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# 2023-2031 Regional Housing Needs Assessment (RHNA) Appeal Request

*Submit appeal requests and supporting documentation via DocuSign by 5:00 pm PST on July 9, 2021.*
***Late submissions will not be accepted.*** *Send questions to* ***rhna@bayareametro.gov***

Jurisdiction Whose Allocation is Being Appealed: Contra Costa County

Filing Party: ○ HCD ⊗ Jurisdiction: Contra Costa County

Contact Name: Maureen Toms Title: Deputy Director

Phone: 925-655-2895 Email: maureen.toms@dcd.cccounty.us

**APPEAL AUTHORIZED BY:**

Name: John Kopchik

Signature: DocuSigned by: John Kopchik FCBAF93A2F714B6...

Date: 7/11/2021

**PLEASE SELECT BELOW:**

- ○ Mayor
- ○ Chair, County Board of Supervisors
- ○ City Manager
- ○ Chief Administrative Officer
- ⊗ Other: Conservation and Development Director, as authorized by t

**IDENTIFY ONE OR MORE BASES FOR APPEAL [Government Code Section 65584.5(b)]**

☒ ABAG failed to adequately consider information submitted in the Local Jurisdiction Survey regarding RHNA Factors (Government Code Section 65584.04(e)) and Affirmatively Furthering Fair Housing (See Government Code Section 65584.04(b)(2) and 65584(d)(5)):

- ☐ Existing and projected jobs and housing relationship.
- ☒ Sewer or water infrastructure constraints for additional development due to laws, regulatory actions, or decisions made by a provider other than the local jurisdiction.
- ☐ Availability of land suitable for urban development or for conversion to residential use.
- ☒ Lands protected from urban development under existing federal or state programs.
- ☒ County policies to preserve prime agricultural land.
- ☐ Distribution of household growth assumed for Plan Bay Area 2050.
- ☐ County-city agreements to direct growth toward incorporated areas of county.
- ☐ Loss of units contained in assisted housing developments.
- ☐ Households paying more than 30% or 50% of their income in rent.
- ☐ The rate of overcrowding.
- ☐ Housing needs of farmworkers.
- ☐ Housing needs generated by the presence of a university campus within a jurisdiction.
- ☐ Housing needs of individuals and families experiencing homelessness.
- ☐ Loss of units during a declared state of emergency from January 31, 2015 to February 5, 2020.
- ☒ The region's greenhouse gas emissions targets to be met by Plan Bay Area 2050.
- ☐ Affirmatively furthering fair housing.

☒ ABAG failed to determine the jurisdiction's Draft RHNA Allocation in accordance with the Final RHNA Methodology and in a manner that furthers, and does not undermine the RHNA Objectives (see Government Code Section 65584(d) for the RHNA Objectives).

☒ A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits a revision of the information submitted in the Local Jurisdiction Survey (*appeals based on change of circumstance can only be made by the jurisdiction or jurisdictions where the change occurred*).

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Pursuant to Government Code Section 65584.05, appeals shall be based upon comparable data available for all affected jurisdictions and accepted planning methodology, and supported by adequate documentation, and shall include a statement as to why the revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d). An appeal shall be consistent with, and not to the detriment of, the development pattern in the sustainable communities strategy (Plan Bay Area 2050 Final Blueprint). (Click here)

**Number of units requested to be reduced or added to jurisdiction's Draft RHNA Allocation**:

⊗ Decrease Number of Units: 1,818 ○ Increase Number of Units: _____

**Brief description of appeal request and statement on why this revision is necessary to further the intent of the objectives listed in Government Code Section 65584(d) and how the revision is consistent with, and not to the detriment, of the development pattern in Plan Bay Area 2050.** Please include supporting documentation for evidence as needed, and attach additional pages if you need more room.

See the following:

1. Attachment A-Brief statement on why this revision is necessary to further the intent of the objectives listed in Government Code Section 65584
2. Attachment B – Figure 1-Urban Boundary Lines Across Alternatives CCC Close-up Map
   Attachment B-Figure 2-Unreflected Annexations Map
   Attachment B-Figure 3-Active Facilities Map
   Attachment B-Figure 4-Current and Former Development Map
   Attachment B-Figure 5-Urban Boundary Lines Across Alternatives-Suggested Revision to CCC Map
3. Attachment C – Breakdown of Census information and RHNA for the jurisdictions in Contra Costa County

**List of supporting documentation, by title and number of pages**

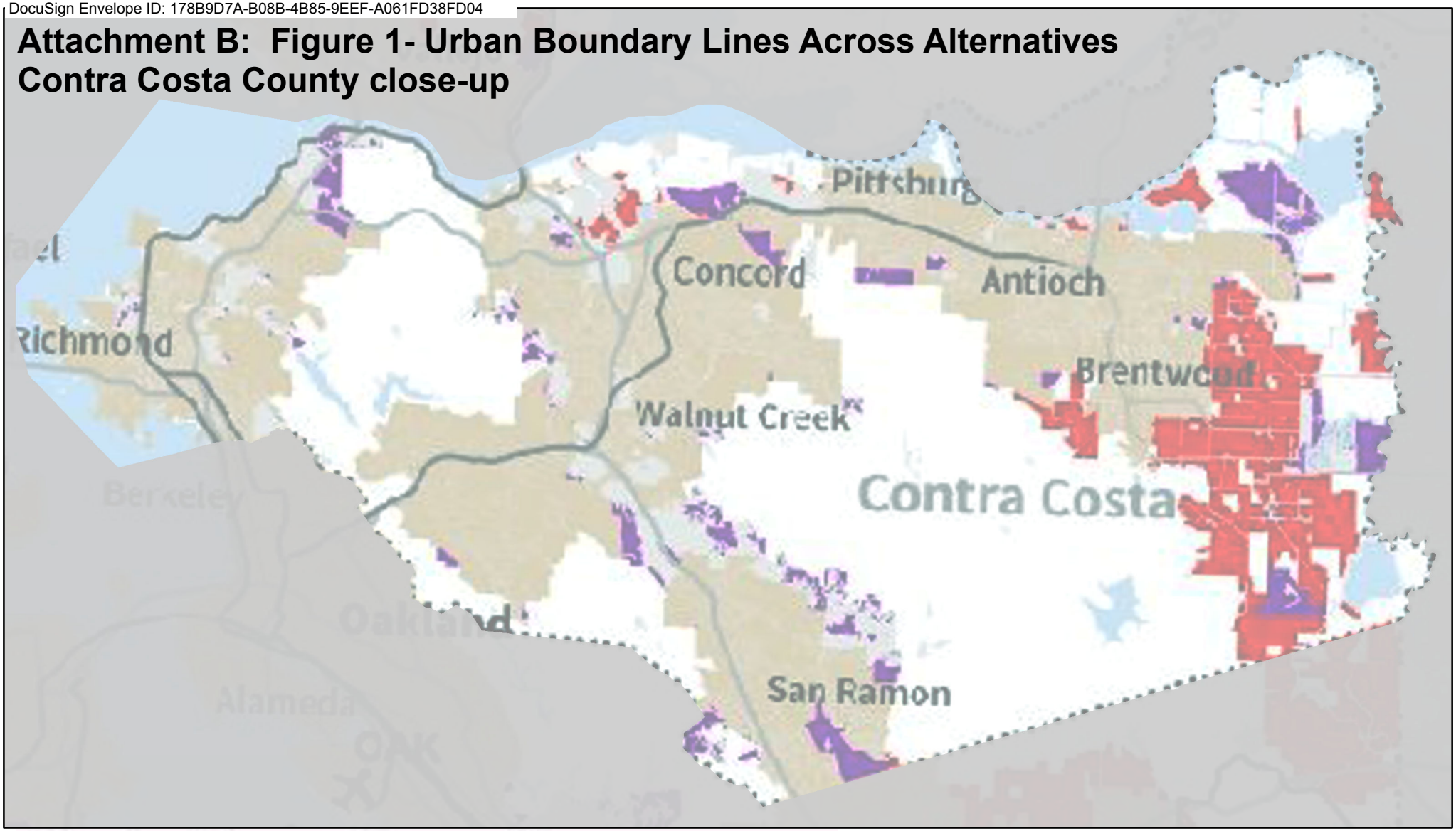
1. Attachment A-Brief statement on why this revision is necessary to further the intent of the objectives listed in Government Code
2. Attachment B – Figures 1-5 Maps
3. Attachment C-Breakdown of Census information and RHNA for the jurisdictions in Contra Costa County

Click here to attach files

*The maximum file size is 25MB. To submit larger files, please contact rhna@bayareametro.gov.*

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# Attachment B: Figure 1- Urban Boundary Lines Across Alternatives
## Contra Costa County close-up

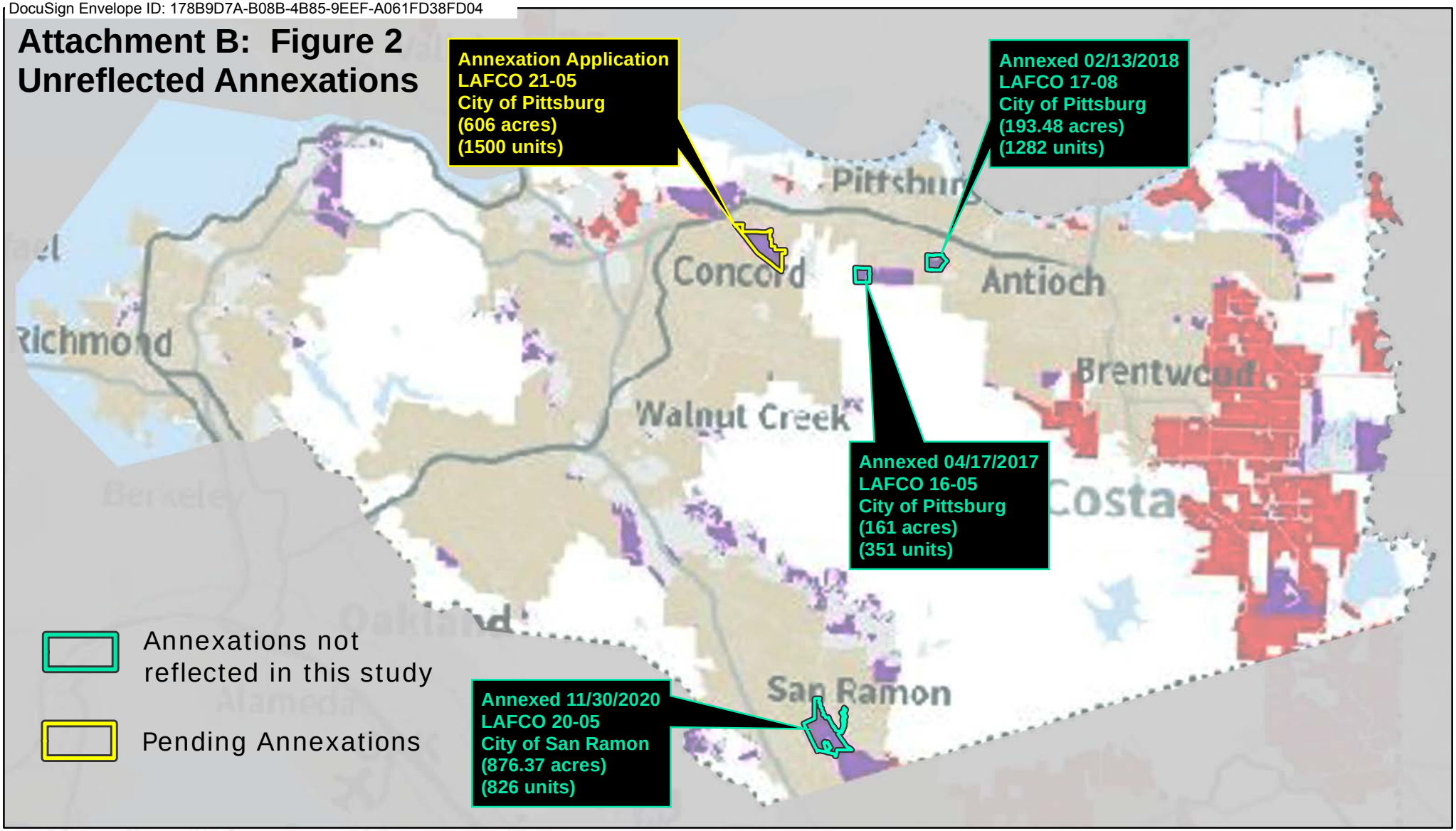



Source: TomTom North America, 2019
Map Author: B.Lu, April, 2021

Source: ABAG/MTC's Plan Bay Area 2050
"Draft Forecasting and Modeling Report" - May 2021
Figure 17 - "Urban Boundary Lines Across Alternatives"

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# Attachment B: Figure 2
# Unreflected Annexations







Source: TomTom North America, 2019
Map Author: B.Lu, April, 2021

Source: ABAG/MTC's Plan Bay Area 2050
"Draft Forecasting and Modeling Report" - May 2021
Figure 17 - "Urban Boundary Lines Across Alternatives"

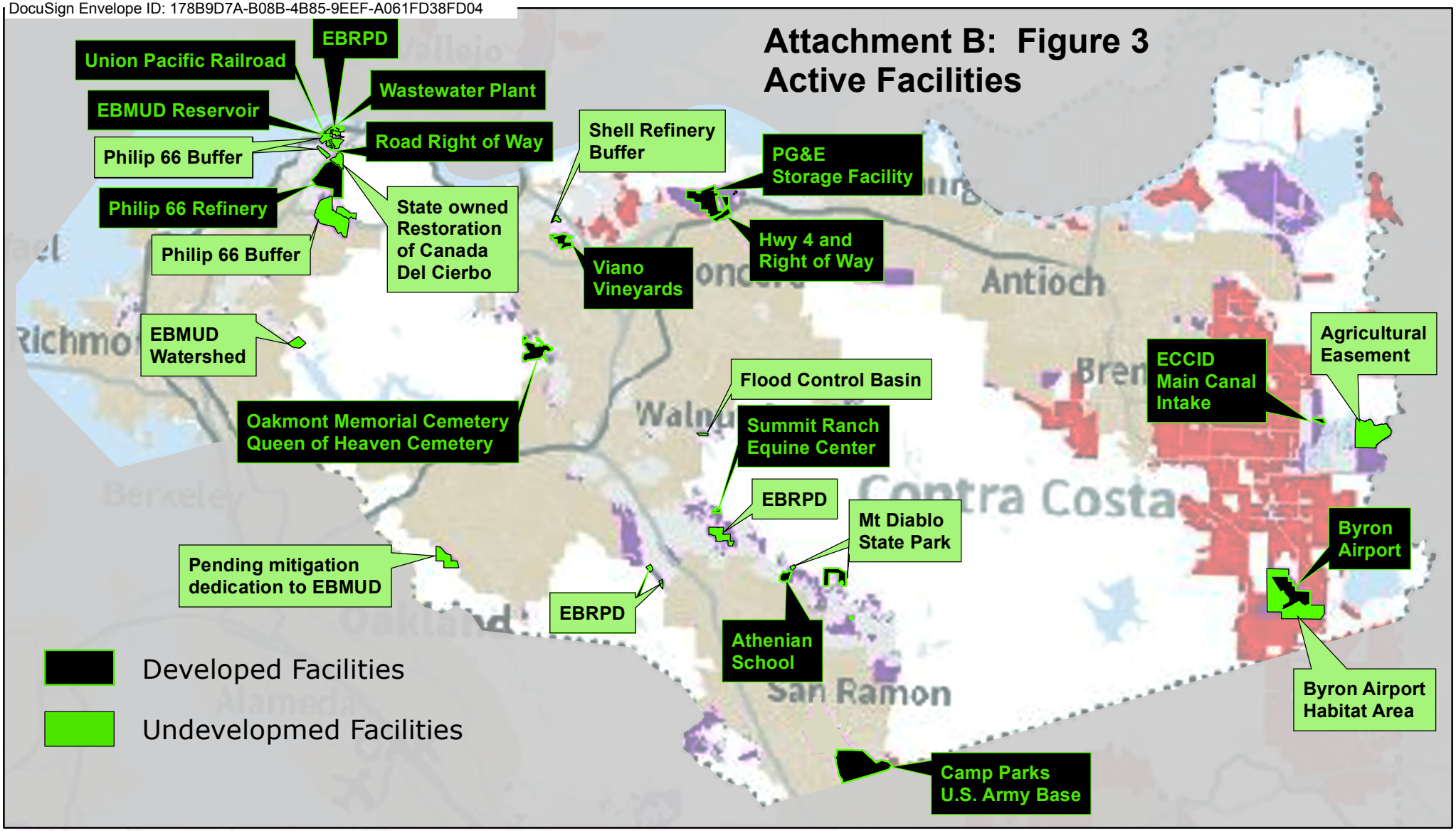
## Urban Boundary Lines

### Expansion Areas

- Urbanized Area Outside Alternative 1
- Alternative 1
- Added Areas in Final Blueprint, Alternative 2, and No Project, Outside Urbanized Area
- Added Areas Only in No Project, Outside Urbanized Area

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# Attachment B: Figure 3
# Active Facilities




0 4 8 16 24 Miles

0 7 14 28 42 Kilometers

Source: TomTom North America, 2019
Map Author: B.Lu, April, 2021

Source: ABAG/MTC's Plan Bay Area 2050
"Draft Forecasting and Modeling Report" - May 2021
Figure 17 - "Urban Boundary Lines Across Alternatives"

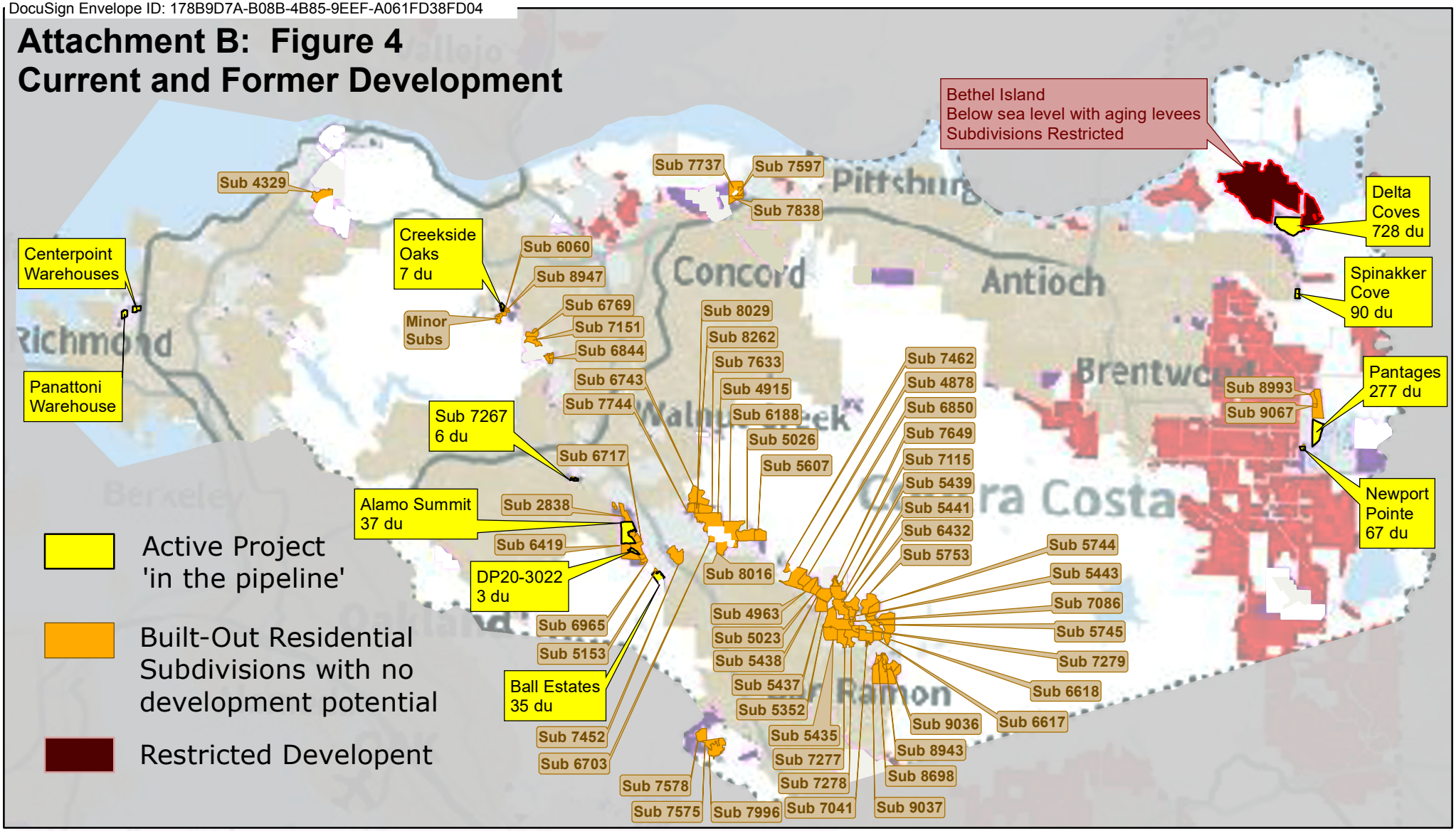
## Urban Boundary Lines

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- Alternative 1
- Added Areas in Final Blueprint, Alternative 2, and No Project, Outside Urbanized Area
- Added Areas Only in No Project, Outside Urbanized Area

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# Attachment B: Figure 4
## Current and Former Development




0 4 8 16 24 Miles

0 7 14 28 42 Kilometers

Source: TomTom North America, 2019
Map Author: B.Lu, April, 2021

Source: ABAG/MTC's Plan Bay Area 2050
"Draft Forecasting and Modeling Report" - May 2021
Figure 17 - "Urban Boundary Lines Across Alternatives"

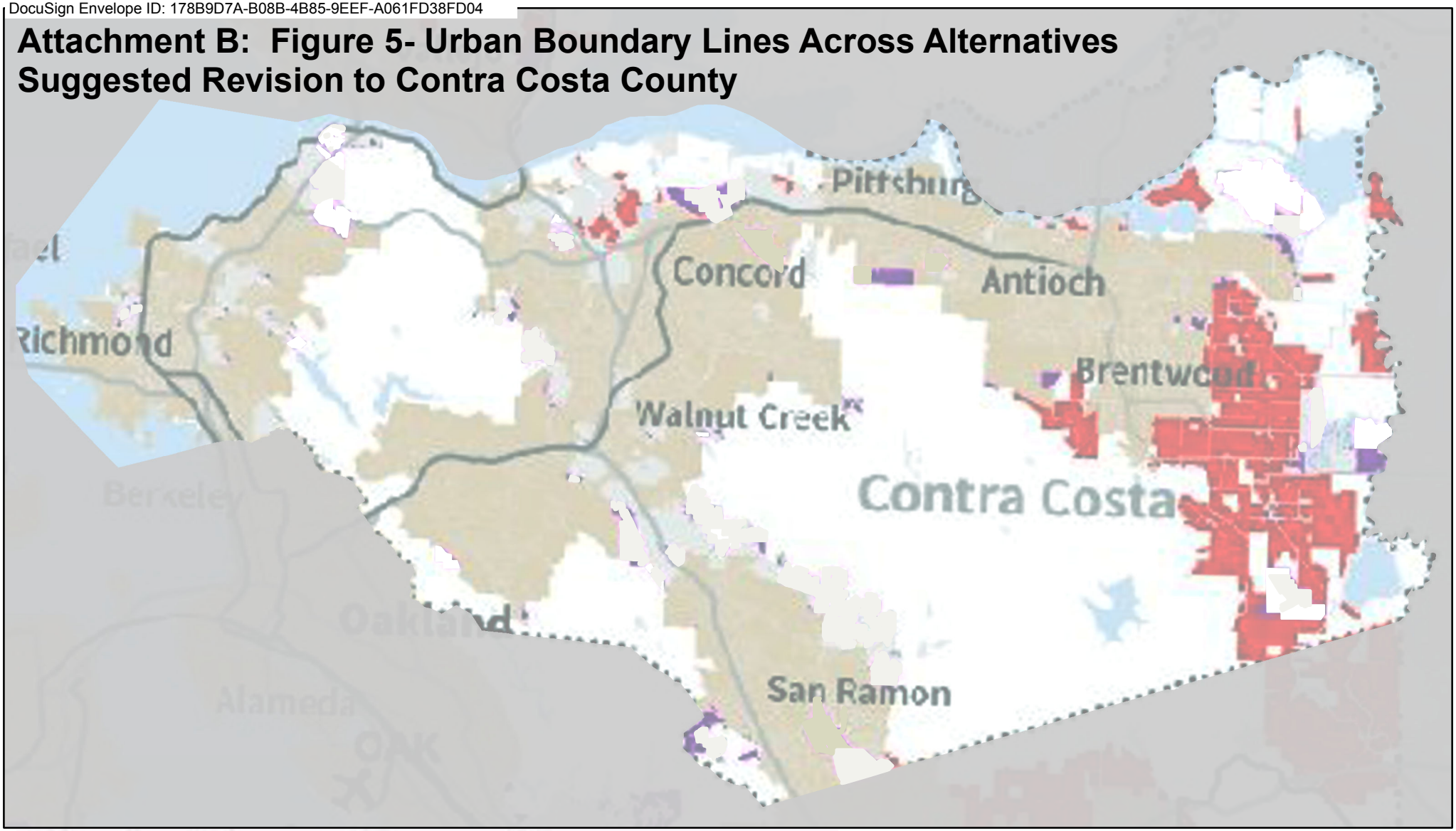
## Urban Boundary Lines

### Expansion Areas

- Urbanized Area Outside Alternative 1
- Alternative 1
- Added Areas in Final Blueprint, Alternative 2, and No Project, Outside Urbanized Area
- Added Areas Only in No Project, Outside Urbanized Area

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# Attachment B: Figure 5- Urban Boundary Lines Across Alternatives
# Suggested Revision to Contra Costa County




Source: TomTom North America, 2019
Map Author: B.Lu, April, 2021

Source: ABAG/MTC's Plan Bay Area 2050
"Draft Forecasting and Modeling Report" - May 2021
Figure 17 - "Urban Boundary Lines Across Alternatives"

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## Attachment C

## Breakdown of Census Information and RHNA for Contra Costa County

| | | | | | | | Oct-20 | | May-21 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| id | Geographic Area Name | Type | Population Estimate | % of total | Household Estimates | % of total | DRAFT RHNA method-ology | % of TOTAL County | (5/20/21) RHNA method-ology | | change from Dec '20 to May '21 |
| | Contra Costa County | | 1,142,250 | | 413,719 | | | | | | |
| | **City/Towns** | | | | | | | | | | |
| 1600000US0602252 | Antioch city, California | Incorporated | 111,200 | 9.74% | 34,028 | 8.22% | 2,481 | **5.65%** | 3,016 | 6.15% | 18% |
| | Brentwood | Incorporated | 61,961 | 5.42% | 19,906 | 4.81% | 1,474 | **3.35%** | 1,522 | 3.10% | 3% |
| 1600000US0613882 | Clayton city, California | Incorporated | 12,083 | 1.06% | 4,232 | 1.02% | 592 | **1.35%** | 570 | 1.16% | -4% |
| 1600000US0616000 | Concord city, California | Incorporated | 129,183 | 11.31% | 46,455 | 11.23% | 3,890 | **8.85%** | 5,073 | 10.34% | 23% |
| 1600000US0617988 | Danville town, California | Incorporated | 44,605 | 3.91% | 16,053 | 3.88% | 2,173 | **4.95%** | 2,241 | 4.57% | 3% |
| 1600000US0621796 | El Cerrito city, California | Incorporated | 25,398 | 2.22% | 10,034 | 2.42% | 1,182 | **2.69%** | 1,391 | 2.84% | 15% |
| 1600000US0633308 | Hercules city, California | Incorporated | 25,616 | 2.24% | 8,402 | 2.03% | 671 | **1.53%** | 995 | 2.03% | 33% |
| 1600000US0639122 | Lafayette city, California | Incorporated | 26,305 | 2.30% | 9,426 | 2.28% | 1,651 | **3.76%** | 2,114 | 4.31% | 22% |
| 1600000US0646114 | Martinez city, California | Incorporated | 38,290 | 3.35% | 14,723 | 3.56% | 1,351 | **3.07%** | 1,345 | 2.74% | 0% |
| 1600000US0649187 | Moraga town, California | Incorporated | 17,539 | 1.54% | 5,867 | 1.42% | 1,061 | **2.41%** | 1,118 | 2.28% | 5% |
| 1600000US0653070 | Oakley city, California | Incorporated | 41,324 | 3.62% | 11,778 | 2.85% | 941 | **2.14%** | 1,058 | 2.16% | 11% |
| 1600000US0654232 | Orinda city, California | Incorporated | 19,646 | 1.72% | 7,167 | 1.73% | 1,142 | **2.60%** | 1,359 | 2.77% | 16% |
| | Pinole city, California | Incorporated | 19,279 | 1.69% | 6,748 | 1.63% | 579 | **1.32%** | 500 | 1.02% | -16% |
| 1600000US0657456 | Pittsburg city, California | Incorporated | 71,422 | 6.25% | 21,357 | 5.16% | 1,641 | **3.73%** | 2,017 | 4.11% | 19% |
| 1600000US0657764 | Pleasant Hill city, California | Incorporated | 34,840 | 3.05% | 13,817 | 3.34% | 1,873 | **4.26%** | 1,803 | 3.68% | -4% |
| 1600000US0660620 | Richmond city, California | Incorporated | 109,884 | 9.62% | 37,088 | 8.96% | 4,179 | **9.51%** | 3,614 | 7.37% | -16% |
| 1600000US0668294 | San Pablo city, California | Incorporated | 30,967 | 2.71% | 9,221 | 2.23% | 793 | **1.80%** | 746 | 1.52% | -6% |
| 1600000US0668378 | San Ramon city, California | Incorporated | 75,648 | 6.62% | 25,535 | 6.17% | 4,716 | **10.73%** | 5,111 | 10.42% | 8% |
| 1600000US0683346 | Walnut Creek city, California | Incorporated | 69,567 | 6.09% | 31,390 | 7.59% | 5,725 | **13.03%** | 5,805 | 11.84% | 1% |
| | **Total Incorporated** | | **964,757** | 84.46% | **333,227** | 80.53% | **38,115** | **86.74%** | **41,398** | 84.41% | 8% |

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| | | | | | | | Oct-20 | | May-21 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | Pro-rata | % of TOTAL | Pro-rata | % of | |
| | **Unincorporated County** | | | | | | Distribution | County | Distribution | TOTAL | |
| 1600000US0600135 | Acalanes Ridge CDP, California | Unincorporated | 1,134 | 0.10% | 410 | 0.10% | | 0.00% | 57 | 0.12% | 100% |
| 1600000US0600618 | Alamo CDP, California | Unincorporated | 14,905 | 1.30% | 5,156 | 1.25% | 548 | 1.25% | 718 | 1.46% | 24% |
| 1600000US0600898 | Alhambra Valley CDP, California | Unincorporated | 783 | 0.07% | 273 | 0.07% | 29 | 0.07% | 38 | 0.08% | 24% |
| 1600000US0604415 | Bay Point CDP, California | Unincorporated | 25,808 | 2.26% | 6,917 | 1.67% | 735 | **1.67%** | 964 | 1.97% | 24% |
| 1600000US0604470 | Bayview CDP (Contra Costa County), | Unincorporated | 1,862 | 0.16% | 587 | 0.14% | 62 | **0.14%** | 82 | 0.17% | 24% |
| 1600000US0606210 | Bethel Island CDP, California | Unincorporated | 2,161 | 0.19% | 906 | 0.22% | 96 | **0.22%** | 126 | 0.26% | 24% |
| 1600000US0606928 | Blackhawk CDP, California | Unincorporated | 9,604 | 0.84% | 3,458 | 0.84% | 367 | **0.84%** | 482 | 0.98% | 24% |
| 1600000US0609346 | Byron CDP, California | Unincorporated | 1,304 | 0.11% | 439 | 0.11% | 47 | **0.11%** | 61 | 0.12% | 23% |
| 1600000US0610301 | Camino Tassajara CDP, California | Unincorporated | 4,721 | 0.41% | 1,270 | 0.31% | 135 | **0.31%** | 177 | 0.36% | 24% |
| | Castle Hill | Unincorporated | 1,425 | 0.12% | 187 | 0.05% | 20 | **0.05%** | 26 | 0.05% | 23% |
| 1600000US0614232 | Clyde CDP, California | Unincorporated | 792 | 0.07% | 321 | 0.08% | 34 | **0.08%** | 45 | 0.09% | 24% |
| 1600000US0616090 | Contra Costa Centre CDP, California | Unincorporated | 6,558 | 0.57% | 3,611 | 0.87% | 383 | **0.87%** | 503 | 1.03% | 24% |
| 1600000US0617274 | Crockett CDP, California | Unincorporated | 3,265 | 0.29% | 1,448 | 0.35% | 154 | **0.35%** | 202 | 0.41% | 24% |
| 1600000US0619150 | Diablo CDP, California | Unincorporated | 448 | 0.04% | 228 | 0.06% | 24 | **0.05%** | 32 | 0.07% | 25% |
| 1600000US0619339 | Discovery Bay CDP, California | Unincorporated | 16,159 | 1.41% | 5,482 | 1.32% | 582 | **1.32%** | 764 | 1.56% | 24% |
| 1600000US0621061 | East Richmond Heights CDP, | Unincorporated | 3,162 | 0.28% | 1,360 | 0.33% | 144 | **0.33%** | 189 | 0.39% | 24% |
| 1600000US0622454 | El Sobrante CDP (Contra Costa | Unincorporated | 13,818 | 1.21% | 4,901 | 1.18% | 520 | **1.18%** | 683 | 1.39% | 24% |
| 1600000US0638086 | Kensington CDP, California | Unincorporated | 5,329 | 0.47% | 2,254 | 0.54% | 239 | **0.54%** | 314 | 0.64% | 24% |
| 1600000US0638772 | Knightsen CDP, California | Unincorporated | 1,176 | 0.10% | 465 | 0.11% | 49 | **0.11%** | 65 | 0.13% | 25% |
| 1600000US0648718 | Montalvin Manor CDP, California | Unincorporated | 2,852 | 0.25% | 816 | 0.20% | 87 | **0.20%** | 114 | 0.23% | 24% |
| 1600000US0649651 | Mountain View CDP, California | Unincorporated | 1,970 | 0.17% | 770 | 0.19% | 82 | **0.19%** | 107 | 0.22% | 23% |
| 1600000US0651622 | Norris Canyon CDP, California | Unincorporated | 897 | 0.08% | 285 | 0.07% | 30 | **0.07%** | 40 | 0.08% | 25% |
| 1600000US0651890 | North Gate CDP, California | Unincorporated | 685 | 0.06% | 242 | 0.06% | 26 | **0.06%** | 34 | 0.07% | 24% |
| 1600000US0652162 | North Richmond CDP, California | Unincorporated | 4,085 | 0.36% | 1,109 | 0.27% | 118 | **0.27%** | 155 | 0.32% | 24% |
| 1600000US0654764 | Pacheco CDP, California | Unincorporated | 4,361 | 0.38% | 1,692 | 0.41% | 180 | **0.41%** | 236 | 0.48% | 24% |
| 1600000US0658226 | Port Costa CDP, California | Unincorporated | 180 | 0.02% | 83 | 0.02% | 9 | **0.02%** | 12 | 0.0% | 25% |
| 1600000US0660279 | Reliez Valley CDP, California | Unincorporated | 3,518 | 0.31% | 1,441 | 0.35% | 153 | **0.35%** | 201 | 0.4% | 24% |
| | Rodeo | Unincorporated | 10,409 | 0.91% | 3,384 | 0.82% | 359 | **0.82%** | 471 | 1.0% | 24% |
| 1600000US0662700 | Rollingwood CDP, California | Unincorporated | 3,449 | 0.30% | 810 | 0.20% | 86 | **0.20%** | 113 | 0.2% | 24% |
| 1600000US0668263 | San Miguel CDP (Contra Costa | Unincorporated | 3,433 | 0.30% | 1,180 | 0.29% | 125 | **0.28%** | 164 | 0.3% | 24% |
| | Saranap | Unincorporated | 6,231 | 0.55% | 2,480 | 0.60% | 263 | **0.60%** | 346 | 0.7% | 24% |
| | Shell Ridge CDP, California | Unincorporated | 1,342 | 0.12% | 487 | 0.12% | 52 | **0.12%** | 68 | 0.1% | 24% |
| 1600000US0671362 | Shell Ridge CDP, California | Unincorporated | 1,342 | 0.12% | 473 | 0.11% | 50 | **0.11%** | 66 | 0.1% | 24% |
| | Tara Hills CDP, Calidornia | Unincorporated | 5,117 | 0.45% | 1,859 | 0.45% | 197 | **0.45%** | 259 | 0.5% | 24% |
| 1600000US0682842 | Vine Hill CDP, California | Unincorporated | 3,886 | 0.34% | 1,314 | 0.32% | 140 | **0.32%** | 183 | 0.4% | 23% |
| | Unincorporated Remainer | Unincorporated | 9,322 | 0.82% | 22,466 | 5.43% | 2,386 | **5.43%** | 3,130 | 6.4% | 24% |
| | **Total unincorporated** | | **177,493** | | **80,564** | 19.47% | **5,827** | **13.26%** | **7,645** | 16% | 24% |
| | **TOTAL County** | | **1,142,250** | **100.00%** | **413,791** | **100%** | **43,942** | | **49,043** | | **10%** |

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| | | | | |
|---|---|---|---|---|
| SB1000 Communities | 53,434 | 30.10% | 16,274 | 4% |
| rural | 5,477 | 3.09% | 2,179 | 1% |
| Built-out land-locked areas bounded | 11,690 | 6.59% | 5,741 | 1% |
| Fire Hazard area | 9,624 | 5.42% | 4084 | 1% |
| Sea level rise risk | 2,161 | 1.22% | 906 | 0% |

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# Attachment A

*Background*

The initial draft RHNA number assigned to unincorporated Contra Costa County in October 2020 was 5,827 units or **13%** of the total allocation for all of the County.Unincorporated Contra Costa County has 15.4**%** of the County population. Though the initial draft RHNA allocation for unincorporated Contra Costa County was 4.26 times the allocation for the prior period (which was 1,367) , the County did not individually comment on the process as our allocation was less than our current share of the population (though we have fewer, thoughtful growth opportunities than most cities) and the Contra Costa County Mayor's conference submitted a comment letter urging a different approach be used to allocate units, an approach that would have reduced the total allocation to jurisdictions in the County overall as well as the allocation to the unincorporated area (that recommended change would have resulted in 2,588 units being allocated to the unincorporated area). The Final Regional Housing Needs Allocation (RHNA) Methodology and Draft Allocations approved May 20, 2021 resulted in an increase of 1,818 units to 7,645 units for the unincorporated county or **16%** of the total Contra Costa County allocation. With the increase approved in May 2021, the increase in the County's Allocation from the prior cycle is larger than the increase for the Bay Area as whole (5.59 times higher for the County versus 2.35 times higher for the region as a whole) See Attachment C for a breakdown of Census information and RHNA for the jurisdictions within Contra Costa County, as well as the unincorporated communities.

| | **Total CCC** | **Unincorporated CCC** | |
|---|---|---|---|
| Total County Population | 1,142,250 | 177,493 | 15.5% |
| Total County Households | 413,791 | 80,564 | 19.4% |
| CCC 2020 RHNA Draft allocation | 43,942 | 5,827 | 13% |
| CCC 2021 RHNA Final Draft allocation | 49,043 | 7,645 | 16% |

Staff from Contra Costa County Department of Conservation and Development (DCD) discussed the 1,818-unit increase with ABAG staff to try and gain understanding of the methodology behind the substantial change for the unincorporated County. ABAG referred county staff to Plan Bay Area 2050 "Draft Forecasting and Modeling Report" from May 2021. We will demonstrate using Figure 17 - "Urban Boundary Lines Across Alternatives", where we suspect ABAG's model may have overestimated the amount of developable land in unincorporated Contra Costa County within the life cycle of both Plan Bay Area 2050 and the 6th RHNA cycle. The maps, overlaid with constraints such as recent annexations, and current/former development, as identified by DCD staff, is attached as Attachment B -Figures 1-5.

*1. Sewer or water infrastructure constraints for additional development due to laws, regulatory actions, or decisions made by a provider other than the local jurisdiction.*

In 1990, voters approved Measure C-1990, which created an urban limit line and a guarantee that at least 65% of land in the County would be preserved for agriculture, open space, wetlands, parks, and other non-urban uses. All the areas outside of the urban limit line are within the unincorporated area of the County, where sewer and water infrastructure is very limited or non-existent. Expansion of sewer and water

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infrastructure outside the Urban Limit Line is prohibited. The Final Residential Maximum DUA Final Blueprint mapshows substantial area projected for up to 15 units per acre that are outside the urban limit line, and/or are owned by East Bay Regional Park District or are conserved in perpetuity pursuant to conservation easement or other permanent restriction (see Attachment B, Figure 3).

Attachment B-Figure 1, shows growth areas identified by Plan Bay Area in the unincorporated county outside the urban limit line. Therefore, a substantial portion of the growth geographies should not be assigned to the unincorporated county because of sewer and water infrastructure constraints.

*2. Lands protected from urban development under existing federal or state programs*.

Parks Reserve Forces Training Area, commonly known as Camp Parks, is a United States Army facility located in Contra Costa County and Alameda County that is currently a semi-active mobilization and training center for U.S. Army Reserve personnel to be used in case of war or natural disaster. Byron airport is permitted by the Federal Aviation Administration, with no potential for residential units due to conflicts with aviation uses, lack of sewer and water and a conservation easement held by the California Department of Fish and Wildlife on 900+ acres surrounding the airport (the mitigation for the construction of the airport). In addition, substantial lands have been encumbered in perpetuity pursuant to the joint state/federal East Contra Costa County habitat Conservation Plan / Natural Community Conservation Plan (which allows streamlined permitting for areas within cities and the urban limit line in exchange for conservation in more rural areas. Such area shown on Plan Bay Area maps as growth potential are identified on Attachment B-Figure 3.

*3. County policies to preserve prime agricultural land*.

The Plan Bay Area Urban Boundary Lines map includes areas outside the urban limit line and within the agricultural core and are not available for housing development. See also the discussion above *Sewer or water infrastructure constraints*.

*4.The region's greenhouse gas emissions targets to be met by Plan Bay Area 2050.*

Unincorporated areas tend to have fewer services and resources than incorporated areas. Many of these communities, including the most urbanized unincorporated communities like Bay Point, North Richmond, and El Sobrante lack grocery stores, banks, etc. Bay Point, with a population over 25,000 people, does not even have a high school. Their nearest high school is over eight miles away in the city of Concord. Greenhouse gas emission targets will be difficult to meet with the lack of services, lower resources and disinvestment in the unincorporated areas.

The Plan Bay Area Urban Boundary Lines map identifies geographies of growth potential, however many of these areas reflect a spawl growth pattern. In fact, the high rate of growth implied in unincorporated areas in far east county, where both jobs and public transit are scarce, run counter to the goal of reducing greenhouse gasses.

*5. Methodology Factors:*
The opportunities and constraints to development of additional housing in each member jurisdiction, including all of the following:

The ABAG RHNA methodology does not consider existing hazards as a criteria when identifying land to

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accommodate future growth. Many sites identified for the Unincorporated Contra Costa County have significant constraints. The areas identified in Attachment B-Figures 1-5 include sites with significant constraints, with no potential for residential growth. These sites include operating refineries, refinery owned buffer, military installations, an airport, a PG&E natural gas storage field, State Park and East Bay Regional Park District property, Water and Irrigation District property, a private boarding school, a winery, an island in the Delat that is largely below current sea level, a large agricultural easement, and several areas that are within the city limits of other jurisdictions.

The over-estimated growth potential may result in unattainable RHNAs for the County. This, combined with affordability requirements and lack of subsidies for developers, will not further the objectives of the Government Code but instead hinder their accomplishment and the collective ability to house our lower income residents.

*(6) Significant and Unforeseen Change in Circumstances*

As previously mentioned, ABAG staff referred county staff to Plan Bay Area 2050 “Draft Forecasting and Modeling Report". Figure 17 shows several areas of Alternative 2 Expansion that are currently inside incorporated cities, with approved projects yielding 2459 units that will be built in those jurisdictions and will not count toward the County’s RHNA. In addition, a recent application for Annexation was submitted to Contra Costa LAFCo that would yield another 1500 units on land that is shown for growth potential in the ABAG analysis (see Attachment B, Figure 2).

The other significant and unforeseen circumstances occurred when the adjustments for unincorporated Contra Costa County were calculated. Incorporated areas tend to have more services and higher resources than unincorporated areas. While some communities of the unincorporated areas have high resources, including Alamo and Diablo, a far larger share of unincorporated communities have economic and environmental constraints such as Very High Fire Severity Zones (Kensington, East Richmond Heights, El Sobrante, Canyon, Diablo and Marsh Creek/Morgan Territory); areas at risk of sea level rise and/or flooding (Rodeo and Bethel Island); and Disadvantaged Communities according to SB1000 (North Richmond, Montalvin Manor, Tara Hills, Bayview, Rodeo, Crockett, Pacheco, Clyde and Bay Point). These SB1000 communities represent approximately **30%** of the unincorporated County population. These communities are low-income and communities of color that have experienced a combination of historic discrimination, negligence, and political and economic disempowerment, with the result that today, they are struggling with both a disproportionate burden of pollution and health impacts, as well as disproportionate social and economic disadvantages such as poverty or housing instability “low resourced area”. SB 1000 was enacted to respond to this inequity by both alleviating pollution and health impacts and compelling cities and counties to include the voices of previously marginalized residents in long-range planning decisions.

It appears the adjustment multiplier factor for the high resources areas was applied to the entire unincorporated County base population. It also appears factors related to Very High Fire Severity Zones and SB 1000 communities were not considered and also used as part of the base data for the adjustment increase. It also does not seem appropriate to include a RHNA multiplier to add units for high resource areas in a jurisdiction that has such a limited extent of such areas, particularly when the areas in question (Alamo/Diablo) have virtually no undeveloped land or redevelopment potential. Since there is such limited available land in this high resource areas in our jurisdiction, units added for the purpose of placing more housing in high resource areas will instead have to go elsewhere.

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Brief Description of Appeal Request and Desired Outcome:

Unincorporated Contra Costa County requests the original draft number of 5,827 units as the final RHNA allocation. The Final Regional Housing Needs Allocation (RHNA) Methodology and Draft Allocations approved May 20, 2021, resulted in an increase of 1,818 units in to 7,645 units or **16%** of the total Contra Costa County allocation, despite the factors discussed above.