure that supports physical activity, including sidewalks, bike lanes, parks, and rec centers
2. Affordable, safe, and healthy housing choices
3. Educational opportunities that are academically and culturally supportive

WHAT WE HEARD **People are interested in a variety of housing types**

Residents were most interested in low scale housing types. Backyard cottages were the most favorable housing type. Cottage clusters and Townhomes were similarly favored housing types, while small to mid-size multifamily housing and multi-family buildings downtown were the least favored.

Who We Heard From

There were 342 overall participants, 300 of which responded in English, 38 in Spanish and 4 in Chinese.

There were five demographic questions, including the survey respondent's connection to Newark, living situation, age and race. This information helped us understand if participants were representative of the city's general population and helped us refine subsequent outreach and engagement to improve representation.

In summary, most participants identified as White (31%), followed by Hispanic/Latino (24%) and Asian/Asian American (18%). While nearly half were between the ages of 30 and 49, the remaining were split between people aged 20 to 29 (3%), 50 to 69 (21%), and over 70 (5%). The majority of respondents live in Newark (71%) and in a single family home (57%), and nearly half are homeowners (49%).

Community Meeting

The City held an online community meeting with 50 attendees on June 22 2022, to share with the community the findings from the survey and obtain general feedback on proposed goals and

policies that we had developed in response to research and survey results. We advertised the meeting through email communication to local organizations, posters in laundromats and grocery stores such as 99 Ranch that are located in low-income neighborhoods with a majority of BIPOC community members, as well as on social media sites for the Newark Public Library, the parents of NUSD, community organizations such as the Promotores, and the City of Newark. The meeting provided simultaneous translation in both Mandarin Chinese and Spanish, with small break out groups to help residents feel comfortable discussing their thoughts.

WHAT WE HEARD **Newark needs to plan for climate change**

- Making Newark the green city by the bay: Incorporating and increasing access to public parks, preserving existing ecologically sensitive land, and increasing tree planting to combat increased heat
- Building for energy efficiency: requiring solar panels on homes, insulation, and water conservation
- Increasing access to transportation options: increasing bus access, and building bike lanes to support active transportation with bikes and scooters.
- Building a walkable city: planning housing close to existing amenities such as schools, parks and grocery stores for walkability

WHAT WE HEARD **Residents want to stay in their communities, and right now it's challenging, with many facing displacement**

- Supportive resources: Residents, documented and undocumented, need more support and increased access to housing resources and tenant protections

  "We all deserve housing"

- Innovative programs: Seniors on a fixed income need more support to remain in their homes and communities

  "Developing a shared housing program with others that need a room to rent, connect seniors with single people who need affordable housing. Helps seniors on limited incomes"

- Protect tenants: The city needs programs to combat gentrification such as protections from rapid increases in rent

  "Rents increase but our incomes do not. The median income is really very high for Newark, so you have a lot of people who need housing at the low and very low incomes."

- Build + preserve homes: More affordable housing is needed for a variety of income levels and housing types. Families, and those transitioning out of homelessness are especially in need.

  "It is very hard to move people who have been homeless into permanent housing, we need more options for those that are on SSI and extremely low incomes" – Director of Second Chance

Public Communication for the Draft Housing Element

Newark released the Draft Housing Element for Public Review for 30 days on February 24th, 2023 to March 27th, 2023. The greater Newark community was made aware of the public review and comment period through a variety of channels, including social media, email, the website and a community meeting.

Social media outreach was conducted multiple times a week, with bilingual posts in English and Spanish connecting residents with information about the housing element update such as the release of the draft for comment and the community meeting.

City staff sent out an email announcement that the housing element is available for public comment to 16 community based organizations that are representative of the ethnic and linguistic diversity of Newark. Other organizations included the Alameda County coalition for disability, Def plus, and the domestic violence shelter. Working with the Newark Unified School District, Newark sent out a bilingual community meeting invite over Peachjar, sending the message to parents and caregivers district wide. City staff engaged with the Spanish speaking community, meeting with the local Promotoras group and providing a translated summary of the housing element in Spanish on the website.

Newark hosted a virtual community meeting, the evening of March 22nd, 2023. The meeting provided Spanish and American Sign Language translation to ensure the attendees would be able to participate fully. City staff got the word out through email, social media posts on city and public library sites, and bilingual posters in key locations such as community center, library and laundry mat to reach those without access to the internet.

The website continues to be a source of information for updates on community meetings and Housing Element timelines. A recording providing the public with an overview of the housing element update, how to access and review the draft, the draft goals and a highlight of some of the proposed programs was posted to walk community members through the process.

Detailed Public Comments are provided as Appendix D below.

SECTION 2 HOUSING NEEDS

The Housing Needs Assessment analysis of housing and population characteristics, housing needs for vulnerable population groups, as well as the cities growth and employment, to provide the foundation for the development of the goals, policies and programs to meet the future and current needs of the residents.

This section pulls from various sources, primary data sources were compiled by the Association of Bay Area Governments (ABAG) in 2021. ABAG utilized the US Census, American Community Survey (ACS), the US Department of Housing and Urban Development (HUD), California Department of Finance (DOF), California Employment Development Department (EDD). If possible, data was updated to most recent available data and local sources were utilized.

SUMMARY

- **Population** – Generally, the population of the Bay Area continues to grow because of natural growth and because the strong economy draws new residents to the region. The population of Newark increased by 15.3% from 2000 to 2020, which is above the growth rate of the Bay Area
- **Age** – In 2019, Newark's youth population under the age of 18 was 10,015 and senior population 65 and older was 6,038. These age groups represent 21.2% and 12.8%, respectively, of Newark's population.
- **Race/Ethnicity** – In 2020, 23.7% of Newark's population was White while 3.9% was African American, 33.9% was Asian, and 34.8% was Latinx. People of color in Newark comprise a proportion above the overall proportion in the Bay Area as a whole.[1]
- **Employment** – Newark residents most commonly work in the *Manufacturing, Wholesale & Transportation* industry. From January 2010 to January 2021, the unemployment rate in Newark decreased by 3.7 percentage points. Since 2010, the number of jobs located in the jurisdiction has increased by 4,650 (29.9%). Additionally, the jobs-household ratio in Newark has increased from 1.33 in 2002 to 1.49 jobs per household in 2018.

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

- **Number of Homes** – The number of new homes built in the Bay Area has not kept pace with the demand, resulting in longer commutes, increasing prices, and exacerbating issues of displacement and homelessness. The number of homes in Newark increased, 11.2% from 2010 to 2020, which is *above* the growth rate for Alameda County and *above* the growth rate of the region's housing stock during this time period.
- **Home Prices** – A diversity of homes at all income levels creates opportunities for all Newark residents to live and thrive in the community.
    - **Ownership** – The largest proportion of homes had a value in the range of $750k-$1M in 2019. Home prices increased by 133.9% from 2010 to 2020.
    - **Rental Prices** – The typical contract rent for an apartment in Newark was $2,110 in 2019. Rental prices increased by 61.1% from 2009 to 2019. To rent a typical apartment without cost burden, a household would need to make $84,720 per year.[2]
    - **Housing Type** – It is important to have a variety of housing types to meet the needs of a community today and in the future. In 2020, 69.6% of homes in Newark were single family detached, 9.5% were single family attached, 4.4% were small multifamily (2-4 units), and 16.5% were medium or large multifamily (5+ units). Between 2010 and 2020, the number of single- family units increased more than multi-family units. Generally, in Newark, the share of the housing stock that is detached single family homes is above that of other jurisdictions in the region.
- **Cost Burden** – The U.S. Department of Housing and Urban Development considers housing to be affordable for a household if the household spends less than 30% of its income on housing costs. A household is considered "cost-burdened" if it spends more than 30% of its monthly income on housing costs, while those who spend more than 50% of their income on housing costs are considered "severely cost-burdened." In Newark, 19.2% of households spend 30%-50% of their income on housing, while 12.4% of households are severely cost burdened and use the majority of their income for housing.
- **Neighborhood** – 9.7% of residents in Newark live in neighborhoods identified as "Highest Resource" or "High Resource" areas by State-commissioned research, while 11.0% of residents live in areas identified by this research as "Low Resource" or "High Segregation and Poverty" areas. These neighborhood designations are based on a range of indicators covering areas such as education, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors.[3]

[2] Note that contract rents may differ significantly from, and often being lower than, current listing prices.
[3] For more information on the "opportunity area" categories developed by HCD and the California Tax Credit Allocation Committee, see this website: https://www.treasurer.ca.gov/ctcac/opportunity.asp. The degree to which different jurisdictions and neighborhoods have access to opportunity will likely need to be analyzed as part of new Housing

- **Special Housing Needs** – Some population groups may have special housing needs that require specific program responses, and these groups may experience barriers to accessing stable housing due to their specific housing circumstances. In Newark, 7.6% of residents have a disability of any kind and may require accessible housing. Additionally, 18.7% of Newark households are larger households with five or more people, who likely need larger housing units with three bedrooms or more. 11.8% of households are female-headed families, which are often at greater risk of housing insecurity.

A. Population Growth and Trends

In recent decades, Newark's population has seen rapid growth, with an increase of 15.3 percent from 2000 to 2020; this rate is above that of the region as a whole, at 14.8 percent. In 2020, the population of Newark was estimated to be 48,966 (see Table 2-1). From 1990 to 2000, the population increased by 12.2 percent, while it increased by just 0.2 percent during the first decade of the 2000s. In the most recent decade, the population increased by 15 percent. The population of Newark makes up three percent of the population in Alameda County.

Table 2-1: Population Growth Trends

Geography	1990	1995	2000	2005	2010	2015	2020
Newark	37,861	39,681	42,471	43,522	42,573	44,371	48,966
Alameda County	1,276,702	1,344,157	1,443,939	1,498,963	1,510,271	1,613,528	1,670,834
Bay Area	6,020,147	6,381,961	6,784,348	7,073,912	7,150,739	7,595,694	7,790,537

Source: California Department of Finance, E-5 series

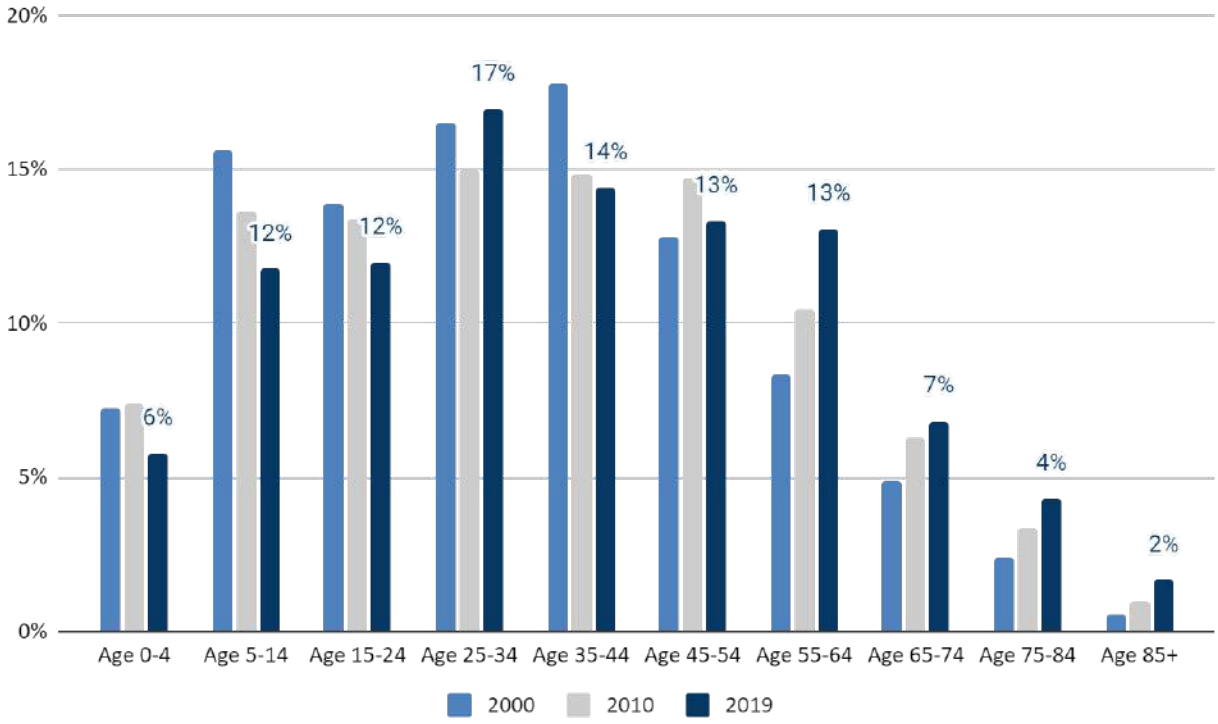
Age

In recent years the population of youth has declined slightly with continued growth in those 55 and over. In 2019, Newark's youth population under the age of 18 was 10,015 and the senior population 65 and older was 6,038. These age groups represent 21.2 percent and 12.8 percent of Newark's population. Figure 2-1 shows slight increases in population in the 25-34 age group, and the 55 to 64+ age group. The increase in senior population can possibly be attributed to the establishment of a new affordable senior housing development. Community members have shown a preference for more walkable, mixed-use neighborhoods that are close to work, schools, parks, and amenities. The majority of seniors prefer to stay in their homes and communities, known as *aging-in-place*. Yet many live on fixed incomes and may have mobility issues as they age, which

Element requirements related to affirmatively furthering fair housing. ABAG/MTC will be providing jurisdictions with technical assistance on this topic this summer, following the release of additional guidance from HCD.

require supportive services. Similar financial and mobility obstacles exist for many of Newark's households with special needs. Younger generations are less likely to own homes and have less savings than previous generations; they are more likely to live alone and delay marriage. Yet, many are growing their families, reflected by a higher percentage of families with children in Newark versus the County and Bay Area, and therefore may be in greater need of support when purchasing their first home. Coupled with increasing housing prices, it is more difficult for younger generations to rent or purchase a home than it is for current residents. For these reasons, Newark residents consider the three biggest issues to address housing affordability as: (1) more homeownership opportunities, especially for first time homebuyers; (2) more affordable rental opportunities; and (3) low cost home improvements for seniors and low income households. We therefore must address how to support our seniors as they get older so they can stay in their homes and communities, and make sure young people and households with special needs, new families, and our workers can find housing that is affordable and accessible.

Figure 2-1: Population by Age, 2000 to 2019



Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B01001

Race & Ethnicity

Since 2000, the percentage of residents in Newark identifying as White has decreased – and at the same time, the percentage of residents of all *other* races and ethnicities has *increased* – by 18.6 percentage points, with the 2019 population standing at 11,168 (see Table 2-2). In absolute terms, the *Asian / API, Non-Hispanic* population increased the most while the *White, Non-Hispanic* population decreased the most. In 2020, 23.7 percent of Newark's population was White while four percent was African American, 33.9 percent was Asian, and 34.8 percent was Latinx. People of color in Newark comprise a proportion above the overall proportion in the Bay Area as a whole.[4] When planning for housing, we need to consider a variety of housing needs—like larger homes for multi- generational families or those with more children—and how to create opportunities for everyone to access quality, affordable housing near schools, transit, jobs, and services.

Past exclusionary practices have prevented people of color from purchasing homes, living in certain neighborhoods, and building wealth over time. As a result, they are more likely to experience poverty, housing insecurity, displacement, and homelessness. And while many of our communities are very diverse, we are still contending with segregation and a lack of equitable opportunities. To help prevent displacement due to gentrification and to create a future where it is possible for everyone to find the housing they need, it will be important to plan for a variety of housing types and affordability options in all neighborhoods.

Table 2-2: Population by Race 2000 to 2019

Year	American Indian or Alaska Native	Asian / API	Black or African American	White	Other Race or Multiple Races	Hispanic or Latinx
2000	148	9,329	1,639	17,103	128	12,145
2010	95	12,005	1,908	11,726	1,845	14,994
2019	130	16,002	1,818	11,168	1,661	16,392

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

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

Employment Characteristics

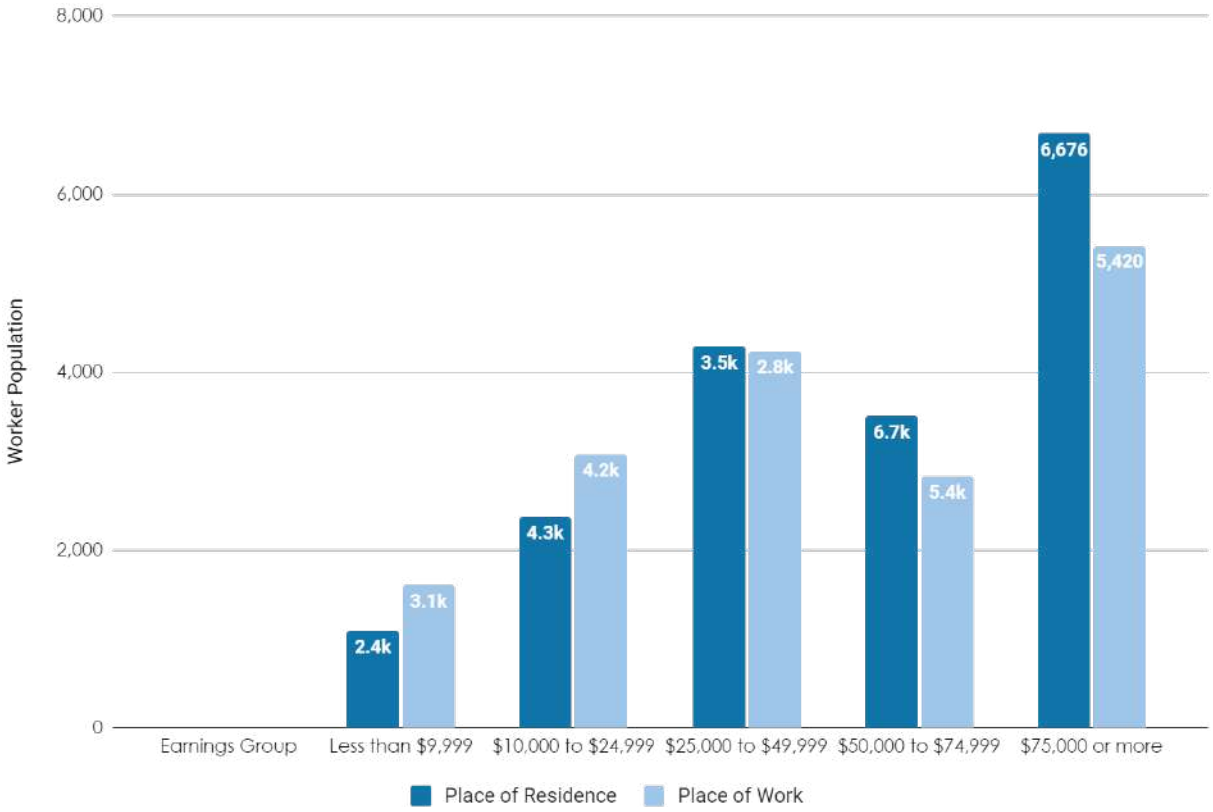
By 2050 the number of jobs in South Alameda County will increase to 221,000, 19% of the projected growth for the County[5] In Newark there are 17,935 employed residents, and 17,168 jobs[6] - the ratio of jobs to resident workers is 0.96; Newark is *a net exporter of workers*. Despite the overall job growth expected in the county, 92 percent of Newark residents work outside of the City, with a greater number today employed in the peninsula and Silicon Valley.

Figure 2-2 shows the balance when comparing jobs to workers, broken down by different wage groups, offering additional insight into local dynamics. A community may offer employment for relatively low- income workers but have relatively few housing options for those workers - or conversely, it may house residents who are low wage workers but offer few employment opportunities for them. Such relationships can potentially contribute to an unbalanced demand for housing in particular price categories. A relative *surplus* of jobs relative to residents in a given wage category suggests the need to import those workers, while conversely, surpluses of workers in a wage group relative to jobs means the community will export those workers to other jurisdictions. Newark has more low-wage *jobs* than low-wage *residents* (where low-wage refers to jobs paying less than $25,000). At the other end of the wage spectrum, the city has more high-wage *residents* than high-wage *jobs* (where high-wage refers to jobs paying more than $75,000). In addition to the inflow of workers, our population is growing naturally, meaning more people are living longer while our children are growing up and moving out into homes of their own. All of this impacts housing demand.

[5] Plan Bay Area 2050 Projected Growth Pattern.

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

Figure 2-2: Wage or Works by Place of Residence and Work, by Income, 2015- 2019



Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B08119, B08519

B. Housing Tenure

The 2020 Decennial Census estimates a total of 15, 371 housing units in Newark, with 14,946 as occupied housing units . Of these occupied housing units, 10,185 or 68 percent were owner occupied and 4,761 or 32 percent were renter occupied, compared to approximately 47 percent of Alameda County households that rent and 44 percent of Bay Area households.

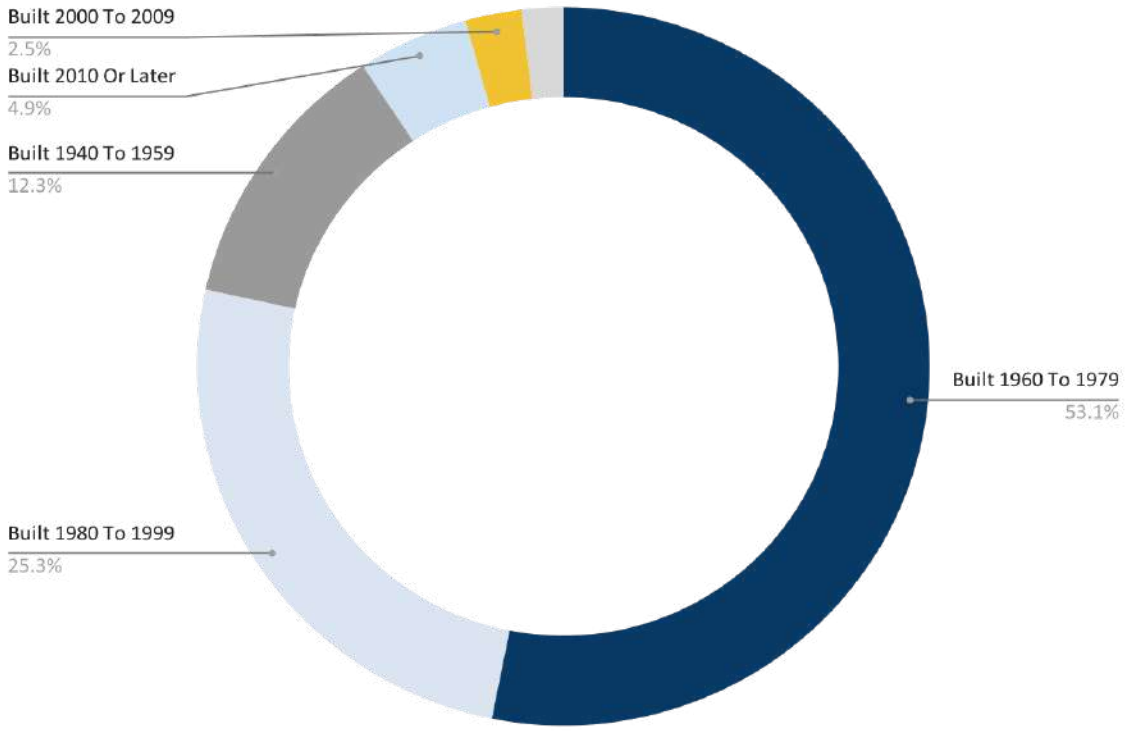
Housing Stock Characteristics

This section examines housing stock in Newark from age, condition, type to understand current and emerging needs and analyzing vacancy and cost to understand the affordability.

Housing Age and Type

Housing in Newark was primarily built before 1980, with 53 percent built from 1960 to 1979 (see Figure 2-3). In 2020, 70 percent of homes in Newark were single family detached, 9.5 percent were single family attached, four percent were small multifamily (2-4 units), and 16.5 percent were medium or large multifamily (5+ units). Between 2010 and 2020, the number of single-family units increased more than multi-family units. Generally, in Newark, the share of the housing stock that is detached single family homes is above that of other jurisdictions in the region. With 10,385 single family homes in 2020 and 659 two to four unit homes, there is opportunity for Newark to support the increase of missing middle housing types. Programs such as SB9 can further support these efforts, as well as program H2.8 Zoning for Missing Middle Housing.

Figure 2-3: Housing Age



Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019: Table B25034

Table 2-3: Number and Type of Housing Units in Alameda County 2022

POPULATION			HOUSING UNITS												
City	Household	Total Housing Units	Single Family Detached		Single Attached		Two to Four		Five Plus		Mobile Homes		Occupied	Vacancy Rate	Persons per Household
			#	%	#	%	#	%	#	%	#	%			
Alameda	75,677	33,524	13,993	41.7%	3,482	10.4%	6,003	17.9%	9,920	29.6%	126	0.4%	31,473	6.1%	2.40
Albany	18,450	7,946	4,864	61.2%	277	3.5%	954	12.0%	1,823	22.9%	28	0.4%	7,545	5.0%	2.45
Berkeley	105,151	52,921	21,534	40.7%	2,128	4.0%	10,307	19.5%	18,730	35.4%	221	0.4%	48,377	8.6%	2.17
Dublin	68,482	24,977	13,331	53.4%	3,524	14.1%	812	3.3%	7,254	29.0%	56	0.2%	24,040	3.8%	2.85
Emeryville	12,396	7,656	424	5.5%	406	5.3%	766	10.0%	6,023	78.7%	36	0.5%	7,025	8.2%	1.76
Fremont	227,195	79,749	44,781	56.2%	10,210	12.8%	2,718	3.4%	21,314	47.6%	725	0.9%	76,507	4.1%	2.97
Hayward	156,757	52,870	27,328	51.7%	5,599	10.6%	3,063	5.8%	14,476	53.0%	2,403	4.5%	50,794	3.9%	3.09
Livermore	85,444	33,087	22,536	68.1%	3,218	9.7%	1,652	5.0%	5,140	22.8%	541	1.6%	31,968	3.4%	2.67
Newark	47,029	15,811	11,040	69.8%	1,457	9.2%	688	4.4%	2,626	23.8%	0	0.0%	15,329	3.0%	3.07
Oakland	414,325	183,729	75,322	41.0%	7,115	3.9%	33,457	18.2%	67,272	89.3%	562	0.3%	171,880	6.4%	2.41
Piedmont	10,973	3,964	3,679	92.8%	68	1.7%	138	3.5%	78	2.1%	0	0.0%	3,846	3.0%	2.85
Pleasanton	76,830	29,750	18,004	60.5%	2,858	9.6%	1,687	5.7%	6,806	37.8%	395	1.3%	28,581	3.9%	2.69
San Leandro	87,506	32,952	19,659	59.7%	2,008	6.1%	1,952	5.9%	8,436	42.9%	898	2.7%	31,851	3.3%	2.75
Union City	67,434	21,947	13,762	62.7%	2,856	13.0%	821	3.7%	3,489	25.4%	1,019	4.6%	21,467	2.2%	3.14

Source: California Department of Finance, City/County Population Estimates, E5, 2022

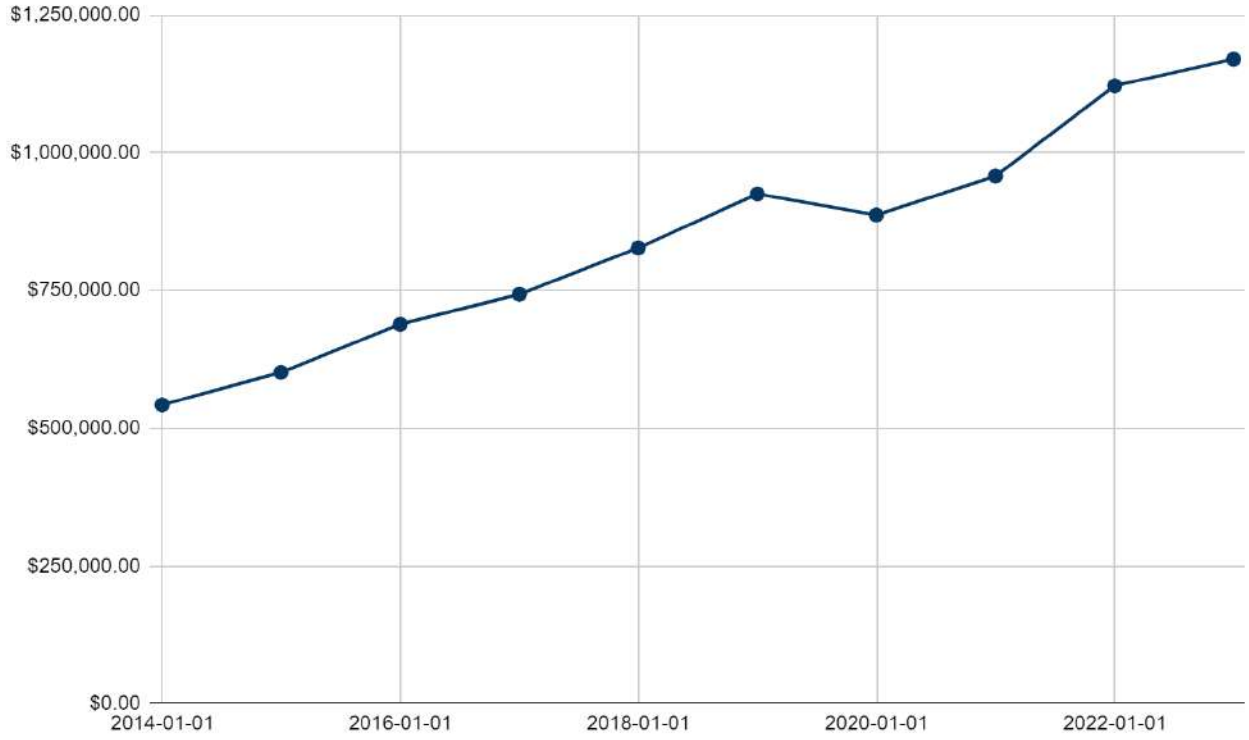
Housing Cost and Vacancy

Housing Costs and Vacancy have a pronounced effect on residents' ability to find housing that is affordable , that fits their needs, and be able to purchase a home, allowing them to build equity and stability in the community. Newark has experienced increasing housing costs over the past decade. The Zillow Home Value Index shows home prices $ 542,000 in 2013, to more than double that in 2022, with an average home value of $1,169,000. Coupled with low vacancy rates of three percent, Newark residents face numerous housing challenges. In relation to other cities in Alameda County, Newark provides fewer housing options, but has a similar percentage of housing types as Union City, and fewer five plus units than Fremont. Only Newark and Piedmont do not have any mobile homes.

In relation to Alameda County and the Bay Area, Newark has a lower percentage of vacancies, with a 3 percent total vacancy rate(Table 2-3) 14 % of rental units are vacant, in comparison to Alameda County at 24 % and the Bay Area at 26% (Figure 2-8). The largest vacancies are for units that are for sale at 23% and for seasonal use at 30%. Taking into account the increase in housing prices over the last 10 years, with a significant spike in 2018, brings ownership costs to over $900,00, the large vacancy rates for homes sales correlates. Throughout community engagement, community members echoed the data to share that housing costs are too high and unattainable for current residents. In response, programs such as H2.2 an Accessory Dwelling Unit program to incentivise and support the increased development of ADU production, Program H2.6 to Work in Partnership with Newark Unified School District to find creative ways to utilize school properties, Program H2.7 the Affordable housing fund to support non profit developers in developing affordable housing, H4.4 the Small Sites program supports the purchase of small scale multi family housing by affordable housing organizations and H5.1 First Time Homebuyer Assistance. As seen in Figure 2-7, BIPOC communities have lower rates of home ownership, and programs such as H5.1 will focus on supporting those populations.

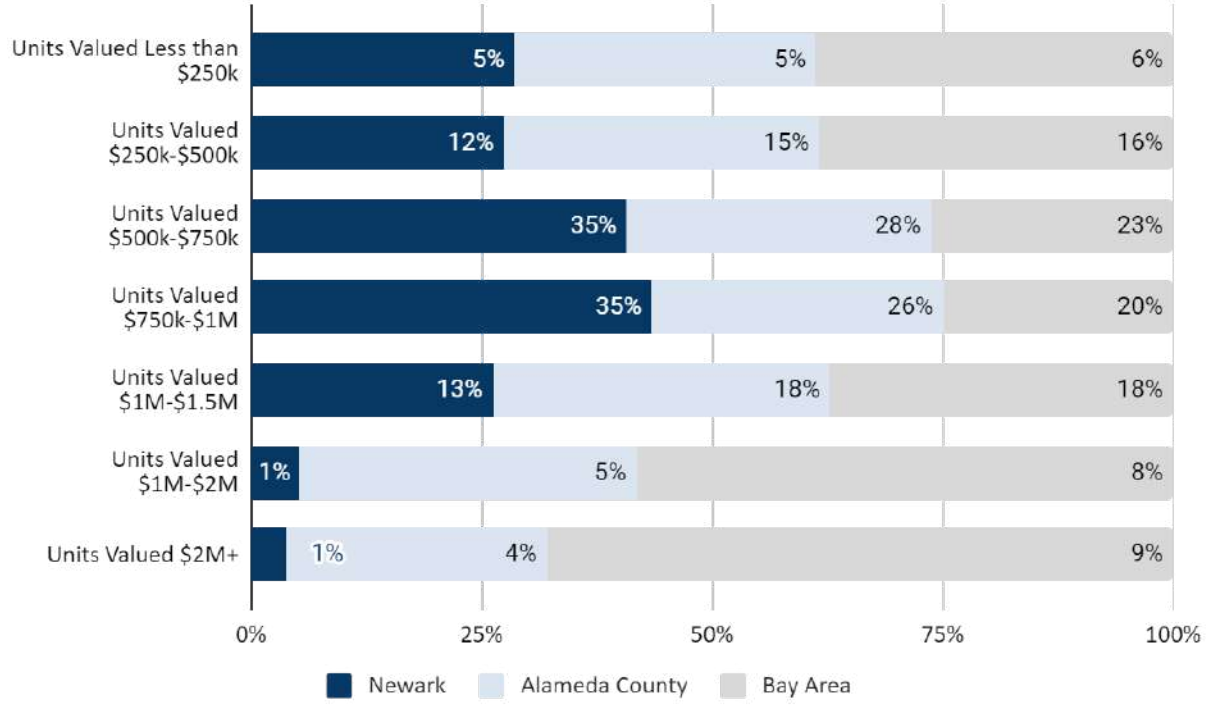
Figure 2-4: Newark Zillow Home Value Index, 2013 -2022

The ZHVI is a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums.



Source: Zillow Home Value Index (ZHCI) 2013-2022

Figure 2-5: Home Values of Owner Occupied Units, 2015-2019



Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B25075

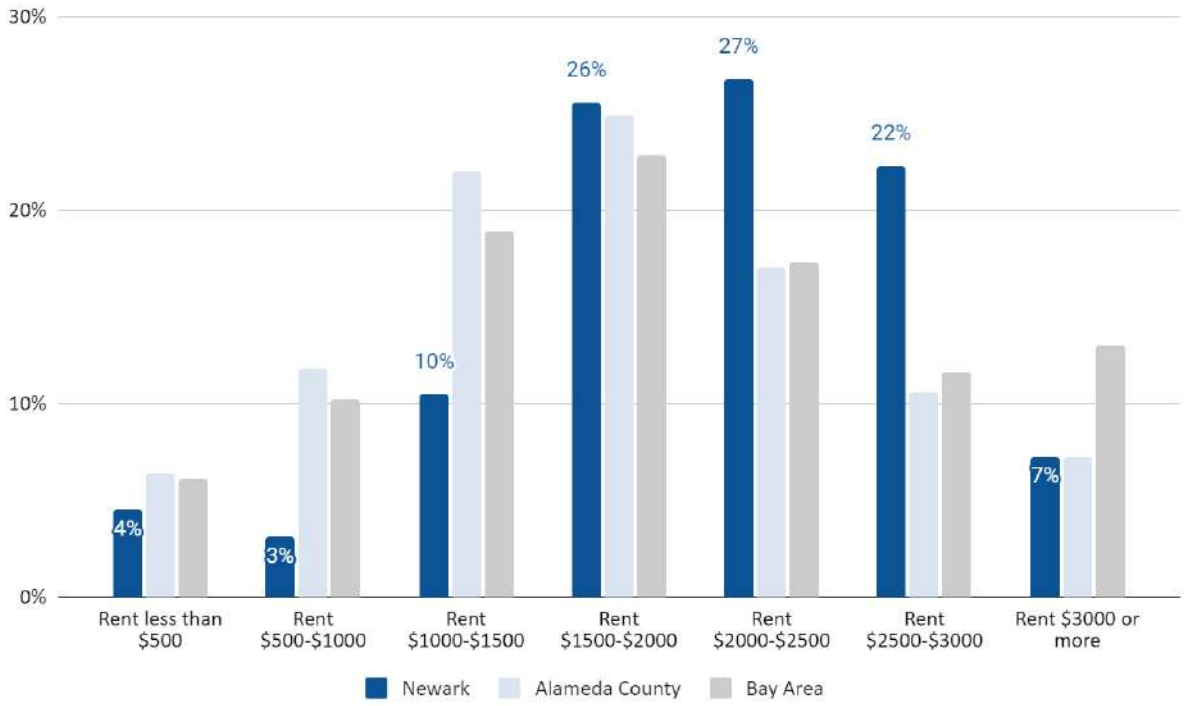
Rental Cost and Affordability

With the recent increase in rents in the Bay Area, affordable housing has become much harder for lower- and moderate-income households to find. This rent burden is an important issue for many households. In Newark 44 percent of rents are from $2,000 to $3,000 dollars per month from the 2021 American Community Survey. Conversely, only 17 percent of residents pay between $500 and $1,500 dollars per month. An indicator of the few choices available for deed restricted affordable housing in the City, which is consistent with what we have heard from community members. This is a slight change from 2019, with a reduction of those paying $1,00 to $2,500 (see Table 2-4), and a sharp increase in those paying $3,000 dollars or more, from 7 percent in 2019 to 20 percent in 2021. The percentage of those paying $500 to $1,000 dollars per month doubled from 3 percent to 6 percent, potentially tied to new affordable senior housing developments.

Newark, in relation to Alameda County and the Bay Area, has an average of 24 percent of residents paying from $2,000 to $3,000 dollars in rent, a higher percentage than both Alameda and the Bay Area with an average of 14 percent (Figure 2-6). In Newark 3 percent of residents were paying $500 to $1,000 dollars per month in cash rent, significantly fewer in comparison to Alameda County at 12 percent and the Bay Area at 10 percent. This wide discrepancy could be attributed to the lack of deed restricted affordable housing, an abundance of single family homes,

and general housing pressure from high wage earners of Silicon Valley. Table 2-5 shows most recent rents show a general increase in rents from the previous years, with housing for two and three bedrooms seeing the largest increases. With some of the largest family sizes in Alameda County, this places extreme pressure on larger families looking for housing. Housing for large families is one of the key populations the city is focusing on for new housing through their Affordable Housing Action Plan. Programs such as H 2.1 and H2.2 will open up new housing opportunities for residents. H2.7 provides funding for affordable housing developments in Newark.

Figure 2-6: Rents for Renter Occupied Units in Newark, Alameda County, and the Bay Area, 2015- 2019



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

Table 2-4: Newark Cash Rent, 2021

Rent	Percent	Population
Less than $500 per month	5%	220
$500 to $1,000 per month	6%	270
$1,000 to $1,500	6%	280
$1,550 to $2,000	18%	799
$2,000 to $2,500	22%	979
$2,500 to $3,000	22%	958
$3,000 or more	20%	860
Total with cash rent	**100%**	**4,366**

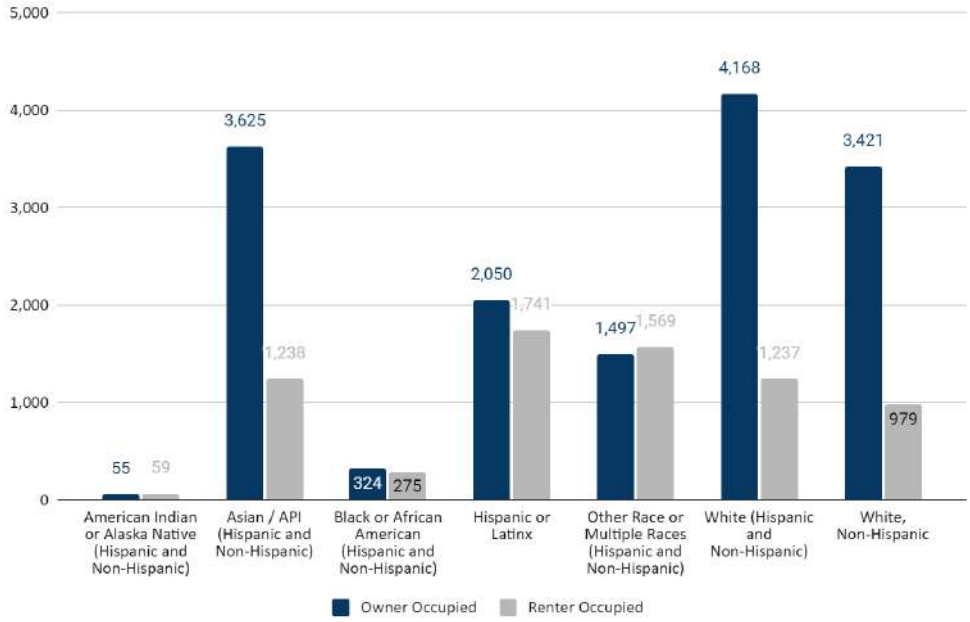
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2017- 2021), Table B25056

Table 2-5: Newark Rents, 2023

Unit	Average Rent	Year over year change
Studio	$1,600	+$200
One Bedroom	$2,300	+$55
Two Bedroom	$2,900	+$299
Three Bedroom	$3,750	+$314
Four Bedroom +	$4,950	+$133

Source :Zillow.com, accessed June 21st, 2023

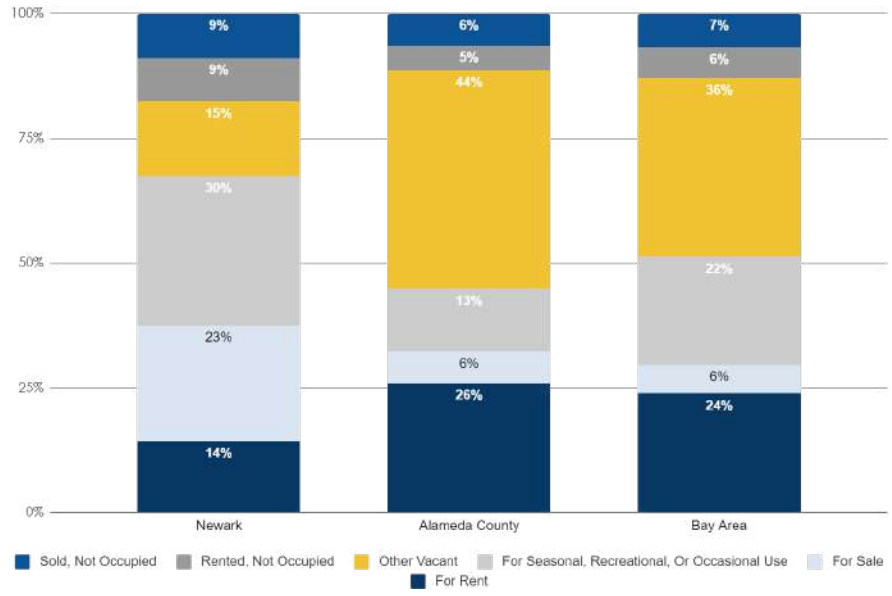
Figure 2-7: Housing Tenure by Race, 2015- 2919



Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B25003 (A-1)

Vacancy Rate

Figure 2-8: Vacant Units By Type, 2015- 2019



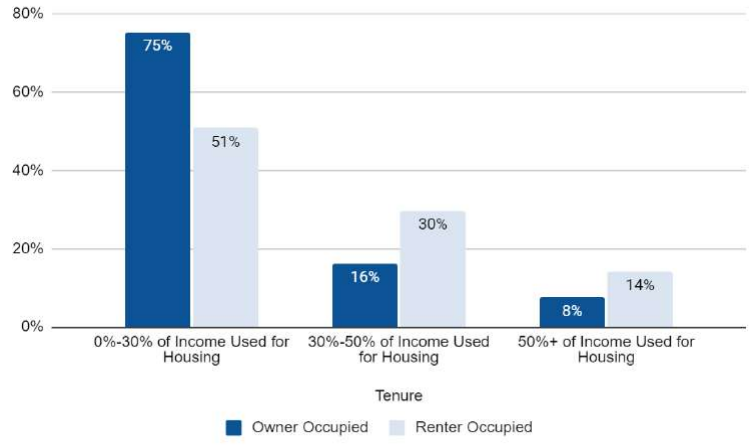
Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B25004

Overpayment and Overcrowding

Overall, many residents are paying too much for housing, while many others have been priced out entirely. If a household spends more than 30 percent of its monthly income on housing, it is considered cost-burdened. If it spends more than 50 percent, it is considered severely cost-burdened. In Newark, 12 percent of households spend 50 percent or more of their income on housing, while 19 percent spend between 30 to 50 percent. However, these rates vary greatly across income and race. Of those who are extremely low income—making 30 percent or less of the area median income (AMI)— 365 renter households, or 51 percent, spend more than half of their income on housing, as do extremely low-income owners at a slightly lower number of 255 households[7]. Figure 2-9 shows that renters are more likely to be cost burdened, with twice the number of renters (30%) spending more than 30 percent of their income on housing compared to 16 percent of homeowners, and 14 percent of renters are severely cost burdened. This leaves them with little to meet other basic needs, such as food and healthcare. Since low-income residents and communities of color are the most cost burdened, they are at the highest risk for eviction, displacement, and homelessness. Through the Inclusionary Housing Ordinance, Newark will be able to support the development of affordable housing throughout the city, with a focus on special populations such as seniors and large families.

Overcrowding is defined by the US Census as households with 1.01 persons or more per room (excluding bathrooms and kitchens). Units with more than 1.5 persons per room are considered severely overcrowded. Newark residents are experiencing both overcrowding and severe overcrowding. Table 2-6 shows Newark with 9 percent of the population living in overcrowded conditions, and three percent in severely overcrowded households.

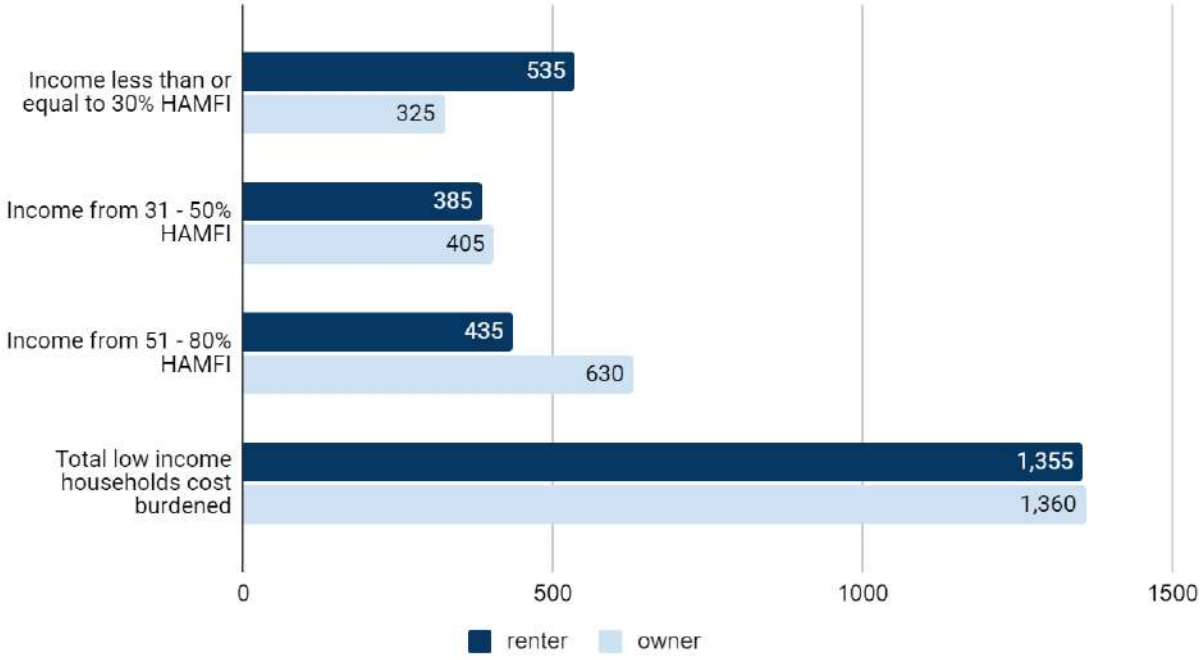
Figure 2-9: Cost Burdened Households, Renters and Homeowners, 2015- 2019



US Census Bureau, American Community Survey, 5 year data, 2015-2019, Table B25070, B25091

[7] Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2015-2019 release

Figure 2-10: Low Income Cost Burdened Households, Renters and Homeowners, 2015- 2019



U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2015-2019 release. Note: For this figure, the definition of cost burdened is spending more than 30% of income on housing.

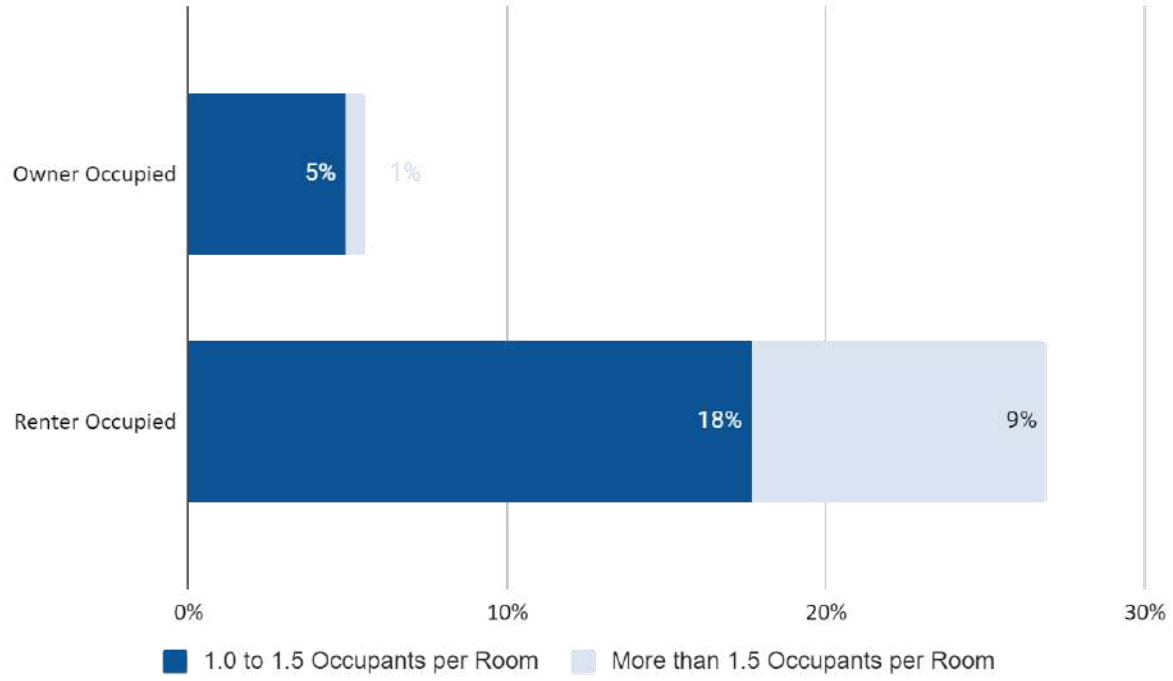
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2015-2019 release

Table 2-6 Overcrowding by Regional Population, 2013-2017

Geography	1.00 occupants per room or less	1.01 to 1.50 occupants per room	1.50 occupants per room or more
Newark	88%	9%	3%
Alameda County	92%	5%	3%
Bay Area	93%	4%	3%

Source: Housing and Urban Development, Comprehensive Housing Affordability Strategy, ACS Tabulation. 2013-2017

Figure 2-11: Overcrowding by Tenure and Severity, 2013- 2017



Source: Housing and Urban Development, Comprehensive Housing Affordability Strategy, ACS Tabulation. 2013-2017

Substandard Housing Units

High housing costs can often result in households, particularly renters, living in substandard conditions to afford housing. Through public comment and mapping of code enforcement reports, there is a high concentration of substandard housing conditions in the Mirabeau and Old Town/ Central neighborhoods from 2018 to the present, some of the oldest housing stock in the city. US Census data shows that a small number of homeowners and renter households experience substandard housing with .3 percent having substandard kitchens. That would translate to 42 homeowners and 37 rental units. Homeowners reported 0.1 percent of homes without adequate plumbing, or 12 homes. There were no rental units reported. Due to the fact that over 50 percent of Newark's housing stock was constructed before 1980, there is potential for other buildings in need of rehabilitation in the near future, and Newark will continue to offer and expand upon home maintenance programs for low and moderate income residents, with a focus on informing residents in the Mirabeau Park and Old Town/ Central Newark neighborhoods. The city has identified 40 units that could use rehabilitation and repair. The existing rehabilitation program has supported about 10 homes per year and with the addition of programs such as H1.1 Housing Rehabilitation and Repair, supporting homeowners with repairs, and H1.2 Citywide inspection program, which will inspect rental properties to ensure safe and healthy living conditions for all will help in addressing these needs and support even more households.

Table 2-7: Substandard Housing Units, 2015-2019

Building Amenity	Owner	Renter
	Percentage	
Kitchen	0.3%	0.3%
Plumbing	0.1%	0.0%

Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B25053, B25043, B25049

Subsidized Housing Units at Risk

Currently Newark has a total of 274 low income subsidized housing units (Table 2-8), owned by non profit housing developers. Due to the ownership structure of the housing units, the California Housing Partnership finds these units are at low risk of conversion to market rate housing in the next ten years. Newark Station Seniors, Newark Gardens I and Newark Gardens II are senior housing developments in Newark that comprise the total number of subsidized housing units.

Table 2-8: Subsidized Affordable Housing Units at Risk of Conversion to Market Rate 2020

Geography	Low	Moderate	High	Very High	Total Assisted Units in Database
Newark	274	0	0	0	274
Alameda County	23,040	167	189	106	23,502
Bay Area	110,177	3,375	1,854	1,053	116,459

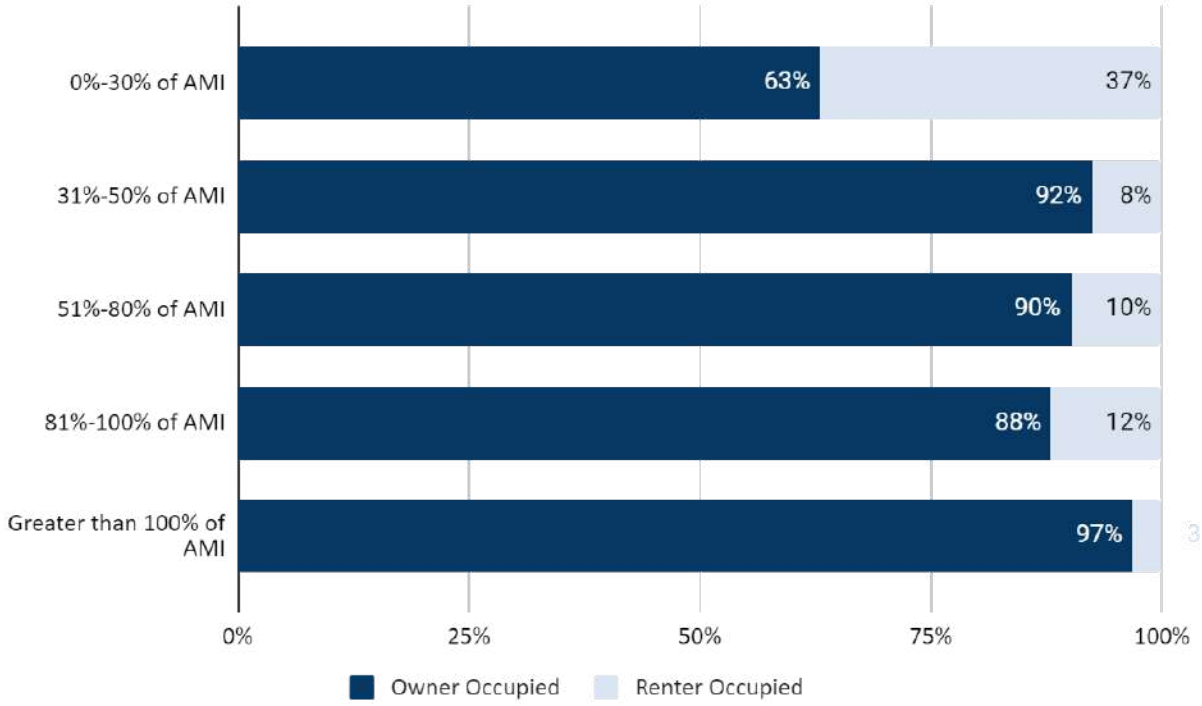
Source: Universe: HUD, Low-Income Housing Tax Credit (LIHTC), USDA, and CalHFA projects. Subsidized or assisted developments that do not have one of the aforementioned financing sources may not be included.

C. Housing Needs for Special Needs Populations

Seniors

Seniors in Newark are a growing population, as long time residents continue to age and the city adds more affordable senior rental housing. As of the 2020 US Census, there are 6,005 Seniors in Newark. Seniors in Newark overwhelmingly are home owners at every income level, with low income seniors having the highest percentage of renters at 37 percent.[8] Low income seniors experience higher rates of cost burden then moderate and above moderate income counterparts. Figure 2-12 shows that 37 percent of very low income seniors are cost burdened with 22 percent extremely cost burdened.

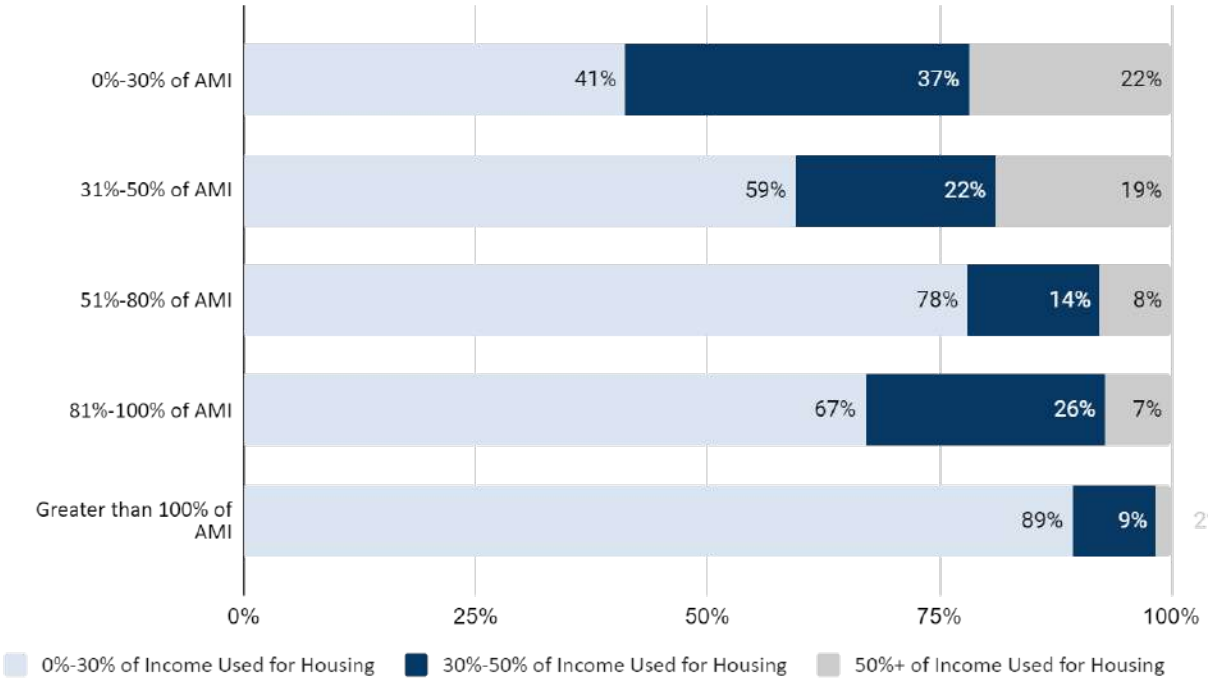
Figure 2-12: Senior Households by Income and Tenure, 2013- 2017



Source: Housing and Urban Development, Comprehensive Housing Affordability Strategy, 2013-2017

[8] Source: US Department of Housing and Urban Development. Comprehensive Housing Affordability Strategy (CHAS) ACS Tabulation, 2013-2017 release

Figure 2-13: Cost Burdened Rates by Income Level, Seniors, 2013- 2017



Source: Housing and Urban Development, Comprehensive Housing Affordability Strategy, 2013-2017

Available affordable housing for seniors in Newark includes: Newark Gardens, Newark Gardens 2 , Newark Station, and Timber Senior Housing is under construction with an anticipated completion later this year. As the senior population continues to grow, there will be increased need for housing that is accessible, affordable to those on fixed incomes and allows residents to age in place. In addition to increased types of housing options, seniors need support with the maintenance of their existing homes and their age and spaces that are accessible. Programs to address the growing senior population are program H1.1 Financial assistance with home repair, the adoption of H2.4 Universal Design Ordinance, and program H4.5 will develop a Shared Housing Partnership.

Disability

People with disabilities often face additional housing challenges. Encompassing a broad group of individuals living with a variety of physical, cognitive and sensory impairments, many people with disabilities live on fixed incomes and often need accessible designed housing to live more independent lives. In Newark, eight percent of the population has a disability of any kind, with the majority being ambulatory (Table 2-9). Due to housing challenges of affordability, accessibility and

discrimination, 87 percent[9] of people with disabilities live with family members in Newark. Partnering with local organizations that serve people with disabilities will support Newark in developing more housing options to meet the diverse needs of this population. Through community engagement we have connected with organizations providing resources and support to those with disabilities: Deaf Plus, Housing Consortium of the East Bay, and Alameda County Public Health Disability Council. **Program H4.7** will identify housing opportunities for those with Developmental disabilities, and **program H2.4** for a Universal Design Ordinance.

Table 2-9: Disability by Type, 2015-2019

Persons with Disability	Percentage
Total percentage of people with Disabilities	8%
With an ambulatory difficulty	4%
With an independent living difficulty	3%
With a hearing difficulty	3%
With a cognitive difficulty	2%
With a self-care difficulty	2%
With a vision difficulty	1%

Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B18102, B18103, B18104, Table B18105, Table B18105, B18107

People Experiencing Homelessness

People experiencing homelessness have steadily increased in Alameda County since 2017, with 9,747 sheltered and unsheltered people at the most recent point in time count on February 22, 2022. The city of Newark has a documented reduction of people experiencing homelessness, from 89 in 2019, to 58 sheltered and unsheltered people in 2022. The point in time count found a total of 32 unsheltered individuals, with 34 percent, or 11 people, living in a tent, with 8 living outside and 7 in a RV. Fewer people were found living in their car, at 6 people or 19 percent. It is no surprise that the largest number of people outside of shelters are living in tents, as the locations with the highest concentrations of people experiencing homelessness are in the undeveloped areas along highway 84, in the Eucalyptus grove, and along the 880. These sites are all concentrated in the Mirabeau and Mayhews Landing areas, in the northern portion of the city due

[9] Source: California Department of Developmental Services, Consumer Count by California Zip Code and Residence Type (2020).

to the proximity of open space for tents along the freeway.

Although Newark has a significantly lower number of people experiencing homelessness than neighboring jurisdictions, housing and homeless support is the most prevalent service request for Newark callers to the countywide 2-1-1 referral service, representing about 42% of all service requests. Newark residents are seeking referrals for low cost rental listings, rent payment and deposit assistance, supportive and transitional housing, emergency shelter, among other services (Eden I&R Referral Service, January 2020 through March 2022).

Currently Second Chance provides transitional housing for those experiencing homelessness in Newark. The facility has 32 beds, with the shelter at 81 % capacity on the point in time count. In conversation with John Balentine, Executive Director of Second Chance, he shared that as an organization, they budget funds for transportation, providing bus passes and having a van to transport residents if public transportation is not sufficient.

The city has engaged in a number of actions to address homelessness in Newark. There is a partnership with the Fremont Family Resource Center to provide support to Newark households at risk of becoming homeless, and the city was awarded a HomeKey grant to convert the Towne Place Suites extended stay hotel into 124 supportive, affordable residential units known as Cedar Community Apartments. The Housing Navigation Center in Fremont has prioritized space for those experiencing homelessness from the greater Tri City area. The 2021 Housing Navigation Center Annual report showed 8 percent or 6 Newark residents were supported. The City also partners with the city of Fremont to provide access for personal hygiene, with a mobile unit coming to Newark once a week for showers and laundry.

Utilizing American Rescue Plan Act funding, the city is working to establish a local family resource center in the Old Town/ Bayside neighborhood. This resource center would provide an initial point of access to any residents in need of social services. Some services could be accessed directly at the center through third party social service providers or referrals could be made to other agencies,and a space for the Promotores, a local organization for the Latino Community. Most recently the city has created a Homelessness Committee with members from various City departments to develop a cohesive plan to address homelessness and have launched a Human Resources webpage, connecting the community with resources for people experiencing homelessness such as housing, transportation. and food pantries around the city.

The city has developed a number of programs in response to the needs of people experiencing homelessness identified : Program H2.5 will continue to build upon the work the city has undertaken to develop a local response to homelessness. Program H2.10, makes changes to increase uptake of Single Room Occupancy or (SROs), an affordable housing type, Program H4.10, identifies zoning changes for special needs housing, and Program H4.8 connects residents with foreclosure assistance. The following is a list of agencies operating support services, emergency shelters, and transitional and supportive housing in Newark and the surrounding area:

- **Viola Blythe Community Services Center, Newark.** Viola Blythe provides services for Children, men, women and families in immediate need can use the services and programs of the Viola Blythe Community Service Center. No fees are charged for any services provided. Some services include food distribution, baby food and formula, clothing, children's shoe fund, and referrals to other agencies.
- **Clean Start Mobile Hygiene Unit.** For someone experiencing homelessness, keeping yourself and your clothes clean can be incredibly challenging, and can greatly impact your ability to get and keep a job, or simply participate in society. To meet this need, the City of Fremont, City of Newark, and several community partners developed the Clean Start Mobile Hygiene Program to provide much-needed shower and laundry services to our homeless neighbors.This mobile hygiene van travels between Fremont, Newark and Union City each week.
- **Centro de Servicios, Union City**. Centro de Servicios has assisted more than 800 families and individuals every month since its inception in 1974. This nonprofit corporation is a major service provider for the homeless population in Alameda County's Tri-City area. The center provides basic necessities, such as food, clothing, and blankets as well as referrals, counseling, job listings, and workshops to its clients. Recently celebrating 40 years of operations, Centro de Servicios serves over 1,300 families per month, out of multiple locations. Staff estimates that they assist at least 20-50 homeless or at-risk clients from Union City per week. Most (80 percent) of these clients are Latino. Many live in substandard housing, in their cars, or at local parks and campgrounds. Staff makes referrals to nearby shelters, especially Sunrise Village in Fremont and Second Chance in Newark.
- S**econd Chance Addiction Recovery.** Second Chance is a counseling and recovery agency that operates five outpatient centers in addition to a short-term emergency shelter. They have locations in Newark, Hayward, Phoenix, and the Tri-City area. The emergency shelter has 30 beds for single men, women, and for families. Addiction recovery services are provided on-site and there is not typically a waiting list to receive treatment and recovery services.
- **Abode Services (formerly known as Tri-City Homeless Coalition), Fremont**. Abode Services operates nearly 60 primary programs across six counties and has experienced dramatic growth in response to the increasing need for affordable housing and services for homeless people. Abode Services works to provide housing and services to homeless people in the community as they work to help people remain stably housed and live as independently as possible. In 2021 they served 14,700 adults and children across their programs. In Alameda and Santa Clara Counties, Abode offers three main types of services: emergency shelter and street outreach services, supportive housing for formerly homeless families and individuals, and supportive services, such as mental health services and employment support. They provide extensive services to Tri-City residents, including permanent supportive housing, emergency shelter and services at Sunrise Village Emergency Shelter in Fremont, and social and health services though the HOPE Project Mobile Health Clinic. Their programs serve a wide variety of people, including families with

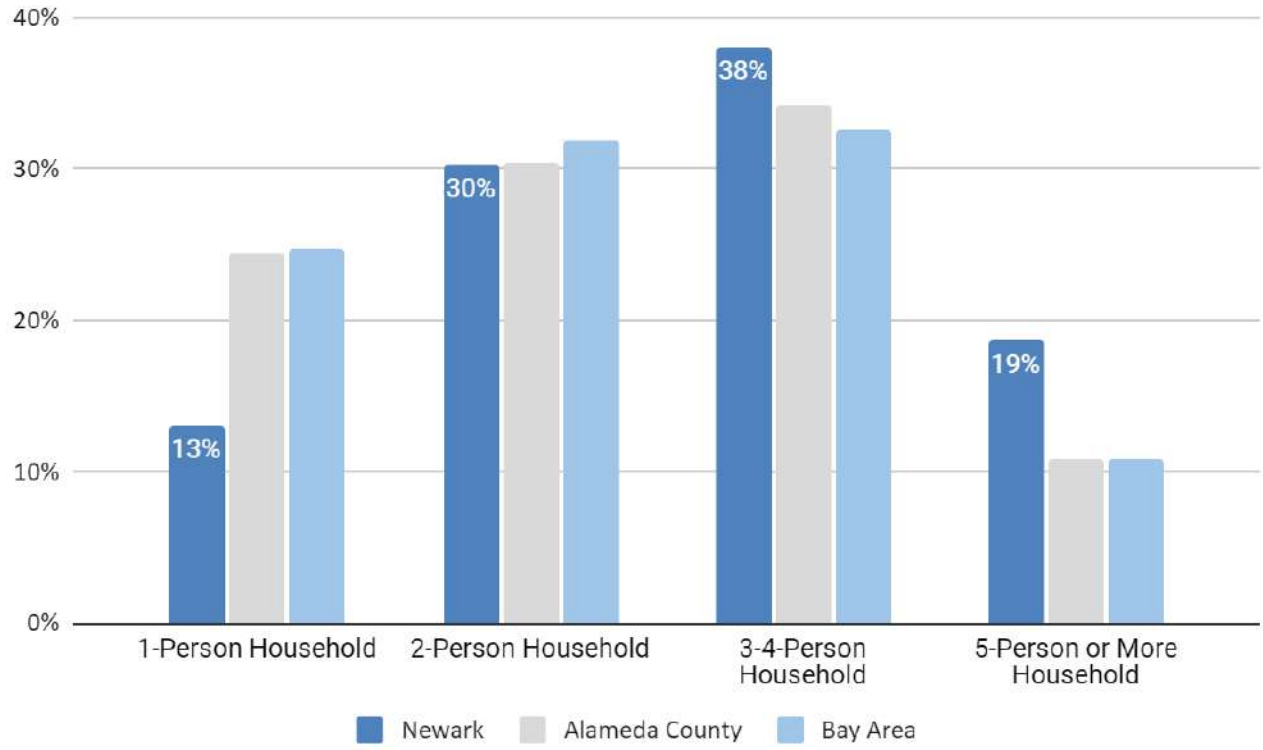
children, at risk youth exiting foster care, veterans and their families, and people who are chronically homeless. In 2021, 5,542 participants throughout Alameda County received support.

- **Safe Alternatives to Violent Environments (SAVE)**. SAVE is a non-profit community-based organization founded in 1976 to address domestic violence. They provide supportive services, advocacy and education, and a 25-bed safe house for families fleeing abuse. From 2020 to 2021, 1,265 participants received critical services from SAVE. SAVE also provided shelter to 98 women and children and provided rent subsidies and ongoing case management to 60 families in the Housing First Program.

Large Households

Large Families are considered to have 5 or more people, bringing about the need for larger housing units with three bedrooms or more. Figure 2-13 shows Newark has a larger percentage of families with 3 or more people than Alameda County and the Bay Area, with 38 percent of households with 3 or more, and 19 percent of households with five or more people. While Newark has a large inventory of single family homes, the cost of rent and ownership place many of these homes beyond reach for families. Families also face costs such as child care, increased transportation and medical care that further reduce their housing budget allowance. The pace of construction of multifamily and affordable units has not kept pace with that of market rate single family homes in Newark. **Program H5.2** Affordable Housing Development Programs work to increase the number of affordable housing constructed in the city. Newark's Affordable Housing Action Plan has identified large families as a community of focus for new housing needs.

Figure 2-14: Households by Household Size, 2015- 2019

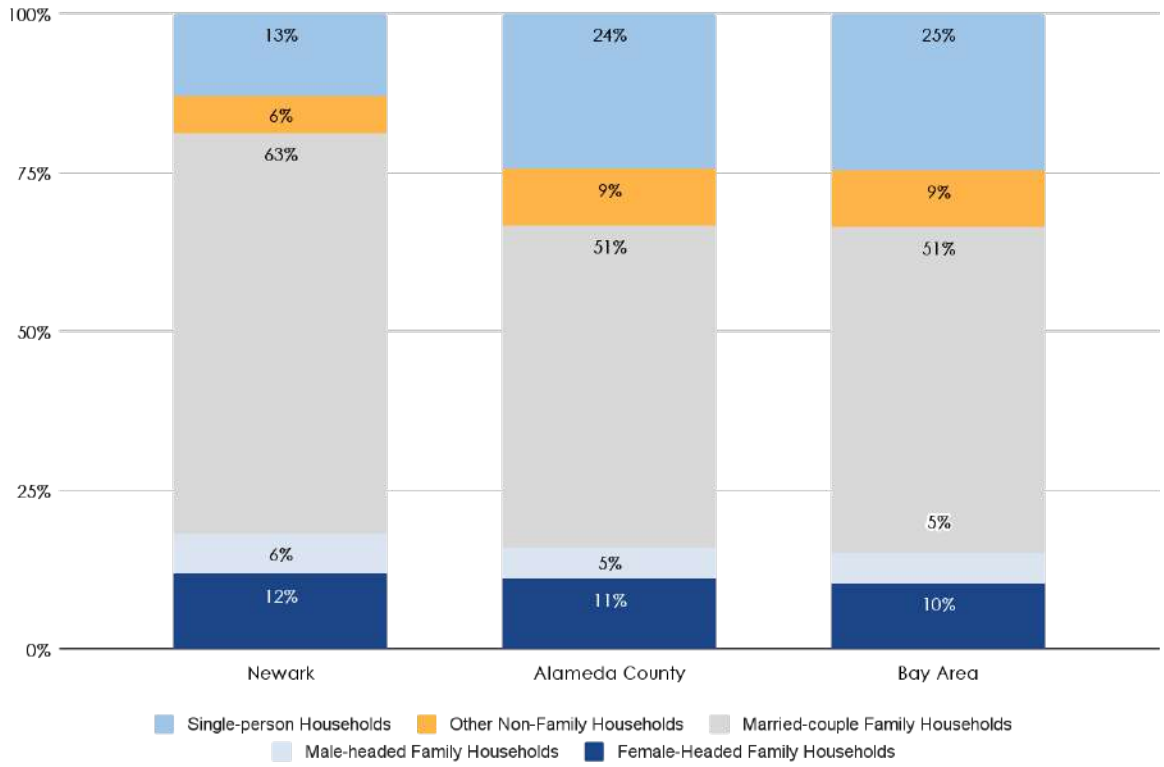


Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B11016

Female Headed Household

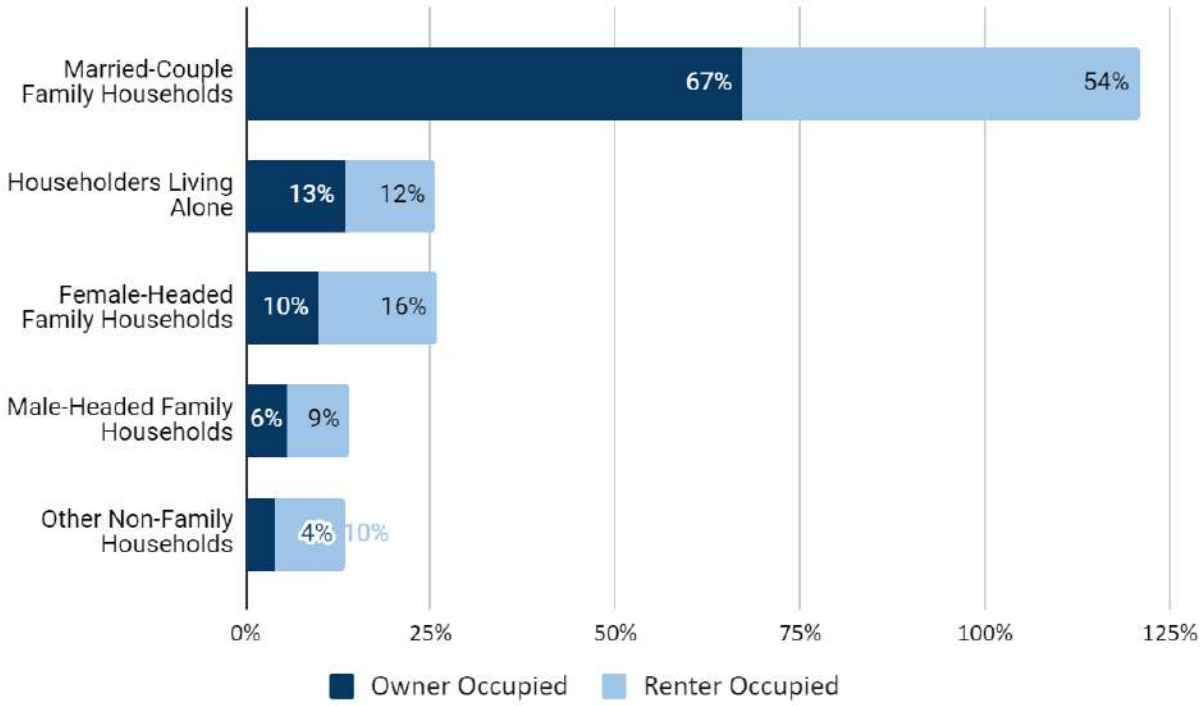
Government Code Section 65583(a)(7) identifies families with female heads of households as a group that may have special housing needs and requires the City to analyze the housing needs of these households. Female-headed households are households led by a single female with one or more children under the age of 18 at home. In Newark, 11 percent of households are female-headed families, which are often at greater risk of housing insecurity. A greater number of single parent headed households are renters, with 67 percent of married households owning homes, compared to 16 percent of female headed households (Figure 2-15). Female headed households have a significantly higher vulnerability to poverty, 22.8 percent of female-headed households with children fall below the Federal Poverty Line, while 5.7 percent of female-headed households without children live in poverty (Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012). As Female headed households face challenges of familial housing discrimination, limited income due to wage discrimination against women makes this population have higher rates of poverty and vulnerability to being housing cost burdened.

Figure 2-15: Household Type, 2015- 2019



Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B11001

Figure 2-16: Household Type by Tenure, 2015- 2019



Source: US Census Bureau, American Community Survey, 5 Year Data, 2015-2019, Table B25011

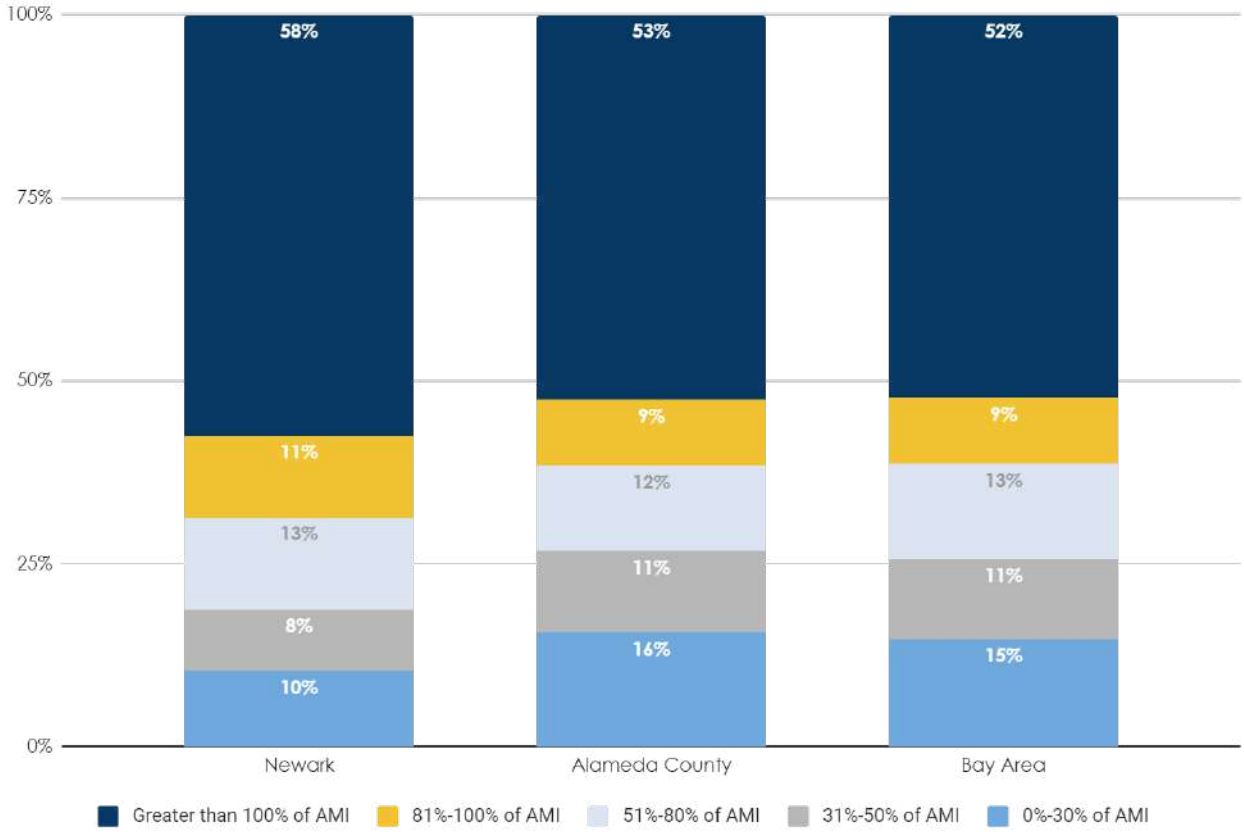
Existing housing need for extremely low-income households

Residents with extremely low incomes, less than 30% of the Area Median Income, face extreme housing challenges due to fixed or low incomes, credit, disability, family structure and access to affordable housing. In Newark, 58% of households make more than 100% of the Area Median Income (AMI), compared to 10% making less than 30% of AMI, which is considered extremely low-income (see Figure 2-17). In Newark, renters are disproportionately experiencing cost burden, with 30 percent of renters cost burdened and 14 percent spending more than 50 percent of their income on housing (Figure 2-9) . Regionally, more than half of all households make more than 100% AMI, while 15% make less than 30% AMI. In Alameda County, 30% AMI is the equivalent to the annual income of $34,850 for a family of four. Many households with multiple wage earners – including food service workers, full-time students, teachers, farmworkers and healthcare professionals – can fall into lower AMI categories due to relatively stagnant wages in many industries.

To estimate the projected housing need for extremely low-income households, 50 percent of Newark's 464 very low-income RHNA units are assumed to serve extremely low-income households. Based on this methodology, the City has a projected need of 232 units for extremely

low-income households over the 2023-2031 Housing Element planning period. More than half of this allocation will be provided through the Cedar Creek Apartments, which is already in the development pipeline and has received $6M in funding support from the City's Affordable Housing Impact Fee Fund. Additional proposed programs to support the housing needs for this population include Program H5.2 Affordable Housing Development Programs work to increase the number of affordable housing constructed in the city.

Figure 2-17: Households by Household Income Level, 2013-2017



Source: Housing and Urban Development, Comprehensive Housing Affordability Strategy, 2013-2017

Farmworkers

The number of farmworkers living in Newark has declined over the years, with the student population at 57 students for the 2019-2020 school year. The previous years saw 79 students for 2017-2018 and 72 for the 2018 to 2019 school year. Table 3-12 shows the trends for both Alameda county and the greater Bay Area see a similar decline in the migrant farmworker student population. Generally, the number of farmworkers living in Alameda county has been declining since 2012, with fewer than 400 residents working in the industry in a permanent position. It is important to recognize that farmworkers could be under-counted by the census due to their

migrant nature. Farming and farmworkers are a significant element of the state's economy, but play less of a role in the Bay Area. Due to lower wages, language barriers, and inconsistent work, farmworkers can have difficulty securing housing, and for these reasons could experience overcrowding and substandard housing conditions. To support these populations, program H2.6 Work in Partnership with Newark Unified School District to ensure that housing resources are reaching families that need them and and Program H5.2 Affordable Housing Development Programs work to increase the number of affordable housing constructed in the city.

SECTION 3 AFFIRMATIVELY FURTHERING FAIR HOUSING

A. Affirmatively Furthering Fair Housing

Historic and current land use policies and planning play a key role in the ability of individuals and families to live in neighborhoods with opportunity, including academically and culturally supportive schools, a wide variety of living wage jobs, and convenient access to transit and services. In response to continued housing discrimination, which prohibits discrimination regarding the sale, rental, and financing of housing based on race, color, religion, national origin, sex, familial status, and disability status — people within protected classes continue to encounter limits in housing choice and mobility. In 2018, the California State Legislature passed Assembly Bill (AB) 686 to expand upon the fair housing requirements and protections outlined in the Fair Employment and Housing Act (FEHA); and, protect the requirement to affirmatively further fair housing (AFFH) as published in the 2015 U.S. Department of Housing and Community Development's (HUD) Affirmatively Furthering Fair Housing Rule. California's Department of Housing and Community Development (HCD) defines AFFH as taking meaningful actions to explicitly address, combat, and reverse disparities resulting from past patterns of segregation to foster more inclusive communities. As part of this, housing elements are required to include the following components:

- **Inclusive and Equitable Outreach:** Housing elements must make an effort to equitably include all community stakeholders in the housing element participation process.
- **Assessment of Fair Housing:** All housing elements must include an assessment of fair housing. This assessment should include an analysis of the following four fair housing issues: integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs, including displacement risk.
- **Analysis of Sites Inventory:** Local jurisdictions must evaluate and address how particular sites available for housing development will meet the needs of households at all income levels. The housing element must analyze and conclude whether the identified sites improve or exacerbate conditions for fair housing.
- **Identification of Contributing Factors:** Based on findings from the previous steps, housing elements must identify, evaluate, and prioritize the contributing factors related to fair housing issues.

- **Goals and Meaningful Actions to AFFH:** Local jurisdictions must adopt fair housing goals and actions that are significant, meaningful, and sufficient to overcome identified patterns of segregation and affirmatively further fair housing. The housing element should include metrics and milestones for evaluating progress and fair housing results.

B. History of the Land and People

The land that is now Newark is the aboriginal homeland to the Muwekma Ohlone Tribe, Ohlone, Confederated Villages of Lisjan and Tamien Nation. Throughout the period of European colonization, aboriginal tribes were removed from their lands and in some circumstances moved into mission settlements, such as the Mission San José, and subjected to religious conversion practices and forced labor. In the Early 20th century Newark was still primarily marshland and waterways leading into the San Francisco Bay. Land speculation brought investors to the area and Newark became home to a dairy farm and tourism from around the county for picnicking and entertainment. Over time a railroad connection was established south to Santa Cruz and North to Alameda and industry followed. Incorporated as a city in 1955, Newark has been the home to steel foundries, manufacturing, and a large and successful solar evaporation of salt production that rivaled the entire Bay Area. Newark's development and land use was divided, with manufacturing isolated to the western portion of the city. The residential portion consisted of single family homes built during the post war building boom that were accessible to white families only through government backed low interest loans provided by the Federal Housing Administration. As manufacturing moved out of Newark in the 1970's and 1980's, Newark has transitioned to an economy of technology and education. The transition has also transformed the city from primarily White to one with a majority of residents from Asia and Latin America.

Ann Marie Sayers, Ruth Orta, Corrina Gould and Caleen Sisk at Living On Ohlone Land, Photo by Christopher McLeod

Although Newark has no redlining maps or racially restrictive covenants on file, de facto discrimination has shaped access to housing historically and into the present day. From discrimination in governmental lending for single family homes, to the real estate industry and personal prejudice, Newark's growth as a city coincided with unregulated racial discrimination in housing during the 1950s and 1960's. Through oral history accounts of Jean Ficklen, founder of Afro-American Cultural & Historical Society and first African American teacher in Newark, we learn of the discrimination her family faced in finding housing in the Bay Area as an African American family in the 1960's. Ms. Ficklen and her family were looking for housing closer to her husband's employment at the Lockheed Missile and Space Center in Sunnyvale, California, a 54 mile commute one way to Richmond where they lived. They found a home in Hayward that they liked, and after meeting with the realtor, were set to move to a house there. The day before they were scheduled to move, the house was no longer available to them. They were offered a house to rent in Newark but were asked not to tell who rented it to them. Soon after they moved to the neighborhood, for sale signs went up, typical of the times of neighborhood blockbusting fueled by fear and discrimination (J.Ficklen, Personal communication, January 21, 2021).

C. Summary of Fair Housing Need

Fair housing

- A lack of affordable housing for residents for sale and rent is one of the largest fair housing issues Newark faces. Due to decades-long reduction in federal funding for affordable housing production, and a lack of affordable housing production at the city level, there is a shortage of housing at prices that meet the needs of current and future residents.
- Disability and race are the highest reported instances of discrimination in Newark over the past five years. In 2020-2021 Echo Housing saw 10 cases of reported discrimination based on disability and 4 cases in National origin. The city heard from residents, specifically the Latinx community that there are significant challenges to accessing housing. A report from El Tiempano found that women and undocumented residents faced the most challenges, specific issues faced by residents were:
    - Difficulty of providing documentation when many undocumented immigrants are paid under the table or are not named on rental leases
    - Challenges accessing information digitally
    - Complicated/confusing applications without assistance readily available

Segregation and Integration

- There is a significant level of segregation between Latinx and White residents with an index of .229 or **22.9%. Meaning that 22 percent of Latinx or white residents would need to move to address this**. Due to the fact that the Latinx community is 30 percent of the population in Newark, this indicates a significant level of segregation between Latinx and White residents in Newark, slightly higher than segregation at the regional level.
- Asian residents are the most isolated at 0.451, meaning the average **Asian resident lives in a neighborhood that is 45.1% Asian.** Asian residents also have the highest percentage (36.7%) of residents making more than 100 percent of area median income.
- Other ethnicities in Newark have a higher likelihood of interacting with people outside their race. **White residents have seen the greatest reduction in isolation, from 43 percent in 2000 to 27 percent in 2020.**

Access to Opportunities

- Overall, Newark consists of two census tracts that are considered high resource areas (NewPark Place and Birch Grove) while the remaining six tracts (Lake- Rosemont, Mirabeau Park, Mayhews Landing, Gateway/Bayshore, Old Town and Central Newark) are considered moderate resource areas.

- The City's high resource areas have both dominant and secondary populations that are either White or Asian. In NewPark Place, nearly 51% of the population is Asian and 23% is White. In Birch Grove, 35% is White while nearly 29% is Asian.
- Five out of six of the City's moderate resource areas have dominant populations that are Hispanic/Latinx, ranging from almost 34% in Mayhews Landing to nearly 53% in Old Town/Central Newark. In the remaining moderate resource area, Lake-Rosemont, 40% of the population is White, making it the dominant population while nearly 29% is Hispanic/Latinx.
- There are large disparities in environmental outcomes in Newark, with low outcomes in central Newark and a portion of the Old Town area that is also home to a majority of lower income and Hispanic/Latinx residents.

Disparate Housing Needs

Overcrowding

BIPOC (Black, Indigenous and People of Color) populations are the most cost burdened and experience disproportionate rates of overcrowding. Central Newark in the Old Town area has 9 percent of households experiencing overcrowded housing, with 5 percent of households experiencing extreme overcrowding in the Northwest corner of the city. As shown in Figure 3-2, these two areas are predominantly occupied by communities of color, with 80 to 100 percent of residents in the Old Town area. Mixed race residents face the highest rates at 33 percent, followed by Hispanic/Latinx (30%) and Indigenous residents at 22 percent.

Cost Burdened

Newark's low and moderate income populations and renters experience the highest levels of cost burden. BIPOC communities, Black (41%), Indigenous (46%), Multi Racial (46%), and Latinx (47%) residents are the highest cost burdened, and most vulnerable to displacement, overcrowding and homelessness. Asian and White residents are the least cost burdened at 27 percent and 21 percent respectively. Renters are more likely to be cost burdened, with twice the number of renters (30%) spending more than 30 percent of their income on housing compared to 16 percent of homeowners.

Families

Households with children face additional challenges accessing housing that meets their needs for both size and cost. Housing survey results conducted from March 15th through April 30th 2022, found that when asked what are the most urgent housing needs at this time, 50 percent responded that housing for families was the greatest need. There was a special interest in housing for single

parents, as female-headed households make up 17 percent of all households and **22.8 percent of female-headed households with children fall below the Federal Poverty Line.**

People Experiencing Homelessness

Through community engagement we have been alerted to the high number of residents experiencing homelessness that are finding shelter in local motels that are not reflected in point in time counts. Homelessness in Newark affects all racial and ethnic groups, although not equally. There is a significant population of families experiencing homelessness, with about 5% of all students In Newark, which further indicates the lack of affordable housing. Notably, about ***96 percent of homeless students in Newark are students of color,*** with over 167 of these students being Hispanic or Latino. While NUSD has only a small number of Pacific Islander students (98 students), about 28 percent of them are homeless.

D. Fair Housing Assessment

Regional Barriers to Fair Housing

The following is a summary of key barriers to housing in Alameda county, compiled by Alameda County, in the Analysis of Impediments to Fair Housing Choice in January of 2020.

- Across the County, segregation has increased between White residents and BIPOC communities within the last decade, with White residents comprising the majority of homeowners but only approximately a third of the County's population.
- BIPOC households continue to have disproportionate levels of housing discrimination as renters and in the housing market. Overall, the rate of mortgage approvals has gone up in the last seven years, but the disparities in the rate of approval across race and ethnicity has stayed relatively the same. Black applicants continue to have the lowest approval rate at 59.1 percent and Hispanic applicants the second lowest at 61.5 percent compared to White applicants at 70 percent.
- BIPOC communities are displaced residents are being displaced from areas with a traditionally large population and have less access to proficient schools, jobs, and environmental health.

- The average home sales prices have increased from approximately $300,000 to nearly $900,000 in less than 20 years (unadjusted for inflation).
- Wages have not kept up with rent increases, currently the wage needed to rent an average housing unit in the County is $44.79 an hour or $93,000 a year. Median rents have risen an average of $1,000 (unadjusted for inflation) since 2010, representing an increase of 55 percent in a 9-year period.
- Homelessness has increased by 42 percent since 2017.
- BIPOC households, especially black and Hispanic/ Latinx households, have the highest rate of disproportionate housing needs, which includes having incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and households with a cost burden greater than 30 percent.
- Based on community feedback, Housing Choice Voucher holders and those with disabilities often find it difficult to find an appropriate housing unit. Some find it difficult to find an appropriately sized unit that will take their voucher and others experience that the vouchers will not cover the rent of an appropriately sized unit.
- Disability, race, and familial status are the most common bases of housing discrimination complaints forwarded to the California Department of Fair Employment and Housing and the office of Fair Housing and Equal Opportunity.

Fair Housing Outreach Capacity and Enforcement

Fair housing complaints can be used as an indicator to identify characteristics of households experiencing discrimination in housing. Pursuant to the California Fair Employment and Housing Act [Government Code Section 12921 (a)], the opportunity to seek, obtain, and hold housing cannot be determined by an individual's "race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, genetic information, or any other basis prohibited by Section 51 of the Civil Code." Fair housing issues that may arise in any jurisdiction include but are not limited to:

- Housing design that makes a dwelling unit inaccessible to an individual with a disability;
- Discrimination against an individual based on race, national origin, familial status, disability, religion, sex, or other characteristic when renting or selling a housing unit; and
- Disproportionate housing needs including cost burden, overcrowding, substandard housing, and risk of displacement.

The following are organizations at the state and county level that provide resources and support for fair housing and eviction defense.

East Bay Community Law Center (EBCLC): EBCLC's Housing Program focuses on defending eviction lawsuits brought against low-income tenants, as well as enforcement of local rent and eviction control ordinances. The program emphasizes defense of long-term tenancies to preserve the value of rent-controlled units. EBCLC also prioritizes subsidized tenancies such as those in Section 8 and conventional public housing programs, as well as on behalf of tenants with disabilities.

Housing and Economic Rights Advocates (HERA): HERA is a California statewide, not-for-profit legal service and advocacy organization dedicated to helping Californians — particularly those most vulnerable — build a safe, sound financial future, free of discrimination and economic abuses, in all aspects of household financial concerns. They provide free legal services, consumer workshops, training for professionals and community organizing support, create innovative solutions and engage in policy work locally, statewide and nationally.

Housing Equality Law Project (HELP): HELP seeks to expand legal protections in fair housing through advocacy, leadership training, education and outreach, and enforcement of anti-discrimination laws.

Newark works with ECHO Housing for fair housing enforcement. ECHO provides fair housing counseling and education, tenant/landlord counseling and mediation, and other housing-related programs. To address the needs of Limited English Proficient speakers, ECHO provides services and classes in Spanish, has online information available in multiple languages, and has access to interpretation and translation services. ECHO programs include:

- Fair housing counseling, investigation, education, and enforcement
- Tenant/landlord counseling and mediation
- Rental Assistance Program
- Home Seeking Services
- Shared Housing Counseling & Placement
- Homebuyer Education Workshops

ECHO Housing has compiled fair housing complaints in Newark that align with those at the county level, with the majority regarding race and disability. In Newark, disability has the highest share of complaints filed from 2016 to 2021 at 27, with race at 16 complaints. City staff conducted one on one interviews with affordable housing providers. Through communication with Darin Lounds on April 29th, 2022, Executive Director of the Housing Consortium of the East Bay, he shared that many people with disabilities are well educated in the process, which can make it appear there are a larger number of instances of discrimination in comparison with other types of discrimination.

El Timpano is a non profit, community based organization in Alameda County that provides access

to information for Spanish and Mayan speaking communities through a text based SMS platform. They conducted an in depth investigation on the barriers that residents are experiencing accessing housing resources during COVID-19. They found that women and undocumented residents faced the most challenges, with specific issues faced by residents were:

- Difficulty of providing documentation when many undocumented immigrants are paid under the table or are not named on rental leases,
- Challenges accessing information digitally
- Complicated/confusing applications without assistance readily available

Through communication through text and phone interviews, the organization found that changes that would be most impactful in supporting increased access would be less documentation-heavy requirements, help with the application process over the phone or in person, more promotion and support in Spanish, and a shorter application process.

Table 3-1: Newark Fair Housing Complaints, 2016-2021

Fiscal Year	Race	National Origin	Disability	Familial Status	Marital Status	Religion	Sex	Source of Income	Age	Other	TOTAL
2016-2017	10	0	5	0	0	0	0	0	0	0	15
2017-2018	1	0	1	0	0	0	0	0	0	0	2
2018-2019	4	0	1	0	0	0	0	0	0	0	5
2019-2020	1	0	10	0	0	0	0	0	0	0	11
2020-2021	0	4	10	0	0	0	0	2	0	0	14

Source: ECHO Housing

Table 3-2: Fair Housing Complaints Forwarded to Fair Housing and Equal Opportunity Alameda County, January 2017- June 2020

Complaint type					2017-2021 Total	
	2017	*2018*	*2019*	*2020*	*Cases*	*% of Total*
Color	1	1	1	0	3	1.5%
Disability	32	26	28	15	101	49.8%
Familial Status	10	5	3	2	20	9.9%

Complaint type					2017-2021 Total	
	2017	*2018*	*2019*	*2020*	*Cases*	*% of Total*
National Origin	4	4	0	1	9	4.4%
Hispanic Origin	2	2	0	0	4	2.0%
Race	7	9	5	2	23	11.3%
Asian	0	1	0	0	1	0.5%
Black	5	4	5	2	16	7.9%
Black and White	0	1	0	0	1	0.5%
Native American	1	1	0	0	2	1.0%
White	1	2	0	0	3	1.5%
Religion	1	2	2	0	5	2.5%
Retaliation	7	9	8	1	25	12.3%
Sex	***7***	***5***	***5***	***0***	***17***	***8.4%***
Total Cases	***69***	***61***	***52***	***21***	***203***	***100%***

HUD Note: Percents do not add up to 100 due to cases containing multiple bases of discrimination.

Local Knowledge on Capacity and Enforcement

Four key issues in the capacity and enforcement of fair housing have been identified in the Alameda County Analysis of Impediments to Fair Housing document, and by the Executive Director of ECHO Housing:

1. **Inadequate funding and organizational capacity** are the primary limitations for improving and expanding upon existing fair housing enforcement. Recividng funding from a couple jurisdictions in the County is insufficient.
2. **Limited sources of funding and HUD capping allocation amounts** of Community Development Block Grants for fair housing activities limits the participating jurisdictions from being able to utilize more of these funds for fair housing work.

3. **Reduction in the number of fair housing organizations and activities in the region** has taken place, with at least two fair housing agencies in the East Bay have closed their doors.

4. **A lack of affordable housing supply** due to significant decreases in funding from the federal government since 2008. Guidance from HCD suggests a connection between fair housing complaints and that the lack of affordable housing that is needed is affordable to persons on public assistance, accessible housing for persons with disabilities, and senior citizens, single parent households and large families. Although local tax funding has been approved in select jurisdictions, a large funding shortcoming remains.

The Alameda County Collaborative, an ad-hoc group of housing program professionals working for local Alameda County jurisdictions, held a panel with representatives from community-based organizations (CBOs) on April 25, 2022. The participating CBOs' clientele included members of protected classes, including immigrants and non-English speakers; households with special needs, including persons with disabilities and seniors; and persons who are experiencing fair housing issues. This document synthesizes key points the CBOs presented.

Community-Based Organizations identified key barriers and obstacles that they and their clients face related to fair housing, including:

- Insufficient access to information due to language/technology barriers (particularly for immigrant communities and seniors); fear/distrust of the system; and difficulty understanding rights/resources
- Complex, inflexible application requirements for housing resources that may vary between jurisdictions, exclude certain people (e.g., undocumented, formerly
- incarcerated), or be difficult to meet
- Communication between CBOs and property owners is difficult to navigate, requires individual relationships with each location
- Overall cost of housing (most CBOs' clients fall under the 30% AMI) and need for tenant protections

The CBOs recommend these strategies to strengthen outreach efforts:

- Meet people where they are—engage with existing outreach channels
- Partner with school districts to distribute information, as well as any civic organizations such as libraries, religious institutions, medical services
- "Train the trainer" approach to educate existing service providers on housing rights and referrals for their clients

- Provide materials appropriate for audience (e.g., physical flyers for seniors; video/audio content for Mam speakers)

Solutions that panelists recommended for housing projects to better serve their clients:

- Identify onsite supportive services that are appropriate for residents early in process
- Early and sustained relationships between service providers and properties, especially relative to preparing eligible residents for the document/application needs for housing
- Renters' protection and long-term rental subsidies, particularly for households under 30% AMI
- Greater flexibility in application process (make it easier for CBOs and their clients to navigate, remove barriers for undocumented people)

Through housing survey responses and small group conversations in community meetings, The city has constantly heard from Newark residents and community organizations that there is both not enough affordable housing at levels accessible for those earning lower wages, as well as access to housing resources and application requirements for housing that make accessing housing out of reach.

Segregation and Integration Patterns

Segregation Patterns in the Bay Area

Across the San Francisco Bay Area, White residents and above moderate-income residents are significantly more segregated from other racial and income groups . The highest levels of racial segregation occur between the Black and white populations. The analysis completed for this report indicates that the amount of racial segregation both within Bay Area cities and across jurisdictions in the region has decreased since the year 2000. This finding is consistent with recent research from the Othering and Belonging Institute at UC Berkeley, which concluded that "although 7 of the 9 Bay Area counties were more segregated in 2020 than they were in either 1980 or 1990, racial residential segregation in the region appears to have peaked around the year 2000 and has generally declined since." However, compared to cities in other parts of California, Bay Area jurisdictions have more neighborhood level segregation between residents from different racial groups. Additionally, there is also more racial segregation between Bay Area cities compared to other regions in the state.

Segregation is the separation of different demographic groups into different geographic locations or communities, meaning that groups are unevenly distributed across geographies. The city looked at two spatial forms of segregation: neighborhood level segregation within a local jurisdiction and city level segregation between jurisdictions in the Bay Area.

Neighborhood level segregation: Segregation of race and income groups can occur from neighborhood to neighborhood within a city.

City level segregation: Race and income divides also occur between jurisdictions in a region.

Newark and Regional Segregation

To understand how Newark is connected to the total segregation of the Bay Area, one can look at the difference in the racial composition of a jurisdiction compared to the racial composition of the region as a whole. The racial demographics in Newark for the years 2000, 2010, and 2020 can be found in Table 3-3 below. The table also provides the racial composition of the nine-county Bay Area. As of 2020, Newark has a lower share of white residents than the Bay Area as a whole, a higher share of Latinx residents, a lower share of Black residents, and a significantly higher share of Asian/Pacific Islander residents.

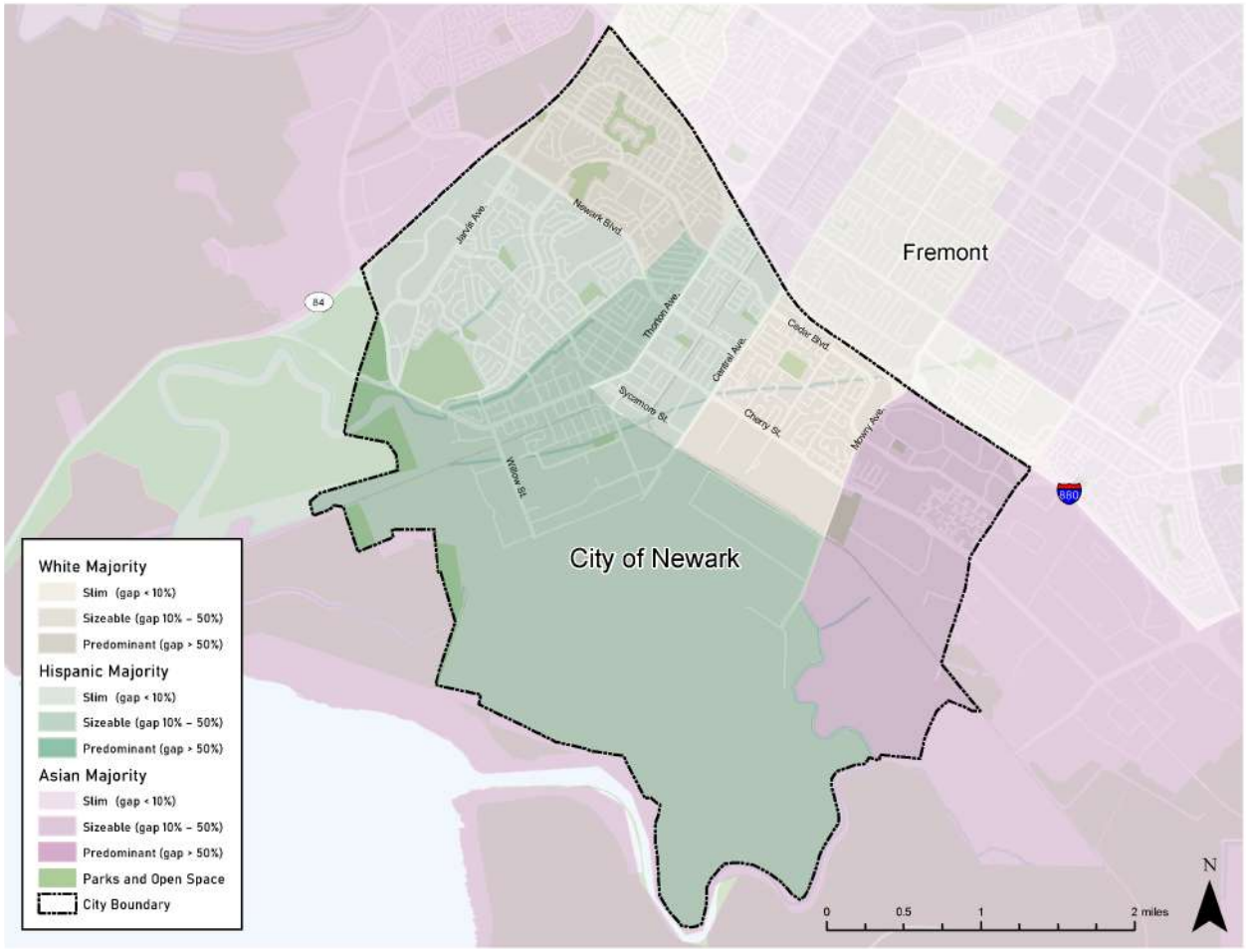
Latinx residents are primarily in close proximity to major highways and arterial roads such as Thornton Avenue, with White and Asian populations predominantly living to the North and South of Newark. The highest non white populations at 80 to 100 percent are concentrated along Thornton Ave in Old Town.

Table 3-3: Population by Racial Group, Newark and the Region, 2000 to 2020

Race	Newark			Bay Area
	2000	*2010*	*2020*	*2020*
Asian/Pacific Islander	21.1%	28.2%	42.6%	28.2%
Black/African American	3.9%	4.5%	3.1%	5.6%
Latinx	28.6%	35.2%	30.2%	24.4%
Other or Multiple Races	6.2%	4.6%	5.3%	5.9%
White	40.3%	27.5%	18.8%	35.8%

Source: Universe: Population. Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, Census 2010, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

Figure 3-1: Predominant Racial Groups in Newark



Source: HCD AFFH Data Resources and Mapping Tool.

Race and Ethnicity

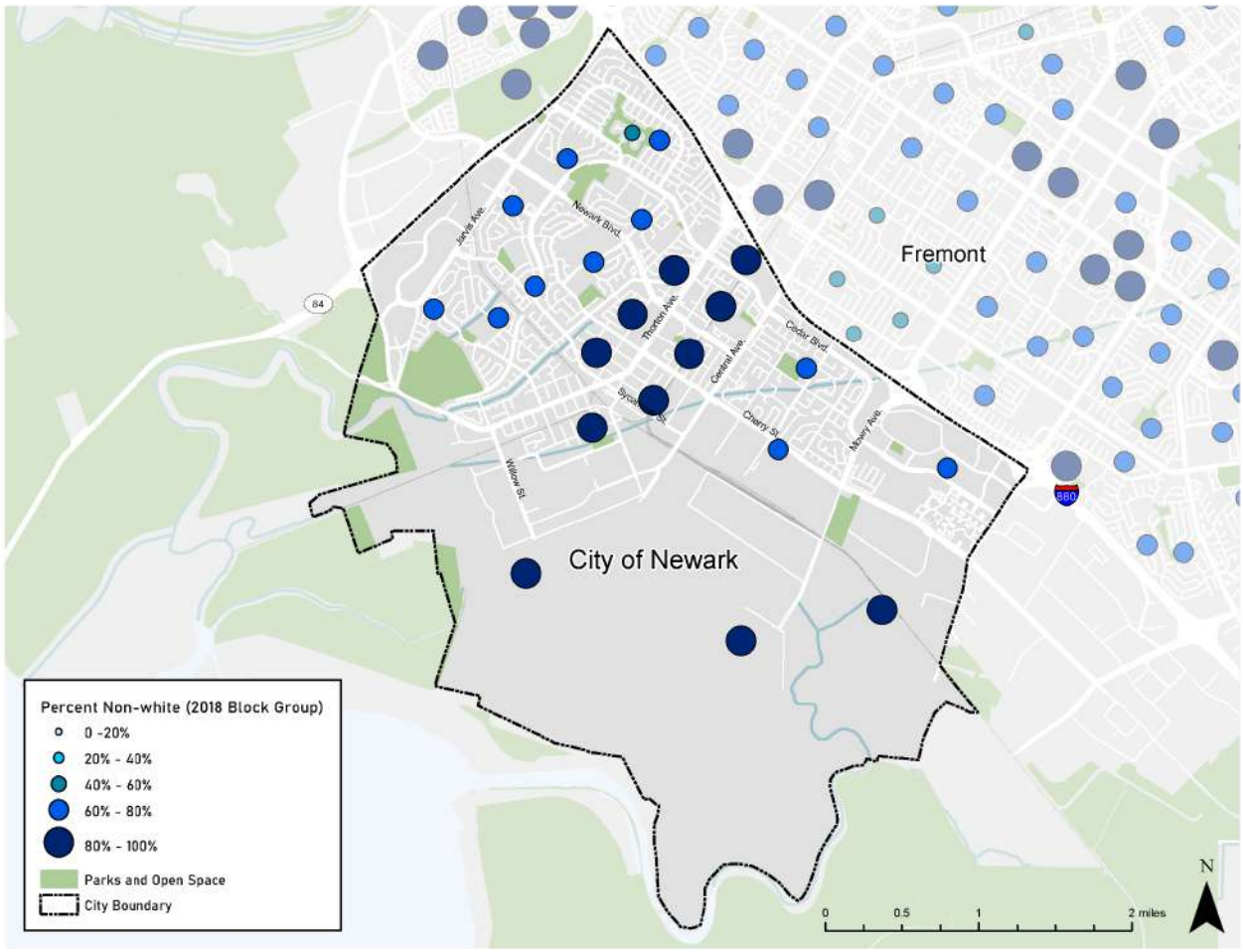
Asian and Hispanic/Latinx populations have grown significantly over the past 20 years to become the majority populations, with decreasing Black and White populations. The Asian population in Newark is multi-ethnic, with the largest being Chinese (10.1 %), followed by Filipino (9.6%) and Asian Indian (8.9%).

Table 3-4: Race and Ethnicity of Newark Residents, 2000 to 2020

Year	American Indian or Alaska Native, Non-Hispanic	Asian / API, Non-Hispanic	Black or African American, Non-Hispanic	White, Non-Hispanic	Other Race or Multiple Races, Non-Hispanic	Hispanic or Latinx
2000	148	9,329	1,639	17,103	128	12,145
2010	95	12,005	1,908	11,726	1,845	14,994
2020	107	17,315	1,534	10,629	1,822	15,975

Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates

Figure 3-2: Racial Demographics of Newark, 2018



Source: HCD AFFH Data Resources and Mapping Tool.

Dissimilarity Index

Dissimilarity Index Guidance for Cities with Small Racial Group Populations

The analysis conducted for this report suggests that dissimilarity index values are unreliable for a population group if that group represents approximately less than 5% of the jurisdiction's total population.

If a jurisdiction has a very small population of a racial group, this indicates that segregation between the jurisdiction and the region (inter-city segregation) is likely to be an important feature of the jurisdiction's segregation patterns.

Table 3-5 below provides the dissimilarity index values indicating the level of segregation in Newark between white residents and residents who are Black, Latinx, or Asian/Pacific Islander. The table also provides the dissimilarity index between white residents and all residents of color in the jurisdiction, and all dissimilarity index values are shown across three time periods (2000, 2010, and 2020).

In Newark, the highest segregation is between Black and White residents (see Table 3-5). Newark's Black/white dissimilarity index of 0.244 means that 24.4 percent of Black or White residents would need to move to a different neighborhood to create perfect integration between Black residents and white residents. However, this dissimilarity index value is not a reliable data point due to small population size. See callout box above for more information. Latinx residents have rates of segregation between White residents with an index of .229 or 22.9 percent. Due to the fact that the Latinx community is 30 percent of the population in Newark, this indicates a significant level of segregation between Latinx and White residents in Newark, slightly higher than segregation at the regional level.

Table 3-5: Dissimilarity Index Between Racial Groups, 2000 to 2020

Race			Newark	Bay Area
	2000	2010	2020	2020
Asian/Pacific Islander vs. White	0.183	0.170	0.192	0.185
Black/African American vs. White	0.180*	0.204*	0.244*	0.244
Latinx vs. White	0.286	0.230	0.229	0.207
People of Color vs. White	0.204	0.173	0.169	0.168

Universe: Population. Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, Census 2010, Table P4. Data for 2000 is standardized to

2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004. Note: If a number is marked with an asterisk (*), it indicates that the index is based on a racial group making up less than 5 percent of the jurisdiction population, leading to unreliable numbers.

Isolation Index

Within the City of Newark the most isolated racial group is Asian residents. Newark's isolation index of 0.451 for Asian residents means that the average Asian resident lives in a neighborhood that is 45.1% Asian. Other racial groups are less isolated, meaning they may be more likely to encounter other racial groups in their neighborhoods. The isolation index values for all racial groups in Newark for the years 2000, 2010, and 2020 can be found in Table 3-6 below. Among all racial groups in this jurisdiction, the white population's isolation index has changed the most over time, becoming less isolated from other racial groups between the years 2000 and 2020.

Table 3-6: Isolation Index for Newark and the Bay Area, 2000 to 2020

Race	Newark			Bay Area Average
	2000	2010	2020	2020
Asian/Pacific Islander	0.236	0.307	0.451	0.245
Black/African American	.041	0.048	0.032	0.053
Latinx	0.331	0.386	0.334	0.251
White	0.431	0.297	0.207	0.491

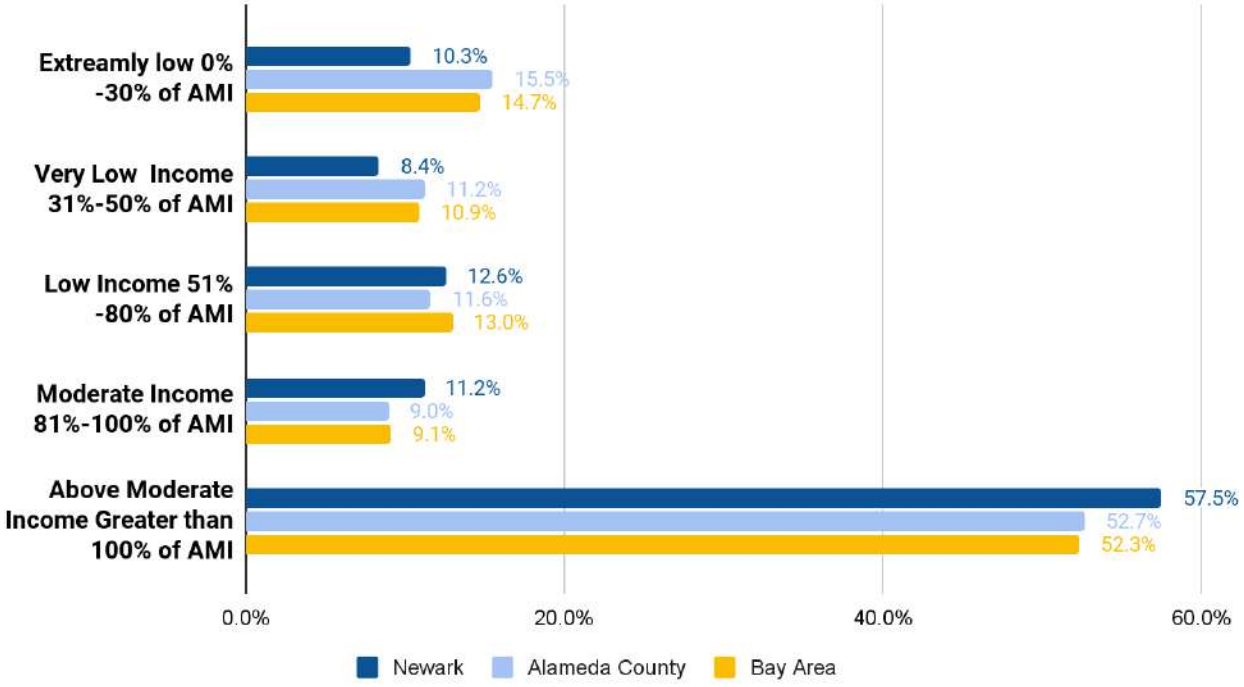
Universe: Population. Source: IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, Census 2010, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

Income status

There are fewer very low and extremely low income households in Newark than Alameda County and the Bay Area, and with slightly higher percentages of moderate and above moderate income households than Alameda County and the Bay Area. Low income households at 50-80 percent area median income are relatively equal across geography at 12.6 percent for Newark, Alameda County (11.6 percent) and the Bay Area (13 percent). In Newark, low income households are concentrated in the central portion of the city, with the highest concentrations found along Thorton avenue in the Old Town area. Figure 3-4 shows income by race in Newark. The areas with 50 percent or greater of low to moderate income populations also have the highest concentrations of BIPOC residents. Higher income residents are found outside of Central Newark, as seen in Figure 3-5. While the majority of Newark is single family housing, Central Newark is where older housing stock is found along a major arterial road, with lower rents as a result. The majority of very

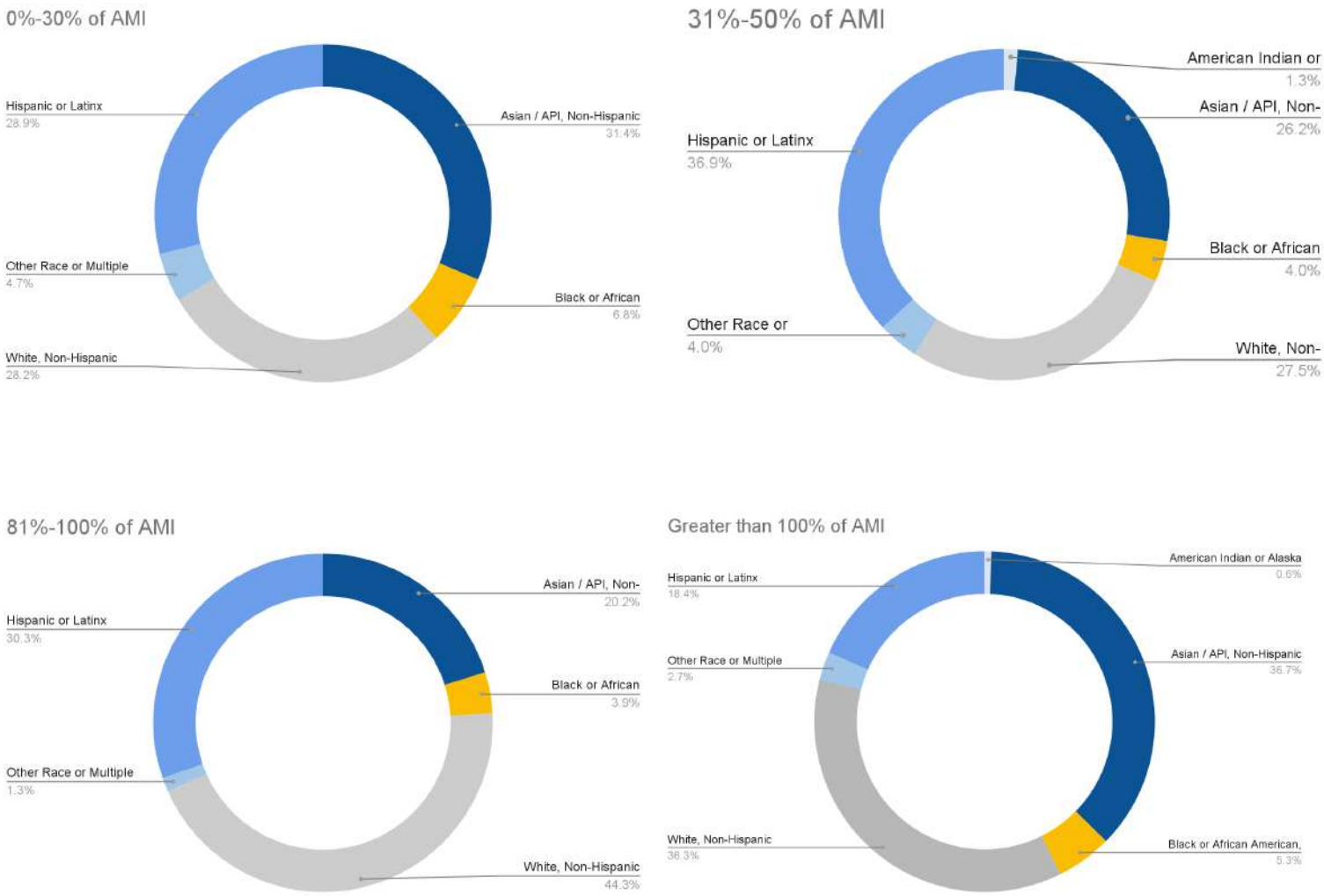
low and low income residents are Black, Hispanic/ Latino and Asian/ Pacific Islander. Figure 3-4 shows these populations are approximately 67 percent of the population for very low incomes and 68 percent for low income. For moderate and above moderate income populations, the demographics shift sharply to a greater percentage of White residents (44 percent) for moderate income and above moderate income White residents (36 percent) and Asian and Pacific Islander residents (37 percent) make up the larger percentage of residents in these income categories. Asian and Pacific Islanders have comprised a large percentage of both the lowest and highest income categories. Although the Censuses data combines the groups, we know from other research that Pacific Islander students in Newark Unified School District have high levels of homelessness.

Figure 3-3: Household Income levels for Newark, Alameda County and the Bay Area, 2013- 2017



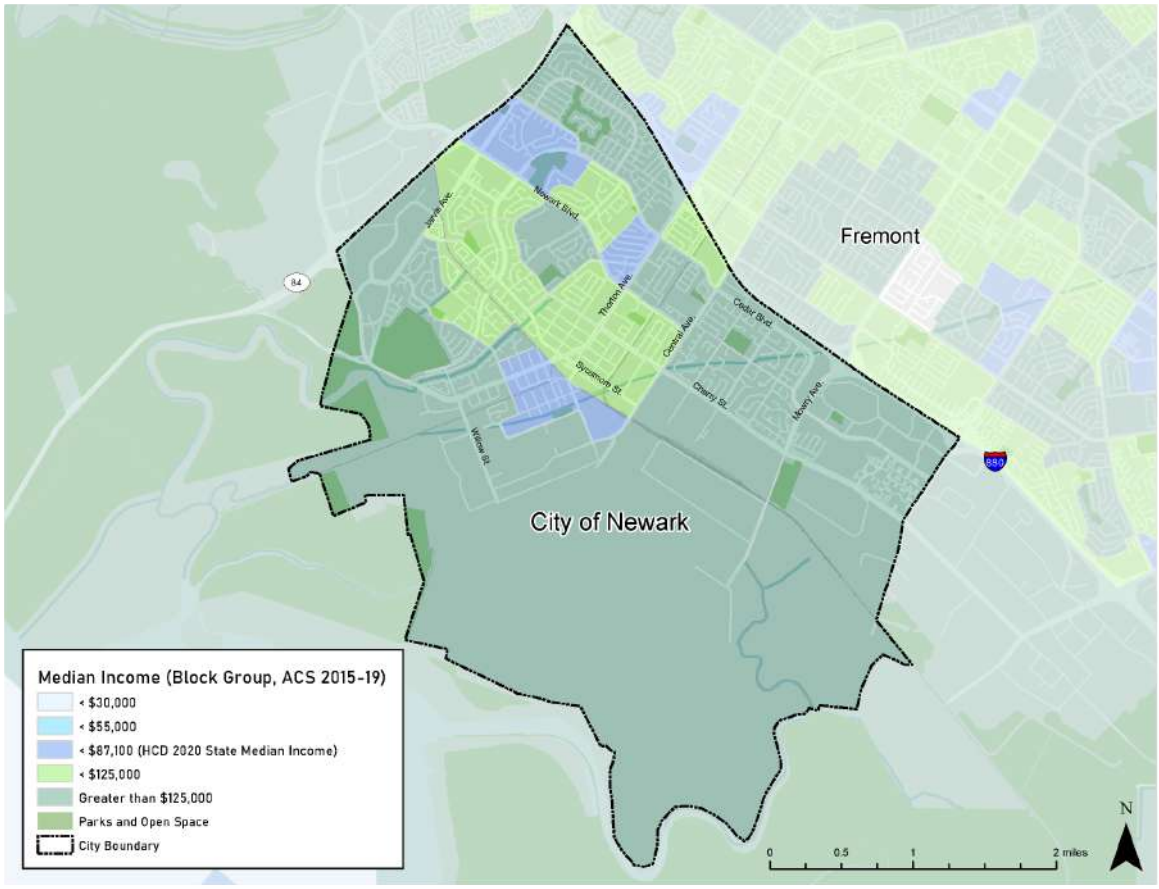
Source: US Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy. ACS tabulation, 2013-2017 release

Figure 3-4: Income by Race and Ethnicity, 2013- 2017



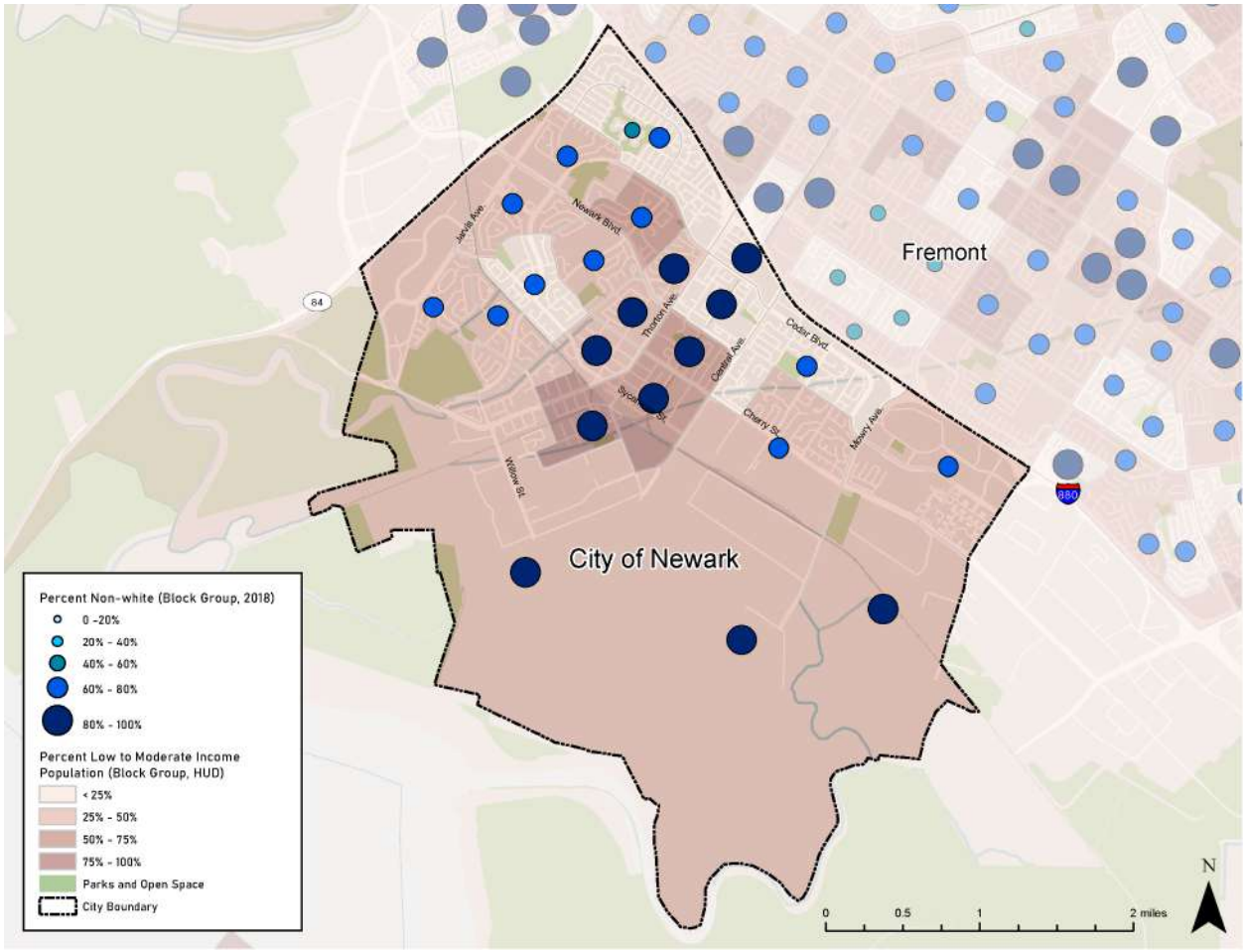
Source: US Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy. ACS tabulation, 2013-2017 release

Figure 3-5: Median Household Income, 2015- 2019



Source: HCD AFFH Data Resources and Mapping Tool.

Figure 3-6: Low to Moderate Income Households and Percent Non-White Population, 2018



Source: HCD AFFH Data Resources and Mapping Tool.

Family Status

Newark has the largest household size in Alameda County. According to the County of Alameda's Regional Analysis of Impediments to Fair Housing Choice (2020), there is a higher percentage of families with children in Alameda County as a whole compared to other family types, but the overall proportion of families with children has decreased by 6 percent from 1990 to 2017. According to the 2021 ACS 5 year data, there are 9,693 children under the age of 18 in Newark, with the majority, 7,546 in married couple households. Figure 3-22 Shows 80 percent and higher of married couples with children are found in the north east, north west and south east corners of the city. These areas include Lake-Rosemont, a moderate opportunity neighborhood of single family homes, NewPark Place and Sanctuary Village, a newer single family housing development and an area identified as high opportunity. The neighborhood to the South East surrounding Lincoln Elementary school is an older single family neighborhood with smaller single story homes. Central Newark has 60 to 80 percent of married couple households with children. This area also

has more civic and commercial uses. Only one area in North central Newark has a concentration of single mother households from 20 to 40 percent. The majority of the city is 20 percent or below. This is an area with older single family housing stock and a recently closed elementary school.

Disability

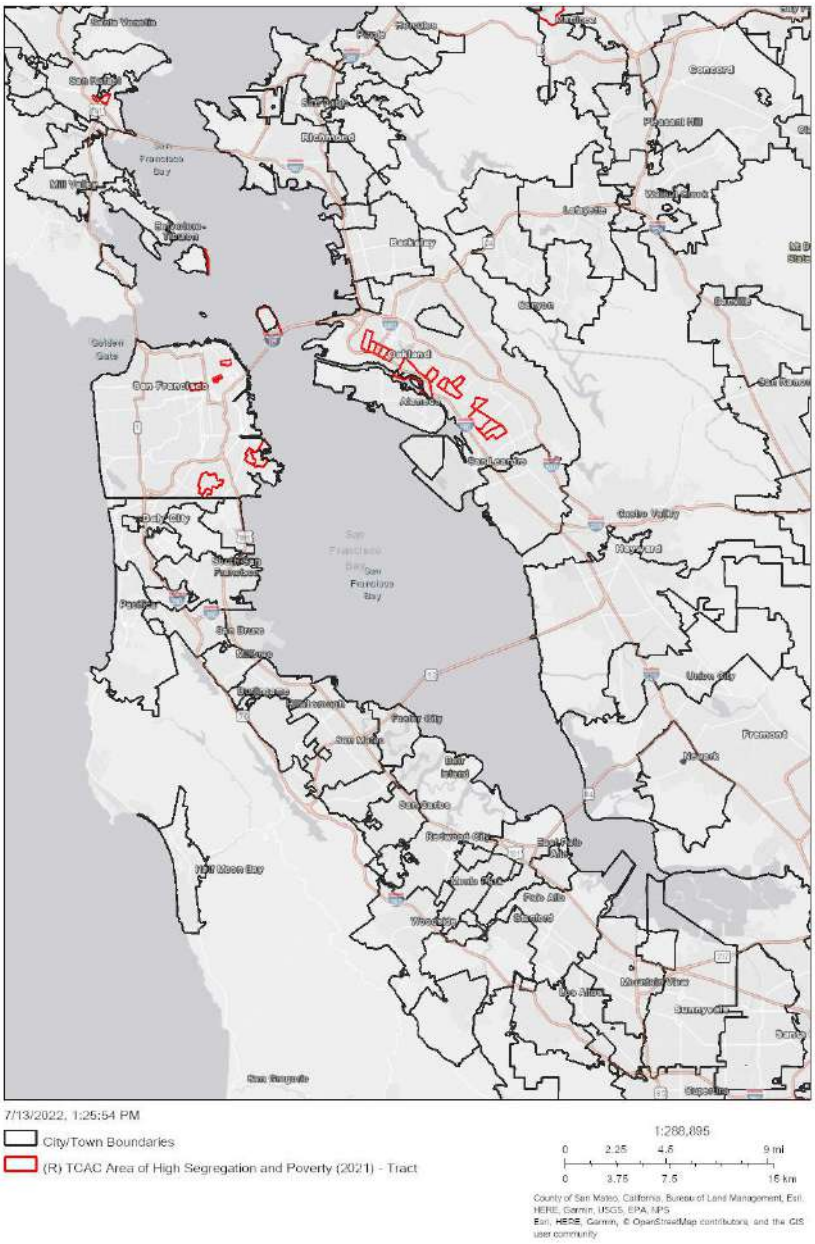
As seen in Figure 3-60, there is no concentration of residents with a disability in Newark. The majority of residents with a physical disability are seniors, and are primarily related to ambulatory movement. Through community engagement, especially with the senior community, there is a strong interest in shared housing and accessory dwelling units in order to remain in their communities. City is proposing programs such as H2.2 Accessory Dwelling Unit incentive program, H4.5, connecting residentings to existing shared housing programs and H4.7, Increasing housing opportunities for those with developmental disabilities.

E. Racially and/or Ethnically Concentrated Areas of Poverty + Affluence

Racially or Ethnically Concentrated Areas of Poverty (R/ECAP) are neighborhoods in which there are both racial concentrations and high poverty rates. HUD's definition of a R/ECAP is:

- A census tract that has a non-white population of 50 percent or more (majority-minority) or, for non-urban areas, 20 percent, AND a poverty rate of 40 percent or more; OR
- A census tract that has a non-white population of 50 percent or more (majority-minority) AND the poverty rate is three times the average tract poverty rate for the county, whichever is lower. Households within R/ECAP tracts frequently represent the most disadvantaged households within a community and often face a multitude of housing challenges. R/ECAPs are meant to identify where residents may have historically faced discrimination and continue to be challenged by limited economic opportunity. While there are several R/ECAPs in Alameda County, the majority are concentrated in the City of Oakland with a few in Berkeley, one in Hayward, and one in the unincorporated county (see Figure 3-7). No R/ECAPs were identified in Newark.

Figure 3-7: Area of High Segregation and Poverty, 2021



Source: HCD AFFH Data Resources and Mapping Tool.

Racially and/or Ethnically Concentrated Areas of Affluence

Racially or Ethnically Concentrated Areas of Affluence (RCAAs) are neighborhoods in which there are both high concentrations of non-Hispanic white households and high household income rates. HCD has not yet established one standard methodology for determining RCAAs in California, but for the purpose of this analysis an RCAA is defined as a census tract with: 1) an average total

White population that is 1.25 times higher than the average total White population in the Bay Area region and 2) a median household income of $141,996 or higher (1.5 times higher than the Bay Area AMI in 2019). Based on this methodology, there are RCAAs throughout the eastern county spanning from Dublin, Livermore, and the unincorporated eastern county up through Castro Valley and Contra Costa County area. There are also RCAAs in the City of Alameda and Oakland. There are no RCAAs within Newark based on this methodology.

Although Newark does not have areas that have been identified as Racially or Ethnically Concentrated Areas of Affluence through this methodology, there are areas of concentrated affluence in Newark, where residents are making more than $141,000, but do not have the levels of white population to identify as an area of Racially or Ethnically Concentrated Area of Influence.

F. Disparities in Access to Opportunity

Historically, and into the present day, affordable housing in the United States has been disproportionately developed in BIPOC neighborhoods that have been disinvested with high poverty rates, thereby reinforcing the concentration of poverty and racial segregation in low opportunity and low resource areas. Several agencies, including HUD and HCD, in coordination with the California Tax Credit Allocation Committee (TCAC), have developed methodologies to assess and measure geographic access to opportunity in areas throughout California. For this assessment, the opportunity indices prepared by HUD and HCD/TCAC are used to analyze access to opportunity in the City of Newark. Access to opportunity is measured by access to healthy neighborhoods, education, employment, and transportation. At the county level, Alameda county is close to equal in the percentage of the county that is high resourced (36%) and the percentage that is low resource (39%). Figure 3-8 shows the distribution of opportunity at the regional level. A large portion of the county is classified as low to moderate opportunity. Higher opportunity areas are found in Berkeley, Alameda, San Leandro, and Fremont. Figure 3-9 shows the composite opportunity areas in Newark. The majority of the city is identified as moderate and high resource, with no low resource areas or areas of high segregation and poverty. Through a community housing survey conducted by the city, residents were asked if they feel their neighborhood has opportunities for you and your family, 18 percent said no and 28 percent said somewhat. When asked what would make it feel that there was more opportunity the top three responses were:

1. City infrastructure that supports physical activity, including sidewalks, bike lanes, parks, and rec centers
2. Affordable, safe, and healthy housing choices
3. Educational opportunities that are academically and culturally supportive

"I think increasing access really has to do with increasing the supply first and putting affordable housing in

high resource areas and near public transit as well as retail."

Figure 3-10 shows the distribution of opportunity areas by race. Asian residents comprise the majority of the residents in the high resource areas at 63.8 percent, followed by White residents (16%), and Hispanic/ Latinx (11.5%). Low resourced or high segregation and poverty areas are primarily populated by Hispanic/ Latinx (39.7%) and Asian (38.3%) residents. Moderate resource areas are representative of the population with 36.9 percent of Hispanic/ Latinx residents, Asian residents (29.7%) and African American (3.5%).

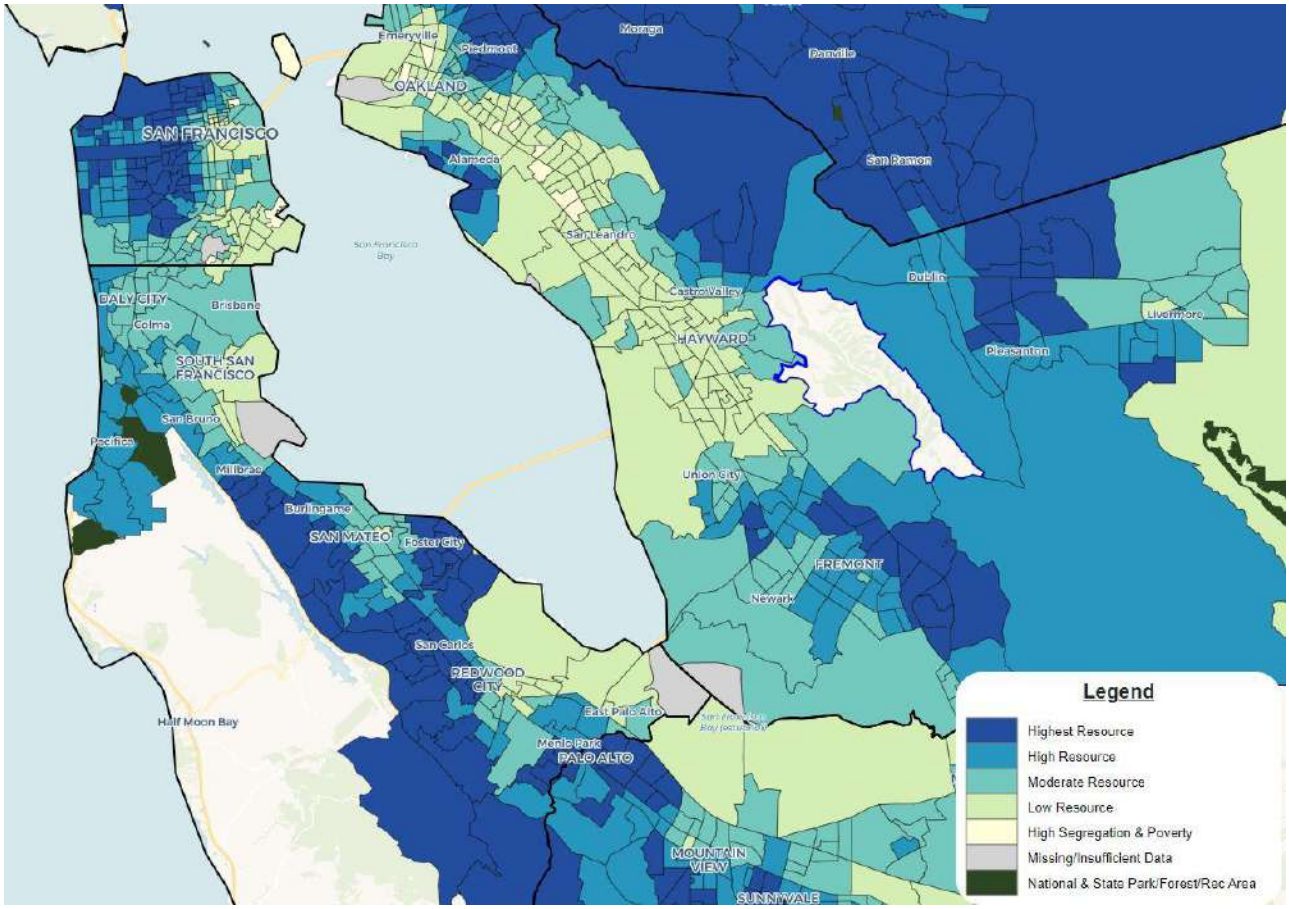
HUD Opportunity Index HUD's opportunity indices compare data indicators by race and ethnicity, for households below the poverty line, between jurisdictions, and for the region overall. The indices include the following:

Table 3-7: Domains and List of Indicators for Opportunity Maps, 2021

Domain	Indicators
Environmental	CalEnviroScreen 4.0 from pollution burdens and socio economic factors are indicators
Economic	Poverty, Adult education, Employment, Job proximity, Median home value
Education	Math proficiency, Reading proficiency, High School graduation rates, Student poverty rates
Poverty and Racial Segregation	Poverty: tracts with at least 30 percent of population under federal poverty line Racial Segregation: Overrepresentation of people of color relative to the county (i.e., Tracts with a racial location quotient higher than 1.25 for Black, Hispanic, Asian, or all people of color in comparison to the county)

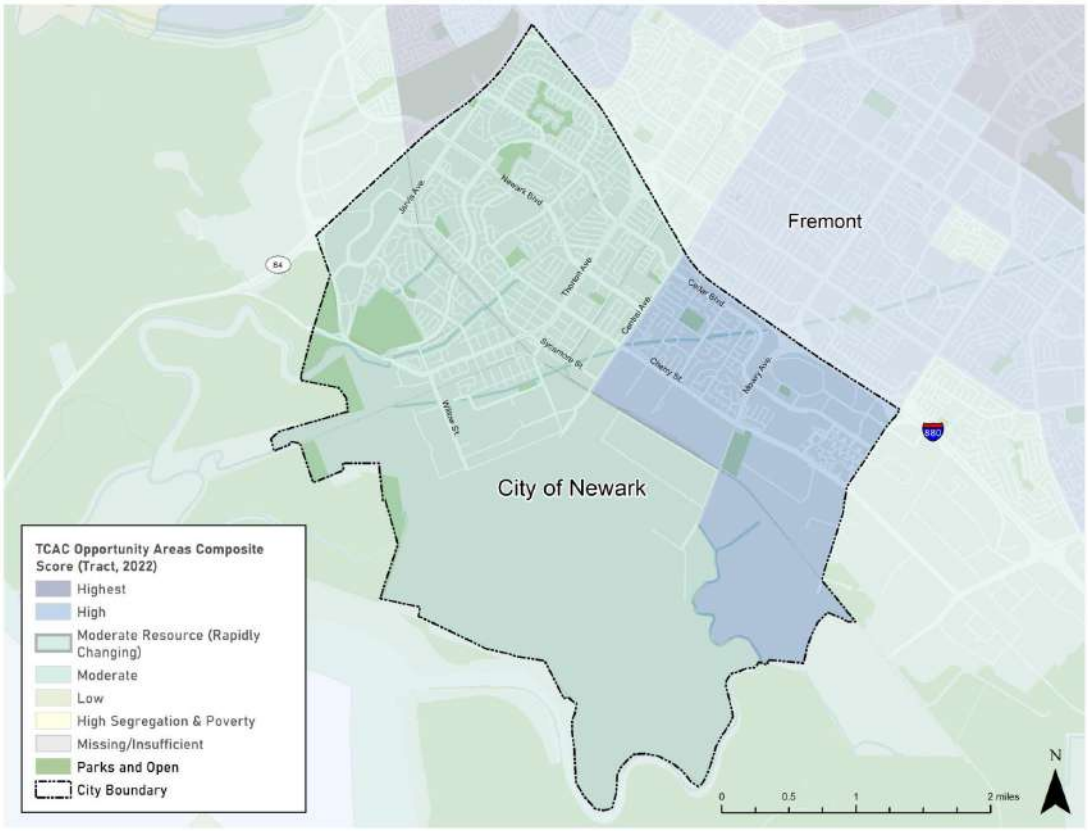
Source: CA Fair Housing Task Force, Methodology for TCAC/HCD Opportunity Maps, December 2021.

Figure 3-8: Distribution of TCAC Opportunity Areas in the San Francisco Bay Area, 2022



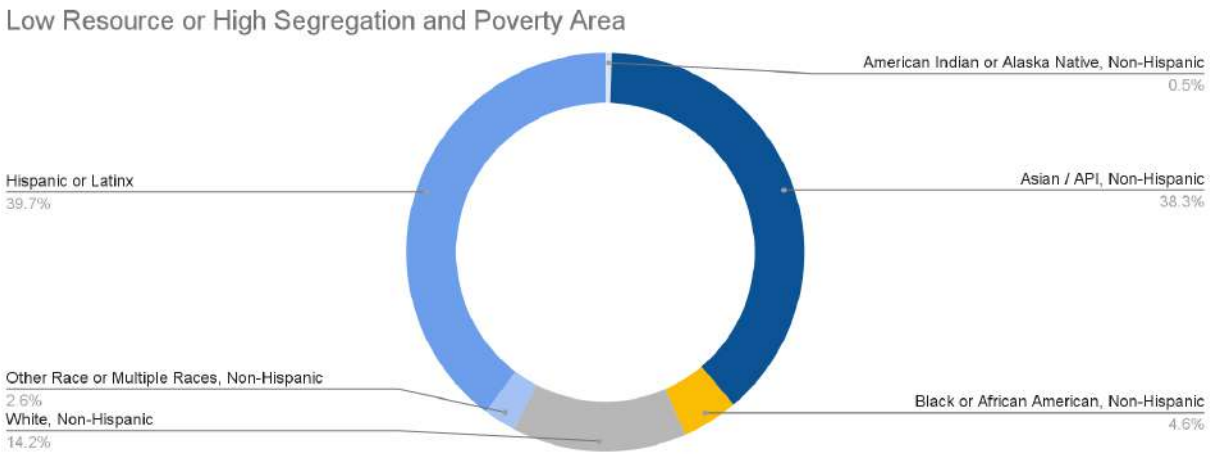
Source: CA Tax Credit Allocation Committee, 2022

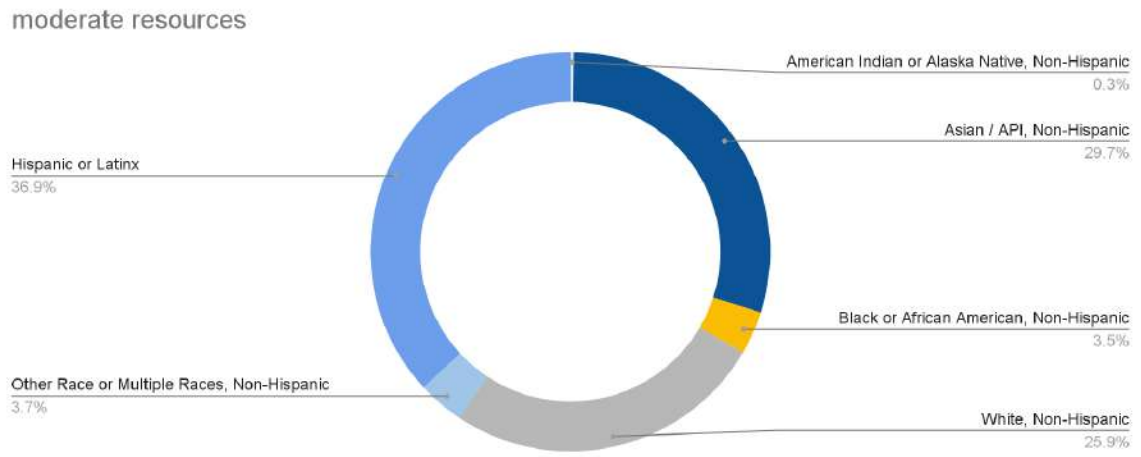
Figure 3-9: Composite of Opportunity Areas in Newark, 2022



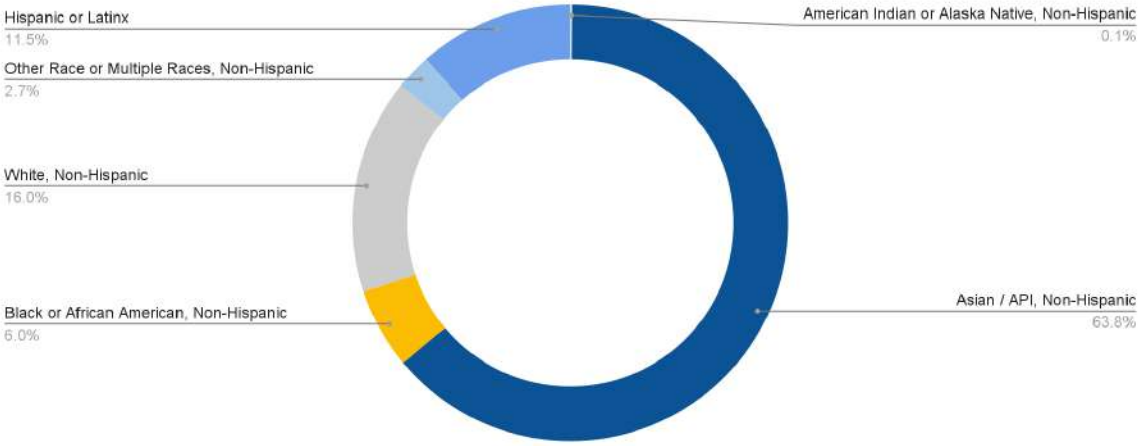
Source: CA Tax Credit Allocation Committee, 2022

Figure 3-10: Percentage of Residents in Low, Moderate and High Resourced Areas by Race, 2015- 2019





Highest Resourced Area



Source: CA Tax Credit Allocation Committee / California Housing and Community Development (HCD),Opportunity Maps (2020); U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates. Table B03002

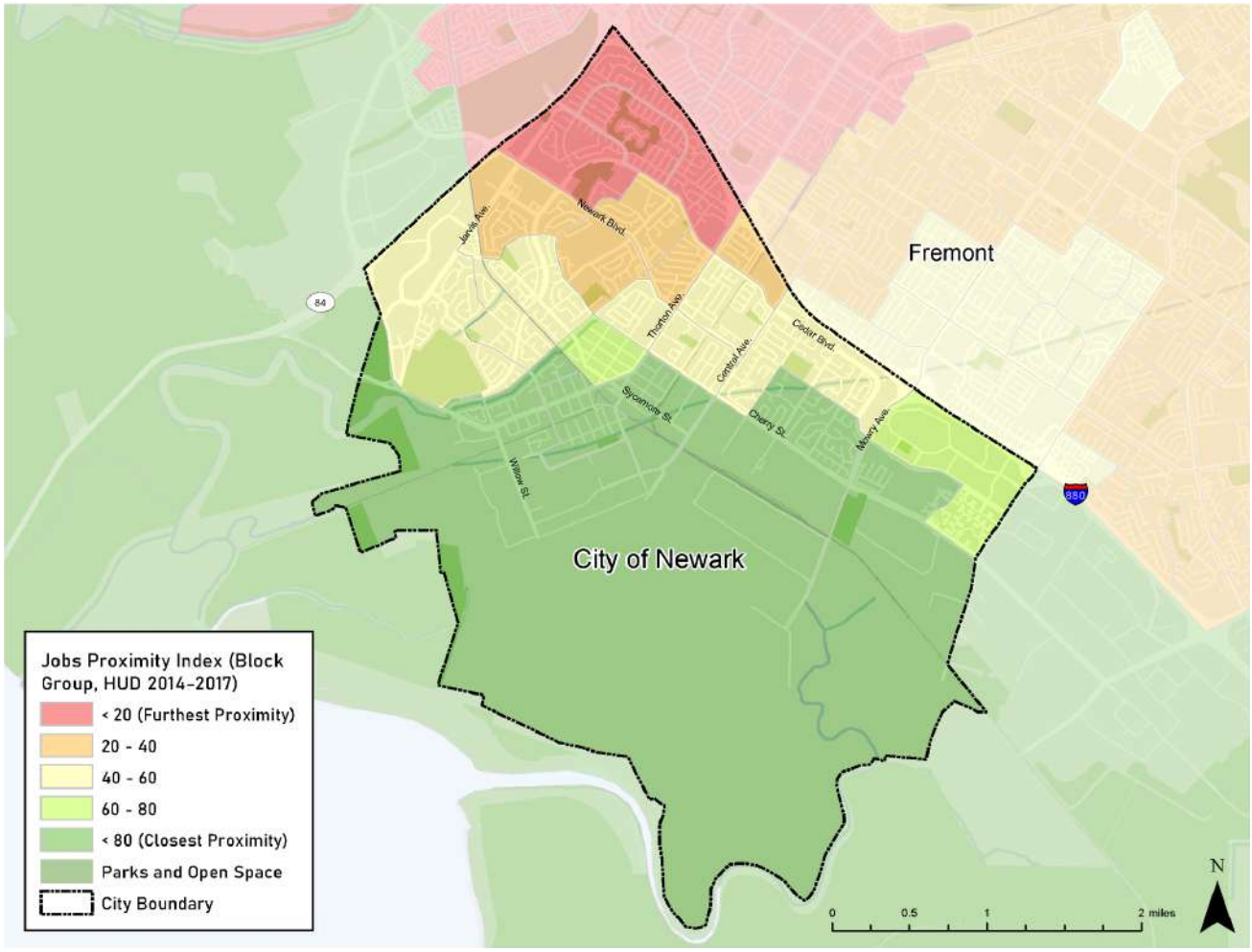
Economic Opportunity and Jobs proximity Index

The TCAC/HCD Economic Opportunity map measures economic opportunity through poverty, levels of adult education, employment, proximity to employment, and median home values. The majority of Newark has an economic score of less than .25 and .25 to .50, indicating less than positive economic opportunity. The southern corner of the city has higher economic opportunity with a score of .50 - .75. The area has a predominant Asian population and a median income greater than 125,000.

Newark has a close proximity to jobs in the eastern portion of the city, close to Silicon Valley. Areas in the northern portion of the city are furthest from jobs, although in the future the south west portion of the city will potentially have access to regional transportation through the creation of

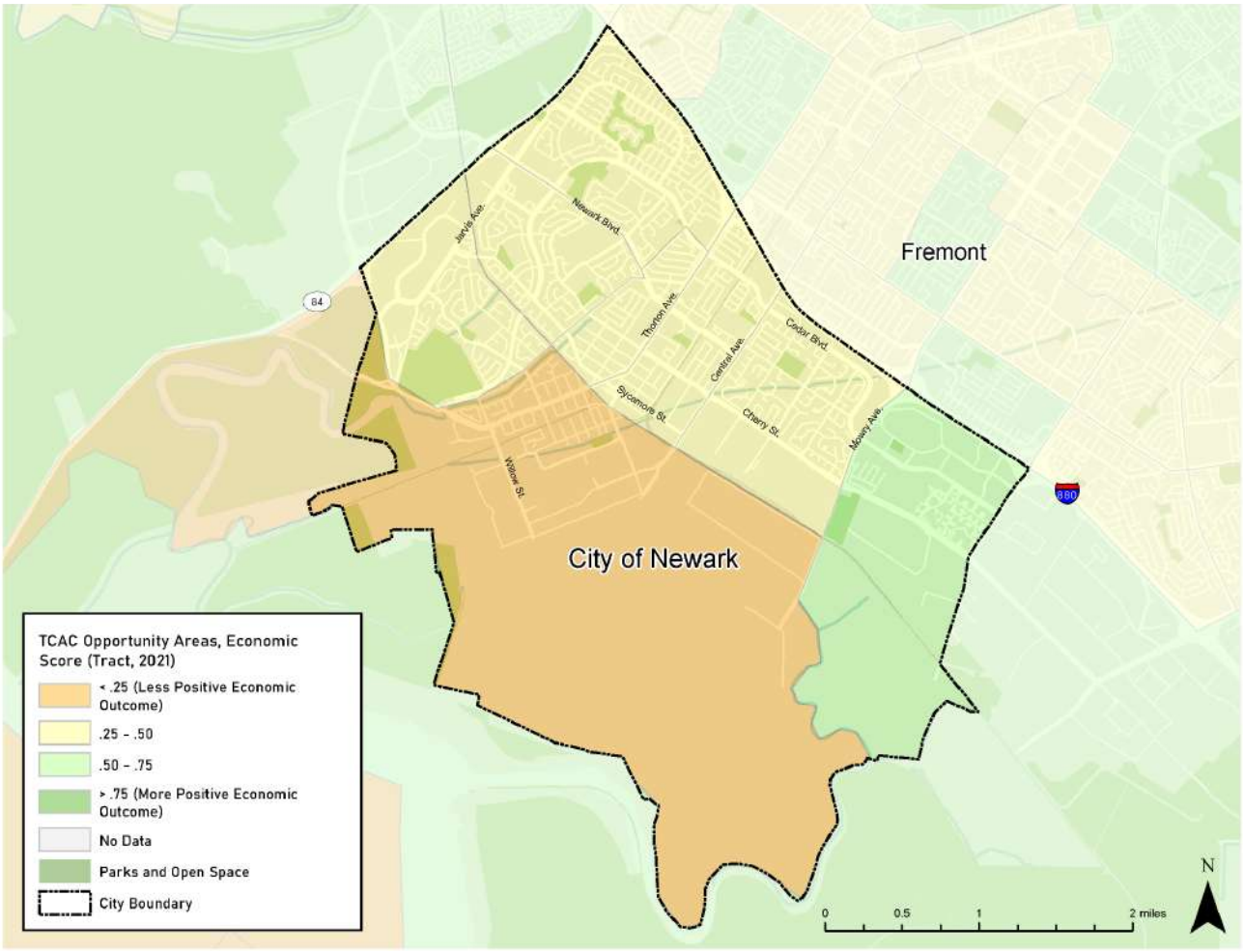
the Dumbarton rail line. Economic opportunity was not cited though community engagement as a concern. Newark has a relatively low unemployment rate of 3.5 percent, but does have a larger percentage of residents leaving the city for work, than remaining in the city.

Figure 3-11: Jobs Proximity Index Composite, 2014-2017



Source: HCD AFFH Data Resources and Mapping Tool

Figure 3-12: Economic Opportunity Score, 2021



Source: HCD AFFH Data Resources and Mapping Tool.

Environmental Opportunity

Exposure to a variety of environmental pollutants causes detrimental effects on human health, especially for children. The environmental opportunity score looks at 12 indicators to determine the level of environmental health of a community. The score is created through the consideration of both the pollution burden of exposure, and the population characteristics of an area. Newark has a mixed classification of environmental impacts, with portions of the city identified as having more positive environmental outcomes and others with less.

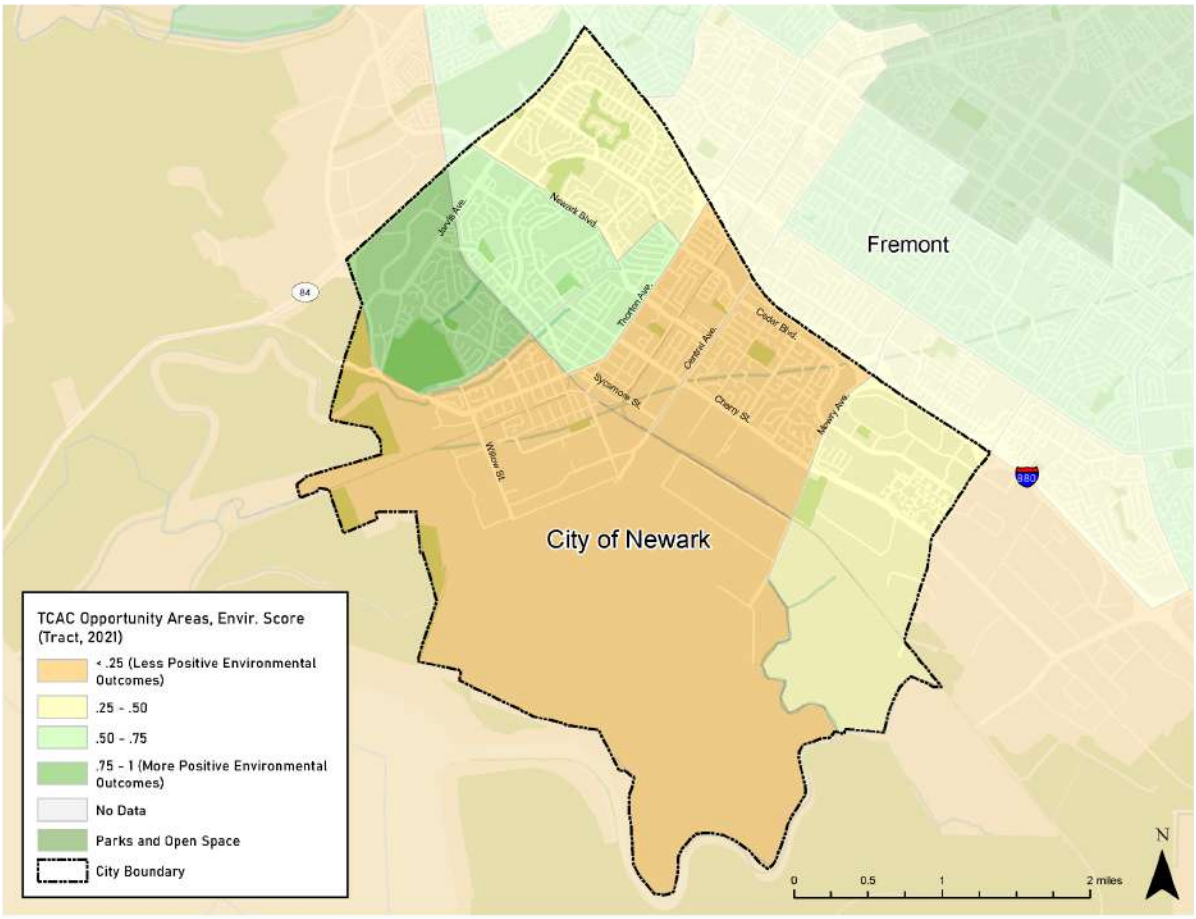
As a whole, Newark has fine particulate matter rates of 7.2 micrometers, which are higher than the World Health Organization guideline of 5 micrometers, but lower than the US EPA standard of 12 micrometers. These levels can be attributed to industrial outputs, diesel exhaust from major arterials, and two freeways that border Newark. From December 1, 2019 - November 30, 2020,

Aclima collated data showing particulate samples of 8.7 micrometers along Thornton Avenue. The CalEnviroScreen score ranks census tracks from 1 to 100, with 100 being the highest percentile of communities disproportionately burdened by multiple sources of pollution and with population characteristics that make them more sensitive to pollution. Figure 3-13 shows the patchwork distribution of outcomes, with the lowest environmental outcomes in central Newark and a portion of the Old Town area that is also home to a majority of BIPOC and low income residents. The census tract is 47 percent Hispanic / Latinx, Asian (26.6%) and African American (4.1%) residents. This area has an overall pollution burden percentile of 61 and 76th percentile for asthma, while areas with higher environmental outcomes are in the Northwestern corner of the city. Long-term exposure may increase the risk of respiratory disease, heart disease, decreased lung function, premature birth, and reduced life expectancy. For Newark, with a high percentage of families with children in the city, addressing environmental issues is vital to addressing environmental justice.

According to an analysis conducted by ESA towards the preparation of an Environmental Justice Element in Newark, the following are major indicators of environmental contamination:

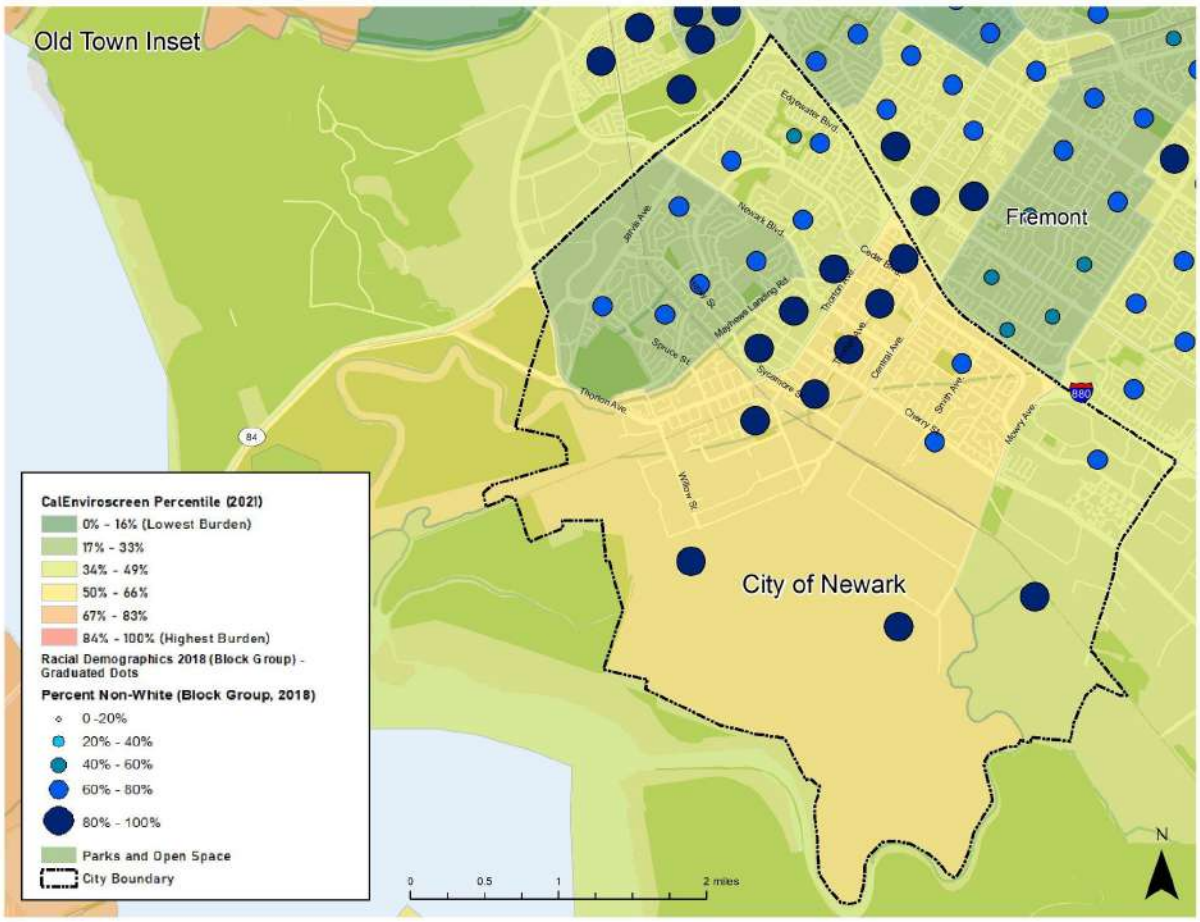
1. Ozone Concentrations,
2. PM 2.5 Concentrations
3. Diesel PM Emissions
4. Drinking-Water Contaminants
5. Pesticide Use
6. Toxic Releases from Facilities
7. Traffic Density
8. Cleanup Sites
9. Groundwater Threats
10. Hazardous Waste Generators and Facilities
11. Impaired Water Bodies
12. Solid Waste Sites and Facilities

Figure 3-13: Environmental Opportunity Score, 2021



Source: HCD AFFH Data Resources and Mapping Tool.

Figure 3-14: CalEnviroScreen and Non-White Population, 2021 and 2018

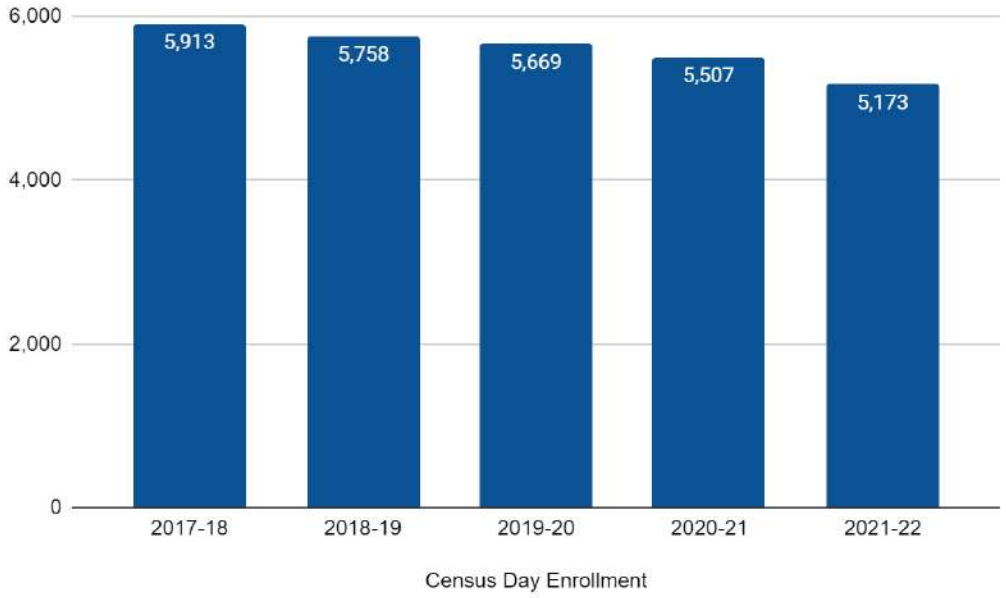


Source: HCD AFFH Data Resources and Mapping Tool.

Education

Equitable access to culturally relevant and engaging educational opportunities is foundational in increasing opportunities for all residents. Newark Unified school district has 11 schools in total, with 2 of its eight elementary schools either closed within the past year or scheduled to close in following the 2022 school year. The school board is making the choice to close schools in response to a 6 million dollar budget shortfall, due to declining enrollment.

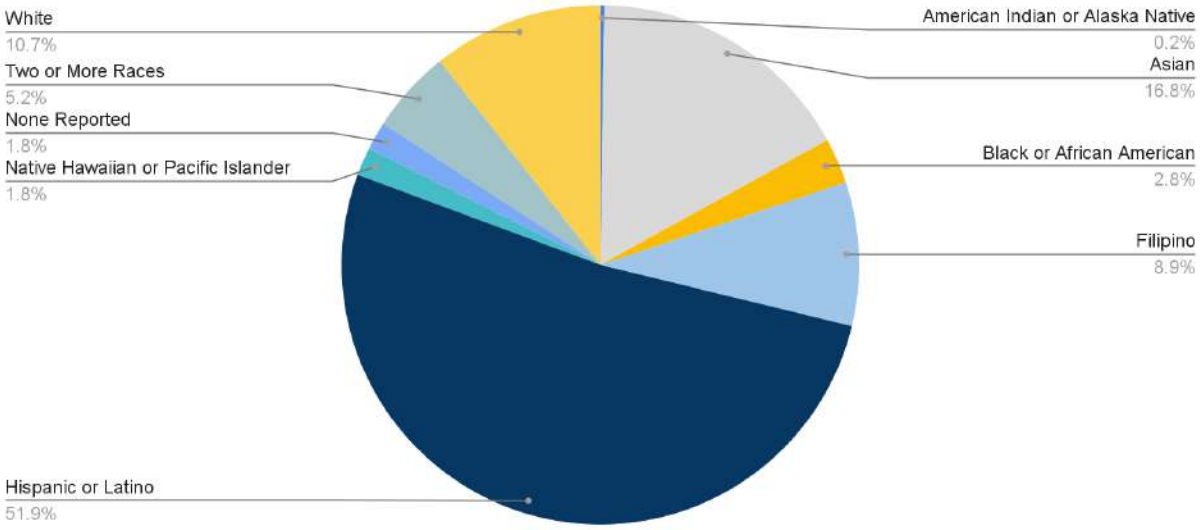
Figure 3-15: Newark School Enrollment, 2017-2022



Source: Data collected by the California Department of Education (CDE) through the California Longitudinal Pupil Achievement Data System (CALPADS)

The racial and ethnic makeup of the district is highly diverse, with Hispanic/Latinx students comprising the majority of the population at 51.9 percent, followed by Asian at 16.8 percent, White at 10 percent and Filipino at 8.9 percent . Figure 3-16 goes into detail of the full district breakdown.

Figure 3-16: Race and Ethnicity of Newark Unified School District, 2020-2021 School Year



Source: Data collected by the California Department of Education (CDE) through the California Longitudinal Pupil Achievement Data System (CALPADS).

Students in the Newark Unified school district have a comparable percentage of students qualifying for free or reduced lunch as Alameda County, at 40.5 percent and 40.7 percent respectively. Both are below the state average at 57.8 percent. Within the district there is a wide range of students that qualify for free and reduced lunch. The California Department of Education district level data for the 2021 to 2022 school year finds Shilling Elementary with the highest percentage of students that qualify for free or reduced lunch at 60 percent, followed by Musick Elementary at 57 percent, one of the schools that is slated to be closed for the 2022-2023 school year, with students distributed among other schools. Schools with the lowest levels of students qualifying for free or reduced lunch are John F Kenedy Elementary school at 23 percent, and Birch Grove Intermediate and Primary schools at 28 and 30 percent respectively.

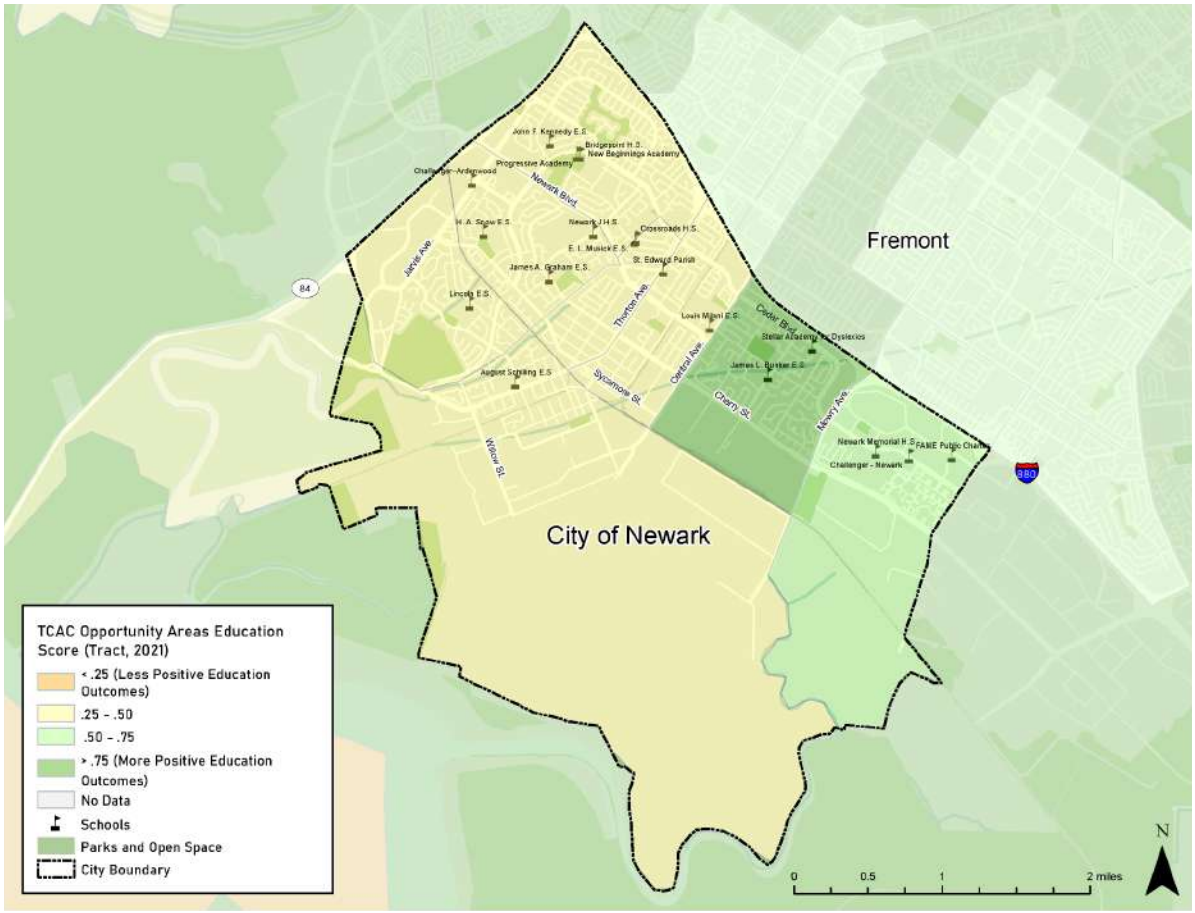
Table 3-8: Selected District Level Data - 0161234—Newark Unified for the year 2021-2022

School	Free or Reduced Price Meals
Non-public non-sectarian schools	3 (42.9%)
August Schilling Elementary	227 (59.9%)
Birch Grove Intermediate	118 (28.0%)
Birch Grove Primary	108 (30.0%)
Bridgepoint High (Continuation)	29 (46.8%)
Coyote Hills Elementary	260 (50.0%)
Crossroads High (Alternative)	70 (43.2%)
E. L. Musick Elementary	101 (57.4%)
John F. Kennedy Elementary	92 (23.0%)
Lincoln Elementary	174 (46.8%)
Newark Junior High	280 (41.2%)
Newark Memorial High	632 (38.7%)
District Total:	***2,094 (40.5%)***
County Total:	***87,363 (40.7%)***
State Totals:	***3,404,572 (57.8%)***

Source: California Department of Education, 2022

The city asked residents through the housing survey what would need to change to feel that their neighborhood is high in opportunity, and residents identified education as one of the top three things. Educational opportunity is measured by Math and Reading Proficiency, High School Graduation Rate, Student Poverty, High Segregation and Poverty. Overall according to the HCD AFFH Data viewer, the majority of Newark has lower than average education opportunities. The one area of Newark that has more positive educational outcomes is near Birch Grove Primary school. The elementary schools have similar performance levels on state indicators, which indicates the role of student poverty in the classification. We recognize that although measures of achievement such as test scores and levels of poverty are indicators, it is difficult to fully measure what a school means for a community. When Graham Elementary was threatened with closure, the primarily Latinx school community rallied together to share what the school community means to them to the school board in hopes of evading closure. Ultimately the school was combined with Snow elementary to form a new school, Coyote Hills Elementary.

Figure 3-17: Educational Opportunity Index, 2021



Source: HCD AFFH Data Resources and Mapping Tool.

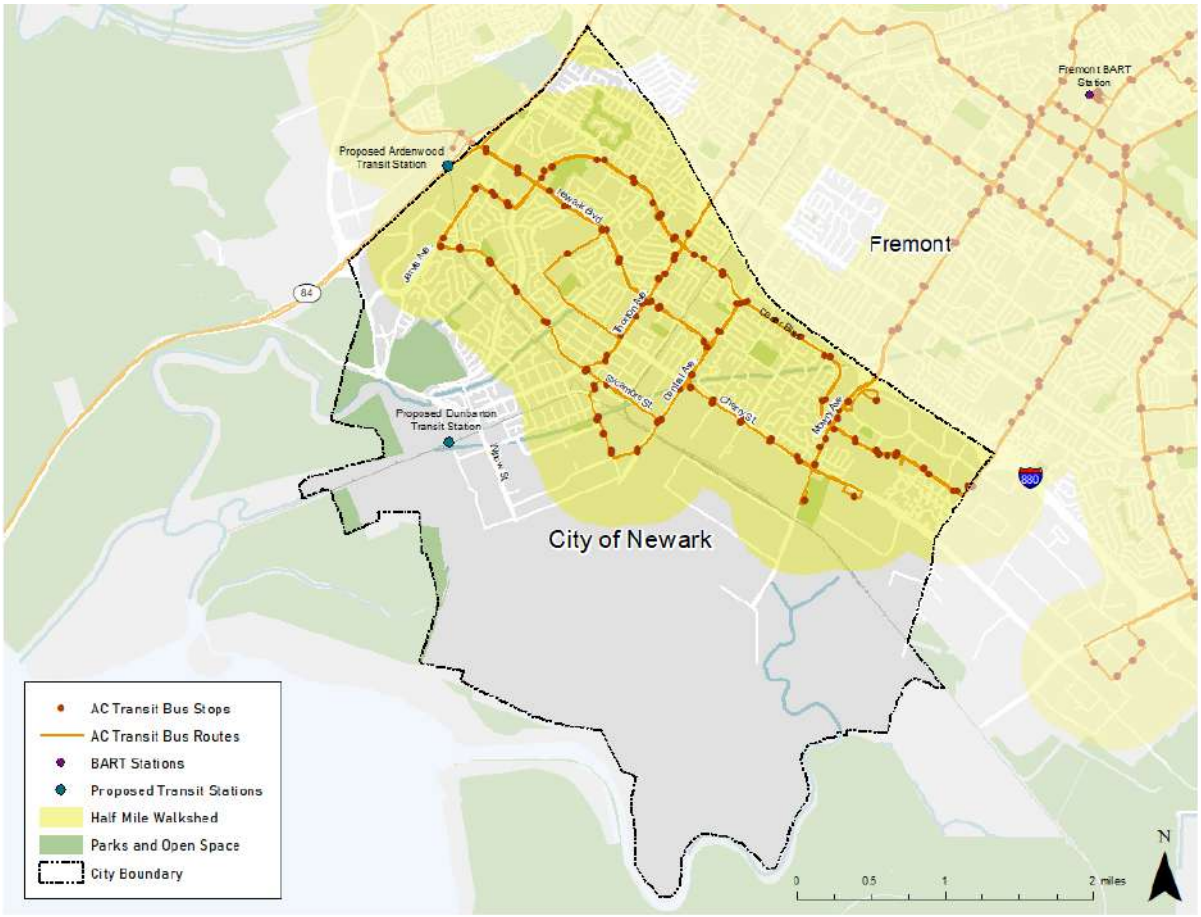
Transportation Access and Cost

To better understand housing affordability, it is important to look at transportation costs associated with a location. Figure 3-19 shows the combined housing and transportation costs in Newark. Due to Newark being low density and auto oriented, with a lack of high frequency public transportation options, the majority of households spend more than 45% of their income on housing and transportation. Only 4 percent of households have combined costs less than 30% of income. Newark has no neighborhoods identified as location efficient, with housing that is close to jobs and services, with a number of transportation options. Due to this fact, 49 percent of residents spend 45 to 54 percent of their income on housing, with 23 percent spending 54 to 66 percent.

Currently, Newark is served by Alameda County Transit (AC Transit) bus service. Public transportation is accessible on major arterials such as Newark Blvd, Ceder, and Thorton. Unlike neighboring Union City and Fremont, there is no BART station in Newark, although a number of bus routes do connect with the Fremont BART station. Public transit options are more accessible in the northern portion of the city, with the addition of three school bus lines from AC Transit during the school year to Newark Memorial High School. Residents in our community meeting expressed the desire for more options beyond the personal automobile such as increased bus service and infrastructure for biking to reduce traffic congestion and be responsive to climate change. Newark's Pedestrian and Bicycle Master plan outlines a number of improvements, such as protected bike lanes, pedestrian overpass for train tracks and an increase in the number of bike lanes.

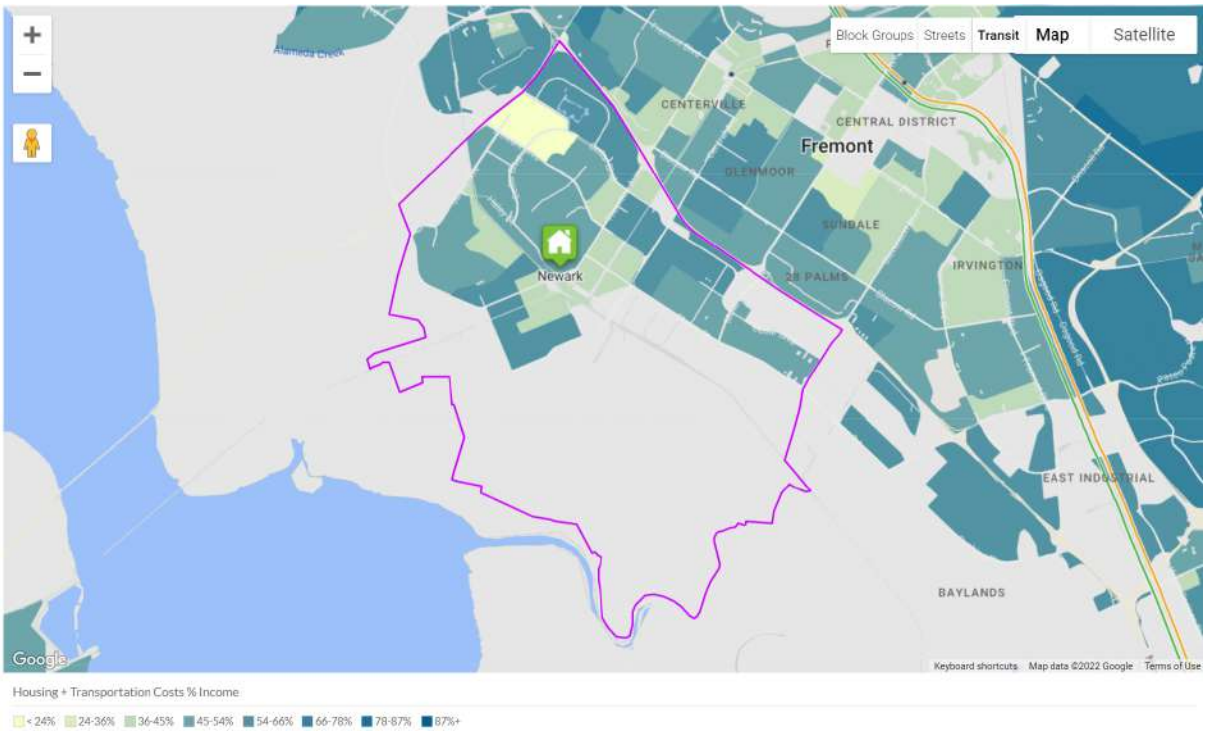
"Housing close to walkable parks and transit. Also need more transit options." – Community comment

Figure 3-18: Alameda County Transit Bus Stops and Proposed Transit Stations, 2022



Source: AC Transit, adapted by Community Planning Collaborative, 2022

Figure 3-19: Housing and Transportation Costs as a Percentage of Income



Source: The Center for Neighborhood Technology's Housing and Transportation (H+T®) Affordability Index,

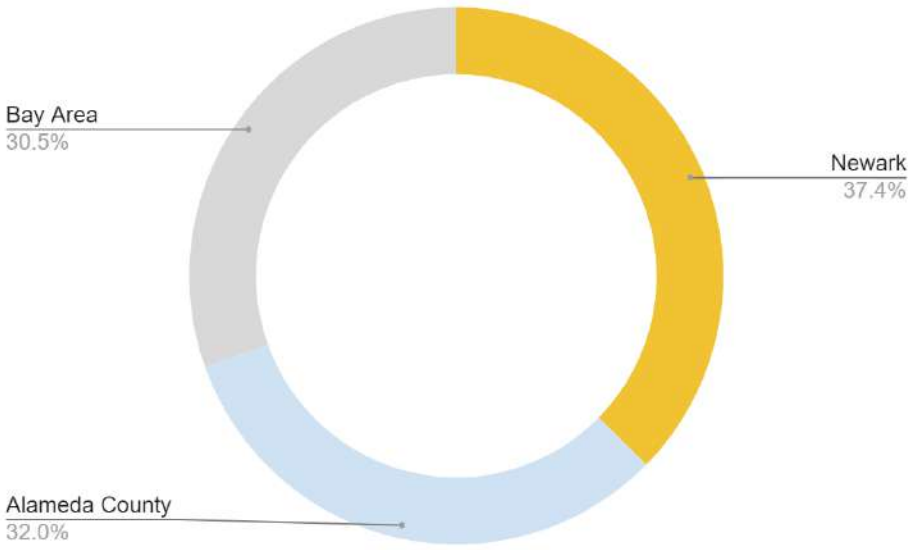
G. Disproportionate Housing Needs for Low-income Households and Protected Classes

Familial Status

The Fair Housing Act (FHA) bans discrimination based on certain protected classes, including "familial status," which refers to the presence of at least one child under 18 years old. Under the FHA, familial status discrimination occurs when a landlord, property manager, real estate agent, or property owner treats someone differently because they have a family with one or more individuals who are under 18 years of age. A "family" also includes people who are pregnant and people who are in the process of securing legal custody of a person under 18 years of age, including a family that is in the process of adopting a child, or foster parents. All families with children are protected by the FHA against familial status discrimination, including single-parent households and same-sex couples with children. Rules that unreasonably restrict children or limit the ability of children to use their housing or the common facilities at the property may violate the FHA. Moreover, enforcing certain rules only against families with children may also violate the FHA. The following are the types of conduct that may violate the FHA:

- Refusing to rent, sell, or negotiate with a family because the family has one or more children under 18 years of age.
- Advertising a preference for households without children or otherwise discouraging such families.
- Telling an individual or family no unit is available even though a unit is in fact available.
- Forcing families into housing units that are larger than necessary.
- Designating certain floors or buildings for families with children, or encouraging families with children to reside in particular areas.
- Charging additional rent, security deposit, or fees because a household has children under 18 years of age.

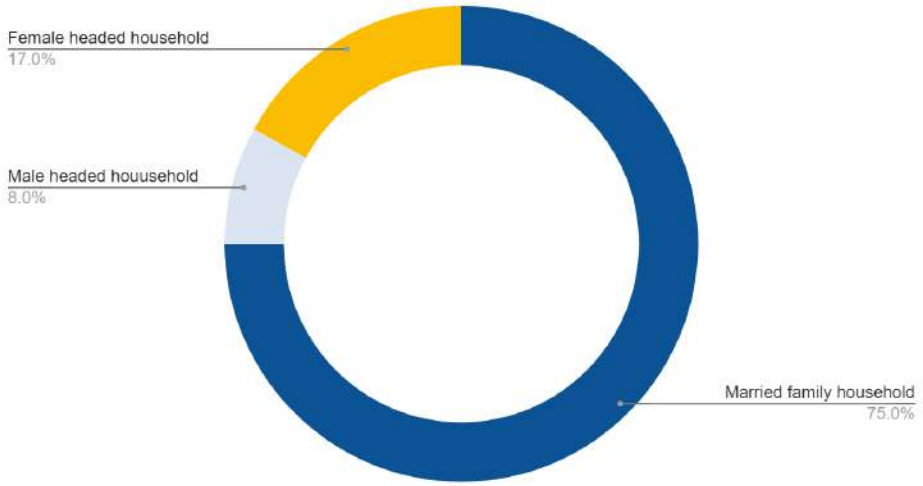
Figure 3-20: Percentage of Households With Children Under 18 Years of Age, 2015- 2019



Source: U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates. Table B11005

Newark has many family households with an average family size of 3.61 people (ACS 2016-2020). The city has 37 percent of households with a child under 18 years of age. This rate is higher than both Alameda County (32%) and the Bay Area (30.5%). Although discrimination based upon family status has not been reported in Newark, it has been reported at the county level. Households with children face additional challenges accessing housing that meets their needs for both size and cost. Survey results found that when asked what are the most urgent housing needs at this time, 50 percent responded that housing for families was the greatest need.

Figure 3-21: Family Structures in Newark, 2015- 2019



Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates. Table S1101

"I would love to see more housing programs accessible for families currently in Newark"
– Community Member

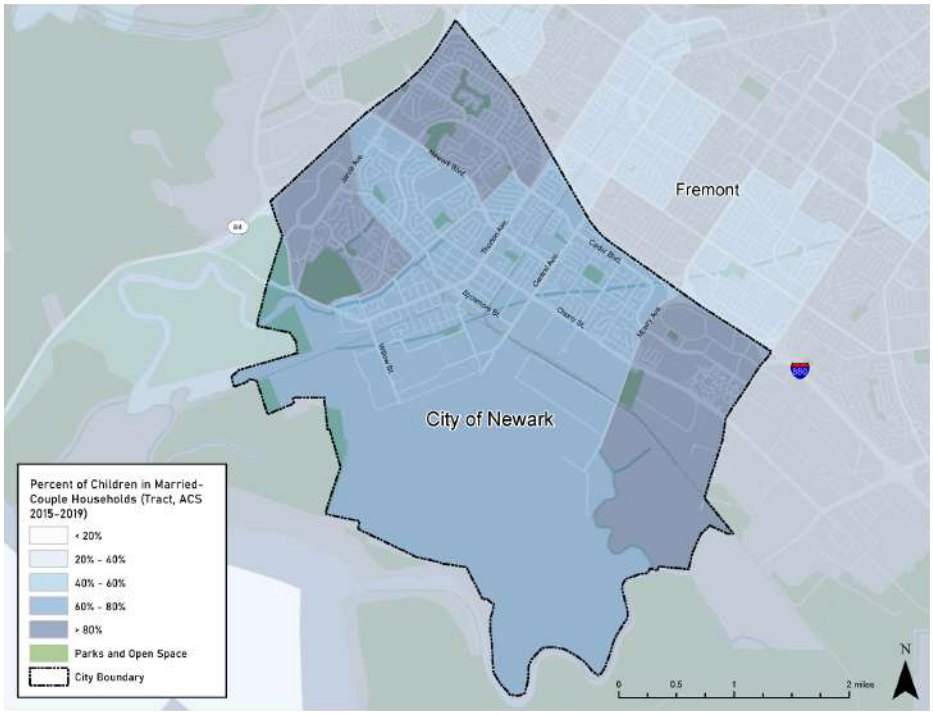
Households headed by one person are often at greater risk of housing insecurity, particularly female headed households, who may be supporting children or a family with only one income. In Newark, the largest proportion of households are Married-Couple Family Households at 75% of total, while Female Headed Households make up 17 percent of all family households and male headed comprise 8 percent. Throughout engagement with the community, the city has heard from residents that housing for families, and single parents in particular is a high need.

"I'm an inside wireman electrician for 26 years. I cannot afford to buy a home in this town as a single father of 2. $2million per home is ridiculously high. I am a critical worker, not just essential, and cannot afford to stay with these house prices."

Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make finding a home that is affordable even more challenging.

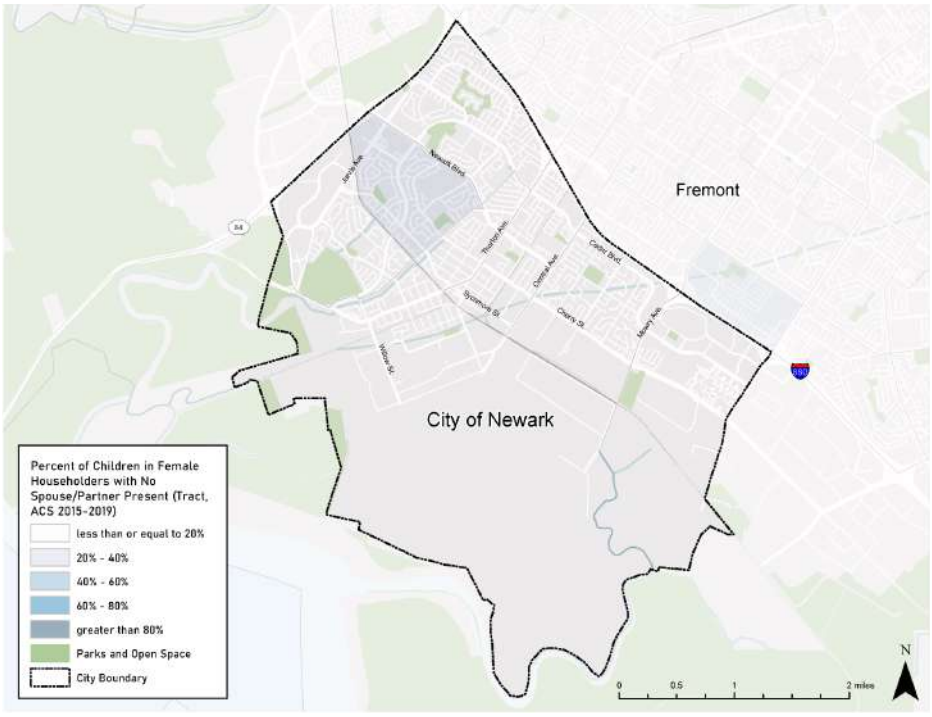
Figure 3-24 shows In Newark, 22.8% of female-headed households with children fall below the Federal Poverty Line, while 5.7% of female-headed households without children live in poverty (Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012).

Figure 3-22: Percent of Married Couples with Children, 2015- 2019



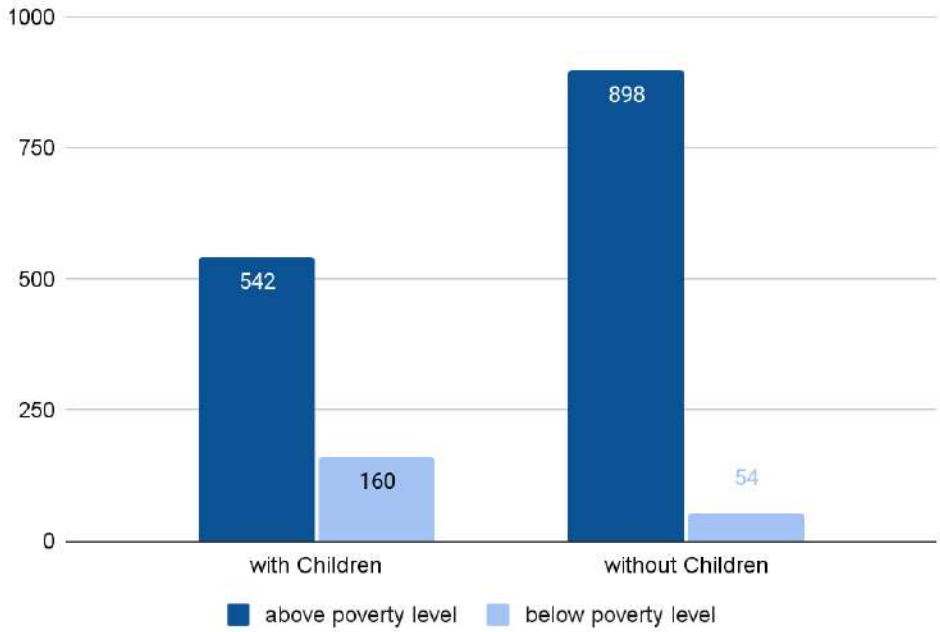
Source: HCD AFFH Data Resources and Mapping Tool.

Figure 3-23: Percent of Children in a Female Headed Household, 2015- 2019



Source: HCD AFFH Data Resources and Mapping Tool.

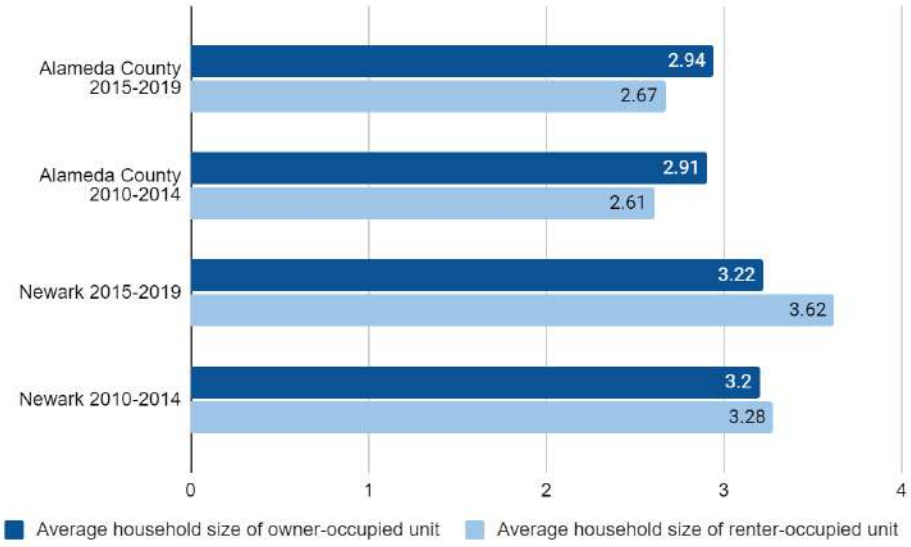
Figure 3-24: Poverty Levels of Female Headed Households in Newark, 2015- 2019



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

Household Size

Figure 3-25: Comparison of Household Size for Owners and Renters in Alameda County and Newark, 2015- 2019



Source: U.S. Census Bureau, 2015-2019 American Community Survey 5-Year Estimates. Table CP04, Comparative

Housing Characteristics

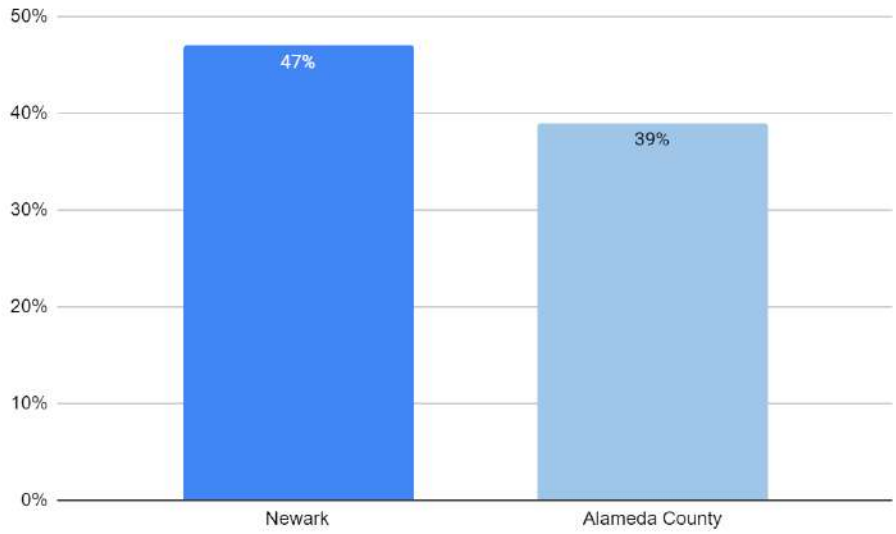
Seniors

The senior population in Newark has increased significantly since 2010, with a 47 percent increase, compared with a 39 percent increase from Alameda county. This could partially be attributed to the construction of Newark Station, a 75 unit building completed in 2019. Figure 3-27, shows seniors in Newark are overwhelmingly home owners at all income levels, with seniors at the lowest income level having the highest percentage of renters at 37 percent. Housing needs change as we move through life, and due to seniors living on fixed incomes in smaller households, Newark needs housing types and programs to support seniors to age in place and remain in their community.

"Developing a shared housing program with others that need a room to rent, connect seniors with single people who need affordable housing. Helps seniors on limited incomes"

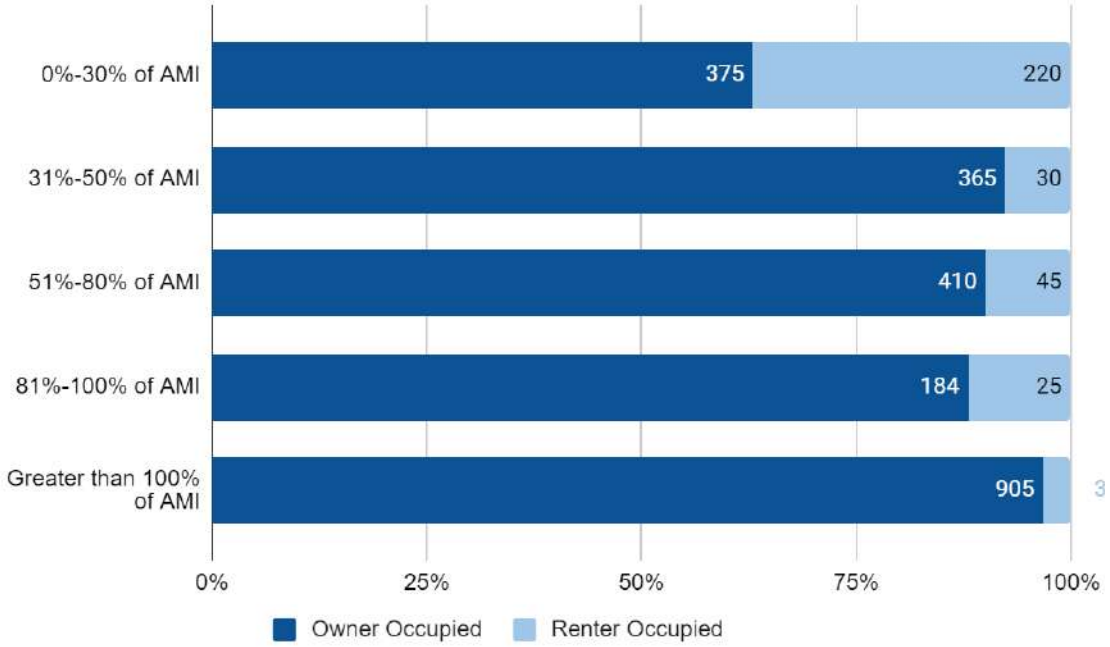
– Community meeting comment

Figure 3-26: Increase of Senior Population, 2010 to 2019



Source: American Community Survey 2015- 2019, 5-Year Estimate

Figure 3-27: Seniors Income Level, Owners and Renters, 2015 -2019



Source: American Community Survey 2015- 2019, 5-Year Estimate

Disability Status

The U.S. Census Bureau defines disability as one of the following: hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, and independent living difficulty. In Newark 3,561 residents over the age of 5 had a disability in 2018. This group equates to approximately 8 percent of the non-institutionalized population over age five in the City, which is slightly lower than the county (10 percent) and lower than the Bay Area (11 percent). Figure 3-28 shows the population of persons with a disability by age in the City. At the local level, seniors in Newark have the highest rates of disability of all age groups at 52 percent. Ambulatory difficulty and independent living were the highest for seniors at 23 and 22 percent, followed by hearing difficulty (13%). African Americans have significantly higher rates of disability compared to other racial and ethnic groups in the city at 22 percent, followed by White residents at 13 percent. Those living with a disability often have specialized housing needs due to living on a fixed or limited incomes, physical or intellectual disabilities or increased health care costs. This points toward a need for housing that incorporates universal design, is integrated within the community, in close proximity to public transportation, and supports seniors to age in place.

In conversation with Darin Lounds, executive director of the Housing Development Consortium of the East Bay, he shared a number of ways that the city of Newark can support inclusive housing options for people with developmental disabilities:

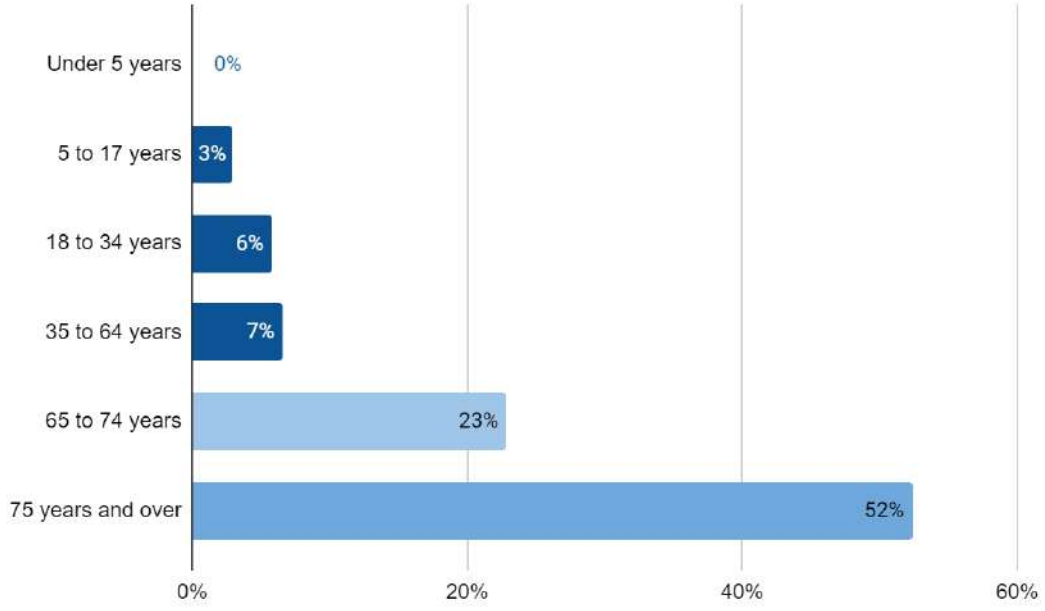
- Work with tax credit developers in larger multi families, to have a percentage devoted to people with disabilities. It is key for jurisdictions to work with developers when they are proposing new developments.
- Transit lines are most important. Only 10% of the demographic own a vehicle. Parking needs are more of a commercial need to provide services, less of a residential need.
- Discrimination: when property owners hear the income is SSI or disability, or someone with visible disability, they form assumptions about their ability to maintain a home. The regional center helps people to live in the community, they have a circle of support.
- Maximum integration is key, not just a big building with one demographic

Table 3-9: Residents With A Disability, Newark and Region, 2015- 2019

Geography	No disability	With a disability	Percentage
Newark	43,583	3,561	8%
Alameda County	1,496,381	151,368	10%
Bay Area	6,919,762	735,533	11%

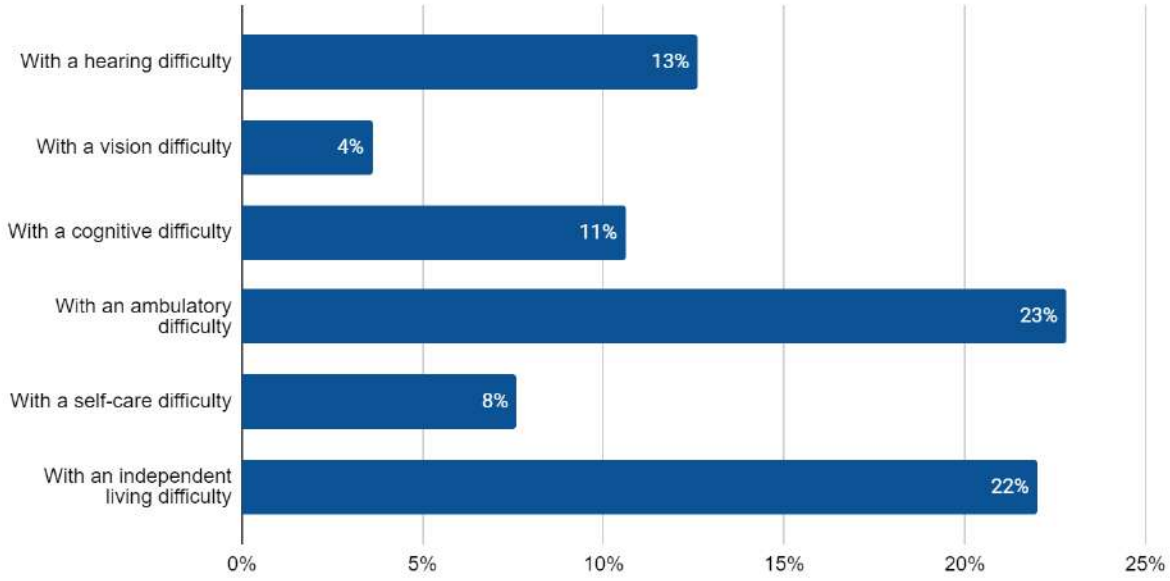
Source: U.S. Census Bureau, American Community Survey 5-Year estimate 2015-2019. Table B18101

Figure 3-28: Disability Status By Age, 2016- 2020



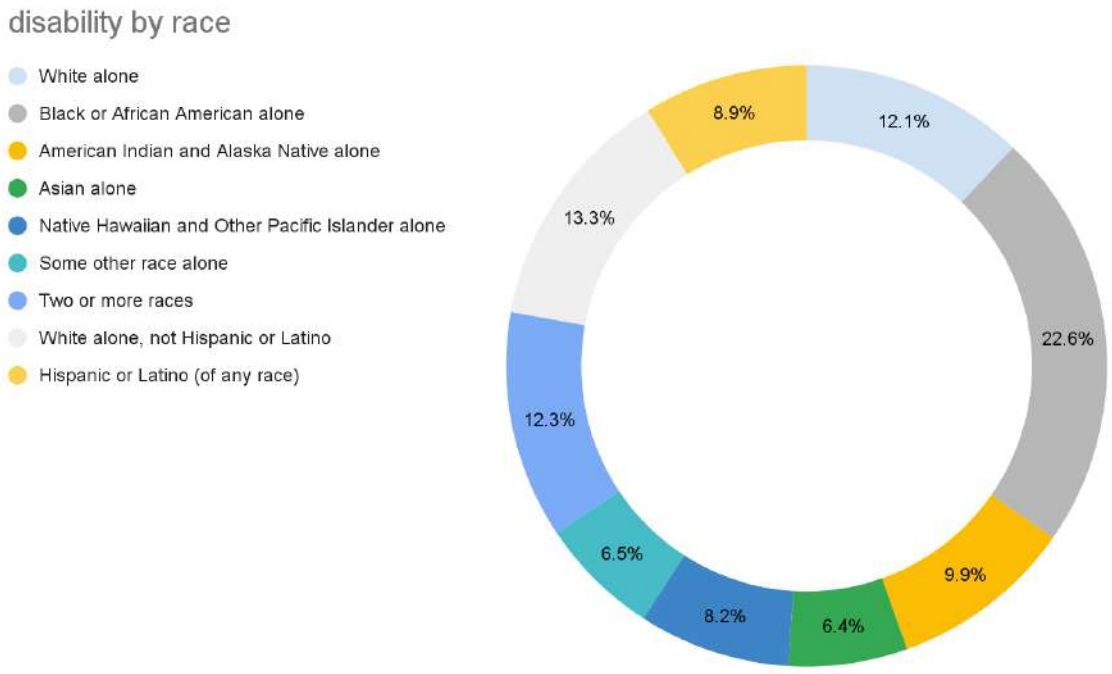
Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates. Table S1810

Figure 3-29: Newark Senior Population with Disability, 65 years and Older, 2016- 2020



Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates. Disability Characteristics, Table S1810

Figure 3-30: Disability Status by Race, 2016- 2020



Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates. Disability Characteristics, Table S1810

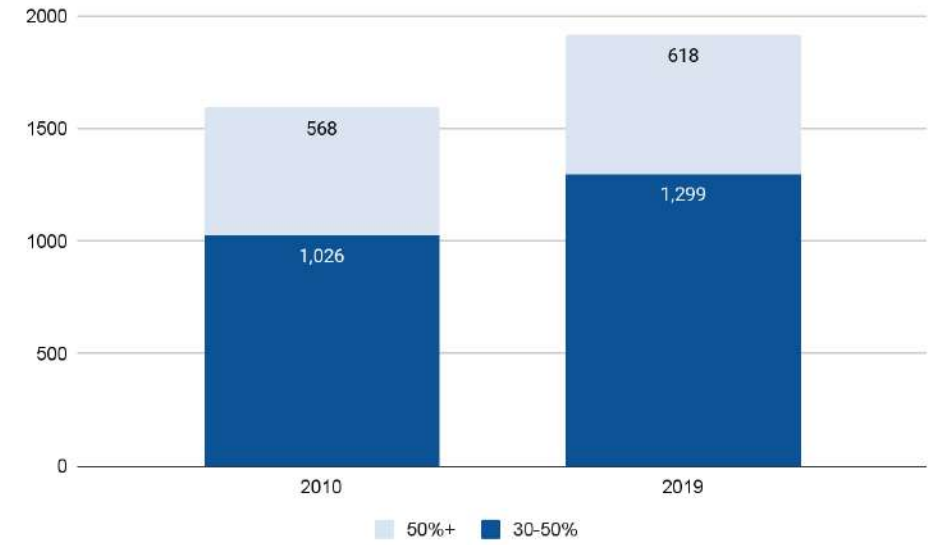
Cost Burden and Overpayment

From 2010-2019, Newark has experienced large increases in both rental and homeownership costs. Two-bedroom rents increased by 45 percent, while two-bedroom home prices have increased by 122 percent (Costar, 2010 and 2019 American Community Survey, 5-Year Estimates, Redfin). The growth in housing costs has outpaced the growth in income leading to large numbers of households cost burdened and experiencing homelessness.

The Department of Housing and Urban Development considers housing to be affordable for a household if the household spends less than 30% of its income on housing costs. A household is considered "cost-burdened" if it spends more than 30% of its monthly income on housing costs, while those who spend more than 50% of their income on housing costs are considered "severely cost-burdened." In Newark, 44 percent of households spend 30%-50% of their income on housing, while 14 percent of households are severely cost burdened and use the majority of their income for housing. Over time, households have become increasingly cost burdened, with a 20 percent increase from 2010 to 2019. Figure 3-31 shows how households in Newark are cost burdened by income. While residents are cost burdened and severely cost burdened at all income levels, residents making below 50 percent area median income experience the highest levels. Fifty-seven percent of residents earning up to 30 percent of the area median income are severely cost burdened, with 22 percent spending 30 to 50 percent of their income on housing. Homeowners Median income households are still finding themselves costburden with 60 percent of households making 50 to 80 percent of median income are cost burdened.

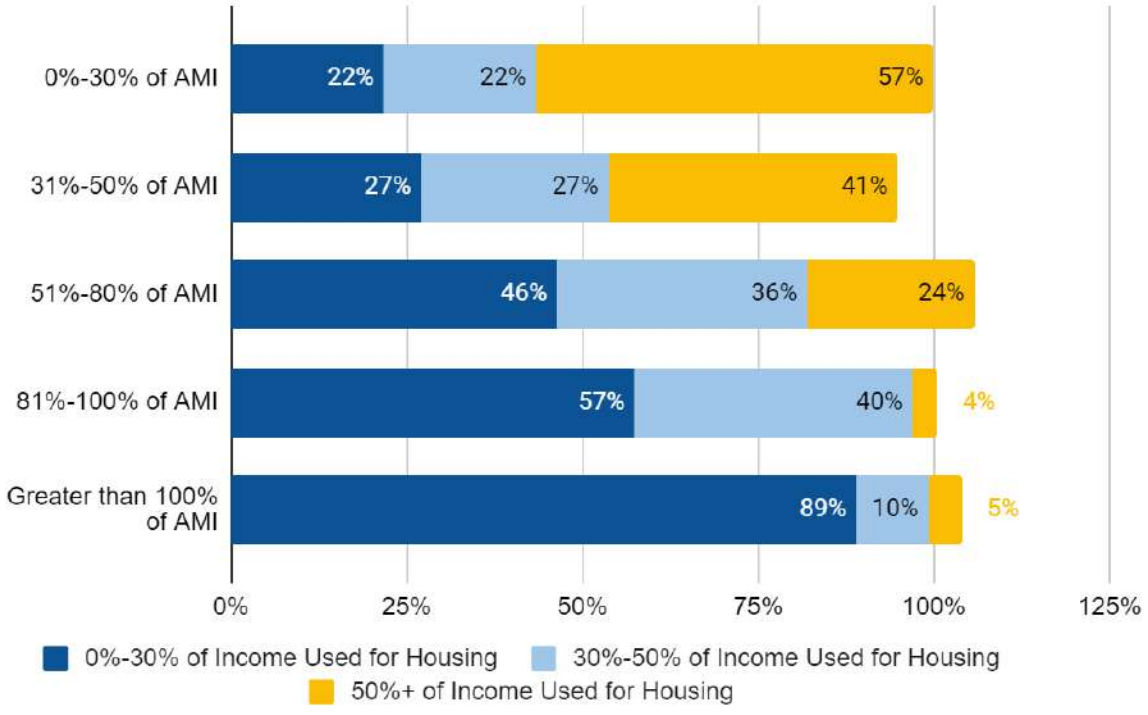
Figure 3-33 shows that renters are more likely to be cost burdened, with twice the number of renters (30%) spending more than 30 percent of their income on housing compared to 16 percent of homeowners, and 14 percent of renters are severely cost burdened. This places renters at a greater risk of living in overcrowded housing, displacement and homelessness.

Figure 3-31: Cost Burden Renter Households in Newark Over Time, 2015- 2019



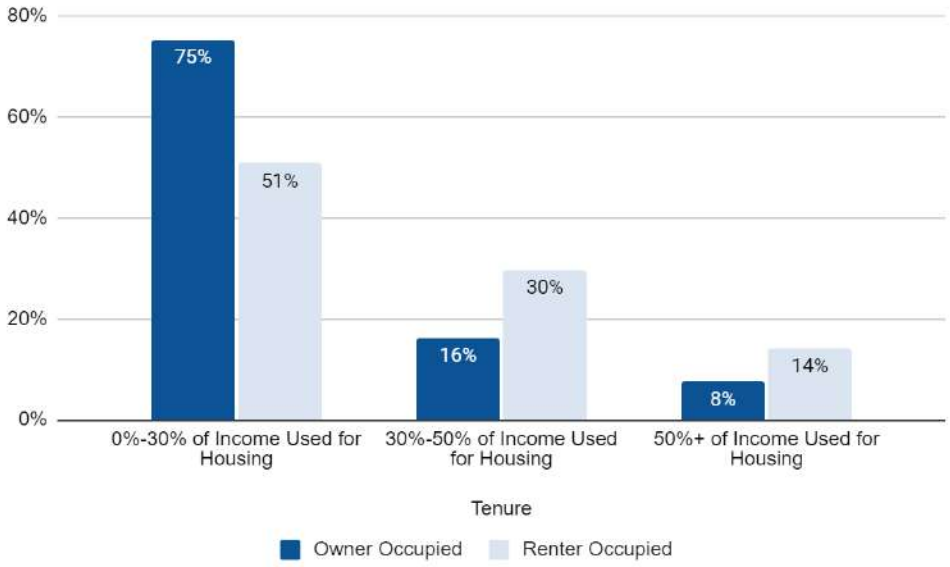
Source: American Community Survey 2015-2019, 5-Year Estimate

Figure 3-32: Cost Burdened by Income, 2013- 2017



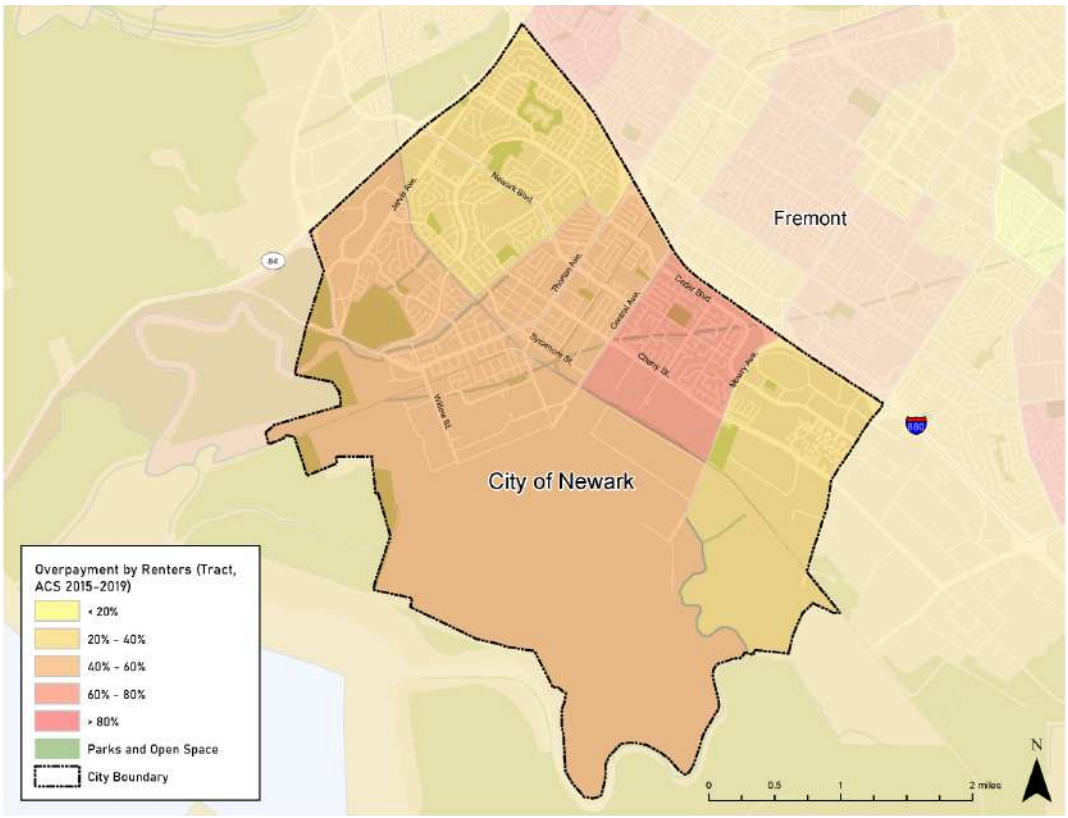
Source: US Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy. ACS tabulation, 2013-2017 release

Figure 3-33: Cost Burdened Households, Renters and Homeowners, 2015- 2019



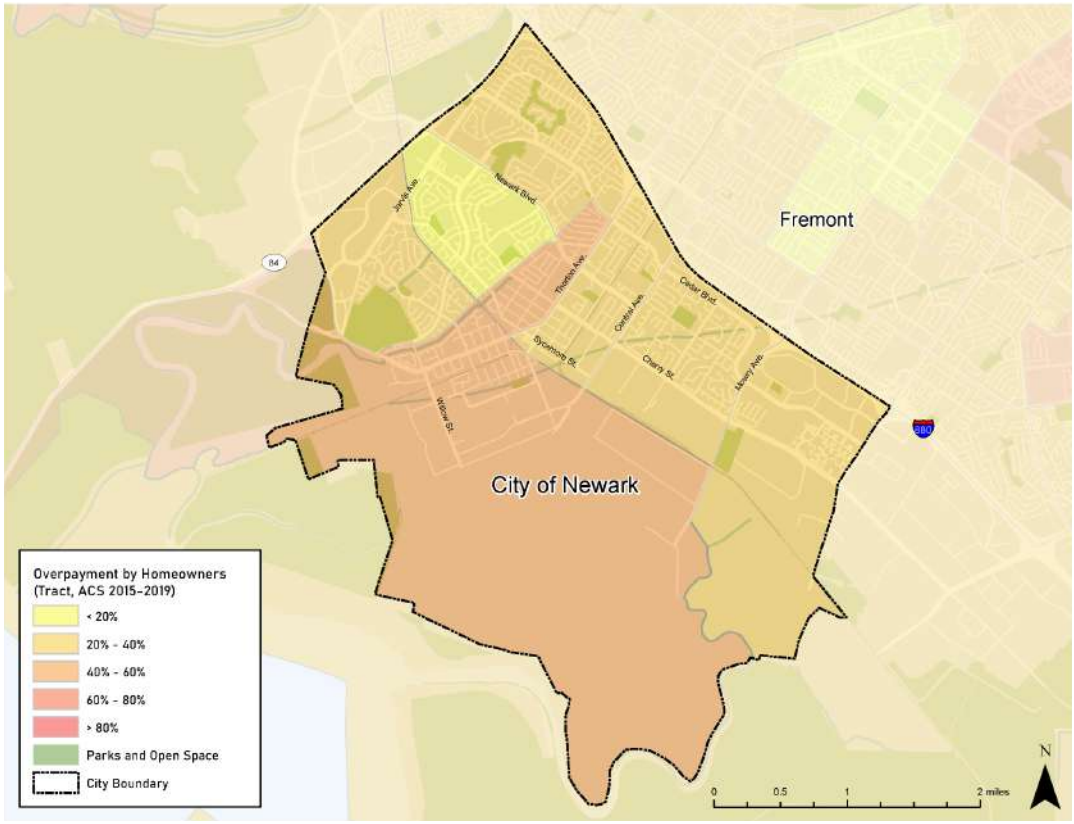
US Census Bureau, American Community Survey, 5 year data, 2015-2019, Table B25070, B25091

Figure 3-34: Overpayment by Renters, 2015- 2019



Source: HCD AFFH Data Resources and Mapping Tool.

Figure 3-35: Overpayment by Homeowners, 2015- 2019

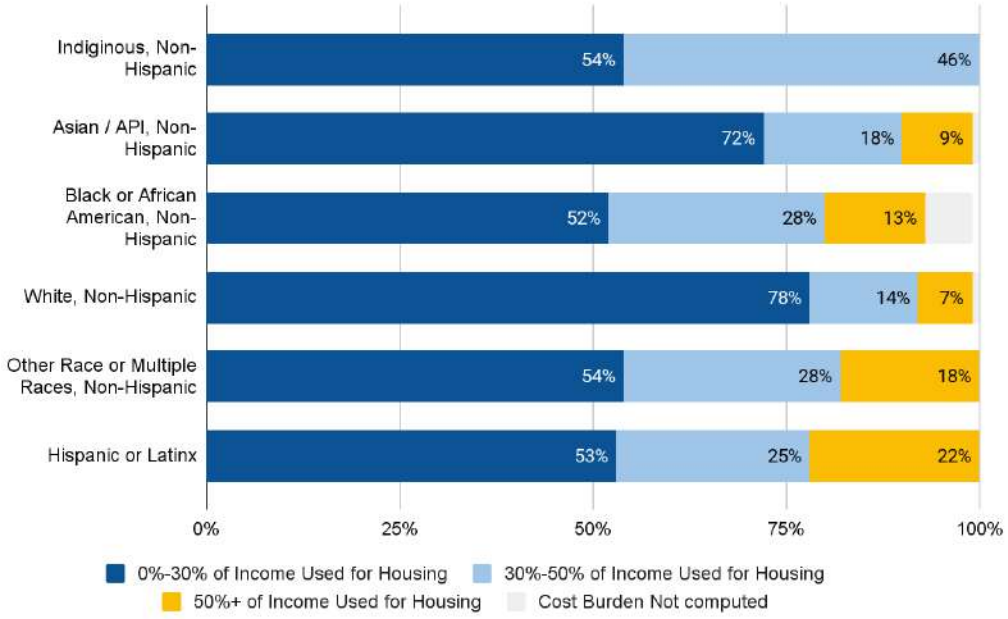


Source: HCD AFFH Data Resources and Mapping Tool.

Cost Burdened Households by Race

Residents who are cost burdened in Newark are disproportionately experienced by some ethnic groups more than others. Figure 3-36 exhibits the changing demographics of being cost burdened in Newark. Black (41%), Indigenous (46%), Multi Racial (46%), and Latinx (47%) residents are the highest cost burdened, and most vulnerable to displacement, overcrowding and homelessness. Asian and White residents are the least cost burdened at 27 percent and 21 percent respectively.

Figure 3-36: Cost Burdened Residents by Race, 2013-2017



Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release Note: Hispanic category is not exclusive of other categories.

Overcrowding

An overcrowded household is defined as having more than one person per room, with severe overcrowding with more than 1.5 people sharing a room. Often immigrant communities, low income families and renter-occupied households are more likely to experience household overcrowding. Referred to as "doubling up"—living with family members or friends for economic reasons—is the most commonly reported living situation for families and individuals before experiencing homelessness.[10] Renters in Newark are more likely to live in overcrowded conditions than homeowners. Figure 3-37 shows renters experience overcrowding at 3 times the rate as homeowners at 18 percent, and severe overcrowding at 9 percent.

Central Newark in the Old Town area has 9 percent of households experiencing overcrowded housing, with 5 percent of households experiencing extreme overcrowding in the Northwest corner of the city. As shown in Figure 3-39, these two areas are predominantly occupied by communities of color, with 80 to 100 percent of residents in the Old Town area. Mixed race residents face the highest rates at 33 percent, followed by Hispanic/ Latinx (30%) and Indigenous residents at 22 percent. The Old Town Neighborhood specific plan has zoning changes that

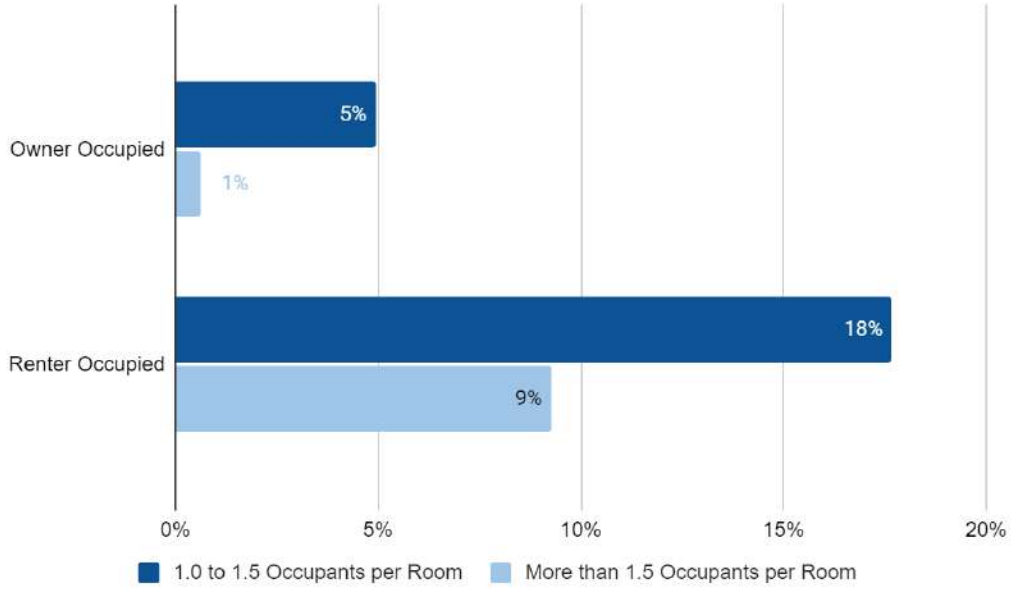
[10] Healthy Communities Data and Indicators Project, California Department of Public Health, Percent of Household Overcrowding, 2017

remove constraints to the production of affordable housing. The upcoming development in the Old Town neighborhood by Satellite Affordable Housing, will provide 56 units of affordable housing, a quarter are 3 bedrooms specifically for large families.

"Families that are doubled up, tripled up can really use some programs that help them find more suitable accommodations in the community they want to stay in"

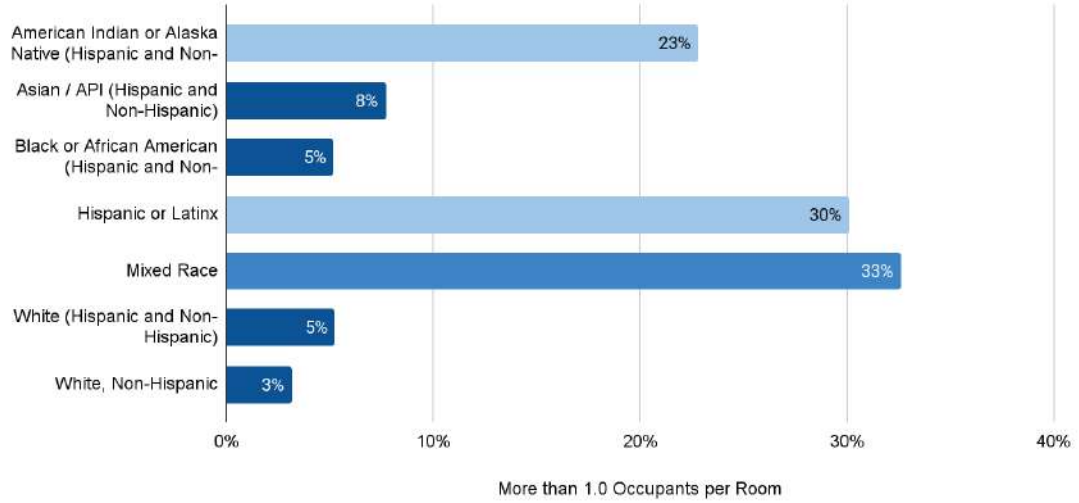
— Community meeting breakout session comment

Figure 3-37: Percent of Owner and Renter Households Living in Crowded Conditions, 2013- 2017



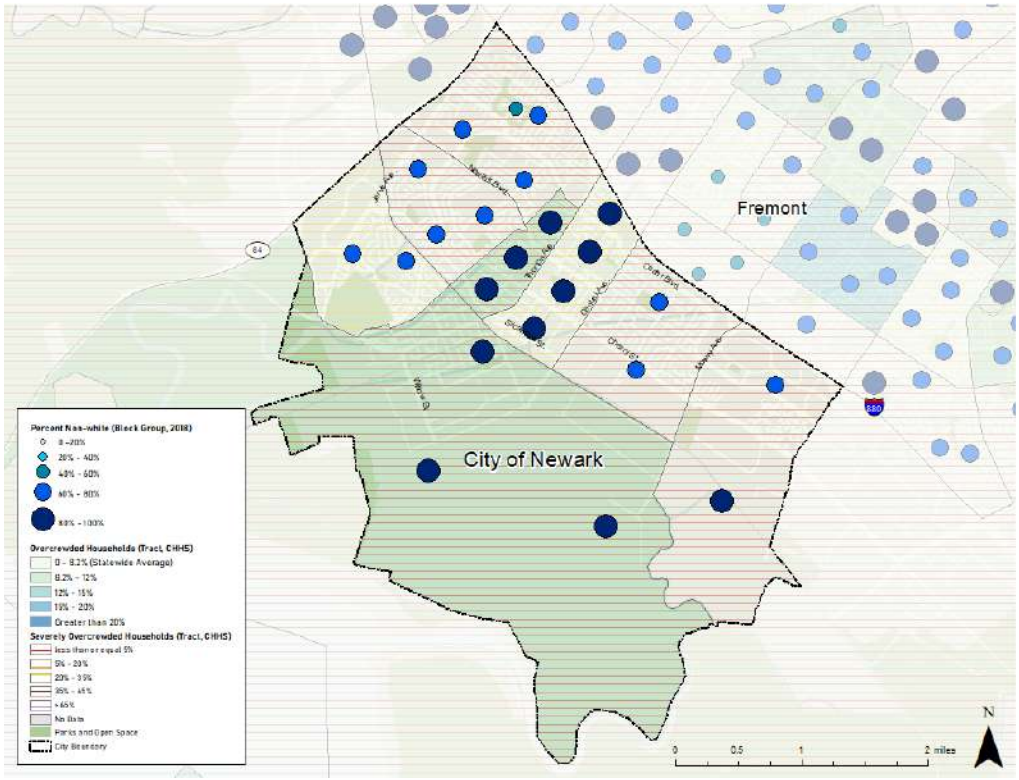
U.S. Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS), ACS Tabulation 2013-2017

Figure 3-38: Overcrowding by Race and Ethnicity, 2015- 2019



Source: US Census Bureau, American Community Survey, 5 year data, 2015-2019, Table B25014

Figure 3-39: Overcrowding and Severe Overcrowding in Newark and Non-White Population, 2015- 2019 and 2018



Source: HCD AFFH Data Resources and Mapping Tool.

Housing Choice Vouchers and Subsidized Housing Developments

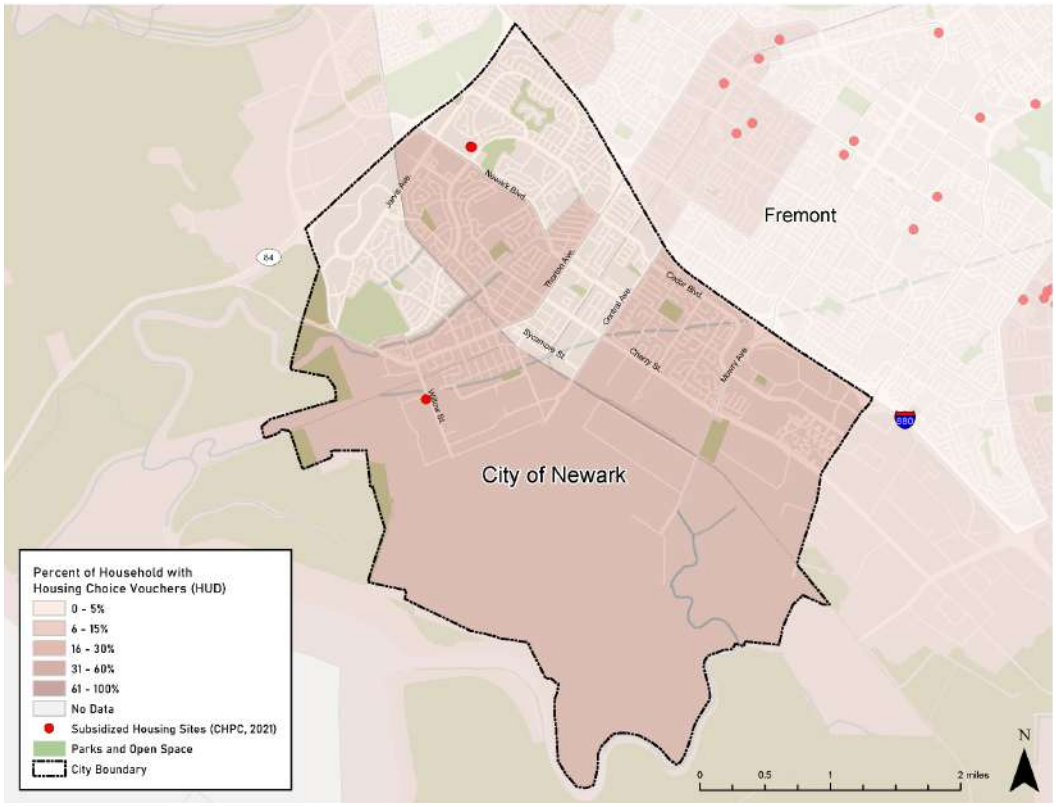
Newark has seen minimal development of subsidized housing, with three subsidized senior housing developments in the city, and a fourth subsidized senior housing development under construction with 79 units. The use of housing choice vouchers is low in Newark, with the majority of the city seeing a 5 to 15 percent use, and the remainder with 5 percent or less. Table 3-10 details the current subsidized housing in Newark. The city has 274 low income units at a low risk of conversion, with no units at the moderate, high and very high income brackets. The majority of subsidized housing in Newark is found in moderate resource areas, with one development in a low resource designated area

Table 3-10: Housing Units at Risk of Conversion, 2022

Name	Address	Affordable Units	Total Units	Active Program(s)	Risk Level	2021 TCAC/HCD Opportunity Map Designation
Newark Station Seniors	37433 Willow Street, Newark	74	75	LIHTC	Low	Low resource
Rosemont aka Newark Gardens I	35300 Cedar Blvd, Newark	150	150	HUD	Low	Moderate resource
Newark Gardens II	35322 Cedar Blvd, Newark	50	50	HUD	Low	Moderate resource

Source: California Housing Partnership, 2022

Figure 3-40: Subsidized Housing and Housing Choice Vouchers, 2021

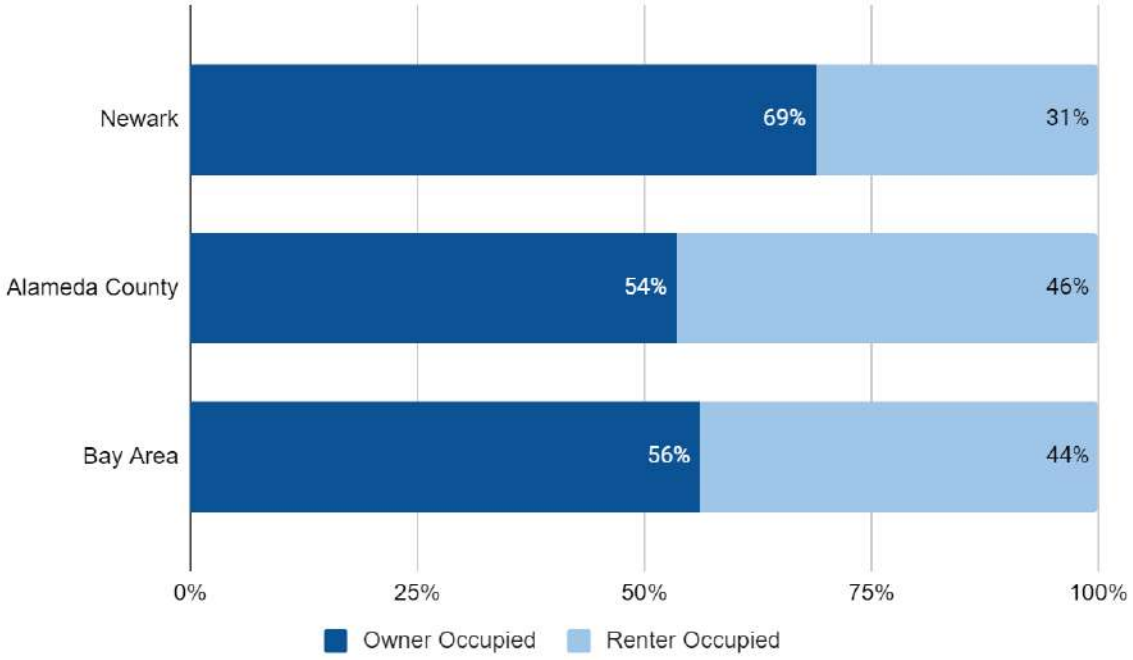


Source: HCD AFFH Data Resources and Mapping Tool.

Rates of Homeownership

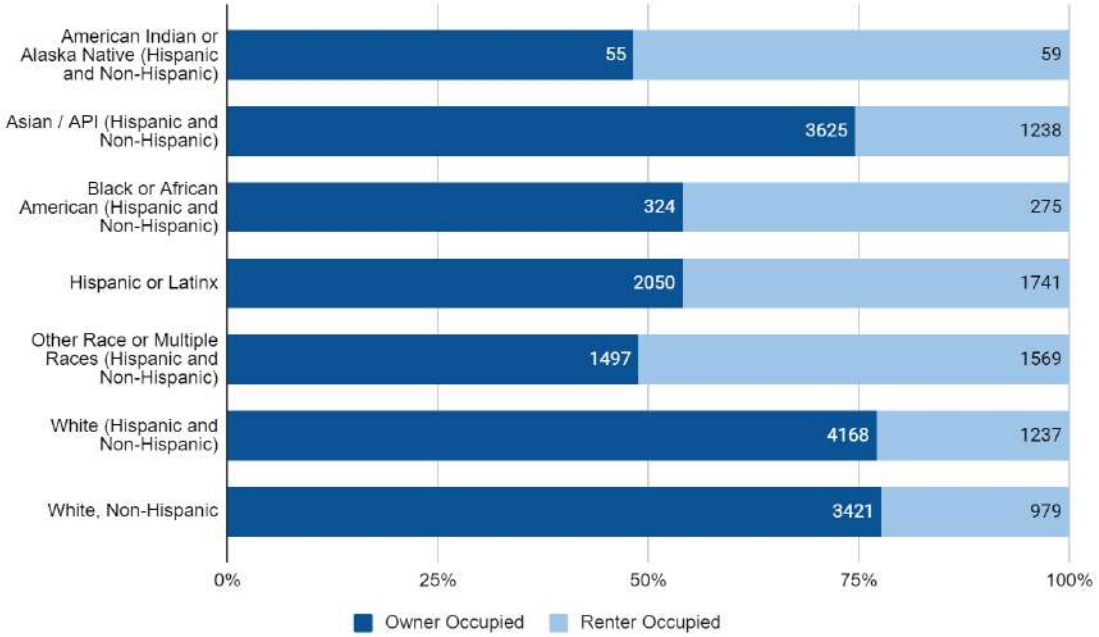
Homeownership in the United States has functioned as the key to generational wealth. Due to historic discrimination from the federal government, the real estate industry, BIPOC communities have lower homeownership rates in comparison to White residents. Addressing disparities between races in rates of homeownership is one way to address historic discrimination and access to wealth, furthering fair housing work. Newark has higher rates of homeownership at 69 percent, than Alameda County (54%) and the Bay Area (56%). Figure 3-42 shows homeowners in Newark are predominantly identified as White and Asian, with the lowest rates of homeownership being found with Indigenous, Black and Hispanic or Latinx residents. This corresponds with rates of acceptance for mortgages. Figure 3-43 shows that White and Asian residents have the highest rate of loan approval with Indigenous and Hispanic/ Latinx residents having the highest rates of application denied.

Figure 3-41: Housing Tenure in Newark, 2015- 2019



Source: U.S. Census Bureau, American Community Survey 5 year data, 2015-2019, Table B25003

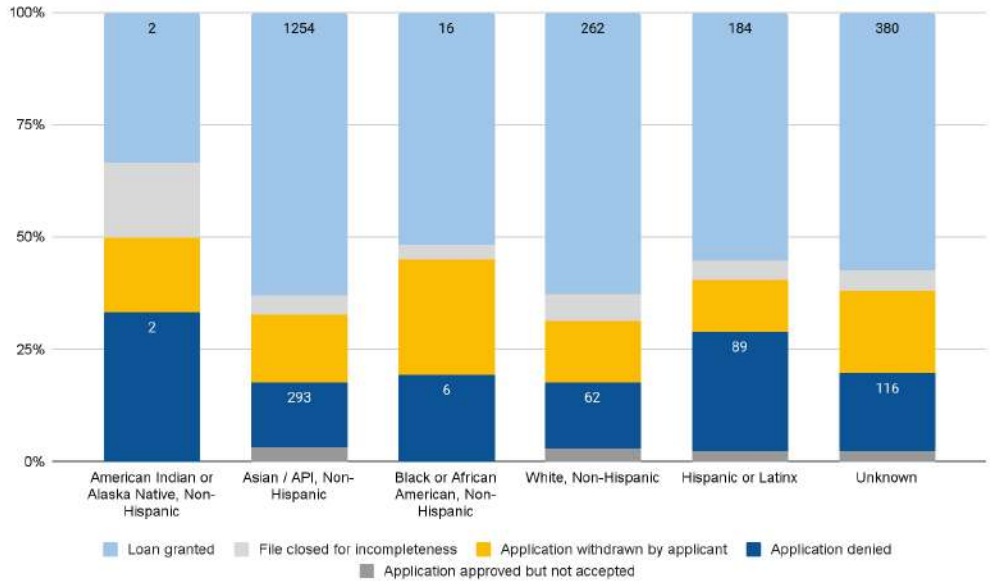
Figure 3-42: Rates of Homeownership by Race, 2015- 2019



Source: U.S. Census Bureau, American Community Survey 5 year data, 2015-2019, Table B25003

Mortgage Loan Access/Rates of Denial Loan Access/Rates of Denial

Figure 3-43: Mortgage Applications and Acceptance by Race, 2018-2019



Source: Federal Financial Institutions Examination Councils (FFIEC) Home Mortgage Disclosure Act Loan/ Application register Files

Substandard Housing

Concern over increased risk of displacement due to code enforcement violations has prompted a look at how substandard housing is addressed in communities. The majority of the community's housing stock is older than 40 years old, which can increase the need for repairs. Oftentimes it is low income renters and homeowners that will be living in substandard housing conditions. While rates of substandard housing, including housing without kitchen or bathroom facilities, is less than one percent, these units could be underreported. As described in section 2 of the housing needs assessment, the neighborhoods of Mirabeau and Old Town / Central Newark through code enforcement data show significant need of rehabilitation. Currently Newark is responsive to code enforcement reports of housing in need of repair, and is planning to develop a new system for addressing code violations that reduce the risk of housing being removed from the market. **Program H1.2** outlines how the city will develop a rental inspection program that will provide a structured process for property owners to address code violations. There will be a process of reinspection, and the creation of an online reporting process for tenants. **Program H1.1 Programs for housing repair and rehabilitation** works to expand upon the existing program, to incorporate targeted outreach to identified neighborhoods of need.

People Experiencing Homelessness

The City has provided continuous support for regional efforts to end homelessness, such as the Alameda County EveryOne Home Program, which prioritizes supportive housing. Newark adopted a resolution declaring a shelter crisis, and authorized the City's participation in the Homeless Emergency Aid Program (HEAP).

People experiencing homelessness have steadily increased at the county level since 2017, with 9,747 sheltered and unsheltered people at the most recent point in time count on February 22, 2022. The city of Newark has a documented reduction from 89 people experiencing homelessness in 2019, to 58 people in 2022. Data from a 2021 Newark Police Department report provides an overview of unsheltered persons in Newark including known encampments:

- Eucalyptus Grove (Highway 84, north of Jarvis Avenue)
- Highway 84 Eastbound off-ramp to Newark Boulevard
- Residence Inn hotel area (near the off-ramp)
- Sycamore Street at the Union Pacific railroad tracks
- Thornton Avenue at Interstate 880
- Home Depot and surrounding businesses parking lot

Housing and homeless support is the most prevalent service request for Newark callers to the countywide 2-1-1 referral service, representing about 42% of all service requests. Newark residents are seeking referrals for low cost rental listings, rent payment and deposit assistance, supportive and transitional housing, emergency shelter, among other services (Eden I&R Referral Service, January 2020 through March 2022). Currently Second Chance provides transitional housing for those experiencing homelessness in Newark. The facility has 32 beds, with the shelter at 81 % capacity on the point in time count. The city has engaged in a number of actions to address homelessness in Newark. There is a partnership with the Fremont Family Resource Center to provide support to Newark households at risk of becoming homeless, and has been awarded a HomeKey grant to convert the Towne Place Suites extended stay hotel into 124 supportive, affordable residential units known as Cedar Community Apartments. Most recently the city has created a Homelessness Committee with members from various City departments to develop a cohesive plan to address homelessness.

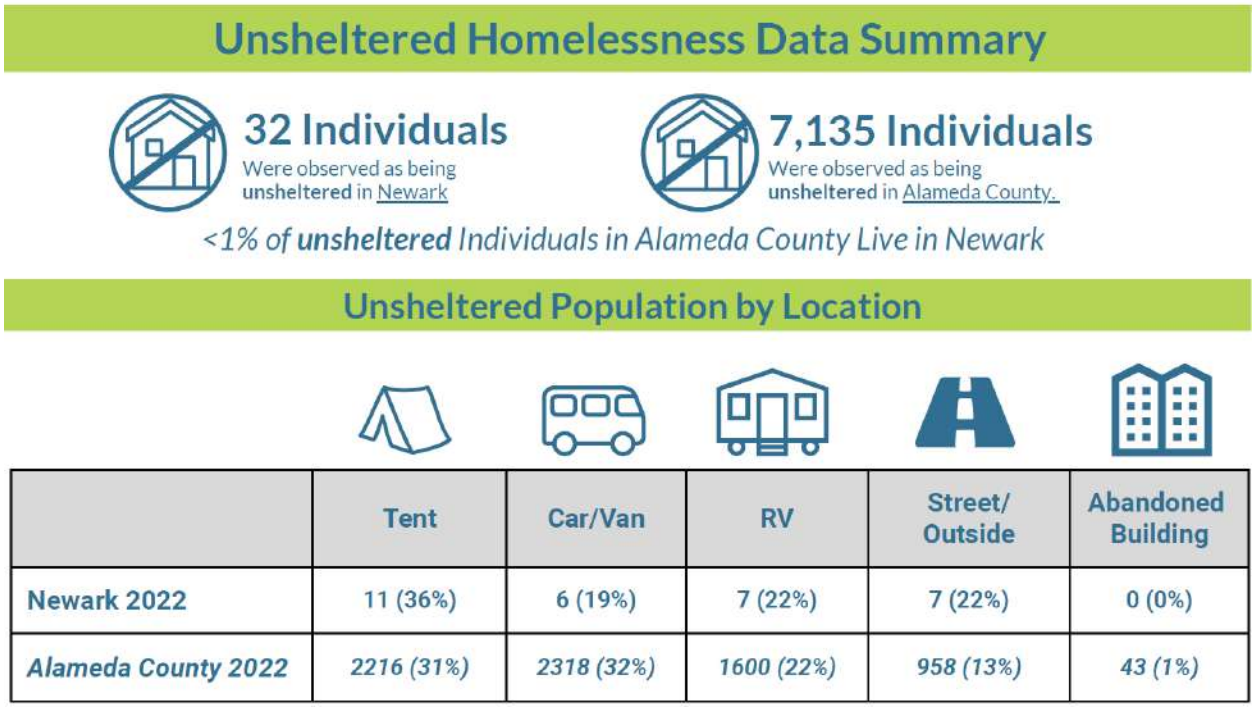
Through community engagement, the city has been alerted to the high number of residents experiencing homelessness that are finding shelter in local motels. The challenge with this is that these populations are uncounted, so while the city does not have a full sense of how many individuals and families are there, through communication with parent liaisons with the Newark Unified School district and from a community member experiencing homelessness that those residing in the hotels hold jobs outside of the home, but due to a variety of issues such as the cost of housing, requirements such as three times the income, and credit scores, these community members are kept from accessing stable housing.

Although the documented number of people experiencing homelessness in Newark is low, there are high rates of racial disparity compared to the population of Newark and Alameda County as a whole. As exhibited in Figure 3-46, although the African American population in Newark is 3 percent, they make up 27 percent of the population experiencing homelessness. The Latinx population of Newark is almost equal to that of those experiencing homelessness at 31 percent. White residents have the highest rate of residents experiencing homelessness at 58%, with their portion of the population in Newark at 29 percent.

Figure 3-44: Total Count of People Experiencing Homelessness For The Point In Time Count On February 22, 2022

Source: 2022 Point in Time Count. Everyone Count, February 22, 2022.

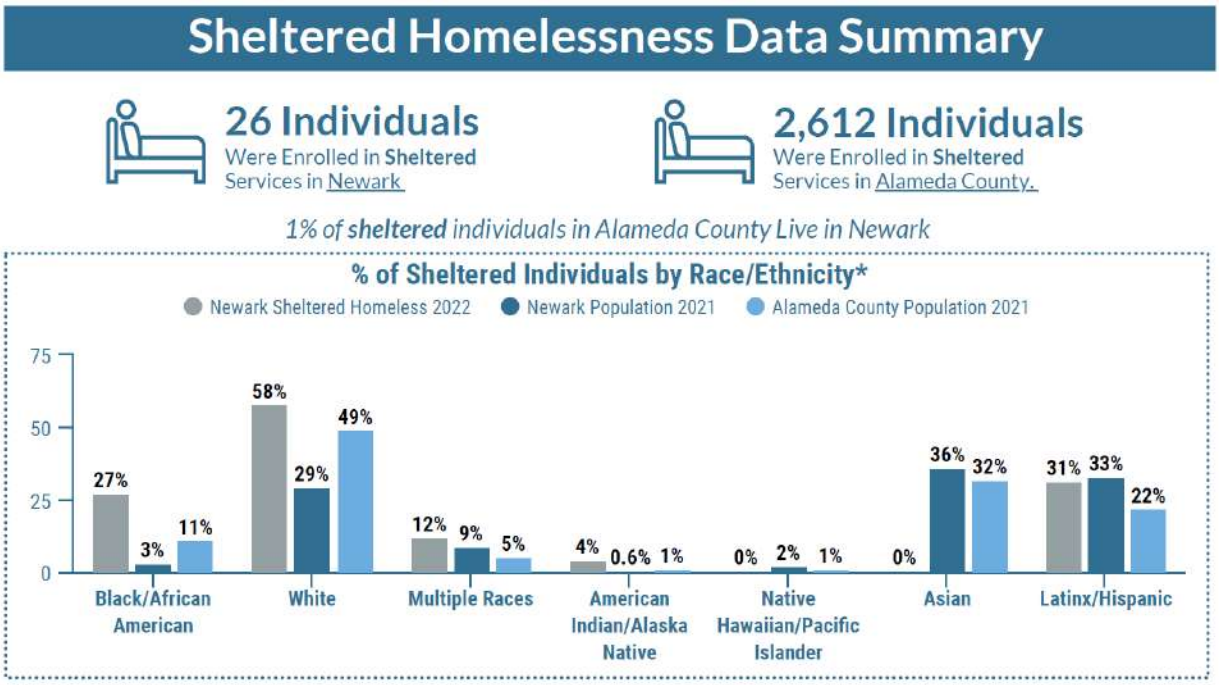
Figure 3-45: Unsheltered Individuals in Newark and Alameda County, 2022



	Tent	Car/Van	RV	Street/ Outside	Abandoned Building
Newark 2022	11 (36%)	6 (19%)	7 (22%)	7 (22%)	0 (0%)
Alameda County 2022	*2216 (31%)*	*2318 (32%)*	*1600 (22%)*	*958 (13%)*	*43 (1%)*

Source: 2022 Point in Time Count. Everyone Count, February 22nd 2022.

Figure 3-46: Sheltered Individuals by Race, 2022



Source: 2022 Point in Time Count. Everyone Count, February 22nd 2022.

Access to affordable, stable housing is foundational for children and their families to be healthy - mentally and physically and support student success in school. Over the past few years the pandemic has amplified the disparities in housing, and with learning transferring online, many students did not have the resources to make that transition. Although schools have returned to in-person teaching, the number of families that are still struggling to access resources and affordable housing are high.

In Newark, the student population experiencing homelessness totaled 300 during the 2019-20 school year and increased by 9 percent since the 2016-17 school year. By comparison, Alameda County has seen a 18.7 percent decrease in the population of students experiencing homelessness since the 2016-17 school year, and the Bay Area population of students experiencing homelessness decreased by eight percent. During the 2019-2020 school year, there were still some 13,718 students experiencing homelessness throughout the region, adding undue burdens on learning and thriving, with the potential for longer term negative effects.

The number of students in Newark experiencing homelessness in 2019 represents **10.5 percent of the Alameda County total and two percent of the Bay Area total.**

In the most recent school year (2021-22), NUSD had 251 students that were homeless (about 5% of all students), which further indicates the lack of affordable housing. Notably, about 96 percent of homeless students in Newark are students of color, with over 167 of these students being Hispanic or Latino. While NUSD has only a small number of Pacific Islander students (98 students),

about 10.8 percent of them are homeless (Source: California Department of Education (ED-Data).

Table 3-11: Students in Local Public Schools Experiencing Homelessness, 2016 to 2020

Academic Year	Newark	Alameda County	Bay Area
2016-17	275	3,531	14,990
2017-18	236	3,309	15,142
2018-19	192	3,182	15,427
2019-20	300	2,870	13,718

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools. Notes: The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography. Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020). This table is included in the Data Packet Workbook as Table HOMELS-05.

Farmworkers

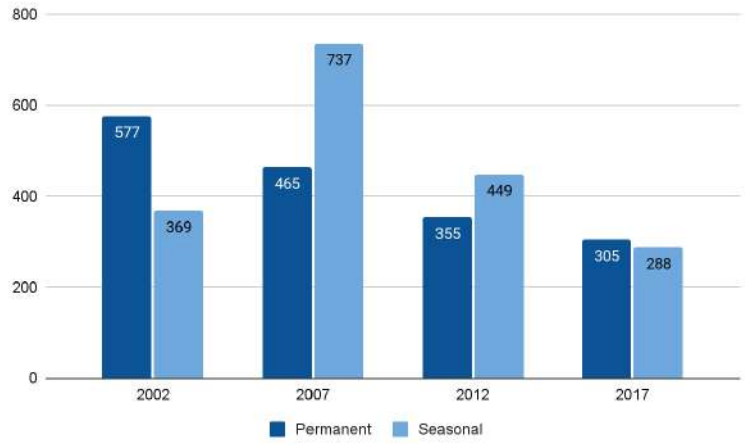
The number of farmworkers living in Newark has declined over the years, with the student population at 57 students for the 2019-2020 school year. The previous years saw 79 students for 2017-2018 and 72 for the 2018 to 2019 school year. Table 3-12 shows the trends for both Alameda county and the greater Bay Area see a similar decline in the migrant farmworker student population. Generally, the number of farmworkers living in Alameda county has been declining since 2012, with fewer than 400 residents working in the industry in a permanent position. It is important to recognize that farmworkers could be under-counted by the census due to their migrant nature. Farming and farmworkers are a significant element of the state's economy, but play less of a role in the Bay Area. Due to lower wages, language barriers, and inconsistent work, farmworkers can have difficulty securing housing, and for these reasons could experience overcrowding and substandard housing conditions.

Table 3-12: Migrant Farmworker Student Population, 2016 to 2020

Geography	2016-17	2017-18	2018-19	2019-2020
Newark	75	79	72	57
Alameda County	874	1,037	785	790
Bay Area	4, 630	4,607	4,075	3,976

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

Figure 3-47: Permanent and Seasonal Farmworkers at the County Level, 2022 to 2017



Source: U.S. Department of Agriculture, Census of Farmworkers (2002,2007,2012,2017), Table 7: Hired Farm Labor. Note: Farm workers are considered seasonal if they work on a farm less than 150 days a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.

Gentrification and Displacement

"It is really sad to see what is happening to our little old town of Newark. I moved here back in 1995 to raise my family. It was a small town and where I wanted to raise my family. My children are NUSD and now currently in college. The Tech Giants have moved into our backyards causing GENTRIFICATION raising rents that our families can't afford. Forcing them to leave and for some to become homeless sleeping in their cars with school-aged children. Also the high number of Homeless on our streets with mental health issues on the corners of all freeways intersections. How is it that we all live in one-million-dollar houses and see all this around us? This breaks my heart we need to see more affordable housing, rent control, good schools with proper equal education for all of our students in our community. All the tech giants use these Big Charter buses to send their employees to Facebook, Google, and Yahoo. Newark should start charging them a fee so that we can have funds available to provide free tutoring for school-aged students struggling in math." – Newark Resident

Defining Sensitive Communities: (Urban Displacement Project, 2020)

Communities sensitive to displacement were measured through a number of indicators. Neighborhoods with a high proportion of residents vulnerable to displacement in the case of rising housing costs, and market-based displacement pressures present in and/or near the community. Communities were designated sensitive if they currently have populations vulnerable to displacement in the event of increased redevelopment and drastic shifts in housing cost. Vulnerability includes metrics for the share of very low income residents, share of renters, share of people of color, and share of very low income households (50% AMI or below) that are severely rent burdened (spending 50% of income on rent). Market-based displacement pressures include percent change in rent between 2012-2017 above county median rent increases.

The City of Newark has grown its job base by 37% since 2010, significantly outpacing the County's job growth, which was also strong. While the City has a higher share of job growth in high-paying industries compared to the County, over 40% of the City's job growth still came from lower wage industries paying less than $75,000 a year. Currently, residents are unable to find housing at a cost and requirements accessible to them, which has led to residents finding shelter in motels. Concern around gentrification is a consistent narrative from residents, many of whom find themselves unable to find housing in a city they have grown up in, and have community connections.

"Programas de vivienda que combaten la gentrificación." (Housing programs that combat gentrification)
– Community Meeting Comment

Figure 3-49 shows areas in Newark that are vulnerable to gentrification and displacement, according to the 2017 study from the Urban Displacement Project, University of California, Berkeley. The area corresponds to a majority of BIPOC populations with an average of 82 percent non white, specifically Hispanic/ Latinx communities, cost burdened and overcrowded households.

The city of Newark has a number of redevelopment projects underway in the Old Town Area, Bayside, and ParkPlace. These projects are working to add more housing to the city through the redevelopment of industrial land into a walkable neighborhood close to commuter rail, repurpose an aging shopping mall, and revitalize a historic district.

Old Town

Old Town is the historic commercial district of Newark that has experienced disinvestment over the years. The neighborhood has a history of a variety of housing types and businesses, with a number of food manufacturing and local restaurants. The Old Town Specific plan looks to revitalize the neighborhood, making it more pedestrian friendly and implement zoning changes to bring higher density housing and mixed use buildings into the neighborhood.

The area has lower rents than the surrounding areas of the city, and is home to a predominantly

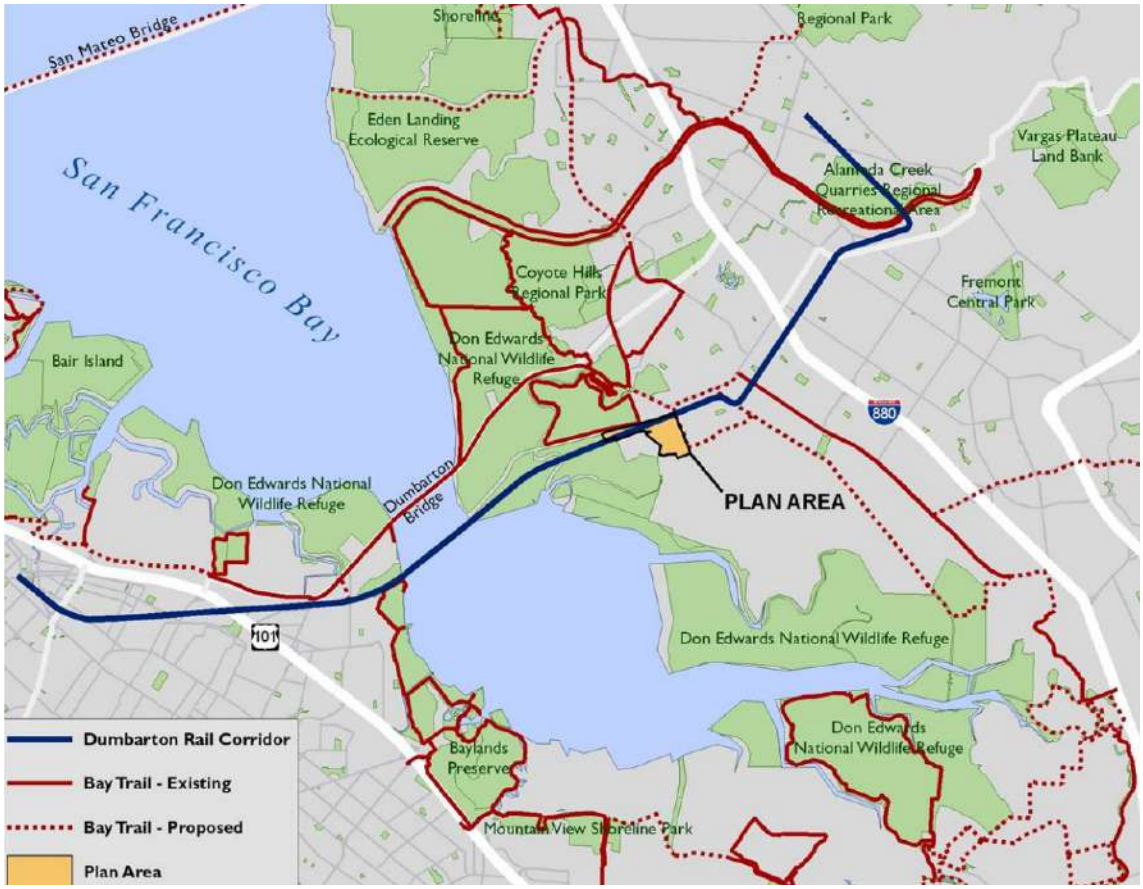
Hispanic/ Latinx population of residents and associated small businesses (fig 3-49). The neighborhood has the highest level of low income residents, with 53 percent of renters cost burdened.

With improvements to the Dumbarton transportation corridor, connecting Newark and the surrounding area to Silicon Valley, this will open up the area for increased development pressure that could result in displacement of existing residents and small businesses.

Bayside Newark

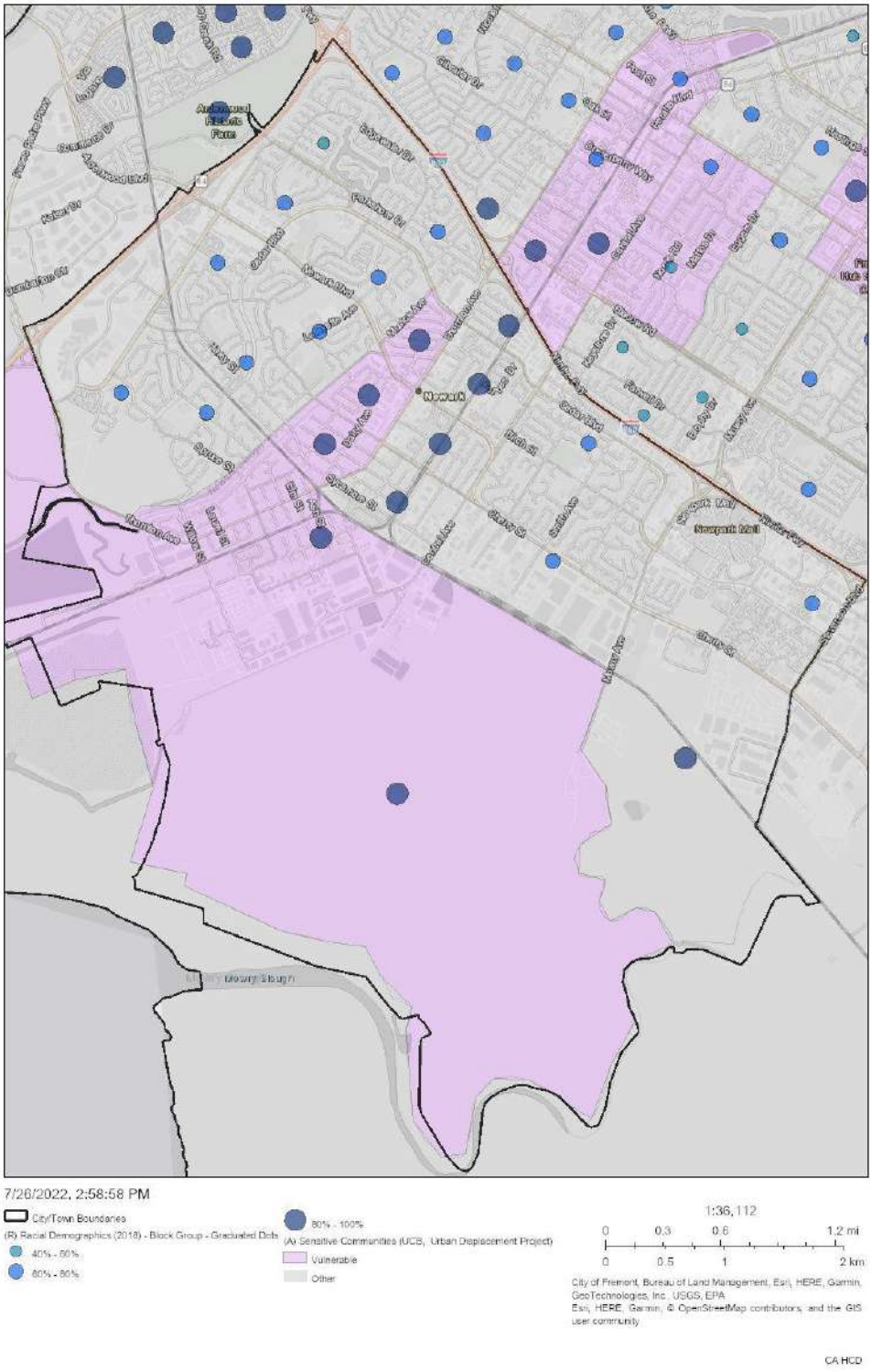
Bayside Newark is a 200-acre planned neighborhood on land previously used for industrial production and manufacturing. The city is implementing a specific plan for a walkable neighborhood with a variety of housing types, recreational open space, and everyday services adjacent to the future Dumbarton rail line. Although there was no residential or small business in the planning area, it is still important to note the impact that the commuter rail line and the inclusion of hundreds of new market rate housing units will have on the demographics of the city.

Figure 3-48: Map of Plan and Dumbarton Corridor, 2010



Source: Dahlin Group, 2010

Figure 3-49: Areas in Newark Vulnerable to Displacement and Percentage of Communities of Color, 2018 and 2022



Source: HCD AFFH Data Resources and Mapping Tool.

Displacement From Environmental Hazards

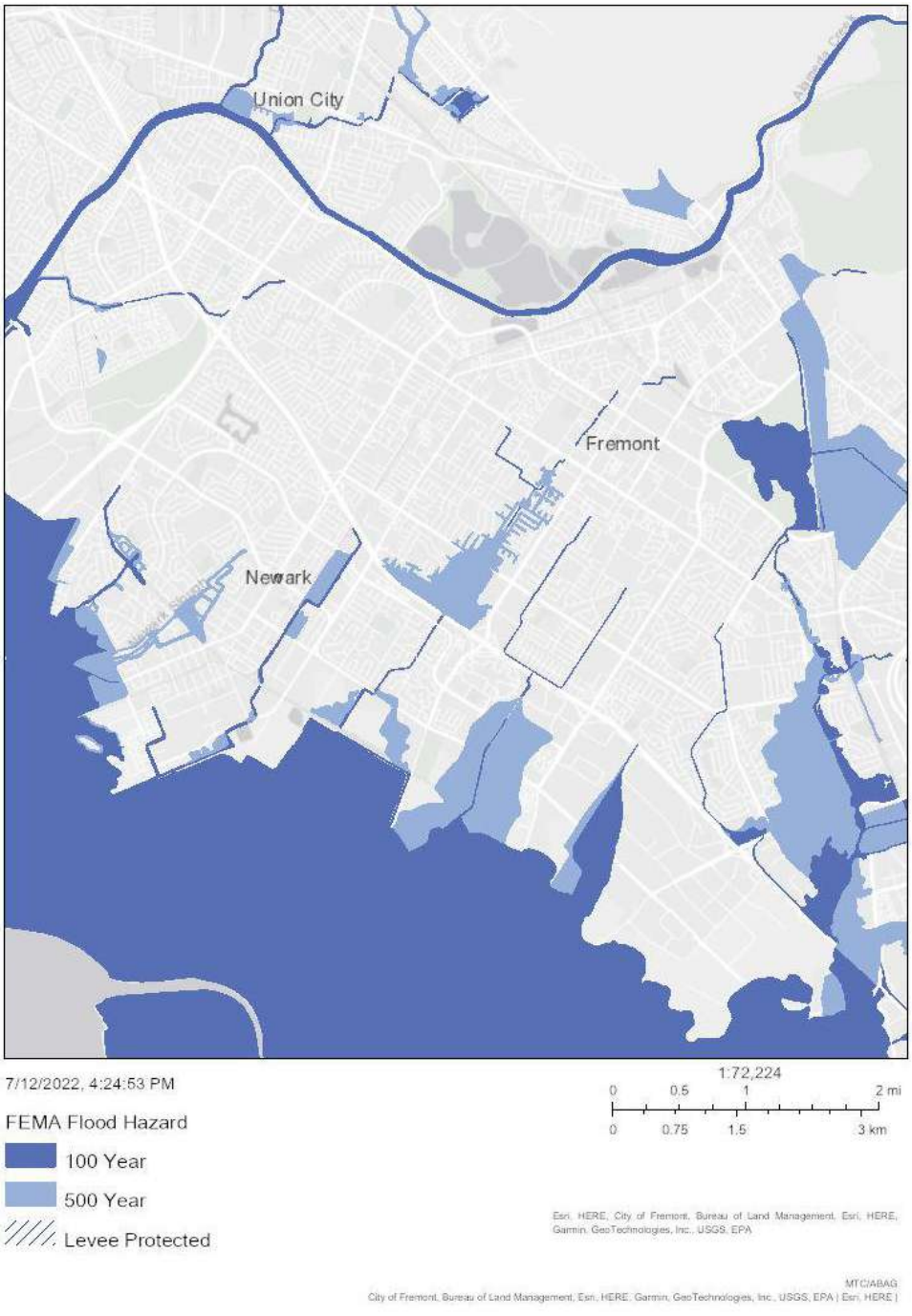
Environmental hazards can cause both physical and social vulnerabilities specifically in low income, disabled, and BIPOC communities. Many communities and households face social vulnerabilities that are intensified during the short- and long-term recovery period after a disaster. Access to information, housing, and social services are disrupted during and after a disaster, straining local housing markets and service providers. Due to the lack of affordable housing due to a mismatch between housing costs and income, communities are vulnerable to local shocks such as a natural disaster. For households that were struggling to find and/or maintain affordable housing before a major event, resulting in displacement of residents and an increase in homelessness. These events also compromise the ability for residents with disabilities to find accessible temporary shelter.

Newark is susceptible to multiple major types of environmental hazards that are visible through the Association of Bay Area Governments Hazard Viewer: Flooding due to sea level rise, tsunamis, and earthquakes. Figure 3-50 of the FEMA flood map shows extreme flooding at the 100 year flood line, engulfing much of the southern portion of the city. At the 500 year flood level, the flooding will move well into established housing, schools and commercial establishments. Flooding most significantly affects areas that are identified as high in opportunity currently, but also encroaches on areas in the city that have been identified as vulnerable to displacement through the Urban Displacement Project.

With Newark being in close proximity to the Hayward fault line, there is the possibility of severe shaking in the event of an earthquake. Residents in our community survey cited multi-year drought as their greatest environmental concern at 52 percent, followed by flooding and sea level rise (44%) and earthquakes (35%). In our community meeting, concern about development in sensitive areas was highlighted, especially ensuring that vulnerable residents are aware of the environmental hazards in their neighborhood.

"Restrict or limit construction of new development in zones or overlay areas that have been identified or designated as hazardous areas to avoid or minimize impacts to coastal resources and property from sea level rise impacts." *– Community meeting comment*

Figure 3-50: 100 Year and 500 Year Flooding Projections for the City of Newark



Source: Association of Bay Area Governments Hazard Viewer

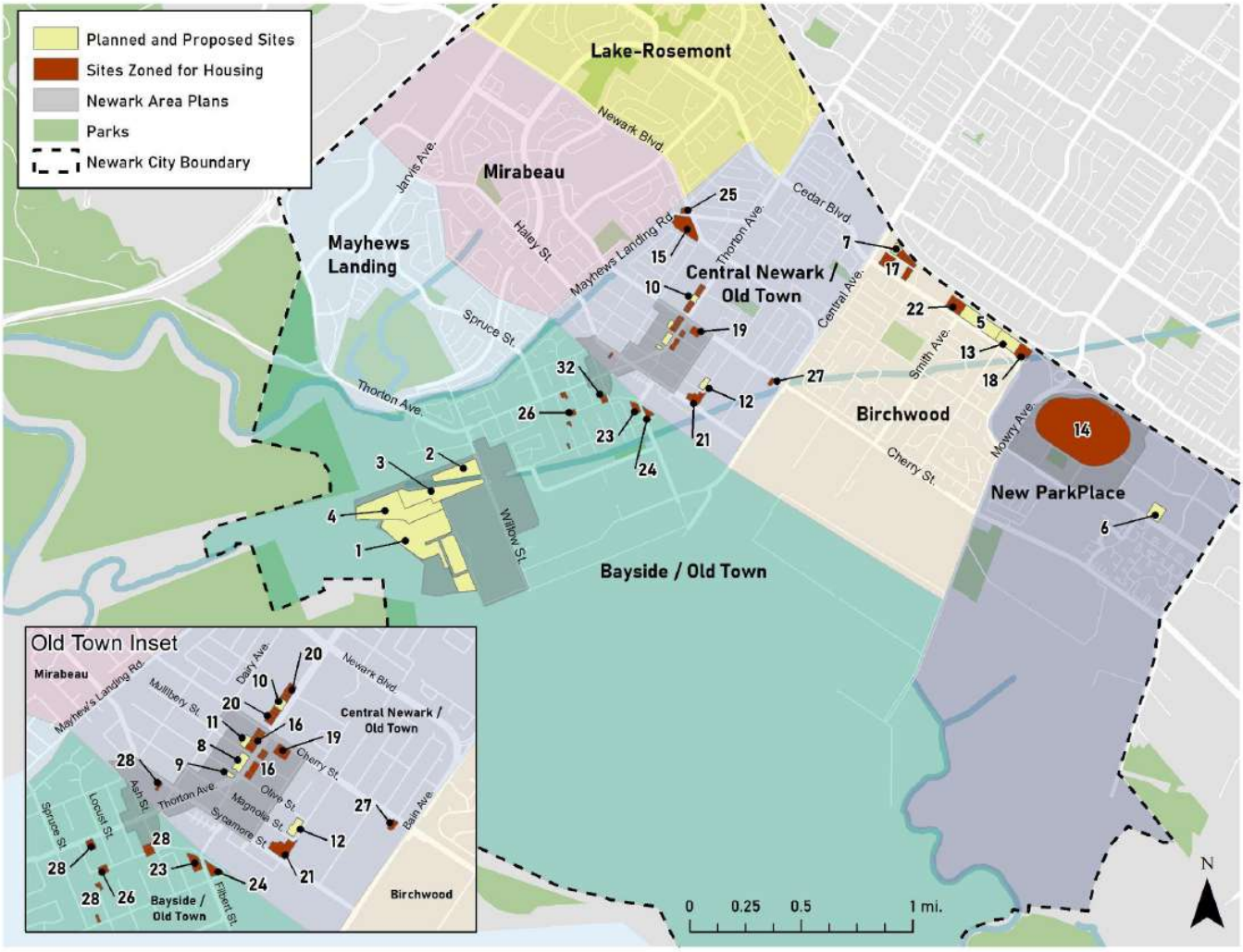
H. AFFH Analysis of Sites

State law, Government Code Section 65583(c)(10), requires the sites analysis to be analyzed with respect to AFFH to ensure that affordable housing is dispersed equitably throughout the City rather than concentrated in areas of high segregation and poverty or low resource areas that have historically been underserved. By comparing the sites inventory to the fair housing indicators in this assessment, this section analyzes whether the sites included in the 2023-2031 Housing Element sites inventory improve or exacerbate patterns of segregation, fair housing conditions, and access to opportunity throughout the City.

Newark was allocated a total of 1,874 new housing units to plan for during the Sixth Cycle Housing Element planning period. This RHNA allocation includes 464 very low-, 268 low-, 318 moderate-, and 824 above moderate-income units. Using data and research from the HCD AFFH Data and Mapping Tool 1.0, Table 3-13 presents the housing unit capacity and existing conditions as they relate to indicators of fair housing analyzed in this assessment for each census tract in the city. For more information about the indicators, refer to the local assessment discussed previously in this chapter. The census tracts and sites inventory are mapped and shown in Figure 3-51. Newark has several physical constraints that present challenges in developing the sites inventory and planning for future growth. These constraints include sensitive wetland habitat and flood plains along the western city boundary and limited vacant land. Because of these constraints, sites included in the 2023-2031 Housing Element inventory are largely located in specific plan areas that are redeveloping existing shopping malls and former industrial lands, with several additional sites located in the Old Town/ Central area.

Newark is a racially and ethnically diverse city, with higher levels of segregation than neighboring jurisdictions such as Union City. As shown in the Table 3-13 BIPOC residents are the majority of the population in all census tracts. Residents identifying as Hispanic/ Latinx compose the largest segments of the population in census tract 4443.02 (Bayside/ Old Town), and census tract 4444 (Old Town/ Central Newark). The sites inventory provides some opportunity to balance the distribution of the various racial/ethnic groups in the city as well as access to opportunity, as sites at all income levels are found in areas with high opportunity and lower predominance of Hispanic/ Latino populations. The sites in NewPark Place, Birchwood, Bayside /Old Town, and Old Town/Central Newark open up opportunities to diversify the area through income and race/ethnicity. Although there are no sites included in the inventory in the northern neighborhoods of the city (Lake-Rosemont, Mirabeau, and Mayhews Landing), proposed programs will work to address the concentration in specific neighborhoods and open up single family neighborhoods to new missing middle housing types identified through community engagement as filling a crucial need for large and small households throughout the city.

Figure 3-51: Housing Sites for the RHNA 6th Cycle



Source: Community Planning Collaborative, 2023.

Table 3-13: Distribution of Housing Capacity by Census Tract with AFFH Indicators

					RHNA Capacity			AFFH Indicators									
								Integration and Segregation								Access to Opportunity	Displacement Risk
Census Tract	Neighborhood	Total Households	Owner Households	Renter Households	Lower	Moderate	Above Moderate	Median Household Income	AMI less than 50%	AMI 50 - 80%	AMI 80 - 100%	AMI greater than 100%	Hispanic / Latino	Non-White Population	Disability Rate	Resource Designation	Overcrowding Rate
4441	Lake-Rosemont	2,573	2,162	411	0	0	0	$116,812	20%	8%	10%	62%	28%	74%	10%	Moderate Resource	0%
4442	Mirabeau Park	1,887	1,484	403	0	0	9	$126,028	14%	12%	9%	64%	35%	81%	7%	Moderate Resource	2%
4443.01	Mayhews Landing	1,189	862	327	0	0	0	$121,156	11%	6%	12%	72%	38%	76%	8%	Moderate Resource	2%
4443.02	Bayside/ Old Town	1,500	762	738	70	21	649	$105,188	24%	12%	13%	51%	66%	89%	6%	Moderate Resource	6%
4444	Old Town / Central Newark	1,519	848	671	201	44	120	$93,094	19%	13%	19%	49%	59%	86%	8%	Moderate Resource	0%
4445	Old Town / Central Newark	2,025	879	1,146	118	42	36	$109,441	16%	14%	9%	60%	21%	88%	7%	Moderate Resource	5%
4446.01	Birch Grove	1,779	1,543	236	155	1	296	$139,119	9%	11%	4%	76%	18%	84%	7%	High Resource	0%
4446.02	NewPark Place	1,575	1,129	446	178	18	536	$128,229	14%	5%	8%	74%	11%	90%	5%	High Resource	0%

Source: Community Planning Collaborative, City of Newark. HCD AFFH Data Resources and Mapping Tool.

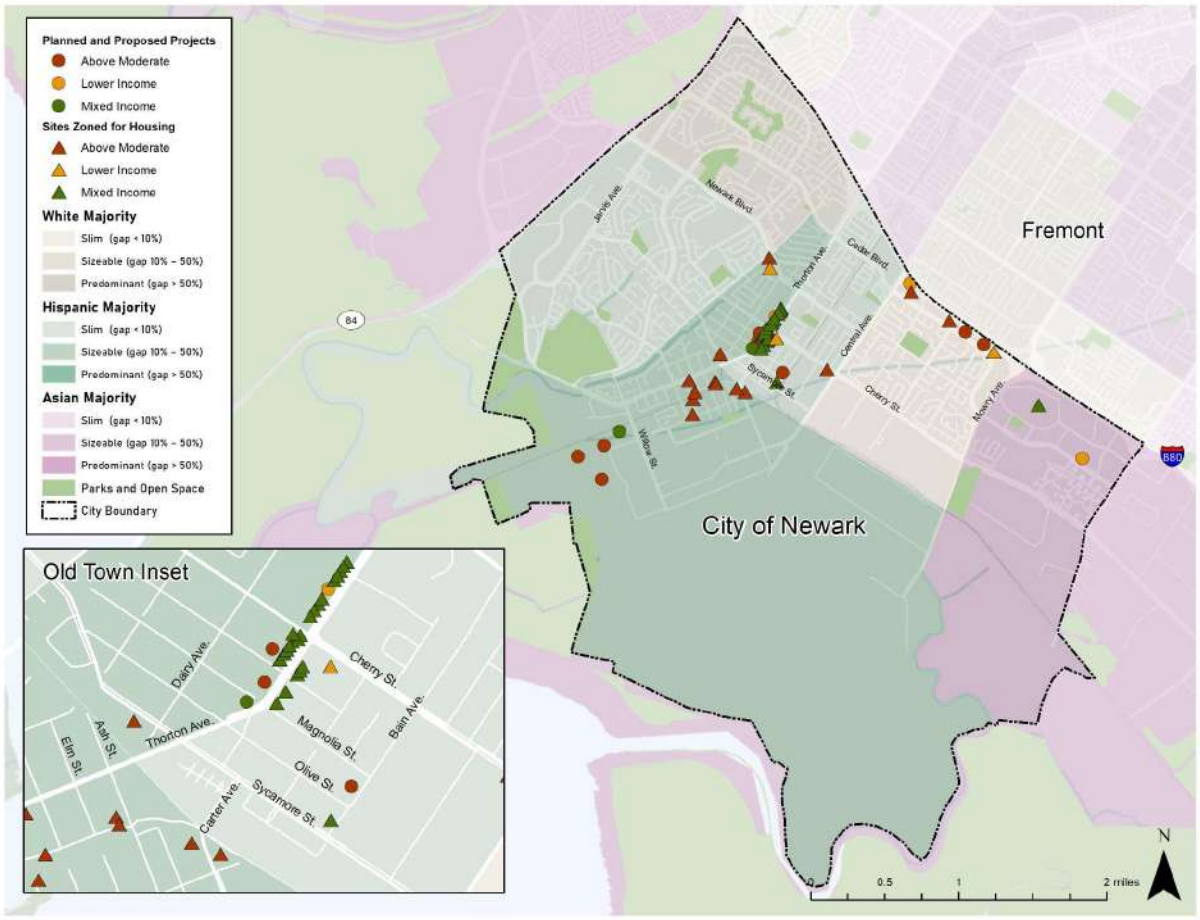
Potential Effects of Segregation and Integration

Race and Ethnicity

In Newark, neighborhoods are predominantly Hispanic/ Latinx. Lake-Rosemont and Birch Grove Neighborhoods are the only neighborhoods in the city where White residents have a slim or sizable gap. The NewPark Place and Sanctuary West areas throughout the city have a predominantly Asian population (composed of a mix of different ethnicities). Generally, the sites inventory will provide some opportunity to balance the distribution of the various racial/ethnic groups in the city. As described above, Hispanic/ Latinx residents are the most segregated group and Asian residents are the most isolated compared to other groups. The sites inventory will not exacerbate segregation by race and ethnicity in Newark due to the high numbers of housing sites in areas that are predominantly Hispanic/ Latinx and Asian, providing new opportunities for housing mobility in the city.

Using the residential sites identified in the site inventory, we look to understand how new housing will impact segregation and integration of race, ethnicity and income level. Figure 3-52 shows the majority of identified sites are concentrated in the areas with a predominantly Latinx/Hispanic population. These areas correspond with the Old Town specific plan, that increases zoning to encourage investment in affordable housing and the transit oriented nature of Bayside Newark. In the Birchwood area, with the highest median incomes in the city, two housing projects, one the Timber Affordable senior housing project and the second, the E-Z 8 Motel site will provide 184 low and moderate income homes, and opportunities for those of other races with lower incomes in an area that has a slim white majority. The redevelopment of NewPark Mall, within the NewPark Place area, will provide 174 low and moderate income units in a high resource neighborhood with a predominantly Asian population. While the increase in above moderate income housing in areas that are predominantly low and moderate income will increase the diversity of incomes and increased investment in the area, it can also lead to higher rents for the surrounding households, and displacement. In response to the concentration of housing opportunity sites located in the central and southern portions of the city, Newark will be implementing a number of programs to expand housing development and housing choice for multiple incomes throughout the city. Programs include: Program H2.1 SB9 and SB10 ordinance as well as H2.8 Zoning for Missing Middle Housing, H2.2 to reduce constraints and expand accessibility for ADU production, in order to achieve a greater geographic diversity of housing type and location. Program H2.6 looks at public school sites in Newark as locations for affordable housing to district employees, and has the potential to both provide affordable family sized housing and increase access to opportunities throughout the city.

Figure 3-52: Sites by Racial Predominance, 2010



Source: Adapted by Community Planning Collaborative, 2022. HCD AFFH Data Resources and Mapping Tool.

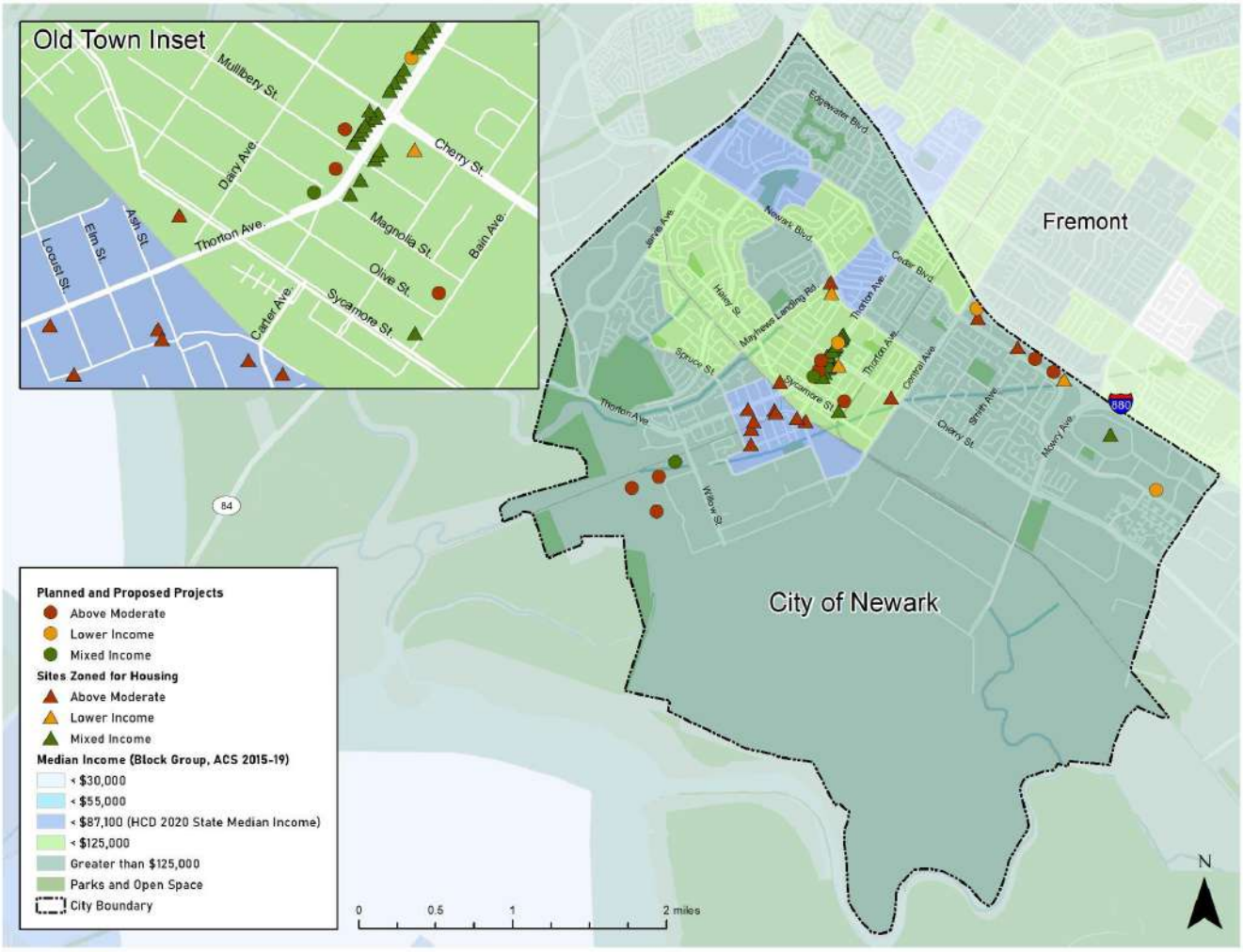
Income

Newark has a population with a high median income, with 50% of residents making more than 100 percent of the median income. Despite this, there is still a large population of residents who are low income, with 10 percent of residents making less than 30 percent of the median income and 13 percent with moderate incomes. Through a variety of programs, the City is working to increase the development of housing for all income types, including housing for those with extremely low incomes, seniors, large families and those with moderate incomes. The Housing Element includes programs to establish development standards that facilitate missing middle housing that is affordable to middle-income households in single-family neighborhoods (Program H2.8) and promoting the development of ADUs throughout the city (Program H2.2).

Fifty percent of sites (2,075 units) are located within the NewParkPlace and the areas, which have a median income of $139,000. The NewParkPlace developments have 28 percent of the total low income units, the largest number of low income units in the city, along with the largest percentage

of above moderate units at 58 percent. Although the lower income sites are distributed amongst The Old Town/ Central, Bayside, Birch Grove and NewParkPlace areas, these census tracts have a range of median incomes between $93,094 to $1390,111, and accounts for 91 percent of the lower-income capacity, 84 percent of the moderate-income capacity, and a majority (2,291 units) of the above-moderate income capacity. The sites in the Bayside /Old Town area are zoned for a variety of housing options to be built, with the greatest capacity of low and moderate income sites which will in turn help to diversify income levels in the area. Table 3-14 show that 23 percent of the lower-income sites are in census tracts with incomes below $93,000. This is driven by the capacity on sites in the Old Town/ Central area along Thornton Boulevard and works to ensure that housing is affordable to existing residents in order to support them to stay in place as investments come to the area. The sites inventory for all other income levels (i.e., lower-income sites, moderate income sites, mixed income sites, and pipeline projects) will not have a significant impact on patterns of segregation and integration by the remaining fair housing indicators including familial status and disability status due the even distribution of those populations in the City.

Figure 3-53: Site Distribution by Median Income, 2015- 2019



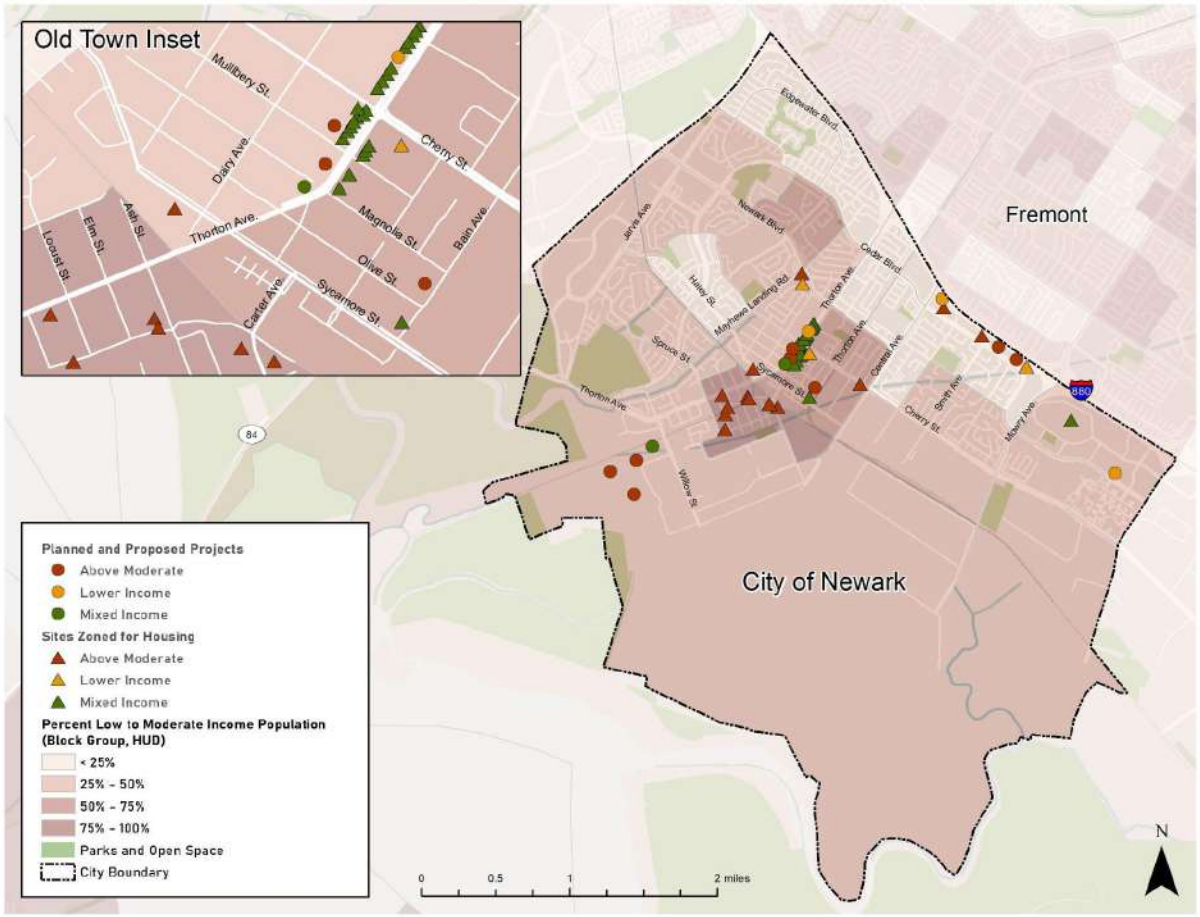
Source: Adapted by Community Planning Collaborative, 2022. HCD AFFH Data Resources and Mapping Tool.

Table 3-14: Site Distribution by Median Income, 2015- 2019

Census Tract	Neighborhood	Lower income		Moderate income		Above Moderate		Total Units						
		units	%	units	%	units	%	units	%	Median Household Income	AMI less than 50%	AMI 50 - 80%	AMI 80 - 100%	AMI greater than 100%
4441	Lake-Rosemont	0	0%	0	0%	0	0%	0	0%	$ 116,812	20%	8%	10%	62%
4442	Mirabeau Park	0	0%	0	0%	9	0.5%	9	0.4%	$ 126,028	14%	12%	9%	64%
4443.01	Mayhews Landing	0	0%	0	0%	0	0%	0	0%	$ 121,156	11%	6%	12%	72%
4443.02	Gateway / Bayshore/ old Town	70	10%	21	17%	649	39%	740	30%	$ 105,188	24%	12%	13%	51%
4444	Old Town / Central Newark	201	28%	44	35%	120	7%	365	15%	$ 93,094	19%	13%	19%	49%
4445	Old Town / Central Newark	118	16%	42	33%	36	2%	196	8%	$ 109,441	16%	14%	9%	60%
4446.01	Birch Grove	155	21%	1	1%	296	18%	452	18%	$ 139,119	9%	11%	4%	76%
4446.02	NewPark Place	178	25%	18	14%	536	33%	732	29%	$ 128,229	14%	5%	8%	74%

Source: Community Planning Collaborative, 2023.

Figure 3-54: Site Distribution By Percent of Low and Moderate Income Residents, 2015- 2019



Source: Adapted by Community Planning Collaborative, 2022. HCD AFFH Data Resources and Mapping Tool.

Potential Effects on Access to Opportunity

According to 2022 TCAC data, Newark is a mix of moderate and high resource areas. The Birchwood, NewParkPlace areas comprise Newark's high resource areas, while the rest of the city is considered moderate resource areas, as highlighted in Figure 3-56. Newark does not have any low resource areas, areas of high segregation, or highest resource areas.

A percentage breakdown of proposed and sites zoned for housing by resource area in Figure 3-56 shows that 46 percent of low income units are located in high resource areas. A significant percentage of planned and proposed moderate income housing, 85 percent, are located in moderate resource areas as are 54 percent for low income units. For the most part, both low and above moderate housing are relatively evenly distributed across moderate and high resource areas. While a high percentage of moderate units are planned and proposed for moderate resource areas, this figure does not take into account the additional units expected from missing

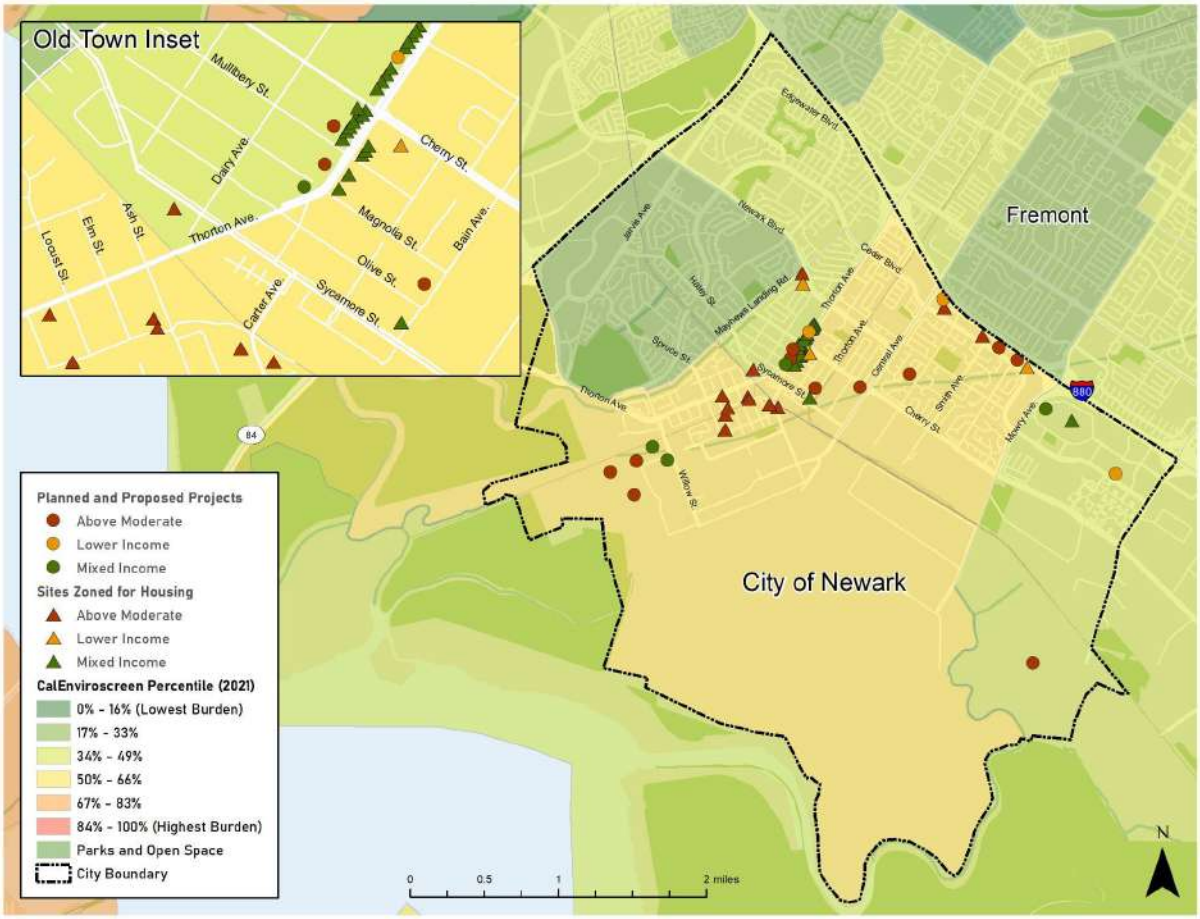
middle and ADU programs which will be prioritized for high resource areas.

In the higher resource areas there is a mix of housing both in the pipeline for development and sites identified for new housing. Pipeline projects include site 9, Cedar Community Apartments, a HomeKey project that provides 124 units of housing for those with extremely low incomes. The focus will be on providing housing for those that are homeless and those at risk of homelessness, with 11 units reserved for veterans that have experienced homelessness. The redevelopment of NewPark Mall consists of two mixed income projects providing housing for very low, low and moderate income households, and one pipeline project serving those with above moderate incomes. Pipeline and housing opportunity sites in the Birchwood and NewPark Place areas will provide 352 units of low and moderate income housing in high opportunity areas. By providing housing opportunities for very low, low and moderate income households in high resourced areas the city is addressing the need to expand housing choices available to those looking for affordable housing close to shopping, parks, transportation and quality schools and support vulnerable populations.

Newark is making targeted investments in the Old Town/ Bayside area, with active transportation infrastructure improvements connected to the Old Town Specific Plan and the Bicycle master plan, and supporting small businesses and community members through facade improvement grants for small businesses in the Old Town area and the construction of a family resource center. See the chapter on transportation and the Public Realm for more details on city lead investments. These investments will provide needed improvements in an area that is lower income than surrounding areas.

Environmental Outcomes

Figure 3-55: Site Distribution by CalEnviroScreen Percentile Score, 2021



Source: Adapted by Community Planning Collaborative, 2023. HCD AFFH Data Resources and Mapping Tool and CalEnviroScreen Data

CalEnviroScreen is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects. The tool uses environmental, health, and socioeconomic information to produce scores at the census tract level and is indexed allowed for cross community comparison. Tracts with high scores experience a much higher pollution burden than areas with low scores.

As displayed in Figure 3-55 above, sites identified by Newark as being suitable for accommodating lower-income RHNA housing during the planning period are located in areas with low to very-low levels of environmental risk. Both planned and proposed projects and sites zoned for housing are in areas with a relatively low incidence of environmental contamination per CalEnviroScreen.

Environmental Quality

Bayside Newark

This project area includes 233 acres of land that historically has contained various industrial, manufacturing, chemical processing and salt production facilities since the early twentieth century. Due to the history of industrial use on the site, the city has remediated portions of the site. One form of contamination was a groundwater plume that exists in shallow groundwater beneath portions of the Plan area. The San Francisco Bay Regional Water Quality Control Board (RWQCB) is directing mitigation of this groundwater plume in collaboration with the Alameda County Water District (ACWD). Some properties within the Specific Plan area also contain soil impacted hazardous substances. The Department of Toxic Substances Control (DTSC) is directing the remediation of impacted soils at these properties.

The specific plan includes neighborhood focused retail, new infrastructure to support new residential and commercial development, new parks and the Bayside Trail, as well as new residential units in a variety of sizes and types.

Old Town Specific Plan Area

Central Newark and sites within the Old Town Specific Plan are at high risk of exposure to particulates from diesel fuel. In an effort to increase health equity in the area, and create a safer environment for walking and biking, the city will conduct a truck route study in 2023, looking to remove semi trucks from using Thornton avenue in the old town district.

Transportation and the Public Realm

Through public participation, pedestrian improvements and access to public transportation have been consistent themes that are associated with opportunity for a variety of populations, as well as being conscientious of climate change and the environment.

Figure 3-57 shows the distribution of housing sites and bus routes in Newark. We have heard from the disability community that having affordable housing in close proximity to transit is important for their community. There is also an understanding that transportation can be a significant expense, to providing housing in close proximity to transportation, new developments can lessen the cost burden and support more sustainable development.

In 2017 Newark City Council approved the Pedestrian and Bicycle master plan, in order to prioritize and implement infrastructure improvements and educational/enforcement programs that will improve the biking and walking environment in Newark. The following is an overview of pedestrian and bicycle improvements to be undertaken during the Housing Element cycle:

- Cherry street will be improved by a class 4 separated bike lane from Central Ave to Stevenson blvd.
- The Central ave overpass, with an estimated completion in 2025, will eliminate railroad grade crossing for pedestrians, creating a separated crossing at Sycamore and Filbert, make it easier for pedestrians to cross safety, and the addition of new bike lanes
- In Old Town, with an estimated completion date of 2025 there will be bike and pedestrian improvements: a road diet, widened sidewalks, bike lines where there are none, high visibility crosswalks.
- The Bay Trail will be extended through the Bayside Newark development
- The city has received grant funding to add sidewalks and for the development of a cycle track on Thornton ave, between Gateway blvd and Hickory street, to improve access to the wildlife refuge. This will add bike lanes to the west side to make it safer to access the wildlife refuge. Estimated project completion will be in 2029.
- Grant funding to install the rapid fire beacons where the residents have expressed concerns over safe crossing, especially for students. One is planned for Old Town at Mulberry street, and near the Bayshore district on Enterprise drive.

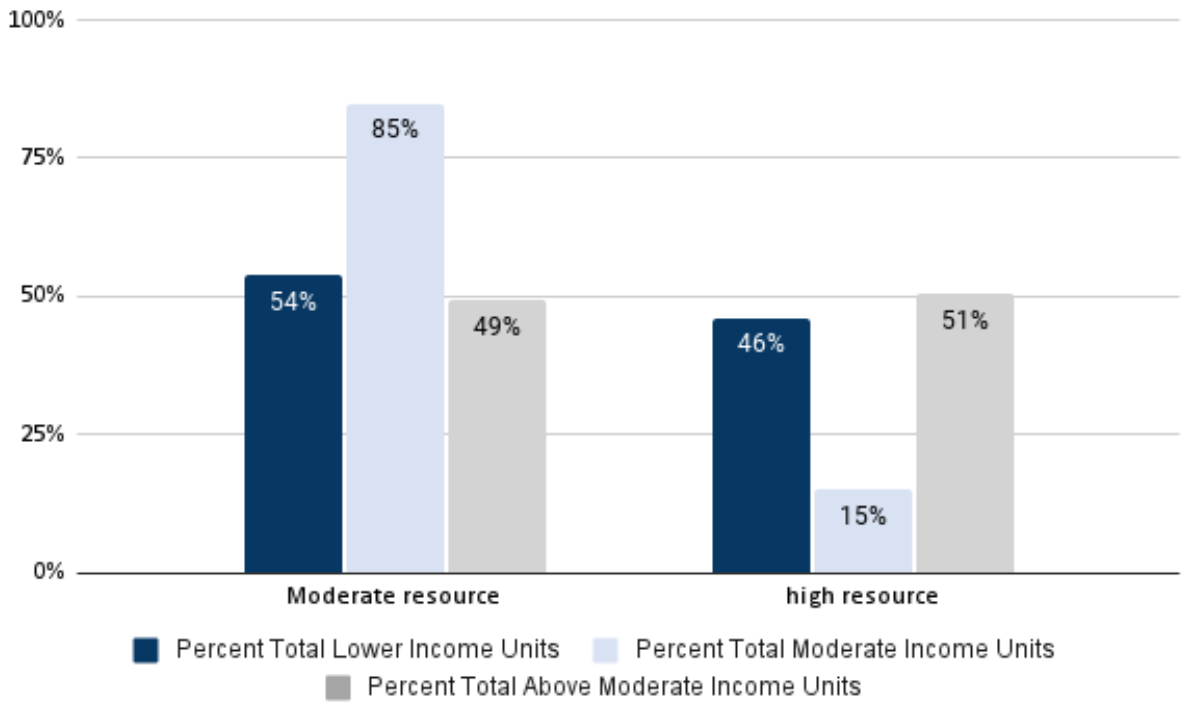
Through area specific plans, Newark is investing in their public realm through pedestrian improvements for active transportation and pedestrian safety through more human scale streets. The Old Town Specific plan will be directing infrastructure investments in the form of streetscape improvements, such as wider sidewalks, bike lanes, high visibility crosswalks and traffic calming. Through the Old Town Area, Thornton Avenue will be reduced to slow traffic and increase space for walking and biking. Public art and new gathering spaces will support placemaking efforts to celebrate Newark past and present.

Table 3-15: Sites along transit lines and High or Moderate Opportunity Areas, 2022

Housing Site	Specific Plan Area and / or Opportunity area	Pedestrian Improvements
14	High Resource (NewPark Place)	
5, 6, 7, 13, 17, 22	High Resource (Birchwood)	
8, 9, 16, 19, 21, 28	Moderate Resource (Old Town)	Changes will be made to Thornton Ave to facilitate safer walking and biking in the area. There will be traffic calming measures, bike lanes and wider sidewalks.
10, 15, 20, 21, 24, 25	Moderate Resource (Old Town / Central Newark)	

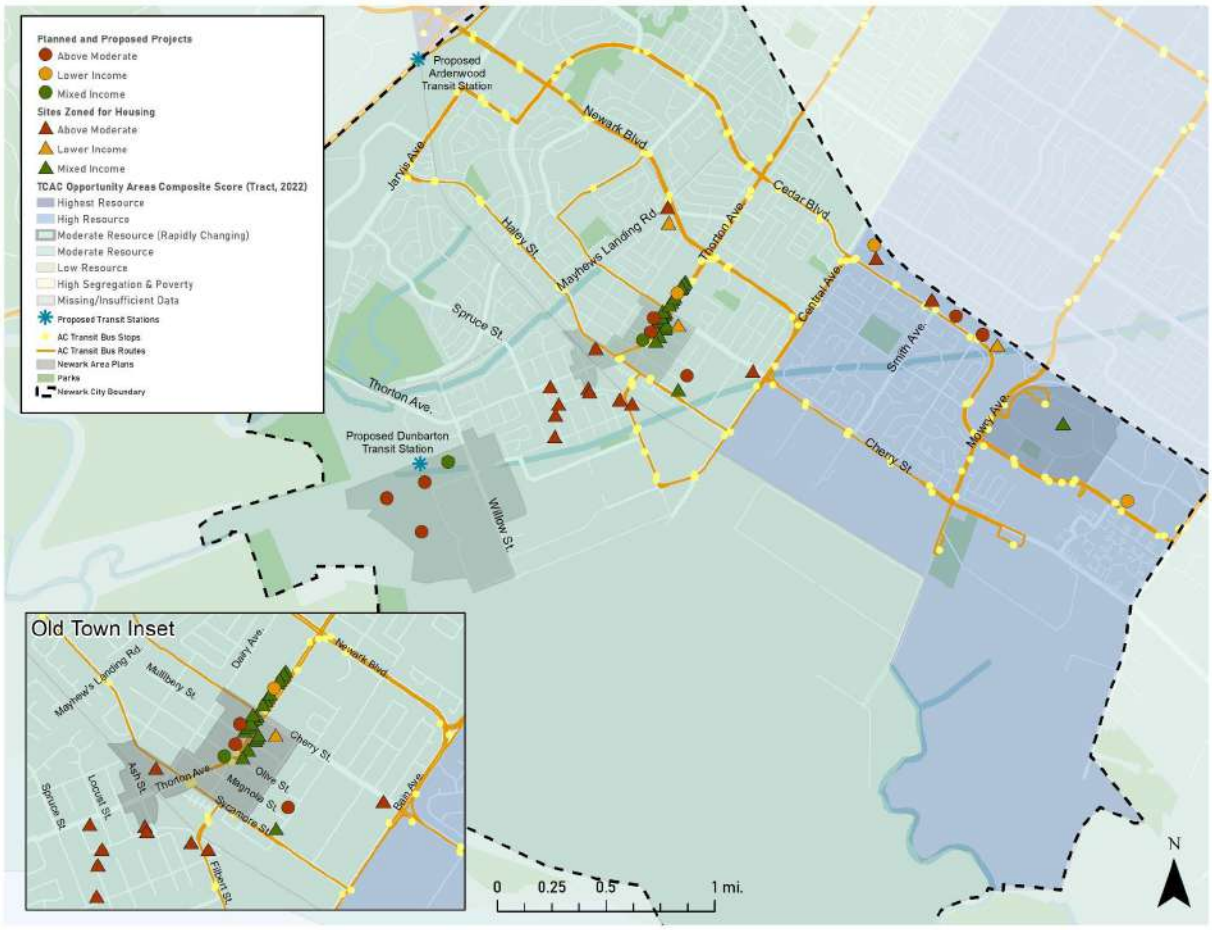
Source: Tax Credit Allocation Committee, 2022, ACTrans 2022, City of Newark

Figure 3-56: Percentage of Housing Units by Resource Opportunity Area, 2022



Source: Tax Credit Allocation Committee, 2022, Community Planning Collaborative Sites Analysis

Figure 3-57: Site Distribution by Resource Level and Transportation Access, 2022



Source: Adapted by Community Planning Collaborative, 2022. HCD AFFH Data Resources and Mapping Tool

Potential Effects On Disproportionate Housing Needs

As previously mentioned, Newark has a large portion of residents that have housing needs that make them vulnerable to displacement due to being cost burdened, large families, female headed households or a senior. As highlighted in Figure 3-59 the areas vulnerable to displacement also correspond with portions of the city with BIPOC populations above 80%, specifically Hispanic / Latinx residents. The areas that are vulnerable to displacement in the Old Town, Bayside area also have higher rates of cost burden. With a focus on increasing affordable housing opportunities in the Old Town/ Central area, 57 percent of sites are for lower income households, as well as sites identified as mixed income developments will provide housing options that will support community members ability to remain in their neighborhoods.

The city is planning to develop and implement a number of policies and programs to support residents to stay in place such as a local preference policy, program H4.2 a community/tenant

opportunity to purchase act, and program H4.1 Develop Anti Displacement programs for the Old Town area.

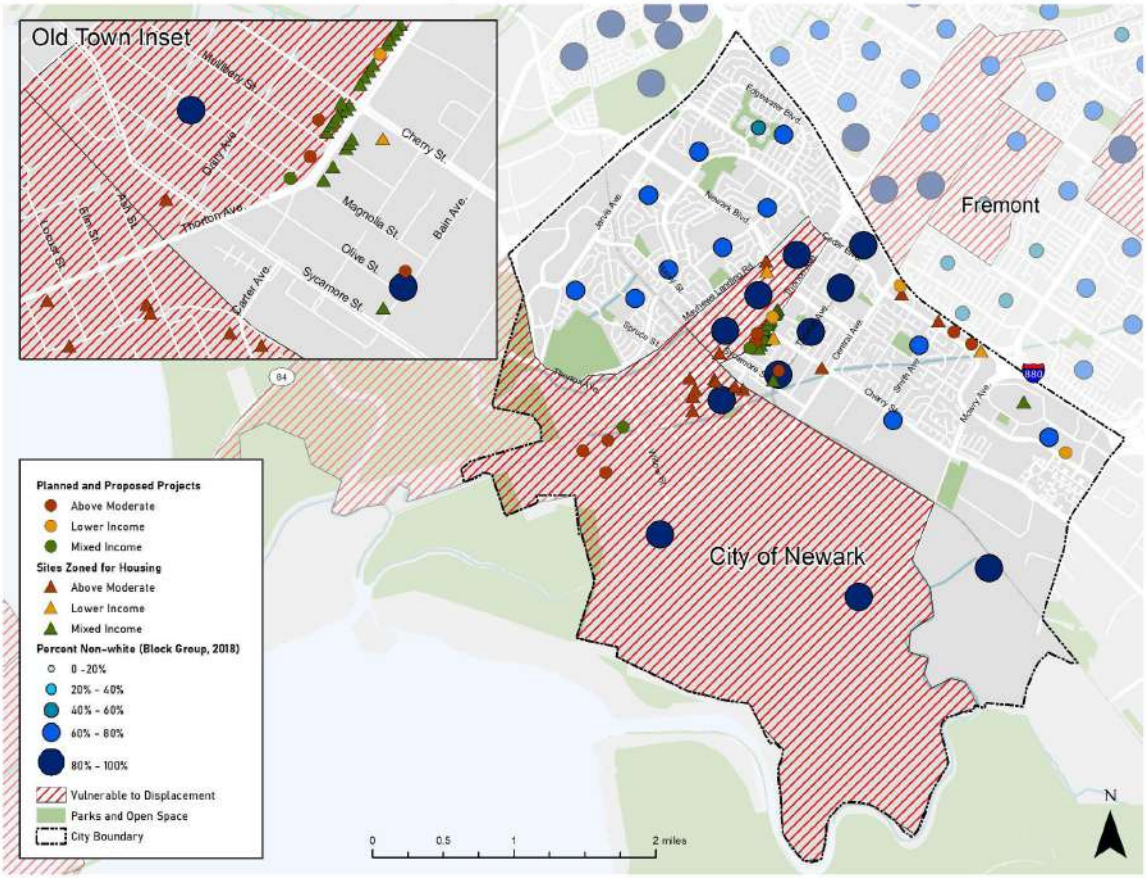
Figure 3-58 Distribution of Sites by Rates of Cost burdened, 2015- 2019

Source: Adapted by Community Planning Collaborative, 2022. HCD AFFH Data Resources and Mapping Tool.

Cost Burdened Households

- 30% of housing sites are affordable for very low, low and moderate income households and are distributed throughout the city.
- Recognizing the role that access to transportation plays, 25 percent of housing units are along existing bus lines and are affordable to very low, low, and moderate income households.

Figure 3-59: Distribution of Sites by Displacement Risk and Percent BIPOC population, 2017 and 2018

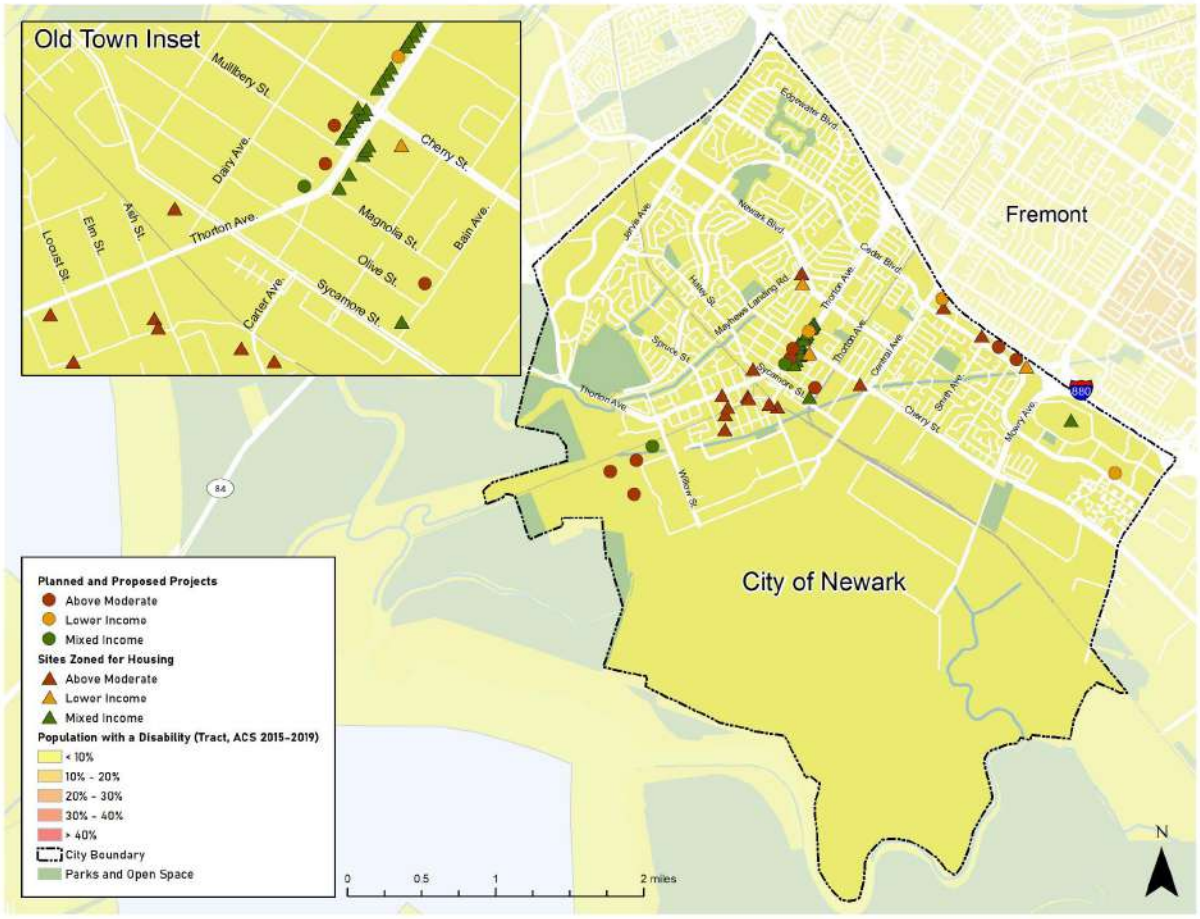


Source: Adapted by Community Planning Collaborative, 2022. HCD AFFH Data Resources and Mapping Tool.

People with Disabilities

Residents with disabilities in Newark are a lower percentage then the county at 8 percent, and are equally distributed throughout the city. Through conversation with the executive director of the Housing Consortium of the East Bay, he identified important aspects of housing development for those with physician and developmental disabilities. Having housing in close proximity to public transit to connect with jobs and services is key, as only 10 percent of the demographic owns a car. In Newark, major transit lines run along Thornton Ave, Central Ave and Sycamore street. Housing sites are well positioned to be within a half mile walking distance of transit as shown in Figure 3-57. With The majority of sites centrally located near parks, libraries and transit, new housing in Newark will be accessible to those with limited mobility. Fifty two percent of housing sites along existing transit routes are to be affordable to those with very low, low and moderate incomes, yielding an expected total of 754 units.

Figure 3-60: Housing Sites Vis-a-Vis Disability Status, 2015- 2019



Source: Adapted by Community Planning Collaborative, 2022. HCD AFFH Data Resources and Mapping Tool.

I. Contributing Factors and Meaningful Actions

The City of Newark has a significant Asian and Hispanic/Latinx population, a large number of families, and few affordable rental and home ownership opportunities available for residents. A history of housing discrimination and disinvestment have brought uneven opportunity and quality of life for BIPOC residents. Housing pressures from workers in Silicon Valley are increasing housing costs for long term residents. The city is constrained by ecologically sensitive marshlands of the San Francisco Bay, and is vulnerable to flooding and sea level rise, which plays a key role in planning for growth in a sustainable manner.

There is an urgent need for affordable housing, especially for families and seniors. There is a high percentage of students experiencing homelessness, single parent households in poverty, and multigenerational families - all with disparate housing needs. Old town and Central Newark have low environmental outcomes, due to pollution from industrial and truck traffic that disproportionately affects children and seniors.

Newark's BIPOC community are disproportionately cost burdened renters, who face increasing rents with few protections. Many residents shared the challenge of finding affordable rental housing, and the desire for stability and the opportunity to build wealth through homeownership.

The city is committed to furthering fair housing in Newark and has identified the contributing factors, and policies and programs to implement in order to increase access to opportunity and affordable housing options in the city, especially for those communities most vulnerable to gentrification and displacement.

Mobility Strategies Removing barriers to housing in areas of opportunity and strategically enhancing access.

PROGRAM H2.8: Zoning for Missing Middle Housing Types.

PROGRAM H5.1: First-Time Homebuyer Assistance

PROGRAM H7.1: Develop training programs in collaboration with Alameda County Housing Authority for property owners to understand the housing choice voucher program

PROGRAM H4.6: Support tenant stability though minimum lease terms and relocation assistance

PROGRAM H4.8: Connect Residents with Foreclosure Assistance

PROGRAM H7.4: Affirmatively Market Affordable Housing

New Housing Choices in Areas of Opportunity Promoting housing supply, choices and affordability in areas of high opportunity and outside of areas of concentrated poverty

PROGRAM H2.1: Encourage New Housing options in areas of the city close to services such as parks, schools and grocery stores.

PROGRAM H2.2: Accessory Dwelling Unit program

PROGRAM H2.6: Work in Partnership with Newark Unified School District to develop new housing

PROGRAM H2.7: Affordable housing development fund.

PROGRAM H2.8: Zoning for Missing Middle Housing types

PROGRAM H2.10: Single Room Occupancy Housing

PROGRAM H4.5: With community partners, connect residents to existing shared housing programs

PROGRAM H5.2: Affordable Housing Development Programs

PROGRAM H5.6: Affordable Housing Overlay Zone

PROGRAM H5.3: Public Lands for dedicated affordable housing.

PROGRAM H2.3: A Community Plan for the 4 Corners Area

Place Based Strategies (Amenities, Economic Development) Conserving and improving assets in areas of lower opportunity and concentrated poverty such as targeted investment in neighborhood revitalization, preserving or rehabilitating existing affordable housing, improving infrastructure, schools, employment, parks, transportation and other community amenities.

PROGRAM H1.1: Housing Rehabilitation and Repair Programs.

PROGRAM H2.9: Area Specific Plans

PROGRAM H4.1: Develop anti displacement programs for the Old-Town Newark Specific Plan area

PROGRAM H6.3: Cool Roofs for cool homes

Anti Displacement Strategies + Tenant Protection (Fair Housing Outreach and Enforcement) strategies that protects residents in areas of lower or moderate opportunity and concentrated poverty and preserves housing choices and affordability

PROGRAM H1.2: Develop a citywide rental inspection program to maintain high quality housing throughout the city

PROGRAM H4.2: Develop a Tenant/Community Opportunity to Purchase Policy

PROGRAM H4.3: Develop a Just Cause Eviction Ordinance

PROGRAM H4.4: Small Sites Program

PROGRAM H4.9: No Net Loss of Units

PROGRAM H5.1: First-Time Home Buyer Assistance

PROGRAM H7.2: Partner with community organizations to ensure that community members have access to tenant rights information and Fair Housing in multiple languages

PROGRAM H7.3: Work with Newark Unified school district to distribute housing resources to families enrolled in the district

Table 3-16: Summary of Contributing Factors and Actions Regarding Housing Issues in Newark

Fair Housing Identified Issue	Contributing Factor	Prioritization and Geographic target	Meaningful actions
Population of children and families experiencing homelessness.	Lack of available rental housing that is affordable to those making at or below the median income. There is no affordable housing available for rent and for those transitioning out of homelessness.	**HIGH. City wide with a focus in supporting the students in schools in the Old Town/ Central area**	• Develop a strong working relationship and partnership with the Newark Unified School district to increase access to resources to families in the District. **PROGRAM H7.3** • Build more housing for low and extremely low income residents and those transitioning from and experiencing homelessness. **PROGRAM H2.7** • Prioritize publicly owned land for affordable housing development. **PROGRAM H5.3** • Implement an affordable housing overlay zone to incentivize the construction of affordable housing for very low, low, and moderate income households in targeted areas. **PROGRAM H5.6** • Develop a local response to support people experiencing homelessness, with specific attention to the racial disparities and large population of youth and families. **PROGRAM H2.5; PROGRAM H7.3** • Support Tenants through minimum lease terms and relocation assistance. **PROGRAM H4.6** • Work with partners to develop scattered sites for shared housing utilizing funding sources such as Project Home Key. **PROGRAM H4.11**
Ineffective outreach and access to information for renters and property owners, those with limited English, lack of existing knowledge of resources, or limited time	Resources for renters are not easily accessible currently. Those with limited English language, lack of access to a personal computer and or internet connection need additional support and resources tailored to their needs. Landlords need training to better understand laws and regulations	**HIGH Citywide with a focus on supporting the significant Hispanic/ Latinx and Asian populations in the Old Town / Central area**	• Partner with a local non profit to co produce tenants rights materials and support systems for communities that have not been equitably served by existing resources and processes. **PROGRAM H7.2** • Update the city website to make housing resources easier to access for populations that have limited English. **PROGRAM H7.2; PROGRAM H7.3; PROGRAM H7.4**

Fair Housing Identified Issue	Contributing Factor	Prioritization and Geographic target	Meaningful actions
Significant negative environmental outcomes for existing low income BIPOC communities & increased risk of climate related displacement	Due to high levels of air pollution from freeway pollution and truck traffic on Thornton Avenue, and high levels of cost burden residents, the majority of Newark has less positive environmental outcomes.	**MEDIUM Focus on the Bayside/Old Town**	• Flood Risk Disclosure for New Development. As a significant portion of Newark falls within the 100 and 500 year flood plain, ensuring that development is built in response to climate change. **PROGRAM H6.4**
Displacement pressure for BIPOC communities. Large cost burden BIPOC community and a low inventory of affordable rental homes for all segments of the population	Due to close proximity to Silicon Valley, the housing market has become more attractive to those working in the tech industries in the area. As rents continue to increase, residents with incomes at or below the median income are not able to find rentals they can afford.	**HIGH Focus on areas identified as vulnerable to displacement such as the Old Town/Central, Bayside areas and renters around the city**	• Increasing renter support by developing and implementing a Just Cause Eviction Ordinance, to ensure that renters clearly know their rights. **PROGRAM H4.3** • Developing a Local Preference policy to support housing that prioritizes those residents currently living in Newark. **POLICY H4.1** • Developing a community / tenant opportunity to purchase ordinance. **PROGRAM H4.2** • Develop an anti displacement plan for the Old Town/ Central Newark areas. **PROGRAM H4.1** • Support tenant stability though minimum lease terms and relocation assistance. **PROGRAM: H4.6** • Develop a city wide rental inspection program. **PROGRAM H1.2**
Lack of affordable rental homes for all segments of the population, with protected classes being the most affected. A large number of single parent families in Newark in poverty	Newark's housing stock is primarily composed of market rate single family homes for ownership or rent. The most recent subsidized housing constructed was the first built in the city in over 20 years, and currently all subsidized housing is for seniors.	**HIGH Citywide focus on new housing on Newark Unified school district sites, and a focus on missing middle housing types in the Birch Grove, Lakes, Mirabeau, and**	• Develop an Affordable Housing NOFA to encourage affordable housing developers to locate projects in the city for high need populations. **POLICY H5.5** • Develop a program for the development of low and moderate income Accessory Dwelling Units in the city, with the intention of increasing housing options for public service workers and residents that are in need of affordable housing such as single parents. **PROGRAM H5.5** • Update the inclusionary zoning policy to include home

Fair Housing Identified Issue	Contributing Factor	Prioritization and Geographic target	Meaningful actions
		Mayhews Landing neighborhoods.	ownership opportunities, encourage more on site affordable units and ensure affordability requirements will address those at residents at low incomes • Generate local funds for affordable housing production and programming through an affordable housing fee program. **PROGRAM H5.2** • In collaboration with a non profit organization, implement a shared housing program in Newark. **PROGRAM H4.5** • Work in partnership with the Newark Unified School District to plan for affordable housing production and build upon the existing partnership between the City of Newark and Newark Unified School District to bring forward implementable plans for affordable housing school owned properties. **PROGRAM H2.6** • Develop new housing options in established neighborhoods of the city close to services such as parks, schools and grocery stores. **PROGRAM H2.1**
Low homeownership levels for Black, Indigenous and Hispanic/ Latinx residents	History of housing discrimination in Newark as well as mortgage lending discrimination has led to a lack of access to home ownership opportunities for Black, Indigenous and HIspanic/ Latinx residents.	**MODERATE Focus on supporting BIPOC residents, as part of the Newark Affordable Housing Action Plan work**	• Develop a below market rate homeownership program in partnership with a non profit organization to expand home ownership for first time homebuyers and BIPOC community members. **PROGRAM H5.1** • Connect residents to foreclosure assistance, With a focus on Hispanic/Latinx, Indigenous and Black residents. **PROGRAM H4.8**
Disproportionate access to opportunity across the city. Areas with low access to opportunity are primarily in areas with high proportion of Hispanic/ Latinx, Asian and	Older areas of the city such as Old Town have seen a lack of investment over the years in the historic commercial and residential district and private investment has gone into newer	**HIGH Programs and policies focused in the Old Town/ Central Newark area. Family sized**	• Develop new affordable homes in opportunity areas throughout the city, close to parks, schools and public transportation. **PROGRAM H2.1** • Invest in improving the infrastructure and affordable housing opportunities in Old Town and Bayside neighborhoods in

Fair Housing Identified Issue	Contributing Factor	Prioritization and Geographic target	Meaningful actions
Indigenous residents **High segregation of Hispanic / Latinx population**	developments. Due to the disinvestment, the area has supported lower rents than the surrounding neighborhoods, supporting a primarily BIPOC neighborhood of residents.	**housing and pedestrian improvements are planned/ in process**	Newark through the Old Town specific plan, to create areas of high opportunity where residents currently reside. **PROGRAM H2.9** • Open up single family zoning in larger portions of the city for low scale "missing middle housing" types such as courtyard housing that were identified in the housing survey. **PROGRAM H2.8** • Update inclusionary zoning policy to ensure new affordable homes are built on site, with no in lieu fee option • Accessory Dwelling Unit program to support the development of new housing distributed throughout the city and with 25 percent in high opportunity neighborhoods. **PROGRAM H2.3** • Develop an Anti Displacement program for the Old Town/Central areas, **PROGRAM H4.1** • Develop a program for the preservation of unsubsidized affordable housing in the city, especially in areas of high displacement risk. **PROGRAM H4.4**

SECTION 4 HOUSING CONSTRAINTS

State housing law requires the City to review both governmental and non-governmental constraints to the maintenance and production of housing for all income levels. Examples of such constraints include development standards, local processing and permit procedures, development fees, construction costs, and compliance with various State laws to facilitate housing for lower-income and special needs households. State law requires the local governments to take action through their Housing Element to "address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing including housing for all income levels and housing for persons with disabilities," (Government Code Section 65583(c) (3)). A thorough understanding of the potential constraints to development can help to create appropriate policy responses

A. Governmental Constraints

Government regulations can potentially constrain the supply of housing available in a community if those regulations limit opportunities to develop housing, impose requirements that unnecessarily increase the cost to develop housing, or overcomplicate the development process for developers. State law requires that housing elements contain an analysis of the governmental constraints on housing maintenance, improvement, or development of housing for all income levels including special needs households and persons with disabilities (Government Code, Section 65583(a) (4)). Potential constraints to housing include land use controls, development processing procedures and fees, impact fees, on- and off-site improvement requirements, and building and housing codes and enforcement. This section discusses these standards and assesses whether any serve as a constraint to affordable housing development in Newark.

Land Use

The City of Newark controls the location, type, density, and scale of new development through the General Plan, the Zoning Ordinance, and various specific plans.

General Plan

Every jurisdiction in California is required to prepare a comprehensive, long-term General Plan to guide decision making. Newark's General Plan, adopted in 2013, sets forth the City's vision, goals, and policies to shape development of the city. The updated plan created new opportunities for residential and mixed-use development throughout the city and has subsequently been supplemented by Specific Plans (described below) that further set forth plans and policies to

accommodate a range of housing types in key priority growth areas to create inclusive housing opportunities for Newark residents. These new residential development opportunities are reflected in the increased capacity of the Housing Element sites inventory. The Land Use Element of the General Plan has five land use designations that allow for residential use as follows:

Table 4-1: General Plan Land Use Designations

Land Use Designation	Housing Capacity	General Uses
Low Density Residential	Less than 8.7 units per net acre	This designation is intended for single-family residential development on lots larger than 5,000 square feet. It corresponds to most of Newark's residential neighborhoods. Multiple zoning districts apply within Low Density Residential areas to distinguish areas with different minimum lot sizes. Other compatible uses, such as schools, childcare centers, parks, and religious facilities may also be located in areas with this designation, subject to appropriate permitting requirements.
Low-Medium Density Residential	8.7 to 15 units per net acre	This designation is intended for small lot single-family homes, zero lot line and patio homes, mobile home parks, and other areas characterized by a mix of older single-family homes and small multi-unit buildings. These areas have the basic characteristics of single-family neighborhoods, such as front and rear yards, driveways, and garages, but have smaller lots and a wider variety of housing types. Densities in areas with this designation range from 8.7 to 15 units per net acre, but the higher end of this range (e.g. from 11 to 15 units per acre) will only be allowed on properties which have their primary access on an arterial or collector street and which are found to be compatible with the character and intensity of residential development in the immediate area. Other compatible uses, such as schools, childcare centers, parks, and religious facilities may be located in all areas with this designation, subject to appropriate permitting requirements.
Medium Density Residential	14 to 30 units per net acre	This designation is intended for garden apartments and condominiums, townhomes, row houses, 4 to 8 plexes, and older areas that contain a mix of multi-family and single-family homes within this density range. These areas tend to be multi-family in character but retain some of the characteristics of suburban neighborhoods such as landscaped yards, off-street parking, common open space, and low building heights. Densities in areas with this designation range from 14 to 30 units per net acre, but the higher end of this range (e.g. from 22 to 30 units per acre) will only be allowed on properties which have their primary access on an arterial or collector street and which are found to be compatible with the character and intensity of residential development in the immediate area. Additionally, to ensure that land with this designation is used as efficiently as possible, a minimum density standard of 14 units per net acre applies. Other compatible uses, such as schools, childcare centers, parks, and religious facilities may also be located in areas with this designation, subject to appropriate permitting requirements.

Land Use Designation	Housing Capacity	General Uses
High Density Residential	25 to 60 units per net acre	This designation is intended for apartment and condominium complexes that are generally three stories or more. On larger parcels with this designation, common open space and other shared amenities are typically provided. Structured (or basement level/ podium) parking is also common. Densities range from 25 to 60 units per acre, corresponding to site area allowances of 725 to 1,450 square feet of lot area per each dwelling unit. To ensure that land with this designation is used as efficiently as possible, a minimum density standard of 25 units per net acre applies. Other compatible uses, such as schools, childcare centers, parks, and religious facilities may also be located in areas with this designation, subject to appropriate permitting requirements.
Commercial Mixed-Use	30 to 60 units per net acre. FAR of 0.5 to 2.0	This designation supports a combination of office, residential, and retail use, with an emphasis on specialty commercial uses such as antique stores, boutiques, galleries, cafes, and restaurants. Development standards should foster a walkable, pedestrian-oriented character that emphasizes a fine-grained building scale and streetscape. Structures that are entirely residential or entirely commercial are both permitted, but the optimal development form on larger sites would include housing located above ground level retail shops or services. This designation is used in Old Town Newark, where it recognizes the historic scale, lot pattern, and context of this district. Floor area ratios (FARs) are generally in the range of 0.5 to 2.0. The actual intensity of development on any given site is dictated by a number of factors, including height limits, parking and landscaping requirements, and site size and dimensions. Multiple zoning districts apply in this designation, with one zone focused on ground floor retail uses and the other allowing more diverse ground floor uses, such as offices and housing.
Regional Commercial	Greater than 30 units per acre. FAR of 0.2 to 4.0	This designation supports the largest and most complete shopping facilities in the city. The emphasis is on a broad array of goods and services, including department stores, retail shops, restaurants, entertainment facilities, and similar uses which draw patrons from throughout Newark and the surrounding region. This designation is applied to NewPark Mall and some of the commercial areas on the Mall's perimeter. Uses such as hotels and corporate office buildings are acceptable in areas with this designation. Housing at densities greater than 30 units per acre may be included in Regional Commercial areas if such housing is a component of a large-scale planned development which is primarily oriented around regional retail commercial uses. FARs are generally in the range of 0.2 to 4.0. The actual intensity of development on any given site is dictated by a number of factors, including height limits, parking and landscaping requirements, and site size and dimensions.

Source: City of Newark General Plan, 2013

Zoning

The City's zoning and development regulations establish permitted and conditionally permitted uses within each zone and standards which dictate how much development can occur on a given parcel of land such as minimum and maximum densities, height, setbacks, and lot coverage. The City Zoning Ordinance is adopted as Title 17 of the Municipal Code. Title 17, as well as all the other titles that comprise the Newark Municipal Code, are easily accessible on the city's website at www.newark.org.

The current zoning ordinance includes four residential zoning districts (RS Residential Single Family, RL Residential Low Density, RM Residential Medium Density, RH Residential High Density, and two mixed-use/commercial districts that allow for residential development (CMU Commercial Mixed Use, RC Regional Commercial). These "base" zoning districts are supported by combining districts or "overlay" districts, including the Form Based Code Overlay District, Planned Development and Old Town Newark Overlay District (Table 4-2).

As shown in Table 4-1, the current zoning districts which permit multifamily housing provide a base density range of 30-60 DU/A with the exception of the RC zone, which permits higher densities. In practice, projects in Newark such as the Newpark Place Phase 1A have significantly exceeded these base densities.

Development Standards

Residential development standards established in the Zoning Ordinance are designed to provide orderly development of the City and to protect and promote the health, safety, and welfare of local residents and to implement the policies of the General Plan. An analysis of the residential standards, shown in Table 4-2, shows that Newark's development standards (prior to the adoption of the zoning amendment required by Program H3.6) are typical for Bay Area communities and are not a constraint to the development of housing. These standards are intended to balance the need for predictable, orderly development with the need to allow the maximum possible residential density. Through program H2.12, the City will address potential barriers to residential development at all density levels through regular review and if necessary, amend the relevant development standards.

Minimum Lot Area

In the RS district, the vast majority of residential development during the planning period is anticipated to occur through ADUs and SB 9 Urban Lot Splits and Urban Housing Developments. These development types are not required to observe minimum lot size requirements for the underlying zoning district. The minimum lot sizes for the RS district

range from 6,000 to 10,000 square feet depending on the zoning designation which correlates to the development patterns of the surrounding subdivisions. The minimum lot sizes for the RM and RH districts, 6,000 square feet, do not affect the development potential of multi-family developments which allow multiple units to be constructed on a single parcel. The minimum lot size for CMU is 20,000 square feet which could be considered a constraint since many of the CMU parcels abutting Thornton Avenue are less than half an acre which would require lot consolidation in order to facilitate redevelopment. The City will investigate this possible constraint as part of Program H2.12

Setbacks

In the RS district, the vast majority of residential development during the planning period is anticipated to occur through ADUs and SB 9 Urban Lot Splits and Urban Housing Developments. These development types are not required to observe setback requirements for the underlying zoning district. As a program of the Housing Element, a local SB 9 ordinance will be prepared to provide specific development standards for SB 9 projects. A standard residential subdivision in an RS district would not be constrained from achieving maximum density by setback requirements.

As shown in the Table 4-2, front setbacks decrease from 20 feet in RL to 15 feet in RM and RH districts, Street side setbacks decrease from 10 feet in RL to 8 feet, and rear setbacks decrease from 15 feet to 10 feet. CMU and RC districts can be developed to the lot line, but have setbacks imposed if they are adjacent to RS districts or a lot which is developed with a single family residence. The City's setbacks are typical for a community of its size and development patterns and are not considered barriers to achieving maximum density.

Height

Height limitations are intended to allow projects to achieve the maximum allowable density, while also being responsive to community character. In the RS district, the height limit is 30 feet which allows for the construction of typical two-story homes. In the RM and RH districts, heights greater than 35 feet and up to 75 and 100 feet respectively are permitted with a Minor Use Permit, which may be granted at the discretion of the Community Development Director without a public hearing. In practice, these height limits are reasonable to allow the maximum density and range of product types that are typical in these zones. However, the requirement for an MUP may still be a constraint to development, so Program H2.12 includes the objective of removing this barrier. In the RL, RM, and RH districts, the height limits are 35, 75, and 100 feet respectively, which allow for the construction of three-story townhomes up to multi-story apartments or condominiums in the upper range.

Planned and proposed projects included in the Element generally do not reach the maximum allowable heights for their respective zoning districts but still achieve considerable residential densities. The proposed SAHA development, zoned RH, shows that heights are not a barrier in

achieving maximum densities since the project has a height of 60 feet and achieves a density of 105 dwelling units per acre. Waymark Homes, a proposed three-story attached townhome development which is zoned RM, reaches a height of 37 feet and a density of 22 dwelling units per acre, which is the maximum for the district.

The districts that provide the highest densities for residential development also provide for the highest maximum heights, including the RC district which is 250 feet and the CMU district which is 60 feet or 75 feet within the Old Town Newark Specific Plan area. According to an analysis of the CMU zone, currently only one parcel is outside of the Old Town Specific Plan area and is subject to the 60-foot height limit. While few parcels are zoned CMU in Newark, the 60-foot height limit could potentially be a barrier to reaching maximum allowable densities, especially if the City decides to use this zoning in future locations. The City will review this concern (Program H2.12) and provide flexibility as needed to make maximum densities achievable.

In order to be responsive to community character, the City has scaled height restrictions if the parcel is adjacent to a less intensive zone district. However, this restriction only applies to the area of the parcel which is within 20 feet of the less intensive district, including setbacks, therefore it is not considered a barrier to achieving maximum density. As with other development standards described in this section, height limits and any associated city processes will be continually evaluated during the course of the planning period per Program H2.12.

Lot Coverage

Maximum lot coverage standards vary from 50 percent in RS and RL districts to 55% in RM and RH districts. Lot coverage increases in the RM district to 65% for development within the Old Town Specific Plan area. The CMU and RC districts have no maximum standards. These standards are typical in many Bay Area communities and in Newark have not been perceived as a barrier to development and achieving maximum densities.

Parking

Because off-street parking often requires large amounts of land and structured parking is expensive to build, parking requirements are one of the development standards that can most negatively impact the feasibility of new housing development. Compared to many neighboring jurisdictions, Newark currently has somewhat higher parking requirements for most housing types than neighboring jurisdictions. For multifamily housing, Newark has higher requirements for studio and one-bedroom units than Fremont, as well as higher requirements for covered parking. Although Newark and Fremont have the same guest parking requirement of 0.5 spaces per unit, Fremont does not have the same requirements for covered parking, and removes minimum parking requirements entirely in areas near transit. Additionally Newark requires one space per unit to be located in a garage, a requirement that can significantly increase the cost of development.

Senior housing. Although it has been found that seniors do not have the same rates of driving, Newark has higher parking requirements than neighboring Union City and Fremont, at one space per unit.

ADUs. Union City does not list a parking requirement for ADU's, but Newark has a higher parking requirement than Fremont, which has no parking requirements at all for ADU and JADU units.

Because Newark has higher parking requirements for multi-family, senior housing and accessory dwelling units this Housing Element update provides an opportunity for significant changes in parking requirements such as removing parking minimums and aligning requirements to be more in line with neighboring jurisdictions. Although the City complies with State density bonus parking standards upon request, the City's parking requirements can be a potential constraint on the production of housing in some cases. In order to address this constraint, the City will implement Program H3.5 and will commit to developing new, lower parking standards to facilitate residential development, particularly on sites identified for the development of lower-income housing. This will also include a reduction of required guest parking from 0.5 to 0.25 spaces per unit.

Open Space Requirements

Newark has open space square footage requirements per unit in the RL, RM, RH and CMU and RC districts which are 400, 300, 200, 50, and 50 square feet respectively. The required open space is the product of the number of units multiplied by required square footage. Required open space consists of two types: common and private. This is no minimum private open space requirement. Common open space must be a minimum of 50% of the required open space, but may be more, up to 100% of the requirement. Within the Old Town Specific Plan area, the RM district only requires 100 square feet of open space per unit. The open space requirements in the RL and RM districts may be considered high and have the potential to limit densities. Through Program H2.12, the City will review and revise the open space requirements as necessary including adjustments to the minimum area and dimensional requirements, as well as to provide more flexibility for open space types, location, and usability.

Minimum Commercial Component in Mixed Use Zones

Parcels within the CMU zone that have frontages on Newark Blvd. and Thornton Ave. between the Union Pacific Railroad and Olive Street are required to have nonresidential uses that occupy no less than 15% of the gross lot area on their ground floors. Ground non-residential use is also a requirement for all development in the RC district. The intent of this standard is to promote walkable and vibrant mixed-use neighborhoods with a strong sense of place, however the standard is a potential barrier since recent development in Newark has been predominantly residential. Outside of these major commercial corridors, 100% residential projects are permitted.

Table 4-2: Residential Development Standards, Newark 2022

Zoning District	Minimum Lot Area (sq. ft.)	Max Units Per Acre	Minimum Lot Width (ft.)	Minimum/ Maximum Setbacks (ft)	Maximum Main Building Coverage (%)	Maximum Height (ft.)	Required Open Space Per Unit (sq. ft.)
RS	RS-6,000: 6,000; RS-7,000: 7,000; RS-8,000: 8,000; RS-10,000: 10,000	8.7	RS-6,000: 60; RS-7,000: 65; RS-8,000: 70; RS-10,000: 80	Front: 20 Interior Side: 5 Street Side: 10 Rear: 20	50	30	n/a
RL	6,000; 3,000 for Single unit dwelling, detached	11, up to 15 with CUP depending on street classification	60	Front: 20 Interior Side: 5 Street Side: 10 Rear: 15	50	35	400
RM	6,000	22; up to 30 with CUP depending on street classification, 50 within the Old Town Specific Plan area	60	Front: 15 Interior Side: 5 Street Side: 8 Rear: 10	55, 65 within the Old Town Specific Plan area	75 (over 35 requires a MUP), 48 within the Old Town Specific Plan area, 35 within 20 ft. of an RS or RL District	300; 100 within the Old Town Specific Plan area
RH	6,000	60	60	Front: 15 Interior Side: 5 Street Side: 8 Rear: 10	55	100 (over 35 requires a MUP); 35 within 20 ft. of an RS or RL district	200

Zoning District	Minimum Lot Area (sq. ft.)	Max Units Per Acre	Minimum Lot Width (ft.)	Minimum/ Maximum Setbacks (ft)	Maximum Main Building Coverage (%)	Maximum Height (ft.)	Required Open Space Per Unit (sq. ft.)
CMU	20,000	60, 100 within the Old Town Newark Specific Plan area	100	**Front:** 0, max. of 10 **Interior Side:** 0, 20 abutting a RS district or any lot developed with a single family residence **Street Side:** 0, max of 10. **Rear:** 0, 10 abutting a RS district or any lot developed with a single family residence	n/a	60; 75 within the Old Town Specific Plan area; 48 within 20 ft of an RM District boundary, 35 within 20 ft. of an RS or RL District boundary	50
RC	20,000	120	100	Front: 0 Interior Side: 0 Street Side: 0 Rear: 0	n/a	250	50

Source: City of Newark Zoning Ordinance, 2022

An analysis of the residential standards, shown in Table 4-2, indicates that these requirements overall are not a constraint to the development of housing.

Specific Plans

The City has four (4) adopted specific plans which have significantly increased the City's capacity to accommodate new housing development through the coming Housing Element update period and beyond. These plans are expected to guide new housing development during the timeframe of the 2023-2031 Housing Element and are described in more detail below.

Bayside Newark Specific Plan, Adopted July 2021

The Bayside Newark Specific Plan, formerly known as The Dumbarton Transit-Oriented Development (TOD), provides the framework for a proposed new neighborhood that will provide a broad range of new housing, retail and business opportunities in Western Newark, centered around the proposed Dunbarton Commuter Rail station.

This project area includes 233 acres of land that has contained various industrial, manufacturing, chemical processing and salt production facilities since the early twentieth century. The plan steers the development of a contemporary version of a pedestrian oriented neighborhood where housing, recreation, neighborhood retail center and employment opportunities are integrated and connected via pedestrian and bicycle networks. The community would include shops, parks and open space amenities, including a bayside trail. Approximately 8% of the area is designated as low density residential, 33% for medium density residential, 29% for medium/high residential, and 2% for high density residential.

In the proposed design, higher densities of residential development-such as condos-would be located within a quarter-mile radius of the transit station, medium densities-such as townhomes-are located slightly further, and single family dwellings are located farthest from the station. Retail stores and shops are concentrated near the transit station at the intersection of Willow Street and Enterprise Blvd. Higher density housing would be adjacent to the retail area and the transit station. Neighborhood parks would be located within the residential areas and a larger community park would be included. Blocks are generally short and pedestrian-oriented. The street circulation network of streets will have one travel lane in each direction and will utilize traffic calming measures such as bike lanes in both directions, on street parking, and single lane roundabouts with the goal of prioritizing active transportation. The plan has a unit cap of 2,500.

Old Town Specific Plan, Adopted September 2021

The Old Town Specific Plan addresses a 76-acre area which encompasses Thornton Avenue spanning seven blocks from Elm Street to Cherry Street, and residential parcels north and south of the commercial corridor. The plan seeks to develop this corridor into a mixed-use area that accommodates a range of housing types, retail and service businesses, expanded public spaces, and mobility improvement. The Old Town Specific Plan does not allow single unit dwellings,

requires densities between 30 and 100 dwelling units per acre, and height maximums of up 75 feet (48 feet within 20 feet of a RM district and 35 feet within 20 feet of an RS or RL district). The plan also requires ground floor retail commercial uses on projects that front Newark Boulevard and Thornton Avenue between The Union Pacific Railroad Tracks and Olive Street.

Through zoning amendments, streetscape improvements, and public and private investments, the plan envisions Old Town Newark as a revitalized mixed-use neighborhood with a strong sense of place, thriving retail and commercial businesses, a range of housing choices for existing and future residents, a streetscape that prioritizes bicyclists and pedestrians, and public spaces. The plan's grand visions are matched by clear realistic steps for implementation of long-standing goals for revitalization and provide steps to maintain the existing housing stock and avoid displacement of existing residents and businesses.

NewPark Place Specific Plan

The NewPark Place Specific Plan (Plan), adopted in 2018 and implemented as revised in 2021, provides a comprehensive planning and development implementation strategy for a 125-acre area in the southeastern portion of the city adjacent to I-880 which includes the existing NewPark Mall retail center (mall), the parking facilities that surround it, and commercial uses on the perimeter of the center.

The Plan's vision is to transform the Greater NewPark Mall area into a vibrant urban place through thoughtful land use design, which includes mixed-income residential areas, retail and dining opportunities, community venues, a movie theater, inviting pedestrian-oriented streets and public spaces, and enhanced sidewalks, bicycle lanes, and transit facilities. Creating a premier Bay Area and local destination will re-power the regional retail uses within the mall itself as a vital economic engine for the city. Higher-density multifamily housing across types and affordability levels will comprise the predominant land use type in this reconfigured and revitalized area.

The Plan includes guidance in the form of plans, policies, development standards, and design guidelines and serves as an extension of the general plan making it both a policy and regulatory document. To achieve the development vision for the Greater NewPark Mall area, the Plan contains a framework that is flexible in land use types, development standards, and design guidelines. In collaboration with the city, the developer project sponsor will work within this framework to deliver project designs and programs with desired uses, development form, mobility improvements, and public amenities that create a unique "sense of place".

The plan is anticipated to build out over an approximate 20-year timeframe, with a total capacity of 1,519 multifamily residential units. The Mixed Use I area (where Phases A through D are located and highlighted in this Element) is expected to redevelop first based on the expressed interest of the property owner/developer. Diverse affordable housing will be an important component of the overall unit mix in the plan area, with at minimum 6 percent of units being affordable to very-low income households, 3 percent to low-income households and 3 percent to moderate-income households per City Council Resolution 10,184.

The plan calls for building heights between 30 and 200 feet, with a preferred minimum of 60 feet. The residential densities must be within a minimum of 60 dwelling units to the acre and a maximum of 160 dwelling units per acre, which can be accommodated within the overall plan development area under the Specific Plan's development standards. Building heights are currently constrained by the lack of adequate emergency response infrastructure Newark and the surrounding communities to safely respond to emergencies on high rise buildings. Because of this, the current plan shows densities on the lower edge of the spectrum.

Southwest Newark Residential and Recreational Project (Area 3 and 4 Specific Plan)

This is the largest area proposed for future development in Newark, comprising 856 acres in the area bordered by Mowry Avenue on the west, Stevenson Boulevard on the east, Cherry Street on the north, and Mowry Slough on the south. The Union Pacific Railroad bisects the area. Most of the land is vacant, although the area near the end of Mowry Avenue includes an auto-dismantling yard. The remainder of this area has been disked and graded for agricultural use since the early 1900s.

A Specific Plan was adopted in 2010 and 2015 (Newark Specific Plan - Area 3 and 4 of the General Plan). The Plan calls for the development of housing, a major recreational facility such as an 18-hole golf course, and the dedication of conservation open space on some of the low-lying areas south of the railroad tracks. Areas 3 and 4 contain sub areas where development would be focused.

Area 3, Sub Area B has been developed with 386 single-family residential units; construction was substantially complete by early 2021. This sub area, on land facing Cherry Street just east of Ohlone College, has been developed with a three acre community park, as well as a possible future elementary school on a six acre parcel.

A residential project within Area 3, Sub Area C and Area 4, Sub Area B was approved by City Council in November 2019. This project would include 469 detached single-family homes, open space, new utility infrastructure, and roadways, including a new connecting roadway at the existing terminus of Stevenson Boulevard to the project area. A substantial number of homes are expected to be constructed within the period of the Housing Element.

The City is currently considering a development application for 203 detached single-family homes within Area 4, Sub Area D on a parcel which contain an automobile dismantling yard with retail sales. Entitlements have not been granted as of the publication of the Housing Element.

Once the proposed project within Area 4, Sub Area D has been considered and a final decision has been made, the city may take action to retire the plan in a manner consistent with applicable laws and conforming to previously adopted agreements and approved entitlements.

Zoning for a Diversity of Housing Types

Housing Element Law (Government Code Section 65583(c) (1) and 65583.2(c)) requires that local governments analyze the availability of sites that will "facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobile homes, housing for agricultural employees, supportive housing, single-room occupancy units (SROs), emergency shelters, and transitional housing." This section discusses relevant regulations that govern the development of the types of housing listed above as required by Government Code Section 65583(a) (3). Table 4-3 summarizes the permitted housing types by zone.

Table 4-3: Housing Types Permitted by Zone, Newark 2022

Land Use	RS	RL	RM	RH	CMU	RC
Accessory Dwelling Units	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Single-Unit, Detached	Permitted	Permitted	Permitted	Permitted	-	-
Single-Unit, Attached	-	Permitted	Permitted	Permitted	Permitted[11]	-
Two-Unit Dwelling	-	Permitted	Permitted	Permitted		-
Multi-Unit Development	-	Permitted	Permitted	Permitted	Permitted[12]	Conditional Use Permit Required[19]
Manufactured/Mobile Home	-	-	-	-	-	-
Employee Housing (6 or fewer persons)	-	-	-	-	-	-
Residential Care Facilities (6 or fewer persons)	Permitted	Permitted	Permitted	Permitted	Permitted	-
Residential Care Facilities (7 or more persons)	-	Minor Use Permit Required	Minor Use Permit Required	Minor Use Permit Required	-	-
Family Day Care (Group Residential)	-	-	Minor Use Permit Required	Minor Use Permit Required	Minor Use Permit Required	-
Family Day Care (Large)	Minor Use Permit Required	Minor Use Permit Required	Minor Use Permit Required	Minor Use Permit Required	-	-
Family Day Care (Small)	Permitted	Permitted	Permitted	Permitted	Permitted	-

[11] Single-Unit Dwelling, Attached uses are not permitted in the Old Town Newark Specific Plan area. Residential uses are not allowed on the ground floor along Newark Boulevard frontage and Thornton Avenue frontage, between the Union Pacific Railroad tracks and Olive Street.
[12] Not allowed on the ground floor. Residential units shall be intended to support retail commercial uses of the project.

Land Use	RS	RL	RM	RH	CMU	RC
Single-Room Occupancy Units	-	-	-	Conditional Use Permit Required	Conditional Use Permit Required	-
Emergency Shelters	-	-	Minor Permit Required	Permitted	–	-
Supportive Housing	Permitted	Permitted	Permitted	Permitted		-
Transitional Housing	Permitted	Permitted	Permitted	Permitted		-

Source: City of Newark Zoning Ordinance, 2022

Multifamily Housing

As shown in Table 4-3, multifamily housing is permitted throughout the City of Newark in all RL, RM, RH and CMU zones. Multifamily housing is also permitted in RC zones with a conditional use permit.

Manufactured Housing and Mobile Homes

State law limits the extent to which cities and counties can regulate the installation of manufactured homes, including mobile homes. Government Code Section 65852.3 requires that cities allow installation of certified manufactured homes on foundation systems on lots zoned for conventional single-family residences. This section and Government Code Section 65852.4 generally require that manufactured homes be subject to the same land use regulations as conventional homes. Government Code Section 65852.7 deems mobile home parks to be a permitted use in all areas planned and zoned for residential use. The City of Newark permits manufactured and factory-built housing in designated residential zoning districts. Because of the high cost of land, manufactured housing is not commonly placed on private property, except perhaps as caretaker residences within industrial districts. There are currently no mobile home parks or manufactured housing in Newark. Pursuant to State law, any site that can be developed for site-built residential development is also available for the development of factory-built (manufactured) housing or for mobile homes. There are no specific restrictions upon the development of manufactured housing or mobile home parks within the Newark Municipal Code or General Plan.

Housing for Farmworkers

The provisions of Section 17020 (et seq.) of the California Health and Safety Code relating to employee housing and labor camps supersede any ordinance or regulations enacted by local governments. Such housing is allowed in all jurisdictions in California pursuant to the regulations set forth in Section 17020. Section 17021.5(b) states, for example:

"Any employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation for the purposes of this section. For the purpose of all local ordinances, employee housing shall not be included within the definition of a boarding house, rooming house, hotel, dormitory, or other similar term that implies that the employee housing is a business run for profit or differs in any other way from a family dwelling. No conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing that serves six or fewer employees that is not required of a family dwelling of the same type in the same zone."

Section 17021.6, concerning farmworker housing, states that:

"No conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing [consisting of no more than 36 beds in a group quarters or 12 units] that is not required of any other agricultural activity in the same zone."

Emergency Shelters, Transitional Housing, and Supportive Housing

Emergency Shelters

The California Health and Safety Code (Section 50801[e]) defines an emergency shelter as "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay."

Pursuant to State housing law (California Government Code Sections 65582, 65583, and 65589.5), jurisdictions must identify at least one zone where emergency shelters are allowed as a permitted use without a conditional use permit or other discretionary permit. The identified zone must have sufficient capacity to accommodate the shelter need, and at a minimum provide capacity for at least one year-round shelter. Permit processing, development standards, and management standards for emergency shelters must be objective and facilitate the development of, or conversion to, emergency shelters. Emergency shelters "may only be subject to those development and management standards that apply to residential or commercial development within the same zone" along with a list of exceptions that may be made.

Assembly Bill 139, passed in 2019, revised State housing element law by requiring that emergency shelters only be required to provide sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.

Emergency shelters are permitted by right in the Residential High Density, Public Facility, Transit Station, and Park zones and with a Minor Use Permit in the Residential Medium Density zone.

In Newark emergency shelters are subject to the following development standards:

- Location. Emergency shelters shall be located at least three hundred feet from another emergency shelter.
- Number of Residents. No more than fifty clients may be present on the premises at any one time.
- Length of Occupancy. Occupancy by an individual or family may not exceed sixty days. Extensions up to a total stay of one hundred eighty days may be provided if no alternative housing is available, upon determination by the director.
- Common Area. The shelter shall provide at least ten square feet per bed of public or communal gathering space, exclusive of hallways.
- Parking Reduction. The director may reduce the number of on-site parking spaces required by Section 17.23.040, Required Parking Spaces, where a shelter is located on a bus route, or other evidence is provided to indicate that less parking will be needed. The shelter shall, however, provide at least one space for each staff member who will be on duty when residents are present, and at least one space for residents.
- Lighting and Illumination. The shelter shall provide outdoor lighting sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving

the property. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible with the neighborhood.

- Outdoor Activities. All functions associated with the shelter, except for children's play areas, outdoor recreation areas, and parking shall take place within the building proposed to house the shelter. There shall be no space for clients to congregate in front of the building, and there shall be no outdoor public telephones.
- Designated Smoking Area. The shelter shall provide a designated smoking area, preferably outside, that is not visible from public rights-of-way.
- Noise. The use shall be conducted in conformance with the noise standards set forth for multifamily housing in the noise element of the general plan.
- Supervision. On-site management shall be provided any time that clients are present at the shelter.
- Management and Security Plan. The operator of the shelter shall submit a management and security plan for approval by the director. The plan shall address issues identified by the director, including emergencies, transportation, client supervision, security, client services, staffing, and good neighbor issues.

Newark's standards for emergency shelter facilities comply with the allowances made for standards set forth under Government Code Section 65583(a)(4)(A). The shelter size of 50 beds provides sufficient space for the identified need and flexibility for parking requirements show that the current zoning is not a constraint for development.

Zoning for Emergency Shelters

As described in Chapter 2, Needs Assessment, the 2022 point-in-time count identified 32 unsheltered homeless individuals in Newark, a reduction from the 2019 estimate of 89 people. As described above, emergency shelters are permitted by right in the Residential High Density, Public Facility, Transit Station, and Park zones. In Newark, there are many parcels owned by the City that are zoned as Public Facility and Park and one site that is zoned as Residential High Density. Collectively, the sites in these zones could be developed with shelter beds needed to accommodate the 2022 demand and reported in the 2022 Point In Time count. Below are some of the sites that could be developed with an emergency shelter.

Table 4-4: Potential Sites for Emergency Shelters in Newark, 2022

APN	Description	Total Acreage	Estimated developable Acreage
92A-1045-13-11	Civic Center Park	5 acres	3.1 acres
92A-1036-11-1	Civic Center, Old Library Site	5.1 acres	0.75 acres
92-150-12-3; 92-150-15-1	Ash Street Park, Senior Center and adjacent site	1.4 acres	1.1 acres
92-148-14-1	Ash Street Park, Former Head Start Site	0.69 acres	0.5 acres
Total		12.19 acres	5.45 acres

Source: City of Newark, 2023

In 2023, Newark initiated a facilities master plan effort to assess all city-owned buildings, including the buildings listed in Table 4-4. The facilities master plan will provide an assessment of each building and the costs to either maintain, improve, or replace each building. Existing and new uses will be considered as part of this effort. The master plan is expected to be completed in 2024.

All of the sites identified in Table 4-4 are centrally located, close to bus routes, community centers and other services that support those experiencing homelessness with access to food and community organizations providing supportive resources.

None of these sites have existing structures intended to be used as shelters. Any shelters to be constructed on these sites will be appropriate for human habitability, consistent with the Minimum Habitability Standards for Shelter and Housing Policy published by HCD's Emergency Solutions Grant Program.

Transitional and Supportive Housing

Transitional housing is designed to assist homeless individuals and families in moving beyond emergency shelter and into permanent housing by helping people develop independent living skills through the provision of supportive services. Permanent supportive housing is housing that is linked to services that assist residents in maintaining housing, improving health, and maximizing ability to live and work in the community.

Pursuant to Government Code Section 65583 and Section 65651, transitional and supportive housing types are required to be treated as residential uses and subject only to those restrictions that apply to other residential uses of the same type in the same zone. Furthermore, per recent changes in State law (AB 2162), the City must also allow 100 percent affordable projects by right where multi-family and mixed-use development is permitted if the project includes 25 percent, or 12 units of, supportive housing.

The Zoning Ordinance allows supportive and transitional housing in all residential districts and in

all zones that allow multifamily and mixed-use development including nonresidential zones, per Government Code Sections 65583 and 65650. No additional parking is required beyond what is required for the residential housing type. While parking requirements can be a constraint, program **H3.5 Parking Standards Update** will address parking to encourage housing development.

Employee Housing

Consistent with Health and Safety Code Sections 17021.5 and 17021.6, employee housing is permitted by right in every residential zone, including single family zones.

Low Barrier Navigation Centers

Assembly Bill 101, passed in 2019, requires that a low barrier navigation center be a use permitted by right in mixed-use zones and nonresidential zones permitting multifamily uses if it meets specified requirements. AB 101 defines "low barrier navigation center" as a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

For a navigation center to be considered "low barrier", its operation should incorporate best practices to reduce barriers to entry, which may include, but is not limited to, the following:

- Permitting the presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth
- Pets
- Ability to store possessions
- Providing privacy, such as private rooms or partitions around beds in a dormitory setting or in larger rooms with multiple beds

Accessory Dwelling Units

An accessory dwelling unit (ADU) is an additional self-contained living unit, either attached to or detached from the primary residential unit on a single lot, also referred to as a secondary dwelling unit. The unit is required to include cooking, sleeping, full sanitation facilities, and separate, exterior entrance. ADUs are an important source of affordable housing since they can be constructed relatively cheaply and have no associated land costs. They can also provide supplemental income to the homeowner, allowing them to remain in their homes or moderate-income families to afford houses.

Recognizing that ADUs are part of the solution for addressing the statewide affordable housing shortage, California lawmakers have passed several bills in recent years to facilitate the development of ADUs. To encourage establishment of ADUs, State law requires cities and counties to either adopt an ordinance based on standards set out in the law authorizing ADUs in residentially-zoned areas, or where no ordinance has been adopted, to allow ADUs on lots zoned for single family or multifamily use that contain an existing single-family unit subject to ministerial approval ("by right") if they meet standards set out by law.

In Newark, ADUs are permitted within all single family, multifamily, and mixed-use residential districts. JADUs are a specific type of ADU that is no more than 500 square feet and built entirely within an existing single-unit or duplex dwelling residence. ADUs and JADUs are subject to the following criteria:

- On lots with an existing or proposed single-family dwelling, one ADU and up to one JADU is allowed per parcel. An ADU can be either attached or detached to the primary residence but JADUs must be constructed entirely within the walls of an existing primary residence.
- ADUs may be allowed within existing portions of a multifamily or mixed-use development that are not used as livable space. At least one attached ADU or up to two detached ADUs may be provided per lot.
- ADUs must be between 150 and 1,000 square feet in floor area. Each unit shall, at minimum, include a full bathroom including shower and/or bathtub, a sleeping area, permanent cooking facilities, and a separate, exterior entrance.
- The total lot coverage for all buildings shall not exceed the allowable lot coverage for the zoning district except that such a ratio shall not prohibit an 800 square foot ADU meeting the maximum height and minimum setback requirements.
- ADUs and JADUs may not be sold separately from the primary residence but may be rented separately. ADUs and JADUs may not be used for short-term rentals (less than 30 days).
- For properties with JADUs, the primary residence must be owner-occupied, but the owner may reside in either the JADU or the primary residence. This owner-occupancy requirement does not apply to primary residences owned by a public agency, land trust, or non-profit housing organization.

- Studio ADUs shall not be required to provide parking. Any number of bedrooms require one parking space with limited exceptions such as within a half mile of public transit. When an existing garage, carport or covered parking structure is demolished in conjunction with the construction of an ADU or converted into an ADU, the parking spaces shall not be required to be replaced.

- The ADU must meet specified objective design standards related to building facades and materials, windows and glazing, roof form and detailing, and entryway features. ADUs are prohibited from having exterior stairways or balconies.

The City will comply with state law until the updated existing Accessory Dwelling unit ordinance is in compliance with state law. Newark will make further amendments to the ordinance, as necessary, to remain consistent with State law and reflect local needs. The parking requirement for an ADU with one bedroom or more, can be a constraint on development. **Program H2.2** works to develop tools to support uptake of accessory dwelling units production in Newark and make changes in parking requirements, in collaboration with Alameda County.

Single-Room Occupancy Units

Extremely low-income households typically comprise persons with very low incomes and special

housing needs, including, but not limited to, seniors, people with disabilities, and at risk of homelessness. AB 2634 (Lieber 2006) requires the quantification and analysis of existing and projected housing needs of extremely low-income households. Housing Elements must also identify zoning to encourage and facilitate supportive housing and single-room occupancy units.

Single-room occupancy (SRO) units can provide affordable private housing for lower-income individuals, seniors, low-income working people,and persons with disabilities. An SRO unit is usually small, between 200 to 350 square feet. These units can also serve as an entry point into the housing market for formerly homeless people. The current Zoning Code provisions for SROs limit the potential for SROs in Newark through the requirement of a conditional use permit. The required parking of 0.5 spaces per unit is not seen as a constraint and is comparable to neighboring jurisdictions. The Housing Element includes a program to define SROs as a separate use, expand the zones where SROs are permitted by right, and ensure development standards, including parking, facilitate the development of SROs. Through community engagement, we heard there is a housing need for housing for small households. **Program H2.10** expands the zones where single room occupancy is permitted by right, and prioritizes development along transit routes to support access to employment and other services.

Senate Bill 9 Subdivisions

Senate Bill 9 (SB 9) became effective January 1, 2022. The bill mandates local jurisdictions to ministerially approved two unit developments and urban lot splits within a single-family residential zone, without discretionary review or hearing, if the proposed development meets certain requirements. For SB 9 developments, the City may apply objective zoning, subdivision, and design standards. Include reference to policy for bringing the city in compliance with SB (included in Plan below).

Constraints on Development for People with Disabilities

Residential Care Facilities and Other Zoning Provisions for Persons with Disabilities

Small Community Care Facilities

Health and Safety Code Sections 1267.8, 1566.3, and 1568.08 require local governments to treat licensed group homes and residential care facilities with six or fewer residents no differently than other by-right single-family housing uses. “Six or fewer persons” does not include the operator, the operator’s family, or persons employed as staff. Local agencies must allow these licensed residential care facilities in any area zoned for residential use and may not require licensed residential care facilities for six or fewer persons to obtain conditional use permits or variances that are not required of other family dwellings. In Newark, these facilities are permitted in all residential zoning districts and the CMU zone.

Large Community Care Facilities

Due to the unique characteristics of large community care facilities (serving more than six

persons), most jurisdictions require a use permit to ensure neighborhood compatibility in the siting of these facilities. In Newark, large community care facilities are permitted with a minor use permit in all residential zoning districts.

Currently, unless specifically allowed pursuant to a Use Permit approval, residential care facilities serving seven or more persons shall be located on a lot with frontage on an arterial and at least 300 feet from any other residential care facility, day care center, or large family day care home serving seven or more persons. The Housing Element includes program H4.10, an implementation program to permit community care facilities for more than six persons as a permitted use in all zones where other residential uses are permitted subject to the same requirements of other residential uses of the same type in the same zone.

Reasonable Accommodation

State and Federal laws prohibit housing discrimination against persons with disabilities in land use practices and decisions, such as applying special requirements that limit the ability of disabled individuals to live in the residence of their choice. Both the Federal Fair Housing Act and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling. For example, it may be reasonable to accommodate requests from persons with disabilities to waive a setback requirement or other standard of the Zoning Ordinance to ensure that homes are accessible for the mobility impaired. Whether a particular modification is reasonable depends on the circumstances.

The City adopted an ordinance in 2016 establishing the process for allowing flexibility within the zoning code for reasonable accommodation of access for the disabled.

The ordinance includes:

- Clear rules, policies, and procedures to promote equal access to housing and comply with fair housing and disability laws including but not limited to identifying who may request a reasonable accommodation (i.e., persons with disabilities, family members, landlords, etc.) timeframes for decision-making, and provisions for flexibility in the various land-use, zoning, or building regulations that may otherwise constrain housing for persons with disabilities. Chapter 17.37 of the City's Zoning Ordinance outlines the process for requesting a waiver to any zoning regulation to allow improvements to an existing building in order to provide reasonable accommodations for persons with disabilities.
- Regularly monitoring the implementation of the jurisdiction's ordinances, codes, policies, and procedures to ensure they comply with the "reasonable accommodation" for disabled provisions and fair housing laws.
- Reduced parking requirements for projects serving seniors and persons with disabilities (The Zoning Ordinance was revised in 2018 reducing parking requirements to 0.5 spaces per unit, inclusive of guest parking).

The applicable findings for reasonable accommodation requests are provided in NMC 17.37 (Waivers):

A. The waiver is necessary due to the physical characteristics of the property and the proposed use or structure or other circumstances, including, but not limited to, topography, noise exposure, irregular property boundaries, or other unusual circumstance.
B. There are no alternatives to the requested waiver that could provide an equivalent level of benefit to the applicant with less potential detriment to surrounding owners and occupants or to the general public.
C. The granting of the requested waiver would not be detrimental to the health or safety of the public or the occupants of the property or result in a change in land use or density that would be inconsistent with the requirements of this title.
D. If the waiver requested is to provide reasonable accommodation pursuant to state or federal law, in addition to any other findings that this chapter requires, the decision-maker must also make the following findings:
    a. That the housing or other property which is the subject of the request for reasonable accommodation will be used by an individual or organization entitled to protection;
    b. If the request for accommodation is to provide fair access to housing, that the request for accommodation is necessary to make specific housing available to an individual protected under state or federal law;
    c. That the conditions imposed, if any, are necessary to further a compelling public interest and represent the least restrictive means of furthering that interest; and
    d. That denial of the requested minor exception or waiver would impose a substantial burden on religious exercise or would conflict with any state or federal statute requiring reasonable accommodation to provide access to housing.

Overall, the findings are not atypical for California jurisdictions that impose findings for reasonable accommodation projects and are generally consistent with State law.

Definition of Family

There are a number of State and Federal rules that govern the definition of family, including the Federal Fair Housing Amendments Act of 1988, the California Fair Housing and Employment Act, the California Supreme Court case City of Santa Barbara v. Adamson (1980), and the California Constitution privacy clauses. The laws for families have a few primary purposes: to protect people with disabilities, to protect non-traditional families, and to protect privacy. According to HCD and Mental Housing Advocacy Services there are three major points to consider when writing a definition of family:

- Jurisdictions may not distinguish between related and unrelated individuals.
- The definition may not impose a numerical limit on the number of persons in a family.
- Land use restrictions for licensed group homes for six or fewer individuals must be the same as those for single families.

The Newark Municipal Code defines "Family" as follows:

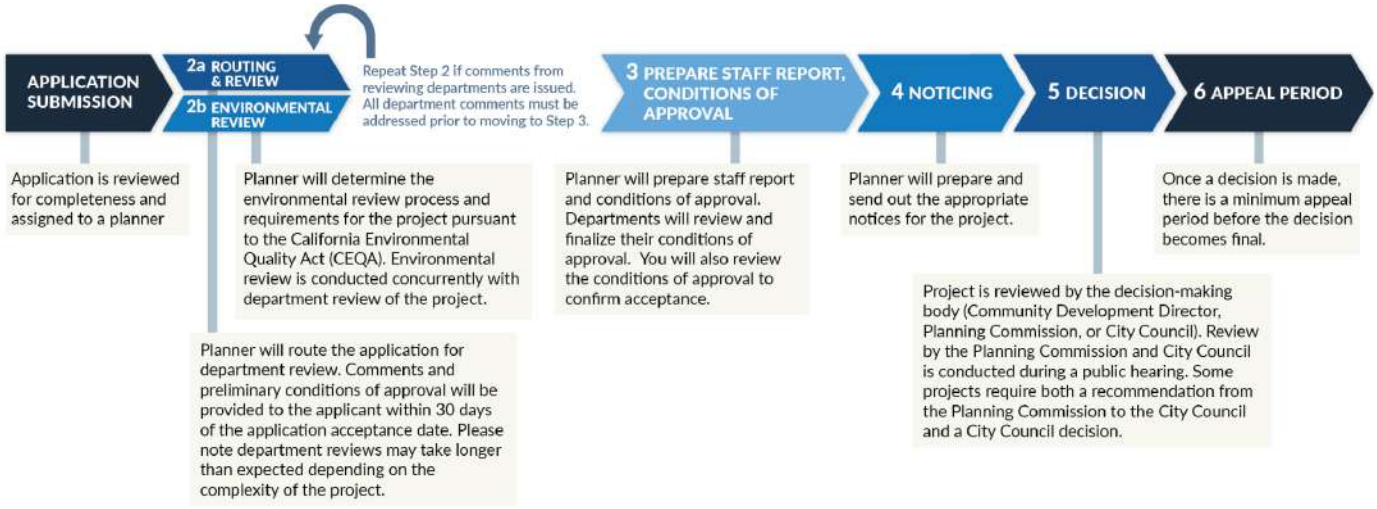
"One or more persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food; who share living expenses, including rent or mortgage payments, food costs and utilities, and who maintain a single mortgage, lease, or rental agreement for all members of the household."

This definition is consistent with the best practices for a definition of "Family" and does not add any new government constraints.

Site Development Review

Government policies and ordinances regulating development affect the availability and cost of new housing. Land use controls have the greatest direct impact, but development approval procedures, permit fees, building code requirements, and the permit processing time can affect housing costs as well. This section addresses the relationship of development fees, processes, and standards to the production of housing.

Figure 4-1: Development Review Process



The development review process illustrated above is generally consistent across the city's zone districts and planning application types. The municipal code provides the "Level of Review Authority" for various application types:

Table 4-5: Level of Review Authority, Selected Decision Types

Type of Decision	Advisory Body	Decision Maker	Appeal Body
Minor Use Permit	N/A	Community Development Director	Planning Commission
Conditional Use Permit	Community Development Director	Planning Commission	City Council
Variance	Community Development Director	Planning Commission	City Council
Amendments	Planning Commission	City Council	Superior Court
Planned Development Districts	Planning Commission	City Council	Superior Court
Design Review	N/A	Community Development Director or Planning Commission	Planning Commission or City Council

Discretionary Findings and Criteria

As provided in the municipal code, planning applications for city review and decisions that are not "ministerial" (such as building permits) include findings for approval that must be made in the affirmative in order for the Decision Maker to approve a project. The following are the applicable findings and criteria for discretionary applications in Newark:

Minor Use Permit for a Temporary Use (NMC 17.26.260):

A. The proposed use will not unreasonably affect adjacent properties, their owners and occupants, or the surrounding neighborhood, and will not in any other way constitute a nuisance or be detrimental to the health, safety, peace, comfort, or general welfare of persons residing or working in the area of such use or to the general welfare of the city; and
B. The proposed use will not unreasonably interfere with pedestrian or vehicular traffic or circulation in the area surrounding the proposed use, and will not create a demand for additional parking that cannot be safely and efficiently accommodated by existing parking areas.

Conditional Use Permit (NMC 17.35.060):

A. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other titles of the Municipal Code;
B. The proposed use is consistent with the general plan and any applicable specific plan;
C. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;
D. Tax revenue generated by the development will exceed the city's cost of the service

demand as a result of the development or a compelling community benefit will be provided.

E. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this title;
F. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity; and
G. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Variance (NMC 17.36.040):

A. There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the vicinity and identical zoning district, and that the granting of a variance will not constitute a granting of a special privilege inconsistent with the limitations on the property in the vicinity and identical zone district;
B. The granting of the application is necessary to prevent a physical hardship which is not of the applicant's own actions or the actions of a predecessor in interest;
C. The granting of the application will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare or convenience; and
D. The granting of the variance will be consistent with the general purposes and objectives of this title, any applicable specific plans, and of the general plan.

Amendments (Zoning Map and Text, NMC 17.39.080):

A. The amendment is consistent with the general plan;
B. Any change in district boundaries is necessary to achieve the balance of land uses desired by the city, consistent with the general plan, and to increase the inventory of land within a given zoning district; and
C. The amendment will promote the growth of the city in an orderly manner and to promote and protect the public health, safety, peace, comfort and general welfare.

Planned Development Districts (NMC 17.12.060):

A. The proposed development is consistent with the general plan and any applicable specific plan, including the density and intensity limitations that apply;
B. Adequate transportation facilities and public services exist or will be provided in accord with the conditions of development plan approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare;
C. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area;

D. The development generally complies with applicable adopted design guidelines; and
E. The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base district, and will achieve superior community design, environmental preservation and/or substantial public benefit.

Design Review (NMC 17.34.060):

A. The overall design of the project including its scale, massing, site plan, exterior design, and landscaping will enhance the appearance and features of the project site and surrounding natural and built environment.
B. The project design is appropriate to the function of the project and will provide an attractive and comfortable environment for occupants, visitors, and the general community.
C. Project details, materials, signage and landscaping, are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.
D. The design of streetscapes, including street trees, lighting, and pedestrian furniture, is consistent with the intended character of the area.
E. Parking areas are designed and developed to buffer surrounding land uses; compliment pedestrian-oriented development; enhance the environmental quality of the site, including minimizing stormwater run-off and the heat-island effect; and achieve a safe, efficient, and harmonious development.
F. Lighting and lighting fixtures are designed to complement buildings, be of appropriate scale, provide adequate light over walkways and parking areas to create a sense of pedestrian safety, and avoid creating glare.
G. Landscaping is designed to be compatible with and enhance the architectural character and features of the buildings on site, and help relate the building to the surrounding landscape.

Overall, the findings provided above are not atypical for California jurisdictions that impose findings and criteria for discretionary projects and are generally consistent with State law.

Conditional Use Permit Finding D, *"Tax revenue generated by the development will exceed the city's cost of the service demand as a result of the development or a compelling community benefit will be provided."* is somewhat unique in that the city seeks to offset city costs associated with new commercial uses with increased tax revenue. This finding is typically applicable to projects and new uses that are not subject to Development Impact Fees. This does not generally apply to new residential projects, in that Housing Impact Fees or construction of new affordable units offset the costs associated with this development.

As described below, the city is undertaking an effort to create objective design standards that provide certainty and clarity in terms of design review, and that would be consistent with State laws and requirements that limit a jurisdictions ability to enforce design standards that may be interpreted as discretionary.

Objective Design Standards

The City currently relies on a combination of objective and subjective design standards and guidelines to review and regulate the design of most housing projects. However, the State of California continues to enact new laws that require streamlined housing approval by establishing a by-right, ministerial approval process for multifamily residential development. Key to ministerial approval is the replacement of subjective design guidelines with objective standards.

The intent of Objective Design Standards is to provide applicants and developers with a clear understanding of the City's expectations for mixed-use and multi-family residential project design. Objective design standards are written as requirements, rather than guidelines; therefore, all mixed- use and multi-family residential projects applying under Housing Accountability Act (HAA) protections shall comply with each standard. Importantly, objective design standards regulate site and structure design only. Projects must also comply with all applicable building permit requirements, zoning code requirements, and development standards such as height, setbacks, lot coverage, etc.

To accommodate the requirements of State law, the City is developing a thorough set of objective design standards to govern the development of multi-family housing, including certain mixed-use projects. The City anticipates adoption of the new Objective Design Standards in 2025 per Program H3.2.

The objective design review standards supplement the objective development standards (e.g. height limit, lot coverage, setback, etc.) defined in each zoning district. In combination, the two sets of standards (design and development) provide for a streamlined and efficient project review process by ensuring that applicants know and understand the city's requirements and ensuring that the project review and approval process is objective, efficient, and consistent.

Permit Processing Times

The minimum amount of time for processing permits is established by requirements for environmental review, public notice, and by the meetings of the Planning Commission and City Council. While there is little room for processing permits any faster than the City already does, the current practice of automatic review of some Planning Commission permit decisions by the City Council does add several weeks to the total permit processing time. Ultimately, the maximum amount of time for processing residential development permits is set by State law (California Government Code 65920 et. seq.). Some of the average times have increased due to infill complexity and extra notification of State requirements.

Table 4-6 summarizes the average time required to process development permits. The processing time needed to obtain development permits and required approvals varies depending on the scope of the project. Smaller projects typically require less time than larger projects. The City strives to keep its permit procedures streamlined and processing times minimal.

The amount of time between the completion of the review and the issuance of a Building Permit is

determined by the speed at which the applicant is able to make any necessary corrections to the Construction Drawings and resubmit for approval and Building Permit.

Table 4-6: Average Permit Processing Time, Newark, 2022

Permit Process	Decision Type	Level of Review	Permit Types	Timeframe
Accessory Dwelling Unit Process	Ministerial (by-right) Discretionary	Staff Staff	Building permits for projects that comply with applicable building, zoning, and development regulations Single Family Design Review permits for projects involving a second story addition for an ADU that is taller than 16 feet	1 to 3 months 2 to 5 months
Ministerial By-Right	Ministerial (by-right)	Staff	Building permits for projects that comply with applicable building, zoning, and development regulations; parcel maps; and lot line adjustments	2 to 5 months
Discretionary By-Right	Discretionary	Staff	Includes design review permits, minor use permits, and sign permits	3 to 5 months
Discretionary (Hearing officer if Applicable)	Discretionary	Hearing officer	Includes variances, certain site development permits, and certain conditional use permits. Site development permits are required when development is proposed on Environmentally Sensitive Lands and for large multifamily developments on consolidated lots. Conditional use permits are required when development is proposed that is subject to supplemental conditions identified in the Municipal Code	4 to 9 months
Discretionary (Planning Commission)	Discretionary	Planning Commission	Includes certain minor use permits, conditional use permits, variances, and certain design review permits	6 to 9 months
Discretionary (City Council)	Discretionary	Planning Commission Recommendation and City Council approval	Includes tentative maps, condominium conversion maps, easement vacations, public right-of-way vacations, rezoning, land use plan and specific plan amendments, and planned development permits. Planned development permits are not required for residential development but are an option for large residential developments to allow greater flexibility than standard zoning.	9 to 18 months

Source: City of Newark, 2022

Senate Bill 35

Senate Bill (SB) 35, passed in 2017, requires jurisdictions that have not approved enough housing units to meet their RHNA to provide a streamlined, ministerial entitlement process for housing developments that incorporate affordable housing. In order for applicants to take advantage of SB 35, per Government Code Section 65913.4 (10)(b)(1)(a)(et seq.) they need to submit a Notice of Intent and jurisdictions need to give Native American tribes an opportunity for consultation.

The City processes SB 35 applications consistent with Senate Bill 35. The City will also establish a written policy or procedure and other guidance as appropriate to specify the Senate Bill (SB) 35 streamlining approval process and standards for eligible projects, as set forth under California Government Code Section 65913.4. The City has included Program H3.1 to prepare and publish administrative procedures for the processing of housing developments eligible for streamlined review pursuant to SB 35.

Senate Bill 330

Senate Bill 330 (SB 330), Housing Crisis Act of 2019, prohibits cities and counties from enacting a development policy, standard, or condition that would impose or enforce design standards that are not objective design standards on or after January 1, 2020 [Government Code Section 663300 (b)(C)]. The bill also established specific requirements and limitations on development application procedures.

The City of Newark permitting process is consistent with Senate Bill 330, the Housing Crisis Act of 2019. Consistent with SB 330, housing developments for which a preliminary application is submitted that complies with applicable General Plan and zoning standards are subject only to the development standards and fees that were applicable at the time of submittal. This applies to all projects unless the project square footage or unit count changes by more than 20 percent after the preliminary application is submitted.

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

Permit Fees and Exactions

Housing construction imposes short- and long-term costs on communities. Short-term costs include the cost of providing planning services and inspections. New residential developments can also result in significant long-term costs relating to the maintenance and improvement of infrastructure, facilities, parks, and streets. To offset these community costs, jurisdictions collect various fees from developers.

This model is comparable to surrounding jurisdictions, such as Fremont, Union City, Hayward. Fees depend on the complexity of the project. Example of fees. Table 4-7 shows planning fees commonly required for development based on level of review. Newark's planning fees are comparable to surrounding jurisdictions and do not present a constraint to the construction of housing.

Table 4-7: Permit Fees, Newark, Fiscal Year 2022-2023

Planning Fee Schedule	
Application Type	**Fee/ Cost**
Preliminary Review	
Preliminary Review	$800 per review, first and second reviews; $900 for subsequent reviews
Preliminary Review for new single-family unit or second story addition to single-family unit, and administrative use permits	No fee.
Site Development Review	
Administrative Site Development Review a. Small Residential Projects (e.g. single detached accessory structure or balcony)	$100
Large Residential Projects (e.g. second-story additions, multiple accessory structures)	$1,500
Commercial/Industrial Projects	$1,500
Use Permit	
Minor Use Permit	$100
Conditional Use Permit, Residential	$2,600
Subdivision	
Tentative Parcel Map	$2,000 + $60 per lot
Tentative Tract Map (including condominiums)	$3,500 + $75 per lot
Variance	
Variance, Residential	$1,400
Amendments	
Zoning Text Amendment	$4,300
Zoning Map Amendment	$4,300
General Plan Amendment	$,300
Specific Plan Amendment	$4,300
Extensions	

Planning Fee Schedule	
Application Type	**Fee/ Cost**
Discretionary Permits/Variances	$800
Environmental Review	
CEQA Exemption	$400
Negative Declaration, (ND)	$1,800
Negative Declaration, Mitigated (MND)	$1,800
Environmental Impact Report (EIR)	Deposit
Other	
Planned Unit Development	$3,200

Source: City of Newark, 2023

Development Impact Fees

The City also collects impact fees to cover the costs of providing the necessary services and infrastructure related to new development projects. Since the passage of Proposition 13 in 1978, local governments in California have come to rely increasingly on impact and connection fees to finance infrastructure. Newark charges several fees on residential development at the building permit stage, as shown in Table 4-7. The estimated City development impact fees for a single family four-bedroom, two-bathroom house of 2,600 square feet are approximately $77,629. There are significant cost savings for multifamily residential development, as development impact fees are estimated at $36,724 per unit of a hypothetical 10-unit multi-family development (averaging 850 square feet per unit), and $35,052 per unit of a 100-unit multi-family development (averaging 750 square feet per unit).

Table 4-8: Residential Development Impact Fees, Newark, Fiscal Year 2022-2023

Fee	Cost	Estimated Fees		
		Single Family Unit	Small Multi-Family (per unit)	Large Multi-Family (per unit)
Citywide Development Fees (Community Development Department)				
Parks		$28,185	$20,293	$20,293
Public Safety		$3,891	$2,335	$2,335
Community Service/Facilities		$2,606	$1,303	$1,303
Transportation		$5,607	$3,476	$3,476

Fee	Cost	Estimated Fees		
		Single Family Unit	Small Multi-Family (per unit)	Large Multi-Family (per unit)
Housing		$37,070	$9,047	$7,375
Art in Public Spaces		$270	$270	$270

Source: City of Newark, 2022

Total Estimated Fees

Newark recently prepared estimates of total fees of example projects to assess total estimated fees (Planning, Building, and Impact fees). The example projects include development of one single-family residence, a small multi-family project of 10-units on one building and a 100-unit project on two acres of land. The result of the estimates are:

- Single Family: $124,246
- Multi-family large: $4,344,915 for a 100-unit project on two acres, or $43,449 per unit
- Multi-family small: $604,453 for a 10-unit project in one building, or $60,445.35 per unit

The estimate indicates that it is significantly less expensive in terms of city fees for multifamily development as compared to single-family development.

When the City implements Program H2.1, H2.8, H2.10 and H4.10, the City will ensure that fees for Missing Middle and SRO housing types will be set at levels in line with current permit and impact fees for multifamily.

City fees associated with development and described above are easily accessible on the city's website: www.newark.org.

Available Infrastructure

With all sites identified for planned housing development already served by utilities, and requirements in place for infrastructure improvements for all new development, infrastructure does not pose a constraint on development of those sites within the eight-year planning period.

On- and Off-Site Improvements

The City requires certain public improvements for residential subdivisions. In 1977 the City adopted these standards to ensure that minimum levels of design and construction quality are maintained and adequate levels of street and facility improvements are provided.

Title 16.16 of the Municipal Code describes the public improvements that must be agreed to prior to acceptance and approval of the final subdivision map, as follows:

- Grading and surfacing of all streets, public ways and bicycle paths within the subdivision

that lie between the boundary of the subdivision and the centerline of proposed or existing streets, public ways, and bicycle paths fronting, backing or siding to the subdivision;
- Providing such domestic water supply and fire hydrants as may be necessary for fire protection and protection of the public health;
- Providing such storm drain and flood control works as necessary for the public convenience and safety;
- Providing a sanitary sewer system and connection to an existing sewage disposal system;
- Constructing curb, gutter, sidewalk, tie-in paving, and replacement of inadequate existing pavement on streets where the subdivision adjoins existing streets;
- Constructing other structures necessary to the use of streets, highways, bicycle paths, public ways and the drainage thereof;
- Providing for street name signs and their installation;
- Providing for the cost of street trees and their planting and one-year maintenance on streets, bicycle paths and public ways;
- Providing underground utilities as follows:
    - All existing overhead utility distribution facilities (including but not limited to electric, communication, and cable television lines) within the subdivision that lie between the boundary of the subdivision and the centerline of proposed or existing streets fronting, backing or siding the subdivision shall be undergrounded,
    - All on-site and off-site utility distribution facilities (including but not limited to electric, communication, and cable television lines) to be installed shall be placed underground, except as follows: Equipment appurtenant to underground facilities such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts; Metal poles supporting street lights.
    - The city council may grant variances for the provision of underground utilities in certain circumstances.
- Providing street light facilities on all streets, paths, and other pedestrian or vehicular ways proposed for development. The subdivider shall make all necessary arrangements with the utility company and pay all costs for providing underground service;
- Construction of the improvement across any storm drain channel, Hetch-Hetchy right-of-way or other public facility adjacent to the subdivision.

The City's on- and off-site development standards have been in place since 1977, and do not represent a constraint to the development of housing. In addition to public improvement standards, the Municipal Code has specific standards for residential streets and parking as described below.

Residential Streets

The City of Newark Subdivision Ordinance Chapter 12.04 requires standard improvements for streets. These requirements were originally adopted in 1963. Depending on the type of project, it enforces standard improvements including street paving, curbs, gutters, and sidewalks. All required improvements must be constructed and installed in accordance with City specifications and design. As a primarily built-out community, most new development in the city does not require

building out new streets. These requirements are similar to other jurisdictions and do not represent a constraint to the development of housing.

The City has not received feedback to date that offsite requirements in Newark, whether imposed by the City or other agencies/utilities, are extraordinary or onerous. As an example, the off-site improvements for Site 7 (Timber Senior Housing) include approximately $2 million for paving, concrete work, signage, landscaping, irrigation, furnishings,and planters. Off-site dry and wet utility costs are approximately $1 million. These costs represent approximately 4% of the total project cost of almost $70 million (not including land acquisition).

Water and Wastewater

Housing Element housing opportunity sites listed in this Housing Element (see Appendix C) are already served by utilities, with existing infrastructure in place. The Alameda County Water District (ACWD) and the Union Sanitary District (USD) are the sole providers of potable and reclaimed water, and wastewater conveyance and treatment, in Newark. ACWD and USD has current and planned capacity to accommodate the RHNA for water and wastewater. ACWD and USD have provided water assessments for a number of the sites and has determined that adequate water supplies exist to accommodate Newark's current and projected water needs, including the RHNA. Solid waste, recycling, and organics collection are managed through a franchise agreement with Republic Services.

To minimize infiltration of ground water into the sewer system and provide modern, efficient utilities and services, new development proposals in Newark typically replace or upgrade the on-site sewer, storm drain, and water lines following the guidance and requirements of ACWD and USD. Each project is evaluated on a case-by-case basis to determine the extent of replacements and upgrades. Therefore it is difficult to assess a water and wastewater replacement/upgrade cost factor across the city. However, as mentioned earlier, housing element sites are located in areas already served by water and wastewater utilities, so the installation of new service lines is typically not a cost factor.

Priority for Water and Sewer

Per Chapter 727, Statues of 2004 (SB 1087), upon completion of an amended or adopted Housing Element, a local government is responsible for immediately distributing a copy of the element to area water and sewer providers. In addition, water and sewer providers must grant priority for service allocations to proposed developments that include housing units affordable to lower-income households. Chapter 727 was enacted to improve the effectiveness of the law in facilitating housing development for lower-income families and workers.

To comply with SB 1087, upon adoption, the City of Newark will immediately forward its adopted Housing Element to ACWD and USD its water and wastewater providers to grant priority for service allocations to proposed developments that include units affordable to lower- income households.

Available Dry Utilities

Dry utilities, including electricity and telephone service, are available to all areas within the City.

Pacific Gas & Electric (PG&E) serves Newark for electrical service. Newark customers may also consider East Bay Community Energy (EBCE) for electrical service. In 2018, the County of Alameda and 11 of its cities launched EBCE as a not-for-profit public agency that governs this Community Choice Energy service. The Joint Power Agency expanded in 2021. The cities currently served are: Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, Tracy, and Union City. EBCE offers a competitive, reliable energy service provider alternative to the Newark community. Similar to the discussion above, new development proposals in Newark are generally required to typically replace or upgrade the electrical service following the guidance and requirements of PG&E. Each project is evaluated on a case-by-case basis to determine the extent of replacements and upgrades. Therefore it is difficult to assess dry utilities cost factor across the city. However, as mentioned earlier, housing element sites are located in areas already served by dry utilities, so the installation of new service lines is typically not a cost factor.

Opportunities for Energy Conservation

The City of Newark has adopted a wide range of policies and programs to facilitate energy efficiency in residential development. Taken as a whole, the City's policies and programs form a comprehensive approach to energy efficiency in residential development.

Parking

Because off-street parking often requires large amounts of land, parking requirements are one of the development standards that can most negatively impact housing development. The cost of land associated with parking, in addition to the costs of construction, paving, and maintenance, drive up the overall cost of development, requiring more funds to assist in the development of affordable housing. Parking standards in some jurisdictions have been arbitrarily established and do not necessarily represent the needs of the people living in the developments. This is especially true for senior and affordable housing developments where occupants are less likely to require more than one parking space.

The city of Newark overall has higher parking requirements than neighboring jurisdictions, Union City and Fremont. For multifamily housing, Newark has higher requirements for studio and one bedroom units than Fremont, as well as higher requirements for covered parking. Although Newark and Fremont have the same guest requirements of 0 .5 spaces per unit, Fremont does not have the same requirements for covered parking. One space per unit must be in a garage in Newark in comparison to Fremont, a requirement that can significantly increase the cost of development. Union City has the lowest guest parking requirement of 0 .25 spaces for multi family housing.

Although it has been found that seniors do not have the same rates of driving, Newark has the highest parking requirements of all three cities for senior housing, at one space per unit.

Union City does not list a parking requirement for ADU's, but Newark has a higher parking requirement than Fremont, which has no parking requirements at all for ADU and JADU units.

Because Newark has higher parking requirements for multi-family, senior housing and accessory dwelling units, there is opportunity for significant changes in parking requirements such as removing parking minimums and aligning requirements to be more in line with neighboring jurisdictions, responsive to construction costs and the lack of substantial off street parking for seniors. Although the City complies with State density bonus parking standards upon request, the City's parking requirements can be a hindrance on the production of housing. In response, the city will conduct a parking study **Program H3.5**, to develop new parking standards to align with neighboring jurisdictions.

Table 4-9: Off-Street Parking Requirements, Newark, 2021

Residential Use	Required Units	Covered Parking Requirement
Single-Unit Dwelling, Attached or Detached	2 per unit	Must be within a garage
Two-Unit Dwelling	1.5 per studio or one-bedroom unit. 2 per unit with two or more bedrooms. 1 Guest space per unit	One space per unit must be within a garage
Multi-Unit Building	1.5 per studio or one-bedroom unit. 2 per unit with two or more bedrooms. Guest parking: .5 space per unit. Projects located outside a radius of 100 feet of RS and RL districts, or separated by an arterial street from single family homes, or with driveway aprons, or located within a Specific Plan shall require 1 space plus .25 per unit Old Town Specific Plan Area: Minimum of 1.25 per unit; maximum of 2 per unit. No additional guest parking required.	Ten or fewer dwelling units: One space per unit must be within a garage More than ten dwelling units: One space per unit must be covered Guest parking shall be clearly marked as reserved for guests and available with unrestricted access
Accessory Dwelling Unit	No off street parking required for studio units, 1 off street parking space required per unit regardless of number of bedrooms. Off street parking requirement is waived if within a half mile of a transit stop, and other instances. To see the entire list see municipal code section 17.26.040.C.8.	
Supportive Housing	None beyond what is required for the Residential Housing Type	
Transitional Housing	None beyond what is required for the Residential Housing Type	

Residential Use	Required Units	Covered Parking Requirement
Senior Housing	1 per unit, plus .25 per unit for guest parking	
Residential Care Facility (7 or more persons)	1 for every 3 beds	
Residential Care Facilities (Less than 7 persons)	None beyond what is required for the Residential Housing Type	
Family Day Care (Small)	None beyond what is required for the Residential Housing Type	
Family Day Care (Large)	1 for each nonresident employee plus an area for loading and unloading children plus parking required for the residential use	
Group Residential	1 for each employee plus 1 for each guest room or every two beds, whichever is greater Old Town Specific Plan Area: 0.25 per bedroom	
Single Room Occupancy Units	0.5 per unit	
Emergency Shelter	1 per family room, 0.35 per individual bed, plus 1 for each employee	

Source: City of Newark, 2022

State density bonus law (Government Code Section 65915) imposes statewide parking standards that a jurisdiction must grant upon request from a developer of an affordable housing project that qualifies for a density bonus. The parking standards are summarized in Table 4-9. When local parking requirements are higher, the statewide parking standards supersede the local requirements. The developer may request these parking standards even if they do not request the density bonus. These numbers are the total number of parking spaces including guest parking and accessible parking.

Open Space Requirements

The City has a policy in the General Plan that sets parkland standards. For multifamily housing, the open space requirement ranges from 100 square feet per unit for RM in the Old Town District, to 200 square feet per unit in RH, 300 square feet per unit in RM, and 400 square feet per unit in RL. Open space requirements in the mixed-use and commercial districts where housing is allowed (CMU and RC) are at 50 square feet per unit. Overall, these standards are the same or lower than the requirements of Newark's closest neighbors. These standards are typical of many jurisdictions in the Bay Area and would not significantly reduce the affordability of multifamily housing units. Further, the City has not received developer feedback that its open space requirements are excessive or a barrier to feasibility.

Density Bonus Regulations

State law (California Government Code, section 65915-65918) requires cities and counties to approve density bonuses for housing developments that contain specified percentages of affordable housing units or units restricted to occupancy by seniors. A density bonus is the allocation of development rights that allows a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned. Projects that qualify for a density bonus are also eligible for reduced parking standards and additional concessions, or incentives. Upon the developer's request the City must also allow the parking standards shown above in Table 4-6. The legislature has made frequent changes to State density bonus law over the years, including AB 1763, which significantly increased density bonus provisions for 100 percent affordable projects.

Building Codes and Enforcement

Building codes and their enforcement influence the style, quality, size, and costs of residential development. Such codes can increase the cost of housing and impact the feasibility of rehabilitating older properties that must be upgraded to current code standards. In this manner building codes and their enforcement can act as a constraint on the supply of housing and its affordability.

Building and housing codes establish minimum standards and specifications for structural soundness, safety, and occupancy. State housing law requires cities and counties to adopt minimum housing standards based on model industry codes. In addition to meeting the requirements of State housing law, local governments enforce other State requirements for fire safety, noise insulation, soils reports, earthquake protection, energy conservation, and access for people with physical disabilities. The enforcement of building and housing codes for all homes is per the minimum standards and requirements set forth in the codes listed in the City's building code. Standards for rehabilitation are no more rigorous than those contained in the California Health and Safety Codes and Uniform Building Codes.

On October 13, 2022, the City Council approved Ordinance No. 539, repealing and replacing certain chapters of Title 15 (Buildings and Construction) to adopt by reference, with modifications to address local conditions, the 2022 editions of the California Building Standards Code (CBSC) and related codes. Ordinance No. 539 includes local amendments to the California Administrative Code, California Building Code, California Plumbing Code, California Electrical Code, California Residential Code, California Mechanical Code, and California Fire Code. The adopted Title 15 including local amendments is provided on the city's website, www.newark.org. The local amendments adopted with Ordinance No. 539 do not increase requirements above standards. Generally, the local amendments provide clarifications and consistency with other sections of the Newark Municipal Code. The city does not have a REACH code. In addition, local amendments were made to provide consistency with fire protection, alarms, and detection system requirements of the Alameda County Fire Department, the agency that provides contract fire

protection services in Newark.

Building codes and their enforcement can increase the cost of housing and impact the feasibility of rehabilitating older properties that must be upgraded to existing code standards. In this way building codes and their enforcement can act as a constraint on the amount of housing and its affordability. However, the codes enforced by Newark are similar to other cities in the region and are necessary to promote the minimum standards of safety and accessibility to housing. Therefore, the codes are not considered to be an undue constraint on housing investment or development.

In some cases, energy conservation requirements may increase construction costs and, therefore, the initial sales prices and cost of rent. However, these increased costs are often offset by the long-term reductions in the utility's component of housing operation costs. Accessibility modifications may also increase initial sales prices and rents but will help address the housing needs of the elderly and people with disabilities.

Code Enforcement

The Building Division is responsible for enforcing both state and City regulations governing maintenance of all buildings and property. The Community Development Department is responsible for code enforcement activities through the Community Preservation Division. The purpose of code enforcement of housing in need of rehabilitation is to ensure the safety of the City's residents; without basic living standards being met, life and safety are threatened. The city does have a code enforcement division to address health and safety concerns in the community. Currently, the City operates on a complaint-based system to respond to code enforcement needs. The Community Preservation Division will respond to complaints and investigate violations to ensure compliance with the City's Municipal Code. In 2021, the city expanded the number of full-time employees by hiring a code enforcement manager to oversee existing efforts and create proactive code enforcement services, which would include the rental inspection and landlord registration program identified in Program H1.2.

State of California, Article 34

Article 34 of the State Constitution requires local jurisdictions to obtain voter approval for specified "low rent" housing projects that involve certain types of public agency participation. Generally, a project is subject to Article 34 if more than 49 percent of its units will be rented to low-income persons. If a project is subject to Article 34, it will require an approval from the local electorate. This can constrain the production of affordable housing, since the process to seek ballot approval for affordable housing projects can be costly and time consuming, with no guarantee of success.

Local jurisdictions typically place a measure or referendum on the local ballot that seeks authority to develop a certain number of low-income units during a given period of time. If the electorate approves general parameters for certain types of affordable housing development, the local

jurisdiction will be able to move more quickly in response to housing opportunities that fall within those parameters.

B. Non-Governmental Constraints

The availability and cost of housing is strongly influenced by market forces over which local governments have little or no control. Nonetheless, State law requires that housing elements contain a general assessment of these constraints, which can serve as the basis for actions to offset their effects. This section describes primary non-governmental constraints to the development of new housing in Newark.

Availability of Financing

The availability of financing is a critical factor that can influence the cost and supply of housing. There are generally two types of financing used in the housing market: (1) capital used for initial site preparation and construction; and (2) capital used to finance the purchase of units by homeowners and investors. Financing is largely impacted by interest rates. Small fluctuations in interest rates can dramatically influence the ability to qualify for a loan. Mortgage interest rates have a large influence over the affordability of housing. Higher interest rates increase a homebuyer's monthly payment and decrease the range of housing that a household can afford. Lower interest rates result in a lower cost and lower monthly payments for the homebuyer.

Because interest rates are determined by national policies and economic conditions, there is little that local governments can do to affect these rates. Jurisdictions can, however, offer interest rate write-downs to extend home purchase opportunities to lower-income households. In addition, government-insured loan programs may be available to reduce mortgage down-payment requirements.

The cost of borrowing money to finance the construction of housing or to purchase a house affects the amount of affordably priced housing in Newark. Lower initial rates are available with graduated payment mortgages, adjustable rate mortgages, and buy-down mortgages. Variable interest rate mortgages on affordable homes may increase to the point where the interest rate exceeds the cost of living adjustments, which is a constraint on affordability. Although rates are currently low, they can change significantly and substantially impact the affordability of housing stock. Fluctuating interest rates can eliminate many potential homebuyers from the housing market or render a housing project infeasible that could have been successfully developed or marketed at lower interest rates. Housing prices in Newark are unaffordable for lower-, moderate-, and even some above moderate- income households, even with the lower interest rates. The primary constraint on homeownership in Newark is not the availability of financing, but the cost of housing, of which is unaffordable to many households.

Financing for both construction and long-term mortgages is generally available in Alameda County subject to normal underwriting standards, though rates have increased markedly throughout 2022. A more critical impediment to homeownership involves both the affordability of the housing stock and the ability of potential buyers to fulfill down payment requirements. Conventional home loans typically require 5 to 20 percent of the sales price as a down payment, which is the largest

constraint to first-time homebuyers. This indicates a need for flexible loan programs and a method to bridge the gap between the down payment and a potential homeowner's available funds. The availability of financing for developers under current economic conditions may also pose a constraint on development outside of the City's control.

According to the Alameda Board of Realtors, there is no evidence of "redlining" of any Alameda neighborhood by the financial community. The City provides Community Development Block Grant (CDBG) funding for counseling for individual clients regarding fair housing rights and responsibilities and to disseminate education and information materials. Households receive intensive counseling, and legal and/or agency referral for cases involving discrimination against families, racial or religious minorities, and individuals with disabilities.

Land Costs

As with most built out Bay Area communities, the high cost of land is a constraint to the production of affordable housing in Newark. There are very few vacant parcels zoned for residential development left in the city and it is rare for vacant residential land to be listed for sale.

Based on a review of land for sale in Fremont, Union City, and Hayward, land prices for land zoned to accommodate multifamily projects range from $5M to $15M per acre depending on locational amenities, density, and other factors. In addition to market sales prices, there can be other costs associated with the acquisition of land including the cost of holding the property throughout the development process. Developers in Newark also face added expenses associated with the demolition and removal of existing structures or remediation of contaminated soil.

Construction Costs

In addition to the high cost of land, construction costs can also act as a constraint to the production of new housing, particularly in the Bay Area. The cost of construction depends primarily on the cost of materials and labor, which are influenced by market demand. The cost of construction will also depend on the type of unit being built and on the quality of product being produced. The cost of labor is based on a number of factors, including housing demand, the number of contractors in the area, and the unionization of workers. The construction cost of housing affects the affordability of new housing and may be considered a constraint to affordable housing in Alameda County and throughout the Bay Area.

Both material and labor costs have increased substantially in recent years. Supply chain issues during the Covid-19 pandemic are partly responsible for recent material cost increases, and a shortage in the construction labor market is adding significantly to the cost of producing housing.

According to a 2020 report by the Terner Center, hard construction costs for multifamily projects in California rose by 25 percent over the course of a decade, from an average of $177 per square foot in 2008-2009 to $222 per square foot in 2018. Cost increases were even greater in the Bay Area, increasing by 119 percent and reaching more than $380 per square foot in 2018.

Construction costs vary widely according to the type of development. According to the Terner Center report, Type I projects, which are typically over 5-7 stories and constructed with steel and concrete, cost an average of $65 more per square foot than other types of construction, like Type V (i.e., wood frame floors over a concrete platform). Type I projects are more likely to be found in infill locations where zoning allows higher density construction.

Affordable housing projects also cost more on average than market-rate and mixed-affordability projects. The 2020 Terner Center report found that affordable projects cost $48 more per square foot on average compared to market-rate and mixed affordability projects. Some of the added costs for affordable housing are because many affordable housing developers are required to pay "prevailing wages."

A reduction in construction costs can be brought about in several ways. A reduction in amenities and quality of building materials in new homes (still above the minimum acceptability for health, safety, and adequate performance) may result in lower sales prices. State housing law provides that local building departments can authorize the use of materials and construction methods if the proposed design is found to be satisfactory and the materials or methods are at least equivalent to that prescribed by the applicable building codes.

In addition, prefabricated, factory-built housing may provide lower-priced products by reducing labor and material costs. As the number of units built at one time increases, savings in construction costs over the entire development are generally realized as a result of an economy of scale, particularly when combined with density bonus provisions.

C. Environmental Constraints

Environmental issues affect the amount, location, and timing of new residential development in Newark. Sites in Newark are susceptible to a variety of environmental constraints including sea level rise and flooding, seismic hazards, sensitive ecological areas, and hazardous materials.

Geologic Hazards

Geologic Hazards are associated with earthquakes that can bring about risks such as ground shaking, landslides and tsunamis. Newark sits two miles west of the Hayward fault, and due to this proximity, ground shaking levels would be higher in the southern and western portions of the city. Ground shaking is measured on a scale ranging from I to X (the Modified Mercalli Scale) with shaking levels ranging from imperceptible to very violent. Most of the developed portions of Newark would experience "very strong" ground shaking (level VIII) in a 6.7 Hayward Fault earthquake, but some parts of the city would experience "violent" ground shaking (level IX).

The city has a sandy loam soil type that is prone to liquefaction. The city of Newark could experience seismic shaking levels with the potential to cause liquefaction in areas where groundwater is generally shallower than 30 feet. Based on data provided by the California

Geological Survey, the entire city is considered a liquefaction hazard zone.

Flooding and Sea Level Rise Due to Climate Change

Flooding can have devastating effects on property and residents and impact water quality in Newark housing element housing opportunity sites in Newark may be affected by flooding and sea-level rise. Newark falls within both 100 and 500 year flood zones as well as being affected by sea level rise. The 100 year flood zone covers areas 3 and 4 as well as a number of sites in the Bayside Newark specific plan area. The 500 year flood plain is found further into established residential areas of the city.

The area with the most vulnerability to sea level rise will be in the southern portion of the city, adjacent to the San Francisco Bay. Sea level rise not only affects housing, but other infrastructure such as roads, water and sewer infrastructure.

The City's Municipal Code sets standards to minimize flood hazard risks, including anchoring and flood-proofing and a requirement that the lowest floor, including basements, is at or above the 100-year flood elevation. Development within the 100-year flood zone is limited, with requirements for building at least 1 foot above the flood elevation. The City requires non-residential development to be elevated at least 8 feet above mean high tide and 11.25 feet for residential development

Hazardous Materials

Hazardous materials regulations, which are codified in Titles 8, 22, and 26 of the California Code of Regulations (CCR), and their enabling legislation set forth in Chapter 6.95 of the California Health and Safety Code, were established at the state level to ensure compliance with federal regulations to reduce the risk to human health and the environment from the routine use of hazardous substances. These regulations must be implemented, as appropriate, and are monitored by the state (e.g., Cal OSHA in the workplace or the DTSC for hazardous waste) and/or local jurisdictions.

As with many infill urban locations, many of the housing element housing opportunity sites in Newark are on former industrial or commercial properties. These properties typically have environmental issues related to the prior use. The city of Newark has a high number of existing sites with hazardous materials, a legacy of their industrial land use.

Despite their historical use, all of the housing element sites are either already remediated of their hazardous materials and ready for residential use or are in the process of being remediated of hazardous materials to allow for residential use pursuant to approved plans by the appropriate regulatory agency.

Sensitive Ecological Areas

The southwest portion of Newark contains a number of riparian areas, transitional areas between the water and land that support periodic flooding and habitat. They are typically vegetated with lush growths of grasses, shrubs, and trees that are tolerant of periodic flooding and have sediments that are rich in nutrients and organic matter. Riparian areas are found in Site 2, Sanctuary West, also referred to as specific planning area 3 and 4.

SECTION 5 HOUSING RESOURCES

Key resources in Newark to address housing needs include housing sites (see Appendix C below), financial resources, administrative resources and non-profit resources. In addition to a robust inventory of sites available for housing development during the Housing Element planning period, the City is also implementing an ambitious affordable housing work plan[13] which includes the provision of regular financial assistance to nonprofit sponsors of affordable housing through a regular "Notice of Funding Availability" (NOFA) process. Leveraging the City's affordable housing impact fee fund, the City will continue to deploy substantial financial resources to support affordable housing production during the planning period. In addition, the City will implement policies to streamline affordable housing approvals and continue to partner with developers of affordable housing as detailed in the following section, Housing Plan.

A. Available Sites For Housing

The most important resource for meeting Newark's future housing needs is a sufficient supply of land zoned for housing and with supportive infrastructure and pro-housing policies and programs. As shown in Appendix C, the City has developed a robust inventory of sites to accommodate its 6th cycle RHNA of 1,874. Combining planned and proposed projects that are already in the development pipeline with vacant and non-vacant sites that are zoned for housing and already permit housing to be developed without additional changes to the Zoning code, the sites in Appendix C have the potential to accommodate 2,854 units, representing over 150 percent of the City's RHNA. This includes sites to accommodate all of the City's lower-income housing needs for the 6yh cycle in addition to a significant buffer.

Sites included in the City's 6th cycle inventory are described in detail in Appendix C and displayed below in Figure 5-1.

The sites selected for this Housing Element have also been selected to achieve the following major policy objectives:

Access to Opportunity: The sites work to expand access to opportunity by siting 46 percent of affordable units in areas identified as high opportunity by the Tax Credit Allocation Committee.

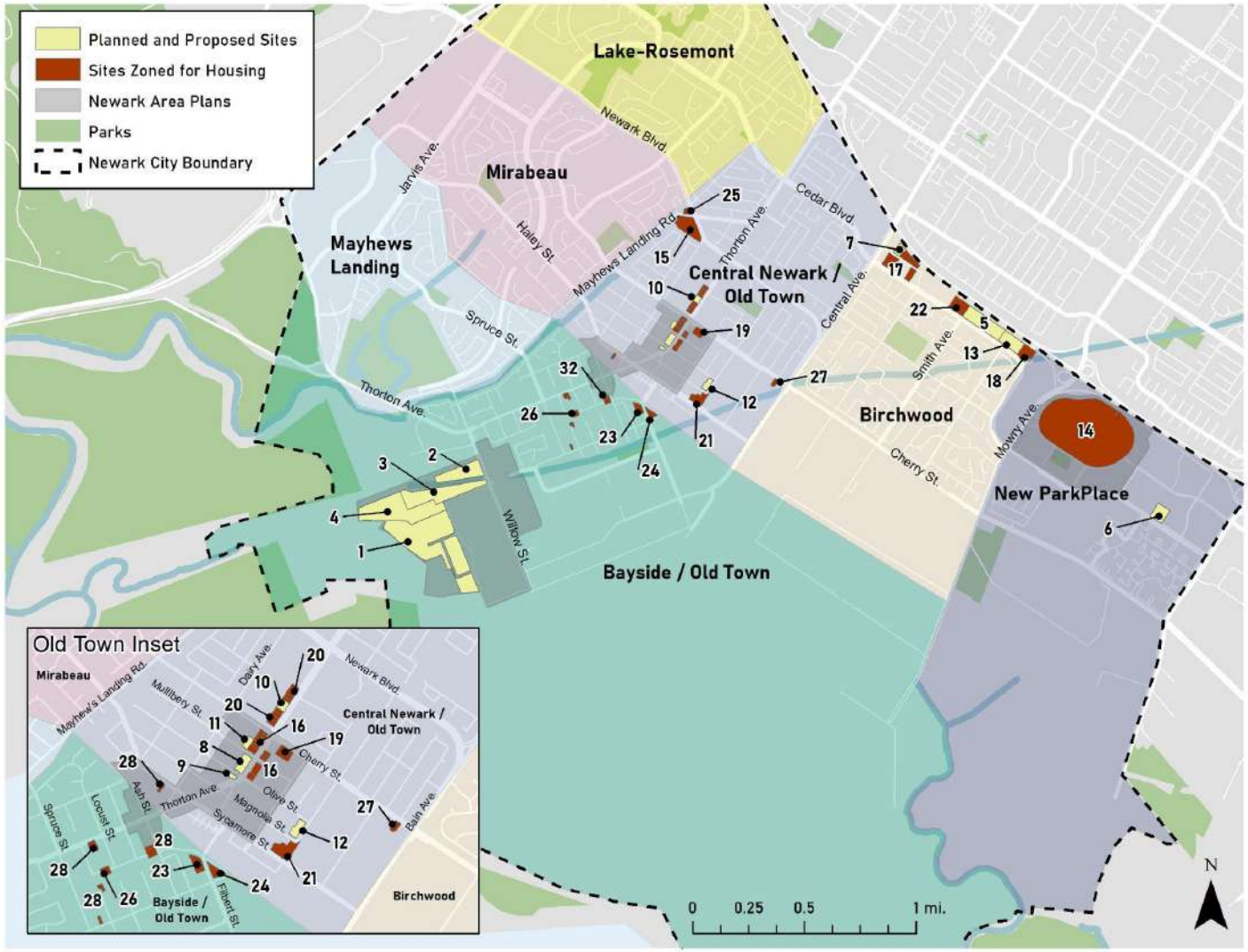
Connecting Housing and Transit: Priority Development areas plan to connect new housing with regional and local transportation options in existing and new walkable communities; 29 percent of new housing sites are located within two Priority Development Areas in Newark which are the Dunbarton TOD (now known as Bayside Newark) and the Old Town Mixed Use Area.

Neighborhood Revitalization: Through the implementation of the NewPark Place Specific Plan, the former Newpark Mall will transform into a mixed-use neighborhood, with 1,519 new housing

[13] Newark Affordable Housing Work Plan

units, including new homes for low and moderate incomes. Pedestrian and bicycle infrastructure improvements will also be developed through a multiphased redevelopment. Similar revitalization efforts are reflected in the sites identified in Newark's other key specific plan areas in the Old Town area and Bayside Newark.

Figure 5-1: Housing Sites for the RHNA 6th Cycle



Source: City of Newark; Planning Collaborative, 2023.

B. City Financial Resources

Along with housing, financial resources are critical for meeting Newark's future housing needs. These include funding and financing programs to provide gap funding for affordable multifamily housing programs, loan and grant programs for first time homebuyers, and home rehabilitation grant and loan programs. The major sources of funding for affordable housing at the Federal and State levels are constrained and highly competitive, and in this context local funding sources for affordable housing are increasingly critical.

Key resources at Newark's disposal include HUD HOME and CDBG funds, allocated to ongoing housing programs through a process overseen by the City's Community Development Advisory Committee (CDAC). As noted elsewhere in this Housing Element, the most important source of funding support for new affordable housing production in Newark is the City's Affordable Housing Impact Fee fund, which has collected upwards of $35M in recent years. $19M of this fund has been allocated by the City to support three affordable housing developments which are included in the City's development pipeline: 1) $2.8M for the entitled but not yet built Timber Street Senior Apartments sponsored by Eden Housing; $4.5M for the Cedar Community Apartments; and 2) $12M awarded to Satellite Affordable Housing Associates to support the development of a new 56-unit development on three underutilized sites that will be assembled. The City retains a balance in June of 2023 of 23,450,000 million in the Affordable Housing Impact Fee fund. The City anticipates issuing regular funding NOFAs to continue to partner with nonprofit sponsors of affordable housing.

The ability of the City to effectively deploy these local financial resources is also critical to the community's ability to leverage other sources of funding from Federal, State, regional and private sources. An important recent example of this is the award last year of $38.2M in State of California Project Homekey funding for the Cedar Community Apartments; this was one of the largest allocations of funding received by any jurisdiction in California for the recent funding round.

C. Other City and Partner Agency Resources

Housing Programs in Newark are administered by the City's Community Development Department. The Department works actively to partner with residents, housing providers and other public agencies to facilitate housing production, preservation and rehabilitation in Newark. Additional key resources provided by partner agencies include:

- **Alameda County 2-1-1.** 2-1-1 is a free, non-emergency, confidential service that provides easy access to housing information and critical health and human services.
- **Alameda County Housing Authority.** The Housing Authority administers programs throughout the County including portable

- Section 8 vouchers for eligible Newark Households. The authority also provides information on housing resources, housing assistance, rental assistance, affordable land and housing, and public housing.
- **Alameda County Housing Portal.** This portal, which is under development, will provide a central location for affordable housing rentals and information, county-wide. Support for multiple languages is available. www.housing.acgov.org
- **COVID-19 Renter Assistance.** AC-Housing Secure is a program that offers assistance with unpaid back rent. Renters and landlords are encouraged to apply. There is a high demand for assistance, but additional program funds have been requested. Applicants will not be asked about their citizenship. Proof of citizenship is not required. Support for multiple languages is available. www.ac-housingsecure.org
- **ECHO Housing.** ECHO Housing provides fair housing services and tenant/landlord counseling and mediation to Newark residents. Renters who believe they have been discriminated against or who need assistance for a dispute with their landlord can contact ECHO at (510) 581-9380. www.echofairhousing.org
- **Fremont Family Resource Center.** The Fremont FRC is a welcoming place where families and individuals are nurtured, encouraged, and provided quality services to build on their own strengths to help themselves and others. Fremont FRC serves the entire Newark community, as well as Union City and Fremont.
- **AC Boost Down Payment Program.** AC Boost provides financial assistance to middle-income working households to purchase a home in Alameda County. The program offers shared appreciation loans to first-time homebuyers who live in, work in, or have been displaced from Alameda County. AC Boost is funded by Alameda County Measure A1 and administered by nonprofit organization Hello Housing. www.acboost.org
- **Alameda County Healthy Homes.** Alameda County has programs and funding opportunities to promote healthy and safe homes. Grants are available for minor home repairs, including the removal of lead hazards. These programs are available to qualified Newark households. www.achhd.org
- **Renew Alameda County.** Renew Alameda County helps homeowners make renovations necessary to stay, grow, and thrive in their homes. Renew AC is administered by Alameda County with funding provided by the Measure A1 Housing Bond. The program is operated by Habitat for Humanity East Bay/Silicon Valley. www.renewac.org
- **Urban County Emergency Mortgage Assistance Program.** The Alameda County Urban County Emergency Mortgage Assistance Program ("EMAP") is intended to provide financial relief for lower income homeowners living in the Alameda County communities (including Newark) who have experienced a loss of income resulting from the COVID-19 pandemic. www.heraca.org/emap

SECTION 6 HOUSING PLAN

A. Evaluation of Accomplishments Under Adopted Housing Element

The City of Newark has developed and implemented various programs and policies to address its housing needs during the previous housing element's planning period (2015 to 2023). The following table provides a detailed program-by-program review of progress and performance. This information will help ensure that the updated element for 2023 to 2031 builds on success, responds to lessons learned, and positions us to better achieve our community's housing needs and priorities.

During the 5th Cycle, the City put in place new policies to help fund and create new affordable housing into the future such as creating a comprehensive affordable housing work plan that will invest 80% of its Housing Impact Fee funds; financing affordable housing production that supports those at risk of or experiencing homelessness; and applying for state, county, regional, and federal funds to construct affordable housing for low income and special needs households. The City also laid the groundwork for future housing and envisioned transit-oriented development (TOD) by producing an Old Town Development Strategy and rezoning its Dumbarton TOD site. It adopted a Specific Plan for Old Town with recommendations and actions to add up to 400 residential units to the planned area and one for Dumbarton TOD that has resulted in the approval or construction of approximately 828 units.

Additionally, the City of Newark has led the way in establishing new policies and programs to affirmatively further fair housing and support communities with special housing needs in obtaining access to housing. The City built a 75-unit affordable complex with universal design features (Newark Station Senior Apartments) and has approved plans for a 79-unit 100% senior housing development with deep levels of affordability (Timber Street Senior Housing). It has modified its building code to require universal design to be applied to both private and public housing and approved 180 units with universal design. Newark has also adopted an Ordinance establishing a process that allows flexibility within the zoning code for reasonable accommodation of access for the disabled and is prepared to adopt a fair housing ordinance for the sixth housing element cycle.

Table 6-1: Review of Policies and Programs of 5th Housing Element Cycle

Program	5th Cycle Activity Summary	Status for 6th Cycle
1. Work with Lower Income Housing Developers and Prioritize Funding	The City worked with nonprofit and for-profit housing developers and organizations to support efforts to create new housing for seniors, people with disabilities, formerly homeless people, households with moderate incomes or below, especially including extremely low income households, and other special needs populations. The City developed a comprehensive affordable housing work plan to engage developers and prioritized funding for housing for people with special needs and very low income people. As provided in the work plan, Newark will invest up to 40% of its Housing Impact Fee fund balance (or approximately $12 million) for funding a NOFA to incentivize affordable housing development. In addition, Newark will invest an additional 40% of the Housing Impact Fee fund balance for site acquisition meant to facilitate affordable housing development. Consistent with the City Council-approved Fiscal Year 2022-2023 Affordable Housing Work Plan, in June 2022, the City of Newark invited developers of affordable rental housing to submit applications for funding assistance under a Notice of Funding Availability (NOFA). A total of approximately $12 million was made available from the City's Affordable Housing Impact Fee Fund. The City received one response from Satellite Affordable Housing Associates (SAHA) requesting $12,000,000 of funding from the City's housing impact fee fund g to construct a 57-unit multifamily apartment building at 6347-6375 Thornton Avenue that would meet the need for family-sized units. On January 19, 2023, the Community Development Advisory Committee on January 19, 2023 reviewed the proposal against the NOFA selection criteria and recommended approval. On March 23, 2023, the City Council reviewed and approved the proposed funding decision as well as authorized the City Manager to execute the Affordable Housing Loan Agreement and all related loan documents to effectuate the approval of the funding award. SAHA will complete the acquisition of the subject properties in April. After conducting community outreach, SAHA expects to submit their formal entitlement application in Summer 2023. In 2021, the City approved plans for "Timber Street Senior Housing", a 79-unit 100% senior housing development, to be built by Eden Housing. The location of the project was rezoned from Limited Industrial District to Medium Residential Density to revitalize the area from a light industrial and warehouse space to a walkable residential neighborhood. A minimum of 20% of the units would have rents restricted at 60% AMI and the remaining units would have rents restricted at no more than 80% AMI. The final AMI unit allocations have not been formally established, but Eden Housing anticipates that most units would have affordability levels deeper than 80% AMI.	**Ongoing.** The City will retain this program and expand it by creating additional programs to supplement it. It will conduct focused outreach to Housing providers annually throughout the 6th Cycle.

Program	5th Cycle Activity Summary	Status for 6th Cycle
	The City granted two incentives/concessions (parking and setbacks) and three waivers (lot coverage, landscaped area, open space) to help facilitate the project and residential density. The entitlements for the project were approved on 10/28/2021 and are expected to be constructed in 2023. • City staff worked with Adobe Services on a Homekey project to convert an existing hotel to supportive housing, which consists of a total of 125 units (1 unit for the on-site manager and 124 units for rent permanent affordable housing). The breakdown of the 124 units for rent permanent affordable housing is 60 units for chronically homeless households and 64 units for households at risk of homelessness; all of which would be for extremely low-income households. On 9/22/2022, the City Council approved a Resolution (Resolution No. 11408) Project Homekey Standard Agreement which includes $38.2 million Homekey grant funds and $6 million City funds. A building permit for the tenant improvement for the project has been issued on 12/22/2022.	
2. Support Regional Homeless Initiatives	The City has provided continuous support for regional efforts to end homelessness, such as the Alameda County EveryOne Home Program, which prioritizes supportive housing. The City adopted a resolution declaring a shelter crisis in the City of Newark and authorized the City's participation in the Homeless Emergency Aid Program (HEAP). It further authorized the City Manager (or his designee) to execute all applications and agreements related to HEAP and other State and County funding sources for homeless populations (Resolution No. 10867 on December 13, 2018). The City of Newark partnered with the City of Fremont's Continuum of Care program to allocate its $229,000 of HEAP funding. The funding was mainly used to provide: • Expanded Warm Center hours; • Expanded "Homeless Navigation" services; • Development of a site for the safe parking of recreational vehicles and vans; • offering time limited housing subsidies The City also took definite action to set aside affordable housing funds for projects through the HomeKey grant program, an effort to provide affordable housing in existing hotels and buildings to low-income households and those experiencing or at-risk of homelessness. In early 2022, the City Council authorized City staff to apply to the State's HomeKey grant program for a grant of up to $39 million and allocated $1.5 million of American Recovery Plan Act (ARPA) funds, as well as $6	**Ongoing**. The City will retain this program into the next Cycle.

Program	5th Cycle Activity Summary	Status for 6th Cycle
	million from the City's Housing Impact Fee fund to acquire Towne Place Suites Hotel with Abode Services and Allied Housing. The Town Places Suites project would convert an extended-stay hotel into 124 permanent, supportive affordable residential units known as Cedar Community Apartments. Additionally, the City has taken on a variety of other initiatives to address issues of homelessness. The Police Department conducts a more in-depth count of its homeless population on a regular basis. The City partners with Caltrans and Alameda County Human Services Agency to address homeless encampments on public property, and with the Fremont Family Resource Center to provide support to Newark households at risk of becoming homeless. It has also created a Homelessness Committee with members from various City departments to coordinate actions and responses to homelessness in the community. In May 2022, the Alameda County Board of Supervisors, along with City Councils throughout Alameda County, endorsed the Home Together 2026 Strategic Community Plan. The Plan is a five-year strategic initiative that centers racial equity, and identifies the strategies, activities, and resources needed to dramatically reduce homelessness in Alameda County. The City will continue to participate in the Home Together 2026 plan to address issues at the local and regional levels. City adopted a resolution declaring a shelter crisis in the City of Newark and authorized the City of Newark's participation in the Homeless Emergency Aid Program (HEAP); and further authorized the City Manager or his designee to execute all applications and agreements related to HEAP and other State and County funding sources for homeless populations. Resolution No. 10867 on December 13, 2018. • The City Council approved a Resolution (Resolution No. 11408) Project Homekey Standard Agreement which includes $38.2 million Homekey grant funds and $6 million City funds on 9/22/2022 for the conversion of an existing hotel to supportive housing Homekey project. • On 5/12/2022, City Council adopted a Resolution (Resolution No. 11,341) for Home Together, a county-wide initiative (Home Together 2026) to address homelessness.	

Program	5th Cycle Activity Summary	Status for 6th Cycle
3. Continue Repair and Rehabilitation Program	Each year, a portion of Newark's CDBG funds is dedicated to the Housing Repair and Rehabilitation Program according to a formula approved by the Alameda County Urban County jurisdictions. The City entered into an agreement with the County of Alameda for participation in the CDBG Program for FY20-21 and the Community Development Advisory Committee made recommendation to the City Council for the use of Jurisdiction Improvement funds for ADA compliance needs at Music Park and Civic Center park on February 18, 2020. Overall, the minor repair program has been very successful in the past. However, the home repairs in 2020 and 2021 were slightly lower than expected due to the COVID-19 pandemic. Conversations with county staff revealed that many homeowners were hesitant to allow contractors into their homes during the last two years out of fear of COVID-19 transmission. Nonetheless, the City of Newark has funded 49 projects in the current 5th Cycle. In discussion with the Alameda County HCD staff, there is no plan to change or substitute the program with any other during FY22-23. The City will continue to participate in the program and will increase community awareness of the program through various city communications tools. Through its continued participation, the City is expected to meet and likely exceed its goal of funding 65 projects by the end of the cycle.	**Ongoing.** Assuming continued CDBG funding, the City will continue to participate in the program.
4. Civic Center Replacement	Staff and consultants prepared a Newark Civic Center feasibility study (completed in June 2016) that assessed the facility needs for a new civic center. The study, informed by two City Council work sessions and a community meeting, included a brief description of locations throughout Newark that were considered for the new civic center. Ultimately, the feasibility analysis focused on the current civic center site as the location for the new civic center. There was no discussion of HE Program 4 as it related to the civic center site, and no discussion of affordable housing as a possible use of the site. The new civic center, which includes city hall, a police building, and library was completed in 2021. Additional analysis would be required to assess the feasibility for affordable housing on remaining city-owned portions of the site. The site retains the Residential High-Density zoning designation and Public-Institutional general plan land use.	**Not completed.** Affordable housing was ultimately not considered as a land use during the civic **center replacement** feasibility **study. Replacement of the civic center was the only project that was considered.**
5. Old Town Development Strategy	The City completed an Old Town Development Strategy in 2017 to facilitate the development of higher density housing in subareas N, M, and O of the Old Town area, with the goal of yielding 228 higher density housing units by 2022. In 2019, two community meetings were held (March 13 and	**Completed.** The City will work to further the recommendations of the Old Town Newark Specific

Program	5th Cycle Activity Summary	Status for 6th Cycle
	June 26) followed by a Joint Work Session on December 12th to develop the Old Town Newark Specific Plan. The City was granted a Planning Grant Program award of $160,000 for the preparation of this plan. In 2021, the City adopted the Specific Plan, which includes a feasibility analysis of sites within the area as well as various policies and strategies that are targeted at reducing barriers to housing in the area. For example, Policy LU-1 focuses on zoning amendments that strategically increase density in certain areas. Policy LU-16 revises zoning regulations to revise parking design standards and reduce the parking demands per unit, thus making units more affordable. Policy INF-1 & INF-2 recommend infrastructure improvements which increase water and sewer capacity which are needed to increase residential density in the area. Additional recommendations included as part of the plan are to reduce or eliminate development impact fees and require inclusionary affordable housing. Overall, the Plan recommendations and actions will add up to 400 residential units to the planned area, far exceeding the goal of 228 units.	Plan within the next few years to advance development.
6. Fair Housing Programs	The City signed an Inter-Governmental Collaboration Agreement for the Completion of the Analysis of Impediments to Fair Housing Choice for Community Development Block Grant Program on March 14, 2019 (Resolution No. 10,904). The Analysis of Impediments (AI) was completed in January 2020. To achieve the AI Metric and Milestone for Activity 1.c to "advocate for local federal/state laws that would improve fair housing protections for those experiencing barriers to accessing housing", the City of Newark's CDD will develop and adopt a fair housing ordinance by FY 2023 for consideration by the City Council. This ordinance will clarify and publicize the prohibition against discrimination in housing and will assist the implementation of Federal Fair Housing regulations. As part of the ordinance, the City will either refer or respond to fair housing complaints.	**Ongoing** programs and initiatives as documented in Section 3: AFFH.
7. Housing Accessible to the Disabled	The City has made it a priority to provide housing that is accessible to disabled people, who comprise 7.6% of the population in Newark, through universal design requirements. Pursuant to the Health and Safety code, HCD has specified that the Building Standards Commission provide documentation of these requirements in the California Building Code. Chapter 11A of the building code outlines the City's accessibility requirements for private housing, including a mandate for adaptable design in all ground floor units that was established in 2013, while Chapter 11B outlines	**Ongoing**. The City will continue to use Chapter 11A and 11B as an effective method to increase housing accessibility.

Program	5th Cycle Activity Summary	Status for 6th Cycle
	the requirements for public housing. During this 5th Cycle of Housing Elements, the City has approved 180 units with universal design. In 2018, the Newark Station Senior Apartments was built with universal design features. This complex, which can house 75 families, was the first affordable apartment community to be built in the City of Newark in at least 25 years.	
8. Seek Funds for Affordable Housing	The City applied for state, county, regional, and federal funds to construct housing for low income and special needs households as well as funding to provide infrastructure that supports housing development. For instance, the City applied for the Alameda County Measure A-1 Bond Competitive grant for $6.5 million. An investment of those funds will go to the Timber Street Senior Housing mentioned in Program 1. In addition, the City has raised money through impact fees from market-rate housing development per the Affordable Housing fee program adopted by Council in 2014. This ordinance is codified in Chapter 17.18 of the Municipal Code. The fee is based on square footage of the project: $21.52 per square foot of floor area is charged for the first 1,000 square feet and $8.62 per square foot is charged for floor area above 1,000 square feet, excluding garages, carports or common areas. To date, approximately, $24 million in impact fees have been deposited in the Affordable Impact Fee Fund to support projects or programs that preserve and/or increase the supply of affordable housing in Newark.	**Ongoing.** The City will evaluate funding each year and apply for funding as appropriate.
9. Adopt Reasonable Accommodation Ordinance	The City adopted an Ordinance in 2016 establishing the process for allowing flexibility within the zoning code for reasonable accommodation of access for the disabled. The ordinance includes: • Clear rules, policies, and procedures to promote equal access to housing and comply with fair housing and disability laws including but not limited to identifying who may request a reasonable accommodation (i.e., persons with disabilities, family members, landlords, etc.), timeframes for decision-making, and provisions for flexibility in the various land-use, zoning, or building regulations that may otherwise constrain housing for persons with disabilities. Chapter 17.37 of the City's Zoning Ordinance outlines the process for	**Ongoing.**

Program	5th Cycle Activity Summary	Status for 6th Cycle
	requesting a waiver to any zoning regulation to allow improvements to an existing building in order to provide reasonable accommodations for persons with disabilities. • Regularly monitoring the implementation of the jurisdiction's ordinances, codes, policies, and procedures to ensure they comply with the "reasonable accommodation" for disabled provisions and fair housing laws. • Reduced parking requirements for projects serving seniors and persons with disabilities (The Zoning Ordinance was revised in 2018 reducing parking requirements to 0.5 spaces per unit, inclusive of guest parking).	
10. Rezone Dumbarton TOD	Development in the Dumbarton Transit Oriented Development (Site Q) is governed by a Specific Plan which has numerous requirements and amenities. The Specific Plan supports and controls development within the 200-acre area, promoting a comprehensive development plan to encourage the creation of a livable community designed for compatible neighborhoods with connectivity to parks, open space, the future Transit Station, and commercial services. These important project elements are assured concurrent with the rezoning application. Most of the Specific Plan has been built-out or is under construction. Construction activities include the previously approved residential uses, streets, sidewalks, landscaping, utilities, and open spaces. The Specific Plan limited residential development to 2,500 units for the entire Specific Plan area. To date, approximately 1,836 units have been approved or constructed. In February 2021, staff provided City Council with an overview of the rezoning activities within the Dumbarton TOD, now known as Bayside TOD. The Bayside TOD developer has summarized development of approved projects, the development that was anticipated in the Specific Plan, and the development table including the current project under review, FMC Willow.	**Completed.** The Bayside TOD area will be built out in phases, with plans for the last site to be entitled before the end of 2023.

B. Housing Plan: Goals, Objectives, Policies, and Programs

This Chapter pulls from what the city has learned from extensive community engagement and data, to develop seven goals to further affordable housing production and housing mobility, increase opportunity and protect residents from displacement. The programs have an implementation timeline of immediate (0-3 years) mid term, (3 to 5 years), long term (5-8 years) and ongoing programs. The city will track program progress through the identification of responsible department and performance metrics through the 6th cycle.

IMMEDIATE: 2023-2025

MID TERM: 2026-2028

LONG TERM: 2029-2031

ONGOING: This is an existing policy or program that will be continue to be implemented

GOALS

GOAL H1: Preserve and Improve Existing Housing

POLICY H1: Leverage local funds to supplement county, state and federal funding to support the maintenance, rehabilitation and preservation of existing rental and ownership housing.

GOAL H2: Facilitate the Development of More Homes for More People

Supporting the development of housing that is affordable and accessible to all segments of the community.

POLICY H2.1: Create opportunities for new housing for moderate income households through zoning adjustments to promote missing middle housing types such as courtyard housing, duplex and small multi family homes.

POLICY H2.2: Second Units. Recognize second units (also known as Accessory Dwelling Units (ADUs) and in-law apartments) as an important part of Newark's housing supply and continue to allow such units, subject to parking, ownership, and size

standards that are consistent with State law. [ongoing]

POLICY H2.3: Promote and facilitate new affordable housing partnerships with various organizations with different housing needs that include but are not limited to the following:

- Community serving nonprofits
- Newark Unified School District
- Community college districts

POLICY H2.4: Work with community partners and property owners to revisit a community visioning plan for the Four Corners neighborhood/community commercial area.

POLICY H2.5: Support programs aimed at housing vulnerable and special needs populations. Monitor the need for housing for seniors across all income groups and for various levels of care, and support programs and incentives that encourage the development of a variety of age-friendly housing options.

POLICY H2.6: Develop and adopt a Universal Design Ordinance to ensure new construction is accessible to residents in all phases of life and regardless of their physical abilities.

POLICY H2.7: Update the existing Reasonable Accommodation requirements of the Zoning Ordinance and adopt [Ongoing]

POLICY H2.8: Support regional homeless initiatives and develop robust and equitable local responses to people experiencing homelessness.[Ongoing]

POLICY H2.9: Increase housing for large households as stated in the Affordable Housing Work Plan (which may be amended from time-to-time). Large households are defined as those with five or more people. The city will review existing site development regulations and design guidelines to ensure that the city is not unintentionally restricting housing designs that meet the needs of extended, multigenerational, and/or large families such as 2 + bedroom units, to reduce overcrowding and assist in maintaining the affordability of existing housing stock.

POLICY H2.10: Evaluate annual housing production targets to ensure the city is meeting the RHNA goals.

GOAL H3: Reduce and Remove Constraints to Affordable Housing Development

Removing barriers to developing affordable housing is key in meeting the goal of providing housing that is accessible to all residents, regardless of income and responsive to the unique ecological and natural environment of the city.

POLICY H3.1: Allow By-Right Approval of Projects with 20 Percent Affordable Units on "Reused" Sites. Pursuant to AB 1397, amend the Zoning Ordinance to require by-right approval of housing development that includes 20 percent of the units as housing affordable to lower-income households, on sites being used to meet the 6th Cycle RHNA that represent "reuse sites" previously identified in the 4th and 5th Cycles Housing Element, and on sites that are subject to a text amendment to accommodate the lower-income RHNA.

POLICY H3.2: Increase certainty of entitlement procedures and accessibility to resource information for developers. Prepare a comprehensive set of guidelines and associated process diagram for all of the city's processes and fees related to residential development generally and affordable housing specifically.

POLICY H3.3: Ensure there is a sufficient supply of multifamily and single-family zoned land to meet the housing needs identified in the Regional Housing Needs Allocation (RHNA).

GOAL H4: Help People Stay in Their Homes and Communities

POLICY H4.1: Develop programs that support homeowners and tenants remain in their homes and communities with a focus on low and moderate income residents and BIPOC households.

POLICY H4.2: Preservation of unsubsidized affordable units. Many low income residents depend on unsubsidized housing at below market rates, which is vulnerable to investment and speculation. Work with nonprofit organizations that may acquire at-risk projects to extend affordability of existing unsubsidized affordable housing for lower-income households. These policies aim to prevent displacement of low-income BIPOC communities, long-term renters, and other marginalized residents by preserving currently affordable housing and creating pathways for permanent affordability.

POLICY H4.3: Sites Acquisition for affordable housing. The city will proactively work to identify opportunities for partnering with other local public sector agencies and private landowners to acquire sites for affordable housing, as well as to seek creative ways of partnering with developers to include affordable units in market-rate projects.

GOAL H5: Increase Access to Affordable Housing

POLICY H5.1: Continue to generate funding for affordable housing and seek additional funding opportunities as they arise.

POLICY H5.2: Bring home ownership within reach for Newark residents. Develop a BMR

homeownership program, and down payment assistance programs, with a focus on first time home buyers.

POLICY H5.3: Prioritize the use of City-owned property for affordable housing prior to other uses (if the sites are feasible and appropriate for housing), and prioritize housing for extremely low income households.

POLICY H5.4: Amend the existing Inclusionary Housing Ordinance to require on-site production of units rather than allowing the payment of an in-lieu or impact fee to support increased access to affordable housing opportunities across the city and in high opportunity areas.

POLICY H5.5: Develop an affordable notice of funding availability (NOFA) that will be released regularly to incentivize new developments consistent with the City's goals of increasing affordable housing opportunities for residents that are families, low income seniors, and residents with disabilities.

GOAL H6: Enhance Quality of Life,Equity, and Environmental Justice

POLICY H6.1: Identify the various existing and potential funding sources for infrastructure / public facility needs, including local, State, and Federal money.

POLICY H6.2: Urban Centers. Implement existing specific plans for NewPark Place and Old Town, creating locations in Newark which are more urban and pedestrian-oriented in character than they are today. These areas will be transformed over time into mixed-use centers with retail, office, civic, and higher density housing uses. [Ongoing policy]

POLICY H6.3: Land use and transportation policy that encourages active transportation and transit oriented development. Make land use and transportation decisions that reduce emissions, including promotion of walking and bicycling, improvements to public transportation, and a jobs-housing balance that reduces vehicle commute miles.

POLICY H6.4: In partnership with local non profits and city departments, work to promote energy efficiency and wise water use in new and existing residential buildings in order to reduce energy costs, provide quality and resilient housing, improve building comfort, and reduce greenhouse gas emissions.

POLICY H6.5: Allow and encourage green building practices and energy efficient construction, such as Cross Laminated Timber buildings, solar installations, and electrification of buildings.

POLICY H6.6: Urban Heat Island Effect. Develop standards and requirements for municipal

projects that can incorporate natural cooling techniques to reduce the urban heat island effect.

POLICY H6.7: Residential Development in the FloodPlain. Limit development within low-lying areas at high risk from flooding. Require any new residential development, including streets and other surface improvements, to be constructed above the 100-year flood elevation.

GOAL H7: Further Fair Housing Throughout the City

POLICY H7.1: Improve awareness, access, and use of education, training, complaint investigation, mediation services of the fair housing service provider, particularly in areas sensitive to displacement, low-income, racial/ethnic concentration, disability or other fair housing considerations.

POLICY H7.2: Promote affirmative marketing in affordable housing programs to enable mobility among low-income residents and BIPOC residents in areas of poverty and segregated neighborhoods.

POLICY H7.3: Address barriers to renting and increase tenant support. Low income households and people experiencing homelessness face obstacles that prevent them from accessing housing that is affordable to them.

PROGRAMS

PROGRAM H1.1: Housing Rehabilitation and Repair Programs

Continue partnership with Alameda County's housing rehabilitation and minor home repair programs, Renew Alameda County, and contracting with Rebuilding Together Oakland East Bay. Encourage participation in these programs by Newark property owners for the maintenance of local rental homes and homeowners. The City shall continue to apply for Community Development Block Grant (CDBG) funds on an annual basis. The City shall give high priority for the expenditure of a portion of CDBG funds for housing rehabilitation, and directly contract with the County to administer the housing rehabilitation services. The City shall also use HOME funds, as available and appropriate, to support housing rehabilitation for lower-income households.

Quantified Objective:	The City plans to support 13 households per year with home rehabilitation. The city will facilitate place-based revitalization by focusing on lower-income households with rehabilitation programs and promoting availability of programs in areas with a high concentration of housing in need of rehabilitation and repair, such as the Old Town and Mirabeau Park areas.

Responsible Agency:	Community Development Department
Timeline:	ONGOING: Continuation of existing program
Funding Source(s):	HOME and CDBG funds as available

PROGRAM H1.2: Develop citywide rental inspection program to maintain high quality housing throughout the city.

Rental Inspection Program / Landlord Registration. The Rental Inspection Program enhances the quality of rental properties and thereby the quality of life for tenants throughout the City and ensures that all rental properties are maintained in accordance with City standards. City inspectors inspect rental properties for code violations and will issue corrective reports with recommendations for improvements to property owners/landlords and tenants. The property owner will be expected to have the property reinspected to ensure the repairs have been made. Examples of reportable issues include: roof leaks, unsafe fire conditions, mold, unsafe stairs and lead based hazards per AB 838.

Quantified Objective:	Update Newark's Community preservation and nuisance abatement ordinance to create a proactive citywide rental inspection program, and develop an online reporting system for tenants to report substandard housing conditions. Support 12 rental units in improved condition per year.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Program developed by June 30, 2024
Funding Source(s):	Affordable housing fund, Community Development Maintenance Fund

PROGRAM H2.1: Develop new housing options in areas of the city close to services such as parks, schools and grocery stores, with existing infrastructure.

Missing middle housing will provide for an increase in housing choice in established single family neighborhoods, enabling more moderate income homes within walking distance to schools and parks. SB 9 requires ministerial approval of housing developments containing no more than two residential units on lots zoned for single family residences. Adopted simultaneously with SB 9, SB 10 provides for SB 10 allows local agencies to adopt ordinances to permit up to 10 dwelling units on any parcel, at a height specified in the ordinance, if the parcel is within a transit-rich area or urban infill site. Implementing SB 9 and SB 10 ordinances, along with pursuing Program H2.8:

Zoning for Missing Middle Housing Types, will provide additional opportunities for new housing in a variety of neighborhood types throughout the city.

Quantified Objective:	Draft and implement SB 9 and SB 10 ordinances to provide additional opportunities for missing middle housing. Review the City's Zoning Ordinance and Subdivision Ordinance and implement updates as needed to provide clarity and facilitate housing development under SB 9. These include adopting updated definitions, use regulations, development standards, and ministerial processes. Production and affordability will be monitored every two years and alternative actions will be implemented if necessary to meet the RHNA. In coordination with research being conducted at the State level, pursue opportunities to incentivize and provide funding assistance for homeowners to provide affordable units under SB 9 to further housing opportunities and more affordable homeownership options in high opportunity areas. Develop and implement the City's SB 9 Ordinance to expand the housing supply in single-family zones by allowing for lot splits, cottage housing developments, triplexes and duplexes. 120 moderate income SB 9 units developed during the housing element cycle, with a focus on expanding housing opportunity in neighborhoods in the northern portion of the city. Through programs such as H3.2, Objective Design Standards and H3.5, Parking standards update and study, the city will be able to ensure that development standards, including parking and open space requirements, are not a constraint to development. Adopt an SB 10 Ordinance to allow up to 10 units to be developed on smaller residential parcels throughout the City, with a goal to produce 80 units of missing middle housing, targeting 75% of these units in neighborhoods in the northern portions of the city, including Lake-Rosemont, Mirabeau, and Mayhews Landing Neighborhoods. The quantified objective for Missing Middle for Programs H2.1 and H2.8 is a total of 200 units.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Ordinance developed by June 30, 2025
Funding Source(s):	Community Development Maintenance Fund

Missing Middle Housing
House-scale buildings with multiple units in walkable neighborhoods. These building types, such as duplexes, fourplexes, cottage courts, and backyard cottages (accessory dwelling units), provide

diverse housing options and support locally-serving retail and public transportation options.

PROGRAM H2.2: Accessory Dwelling Unit (ADU) Program.

Develop tools to support uptake of accessory dwelling units production in Newark, in collaboration with Alameda County. Newark will comply with state law until the updated existing Accessory Dwelling unit ordinance is in compliance with state law.

Accessory Dwelling Unit Incentive Program. Develop a program to incentivize construction of ADUs that are deed-restricted for very low, low, and moderate income households.

Quantified Objective:	• Increase viability and uptake of accessory dwelling units though through a multi pronged approach. Develop an ADU calculator to be available for Newark residents, pre approved plans, and increase community outreach, in partnership with Alameda County. • Work to develop a series of incentives and a low interest loan program (if feasible in collaboration with Alameda County) to bring more ADU production for affordable rental housing to the city, specifically in areas that are identified as high in opportunity by the Tax Credit Allocation Committee. • Per SB 897, Increase height limits for detached accessory dwelling units on a lot with an existing multifamily or multistory building to 18 feet and 25 feet if the unit is attached to a primary dwelling. • Per AB 345, Accessory Dwelling units built or developed by non profit entities to be sold separately from the primary residence to a qualified buyer. • Remove parking requirements. • Revise ordinance to comply with state law.
Responsible Agency:	Community Development Department, Alameda County
Timeline:	IMMEDIATE: ADU Community outreach to begin in 2024, pre approved plans to be finalized by 2025. The Alameda County ADU Resource website will function as a resource for community members interested in constructing an ADU. The site currently includes an ADU calculator and in the future will include a how to handbook and instructional videos. The City will revise its ADU ordinance to comply with state law in 2024. MID-TERM: Accessory Dwelling Unit Incentive Program developed by June 30, 2026, with the goal of 144 very low, low and moderate income units with 25% in high opportunity areas, and 160 total units constructed

	during the housing element period.
Funding Source(s):	Community Development Maintenance Fund, Housing Impact Fee Fund

PROGRAM H2.3: Facilitate market-rate and affordable housing and promote neighborhood revitalization in the Four Corners area through increased mixed use development and walkability.

Quantified Objective:	Creation of a community guided plan for the Four Corners area (in between Lake-Rosemont and Mirabeau Neighborhoods), to bring housing and local retail to the area. The plan will consist of community engagement, with the objective of developing community-led decision making around housing, commercial space and public infrastructure improvements. As a key element of the community guided Four Corners area plan, the city will incorporate the Transit Oriented Communities (TOC) development policies and requirements as a portion of the Four Corners area is within a transit priority area. The Four Corners area is zoned for community commercial, which does not allow for residential development by right, but housing may be considered as a component of planned developments within these areas in the event a shopping center is reused. The regulations provided in AB2011 are available to property owners, to facilitate the redevelopment of older underutilized strip malls in the Four Corners area. For example, per state law AB2011, 4.5 acres of underutilized land can be developed with mixed income housing at 80 dwelling units per acre due to being within 0.5 miles of the proposed Ardenwood rail stop as part of the South Bay Connect rail realignment project. The community-guided plan will include zoning and site development standards that will incentivize the development of multi-unit housing, with a target of 360 units on existing commercial properties in the Four Corners area. As part of the plan, the City will establish or modify development standards to facilitate maximum densities.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Community outreach in 2024, MID TERM: neighborhood plan developed by June 30, 2025, rezoning completed by December 31, 2025
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H2.4: Universal Design Ordinance.

This program supports residential development that incorporates Universal Design features to meet the needs of as many users as possible. The intent is to reduce the potential for occupants to be displaced from their homes due to a disability, to allow those persons to visit neighboring dwelling units, and to increase the number of accessible dwelling units in the local housing supply that meet long term housing needs by creating a process that facilitates this type of accessible design.

Quantified Objective:	Develop a Universal Design ordinance for new construction of single family, accessory dwelling units, duplex and building 20 units or larger.
Responsible Agency:	Community Development Department, Building Division
Timeline:	MID-TERM: Program developed by June 30, 2025
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H2.5: Develop a local response to support people experiencing homelessness.

Develop a local response to support people experiencing homelessness, with specific attention to the racial disparities and large population of youth and families.

Quantified Objective:	The City of Newark adopted a resolution endorsing the Alameda County Home Together 2026 Implementation Plan to address homelessness. Newark is preparing a local homelessness plan intended to be consistent with the Home Together 2026 Plan, which will further the objectives of the County plan. The City will maintain a city webpage to (www.newark.org/residents/homelessness) provide a connection to resources for those at risk of, or experiencing homelessness. The City has responded to homelessness needs by proactively partnering with an affordable housing developer and services provider to create and support 124 units of housing for homeless households and people at risk of becoming homeless. To develop this plan, the City shall work with the appropriate homeless agencies, community stakeholders, and faith-based organizations to identify new strategies, funding, and opportunities to provide new emergency shelter and transitional housing options and address the needs of 40 unsheltered persons (in addition to the completed 124-unit HomeKey project) annually in need of emergency shelter or temporary housing.

Responsible Agency:	Community Development Department/City Manager's office
Timeline:	IMMEDIATE: Homelessness plan developed by the end of 2024
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H2.6: Work in Partnership with the Newark Unified School District

Work in partnership with the Newark Unified School District to plan for affordable housing production and build upon the existing partnership between the City of Newark and Newark Unified School District Liaison Committee. Collaborate to bring forward cohesive and implementable plans for District owned properties, and expand the accessibility of housing resources for families, educators and staff in the district. This program will also expand housing opportunities throughout the city, into high opportunity, predominantly single family neighborhoods.

Quantified Objective:	Develop a strategy in collaboration with the Newark Unified school district and the community on a long term development plan and funding for the redevelopment of school district owned sites. AB 2295 supports housing development on property owned by a local educational agency for teachers and staff on both active and vacant district owned properties. AB2295 establishes minimum standards for development, including a minimum of 10 units, deed restricted for affordability for 55 years and be offered to district teachers and staff. The units are required to be for low and moderate income households, with thirty percent of units required to be for very low incomes. The development standards are 35 feet, with a minimum density of 30 dwelling units per acre.
Responsible Agency:	Community Development Department, City Manager's office, Newark City Council, Newark Unified School District
Timeline:	MID-TERM: Program developed by end of year, 2025
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H2.7: Affordable Housing Development Fund

The city will provide financing for affordable housing construction of at least 343 lower-income units. They are sites 13,11,9 on the sites inventory. The housing will serve very low to moderate income households, with an emphasis on young families, key workers (teachers, first responders, etc.), individuals and families at risk of homelessness, people with disabilities and other special

housing needs, and low-income senior citizens.

- **SAHA Development: 6347-6375 Thornton Avenue**
  New construction with a total of 56 very low income units, with one on site management unit. 16 units are 3 bedroom units that are suitable for larger families, a housing priority for the city of Newark. The site is located along Thornton Ave, in a moderate resource area as defined by TCAC.
- **37660 Timber Street: Timber Senior Housing**
  New construction of 78 very low and low income housing units for seniors. The site is located in an area identified as a moderate resource area. The development is close to transit and services – less than a quarter of a mile to a bus station with easy access to downtown Newark and the Fremont and Union City BART stations. Near the site is a retail plaza with restaurants, dentists and optometry offices. The NewPark Mall is a five minute bus ride away and Newark Civic Center is less than a mile from Timber Street. The project is being funded by measure A funds, and a significant contribution from the city of Newark from the affordable housing fund. Construction is slated to begin in 2022.
- **Cedar Community Apartments at Towne Place Suites, Project Home Key development**
  As a Project Home Key development, the Cedar community apartments are the reuse of an existing extended stay hotel. The development will result in 124 supportive units affordable to extremely low-income households, with 12 units set aside for veterans and one manager's unit. Cedar Community Apartments is located in an area identified as high resource by TCAC in close proximity to schools, shopping and the Silliman Activity and Family Aquatic Center.

Quantified Objective:	Support the development of at least 343 lower-income units.
Responsible Agency:	Community Development Department, City Council
Timeline:	Ongoing
Funding Source(s):	Affordable Housing Impact Fee Fund, Alameda County Measure A1, Home Key Grant Funds, Launch Initiative

PROGRAM H2.8: Zoning for Missing Middle Housing Types.

Along with the implementation of SB 9 and SB 10 through Program H2.1, the City shall review and amend the Zoning Code and applicable design guidelines to encourage and promote a mix of dwelling types and sizes, specifically missing middle-density housing types (e.g. courtyard housing, duplexes, triplexes, fourplexes) to create housing for middle- and moderate-income households and increase the availability of affordable housing in a range of sizes to reduce displacement risk for residents living in overcrowded units or overpaying for housing.

Quantified Objective:	To remove constraints and better encourage small multi-family developments in the RS, RL, and RM zoning districts, particularly in the northeast area of the city, including Lake-Rosemont, Mirabeau, and Mayhews Landing neighborhoods, zoning text amendments will be implemented. Within 12 months of Housing Element Adoption, staff shall recommend a specific proposal to the city council for consideration and adoption to increase baseline density to at least 15 dwelling units to the acre in key high opportunity areas in RL zones. Recommendations would include amendments to zoning, appropriate development standards to facilitate maximum densities including but not limited to: eliminating minimum lot size requirements, reducing setbacks, and eliminating minimum unit size requirements. In addition, the city will adopt a development standard waiver system for cases when development standards may preclude development to the maximum allowable density. The City shall evaluate the effectiveness of meeting missing middle housing targets of these strategies in 2027, including but not limited to further increasing development intensity in RL zones within the following year to achieve more inclusive neighborhoods throughout the City. Zoning text amendments to may include, but are not limited to: ● Minimum Lot Size: 5,000 square feet for all building types. ● Minimum Lot Width: 50 feet for all building types. ● Parking Requirements: Parking requirements include a minimum of 1 space per unit for a multifamily dwelling outside the specific plan areas and mixed-use zones, Remove requirements for covered parking spaces, allow parking to be located within required setbacks, and remove guest parking requirements. ● Open Space Requirements: Review 400 square foot/unit requirement in RL zoning districts. ● Study feasible densities, identify sites, corridors, and neighborhoods for intensification. Develop a strategy to increase allowable densities to at least 15 du/ac, housing choices and affordability in RL and high opportunity areas with a target of 200 moderate-income units in the planning period (as noted in Program H2.1) Zoning text amendments will be implemented to support the overall strategy to encourage small, multi-family developments. The City shall evaluate the effectiveness of meeting missing middle housing targets of these strategies by 2027, including but not limited to further increasing development intensity in single family zones within the following year, to achieve more inclusive neighborhoods throughout the City.

Responsible Agency:	Community Development Department, City Council
Timeline:	IMMEDIATE: Community engagement and zoning changes by December 31, 2024
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H2.9: Area Specific Plans

NewPark Place Specific Plan The multi phase redevelopment of a shopping mall, will bring new mixed-use residential development to the area. The City worked closely with Brookfield on entitlements for Phase A, with plans for new mixed income housing and a Costco. Subsequent phases will include additional residential development, small scale retail and pedestrian infrastructure such as bike lanes and human scaled streets.

Though Phase A entitlements have now expired, the City will continue to partner with the developer to implement the Newpark Place Specific Plan to meet the affordable housing goals of the City of Newark.

The original entitled project included a total of 319 units, 29 of which would be affordable (4 very low, 9 low, and 16 moderate). The project included 3,700 square feet of ground floor retail, 12,900 square feet of amenities (such as a bike shop, club room, co-work space, and fitness center), a pool courtyard, and enclosed parking. Along Alpenrose Drive, the structures was planned to be six stories, with five residential levels over ground floor retail and amenities.

Old Town Specific Plan The Old Town Newark Specific Plan, adopted September 23rd 2021, sets forth a community informed plan to support public and private investments in the historic neighborhood. The planning area is envisioned as a mixed-use area that accommodates a range of housing types, retail and service business, expanded public spaces, and mobility improvements. To anticipate this development, this Specific Plan:

- Refines zoning regulations to align with market conditions and balance community desires for form and massing

- Develops programs to support investment in the community and continued affordability for people who live and work in the community today

- Identifies streetscape improvements for Thornton Avenue

- Provides scenarios and prototypes for how future development could build out in the Commercial Mixed Use (CMU) and Residential Medium (RM) Zoning designations

Zoning Amendments: Modifies zoning standards in the Commercial Mixed Use (CMU) and Residential Medium (RM) districts to align development standards, use requirements, and design standards with current market conditions and building types.

Streetscape Improvements: Identifies a streetscape plan for Thornton Avenue as a catalyst for neighborhood revitalization and investment of new housing. The streetscape plan will complement improvements in the private realm and create a safe destination for residents and visitors, whether on bike, foot, or in a vehicle.

Bayside Newark A Transit Oriented Development community to be built next to the proposed Dumbarton Commuter Rail station. Due to the proximity of high capacity transit, this area is also a

priority development area for Newark.

On 9/22/22, The City of Newark approved land use modifications proposed by Lennar Home Builder, FMC Corporation, and Integral Communities within the FMC Willow and Grand Park portion of the Bayside Newark Specific Plan area. The proposed modifications would redevelop the 22.1-acre site into a 370-unit multi-family community including 279 townhouse units, a 1.6-acre mixed-use area with 3,600 sq. ft. of retail, club room, fitness center, and 90 affordable units (plus 1 manager unit) within a 6-story building, a 5-acre community park (Grand Park), and a 1,485 sq. ft. community building, along with approx. 1.8 acres set aside for the future Dumbarton transit station.

The South Site of the project, known as "FMC Willow South", (Grand Park, PA 3, and PA 4) would include a 1,485 square foot community building, 123 multifamily units, and 92 townhomes for a total of 215 units. The 123 units would be UA Split (multifamily), and 92 would be UA Towns (townhomes). The UA Stacks would have 5 floorplans ranging from 1,696 square feet to 2,015 square feet. The UA Splits would have a standard option with 4 floorplans ranging from 1,307 square feet to 2,108 square feet and a 4-story option with 4 floorplans ranging from 1,307 square feet to 2,422 square feet. The homes would be 3-5 stories high.

Quantified Objective:	1,594 total units for the three specific plan areas. 147 very low, 101 low, 82 moderate and 1,263 above moderate units.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE, MID- and LONG-TERM: Development underway and though 2031
Funding Source(s):	Development within Area Specific Plans are privately financed. Community Development Maintenance Fund

PROGRAM H2.10: Single Room Occupancy Housing

In order to expand the housing options in Newark, the city will support a wider variety of housing types that would be accessible for low-income working people, retirees, people receiving disability payments and newcomers to the area. Single Room Occupancy (SRO) units provide small units for a single person, with shared amenities such as kitchens or bathrooms. Along with commitments in Program H4.10: Zoning Ordinance Amendments for Special Needs Housing, the City shall update the zoning code to facilitate the development of more SROs and small units.

Quantified Objective:	In order to support an increase in this housing type in the city, SROs will be permitted use in Residential Medium Density, Commercial Mixed Use and Residential High Density, with a priority for SRO development to occur along transit corridors. Review and update existing development standards (Chapter 17.26.230), including parking requirements, to ensure

	they are not a barrier to the development of SROs. City fees for SRO projects will remain in line with fees for multifamily projects.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: updates to land use regulations in zoning code by early 2024. SRO development standards and fee requirements to be reviewed and updated as necessary by December 2024.
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H2.11: Catalyze the development of small sites through a lot consolidation incentive program

The city commits to continuing improvement, evaluation, and adjustment of programs during the housing element cycle to ensure quantified objectives are being met.

Quantified Objective:	Implement a lot consolidation incentive program to catalyze development on small sites. The program would include deferring fees specifically for consolidation, expediting permit processing, providing flexible development standards such as setback requirements, reduced parking or increased heights, committing resources for development of affordable housing on small sites, and/or increasing allowable density or lot coverage. In addition, the city will adopt a development standard waiver system for cases when city requirements may preclude development on small sites.
Responsible Agency:	Community Development Department
Timeline:	MID-TERM: Review and implement in mid 2025
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H2.12: Ensure maximum residential densities are achievable

The city commits to annually review, and amend as necessary, the Municipal Code to ensure that maximum allowable densities are achievable on sites zoned for housing.

Quantified Objective:	Review, and amend as necessary, city requirements and development standards in all zones that allow residential development to ensure that maximum densities are achievable. This includes those standards and requirements related to maximum units per building, maximum building

	coverage, required open space per unit, minimum lot area, setbacks, height limits, parking (also see Program H3.5) and limits on allowable densities. Specifically, remove the MUP requirement for buildings over 35 feet in the RM and RH zones and review whether the 60-foot height limit in the CMU zone (outside of the Old Town Specific Plan area) is a constraint on development and make needed changes, or allowing for flexibility to achieve maximum allowable densities. The analysis will consider impacts on cost, supply, housing choice, affordability, timing, approval certainty and ability to achieve maximum densities and include programs to address identified constraints.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: City will initially review city requirements and development standards in 2024 and on an annual basis thereafter, and amend the appropriate requirements and standards as necessary to the Municipal Code.
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H3.1: Streamline Ministerial Approval Permit Procedures

The City will review and update its approval processes to ensure it accommodates streamlined applications, pursuant to Senate Bill 35.

Quantified Objective:	Prepare and publish administrative procedures by 2024 for the processing of housing developments eligible for streamlined review pursuant to SB 35. Assign a staff member to support the streamlined development review process. This staff person will be a point of contact for affordable housing developers that will work to create a clear and streamlined process.
Responsible Agency:	Community Development Department
Timeline:	MID-TERM: Prepare and publish new procedures by 2024, assign staff as necessary to achieve the objective by June 30, 2026
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H3.2: Develop objective design standards for single family and multi family developments and infill housing.

Identify parking standards, setbacks and height standards to facilitate development that is responsive to fluctuating costs and results in high quality design.

Quantified Objective:	Develop new objective design standards that result in designs that reflect the needs of the community while supporting new developments that are responsive to local ecological conditions and climate change while reducing development costs where applicable.
Responsible Agency:	Community Development Department
Timeline:	MID-TERM: Ordinance and zoning changes implemented by June 30, 2024
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H3.3: Assess and update impact fees

Assess and update impact fees as required to ensure that it is in line with neighboring jurisdictions and not a hindrance to development.

Quantified Objective:	The city will undergo a comprehensive impact fee study to assess and update the impact fee structure to reflect the needs of the community and ensure fee structure is in line with neighboring jurisdictions. • Currently the policy in the Old Town Specific Plan area is to temporarily reduce fees to encourage development. • The city will provide a fee waiver for senior and housing for people with disabilities
Responsible Agency:	Community Development Department/Finance Department
Timeline:	IMMEDIATE: Study would be part of the Affordable Housing work plan.
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H3.4: Adjust zoning to allow mixed use in current Commercial zones

In order to align zoning with planned development areas and associated policies of developing pedestrian friendly, walkable neighborhoods, the city proposes to utilize State laws SB6 and AB 2011 to encourage residential and mixed use developments in current commercial zones. A project proposed under SB 6 may be either a 100-percent residential project or a mixed-use project where at least 50 percent of the square footage is dedicated to residential uses. SB 6 projects are not exempt from CEQA but need not provide any affordable housing. SB 6 projects are required to pay prevailing wages and utilize a "skilled and trained workforce." Although there

is a possibility that including commercial space in a mixed use development could be viewed as a constraint, the community and City Council are interested in mixed use, walkable environments that support a variety of uses.

Quantified Objective:	Amend the City's Neighborhood Commercial and Community Commercial zones and land use code to create objective standards for mixed-uses and facilitate the redevelopment of commercial sites to mixed-use.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Program developed by June 30, 2025
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H3.5: Parking standards update and study

Parking can be a significant portion of the cost of developing new housing. Research and develop new parking standards for residential developments that align with neighboring jurisdictions and are reflective of the community needs and development costs. Although the Dumbarton rail project is proposed for Newark, there is no firm timeline for its development. Due to limited frequent public transportation in the city, many residents are car dependent in order to access employment and other basic needs which reflects the extent of parking reductions.

Quantified Objective:	Update the Zoning Ordinance to encourage infill development, including housing for persons with disabilities, senior housing, accessory dwelling units. Engage with the development community to discuss changes to parking minimums. Identify and implement parking requirement reductions in NMC 17.23.50, eliminating parking minimums for ADUs, and/or unbundled parking from the dwelling unit for large housing projects. Revised parking changes include: ● Senior Parking: Reduce from 1 space per unit to .5 spaces per unit ● Remove parking requirements for ADUs ● Two Unit Dwelling : Remove the guest parking requirement ● Multi Unit Dwelling: ○ Reduce covered parking requirement to 0.5 spaces per unit ○ Reduce guest parking to 0.25 spaces per unit ○ Reduce overall parking requirement for studios and one bedrooms to 1 space per unit. ○ Reduce 2-plus bedroom requirement to 1.5 spaces per unit with 0.25 spaces for guest parking. Provide more opportunities for alternatives to individual automobile such as: ● CAR SHARING

	One stall reduction for each stall dedicated and designated for use by a locally-operating car sharing program, such as Zipcar. • ON-STREET PARKING CREDIT One-half stall reduction for each new public, on-street parking stall provided as part of a project (through the installation of angled or perpendicular spaces with bulb-outs and curbs or other methods). • BICYCLE PARKING CREDIT One stall reduction for every five, non-required bicycle parking spaces provided on the site (beyond the standard requirements. Analyze and revise as necessary existing standards for SROs, small multifamily (Missing Middle), and shared parking.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Parking requirement updates in zoning code by mid 2025
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H3.6: By-Right Approval of Projects with 20 Percent Affordable Units on "Reused" Sites.

Pursuant to AB 1397, amend the Zoning Ordinance to require by-right approval of housing development that includes 20 percent of the units as housing affordable to lower-income households, on sites being used to meet the 6th Cycle RHNA that represent "reuse sites" previously identified in the 4th and 5th Cycles Housing Element. The nine sites listed in Table 6-2 will be adjusted by text amendment to accommodate the lower income RHNA as needed.

Table 6-2: Assessors Parcels Numbers Subject to AB 139, 2022

Site Number	Assessor Parcel Number
8	92-30-16-2; 92-30-15-2; 92-30-17-2; 92-30-14-3; 92-30-18-4
9	92-31-15; 92-31-16-2
15	92A-900-1-2
16	92-29-13; 92-29-19-2; 92-29-18-2; 92-29-17-2; 92-29-16-2;92-51-2-3; 92-29-20-2; 92-51-5-3
17	92A-2125-17 92A-2125-11-2' 92A-2125-13
18	92A-2585-32
19	92-50-13

Site Number	Assessor Parcel Number
21	92-255-11
22	92A-2375-32
23	92-131-3; 92-131-2-4; 92-131-1-9

Quantified Objective:	602 total units, 304 very low and low income units, 67 moderate income units and 231 above moderate income units.
Responsible Agency:	Newark City Council, Community Development Department, Planning Commission
Timeline:	IMMEDIATE: Text amendment within one year of Housing Element Adoption
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H4.1: Develop Anti-Displacement Programs for the Old-Town Newark Specific Plan Area.

Quantified Objective:	Apply local preference ordinance to new residential development in the Old Town area. Convene an Old Town community working group composed of residents, youth and business owners in the neighborhood. This group will work with staff to develop neighborhood priorities for an anti displacement program for the Old Town Newark Specific Plan area that supports community residents and small businesses to stay in place.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Local preference policy, 2024. MID-TERM: Anti displacement implementation program developed by June 30, 2026
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H4.2: Develop a Tenant/Community Opportunity to Purchase Policy

Develop programs to support renters stay in their homes and create opportunities for home ownership through a Tenant Opportunity to Purchase or Community Opportunity to Purchase (COPA and TOPA). A TOPA/COPA policy can also facilitate homeownership for tenants by creating limited equity housing cooperatives or other ownership models, enabling increased

wealth-building opportunities for BIPOC communities who have historically been denied access to homeownership.

Work with community members, community-based, mission-driven entities, housing providers, real estate professionals, and other relevant stakeholders to review best practices and lessons learned to develop a report with recommendations for the implementation of a small sites program and COPA / TOPA policy in the City of Newark.

Quantified Objective:	The recommendations will include a framework for an ordinance, administrative and supportive policies, program process and design, community engagement plan, and identification of costs and funding sources for implementation.
Responsible Agency:	Community Development Department
Timeline:	MID-TERM: COPA and TOPA ordinance and program developed by June 30, 2026
Funding Source(s):	HOME funds

PROGRAM H4.3: Develop a Just Cause Eviction Ordinance

Just Cause ordinances prohibit landlords from ending a tenancy or evicting a tenant without a specific reason.

Quantified Objective:	Develop and implement a just cause eviction ordinance for the city to cover tenants under state law when AB 1482 expires in 2029. Support 15 low income residents per year to stay in their homes.
Responsible Agency:	Community Development Department, City Council
Timeline:	MID-TERM: Program developed by June 30, 2025
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H4.4: Small Sites Program

Develop a small sites funding funding program that enables nonprofit housing providers to acquire market-rate multifamily properties that are less than 25 units and convert these buildings to affordable housing.

Quantified Objective:	Develop an RFP for small sites program. Recipients of funding from the Small Sites Program sign a 55-year regulatory agreement that governs the income limits for tenants and rents that can be charged. The program will

	focus on the Old Town/ Central area, identified as vulnerable to displacement, and with higher concentrations of low income residents.
Responsible Agency:	Community Development Department
Timeline:	MID-TERM: Program developed by June 30, 2027
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H4.5: Connect Residents to Existing Shared Housing Programs

With community partners, connect residents to existing shared housing programs to support those in need of affordable housing and seniors in need of additional income to remain in their homes.

Quantified Objective:	Work to connect 20 residents per year to existing shared housing resource programs through non profit partners for Newark such as the Home Match program.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Program implemented by June 30, 2025
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H4.6: Support Tenant Stability Though Minimum Lease Terms and Relocation Assistance.

Quantified Objective:	Develop an ordinance outlining minimum lease terms and relocation assistance for renters
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Program developed by June 30, 2024
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H4.7: Identify Housing Opportunities For Those With Developmental Disabilities

Work with community partners such as the Housing Consortium of the East Bay, to identify scattered smaller parcels that would be suitable for affordable housing, and the inclusion of units in larger housing developments for those with developmental disabilities.

Quantified Objective:	20 units to increase housing opportunities for those with developmental disabilities in Newark.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Coordination with housing developers and community partners by June 30, 2024
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H4.8: Connect Residents with Foreclosure assistance.

Quantified Objective:	Connect residents with existing foreclosure prevention resources for Alameda County to stem the displacement of 20 low and moderate income residents. With a focus on Hispanic/ Latinx, Indigenous and Black residents.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Program support by June 30, 2024
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H4.9: No Net Loss of Units

To facilitate place-based revitalization for households at risk of displacement due to new development, the City will require replacement housing units subject to the requirements of Government Code, Section 65915, subdivision (c)(3), when any new development (residential, mixed use, or nonresidential) occurs on a site that has been occupied by or restricted for the use of lower income households at any time during the previous five years. This requirement applies to non-vacant sites and vacant sites with previous residential uses that have been vacated or demolished.

Quantified Objective:	Replace any of the units if (a) they are planned to be demolished for purposes of building new housing, and (b) they are determined to be occupied by low income residents.

Responsible Agency:	Community Development Department,
Timeline:	IMMEDIATE: The replacement requirement will be implemented immediately and applied as applications on identified sites are received and processed.
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H4.10: Zoning Ordinance Amendments for Special Needs Housing

The City of Newark, through its Zoning Ordinance, provides opportunities for special needs housing, including uses such as Group Residential, Residential Care Facilities, Single Room Occupancies, Supportive Housing, and Transitional Housing, and Emergency Shelters. However, the locations where these uses are allowed are limited. Along with commitments in Program H2.10, the City shall prepare and adopt the following amendments to the Zoning Ordinance to allow housing for special needs groups consistent with State law:

- Allow "low barrier navigation center" developments by right in mixed-use zones and nonresidential zones permitting multifamily uses, consistent with Government Code Section 65662.
- Allow for the by-right approval of 100 percent affordable developments that include a percentage of supportive housing units, either 25 percent or 12 units, whichever is greater, to be allowed without a conditional use permit or other discretionary review in all zoning districts where multifamily and mixed-use development is permitted, consistent with Government Code Section 65651(a).
- Ensure the identified zone has available sites with capacity to accommodate at least 32 shelter beds, using the methodology outlined in Government Code section 65583 subdivision (a)(4), and that the identified zones have sites located near amenities and services that serve people experiencing homelessness, which may include health care, transportation, retail, employment, and social services.
- Allow large Residential Care Facilities for 7 or more people as a permitted use in the Residential Low Density, Residential Medium Density, and Residential High Density zones. The facilities are subject to the same requirements as other residential uses of the same type in these zones.
- Expand the zones where single-room occupancy units (SROs) are a permitted use to RM, RH, and CMU districts.
- Allow employee and farmworker housing consistent with California Health and Safety Code Section 17021.5(b) Section 17021.6.
- Revise the definition of "emergency shelter" to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care, per Government Code 65583. The City will also confirm zones utilized for emergency shelters allow residential uses, confirm they have sufficient capacity and proximity to

services based on statutory formulas and review to ensure that the appropriate development standards are in place to encourage the development of emergency shelters.

- Revise the City's definition of "Family" in the municipal code to remove provisions requiring shared living expenses or maintaining a single lease or rental agreement.
- Review and revise the City's reasonable accommodation procedure to eliminate constraints for persons with disabilities, particularly the finding (a) that requires the request to be necessary "… due to the physical characteristics of the property and the proposed use or structure or other circumstances, including, but not limited to, topography, noise exposure, irregular property boundaries, or other unusual circumstance."

Quantified Objective:	Ensure compliance with State law
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Zoning amendments completed by October 26, 2024, including zoning related to emergency shelters within one year of adoption.
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H4.11: Scattered Site Housing for Persons Experiencing Homelessness

As funds become available, the City shall partner with other Alameda County cities and organizations like Bay Area Community Services (BACS) and Abode Housing to apply for funds to support the acquisition and conversion of single-family homes and hotels/motels to supportive shared housing for people experiencing homelessness. If the project is awarded funds and a partner organization acquires a property in Newark, the City will record a 55-year regulatory agreement against the subject property restricting the rents for extremely low-income households and establishing property maintenance and management standards. Staff will work with partners and the other participating cities to refine the program goals and secure matching funding from Alameda County HOME Consortium.

Quantified Objective:	Conversion of a Homekey-funded hotel containing 124 units for households experiencing homelessness and households at risk of homelessness was completed in 2023. Through a scattered-sites program, purchase 1-2 single-family properties in partnership with nonprofits utilizing available funds to provide extremely low-income housing units for persons experiencing homelessness, with a goal of identifying the majority of sites in high resource census tracts.
Responsible Agency:	Community Development Department
Timeline:	Homekey-funded hotel conversion will be complete in 2023. Scattered-site program compete in 2025-2026, subject to the availability of federal, state and local funding e.
Funding Source(s):	Federal, state, and local funding sources, including Lanterman Act funds or Project Homekey.

PROGRAM H5.1: First-Time Homebuyer Assistance

Bring home ownership within reach for Newark residents. Develop a BMR homeownership program, and down payment assistance programs, with a focus on first time home buyers and BIPOC residents with low home ownership rates. The City will participate in the Alameda County Housing & Community Development Department Mortgage Credit Certificate (MCC) and Down Payment Assistance (DPA) programs to provide down payment assistance to expand homeownership opportunities in Newark. Down payment assistance funds provided by the County may be used to leverage monies from other grants to provide additional assistance with the intent to make homeownership more attainable for families.

Quantified Objective:	The city will target an average of four households for down payment

	assistance each year, with a focus on recruitment of moderate income BIPOC households.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Program developed by June 30, 2024 as part of the Affordable Housing work plan
Funding Source(s):	Housing Impact Fee Fund, potentially CDBG funds.

PROGRAM H5.2: Affordable Housing Development Programs

Resolution 10184 to ensure an adequate amount of affordable housing through three programs.

1. **Percentage of Affordable Units to mitigate the effects of new development**. The city utilizes a percentage of units for very low, low and moderate income units to be included in the development of new housing.
2. **Density Bonus Law.** The city will offer developers the opportunity to utilize the state density Density Bonus (Section 17.19) for an increase in housing units affordable to very low, low and moderate income households or seniors. Concessions are also available under the density bonus law such as reduced parking standards and setbacks, and allowing tandem or uncovered parking.
3. **Affordable Housing fee program.** This ordinance is codified in Chapter 17.18 of the Municipal Code. The fee is based on square footage of the project: The fee is calculated per square foot for floor area above 1,000 square feet, excluding garages, carports or common areas.

Quantified Objective:	778 housing units over the period of the Housing Element. 326 very low, 326 low income units, 126 moderate units
Responsible Agency:	Community Development Department, City Council
Timeline:	Ongoing from existing program
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H5.3: Public Lands for dedicated affordable housing.

The city, in compliance with the Surplus Land Act will develop and implement programs and policies to further Increase the utilization of public land for affordable housing with particular emphasis in high resource and gentrifying areas to support housing mobility and anti displacement efforts.

Quantified Objective:	1. Rezone PF (Public Facility) zoned land to allow affordable housing as a permitted use, by-right. 2. Rezone publicly owned land, from Single Family to Mid rise Residential for the development of 20 new housing units targeted for disabled, single parent and low and moderate income households. 3. Develop a public land framework / policy that enables a coordinated interagency approach to public land reuse. 4. Maintain long-term ownership of public sites to ensure permanent affordability and long-term financial benefits. 5. Work with the school district to reuse excess and underutilized school sites and meet the needs of the local education workforce for the creation of 50 new units of housing for low and moderate income households. 6. Consider interim uses of public sites that can provide amenities to the community (e.g., housing for those experiencing homelessness, art installations and non profit art spaces) 7. The City shall also continue to monitor the status of available land owned by other public agencies and actively work with developers that may wish to develop such properties for affordable housing.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Public land framework developed by June 30, 2025, rezonings to occur by December 31, 2025
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H5.4: Affordable Housing Overlay Zone

Develop an affordable housing overlay zone to incentivize the construction of affordable housing for very low, low, and moderate income households in targeted areas.

Quantified Objective:	Work to develop a series of incentives such as reduced parking requirements, and fast tracked permitting to bring increased production of affordable rental housing to the Four Corners area and other high opportunity areas of the city.
Responsible Agency:	Community Development Department
Timeline:	MID-TERM: Program developed by June 30, 2026
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H6.1: In Response to Multi-Year Drought Conditions, Support a Community Reduction of Local Water Usage

Quantified Objective:	Develop a city wide water wise garden challenge, partner with local non profit organizations and city departments to support the transformation yards and medians with drought tolerant plants. Update municipal code to incorporate language on drought resistant landscaping.
Responsible Agency:	Public Works Department, Community Development Department
Timeline:	MID-TERM: Program developed by June 30, 2026
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H6.2: Encourage Water Utilities to Participate in BayREN's Water Upgrades $ave Program

In order to make water efficiency improvements available to residents at little-to-no up-front cost. Provide information to residents on incentives for energy efficiency and electrification from organizations such as PG&E, BayREN, and others.

Quantified Objective:	Provide information in citywide mailings twice a year and post on City of Newark website and social media outlets.
Responsible Agency:	Community Development Department, Public Works Department
Timeline:	MID-TERM: Program developed by June 30, 2025
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H6.3: Cool Roofs for Cool Homes

In response to increased urban heat events, work to ensure that homes are incorporating designs to support cooler interiors.

Quantified Objective:	Amend the City's building ordinance to exceed Title 24 standards by requiring cool roofs for all new or replacement roofs.
Responsible Agency:	Community Development Department, Public Works Department
Timeline:	IMMEDIATE: Program developed by June 30, 2025

Funding Source(s):	Community Development Maintenance Fund

PROGRAM H6.4: Flood Risk Disclosure for New Development

As a significant portion of Newark falls within the 100 and 500 year flood plain, ensuring that development is built in response to climate change.

Quantified Objective:	Require developments in the flooding and other high-risk inundation areas to disclose flood risks and identify appropriate flood mitigation actions for incorporation into project design.
Responsible Agency:	Community Development Department, Public Works Department
Timeline:	MID-TERM: Program developed by June 30, 2025
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H7.1: Training for Voucher Program and Landlord Responsibilities

Develop training programs in collaboration with Alameda County Housing Authority for property owners to understand the housing choice voucher program and landlord responsibilities.

Quantified Objective:	Hold two workshops annually for rental property owners/managers
Responsible Agency:	Community Development Department
Timeline:	MID-TERM: Program developed by June 30, 2025
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H7.2: Increase City Access, and Partner With Community Organizations To Ensure That Community Members Have Access To Tenant Rights Information and Fair Housing In Multiple Languages.

Expand education and outreach on fair housing laws and source of income discrimination to landlords, property owners with accessory dwelling units, and property owners seeking building permits for rental properties.

Quantified Objective:	• Cocreation of tenants rights information in collaboration with local community organizations made accessible in culturally relevant ways and in a variety of formats such as videos, flyers, social media and public workshops. • The city is working to install and implement the community development information module on the city's website. The city expects to have this operational by the end of 2023 or early 2024. The City has launched a service called "TextMyGov" which is a streamlined way to interact with community members on various topics and services. Users can send questions or concerns via text on mobile devices. Responses are provided via a return text with links to additional information and city services. Users can also register to receive push notifications via text on various city topics such as general city affairs (in English and Spanish), City Council meetings, and community events.
Responsible Agency:	Community Development Department
Timeline:	IMMEDIATE: Program implemented by June 30, 2024
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H7.3: Work with Newark Unified School District to Distribute Housing Resources

Work with Newark Unified School District to distribute housing resources to families enrolled in the district per state law AB27 that directs schools, including charter schools to identify homeless children and youth, requires annual staff training, and mandatory website postings of resources.

Quantified Objective:	Information on housing resources and general family support resources for district families distributed through multiple sources to increase accessibility and that families are connected with housing resources for those experiencing homelessness. Translated into relevant languages for families in Newark. An example would be information published on the website.
Responsible Agency:	City of Newark Homeless Committee, Newark Unified School District
Timeline:	MID-TERM: Program developed by June 30, 2025
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H7.4: Affirmatively Market Affordable Housing

Affirmatively market affordable housing rental and for sale units, through the online affordable housing listing portals such as the Alameda Housing Portal, Doorway and elsewhere, to underrepresented groups such as people with disabilities, extremely low income households and BIPOC households.

Quantified Objective:	Information on housing resources and general family support resources for district families distributed through multiple sources to increase accessibility and that families are connected with housing resources for those experiencing homelessness. Translated into relevant languages for families in Newark. An example would be information published on the website.
Responsible Agency:	Community Development Department, City of Newark Homeless Committee, Newark Unified School District
Timeline:	MID-TERM: Program developed by June 30, 2025
Funding Source(s):	Housing Impact Fee Fund

PROGRAM H7.5: Monitor housing programs through a mid-cycle review

The city commits to continuing improvement, evaluation, and adjustment of programs during the housing element cycle to ensure quantified objectives are being met.

Quantified Objective:	Review quantified objectives for housing construction, rehabilitation, and conservation
Responsible Agency:	Community Development Department
Timeline:	MID-TERM: Programs reviewed by end of 2026
Funding Source(s):	Community Development Maintenance Fund

PROGRAM H7.6: Monitor annual progress towards meeting the City's RHNA goals

The city commits to continuing improvement, evaluation, and adjustment of programs during the

housing element cycle to ensure progress is being made toward the City's RHNA goals.

Quantified Objective:	Monitor housing sites, residential development and future development potential, and programs annually. Survey property owners of sites in the sites inventory to stay current on the project viability and development climate. Report findings through the Annual Progress Report. Make adjustments to programs as needed.
Responsible Agency:	Community Development Department
Timeline:	ANNUALLY: The city will evaluate planned, approved and pending projects for progress toward completion every other year and if necessary, take alternative actions (e.g., additional sites or rezoning) within one year.
Funding Source(s):	Community Development Maintenance Fund

Quantified Objectives

One of the requirements of State law (California Government Code Section 65583[b]) is that the Housing Element contain quantified objectives for the maintenance, preservation, improvement, and development of housing. State law recognizes that the total housing needs identified by a community may exceed available resources and the community's ability to satisfy this need. Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shown in Table 6-3 represent targets. They are estimates based on experience, anticipated funding levels, and housing market conditions. The quantified objectives are not designed to be minimum requirements. The quantified objectives are based largely upon implementation programs that have measurable outcomes. However, the Housing Element contains several policies and implementation programs that reduce barriers and create opportunities for affordable housing. These policies and programs are essential to meeting the City's housing needs but are more qualitative and difficult to quantify.

Table 6-3: List of Quantified Objectives for the 2023 to 2031 Planning Period

Action	Very Low	Low	Moderate	Above Moderate	Total
RHNA	**464**	**268**	**318**	**824**	**1,874**
New Construction					
Pipeline Projects	274	66	26	891	1,257
Program H2.1 and H2.8 Missing Middle			200		200
Program H2.2 Accessory Dwelling Units	48	48	48	16	160
Rehabilitation					
Program H1.1 Housing Rehabilitation and Repair[14]	34	34	34		102
Program H1.2 Rental Inspection and Repair	32	32	32		96
Conservation, Preservation, + Assistance					
Program H4.3 Tenant Protections	50	40	30		120
Program H4.8 and H5.1 First Time Home Buyer and Foreclosure		10	14		24
Program H4.7 Disability	10	10			20
Program H4.5 Shared Housing	80	80			160

Source: City of Newark, 2023

[14] Community Development Block Grant Status Report. April 5, 2023. An average of 9 units per year in a 10 year period.

APPENDIX A HOUSING NEEDS

HOUSING NEEDS DATA REPORT: NEWARK

ABAG/MTC Staff and Baird + Driskell Community Planning

2021-04-02

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1 INTRODUCTION

The Bay Area continues to see growth in both population and jobs, which means more housing of various types and sizes is needed to ensure that residents across all income levels, ages, and abilities have a place to call home. While the number of people drawn to the region over the past 30 years has steadily increased, housing production has stalled, contributing to the housing shortage that communities are experiencing today. In many cities, this has resulted in residents being priced out, increased traffic congestion caused by longer commutes, and fewer people across incomes being able to purchase homes or meet surging rents.

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

2 SUMMARY OF KEY FACTS

- **Population** – Generally, the population of the Bay Area continues to grow because of natural growth and because the strong economy draws new residents to the region. The population of Newark increased by 15.3% from 2000 to 2020, which is above the growth rate of the Bay Area.

- **Age** – In 2019, Newark's youth population under the age of 18 was 10,015 and senior population 65 and older was 6,038. These age groups represent 21.2% and 12.8%, respectively, of Newark's population.

- **Race/Ethnicity** – In 2020, 23.7% of Newark's population was White while 3.9% was African American, 33.9% was Asian, and 34.8% was Latinx. People of color in Newark comprise a proportion above the overall proportion in the Bay Area as a whole.[1]

- **Employment** – Newark residents most commonly work in the *Manufacturing, Wholesale & Transportation* industry. From January 2010 to January 2021, the unemployment rate in Newark decreased by 3.7 percentage points. Since 2010, the number of jobs located in the jurisdiction increased by 4,650 (29.9%). Additionally, the jobs-household ratio in Newark has increased from 1.33 in 2002 to 1.49 jobs per household in 2018.

- **Number of Homes** – The number of new homes built in the Bay Area has not kept pace with the demand, resulting in longer commutes, increasing prices, and exacerbating issues of displacement and homelessness. The number of homes in Newark increased, 11.2% from 2010 to 2020, which is *above* the growth rate for Alameda County and *above* the growth rate of the region's housing stock during this time period.

- **Home Prices** – A diversity of homes at all income levels creates opportunities for all Newark residents to live and thrive in the community.

    - **Ownership** The largest proportion of homes had a value in the range of $750k-$1M in 2019. Home prices increased by 133.9% from 2010 to 2020.

    - **Rental Prices** – The typical contract rent for an apartment in Newark was $2,110 in 2019. Rental prices increased by 61.1% from 2009 to 2019. To rent a typical apartment without cost burden, a household would need to make $84,720 per year.[2]

- **Housing Type** – It is important to have a variety of housing types to meet the needs of a community today and in the future. In 2020, 69.6% of homes in Newark were single family detached, 9.5% were single family attached, 4.4% were small multifamily (2-4 units), and 16.5% were medium or large multifamily (5+ units). Between 2010 and 2020, the number of single-family units increased more than multi-family units. Generally, in Newark, the share of the

[1] The Census Bureau's American Community Survey accounts for ethnic origin separate from racial identity. The numbers reported here use an accounting of both such that the racial categories are shown exclusive of Latinx status, to allow for an accounting of the Latinx population regardless of racial identity. The term Hispanic has historically been used to describe people from numerous Central American, South American, and Caribbean countries. In recent years, the term Latino or Latinx has become preferred. This report generally uses Latinx, but occasionally when discussing US Census data, we use Hispanic or Non-Hispanic, to clearly link to the data source.
[2] Note that contract rents may differ significantly from, and often being lower than, current listing prices.

housing stock that is detached single family homes is above that of other jurisdictions in the region.

- **Cost Burden** – The U.S. Department of Housing and Urban Development considers housing to be affordable for a household if the household spends less than 30% of its income on housing costs. A household is considered "cost-burdened" if it spends more than 30% of its monthly income on housing costs, while those who spend more than 50% of their income on housing costs are considered "severely cost-burdened." In Newark, 19.2% of households spend 30%-50% of their income on housing, while 12.4% of households are severely cost burden and use the majority of their income for housing.

- **Displacement/Gentrification** – According to research from The University of California, Berkeley, 0.0% of households in Newark live in neighborhoods that are susceptible to or experiencing displacement, and 0.0% live in areas at risk of or undergoing gentrification. 31.8% of households in Newark live in neighborhoods where low-income households are likely excluded due to prohibitive housing costs. There are various ways to address displacement including ensuring new housing at all income levels is built.

- **Neighborhood** – 9.7% of residents in Newark live in neighborhoods identified as "Highest Resource" or "High Resource" areas by State-commissioned research, while 11.0% of residents live in areas identified by this research as "Low Resource" or "High Segregation and Poverty" areas. These neighborhood designations are based on a range of indicators covering areas such as education, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors.[3]

- **Special Housing Needs** – Some population groups may have special housing needs that require specific program responses, and these groups may experience barriers to accessing stable housing due to their specific housing circumstances. In Newark, 7.6% of residents have a disability of any kind and may require accessible housing. Additionally, 18.7% of Newark households are larger households with five or more people, who likely need larger housing units with three bedrooms or more. 11.8% of households are female-headed families, which are often at greater risk of housing insecurity.

> ***Note on Data***
>
> *Many of the tables in this report are sourced from data from the Census Bureau's American Community Survey or U.S. Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy (CHAS) data, both of which are samples and as such, are subject to sampling variability. This means that data is an estimate, and that other estimates could be possible if another set of respondents had been reached. We use the five-year release to get a*

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

larger data pool to minimize this "margin of error" but particularly for the smaller cities, the data will be based on fewer responses, and the information should be interpreted accordingly.

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

Note on Figures

Any figure that does not specify geography in the figure name represents data for Newark.

3 LOOKING TO THE FUTURE: REGIONAL HOUSING NEEDS

3.1 Regional Housing Needs Determination

The Plan Bay Area 2050[4] Final Blueprint forecasts that the nine-county Bay Area will add 1.4 million new households between 2015 and 2050. For the eight-year time frame covered by this Housing Element Update, the Department of Housing and Community Development (HCD) has identified the region's housing need as 441,176 units. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to market rate housing.[5] This calculation, known as the Regional Housing Needs Determination (RHND), is based on population projections produced by the California Department of Finance as well as adjustments that incorporate the region's existing housing need. The adjustments result from recent legislation requiring HCD to apply additional adjustment factors to the baseline growth projection from California Department of Finance, in order for the regions to get closer to healthy housing markets. To this end, adjustments focus on the region's vacancy rate, level of overcrowding and the share of cost burdened households, and seek to bring the region more in line with comparable ones.[6] These new laws governing the methodology for how HCD calculates the RHND resulted in a significantly higher number of housing units for which the Bay Area must plan compared to previous RHNA cycles.

3.2 Regional Housing Needs Allocation

A starting point for the Housing Element Update process for every California jurisdiction is the Regional Housing Needs Allocation or RHNA – the share of the RHND assigned to each jurisdiction by the Association of Bay Area Governments (ABAG). State Housing Element Law requires ABAG to develop a methodology that calculates the number of housing units assigned to each city and county and distributes each jurisdiction's housing unit allocation among four affordability levels. For this RHNA cycle, the RHND increased by 135%, from 187,990 to 441,776. For more information on the RHNA process this cycle, see ABAG's website: https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation

Almost all jurisdictions in the Bay Area are likely to receive a larger RHNA this cycle compared to the last cycle, primarily due to changes in state law that led to a considerably higher RHND compared to previous cycles.

In January 2021, ABAG adopted a Draft RHNA Methodology, which is currently being reviewed by HCD. For Newark, the proposed RHNA to be planned for this cycle is 1,874 units, a slated increase from the last cycle. **Please note that the previously stated figures are merely illustrative, as ABAG has yet to issue Final RHNA allocations. The Final RHNA allocations that local jurisdictions will use for their**

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

[5] HCD divides the RHND into the following four income categories:
Very Low-income: 0-50% of Area Median Income
Low-income: 50-80% of Area Median Income
Moderate-income: 80-120% of Area Median Income
Above Moderate-income: 120% or more of Area Median Income

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

Housing Elements will be released at the end of 2021. The potential allocation that Newark would receive from the Draft RHNA Methodology is broken down by income category as follows:

Table 1: Illustrative Regional Housing Needs Allocation from Draft Methodology

Income Group	Newark Units	Alameda County Units	Bay Area Units	Newark Percent	Alameda County Percent	Bay Area Percent
Very Low Income (<50% of AMI)	464	23606	114442	24.8%	26.5%	25.9%
Low Income (50%-80% of AMI)	268	13591	65892	14.3%	15.3%	14.9%
Moderate Income (80%-120% of AMI)	318	14438	72712	17.0%	16.2%	16.5%
Above Moderate Income (>120% of AMI)	824	37362	188130	44.0%	42.0%	42.6%
Total	1874	88997	441176	100.0%	100.0%	100.0%

Source: Association of Bay Area Governments Methodology and tentative numbers were approved by ABAG's Executive board on January 21, 2021 (Resolution No. 02-2021). The numbers were submitted for review to California Housing and Community Development in February 2021, after which an appeals process will take place during the Summer and Fall of 2021.
THESE NUMBERS SHOULD BE CONSIDERED PRELIMINARY AND SUBJECT TO CHANGE PER HCD REVIEW

4 POPULATION, EMPLOYMENT AND HOUSEHOLD CHARACTERISTICS

4.1 Population

The Bay Area is the fifth-largest metropolitan area in the nation and has seen a steady increase in population since 1990, except for a dip during the Great Recession. Many cities in the region have experienced significant growth in jobs and population. While these trends have led to a corresponding increase in demand for housing across the region, the regional production of housing has largely not kept pace with job and population growth. Since 2000, Newark's population has increased by 15.3%; this rate is above that of the region as a whole, at 14.8%. In Newark, roughly 9.5% of its population moved during the past year, a number 3.9 percentage points smaller than the regional rate of 13.4%.

Table 2: Population Growth Trends

Geography	1990	1995	2000	2005	2010	2015	2020
Newark	37861	39681	42471	43522	42573	44371	48966
Alameda County	1276702	1344157	1443939	1498963	1510271	1613528	1670834
Bay Area	6020147	6381961	6784348	7073912	7150739	7595694	7790537

Universe: Total population
Source: California Department of Finance, E-5 series
For more years of data, please refer to the Data Packet Workbook, Table POPEMP-01.

In 2020, the population of Newark was estimated to be 48,966 (see Table 2). From 1990 to 2000, the population increased by 12.2%, while it increased by 0.2% during the first decade of the 2000s. In the most recent decade, the population increased by 15.0%. The population of Newark makes up 2.9% of Alameda County.[7]

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

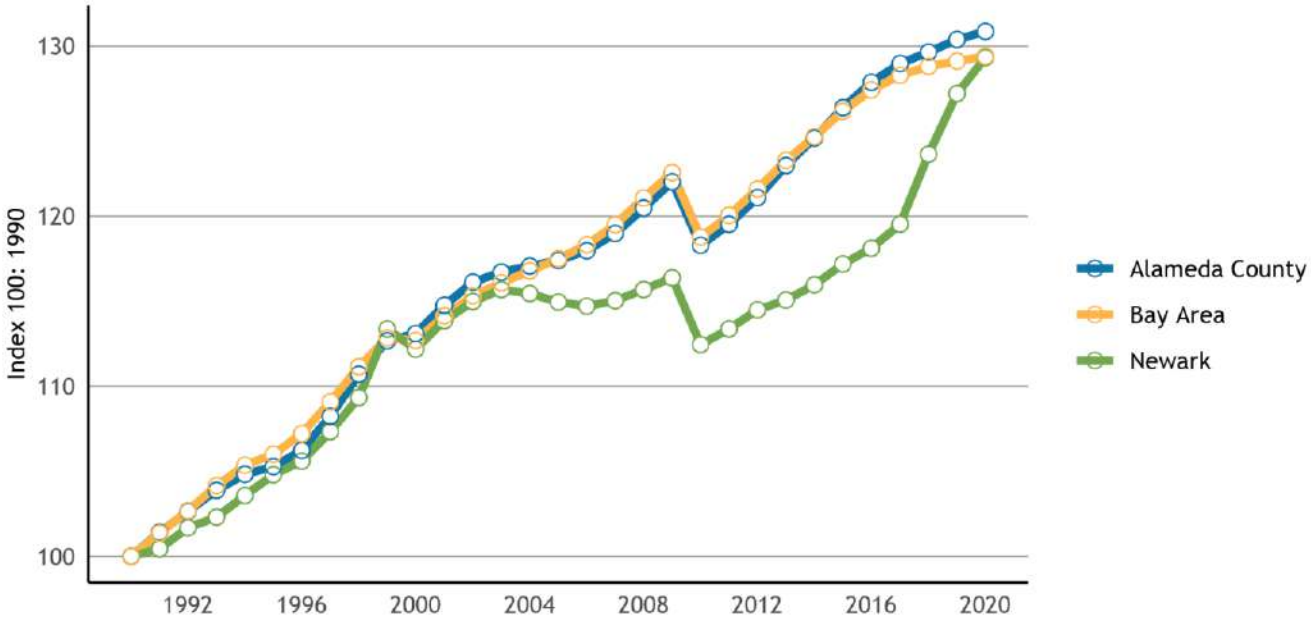


Figure 1: Population Growth Trends

Source: California Department of Finance, E-5 series Note: The data shown on the graph represents population for the jurisdiction, county, and region indexed to the population in the first year shown. The data points represent the relative population growth in each of these geographies relative to their populations in that year.
For some jurisdictions, a break may appear at the end of each decade (1999, 2009) as estimates are compared to census counts. DOF uses the decennial census to benchmark subsequent population estimates.
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-01.

4.2 Age

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

In Newark, the median age in 2000 was 32.2; by 2019, this figure had increased, landing at around 37 years. More specifically, the population of those under 14 has decreased since 2010, while the 65-and-over population has increased (see Figure 2).

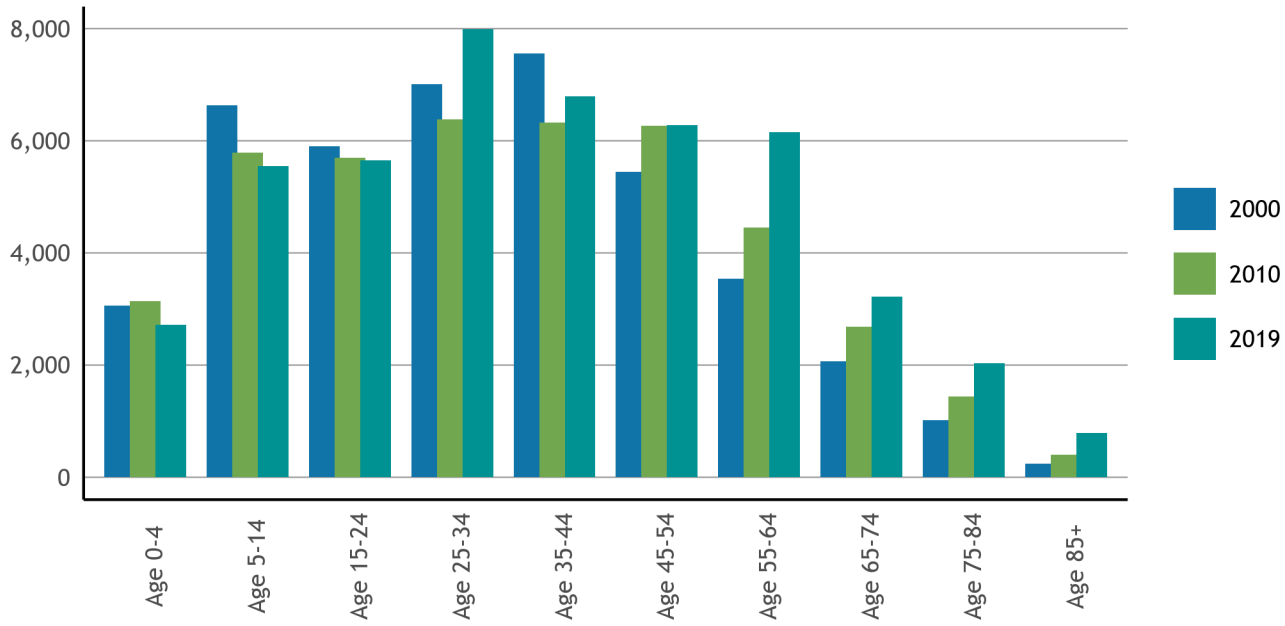


Figure 2: Population by Age, 2000-2019

Universe: Total population
Source: U.S. Census Bureau, Census 2000 SF1, Table P12; U.S. Census Bureau, Census 2010 SF1, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-04.

Looking at the senior and youth population by race can add an additional layer of understanding, as families and seniors of color are even more likely to experience challenges finding affordable housing. People of color[8] make up 51.4% of seniors and 73.8% of youth under 18 (see Figure 3).

[8] Here, we count all non-white racial groups

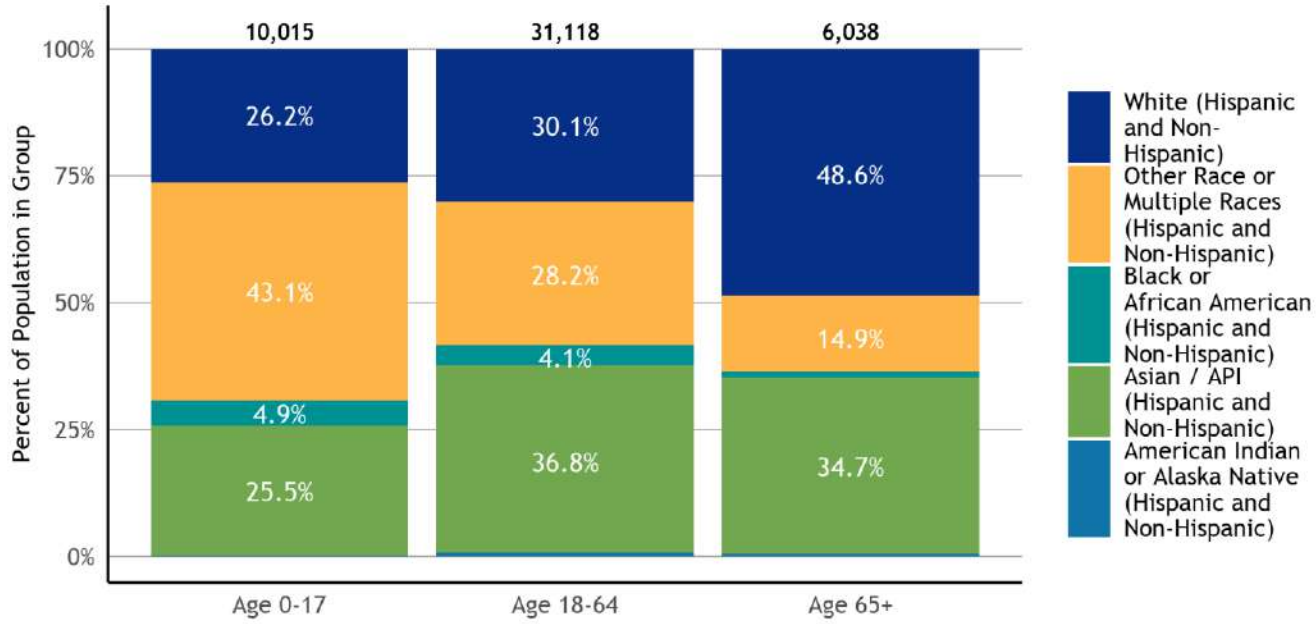


Figure 3: Senior and Youth Population by Race

Universe: Total population
Notes: In the sources for this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity, and an overlapping category of Hispanic / non-Hispanic groups has not been shown to avoid double counting in the stacked bar chart.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-G)
For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-02.

4.3 Race and Ethnicity

Understanding the racial makeup of a city and region is important for designing and implementing effective housing policies and programs. These patterns are shaped by both market factors and government actions, such as exclusionary zoning, discriminatory lending practices and displacement that has occurred over time and continues to impact communities of color today[9]. Since 2000, the percentage of residents in Newark identifying as White has decreased – and by the same token the percentage of residents of all *other* races and ethnicities has *increased* – by 18.6 percentage points, with the 2019 population standing at 11,168 (see Figure 4). In absolute terms, the *Asian / API, Non-Hispanic* population increased the most while the *White, Non-Hispanic* population decreased the most.

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

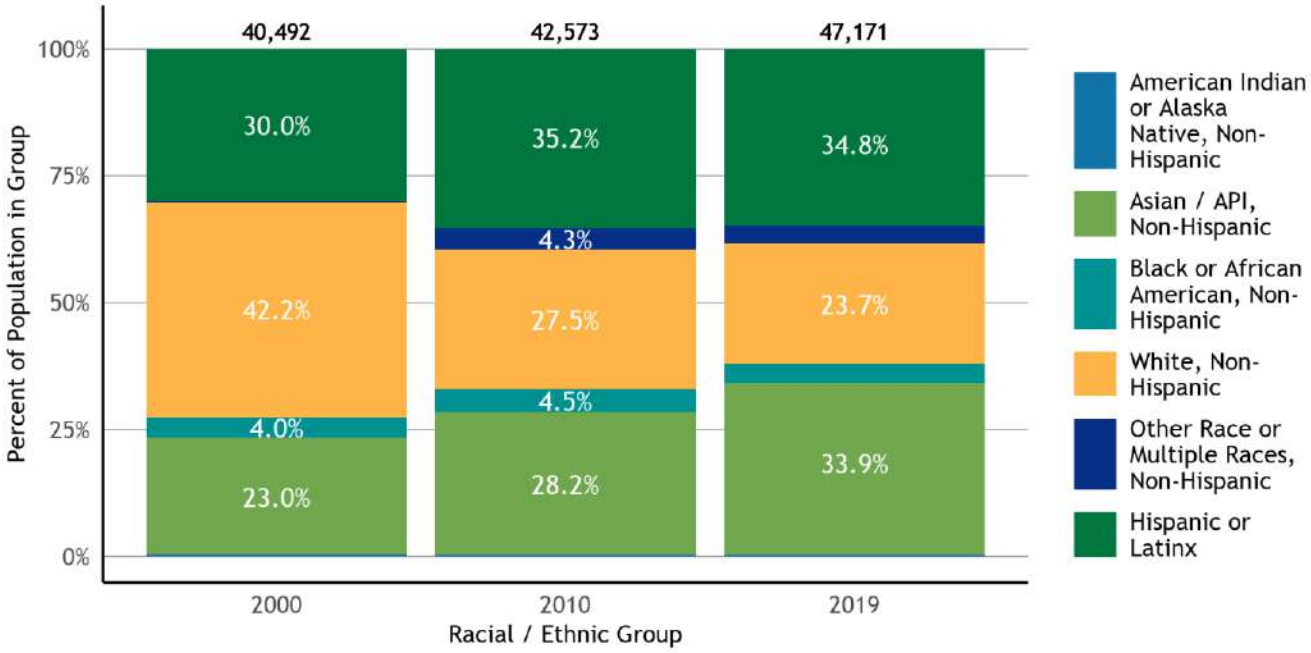


Figure 4: Population by Race, 2000-2019

Universe: Total population
Notes: Data for 2019 represents 2015-2019 ACS estimates. The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.
Source: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-02.

4.4 Employment Trends

4.4.1 Balance of Jobs and Workers

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

One measure of this is the relationship between *workers* and *jobs*. A city with a surplus of workers "exports" workers to other parts of the region, while a city with a surplus of jobs must conversely "import" them. Between 2002 and 2018, the number of jobs in Newark increased by 15.3% (see Figure 5).

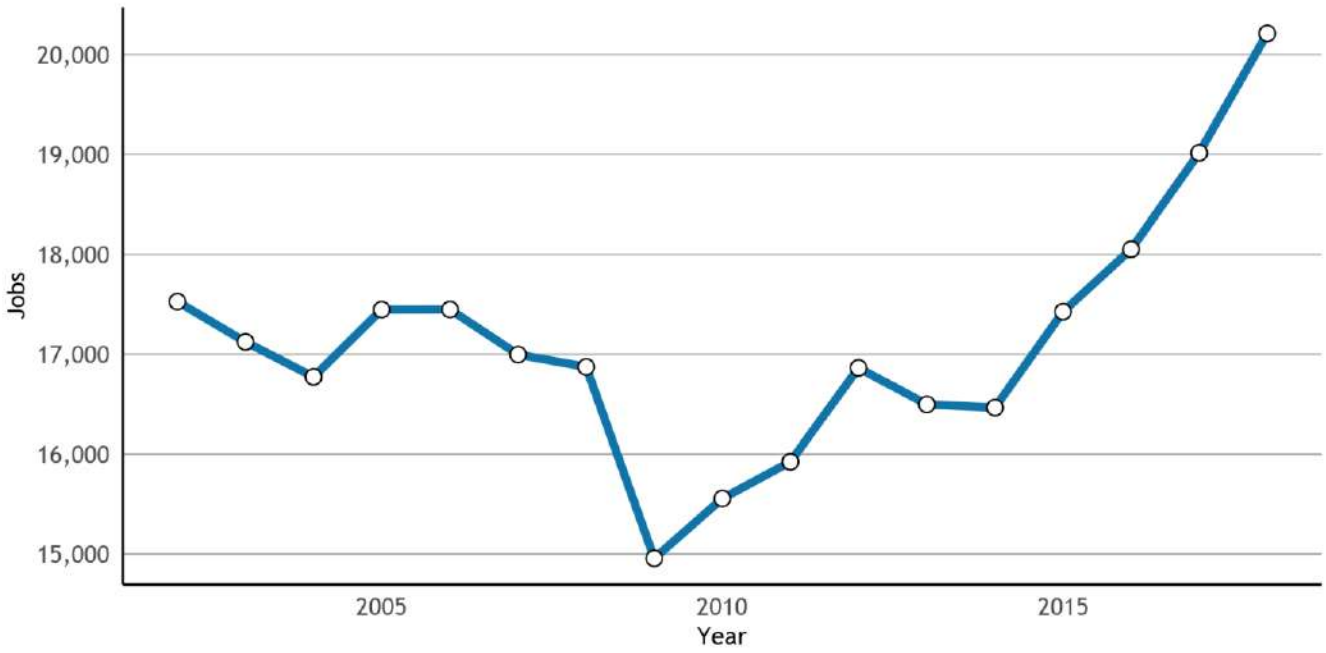


Figure 5: Jobs in a Jurisdiction

Universe: Jobs from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment
Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized.
Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2002-2018
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-11.

There are 17,935 employed residents, and 17,168 jobs[10] in Newark - the ratio of jobs to resident workers is 0.96; Newark is *a net exporter of workers*.

Figure 6 shows the balance when comparing jobs to workers, broken down by different wage groups, offering additional insight into local dynamics. A community may offer employment for relatively low-income workers but have relatively few housing options for those workers - or conversely, it may house residents who are low wage workers but offer few employment opportunities for them. Such relationships may cast extra light on potentially pent-up demand for housing in particular price categories. A relative *surplus* of jobs relative to residents in a given wage category suggests the need to import those workers, while conversely, surpluses of workers in a wage group relative to jobs means the community will export those workers to other jurisdictions. Such flows are not inherently bad, though over time, sub-regional imbalances may appear. Newark has more low-wage *jobs* than low-wage *residents* (where low-wage refers to jobs paying less than $25,000). At the other end of the wage

[10] Employed *residents* in a jurisdiction is counted by place of residence (they may work elsewhere) while *jobs* in a jurisdiction are counted by place of work (they may live elsewhere). The jobs may differ from those reported in Figure 5 as the source for the time series is from administrative data, while the cross-sectional data is from a survey.

spectrum, the city has more high-wage *residents* than high-wage *jobs* (where high-wage refers to jobs paying more than $75,000) (see Figure 6).[11]

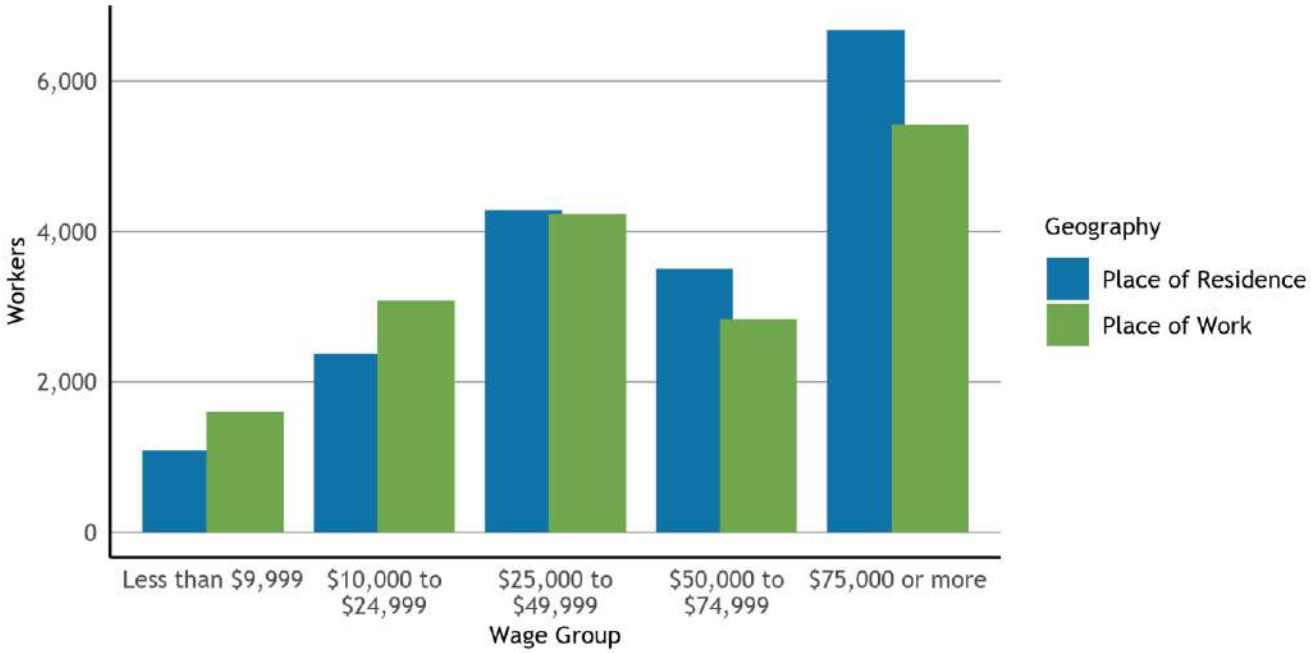


Figure 6: Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence

Universe: Workers 16 years and over with earnings
Source: U.S. Census Bureau, American Community Survey 5-Year Data 2015-2019, B08119, B08519
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-10.

Figure 7 shows the balance of a jurisdiction's resident workers to the jobs located there for different wage groups as a ratio instead - a value of 1 means that a city has the same number of jobs in a wage group as it has resident workers - in principle, a balance. Values above 1 indicate a jurisdiction will need to import workers for jobs in a given wage group. At the regional scale, this ratio is 1.04 jobs for each worker, implying a modest import of workers from outside the region (see Figure 7).

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

Figure 7: Jobs-Worker Ratios, By Wage Group

Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment
Notes: The ratio compares job counts by wage group from two tabulations of LEHD data: Counts by place of work relative to counts by place of residence. See text for details.
Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs); Residence Area Characteristics (RAC) files (Employed Residents), 2010-2018
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-14.

Such balances between jobs and workers may directly influence the housing demand in a community. New jobs may draw new residents, and when there is high demand for housing relative to supply, many workers may be unable to afford to live where they work, particularly where job growth has been in relatively lower wage jobs. This dynamic not only means many workers will need to prepare for long commutes and time spent on the road, but in the aggregate it contributes to traffic congestion and time lost for all road users.

If there are more jobs than employed residents, it means a city is relatively jobs-rich, typically also with a high jobs to household ratio. Thus bringing housing into the measure, the *jobs-household ratio* in Newark has increased from 1.33 in 2002, to 1.49 jobs per household in 2018 (see Figure 8).

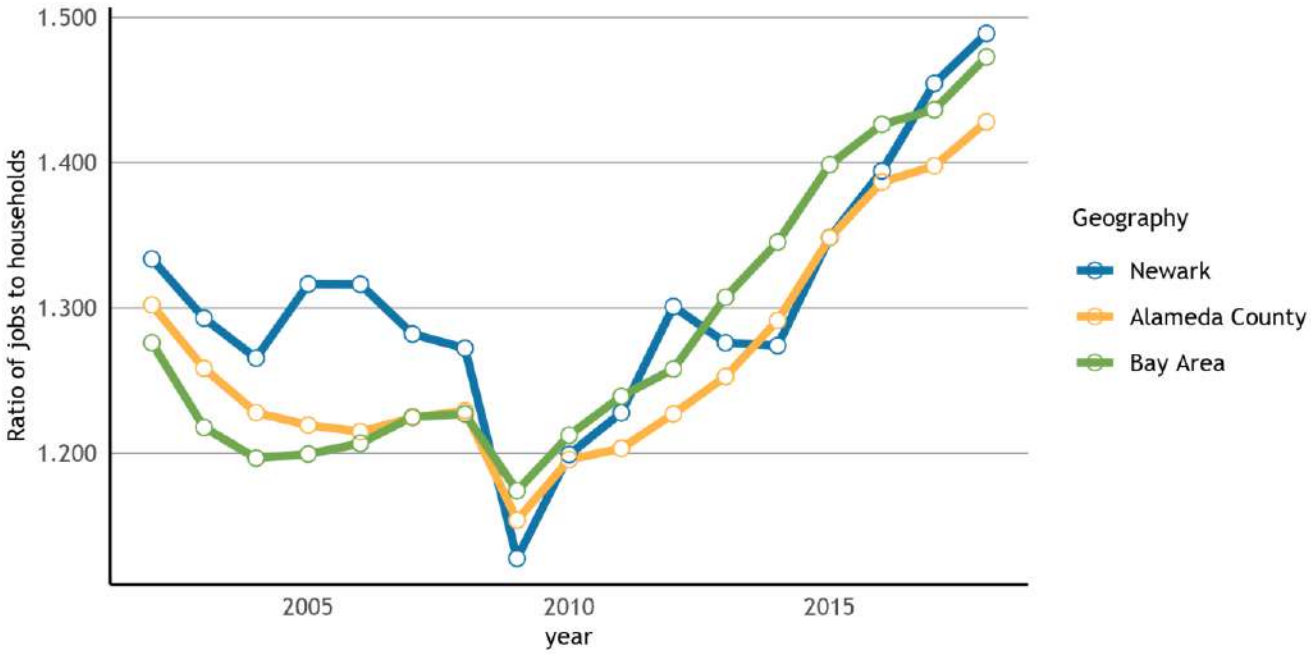


Figure 8: Jobs-Household Ratio

Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment; households in a jurisdiction
Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data is provided at the census block level. These are crosswalked to jurisdictions and summarized. The ratio compares place of work wage and salary jobs with households, or occupied housing units. A similar measure is the ratio of jobs to housing units. However, this jobs-household ratio serves to compare the number of jobs in a jurisdiction to the number of housing units that are actually occupied. The difference between a jurisdiction's jobs-housing ratio and jobs-household ratio will be most pronounced in jurisdictions with high vacancy rates, a high rate of units used for seasonal use, or a high rate of units used as short-term rentals.
Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs), 2002-2018; California Department of Finance, E-5 (Households)
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-13.

4.4.2 Sector Composition

In terms of sectoral composition, the largest industry in which Newark residents work is *Manufacturing, Wholesale & Transportation*, and the largest sector in which Alameda residents work is *Health & Educational Services* (see Figure 9). For the Bay Area as a whole, the *Health & Educational Services* industry employs the most workers.

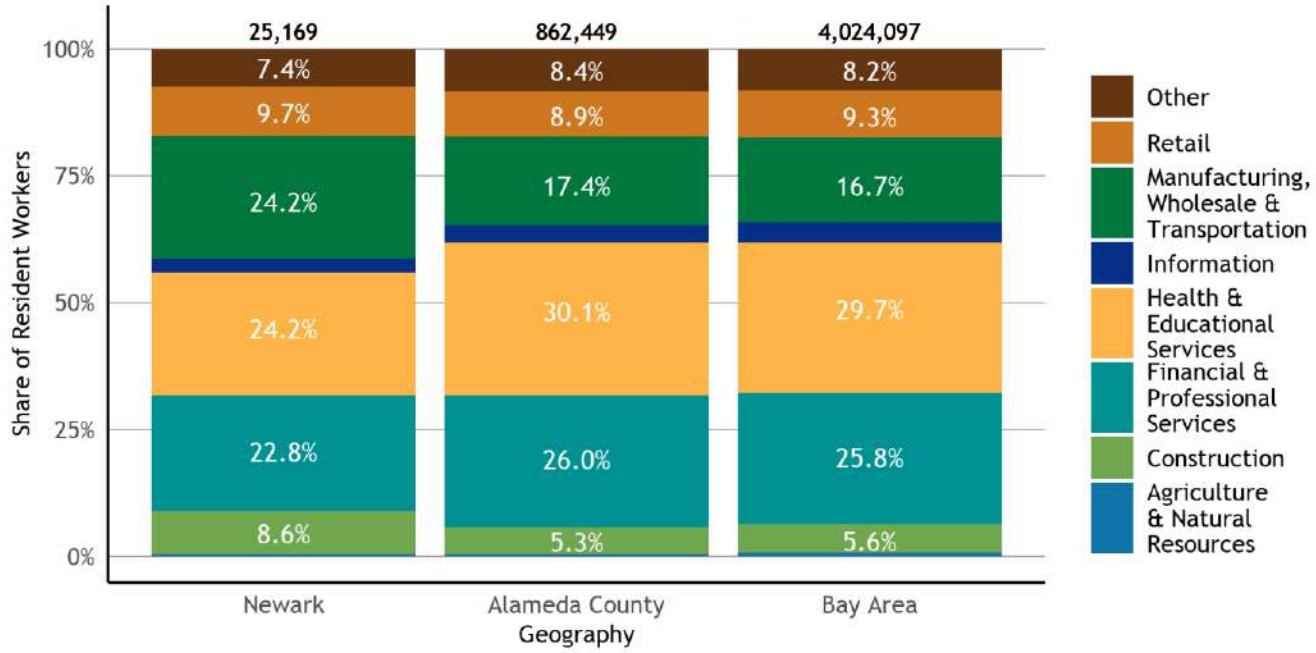


Figure 9: Resident Employment by Industry

Universe: Civilian employed population age 16 years and over
Notes: The data displayed shows the industries in which jurisdiction residents work, regardless of the location where those residents are employed (whether within the jurisdiction or not). Categories are derived from the following source tables: Agriculture & Natural Resources: C24030_003E, C24030_030E; Construction: C24030_006E, C24030_033E; Manufacturing, Wholesale & Transportation: C24030_007E, C24030_034E, C24030_008E, C24030_035E, C24030_010E, C24030_037E; Retail: C24030_009E, C24030_036E; Information: C24030_013E, C24030_040E; Financial & Professional Services: C24030_014E, C24030_041E, C24030_017E, C24030_044E; Health & Educational Services: C24030_021E, C24030_024E, C24030_048E, C24030_051E; Other: C24030_027E, C24030_054E, C24030_028E, C24030_055E
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-06.

4.4.3 Unemployment

In Newark, there was a 3.7 percentage point decrease in the unemployment rate between January 2010 and January 2021. Jurisdictions through the region experienced a sharp rise in unemployment in 2020 due to impacts related to the COVID-19 pandemic, though with a general improvement and recovery in the later months of 2020.

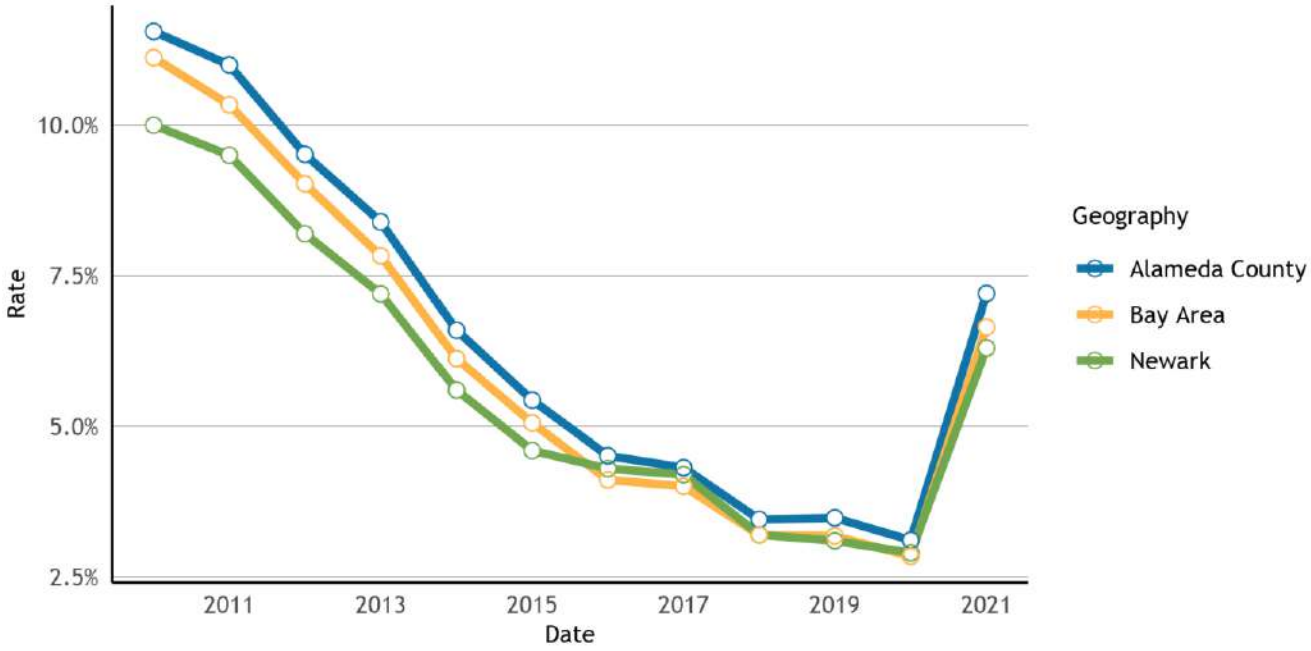


Figure 10: Unemployment Rate

Universe: Civilian noninstitutional population ages 16 and older
Notes: Unemployment rates for the jurisdiction level is derived from larger-geography estimates. This method assumes that the rates of change in employment and unemployment are exactly the same in each sub-county area as at the county level. If this assumption is not true for a specific sub-county area, then the estimates for that area may not be representative of the current economic conditions. Since this assumption is untested, caution should be employed when using these data. Only not seasonally-adjusted labor force (unemployment rates) data are developed for cities and CDPs.
Source: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021.
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-15.

4.5 Extremely Low-Income Households

Despite the economic and job growth experienced throughout the region since 1990, the income gap has continued to widen. California is one of the most economically unequal states in the nation, and the Bay Area has the highest income inequality between high- and low-income households in the state[12].

In Newark, 57.5% of households make more than 100% of the Area Median Income (AMI)[13], compared to 10.3% making less than 30% of AMI, which is considered extremely low-income (see Figure 11).

[12] Bohn, S.et al. 2020. Income Inequality and Economic Opportunity in California. *Public Policy Institute of California*.
[13] Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. Households making between 80 and 120 percent of the AMI are moderate-income, those making 50 to 80 percent are low-income, those making 30 to 50

Regionally, more than half of all households make more than 100% AMI, while 15% make less than 30% AMI. In Alameda County, 30% AMI is the equivalent to the annual income of $34,850 for a family of four. Many households with multiple wage earners – including food service workers, full-time students, teachers, farmworkers and healthcare professionals – can fall into lower AMI categories due to relatively stagnant wages in many industries.

Note on Estimating the Projected Number of Extremely Low-Income Households

Local jurisdictions are required to provide an estimate for their projected extremely low-income households in their Housing Elements. HCD's official Housing Element guidance notes that jurisdictions can use their RHNA for very low-income households (those making 0-50% AMI) to calculate their projected extremely low-income households. For more information, visit HCD's Building Blocks page on Extremely Low-Income Housing Needs.

This document does not contain the required data point of projected extremely low-income households, as Bay Area jurisdictions have not yet received their final RHNA numbers. Once Newark receives its 6th Cycle RHNA, staff can estimate the projected extremely low-income households using one of the following three methodologies:

Option A: *Assume that 59.8% of Newark's very low-income RHNA is for extremely low-income households.*

According to HCD's Regional Housing Need Determination for the Bay Area, 15.5% of the region's housing need is for 0-30% AMI households while 25.9% is for 0-50% AMI households. Therefore, extremely low-income housing need represents 59.8% of the region's very low-income housing need, as 15.5 divided by 25.9 is 59.8%. This option aligns with HCD's guidance to use U.S. Census data to calculate the percentage of very low-income RHNA that qualifies for extremely low-income households, as HCD uses U.S. Census data to calculate the Regional Housing Need Determination.

Option B: *Assume that 55.2% of Newark's very low-income RHNA is for extremely low-income households.*

According to the data shown below (Figure 11), 2,508 of Newark's households are 0-50% AMI while 1,384 are extremely low-income. Therefore, extremely low-income households represent 55.2% of households who are 0-50% AMI, as 1,384 divided by 2,508 is 55.2%. This option aligns with HCD's guidance to use U.S. Census data to calculate the percentage of very low-income RHNA that qualifies for extremely low-income households, as the information in Figure 11 represents a tabulation of Census Bureau Data.

Option C: *Assume that 50% of Newark's very low-income RHNA is for extremely low-income households.*

HCD's guidance notes that instead of using use U.S. Census data to calculate the percentage of very low-income RHNA that qualifies for extremely low-income households, local jurisdictions can presume that 50% of their RHNA for very low-income households qualifies for extremely low-income households.

percent are very low-income, and those making less than 30 percent are extremely low-income. This is then adjusted for household size.

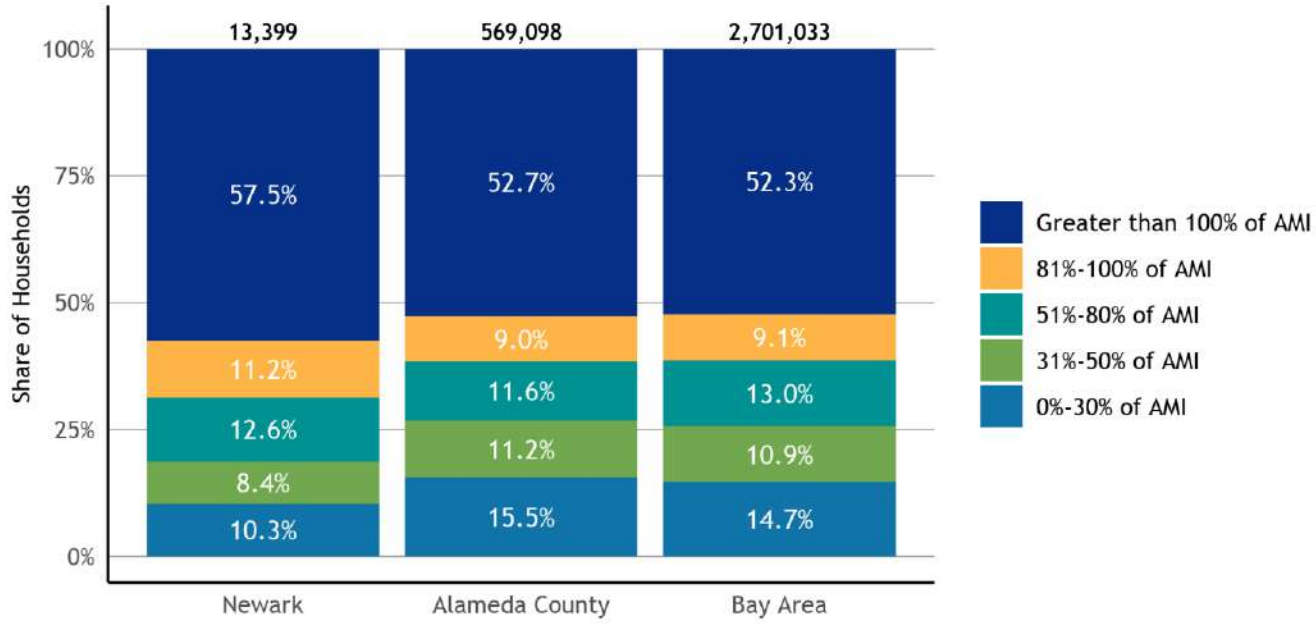


Figure 11: Households by Household Income Level

Universe: Occupied housing units
Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. The data that is reported for the Bay Area is not based on a regional AMI but instead refers to the regional total of households in an income group relative to the AMI for the county where that household is located. Local jurisdictions are required to provide an estimate for their projected extremely low-income households (0-30% AMI) in their Housing Elements. HCD's official Housing Element guidance notes that jurisdictions can use their RHNA for very low-income households (those making 0-50% AMI) to calculate their projected extremely low-income households. As Bay Area jurisdictions have not yet received their final RHNA numbers, this document does not contain the required data point of projected extremely low-income households. The report portion of the housing data needs packet contains more specific guidance for how local staff can calculate an estimate for projected extremely low-income households once jurisdictions receive their 6th cycle RHNA numbers.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-01.

Throughout the region, there are disparities between the incomes of homeowners and renters. Typically, the number of low-income renters greatly outpaces the amount of housing available that is affordable for these households.

In Newark, the largest proportion of renters falls in the *Greater than 100% of AMI* income group, while the largest proportion of homeowners are found in the *Greater than 100% of AMI* group (see Figure 12).

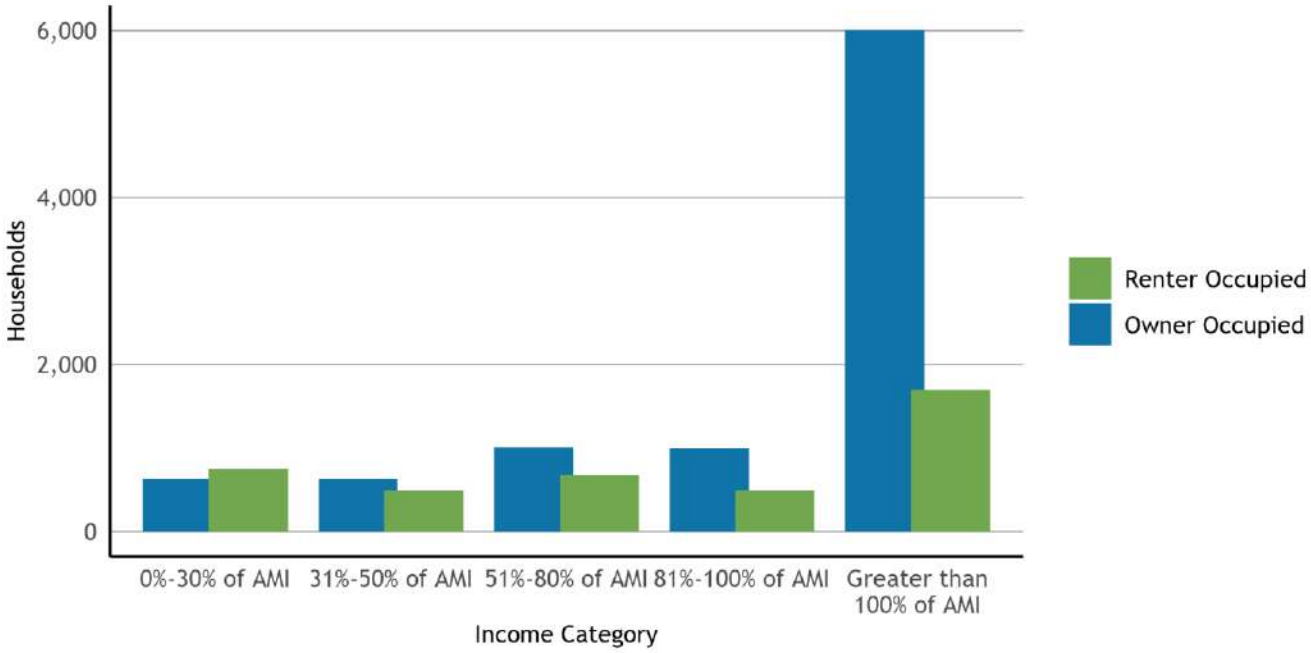


Figure 12: Household Income Level by Tenure

Universe: Occupied housing units
Notes: Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-21.

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents.[14] These economic disparities also leave communities of color at higher risk for housing insecurity, displacement or homelessness. In Newark, Black or African American (Hispanic and Non-Hispanic) residents experience the highest rates of poverty, followed by American Indian or Alaska Native (Hispanic and Non-Hispanic) residents (see Figure 13).

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

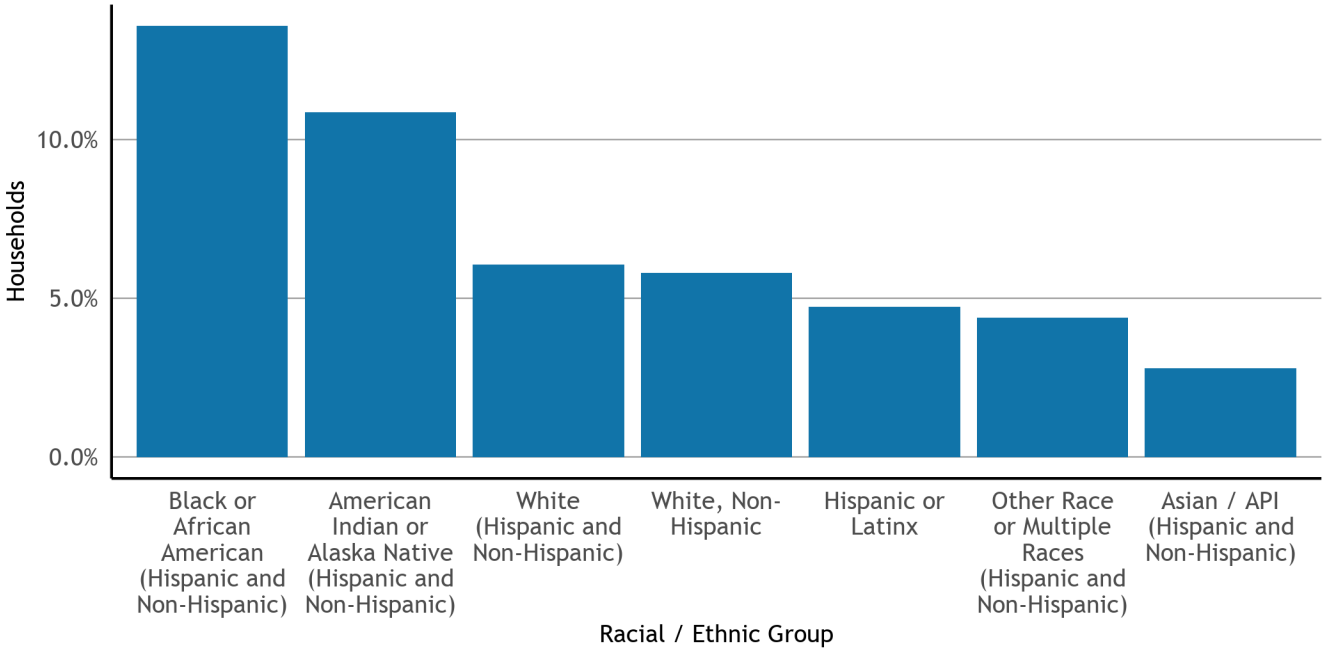


Figure 13: Poverty Status by Race

Universe: Population for whom poverty status is determined
Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the population for whom poverty status is determined for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the population for whom poverty status is determined.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17001(A-I)
For the data table behind this figure, please refer to the Data Packet Workbook, Table ELI-03.

4.6 Tenure

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity – ability for individuals to stay in their homes – in a city and region. Generally, renters may be displaced more quickly if prices increase. In Newark there are a total of 14,047 housing units, and fewer residents rent than own their homes: 31.2% versus 68.8% (see Figure 14). By comparison, 46.5% of households in Alameda County are renters, while 44% of Bay Area households rent their homes.

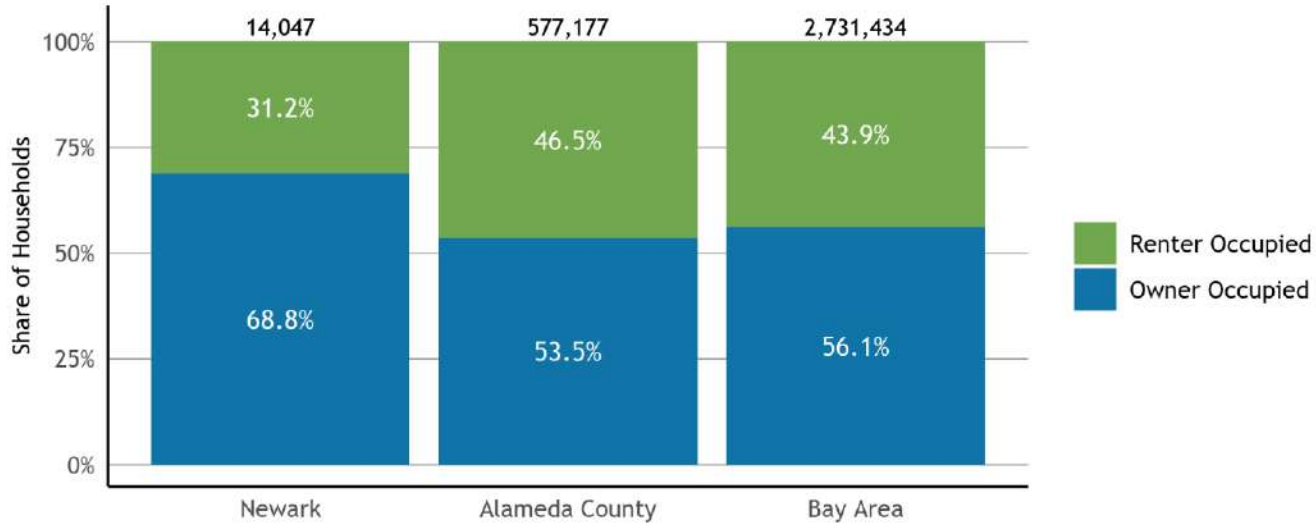


Figure 14: Housing Tenure

Universe: Occupied housing units
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-16.

Homeownership rates often vary considerably across race/ethnicity in the Bay Area and throughout the country. These disparities not only reflect differences in income and wealth but also stem from federal, state, and local policies that limited access to homeownership for communities of color while facilitating homebuying for white residents. While many of these policies, such as redlining, have been formally disbanded, the impacts of race-based policy are still evident across Bay Area communities.[15] In Newark, 54.1% of Black households owned their homes, while homeownership rates were 74.5% for Asian households, 54.1% for Latinx households, and 77.1% for White households. Notably, recent changes to state law require local jurisdictions to examine these dynamics and other fair housing issues when updating their Housing Elements.

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

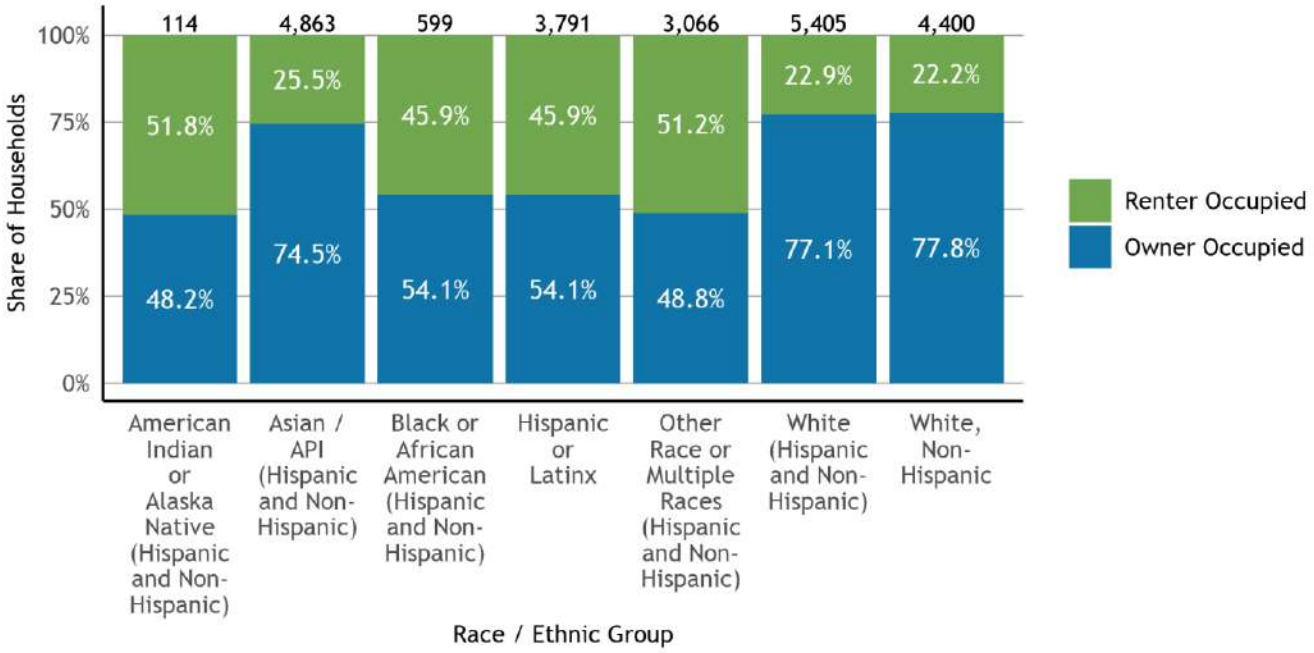


Figure 15: Housing Tenure by Race of Householder

Universe: Occupied housing units
Notes: For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I)
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-20.

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

In Newark, 43.6% of householders between the ages of 25 and 44 are renters, while 13.5% of householders over 65 are (see Figure 16).

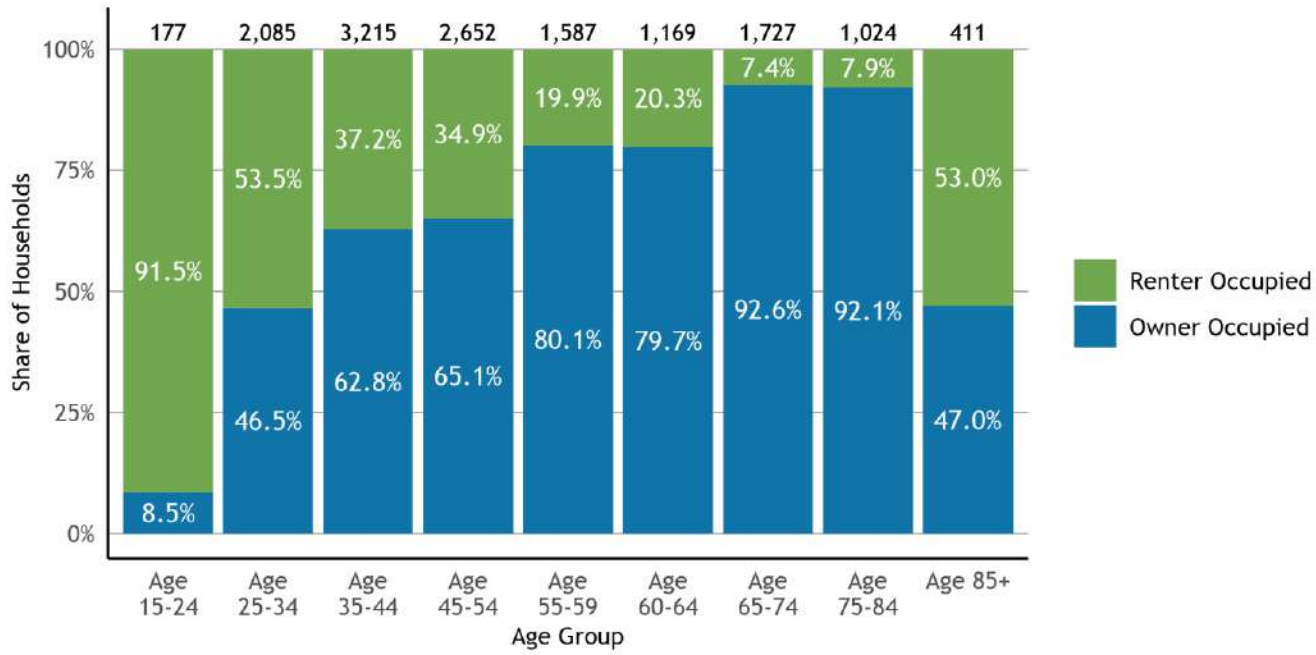


Figure 16: Housing Tenure by Age

Universe: Occupied housing units
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25007
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-18.

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. In Newark, 82.3% of households in detached single-family homes are homeowners, while 22.7% of households in multi-family housing are homeowners (see Figure 17).

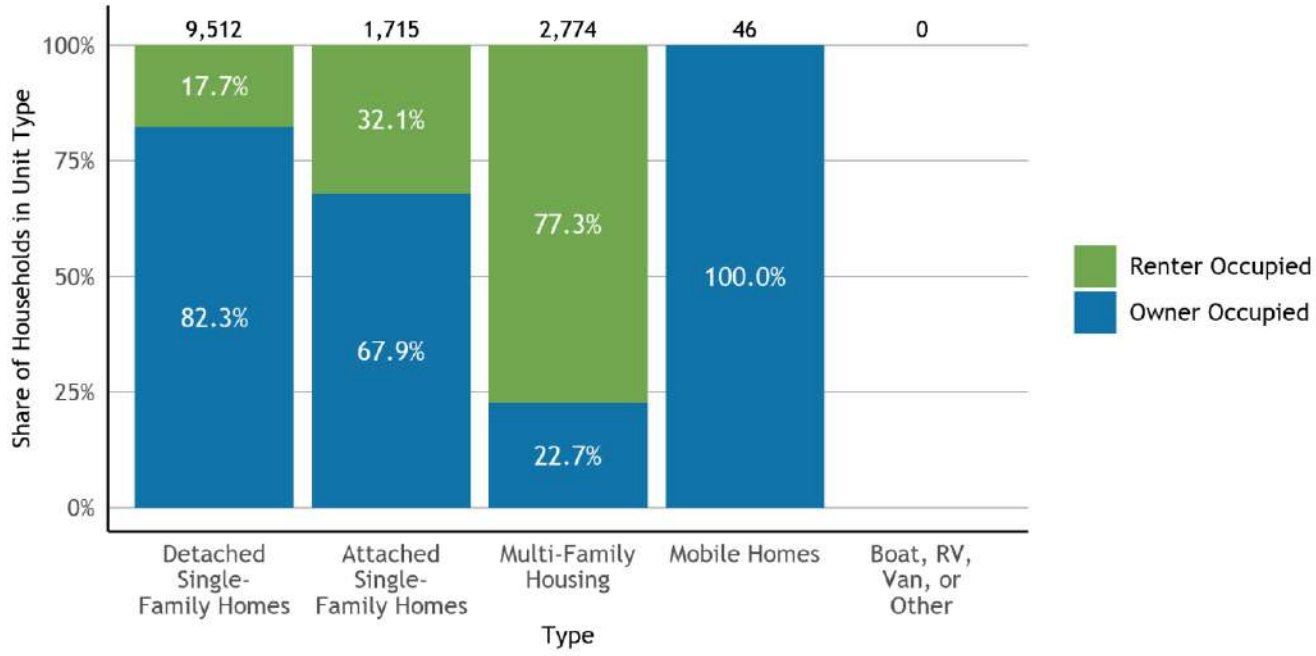


Figure 17: Housing Tenure by Housing Type

Universe: Occupied housing units
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25032
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-22.

4.7 Displacement

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

The University of California, Berkeley has mapped all neighborhoods in the Bay area, identifying their risk for gentrification. They find that in Newark, 0.0% of households live in neighborhoods that are susceptible to or experiencing displacement and 0.0% live in neighborhoods at risk of or undergoing gentrification.

Equally important, some neighborhoods in the Bay Area do not have housing appropriate for a broad section of the workforce. UC Berkeley estimates that 31.8% of households in Newark live in neighborhoods where low-income households are likely to be excluded due to prohibitive housing costs.[16]

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

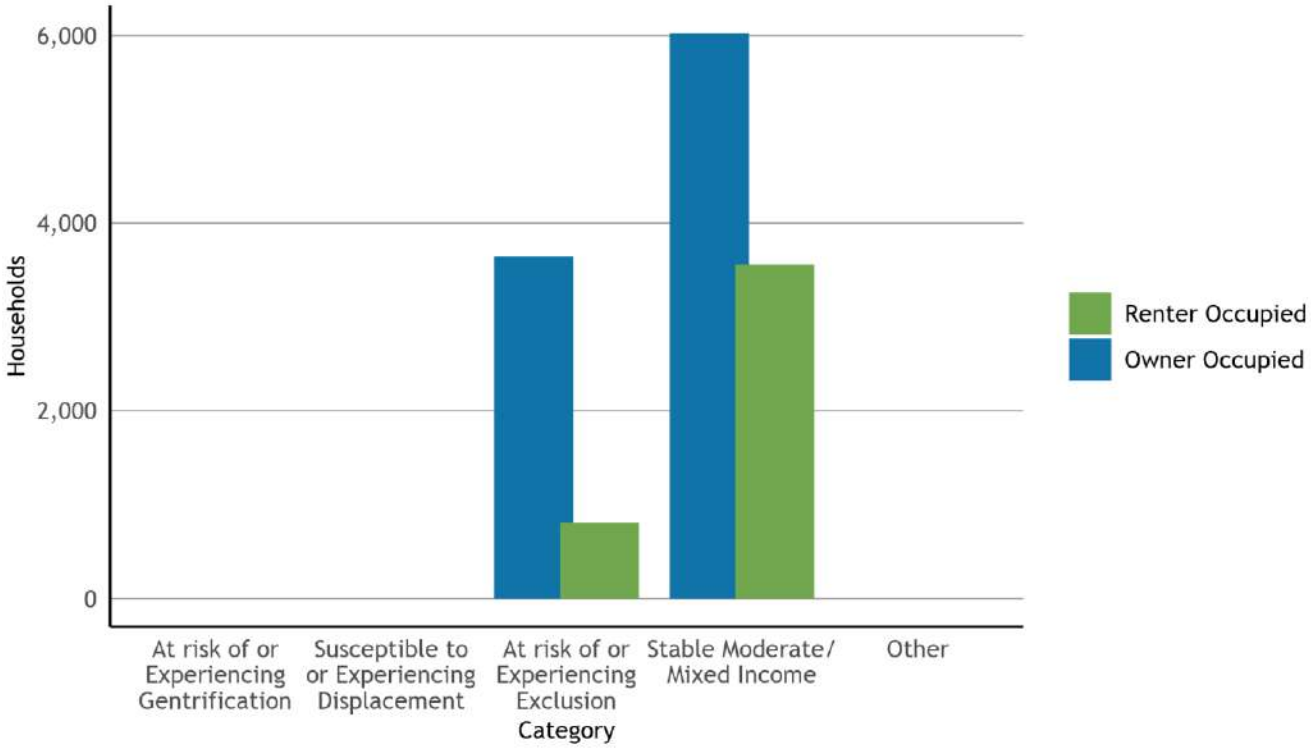


Figure 18: Households by Displacement Risk and Tenure

Universe: Households
Notes: Displacement data is available at the census tract level. Staff aggregated tracts up to jurisdiction level using census 2010 population weights, assigning a tract to jurisdiction in proportion to block level population weights. Total household count may differ slightly from counts in other tables sourced from jurisdiction level sources. Categories are combined as follows for simplicity: At risk of or Experiencing Exclusion: At Risk of Becoming Exclusive; Becoming Exclusive; Stable/Advanced Exclusive At risk of or Experiencing Gentrification: At Risk of Gentrification; Early/Ongoing Gentrification; Advanced Gentrification Stable Moderate/Mixed Income: Stable Moderate/Mixed Income Susceptible to or Experiencing Displacement: Low-Income/Susceptible to Displacement; Ongoing Displacement Other: High Student Population; Unavailable or Unreliable Data
Source: Urban Displacement Project for classification, American Community Survey 5-Year Data (2015-2019), Table B25003 for tenure.
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-25.

5 HOUSING STOCK CHARACTERISTICS

5.1 Housing Types, Year Built, Vacancy, and Permits

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

The housing stock of Newark in 2020 was made up of 69.6% single family detached homes, 9.5% single family attached homes, 4.4% multifamily homes with 2 to 4 units, 16.5% multifamily homes with 5 or more units, and 0.0% mobile homes (see Figure 19). In Newark, the housing type that experienced the most growth between 2010 and 2020 was *Single-Family Home: Detached*.

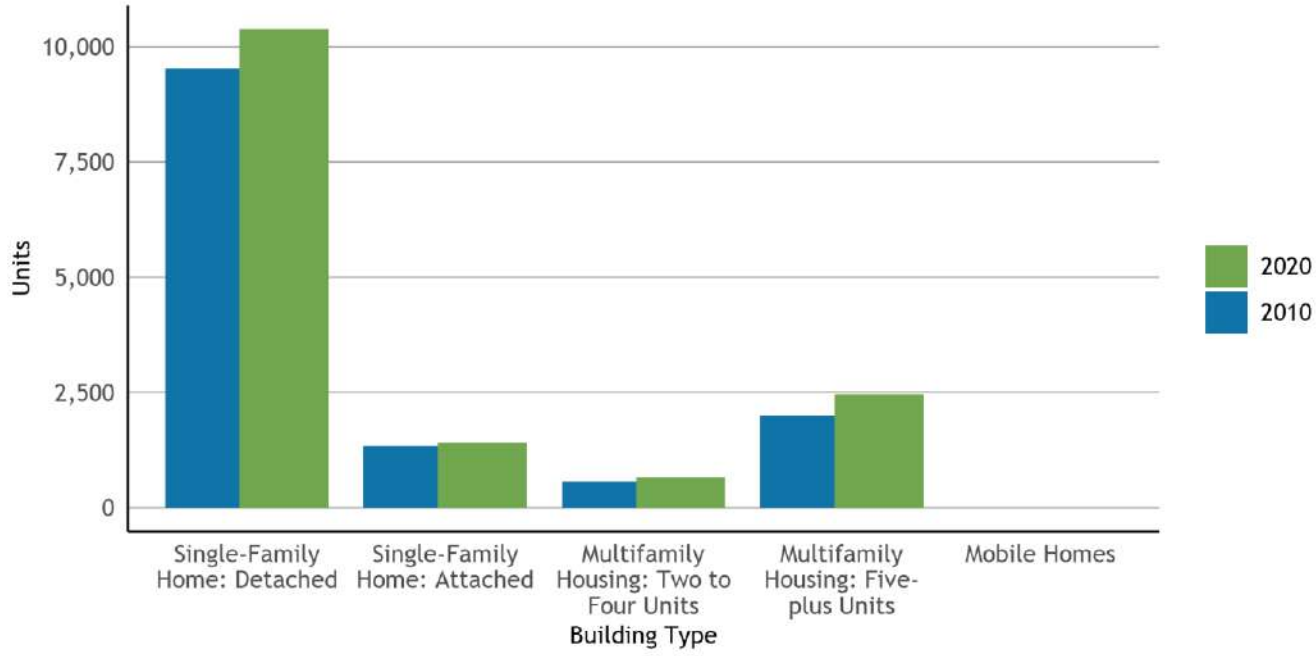


Figure 19: Housing Type Trends

Universe: Housing units
Source: California Department of Finance, E-5 series
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-01.

Production has not kept up with housing demand for several decades in the Bay Area, as the total number of units built and available has not yet come close to meeting the population and job growth experienced throughout the region. In Newark, the largest proportion of the housing stock was built 1960 to 1979, with 7,737 units constructed during this period (see Figure 20). Since 2010, 4.9% of the current housing stock was built, which is 713 units.

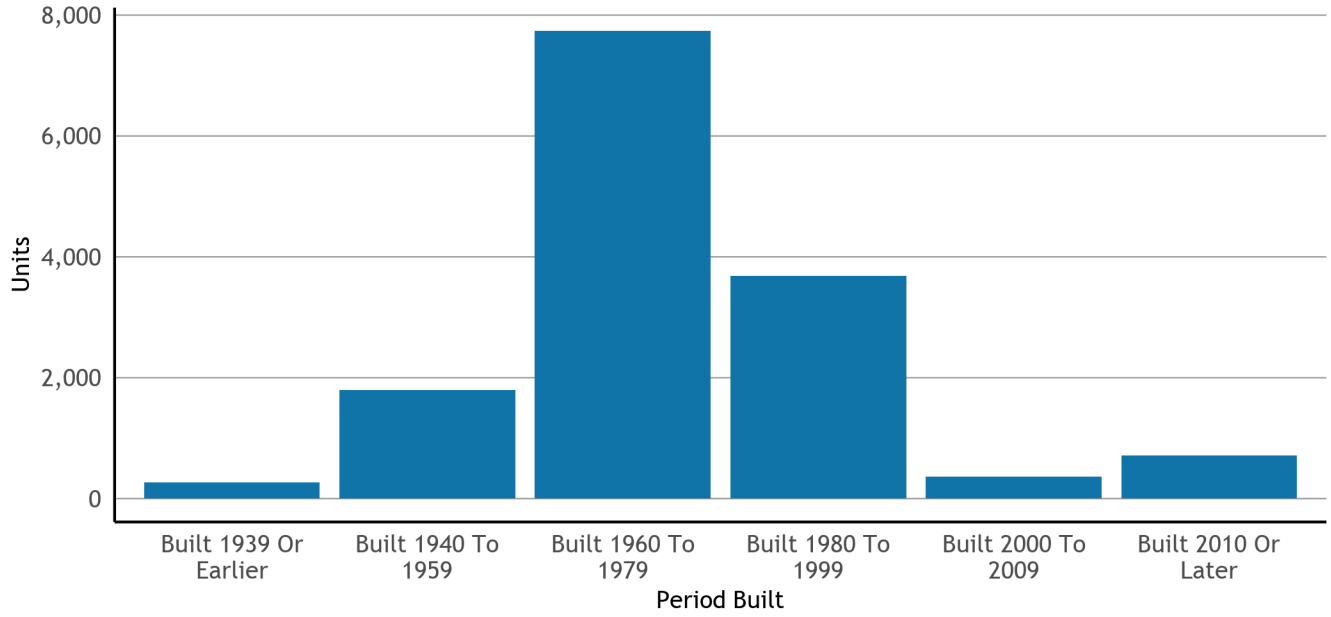


Figure 20: Housing Units by Year Structure Built

Universe: Housing units
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25034
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-04.

Vacant units make up 3.5% of the overall housing stock in Newark. The rental vacancy stands at 2.6%, while the ownership vacancy rate is 1.7%. Of the vacant units, the most common type of vacancy is *For Seasonal, Recreational, Or Occasional Use* (see Figure 21).[17]

Throughout the Bay Area, vacancies make up 2.6% of the total housing units, with homes listed for rent; units used for *recreational or occasional use*, and units not otherwise classified (*other vacant*) making up the majority of vacancies. The Census Bureau classifies a unit as vacant if no one is occupying it when census interviewers are conducting the American Community Survey or Decennial Census. Vacant units classified as "for recreational or occasional use" are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals like AirBnB are likely to fall in this category. The Census Bureau classifies units as "other vacant" if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration.[18] In a region with a thriving economy and housing market like the Bay Area, units being renovated/repaired and prepared for rental or sale are likely to represent a large portion of the "other vacant" category. Additionally, the need for seismic retrofitting

[17] The vacancy rates by tenure is for a smaller universe than the total vacancy rate first reported, which in principle includes the full stock (3.5%). The vacancy by tenure counts are rates relative to the rental stock (occupied and vacant) and ownership stock (occupied and vacant) - but exclude a a significant number of vacancy categories, including the numerically significant *other vacant*.
[18] For more information, see pages 3 through 6 of this list of definitions prepared by the Census Bureau: https://www.census.gov/housing/hvs/definitions.pdf.

in older housing stock could also influence the proportion of "other vacant" units in some jurisdictions.[19]

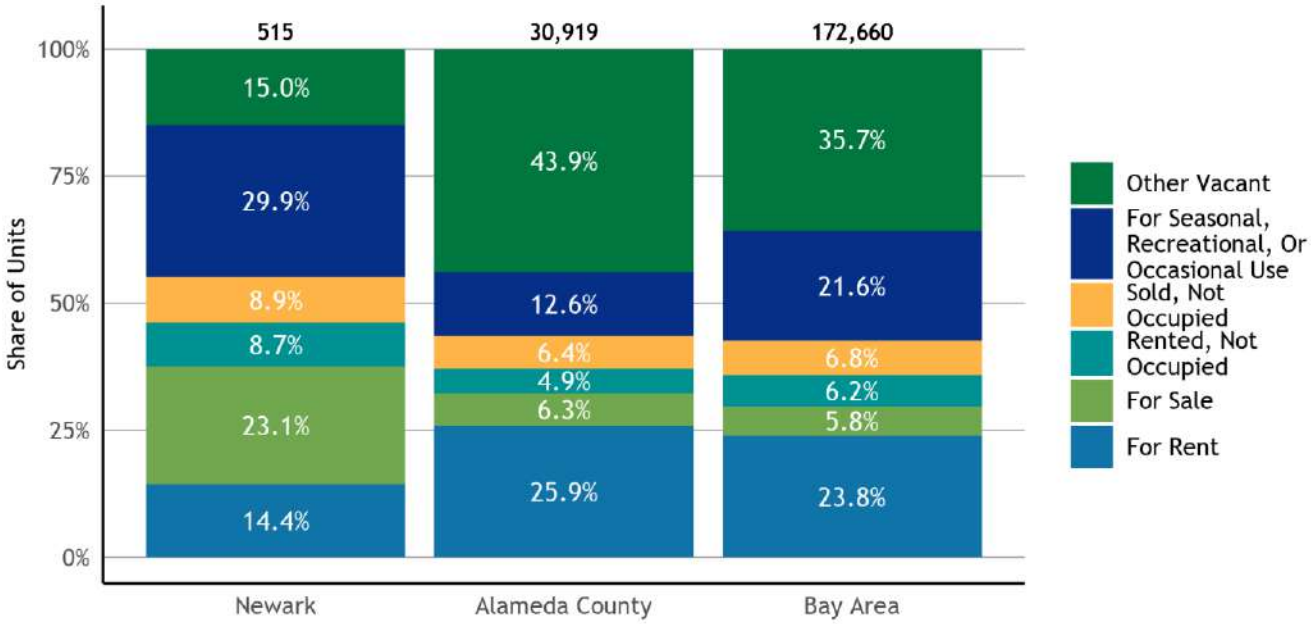


Figure 21: Vacant Units by Type

Universe: Vacant housing units
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25004
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-03.

Between 2015 and 2019, 829 housing units were issued permits in Newark. 95.7% of permits issued in Newark were for above moderate-income housing, 4.3% were for moderate-income housing, and 0.0% were for low- or very low-income housing (see Table 3).

Table 3: Housing Permitting

Income Group	value
Above Moderate Income Permits	793
Moderate Income Permits	36
Low Income Permits	0
Very Low Income Permits	0

Universe: Housing permits issued between 2015 and 2019
Notes: HCD uses the following definitions for the four income categories: Very Low Income: units affordable to households making less than 50% of the Area Median Income for the county in which the jurisdiction is located. Low Income: units affordable to households making between 50% and 80% of the Area Median Income for the county in which the jurisdiction is located. Moderate Income: units affordable to households making between 80% and 120% of the Area Median Income for the

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

county in which the jurisdiction is located. Above Moderate Income: units affordable to households making above 120% of the Area Median Income for the county in which the jurisdiction is located.
Source: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2020)
This table is included in the Data Packet Workbook as Table HSG-11.

5.2 Assisted Housing Developments At-Risk of Conversion

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

The data in the table below comes from the California Housing Partnership's Preservation Database, the state's most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing. However, this database does not include all deed-restricted affordable units in the state, so there may be at-risk assisted units in a jurisdiction that are not captured in this data table. There are 274 assisted units in Newark in the Preservation Database. Of these units, 0.0% are at *High Risk* or *Very High Risk* of conversion.[20]

Note on At-Risk Assisted Housing Developments

HCD requires that Housing Elements list the assisted housing developments at risk of converting to market-rate uses. For more information on the specific properties that are at Moderate Risk, High Risk, or Very High Risk of conversion, local jurisdiction staff should contact Danielle Mazzella, Preservation & Data Manager at the California Housing Partnership, at dmazzella@chpc.net.

Table 4: Assisted Units at Risk of Conversion

Income	Newark	Alameda County	Bay Area
Low	274	23040	110177
Moderate	0	167	3375
High	0	189	1854
Very High	0	106	1053
Total Assisted Units in Database	274	23502	116459

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

[20] California Housing Partnership uses the following categories for assisted housing developments in its database:
Very-High Risk: affordable homes that are at-risk of converting to market rate within the next year that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
High Risk: affordable homes that are at-risk of converting to market rate in the next 1-5 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
Moderate Risk: affordable homes that are at-risk of converting to market rate in the next 5-10 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
Low Risk: affordable homes that are at-risk of converting to market rate in 10+ years and/or are owned by a large/stable non-profit, mission-driven developer.

Notes: While California Housing Partnership's Preservation Database is the state's most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing, this database does not include all deed-restricted affordable units in the state. Consequently, there may be at-risk assisted units in a jurisdiction that are not captured in this data table. Per HCD guidance, local jurisdictions must also list the specific affordable housing developments at-risk of converting to market rate uses. This document provides aggregate numbers of at-risk units for each jurisdiction, but local planning staff should contact Danielle Mazzella with the California Housing Partnership at dmazzella@chpc.net to obtain a list of affordable properties that fall under this designation. California Housing Partnership uses the following categories for assisted housing developments in its database: Very-High Risk: affordable homes that are at-risk of converting to market rate within the next year that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer. High Risk: affordable homes that are at-risk of converting to market rate in the next 1-5 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer. Moderate Risk: affordable homes that are at-risk of converting to market rate in the next 5-10 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer. Low Risk: affordable homes that are at-risk of converting to market rate in 10+ years and/or are owned by a large/stable non-profit, mission-driven developer.
Source: California Housing Partnership, Preservation Database (2020)
This table is included in the Data Packet Workbook as Table RISK-01.

5.3 Substandard Housing

Housing costs in the region are among the highest in the country, which could result in households, particularly renters, needing to live in substandard conditions in order to afford housing. Generally, there is limited data on the extent of substandard housing issues in a community. However, the Census Bureau data included in the graph below gives a sense of some of the substandard conditions that may be present in Newark. For example, 0.3% of renters in Newark reported lacking a kitchen and 0.0% of renters lack plumbing, compared to 0.3% of owners who lack a kitchen and 0.1% of owners who lack plumbing.

Note on Substandard Housing

HCD requires Housing Elements to estimate the number of units in need of rehabilitation and replacement. As a data source for housing units in need of rehabilitation and replacement is not available for all jurisdictions in the region, ABAG was not able to provide this required data point in this document. To produce an estimate of housing needs in need of rehabilitation and replacement, staff can supplement the data below on substandard housing issues with additional local information from code enforcement, recent windshield surveys of properties, building department data, knowledgeable builders/developers in the community, or nonprofit housing developers or organizations. For more information, visit HCD's Building Blocks page on Housing Stock Characteristics.

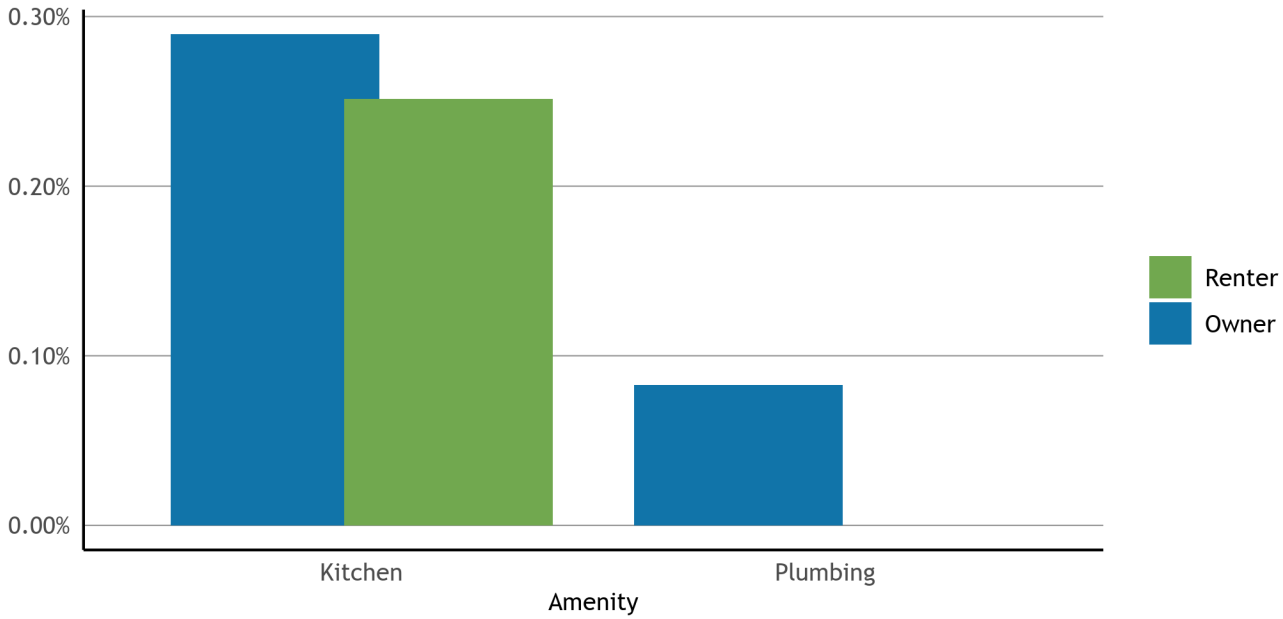


Figure 22: Substandard Housing Issues

Universe: Occupied housing units
Notes: Per HCD guidance, this data should be supplemented by local estimates of units needing to be rehabilitated or replaced based on recent windshield surveys, local building department data, knowledgeable builders/developers in the community, or nonprofit housing developers or organizations.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-06.

5.4 Home and Rent Values

Home prices reflect a complex mix of supply and demand factors, including an area's demographic profile, labor market, prevailing wages and job outlook, coupled with land and construction costs. In the Bay Area, the costs of housing have long been among the highest in the nation. The typical home value in Newark was estimated at $978,600 by December of 2020, per data from Zillow. The largest proportion of homes were valued between $750k-$1M (see Figure 23). By comparison, the typical home value is $951,380 in Alameda County and $1,077,230 the Bay Area, with the largest share of units valued $500k-$750k.

The region's home values have increased steadily since 2000, besides a decrease during the Great Recession. The rise in home prices has been especially steep since 2012, with the median home value in the Bay Area nearly doubling during this time. Since 2001, the typical home value has increased 165.8% in Newark from $368,220 to $978,600. This change is above the change in Alameda County, and above the change for the region (see Figure 24).

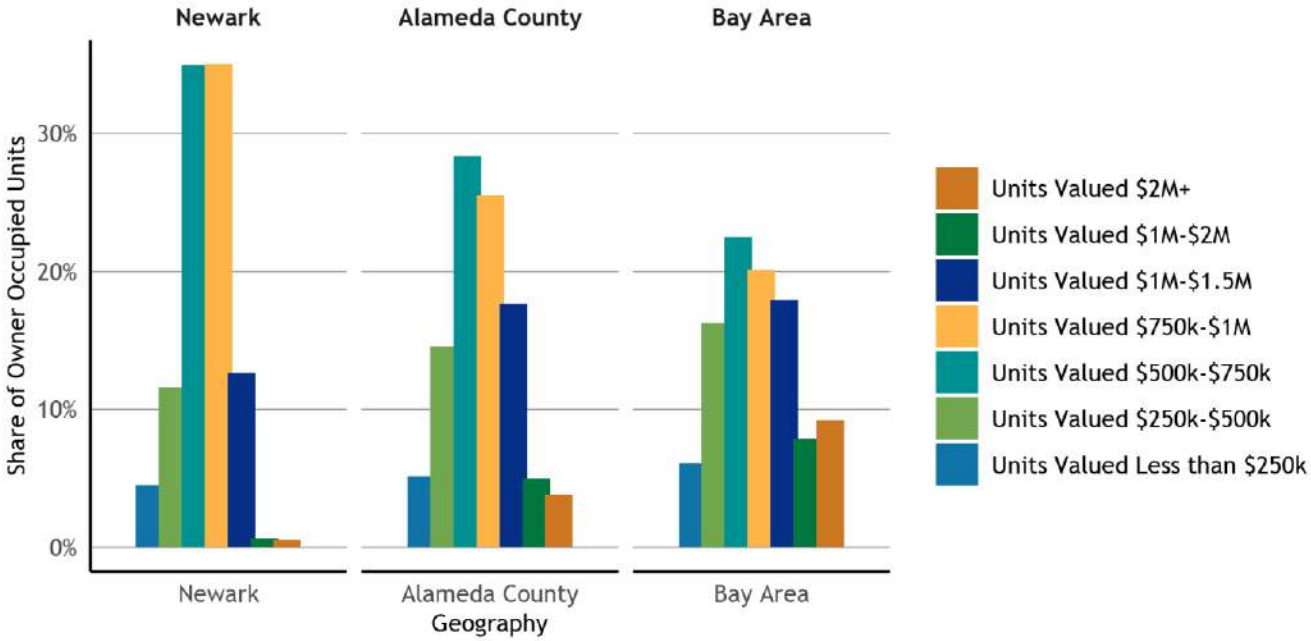


Figure 23: Home Values of Owner-Occupied Units

Universe: Owner-occupied units
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25075
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-07.

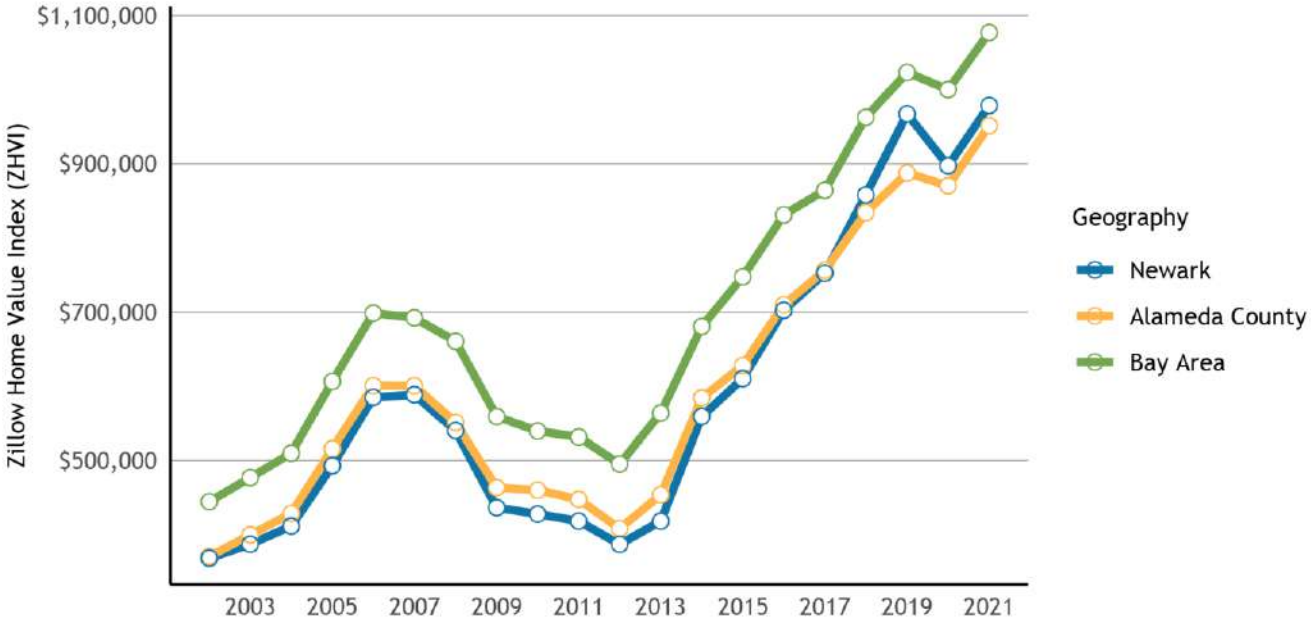


Figure 24: Zillow Home Value Index (ZHVI)

Universe: Owner-occupied housing units
Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The

ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums. More information on the ZHVI is available from Zillow. The regional estimate is a household-weighted average of county-level ZHVI files, where household counts are yearly estimates from DOF's E-5 series For unincorporated areas, the value is a population weighted average of unincorporated communities in the county matched to census-designated population counts.
Source: Zillow, Zillow Home Value Index (ZHVI)
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-08.

Similar to home values, rents have also increased dramatically across the Bay Area in recent years. Many renters have been priced out, evicted or displaced, particularly communities of color. Residents finding themselves in one of these situations may have had to choose between commuting long distances to their jobs and schools or moving out of the region, and sometimes, out of the state.

In Newark, the largest proportion of rental units rented in the *Rent $2000-$2500* category, totaling 26.8%, followed by 25.6% of units renting in the *Rent $1500-$2000* category (see Figure 25). Looking beyond the city, the largest share of units is in the *rent for $1500-$2000* category.

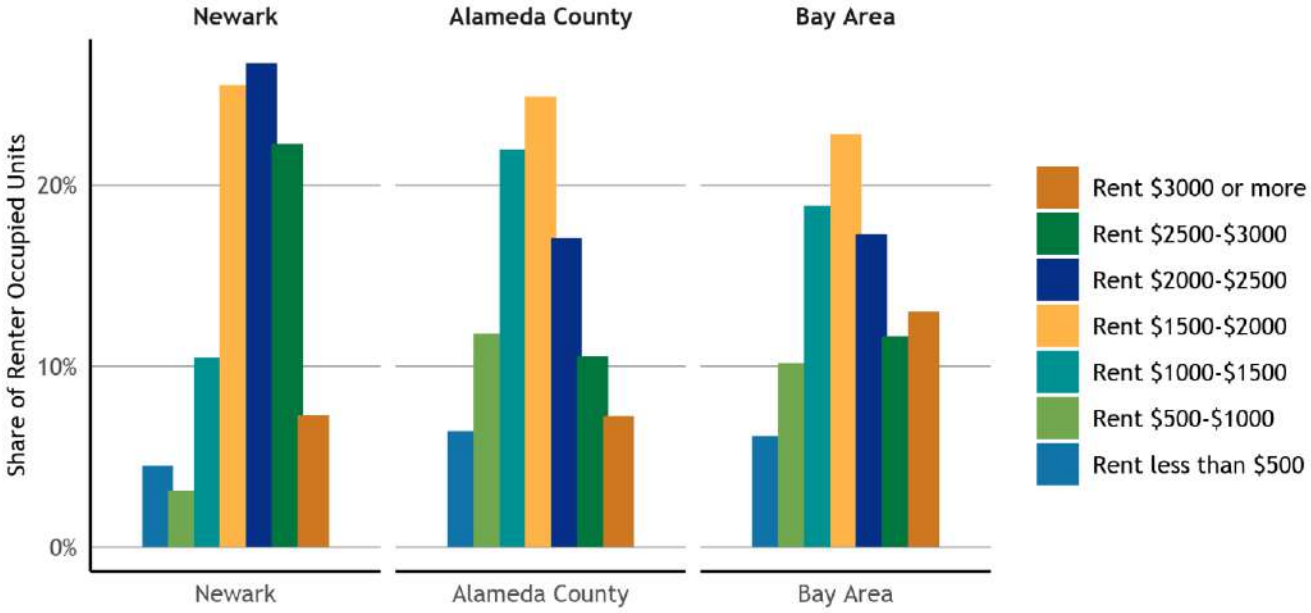


Figure 25: Contract Rents for Renter-Occupied Units

Universe: Renter-occupied housing units paying cash rent
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25056
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-09.

Since 2009, the median rent has increased by 61.1% in Newark, from $1,510 to $2,110 per month (see Figure 26). In Alameda County, the median rent has increased 36.0%, from $1,240 to $1,690. The median rent in the region has increased significantly during this time from $1,200 to $1,850, a 54% increase.[21]

[21] While the data on home values shown in Figure 24 comes from Zillow, Zillow does not have data on rent prices available for most Bay Area jurisdictions. To have a more comprehensive dataset on rental data for the region, the rent data in this document comes from the U.S. Census Bureau's American Community Survey, which may not fully

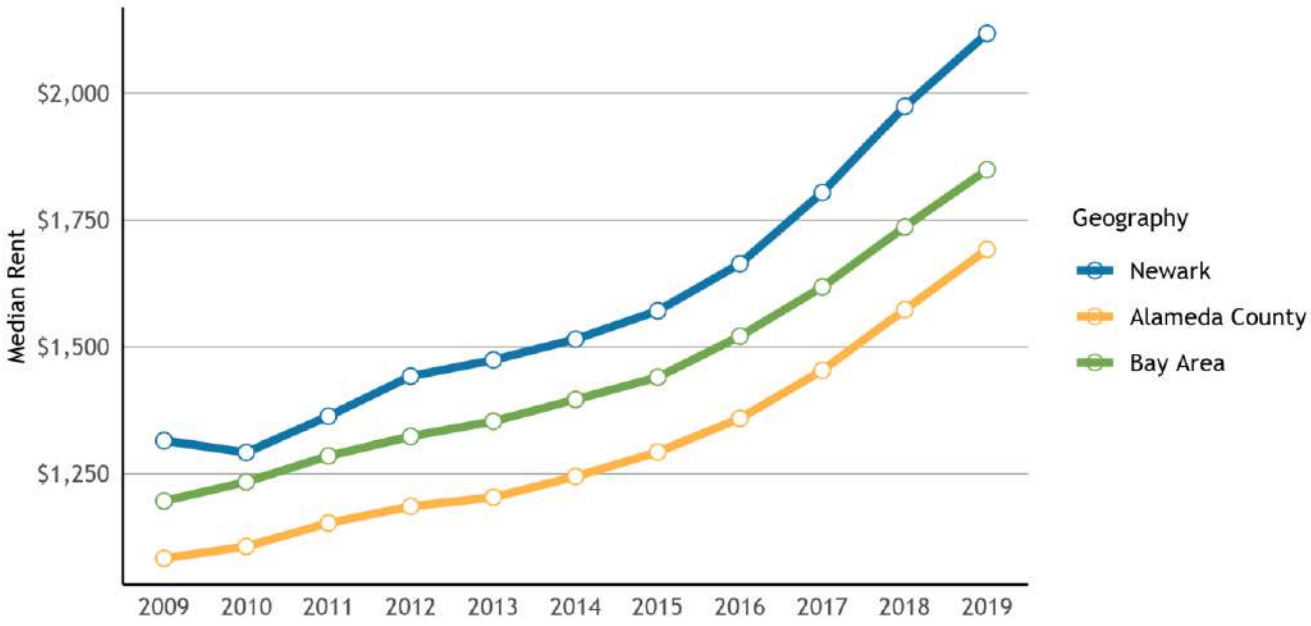


Figure 26: Median Contract Rent

Universe: Renter-occupied housing units paying cash rent
Notes: For unincorporated areas, median is calculated using distribution in B25056.
Source: U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2005-2009 through 2015-2019, B25058, B25056 (for unincorporated areas). County and regional counts are weighted averages of jurisdiction median using B25003 rental unit counts from the relevant year.
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-10.

5.5 Overpayment and Overcrowding

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

reflect current rents. Local jurisdiction staff may want to supplement the data on rents with local realtor data or other sources for rent data that are more current than Census Bureau data.

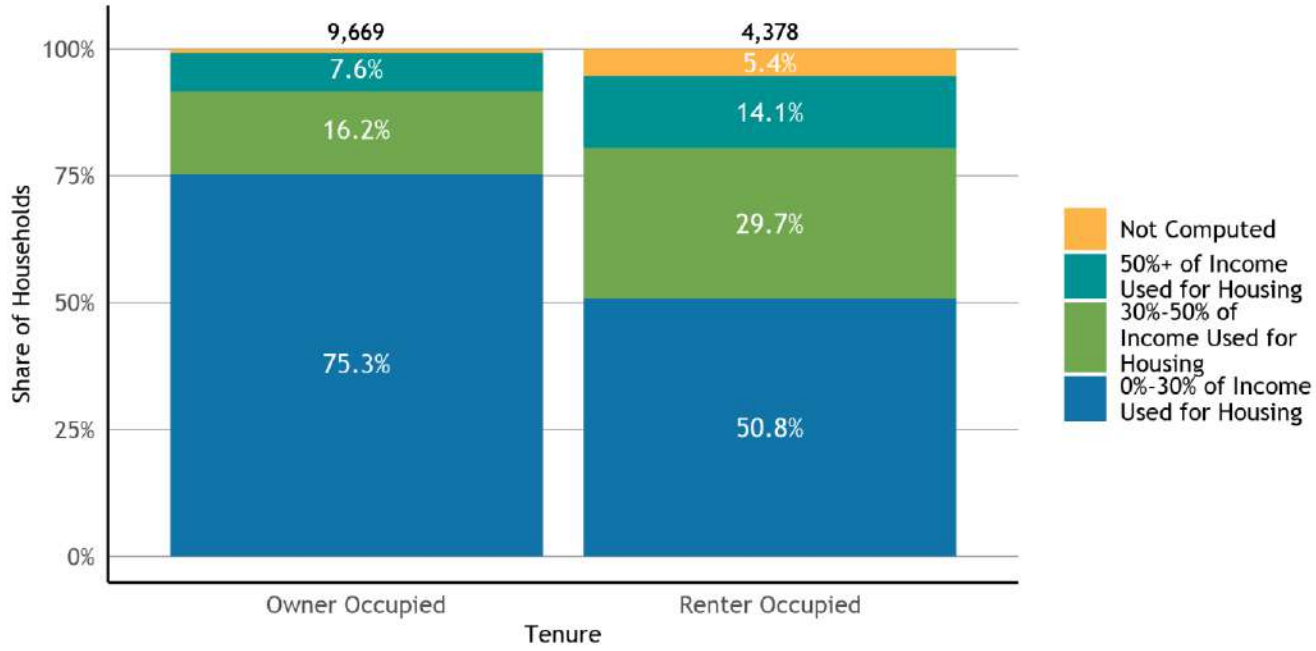


Figure 27: Cost Burden by Tenure

Universe: Occupied housing units
Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091
For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-06.

Renters are often more cost-burdened than owners. While the housing market has resulted in home prices increasing dramatically, homeowners often have mortgages with fixed rates, whereas renters are more likely to be impacted by market increases. When looking at the cost burden across tenure in Newark, 29.7% of renters spend 30% to 50% of their income on housing compared to 16.2% of those that own (see Figure 27). Additionally, 14.1% of renters spend 50% or more of their income on housing, while 7.6% of owners are severely cost-burdened.

In Newark, 12.4% of households spend 50% or more of their income on housing, while 19.2% spend 30% to 50%. However, these rates vary greatly across income categories (see Figure 28). For example, 56.6% of Newark households making less than 30% of AMI spend the majority of their income on housing. For Newark residents making more than 100% of AMI, just 0.8% are severely cost-burdened, and 89.0% of those making more than 100% of AMI spend less than 30% of their income on housing.

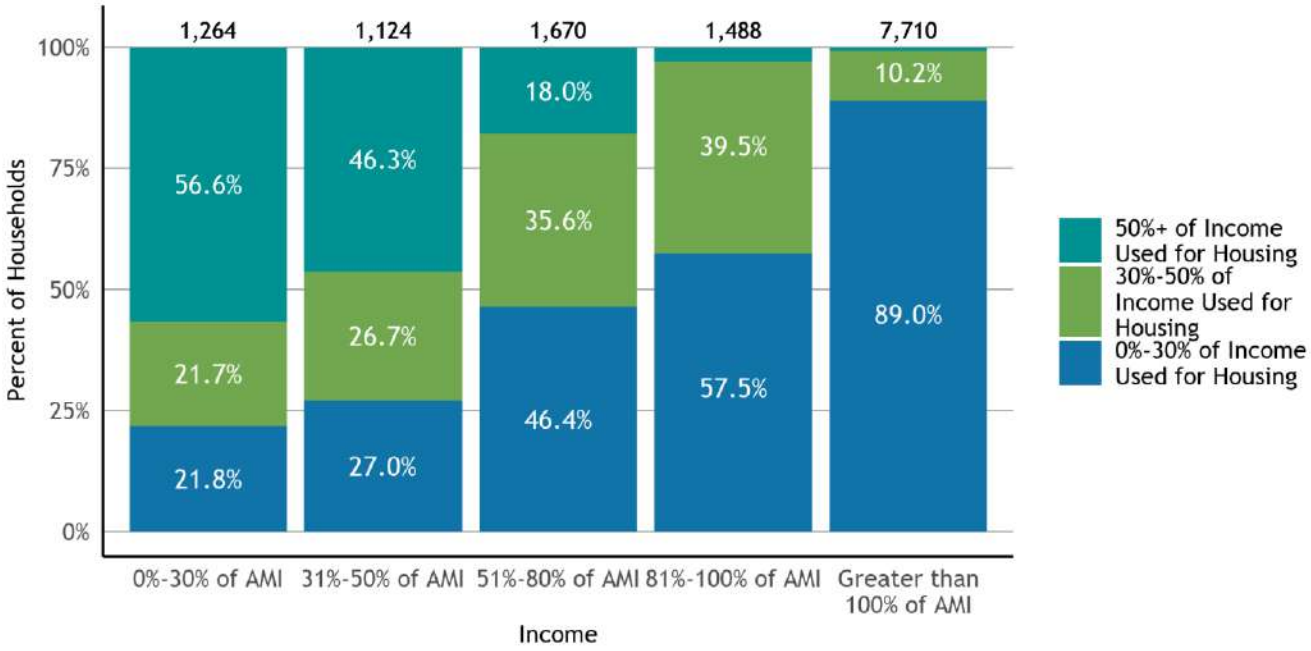


Figure 28: Cost Burden by Income Level

Universe: Occupied housing units
Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-05.

Currently, people of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents. As a result, they often pay a greater percentage of their income on housing, and in turn, are at a greater risk of housing insecurity.

American Indian or Alaska Native, Non-Hispanic residents are the most cost burdened with *46.2%* spending 30% to 50% of their income on housing, and *Hispanic or Latinx* residents are the most severely cost burdened with *22.1%* spending more than 50% of their income on housing (see Figure 29).

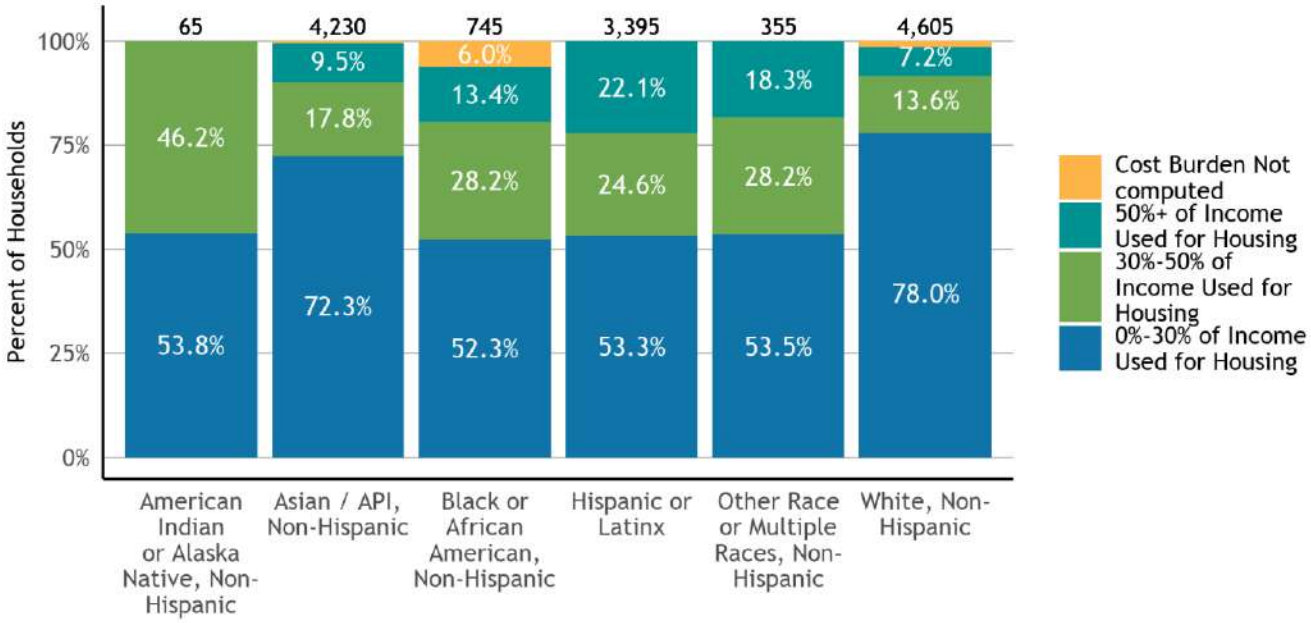


Figure 29: Cost Burden by Race

Universe: Occupied housing units
Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-08.

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

In Newark, 22.3% of large family households experience a cost burden of 30%-50%, while 13.4% of households spend more than half of their income on housing. Some 18.5% of all other households have a cost burden of 30%-50%, with 12.1% of households spending more than 50% of their income on housing (see Figure 30).

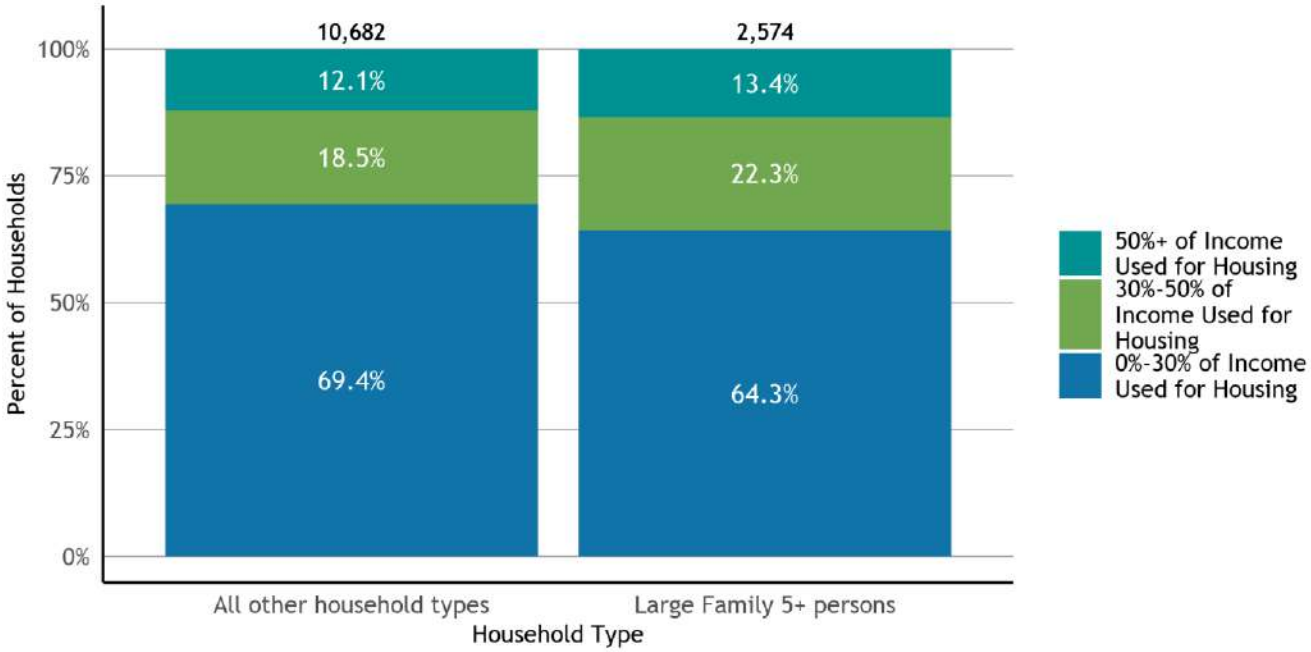


Figure 30: Cost Burden by Household Size

Universe: Occupied housing units
Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-09.

When cost-burdened seniors are no longer able to make house payments or pay rents, displacement from their homes can occur, putting further stress on the local rental market or forcing residents out of the community they call home. Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors. 21.8% of seniors making less than 30% of AMI are spending the majority of their income on housing. For seniors making more than 100% of AMI, 89.3% are not cost-burdened and spend less than 30% of their income on housing (see Figure 31).

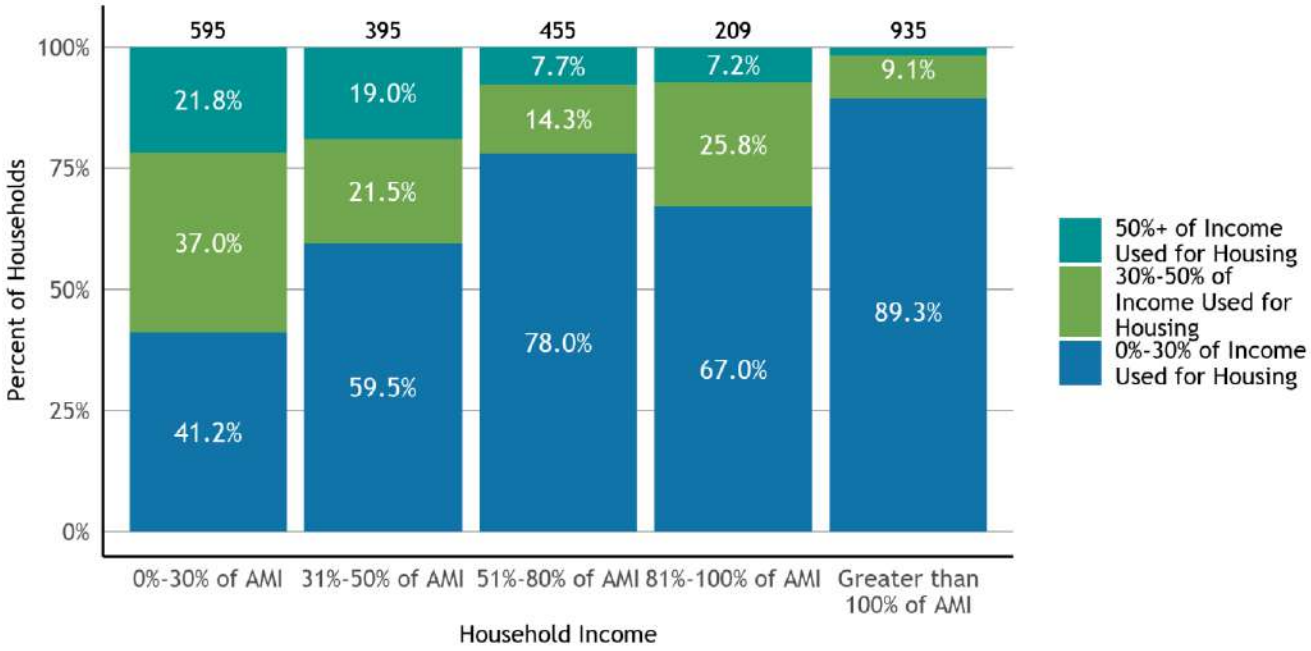


Figure 31: Cost-Burdened Senior Households by Income Level

Universe: Senior households
Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-03.

Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold. There are several different standards for defining overcrowding, but this report uses the Census Bureau definition, which is more than one occupant per room (not including bathrooms or kitchens). Additionally, the Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded.

Overcrowding is often related to the cost of housing and can occur when demand in a city or region is high. In many cities, overcrowding is seen more amongst those that are renting, with multiple households sharing a unit to make it possible to stay in their communities. In Newark, 9.3% of households that rent are severely overcrowded (more than 1.5 occupants per room), compared to 0.6% of households that own (see Figure 32). In Newark, 17.7% of renters experience moderate overcrowding (1 to 1.5 occupants per room), compared to 4.9% for those own.

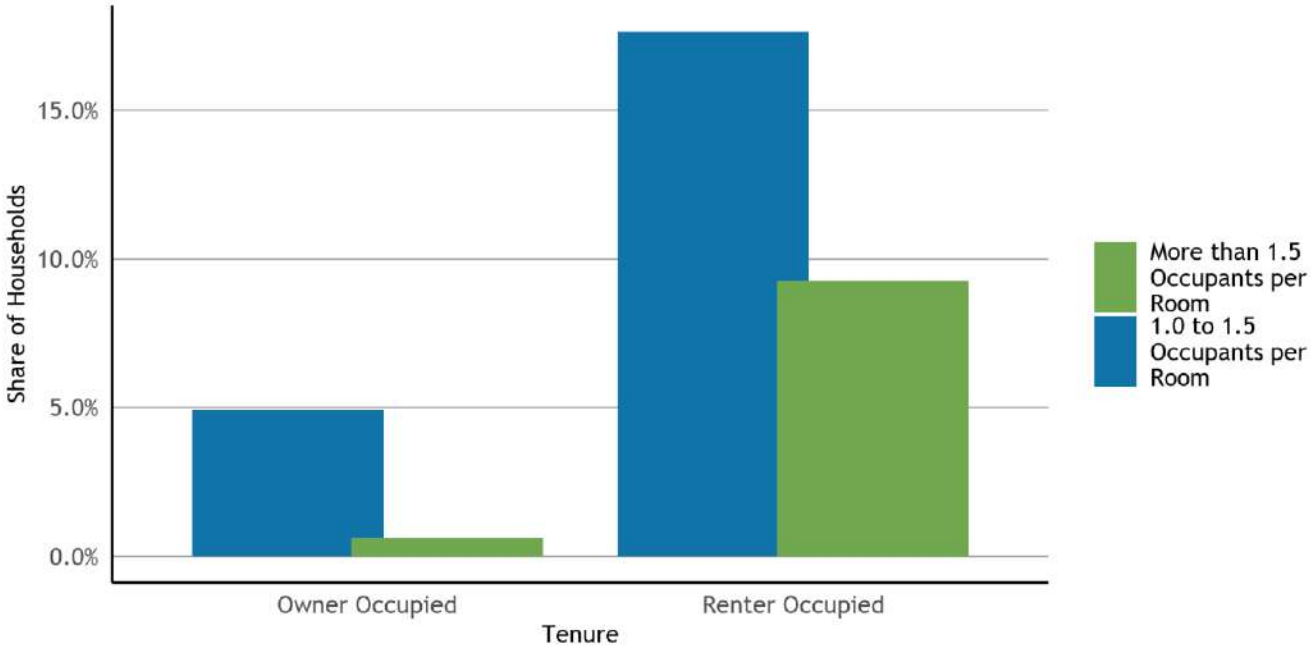


Figure 32: Overcrowding by Tenure and Severity

Universe: Occupied housing units
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-01.

Overcrowding often disproportionately impacts low-income households. 3.6% of very low-income households (below 50% AMI) experience severe overcrowding, while 1.4% of households above 100% experience this level of overcrowding (see Figure 33).

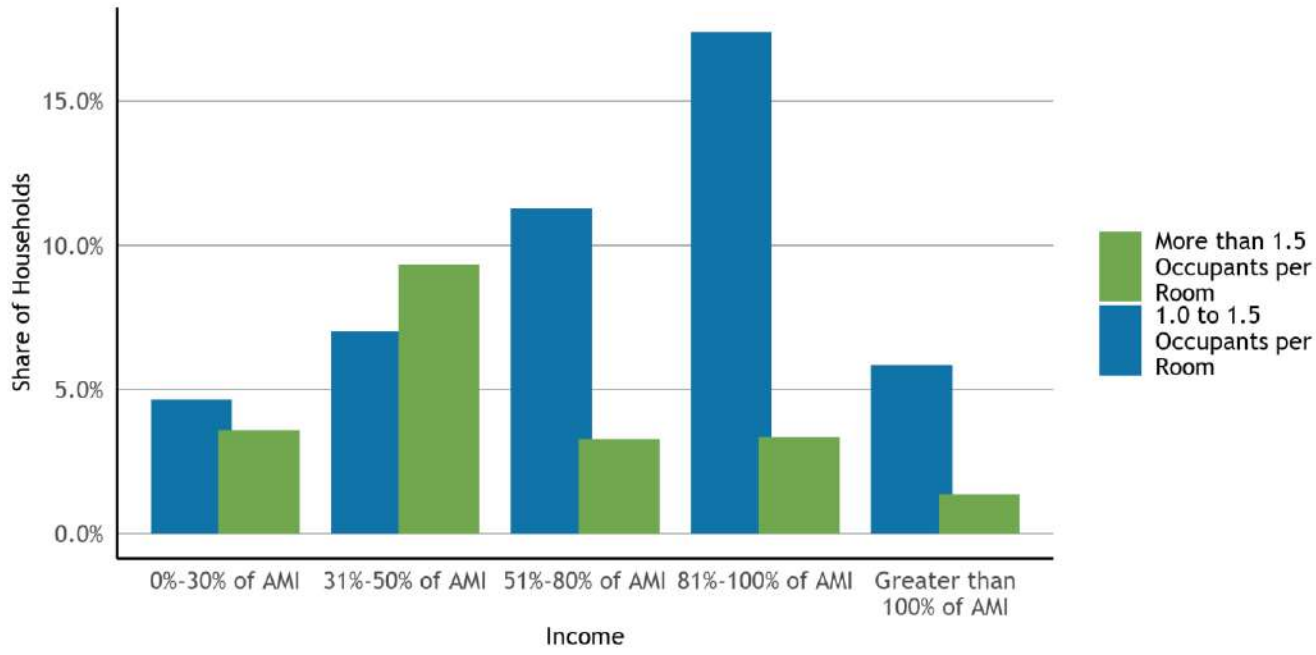


Figure 33: Overcrowding by Income Level and Severity

Universe: Occupied housing units
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-04.

Communities of color are more likely to experience overcrowding similar to how they are more likely to experience poverty, financial instability, and housing insecurity. People of color tend to experience overcrowding at higher rates than White residents. In Newark, the racial group with the largest overcrowding rate is *Other Race or Multiple Races (Hispanic and Non-Hispanic)* (see Figure 34)

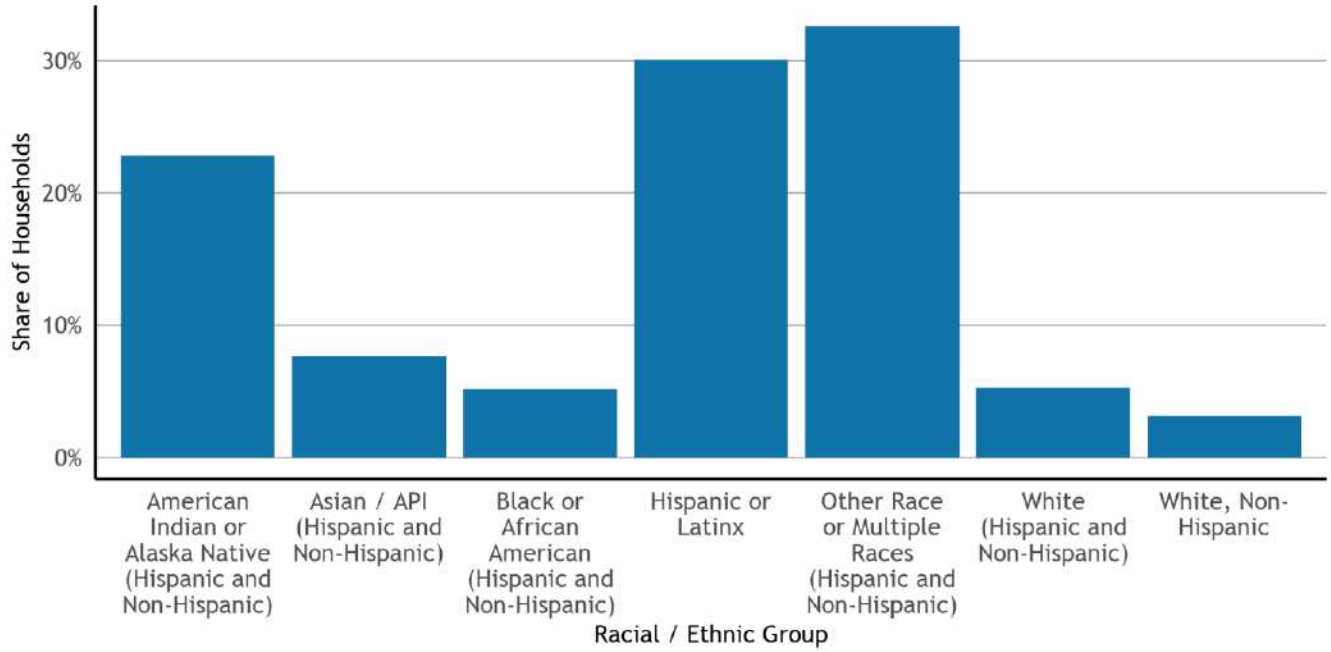


Figure 34: Overcrowding by Race

Universe: Occupied housing units
Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the total number of occupied housing units for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the total number of occupied housing units.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014
For the data table behind this figure, please refer to the Data Packet Workbook, Table OVER-03.

6 SPECIAL HOUSING NEEDS

6.1 Large Households

Large households often have different housing needs than smaller households. If a city's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions. In Newark, for large households with 5 or more persons, most units (57.4%) are owner occupied (see Figure 35). In 2017, 17.4% of large households were very low-income, earning less than 50% of the area median income (AMI).

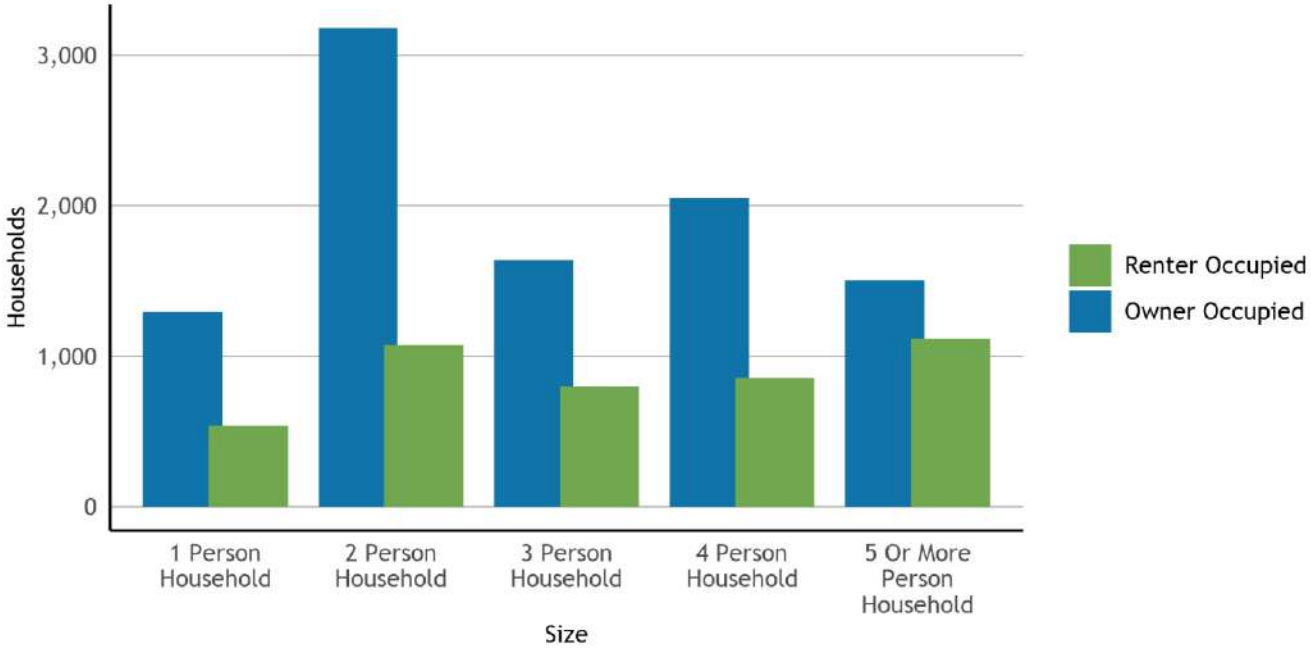


Figure 35: Household Size by Tenure

Universe: Occupied housing units
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25009
For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-01.

The unit sizes available in a community affect the household sizes that can access that community. Large families are generally served by housing units with 3 or more bedrooms, of which there are 10,345 units in Newark. Among these large units with 3 or more bedrooms, 17.4% are owner-occupied and 82.6% are renter occupied (see Figure 36).

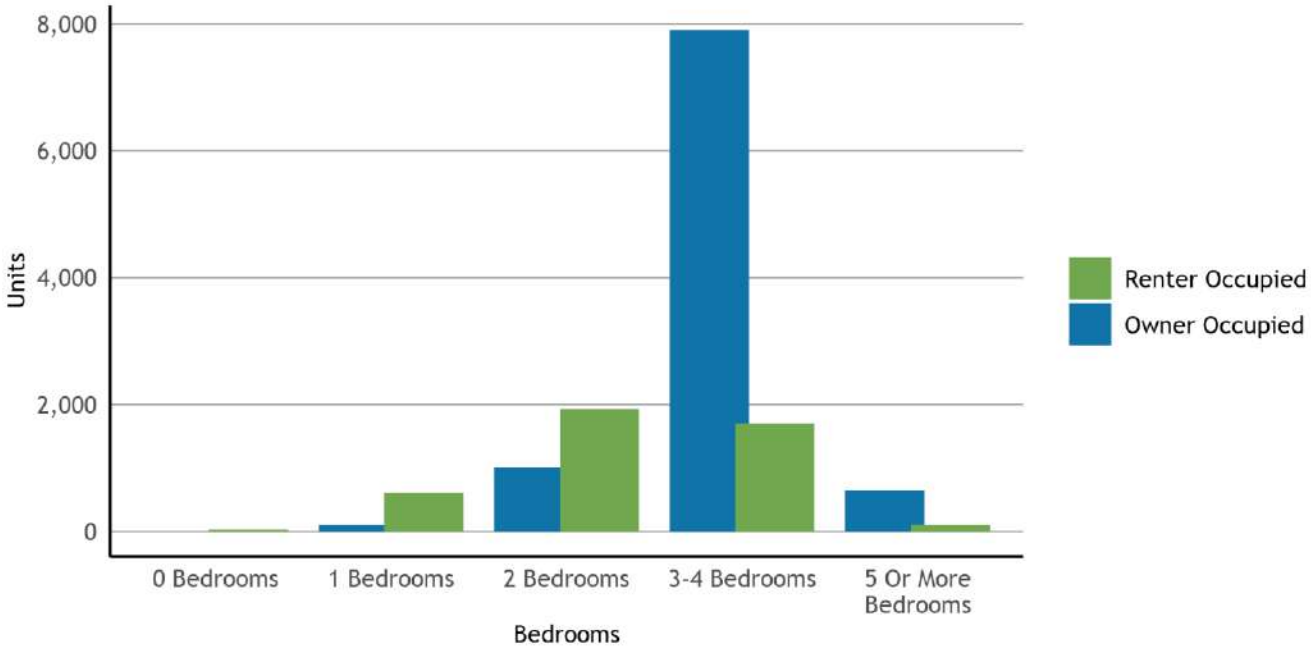


Figure 36: Housing Units by Number of Bedrooms

Universe: Housing units
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042
For the data table behind this figure, please refer to the Data Packet Workbook, Table HSG-05.

6.2 Female-Headed Households

Households headed by one person are often at greater risk of housing insecurity, particularly female-headed households, who may be supporting children or a family with only one income. In Newark, the largest proportion of households is *Married-couple Family Households* at 63.0% of total, while *Female-Headed Households* make up 11.8% of all households.

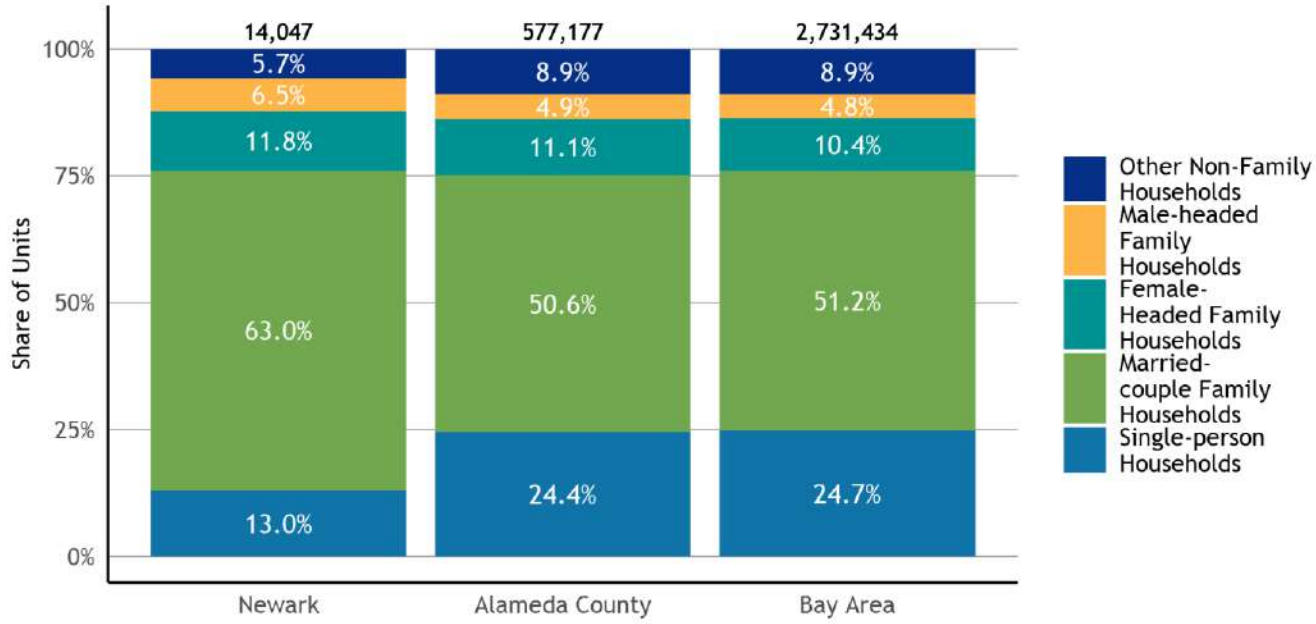


Figure 37: Household Type

Universe: Households
Notes: For data from the Census Bureau, a "family household" is a household where two or more people are related by birth, marriage, or adoption. "Non-family households" are households of one person living alone, as well as households where none of the people are related to each other.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11001
For the data table behind this figure, please refer to the Data Packet Workbook, Table POPEMP-23.

Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make finding a home that is affordable more challenging.

In Newark, 22.8% of female-headed households with children fall below the Federal Poverty Line, while 5.7% of female-headed households *without* children live in poverty (see Figure 38).

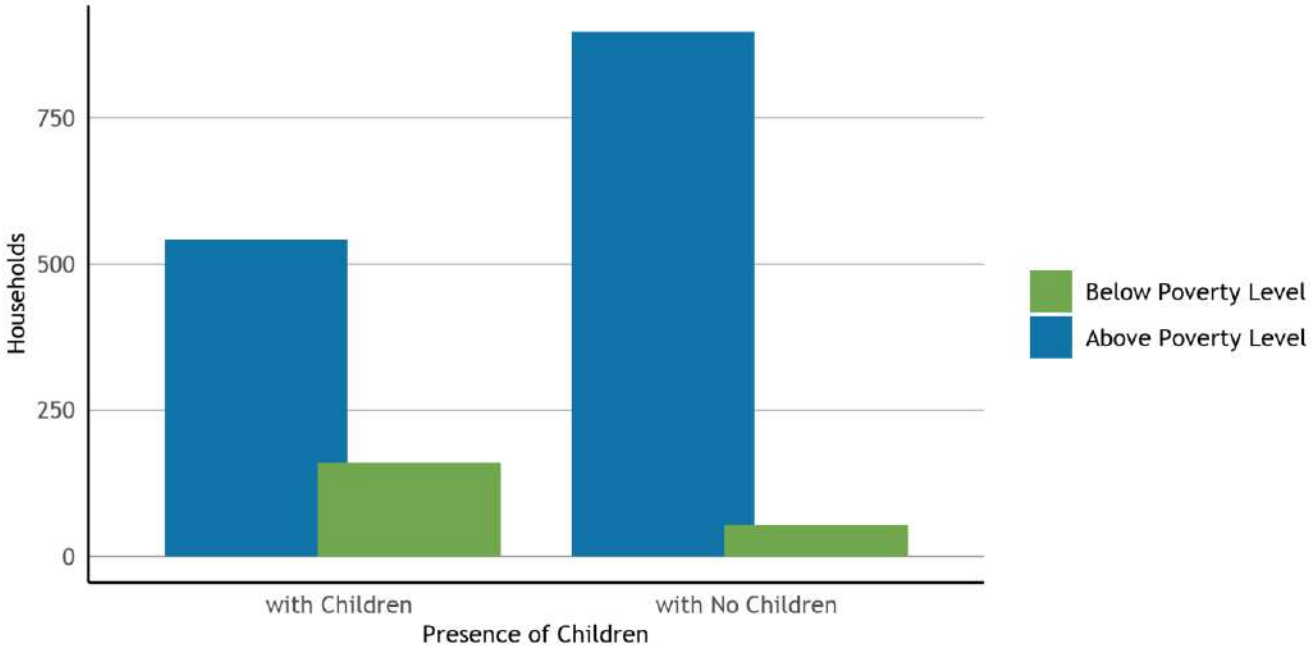


Figure 38: Female-Headed Households by Poverty Status

Universe: Female Households
Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012
For the data table behind this figure, please refer to the Data Packet Workbook, Table LGFEM-05.

6.3 Seniors

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

Seniors who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups. The largest proportion of senior households who rent make *0%-30% of AMI*, while the largest proportion of senior households who are homeowners falls in the income group *Greater than 100% of AMI* (see Figure 39).

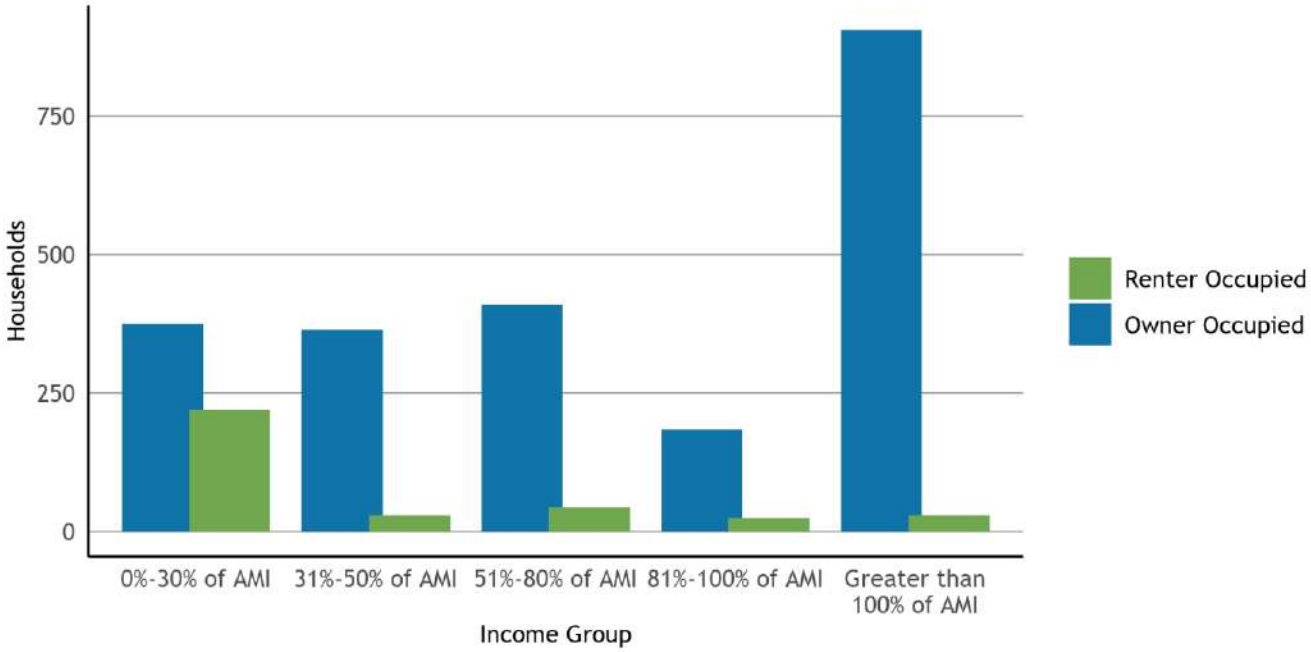


Figure 39: Senior Households by Income and Tenure

Universe: Senior households
Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release
For the data table behind this figure, please refer to the Data Packet Workbook, Table SEN-01.

6.4 People with Disabilities

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

When it comes to housing, people with disabilities are not only in need of affordable housing but accessibly designed housing, which offers greater mobility and opportunity for independence. Unfortunately, the need typically outweighs what is available, particularly in a housing market with such high demand. People with disabilities are at a high risk for housing insecurity, homelessness and institutionalization, particularly when they lose aging caregivers. Figure 40 shows the rates at which different disabilities are present among residents of Newark. Overall, 7.6% of people in Newark have a disability of any kind.[22]

[22] These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

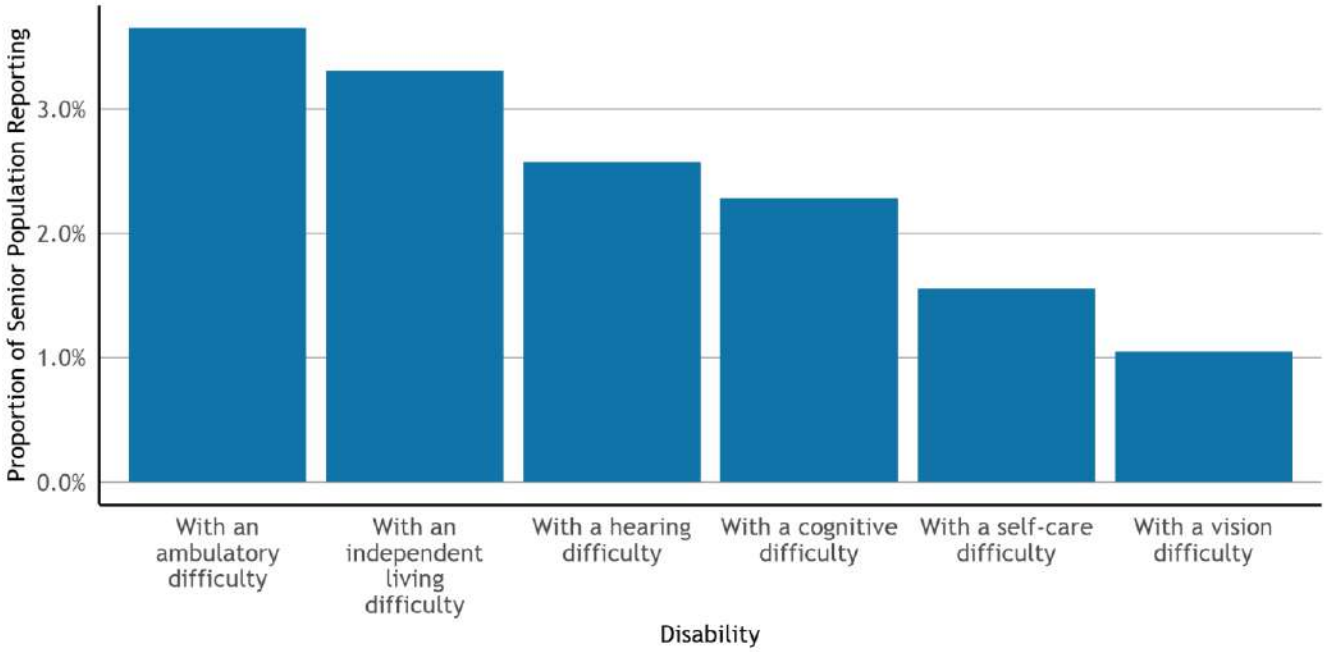


Figure 40: Disability by Type

Universe: Civilian noninstitutionalized population 18 years and over
Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed. The Census Bureau provides the following definitions for these disability types: Hearing difficulty: deaf or has serious difficulty hearing. Vision difficulty: blind or has serious difficulty seeing even with glasses. Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions. Ambulatory difficulty: has serious difficulty walking or climbing stairs. Self-care difficulty: has difficulty dressing or bathing. Independent living difficulty: has difficulty doing errands alone such as visiting a doctor's office or shopping.
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.
For the data table behind this figure, please refer to the Data Packet Workbook, Table DISAB-01.

State law also requires Housing Elements to examine the housing needs of people with developmental disabilities. Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old. This can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe mental retardation. Some people with developmental disabilities are unable to work, rely on Supplemental Security Income, and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them.[23]

In Newark, of the population with a developmental disability, children under the age of 18 make up 56.3%, while adults account for 43.7%.

[23] For more information or data on developmental disabilities in your jurisdiction, contact the Golden Gate Regional Center for Marin, San Francisco and San Mateo Counties; the North Bay Regional Center for Napa, Solano and Sonoma Counties; the Regional Center for the East Bay for Alameda and Contra Costa Counties; or the San Andreas Regional Center for Santa Clara County.

Table 5: Population with Developmental Disabilities by Age

Age Group	value
Age Under 18	156
Age 18+	121

Universe: Population with developmental disabilities
Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.
Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2020)
This table is included in the Data Packet Workbook as Table DISAB-04.

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

Table 6: Population with Developmental Disabilities by Residence

Residence Type	value
Home of Parent /Family /Guardian	244
Community Care Facility	20
Independent /Supported Living	12
Foster /Family Home	5
Other	0
Intermediate Care Facility	0

Universe: Population with developmental disabilities
Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.
Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020)
This table is included in the Data Packet Workbook as Table DISAB-05.

6.5 Homelessness

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Far too many residents who have found themselves housing insecure have ended up unhoused or homeless in recent years, either temporarily or longer term. Addressing the specific housing needs for the unhoused population remains a priority throughout the region, particularly since homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction and those dealing with traumatic life circumstances. In Alameda County, the most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, 84.0% are unsheltered. Of homeless households with children, most are sheltered in emergency shelter (see Figure 41).

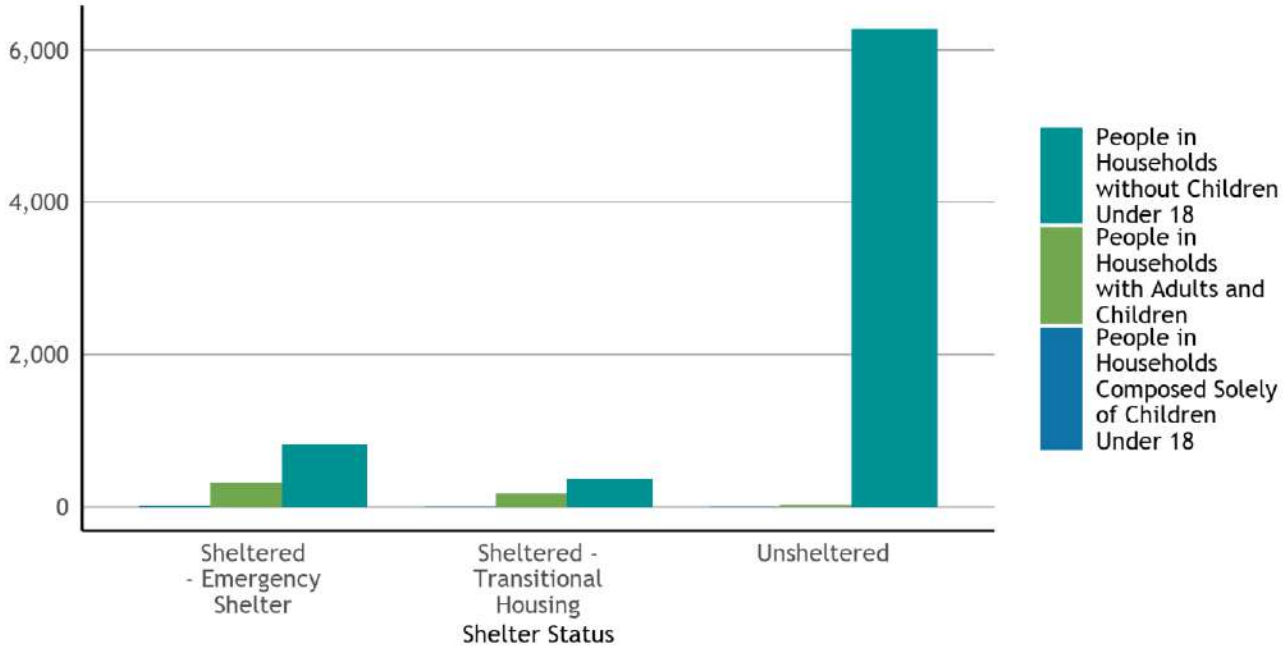


Figure 41: Homelessness by Household Type and Shelter Status, Alameda County

Universe: Population experiencing homelessness
Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness.
Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019)
For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-01.

People of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to white residents. Consequently, people of color are often disproportionately impacted by homelessness, particularly Black residents of the Bay Area. In Alameda County, Black or African American (Hispanic and Non-Hispanic) residents represent the largest proportion of residents experiencing homelessness and account for 47.3% of the homeless population, while making up 10.6% of the overall population (see Figure 42).

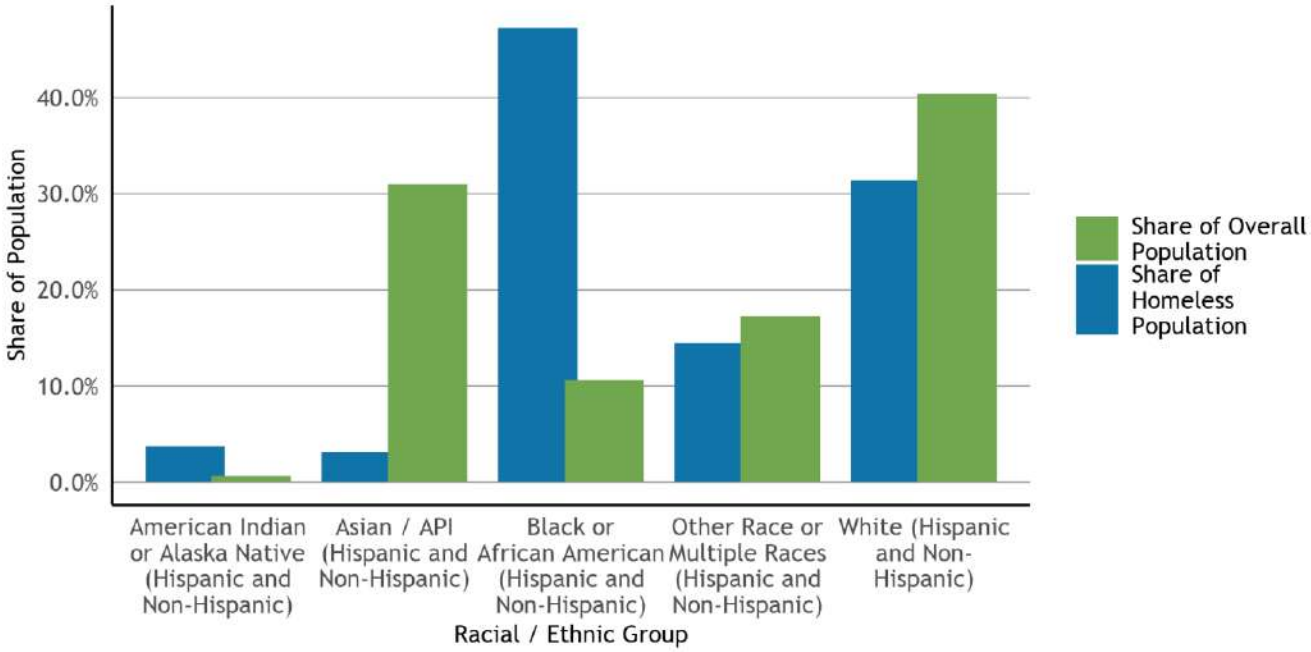


Figure 42: Racial Group Share of General and Homeless Populations, Alameda County

Universe: Population experiencing homelessness
Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. HUD does not disaggregate racial demographic data by Hispanic/Latinx ethnicity for people experiencing homelessness. Instead, HUD reports data on Hispanic/Latinx ethnicity for people experiencing homelessness in a separate table. Accordingly, the racial group data listed here includes both Hispanic/Latinx and non-Hispanic/Latinx individuals.
Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I)
For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-02.

In Alameda, Latinx residents represent 17.3% of the population experiencing homelessness, while Latinx residents comprise 22.5% of the general population (see Figure 43).

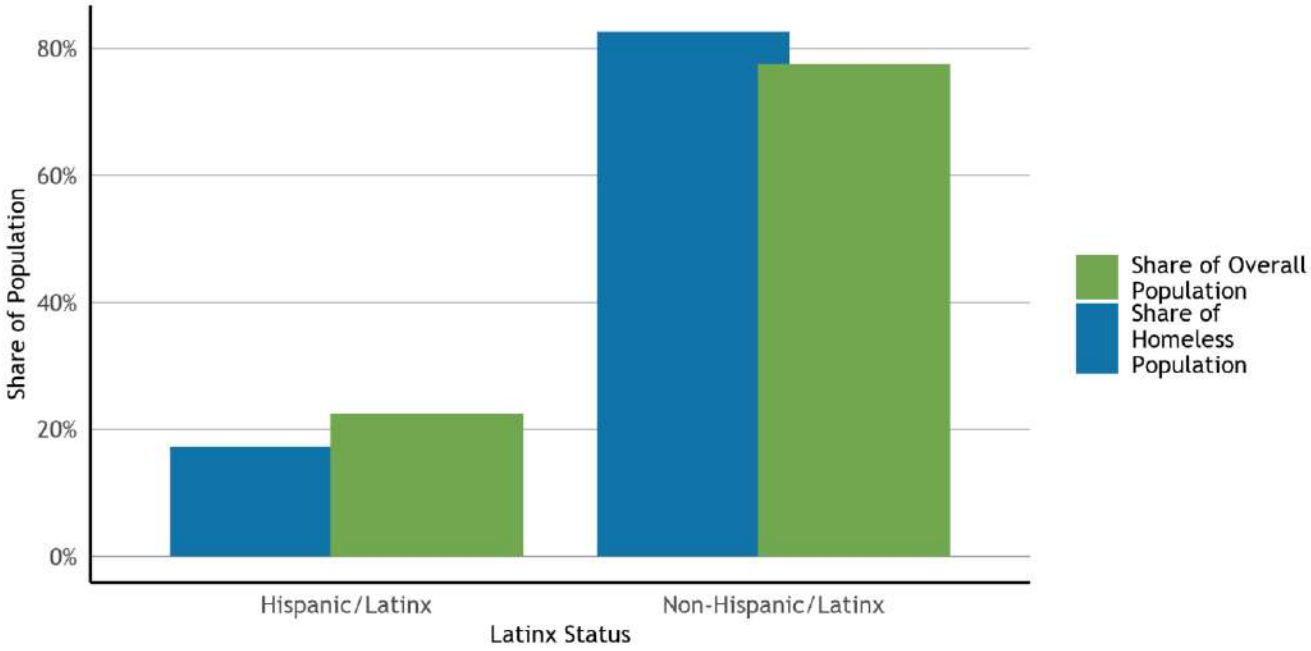


Figure 43: Latinx Share of General and Homeless Populations, Alameda County

Universe: Population experiencing homelessness
Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. The data from HUD on Hispanic/Latinx ethnicity for individuals experiencing homelessness does not specify racial group identity. Accordingly, individuals in either ethnic group identity category (Hispanic/Latinx or non-Hispanic/Latinx) could be of any racial background.
Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019); U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I)
For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-03.

Many of those experiencing homelessness are dealing with severe issues – including mental illness, substance abuse and domestic violence – that are potentially life threatening and require additional assistance. In Alameda County, homeless individuals are commonly challenged by severe mental illness, with 2,590 reporting this condition (see Figure 12). Of those, some 78.3% are unsheltered, further adding to the challenge of handling the issue.

Note on Homelessness Data

Notably all the data on homelessness provided above is for the entire county. This data comes from the Department of Housing and Urban Development's (HUD) Point in Time count, which is the most comprehensive publicly available data source on people experiencing homelessness. HUD only provides this data at the county-level and not for specific jurisdictions. However, Housing Element law requires local jurisdictions to estimate or count of the daily average number of people lacking shelter. Therefore, staff will need to supplement the data in this document with additional local data on the number of people experiencing homelessness. If staff do not have estimates of people experiencing homelessness in their jurisdiction readily available, HCD recommends contacting local service providers such as continuum-of-care providers, local homeless shelter and service providers, food

programs, operators of transitional housing programs, local drug and alcohol program service providers, and county mental health and social service departments.[24]

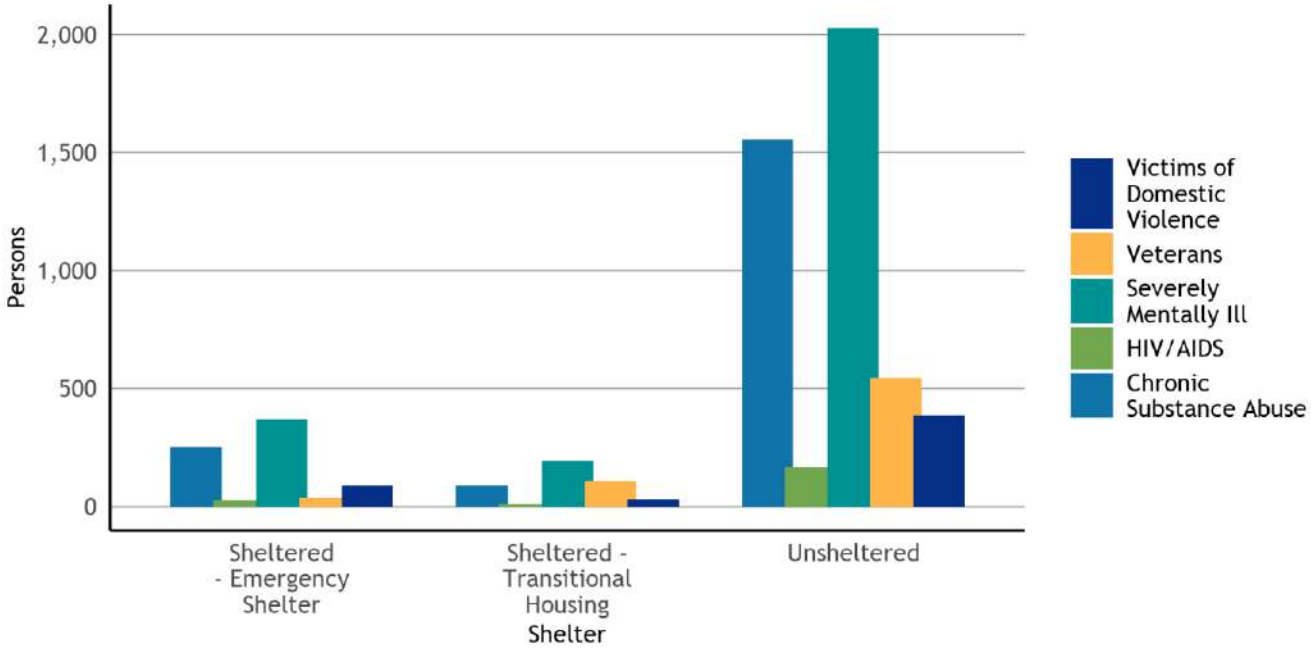


Figure 44: Characteristics for the Population Experiencing Homelessness, Alameda County

Universe: Population experiencing homelessness
Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. These challenges/characteristics are counted separately and are not mutually exclusive, as an individual may report more than one challenge/characteristic. These counts should not be summed.
Source: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2019)
For the data table behind this figure, please refer to the Data Packet Workbook, Table HOMELS-04.

In Newark, the student population experiencing homelessness totaled 300 during the 2019-20 school year and increased by 9.1% since the 2016-17 school year. By comparison, Alameda County has seen a 18.7% decrease in the population of students experiencing homelessness since the 2016-17 school year, and the Bay Area population of students experiencing homelessness decreased by 8.5%. During the 2019-2020 school year, there were still some 13,718 students experiencing homelessness throughout the region, adding undue burdens on learning and thriving, with the potential for longer term negative effects.

The number of students in Newark experiencing homelessness in 2019 represents 10.5% of the Alameda County total and 2.2% of the Bay Area total.

[24] For more information, see HCD's Building Blocks webpage for People Experiencing Homelessness: https://www.hcd.ca.gov/community-development/building-blocks/housing-needs/people-experiencing-homelessness.shtml

Table 7: Students in Local Public Schools Experiencing Homelessness

AcademicYear	Newark	Alameda County	Bay Area
2016-17	275	3531	14990
2017-18	236	3309	15142
2018-19	192	3182	15427
2019-20	300	2870	13718

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools
Notes: The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.
Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)
This table is included in the Data Packet Workbook as Table HOMELS-05.

6.6 Farmworkers

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

In Newark, the migrant worker student population totaled 72 during the 2019-20 school year and has decreased by 24.0% since the 2016-17 school year. The trend for the region for the past few years has been a decline of 2.4% in the number of migrant worker students since the 2016-17 school year. The change at the county level is a 9.6% decrease in the number of migrant worker students since the 2016-17 school year.

Table 8: Migrant Worker Student Population

AcademicYear	Newark	Alameda County	Bay Area
2016-17	75	874	4630
2017-18	79	1037	4607
2018-19	72	785	4075
2019-20	57	790	3976

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools
Notes: The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.
Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020)
This table is included in the Data Packet Workbook as Table FARM-01.

According to the U.S. Department of Agriculture Census of Farmworkers, the number of permanent farm workers in Alameda County has decreased since 2002, totaling 305 in 2017, while the number of seasonal farm workers has decreased, totaling 288 in 2017 (see Figure 45).

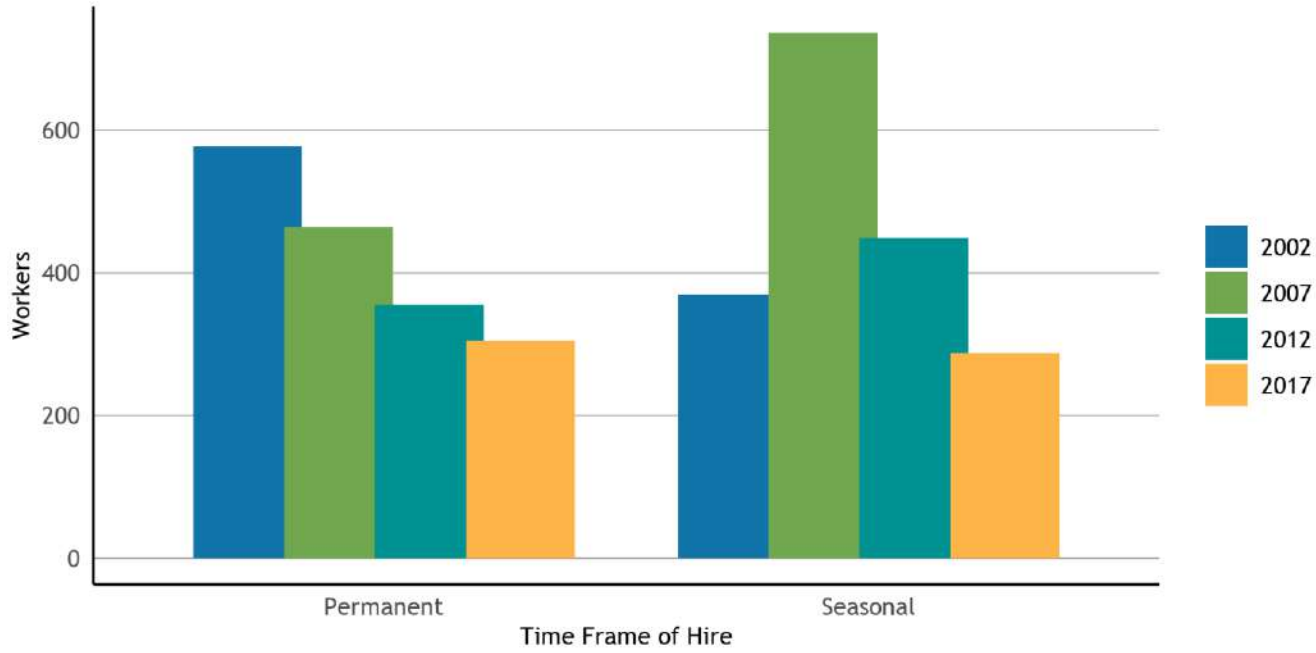


Figure 45: Farm Operations and Farm Labor by County, Alameda County

Universe: Hired farm workers (including direct hires and agricultural service workers who are often hired through labor contractors)
Notes: Farm workers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.
Source: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor
For the data table behind this figure, please refer to the Data Packet Workbook, Table FARM-02.

6.7 Non-English Speakers

California has long been an immigration gateway to the United States, which means that many languages are spoken throughout the Bay Area. Since learning a new language is universally challenging, it is not uncommon for residents who have immigrated to the United States to have limited English proficiency. This limit can lead to additional disparities if there is a disruption in housing, such as an eviction, because residents might not be aware of their rights or they might be wary to engage due to immigration status concerns. In Newark, 6.7% of residents 5 years and older identify as speaking English not well or not at all, which is below the proportion for Alameda County. Throughout the region the proportion of residents 5 years and older with limited English proficiency is 8%.

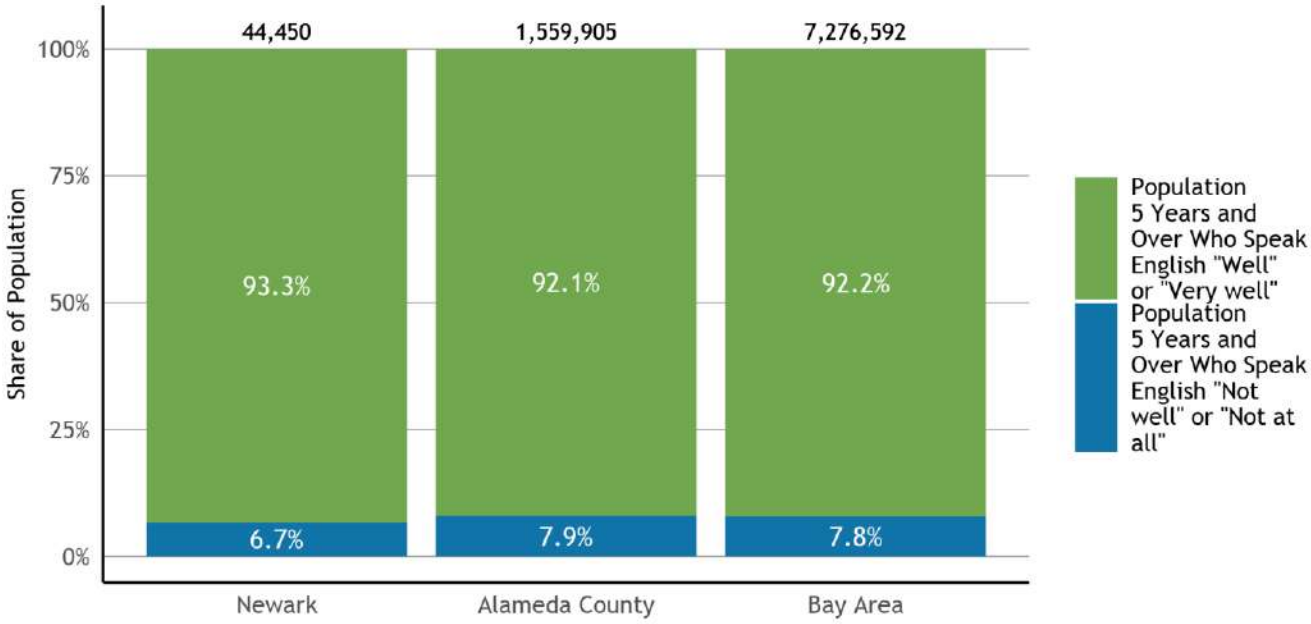


Figure 46: Population with Limited English Proficiency

Universe: Population 5 years and over
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B16005
For the data table behind this figure, please refer to the Data Packet Workbook, Table AFFH-03.

APPENDIX B PUBLIC ENGAGEMENT AND INPUT SUMMARY

From March 15th through April 30th, 342 people participated in the City of Newark's online community conversation about housing issues and opportunities in Newark. 300 of those responses were in English, 38 in Spanish and 4 in Chinese.

Participants were invited to answer a series of 22 questions covering housing experience and preference, environmental justice and demographic information. The survey was hosted on the SurveyMonkey platform accessible via the city's webpage.

The survey was distributed and advertised in multilingual materials through various platforms to reach as broad of a cross section of the community as possible. It was promoted through social media, print newsletters, email lists to special populations (e.g., seniors, individuals with developmental disabilities), in-person events, and outreach to partner organizations. Our partner organizations were able to extend our reach to the Latinx community, people experiencing and escaping from domestic violence, individuals transitioning from homelessness, and families in the Newark Unified School District.

Essential insights from the survey are that quality of life, in addition to increasing housing affordability and homeownership opportunities for Newark residents, is of great importance and concern.

Approach to Analyses

The following is a summary of responses to each survey question broken down by answer choice. Response Count signifies the number of selections made for a particular answer choice while Respondent Percent signifies the number of respondents who chose the answer choice out of the total number of survey respondents (i.e., 342 people), including the 38 Spanish responses and 4 Chinese responses.

Note: For multi-select questions, the respondent percentages may reflect more than one selection by a single individual rather than all unique responses. Additionally, please keep in mind that for these questions the response count will not sum to the number of respondents who answered the question.

Q1. How concerned are you about the availability of affordable housing in Newark?

Answer Choices	Response Count	Respondent % (out of 342)
Very concerned	182	53%
Somewhat concerned	76	22%
Not that concerned	44	13%
Not at all concerned	35	10%
No opinion/ not sure	4	1%
Number of Respondents	**341**	**100%**

Q2. As we look to improve housing opportunities in Newark, which of the following do you think are the three biggest issues we need to address?

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
We need more homeownership opportunities especially for first time homeowners	226	66%
We need more affordable rental opportunities	140	41%
We need to encourage more housing types (apartments, accessory dwelling Units, duplexes/triplexes)	93	27%
We need more opportunities for those that are unhoused or in danger of being unhoused	96	28%
We need stronger protections for renters (minimum lease terms, relocation benefits)	44	13%
We need low cost home improvement programs for seniors and those on limited incomes	135	39%
Other (please specify)	60	18%
Number of Respondents	**319**	**93%**

Q3. Thinking about the cost of housing from one year ago ...

Answer Choices	Response Count	Respondent % (out of 342)
It is much less expensive to find a home	8	2%
Somewhat less expensive	6	2%
About the same	22	6%
Somewhat more expensive	73	21%
Much more expensive	188	55%
Does not apply/don't know	10	3%
Number of Respondents	**307**	**90%**

Q4. Based on the definition of "affordable" housing as being housing that takes 30% or less of your income to pay for it, how would you describe your current housing situation?

Answer Choices	Response Count	Respondent % (out of 342)
I'm in a home I like at a price I can afford	136	40%
I'm in a home I like but it's taking more than 30% of my income to be here	97	28%
I'm in a home I can afford, but it's not a place I like or meets my needs	54	16%
I'm in a home I can't afford, and don't like	28	8%
Number of Respondents	**315**	**92%**

Q5. If you're not happy with your current housing situation, what would make it better? (Check all that apply.)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
I need a home with more space	106	31%
I would like to live in a different neighborhood	44	13%
I rent, but would like to own my own home	86	25%
I need a place that is more accessible due to disabilities	14	4%
I need a home with fewer housemates or roommates	24	7%
I like my home, but need to pay less	67	20%
I'm happy with my current housing situation	113	33%
Number of Respondents	**299**	**87%**

Q6. Of the following five options, which three do you think are the most urgent affordable housing needs in Newark at this time?

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
Housing for families - larger units with more bedrooms for all families, especially multigenerational or large families	171	50%
Housing for smaller households - smaller units or housing types for young adults and couples starting out, single households, students and seniors looking to downsize	148	43%
Housing for seniors - specific developments for seniors, including housing with supportive services	112	33%
Housing for people with special needs - greater accessibility and supportive services for those with disabilities	47	14%
Housing for those experiencing homelessness - transitional housing and permanent supportive housing	82	24%
Housing for low-income and underserved households – subsidized housing	119	35%
Other (please specify)	30	9%
Number of Respondents	**298**	**87%**

Q7. Thinking about the future of your neighborhood, what gives you optimism?

The survey received more than 200 responses to this question which were categorized and summarized in part in the community engagement summary included in this Housing Element.

Q8. Do you see your neighborhood as a place of opportunity for yourself and/or your family?

Answer Choices	Response Count	Respondent % (out of 342)
Yes	121	35%
No	60	18%
Somewhat	96	28%
Number of Respondents	**277**	**81%**

Q9. If you didn't answer yes to the previous question, what are three of the most pressing issues that would need to change to feel like there is more opportunity? (Please select up to three)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
Pollution from vehicles on neighborhood streets and freeways	55	16%
Healthy food and grocery stores close to home or work	71	21%
City infrastructure and facilities that support physical activity, including sidewalks, bicycle lanes, parks, and recreation centers	112	33%
Air or chemical pollution from industrial businesses and activities.	52	15%
Easy to access health care facilities	35	10%
Affordable, safe, and healthy housing conditions	106	31%
Educational opportunities that are academically and culturally supportive	86	25%
Number of Respondents	**219**	**64%**

Q10. The city could do a variety of things to create more housing affordability. of the following six options, which three do you think are the most promising or worth doing? (Please choose 3)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
Create incentives for building affordable housing	120	35%
Reduce the cost of building all housing, but especially affordable housing through lower fees and faster approvals	113	33%
Allow for a larger variety of housing through the city	93	27%
Use city-owned land for affordable housing	94	27%
Use city funds to get more state, federal and private funding for affordable housing (through the city's Affordable Housing Trust Fund)	117	34%
Enact policies such as inclusionary zoning that allow for a portion of affordable units in each development	96	28%
Number of Respondents	**260**	**76%**

Q11. What kind of housing would you like to see more of? (Check all that apply.)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
Backyard cottages	125	37%
Duplexes, triplexes and fourplex	86	25%
Cottage clusters	106	31%
Townhomes	104	30%
Small to mid-size multifamily	77	23%
Multifamily buildings downtown	75	22%
Number of Respondents	**252**	**74%**

Q12. Where in Newark would you like to see more housing? (Please select all that apply)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
Old Town (Thornton Ave between Cherry Street and Ash Street)	141	41%
Bayside Newark (formerly known as The Dumbarton Transit-Oriented Development, near Willow Street and Enterprise Drive)	99	29%
NewPark Place area (Newpark Mall Road and Cedar Blvd)	156	46%
Other (please specify)	46	13%
Number of Respondents	**248**	**73%**

Q13. Which hazards, both natural and human, do you think are most important for Newark to address? (Please choose three)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
None of the above	8	2%
Wildfires	53	15%
More frequent and intense heat waves	87	25%
Earthquakes	119	35%
Multi-year drought	179	52%
Sea-level rise and related flooding	150	44%
Hazardous materials spills	70	20%
Other (please specify)	32	9%
Number of Respondents	**264**	**77%**

Q14. How concerned are you about the impact of sea level rise, bringing the possibility of increased flooding to the lower-lying communities of Newark?

Answer Choices	Response Count	Respondent % (out of 342)
Very concerned about the impact flooding will have on lower-lying communities	100	29%
Somewhat concerned about the impact flooding will have on these communities	92	27%
Not really concerned about it	50	15%
No opinion, don't have enough information	26	8%
Number of Respondents	**268**	**78%**

Q15. Are there pollution and environmental issues you are concerned about in your neighborhood or larger community? (If so, please check all that apply.)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
Issues related to car and truck traffic: Noise, air pollution	126	37%
Issues connected to industry in the area: air pollution, dangerous fumes, dumping of chemicals	121	35%
Poor quality drinking water	81	24%
Trash in public spaces, vacant lots, graffiti	168	49%
Other (please specify)	29	8%
Number of Respondents	**250**	**73%**

Q16. What is your connection to Newark? (Please select all that apply.)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
Live here	242	71%
Work here	51	15%
Go to school here	40	12%
Have a business here	15	4%
Have family or grew up here (but do not live here)	23	7%
Interested in Newark housing issues (but do not live here)	10	3%
Number of Respondents	**255**	**75%**

Q17. Currently I live...

Answer Choices	Response Count	Respondent % (out of 342)
In a home or condo I own	168	49%
In a home or apartment I rent	72	21%
In an unstable/unhoused situation	3	1%
Prefer not to say	11	3%
Number of Respondents	**254**	**74%**

Q18. How would you describe your home?

Answer Choices	Response Count	Respondent % (out of 342)
A single family home	196	57%
A multi-family home such as a duplex or apartment building	53	15%
A mobile or manufactured home	1	0.3%
Other (please specify)	7	2%
Number of Respondents	**250**	**73%**

Q19. What is your age?

Answer Choices	Response Count	Respondent % (out of 342)
Under 19	1	0.3%
20-29	9	3%
30-49	153	45%
50-69	72	21%
70+	18	5%
Number of Respondents	**253**	**74%**

Q20. What is your race and/or ethnicity? (Check all that apply.)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
American Indian or Alaskan Native	8	2%
Asian or Asian American	63	18%
Black or African American	3	1%
Hispanic or Latino	82	24%
Native Hawaiian or Pacific Islander	8	2%
White or Caucasian	107	31%
Other (please specify)	10	3%
Number of Respondents	**241**	**70%**

Q21. We would love for you to be involved in this process. If you have not attended public meetings in the past, please share what is keeping you from attending. (Please check all that apply.)

Answer Choices	Response Count (multi-select)	Respondent % (out of 342)
I have difficulty understanding what is being said in English	18	5%
I don't have the time to attend – too busy with work and/ or family	102	30%
I need child care to attend	25	7%
I don't feel that my opinions are heard and taken into consideration	88	26%
The time and /or day of the week meetings are held makes it difficult for me to attend	47	14%
Other (please specify)	52	15%
Number of Respondents	**200**	**58%**

Q22. and let us know if there's anything else you want to tell us:

The city received more than 200 comments which were categorized and used to inform policies and programs reflected in this document.

APPENDIX C HOUSING SITES INVENTORY

Introduction

A Housing Element must include an inventory of available land that is appropriately zoned and suitable for housing development to accommodate a jurisdiction's Regional Housing Needs Allocation (RHNA) as required by State law. This inventory for the City of Newark focuses on residential sites that are currently in the development pipeline, or vacant and non-vacant sites that can be made available for housing development affordable at varying income levels. This Appendix summarizes the evaluation of potential housing sites, and the adequacy of sites to meet development capacities to accommodate the City's regional housing needs for the 2023-2031 planning period.

California law (Government Code Sections 65583 (a)(3)) requires that the Housing Element contain an inventory of land suitable for residential development, including vacant sites and non-vacant (i.e., underutilized) sites having potential for development. State law also requires an analysis of the relationship to zoning and services to these sites as well as identifying sites throughout the community, in a manner that is consistent with its duty to affirmatively further fair housing (AFFH).

The analysis presented in this Appendix demonstrates that there is an adequate supply of suitable land to accommodate the City's housing allocation of 1,874 units, plus a surplus of 980 units to act as a "buffer" if sites develop to non-residential or at different affordability levels than assumed in the sites inventory. This section is organized by the following topics:

- Summary of Newark's projected housing needs by AMI level
- Capacity to Accommodate RHNA
- Sites selection process, including a description of the methodology and evaluation of site criteria, realistic unit capacity, and sites to accommodate varied income levels
- Evaluation of sites in meeting AFFH requirements
- Individual site profiles

Projected Housing Needs

A key component of any Housing Element Update is identifying adequate sites to address the jurisdiction's Regional Housing Needs Allocation (RHNA). The California Department of Housing and Community Development (HCD) determines state-wide projected housing needs and allocates new housing unit target numbers to regional councils of government (COGs). State law (California Government Code Section 65584) provides for COGs to then prepare and adopt plans

that assign a "fair share" of the region's housing needs to each city and county. The Association of Bay Area Governments (ABAG) is the COG that determines fair-share portions of state allocations for Newark. .

The City's RHNA requirements for the 2023-2031 Housing Element projection period are summarized in Table C- 1 below. For the 2023-2031 Housing Element planning period, the City of Newark is required to plan to accommodate the development of at least 1,874 housing units. This includes 464 units for very low-income households, 268 units for low-income households, 318 units for moderate-income households, and 824 units for above moderate-income households.

Housing Needs for Extremely Low-Income Households

Although the RHNA does not include allocations for extremely low-income households, Housing Element Law requires that jurisdictions estimate the need for housing units affordable to extremely low-income households and plan to accommodate this need. Extremely low-income households are those with incomes less than 30% of area median income. In Alameda County, 30% of the AMI is the equivalent to an annual income of $42,850 for a family of four. Households with extremely low incomes have a variety of housing situations and needs. For example, most families and individuals receiving public assistance, such as supplemental security insurance (SSI) or disability insurance, are considered extremely low-income households. Many households with multiple wage earners – including food service workers, full-time students, teachers, farmworkers, and healthcare professionals – can also fall into lower AMI categories due to relatively stagnant wages in these industries.

HCD's official Housing Element guidance notes that jurisdictions can use their RHNA for very low-income households (those making zero to 50 percent AMI) to calculate their projected need for extremely low-income households. HCD provides three methodologies for estimating this need: 1) allocate the percentage of very low-income need to extremely low-income households based on the ABAG region's proportion; 2) allocate the percentage of very low-income need to extremely low -income households based on the current proportion for Newark; 3) assume that 50 percent of Newark's very low-income RHNA is for extremely low-income households. To estimate the projected housing need for extremely low-income households, 50 percent of Newark's 464 very low-income RHNA units are assumed to serve extremely low-income households. Based on this methodology, the City has a projected need of 232 units for extremely low-income households over the 2023-2031 Housing Element planning period. More than half of this allocation will be provided through the Cedar Creek Apartments, which is already in the development pipeline and has received $6M in funding support from the City's Affordable Housing Impact Fee Fund.

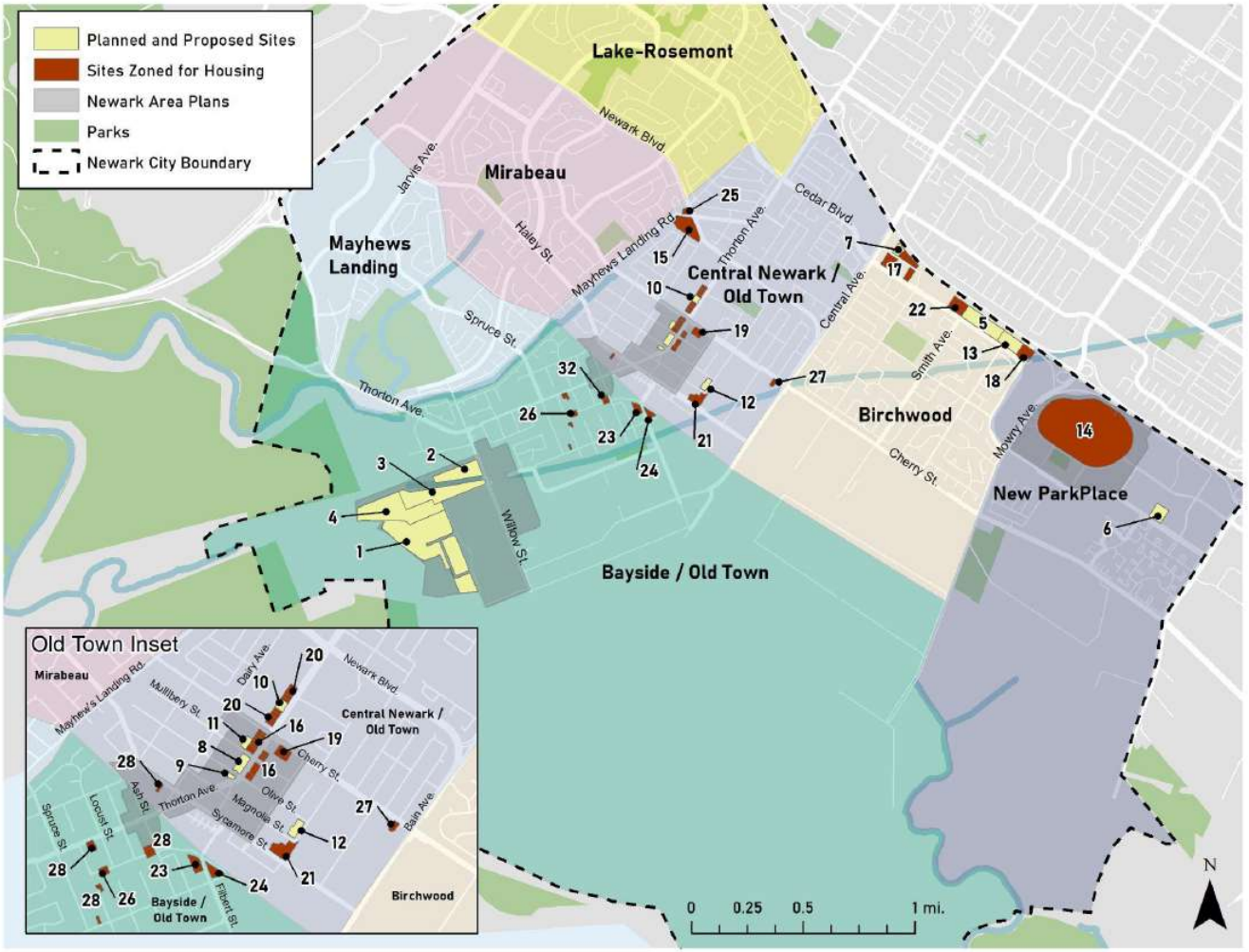
Capacity to Accommodate RHNA

The total realistic development capacity of all sites in the land inventory is detailed in Table C-1 below which lists all consolidated sites in the sites inventory and total residential capacity against the City's 6th cycle RHNA. The total realistic capacity shown is 2,854 units, which exceeds the net target of 1,874 units the City is required to plan to accommodate for its RHNA, and also supplements that allocation by providing a significant buffer representing more than 100 percent of the required RHNA for all income levels; this includes a 13 percent buffer for very low-income units and 10 percent for low-income units. HCD recommends that jurisdictions provide a 15 to 30 percent buffer beyond the minimum RHNA target to comply with the "no net loss" provisions of State Housing Element Law that require the jurisdiction to maintain sufficient capacity to accommodate its RHNA for the duration of the planning period at every income level. In addition to considering the aggregate number of units that the sites can accommodate, it is necessary to consider the potential for sites to accommodate housing that is affordable to all income levels, in accordance with the RHNA allocations, as discussed in the "Evaluation of Sites to Accommodate Varied Income Levels" .

Each of the two primary project types, Pipeline Projects and Sites Zoned for Housing, are presented in Table C-1 below and described in further detail in the Sites Selection section. As shown in Table C-1, the number of units from Pipeline Projects represents 67 percent of the city's RHNA, including 59 percent of Newark's RHNA for very low-income (VLI) housing. Though these Pipeline units do not fulfill the RHNA allocation at every income level, this demonstrates there are sufficient sites for the City's RHNA and provides strong evidence there is residential developer interest and economic feasibility for housing development on the types of sites, including non-vacant sites, identified in this inventory. Table C-2 lists the APNs and acreage for all sites zoned for housing.

The following map shows the distribution of sites throughout the City of Newark with an inset for the boundary of the Old Town Specific Plan. Parcels indicated in yellow are active project sites (pipeline projects) while sites indicated in red are sites zoned for housing, or locations whose zoning and land use will support new housing. The map also shows three specific plan areas: Old Town Specific Plan, Bayside Newark, and NewPark Place Specific Plan. The site numbers match data in the following tables which show unit counts and the more detailed summary sheets found later in this document.

Figure C-1: Housing Sites for the RHNA 6th Cycle



Source: Adapted by Community Planning Collaborative, 2023

Table C-1: City of Newark Sites Inventory

Site	Name	Income Level				Total Units
		Very Low	Low	Moderate	Above Moderate	
Planned and Proposed Projects (Also known as pipeline projects are sites 1 through 13)						
1	Bridgeway / Gateway (under construction)	0	0	0	134	**134**
2	FMC Willow - North (Parcel C) (entitled)	47	23	21	64	**155**
3	FMC Willow - South (entitled)	0	0	0	215	**215**
4	Harbor Pointe (under construction)	0	0	0	192	**192**
5	Cedar Homes- 38478 Cedar Boulevard (entitled)	0	0	0	118	**118**
6	Cedar Community Apts. (complete)	124	0	0	1	**125**
7	Timber St. Senior Living (entitled)	39	39	1	0	**79**
8	Lepakshi Homes - Building A, 6781 Thornton Ave. (active application)	0	0	0	60	**60**
9	Lepakshi Homes - Building B, 6781 Thornton Ave. (active application)	8	4	3	13	**28**
10	SAHA Development- 6347 -6375 Thornton Ave. (active application)	56	0	1	0	**57**
11	Mulberry Residential 36952 Mulberry Street (entitled)	0	0	0	8	**8**
12	Bain Ave. & Magnolia St. - 37280 Magnolia Street (under construction)	0	0	0	10	**10**
13	Waymark Homes - Cedar Blvd (entitled)	0	0	0	76	**76**
	Subtotal Planned and Proposed	274	66	26	891	1,257
Sites Zoned for Housing (Vacant and Nonvacant sites are sites 14 through 28)						

Site	Name	Income Level				Total Units
		Very Low	Low	Moderate	Above Moderate	
14	NewPark Place (Phases A to D)	36	18	18	535	607
15	Grocery Outlet Shopping Center	27	26	0	0	53
16	Thornton Ave. Sites (within Old Town Specific Plan boundary)	41	41	40	40	162
17	Cedar Blvd. and Timber St. Industrial Sites	0	0	0	61	61
18	E-Z 8 Motel	39	38	0	0	77
19	Cherry Plaza	15	15	0	0	30
20	Thornton Ave. Sites (outside of Old Town Specific Plan boundary)	18	18	18	17	**71**
21	Sycamore St. Vacant Lot	25	25	24	0	74
22	Cedar Blvd. Public Storage Sites	0	0	0	41	41
23	Filbert Villas - 37243 & 37257 Filbert St. (expired entitlement)	0	0	0	16	**16**
24	Filbert Ave. Sites	0	0	0	7	7
25	Mayhews Place - 36589 Newark Boulevard (expired entitlement)	0	0	0	9	**9**
26	Locust St. & Railroad - 37093 Locust St. (expired entitlement)	0	0	0	6	**6**
27	Fahmy Homes - 37503 & 37511 Cherry Street (expired entitlement)	0	0	0	6	**6**
28	Neighborhood Infill Lots	0	0	0	17	**17**
	Accessory Dwelling Units (ADUs)	48	48	48	16	160
	Middle Housing Units	0	0	200	0	200
	Subtotal Sites Zoned for Housing	249	229	348	771	1,597
	Total Capacity	523	295	374	1,662	2,854
	Newark RHNA	**464**	**268**	**318**	**824**	**1,874**
	Surplus %	113%	110%	118%	202%	152%
	Surplus Units	59	27	56	838	980

Source: City of Newark; Community Planning Collaborative, 2023.

Table C-2: City of Newark Sites Inventory with APNs and Acreage

#	Name	APN	Acreage	GP Land Use	Zoning	Income Level				Total Units
						Very Low	Low	Mod.	Above Mod.	
Planned and Proposed Projects										
1	Bridgeway / Gateway	assorted	n/a	LDR, MDR	BTP	0	0	0	134	134
2	FMC Willow - North	92-100-5	7.21	TS, R	BTP	47	23	21	64	155
3	FMC Willow - South	537-852-1-8	12.67	HDR, O, TS	BTP	0	0	0	215	215
4	Harbor Pointe	537-852-1-3	1.71	HDR, O	BTP	0	0	0	192	192
		537-852-2-9	2.29							
		537-852-2-16	15.70							
5	Cedar Homes	92A-2375-2-6	7.16	MDR	RM	0	0	0	118	118
6	Cedar Community Apts.	901-195-38	1.36	CC	CC	124	0	0	1	125
		901-195-37	1.36							
7	Timber St. Senior Living	92A-2125-10-2	1.04	MDR	RM	39	39	1	0	79
8	Lepakshi Homes - Building A	92-30-17-2	0.17	CMU	CMU	0	0	0	60	60
		92-30-16-2	0.17							
		92-30-18-4	0.31							
		92-30-14-3	0.19							
		92-30-15-2	0.17							
9	Lepakshi Homes - Building B	92-31-16-2	0.17	CMU	CMU	8	4	3	13	**28**
		92-31-15	0.08							
10	SAHA Development-Thornton Ave.	92A-919-17-2	0.18	HDR	RH	56	0	1	0	**57**
		92A-919-16-2	0.18							
		92A-919-18	0.20							
11	Mulberry St. Residential	92-29-22	0.23	MDR	RM	0	0	0	8	8
		92-29-21	0.23							

#	Name	APN	Acreage	GP Land Use	Zoning	Income Level				Total Units
						Very Low	Low	Mod.	Above Mod.	
12	Bain Ave. & Magnolia St.	92-61-11	0.43	MDR	RM	0	0	0	10	10
		92-61-12-2	0.36							
		92-61-12-1	0.14							
13	Waymark Homes	92A-2585-12-1	0.83	MDR	RM	0	0	0	76	76
		92A-2585-30-4	0.35							
		92A-2585-31	2.62							
Subtotal Planned and Proposed						**274**	**66**	**26**	**891**	**1,257**
Sites Zoned for Housing										
14	NewPark Mall (Phases A to D)	901-111-19	9.71	Mixed-use I	RC	36	18	18	535	607
		901-111-24	7.89							
		901-111-30	0.82							
		901-111-21	4.34							
		901-111-24	1.21							
		901-111-22	6.24							
		901-111-31	3.30							
		901-111-26	5.64							
		901-111-26	1.54							
		901-111-20	7.42							
		901-111-26	0.64							
		901-111-29	1.03							
		901-111-25	14.71							
15	Grocery Outlet Shopping Center	92A-900-1-2	4.62	CMU	CMU	27	26	0	0	53
16	Thornton Ave. Sites (within Old Town Specific Plan boundary)	92-50-1-3	0.13	CMU	CMU	41	41	41	41	162
		92-29-20-2	0.34							

#	Name	APN	Acreage	GP Land Use	Zoning	Income Level				Total Units
						Very Low	Low	Mod.	Above Mod.	
		92-29-16-2	0.17							
		92-29-15-2	0.09							
		92-50-2-3	0.13							
		92-29-19-2	0.17							
		92-29-18-2	0.17							
		92-51-5-3	0.50							
		92-50-3-3	0.13							
		92-29-14-2	0.08							
		92-29-17-2	0.17							
		92-29-13	0.16							
		92-51-2-3	0.27							
17	Cedar Blvd. and Timber St. Industrial Sites	92A-2125-17	1.00	MDR	RM	0	0	0	61	61
		92A-2125-11-2	1.67							
		92A-2125-13	2.00							
18	E-Z 8 Motel	92A-2585-32	2.24	HDR	RH	39	38	0	0	77
19	Cherry Plaza	92-50-13	0.96	CMU	CMU	15	15	0	0	30
20	Thornton Ave. Sites (outside of Old Town Specific Plan boundary)	92A-919-20-2	0.24	RHD	RH	18	18	18	17	**71**
		92A-919-11-2	0.21							
		92A-919-15-2	0.16							
		92A-919-13-2	0.19							
		92A-919-21-2	0.24							
		92A-919-12-2	0.16							
		92A-919-22-2	0.24							
		92A-919-14-2	0.21							
		92A-919-19-2	0.19							

#	Name	APN	Acreage	GP Land Use	Zoning	Income Level				Total Units
						Very Low	Low	Mod.	Above Mod.	
21	Sycamore St. Vacant Lot	92-255-11	1.81	RHD	RH	25	25	24	0	74
22	Cedar Blvd. Public Storage Sites	92A-2375-32	1.44	RMD	RM	0	0	0	41	41
		92A-2375-32	1.46							
23	Filbert St. Villas	92-131-3	0.17	RMD	RM	0	0	0	16	**16**
		92-54-4	0.18							
		92-54-5	0.21							
24	Filbert Ave. Sites	92-54-6	0.31	RMD	RM	0	0	0	7	7
		92A-623-43	0.52							
		92-125-10	0.43							
25	Mayhews Place	92A-623-43	0.52	LMDR	MDR	0	0	0	9	**9**
26	Locust & Railroad	92-125-10	0.43	LMDR	RS	0	0	0	6	**6**
27	Fahmy Homes	92-75-5-2	0.18	MDR	RM	0	0	0	6	**6**
		92-75-4-2	0.20							
28	Neighborhood Infill Lots	92-135-23	0.19	LDR	RS	0	0	0	17	**17**
		92-127-13	0.17							
		92-136-15	0.14							
		92-24-10	0.17							
		92-127-20	0.43							
		92-125-2-2	0.42							
	Accessory Dwelling Units (ADUs)	n/a	n/a			48	48	48	16	160
	Middle Housing Units	n/a	n/a			~~0~~	~~0~~	200	~~0~~	200
	Subtotal Sites Zoned for Housing					249	229	348	771	1,597
	Total Capacity					**523**	**295**	**374**	**1,662**	**2,854**

#	Name	APN	Acreage	GP Land Use	Zoning	Income Level				Total Units
						Very Low	Low	Mod.	Above Mod.	
Newark RHNA						**464**	**268**	**318**	**824**	**1,874**
Surplus %						113%	110%	118%	202%	152%
Surplus Units						59	27	56	838	980

Source: City of Newark; Community Planning Collaborative, 2023.

Site Selection Process

The following is a summary of the overall sites inventory process and the methodology and assumptions that support the sites selection process. Using guidance provided by HCD, an inventory of available sites was conducted by closely examining site characteristics and other HCD-established criteria. Primarily, sites were identified by using Geographic Information Systems (GIS) mapping software from multiple datasets to identify parcels that fit the HCD-specified criteria as adequate housing sites. Sites were further refined over a series of working sessions and through input staff, the City Council and community and development sector stakeholders through the community engagement process. The information used to generate the sites inventory database was derived from these primary resources:

1. ABAG's Housing Element Site Selection (HESS) Tool;
2. City of Newark current and long-term planning records and planning documents;
3. County of Alameda assessor's data.

Housing sites identified as part of the site inventory analysis were evaluated using a variety of criteria to determine their ability to meet State requirements and meet the City's RHNA, plus a buffer. The following sections describe the screening criteria and methodology applied for the site selection process. Once all sites had been selected and verified, the realistic density assumption was informed by and calculated from precedent projects in Newark, as well as from regional data provided by ABAG through the HESS tool realistic capacity module.

Methodology/Evaluation of Possible Sites

To meet the City's RHNA requirement, three primary project types are identified in the sites inventory, as described below. The methodology and assumptions that support these project types are summarized in the "General Site Evaluation Considerations" and "Sites for Rezoning" sections.

Planned and Proposed/Pipeline Projects

Pipeline Projects include those that have been approved, permitted, or received a final certificate of occupancy since the beginning of the RHNA projection period (which started on June 30, 2022). Based on HCD guidance, these projects may be credited toward meeting the RHNA allocation based on the affordability and unit count of the development. The following is a description of the subcategories under Pipeline Projects:

Approved/Under Construction: These projects include those that have been approved or are under construction and will receive a final certificate of occupancy after the beginning of the RHNA projection period, making these projects eligible to be counted towards the 6th cycle RHNA.

Proposed Projects: These are projects that are seeking entitlements. Project status includes formal applications or pre-applications under review, master plans with development agreements approved or under review (only those portions realistically expected to start construction by 2031), and sites owned by 100 percent affordable housing developers with the intent to submit applications in the next year. Permits or certificates of occupancy for these Proposed Projects are expected to be issued in the 6th cycle, making these projects eligible to be counted towards the 6th cycle RHNA as well.

Project Status and Barriers to Development

The City expects to accommodate a significant percentage of its RHNA through planned and proposed projects. Currently, there are 13 projects which are in various stages of the development process and are expected to provide 1,257 units, 340 of which are lower income. One project, Cedar Community Apartments, has been completed and has provided 124 units of very low income housing. Three of the projects are in the construction phase, six are entitled, and three are active applications. Newark continues to see strong demand in multifamily housing as indicated by these planned and proposed projects and development trends from the previous planning cycle.

The following table (C-3), provides an overview of the different projects, potential barriers, likelihood of development within the planning period, and expected completion date. While numerous factors affect a project's completion, many of which are outside of the purview of the City, all of the projects are likely to be completed within RHNA 6 planning period. Six of the thirteen projects have known barriers identified by the city, the most common being that building permits must be approved or a request for an entitlement extension must be submitted. The City is closely monitoring the progress of each of these projects and is in contact with applicants to provide guidance on how to keep project progress moving forward.

Table C-3: Planned and Proposed Sites with Project Status

Site	Name	Development Stage	Remaining Steps in Entitlement Process	Known Barriers to Development in Planning Period	Likelihood of Development in Planning Period	Expected Completion	Income Level				Total Units
							Very Low	Low	Mod.	Above Mod.	
1	Bridgeway / Gateway	under construction	none	none	Likely	2024	0	0	0	134	**134**
2	FMC Willow - North (Parcel C)	entitled	none	none	Likely	Building permits issued late 2024; construction complete in 2026	47	23	21	64	**155**
3	FMC Willow - South	entitled	none	none	Likely	Building permits issued late 2024; construction complete in 2026	0	0	0	215	**215**
4	Harbor Pointe	under construction	none	none	Likely	2024	0	0	0	192	**192**
5	Cedar Homes- 38478 Cedar Boulevard	entitled	none	Clearance required for underground leakage from applicable agencies prior to grading permit issuance. Building permit approval or entitlement extension required by May 25, 2025.	Likely	Building permits issued mid-2024; construction complete late 2025.	0	0	0	118	**118**

Site	Name	Development Stage	Remaining Steps in Entitlement Process	Known Barriers to Development in Planning Period	Likelihood of Development in Planning Period	Expected Completion	Income Level				Total Units
							Very Low	Low	Mod.	Above Mod.	
6	Cedar Community Apts.	complete	none	none	Complete	2023	124	0	0	1	**125**
7	Timber St. Senior Living	entitled	none	Construction closing process must be complete and construction started by February 19, 2024 as required by TCAC/CDLAC. Building permit approval or request for entitlement extension required by October 28, 2024.	Likely	Building permits issued Q1 2024; construction complete by late 2025.	39	39	1	0	**79**
8	Lepakshi Homes - Building A, 6781 Thornton Ave.	active application	Completeness determination; CEQA review; Planning Commission and City Council review.	Visibility triangle requirements for corner lots must be met. Main water line adjustment needs to be complete and new fire hydrants need to be added.	Likely	Entitlements issued by mid 2024; building permits issued late 2024; construction complete by mid-2026.	0	0	0	60	**60**
9	Lepakshi Homes - Building B, 6781 Thornton Ave.	active application	Completeness determination;CEQA review; review; Planning Commission and City Council review	None	Likely	Entitlements issued by mid 2024; building permits issued late 2024;	8	4	3	13	**28**

Site	Name	Development Stage	Remaining Steps in Entitlement Process	Known Barriers to Development in Planning Period	Likelihood of Development in Planning Period	Expected Completion	Income Level				Total Units
							Very Low	Low	Mod.	Above Mod.	
						construction complete by mid-2026.					
10	SAHA Development- 6347 -6375 Thornton Ave.	active application	Completeness determination, CEQA, public hearings	Entitlement application needed which is expected in November 2023.	Likely	Entitlements issued in 2024; construction complete in 2026	56	0	1	0	**57**
11	Mulberry Residential 36952 Mulberry Street	entitled	none	Construction drawings required which may be delayed due to high interest rates. Building permit approval or request for entitlement extension required by June 22, 2025.	Likely	Building permits issued late 2024; construction complete in early 2026	0	0	0	8	**8**
12	Bain Ave. & Magnolia St. - 37280 Magnolia Street	under construction	none	none	Likely	2023	0	0	0	10	**10**

Site	Name	Development Stage	Remaining Steps in Entitlement Process	Known Barriers to Development in Planning Period	Likelihood of Development in Planning Period	Expected Completion	Income Level				Total Units
							Very Low	Low	Mod.	Above Mod.	
13	Waymark Homes - Cedar Blvd	entitled	none	Closing of sale on City property must be complete by January 12, 2024 per the Purchase & Sale Agreement. Building permit approval or request for entitlement extension required by September 14, 2025.	Likely	Building permits issued 2024; construction complete late 2026	0	0	0	76	**76**
Subtotal Planned and Proposed							274	66	26	891	1,257

Sites Zoned for Housing

Sites zoned for housing comprise the second main type of site to accommodate the City's RHNA, including both vacant and non-vacant sites with available infrastructure and that meet a variety of criteria that make them candidates for residential development during the 6th cycle planning period. These sites are considered vacant or underutilized and are eligible for residential development as is currently allowed under the existing zoning in the General Plan or in one of the City's adopted specific plans.

Accessory Dwelling Units and SB 9 Units

Accessory Dwelling Units are considered opportunities for residential development and are based on projected development during the planning period as is currently allowed under the existing zoning or General Plan. The sites inventory provided in Table C-1 assumes that Newark will continue to approve on the order of 15 units per year[15]. In addition, it is anticipated that homeowners in Newark will begin to take advantage of the opportunities to add additional housing units through the addition of new units on existing residential lots or through urban lot splits as provided in SB 9.[16]

[15] The affordability levels assumed by Newark in the sites inventory for ADU production is supported by research conducted for ABAG's RHTA program and is based on a robust statewide survey of ADUs by affordability level. https://abag.ca.gov/sites/default/files/documents/2022-03/ADUs-Projections-Memo-final.pdf

[16] https://www.hcd.ca.gov/docs/planning-and-community-development/SB9FactSheet.pdf

General Site Evaluation Considerations

This section provides a summary of the evaluation considerations made as part of the analysis and a description of each consideration. As most of the city is already built with limited vacant parcels remaining, sites in the inventory primarily include non-vacant parcels that already have access to infrastructure and meet a variety of HCD criteria that make them suitable candidates for housing redevelopment. While sites not included in the sites inventory can also be developed for housing to meet RHNA targets, those sites identified in the inventory are considered optimal and most likely to develop and contribute to housing production in the 6th cycle. The following considerations were evaluated and are described in more detail in the following sections:

- Infrastructure Availability;
- Environmental Constraints;
- Site Status and Capacity (i.e., vacant, underutilized, existing uses, and residential zoning);
- Site Size;
- Permitted Density; and
- Evaluating Sites from Prior Housing Element(s).

Infrastructure Availability

The availability of utility infrastructure to a site can be a constraint to housing development and was considered as an evaluation criterion when working to identify sites for the inventory. As a primarily developed community, the City of Newark is well-served by existing infrastructure systems, including both wet and dry utilities. As much of Newark already has available or nearby access to water and wastewater services, wet utilities are not a constraint to residential development though minor upgrades to these services (e.g., expanded sewer and water hookups to the trunk line) may be needed to develop select sites for residential uses. All sites have been screened to have available infrastructure.

Environmental Constraints

The analysis of environmental constraints included a review of all parcels identified in the inventory using different GIS-based data screens as well as ABAG's HESS tool to determine if sites possess one or more environmental constraint, including hazard risks such as parcel shapes, flood zones or wetlands, easements, contamination, steep slopes, and other possible constraints to development feasibility. Two sites, both in the construction phase, Bridgeway/Gateway and Harbor Pointe have floodplain exposure, which was mitigated during the entitlement process. None of the sites in the inventory, either planned or proposed or zoned for housing, have irregular shapes, or are impacted by either wetlands or critical habitat.

The sites zoned for housing in the sites inventory are located in urbanized areas of the City and do not have special hazard risks or significant environmental challenges. However, some of the sites zoned for housing have current or former industrial uses which may need contamination mitigation. Additional regulatory constraints or mitigation efforts have not been an issue for the projects that have been entitled or are in the entitlement process (for example, Waymark Homes and Timber St. Senior Living) in this

formerly industrial/warehouse area. For instance, the Environmental Impact Report for the Bayside Newark Specific Area Plan, an area that had considerable previous industrial contamination, outlines and addresses contamination and other environmental concerns which has led the way for significant housing construction. Where siting housing on parcels with environmental constraints may be unavoidable to accommodate the City's housing need, risks would be addressed through building codes and other mitigation measures.

Site Status and Capacity

Sites in Newark which are zoned to accommodate housing include vacant and nonvacant sites in the zoning districts summarized in Section 4A. Residentially zoned sites, either vacant or underutilized, were considered as potential buildable residential sites and were evaluated for site adequacy and capacity. Government Code Sections 65583(a)(3) and 65583.2 require that the inventory of suitable land look at criteria for vacant and underutilized sites as outlined below:

- Vacant sites that are zoned for multi-family development
- Vacant sites that are not zoned for multi-family development, but that allow such development
- Underutilized sites that are zoned for residential development and capable of being developed at a higher density or with greater intensity
- Sites that are not zoned for residential development, but can be redeveloped for and/or rezoned for multi-family residential development
- Sites owned or leased by the City that can be redeveloped for multi-family residential development within the housing cycle
- Sites controlled by the State, a city/county, or another public agency where there is agreement/documentation that the site can be developed within the housing cycle
- Non-vacant sites require substantial evidence to demonstrate that existing development will not preclude housing production during the planning period

A methodology to determine "underutilized" sites was necessary given that the City has shrinking supply of vacant land. Sites were removed from consideration in the underutilized methodology if sites: did not initially allow residential uses, were historic resources, were sites that support community-serving uses (parks, utilities, transportation, schools, hospitals), had structures that were recently built or modified, and were generally built out to their allowed density.

Sites owned by the City and other public agencies were also evaluated for affordable housing development, but none were identified as suitable at this time.

Site Size

Per State law, sites smaller than half an acre or larger than 10 acres are not considered adequate to accommodate lower income housing needs unless it can be demonstrated that sites of equivalent size were successfully developed during prior planning periods, or other evidence is provided that sites at this size can be developed as lower income housing.

Large Sites – There are no individual sites in the inventory larger than 10 acres (with the exception of one parcel within the NewPark Place Specific Plan Area which is 14.7 acres).

Small Sites – The sites inventory includes parcels that are less than or slightly greater than one-half acre in size. A screening of these smaller parcels and common ownership was conducted. Where smaller parcels were immediately adjacent to other Opportunity Sites that had the same landowner, these parcels were consolidated to create larger sites, given the likelihood of these consolidated sites being developed together as a single project (the SAHA Thornton Avenue project falls in this category). Recent proposals and projects underway confirm trends toward lot consolidation in Newark. Sites 8-13 are all recent examples of projects where lot consolidation is happening, entitlements have been issued (Sites 11 and 13) or are under review (Sites 8-10), and in some cases, construction is progressing (Site 12). In addition, interviews with the owners of Site 23 and 27, which have expired entitlements, confirm continued interest in parcel assembly (Site 23 has already been assembled) and development and do not indicate that lot consolidation is a barrier to development. In combination with Program 2.11, which will provide incentives for lot consolidation, conditions for the potential development of small parcels in Newark are promising. A full list of these and other sites is included in the sites inventory form to be prepared for submission to HCD for review.

Permitted Density

State law (Government Code Section 65583.2(c)(3)) establishes a "default density standard" of 30 units per acre for lower income units in a metropolitan jurisdiction such as Newark. This is the minimum density that is deemed appropriate in State law to accommodate the City's lower income RHNA. In accordance with the State's default density standards, sites that could support a minimum of 30 units per acre were considered appropriate for very low and low income units, as well as for moderate income units. All underutilized Opportunity Sites in the inventory can accommodate at least the default density.

Evaluating Sites from Prior Housing Element(s)

To accommodate the 2023-2031 RHNA, sites from both the 4th and 5th cycle housing elements were evaluated to determine their viability for the 2023-2031 Housing Element planning period. As reflected in Program H3.6 and Table 6-2, the city has identified all parcels that need to be rezoned to accommodate RHNA during the planning period. Specifically, by January 31, 2024, Newark will implement zoning text amendments to provide adequate capacity for up to 602 units. This program will provide for a minimum density of 30 DU/A for sites to accommodate lower income RHNA units. The City will incorporate a replacement housing provision for any sites with existing residential use and will permit multifamily uses without discretionary action.

Pursuant to AB 1397, Newark will also amend the Zoning Ordinance to require by-right approval of housing development that includes 20 percent of the units as housing affordable to lower-income households, on sites being used to meet the 6th Cycle RHNA that represent "reuse sites" previously identified in the 4th and 5th Cycles Housing Element. The ten sites listed in Table 6-2 will be adjusted by text amendment to accommodate the lower income RHNA as needed.

Sites for Rezoning

Government Code section 65583.2(h) sets requirements if sites are identified for rezoning to accommodate a lower income RHNA shortfall. The City's sites inventory does not have a lower income shortfall, and therefore is not subject to those requirements.

Realistic Capacity Evaluation - Approach and Methodology

As required by Housing Element law, local governments must analyze available sites based on a determination of their realistic residential development capacity. Consistent with this requirement, Newark collected and analyzed data on precedent projects to evaluate the realistic capacity of both vacant sites and non-vacant/underutilized sites in both residential and commercial/mixed-use zones. Specifically, the typical achieved densities of existing or approved residential development on sites in all zoning districts were analyzed to confirm their realistic capacity to achieve the identified number of housing units for each site by AMI level.

Land Use, Zoning and Development Standards and Realistic Capacity

The precedent projects used as reference housing developments for this analysis are subject to the same land use controls and site improvement standards as the sites in the inventory. Local precedent projects were supplemented by sub-regional data provided from the ABAG HESS tool regarding typical achieved densities on projects in the Newark/Tri-City Market Area.

Realistic Capacity in Multifamily-Residential (RM, RH zones)

For housing opportunity sites identified in the City's multi-family residential districts (RM, RH), the realistic capacity assumption applied to total site capacity is 80 percent. This assumption is conservatively set lower than representative projects currently in the City's development pipeline (see, for example, Site 7 in the below sites inventory, which is being built out at more than 100 percent of the maximum allowed density in the RM zone). This more conservative realistic capacity adjustment factor for sites in the RM and RH zones is also broadly consistent with 357 projects built in the Multi-Family Residential districts of the Tri-City area between 2018 and 2020.[17]

Realistic Capacity in Commercial Mixed-Use, Regional Commercial (CMU, RC zones) and Other Non-Residential Zones

Per State Housing Element law, the realistic development capacity calculation for nonresidential, non-vacant, or overlay zoned sites must be adjusted to reflect the realistic potential for residential development capacity on the sites in the inventory. Specifically, when the site has the potential to be developed with non-residential 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.

For this analysis, Newark has taken into account both recently developed and planned and proposed residential development in Newark as well as data from comparable projects in the Tri-City area obtained from the HESS tool. As detailed in the realistic capacity analyses provided for Sites 14 through 28, factors used to make the adjustment included:

- Local and regional residential development trends in non-residential zoning districts.

[17] ABAG HESS tool

- Local or regional track records, past production trends, and development yields for redeveloping sites or site intensification.
- The likelihood for residential development based on recent precedents, market demand and City efforts to incentivize the development of 100 percent residential development on formerly commercial sites (see, for example, Site 14 Newpark Place, which contemplates new residential development on several sites that were formerly commercial).

Market data provided by the HESS tool identified 128 project(s) built in the non-residential districts of the Alameda South County/Tri-Cities Area between 2018 and 2020. The average number of units built as a percentage of the maximum allowable units on these sites was 130 percent. However, due to ground floor retail requirements and the experience of comparable pipeline projects, a more conservative feasibility multiplier of 80 percent was used in the sites inventory analysis to reflect local conditions in Newark, and also to take into account the unlikely event that commercial-only development would occur on these sites, despite recent development trends.

Development Trends in Commercial and Mixed-Use Zones

As noted, precedent projects were evaluated to determine the likely density of 100 percent residential development in each of the zones that permit housing in Newark. In general, throughout Newark and the larger Tri-City market area, residential uses have been outcompeting retail and office uses, and the overwhelming trend has been towards the conversion of existing commercial centers. The NewPark Place Specific Plan reflects this trend in that there is a planned downsizing of the commercial retail portions of the existing center in favor of higher density residential product types.

During the fifth cycle RHNA planning period, only five (5) non-residential commercial projects were developed on commercial or mixed-use sites in Newark. Specifically, these 100 percent commercial uses consisted of the following projects: three hotels developed on commercial and mixed-use sites; a new restaurant replacing an existing restaurant in a commercial zone; and, a Costco retail warehouse replacing existing commercial uses in the NewPark Place Specific Plan Area resulting in a net decrease in commercial floor area.

This Limited commercial development occurred in the context of over 30 residential development projects that were approved during the same time frame in residential and specific plan areas, representing thousands of new units. In addition, the City receives regular inquiries from developers interested in developing housing on existing commercial land, reflecting the strong trend towards the conversion of existing commercial land to residential and mixed-uses. Taking these development trend factors into account, the realistic capacity factor of 80% is extremely conservative in accounting for the limited possibility that future development on these sites may be 100% non-residential.

Overall Planning and Development Context for Residential Development in Formerly Non-Residential Areas

Newark has a history of reimagining underutilized sites for new housing development. As described in Section 4, Section A (Housing Constraints, Governmental Constraints) Newark has adopted specific plans in important transitional areas of the City that can accommodate a variety of uses, including residential

uses:

- Bayside Newark Specific Plan (formally known as the Dumbarton TOD Specific Plan) an area of over 200 acres that contained various industrial, manufacturing, chemical processing, and salt production facilities. Extensive environmental and hazardous materials remediation has been completed to allow the construction of dense single-family and multiple-family residential buildings. As of 2023, over 2,000 units have been approved, built, and/or are in a phase of construction.
- Old Town Specific Plan, an area of 76 acres representing some of Newark's oldest neighborhoods. The specific plan's vision is the development of this corridor into a mixed-use area that accommodates a range of housing types, retail and service businesses, expanded public spaces, and mobility improvement. Through zoning amendments,streetscape improvements, and public and private investments, the plan envisions Old Town Newark as a revitalized mixed-use neighborhood with a strong sense of place. The specific plan envisions approximately 400 net-new residential units to be located within the specific Plan area.
- NewPark Place Specific Plan provides a comprehensive planning and development implementation strategy for a 125-acre area in the southeastern portion of the city adjacent to I-880, which includes the existing NewPark Mall retail center (mall), the parking facilities that surround it, and commercial uses on the perimeter of the center. Thisspecific plan envisions over 1,500 residential units located in the existing shopping malls surface parking area. Residential uses are permitted uses within these surface parking areas; conditional use permits are not required.

In addition to adopting specific plans, the city has rezoned other areas of the city from commercial and industrial uses to residential uses. For example, through various zoning amendments and project entitlements, the light industrial neighborhood on the eastside of Cedar Boulevard between Central Avenue and Mowry Avenue is transforming into a dense urban neighborhood. Since 2014, over 700 residential units have been approved or constructed within this area.

Newark has consistently approved residential development on lands that have transitioned from industrial and other uses into high-quality residential neighborhoods, resulting in the production of thousands of units. This development is in addition to residential development on lands identified in the general plan and in zoning districts specifically for residential uses. Residential development is expected to continue, especially in areas where mixed-uses are allowed, based upon the implantation of housing element policies and State legislation that remove barriers to residential development on commercial and mixed-use sites.

Policies and Programs Incentivizing Residential Development in Commercial and Mixed Use Area

This above realistic capacity analysis is further supported by a range of policies and programs that the City has committed to implementing during the planning period. These policies include, but are not limited to, the following:

PROGRAM H2.3: Investigate Opportunities in the Four Corners Area to facilitate market-rate and affordable housing and promote neighborhood revitalization through increased mixed use development

and walkability.

POLICY H2.4: Work with community partners and property owners to revisit a community visioning plan for the Four Corners neighborhood/community commercial area.

PROGRAM H3.4: Adjust Zoning to Allow Mixed Use in Current Commercial Zones

PROGRAM H4.10: Zoning Ordinance Amendments for Special Needs Housing

In order to support an increase in this housing type in the city, SROs will be permitted use in Residential Medium Density, Commercial Mixed Use and Residential High Density zones, with a priority for SRO development to occur along transit corridors.

To align zoning with planned development areas and associated policies of developing pedestrian friendly, walkable neighborhoods, the city proposes to implement State laws SB6 and AB 2011 to encourage residential and mixed-use developments in current commercial zones.

Evaluation of Sites to Accommodate Varied Income Levels

One of the most important evaluation considerations of the sites selection process is to evaluate a site's ability to accommodate households with varying income levels. To satisfy the RHNA requirement, the amount of lower, moderate, and above moderate income units is specified for each site in the inventory. Furthermore, the unit capacity must be maintained throughout the 2023-2031 planning period. Therefore, a buffer of at least 15 percent to 30 percent is generally recommended by HCD, and Newark's sites inventory buffer is well beyond this recommendation. If sites listed in the inventory are redeveloped with other uses or different income levels than what is identified, the difference can be made up with the buffer sites to ensure there is "No Net Loss" of Suitability of Non-Vacant Sites.

Suitability of Non-Vacant Sites for Development

The lack of vacant land in Newark and the relatively high value of new residential development means that the City consistently sees the redevelopment of underutilized sites, a fact which is reflected most notably in the adoption and ongoing implementation of the Newpark Place Specific Plan. Developer and property interest in non-vacant commercial sites for future residential development has been strong in recent years, and the inventory included here is, by many measures, relatively conservative in terms of the number of non-vacant commercial sites included relative to market pressures.

Non-vacant opportunity sites in the inventory were screened based on the criteria previously described. The consultant team worked closely with city staff to identify suitable properties and analyze existing uses and the conditions of buildings or lots on non-vacant sites. Property owner outreach was also conducted for the relevant sites, as well as analysis on constraints and market conditions. In each case, the analysis indicated that the opportunity sites included in this Housing Element Have a strong likelihood of developing as residential projects during the planning period.

Lower Income RHNA vis-a-vis Non Vacant Sites

State law requires additional analysis of existing uses in the sites inventory if more than 50 percent of the City's low-income RHNA is accommodated on non-vacant sites. HCD has published guidance for how to determine this, which includes adjustments for proposed lower income projects and ADU capacity, in addition to vacant sites in the inventory. A substantial amount of the City's lower-income units (more than 50 percent of the lower income RHNA) are within Pipeline Projects. In addition, the inventory includes affordable ADU units. In summary, less than 34 percent of Newark's lower income RHNA is accommodated on non-vacant sites, which is below the 50 percent threshold. Therefore, no additional analysis is needed to support the site inventory's non-vacant sites.

Table C-4: Lower Income RHNA vis-a-vis Non Vacant Sites, 2023

Site Location	Lower Income Units	Percent of Lower Income RHNA
Planned and Proposed Sites	340	46.4%
Vacant Sites (Sycamore St.)	50	6.8%
ADUs	96	13.1%
Total Lower Income RHNA	732	100%
Lower Income RHNA vis-a-vis Non Vacant Sites	**246**	**33.6%**

Site Profiles

The following site profiles provide specific information about each of the opportunity sites listed in Table C-1 and displayed vis-v-vis AFFH factors in the maps provided above. The sites include both planned and proposed projects as well as sites zoned for housing that will be available to be developed during the planning period. Each profile includes a description of the site's general plan land use designation, zoning, site size and maximum allowable density. Notes regarding realistic capacity are included as well as available links to relevant planning documents and plans. Sites 1 through 13 are in the development pipeline process (either under construction, fully entitled or active applications) and sites 14 through 28 are locations identified for housing either from previous Housing Elements or new analysis. Sites identified as zoned for housing include detailed analyses of development standards, government constraints and environmental constraints. Tables summarizing development standards and unit yield are provided for sites 15 through 19, 21, 22, 24, and 25.

1 Bridgeway / Gateway (Bayside Newark) - under construction

Zoning: Residential High Density, Residential Medium Density

Specific Plan Designation: Medium/High Density Residential

APNs: Consolidated sites with APNs to be listed in the HCD electronic inventory form.

Size: 41 acres

Max Allowable Density 60 units per acre.

Realistic capacity based on approved entitlements or developer proposal

On March 10, 2016, Newark City Council adopted Ordinance No. 492 which was a zoning amendment on property shown in Vesting Tentative Tract Map 8099 from MT-1 (High Technology Park District) to MDR-FBC (Medium Density Residential-Form Based Codes) and HDR-FBC (High Density Residential-Form Based Codes) as part of the Bayside Newark (formerly known as the Dunbarton TOD Specific Plan) to develop the land as Gateway Station West.

The project, proposed by Integral Communities, calls for the phased development of 589 market-rate residential units within approximately 41 acres of the 54.5-acre project site, at an approximately density of 14.36 DU/A. A total of 321 single family detached homes and 268 attached condos are planned, along with streets, 1,473 parking spaces, sidewalks, trails, landscaping, parks, water quality treatment basins and permanent open space. In addition, several off-site roadway, sidewalk and landscaping improvements may be constructed in conjunction with the project. The development site is located within the Dumbarton TOD Specific Plan Project area.

2 FMC Willow - North (Bayside Newark) - entitled

Zoning: Business and Technology Park

Specific Plan Designation: Transit Station, Commercial/Retail

APN: 92-100-5

Size: 7.2 acres

Max Allowable Density: Form-based code

Realistic capacity based on approved entitlements or developer proposal

On 9/22/22, The City of Newark approved land use modifications proposed by Lennar Home Builder, FMC Corporation, and Integral Communities within the FMC Willow and Grand Park portion of the Bayside Newark Specific Plan area. The proposed modifications would redevelop the 22.1-acre site into a 370-unit multi-family community including 279 townhouse units, a 1.6-acre mixed-use area with 3,600 sq. ft. of retail, club room, fitness center, and 90 affordable units (plus 1 manager unit) within a 6-story building, a 5-acre community park (Grand Park), and a 1,485 sq. ft. community building, along with approx. 1.8 acres set aside for a future transit station.

The north site, known as FMC Willow - North" would contain the 91-unit affordable housing, mixed-use building, 64 multifamily units and the future transit station parcel for a total of 155 units. The 64 market-rate units would be UA Stack (multifamily). The UA Stacks would have five floor plans ranging from 1,696 square feet to 2,015 square feet, and they would be three-stories high.

Link to approved Application (Resolution No. 11,407)

Link to FMC Willow Staff Report

3 FMC Willow - South (Bayside Newark) - entitled

Zoning: Business and Technology Park

Specific Plan Designation: High Density Residential, Commercial Office, Transit Station

APN: 537-852-1-8

Size: 12.6 acres

Max Allowable Density 60 units per acre.

Realistic capacity based on approved entitlements or developer proposal

On 9/22/22, The City of Newark approved land use modifications proposed by Lennar Home Builder, FMC Corporation, and Integral Communities within the FMC Willow and Grand Park portion of the Bayside Newark Specific Plan area. The proposed modifications would redevelop the 22.1-acre site into a 370-unit multi-family community including 279 townhouse units, a 1.6-acre mixed-use area with 3,600 sq. ft. of retail, club room, fitness center, and 90 affordable units (plus 1 manager unit) within a 6-story building, a 5-acre community park (Grand Park), and a 1,485 sq. ft. community building, along with approx. 1.8 acres set aside for a future transit station.

The South Site of the project, known as "FMC Willow South", (Grand Park, PA 3, and PA 4) would include a 1,485 square foot community building, 123 multifamily units, and 92 townhomes for a total of 215 units. The 123 units would be UA Split (multifamily), and 92 would be UA Towns (townhomes). The UA Stacks would have 5 floorplans ranging from 1,696 square feet to 2,015 square feet. The UA Splits would have a standard option with 4 floorplans ranging from 1,307 square feet to 2,108 square feet and a 4-story option with 4 floorplans ranging from 1,307 square feet to 2,422 square feet. The homes would be 3-5 stories high.

Link to project plans.

4 Harbor Pointe, FMC Parcel C (Bayside Newark) - under construction

Zoning: Business and Technology Park

Specific Plan Designation: High Density Residential, Commercial/Office

APN: 537-852-2-9, 537-852-1-3, 537-852-2-16

Size: 13.6 acres

Max Allowable Density 60 units per acre.

Realistic capacity based on approved entitlements or developer proposal

In line with the Bayside Newark Specific Plan (formerly known as the Dumbarton TOD), the City of Newark approved a title sheet and site plan submitted by Parcel C Project Owner, LLC. The date on the filing is from 12/17/2018.

The developable area of 13.6 acres was subdivided to accommodate 192 units over three planning areas. Planning Area 1 has a total 72 units at a density of 11.56 units to the acre, Planning Area 2 has a total of 75 units at 16.13 units per acre, and Planning 3 has a total of 45 units at 16.48 units per acre. The plan has multiple typologies which are both three and four bedroom single family units which will be sold at market rate. The project is being built in phases and multiple final maps may be filed.

Link to project plans.

5 Cedar Homes - 38478 Cedar Boulevard - entitled

Zoning: Residential Medium Density

General Plan Designation: Medium Density Residential

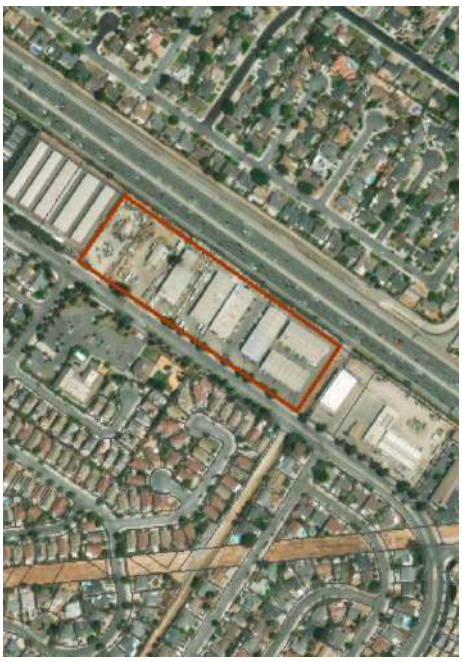
APN: 92A-2375-2-6

Size: 7.76 acres

Max Allowable Density 30 dwelling units per acre.

Realistic capacity based on approved entitlements or developer proposal

According to application materials, Robson Homes, LLC proposes to construct 118 residential units composed of single family residences and two-unit attached townhomes on a 7.76-acre site located at 38288-38594 Cedar Blvd. The site would be subdivided to create 124 lots including six common and 118 residential lots. The project would include landscaping and open space areas, a new private street, and on-site and off-site improvements. Below is a rendering of an example unit.



Link to project plans.

6 Cedar Community Apartments – complete

Zoning: Community Commercial

General Plan Designation: Community Commercial

APN: 901-195-37, 901-195-38

Size: 2.7 acres

Max Allowable Density 25-60 dwelling units per acre.

Realistic capacity based on approved entitlements or developer proposal

The Cedar Community Apartments project was selected for a Homekey grant valued at $38.2 million. This grant assisted with the acquisition and conversion of Town Place Suite into 125 apartment units that are affordable to extremely low-income households and households experiencing homelessness, including 11 units that are reserved for military veterans. The grant also assists with the provision of resident services including education and employment services. 1 unit is at market rate for management.

The owner of the Towne Place Suites (TPS) extended-stay hotel in Newark and Allied Housing/Abode Services entered into an option agreement for the sale of the property. The hotel suites were converted into 124 supportive, affordable residential units to be known as Cedar Community Apartments. 60 units are for households who have experienced homelessness, and the other 64 are set aside for people at risk of homelessness.

7 Timber St. Senior Living - entitled

Zoning: Residential Medium Density

General Plan Designation: Medium Density Residential

APN: 92A-2125-10-2

Size: 1.0 acre

Max Allowable Density 30 dwelling units per acre.

Realistic capacity based on approved entitlements or developer proposal

Timber Street Senior, developed by Eden Housing, will provide 79 units of new affordable housing for seniors in a convenient location in Newark, CA. The project will redevelop the 1-acre site and fulfill the city's vision of transforming the surrounding neighborhood from light industrial and warehouse space to a vibrant, walkable residential neighborhood.

The project has been granted $21.7 million in funding for its construction with the City of Newark and Alameda County (Measure A1 Affordable Housing Fund) both as financial partners. The project's funding is a part of Governor Newsom's recent commitment of more than $825 million to help expand the state's affordable housing stock and increase capacity for additional climate-smart infill housing.

The building will include a community room with a kitchen and attached courtyard with space for planter boxes and organized activities, a computer learning center, an exercise room, a bicycle storage room, and offices to house on-site services staff. All of the units are 1-bedrooms, so the community will support seniors living on their own as well as couples. A rendering of the project is shown below.

Link to project plans.

8 Lepaskshi Homes - 6781 Thornton Ave. Building A (Old Town Newark Area Plan) - active application

Zoning: CommercialMixed Use

General Plan Designation: Commercial Mixed Use

APN: 92-30-16-2, 92-30-15-2, 92-30-14-3, 92-30-18-4, 92-30-17-2

Size: 1.0 acres

Max Allowable Density 100 dwelling units per acre (Old Town Newark Area Plan)

Realistic capacity based on approved entitlements or developer proposal

The developer, Lepakshi Homes, has proposed a residential project at the gateway to the City's Old Town neighborhood. The project consists of two sites with a single building on each site. " Building A" with 60 market rate units, 12 one-bedroom, 37 two-bedroom, 6 three-bedroom, and 5 live-work units. The proposed plan is approximately 60 units per acre for Building A.Building A's building height is 57 feet with a clocktower at 72 feet.

As of October 2023, the application is under review. The city anticipates that the application will be complete in early 2024 with public hearings scheduled shortly thereafter. Entitlements include a Planned Development and Design Review.

Link to project plans.

9 Lepakshi Homes - 6781 Thornton Ave. Building B (Old Town Newark Specific Plan) - active application

Zoning: Commercial Mixed-Use

General Plan Designation: Commercial Mixed Use

APN: 92-31-15, 92-31-16-2

Size: 0.25 acres

Max Allowable Density 100 dwelling units per acre (Old Town Newark Specific Plan)

Realistic capacity based on approved entitlements or developer proposal

The developer, Lepakshi Homes, has proposed a residential project at the gateway to the City's Old Town neighborhood. The project consists of two sites with a single building on each site. " Building B" is across the street from Building A and would contain 15 affordable units and 13 market rate units. The proposed plan is at 94 units per acre, and the building height is 59 feet. Below is a rendering of the project, with Building B in the foreground. The smaller "Building B" parcels are part of the same application and approval process as Building A.

As of October 2023, the application is under review. The city anticipates that the application will be complete in early 2024 with public hearings scheduled shortly thereafter. Entitlements include Planned Development and Design Review.

Link to project plans.

10 SAHA - 6347 -6375 Thornton Ave. - active application

Zoning: Residential High Density

General Plan Designation: High Density Residential

APN: 92A-919-18, 92A-919-17-2, 92A-919-16-2

Size: 0.54 acres

Max Allowable Density 60 dwelling units per acre.

Realistic capacity based on developer proposal as submitted to city in NOFA process.

According to application materials, SAHA proposes a multi-family housing development of 57 deeply affordable homes targeted to individuals and families including 15 two-bedroom apartments and 16 three-bedroom apartments, on three underutilized parcels, 6347-6375 Thornton Avenue. The proposal calls for a single 60 foot. 5-story building on 0.54 acres at 105 DU/A (a waiver or concession is needed).

SAHA proposes to develop a five-story building using Type 5A wood-frame construction for the upper four floors over a Type 1A concrete ground floor and parking garage. The design includes numerous family-friendly common area amenities such as a computer lab, an acoustically-insulated music practice room, a bicycle repair station, building wide wireless internet service free to residents, an outdoor tot play area and wheelchair-accessible raised garden beds in a sunny spot where SAHA's Resident Services team will expand its successful gardening program.

To fund this transformation, SAHA requested and received $12M of seed capital from the City of Newark which will cover approximately 25% of the total development cost.
The developer will submit a formal design review, minor use permit, and a map application before the end of 2024. Entitlements are expected in late 2024.

Link to project plans.

11 Mulberry Residential - 36952 Mulberry Street - entitled

Zoning: Residential Medium Density

General Plan Designation: Medium Density Residential

APN: 92-29-22, 92-29-21

Size: 0.46 acres

Max Allowable Density 30 units per acre.

Realistic capacity based on approved entitlements or developer proposal

According to application materials, Rajesh Rao, proposes to demolish the existing single-story residence and detached garage, and construct eight for-sale market-rate condominiums with new landscaping, open space areas, a private driveway, and guest parking on the property located at 36952 Mulberry St. The property is zoned RM-OT (Residential Medium Density with the Old Town Overlay District). The proposed project would merge two existing lots to create a 0.46-acre lot with 4 three-bedroom units and 4 four-bedroom units at a density of 17.4 DU/A. Below is a proposed rendering of the project.

Link to project plans.

12 Bain Ave. & Magnolia St. - 37280 Magnolia Street - under construction

Zoning: Residential Medium Density

General Plan Designation: Medium Density Residential

APN: 92-61-11, 92-61-12-1, 92-61-12-2

Size: 0.93 acres

Max Allowable Density 30 units per acre.

Realistic capacity based on approved entitlements or developer proposal

According to application materials, Goldsilverisland Homes, LLC is proposing 10 market-rate single family homes at 37280 Magnolia Street. The applicant is also proposing a PD overlay district to allow for lower lot sizes of 3,500 square feet instead of 6,000 square feet. The density of the development is approximately 10.75 DU/A.

Link to project plans.

13 Waymark Homes - Cedar Blvd. - entitled

Zoning: Residential Medium Density

General Plan Designation: Medium Density Residential

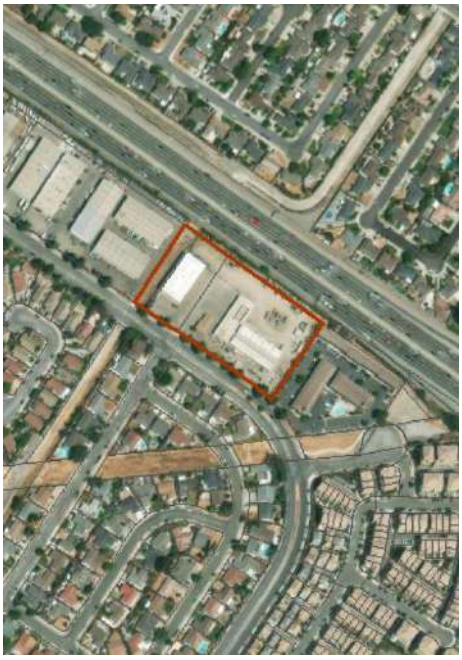
APN: 92A-2585-30-4, 92A-2585-12-1, 92A-2585-31

Size: 3.44 acres

Max Allowable Density 30 units per acre.

Realistic capacity based on approved entitlements or developer proposal

The applicant, Waymark Development, proposes to demolish the existing buildings currently occupied by commercial/industrial uses and construct 76 three-story attached townhomes within 14 buildings on a 3.44-acre site located at 38600 Cedar Blvd. The project calls for 34 three-bedroom units and 46 four-bedroom units with a total density of 22 DU/A. The project would include landscaping and open space areas, a new private street, and on-site improvements. The property is zoned RM (Residential Medium Density District). The project requires a Design Review, Minor Use Permit for a building height up to 40 feet, and a Vesting Tentative Subdivision Map. Below is a render of an example unit.



Link to project plans.

14 NewPark Place (Phases A to D)

Zoning: Regional Commercial

Specific Designation: Mixed-Use I

APN: 901-111-19, 901-111-30, 901-111-29, 901-111-24, 901-111-22, 901-111-20, 901-111-25, 901-111-21, 901-111-26, 901-111-31

Size: 52.03 acres

Max Allowable Density 160 units per acre.

Realistic capacity based on Specific Plan

As described above in Section 4 and in other sections of this Housing Element, the NewPark Place Specific Plan will guide the redevelopment of this entire area, comprising 52.03 acres with an expected residential build-out capacity of 1,519 across 5 major phases as follows (see Phase A in top aerial, Phases B-D in bottom aerial):

- **Phase A:** Type-III multifamily development. A total of 319 units on.3.98 acres at a density of 80 dwelling units per acre. The development includes six levels of parking.
- **Phase B1:** Type-III multifamily development. A total of 195 units on 3.47 acres at a density of 56 dwelling units per acre. The development includes a six level garage.
- **Phase B2:** Type-III multifamily development with a podium. A total of 310 units on 4.30 acres at a density of 72 dwelling units per acre. The development includes a 3 -evel structure parking facility.
- **Phase C:** Type-III multifamily development with a podium. A total of 300 units on 3.70 acres at a density of 81 dwelling units per acre. The development includes a 2 level garage and 1 sub-t.
- **Phase D2:** Type-III multifamily development. A total of 395 units on 5.67 acres at a density of 70 dwelling units per acre.

The development includes a five level garage.
The phases are regulated by the Mixed-Use Area I standards, which include a maximum building height of 200 feet, with buildings adjacent to the streets to be a minimum of 30 feet, but preferably 60 feet. Residential density may be up to 160 units per acre, but not less than 60 dwelling units per acre.

While the specific plan has a relatively high maximum density, it is largely unachievable for multiple reasons. First, the plan has a cap on the total number of units at 1,519. An adjustment of this number would require City Council action and a new EIR process. Second, taller developments than Type-III multifamily would require new emergency vehicle typologies, procedures, and training which the City of Newark currently does not have nor does the surrounding area. Therefore, it is not surprising that the actual densities of the proposed

developments are somewhat lower than the maximum would permit.
Residential uses may be within residential only multiple story buildings and/or in buildings with a mix of uses. First floor residential is allowed in non-active frontage locations, which are outlined in the plan. Parking demand for development within areas designed Mixed-Use I must be accommodated by a combination of surface and structured parking per the Parking Sub Plan. The residential uses within each "block" must be self-parked within the boundary of the individual block. For a more detailed account of all applicable development standards, refer to the Specific Area Plan.

The NewPark Place plan has a 20 year planning arc, therefore it is expected that only 40% of the total units will be complete for the 8 year RHNA 65 Housing Element Period. As feasible, the City will continue to work with the property owner to encourage the inclusion of larger percentages of affordable units in future phases of development.

The build out capacity and affordable housing assumptions for NewPark Place provided in this sites inventory reflects City Council Resolution NO. 10,184 which went into effect on June 9, 2014 and is the guiding document which outlines that for apartment development, the affordability breakdown starting point should be 6% VLI, 3% LI, and 3% MOD in order to fully mitigate the impact of the residential development. The document gives City Council the authority to determine that an alternative distribution of affordable units will fully mitigate the impacts of the development on the need for affordable housing, based on community needs and the characteristics of the development. In the case of NewPark Phase A, Council advocated strongly for onsite affordable units instead of a mitigation fee.

As described in full in the Specific Plan, this area has adequate infrastructure to accommodate the planned residential development and there are no known environmental constraints. In addition, each separate phase of this development would comprise a land area of less than 10 acres.

[Link to the project plans for Phase A.]

15 Grocery Outlet Center

Zoning: Commercial Mixed Use

General Plan Designation: Commercial Mixed Use

APN: 92A-900-1-2

Size: 4.62 acres (1.54 acres under the assumption that ⅓ of the site will redevelop)

Max Allowable Density 60 units per acre.

The Grocery Outlet Center site is an aging multi-tenant retail center with a large surface parking lot, which takes up approximately 40% of the site, located on the corner of Newark Boulevard and Mayhews Landing Road. The site was previously included in the 5th Cycle Housing Element. The shopping center is a collection of four different buildings, each with multiple tenants providing a range of retail and service options for the community, including a well established Grocery Store.

Realistic Capacity
Since the leases are current and tenants like Grocery Outlet are popular among residents, the approach here is that only a third of the site will feasibly redevelop throughout the eight-year planning period.

Newark code requires ground floor retail adjacent to Newark Boulevard, so a realistic capacity of 80% was applied to this site yielding a total of 57 units as detailed below. The density is at 45 dwelling units per acre giving it 100% affordable potential. The existing establishments, a liquor store, Southeast Asian restaurant, and flower shop would be able to continue to operate on the ground floor.

Analysis of Redevelopment Potential

- In Newark and the Tri-City Area, similar commercial centers have recently developed as mixed-use and/or 100 percent residential projects at similar densities. The redevelopment of the NewPark mall and surrounding area are an important comparable example of the residential redevelopment potential provided by this key site.
- The redevelopment potential of this site is also supported by the relatively low improvement to land value ratio of 0.49, which shows that the built improvements are valued lower than the underlying land. This indicates a strong propensity for the site to redevelop during the planning period.

Redevelopment Indicators

- Low improvement to land value ratio (0.49) meaning that the appraised value of the land is greater than the appraised value of the built improvements, indicating a propensity for redevelopment to another land use
- Large and underutilized surface parking lot (greater than 2 acres)
- Aging structures and lack of recent improvements (auto-oriented single story commercial from 1964-1986)
- Single ownership of parcel
- Adjacent redevelopment occuring (Mayhews Place)

- Similar redevelopment occuring in Newark (NewPark Place)

Rezoning
Since the site was included in the 5th Cycle Housing Element, per Program H3.6 described above, this site will be subject to a zoning text amendment that will require by-right approval of any new housing development in which at least 20 percent of the units are affordable to lower-income households.

Realistic Capacity Analysis
The following summary table provides a step by step analysis of the realistic capacity factors applied to this site, as well the reasoning for applying these adjustment factors to arrive at a realistic yield of net units.

Table C-5: Grocery Outlet Center Realistic Capacity Analysis

Site Description	
Size of Site	1.54 acres
Zoning	Commercial Mixed Use
Allowable Density	30 - 60 dwelling units per acre
RHNA Affordability	Lower Income
Existing Use	Non-Vacant, aging strip mall
Infrastructure Availability	Yes, no constraints
Environmental Constraints	None Known

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.75	Net development area based: on front and side setbacks: open space requirements; reduced parking requirements per program H3.5; and, ground floor commercial use comprising 15% of lot area.
Realistic Capacity of the Site	0.8	Based on recent trends in the tri-city market area and in the City of Newark for the conversion of existing commercial sites to 100% residential or mixed use projects. Program H3.4 will be implemented to facilitate the development of this and other potential residential sites in commercial zones. Program H3.5 will also be implemented to reduce required covered parking standards for residential projects. will be implemented to streamline the Note: the ABAG Hess tool reports build out of 1.35 for residential projects in mixed use zones in the tri city market area, and thus this assumption is very conservative.
Typical Densities	0.95	Affordable housing developments in Newark build out to almost maximum density.
Infrastructure availability	Yes	Water, sewer and power infrastructure in place and sufficient to support residential development.
Environmental constraints	No	No known environmental constraints on this site.
Realistic Capacity With Adjustment Factors	53	

16 Thornton Ave. Sites (within Old Town Neighborhood)

Zoning: Commercial Mixed Use

General Plan Designation: Commercial Mixed Use

APN: 92-51-2-3, 92-29-20-2, 92-29-19-2, 92-51-5-3, 92-29-18-2, 92-29-17-2, 92-29-13, 92-29-16-2, 92-29-15-2, 92-50-1-3, 92-29-14-2, 92-50-2-3, 92-50-3-3

Size: varies by parcel, total of 2.5 acres

Max Allowable Density 100 units per acre per Old Town Specific Plan

The Thornton Avenue area comprises a number of underutilized parcels which are primed for residential development during the planning period. Improvement to land value ratios for the sites range from 0.22 to 0.79 indicating a propensity to redevelop, and the Old Specific Plan (Specific Plan) also includes policies encouraging residential and mixed-use development. The size and shape of these contiguous sites lend themselves to parcel assembly and lot consolidation.

The major constraints facing these parcels are the need for assemblage (most parcels are less than half an acre) and ground floor retail requirements along Thornton Ave. Because of this, a realistic capacity multiplier of 80% was used to calculate unit totals.

While many of the buildings date from earlier than 1970, The Specific Plan found that there are no historic buildings or structures in the planning area. The plan notes that 25 buildings within the planning area have "historic merit", the City's Historic Preservation Program allows for modification and demolition of buildings with historic merit. Several existing City regulations would help ensure that development and redevelopment activities do not cause a substantial adverse change. Therefore, the protection of cultural resources is not a significant barrier to redevelopment of these sites.

Analysis of Redevelopment Potential

Many of the Thornton Avenue parcels were also previously identified as "potential opportunity sites" in the Specific Plan. According to the Specific Plan, these sites "include vacant and underutilized sites, which may be more likely locations for redevelopment." The plan projected that throughout the planning area, 400 net new units could be developed by 2040 which would be in the form of multi-family buildings with five or more units. [18]

In order to achieve this goal, the city has implemented land use regulations outlined in the Specific Plan which promote high density development, such as increased densities (up to 100 dwelling units per acre) and height limits (up to 75 feet)) and the ability for 100 percent residential projects. The market has already started to respond to these new regulations with the Lepakshi Homes projects (88

[18] Newark Old Town Specific Plan, pg. 21

units, 15 either low income or moderate, on 1.25 acres) and nearby SAHA (57 affordable units on 0.54 acres) as examples which are currently in the development pipeline. In addition, the city will promote the consolidation of small parcels through Program H2.11 which in turn will encourage larger scale multi-family development. The City is also planning significant pedestrian-oriented infrastructure improvements in the Old Town neighborhood which will increase the viability for welcomed high-density, mixed-use, compact development.
As noted in the Specific Plan, the opportunity sites originally selected and identified here were originally selected due to their redevelopment potential. It is important to note that since multiple factors influence redevelopment and some opportunity sites were not explicitly identified in the Housing Element, it is likely that new development will occur on sites which were not specifically identified in the sites inventory.

Redevelopment Indicators

- Low improvement to land value ratio (0.22 to 0.79) meaning that the appraised value of the land is greater than the appraised value of the built improvements
- Updated land use controls which allow significantly denser development (Old Town Area Plan)
- Aging buildings and obsolete development typologies (single story commercial with frontage parking dating from before 1970, most with little historic merit)
- Adjacent redevelopment occuring (Lepakshi Homes and SAHA)
- Candidate for lot consolidation incentives through Program H2.11

Rezoning

Since the sites were included in a previous Housing Element, per Program H3.6 described above they will be subject to a zoning text amendment that will require by-right approval of any new housing development in which at least 20 percent of the units are affordable to lower-income households.

Realistic Capacity Analysis

The following summary table provides a step by step analysis of the realistic capacity factors applied to this site, as well the reasoning for applying these adjustment factors to arrive at a realistic yield of net units.

Table C-6: Thornton Ave. Sites Realistic Capacity Analysis

Site Description	
Size of Site	2.5 acres
Zoning	Commercial Mixed Use (within Old Town)
Allowable Density	100 dua (within Old Town)
RHNA Affordability	Mixed
Existing Use	Commercial, Parking
Infrastructure Availability	Yes
Environmental Constraints	None

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.85	Net development area based on: front and side setbacks; open space requirements; parking requirements, and ground floor commercial uses.
Realistic Capacity of the Site	0.8	Based on recent trends in the tri-city market area and in the City of Newark for the conversion of existing commercial sites to 100% residential or mixed use projects. Program H3.4 will be implemented to facilitate the development of this and other potential residential sites in commercial zones. Program H3.5 will also be implemented to reduce required covered parking standards for residential projects. will be implemented to streamline the Note: the ABAG Hess tool reports build out of 1.35 for residential projects in mixed use zones in the tri city market area, and thus this assumption is very conservative.
Typical Densities	0.95	Affordable housing developments in Newark build out to almost maximum density.
Infrastructure availability	Yes	Water, sewer and power infrastructure in place and sufficient to support residential development.
Environmental constraints	No	No known environmental constraints on this site.
Realistic Capacity With Adjustment Factors	162	

17 Cedar Blvd. and Timber St. Industrial Sites

Zoning: Residential Medium Density

General Plan Designation: Medium Density Residential

APN: 92A-2125-13, 92A-2125-11-2, 92A-2125-17

Size: 4.96 acres

Max Allowable Density 22-30 units per acre.

These formerly industrial sites are underutilized properties with I/L ratios ranging from 0.38 to 0.58, indicating a propensity to redevelop. They are in an area of rapid change where market dynamics have tended to support residential development in recent years.

Rezoning
Since the sites were included in a previous Housing Element, per Program H3.6 described above they will be subject to a zoning text amendment that will require by-right approval of any new housing development in which at least 20 percent of the units are affordable to lower-income households.

Redevelopment Indicators

- Low improvement to land value ratio (0.38 to 0.58) meaning that the appraised value of the land is greater than the appraised value of the built improvements
- Aging buildings (single story light industrial/warehouses dating from 1964 to 1982)
- Significant adjacent medium residential development occurred in the previous HE Cycle
- Similar redevelopment occuring in Newark (Waymark Homes)

Realistic Capacity Analysis
The following summary table provides a step by step analysis of the realistic capacity factors applied to this site, as well the reasoning for applying these adjustment factors to arrive at a realistic yield of net units.

Table C-7:Cedar Blvd. and Timber St. Industrial Sites Realistic Capacity Analysis #1

Site Description	
Size of Site	1 acre
Zoning	Residential Medium
Allowable Density	22; up to 30 with CUP depending on street classification
RHNA Affordability	Above Moderate
Existing Use	Industrial
Infrastructure Availability	Yes
Environmental Constraints	None

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.9	Net development area based on front and side setbacks, open space and parking requirements.
Realistic Capacity of the Site	0.8	Based on recent trends in the tri-city market area and in the City of Newark for properties in Residential Medium Density zones.
Typical Densities	0.9	Based on build out densities for comparable projects in Residential Medium density zones.
Infrastructure availability	Yes	Dry and wet utlitity infrastruture avaklable for this site; no know constraints.
Environmental constraints	No	No known environmental constraints.
Realistic Capacity With Adjustment Factors	14	

Table C-8: Cedar Blvd. and Timber St. Industrial Sites Realistic Capacity Analysis #2

Site Description	
Size of Site	1.67 acres
Zoning	Residential Medium
Allowable Density	22; up to 30 with CUP depending on street classification
RHNA Affordability	Above Moderate
Existing Use	Industrial
Infrastructure Availability	Yes
Environmental Constraints	None

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.9	Net development area based on front and side setbacks, open space and parking requirements.
Realistic Capacity of the Site	0.8	Based on recent trends in the tri-city market area and in the City of Newark for properties in Residential Medium Density zones.
Typical Densities	0.9	Based on build out densities for comparable projects in Residential Medium density zones.
Infrastructure availability	Yes	Dry and wet utlitity infrastruture avaklable for this site; no know constraints.
Environmental constraints	No	No known environmental constraints.
Realistic Capacity With Adjustment Factors	24	

Table C-9: Cedar Blvd. and Timber St. Industrial Sites Realistic Capacity Analysis #3

Site Description	
Size of Site	2 acres
Zoning	Residential Medium
Allowable Density	22; up to 30 with CUP depending on street classification
RHNA Affordability	Above Moderate
Existing Use	Industrial
Infrastructure Availability	Yes
Environmental Constraints	None

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.9	Net development area based on front and side setbacks, open space and parking requirements.
Realistic Capacity of the Site	0.8	Based on recent trends in the tri-city market area and in the City of Newark for properties in Residential Medium Density zones.
Typical Densities	0.9	Based on build out densities for comparable projects in Residential Medium density zones.
Infrastructure availability	Yes	Dry and wet utlitity infrastruture avaklable for this site; no know constraints.
Environmental constraints	No	No known environmental constraints.
Realistic Capacity With Adjustment Factors	23	

18 E-Z 8 Motel

Zoning: Residential High Density

General Plan Designation: High Density Residential

APN: 92A-2585-32

Size: 2.24 acres

Max Allowable Density 60 units per acre.

This is an underutilized hotel property with an I/L ratio of 0.97. In the surrounding market area, similar properties have been redeveloped with residential uses, and hotel conversions like the Cedar Community Apartments described above are increasingly common. The site is also adjacent to the entitled Waymark Homes project which proposes 80 townhomes.

Given the site's high density zoning designation which allows for densities between 25 and 60 dwelling units per acre and 100 foot height maximums, the City supports residential redevelopment here. After accounting for max lot coverage standards and setbacks, a realistic capacity modifier of 65% was applied to the site which would yield a total of 87 units. After the adjustment, the density of the site will be almost 39 dwelling units per acre, well above the default density of 30 dwelling units per acre for 100% affordable projects. The city strongly supports the development of a 100% affordable housing development at this site and could pursue a similar strategy as SAHA in Old Town, which was also in an RH zone. The city will continue to work with the property owner to advocate for residential use.

Rezoning

Since the site was included in a previous Housing Element, per Program H3.6 described above it will be subject to a zoning text amendment that will require by-right approval of any new housing development in which at least 20 percent of the units are affordable to lower-income households.

Redevelopment Indicators

- Low improvement to land value ratio (0.97) meaning that the value of the land is greater than the improvements
- Aging buildings and underutilized surface parking lot (two story motel dating from 1986)
- Significant adjacent medium/high density residential development occurred in the previous HE Cycle
- Similar redevelopment occuring in Newark (SAHA)

Realistic Capacity Analysis

The following summary table provides a step by step analysis of the realistic capacity factors applied to this site, as well the reasoning for applying these adjustment factors to arrive at a realistic yield of net units.

Table C-10: E-Z 8 Realistic Capacity Analysis

Site Description	
Size of Site	2.24 acres
Zoning	Residential High Density
Allowable Density	25 - 60 dwelling units per acre
RHNA Affordability	Lower Income
Existing Use	Motel
Infrastructure Availability	Yes, no constraints
Environmental Constraints	None Known

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.75	Net area adjustement accounts for setbacks, open space requirments, and structured parking.
Realistic Capacity of the Site	0.8	Based on comparable properties in the Tri-City Area and Newark and takes into account implementation of Prograsm H3.4 and H3.5.
Typical Densities	0.95	Affordbale housing in Newark builds out at near maximum densitities.
Infrastructure availability	Yes	Water, wastewater and dry utilities infrastrucuture available.
Environmental constraints	No	No known environmental constraints.
Realistic Capacity With Adjustment Factors	77	

19 Cherry Plaza

Zoning: Commercial Mixed Use

General Plan Designation: Commercial Mixed Use

APN: 92-50-13

Size: 0.96 acres

Max Allowable Density 100 units per acre (within Old Town Specific Plan Area)

This underutilized property has an I/L ratio of 0.55 , indicating a propensity to redevelop. The site has an educational use, but recent images show vacancies with a "for lease" sign. The surrounding market area has experienced the residential redevelopment of other such sites in recent years.
The site is located within the Old Town Specific Plan Area which allows the site to have densities between 30 and 100 dwelling units per acre. The height maximum is 48 feet. Unlike other CMU locations outlined in the Element, this site is not required to have ground floor retail because it is not fronting either Newark Ave. or Thornton Boulevard. A realistic capacity modifier of 80% was still applied, even though this could be considered conservative.

Realistic Capacity Analysis
The following summary table provides a step by step analysis of the realistic capacity factors applied to this site, as well the reasoning for applying these adjustment factors to arrive at a realistic yield of net units.

Table C-11: Cherry Plaza Realistic Capacity Analysis

Site Description	
Size of Site	0.96 acres
Zoning	Commercial Mixed Use
Allowable Density	48, within 20 ft. of a RM district
RHNA Affordability	100% affordable
Existing Use	Office building
Infrastructure Availability	Yes
Environmental Constraints	None

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.85	Net development area based on: front and side setbacks; open space requirements; parking requirements, and ground floor commercial uses.
Realistic Capacity of the Site	0.8	Based on recent trends in the tri-city market area and in the City of Newark for the conversion of existing commercial sites to 100% residential or mixed use projects. Program H3.4 will be implemented to facilitate the development of this and other potential residential sites in commercial zones. Program H3.5 will also be implemented to reduce required covered parking standards for residential projects. will be implemented to streamline the Note: the ABAG Hess tool reports build out of 1.35 for residential projects in mixed use zones in the tri city market area, and thus this assumption is very conservative.
Typical Densities	0.95	Affordable housing developments in Newark build out to almost maximum density.
Infrastructure availability	Yes	Water, sewer and power infrastructure in place and sufficient to support residential development.
Environmental constraints	No	No known environmental constraints on this site.
Realistic Capacity With Adjustment Factors	30	

20 Thornton Ave. Sites (outside of Old Town)

Zoning: Residential High Density

General Plan Designation: High Density Residential

APN: 92A-919-22-2, 92A-919-21-2, 92A-919-20-2, 92A-919-19-2, 92A-919-15-2, 92A-919-14-2, 92A-919-13-2, 92A-919-12-2, 92A-919-11-2

Size: 1.2 acres

Max Allowable Density 60 units per acre.

As with the sites within the Old Town area, these underutilized sites also show strong potential for redevelopment with residential uses. I/L ratios range from 0.53 to 0.76. These units do not have a required mixed-use component. The size and shape of these contiguous sites lend themselves to parcel assembly and lot consolidation and includes two contiguous parcels that are under the same ownership.

Rezoning
Since the sites were included in a previous Housing Element, per Program H3.6 described above they will be subject to a zoning text amendment that will require by-right approval of any new housing development in which at least 20 percent of the units are affordable to lower-income households.

Redevelopment Indicators

- Low improvement to land value ratio (0.53 to 0.76) meaning that the value of the land is greater than the improvements
- Aging buildings and obsolete development style (single story homes, the majority converted to commercial purposes and were built before 1970)
- Significant adjacent medium residential development occurred in the previous HE Cycle and currently (SAHA)
- Two vacant lots under same ownership and candidate for lot consolidation incentives through Program H2.11

Realistic Capacity Analysis
The following summary table provides a step by step analysis of the realistic capacity factors applied to this site, as well the reasoning for applying these adjustment factors to arrive at a realistic yield of net units.

21 Sycamore St. Vacant Lot

Zoning: Residential High Density

General Plan Designation: High Density Residential

APN: 92-255-11

Size: 1.81 acres

Max Allowable Density: 60 units per acre.

This site consists of an underutilized vacant residential lot in an area with robust services and supportive infrastructure. Zoned for high-density residential uses with a minimum density of 25 dwelling units to the acre and a maximum density of 60 dwelling units to the acre, this site is suitable for accommodating lower-income units. Existing development standards would allow the development of this site at maximum densities, consistent with comparable affordable housing developments currently in Newark's development pipeline.

Rezoning
This site will also also be subject to Program H3.6 since it is being carried over from a previous 5th Cycle Housing Element.

Realistic Capacity Analysis
The following summary table provides a step by step analysis of the realistic capacity factors applied to this site, as well the reasoning for applying these adjustment factors to arrive at a realistic yield of net units.

Table C-12: Sycamore St. Vacant Lot Realistic Capacity Analysis

Site Description	
Size of Site	1.81 acres
Zoning	Residential High Density
Allowable Density	25 - 60 dwelling units per acre
RHNA Affordability	mixed income
Existing Use	vacant
Infrastructure Availability	yes
Environmental Constraints	none

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.9	Net development area based on front and side setbacks, open space and parking requirements.
Realistic Capacity of the Site	0.8	Based on recent trends in the tri-city market area and in the City of Newark for properties in Residential High Density zones.
Typical Densities	0.95	Affordable housing builds out at near maximum densities.
Infrastructure availability	Yes	Dry and wet utlitity infrastruture avaklable for this site; no know constraints.
Environmental constraints	No	No known environmental constraints.
Realistic Capacity With Adjustment Factors	74	

22 Cedar Blvd. Public Storage Sites

Zoning: Residential Medium Density

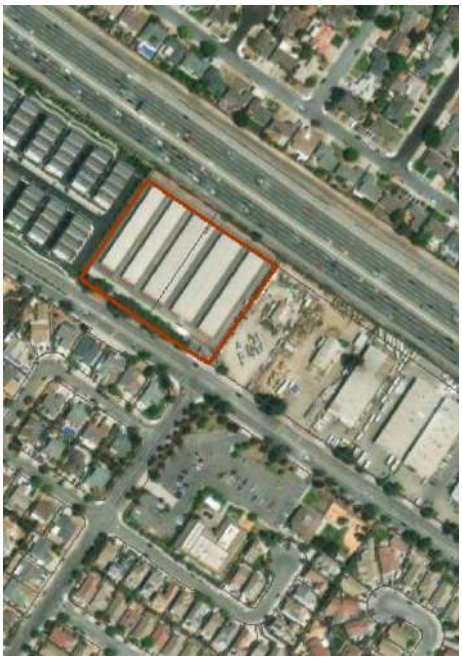
General Plan Designation: Medium Density Residential

APN: 92A-2375-32

Size: 2.9 acres

Max Allowable Density 22-30 units per acre.

This public storage site has an I/L ratio of 0.78, indicating a propensity to redevelop with another use, and residential uses are generally the highest and best use in the surrounding neighborhood market area.



Rezoning
Since the site was included in a previous Housing Element, per Program H3.6 described above it will also be subject to a zoning text amendment that will require by-right approval of any new housing development in which at least 20 percent of the units are affordable to lower-income households.

Redevelopment Indicators

- Low improvement to land value ratio (0.78) meaning that the value of the land is greater than the improvements
- Aging structure and single story use (building from 1985)
- Significant medium density residential development occurred adjacent in the previous HE Cycle
- Similar redevelopment occuring (Waymark Homes)

Realistic Capacity Analysis
The following summary table provides a step by step analysis of the realistic capacity factors applied to this site, as well the reasoning for applying these adjustment factors to arrive at a realistic yield of net units.

Table C-13: Cedar Blvd. Public Storage Realistic Capacity Analysis

Site Description	
Size of Site	2.9 acres
Zoning	Residential Medium
Allowable Density	22
RHNA Affordability	Above Moderate
Existing Use	Industrial
Infrastructure Availability	Yes
Environmental Constraints	No

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.9	Net development area based on front and side setbacks, open space and parking requirements.
Realistic Capacity of the Site	0.8	Based on recent trends in the tri-city market area and in the City of Newark for properties in Residential Medium Density zones.
Typical Densities	0.9	Based on build out densities for comparable projects in Residential Medium density zones.
Infrastructure availability	Yes	Dry and wet utlitity infrastruture evaklable for this site; no know constraints.
Environmental constraints	No	No known environmental constraints.
Realistic Capacity With Adjustment Factors	41	

23 Filbert Villas - 37243 & 37257 Filbert St. - expired entitlement

Zoning: Residential Medium Density

General Plan Designation: Medium Density Residential

APN: 92-131-1-9, 92-131-2-4, 92-131-3

Size: 0.96 acres

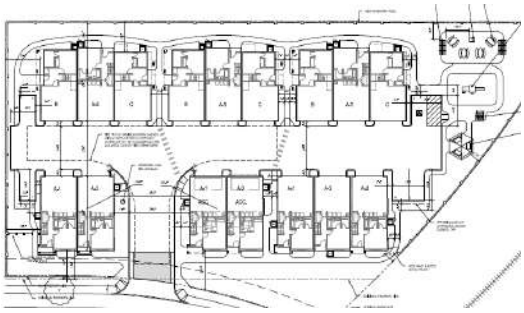
Max Allowable Density 30 units per acre.

Realistic capacity based on approved entitlements or developer proposal

According to application materials dated 3/23/17, SRAJ Development Inc, proposed Filbert Villas, a 16 unit market rate residential condominium project. The project consists of 16 new three-story four-bedroom townhouses. The density of the project is approximately 16 DU/A and the units will be market-rate. While the entitlement on this project expired, the city expects to see a project with similar densities.

A recent interview with the property owner indicates continued interest in the project. Barriers include high interest rates, higher construction costs, and lower sale prices, but the property owner plans to take steps to move forward with the project.

Link to project plans.



24 Filbert Ave. Sites

Zoning: Residential Medium Density

General Plan Designation: Medium Density Residential

APN: 92-54-5, 92-54-6, 92-54-4

Size: 0.7 acres

Max Allowable Density 22-30 units per acre.

These sites would support relatively lower-density residential development and the sites inventory does not assume that affordable housing would be feasible on these sites.

Redevelopment Indicators

- Two parcels have low improvement to land value ratio (0.09 and 0.03) meaning that the value of the land is greater than the improvements
- Aging structures and single story use (two building predate 1970)
- Similar redevelopment potential across the street (Filbert St. Villas)
- Candidate for lot consolidation incentives through H2.11

Realistic Capacity Analysis

The following summary table provides a step by step analysis of the realistic capacity factors applied to this site, as well the reasoning for applying these adjustment factors to arrive at a realistic yield of net units.

Table C-14: Filbert Ave. Sites Realistic Capacity Analysis

Site Description	
Size of Site	0.52 acres with assemblage
Zoning	Residential Medium
Allowable Density	22
RHNA Affordability	Above Moderate
Existing Use	Industrial
Infrastructure Availability	Yes
Environmental Constraints	None

Capacity Factors	Adjustment Factor	Reasoning
Land Use Controls and Site Improvements	0.9	Net development area based on front and side setbacks, open space and parking requirements.
Realistic Capacity of the Site	0.8	Based on recent trends in the tri-city market area and in the City of Newark for properties in Residential Medium Density zones.
Typical Densities	0.9	Based on build out densities for comparable projects in Residential Medium density zones.
Infrastructure availability	Yes	Dry and wet utlitity infrastruture avaklable for this site; no know constraints.
Environmental constraints	No	No known environmental constraints.
Realistic Capacity With Adjustment Factors	7	

25 Mayhews Place - 36589 Newark Boulevard - expired entitlement

Zoning: Residential Medium Density

General Plan Designation: Commercial Mixed Use

APN: 92A-623-43

Size: 0.53 acres

Max Allowable Density 30 units per acre.

Realistic capacity based on approved entitlements or developer proposal

According to project plans, David Langon Construction, Inc. is proposing 6 attached two-story, market-rate, single-family units on a site area of approximately 0.53 acres. The density of the proposal is 12 DU/A. Below is a rendering of the exterior facade. While the entitlement on this project expired, the city expects to see a project with similar densities.

Link to project plans.

26 Locust St. & Railroad - 37093 Locust St. - expired entitlement

Zoning: Residential Low Density

General Plan Designation: Low-Medium Density Residential

APN: 92-125-10

Size: 0.43 acres

Max Allowable Density 8.7 units per acre.

Realistic capacity based on approved entitlements or developer proposal

According to application materials dated June 21, 2018, Cherry Properties is proposing 6 new market-rate apartments at 37093 Locust Street. The project title is The Railroad Apartments. While the entitlement on this project expired, the city expects to see a project with similar densities.

Link to project plans.

27 Fahmy Homes - 37503 & 37511 Cherry Street - expired entitlement

Zoning: Residential Medium Density

General Plan Designation: Medium Density Residential

APN: 92-75-5-2, 92-75-4-2

Size: 0.38 acres

Max Allowable Density 30 units per acre.

Realistic capacity based on approved entitlements or developer proposal

According to application materials dated November 9th, 2020, Sawart S. Fahmy had proposed a four-lot residential project on two adjacent parcels. The proposed subdivision called for 4 single-family market-rate units. While the entitlement on this project expired, the city expects to see a project with similar densities.

In 2023, a new owner gained site control and has indicated strong interest in combining these sites to create a larger site for development. The owner submitted a preliminary application for a seven-unit rowhouse project. The city has completed its preliminary review and is now awaiting a formal application from the property owner.

Link to project plans.

28 Neighborhood Infill Sites

Zoning: Residential Low Density

General Plan Designation: Low-Medium Residential, Medium Density Residential

APN: 92-135-23, 92-127-13, 92-136-15, 92-24-10, 92-127-20, 92-125-2-2

Size: 1.52 acres

Max Allowable Density 11-15 units per acre.

These are mixed neighborhood infill sites supporting lower density residential development. Five of the six sites are vacant while the non vacant site has subdivision potential. These sites would support relatively lower-density residential development and the sites inventory does not assume that affordable housing would be feasible on these sites.

These sites are expected to redevelop individually, and the sites will be listed separately by parcel number on the electronic submission form.

Redevelopment Indicators

- Either vacant or underutilized (subdivision potential)
- Two vacant lots are adjacent candidate for lot consolidation incentives through Program H2.11
- Strong demand for market rate residential in established neighborhoods (Over 750 single family detached units completed between 2018 and 2022[19])

[19] Source: HCD Housing Element Implementation and APR Dashboard

APPENDIX D PUBLIC COMMENT

The public comment period for the first Draft 2023-2031 Housing Element began on February 24th, 2023. As required by AB 215, the first Draft Housing Element was available for a 30-day public review period, before incorporating public comments and sending the revised first draft to HCD. Based on community feedback and to ensure that the Newark community had enough time to review and comment, the City kept the first public review draft of the Housing Element available for public comment through the 90-day State HCD review period (February 24th - March 27th, 2023). The City posted an updated draft for public review from August 7th - August 17th, 2023).

Thank you to all those who submitted public comments and attended public meetings. Based on community feedback and direction from Councilmembers, staff have prepared a response to comments to illustrate how the revised draft reflects public input received during the 142-day comment period. A total of 11 comments, comment letters, and emails were received during the comment period. No comments were received on the updated draft during or after the 10-day public review period in August 2023. Staff received an additional 5 comments during subsequent Housing Element public review periods.

1. Carla Rodrigez
2. Taran Singh
3. Pamela Roush
4. Andrea Heckman
5. Matt Francois on behalf of Integral Communities
6. Carol Drake
7. Namit Saksena
8. Sarah Klaustermeier, Brookfield Properties
9. Victor Flores, East Bay Resilience Manager, Greenbelt Alliance, David Lewis, Executive Director Save The Bay , Maxwell Davis and the 2500 members of East Bay for Everyone
10. Neelam Noorani
11. Aundi Mevoli, BayKeepers
12. David Song
13. Rishika Rawat
14. Alyssa Lopez

15. Pat Callaway
16. Krisie Knutson

Table D-1: Housing Element Draft Public Comments Received and City Response

Letter Number	Name/ Organization	Date	Comment	City Response
1.	Carina Rodriguez		After reviewing the Draft document, my biggest concerns are: 1) Newark's continuing to infringe on the marshes and wetlands around our city. This is a large environmental issue and I saw very little mention of this in the housing plans. However, the city continues to approve housing developments on these natural lands. This will especially be an issue as climate change continues to wreak havoc on us - I do not want the city to be put in a situation where we have to use tax dollars to help those who ignorantly purchased homes on these wetlands and marshes. Especially when the lands should have never been built on in the first place. 2) I do not want the city of Newark to become a haven for low income housing. While we should open our city to new residents - low income housing invites low income individuals who will not be contributing a significant amount in taxes. Some are indeed hard workers and have been beaten down by the systemic failures of our city, county, state, and country, but some have no interest in doing anything to help themselves and will just suck up the free resources paid for by taxpayers. Yes, we do need low income housing to assist some in our community. However, we should not accept a large percentage of this low income housing and rather have it spread out throughout the county of Alameda and the Bay Area. 3) Lastly, there are many apartments, townhouses,	1. The City of Newark is guided by the Area 3 and 4 Specific Plan, adopted by the City Council in 2009. This specific plan provides land uses, development regulations, engineering and site improvements, landscape guidelines, and natural resource conservation standards. In 2014, the City entered into a Development Agreement with Newark Partners LLC, which guides development within certain areas of Area 3 and 4 and establishes performance expectations and requirements for the developers and the City. Development within the specific plan area has been limited to Area 3 and the residential subdivision known as “Sanctuary Village”. In 2019, the City Council approved a residential subdivision via a Planned Unit Development permit consisting of 469 homes along with a determination that the environmental effects of the project were sufficiently analyzed and were under the scope of the previously adopted 2015 Recirculated Environmental Impact Report. Subsequent to Council’s 2019 actions, the environmental determination was challenged in court. As of 2023, no unresolved legal matters are associated with the project. In 2021, the project sponsor indicated to the city that the project would be reduced in size from 469 units to approximately 430 units. The project sponsor is working with the city

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			and duplexes that are completely run down and look absolutely awful. These can be found on Newark Blvd across the street from Newark Community park and Cherry towards Thornton. This housing looks abysmal and it's sickening that landlords are allowed to rent these apartments at top dollar while they are clearly falling apart and have made no investment in keeping them up to a basic, human level. Before we begin to build more housing, we need to look at this housing and bring them up to a livable standard for those currently living in the city. Let's fix our home city first before we begin building more housing that may eventually look as awful as this housing on Newark Blvd. and Cherry.	regarding site development activities. As Sanctuary West is a fully entitled project with legal matters resolved, the City has identified the project as contributing to the RHNA goal for above-moderate housing for the 6th Cycle. 2. Newark is subject to RHNA, the process that resulted in the assignment of 1,871 units of housing for the 6th Cycle Housing Element. Each Bay Area jurisdiction received their own RHNA allocation. Compared to other Bay Area cities, Newark's RHNA increase from the 5th Cycle (1,048 units) to the 6th Cycle was relatively small at approximately 75%. This is not a requirement to build 1,874 units, but Newark must demonstrate that the city has the correct land use policy, programs, and requirements to accommodate the units over the next eight years. Since 2015, Newark has built thousands of market-rate units, but relatively few affordable units. The City Council recognizes the need for housing that is affordable and available for all members of the community. 3. The City recognizes that some residential buildings in our community have been neglected by their property owners. Although some investment to refurbish units has occurred, more can be done. The Draft Housing Element includes goals, policies, and programs that address this need, starting with the Goal and Policy H-1: Preserve + Improve Existing Housing- “Leverage local funds to supplement county, state and federal funding

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				to support the maintenance, rehabilitation and preservation of existing rental and ownership housing. “
2.	Taran Singh		Area 3 and Area 4 plan of building 469 homes an environmental disaster. The City of Newark cannot solve the housing problem by 500 odd homes on our wetlands. I urge the city to revert the development plan for Area 3 and Area 4 and let them be a safe abode for our flora and fauna. Overall, I think the City needs to get denser in areas close to the 880 corridors and provide connectivity to BART/Transit.	See Response 1, above.
3.	PAMELA ROUSH		Please do not build in Newark Area 4. That is a flood zone and it will only get worse. Please, please reconsider building in Area 4. Thank you.	See Response 1, above.
4.	Andrea Heckman		I'm very concerned about development in the Area 4 shoreline because of it's importance to the ecosystem and protecting our existing development from future flooding. It seems imprudent to build on an area which is expected to need massive alteration and protection from future sea level rise. Makes no sense to develop housing where future disaster is predictable.	See Response 1, above.
5.	Matt Francois		We are submitting these comments on behalf of our client, Integral Communities, the proponent of the Mowry Village project. We write to request certain technical corrections and clarifications to the draft Housing Element. For instance, the reference to 398 built single family units in Area 3, Sub Area B (on page 104) should instead refer to 386 units. Additionally, the reference to the Mowry Village project (on page 105) refers to the site as being within Area 3 when it is located within Area 4; please also correct the	Thank you for your comments and corrections. The references to Area 3/4 and the unit count have been corrected in the October 3 draft. The language about retiring the Specific Plan has been adapted to reflect that the City “may take action to retire the plan in a manner consistent with applicable laws and conforming to previously adopted agreements and approved entitlements.”

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			location of the Mowry Village project in the last paragraph of this section. Finally, also in the last paragraph of this section, please clarify the intent about retiring the Area 3 & 4 Specific Plan after action on the Mowry Village project as it is anticipated that the Specific Plan would continue to be relied on to make consistency determinations for the Mowry Village and other projects.	
6.	Carol Drake		Newark Area 4 is not a good choice for development. Wetlands sequester carbon, store floodwater, and filter nutrients and sediment from water. Already included in the expansion boundaries of the Don Edwards SF Bay National Wildlife Refuge, Area 4 provides an unparalleled opportunity to restore wetlands and other wildlife habitat, while creating a buffer against sea level rise. Newark should focus on infill development instead. It could utilize existing neighborhoods and major development opportunities such as revitalizing NewPark Mall, which could provide 1,519 housing units, and smaller projects already planned in and around Old Town Newark. Building in these developed areas would help place housing near job centers, reducing vehicle miles traveled and road congestion.	See Response 1, above.
7.	Namit	March 21st 2023	I was very happy to see that you mentioned working with Newark Unified School District in the draft Housing Element, Policy H2.4. Other cities in the Bay Area have helped their school districts address the missing housing for teaching staff and I think Newark should also partner with NUSD to do something	Hello Namit, Thank you for your comments. We have updated policy H2.4, with more information from state law to support the redevelopment of land owned by Newark Unified School District. We agree, and the data shows how large of a burnden

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			similar. I loved the creative idea you had shared during our chat at the after party of Mayor Hannon's swearing in ceremony late last year. Comment 2: After housing, the next big expense for low income residents tends to be transportation. While our Pedestrian & Bicycle Master Plan was approved in Feb 2017, we haven't made massive strides in making the overall vision in that plan come true. Bike lanes will not only improve accessibility to local employers: restaurants, gas stations, retail stores, Home Depot, Amazon etc. but also upcoming city centers such as NewPark Place and might even spark Old Town into life. The other thing is, bike lanes will benefit residents of all income levels. I saw that the number 1 response to Q.9 of the Public Engagement and Input Survey with 33% respondents was public infrastructure including bicycle lanes. Therefore it would be great if the Housing Element had a specific call out to pedestrian and bicycle infrastructure vs. the single specific mention on Pg. 128. I think exploring ways to align the relevant parts of the Housing Element more closely with the Bicycle Element will help us capture this once in a decade opportunity to shape the future of housing in Newark by the handle bars!	transportation can be financially for residents. We also heard the desire for more pedestrian friendly streets and bike lanes in the city for more transportation options. The Public Works department has plans to start implementing portions of the bicycle master plan, and we are happy to see that the majority of sites are along bus routes as well. The community development department looks forward to working with the public works department to coordinate these two critical efforts.
8.	Sarah Klaustermeier	March 24th 2023	I reviewed the draft Housing Element and had one comment specific to Phase A. The breakdown of income levels in Table C-1 is different than what is	Thank you for your comments. The 6th Cycle unit yield and affordability distribution has

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			approved in our Affordable Housing Agreement. [see screenshots below]	been updated in the appropriate tables to reflect the City Council's Resolution 10,184.
9.	Victor Flores, East Bay Resilience Manager, Greenbelt Alliance David Lewis, Executive Director Save The Bay Maxwell Davis and the 2500 members of East Bay for Everyone	March 27th 2023	The undersigned organizations and individuals are excited to participate in Newark's Housing Element process. We write to offer feedback on Newark's Draft Housing element for the sixth cycle. This update is an opportunity for Newark to make sure that high resource and racially segregated neighborhoods take on their fair share of the City's housing needs, particularly for lower income residents who are disproportionately people of color. As your housing element notes, the majority of Newark residents are in housing that is either unaffordable or does not meet their needs. In particular, the Latine community experiences high levels of overcrowding and above average spending on housing. The City must ensure that all, regardless of race or income, can enjoy safe, stable, and accessible homes located either near jobs or transit (bus as well as BART) and on sites that are clean and suitable for development. We are glad to see many great policies and sites that promote infill and active transportation. We also appreciate Newark going above the buffer recommendations for realistic zoning capacity. Among the sites we're excited about is the Newpark project which will build medium density units on parking lots. This project is a perfect example of infill with access to AC Transit lines to BART. We also want to commend the city for Policy H6.7:	Hello Victor, David, and Maxwell, We appreciate your thoughtful comments on the Housing Element draft. In response to community discussion through engagement we have worked to make significant edits to many programs to better support the uptake of housing that is affordable to all segments of the population, and in proximity to public transportation and active transportation infrastructure investments. In response to climate and sea level rise, the Newark Safety Element is in process and will further address many of those questions and comments. Program H3.5 Parking standards has been strengthened, removing and reducing parking requirements for multiple housing types. We welcome your continued advocacy in this area. Numerous programs to increase housing access, opportunity and affordability have been added or strengthened. Program H2.1, SB9, H2.2, for ADU production, and H2.3 is looking at how a community guided plan for the 4 corners area can generate more housing close to parks, schools and a potential rail station. Program H2.6 looks to utilize state law to develop affordable housing for staff and employees, and H2.8 for Missing Middle Housing has been updated, and a new program,

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			Residential Development in the FloodPlain. We continue our opposition to the Sanctuary West project. We are glad that the city recognizes that such developments are not in the interest of Newark residents nor the prudent fiduciary responsibility of the council and staff. In an era where our communities are facing the consequences of climate change and sea level rise, each community should be actively assessing how it will ensure future developments and infrastructure will be resilient to flood risk without adversely impacting existing residents and the environment. Building in Area 4 baylands would both greatly increase flood risk across the city, and also squander the opportunity to utilize these lands as a valuable flood buffer to protect the community from flooding and sea level rise, while also providing improved natural wildlife habitat and increased outdoor access opportunities for residents. Additionally, since there is broad community opposition from both environmental and pro-housing organizations in the area, building here has a high chance of community pushback which could delay the project to outside the planning period. We strongly recommend updating your Climate Action Plan which is now 13 years old in order to implement mitigation measures for water level rise (both sea level rise and groundwater rise) and to reduce greenhouse gas (GHG) emissions. We also recommend adding a policy to restore wetlands in order to maximize carbon sequestration and protection from sea level rise.	H2.10 will increase the zoning districts where single resident occupancy housing is permitted in Newark.

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			Program H3.5: Parking standards study can be strengthened to commit to reducing parking minimums. A study from UC Berkeley's Terner Center found, "the presence of structured parking added nearly $36,000 per unit." The Draft Housing Element notes that Newark has higher parking minimums than neighboring jurisdictions. Parking, especially covered parking, significantly increases the cost of housing developments and uses space for cars rather than for people. In order to combat climate change we know that we must reduce our reliance on cars and fossil fuels. By prioritizing land for people rather than cars we can address the housing crisis and GHG reduction goals. Due to this higher level of parking and its cost, we strongly urge you to commit to reducing the amount of required parking to no more than 0.5 spaces per residential unit, and zero in transit-adjacent areas. Program H2.1: Encourage new middle-density housing with SB 9 and SB 10. While this is a laudable direction for the city to go to encourage housing abundance throughout the city, it could be strengthened with a few more objective outcomes for the program. (1) The SB 9 ordinance should not reduce the buildable envelope below what an underlying single-family zone allows. (2) Missing middle zoning should allow at least 4 units on at least 80% of single-family lots—not merely legal as density, but practical in terms of development standards. See the Portland Residential Infill Program for a possible direction where buildable envelope is increased the	

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			more units are planned on the lot. (3) No areas should be exempted from missing middle except based on floodplain, fire risk, or other major public health / ecological risks. (4) Required parking should continue to be no more than 0.5 spaces /unit, or zero near any bus line, as the major space requirements of off-street parking reliably kills missing middle. As we've mentioned, we oppose site number 2: Sanctuary West because of its location on baylands that are expected to see a nearly two feet rise of water levels in less than 50 years. We continue to urge you to remove this from your site list. To support our vision for Newark, Greenbelt Alliance and other partnering organizations have crafted a go-to guide for accelerating equitable adaptation to the climate crisis; The Resilience Playbook. The Playbook brings together curated strategies, recommendations, and tools to support local decision makers and community leaders wherever they are in their journey. We look forward to continuing to engage with Newark and the community on how this vital work can move forward in the new year.	
10.	Neelam Noorani	March 26th 2023	Steven Turner, Dear Mayor Hannon, Vice Mayor Collazo and Newark City Councilmembers, Thank you for putting together a robust Housing Element draft. This is a once in a decade moment for Newark to make pivotal progress on climate change and fair housing by developing a	See Response 1, above.

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			comprehensive housing strategy that builds housing in existing neighborhoods,while ensuring the long-term climate resilience of the city by protecting protecting valuable open space along the shoreline as wildlife habitat while providing community resilience as a flood buffer from sea level rise. I am writing to you today to implore you to remove Newark Area 4 (“Sanctuary West”) from your housing site inventory. This is not a good place to build housing and should not be how Newark meets a significant portion of its housing requirement. Newark Area 4 is almost entirely within a flood zone, and the site is anticipated to be almost completely inundated with just 1 meter of sea level rise. Additionally, new studies show that development of Area 4 could cause flooding for other shoreline communities in the Bay Area. Developing this site will increase flood risk to current and future residents and cause catastrophic financial issues to the city in the future. As evidenced by recent rains, Newark is already experiencing flooding and if Area 4 is developed, flooding will only increase. Newark has the capacity within the existing urban areas to meet its RHNA goals without putting future and current residents at risk. Further, the wetlands and wetland restoration potential of Newark Area 4 should be embraced for the numerous important benefits they provide. Wetlands not only protect the city from	

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			flooding and provide wildlife habitat, they also clean our Bay waters, and have been demonstrated to be one of the most powerful tools in nature for fighting climate change, by sequestering carbon even more efficiently than our forests. We desperately need to protect and restore all the San Francisco Bay wetlands we can, and Newark has an incredible opportunity to support this regional goal. We strongly urge Newark to become a climate-forward city by focusing on infill growth in existing neighborhoods - rather than putting housing in an undeveloped shoreline flood zone that should be permanently protected as a wildlife habitat and as a valuable buffer to protect the community from flooding and sea level rise.	
11.	Aundi Mevoli, BayKeepers	March 27th 2023	I write on behalf of San Francisco Baykeeper ("Baykeeper") in opposition to the City of Newark's inclusion of the Sanctuary West Project (also commonly known as "Area 4") in its Draft Housing Element. Baykeeper submits these comments on behalf of approximately 5,000 members and supporters who live and recreate in and around the San Francisco Bay Area. Together, our mission is to defend San Francisco Bay from the biggest threats and hold polluters and government agencies accountable to create healthy communities and help wildlife thrive. Our team of scientists and lawyers investigate pollution via aerial and water	See Response 1, above.

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			patrols, strengthen regulations through science and policy advocacy, and enforce environmental laws on behalf of the public. It is discouraging to see the city continuing to recommend and approve housing at Area 4. Instead of allowing this area to be used as a natural barrier to mitigate sea level rise (SLR) and groundwater inundation as climate impacts increase, moving forward with development will expose more than a thousand new residents to SLR and put hundreds of millions of dollars of property at risk. With only about ten percent of the original wetlands remaining around San Francisco Bay, keeping these natural bufferlands is essential to having a resilient community and allowing shorelines to adapt in the midst of climate change. In addition, importing fill and paving over Area 4 would destroy restorable diked Baylands and harm wildlife habitats for over a dozen special-status species. This includes the endangered Salt Marsh Harvest Mouse, endemic to only San Francisco Bay's marshes which are increasingly threatened with the prospect of development. Furthermore, fragmenting and degrading the existing wetlands in Area 4 will also threaten pup rookeries for harbor seals. The scientific community has recommended Area 4 as a high priority for protection and restoration of	

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			wetlands and upland habitat in order to support San Francisco Bay wildlife species and help them adjust to rising sea levels. Congress has already authorized lands such as Area 4 to be added to the Don Edwards SF Bay National Wildlife Refuge. We urge you to follow the guidance of the region's scientific community and prioritize protecting and restoring this land rather than development in Area 4 as planned in your current Draft Housing Element. During the January 2023 King Tides, drone footage revealed just how much surface water already occupies the site. These images give a glimpse of what this site will look like under one foot of SLR. Seeing as this site is projected to have two feet of SLR by 2050, it is obvious why this is not a good site to build housing or degrade more wetland habitat. Lastly, sustainable development comes at the intersection of economic, social and environmental capitols. Area 4 development only looks at the economic benefit to build. However, if natural capitol was also part of the equation, one would see how many benefits this land offers: greenhouse gas sequestration, nature based multi-benefit adaptation solutions to SLR, open space for community members to enjoy, and biodiversity to ensure a healthy Bay. Staff, we implore you to remove the Sanctuary West Project from suitable housing in the 6th cycle of	

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			Newark's Housing Element. Follow the advice of the experts and protect these wetlands to, in turn, protect your community against climate change impacts. Thank you for the opportunity to comment on this Draft Housing Element. Please reach out to Aundi Mevoli at aundi@baykeeper.org with any questions.	
12.	David Song	October 13, 2023	I received a letter from city of Newark, regarding a piece of land that I own. 37079 Ash street, APN: 92-127-31. The letter stated that my property has been identified as a site that could be developed with residential units, and well suited for development. I have previously tried to discuss the development of this site with the planning department multipe times, with no success. With this new initiative from the city, what kind of incentive does the city provide to owners to develop this site? Higher density? Lower permit fees? Faster approval? Less red tape? After reading through the Housing Element report, I still could not figure out how does that report relate to my property and its potential for development. It would be nice for the city planner to sit down with me and explain what kind of incentives the city provides to the development of my site.	The city appreciates the commenter's interest in developing the site identified in the comment. City staff will contact the commenter to initiate the discussion. The development of the parcel could benefit through the implementation of the following programs: -PROGRAM H2.8: Zoning for Missing Middle Housing Types. -PROGRAM H2.11: Catalyze the development of small sites through a lot consolidation incentive program -PROGRAM H2.12: Ensure maximum residential densities are achievable -PROGRAM H3.1: Streamline Ministerial Approval Permit Procedures -PROGRAM H3.2: Develop objective design standards for single family and multi family developments and infill housing.

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			I am more than happy to work with the city to develop this site and provide more housing opportunities to medium and low income families. Best David	
13.	Rishika Rawat	October 25, 2023	I was wondering where I could find a pdf of the Newark Safety Element.	Staff followed up with a PDF of the Newark Safety Element
14.	Alyssa Lopez	October 25, 2023	Hi, I was wondering if there is any action being taken to invest in some programs such as a first-time buyers programs for Newark Residents, or a low-income based programs. If so, I'd like to get more information or be interested in investing some input Thank you!	The 2023-2031 Housing Element, Section 3 (Affirmatively Furthering Fair Housing (AFFH)), contains a detailed analysis of the factors contributing to housing equity, segregation, access to housing opportunities, and the need for housing throughout the Newark community. Table 3-16 provides a summary of contributing factors and actions regarding housing issues in Newark. For example, the AFFH study identified the lack of available rental housing for lower-income households as a contributing factor for households experiencing or are at-risk of homelessness. The Housing Element contains programs that, when implemented, would begin to address the identified factors, including: -PROGRAM H4.1: Develop Anti-Displacement Programs for the Old-Town Newark Specific Plan Area. -PROGRAM H4.3: Develop a Just Cause

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				Eviction Ordinance -PROGRAM H4.8: Connect Residents with Foreclosure assistance. -PROGRAM H5.1: First-Time Homebuyer Assistance -PROGRAM H5.2: Affordable Housing Development Programs -PROGRAM H5.3: Public Lands for dedicated affordable housing. -PROGRAM H5.4: Affordable Housing Overlay Zone
15.	Pat Callaway		There has been opposition to Area 4 development and I am confused by your responses. Has Area 4 been scrapped or not?	The Sanctuary West Project was approved by the Newark City Council in November 2019. A Development Agreement that sets the terms, conditions, and requirements for the developer and the city was previously approved in 2015. The Development Agreement is still in place, and the developer intends to proceed with residential development at some point in the future. Sanctuary West is not identified as a site needed to achieve the city's Regional Housing Needs Allocation (RHNA) goal of 1,874 units within the 2023-2031 period. However, per the Development Agreement, the developer may still proceed with the project. Newark contains many sites that are zoned for residential uses and could be developed as housing but have not been identified in the 2023-2031 Housing Element's sites inventory. Should Sanctuary West or any other site zoned for residential use be developed with housing units, the city would count these units as progress toward meeting our RHNA goal.

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16.	Krisie Knutson		Those house are ugly , can't you make some pretty houses	Noted.

COMMENT LETTERS

Comment 1	Carina Rodriguez	After reviewing the Draft document, my biggest concerns are: 1) Newark's continuing to infringe on the marshes and wetlands around our city. This is a large environmental issue and I saw very little mention of this in the housing plans. However, the city continues to approve housing developments on these natural lands. This will especially be an issue as climate change continues to wreak havoc on us - I do not want the city to be put in a situation where we have to use tax dollars to help those who ignorantly purchased homes on these wetlands and marshes. Especially when the lands should have never been built on in the first place. 2) I do not want the city of Newark to become a haven for low income housing. While we should open our city to new residents - low income housing invites low income individuals who will not be contributing a significant amount in taxes. Some are indeed hard workers and have been beaten down by the systemic failures of our city, county, state, and country, but some have no interest in doing anything to help themselves and will just suck up the free resources paid for by taxpayers. Yes, we do need low income housing to assist some in our community. However, we should not accept a large percentage of this low income housing and rather have it spread out throughout the county of Alameda and the Bay Area. 3) Lastly, there are many apartments, townhouses, and duplexes that are completely run down and look absolutely awful. These can be found on Newark Blvd across the street from Newark Community park and Cherry towards Thornton. This housing looks abysmal and it's sickening that landlords are allowed to rent these apartments at top dollar while they are clearly falling apart and have made no investment in keeping them up to a basic, human level. Before we begin to build more housing, we need to look at this housing and bring them up to a livable standard for those currently living in the city. Let's fix our home city first before we begin building more housing that may eventually look as awful as this housing on Newark Blvd. and Cherry.
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3	PAMELA ROUSH	Please do not build in Newark Area 4. That is a flood zone and it will only get worse. Please, please reconsider building in Area 4. Thank you.
4	Andrea Heckman	I'm very concerned about development in the Area 4 shoreline because of it's importance to the ecosystem and protecting our existing development from future flooding. It seems imprudent to build on an area which is expected to need massive alteration and protection from future sea level rise. Makes no sense to develop housing where future disaster is predictable.

5	Matt Francois	We are submitting these comments on behalf of our client, Integral Communities, the proponent of the Mowry Village project. We write to request certain technical corrections and clarifications to the draft Housing Element. For instance, the reference to 398 built single family units in Area 3, Sub Area B (on page 104) should instead refer to 386 units. Additionally, the reference to the Mowry Village project (on page 105) refers to the site as being within Area 3 when it is located within Area 4; please also correct the location of the Mowry Village project in the last paragraph of this section. Finally, also in the last paragraph of this section, please clarify the intent about retiring the Area 3 & 4 Specific Plan after action on the Mowry Village project as it is anticipated that the Specific Plan would continue to be relied on to make consistency determinations for the Mowry Village and other projects.
6	Carol Drake	Newark Area 4 is not a good choice for development. Wetlands sequester carbon, store floodwater, and filter nutrients and sediment from water. Already included in the expansion boundaries of the Don Edwards SF Bay National Wildlife Refuge, Area 4 provides an unparalleled opportunity to restore wetlands and other wildlife habitat, while creating a buffer against sea level rise. Newark should focus on infill development instead. It could utilize existing neighborhoods and major development opportunities such as revitalizing NewPark Mall, which could provide 1,519 housing units, and smaller projects already planned in and around Old Town Newark. Building in these developed areas would help place housing near job centers, reducing vehicle miles traveled and road congestion.

Comment 7:

From: Nabe Newark <nabenewark@...>
Sent: Tuesday, March 21, 2023 5:23 PM
To: Steven Turner
Cc: Art Interiano; Carmelisa Lopez; Joseph Balatbat; David Benoun; Lenka Hovorka
Subject: Re: City of Newark Virtual Community Meeting - Draft Housing Element March 22 at 7:00 PM

Hi Mr. Turner, thank you for including me in the distribution.

I am unsure if I will be able to join the meeting tomorrow, therefore please find 2 comments from me a fter reading this fantastic work by the city staff:

I was very happy to see that you mentioned working with Newark Unified School District in the draft H ousing Element, Policy H2.4
I want to share some recent news articles which should help support this idea within Newark.

Affordable teacher housing development in Los Gatos 'move-in ready' (mercurynews.com)

Report: Silicon Valley housing crisis linked to declining school enrollment (sanjosespotlight.com)

News – Support Teacher Housing

Affordable teacher housing to be built in Palo Alto – The Talon (lahstalon.org)

Other cities in the Bay Area have helped their school districts address the missing housing for teaching st aff and I think Newark should also partner with NUSD to do something similar. I loved the creative idea y ou had shared during our chat at the after party of Mayor Hannon's swearing in ceremony late last year.

After housing, the next big expense for low income residents tends to be transportation.
While our Pedestrian & Bicycle Master Plan was approved in Feb 2017, we haven't made massive strid es in making the overall vision in that plan come true.
Bike lanes will not only improve accessibility to local employers: restaurants, gas stations, retail stores, Home Depot, Amazon etc. but also upcoming city centers such as NewPark Place and might even spar k Old Town into life. The other thing is, bike lanes will benefit residents of all income levels.

I saw that the number 1 response to Q.9 of the Public Engagement and Input Survey with 33% respon dents was public infrastructure including bicycle lanes.
Therefore it would be great if the Housing Element had a specific call out to pedestrian and bicycle infra structure vs. the single specific mention on Pg. 128.

I think exploring ways to align the relevant parts of the Housing Element more closely with the Bicycle E lement will help us capture this once in a decade opportunity to shape the future of housing in Newark by the handle bars!

Regards,
Namit

P.S. From the Needs Analysis of the Bicycle Master Plan, Pg.29:
"Newark has a great deal of potential for growing its bicycle network and safely and comfortably attra cting new bicycle trips with its temperate climate, flat terrain, growing on-street facilities, system of lo w volume streets ideal for casual cyclists, and access to trails and recreation areas.
However, bicycling today can be difficult in Newark despite the growing interest and number of bicyclists . Heavy traffic, high traffic stress bikeways, and a lack of continuous bicycle facilities on Newark's major arterials, particularly on north & south routes, remain significant challenges for attracting new riders."

On Thu, Mar 16, 2023 at 4:49 PM Steven Turner <Stevent@newark.org> wrote:

Dear City Council, Planning Commission, and Community Development Advisory Committee-

Community Development staff and our consultants are hosting a virtual community meeting about the 2023-2031 Draft Housing Element on Wednesday, March 22, 2023, from 7:00-8:30 PM. You are certainl y welcome to attend and participate.

We ask participants to register for the meeting with this link: Meeting registration. After registering, y ou will receive a confirmation email about joining the meeting.

Comment 8:

From: Klaustermeier, Sarah <Sarah.Klaustermeier@brookfieldpropertiesdevelopment.com> **Sent:** Friday, March 24, 2023 7:46 PM
To: Steven Turner
Cc: Klaustermeier, Sarah
Subject: RE: Newark's Draft Housing Element - NewPark Place Specific Plan Residential Units

Steven,

I reviewed the draft Housing Element and had one comment specific to Phase A. The breakdown of income levels in Table C-1 is different than what is approved in our Affordable Housing Agreement. Please see screenshots below:

Table C-1: City of Newark Detailed Sites Inventory

Site #	Name	Income Level				Total Units
		Very Low	Low	Moderate	Above Moderate	
Planned and Proposed Projects						
1	Bridgeway / Gateway	0	0	0	589	**589**
2	Sanctuary West	0	0	0	469	**469**
3	NewPark Mall - Phase A	15	14	0	290	**319**

Affordable Housing Agreement:

2.1 Occupancy Requirements.

For the Term of the Agreement, no fewer than twenty-nine (29) of the dwelling u the Project shall be occupied (or if vacant, available for occupancy) by Moderate Low-Income and Very Low-Income Households. The size and mix of the Restri Units shall be as follows:

	Studio	1-Bedroom	2-Bedroom	**Total**
Very-Low Income Household	1	2	1	**4**
Low-Income Household	2	5	2	**9**
Moderate-Income Household	4	8	4	**16**
Total	**7**	**15**	**7**	**29**

Sarah Klaustermeier
Sr. Director, Development| Commercial Development

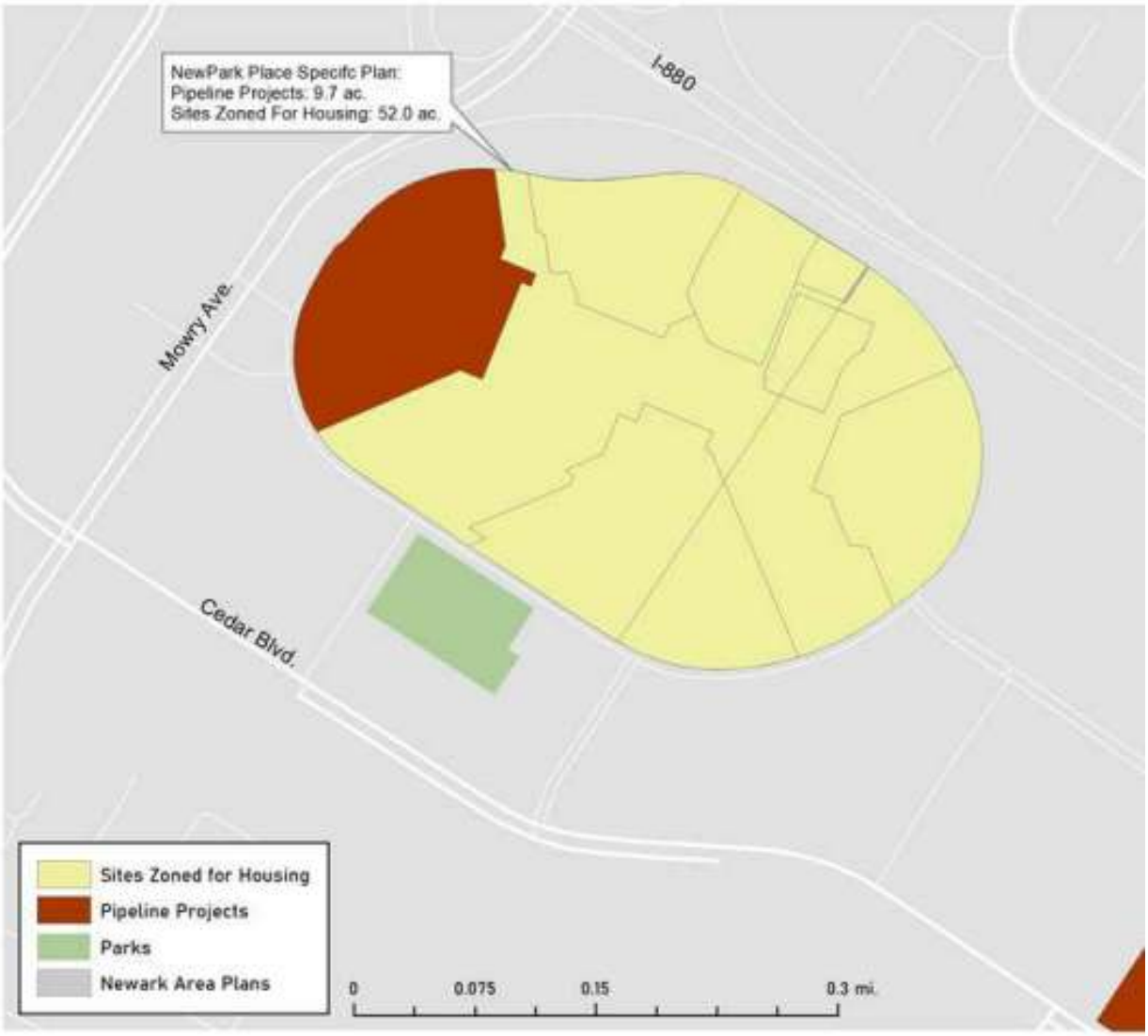
From: Steven Turner <Stevent@newark.org>
Sent: Friday, March 17, 2023 1:21 PM
To: Klaustermeier, Sarah <Sarah.Klaustermeier@...>
Subject: Newark's Draft Housing Element - NewPark Place Specific Plan Residential Units

CAUTION: EXTERNAL MAIL! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe! If unsure use the Report Phishing Button located in the ribbon.

Hi Sarah- I want to let you know that the city has prepared our Draft 2023-2031 Housing Element for p ublic review. We have a dedicated website where the documents can be reviewed, including an executi ve summary and the complete draft document: www.newarkhousingupdate.org

The Draft Housing Element identifies sites through the city that has the appropriate land use and zoning that would allow residential development over the next eight years. This includes sites within our specifi c plan areas, including the sites that allow residential as permitted uses in the NewPark Place Specific Pl an. The entitled Phase A site is identified as a pipeline project site and the other sites anticipated for ho using that surrounds the mall are also identified. Here is a map that illustrates these housing sites (the p

arcel lines likely don't reflect the approved vesting tentative map, but we can update this map). The nu mber of units identified for this area totals 1,519 units, consistent with the specific plan.



Development of 1,519 units is not specifically required during the 2023-2031 period, but the appropri ate land use and requirements are in place to accommodate that development if requested. Newark was able to identify enough sites at the right densities throughout the city to exceed our Regio nal Housing Needs Allocation. We have also projected the number of units that could be developed at various income levels for the sites. See Table C-1 for more information.

The initial public review period runs through March 27. We will then send it to the State of Californ ia Housing and Community Development Department for their review, comments, and edits in earl y April. We expect to revise the housing element in June/July to incorporate all the necessary edits before public hearings are scheduled with the Planning Commission and City Council later in the su mmer.

Paul Peninger and his team are the city's primary consultants who prepare the draft. Paul and I w ould be happy to discuss the housing element with you and answer questions.

Thanks, Sarah,

--Steven

Comment 9

March 27, 2023

RE: Housing Element Policy Recommendations for Climate Resilience & Fair

Housing Dear Mayor Hannon, City Council, and Planning Staff,

The undersigned organizations and individuals are excited to participate in Newark's Housing Element process. We write to offer feedback on Newark's Draft Housing element for the sixth cycle.

This update is an opportunity for Newark to make sure that high resource and racially segregated neighborhoods take on their fair share of the City's housing needs, particularly for lower income residents who are disproportionately people of color. As your housing element notes, the majority of Newark residents are in housing that is either unaffordable or does not meet their needs. In particular, the Latine community experiences high levels of overcrowding and above average spending on housing. The City must ensure that all, regardless of race or income, can enjoy safe, stable, and accessible homes located either near jobs or transit (bus as well as BART) and on sites that are clean and suitable for development.

We are glad to see many great policies and sites that promote infill and active transportation. We also appreciate Newark going above the buffer recommendations for realistic zoning capacity. Among the sites we're excited about is the Newpark project which will build medium density units on parking lots. This project is a perfect example of infill with access to AC Transit lines to BART.

We also want to commend the city for Policy H6.7: Residential Development in the FloodPlain. We continue our opposition to the Sanctuary West project. We are glad that the city recognizes that such developments are not in the interest of Newark residents nor the prudent fiduciary responsibility of the council and staff. In an era where our communities are facing the consequences of climate change and sea level rise, each community should be actively assessing how it will ensure future developments and infrastructure will be resilient to flood risk without adversely impacting existing residents and the environment. Building in Area 4 baylands

would both greatly increase flood risk across the city, and also squander the opportunity to utilize these lands as a valuable flood buffer to protect the community from flooding and sea level rise, while also providing improved natural wildlife habitat and increased outdoor access opportunities for residents. Additionally, since there is broad community opposition from both environmental and pro-housing organizations in the area, building here has a high chance of community pushback which could delay the project to outside the planning period.

We strongly recommend updating your Climate Action Plan which is now 13 years old in order to implement mitigation measures for water level rise (both sea level rise and groundwater rise) and to reduce greenhouse gas (GHG) emissions. We also recommend adding a policy to restore wetlands in order to maximize carbon sequestration and protection from sea level rise.

Program H3.5: Parking standards study can be strengthened to commit to reducing parking minimums. A study from UC Berkeley's Terner Center found, "the presence of structured parking added nearly $36,000 per unit." The Draft Housing Element notes that Newark has higher parking[1] minimums than neighboring jurisdictions. Parking, especially covered parking, significantly increases the cost of housing developments and uses space for cars rather than for people. In order to combat climate change we know that we must reduce our reliance on cars and fossil fuels. By prioritizing land for people rather than cars we can address the housing crisis and GHG reduction goals. Due to this higher level of parking and its cost, we strongly urge you to commit to reducing the amount of required parking to no more than 0.5 spaces per residential unit, and zero in transit-adjacent areas.

Program H2.1: Encourage new middle-density housing with SB 9 and SB 10. While this is a laudable direction for the city to go to encourage housing abundance throughout the city, it could be strengthened with a few more objective outcomes for the program. (1) The SB 9 ordinance should not reduce the buildable envelope below what an underlying single-family zone allows. (2) Missing middle zoning should allow at least 4 units on at least 80% of single-family lots—not merely legal as density, but practical in terms of development standards. See the Portland Residential Infill Program for a possible direction where buildable envelope is increased the more units are planned on the lot. (3) No areas should be exempted from missing middle except based on floodplain, fire risk, or other major public health / ecological risks. (4) Required parking should continue to be no more than 0.5 spaces /unit, or zero near any bus line, as the major space requirements of off-street parking reliably kills missing middle.

As we've mentioned, we oppose site number 2: Sanctuary West because of its location on baylands that are expected to see a nearly two feet rise of water levels in less than 50 years. We continue to urge you to remove this from your site list.

To support our vision for Newark, Greenbelt Alliance and other partnering organizations have crafted a go-to guide for accelerating equitable adaptation to the climate crisis; **The Resilience Playbook**. The Playbook brings together curated strategies, recommendations, and tools to support local decision makers and community leaders wherever they are in their journey.

We look forward to continuing to engage with Newark and the community on how this vital work can move forward in the new year.

Sincerely,

Victor Flores, East Bay Resilience Manager,
Greenbelt Alliance

David Lewis, Executive Director
Save The Bay

Maxwell Davis and the 2500 members of East
Bay for Everyone

[1] https://ternercenter.berkeley.edu/research-and-policy/ab-1401-residential-parking-requirements/

Comment 10

The City of Newark received the following comment as a form letter from 72 individuals. A full list of the individuals follows the letter.

To: Steven Turner

Subject: Remove Sanctuary West from the Newark Housing Element

Steven Turner,
Dear Mayor Hannon, Vice Mayor Collazo and Newark City Councilmembers, Thank you for putting together a robust Housing Element draft. This is a once in a decade moment for Newark to make pivotal progress on climate change and fair housing by developing a comprehensive housing strategy that builds housing in existing neighborhoods, while ensuring the long-term climate resilience of the city by protecting protecting valuable open space along the shoreline as wildlife habitat while providing community resilience as a flood buffer from sea level rise.

I am writing to you today to implore you to remove Newark Area 4 ("Sanctuary West") from your housing site inventory. This is not a good place to build housing and should not be how Newark meets a significant portion of its housing requirement. Newark Area 4 is almost entirely within a flood zone, and the site is anticipated to be almost completely inundated with just 1 meter of sea level rise. Additionally, new studies show that development of Area 4 could cause flooding for other shoreline communities in the Bay Area. Developing this site will increase flood risk to current and future residents and cause catastrophic financial issues to the city in the future.

As evidenced by recent rains, Newark is already experiencing flooding and if Area 4 is developed, flooding will only increase. Newark has the capacity within the existing urban areas to meet its RHNA goals without putting future and current residents at risk.

Further, the wetlands and wetland restoration potential of Newark Area 4 should be embraced for the numerous important benefits they provide. Wetlands not only protect the city from flooding and provide wildlife habitat, they also clean our Bay waters, and have been demonstrated to be one of the most powerful tools in nature for fighting climate change, by sequestering carbon even more efficiently than our forests. We desperately need to protect and restore all the San Francisco Bay wetlands we can, and Newark has an incredible opportunity to support this regional goal.

We strongly urge Newark to become a climate-forward city by focusing on infill growth in existing neighborhoods - rather than putting housing in an undeveloped shoreline flood zone that should be permanently protected as a wildlife habitat and as a valuable buffer to protect the community from flooding and sea level rise.

Thank you,
[Name]

List of Individuals who sent the comment form letter:

- Neelam Noorani
- Jonathan Coreas-Diaz
- Jean Mccauley
- Marissa Hernandez
- Ashi Kodi Kodi
- Susana Real
- Marilyn Painter
- Jesus Jimenez
- Agustina Maradona
- Dakota Sierras
- Alyssa Lopez
- K. Encarnacion
- Analeez Iniguez
- Lauren Arreguin
- Tia Triplett
- Kassandra Vega
- David Strand
- Monika Strand
- Timmy Thach
- Katelyn Costa
- Jasmine Sandhu
- John Oda
- Ben Keller
- Cyril Bouteille
- Andrea Resendiz
- Victoria Ornelas
- Nael Mohammad
- Oscar Pena
- Lauren Farias
- Kaitlyn Fregoso
- Belle Farias
- Kamilah Arteaga
- Eden Kidd
- Jaime Arredondo
- Anthony Medina
- Vaidehi Sharma
- Lyndie Chiou
- Wendy Chou
- Justin Burks
- Vanessa Nunez
- David Alexander
- Malalai Mayar
- Diane Petersen
- Maia Rodriguez
- Raul Maldonado
- Remi Tan
- Kermit Cuff
- Sarah Bell
- Cassandra Jauregui
- Christopher Sulots
- Jaycee Moriguchi
- Kurt Harvey
- Christina Johnson
- Timothy Lee
- Nazim Haffaf
- Arianna G.
- Michael Brazil
- Allysia Irwin
- Janice MacKenzie
- Amanda C.
- Shawn Bean
- Amanda Cordoba
- Teresa Pinto
- Marina Montes
- George Flint
- Katherine Roberts
- Thalia Lubin
- AJ Cho
- A.F. Shayne
- Joan Starr
- Maxwell Davis
- Shaina Chemparathypatagonia

Comment 11

March 27, 2023

Transmitted Via Electronic Mail via the City Clerk

Steven Turner, Community Development Director

37101 Newark Blvd.

Newark, CA 94560

Email: city.clerk@newark.org

RE: Public comments by San Francisco Baykeeper on Newark's Draft Housing Element.

Dear Mr. Turner,

I write on behalf of San Francisco Baykeeper ("Baykeeper") in opposition to the City of Newark's inclusion of the Sanctuary West Project (also commonly known as "Area 4") in its Draft Housing Element. Baykeeper submits these comments on behalf of approximately 5,000 members and supporters who live and recreate in and around the San Francisco Bay Area. Together, our mission is to defend San Francisco Bay from the biggest threats and hold polluters and government agencies accountable to create healthy communities and help wildlife thrive. Our team of scientists and lawyers investigate pollution via aerial and water patrols, strengthen regulations through science and policy advocacy, and enforce environmental laws on behalf of the public.

It is discouraging to see the city continuing to recommend and approve housing at Area 4. Instead of allowing this area to be used as a natural barrier to mitigate sea level rise (SLR) and groundwater inundation as climate impacts increase, moving forward with development will expose more than a thousand new residents to SLR and put hundreds of millions of dollars of property at risk. With only about ten percent of the original wetlands remaining around San Francisco Bay, keeping these natural bufferlands is essential to having a resilient community and allowing shorelines to adapt in the midst of climate change.

In addition, importing fill and paving over Area 4 would destroy restorable diked Baylands and harm wildlife habitats for over a dozen special-status species. This includes the endangered Salt Marsh Harvest Mouse, endemic to only San Francisco Bay's marshes which are increasingly threatened with the prospect of development. Furthermore, fragmenting and degrading the existing wetlands in Area 4 will also threaten pup rookeries for harbor seals.

The scientific community has recommended Area 4 as a high priority for protection and restoration of wetlands and upland habitat in order to support San Francisco Bay wildlife species and help them adjust to rising sea levels. Congress has already authorized lands such as Area 4 to be added to the Don Edwards SF Bay National Wildlife Refuge. We urge you to follow the guidance of the region's scientific community and prioritize protecting and restoring this land rather than development in Area 4 as planned in your current Draft Housing Element.

During the January 2023 King Tides, drone footage revealed just how much surface water already occupies the site. These images give a glimpse of what this site will look like under one foot of SLR. Seeing as this site is projected to have two feet of SLR by 2050, it is obvious why this

is not a good site to build housing or degrade more wetland habitat.

Jan. 22, 2023, King Tides at Area 4 *Photo credit: Carin High*

Lastly, sustainable development comes at the intersection of economic, social and environmental capitols. Area 4 development only looks at the economic benefit to build. However, if natural capitol was also part of the equation, one would see how many benefits this land offers: greenhouse gas sequestration, nature based multi-benefit adaptation solutions to SLR, open space for community members to enjoy, and biodiversity to ensure a healthy Bay.

Staff, we implore you to remove the Sanctuary West Project from suitable housing in the 6th cycle of Newark's Housing Element. Follow the advice of the experts and protect these wetlands to, in turn, protect your community against climate change impacts.

Thank you for the opportunity to comment on this Draft Housing Element. Please reach out to Aundi Mevoli at aundi@... with any questions.

Sincerely,

Aundi Mevoli

Field Investigator and Policy Advocate San Francisco Baykeeper

ADDITIONAL COMMENTS RECEIVED DURING HCD REVIEW PERIODS

Comment 12	David Song	I received a letter from city of Newark, regarding a piece of land that I own. 37079 Ash street, APN: 92-127-31. The letter stated that my property has been identified as a site that could be developed with residential units, and well suited for development. I have previously tried to discuss the development of this site with the planning department multipe times, with no success. With this new initiative from the city, what kind of incentive does the city provide to owners to develop this site? Higher density? Lower permit fees? Faster approval? Less red tape? After reading through the Housing Element report, I still could not figure out how does that report relate to my property and its potential for development. It would be nice for the city planner to sit down with me and explain what kind of incentives the city provides to the development of my site. I am more than happy to work with the city to develop this site and provide more housing opportunities to medium and low income families. Best David
Comment 13	Rishika Rawat	I was wondering where I could find a pdf of the Newark Safety Element.
Comment 14	Alyssa Lopez	Hi, I was wondering if there is any action being taken to invest in some programs such as a first-time buyers programs for Newark Residents, or a low-income based programs. If so, I'd like to get more information or be interested in investing some input Thank you!
Comment 15	Pat Callaway	There has been opposition to Area 4 development and I am confused by your responses. Has Area 4 been scrapped or not?
Comment 16	Krisie Knutson	Those house are ugly , can't you make some pretty houses