



**AGENDA  
REGULAR MEETING  
CITY COUNCIL OF THE TOWN OF COLMA  
Wednesday, January 10, 2024  
7:00 PM**

*The City Council meeting will be held in person in the Council Chambers as detailed below. As a courtesy and technology permitting, the meeting will also be held virtually via Zoom Video Conference. However, the Town cannot guarantee that the public's access to the Zoom virtual platform will be uninterrupted, and technical difficulties may occur from time to time. In those instances, so long as the public may still attend the meeting in person, the meeting will continue.*

**To attend the meeting in person:**

Town Hall, Council Chamber, 1198 El Camino Real, Colma CA 94014

**To participate in the meeting via Zoom Video Conference:**

*Join Zoom Meeting:*

<https://us02web.zoom.us/j/81289976261>

Passcode: 074407

Meeting ID: 812 8997 6261

*Dial by your location:*

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Germantown)

**To provide Public Comment in person:**

Members of the public wishing to speak are requested to complete a yellow speaker card and submit it to the City Clerk. Comments should be kept to three minutes or less.

**To provide Public Comment via Zoom Video Conference:**

Live verbal public comments may be made by requesting to speak using the "raise hand" feature in Zoom or, if calling in by phone, by pressing \*9 on the telephone keypad prior to the consent calendar being heard, or prior to the close of the public comment period for agenda items or non-agenda items. In response, the Town will unmute the speaker and allow them to speak up to three minutes.

**To provide Public Comment in writing:**

Members of the public may provide written comments by email to the City Clerk at [adometita@colma.ca.gov](mailto:adometita@colma.ca.gov) before the meeting. Emailed comments should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda. The length of the emailed comment should be commensurate with the three minutes customarily allowed for verbal comments, which is approximately 250-300 words.

*As a reminder, the Town cannot guarantee that the public's access to the Zoom virtual platform will be uninterrupted, and technical difficulties may occur from time to time. Therefore, if you want to ensure you are able to attend the meeting and/or make public comment, you may wish to attend in person.*

## **PLEDGE OF ALLEGIANCE AND ROLL CALL – 7:00 PM**

### **ADOPTION OF AGENDA**

#### **PRESENTATION**

- Introduction of New Accounting Technician Maria Martinez
- Citizen Recognition by Colma Police Department
- Holiday House Decorating Contest Award Recipients

#### **PUBLIC COMMENTS**

Comments on the Consent Calendar and Non-Agenda Items will be heard at this time.  
Comments on Agenda Items will be heard when the item is called.

#### **CONSENT CALENDAR**

1. Motion to Accept the Minutes from the December 12, 2023 Special Meeting.
2. Motion to Accept the Minutes from the December 13, 2023 Regular Meeting.
3. Motion to Approve Report of Checks Paid for December 2023.
4. Motion to Accept the 2023 Facility Parking Lot Upgrades and Repairs Project, (CIP #953), Including the Colma Police Facility, Colma Community and Historical Center, and Creekside Villas Parking Lots as Complete and Directing the Director of Public Works to File a Notice of Completion for the Project with the San Mateo County Recorder's Office Pursuant to CEQA Guideline 15301.
5. Motion to Accept Informational Report on Recreation Department Programs, Activities, Events, and Trips for the Fourth Quarter of 2023.
6. Motion to Adopt a Resolution Directing Town Staff to Fly Various Commemorative Flags in Lieu of the Town of Colma Flag at the Colma Community Center Pursuant to CEQA Guideline 15301 and 15378.
7. Motion to Introduce and Waive Further Reading of an Ordinance Amending Chapter 8 of the Colma Municipal Code Relating to Animals, to Adopt by Reference the Animal Control Ordinance of San Mateo County, Consisting of Chapter 6.04 of Title 6 of the Code of Ordinances of the County of San Mateo, California and to Make Other Clarifying Updates Pursuant to CEQA Guideline 15378 and 15301; and Set a Public Hearing for the Second Reading and Adoption of the Ordinance at the January 24, 2024 City Council Meeting.
8. Motion to Adopt a Resolution Approving and Authorizing the City Manager to Execute Amendment No.1 to the Agreement with Mark Thomas & Company, Inc. in the Amount of \$165,500 for the El Camino Real Bicycle and Pedestrian Improvement Project, Project Study Report-Project Development Support (PSR-PDS) Phase Pursuant to CEQA Guideline 15306.

#### **PUBLIC HEARING**

##### **9. ADOPTION OF HOUSING ELEMENT 2023-2031**

*Consider:* Motion to Adopt a Resolution Rescinding Resolution No 2023-04, Repealing the 2015-2022 Housing Element and Adopting the 2023-2031 Housing Element in Compliance with State Housing Element Law, and Amending Colma Administrative Code Subchapter 5.05 Related to the Housing Element Conditioned on State Certification, All Pursuant to a Previously Certified Environmental Impact Report Executive Summary.

## **REPORTS**

Mayor/City Council

City Manager

## **ADJOURNMENT**

The City Council Meeting Agenda Packet and supporting documents are available for review on the Town's website [www.colma.ca.gov](http://www.colma.ca.gov) or at Colma Town Hall, 1198 El Camino Real, Colma, CA. Persons interested in obtaining an agenda via e-mail should call 650-997-8300 or email a request to [citymanager@colma.ca.gov](mailto:citymanager@colma.ca.gov).

### Reasonable Accommodation

Upon request, this publication will be made available in appropriate alternative formats to persons with disabilities, as required by the Americans with Disabilities Act of 1990. Any person with a disability, who requires a modification or accommodation to view the agenda, should direct such a request to Pak Lin, ADA Coordinator, at 650-997-8300 or [pak.lin@colma.ca.gov](mailto:pak.lin@colma.ca.gov). Please allow two business days for your request to be processed.



**MINUTES  
SPECIAL MEETING**

City Council of the Town of Colma  
Town Hall Council Chamber  
1198 El Camino Real, Colma CA  
Also Accessible via Zoom.us  
**Tuesday, December 12, 2023**  
**6:00 PM**

**PLEDGE OF ALLEGIANCE AND ROLL CALL**

Mayor del Rosario called the meeting to order at 6:07 p.m.

Council Present – Mayor Joanne F. del Rosario, Vice Mayor John Irish Goodwin, Council Members Ken Gonzalez, Carrie Slaughter and Helen Fisicaro were all present.

Staff Present – City Manager Daniel Barros, City Attorney Christopher Diaz, Chief of Police John Munsey, Administrative Services Director Pak Lin, Director of Public Works and Planning Brad Donohue, City Engineer Cyrus Kianpour, City Planner Farhad Mortazavi, Interim City Clerk Abigail Dometita and Administrative Technician Shelby Wright were in attendance.

**INTRODUCTIONS**

Mayor del Rosario welcomed the audience and acknowledged local dignitaries and elected officials in attendance:

- Flor Nicolas, South San Francisco Council Member
- Pam DiGiovanni, Daly City Councilmember
- Dennis Fisicaro, Former Colma Mayor
- Mary Brodzin, Former Colma Council Member
- Tony Bayudan, Legislative Aide for the Office of Supervisor David Canepa
- Rebecca Husted, President of the Daly City Colma Chamber of Commerce
- Eleanor Serano, Vice President of the Daly City Colma Chamber of Commerce
- Matt DeVincenzi, Board Member on the Daly City Colma Chamber of Commerce
- Juslyn Manalo, Daly City Mayor

**PRESENTATIONS TO OUTGOING MAYOR REMARKS BY OUT-GOING MAYOR DEL ROSARIO**

The City Council presented Mayor del Rosario with a proclamation, a gavel, flowers and a donation to the Colma Historical Association. They also presented her with a photobook of her representing the Town at various events this year and a commemorative award inscribed with her mayoral dates.

Mayor del Rosario made remarks as the out-going Mayor.

**NOMINATION AND APPOINTMENT OF MAYOR**

Council Member Fisicaro nominated John Irish Goodwin for Mayor, and the nomination was seconded by Council Member Slaughter. There were no other nominations, and Mayor del Rosario closed the nominations for Mayor and called for a vote.

**Action:** Council Member Fiscaro moved to select John Irish Goodwin as Mayor, and the motion was seconded by Council Member **Slaughter** and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Joanne F. del Rosario, Mayor	✓				
John Irish Goodwin	✓				
Ken Gonzalez	✓				
Carrie Slaughter	✓				
Helen Fiscaro	✓				
	5	0			

### **ADMINISTRATION OF THE OATH OF OFFICE TO NEW MAYOR**

Outgoing Mayor del Rosario asked Martha Goodwin to come to the podium to administer the Oath of Office to the new Mayor John Irish Goodwin. Outgoing Mayor del Rosario presented Mayor Goodwin with flowers to celebrate his new term as Mayor. Mayor Goodwin introduced his guests and gave his remarks as the in-coming Mayor.

### **NOMINATION AND APPOINTMENT OF VICE MAYOR**

Mayor Goodwin called upon the Council to make nominations for Vice Mayor. Council Member del Rosario nominated Ken Gonzalez for Vice Mayor, and the nomination was seconded by Council Member Slaughter. There were no other nominations, and Mayor Goodwin closed the nominations for Vice Mayor and called for a vote.

**Action:** Council Member del Rosario moved to select Ken Gonzalez as Vice Mayor, and the motion was seconded by Council Member Slaughter and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor	✓				
Ken Gonzalez	✓				
Carrie Slaughter	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
	5	0			

### **ADMINISTRATION OF THE OATH OF OFFICE TO VICE MAYOR**

Mayor Goodwin asked Elaina Gonzalez to come to the podium to administer the Oath of Office to the new Vice Mayor Ken Gonzalez. Vice Mayor Gonzalez introduced his guests and gave his remarks as the in-coming Vice Mayor.

### **OTHER PRESENTATIONS BY DISTINGUISHED GUESTS**

The following individuals made presentations:

- Richard Rochetta, Secretary of the Colma Historical Association
- Rebecca Husted, President of the Daly City Colma Chamber of Commerce
- Griselda Gonzalez, business community member
- Juslyn Manalo, Daly City Mayor
- Tony Bayudan, Legislative Aide for the Office of Supervisor David Canepa

### **SIGNING OF THE VALUES BASED CODE OF CONDUCT**

Mayor **Goodwin** announced, "In 2009, the City Council adopted the Values Based Code of Conduct to promote and maintain the highest standards of personal and professional conduct in the Town's government. In 2019, Council and staff participated in a team building exercise and worked together to revise and update the pledge. The newly updated Code of Conduct includes the longstanding values of fairness, honesty and integrity, responsibility, vision and respect, and focuses on practical ways to live up to these values while highlighting the importance of trust, communication, collaboration and compassion. Council will now sign this pledge. Staff will also sign and it will be posted on our website as a reminder of our commitment to the public and to each other."

The Mayor and each member of Council signed the pledge.

### **ADJOURNMENT AND CLOSE IN MEMORY**

Mayor Goodwin adjourned the meeting at 6:53 p.m. in honor of Don Horsely, former Sheriff and Supervisor for San Mateo County. He then asked everyone to stay for the reception.

Respectfully submitted,

Abigail Dometita  
Interim City Clerk





**MINUTES  
REGULAR MEETING**

City Council of the Town of Colma  
Town Hall Council Chamber  
1198 El Camino Real, Colma CA  
Also Accessible via Zoom.us

**Wednesday, December 13, 2023**  
**CLOSED SESSION - 6:00 PM**  
**REGULAR SESSION - 7:00 PM**

**CLOSED SESSION – 6:00 PM**

1. **In Closed Session Pursuant to Government Code Section 54957.6 –**  
Conference with Labor Negotiators.

Agency Negotiator:	Austris Rungis, IEDA
Employee Organizations:	Colma Peace Officers Association and Colma Communications/Records Association
Unrepresented Employees:	All

**PLEDGE OF ALLEGIANCE AND ROLL CALL**

Mayor Goodwin called the meeting to order at 7:03 p.m.

Council Present – Mayor John Irish Goodwin, Vice Mayor Ken Gonzalez, and Council Members Carrie Slaughter, Helen Fisicaro and Joanne F. del Rosario were all present.

Staff Present – City Manager Daniel Barros, City Attorney Christopher Diaz, Chief of Police John Munsey, Administrative Services Director Pak Lin, Director of Public Works and Planning Brad Donohue, Interim City Clerk Abigail Dometita, and Administrative Technician Shelby Wright were in attendance.

The Mayor announced, "Regarding Public Comment: Members of the public who are here in person are requested to complete a yellow speaker card and submit it to the City Clerk. Those of you on Zoom may make public comments by using the "raise hand" feature in Zoom or, if calling in by phone, by pressing \*9 on the telephone keypad. The City Clerk will unmute your microphone and allow you to speak. Comments should be kept to three minutes or less."

**REPORT FROM CLOSED SESSION**

The Mayor stated, "No action was taken at tonight's closed session."

**ADOPTION OF THE AGENDA**

Mayor Goodwin asked if there were any changes to the agenda. Mayor Goodwin requested to pull #5. The Mayor asked for a motion to adopt the agenda with the requested changes.

**Action:** Council Member Fisicaro moved to adopt the agenda with the requested changes; the motion was seconded Vice Mayor Gonzalez by and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor	✓				
Ken Gonzalez	✓				
Carrie Slaughter	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
	5	0			

**PRESENTATIONS**

- **Police Department Introductions and Swearing In**

Chief of Police John Munsey introduced and swore in Sergeant Daniel Mendoza, Dispatcher Alma Alvarado, Police Explorer Kevin Coursey and Police Explorer Emiliano Gomez.

- **80<sup>th</sup> Birthday Recognition – Liz Taylor**

The Mayor recognized the 80<sup>th</sup> birthday of resident Liz Taylor who was in attendance. She was presented with a certificate in honor of this major milestone birthday and made a few remarks.

- **Holiday Commercial Premiere and Recognition of Participants**

City Manager Daniel Barros premiered the Town’s holiday commercial and presented certificates to the participants in the commercial.

**PUBLIC COMMENTS**

Mayor Goodwin opened the public comment period at 7:22 p.m. Resident Thom Taylor made a comment regarding the Hillside Blvd. diet project. He also thanked Director of Public Works and Planning Brad Donohue and the Public Works department for their efforts in coordinating the streetlights at the intersection of Hillside Blvd. and Lawndale Blvd. The Mayor closed the public comment period at 7:24 p.m.

**CONSENT CALENDAR**

2. Motion to Accept the Minutes from the November 7, 2023 Special Meeting.
3. Motion to Accept the Minutes from the November 8, 2023 Regular Meeting.
4. Motion to Approve Report of Checks Paid for November 2023.
5. [Pulled from Consent Calendar]
6. Motion to Adopt Resolution Authorizing Submittal of Individual Grant Applications to CalRecycle for all Grant Programs for which the Town of Colma is Eligible Pursuant to CEQA Guideline 15378

**Action:** Council Member Fiscaro moved to approve the consent calendar 2, 3, 4, and 6; the motion was seconded by Council Member del Rosario and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor	✓				
Ken Gonzalez	✓				
Carrie Slaughter	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
	5	0			

5. Motion to Adopt Resolution Approving and Authorizing the City Manager to Execute a Five-Year Contract with Flock Safety for Automated License Plate Readers in the Total Amount of \$100,000 Pursuant to CEQA Guideline 15378.

Mayor Goodwin asked several questions. Chief Munsey answered his questions.

**Action:** Council Member Fiscaro moved to adopt a Resolution Approving and Authorizing the City Manager to Execute a Five-Year Contract with Flock Safety for Automated License Plate Readers in the Total Amount of \$100,000 Pursuant to CEQA Guideline 15378; the motion was seconded by Council Member del Rosario and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor	✓				
Ken Gonzalez	✓				
Carrie Slaughter	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
	5	0			

## PUBLIC HEARING

### 7. 1520 HILLSIDE BLVD – DESIGN REVIEW

City Planner Farhad Mortazavi presented the staff report. The Mayor opened the public comment period at 7:41 p.m. and seeing no one request to speak, he closed the public comment period. Council discussion followed.

**Action:** Council Member del Rosario moved to adopt a Resolution Approving the Design Review Permit, with Modifications, for the Town’s Solar Carport Installation at the Town’s Community Center Pursuant to CEQA Guidelines 15301 and 15303; the motion was seconded by Vice Mayor Gonzalez and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor	✓				
Ken Gonzalez	✓				
Carrie Slaughter	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
	5	0			

**NEW BUSINESS**

**8. COUNCIL OF CITIES AND CITY SELECTION COMMITTEE**

Interim City Clerk Abigail Dometita presented the staff report. The Mayor opened the public comment period at 8:06 p.m. and seeing no one request to speak, he closed the public comment period. Council discussion followed.

**Action:** Council Member Fiscaro moved to Confirm Designation of the Mayor as the Voting Member for the Council of Cities, Designate the Alternate Voting Member as the Vice Mayor and Other Council Members in Order of Seniority, and Give the Voting Member Discretion on any and All Matters to be Considered; the motion was seconded by Council Member Slaughter and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor	✓				
Ken Gonzalez	✓				
Carrie Slaughter	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
	5	0			

**9. CITY COUNCIL COMMITTEE ASSIGNMENTS FOR 2024**

Interim City Clerk Abigail Dometita presented the staff report. The Mayor opened the public comment period at 8:09 p.m. and seeing no one request to speak, he closed the public comment period. Council discussion followed.

Below is the list of 2024 Committee Assignments that the Council discussed and agreed on:

<b>Committee Name</b>	<b>Primary</b>	<b>Secondary</b>
Association of Bay Area Governments (ABAG) (GENERAL ASSEMBLY MEETS TWICE PER YEAR APRIL & OCTOBER)	del Rosario	Gonzalez
California Cities Gaming Authority (MEETS 3 <sup>RD</sup> WEDNESDAY, 10:00AM)	Fisicaro	Gonzalez
City/County Association of Governments (C/CAG) (MEETS 2 <sup>ND</sup> THURSDAY OF THE MONTH, 7:00PM)	Slaughter	Goodwin
Colma Creek Flood District (MEETS QUARTERLY, 2 <sup>ND</sup> TUESDAY @ 3:00PM IN MARCH, JUNE, SEPTEMBER AND DECEMBER AT TOWN HALL, COLMA)	Fisicaro	
Emergency Services Council (MEETS QUARTERLY, 3 <sup>RD</sup> THURSDAY at 5:30PM IN JANUARY, APRIL, JUNE & SEPTEMBER, AT THE HALL OF JUSTICE, JURY ASSEMBLY ROOM IN REDWOOD CITY)	Slaughter	del Rosario
HEART Member Agency Committee (MAC) (MEETS ANNUALLY IN APRIL)	Goodwin	
Peninsula Clean Energy Board of Directors (MEETS 4 <sup>TH</sup> THURSDAY, 6:30PM AT THE COUNTY OFFICE OF EDUCATION BUILDING IN REDWOOD CITY)	Gonzalez	del Rosario
Peninsula Traffic Congestion Relief Alliance - "Commute.org" Board of Directors (6 X A YEAR, THURSDAY MORNINGS)	Gonzalez	Slaughter
San Francisco International Airport Community Roundtable (MEETS 1 <sup>ST</sup> WEDNESDAY, 7:00PM AT MILLBRAE CITY HALL)	del Rosario	Goodwin
San Mateo County Council of Cities (MONTHLY DINNER AND MEETING)	Goodwin	Gonzalez

**Action:** Council Member Fisicaro moved to Approve Committee Assignments for 2024 and Grant to the Appointee Discretion in Voting on Matters Brought Before the Committee; the motion was seconded by Council Member Slaughter and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor	✓				
Ken Gonzalez	✓				
Carrie Slaughter	✓				
Helen Fisicaro	✓				
Joanne F. del Rosario	✓				
	5	0			

### **COUNCIL CALENDARING**

- The Regular Meeting on Wednesday, December 27, 2023 will be cancelled.
- The next Regular Meeting will be on Wednesday, January 10, 2024 at 7pm.

### **REPORTS**

City Manager Daniel Barros gave an update on the following topics:

- Holiday Craft Night is on December 15, 2023.
- Thanks to the Recreation staff for putting on a successful Holiday Party on December 9, 2023. Over 200 people were in attendance.
- Happy Holidays!

### **ADJOURNMENT**

Mayor Goodwin adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Abigail Dometita  
Interim City Clerk

apCkHist  
01/04/2024 10:01AM

**Check History Listing**  
Town of Colma

Page: 1

Bank code: first

Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
57661	12/01/2023	01375 NATIONWIDE RETIREMEN	C	12/14/2023	12-01-2023 biweekly	12/01/2023	6,201.81	
			C	12/14/2023	12-01-2023 monthly	12/01/2023	2,200.00	8,401.81
57662	12/01/2023	01340 NAVIA BENEFIT SOLUTION	C	12/11/2023	12-01-2023 biweekly	12/01/2023	1,337.31	1,337.31
57663	12/01/2023	02944 ASSOCIATION OF CALIFOF	C	12/20/2023	12-01-2023 biweekly	12/01/2023	56.25	56.25
57664	12/01/2023	02945 PORAC LEGAL DEFENSE F	C	12/20/2023	12-01-2023 biweekly	12/01/2023	210.00	210.00
57665	12/05/2023	03267 ACC BUSINESS	C	12/21/2023	233158160	11/27/2023	679.66	679.66
57666	12/05/2023	00623 ARAMARK	C	12/11/2023	5180278648	11/27/2023	15.90	
			C	12/11/2023	5180278641	11/27/2023	15.90	31.80
57667	12/05/2023	00002 AT&T	C	12/18/2023	11/18/2023	11/18/2023	39.30	39.30
57668	12/05/2023	00004 AT&T	C	12/19/2023	000020819187	11/13/2023	1,719.70	1,719.70
57669	12/05/2023	02332 DEBORAH AUGUSTINE	C	12/20/2023	2002680.003	11/27/2023	200.00	200.00
57670	12/05/2023	03541 LENORA BANKS	C	12/11/2023	2002682.003	11/27/2023	275.00	275.00
57671	12/05/2023	02244 CALIFORNIA BUILDING ST/	C	12/14/2023	Jul - Sep 2023	10/12/2023	103.00	103.00
57672	12/05/2023	00051 CALIFORNIA WATER SERV	C	12/11/2023	6544607057-11/17/23	11/17/2023	1,214.08	
			C	12/11/2023	1727052702-11/13/23	11/13/2023	198.59	1,412.67
57673	12/05/2023	01037 COMCAST CABLE	C	12/14/2023	11/25-12/24 427 F St	11/20/2023	356.72	
			C	12/14/2023	11/25-12/24 Internet	11/20/2023	356.72	
			C	12/14/2023	11/27-12/26 XFINITY	11/17/2023	10.94	724.38
57674	12/05/2023	00071 CSG CONSULTANTS, INC.	C	12/12/2023	08/26/23-09/29/23	10/17/2023	223,472.13	
			C	12/12/2023	09/30/23-10/27/23	11/20/2023	170,065.29	393,537.42
57675	12/05/2023	00116 DALY CITY/COLMA CHAMBI			12/06/23 Gala	11/27/2023	625.00	625.00
57676	12/05/2023	00111 DEPARTMENT OF CONSER			Jul - Sep 2023	11/28/2023	657.15	657.15
57677	12/05/2023	00112 DEPARTMENT OF JUSTICE	C	12/12/2023	692510	11/03/2023	963.00	963.00
57678	12/05/2023	00110 DEPARTMENT OF TRANSP	C	12/29/2023	SL240145	11/16/2023	771.73	771.73

Page: 1

Check History Listing  
Town of Colma

Bank code: first

Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
57679	12/05/2023	02793 DITO'S MOTORS	C	12/26/2023	29160	11/27/2023	516.55	516.55
57680	12/05/2023	03341 SYLVIA FERRO	C	12/11/2023	2002679.003	11/20/2023	275.00	275.00
57681	12/05/2023	03616 FLEXIBLE BENEFIT ADMIN	C	12/15/2023	190874	11/28/2023	129.00	129.00
57682	12/05/2023	02499 GE CAPITAL INFORMATION	C	12/12/2023	107632715	09/19/2023	513.17	1,539.51
			C	12/12/2023	107717190	10/20/2023	513.17	
			C	12/12/2023	107797487	11/17/2023	513.17	
57683	12/05/2023	02499 GE CAPITAL INFORMATION	C	12/12/2023	107720976	10/23/2023	274.76	999.43
			C	12/12/2023	107641977	09/22/2023	274.76	
			C	12/12/2023	107805826	11/22/2023	274.76	
			C	12/12/2023	107696362	10/11/2023	99.00	
			C	12/12/2023	107780296	11/10/2023	76.15	
57684	12/05/2023	03273 HOME DEPOT PRO, THE	C	12/11/2023	774224026	11/07/2023	1,213.87	2,076.95
			C	12/11/2023	775188485	11/13/2023	527.66	
			C	12/11/2023	775188493	11/13/2023	335.42	
57685	12/05/2023	00610 KRISTY COLLEEN LUM	C	12/11/2023	2002684.003	11/28/2023	10.00	10.00
57686	12/05/2023	03671 JULIA MARTINEZ	C	12/11/2023	2002683.003	11/27/2023	300.00	300.00
57687	12/05/2023	00254 METRO MOBILE COMMUNI	C	12/12/2023	231213	12/01/2023	602.00	602.00
57688	12/05/2023	01340 NAVIA BENEFIT SOLUTION	C	12/11/2023	10792707	11/29/2023	206.00	206.00
57689	12/05/2023	03061 NICK BARBIERI TRUCKING	C	12/11/2023	CL31237	11/15/2023	347.08	347.08
57690	12/05/2023	00307 PACIFIC GAS & ELECTRIC	C	12/13/2023	1918250367-2 16Nov23	11/16/2023	8,975.37	11,363.59
			C	12/13/2023	0512181543-4 08Nov23	11/08/2023	2,285.87	
			C	12/13/2023	0678090639-9 17Nov23	11/17/2023	79.63	
			C	12/13/2023	9593452526-2 17Nov23	11/17/2023	22.72	
57691	12/05/2023	02886 READY REFRESH BY NEST	C	12/14/2023	03K0036457661	11/08/2023	56.18	56.18
57692	12/05/2023	03672 YESENIA GOMEZ RUAN			2002681.003	11/27/2023	50.00	50.00
57693	12/05/2023	01032 SHAUGHNESSY ROOFING,	C	12/12/2023	0031094-IN	11/16/2023	3,100.00	5,900.00
			C	12/12/2023	0031093-IN	11/16/2023	2,800.00	



Check History Listing  
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Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
57694	12/05/2023	00609 SMC MANAGER'S OFFICE	C	12/14/2023	ASC23-24-Colma	11/01/2023	3,741.00	3,741.00
57695	12/05/2023	02224 STANDARD INSURANCE CO	C	12/12/2023	Dec2023Coverage	11/14/2023	237.82	237.82
57696	12/05/2023	01118 SWRCB ACCOUNTING OFF	C	12/12/2023	SW-0268398	11/09/2023	7,067.00	7,067.00
57697	12/05/2023	02123 TYLER TECHNOLOGIES, IN	C	12/11/2023	045-445557	12/01/2023	24,754.38	24,754.38
57698	12/05/2023	01687 UNITED SITE SERVICES OI	C	12/13/2023	INV-3990223	11/23/2023	168.16	168.16
57699	12/12/2023	02787 AECO SYSTEMS, INC.	C	12/15/2023	55812	11/28/2023	851.73	851.73
57700	12/12/2023	01856 AMERICAN ASPHALT REPA	C	12/18/2023	17854	10/27/2023	137,221.32	137,221.32
57701	12/12/2023	00013 ANDY'S WHEELS & TIRES	C	12/15/2023	NOV'23	11/30/2023	251.95	251.95
57702	12/12/2023	03646 ARBORPRO, INC	C	12/14/2023	18725	11/15/2023	8,000.00	8,000.00
57703	12/12/2023	00020 ASSOCIATED SERVICES IN	C	12/18/2023	123120025	12/01/2023	40.00	
			C	12/18/2023	123120024	12/01/2023	9.00	49.00
57704	12/12/2023	01183 BEST BEST & KRIEGER LLF	C	12/15/2023	981727	12/03/2023	21,519.00	
			C	12/15/2023	981726	12/03/2023	2,387.30	23,906.30
57705	12/12/2023	02623 CYNTHIA BLOEBAUM	C	12/18/2023	82840	12/06/2023	700.00	700.00
57706	12/12/2023	02880 BORDEN DECAL	C	12/18/2023	0092592	11/27/2023	879.08	879.08
57707	12/12/2023	00057 CINTAS CORPORATION #2	C	12/18/2023	4175559452	11/30/2023	786.98	
			C	12/18/2023	4174198523	11/16/2023	784.76	
			C	12/18/2023	4175559429	11/30/2023	467.24	
			C	12/18/2023	4174198486	11/16/2023	465.77	2,504.75
57708	12/12/2023	03539 CLARK PEST CONTROL	C	12/20/2023	34473612	12/06/2023	115.00	115.00
57709	12/12/2023	00064 COLMA FLORAL SHOP			1563	12/05/2023	350.02	350.02
57710	12/12/2023	01037 COMCAST CABLE	C	12/21/2023	11.26.2023	11/26/2023	15,641.96	
			C	12/21/2023	12/02/23-01/01/24	11/27/2023	361.72	16,003.68
57711	12/12/2023	00116 DALY CITY/COLMA CHAMBI			12/06/23 Gala (1)	12/04/2023	125.00	125.00
57712	12/12/2023	03640 JULIE ENGELMANN	C	12/12/2023	0008	12/05/2023	20,000.00	20,000.00

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Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
57713	12/12/2023	02499 GE CAPITAL INFORMATION	C	12/18/2023	5068549652	12/01/2023	1,359.00	1,359.00
57714	12/12/2023	00181 IEDA	C	12/18/2023	24387	12/01/2023	1,685.04	1,685.04
57715	12/12/2023	01480 LEXIPOL, LLC	C	12/19/2023	INVLEX122547	12/01/2023	12,747.08	12,747.08
57716	12/12/2023	02993 VANESSA MOSQUEDA VEL	C	12/19/2023	Nov 8-Dec 7 Yoga	12/07/2023	400.00	400.00
57717	12/12/2023	03557 O'CONNOR & COMPANY	C	12/15/2023	1123-41	11/30/2023	1,875.00	
			C	12/15/2023	1123-40	11/30/2023	400.00	2,275.00
57718	12/12/2023	00307 PACIFIC GAS & ELECTRIC	C	12/14/2023	11/22/2023	11/22/2023	2,166.04	2,166.04
57719	12/12/2023	02926 INC PRECISION BODY SHC	C	12/19/2023	DETAIL27568	12/01/2023	255.00	255.00
57720	12/12/2023	03366 PREMIER LOCKSMITH			09480	11/16/2023	360.00	360.00
57721	12/12/2023	03652 QUANTUM ENERGY SERVI	C	12/22/2023	INV-0321RET	11/30/2023	4,981.55	4,981.55
57722	12/12/2023	02216 RAMOS OIL CO. INC.	C	12/15/2023	CL058625	11/30/2023	1,638.57	
			C	12/15/2023	CL054304	11/10/2023	80.66	1,719.23
57723	12/12/2023	03479 ROBERT HALF INTERNATIK	C	12/18/2023	62922398	12/07/2023	2,398.94	2,398.94
57724	12/12/2023	01030 STEPFORD, INC.	C	12/19/2023	2306634	12/05/2023	2,228.75	
			C	12/19/2023	2301783	12/05/2023	740.00	2,968.75
57725	12/12/2023	02605 SAUL GUERRERO	C	12/15/2023	May 24-25 EE REIMB	06/01/2023	127.08	127.08
57726	12/12/2023	00226 CINDY LIM ROOT	C	12/19/2023	01/16/2023	01/17/2023	47.91	47.91
57727	12/12/2023	02878 DANIEL MENDOZA	C	12/15/2023	1/26-1/27/23 REIMB	01/31/2023	36.00	36.00
57728	12/12/2023	02938 KIMBERLY TRASK			10/2022 Reimb	10/27/2022	104.86	104.86
57729	12/12/2023	00047 C.L.E.A.	C	12/19/2023	03242023 B	03/24/2023	216.00	216.00
57730	12/15/2023	00047 C.L.E.A.			12152023 B	12/15/2023	512.00	512.00
57731	12/15/2023	01340 NAVIA BENEFIT SOLUTION	C	12/18/2023	12152023 B	12/15/2023	1,302.31	1,302.31
57732	12/15/2023	01375 NATIONWIDE RETIREMEN	C	12/26/2023	12152023 B	12/15/2023	4,983.06	4,983.06
57733	12/15/2023	02224 STANDARD INSURANCE C			12152023 B	12/15/2023	396.00	396.00

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Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
57734	12/19/2023	00623 ARAMARK	C	12/29/2023	5180283623	12/11/2023	15.90	15.90
57735	12/19/2023	00004 AT&T			000020907980	12/01/2023	40.07	40.07
57736	12/19/2023	00051 CALIFORNIA WATER SERV	C	12/27/2023	11/29/2023 Bill Date	11/29/2023	6,378.97	6,378.97
57737	12/19/2023	00093 CITY OF SOUTH SAN FRAN			519696	11/28/2023	25,753.00	25,753.00
57738	12/19/2023	03539 CLARK PEST CONTROL			34473607	12/08/2023	135.00	135.00
57739	12/19/2023	03411 CLEAN WORLD GREASE TI			04739	12/05/2023	125.00	125.00
57740	12/19/2023	01919 COLLICUTT ENERGY SERV	C	12/29/2023	81069	12/10/2023	931.40	
			C	12/29/2023	81070	12/10/2023	931.40	1,862.80
57741	12/19/2023	03554 LANDSCAPE, INC. CURTIS			2002688.003	12/08/2023	275.00	275.00
57742	12/19/2023	02793 DITO'S MOTORS			29280	12/11/2023	59.70	59.70
57743	12/19/2023	02935 EMCOR SERVICES-MESA E	C	12/29/2023	940016796	09/19/2023	5,357.00	5,357.00
57744	12/19/2023	03378 RICARDO ESCOBAR	C	12/29/2023	12/4-12/5 EE Reimb	12/05/2023	48.13	48.13
57745	12/19/2023	02712 EXPRESS PLUMBING			50927	08/22/2023	705.00	705.00
57746	12/19/2023	02499 GE CAPITAL INFORMATION			107817689	11/29/2023	387.33	
					107817690	11/29/2023	387.33	774.66
57747	12/19/2023	02499 GE CAPITAL INFORMATION			5068578902	12/04/2023	24.19	24.19
57748	12/19/2023	03601 HEALTH AND HUMAN RESC	C	12/28/2023	E0308517	12/08/2023	64.80	64.80
57749	12/19/2023	03302 CARLOS HUAYLLAPUMA			2002523.003	05/01/2023	300.00	300.00
57750	12/19/2023	02154 INTERNATIONAL CODE CO			Q15.000016163	11/06/2023	160.00	160.00
57751	12/19/2023	00610 KRISTY COLLEEN LUM	C	12/29/2023	2000169.004	12/13/2023	10.00	10.00
57752	12/19/2023	03607 MARK THOMAS & COMPAN			49505	12/11/2023	40,358.18	40,358.18
57753	12/19/2023	03379 LUIS MELENDREZ	C	12/21/2023	12/13/23 REIMB	12/13/2023	76.43	76.43
57754	12/19/2023	02545 JOHN MICHAEL MURRAY			2002687.003	12/06/2023	50.00	50.00

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Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
57755	12/19/2023	03524 ANAIS NAVARRO			2002686.003	12/06/2023	275.00	275.00
57756	12/19/2023	03157 NEW ALPHA TWO			27174 27142	12/13/2023 12/08/2023	285.00 285.00	570.00
57757	12/19/2023	03061 NICK BARBIERI TRUCKING	C	12/28/2023	CL32326	11/30/2023	273.14	273.14
57758	12/19/2023	03099 NOR-CAL CYCLES LLC			300337	12/12/2023	105.77	105.77
57759	12/19/2023	00280 ODP BUSINESS SOLUTION			339137561001	12/08/2023	46.79	46.79
57760	12/19/2023	02155 DBA ALAMO GROUP (VA) IN			8821406	12/08/2023	2,301.93	2,301.93
57761	12/19/2023	00307 PACIFIC GAS & ELECTRIC			9248309814-8 22Nov23 0567147369-1 30Nov23	11/22/2023 11/30/2023	472.62 254.01	726.63
57762	12/19/2023	00553 PACIFIC NURSERIES			INV19008 INV19009	12/08/2023 12/08/2023	205.08 76.45	281.53
57763	12/19/2023	03627 ARLEEN PINEDA			2002689.003	12/11/2023	50.00	50.00
57764	12/19/2023	01023 PRIORITY 1			9517 9519	12/06/2023 12/07/2023	6,278.42 1,727.41	8,005.83
57765	12/19/2023	03551 QUENCH USA, INC			INV06695312	12/07/2023	262.20	262.20
57766	12/19/2023	02216 RAMOS OIL CO. INC.	C	12/28/2023	CL060676	12/10/2023	1,531.22	1,531.22
57767	12/19/2023	03392 ROMEO PACKING COMPAN			163470	12/04/2023	1,203.13	1,203.13
57768	12/19/2023	00357 SIERRA DISPLAY, INC.	C	12/29/2023	27548	12/04/2023	6,630.00	6,630.00
57769	12/19/2023	00500 SMC CONTROLLERS OFFIK			November 2023	12/04/2023	2,745.90	2,745.90
57770	12/19/2023	00364 SMC FORENSIC LAB			S-INV103439	11/30/2023	745.00	745.00
57771	12/19/2023	00534 SMC INFORMATION SERVI			1YCL12311	11/30/2023	82.25	82.25
57772	12/19/2023	03321 SPECIAL SERVICES GROU			17671	09/15/2023	608.22	608.22
57773	12/19/2023	00830 STAPLES BUSINESS CRED			1652423636	11/25/2023	301.06	301.06
57774	12/19/2023	01118 SWRCB ACCOUNTING OFF			WD-0229851	11/29/2023	3,746.00	3,746.00

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Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
57775	12/19/2023	00412 TELECOMMUNICATIONS E			48567	12/10/2023	1,652.50	1,652.50
57776	12/19/2023	00411 TURBO DATA SYSTEMS	C	12/29/2023	41677	11/30/2023	1,803.94	1,803.94
57777	12/19/2023	02848 UNITED COACH TOURS			20317WF-1	06/15/2023	180.00	180.00
57778	12/19/2023	02799 WAVE (ASTOUND)			103745301-0010518	12/01/2023	438.26	438.26
57779	12/19/2023	03645 WHITLOCK & WEINBERGE			30600	12/04/2023	905.00	905.00
57780	12/26/2023	03015 U.S. BANK CORPORATE PM			11/22/2023	11/22/2023	13,842.02	13,842.02
57781	12/29/2023	01340 NAVIA BENEFIT SOLUTION			12292023 B	12/29/2023	1,302.31	1,302.31
95013	12/05/2023	00130 EMPLOYMENT DEVELOPM	C	12/05/2023	12-01-2023 monthly	12/01/2023	150.00	150.00
95014	12/05/2023	00521 UNITED STATES TREASUR	C	12/05/2023	12-01-2023 monthly	12/01/2023	1,262.15	1,262.15
95015	12/01/2023	00631 P.E.R.S.	C	12/04/2023	12-01-2023 monthly	12/01/2023	854.22	854.22
95016	12/01/2023	01360 MISSIONSQUARE RETIREM			12-01-2023 monthly	12/01/2023	493.26	493.26
95017	12/01/2023	00282 CALIFORNIA PUBLIC EMPL	C	12/06/2023	12-01-2023 monthly	12/01/2023	4,797.14	4,797.14
95018	12/05/2023	00130 EMPLOYMENT DEVELOPM	C	12/05/2023	12-01-2023 biweekly	12/01/2023	15,363.15	15,363.15
95019	12/05/2023	00521 UNITED STATES TREASUR	C	12/05/2023	12-01-2023 biweekly	12/01/2023	60,641.67	60,641.67
95020	12/01/2023	00282 CALIFORNIA PUBLIC EMPL	C	12/06/2023	12-01-2023 biweekly	12/01/2023	78,664.22	78,664.22
95021	12/01/2023	00631 P.E.R.S.	C	12/04/2023	12-01-2023 biweekly	12/01/2023	53,432.40	53,432.40
95022	12/01/2023	01360 MISSIONSQUARE RETIREM			12-01-2023 biweekly	12/01/2023	6,484.23	6,484.23
95023	12/01/2023	00068 COLMA PEACE OFFICER'S			12-01-2023 biweekly	12/01/2023	652.14	652.14
95025	12/15/2023	00130 EMPLOYMENT DEVELOPM	C	12/19/2023	12152023 B	12/15/2023	18,747.98	18,747.98
95026	12/15/2023	00521 UNITED STATES TREASUR	C	12/19/2023	12152023 B	12/15/2023	71,709.55	71,709.55
95027	12/15/2023	00631 P.E.R.S.	C	12/18/2023	12152023 B	12/15/2023	47,443.77	47,443.77
95028	12/15/2023	01360 MISSIONSQUARE RETIREM			12152023 B	12/15/2023	6,468.33	6,468.33
95029	12/15/2023	00068 COLMA PEACE OFFICER'S			12152023 B	12/15/2023	606.83	606.83

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Check #	Date	Vendor	Status	Clear/Void Date	Invoice	Inv. Date	Amount Paid	Check Total
95031	12/29/2023	00130 EMPLOYMENT DEVELOPM			12292023 B	12/29/2023	16,745.98	16,745.98
95032	12/29/2023	00521 UNITED STATES TREASUR			12292023 B	12/29/2023	61,097.43	61,097.43
95033	12/29/2023	00631 P.E.R.S.			12292023 B	12/29/2023	45,274.33	45,274.33
95034	12/29/2023	01360 MISSIONSQUARE RETIREM			12292023 B	12/29/2023	1,854.52	1,854.52
95035	12/29/2023	00068 COLMA PEACE OFFICER'S			12292023 B	12/29/2023	606.83	606.83
120062	12/06/2023	00282 CALIFORNIA PUBLIC EMPL	C	12/06/2023	100000017354219	11/14/2023	6,963.66	6,963.66
120063	12/05/2023	00421 U.S. POSTAL SERVICE	C	12/06/2023	Postage Refill 12/23	12/05/2023	1,000.00	1,000.00
							<b>first Total:</b>	<b>1,358,586.76</b>
144 checks in this report							<b>Total Checks:</b>	<b>1,358,586.76</b>



# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Brad Donohue, Director of Public Works  
 VIA: Daniel Barros, City Manager  
 MEETING DATE: January 10, 2024  
 SUBJECT: Acceptance and Notice of Completion-2023 Facility Parking Lot Upgrades and Repair Project

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## RECOMMENDATION

Staff recommends that the City Council make the following motion:

MOTION ACCEPTING THE 2023 FACILITY PARKING LOT UPGRADES AND REPAIRS PROJECT, (CIP #953), INCLUDING THE COLMA POLICE FACILITY, COLMA COMMUNITY AND HISTORICAL CENTER, AND CREEKSIDE VILLAS PARKING LOTS AS COMPLETE AND DIRECTING THE DIRECTOR OF PUBLIC WORKS TO FILE A NOTICE OF COMPLETION FOR THE PROJECT WITH THE SAN MATEO COUNTY RECORDER'S OFFICE PURSUANT TO CEQA GUIDELINE 15301

## EXECUTIVE SUMMARY

On or about December 2023, American Asphalt Repair & Resurfacing Company Inc. (American Asphalt) completed all their contract obligations regarding the resurfacing, minor repairs restriping of the Colma Community and Historical Center, Creekside Villas, and the Colma Police Facility ("Project"). With the Project complete, the Town may now accept the Project and direct the Director of Public Works to file a Notice of Completion for the Project.

## FISCAL IMPACT

The City Council at their June 28<sup>th</sup>, 2023 City Council meeting awarded a construction contract to American Asphalt in the amount of \$143,243.50. with a 10% contingency for a construction budget of \$157,567.50. One change order was issued for driveway loop repair at the Colma Police Station, the amount of the change order was \$1,200.00. Final construction costs came to \$144,443.50. After all construction costs were tallied, there is an unused construction reserve in the amount of \$13,124.00.

<b>Cost</b>	<b>Amount</b>
<b>Construction Contract Award</b>	<b>\$143,243.50</b>
<b>Construction Contingency (10%)</b>	<b>\$ 14,324.00</b>
<b>Total Construction Budget</b>	<b>\$157,567.50</b>
<b>Contract Expense</b>	<b>(\$143,243.50)</b>
<b>Less Change Order</b>	<b>(\$ 1,200.00)</b>
<b>Total Construction Costs</b>	<b>(\$144,443.50)</b>
<b>Construction Reserve, (Funds not used)</b>	<b>\$ 13,124.00</b>

## **BACKGROUND**

The City Council awarded a construction contract to American Asphalt to provide surface treatment (Slurry coat) and restripe the parking lots at The Colma Police Department, Colma Community and historical parking lots and Creekside Villas. The work consisted of crack sealing, asphalt slurry coating of the parking lots and restriping (pavement markings) the parking the various parking lots.

## **ANALYSIS**

The project was awarded in June of 2023, contract work started in late September and continued into early October. There was one change order issued, that was to replace worn out loop detection, (Loop detection senses vehicles exiting the police department parking lot on the Serramonte Blvd, side of the facility. American Asphalt completed the project in early December of 2023.

Staff requests the City Council accept the Project and authorize the Director of Public Works to file a Notice of Completion with the San Mateo County Recorder's Office.

The filing of the Notice of Completion means:

- The Town accepts the Project as complete.
- The time frame for the filing of stop payment notice claims is shortened once the Notice of Completion has been timely filed with the San Mateo County Recorder's Office.

To date there have been no stop notices or claims filed with the Town for the Project.



## **ENVIRONMENTAL**

The City Council's action in accepting the project as complete is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Operation and minor alteration of existing facilities. The project is categorically exempt from the provisions of CEQA under the Class 1 categorical exemption for the operation, repair, maintenance, and/or minor alteration of existing structures, facilities, and/or mechanical equipment involving negligible expansion of existing use (14 California Code of Regulations § 15301).

### **Council Adopted Values**

By accepting the Project as complete, the City Council has reviewed and approved the work performed by American Asphalt Repair & Resurfacing Company Inc. thus taking a ***Responsible*** position requesting that the Notice of Completion be filed with the County Recorder's Office and that final payment be made to the Contractor.

### **Alternatives**

The City Council can choose not to accept the Project and to not direct the filing of the Notice of Completion for the Project. The Town would then not accept the Project as complete and would not file the Notice of Completion with the San Mateo County Recorder's Office. Such action would increase the time period for subcontractors and material suppliers to file claims.

## **CONCLUSION**

Staff has reviewed the completed Project and recommends that the City Council, by motion, accept the Project as complete and authorize the Director of Public Works to file a Notice of Completion with the San Mateo County Recorder's Office.

## **ATTACHMENTS**

- A. Notice of Completion–Notice of Completion-2023 Facility Parking Lot Upgrades and Repair Project



<p>RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:</p>  <p><b>Town of Colma 1198 El Camino Real Colma, CA 94014-3212 Attn: Brad Donohue, PW Director</b></p>	<p>THE AREA ABOVE IS RESERVED FOR RECORDER'S USE</p>
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**TOWN OF COLMA**

**NOTICE OF COMPLETION**

PURSUANT TO CALIFORNIA CIVIL CODE 9204

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(This Document is exempt from Recording Fee (Govt. Code § 27383))

NOTICE IS HEREBY GIVEN THAT:

1. The Town of Colma is the owner of a work of improvement consisting of slurry seal of approximately 8,100 square yards of pavement surface located at three Town facility sites: Colma Police Station, Community Center, Historical Museum and Senior Center. The scope of work consists of furnishing all equipment, labor, and materials necessary to perform slurry seal, crack sealing, removal and replacement of pavement markings and striping, and all associated work. The pavement improvements as described in the project plan and specifications dated June 08, 2023 (hereafter, the "Work"), and of the real property on which the Work is situated, which real property is located in the County of San Mateo, State of California and specifically described as follows: 1199 El Camino Real-Colma Police Station, 1500-1520 Hillside Boulevard-Colma Community and Historical Facility, and 1180 El Camino Real-Creekside Villas Senior Center, in Colma Ca. 94014.
2. **American Asphalt Repair & Resurfacing Company Inc.** the Contractor, was awarded the construction contract by the Town of Colma for the Work, and
3. The Work was completed by American Asphalt Repair & Resurfacing Company Inc.. accepted by the Town of Colma on January 10, 2024; and
4. The nature of the interest of the Town of Colma is as a fee simple owner in the above-described real property; and
5. The name and address of the Town of Colma is 1198 El Camino Real, Colma, California 94014; and

ATTACHMENT "A"

- I, Brad Donohue, Public Works Director of the Town of Colma, am authorized by the City Council of the Town of Colma to execute and file this Notice with the County Recorder of the County of San Mateo as an authorized agent of the Town of Colma. I have read the Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

---

(Date and Place)

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Brad Donohue  
Director of Public Works



# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Angelika Abellana, Recreation Manager  
 VIA: Daniel Barros, City Manager  
 MEETING DATE: January 10, 2024  
 SUBJECT: Recreation Services Department Quarterly Review, October - December 2023

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## RECOMMENDATION

Staff recommends that the City Council adopt:

MOTION TO ACCEPT INFORMATIONAL REPORT ON RECREATION DEPARTMENT PROGRAMS, ACTIVITIES, EVENTS, AND TRIPS FOR THE FOURTH QUARTER OF 2023.

## EXECUTIVE SUMMARY

In the fourth quarter of 2023, a total of 2,491 participants attended 50 programs. This represents an increase of 237 participants from the fourth quarter of 2022. Staff attributes the increase in participation to Cinema at the Cemetery, outdoor Halloween & Holiday Events, and the Adult Holiday Party.

Staff estimates that 31 percent of the population had a current Colma I.D. during the fourth quarter of 2023.

There was a total of 52 rentals which is an increase of 10 rentals from the fourth quarter of 2022.

## BACKGROUND

### Participation

The Recreation Services Department offered programs, activities, events and trips for all age groups during the past quarter. Below is a summary of participation levels by demographic:

- A total of 98 adults and seniors participated in enrichment programs. This represents a decrease of 1 participant from the fourth quarter of 2022. Staff attributes the decrease to the cancellations of Let's Get Crafty and the decrease in Zumba Toning participation on Tuesday Evenings.

- A total of 306 adults and seniors participated in trips and events. This represents an decrease of 5 participants from the fourth quarter of 2022. Staff attribute the decrease to the cancellation of the Day at the Movies trip and Wine of Canvas.
- A total of 87 youth and teens participated in Enrichment Programs. This represents a increase of 33 participants from the fourth quarter of 2022. Staff attributes the increase due to the increase of participants and interest in the After School program.
- A total of 425 youths and teens participated in events and trips. This represents an decrease of 3 participants from the fourth quarter of 2022. Staff attributes the decrease due to events like Trunk or Treat aligning to the same day as neighboring schools in Colma.
- A total of 1,575 youth, adults and seniors participated in Community Programs. This represents an increase of 213 participants from the fourth quarter of 2022. Staff attributes the increase due to outdoor programs such as Cinema at the Cemetery, Día De Los Muertos Celebration and Holiday Tree Lighting.

The attachment contains a detailed breakdown of participation by program.

#### Rental Activity

The Colma Community Center was rented for 44 different events:

- Resident Rentals (17 social events)
- Colma Business (1 holiday event)
- Non-Resident Rentals (1 social event, 2 funeral reception)
- Non-Resident Non-profit (2 rentals)
- Non-Resident Nonprofit, kitchen only (19 reservations)
- In House Reservations (1 PD blood drive, 1 Staff Event)

The Sterling Park Recreation Center was rented for 8 different events:

- Sterling Park Resident Rentals (8 social events)

#### **ATTACHMENTS**

- A. 2023 Recreation Services Department Quarterly Review – Participation Detail

**Recreation Services Department Quarterly Review  
October - December 2023  
Participation Detail**

**Adult/Senior Enrichment Programs**

<b>Program</b>	<b>Registered</b>	<b>Sessions</b>	<b>New or Existing Program</b>
Arm Chair Travel	14	2	Existing
Boot Camp Fitness	4	1	Existing
Breakfast and Bingo	21	2	Existing
First Aid & CPR Training	Cancelled	1	Existing
Friday Films	11	2	Existing
Ladies Social	14	3	Existing
Let's Get Crafty	Cancelled	3	Existing
Mixtiso Happy Chair Yoga	6	1	Existing
Zumba Gold	8	1	Existing
Zumba Toning - Saturday	13	1	Existing
Zumba Toning - Tuesday	7	1	Existing

**Adult & Senior Trips & Events**

<b>Program</b>	<b>Registered</b>	<b>Sessions</b>	<b>New or Existing Program</b>
Adult Holiday Party	200	1	Existing
Day at the Movies	Cancelled	1	Existing
First Aid Training	Cancelled	1	Existing
Holiday Cookie Decorating	Cancelled	1	<i>NEW</i>
Rosicrucian Egyptian Museum	20	1	<i>NEW</i>
Senior Luncheon	86	3	Existing
Wine and Canvas	Cancelled	1	Existing

**Youth & Teen Enrichment Programs**

<b>Program</b>	<b>Registered</b>	<b>Sessions</b>	<b>New or Existing Program</b>
Fall Camp	15	1	Existing
Kid's Club After School Program	24	5	Existing
Kumon Math Tutoring	16	3	Existing
Kumon Reading Tutoring	12	3	Existing
Open Teen Center	Cancelled	1	Existing
Winter Day Camp	20	1	Existing

**Youth and Teen Events & Trips**

<b>Program</b>	<b>Registered</b>	<b>Sessions</b>	<b>New or Existing Program</b>
Dessert and Arts & Crafts	Cancelled	2	Existing
Great America's Winter Wonderland	Cancelled	1	<i>NEW</i>
Holiday Breakfast with Santa	119	2	Existing
Letters to Santa	15	1	Existing
Open Teen Center	Cancelled	1	Existing
Panig Room Escape Room	Cancelled	1	<i>NEW</i>
Parents Night Out	32	3	Existing

Pumpkin Carving Party	29	1	Existing
Trunk or Treat	230	1	Existing
Winchester Ax Throwing Trip	Cancelled	1	<b>NEW</b>

### Community Programs

<b>Program</b>	<b>Registered</b>	<b>Sessions</b>	<b>New or Existing Program</b>
CAPE	8	1	Existing
Cinema at the Cemetery	600	1	Existing
Colma Fall Recycling Event	15	1	Existing
Colma Game Night	Cancelled	1	Existing
Dia de los Muertos	400	1	Existing
Food Pantry Delivery Program	192	3	Existing
Halloween House Decorating Contest	30	1	Existing
Holiday Craft Night	50	1	Existing
Holiday House Decorating Contest	66	1	Existing
Holiday Pet Photos	6	1	Existing
Holiday Tree Lighting	125	1	Existing
Colma Cab Connect	14	1	<b>NEW</b>
Learning Wheels for All	10	2	<b>NEW</b>
San Jose Sharks	23	1	<b>NEW</b>
The Great Dickens Fair	29	2	Existing
Veterans Card Making Day	7	1	<b>NEW</b>





# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Abigail Dometita, Interim City Clerk  
 VIA: Daniel Barros, City Manager  
 MEETING DATE: January 10, 2024  
 SUBJECT: Commemorative Flag Schedule 2024

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## RECOMMENDATION

Staff recommends that the City Council adopt the following:

RESOLUTION DIRECTING TOWN STAFF TO FLY VARIOUS COMMEMORATIVE FLAGS IN LIEU OF THE TOWN OF COLMA FLAG AT THE COLMA COMMUNITY CENTER PURSUANT TO CEQA GUIDELINE 15301 AND 15378

## EXECUTIVE SUMMARY

On June 26, 2019, the City Council of the Town of Colma adopted a new flag policy, codified as Subchapter 1.18 of the Colma Administrative Code, which states that Council may by resolution direct Town staff to fly commemorative flags in lieu of the Town of Colma flag on the flagpole located at Town Hall or at the Colma Community Center, as an expression of the Town's official sentiments, consistent with the Town's vision, mission, and guiding principles, incorporating themes of diversity, equity, social justice, and inclusion. Commemorative flags shall be displayed for a period of time that is reasonable or customary for the subject that is to be commemorated, but no longer than 30 continuous days.

The proposed resolution would authorize the commemorative flag schedule of 2024, which includes the flying of the five commemorative flags that the City Council has previously authorized, the Philippine Flag, the LGBT/Pride Flag, the Italian Flag, the Israeli Flag, and the Armenian Flag.

## FISCAL IMPACT

The proposed resolution would have no anticipated fiscal impacts; the authorized flags have already been purchased.

## ANALYSIS

When the policy was adopted, staff indicated that for expediency, rather than approve each commemorative flag individually each year, the schedule of various commemorative flags could be adopted each year in January.

Council has previously discussed and approved the flying of all five commemorative flags. On June 26, 2019, Council approved a resolution to fly the LGBT/Pride Commemorative flag in recognition of June being Pride Month. On September 25, 2019, Council approved a resolution to fly the Italian flag in recognition of October being Italian Heritage and Culture Month. On June 24, 2020, Council approved a resolution to fly the Philippine flag in recognition of Philippine Independence Day on June 12. On January 12, 2022, Council approved a resolution to fly the Israeli Flag in recognition of Israeli Independence Day, which changes date based on the Hebrew calendar. On September 14, 2022, Council approved a resolution to fly the Armenian Flag in recognition of Armenian Independence Day on September 21.

### **Proposed Schedule**

In an effort to simplify the flag schedule, the Town has had a policy for all commemorative flags be flown for one week at the Colma Community Center in lieu of the Town of Colma flag, beginning on the date of a Council Meeting in close proximity to the date of recognition, to allow for a ceremonial flag raising if Council wishes.

There is one exception to this policy. Israeli Flag protocol does not allow the flag to be flown after sunset except in special circumstances. For this reason, staff is proposing that the Israeli Flag will be flown only on May 14th at the Colma Community Center in lieu of the Town of Colma flag and removed at sunset.

The attached resolution directs staff to fly the following flags on the following dates:

Flag	Occasion	Duration
Israeli Flag	Israeli Independence Day	May 14, 2024 until sundown
Philippine Flag	Philippine Independence Day	June 12, 2024 to June 19, 2024
LGBT/Pride Flag	Pride Month	June 26, 2024 to July 3, 2024
Armenian Flag	Armenian Independence Day	September 11, 2024 to September 18, 2024
Italian Flag	Italian Heritage and Culture Month	October 9, 2024 to October 16, 2024

This resolution does not prohibit Council from flying additional commemorative flags throughout the year. Per the policy, to allow the flying of a commemorative flag, any single Council Member may make a request to the City Manager to allow for the Council to consider the flying of the commemorative flag. The Council would then discuss the issue at a Council Meeting and decide whether to authorize the flying of the commemorative flag. If additional flags are considered and

approved, they would be added to the commemorative flag schedule that would be approved for the following year.

### **Alternatives**

The City Council could choose not to approve a commemorative flag schedule, and instead approve each flag individually throughout the year. Staff does not recommend this, however, as a single schedule approval is a more efficient use of Council and staff time.

### **ENVIRONMENTAL**

The City Council's action in adopting the resolution to fly commemorative flags is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline 15301 as the operation of an existing public facility, namely, the Colma Community Center. It is also exempt pursuant to CEQA Guideline 15378 as an organizational or administrative activity of the government that will not result in direct or indirect physical changes in the environment.

### **CONCLUSION**

The City Council should adopt the proposed resolution authorizing the flying of commemorative flags in 2024.

### **ATTACHMENTS**

- A. Resolution



**RESOLUTION NO. 2024-\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION DIRECTING TOWN STAFF TO FLY VARIOUS COMMEMORATIVE FLAGS  
IN LIEU OF THE TOWN OF COLMA FLAG AT THE COLMA COMMUNITY CENTER  
PURSUANT TO CEQA GUIDELINE 15301 AND 15378**

The City Council of the Town of Colma hereby resolves:

**1. Recitals and Background.**

(a) On June 26, 2019, the City Council of the Town of Colma adopted a new flag policy codified at Subchapter 1.18 of the Colma Administrative Code to memorialize the fact that the Town's flag poles are a nonpublic forum.

(b) Pursuant to Subchapter 1.18 of the Colma Administrative Code, Council may by resolution direct Town staff to fly commemorative flags in lieu of the Town of Colma flag on the flag pole located at Town Hall or at the Colma Community Center, as an expression of the Town's official sentiments, consistent with the Town's vision, mission, and guiding principles, incorporating themes of diversity, equity, social justice, and inclusion. Commemorative Flags shall be displayed for a period of time that is reasonable or customary for the subject that is to be commemorated, but no longer than 30 continuous days.

(c) The Council has previously approved the flying of five commemorative flags. On June 26, 2019, the City Council approved a resolution to fly the LGBT/Pride Commemorative flag in recognition of Pride Month; on September 25, 2019, the City Council approved a resolution to fly the Italian flag in recognition of Italian Heritage and Culture Month. On June 24, 2020, the City Council approved a resolution to fly the Philippine flag in recognition of Philippine Independence Day. On January 12, 2022, Council approved a resolution to fly the Israeli Flag in recognition of Israeli Independence Day, which changes date based on the Hebrew calendar. On September 14, 2022, Council approved a resolution to fly the Armenian Flag in recognition of Armenian Independence Day on September 21.

(d) The flying of these commemorative flags is an expression of one of the Town's guiding principles of celebrating diversity; as such, the Town intends to fly these commemorative flags again in 2024.

(e) In honor of Israeli Independence Day, which changes date based on the Hebrew calendar, the Town intends to fly the Israeli flag in lieu of the Town of Colma Flag at the Colma Community Center on May 14, 2024 until sunset.

(f) In honor of Philippine Independence Day on June 12, the Town intends to fly the Philippine flag in lieu of the Town of Colma Flag at the Colma Community Center June 12, 2024 to June 19, 2024.

(g) In honor of June as Pride Month, the Town intends to fly the LGBT/pride flag in lieu of the Town of Colma Flag at the Colma Community Center from June 26, 2024 to July 3, 2024.

(h) In honor of Armenian Independence Day on September 21, the Town intends to fly the Armenian Flag in lieu of the Town of Colma Flag at the Colma Community Center September 11, 2024 to September 18, 2024.

(i) In honor of October as Italian Heritage and Culture Month, the Town intends to fly the Italian flag in lieu of the Town of Colma Flag at the Colma Community Center from October 9, 2024 to October 16, 2024.

**2. Order.**

(a) The City Council has considered the full record before and finds the recitals set forth above true and correct and hereby incorporates them by reference.

(b) Pursuant to Subchapter 1.18 of the Colma Administrative Code, the City Council hereby directs staff to fly:

(i) the Israeli flag in lieu of the Town of Colma Flag at the Colma Community Center on May 14, 2024 until sunset;

(ii) the Philippine flag in lieu of the Town of Colma Flag at the Colma Community Center from June 12, 2024 to June 19, 2024;

(iii) the LGBT/pride flag in lieu of the Town of Colma Flag at the Colma Community Center from June 26, 2024 to July 3, 2024;

(iv) the Armenian Flag in lieu of the Town of Colma Flag at the Colma Community Center from September 11, 2024 to September 18, 2024; and

(v) the Italian flag in lieu of the Town of Colma Flag at the Colma Community Center from October 9, 2024 to October 16, 2024.

**3. Effective Date.**

(a) This resolution shall take effect immediately upon adoption.

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### Certification of Adoption

I certify that the foregoing Resolution No. 2024-\_\_ was adopted at a regular meeting of said City Council held on January 10, 2024 by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor					
Ken Gonzalez					
Carrie Slaughter					
Helen Fisicaro					
Joanne F. del Rosario					
<i>Voting Tally</i>					

Dated \_\_\_\_\_

\_\_\_\_\_   
 John Irish Goodwin, Mayor

Attest: \_\_\_\_\_   
 Abigail Dometita, Interim City Clerk







# STAFF REPORT

TO: Mayor and Members of the City Council  
FROM: Christopher J. Diaz, City Attorney  
VIA: Daniel Barros, City Manager  
MEETING DATE: January 10, 2024  
SUBJECT: Amendment to Colma Municipal Code, Chapter 8, Animals, to Adopt by Reference the San Mateo County Code

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## RECOMMENDATION

Staff recommends that the City Council:

1. Introduce and Waive Further Reading of:

**ORDINANCE AMENDING CHAPTER 8 OF THE COLMA MUNICIPAL CODE RELATING TO ANIMALS, TO ADOPT BY REFERENCE THE ANIMAL CONTROL ORDINANCE OF SAN MATEO COUNTY, CONSISTING OF CHAPTER 6.04 OF TITLE 6 OF THE CODE OF ORDINANCES OF THE COUNTY OF SAN MATEO, CALIFORNIA AND TO MAKE OTHER CLARIFYING UPDATES PURSUANT TO CEQA GUIDELINE 15378 AND 15301**

AND

2. Set a Public Hearing for the second reading and adoption of the Ordinance at the January 24, 2024 City Council Meeting.

## EXECUTIVE SUMMARY

This item reflects an update to Chapter 8 of the Colma Municipal Code ("CMC") to adopt by reference the updated County Animal Control Ordinance, and to make other associated clarifying changes to Colma's animal control regulations.

## FISCAL IMPACT

Costs for the City Council-approved County animal control services agreement are included as part of the Town's budgeting process.

## **BACKGROUND**

Animal Control has been one of the longest running regional/shared services in San Mateo County. Since 1952, the County has contracted with the Peninsula Humane Society & SPCA (PHS) for animal control field and sheltering service. All 20 cities in the county have in turn contracted with the County for these services. Historically, cities have taken advantage of the economies of pooling resources in order to realize lower costs for services than each city could likely achieve by providing its own services.

Previously, the City Council approved an agreement with the County for animal control services which is still currently active. This agreement is based on an expectation that each City/Town that is party to the agreement will adopt and maintain an animal control ordinance that is substantially the same as the provisions of Chapters 6.04, 6.12, and 6.16 of Title 6 of the San Mateo County Ordinance Code.

Similarly, the fee schedule adopted by the Town is required to be the same as outlined in Chapter 6.04.290 of the San Mateo County Ordinance. Licensing and other animal control fees are set and collected by the County, as a means of cost recovery for this mandated program. In addition to the collection of fees to fund the program, each cities/towns in the County is also billed a proportionate amount of the difference between the fee revenue and the cost of the program, based on each individual city's use of the animal control services. Staff will be returning to the City Council to update the Town's fees to include these updated licensing and animal control fees.

State law requires a special procedure for an ordinance which adopts another ordinance by reference. For this reason, the City Council is required at introduction (first reading) to also set the date for a public hearing to be held at the same meeting as adoption. Notice of this public hearing must be published in the newspaper fourteen days before adoption. The proposed ordinance and a copy of the ordinance being adopted by reference, the county ordinance, must be available in the City Clerk's office for public review. The Town is complying with these requirements.

The repeal of Chapter 6.04 of the County Ordinance and adoption of a new amended code as it relates to animal control and licensing, including clarifications to existing code, renumbering, and a revised schedule of fees, is set for adoption by the County Board of Supervisors on January 9, 2024.

## **ANALYSIS**

Chapter 6.04 of the San Mateo County Ordinance Code contains regulations regarding animal control in unincorporated San Mateo County. The animal control regulations are in place to protect the health and safety of County residents. The County's animal control ordinances were originally adopted on October 23, 1951 and last updated on October 17, 2006, with several updates over the years.

The Animal Control and Licensing Program Manager of San Mateo County Health informed each of the cities/towns within the County that a process would begin to revise and update the Animal Control Ordinance, and invited all to participate in the discussion and development process. From that open invitation, the County Program Manager worked with a committee of

five city attorneys, representing Half Moon Bay, Pacifica, Millbrae, Redwood City, and South San Francisco, as well as the County Attorney's Office, and with ongoing input from the PHS, to develop a draft Animal Control Ordinance representative of all key stakeholders of San Mateo County animal control.

The committee of stakeholders identified opportunities to clarify existing language, remove repetitive language, and add substantive changes to the existing ordinances, with an emphasis on increasing efficiency in enforcement, clarifying language deemed confusing, and addressing deficiencies that had emerged after years of experience and enforcement under the current Chapter 6.04. The intent of the revised Chapter 6.04 is enhanced enforceability, streamlined processes, clarity in definitions based on real-world experience, and above all else, public safety.

As part of the development process, the Program Manager undertook a comprehensive study of other jurisdictions within California and in some circumstances sought feedback from those jurisdictions on how certain elements worked or did not work. The Program Manager carefully considered input from all relevant parties (including the Cities within the County) in order to draft a proposed Ordinance which reflects the interests of all stakeholders.

The following are the key provisions of the proposed ordinance updating Chapter 6.04:

- Updates existing definitions to improve enforcement capabilities and remove potential areas of confusion, particularly as relates to "Dangerous" and "Vicious" animal designations within the County.
- Lowers the rabies vaccination age requirement as consistent with current state law.
- Updates language and enforcement regarding "Vicious" animals. An animal designated as "Vicious" is, in many circumstances, to be humanely euthanized. The proposed code raises the threshold for when an animal may be declared "Vicious" (and thus is to be euthanized) as is consistent with current standards and practical enforcement. For offending animals deemed a significant danger to the public, a "Vicious" animal designation is still applicable.
- Updates language and enforcement regarding "Dangerous" animals. An animal designated as "Dangerous" is one which has exhibited behavior which indicates that heightened safety requirements for the keeping of such animal are required to ensure public protection. The proposed revised Chapter 6.04 revises and clarifies the threshold for when an animal may be designated as "Dangerous." Currently, a Dangerous animal designation remains for the life of the animal; under the proposed revisions, an owner may apply for the designation to be lifted after a period of three (3) years if it has been safely maintained under the permit, removing the need for County oversight and enforcement. The Program Manager has found that most animals deemed "Dangerous" (about 90%) do not re-offend, and that the lifting of designations for animals deemed no longer a danger to the public is consistent with other jurisdictions, as well as state recommendations under the California Food and Agriculture Code.

- Removes language indicating that an animal owner may not maintain a “Dangerous” animal in a home with a juvenile person under the age of eighteen (18). The committee could not find any other jurisdiction that had this restriction in an ordinance and is not aware of any instance in which it had actually improved public safety or in which it was enforceable.
- Enable hearings regarding the designation of an animal as a “Dangerous” animal to proceed with or without the testimony of a victim, so long as sufficient evidence exists to support the designation. In many instances, an animal which may have otherwise been found to be “Dangerous” was not designated as such because a victim, or key witness, was unwilling or unable to attend a hearing.
- Clarify that certain acts or omissions by a victim or victim animal are not in itself sufficient to constitute “mitigating factors” in instances in which an offending animal should otherwise be declared as “Dangerous” or “Vicious.” For example, the failure of an owner of a victim animal to have that animal on a leash shall not, in itself, constitute a mitigating factor in any attack to avoid a designation of the attacking animal as “Dangerous.”
- Revise and update the fee schedule and further clarifies the offenses for which administrative citations may be issued for violations of the Chapter. The fee schedule was last updated in 2006 and the working group devised the recommended fees based upon comparative analysis of Bay Area agencies that provide similar services, appropriate allocation of resources and supplies in proportion to the service rendered and the animal size and if altered or unaltered, and to move closer to cost recovery (recommended fees do not represent full cost recovery). Overall, some fees are recommended to increase, stay the same or, in some cases, decrease. For example, board costs for small sized animals decreased, while board charges for altered dogs increased by \$5 and unaltered dogs by \$10 (unaltered pet fees remain higher than altered, as the overall goal is to encourage alteration and reduce pet overpopulation).

### **City Council Adopted Values**

The adoption of the proposed updates to Chapter 8 of the CMC is consistent with the Council values of *responsibility* because it ensures the Town is consistent with County regulations and state law concerning animal control and associated permits, fees, and enforcement mechanisms.

### **Alternatives**

The City Council could choose not to proceed with the ordinance. Doing so is not recommended, however, as the Town’s contractual arrangement with the County requires that our Animal Control regulations match the County’s regulations.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

This activity is not a project under California Environmental Quality Act (CEQA) as defined in CEQA Guidelines, section 15378, because it has no potential for resulting in either a direct or

reasonably foreseeable indirect physical change in the environment. In the event the activity is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment.

## **CONCLUSION**

Staff recommends the City Council introduce the ordinance and set a public hearing to adopt the ordinance at the January 24, 2024 City Council meeting.

## **ATTACHMENTS**

- A. Town Ordinance
- B. County Ordinance



**ORDINANCE NO. [X]**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**ORDINANCE AMENDING CHAPTER 8 OF THE COLMA MUNICIPAL CODE  
RELATING TO ANIMALS, TO ADOPT BY REFERENCE THE ANIMAL CONTROL  
ORDINANCE OF SAN MATEO COUNTY, CONSISTING OF CHAPTER 6.04 OF  
TITLE 6 OF THE CODE OF ORDINANCES OF THE COUNTY OF SAN MATEO,  
CALIFORNIA AND TO MAKE OTHER CLARIFYING UPDATES PURSUANT TO  
CEQA GUIDELINE 15378 AND 15301**

The City Council of the Town of Colma does ordain as follows:

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**ARTICLE 1. FINDINGS, PURPOSE AND AUTHORITY.**

The City Council of the Town of Colma finds:

(a) The Town of Colma ("Town") presently contracts with the County of San Mateo ("County") to provide animal control services in the Town; and

(b) The Town's agreement for animal control services with the County requires the Town to adopt by reference the County's animal control ordinance and all amendments thereto; and

(c) The County has adopted an updated Animal Control Ordinance to clarify existing definitions, enact additional requirements for animal control, and revise the fees for animal control services; and

(d) The Town wishes to adopt the County's updated ordinance by reference, including the penalty provisions therein, as set forth in full below.

NOW, THEREFORE, the City Council of the Town of Colma does hereby ordain as follows:

**ARTICLE 2. RECITALS INCORPORATED.**

The above recitals are hereby adopted as findings of the City Council in enacting this Ordinance.

**ARTICLE 3. CEQA.**

The proposed Ordinance is not a project within the meaning of section 15378 of the California Environmental Quality Act ("CEQA") Guidelines because it has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment.

**ARTICLE 4. SEVERABILITY.**

If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The City Council of the Town of Colma hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**ARTICLE 5. EFFECTIVE DATE.**

This Ordinance shall go into effect 30 days following its adoption.

**ARTICLE 6. CMC CHAPTER 8 AMENDED AND RE-ADOPTED.**

Chapter 8 of the Colma Municipal Code, Animals, is hereby amended and re-adopted to read in full as follows:

**"CHAPTER EIGHT: ANIMALS**

**Subchapter 8.01: Animal Control**

**8.01.010 Adoption of San Mateo County Ordinance by Reference.**

(a) Chapter 6.04 of Title 6 of the San Mateo County Code of Ordinances, entitled "Animal Control," and any amendments thereto, is hereby adopted by this reference and made part of the Colma Municipal Code and are, accordingly, made effective in this Town. Certified copies of Chapter 6.04 of Title 6, as adopted hereby, and any subsequent amendments, shall be deposited with the City Clerk, and shall be at all times maintained by the Clerk for use and examination by the public.

(b) In the event of any conflict between the provisions of Chapter 6.04 of the Code of Ordinances of the County of San Mateo, California, hereinafter referred to as "The San Mateo County Animal Control Ordinance," and the provisions of this Chapter, the provisions of this Chapter shall govern.

**8.01.020 Three-Year Licensing for Dogs and Cats.**

Notwithstanding section 6.04.040 of the San Mateo County Animal Control Ordinance, a three-year license may be obtained for a cat or dog (excluding wolf hybrids) by submitting to the Licensing Program adequate proof of a three-year rabies vaccination of the animal to be licensed and payment of the applicable fees as set forth in Colma's Master Fee Schedule.

**8.01.030 Wolf Hybrid Registration.**

An annual registration fee shall be paid for every wolf hybrid over the age of four (4) months owned or harbored in the Town of Colma. Said registration fee shall be first due when the animal reaches four (4) months of age or within sixty (60) days after the animal is acquired and due on the anniversary date of the original purchase date each year thereafter. All residents shall have sixty (60) days in which to register their wolf hybrid. Persons renewing their registration shall have thirty (30) days following their due date before being delinquent and having to pay a late



penalty. The registration fee shall be as set forth in the Master Fee Schedule. The registration fee for spayed or neutered wolf hybrids shall be less than said registration fee for unaltered wolf hybrids. At the time of registration, the wolf hybrid Owner must show proof that the animal has been given anti-rabies vaccination by a licensed veterinarian to be administered in the manner prescribed or approved by the State of California Department of Public Health.

#### **8.01.040 Feeding Birds and Wild Animals Prohibited.**

(a) It shall be unlawful for any person to feed or offer food to any bird or wild animal in or on any sidewalk, street, highway or public property of the Town of Colma.

(b) It shall be unlawful for any person to feed or offer to any bird or wild animal in or on any private property in the Town of Colma, except for the following:

(1) Unintentional feeding of any wild animal as a result of leaving food at an individual gravesite within a cemetery.

(2) Use of a bird or hummingbird feeders on detached single-family residentially developed properties. Feeders shall be in such numbers that feeding does not create an unreasonable disturbance that affects the rights of surrounding property owners or creates a nuisance, does not create an accumulation of droppings on the property or surrounding properties, and does not become an attractant for rodents or other wild animals. Feeders are required to be suspended off the ground by a chain or other method to prevent potential feeding of wild animals and rodents and shall be filled only with bird seed and feed.

#### **8.01.050 Animal Waste.**

(a) It is unlawful for the Owner or person having custody of any animal to fail to immediately remove and dispose of in a sanitary manner, by placing in a closed or sealed container and depositing in a trash receptacle, any feces deposited by such dog animal upon private or public property not owned or controlled by the Owner or person having custody of such dog animal.

(b) No person having the care, custody, charge or control of any animal shall permit or allow that animal on any public sidewalk, public park or on any other public property, or on any private property owned by someone other than the Owner or person who has custody or control of the animal, unless that person has, in his or her possession, an implement or device capable of removing any feces deposited by the animal.

(c) The provisions of this section shall not be applicable to:

(1) Any animal enrolled and participating in obedience classes or in any show for which the Town has issued a special event permit;

(2) Any guide dog while being used by a blind person; or

(3) Any domestic feline.

### **CHAPTER EIGHT: ANIMALS**

## **Subchapter 8.02: Spaying, Neutering, and Breeding**

### **8.02.010 Definitions.**

For the purposes of this subchapter, the definitions set forth in section 6.04.010 of the San Mateo County Animal Control Ordinance shall apply.

### **8.02.020 Spaying/Neutering.**

(a) Any person who owns or harbors within the Town of Colma, any cat or dog over the age of six months which has not been spayed or neutered, shall procure either a license to keep an unaltered dog or cat or a license and permit for breeding cats or dogs issued by the San Mateo County Animal Control Services under section 8.02.030 of this Chapter.

(b) A license shall be issued for an unaltered dog or cat if the Owner signs a written statement that such animal will not be allowed to breed unless the Owner has first obtained a breeding permit under section 8.02.030 of this Chapter.

(c) Any person providing care or sustenance for a period of thirty days or longer shall be deemed the Owner of such animal and shall adhere to the provisions of this Chapter.

(d) Subsection (c) above shall not be interpreted to apply to a person caring for barn cats or a colony of feral cats if such person:

(1) Registers (at no charge) with the Peninsula Humane Society or the San Mateo County Animal Control Services as a caretaker for barn cats or feral cats.

(2) Regularly feeds or arranges for the feeding of the cats, including on weekends and holidays;

(3) Traps or makes a reasonable effort to trap all barn or feral cats over the age of eight (8) weeks in his/her care, and has them spayed or neutered;

(4) Has all trapped cats tested for feline leukemia and has those who test positive humanely euthanized or isolated indoors;

(5) Identifies barn or feral cats that have been spayed or neutered by means of ear notching, ear tipping, or ear tagging;

(6) Has all trapped cats vaccinated according to state and local laws.

### **8.02.030 Breeding Permits; Administration.**

(a) No person shall cause or allow any dog or cat owned or harbored, in the Town of Colma, to breed without first obtaining a breeding permit under this section.

(b) The San Mateo County Animal Control Services shall administer a permit program to allow breeding of cats and dogs consistent with criteria and according to procedures contained in this Chapter.

(c) Each applicant who is issued a permit to breed cats or dogs under this section shall pay a breeding permit fee according to the fee schedule contained in the San Mateo County Schedule of Fees and Charges, set forth in section 6.04.350 of the San Mateo County Animal Control Ordinance.

(d) No person shall cause or allow the breeding of a male or female dog or cat without first obtaining a breeding permit issued by the Animal Control Services. Such breeding permit is required in addition to any license required under Chapter 6.04 of Title 6 of the San Mateo County Code of Ordinances. Breeding permits shall be valid for twelve (12) months, renewable on an annual basis. All breeding permits shall contain the following terms and conditions and be subject to all of the following requirements:

(1) No offspring may be sold or adopted and permanently placed until reaching an age of at least eight (8) weeks.

(2) No offspring may be sold or adopted until immunized against common diseases, or until they have begun a course of disease prevention under the direction of a State of California licensed veterinarian.

(3) If within one year of placement a new Owner becomes unable or unwilling to continue ownership and responsibility for an animal, the permit holder shall assist in placement of the animal. If no suitable placement can be found within six (6) months, the permit holder shall accept return of the animal, if healthy and shall become fully responsible for its care.

(4) Any permit holder advertising to the public the availability of any animal for adoption or sale must prominently display the permit numbers in any publications in which they advertise. Further, the permit number must be provided to any person adopting or purchasing an animal bred by the permit holder.

(5) The breeding permit holder shall adhere to minimum standards regarding the care and keeping of animals developed and approved by the Animal Control Services.

#### **8.02.040 Sale or Adoption of Cats, Dogs or Wolf Hybrids.**

(a) Any person who provides or offers to the public, whether or not for compensation, any cat, dog, or wolf hybrid shall provide to their clients, free of charge, information relating to pet care and ownership, including information where applicable, on Town laws pertaining to animal control. This required information will be prepared and provided by San Mateo County Animal Control Services upon request.

(b) Any person offering cats, dogs, or wolf hybrids for sale or adoption shall disclose to any purchaser or adoptive Owner information regarding the licensing, registration or permit requirements of the Town of Colma applicable to such animal.

(c) No person shall offer for sale or adoption any cat, dog, or wolf hybrid on any public street, sidewalk or public park unless such person first obtains a business license to sell pets or is a recognized pet rescue/adoption agency such as Pets in Need and the Peninsula Humane Society.

(d) Prior to release for adoption, any animal adopted from any animal welfare agency shall be spayed or neutered as early as is medically appropriate, unless the adoptive Owner obtains a certificate from a licensed veterinarian certifying as to the health reasons for failing to alter such animal.

#### **8.02.050 Revocation of Breeding Permit.**

(a) Any permit issued pursuant to section 8.02.030 may be revoked if the Animal Control Officer has reasonable cause to believe any of the following to be true:

(1) The permittee has violated any Town or County ordinances relating to the keeping, care or use of any animal including, but not limited to, those contained in subchapters 8.01, 8.02 and 8.03 of the Colma Municipal Code;

(2) The permittee is in violation of any State health or safety law or regulation regarding animal care or control;

(3) The permittee has failed to comply with any condition or requirement of the permit or has failed to pay any fee imposed under this code;

(4) The permittee refused to allow inspection, upon forty-eight hours written notice, of any animal covered by the permit or the premises on which the animal is kept; or

(5) The permittee has transferred, sold or otherwise disposed of the animal for which the permit was issued.

(b) If, after inspection, the Animal Control Officer concludes that it is probable that one or more of the above grounds for revocation has occurred, it shall cause written notice thereof to be transmitted by mail to the address of the permittee. Said notice shall specify the grounds of possible revocation of the permit and shall specify a date and time for an informal hearing to be held before an Animal Control Officer. Said date shall be not less than five days subsequent to the date the notice is mailed. After the informal hearing, the Animal Control Officer may modify the terms of the permit or revoke the permit.

(c) The permittee may appeal the decision of the Animal Control Officer to the Town if the permittee gives written notice of such appeal within five working days of the decision.

#### **8.02.060 Responsibility for Enforcement.**

The Animal Control Program shall be responsible for the enforcement and administration of this subchapter.

### **CHAPTER EIGHT: ANIMALS**

#### **Subchapter 8.03: Animal Fanciers Permit**

### **8.03.010 Definitions.**

For the purposes of this subchapter, the definitions set forth in section 6.04.010 of the San Mateo County Animal Control Ordinance shall apply.

### **8.03.020 Animal Fancier Permit Program.**

(a) No person may keep more than four dogs or cats, or dogs and cats, at any one location unless that person has first obtained an Animal Fanciers Permit in accordance with this subchapter.

(b) The County Division of Animal Control shall administer an Animal Fancier Permit program as described by this chapter to allow the keeping of dogs and/or cats up to a total of ten animals.

### **8.03.030 Application for Animal Fancier Permit.**

Any application for an Animal Fancier Permit shall be made to the County Division of Animal Control on a form provided by the Division. The application shall include the name of the applicant, his or her residence address and telephone number, the address of the proposed location where the animals are to be kept if different from applicant's address, and a description of the housing facilities for the keeping of the animals. The application shall also state the number of dogs and/or cats to be kept and include a copy of the current license certificate issued pursuant to the San Mateo County Animal Control Ordinance for each animal to be kept. The Animal Control Program Manager may require the applicant to provide any other information he or she seems necessary to properly evaluate the application.

### **8.03.040 Issuance of Permit.**

(a) An application for an Animal Fancier's Permit shall include a statement from the applicant that:

(1) Keeping of the animals at the proposed location will not violate any federal, state or local laws or regulations.

(2) Appropriate facilities of sufficient size exist at the proposed location to safely and adequately secure, feed, house, exercise and maintain the animals.

(3) The proposed location consists of a lot or lots of sufficient size to safely and adequately house, maintain and exercise the animals without disturbance to adjacent property owners or the public.

(4) Possession and maintenance of the animals at the proposed location will not result in the animals being subject to neglect, cruelty, or abuse.

(5) The applicant has neither had any animal license or permit revoked, nor has been convicted of any violation of any provision of subchapters 8.01, 8.02 and 8.03 of this code or any other state or local animal control law, within the past year.

(6) The keeping and maintenance of the animal will not create a public or private nuisance or endanger the public health, safety or welfare.

(7) The keeping of the animals at the proposed location complies with all Town zoning regulations.

(b) The Animal Control Program Manager may investigate or require any further information or documentation which would assist in determining whether the statements made by the applicant are correct and whether the permit should be issued.

#### **8.03.050 Permit Conditions.**

(a) Any permit issued under this chapter shall be made expressly subject to the following conditions:

(1) The permit holder shall provide veterinary care as needed and make every effort to keep all animals free of disease and parasites.

(2) The permit holder shall keep the animals' living quarters clean and sanitary.

(3) Any cages or structures housing animals shall be of a sufficient size to insure the health, safety and comfort of the animals and shall be placed at least three (3) feet from any lot line in residential areas.

(4) Any other conditions which the County Division of Animal Control determines is reasonably necessary to protect the welfare of the animals kept or the public, health, safety or welfare.

(b) The fancier permit fee established under the Fee Schedule set forth in section 6.04.350 of the San Mateo County Animal Control Ordinance shall be paid by the applicant prior to issuance of the permit. Such fee shall be paid each time a permit is issued or renewed.

#### **8.03.060 Inspections.**

(a) The Animal Control Program Manager may require any permit holder to produce for inspection any required animal license, permit or certificate of vaccination.

(b) The Animal Control Program Manager may, with 48 hours' notice to the permit holder, conduct such inspections of the premises upon which animals are kept under a fancier's permit, as necessary to insure compliance with the conditions of the permit.

(c) Such inspection of the premises shall be based on the direct observations of an Animal Control Officer or upon a non-anonymous complaint.

#### **8.03.070 Expiration and Renewal of Permits.**

(a) Permits issued under this chapter shall expire one year after issuance.

(b) Permits may be renewed on an annual basis upon filing of a new application containing updated information and payment of the annual Fancier's Permit fee established under the Fee Schedule set forth in section 6.04.350 of the San Mateo County Animal Control Ordinance.

(c) No permit shall be renewed if the Animal Control Program Manager has received two (2) or more substantiated complaints concerning the location or manner of keeping of the animals or if the Animal Control Program Manager has determined that the findings set forth in section 8.03.040 cannot be made or that any of the grounds for revocation described by section 8.03.080 exist.

### **8.03.080 Permit Revocation.**

(a) Any permit issued under this chapter may be revoked by the Animal Control Program Manager if, after investigation, the Animal Control Program Manager finds reasonable cause to believe any of the following grounds exist:

(1) The permittee has violated any animal control laws or regulations, any zoning or health and safety laws or any regulations relating to the keeping of animals;

(2) The permittee has failed to keep and maintain in a clean and sanitary condition the premises on which the animals are kept;

(3) The permittee has acted in an inhumane or cruel manner in the treatment of the animals;

(4) The permittee has failed to provide any animal with proper food, water, exercise, shelter or veterinary care;

(5) The permittee has failed to comply with all conditions of the permit;

(6) The permittee has failed to pay any fee or obtain any license imposed under this chapter 8; or

(7) The permittee has provided false information in the permit application or has failed to cooperate in allowing inspection of the premises by the Animal Control Program Manager.

### **8.03.090 Appeal of Revocation of Permit.**

(a) Prior to revocation of a permit, the Animal Control Program Manager shall provide written notice to the permittee of its intention to revoke the permit. Such notice shall contain a statement of the grounds supporting permit revocation and shall advise the permittee that the permit will be revoked unless a hearing before the Director of the Health System or his/her designee is requested in writing to the Animal Control Program Manager within ten (10) days of the mailing of the notice. Any request for a hearing must specify the reasons the license should not be revoked and why the grounds cited in the notice do not exist.

(b) Upon receipt of a request for hearing, the Animal Control Program Manager shall schedule a hearing before the Director of the Health System or his/her designee and shall provide the permittee with reasonable written notice of the date, time and place of the hearing.

(c) At the hearing, the petitioner and the Animal Control Program Manager may be represented by counsel, present oral and written evidence and cross-examine witnesses. The strict rules of evidence need not apply. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs. In this regard, written statements, records or reports by a state or county officer or employee, or any law enforcement or fire protection officer or employee, or the Animal Control Program or its agents, acting in the course and scope of their official duties, or written statements by any person made under penalty of perjury, may be admitted as evidence that the facts or conditions expressed therein do or do not exist.

(d) After the hearing, the hearing officer may revoke the permit or may impose additional conditions in order to allow continuation of the permit if he or she finds that substantial evidence supports the decision by the Animal Control Program Manager to revoke the permit. Alternatively, the hearing officer may determine that the permit should not be revoked.

(e) After a permit is revoked, the Animal Control Program Manager shall allow the permit holder reasonable time, not to exceed 90 days, to relocate those cats and dogs which may not be kept without an Animal Fancier Permit: except that if the cause of revocation involves health or safety concerns or violations or animal neglect or cruelty the Animal Control Program Manager may immediately impound all of the animals.

#### **8.03.100 New Application After Denial or Revocation.**

If a license has been denied or revoked, the Animal Control Program Manager shall not accept a new application by the same person or member of the person's household less than twelve (12) months after such denial or revocation unless the applicant shows and Animal Control Program Manager determines that the grounds upon which the first license or application was denied or revoked no longer exist. Upon revocation, no part of the permit fee shall be refunded.

#### **8.03.110 Administrative Guidelines.**

The Animal Control Program Manager may formulate administrative guidelines in conformity with, and for the purpose of implementing, this chapter.

#### **8.03.120 Mediation.**

Upon receipt of a nuisance complaint regarding the holder of an Animal Fancier Permit, the Animal Control Program Manager ("Manager") may require the complainant(s) to mediate with the Animal Fancier permit holder as a precondition of investigation, citation and abatement of the nuisance. Such cases may be referred to the County Mediation Program. If the Manager determines mediation is appropriate and the complainants agree to mediate but the alleged violator refuses, the Manager may proceed with investigation and any appropriate enforcement.

#### **8.03.130 Responsibility for Enforcement.**

The Animal Control Program shall be responsible for the enforcement and administration of this subchapter.



## CHAPTER EIGHT: ANIMALS

### Subchapter 8.04: Regulating Livestock Animals

#### 8.04.010 Definitions.

For the purposes of this subchapter, the definitions set forth in section 6.04.010 of the San Mateo County Animal Control Ordinance shall apply.

#### 8.04.020 Prohibition.

(a) Except as expressly provided herein, no person shall keep, maintain or operate any premises in the Town of Colma for the purpose of maintaining, keeping or feeding hogs, pigs or swine, cattle, horses, goats, sheep, mules or any other livestock.

(b) Nothing contained herein shall prohibit a governmental organization from making temporary use of goats for one (1) week out of a calendar year solely for the purposes of weed abatement. Such use shall immediately cease if the City Manager or his or her designee determines the public health, safety or welfare is at risk.

#### 8.04.030 Public Nuisance.

The keeping, maintaining or feeding of hogs, pigs or swine, cattle, horses, goats, sheep, mules or any other livestock contrary to the provisions or requirements of this ordinance is declared a public nuisance.

#### 8.04.040 Non-Profit Organizations.

Notwithstanding the other provisions of this subchapter, the City Council is empowered to grant permits authorizing non-profit organizations to maintain, keep or feed swine, cattle, horses and livestock. Such a permit shall be granted in compliance with the following requirements:

(a) Application for such permit shall be made in writing to the City Council on a form provided by the City Clerk;

(b) The applicant shall be a non-profit organization;

(c) The primary purpose and effect of the project shall be for the education of the individuals participating in the project. The education shall be in such areas as animal care and husbandry;

(d) The project shall be kept and maintained in compliance with proper health and sanitation standards and shall be subject to periodic inspection by the City Health Officer;

(e) The project shall not be kept and maintained as to constitute a public nuisance as that term is defined in California Civil Code section 3479.

#### 8.04.050 Revocation.

Upon request of the City Health Officer, or upon written application submitted by a resident or property owner of the Town of Colma, the Council shall notice a public hearing to determine whether the permit shall be revoked. The Council shall revoke the permit if it determines that the preponderance of the evidence at the hearing establishes that any of the requirements of the permit have not been complied with.

## **CHAPTER EIGHT: ANIMALS**

### **Subchapter 8.05: Poultry and Fowl**

#### **8.05.010 Definitions.**

For the purposes of this subchapter, the definitions set forth in section 6.04.010 of the San Mateo County Animal Control Ordinance shall apply.

#### **8.05.020 Findings.**

The City Council finds that noise and smell from poultry or fowl, including chickens, ducks, turkeys, geese, squabs, pigeons or partridges, can become a nuisance to surrounding property owners, unless such poultry or fowl are kept and confined within an enclosure that is at least 125 feet, and for roosters 500 feet, from a dwelling unit.

#### **8.05.030 Prohibition.**

No person, firm or corporation shall keep, or allow to be kept, on any property within the Town of Colma any poultry or fowl, including chickens, ducks, turkeys, geese, squabs, pigeons or partridges which can become a nuisance to surrounding property owners, unless such poultry or fowl shall at all times be kept and confined within a yard, pen, corral, bird or chicken house, or other enclosure so constructed as to make impossible escape therefrom by said poultry, which said yard, pen, corral, chicken house, or other enclosure shall be so placed that no part thereof shall be within a distance of 125 feet from any house used or designed to be used for dwelling or residential purposes, and not owned, leased or otherwise controlled by such person, provided that crowing roosters of three (3) months of age or more shall be housed or kept within a distance of five hundred (500) feet from any house used or designed to be used for dwelling or residential purposes, and not owned, leased or otherwise controlled by the owners of said poultry.

#### **8.05.040 Public Nuisance.**

The keeping, maintaining or feeding of poultry or fowl contrary to the provisions or requirements of this ordinance is declared a public nuisance.

#### **8.05.050 Lawful, Nonconforming Use**

(a) Notwithstanding the foregoing, any lawful use of the premises within the Town of Colma for the keeping or maintenance of poultry or fowl which began on or before January 1, 1988

and has continued to the date of this ordinance may continue provided that a permit meeting the following requirements is first obtained:

(1) Application for such permit shall be made in writing to the City Planner who must issue the permit if all conditions herein have been satisfied;

(2) The project shall be kept and maintained in compliance with proper health and sanitation standards and shall be subject to periodic inspection by the City Health Officer or the City Code Enforcement Officer;

(3) The premises shall not be kept and maintained so as to constitute a public nuisance as that term is defined in California Civil Code Section 3479.

**8.05.060 Revocation.**

Upon request of the City Health Officer, or upon written application submitted by a resident or property owner of the Town of Colma, the Council shall notice a public hearing to determine whether the permit shall be revoked. The Council shall revoke the permit if it determines, by a preponderance of the evidence that any of the requirements of the permit have not been complied with.

**CHAPTER EIGHT: ANIMALS**

**Subchapter 8.06: Regulation of Pigeons**

**8.06.010 Definitions.**

(a) For the purposes of this subchapter, the definitions set forth in section 6.04.010 of the San Mateo County Animal Control Ordinance shall apply.

(b) In addition, as used in this subchapter, the following words shall have the meaning shown:

(1) "Loft" means any house, dovecote, structure or enclosure for the keeping or housing of pigeons.

(2) "Pigeon" means a bird of the order Columbidae and includes racing pigeon, carrier pigeon, homing pigeon, fancy pigeon and sporting pigeon.

**8.06.020 Purposes.**

(a) The purposes of this ordinance are to preserve the health and safety of the people by regulating carrier, homing and racing pigeons in single-family residential zones, and to control and abate nuisance activities arising out of the keeping, maintaining, or releasing of pigeons.

(b) The City Council intends that provisions of this ordinance shall take force and effect as provided herein despite any claims of grandfathered rights under traditional zoning laws.

(c) This ordinance is adopted under the Town's general police power to protect the public health and safety and is intended to be consistent with Government Code section 65852.6.

### **8.06.030 Findings.**

(a) The City Council finds that regulation of pigeons is necessary to protect the public health and safety of City residents and visitors, as evidenced by the following facts.

(1) In the recent past, staff received statements describing the presence of a large number of pigeons in the Sterling Park neighborhood, the proliferation of mites in the vicinity of the property and damage by pigeons to nearby fruit trees. On investigation, staff has observed a significant amount of pigeon manure on otherwise clean vehicles and roofs and windows of residences that are located near to pigeon lofts.

(2) It is common knowledge that pigeons drop feces below areas where they roost and fly. Bacteria and fungi is transmitted from the droppings and respiratory secretions of infected pigeons to humans, leading to infection which in turn can cause liver damage, kidney damage or even meningitis.

(3) It is also common knowledge that pigeons consume fruits, grains and vegetation, especially in areas near their nests and attract mites and pests to their locations.

(4) Bacteria are spread from an infected bird in its droppings and respiratory secretions (i.e. sneezing and coughing). The bacterium which homing pigeons (if infected) can spread is called Chlamydiosis. Chlamydiosis, also known as Psittacosis, can be transmitted to humans. In people, the disease causes flu-like symptoms of fever, chills and headache. If left untreated, Psittacosis can cause liver and kidney damage or even meningitis. (This Chlamydia is not the same infectious agent that is spread among humans as a sexually transmitted disease.)

(5) Cryptococcus is another fungus infection. Though uncommon in pet birds, infection can cause diarrhea, paralysis, nervous-system signs and masses with a gelatinous consistency. Humans can contract this disease when they inhale the dust from dried droppings (most commonly from pigeons). Infection in people can be quite serious leading to meningitis, encephalitis (brain inflammation) or respiratory symptoms.

(6) Dryness, cleanliness and proper sanitation in pigeon lofts are essential to the health of pigeons and necessary to prevent the spread of disease. This ordinance adopts standards and conditions for maintaining pigeon lofts to prevent the spread of disease.

(7) Disease can also be spread by allowing pigeons to stay outside of their loft for extended periods of time or to perch on neighboring yards, houses and cars. Pigeons can be trained to not land anywhere except on the landing board of the pigeon owner's loft, from staying out all day, from perching on neighbor's yards, houses and cars, and to return to their loft promptly after release. The risk of disease and nuisance is minimized when pigeons are trained in this manner. This ordinance mandates permit conditions requiring the permittee to train pigeons to behave in a manner that will minimize or prevent the spread of disease. These requirements are based on techniques for training pigeons recommended by the American Racing

Pigeon Union, Inc. and are based on the concept that it is a pigeon's love of home, need for food, and fear of the unknown that brings it back to its loft.

(8) Prior to the introduction of this ordinance, staff inspected certain areas near an existing pigeon loft that reportedly contains 50 pigeons. Staff found, on an average day, 30 incidents of pigeon droppings within 75 feet of the loft and an additional average of 20 incidents of pigeon droppings between 75 and 110 feet from the loft. There were higher concentrations of droppings on rooftops and perch areas within 100 feet of the loft. Thus, residences and personal property commonly stored outdoors, such as vehicles and patio furniture, within 100 feet of a pigeon loft are more likely to be affected by the nuisance caused by the consistent presence of pigeon droppings.

(9) Based on the evidence, a setback requirement of up to 100 feet from the pigeon loft to the nearest dwelling unit would be warranted. However, this would result in a complete ban on all pigeon lofts in the residential areas in Town. With the adoption of requirements that pigeons be trained to return to their lofts without perching in the surrounding areas, a less restrictive setback requirement of ten feet is established in this ordinance.

(10) Another health concern is that rodents and other animals are attracted to properties where pigeon food is left out or improperly stored. These rodents will leave feces in areas visited and will carry diseases. For this reasons, this ordinance adopts standards to prevent rodents and other animals from feeding or residing on or about pigeon lofts.

(11) Because of the health and sanitation risks associated with keeping or maintaining pigeons, many of the provisions of this ordinance shall take force and effect on the dates provided herein despite any claims of grandfathered rights under traditional zoning laws. In order to allow persons who were keeping pigeons a reasonable notice and opportunity to comply with certain provisions herein, the provision requiring a permit took effect approximately 60 days after original passage of this ordinance and the provision requiring a reduction in the number of pigeons took effect approximately one year after passage of this ordinance.

(12) Finally, feeding of wild animals and birds on public property causes a public nuisance by attracting wild animals and birds which drop feces in the areas where they are fed, which must be cleaned by city crews, at taxpayers' expense.

#### **8.06.040 Prohibitions**

(a) It shall be unlawful for any person to keep or maintain a pigeon anywhere in the Town, except as provided in this ordinance.

(b) No person shall keep or maintain more than fifty (50) pigeons in any zone other than the G zone.

(c) It shall be unlawful for any person to construct, keep or maintain a pigeon loft unless the pigeon loft meets the requirements of an Accessory Building under sections 5.03.070 and 5.03.080 of this Code, is constructed in accordance with the Uniform Building Code, and the City Council has issued a Permit to such person to keep and maintain pigeons, as provided in this ordinance.

(d) It shall be unlawful to release a pigeon in a residential zone unless a permit in writing, authorizing the keeping of pigeons in a residential zone was first applied for and obtained from the City Planner.

#### **8.06.050 Pigeon Permit for Keeping Pigeons**

(a) Every application for a permit to keep and maintain pigeons shall be made upon forms to be furnished for that purpose by the Planning Department, signed by the applicant and filed with the Planning Department. No such application shall be received for filing by the Planning Department unless accompanied by a filing fee set forth in the Master Fee Schedule.

(b) Any person keeping or maintaining more than two pigeons anywhere in Town must obtain a permit in writing from the City Planner.

(c) The City Council shall deny the granting of a pigeon permit unless it finds that all criteria set forth in this ordinance have been met and that such use is not detrimental to the health, safety and welfare of the applicants and adjoining residents and property owners.

(d) Nothing herein shall authorize the issuing of a permit to keep or maintain pigeons for market or commercial purposes in a residential zone or in violation of any other ordinance of the Town of Colma.

(e) A permit to keep pigeons shall be conditioned upon each of the following:

(1) That the permittee maintain a pigeon loft in accordance with the requirements of this ordinance;

(2) That all pigeons shall be banded and registered with one of the national pigeon associations or registries, that the permittee shall maintain a list of all pigeons in the permittee's possession and shall make the list available upon request by the Code Enforcement Officer or designee;

(3) That the permittee train each pigeon to fly with a flock within two weeks after the first time that pigeon is let out of the loft;

(4) That the permittee train each pigeon not to land anywhere except on the landing board of the loft within four weeks after the pigeon is first let out of the loft;

(5) That the permittee not release a pigeon from the loft except during the period beginning two hours before sunset and ending at sunset unless the pigeon has been trained to fly with the flock and not to land anywhere except on the landing board of the loft;

(6) That the permittee not release a pigeon from the loft, whether for exercise, training, competition, or other reason, until at least four hours after the pigeon has been fed;

(7) That the permittee shall be required to keep such records as may be required by the City Planner to establish compliance with each of the conditions of the permit; and

(8) That the permittee shall allow the Code Enforcement Officer to enter and inspect the permittee's property or loft at any reasonable time for the purpose of investigating

either an actual or suspected violation of this ordinance or to ascertain compliance or noncompliance with this ordinance.

(f) The City Council may impose other conditions on the granting of a permit as are reasonable and necessary to carry out the purposes of this ordinance.

(g) A Pigeon Permit shall not be approved for any applicant, nor shall a Pigeon Permit be approved at a location if there is an action pending as provided in either (1) or (2) listed below against the property owner, tenant or lessee of the property. Further, an approved Pigeon Permit shall be revoked for an applicant or location for either of (1) or (2) listed below.

(1) Any combination of two or more outstanding citations of the Town of Colma Municipal Code, or adjudicated citations found in favor of the Town of Colma by a court of competent jurisdiction, issued within the twelve months preceding the date of the Pigeon Permit application and directly or indirectly related to, or similar to, any property, event, activity or use for which the Pigeon Permit application is proposed; or,

(2) The individual listed as the applicant on the Pigeon Permit application has, or where the property owner, a tenant or lessee, of the property listed on the Pigeon Permit application as the intended site of the raising, housing or handling of homing, carrier or racing pigeons, has a Municipal Code violation(s) being processed by the Town of Colma or pending before a court of competent jurisdiction and directly or indirectly related to, or similar to, any property, event, activity or use for which the Pigeon Permit application is proposed.

#### **8.06.060 Pigeon Lofts; Sanitation Standards**

(a) Each person keeping or maintaining pigeons in the Town of Colma shall maintain a pigeon loft in a dry, clean and sanitary condition at all times, shall scrape and clean the pigeon loft and remove food scraps not less than two times each week, and shall dispose of all food scraps in a sanitary manner. Specifically, but without limitation:

(1) All pigeons shall be fed within the confines of the loft;

(2) Droppings should be removed from all surfaces of the loft at least twice a week;

(3) Before cleaning, all food, grit and water containers must be removed from the loft to prevent possible contamination; and

(4) Waste material shall be disposed of in accordance with the provisions of Subchapter Four of Chapter Three of the Colma Municipal Code.

(b) Pigeon lofts shall be constructed and maintained in accordance with the following standards:

(1) The loft must keep out mice, rats, opossums, raccoons, weasels, snakes, cats, dogs, and other wild birds;

(2) There must be a minimum of eight cubic feet of air space and one square foot of area per bird in the loft;

(3) There must be at least three major sections, one for breeders, one for young birds and one for old birds, with a landing board large enough for all pigeons to land on it at one time;

(4) The loft must be designed and maintained so that a pigeon may not exit from the loft without being released by a person;

(5) The ceiling of the loft must be tall enough to allow a person to enter the loft to clean it;

(6) The loft must be elevated at least 18 inches from the ground with open area underneath to prevent rodents from taking up residence under the floor;

(7) The loft must allow free circulation of air throughout and lots of sunshine to all areas; and

(8) The loft must be at least ten feet from the side and back yard property boundaries.

#### **8.06.070 Appeals.**

A person aggrieved by a decision of the City Planner with respect to this subchapter may appeal the decision to the City Council. The appeal shall be heard in accordance with the procedures set forth in section 1.02.120 of the Colma Municipal Code. The City Council may affirm, overrule, or modify the decision of the City Planner.

#### **8.06.080 Diseased Pigeons: Notice to San Mateo County Health Department.**

Whenever any pigeon shall appear to have any communicable disease, the San Mateo County Health Department shall be notified immediately of such condition with such information as may be necessary and such pigeon shall be immediately isolated from healthy pigeons. No diseased pigeons shall be sold or given away, nor shall they be otherwise disposed of except in the manner authorized by the Health Officer. A Health Officer may seize or impound a pigeon based on a reasonable belief that prompt action is required to protect the health or safety of the animal or the health and safety of others. Any such seizure or impoundment shall be consistent with the requirements stated in Penal Code sections 597.1, 597f, 599d, and 599e.

### **CHAPTER EIGHT: ANIMALS**

#### **Subchapter 8.07: Violations and Penalties**

#### **8.07.010 Penalties; Continuing Violation.**

(a) A violation of any provisions contained in this Chapter 8 is hereby declared an infraction except for a violation of any provision of Section 6.04.050, subsection (a) of Section 6.04.090, or subsection (a) of Section 6.04.130 of the San Mateo County Animal Control Ordinance, a violation of which is hereby declared a misdemeanor.

(b) Every day any violation of any provision of this Chapter 8 continues shall constitute a separate offense.



(c) This section shall not limit any other available criminal, civil or administrative remedies. Any or all applicable remedies shall remain available for violation of the provisions of this Chapter 8.

**8.07.020 Amount of Administrative Fines for Violations.**

(a) Any person issued an administrative citation for a violation of this Title 6 or the San Mateo County Animal Control Ordinance shall be assessed and pay a fine as follows:

(1) One hundred dollars (\$100) for a first citation.

(2) Two hundred dollars (\$200) for a second citation for the same violation within a one-year period.

(3) Five hundred (\$500) for each additional citation for the same violation within a one-year period.

**8.07.030 Violations a Public Nuisance; Remedies Cumulative.**

Violations of this Chapter 8 or of the San Mateo County Animal Control Ordinance are hereby declared a public nuisance subject to any and all applicable civil, administrative, and criminal remedies, according to the provisions and procedures set forth in this Municipal Code and other applicable state and local law."

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**Certification of Adoption**

I certify that the foregoing Ordinance No. **XX** was duly introduced at a regular meeting of the City Council of the Town of Colma held on January 10, 2024, and adopted at a regular meeting of the City Council of the Town of Colma held on \_\_\_\_\_, 2024, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor					
Joanne F. del Rosario					
Ken Gonzalez					
Carrie Slaughter					
Helen Fiscaro					
<i>Voting Tally</i>					

Dated: \_\_\_\_\_

\_\_\_\_\_  
John Irish Goodwin, Mayor

Attest: \_\_\_\_\_

Abigail Dometita, Interim City Clerk

**ORDINANCE NO. \_\_\_\_\_  
BOARD OF SUPERVISORS, COUNTY OF SAN MATEO,  
STATE OF CALIFORNIA**

\* \* \* \* \*

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 6.04 (ANIMAL CONTROL) OF TITLE 6 OF THE SAN MATEO COUNTY ORDINANCE CODE TO CLARIFY EXISTING DEFINITIONS, ENACT ADDITIONAL REQUIREMENTS FOR ANIMAL CONTROL, REVISE ANIMAL CONTROL SERVICE FEES**

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The Board of Supervisors of the County of San Mateo, State of California,

**ORDAINS** as follows:

**SECTION 1.** Chapter 6.04 of the San Mateo County Ordinance Code is hereby repealed, and a new Chapter 6.04 is hereby adopted, to be entitled and numbered and to read as follows:

**CHAPTER 6.04 ANIMAL CONTROL**

**6.04.010 – Definitions**

The following words and phrases, when used in this Chapter shall have the meaning set forth below:

**"Animal Control Officer"** – any person designated as the Animal Control Program Manager for the County, as well as the head of the County’s animal control contractor and their duly authorized officers or deputies. In the event the County has no animal control contractor to provide animal control officers, or in cases of emergency in which additional animal control officers are needed, “animal control officer(s)” may include persons so designated by the Animal Control Manager.

**"Animal Control Program"** – that program established by the County and participating cities, and the Program’s animal control contractor(s), if any, which contractor is specifically charged with regulating and enforcing laws dealing with animal control within the participating jurisdictions. Animal Control Program includes the Licensing Program.

**"Animal Control Program Manager"** - that person employed by the County to oversee the Animal Control Program or designee.

**"Animal Control Shelter"** - A San Mateo County facility operated by the County, or by another public entity, an accredited, tax-exempt humane non-profit organization contracted with the County, or a for-profit business contracted with the County for the

purpose of impounding, sheltering, adopting, or euthanizing seized, stray, distressed, homeless, abandoned, or unwanted animals.

**“Caretaker”** - any person 18 years of age, or older, who has assumed responsibility for the care, custody, or control of an animal(s).

**"Dangerous Animal"** - any animal, except a trained animal assisting a peace officer engaged in law enforcement duties, that constitutes a danger to persons or animals, and/or demonstrates any of the following behavior(s):

- (a) behavior that results in bodily harm that is less serious than a “Severe Injury”, or  
constitutes a substantial threat of bodily harm to a person; or
- (b) an attack on another animal which results in an injury that is sufficient to require veterinary care even if not received.

An animal which has been declared by an out of county jurisdiction as "potentially dangerous," "dangerous," "vicious," or any other similar designation, may be deemed a Dangerous or Vicious animal for the purposes of this Chapter, as determined by an Animal Control Officer.

**“Health Officer”** - that person so designated by the County of San Mateo.

**“Humane Officer”** - any person who is qualified and appointed pursuant to California Corporations Code Section 14502, and who is an employee of the County and designated as such by the County or an employee of a society for prevention of cruelty to animals or humane society that has contracted with the County to provide animal control services.

**"Licensing Program"** - that program within San Mateo County Health, including but not limited to, any County contractor specifically charged with regulating and selling animal licenses in the County of San Mateo.

**“Owner”** - any person 18 years of age or older who:

- (a) holds the license to the animal; or
- (b) if the animal is not licensed, is legally entitled to possession of the animal;  
or
- (c) has exercised primary responsibility for the care of the animal for thirty (30) or more consecutive calendar days.

**“Person”** – means any individual, partnership, corporation, organization, trade or professional association, firm, limited liability company, joint venture, association, trust,

estate, or any other legal entity, and any officer, member, shareholder, director, employee, agent, or representative thereof.

**“Severe injury”** - Any physical injury to a human caused by an animal attack that involves tooth derived muscle tears, disfiguring wounds or laceration(s), multiple bites requiring sutures, broken bones and/or requires corrective surgery.

**“Service Animal”** - any animal defined as such by federal or state law.

**"Vicious Animal"** - any animal, except a trained animal assisting a peace officer engaged in law enforcement duties, which meets any or all of the following criteria:

- (a) Any animal that, at the time of the attack, is already designated as a Dangerous Animal and/or is the subject of a Dangerous Animal Permit, and which is found to have engaged in any of the following:
  - (1) behavior that results in bodily harm, or constitutes a substantial threat of bodily harm, to a person; or
  - (2) an attack on another animal which results in an injury that is sufficient to require veterinary care, whether or not received.
- (b) Any animal that inflicts Severe Injury to or kills a person.
- (c) Any animal which cannot be safely maintained with a Dangerous Animal permit.
- (d) Any animal designated by another governmental jurisdiction as, “dangerous”, "vicious", or any other similar designation, if that prior designation is based on behavior which would meet the definition of Vicious under this Chapter, as determined by an Animal Control Officer.

#### **6.04.020 - Animal Control Program.**

- (a) The Animal Control Program is responsible for the enforcement of this Chapter.

The duties of the Animal Control Program shall include, but not be limited to, the following:

- (1) Provide animal control, sheltering services, and a rabies control program to carry out and enforce all provisions of this Chapter and California Health & Safety Code section 121690, and keep such records as may be required by law or contract.

- (2) Enforce the provisions of this Chapter and all applicable state and local laws relating to the care, treatment, and impounding of animals, and specifically to issue citations and to make arrests for violations of the provisions of this Chapter and related state laws, to the extent authorized by law.
- (3) Impound animals found to be in violation of this Chapter in the interest of protecting public health and safety.
- (4) Investigate animals pursuant to this Chapter or applicable state law and, if deemed appropriate, designate any such animals as Dangerous or Vicious pursuant to this Chapter.
- (5) Impound animals which are in imminent or ongoing danger, or which are in need of safekeeping in order to protect the health and safety of the animal.
- (6) Impound animals that are causing a threat to public safety.
- (7) Where authorized under the law, to enter upon any premises upon which any animal is kept in order to seize or impound of any animal if reasonable cause exists to believe that such animal is being kept or has behaved in violation of the provisions of this Chapter.
- (8) To remove and dispose of the carcass of any animal(s) found on any public right of way, except freeways or other areas maintained by Caltrans.
- (9) Quarantine animals under the direction of the County Health Officer to ensure public health and safety.
- (10) Euthanize and/or dispose of animal(s) humanely and in accordance with the law.
- (11) Place for adoption, when appropriate, properly impounded animals if such animals are not redeemed after due notice to known Owners in accordance with the law.
- (12) Provide and hold vaccination clinics in strategic locations throughout the County pursuant to Health and Safety Code 121690.
- (13) Provide or make available at low cost, spay/neuter surgeries to dogs, cats, and rabbits.
- (14) Provide for issuance of an animal license for a period not to exceed the term of the anti-rabies vaccination, as provided by state law.

- (15) To collect any fees or charges provided for in this Chapter for the licensing, impounding and/or keeping of any animal, or for the enforcement of this Chapter.
- (b) Animal Control Officers qualified under Penal Code section 830.9, who are either employees of the County designated as such by the County, or employee(s) of and designated as such by a society for prevention of cruelty to animals or humane society which has contracted with the County to provide animal control services, shall have the authority to issue citations and/or notices to appear in court, and obtain and execute search warrants to the maximum extent allowed by law, for violations of state and local animal control laws. Animal Control Officers shall have the authority provided by state law including, but not limited to, that described by Penal Code section 830.9. Animal Control Officers must complete Penal Code section 832 training.
- (c) Those employees of a society for prevention of cruelty to animals or humane society under contract with the County to provide animal control services, who have been appointed and qualify as humane officers under California Corporations Code section 14502, or its successor statute, shall have the authority to issue citations and/or notices to appear in court, and obtain and execute search warrants, to the maximum extent allowed by law, for violations of state and local animal control laws.
- (d) The County may contract for animal control services to be performed countywide, including within cities, provided agreement is made with the participating jurisdictions.

#### **6.04.030 - Rabies Vaccinations.**

- (a) Every dog or cat Owner shall ensure their animal is vaccinated for rabies by a licensed veterinarian in the manner prescribed or approved by state law and the State of California Department of Public Health, after the dog or cat attains the age of three (3) months of age and/or within ten (10) calendar days of acquiring an unvaccinated animal. This vaccination shall be obtained prior to issuing a license for the dog or cat. In addition, proof of vaccination shall be provided by the Owner or Veterinarian to the Licensing Program or the County's animal control contractor.
- (b) Every veterinarian who vaccinates or causes or directs to be vaccinated in the County any dog, or cat with rabies vaccine shall certify that such animal has been vaccinated. Every veterinarian shall submit to the licensing authority a copy of the County-approved rabies vaccination form, within ten (10) calendar days of the beginning of each month, for any dog or cat which they vaccinate or direct to be vaccinated with anti-rabies during the previous month. An Animal Control Officer or Animal Licensing

staff shall have the right to inspect records of rabies vaccinations during normal business hours.

- (c) Upon receipt of a written request from a licensed veterinarian to exempt a microchipped pet from receiving a one or three-year vaccination, for medical reasons, the County Health Officer and/or designee shall review the basis for the request for exemption and approve or/deny said request.

#### **6.04.040 - Dog and Cat Licenses.**

- (a) Licensing requirements for dogs and cats shall be as follows:
  - (1) An annual license shall be obtained, and an annual license fee shall be paid by the Owner for every dog or cat over the age of three (3) months owned or kept in unincorporated San Mateo County, and all cities within the County which adopt this Chapter. Said annual license fee shall be first due when the animal reaches three (3) months of age or within sixty (60) calendar days after the dog or cat is acquired, and due on the expiration date of the rabies vaccination and each year thereafter.
  - (2) New residents shall have sixty (60) calendar days in which to acquire such license.
  - (3) Persons renewing their license shall have thirty (30) calendar days following their due date before being found delinquent and assessed a late penalty.
  - (4) The fee for such license shall be as set forth in section 6.04.350 of this Chapter. The fee paid for the licensing of altered dogs and cats shall be less than said license fee for unaltered cats or dogs upon presentation of the proper certification. The license fee paid by persons over the age of 60 shall be at a discount.
  - (5) An Owner may obtain a three-year license for a cat or dog by submitting to the Licensing Program adequate proof of a three-year rabies vaccination of the animal to be licensed and payment of the applicable fees, as set forth in section 6.04.350 of this code.
  - (6) Any person who fails to pay such license fee after said fee is due or said dog or cat is required to be licensed, in addition to paying any past due license fee(s), may also be required to pay a late fee in accordance with Section 6.04.350 of this Chapter or may receive an administrative citation.



- (7) A license shall be obtained, but no license fee shall be payable, by the Owner of any dog being raised, trained or used as a service animal, or for dogs that have served as a member of the armed forces of the United States of America, or any dog used by a local law enforcement agency for the purposes of law enforcement.
  - (8) Animals with microchip implants or other permanent identification acceptable to the Animal Control Program are not exempt from the mandatory licensing requirements.
- (b) The licensing provisions in this Chapter are not applicable to the following:
- (1) Dogs or cats used for diagnostic purposes or research, the use having been approved by the California State Department of Health Services pursuant to section 1666 of the Health and Safety Code.
  - (2) Dogs or cats used for teaching purposes in recognized educational institutions.
  - (3) Dogs or cats owned by veterinarians licensed by the State and kept on the premises used by said veterinarians in their practice.
- (c) Tags for dogs and cats shall be issued as follows:
- (1) The Licensing Program shall procure and, when licensing fee is paid, issue a lifetime tag which shall bear the number of the license. A record shall be kept with the name of the Owner together with a description of the dog or cat for which the license is issued and the number of the license, and a tag shall be provided to such person upon payment for such license as provided by this Chapter.
  - (2) Whenever a tag has been lost or stolen, the Owner of the animal may request a duplicate tag upon payment of the required fee.
  - (3) The Owner of a licensed dog or cat shall affix such tag to a suitable collar, which collar shall remain on the dog or cat at all times.
  - (4) When an animal has been designated as a service animal, the Owner may obtain a lifetime service tag and shall be required to follow the requirements in Section 6.04.030 (a). Said tag will replace a regular dog license.
  - (5) The owner or operator of any kennel, animal breeding facility, pet shop, or any place or establishment where animals are sold, adopted, or given away shall keep a permanent record of the name, address, and phone number of the purchaser of any dog or cat, along with the breed, color, sex, and age of each animal sold, adopted, or given

away and shall forward such information to Animal Control Services within thirty (30) calendar days thereafter. An Animal Control Officer, County representative, or employee of the County's animal control contractor shall have the right to inspect such records during normal business hours, with forty-eight (48) hours prior notice to the Owner or operator.

#### **6.04.050 - Public Protection from Dogs.**

- (a) No Owner or possessor of a dog shall cause or allow such dog to bite, or physically threaten or harass any person unless necessary to protect the physical safety of a person.
- (b) Every Owner or possessor of a dog shall prevent such dog from causing injury to another animal while such animal is lawfully upon public or private property. The failure of the owner of a victim animal to have the animal on a leash shall not, in itself, constitute a mitigating factor in any attack.
- (c) No Owner or possessor of a dog shall command or provoke such dog to attack, sic or threaten a person unless such action is necessary to protect the physical safety of a person.
- (d) No Owner or possessor of a dog that resides in another county and is found to have violated this section shall thereafter allow such dog to be brought into San Mateo County unless the dog is fully enclosed in a vehicle and passing through to another location without stopping at any public or private premises within the County.

#### **6.04.060 - Prohibited Conduct.**

No Owner or other person having care, custody or control of any animal shall cause or permit it to do any of following:

- (a) To be upon any public street, sidewalk, park, school ground, any public property, or upon any unenclosed premises in this jurisdiction unless:
  - 1) the animal is properly licensed, if such licensing is necessary hereunder,  
and
  - 2) the animal is controlled by a chain, lead rope, or leash, which is connected  
to the animal's collar, saddle, harness, or halter. This requirement is not applicable to cats, or to service animals under the complete control of the Owner or caretaker.

An electric or invisible fence does not constitute an enclosure for the purposes of this requirement.

- (b) To trespass upon any private property without the consent of the owner thereof, and to knowingly permit the animal to remain upon the property, or to habitually continue to trespass thereon.
- (c) To suffer or permit such animal to habitually bark or meow or otherwise act to disturb the peace of any citizen or to be a public nuisance.
- (d) To be without proper and adequate food, water, shelter, care, and attention.
- (e) No person shall possess within San Mateo County any animal designated by another jurisdiction as “potentially dangerous”, “dangerous”, or “vicious,” or other designation based on the animal’s potential danger to humans and/or animals, without previously notifying Animal Control and receiving express written permission from the Animal Control Manager for the animal’s presence or residence in San Mateo County. A failure to receive prior permission is in itself a sufficient basis for an Animal Control Officer or peace officer to seize and impound such animal.
- (f) Subsection (a) 1) 2) of this section shall not be applicable to cats.

**6.04.070 - Protection of Animals in Motor Vehicles.**

- (a) No person shall leave or confine an animal in any unattended motor vehicle under conditions that endanger the health or well-being of said animal due to heat, cold, lack of adequate ventilation, lack of water, or other circumstances that could reasonably be expected to cause suffering, disability, or death of said animal.
- (b) An Animal Control Officer, Humane Officer or peace officer may remove an animal from a motor vehicle if the animal’s safety reasonably appears to be in immediate danger from heat, cold, lack of adequate ventilation, lack of water, or other circumstances that could reasonably be expected to cause suffering, disability, or death to the animal. An Animal Control Officer, Humane Officer or peace officer is authorized to take all steps that are necessary for the removal of such animal from the motor vehicle, including, but not limited to, breaking into the motor vehicle, after a reasonable effort has been made to locate the Owner or other person responsible.
- (c) If an animal is removed from a motor vehicle as set forth herein, the removing officer shall, if deemed necessary by the officer, take it to an animal shelter, veterinary hospital, or other place of safekeeping.

- (d) An Animal Control Officer or peace officer who removes an animal from a motor vehicle shall, in a conspicuous location on or within the motor vehicle, leave written notice bearing their name and office, and the address of the location where the animal can be claimed. The animal may be released to the Owner only after payment of all fees that have accrued for the maintenance, care, medical treatment, or impoundment of the animal.
- (e) Nothing in this section shall preclude prosecution under both this section and California Penal Code Section 597 or any other provision of state or local law.

#### **6.04.080 - Release from Confinement.**

No person other than the Owner, or person authorized by the Owner of the animal shall release any animal from any confinement, vehicle, or restraint unless such release is necessary for the immediate health and safety of the animal. This section shall not apply to Animal Control Officers, Humane Officers, and/or peace officers.

#### **6.04.090 - Declaration of Dangerous Animal.**

- (a) No person shall knowingly keep, have, maintain, sell, trade, or let for hire an animal designated as Dangerous under this Chapter without obtaining a Dangerous Animal Permit from the Animal Control Officer. The animal Owner shall comply with all conditions of the Dangerous Animal Permit including, but not limited to, all requirements of section 6.04.100 of this Chapter. Any animal which is determined to be Dangerous under this Chapter and for which a permit has not been obtained shall be surrendered to an Animal Control Officer, Peace Officer, or a County animal control contractor agency for appropriate disposition, which may include humane euthanasia.
- (b) In determining whether or not an animal shall be designated as Dangerous, the Animal Control Officer, peace officer, or hearing officer may consider any relevant facts and circumstances, including but not limited to:
  - (1) the alleged attacking animal's prior history.
  - (2) the alleged attacking animal's Owner(s) ability to comply with this Chapter, and/or compliance with any prior Dangerous Animal Permits held by the alleged attacking animal's Owner(s).

- (3) whether any of the animals involved were previously deemed by a governmental jurisdiction as “potentially dangerous, “dangerous”, “vicious” or any other similar designation.
- (c) In determining whether or not an animal shall be designated as Dangerous, the Animal Control Officer, peace officer, or hearing officer, may consider the following mitigating factors:
  - (1) Whether at the time of the injury, attack or molestation, the person or animal suffering the injury, attack or molestation:
    - (i) provoked, tormented, teased, abused or assaulted the animal, thereby causing or contributing to the alleged behavior;
    - (ii) committed a willful trespass or other tort upon the private property of the Owner or caretaker of the animal in the presence of the animal;
    - (iii) threatened or committed an unjustified attack or assault against the Owner, caretaker or other person in control of the animal in the presence of the animal
  - (2) Any other mitigating factor relevant to whether the animal poses a threat to public health or safety. The failure of the Owner or person in control of a victim animal to have the victim animal on a leash shall not, in itself, constitute a mitigating factor in any attack.
- (d) The unwillingness of a victim or a particular witness to testify at a hearing shall not prevent designation of an animal as a Dangerous Animal, as long as sufficient evidence exists to support the designation.
- (e) In the event that an Animal Control Officer or peace officer determines it necessary to protect the health or safety of the public, or of any animal, they may immediately impound any animal according to the procedures set forth in this Chapter.
- (f) If an Animal Control Officer or peace officer has investigated and determined that an animal is Dangerous, the Animal Control Officer or peace officer shall deliver written notice of such determination to the Owner of the animal pursuant to section 6.04.260.

- (g) Should the Owner of the animal wish to contest the Dangerous Animal designation, the Owner may request a hearing, which hearing shall be conducted according to the procedures set forth in section 6.04.150 of this Chapter. The Owner shall submit a written request for a Dangerous Animal hearing to the Animal Control Officer within seven (7) calendar days of the written notification by the Animal Control Officer and/or peace officer that the animal has been declared dangerous.
- (1) Should the animal Owner not submit a request for an administrative hearing within the required timeframe, the administrative hearing process shall be deemed waived, the Dangerous Animal designation will be final, and the animal Owner shall obtain a Dangerous Animal permit within seven (7) calendar days of the written notification that the animal has been declared Dangerous.
  - (2) If the animal Owner requested a hearing and the hearing officer confirms the determination that the animal is Dangerous, the Owner must obtain the Dangerous Animal permit and meet the conditions required by such permit, within seven (7) calendar days of notice of such decision, unless the time is extended by an Animal Control Officer.
  - (3) If an animal is designated as Dangerous, but the Owner fails to obtain a Dangerous Animal Permit within the required timeframe, the animal will be deemed abandoned, and will be subject to disposition as deemed appropriate, including potential euthanasia by the County's animal control contractor, at the discretion of the Animal Control Officer, peace officer or City or County representative. If not already impounded, the animal will be promptly impounded. The Owner of the animal shall be responsible for all costs of impoundment of the animal incurred prior to such abandonment.
- (h) If after investigation by an Animal Control Officer or peace officer, that officer determines that the animal is not Dangerous, the victim or an Owner of a victim animal may appeal that determination, within seven (7) calendar days of notice of the decision given pursuant to section 6.04.260, by submitting to the Animal Control Officer or peace officer a written request for a hearing and paying the required fee. The Animal Control Officer or peace officer shall prepare a written report documenting its reasons for determining the animal not Dangerous and shall include evidence it has considered for and against the designation in its report. The hearing shall be conducted according to the procedures set forth in section 6.04.150 of this Chapter.
- (i) No animal designated by the County as a Dangerous Animal may be transferred to a new place of residence or to a new Owner or Caretaker

without prior written approval of the Animal Control Program Manager. Prior to the relocation, a written request for the relocation must be delivered to the Animal Control Program Manager and the County's animal control contractor, if any, at least 30 calendar days prior to the relocation.

- (j) If an Animal Control Officer declares an animal as Dangerous which has already been declared Potentially Dangerous or Dangerous by another jurisdiction located outside of the County of San Mateo, the Owner of such animal must obtain and comply with a Dangerous Animal Permit at least seven (7) calendar days prior to moving the animal into the County. The animal shall not reside in the County of San Mateo until the Dangerous Animal Permit has been issued by the Animal Control Program and the Owner meets the conditions of said permit.
- (k) A permit issued under this section is subject to renewal annually. An annual inspection of the location where the animal resides will be performed by an Animal Control Officer. Inspections may occur at any reasonable hour and will occur at least annually. The fee for such permit and inspection shall be as set forth in section 6.04.350 of this Chapter. Fees shall not be refundable. If the registered Owner fails to pay the permit fee and/or comply with the requirements of the permit within ten (10) calendar days of the annual inspection date, the permit may be revoked and the animal may be impounded for appropriate disposition, as determined by an Animal Control Officer, peace officer, County contracted agency or City designee, including humane euthanasia.
- (l) A Dangerous Animal designation is a designation that remains with that animal for its lifetime, unless terminated as provided by this subsection. A Dangerous Animal designation may be terminated if all of the following criteria have been met, as determined by an Animal Control Officer or peace officer and the Animal Control Manager and/or City designee:
  - (1) The Owner has complied with all Dangerous Animal Permit requirements for a period of three (3) years and the animal has not been found to have committed any violations of the requirements of the permit, or of this Chapter, or any other applicable animal control laws, for the duration of that period.
  - (2) The animal has remained current on all rabies or similar required vaccinations and has remained current on its licensing and paid all fees for the duration of the three (3) year period.

If an animal Owner disputes a finding that the Dangerous Animal designation will not be terminated, the animal Owner may request an administrative hearing to be held according to the procedures set forth in section 6.04.150 of this Chapter.

#### **6.04.100 - Dangerous Animal Permit Requirements.**

- (a) Any Owner of a Dangerous Animal shall ensure compliance with the following rules and regulations which shall be mandatory requirements for any Dangerous Animal Permit:
- (1) When the animal is off the property of its Owner, ensure that the animal is not kept upon any unenclosed premise unless said animal is leashed and muzzled with a cage or basket muzzle, or any other muzzle approved by the Animal Control Officer. The leash shall not exceed four (4) feet in length and having a minimum tensile strength of 300 pounds and shall be under the direct control and supervision of the Owner or a person of such age, size, and strength as can easily control such animal. Extraordinary care shall be taken by the Owner and/or caretaker to ensure that such restraint is sufficient to control the animal in a manner which it will not endanger other persons or animals.
  - (2) Ensure said animal is never kept on any unenclosed premises even if tethered, tied or staked.
  - (3) Ensure said animal is kept in a fenced yard, kennel, dog run or other enclosure, sufficient to prevent the escape of the animal or entry of young children, as approved by the Animal Control Officer or peace officer. An electric or invisible fence is not an acceptable means of enclosure for the purpose of this requirement.
  - (4) Maintain the animal so that it is not a threat to any mail carrier, sanitation worker, meter person, or other person who has the lawful right to enter the property.
  - (5) Ensure that all structures used to confine the animals are locked with a key or combination lock when such animals are within the fenced yard, kennel, run or enclosure.
  - (6) Regularly inspect the fenced yard, kennel, dog run or enclosure to ensure that it is secure to maintain the animal and keep young children out.
  - (7) Allow inspections by any Animal Control Officer or peace officer at any reasonable hour of the premises or premises upon which the animal is maintained.
  - (8) Pay permit and property inspection fees as set forth in section 6.04.350 of this Chapter within (10) ten calendar days of the permit issuance or renewal.



- (9) Obtain and post approved sign(s) from the Animal Control Program after payment of a non-refundable fee as set forth in Section 6.04.350 of this Chapter. Sign(s) shall be conspicuously posted in a manner visible to the public at all entrances to the property where the animal is kept, warning persons of the presence of a Dangerous Animal as directed by the Animal Control Officer or peace officer. Such sign(s) must be surrendered in the event of the revocation of the permit, death of animal, or approved relocation of the animal.
- (10) Advise all members who reside in the same household and on the same premises of the conditions established by the permit for keeping or maintaining said Dangerous Animal.
- (11) Ensure said animal wears, at all times, a separate Dangerous Animal tag issued by the Animal Control Program in addition to complying with license requirements as defined in Section 6.04.040 of this Chapter.
- (12) Ensure said animal be microchipped and inform the Animal Control Officer with the microchip number within thirty (30) calendar days from the date the Dangerous Animal Permit was issued.
- (13) Within forty-five (45) calendar days from the date the Dangerous Animal Permit was issued, unless this period is extended by the Animal Control Manager or city representative at their sole discretion, said animal shall be spayed or neutered by a California licensed veterinarian, at Owner expense, and within those forty-five (45) days, the Owner shall also present written proof to the Animal Control Officer that the surgery was performed. In the event an animal cannot be safely altered, due to a medical reason, the Owner shall present the Animal Control Program Manager and Animal Control Officer with a written request from a California licensed Veterinarian stating the medical reason(s) that the animal should not be altered. The County Health Officer or designee will approve or deny the request. If said request is denied, the animal shall be altered by a California licensed Veterinarian within fifteen (15) calendar days from the date of notification that the request was not approved, and within those fifteen (15) calendar days provide such written proof to the Animal Control Officer that the surgery was performed.
- (14) Notify an Animal Control Officer and the Animal Control Program Manager of the animal's death within twenty-four (24) hours and produce the animal's body for verification upon request.
- (15) Notify an Animal Control Officer and the Animal Control Program Manager immediately in the event the animal becomes lost, stolen,

or escapes from its fenced yard, kennel run, or enclosure.

- (16) Pay all reoccurring of additional fees within ten (10) calendar days of service of the invoice or annual permit. Non-payment of fee may result in the permit being revoked unless a payment plan has been approved by the County or City.
  - (17) Comply with all other permit conditions or requirements imposed by an Animal Control Officer, peace officer, or hearing officer pursuant to this Chapter.
  - (18) Comply with all local and state laws regarding the care, use, control, and maintenance of animals.
- (b) Any Owner of a Dangerous Animal shall ensure compliance with the following additional requirements, if directed to do so by an Animal Control Officer, peace officer and/or hearing officer:
- (1) Prove financial responsibility by posting a bond or certificate of insurance for an amount of three hundred thousand dollars (\$300,000) per animal within thirty (30) calendar days from the date of the Dangerous designation. Bond or certificate of insurance will be provided to the Animal Control Program Manager annually prior to expiration of said bond or certificate.
  - (2) Provide private behavioral and obedience training to the animal, at the Owner's expense and within the time set forth by the hearing officer or an Animal Control Officer following the issuance of a Dangerous Animal Permit. Proof of participation, a report of behavioral assessment, and/or a certificate of satisfactory completion from an animal behaviorist or organization approved by an Animal Control Officer shall be provided to the Animal Control Officer and Program Manager of Animal Control within seven (7) calendar days following the completion of the mandatory training, but not more than ninety (90) calendar days from the date of the Dangerous designation.
  - (3) Comply with any other permit requirements determined to be reasonably necessary to protect the public's health or safety and/or the health or safety of other animals.
- (c) No more than two Dangerous Animals may be kept by any person(s) at any one household, residence, business, or other location, without prior written approval of the designee of the appropriate jurisdiction.

#### **6.04.110 - Revocation or Modification of Dangerous Animal Permit.**

- (a) Any Dangerous Animal permit issued pursuant to this Chapter may be revoked or modified by the inclusion of additional requirements or otherwise, if the Animal Control Officer or peace officer has reasonable cause to believe any of the following to be true:
  - (1) The dangerous animal Owner or any person to whom the Owner has given care, custody, or control of the animal has violated any local or state laws relating to the keeping, care or use of any animals.
  - (2) The Owner or any person to whom the Owner has given care, custody, or control of the animal has violated any dangerous animal permit conditions, or any requirement imposed by the Animal Control Officer, peace officer, or hearing officer.
  - (3) The Owner or any person to whom the Owner has given care, custody, or control changed the location of his/her residence or his/her place of business or sells, assigns, transfers, donates, leases, or otherwise disposes of the animal for which the permit was issued without first notifying an Animal Control Officer as outlined in Section 6.04.090
  - (4) The Owner or any person to whom the Owner has given care, custody or control of the animal has changed the residence or premises where the animal is maintained without first complying with the guidelines set forth in Section 6.04.090
  - (5) The Owner or any person to whom the Owner has given care, custody, or control of the animal is unable or unwilling to comply with the conditions of the dangerous animal permit.
- (b) In the event that it is reasonably necessary to protect the public or an animal's health and safety, the Animal Control Officer or peace officer may impound or cause to be impounded the animal while an investigation is taking place.
- (c) If, after investigation, the Animal Control Officer or peace officer concludes that there is probable cause to believe that one or more of the above conditions for revocation or modification of the permit has occurred, the officer shall deliver written notice of revocation or modification to the Owner. Said notice shall specify the grounds of revocation or modification of the permit. Should the Owner of the animal wish to contest the revocation or modification of the permit, the Owner may request an administrative hearing to be held before a hearing officer, as designated by the Animal Control Program Manager, within seven (7) calendar days

of receiving the notice of revocation. Said administrative hearing date shall be not less than seven (7) calendar days or no more than (20) twenty calendar days after the date the request for hearing is received by the Animal Control Manager. The administrative hearing shall be conducted as set forth in section 6.04.150 of this chapter. The hearing officer conducting the hearing may either modify the terms of the permit or revoke the permit.

Any party to the hearing has the right to appeal the administrative hearing decision to the County of San Mateo Superior Court by filing a Petition for a Writ of Administrative Mandate pursuant to California Civil Procedure, Section 1094.5 and 1094.6.

- (d) Upon written notice by the Animal Control Officer, peace officer, or hearing officer, if a hearing was held, if any modifications to a dangerous animal permit are made, the Owner shall immediately comply with such modified permit requirements.
- (e) Upon written notice from an Animal Control Officer, peace officer or hearing officer of the revocation of a Dangerous Animal permit, the Owner of such animal shall within two (2) calendar days of such notification, surrender said animal to an Animal Control Officer. The Dangerous Animal shall be impounded and humanely euthanized unless the County designee or City designee has approved a different disposition. At the sole discretion of the appropriate City or County representative, such animal may be permanently removed from the County of San Mateo to another jurisdiction with written approval from that jurisdiction.

#### **6.04.120 - Possession of Animals After Revocation of Dangerous Animal Permit.**

No Person who has been determined to be in possession of or had Ownership of a Dangerous Animal for which a permit has been revoked under this chapter shall be granted any Dangerous Animal permit for a period of three years following such determination or revocation.

#### **6.04.130 - Declaration of Vicious Animals.**

- (a) No person shall keep, have, maintain, sell, trade, or let for hire an animal which has been designated as Vicious under the provisions of this Chapter.
- (b) If an Animal Control Officer and/or peace officer has investigated and determined that an animal is Vicious, the Animal Control Officer or peace officer shall deliver written notice of such determination to the Owner of the animal. Service of notice shall be made in accordance with section 6.40.260 subdivision (a) of this Chapter. An Animal Control Officer and/or Peace Officer shall immediately impound the animal, or cause to be

impounded, the animal according to the procedures set forth in Section 6.04.160 of this Chapter. The animal shall be deemed abandoned and shall be humanely euthanized unless the County designee or City designee has approved a different disposition or unless the Owner timely requests an administrative hearing.

(c) In determining whether an animal shall be designated Vicious, in addition to any other facts and circumstances of the incident(s), the applicable decision-maker may consider the following potentially mitigating factors.

- (1) Whether at the time of the injury, attack or molestation, the person or animal suffering the injury, attack, or molestation:
  - (i) provoked, tormented, teased, abused, or assaulted the animal, thereby causing or contributing to the alleged behavior
  - (ii) committed a willful trespass or other tort upon the private property of the Owner or caretaker of the animal; and/or
  - (iii) threatened or committed an unjustified attack or assault against the Owner, caretaker, or other person in control of the charged animal.

The failure of the Owner or other person in control of a victim animal to have the animal on a leash shall not, in itself, constitute a mitigating factor in any attack.

- (2) Whether the Owner is willing and able to comply with the conditions of a Dangerous Animal permit, and whether the animal can be safely maintained on a Dangerous Animal permit considering the nature of the attack and cooperativeness and abilities of the Owner.

(d) The decision-maker may also consider, among any other relevant facts and circumstances, the following factors:

- (1) whether any of the animals involved were previously deemed by any governmental jurisdiction as, "dangerous", "vicious", or any other similar designation, and/or the animal Owner's prior compliance or lack thereof with any applicable dangerous animal permit requirements or this Chapter;
- (2) the attacking animal's history of attacks, bites or threatening

behavior;

- (3) whether the animal demonstrated such aggressive behavior that it is reasonable to conclude that the animal cannot be safely maintained with a Dangerous Animal permit; and
  - (4) whether the Owner is unable or unwilling to comply with the conditions of a Dangerous Animal permit.
- (e) Should the Owner of the animal wish to contest the Vicious Animal designation, the Owner may request an administrative hearing to be conducted according to the procedures set forth in section 6.04.150 of this Chapter. The Owner shall submit a written request for a Vicious Animal hearing to the Animal Control Officer within seven (7) calendar days of the written notification by the Animal Control Officer and/or peace officer that the animal has been declared Vicious.
- (f) Should the Owner not submit a request for an administrative hearing within the required timeframe, the administrative hearing process shall be deemed waived, the Vicious Animal designation will be considered final for purposes of exhaustion of administrative remedies, and the animal will be subject to disposition by the Animal Control Officer, peace officer, or City or County designee. The Owner shall lose all rights of Ownership and control of the animal, and the animal will be subject to humane euthanasia, unless another disposition is deemed appropriate by a City and/or County designee, without further notice to the Owner.
- (g) The unwillingness of a victim or a particular witness to testify at a hearing shall not prevent designation of an animal as Vicious as long as sufficient evidence exists to support the designation.
- (h) If after investigation, an Animal Control Officer and/or peace officer determines that the animal is not Vicious, the Officer will prepare a written decision upon request by any victim suffering physical injury or an Owner of a victim animal, either of whom may appeal that determination. Any victim suffering physical injury as a result of the attack, or Owner of a victim animal, may appeal the determination that an animal is not Vicious by submitting, within seven (7) calendar days of the service of the decision pursuant to section 6.04.260, a written request to the Animal Control Officer for an administrative hearing and paying the required fee as set forth in Section 6.04.350 of this Chapter. The administrative hearing shall be conducted according to the procedures set forth in section 6.04.150 of this Chapter.

#### **6.04.140 - Providing False Information.**

It shall be unlawful for a person to willfully and knowingly provide false or misleading information to Animal Control Program staff, including but not limited to an Animal Control Officer, Peace Officer, Animal Control Program Manager, and/or

Hearing Officer regarding animal Ownership, licensing, rabies vaccination, medical treatment and condition, and/or any other matter pertaining to the enforcement of state or local law.

#### **6.04.150 - Administrative Hearing Procedures.**

- (a) Administrative hearings held under this Chapter shall be conducted by a hearing officer or designated representative appointed by the Director or designee of the San Mateo County Health. Any city contracting with the County for animal control services may elect to utilize the services of any San Mateo County designated hearing officer to conduct hearings on behalf of the city pursuant to that city's animal control ordinances. The hearings shall be scheduled no less than seven (7) calendar days and no more than fifteen (15) calendar days from the receipt of the request for the hearing unless the hearing officer finds good cause for continuance.
- (b) The Animal Control Officer or peace officer conducting the investigation shall provide their investigation report and any evidence gathered by the officer to the Animal Control Manager or designee no less than 72 hours prior to said administrative hearing. The Animal Control Manager or designee will promptly provide the report to the parties to the case, including the Owner of the subject dog and the Owner of the victim dog.
- (c) The administrative hearing shall be conducted in an informal manner consistent with due process of law. Any party may be represented by counsel. The parties may present relevant evidence including witnesses. The strict rules of evidence shall not be applicable. Any relevant evidence, including but not limited to hearsay evidence, may be admitted if it is the sort of evidence on which reasonable persons are accustomed to rely on in the conduct of serious affairs. The hearing officer shall decide the matter based on preponderance of the evidence presented at the hearing. The administrative hearing shall be recorded, and all documentary evidence submitted at the administrative hearing shall be preserved by the Animal Control Manager for a period of no less than two years. Any party may arrange for a court reporter to be present. Any party desiring the presence of a court reporter shall make all necessary arrangements and shall be responsible for payment of all costs.
- (d) The hearing officer may exclude disorderly or disruptive persons from the hearing or make other orders as necessary to ensure the fair and orderly conduct of the administrative hearing.
- (e) The hearing officer may decide all issues for or against the Owner(s) of the involved animal(s) even if the Owner(s) fail to appear at the hearing.
- (f) Within seven (7) calendar days of the administrative hearing, the hearing officer shall render a written decision, which shall be final for the purposes

of exhaustion of administrative remedies upon the date of mailing. The Animal Control Manager or designee shall mail the written decision and affidavit/certificate of mailing showing the date of mailing, on behalf of the hearing officer, by first class mail, postage prepaid. The decision will be mailed to the Owner of the alleged Dangerous or Vicious Animal, the victim or Owner of the victim animal, and the investigating Animal Control Officer or peace officer.

- (g) If the animal is designated Dangerous, the Owner must apply for and obtain a Dangerous Animal permit as provided by this Chapter within seven (7) calendar days of the decision letter in order to maintain the animal and the Owner must comply with all mandatory Dangerous Animal permit rules and regulations as defined in section 6.04.120 of this Chapter. A hearing officer may impose additional permit requirements as set forth in this Chapter.
- (h) If the animal is designated Vicious, the Owner of such animal shall lose all rights of Ownership and control of the animal, and the animal will be subject to humane euthanasia, unless another disposition is deemed appropriate by a City and/or County designee, without further notice to the Owner. An animal designated as Vicious will be held at the animal shelter for a minimum of seven (7) calendar days from the date of the hearing officer's decision, prior to any proposed euthanasia.
- (i) Unless the hearing officer for good cause otherwise determines, the party requesting the administrative hearing is liable for all costs related to such hearing. A determination by the hearing officer that the animal is not dangerous or vicious shall constitute good cause.
- (j) Hearing officer decisions are appealable to the San Mateo County Superior Court by filing a Petition for Writ of Administrative Mandate pursuant to California Civil Procedure, Section 1094.5 and 1094.6.
- (k) The procedures and/or definitions pertaining to potentially dangerous and vicious dogs set forth in the California Food and Agricultural Code Chapter 9, beginning with section 31601, are not adopted and do not apply within San Mateo County. As authorized by Food and Agricultural Code section 31683, the County has adopted its own program for regulation of dangerous and vicious dogs as contained in this Chapter.

#### **6.04.160 - Animals to Be Impounded.**

- (a) The Animal Control Program may impound any animal kept or found under conditions that constitute a violation of this Chapter or other state or local law. The animal's Owner shall be responsible for all costs incurred or fees applicable with respect to such impoundment and maintenance in the shelter.



- (b) An Animal Control Officer or peace officer may impound or cause to be impounded an animal when there is reasonable cause to believe that such animal posed, or poses, a threat to the public's health and safety, or the health and safety of another animal. The animal may remain impounded for a period not to exceed fifteen (15) calendar days in order to investigate, and to determine whether or not said animal is Dangerous or Vicious as defined by this Chapter. In calculating the fifteen (15) calendar days, the first day of impoundment is not included. If an animal is not impounded within fifteen (15) calendar days after an investigation began, the Animal Control Officer or peace officer shall make a determination whether or not the animal is Vicious or Dangerous and shall notify the Owner of said animal as soon as reasonably practical thereafter.
- (c) Within twenty-four (24) hours of the impoundment of any animal, the impounding Animal Control Officer shall serve the Owner of the animal with notice of the impoundment.
- (d) No impounded animal may be redeemed unless and until any required license fee and/or other applicable charges and fees have been paid. In the event such animal is not redeemed within the time set forth by State law, it shall be deemed abandoned and may be adopted, transferred to a rescue, or disposed of in the manner determined by the Animal Control Program. The Animal Control Program shall issue to the Owner or person responsible of the care, custody, and control of said animal a receipt showing an itemized description and the amount of the fee(s) paid.
- (e) The Animal Control Program shall keep a record of all animals impounded, which record shall include a description of the animal, the date of its receipt, the date and manner of disposal, the name of the person redeeming, adopting, or purchasing, the fees, and/or charges related to the animal. Said records shall be kept for a period of seven (7) years.

#### **6.04.170 - Stray Animals.**

Any person who finds or picks up a stray or lost animal shall report the same to the Animal Control Shelter within twenty-four hours thereafter and shall release such animal to the Animal Control Shelter upon demand.

#### **6.04.180 - Epidemics.**

The San Mateo County Health Officer may determine and declare that rabies or other contagious diseases are epidemic or that other health and safety hazards exist among dogs or other animals within the County. Upon the making of such a declaration, the Health Officer shall prepare and promulgate such orders, rules, and regulations as are necessary for appropriate control of all the animals concerned within

the County. Said rules and regulations of the Health Officer may include, but are not limited to, impoundment, quarantine, vaccination, or destruction. It shall be the duty of the Animal Control Officers to assist the Health Officer in carrying out such rules and regulations.

#### **6.04.190 - Bite Reporting Requirements.**

- (a) Any Owner or other person who is responsible for the care, custody, or control of an animal that bites a human or other animal shall provide their name and current residence address and telephone number and shall present their driver's license or other form of identification and any information regarding any rabies vaccination for the biting animal to the person bitten or the Owner of the animal bitten. If the person bitten is a minor, the Owner or person in control of the biting animal shall provide the required information to the parent or guardian of the minor.
- (b) In addition to the above requirements, it shall be the duty of any person having knowledge of any animal which has bitten a human being or other animal within the County to immediately, in no case later than the end of the next calendar day, report the bite to an Animal Control Officer or peace officer and to furnish as much information as possible, including date, time and location of bite, description of animal or person bitten, name and license number of the biting animal, and rabies vaccination history of the biting animal.

#### **6.04.200 - Administrative Citations.**

- (a) Should an Animal Control Officer, Humane Officer or peace officer determine that a person has violated any provision this Chapter, that enforcement officer shall have authority to issue and serve notice of an administrative citation as set forth in section 6.04.260, to the person violating the Chapter.
- (b) Each administrative citation shall contain the following information:
  - (1) The name and address of the Owner or other person to be cited.
  - (2) The date(s) of the violation.
  - (3) The address or a specific description of the location where the violation occurred.
  - (4) The section, subsection, and/or provision of this Chapter violated by the person cited and a description of that violation.
  - (5) A prohibition of the continuation or repetition of the violation described in the administrative citation.

- (6) If applicable a description of the potential consequence(s) should the violation continue or be repeated.
  - (7) Either:
    - i) The amount of the administrative fine charged and to be paid by the person cited as a result of the violation; or
    - ii) A notice to correct a certain violation within a reasonable time, and the amount of an administrative fine that may occur if the violation is not corrected or remedied by the date specified.
  - (8) A description of the procedure to pay the fine, to include the time period for and place of payment, and the process by which the County may collect any unpaid amount owed.
  - (9) A description of the administrative citation review process, including the time within which the administrative citation may be appealed and how to appeal the administrative citation, including any form to do so.
  - (10) The name and signature of the citing Animal Control Officer, Humane Officer or peace officer or County designee.
- (c) An administrative citation may be any format, including letter, which conveys the information set forth above.

**6.04.210 - Appeal of Administrative Citation.**

- (a) A recipient of an administrative citation may contest the citation including, but not limited to, on the basis that the underlying violation did not occur, or that recipient is not the party responsible for the violation and thus was the improper recipient of the administrative citation. The recipient must contest the citation on the form provided by the Animal Program Manager or Animal Control Officer and file the appeal with the Animal Control Program Manager within twelve (12) calendar days from the date of service of the administrative citation. Any appeal not timely filed will be rejected.
- (b) The appeal shall contain the following provided by the person appealing the citation:
  - (1) The name, mailing address, and telephone number of the party requesting the appeal;

- (2) A copy of the administrative citation or a reference number thereto;
  - (3) A statement of the grounds for the contest, including a description of the evidence to be presented in support of the contest and copies of any statements or documents to be submitted at the hearing in support of the appeal.
  - (4) The signature of the appealing party;
  - (5) A deposit of the fine assessed as set forth in the citation(s), to be refunded if the appeal is successful.
- (c) Should an appeal be properly and timely requested, the requesting party shall be provided a hearing before a hearing officer to be held pursuant to the procedures set forth in section 6.04.150 as applicable. The Animal Control Program shall notify the person requesting the appeal hearing of the time and place set for the hearing pursuant to section 6.04.260.

**6.04.220 - Payment of Administrative Fines.**

- (a) In the absence of an appeal by the recipient of the administrative citation, the person cited shall pay the administrative fine in full within thirty (30) calendar days from the date of service of the notice of citation. In the event of an appeal, after which the violation is upheld, if not already paid, the fine shall be paid in full within ten (10) calendar days after the date that the decision of the hearing officer was served on the recipient.
- (b) Payment of any fine shall not excuse the failure to correct the violation, nor shall it bar further enforcement of the same or any similar violation or any other violation by any applicable means.
- (c) Failure to pay any fines assessed within the guidelines set forth in this Chapter will result in a late charge pursuant to section 6.04.230, which will be collected by the Animal Control Program Manager.

**6.04.230 - Amount of Administrative Fines.**

- (a) Any person issued an administrative citation for a violation of, and pursuant to, this Chapter shall be assessed and pay a fine as follows:
  - (1) One hundred dollars (\$100) for a first citation.
  - (2) Two hundred dollars (\$200) for a second citation for the same violation within a one-year period.
  - (3) Five hundred (\$500) for each additional citation for the same violation within a one-year period.

#### **6.04.240 - Misdemeanor Violations.**

- (a) A person violating any provision of this Chapter shall be guilty of an infraction except as otherwise specifically provided.
- (b) A person violating any provision of section 6.04.050, subsection (a) of section 6.04.090 or subsection (a) of section 6.04.130 of this Chapter shall be guilty of a misdemeanor.
- (c) This section shall not limit any other available criminal, civil or administrative remedies. Any or all applicable remedies shall remain available for violation of the provisions of this Chapter.

#### **6.40.250 - Violation of Chapter a Public Nuisance; Remedies Cumulative.**

- (a) Violation of this Chapter is a public nuisance subject to any and all applicable civil, administrative, and criminal remedies, according to the provisions and procedures set forth in this Chapter and other applicable state and local law.
- (b) This section is not intended to limit any other available criminal, civil or administrative remedies. Any or all applicable administrative, civil and /or criminal remedies shall be available for violation of the provisions of this Chapter.
- (c) Each day a violation continues shall constitute a separate violation.

#### **6.40.260 - Service of Documents and Notices.**

- (a) Unless otherwise specified herein, the appropriate representative of the Animal Control Program shall provide any required notice or service of documents in the one of the following manners: (1) by personal delivery to the person to be notified or served; or (2) by posting on the property at the address where the subject animal is licensed or the Owner of such animal resides; or (3) by depositing in the United States Mail, in a sealed envelope, first class postage prepaid, and addressed to such person to be notified or served at their last-known business or residence address or as the same appears in the last equalized County assessment roll. Service by mail shall be deemed complete at the time of deposit in the United States Mail receptacle and shall include a declaration or affidavit of service which shall include notice of the date mailed. If agreed in writing by the person to be served, notices or documents may be served electronically at the address provided by the person to be served, to be effective upon being sent.

- (b) Failure to receive any notice specified herein does not affect the validity of proceedings conducted hereunder.

**6.04.270 - Field Return Fee.**

A fee shall be charged for any animal impounded by a representative of the Animal Control Program and returned by an Animal Control Officer in the field to the Owner or person who is responsible for the care, custody, or control of the animal. The fee charged shall be paid by the Owner or person who is responsible for the care, custody, or control of said animal. Such fee shall be set forth in Section 6.04.350.

**6.04.280 - Redemption and Spay/Neuter Fee.**

- (a) Upon redemption of any impounded unaltered animal, the person responsible for the care, custody or control of any animal will be required to pay a spay or neuter fee in the amount of \$100.00 in addition to the impound fees imposed under Section 6.04.350 of this Chapter. Such fee shall be refundable upon proof of spay and neuter of the animal within thirty (30) calendar days following the date of redemption.
- (b) Any unaltered animal impounded twice or more within a three-year period shall be altered at a cost to be paid by the Owner/caretaker or person responsible for the care, custody, or control of said animal prior to redemption. At the option of the Owner/caretaker or person responsible for the care, custody, or control of said animal, required spaying or neutering may be performed by a private veterinarian within thirty (30) calendar days.
- (c) Any Owner or Caretaker of an impounded animal subject to mandatory spay/neuter under Subsection (b) of this Section may appeal this requirement by submitting a written request for an administrative hearing to the Animal Control Program Manager. The administrative hearing will be conducted according to the provisions of Section 6.04.150 of this Chapter.
- (d) The Animal Control Program Manager may waive any County or City fee for County or City spay/neuter, vaccination or impoundment of an animal, if the animal is a feral or stray cat and the person bringing the animal to the shelter agrees that the person shall have no rights in the animal or any right to direct or control treatment or disposition of the animal by the Animal Control Program which will retain sole discretion in determining the disposition of the animal, which may include but not be limited to treatment and/or adoption, or euthanasia.

**6.04.290 - Quarantine Fee.**

A quarantine fee, as set forth in Section 6.04.350, shall be paid by the Owner or caretaker of any animal involved, or potentially involved, in a bite. Such quarantine fee

is in addition to any other fees charged set forth in Section 6.04.350 of this Chapter to recover costs incurred by the Animal Control Program for the sheltering and caring for the quarantined animal.

**6.04.350 - Schedule of Fees and Charges.**

This Section 6.04.350 sets forth the fees for the Animal Control Program and Licensing Program. No animal shall be released to its Owner, or other person responsible for the care, custody, or control of the animal, unless applicable fees have been paid.

Animal Control and Licensing fees and charges established by this code are as follows:

**(a) License Fees.**

<b>Dogs</b>		
Unaltered dog		
1-year license		\$55.00
3-year license		\$160.00
Unaltered dog Senior Pet Owner (over 60 yrs.)		
1-year license		\$23.00
3-year license		\$64.00
Altered dog		
1-year license		\$25.00
3-year license		\$70.00
Altered dog Senior Pet Owner (over 60 yrs.)		
1-year license		\$10.00
3-year license		\$25.00
Misc. dog fees		
Late fee		\$20.00
Duplicate tag		\$10.00
<b>Cats</b>		
Unaltered cat		
1-year license		\$20.00
3-year license		\$55.00

Unaltered cat Senior Pet Owner (over 60 yrs.)		
1-year license		\$12.00
3-year license		\$31.00
<b>Altered cat</b>		
1-year license		\$8.00
3-year license		\$19.00
<b>Altered cat/ Senior Pet Owner (over 60 yrs.)</b>		
1-year license		\$5.00
3-year license		\$12.00
<b>Misc. cat fees</b>		
Late fee		\$7.00
Duplicate tag		\$5.00

**(b) Redemption Charges**

<b>Type A &amp; B (large or medium size animals — horses, cows, hogs, sheep, etc.)</b>		
Impound cost		\$100.00
Board cost per day		\$30.00
Trailing cost (per use)		\$100.00
<b>Type C (dogs, and cats)</b>		
<b>Impound Costs — First Impound</b>		
Altered — licensed, wearing tag		\$40.00
Unaltered — licensed, wearing tag		\$65.00
Altered — unlicensed, no tag		\$55.00
Unaltered — unlicensed, no tag		\$85.00
<b>Impound Costs — Second Impound</b>		
Altered — licensed, wearing tag		\$90.00
Unaltered — licensed, wearing tag		\$125.00
Altered — unlicensed, no tag		\$105.00
Unaltered — unlicensed, no tag		\$140.00
<b>Impound Costs — Third Impound</b>		
Altered — licensed, wearing tag		\$135.00



Unaltered — licensed, wearing tag	\$155.00
Altered — unlicensed, no tag	\$155.00
Unaltered — unlicensed, no tag	\$180.00
<b>Impound Costs — Fourth Impound</b>	
Altered — licensed, wearing tag	\$180.00
Unaltered — licensed, wearing tag	\$215.00
Altered — unlicensed, no tag	\$200.00
Unaltered — unlicensed, no tag	\$240.00
<b>Impound Costs — Fifth Impound and up</b>	
Altered — licensed, wearing tag	\$225.00
Unaltered — licensed, wearing tag	\$260.00
Altered — unlicensed, no tag	\$245.00
Unaltered — unlicensed, no tag	\$285.00
<b>Board charges (per day)</b>	
Altered — dogs/	\$25.00
Unaltered — dogs/	\$35.00
Altered — cats	\$16.00
Unaltered — cats	\$22.00
<b>Type D (small size animals, e.g., birds, hamsters, or other)</b>	
Impound cost	\$20.00
Board cost	\$10.00

**(c) Surrender, Euthanasia and DOA (Dead on Arrival) Disposal Fees**

<b>Dog — Licensed or unlicensed</b>	
Surrender	\$60.00
Euthanasia	\$50.00
DOA Disposal	\$30.00
<b>Cat — Licensed or unlicensed</b>	
Surrender	\$60.00
Euthanasia	\$50.00
DOA Disposal	\$30.00
<b>Rabbit/Small Animal</b>	

Surrender	\$40.00
Euthanasia	\$30.00
DOA Disposal	\$15.00
<b>Litter of Three or more</b>	
Surrender	\$50.00
Euthanasia	\$40.00
DOA Disposal	\$20.00
<b>Bird/Fowl</b>	
Surrender	\$20.00
Euthanasia	\$15.00
DOA Disposal	\$20.00
<b>All Other Companion Animals (Reptiles, Amphibians, etc.)</b>	
Surrender	\$25.00
Euthanasia	\$25.00
DOA Disposal	\$20.00
<b>Farm Animals</b>	
Surrender	\$60.00
Euthanasia: Under 100 pounds	\$60.00
Over 100 pounds	\$125.00
DOA Disposal: Under 100 Pounds	\$30.00
Over 100 pounds	\$100.00

**(d) Other Animal Control Fees**

Quarantine Fee	\$60.00
Dangerous Animal Permit (DAP) Fee	\$300.00
DAP Inspection Fee	\$100.00
DAP Signage	\$15.00
Field Retrieval/Return Fee	\$40.00
Breeding Permit Fee	\$150.00
Fancier Permit and/or Exotic Pet Fee	\$100.00
Return Check Fee	\$25.00
Service Dog Application Processing Fee	\$50.00

**(b) Miscellaneous Fee Provisions**

- (1) The Animal Control Program, and/or Licensing Program, may establish  
license discounts for recognized animal rescue organizations.
- (2) License fees include a one dollar (\$1) annual surcharge on all licenses for  
the animal population trust fund.
- (3) At the discretion of the Animal Control Program Manager, a payment plan  
for all fees outstanding may be permitted upon a showing of good cause. If a person is in compliance with an agreed upon payment plan, their outstanding balance shall never be considered “nonpayment” as that term is used in this Chapter.
- (4) The animal control fees for any animal related service not specified in this section shall be reviewed by the Chief of Health or their designee for reimbursement of costs. The Chief of Health or their designee shall have the authority to determine the fee charged for said services. The fee charged shall be paid by the Owner or caretaker of the animal(s) for which said service(s) have been provided.
- (5) Each calendar year, the Animal Control Program Manager shall designate one month as an amnesty period for payment of cat and dog license late fees and for compliance with section 6.04.020 of this Chapter, as provided herein. During the amnesty period, applicants for cat and dog licenses shall not be assessed any late penalty fee or any other penalty for failure to obtain such license or pay any applicable license fee, notwithstanding sections 6.04.040 and 6.04.350 of this Chapter.
- (6) All revenue derived from the fees, fines, forfeitures, and penalties related to the enforcement of this ordinance shall be used to offset the cost of enforcement and administration of this Chapter.
- (7) If the Animal Control Program Manager determines that payment of any fees by the Owner or Caretaker for an impounded animal would cause extreme financial difficulty to the Owner or Caretaker, and that it is in the best interests of the County to allow release of the animal upon these terms, the Animal Control Program Manager may, at their discretion, set up a payment plan or waive all or part of the fees incurred for the animal.

**6.04.360 – Scope.**

The provisions of this Chapter shall be in effect in the unincorporated areas of this County and, except where so adopted, are not applicable to any City.

**6.04.370 – Severability.**

If any section, subsection, sentence, clause, phrase, or word of this Chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, clause, phrase, or word of this Chapter.

**SECTION 2.** This ordinance shall become effective thirty days after adoption.

\* \* \* \* \*



# STAFF REPORT

TO: Mayor and Members of the City Council

FROM: Brad Donohue, Public Works Director  
Abdulkader Hashem, Senior Project Manager

VIA: Daniel Barros, City Manager

MEETING DATE: January 10, 2024

SUBJECT: Amendment No.1 to the Agreement with Mark Thomas for the El Camino Real Bicycle and Pedestrian Improvement Project, PSR-PDS Phase

## RECOMMENDATION

Staff recommends that the City Council adopt the following:

RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO.1 TO THE AGREEMENT WITH MARK THOMAS & COMPANY, INC. IN THE AMOUNT OF \$165,500 FOR THE EL CAMINO REAL BICYCLE AND PEDESTRIAN IMPROVEMENT PROJECT, PROJECT STUDY REPORT-PROJECT DEVELOPMENT SUPPORT (PSR-PDS) PHASE PURSUANT TO CEQA GUIDELINE 15306

## EXECUTIVE SUMMARY

On March 30, 2023, The Town executed an agreement with Mark Thomas in the amount of \$981,737.11 for the preparation of the El Camino Real Bicycle and Pedestrian Improvement Project, Project Study Report-Project Development Support (PSR-PDS) within the Town of Colma.

The Town has requested Mark Thomas to submit a cost proposal for expanding the scope of the El Camino (State Route 82, "ECR") PSR-PDS to include an additional segment in the City of South San Francisco, per Caltrans' recommendations. The new segment extends the project limits southward from Arlington Drive to Hicky Boulevard along El Camino Real, which has been identified as "Segment C". The additional consultant fee for the PSR-PDS phase, in the amount of \$165,500 will be funded by the allocated Measure W funds, bringing the total with Mark Thomas to \$1,147,237.11.

The Town will execute a reimbursement agreement with the City of South San Francisco for the matching funds of Segment "C" cost. As part of a cost-sharing agreement, South San Francisco will reimburse Colma \$16,550 (10% of Segment C cost) for consultant fees related to the Segment "C" of the PSR-PDS project.

## FISCAL IMPACT

San Mateo County Transportation Authority (TA) awarded the Town of Colma \$1,800,000 from the Measure W Highway Program Category (Measure W Funds) for the Project Study Report - Project Development Support (PSR-PDS) phase for the El Camino Real Bicycle and Pedestrian Improvement Project. The Town is contributing \$200,000 in local funds.

TA has approved the expansion of the project area to extend southward from the original limits at Arlington Drive to Hickey Boulevard in the City of South San Francisco (Segment C). The TA approved the additional consultant fees of \$165,5000 to incorporate the new project limits (Segment C) into the PSR-PDS phase. The additional funding amount will be funded by the TA's 2021 Measure W already awarded to the Town of Colma. The Town will not request any additional funds from TA for the implementation of PSR-PDS of Segment C.

The Town's proposed funding plan for the El Camino Real Bicycle and Pedestrian Improvement Project, PSR-PDS is as follows:

• Colma CIP Allocation (Local Match)	\$ 200,000.00
• SSF CIP Allocation (Local Match)	\$ 16,550.00
• Mark Thomas Fees (Professional Services Agreement)	\$ 981,737.11
• Additional Mark Thomas Fees (Amendment No.1)	\$ 165,500.00
• Project Oversight by Caltrans (Coop Agreement)	<u>\$ 180,000.00</u>
<b>Project Total Budget</b>	<b>\$ 1,543,787.11</b>

This revised project scope ensures that all necessary funding is secured from TA's Measure W, and the Town will not be required to provide any additional local match.

## BACKGROUND

El Camino Real (SR-82, "ECR") is a State-owned and operated highway. The highway is a North/South roadway that travels from one end of Town at Daly City to the other end of Town at the City of South San Francisco. ECR is integral to our business and residential community along with providing access to the transit hubs which are located at both ends of the Town.

The Town of Colma is progressing with the PSR-PDS phase of the El Camino Real Bicycle and Pedestrian Improvements Project. The Project is funded through the San Mateo County Transportation Authority (TA) with Measure W funds and a local match. Through the development of our Purpose and Need Statement for the PSR-PDS document, Caltrans commented on the Project limits. Specifically, they suggested extending the project limits further south, from Arlington Drive to Hickey Boulevard to expand pedestrian and cyclist connections along the corridor.

The proposed project extension to Hickey Road was discussed with the City of San Francisco (SSF) and they expressed strong interest in participating to ensure a comprehensive approach to improved bike and pedestrian infrastructure.

The California Department of Transportation (CalTrans) has engaged with the Town of Colma in a Cooperative Agreement to provide oversight and guidance throughout the project. Colma will cover Caltrans' oversight costs, up to \$180,000, from Measure M funds. Segment inclusion will not require Caltrans to seek additional budget.

Town staff have been working with SSF staff and their legal team to establish a Reimbursement /Co-op agreement mutually acceptable to the parties. SSF will be responsible for covering the matching fund for Segment "C" PSR-PDS cost (\$165,500) and reimburse Town 10% of Segment C's cost.

The Town of Colma is the Project sponsor and implementing agency, TA is the funding agency and part of project management, and Caltrans is responsible for oversight. Regular progress meetings and coordination efforts between the Town of Colma, SSF, TA, and Caltrans are maintained during the project implementation period with the engagements of stakeholders.

## **ANALYSIS**

The purpose of this project is to prepare a Project Study Report-Project Development Support (PSR- PDS), the required type of Project Initiation Document (PID), including intersection controls and alternatives, costs, and impacts. The PSR-PDS will also identify the type of environmental documents to be prepared in the Project Approval and Environmental Document (PA&ED) phase and the coordination with Caltrans and TA for review and approval. All analysis and modeling will be conducted with Caltrans-approved methodologies and models.

The amended Scope of Work encompasses the same tasks outlined in the Professional Services Agreement with Mark Thomas, dated March 30, 2023, with the exception of the Project study area, which is hereby expanded to stretch along El Camino Real from the intersection with Albert M. Teglia Boulevard to the intersection with Hickey Boulevard.

The revised project area is divided into three segments; Segment "A" from Albert M. Teglia Boulevard to Mission Road in the Town of Colma, Segment "B" from Mission Road to Arlington Drive in the Town of Colma, and the newly added Segment "C" from Arlington Drive to Hickey Boulevard in the City of South San Francisco.

The Town of Colma and South San Francisco (SSF) will each contribute a 10% local match to the PSR-PDS project cost. Colma's match will cover Segments A and B, while SSF's will cover Segment C. Measure W will provide the remaining 90% of the project's funding. No additional funding will be requested from TA.

Due to the inclusion of Segment "C", the project schedule has been adjusted, setting the new completion date for the PSR-PDS phase in September 2023.

## **Council Adopted Values**

The PSR-PDS phase of El Camino Real Bicycle and Pedestrian Improvement Project is *visionary*, because it involves putting a feasible and fundable design alternatives that will provide safe, attractive and sustainable paths of travel for those who walk, bike or use public transportation to and from work along ECR.

## **Sustainability Impact**

Creating safe and attractive routes of travel for pedestrians, bicyclists and those who travel using public transit will attract more of the public to use these modes of transportation thus having a positive impact in lowering the Town's GHG's.

## **ENVIRONMENTAL**

The City Council's action in adopting the resolution to approve the amendment is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline 15306 as information collection. The resolution will authorize information gathering including a study that will lead to a proposed plan for bike and pedestrian improvements along El Camino Real. Once the plan is developed, CEQA review will be conducted to determine the level of environmental analysis that will be required to implement the plan. The City Council at the time that the plan and CEQA review is completed, will determine whether to actually approve or adopt the plan.

## **CONCLUSION**

Staff recommends that the City Council adopt the resolution approving and authorizing the City Manager to execute Amendment No.1 to the Agreement with Mark Thomas for the preparation of El Camino Real Bicycle and Pedestrian Improvement Project, Project Study Report-Project Development Support (PSR-PDS) from Albert M. Teglia to Hicky Boulevard.

## **ATTACHMENTS**

- A. Resolution
- B. Amendment No. 1



**RESOLUTION NO. 2024-\_\_**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO  
EXECUTE AMENDMENT NO.1 TO THE AGREEMENT WITH MARK THOMAS &  
COMPANY, INC. IN THE AMOUNT OF \$165,500 FOR THE EL CAMINO REAL  
BICYCLE AND PEDESTRIAN IMPROVEMENT PROJECT, PROJECT STUDY  
REPORT-PROJECT DEVELOPMENT SUPPORT (PSR-PDS) PHASE PURSUANT TO  
CEQA GUIDELINE 15306**

The City Council of the Town of Colma does resolve as follows:

**1. Background**

- (a) On March 30, 2023, The Town executed an agreement with Mark Thomas in the amount of \$981,737.11 for the preparation of the El Camino Real Bicycle and Pedestrian Improvement Project, Project Study Report-Project Development Support (PSR-PDS) within the Town of Colma
- (b) The Town of Colma is progressing with the PSR-PDS phase of the El Camino Real Bicycle and Pedestrian Improvement Project.
- (c) Through the development of the Purpose and Need Statement for the PSR-PDS document, Caltrans commented on the Project limits. Specifically, they suggested extending the project limits further south, from Arlington Drive to Hickey Boulevard to expand pedestrian and cyclist connections along the corridor.
- (d) Town staff is now recommending that the City Council amend the existing contract with Mark Thomas to allow for this expanded project scope to include Arlington Drive to Hickey Boulevard.
- (e) The additional consultant fee for the expanded PSR-PDS phase, in the amount of \$165,500 will be funded by the allocated Measure W funds, bringing the total with Mark Thomas to \$1,147,237.11.

**2. Approval and Authorization**

- (a) The amendment to the agreement for the Project between the Town of Colma and Mark Thomas, a copy of which is on file with the City Clerk, is approved by the City Council of the Town of Colma.
- (b) The City Manager is hereby authorized to execute said amendment on behalf of the Town of Colma, with such minor technical amendments as may be deemed appropriate by the City Manager and the City Attorney.

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### Certification of Adoption

I certify that the foregoing Resolution 2024-\_\_ was duly adopted at a regular meeting of said City Council held on January 10, 2024 by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
John Irish Goodwin, Mayor					
Ken Gonzalez					
Carrie Slaughter					
Helen Fiscaro					
Joanne F. del Rosario					
<i>Voting Tally</i>					

Dated \_\_\_\_\_

\_\_\_\_\_  
John Irish Goodwin, Mayor

Attest: \_\_\_\_\_  
Abigail Dometita, Interim City Clerk

**FIRST AMENDMENT TO  
PROFESSIONAL SERVICES AGREEMENT BETWEEN THE  
TOWN OF COLMA AND MARK THOMAS & COMPANY, INC.  
FOR  
EL CAMINO REAL BICYCLE AND PEDESTRIAN IMPROVEMENT PROJECT,  
PROJECT STUDY REPORT-PROJECT DEVELOPMENT SUPPORT (PSR-PDS)**

This First Amendment to Professional Services Agreement between TOWN OF COLMA and MARK THOMAS & COMPANY, INC. (“FIRST AMENDMENT”) is made and entered into this day of December 2023 by and between the TOWN OF COLMA, a California municipal corporation (“TOWN”) and MARK THOMAS & COMPANY, INC., a California corporation with its principal place of business at 2833 Junction Avenue, Suite 100, San Jose, CA 95134 (“CONSULTANT”), (collectively, the “parties”).

**RECITALS**

WHEREAS, TOWN and CONSULTANT previously entered into that certain agreement entitled “PROFESSIONAL SERVICES AGREEMENT” for the El Camino Real Bicycle and Pedestrian Improvement Project, Project Study Report-Project Development Support (PSR-PDS) (“Project”) dated March 30, 2023, in the amount of \$981,737.11 (“AGREEMENT”); and

WHEREAS, TOWN and CONSULTANT now desire to amend the AGREEMENT to do the following:

1. Amend Section 1 to expand the Scope of Services; and
2. Amend Section 2 to acknowledge a new amount of compensation for the new tasks contemplated in the expanded Scope of Services, for a new total contract amount of \$1,147,237.11 (\$981,737.11 + \$165,500.00); and
3. Amend Section 5 to extend the Time of Performance to complete the services required by September 13, 2024.
4. Amend Exhibit “A,” (Scope of Services), to include an expanded Scope of Services, in addition to the original Scope of Services dated March 30, 2023.
5. Amend Exhibit “B,” (Schedule of Charges/Payments), to include a new increased amount of compensation for the expanded scope of services.
6. Amend Exhibit “C,” (Activity Schedule), to include the updated Time of Performance to complete the services required by September 13, 2024.

## **FIRST AMENDMENT**

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH IN THIS FIRST AMENDMENT AND OTHER VALUABLE CONSIDERATION, THE PARTIES AGREE AS FOLLOWS:

**SECTION 1.** Section 1, Description of Services, is hereby amended to read in its entirety as follows:

“**1. Services.** Consultant shall provide the Town with the services described in the Scope of Services attached hereto as Exhibit “A” as amended by the First Amendment.”

**SECTION 2.** The first sentence of Section 2(b), Compensation, is hereby amended to read in its entirety as follows:

“**2. Compensation.**

(b) In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of \$1,147,237.11 [One Million One Hundred Forty-Seven Thousand Two Hundred Thirty-Seven and 11/100 Dollars].”

**SECTION 5:** The second sentence of Section 5, Time of Performance, is hereby amended to read in its entirety as follows:

“**5. Time of Performance.**

Consultant shall complete the services required hereunder by September 13, 2024, in accordance with the Activity Schedule set forth in Exhibit “C”.”

**EXHIBIT A:** Exhibit A to the Agreement (Scope of Services) is hereby amended to expand the Project study area to stretch along El Camino Real from the intersection with Albert M. Teglia Boulevard to the intersection with Hickey Boulevard. A new map of the expanded Project study area is attached to and incorporated by this reference into this First Amendment as Exhibit A..

**EXHIBIT B:** Exhibit B to the Agreement (Schedule of Charges/Payments), is hereby amended to include a new total amount of compensation for the expanded Scope of Services. The increased total amount of compensation is \$1,147,237.11. The reallocated budget, which includes the increased total amount of compensation, is attached to and incorporated into this First Amendment as Exhibit B.

**EXHIBIT C:** Exhibit C to the Agreement (Activity Schedule), is hereby deleted and replaced in its entirety with Exhibit C to this First Amendment to include the updated Time of Performance to complete the services required by September 13, 2024.

IN WITNESS WHEREOF, the Parties have entered into this FIRST AMENDMENT as of the day of December 2023.

**TOWN OF COLMA**

**MARK THOMAS & COMPANY, INC.**

By: \_\_\_\_\_  
Daniel Barros  
City Manager

By: \_\_\_\_\_

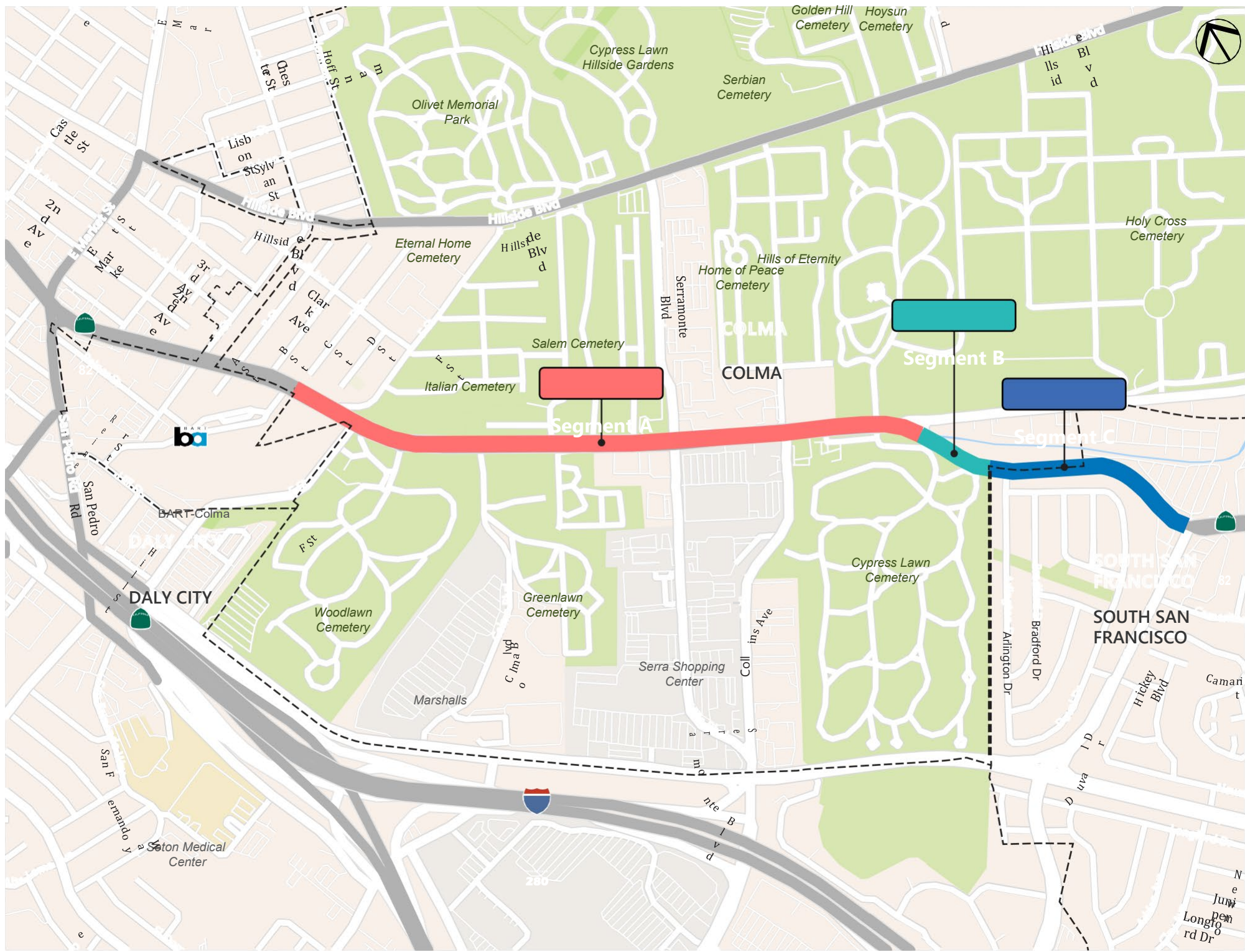
Name: \_\_\_\_\_

Title: \_\_\_\_\_

**EXHIBIT A**  
**SCOPE OF SERVICES**

**EL CAMINO REAL BICYCLE AND PEDESTRIAN IMPROVEMENT PROJECT,  
PROJECT STUDY REPORT-PROJECT DEVELOPMENT SUPPORT (PSR-PDS)**

The amended Scope of Work encompasses the same tasks outlined in Exhibit "A" of the Professional Services Agreement, dated March 30, 2023, with the exception of the Project study area, which is hereby expanded to stretch along El Camino Real from the intersection with Albert M. Teglia Boulevard to the intersection with Hickey Boulevard. Below, please find a map of the new Project study area:



Alta Loma Av

U

W F D E

Serramonte  
Center

Alta Loma  
Clay Ave





## MARK THOMAS

December 14, 2023

23-00038

Mr. Abdulkader Hashem  
Town of Colma  
1198 El Camino Real  
Colma, CA 94014

**RE: El Camino Real Bicycle and Pedestrian Improvement Project PSR-PDS, SMCTA  
Project ID 100664, Additional Services Letter**

Dear Abdul:

Per your request, Mark Thomas & Company, Inc. (Mark Thomas) has prepared this additional services letter for the Town of Colma (Town) for the El Camino Real Bicycle and Pedestrian Improvement Project PSR-PDS (Project) to include an additional segment in the City of South San Francisco (City). The new segment extends the project limits south, from Arlington Drive to Hickey Boulevard along El Camino Real and has been identified as Segment C.

The addition of Segment C was initiated by Caltrans during the project kick-off, and they asked the Town to evaluate its inclusion within the Project. After consultation with the City and the San Mateo County Transportation Authority (TA) it was determined that Segment C should be added to the Project as it provided a more complete and logical end to this stretch of El Camino Real.

### SCOPE OF SERVICES

In order to accommodate Segment C, we will not be adding any additional phases or tasks to the existing contract, but simply increasing task budgets where additional effort is required to complete coordination and documentation. A list of the impacted tasks is as follows:

- Task 1.3 - Quality Management Plan
- Task 2.3 - Project Coordination Meetings
- Task 4.2 - Data Collection
- Task 4.3 - Field Visits
- Task 4.4 - Utility Investigations and Utility Base Mapping
- Task 4.5 - Develop Purpose and Need



▶ December 14, 2023

- Task 4.6 - Alternatives Development
- Task 5.1 - Preliminary Environmental Analysis Report
- Task 5.2 - Design Standards Risk Assessment
- Task 5.3 - Traffic Engineering Performance Assessment
- Task 5.4 - Stormwater Data Report
- Task 5.6 - ROW and Utility Impacts
- Task 5.8.1 - Cost Estimate
- Task 6.1 - Draft And Final Project Study Report-Project Development Support

### FEE ESTIMATE

Please see attached budget summary for the augmented budgets.

### SCHEDULE

The original schedule will be elongated. The overall schedule will be extended by approximately 4 months with a new completion date in September 2024. A revised schedule has been attached for reference.

Thank you for the opportunity to provide this letter for additional services for the El Camino Real Bicycle and Pedestrian Improvement Project PSR-PDS project. Please give me a call if you need any additional information or have any questions regarding these additional services.

Sincerely,  
**MARK THOMAS**

Shawn P. O'Keefe, PE, QSD  
Principal, Vice President

Accepted:
_____
Signature
_____
Name/Title



**EXHIBIT B**  
**SCHEDULE OF CHARGES/PAYMENTS**

**EL CAMINO REAL BICYCLE AND PEDESTRIAN IMPROVEMENT PROJECT,  
PROJECT STUDY REPORT-PROJECT DEVELOPMENT SUPPORT (PSR-PDS)**

*(Refer to the Revised Schedule of Charges attached)*



Original	981,737.11
Amendment 1	165,500.00
<b>Total Contract Amount</b>	<b>1,147,237.11</b>

PHASE NO.	TASK NO.	PHASE/TASK DESCRIPTION	ORIGINAL BUDGET	<DATE> AM 1	REALLOCATED BUDGET	PREVIOUSLY BILLED	BILLED THIS PERIOD	COSTS TO DATE	BALANCE REMAINING	BILLED BUDGET
<b>001 1 PROJECT MANAGEMENT AND ADMINISTRATION</b>										
	001	1.1 Work Plan and Schedule	2,913.66		2,913.66	0.00	421.27	421.27	2,492.39	14%
	02	1.2 Set-up and Maintain Project Files	8,118.41		8,118.41	1,980.10	0.00	1,980.10	6,138.31	24%
	03	1.3 Quality Management Plan	18,341.32	5,000.00	23,341.32	0.00	0.00	0.00	23,341.32	0%
	004	1.4 Risk Management Plan	8,023.26		8,023.26	0.00	0.00	0.00	8,023.26	0%
	005	1.5 Project Schedule	3,636.77		3,636.77	0.00	0.00	0.00	3,636.77	0%
	006	1.6 General PM, Coordination, and Invoicing	25,102.21		25,102.21	14,561.66	2,067.42	16,629.08	8,473.13	66%
	099	MT REIMBURSABLES	491.25		491.25	81.89	0.00	81.89	409.36	17%
	100	F&P: 1.6 GENERAL PM, COORDINATION, AND INVOICING	2,622.19		2,622.19	786.66	786.66	1,573.32	1,048.87	60%
	200	K&W: 1.6 GENERAL PM, COORDINATION, AND INVOICING	3,140.90		3,140.90	0.00	0.00	0.00	3,140.90	0%
	500	CP: 1.1 WORK PLAN AND SCHEDULE	3,078.70		3,078.70	0.00	0.00	0.00	3,078.70	0%
	501	CP: 1.2 SET-UP AND MAINTAIN PROJECT FILES	3,631.26		3,631.26	0.00	1,127.50	1,127.50	2,503.76	31%
	502	CP: 1.6 GENERAL PM, COORDINATION, AND INVOICING	4,733.35		4,733.35	0.00	0.00	0.00	4,733.35	0%
<b>SUBTOTAL PHASE 1</b>			<b>83,833.28</b>	<b>5,000.00</b>	<b>88,833.28</b>	<b>17,410.31</b>	<b>4,402.85</b>	<b>21,813.16</b>	<b>67,020.12</b>	<b>25%</b>
<b>002 2 STAKEHOLDER ENGAGEMENT AND COORDINATION</b>										
	001	2.1 Pre-PID/Kick-off Meeting	3,456.24		3,456.24	2,825.22	0.00	2,825.22	631.02	82%
	02	2.2 Project Development Team (PDT)	14,428.66		14,428.66	8,487.78	0.00	8,487.78	5,940.88	59%
	03	2.3 Project Coordination Meetings	26,507.93	5,000.00	31,507.93	10,685.43	3,229.43	13,914.86	17,593.07	44%
	004	2.4 Individual Agency Coordination	6,316.43		6,316.43	0.00	0.00	0.00	6,316.43	0%
	005	2.5 Coordination Meetings and Hearings	7,776.80		7,776.80	0.00	0.00	0.00	7,776.80	0%
	100	F&P: 2.1 PRE-PID/KICK-OFF MEETING	1,882.18		1,882.18	1,882.18	0.00	1,882.18	0.00	100%
	101	F&P: 2.2 PROJECT DEVELOPMENT TEAM (PDT)	1,740.56		1,740.56	1,740.56	1,000.00	2,740.56	-1,000.00	157%
	102	F&P: 2.3 PROJECT COORDINATION MEETINGS	2,914.62		2,914.62	571.88	81.93	653.81	2,260.81	22%
	200	K&W: 2.2 PROJECT DEVELOPMENT TEAM (PDT)	3,655.77		3,655.77	0.00	0.00	0.00	3,655.77	0%
	201	K&W: 2.4 INDIVIDUAL AGENCY COORDINATION	3,342.83		3,342.83	0.00	0.00	0.00	3,342.83	0%
<b>SUBTOTAL PHASE 2</b>			<b>72,022.02</b>	<b>5,000.00</b>	<b>77,022.02</b>	<b>26,193.05</b>	<b>4,311.36</b>	<b>30,504.41</b>	<b>46,517.61</b>	<b>40%</b>
<b>003 3 ENGAGEMENT</b>										
	001	3.1 Prepare Community-facing Materials	3,167.20		3,167.20	0.00	0.00	0.00	3,167.20	0%
	002	3.2 Community Meetings	9,255.14		9,255.14	0.00	0.00	0.00	9,255.14	0%
	100	F&P: 3.2 COMMUNITY MEETINGS	8,817.35		8,817.35	0.00	0.00	0.00	8,817.35	0%
	200	K&W: 3.1 PREPARE COMMUNITY-FACING MATERIALS	15,895.19		15,895.19	0.00	0.00	0.00	15,895.19	0%
	201	K&W: 3.2 COMMUNITY MEETINGS	16,657.68		16,657.68	0.00	0.00	0.00	16,657.68	0%
	299	K&W: OTHER DIRECT COSTS	6,617.40		6,617.40	0.00	0.00	0.00	6,617.40	0%
<b>SUBTOTAL PHASE 3</b>			<b>60,409.96</b>	<b>0.00</b>	<b>60,409.96</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>60,409.96</b>	<b>0%</b>
<b>004 4 PROJECT INITIATION</b>										
	001	4.1 Review of Background Information, Plans and Studies	7,302.29		7,302.29	6,182.70	0.00	6,182.70	1,119.59	85%
	002	4.2 Data Collection	6,510.60	2,500.00	9,010.60	6,434.15	0.00	6,434.15	2,576.45	71%
	003	4.3 Field Visits	4,504.56	1,500.00	6,004.56	1,001.22	0.00	1,001.22	5,003.34	17%
	004	4.4 Utility Investigations and Utility Base	15,022.47	5,000.00	20,022.47	14,566.45	0.00	14,566.45	5,456.02	73%
	005	4.5 Develop Purpose and Need	10,940.18	5,000.00	15,940.18	9,773.45	0.00	9,773.45	6,166.73	61%
	006	4.6 Alternatives Development	80,638.99	75,000.00	155,638.99	69,800.16	11,400.83	81,200.99	74,438.00	52%
	100	F&P: 4.1 REVIEW OF BACKGROUND INFORMATION, PLANS AND STUDIES	2,731.91		2,731.91	2,731.91	1,751.42	4,483.33	-1,751.42	164%
	101	F&P: 4.2 DATA COLLECTION	2,165.42		2,165.42	6,165.00	250.00	6,415.00	-4,249.58	296%
	102	F&P: 4.3 FIELD VISITS	4,385.68		4,385.68	1,200.00	0.00	1,200.00	3,185.68	27%
	103	F&P: 4.5 DEVELOP PURPOSE AND NEED	1,393.36		1,393.36	0.00	0.00	0.00	1,393.36	0%
	104	F&P: 4.6 ALTERNATIVES DEVELOPMENT	22,732.86		22,732.86	18,294.93	4,760.57	23,055.50	-322.64	101%
	300	C&A: 4.1 REVIEW OF BACKGROUND INFORMATION, PLANS AND STUDIES	2,920.22		2,920.22	0.00	0.00	0.00	2,920.22	0%
	300	C&A: 4.3 FIELD VISITS	2,892.62		2,892.62	0.00	0.00	0.00	2,892.62	0%



PHASE NO.	TASK NO.	PHASE/TASK DESCRIPTION	ORIGINAL BUDGET	<DATE> AM 1	REALLOCATED BUDGET	PREVIOUSLY BILLED	BILLED THIS PERIOD	COSTS TO DATE	BALANCE REMAINING	BILLED BUDGET
	500 CP:	4.1 REVIEW OF BACKGROUND INFORMATION, PLANS AND STUDIES	5,588.68		5,588.68	0.00	94.60	94.60	5,494.08	2%
	501 CP:	4.2 DATA COLLECTION	4,223.31		4,223.31	0.00	0.00	0.00	4,223.31	0%
	502 CP:	4.5 DEVELOP PURPOSE AND NEED	2,835.36		2,835.36	0.00	0.00	0.00	2,835.36	0%
<b>SUBTOTAL PHASE 4</b>			<b>176,788.51</b>	<b>89,000.00</b>	<b>265,788.51</b>	<b>136,149.97</b>	<b>18,257.42</b>	<b>154,407.39</b>	<b>111,381.12</b>	<b>58%</b>
<b>005</b>	<b>5 INITIAL ENGINEERING ANALYSIS</b>									
	001 5.1	Preliminary Environmental Analysis	6,334.40	1,500.00	7,834.40	0.00	0.00	0.00	7,834.40	0%
	002 5.2	Design Standards Risk Assessment	13,863.72	2,500.00	16,363.72	0.00	0.00	0.00	16,363.72	0%
	003 5.3	Traffic Engineering Performance	14,375.64	2,500.00	16,875.64	0.00	0.00	0.00	16,875.64	0%
	004 5.4	Stormwater Data Report	25,335.48	5,000.00	30,335.48	0.00	0.00	0.00	30,335.48	0%
	005 5.5	Life Cycle Cost Analysis (LCCA)	29,434.28		29,434.28	0.00	0.00	0.00	29,434.28	0%
	006 5.6 (TR)	ROW and Utility Impacts	21,706.91	2,500.00	24,206.91	0.00	0.00	0.00	24,206.91	0%
	007 5.6 (SU)	ROW and Utility Impacts	10,296.72		10,296.72	0.00	0.00	0.00	10,296.72	0%
	008 5.7	Implementation Plan and Project	10,083.50		10,083.50	0.00	0.00	0.00	10,083.50	0%
	009 5.8.1	Cost Estimate	27,704.87	10,000.00	37,704.87	0.00	0.00	0.00	37,704.87	0%
	010 5.8.2	Funding Sources	5,020.30		5,020.30	0.00	0.00	0.00	5,020.30	0%
	100 F&P: 5.3	TRAFFIC ENGINEERING PERFORMANCE ASSESSMENT	69,577.56	10,000.00	79,577.56	5,000.00	10,735.93	15,735.93	63,841.63	20%
	102 F&P: 5.8.1	COST ESTIMATE	4,006.52		4,006.52	0.00	0.00	0.00	4,006.52	0%
	103 F&P: 5.8.2	FUNDING SOURCES	3,298.41		3,298.41	0.00	0.00	0.00	3,298.41	0%
	300 C&A: 5.1	PRELIMINARY ENVIRONMENTAL ANALYSIS REPORT	22,924.54		22,924.54	0.00	0.00	0.00	22,924.54	0%
	301 C&A: 5.5	LIFE CYCLE COST ANALYSIS	5,060.30		5,060.30	0.00	0.00	0.00	5,060.30	0%
	399 C&A:	OTHER DIRECT COSTS	1,262.00		1,262.00	0.00	0.00	0.00	1,262.00	0%
	400 ARWS: 5.8.1	COST ESTIMATE	10,569.78		10,569.78	0.00	0.00	0.00	10,569.78	0%
	500 CP: 5.1	PRELIMINARY ENVIRONMENTAL ANALYSIS REPORT	64,774.48	5,000.00	69,774.48	0.00	0.00	0.00	69,774.48	0%
<b>SUBTOTAL PHASE 5</b>			<b>345,629.41</b>	<b>39,000.00</b>	<b>384,629.41</b>	<b>5,000.00</b>	<b>10,735.93</b>	<b>15,735.93</b>	<b>368,893.48</b>	<b>4%</b>
<b>006</b>	<b>6 DRAFT AND FINAL PROJECT STUDY REPORT-PROJECT DEVELOPMENT SUPPORT (PSR-PDS)</b>									
	001 6.1	Draft And Final Project Study Report-Project Development Support (PSR-PDS)	196,300.42	25,000.00	221,300.42	0.00	2,650.62	2,650.62	218,649.80	1%
	500 CP: 6.1	DRAFT AND FINAL PROJECT STUDY REPORT-PROJECT DEVELOPMENT SUPPORT (PSR-PDS)	4,473.69	2,500.00	6,973.69	0.00	0.00	0.00	6,973.69	0%
<b>SUBTOTAL PHASE 6</b>			<b>200,774.11</b>	<b>27,500.00</b>	<b>228,274.11</b>	<b>0.00</b>	<b>2,650.62</b>	<b>2,650.62</b>	<b>225,623.49</b>	<b>1%</b>
<b>900</b>	<b>UNALLOCATED BUDGET</b>									
	001	Anticipated Salary Increases	28,008.86		28,008.86	0.00	0.00	0.00	28,008.86	0%
	100 F&P:	ANTICIPATED SALARY INCREASES	5,768.78		5,768.78	0.00	0.00	0.00	5,768.78	0%
	200 K&W:	ANTICIPATED SALARY INCREASES	2,305.39		2,305.39	0.00	0.00	0.00	2,305.39	0%
	300 C&A:	ANTICIPATED SALARY INCREASES	1,520.90		1,520.90	0.00	0.00	0.00	1,520.90	0%
	400 ARWS:	ANTICIPATED SALARY	475.64		475.64	0.00	0.00	0.00	475.64	0%
	500 CP:	ANTICIPATED SALARY INCREASES	4,200.25		4,200.25	0.00	0.00	0.00	4,200.25	0%
<b>SUBTOTAL PHASE 900</b>			<b>42,279.82</b>	<b>0.00</b>	<b>42,279.82</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>42,279.82</b>	<b>0%</b>
<b>GRAND TOTAL SERVICES</b>			<b>981,737.11</b>	<b>165,500.00</b>	<b>1,147,237.11</b>	<b>184,753.33</b>	<b>40,358.18</b>	<b>225,111.51</b>	<b>922,125.60</b>	<b>20%</b>

**EXHIBIT C  
ACTIVITY SCHEDULE**

**EL CAMINO REAL BICYCLE AND PEDESTRIAN IMPROVEMENT PROJECT,  
PROJECT STUDY REPORT-PROJECT DEVELOPMENT SUPPORT (PSR-PDS)**

*(Refer to the Revised Activity Schedule attached)*



ID	%	Task Name	Duration	Start	Finish	Predecessors	Apr '23	May '23	Jun '23	Jul '23	Aug '23	Sep '23	Oct '23	Nov '23	Dec '23	Jan '24	Feb '24	Mar '24	Apr '24	May '24	Jun '24	Jul '24	Aug '24	Sep '24						
1	52%	<b>ECR Bicycle and Pedestrian Imp Project PSR-PDS</b>	<b>380 days</b>	<b>Mon 4/3/23</b>	<b>Fri 9/13/24</b>		[Gantt bar for Task 1]																							
2	100%	Town Provides NTP	0 days	Mon 4/3/23	Mon 4/3/23		[Gantt bar for Task 2]																							
3	55%	<b>TASK 1. PM AND ADMINISTRATION</b>	<b>340 days</b>	<b>Mon 4/3/23</b>	<b>Fri 7/19/24</b>	2	[Gantt bar for Task 3]																							
4	0%	<b>TASK 2. STAKEHOLDER ENGAGEMENT AND COORD</b>	<b>321 days</b>	<b>Mon 4/17/23</b>	<b>Tue 7/9/24</b>		[Gantt bar for Task 4]																							
5	100%	2.1 Pre-PID/Kick-off Meeting	0 days	Mon 4/17/23	Mon 4/17/23	2FS+11 days	[Gantt bar for Task 5]																							
6	0%	2.2 PDT Meetings	225 days	Mon 5/1/23	Mon 3/11/24		[Gantt bar for Task 6]																							
19	0%	2.5 Coordination Meetings and Hearings	205 days	Tue 9/26/23	Tue 7/9/24		[Gantt bar for Task 19]																							
23	86%	<b>TASK 4. PROJECT INITIATION</b>	<b>200 days</b>	<b>Mon 4/17/23</b>	<b>Fri 1/19/24</b>		[Gantt bar for Task 23]																							
24	100%	4.1 Review of Background Information	14 days	Tue 4/18/23	Fri 5/5/23	5	[Gantt bar for Task 24]																							
25	100%	4.2 Data Collection	14 days	Tue 4/18/23	Fri 5/5/23	5	[Gantt bar for Task 25]																							
26	0%	<b>4.3 Field Visits</b>	<b>118 days</b>	<b>Fri 5/5/23</b>	<b>Wed 10/18/23</b>		[Gantt bar for Task 26]																							
27	100%	Field Visit #1	0 days	Fri 5/5/23	Fri 5/5/23	25,24	[Gantt bar for Task 27]																							
28	0%	Field Visit #2	0 days	Wed 10/18/23	Wed 10/18/23	35FS+3 days,27,29	[Gantt bar for Task 28]																							
29	99%	4.4 Utility Investigations and Base Mapping	30 days	Mon 5/8/23	Fri 6/16/23	24,25	[Gantt bar for Task 29]																							
30	99%	4.5 Develop Purpose and Need	40 days	Mon 4/17/23	Fri 6/9/23	2FS+10 days	[Gantt bar for Task 30]																							
31	100%	<b>PSR-PR Process Determination</b>	<b>80 days</b>	<b>Mon 4/17/23</b>	<b>Fri 8/4/23</b>	30SS	[Gantt bar for Task 31]																							
32	74%	4.6 Alternatives Development	120 days	Mon 8/7/23	Fri 1/19/24		[Gantt bar for Task 32]																							
33	99%	Prepare ICE	60 days	Mon 8/7/23	Fri 10/27/23	29,30,31	[Gantt bar for Task 33]																							
34	100%	Prepare Draft Alternatives	30 days	Mon 8/7/23	Fri 9/15/23	29,30,31	[Gantt bar for Task 34]																							
35	100%	Town/TA/Caltrans Review	20 days	Mon 9/18/23	Fri 10/13/23	34	[Gantt bar for Task 35]																							
36	60%	<b>Finalize Alternatives</b>	<b>70 days</b>	<b>Mon 10/16/23</b>	<b>Fri 1/19/24</b>	35,33	[Gantt bar for Task 36]																							
37	0%	Town/TA/Caltrans Review	25 days	Mon 12/18/23	Fri 1/19/24	36FF	[Gantt bar for Task 37]																							
38	28%	<b>TASK 5. INITIAL ENGINEERING ANALYSIS</b>	<b>120 days</b>	<b>Mon 9/18/23</b>	<b>Fri 3/1/24</b>		[Gantt bar for Task 38]																							
39	0%	<b>5.1 Preliminary Environmental Analysis Report</b>	<b>30 days</b>	<b>Mon 1/22/24</b>	<b>Fri 3/1/24</b>	36	[Gantt bar for Task 39]																							
40	0%	5.2 Design Standards Risk Assessment	20 days	Mon 1/22/24	Fri 2/16/24	36	[Gantt bar for Task 40]																							
41	65%	5.3 Traffic Engineering Performance Assessment	90 days	Mon 9/18/23	Fri 1/19/24	34	[Gantt bar for Task 41]																							
42	0%	5.4 Storm Water Data Report	20 days	Mon 1/22/24	Fri 2/16/24	36	[Gantt bar for Task 42]																							
43	25%	5.6 ROW and Utility Impacts	70 days	Mon 10/16/23	Fri 1/19/24	35	[Gantt bar for Task 43]																							
44	0%	5.8 Cost Estimates and Funding	25 days	Mon 1/22/24	Fri 2/23/24		[Gantt bar for Task 44]																							
45	0%	5.8.1 Cost Estimate	20 days	Mon 1/22/24	Fri 2/16/24	36	[Gantt bar for Task 45]																							
46	0%	5.8.2 Funding Sources	25 days	Mon 1/22/24	Fri 2/23/24	36	[Gantt bar for Task 46]																							
47	0%	<b>TASK 6. DRAFT AND FINAL PSR-PDS</b>	<b>140 days</b>	<b>Mon 3/4/24</b>	<b>Fri 9/13/24</b>		[Gantt bar for Task 47]																							
48	0%	<b>6.1 Draft And Final PSR-PDS</b>	<b>140 days</b>	<b>Mon 3/4/24</b>	<b>Fri 9/13/24</b>		[Gantt bar for Task 48]																							
49	0%	<b>Admin Draft PSR-PDS</b>	<b>30 days</b>	<b>Mon 3/4/24</b>	<b>Fri 4/12/24</b>	39,40,41,42,43,45,46	[Gantt bar for Task 49]																							
50	0%	<b>Town/TA Review</b>	<b>20 days</b>	<b>Mon 4/15/24</b>	<b>Fri 5/10/24</b>	49	[Gantt bar for Task 50]																							
51	0%	<b>Draft PSR-PDS</b>	<b>20 days</b>	<b>Mon 5/13/24</b>	<b>Fri 6/7/24</b>	50	[Gantt bar for Task 51]																							
52	0%	<b>Town/TA/Caltrans Review</b>	<b>20 days</b>	<b>Mon 6/10/24</b>	<b>Fri 7/5/24</b>	51	[Gantt bar for Task 52]																							
53	0%	<b>Final PSR-PDS</b>	<b>20 days</b>	<b>Mon 7/8/24</b>	<b>Fri 8/2/24</b>	52	[Gantt bar for Task 53]																							
54	0%	<b>Caltrans Review and Approval</b>	<b>30 days</b>	<b>Mon 8/5/24</b>	<b>Fri 9/13/24</b>	53	[Gantt bar for Task 54]																							







# STAFF REPORT

TO: Mayor and Members of the City Council  
 FROM: Farhad Mortazavi APA, City Planner  
 VIA: Daniel Barros, City Manager  
 DATE: January 10, 2024  
 SUBJECT: Public Hearing and Adoption for the Town of Colma Housing Element

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## RECOMMENDATION

Staff recommends that the City Council adopt a:

RESOLUTION RESCINDING RESOLUTION NO 2023-04, REPEALING THE 2015-2022 HOUSING ELEMENT AND ADOPTING THE 2023-2031 HOUSING ELEMENT IN COMPLIANCE WITH STATE HOUSING ELEMENT LAW, AND AMENDING COLMA ADMINISTRATIVE CODE SUBCHAPTER 5.05 RELATED TO THE HOUSING ELEMENT CONDITIONED ON STATE CERTIFICATION, ALL PURSUANT TO A PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT  
 EXECUTIVE SUMMARY

## EXECUTIVE SUMMARY

The Town of Colma prepared an update to the Housing Element (HEU) of the General Plan to affirmatively further fair housing and accommodate the Regional Housing Needs Allocation (RHNA) of 202 units for the 2023-2031 Housing Element (6<sup>th</sup> cycle). The HEU was initially adopted by the City Council via Resolution No. 2023-04 on January 25, 2023. Once adopted, it was submitted to the State's Housing and Community Development (HCD) on January 30, 2023, meeting the statutory deadline. Staff, in coordination with the housing consultant, the M-Group, collaborated with HCD since April 2023, for revisions required for approval of the document - final submittal in October 2023 - with HCD finding that the Town is in substantial compliance on November 22, 2023. The HEU will again be sent to HCD for certification after adoption by the City Council. Once certified, the Town will have met its legal obligation to adopt a certified housing element. Staff will be bringing forward the required rezoning of land to implement the HEU at the next regular City Council meeting.

## FISCAL IMPACT

The project has been included in the Town's budget as part of its Capital Improvement Projects 2022-2023.

## BACKGROUND

CA Government Code Title 7, Division 1, Chapter 3, Article 10.6 [65580 – 65589.11] regulates the use and requirements of Housing Elements in California. The state law requires that the Town update its General Plan Housing Element every eight years. State law further requires jurisdictions in the Association of Bay Area Governments (ABAG) region to comply by January 31, 2023. The Town’s initial Housing Element was adopted by the City Council via Resolution No. 2023-04 on January 25, 2023 and was submitted to HCD on January 30, 2023. After this submittal, State HCD informed the Town on March 29, 2023 that further revisions to the HEU would be required in order to meet state law requirements.

The Town of Colma’s 2023-2031 Housing Element was prepared with the benefit of the community, City Council input, and discussion at two public meetings over the course of the year-long Housing Element preparation period. Workshops on the draft Housing Element were held by the City Council. Guidance was also provided by HCD throughout the process. The HEU was agendaized for City Council consideration on January 25, 2023, and was submitted to HCD on January 30, 2023. The January 25, 2023 City Council staff report (Attachment E) included the following mandatory discussions:

- Required components of Housing Element
- New requirement for the 6<sup>th</sup> cycle Housing Element including Affirmatively Furthering Fair Housing
- Penalties for non-compliance
- Related Safety Element
- Summary of study sessions and prior meetings
- Housing needs assessment
- Reginal Housing Needs Allocation (RHNA)
- RHNA buffer of 20 %
- Policies and Programs
- Affirmatively Furthering Fair Housing (AFFH)
- Assessment of fair housing, and fair housing outreach capacity and enforcement
- Segregation and integration patterns
- Racially and/or ethnically concentrated areas of poverty
- Disparities in access to opportunity
- Disproportionate housing needs (for low-income and protected classed)
- Site inventory
- Goals, policies, and actions
- Evaluation of past progress
- Community engagement
- Review process
- Required Findings

The document provided the Reginal Housing Needs Allocation for the Town as follows.

Income Category	Town of Colma RHNA	
	Previous Housing Element Cycle (2015-2023)	6 <sup>th</sup> Cycle RHNA (2023-2031)
Very Low (less than 50% of AMI)	20	44

Low (50-80% of AMI)	8	25
Moderate (80-120% of AMI)	9	37
Above Moderate (120% + of AMI)	22	96
<b>Total</b>	<b>59</b>	<b>202</b>

Source: Final RHNA Plan for the San Francisco Bay Area: 2023-2031

The approved January 25, 2023 HEU included a Site Inventory where it enlisted opportunity sites within the Town for compliance with the required RHNA numbers. This inventory was included throughout the process with HCD for the final approval (Attachment B), provided below:

### Colma Housing Sites Inventory

Site	Zoning Designation	Very Low	Low	Moderate	Above Moderate	Total	Vacant/ Non-Vacant
7733 El Camino	Commercial	0	12	0	0	12	V
1200 El Camino	Commercial	40	30	60	93	223	N
7778 El Camino	Commercial	14	0	0	0	14	N
Between 461 & 469 B St.	Residential				1	1	V
El Camino & Collins Ave.	Planned Development				9	9	V
240 Collins Ave.	Planned Development	5			12	17	V
<b>Total</b>		<b>59</b>	<b>42</b>	<b>60</b>	<b>115</b>	<b>276</b>	
RHNA		44 total including Ex. Low	25	37	96	<b>202</b>	
RHNA + 20 %		53 total including Ex. Low	30	44	115	<b>242</b>	

Source: Town of Colma, 2022

The HCD forwarded a letter on March 29, 2023 requiring necessary changes to bring the Town's housing element into compliance. After rounds of consultation with HCD and an edited, resubmitted, housing element on October 12, 2023, the Town's Housing Element was found in substantial compliance on November 22, 2023 (Attachment D).

## **ENVIRONMENTAL**

On March 23, 2022, pursuant to the California Environmental Quality Act (“CEQA”) the Town certified an Environmental Impact Report (EIR) for the General Plan 2040. The EIR evaluated and disclosed the potential significant impacts that may arise from implementation of the General Plan 2040. Pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162, Town staff has determined that no further environmental review is required for the HEU as the previously certified EIR adequately addressed the environmental impacts of the Housing Element that is not more intensive, and as such, will not result in any new or more severe significant environmental impact than were analyzed and disclosed in the certified EIR.

## **ANALYSIS**

The Housing Element Update was adopted by the City Council on January 25, 2023, and was forwarded to State’s Housing and Community Development (HCD) for review and comments. After submittal on March 29, 2023, HCD informed the Town that the Housing Element Update was not in compliance with state law. Thereafter in April 2023, the Town started utilizing a housing element consultant, the M-Group Consultants (consultant), to collaboratively address HCD’s comment letter and to process the required revisions necessary for compliance with HCD’s requirements.

On May 24, 2023, staff and the consultant met with HCD’s Senior Program Manager to discuss how to get the Town’s HEU in compliance with HCD’s requirements. Staff and the consultant met bi-weekly for progress in revising the document leading to subsequent meeting with HCD appointed staff on July 25, 2023, with Town’s second official submittal of the documents thereafter. The changes in this document included new sections analyzing how the Housing Element’s Site Inventory impacts affirmatively furthering fair housing requirements, the introduction of redevelopment factors on sites with existing uses, clarification of Colma’s fee schedule, and revised housing programs.

Staff and the consultant forwarded additional revisions of the document to HCD on September 8, 2023, resulting in HCD’s comment letter of non-compliance on September 22, 2023. The latest comments from HCD were addressed by staff and the consultant and the last revised HEU was submitted on October 12, 2023. These revisions included more analysis of impact fees, revised programs, and a new section describing “Financial Resources to Meet Housing Needs.” After HCD reviewed the latest revisions and requested a slight text revision, HCD forwarded its Letter of Substantial Compliance for the Town’s HEU.

Throughout the process, it was determined that certain revisions are required to be made to the Town’s Municipal Code for compatibility of the Housing Element and Colma Municipal Zoning Code (CMC). This included the creation of the Town’s Housing Element Overlay Zoning District (HEOD), which is to remove some constraints to developing housing on the five opportunity sites included in the site inventory of the HEU (not including the vacant parcel between 461 and 469 B Street). The HEOD was included in the adopted Housing Element Update in January 2023, and is included in the Town’s Zoning Code Update review by the Council on January 24, 2024. The HEOD designation will allow for greater housing densities and support mixed-use

developments on the opportunity sites. A few of the most impactful standards include removing minimum parking requirements within a half mile of public transit and density bonus amendments that will allow for projects consistent with the densities described in the Town’s Land Use Element of the General Plan 2040. Additionally, the HEOD will provide a pathway for ministerial approval related to multi-family projects that pay prevailing wages and meet specified affordable housing targets.

The HEOD and other required zoning changes due to the HEU requirement, in addition to all the zoning changes required for CMC compatibility to the adopted General Plan 2040 (adopted on March 23, 2022) is scheduled for Council’s review and approval after the approval of the HEU - scheduled for January 24, 2024. Below is a list of programs that reference amendments to the CMC – all to include updates with one new program added (Program 4.4) - along with a summary of their proposed changes and the relative page numbers of the final HEU.

Programs Requiring Amendment	Proposed Changes	Page #
<p>*Program 2.1</p> <p><i>Updates to Second Unit Ordinance Program</i></p>	<p>“The planning department will update the second unit ordinance to align with State ADU laws that will go into effect on January 1, 2023”</p>	<p>H-120</p>
<p>Program 3.2</p> <p><i>Updates to Town’s Density Bonus Provisions to Stay Consistent with State Requirements.</i></p>	<p>“Make any required amendments to the Town’s Density Bonus Ordinance to stay consistent with State density bonus laws.”</p>	<p>H-124</p>
<p>Program 3.3</p> <p><i>Updates to Parking Requirements for High-density Housing near High-Quality Transit.</i></p>	<p>“As part of the Zoning Code update in 2023, the Planning Department will update the Town’s parking standards to include objective parking standards that will help facilitate a compact, well-designed residential development.”</p>	<p>H-124</p>
<p>Program 3.5</p> <p><i>Updates to Establish a Housing Element Overlay Zone.</i></p>	<p>“Create a new overlay district based on the opportunity sites from the 6<sup>th</sup> cycle Housing Element. This overlay district will reflect state law that will be effective January 1, 2023. [...] This rezone effort will ensure compliance with <i>Martinez v. City of Clovis (2023) 90 Cal.App.5th 193, 307 Cal.Rptr.3d 64.</i>”</p>	<p>H-126</p>
<p>Program 3.7</p>	<p>“Remove multifamily limit of 6 units without a conditional use permit process in C and R Zones.”</p>	<p>H-128</p>

<i>Updates to remove multifamily limit of 6 units without a CUP process in C and R zones.</i>		
Program 3.8  <i>Updates to revise parking standards for studio and 1-bedroom units, reducing requirement to 1 parking space.</i>	"Amend zoning code to require only 1 parking space (either covered or uncovered) for studio and one-bedroom units."	H-128
Program 4.1 <i>Updates to reasonable accommodations ordinance to clarify no fee is required and to remove any other identified constraints.</i>	"The Reasonable Accommodation ordinance will be modified to clarify that no fee is required and to remove any other identified constraints."	H-129
Program 4.3  <i>Updates to emergency shelter requirements, raising bed limit from 5 to 30.</i>	"The Town will revise its zoning ordinance (5.03.290(d)(2)(iv)) in order to raise the limit of beds in emergency shelters from 5 to 30. "	H-130
<b>NEW</b> Program 4.4	"Amend zoning code to ensure group homes for both six or fewer and seven or more residents are allowed objectively with approval certainty in all zones that allow residential uses and similar to other residential uses of the same form."	H-132
Program 4.5  <i>Update to permit Low-Barrier Navigation Centers in the R, C, and PD zones.</i>	"To comply with AB 101, the Town will amend the zoning code to permit Low-Barrier Navigation Centers in the R, C and PD Zones. Low-Barrier Navigation Centers as defined by Government Code 65660(a) is housing or shelter in which a resident who is homeless or at risk of homelessness may live temporarily while waiting to move into permanent housing."	H-133
Program 4.6  <i>Update to allow supportive housing as a by-right use in the C, R and PD zones.</i>	"The Town will amend the zoning code to allow supportive housing as a by-right use in the Commercial, Residential, and Planned Development zones (where "multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses" per Gov. Code 65651 if proposed supportive development meets all the requirements of Gov. Code 65651."	H-134

<p>Program 5.5</p> <p><i>Update to allow for employee housing for 6 or fewer employees to be treated and permitted in same zones as single-family housing, and for employee housing for up to 12 units or 36 beds be permitted in same zones and manner as agricultural uses.</i></p>	<p>"Amend the zoning code to allow for employee housing for six or fewer employees to be treated as and permitted in the same zones as single-family structures and employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as agricultural uses in the same zone."</p>	<p>H-138</p>
<p>Program 5.6</p> <p><i>Update to allow for single room occupancy housing in R-S and C zones. Add "Single-Room Occupancy Housing" to the definition section of zoning code.</i></p>	<p>"Amend the zoning code to allow for single room occupancy housing in the Colma zoning code in R-S, and C zoning districts. Add "single room occupancy housing" to the definition section of the zoning code."</p>	<p>H-138</p>

\*Program 2.1 was completed ahead of schedule (at the Dec. 14, 2022 council meeting) and its next Annual Progress Report in March 2023.

### Required Findings

- a) The proposed General Plan text will have acceptable effects on the general welfare of the community. Under the Introduction section of the 2040 General Plan, the Adoption and Amendment of the Plan on page I-9 states that, "*Amendments must not be made capriciously but only when a change is in the best interest of the community at large and when public health, safety and welfare is not endangered.*" The 2023-2031 Housing Element Update has been developed under careful consideration to serve the needs of current residents and future residents, and allow for more housing opportunities, without compromising the public health, safety, and welfare.
- b) The proposed General Plan text and diagram amendments are consistent with the policies and intent of the General Plan. Under the Introduction section of the 2040 General Plan, the Adoption and Amendment of the Plan on page I-9 states that, "*Because the requirement for internal consistency is never relaxed, particular care must be taken to ensure that amendments maintain consistency with text and diagrams in all Plan elements.*" The 2023-2031 Housing Element Update has been developed under careful consideration to ensure that it is consistent with the policies and intent of the General Plan.
- c) The proposed General Plan text and diagram amendments are in the public interest. The City Council's Values-Based Code of Conduct guides decision making process. The General Plan is supported by these values. One of which is, "*Honesty and Integrity: Decisions in the public's best interest, Open, honest and transparent communications*".

The 2023-2031 Housing Element Update has been developed under the public's best interest, where open, honest, and transparent communication was exercised throughout the process.

- d) The City Council finds that, as result of the high demand for housing in the Town, as well as obsolescent buildings, declining uses, low existing floor area ratio, the significant impact of the Covid-19 pandemic and related shifts in the commercial and residential real estate markets and development expectations, and as further evidenced by recent site development inquiries, each as further specified on a categorical and site-by-site basis in the 2023-2031 Housing Element Update, that the existing uses on each existing, nonvacant site identified for inclusion within the Site Inventory, and thereby zoned to accommodate the Town's needed lower income housing needs, as noted in the Site Inventory, and thereby the fact that these sites are not currently vacant is not an impediment to additional residential development during the planning period for the 2023-2031 Housing Element.

### **Alternatives Considered**

The City Council could opt not to adopt the resolution adopting the 2023-2031 Housing Element. This is not recommended as the Town must comply with state law.

### **COUNCIL ADOPTED VALUES**

The recommendation is consistent with the Council's value of *vision* in considering the broader regional and statewide implications of the Town's decisions and issues.

### **CONCLUSION**

Staff recommends that the City Council review the 2023 Housing Element and adopt the resolution rescinding Resolution No, 2023-04, repealing the 2015-2022 Housing Element in compliance with state housing element law and amending Colma Administrative Code Subchapter 5.05 related to Housing Element conditioned on state certification, all pursuant to previously ... Environmental Impact Report.

### **ATTACHMENTS:**

- A. Resolution
- B. 2023-2031 Housing Element Update
- C. 2023-2031 Housing Element Update edited version
- D. HCD Letter of Substantial Compliance – November 22, 2023
- E. City Council staff report - January 25, 2023
- F. HCD Comment Letter – March 29, 2023
- G. HCD Comment Letter – September 22, 2023



**RESOLUTION NO, 2024-**  
**OF THE CITY COUNCIL OF THE TOWN OF COLMA**

**RESOLUTION RESCINDING RESOLUTION NO 2023-04, REPEALING THE 2015-2022 HOUSING ELEMENT AND ADOPTING THE 2023-2031 HOUSING ELEMENT IN COMPLIANCE WITH STATE HOUSING ELEMENT LAW, AND AMENDING COLMA ADMINISTRATIVE CODE SUBCHAPTER 5.05 RELATED TO THE HOUSING ELEMENT CONDITIONED ON STATE CERTIFICATION, ALL PURSUANT TO A PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT**

The City Council of the Town of Colma does resolve as follows:

**1. Background**

- (a) California Government Code Title 7, Division 1, Chapter 3, Article 10.6 [65580 – 65589.11] regulates the use and requirements of Housing Elements in California.
- (b) State law requires that the Town update its General Plan Housing Element every eight years and further requires jurisdictions in the Association of Bay Area Governments (ABAG) region to comply by January 31, 2023.
- (c) The Town’s initial Housing Element was adopted by the City Council via Resolution No. 2023-04 on January 25, 2023 and was submitted to HCD on January 30, 2023. After this submittal, State HCD informed the Town on March 29, 2023 that further revisions to the HEU would be required in order to meet state law requirements.
- (d) The Town of Colma’s 2023-2031 Housing Element was prepared with the benefit of the community, City Council input, and discussion at two public meetings over the course of the year-long Housing Element preparation period. Workshops on the draft Housing Element were held by the City Council. Guidance was also provided by HCD throughout the process.
- (e) HCD forwarded a letter on March 29, 2023 requiring necessary changes to bring the Town’s housing element into compliance. After rounds of consultation with HCD and an edited, resubmitted, housing element on October 12, 2023, the Town’s Housing Element was found in substantial compliance on November 22, 2023 (Attachment D).

**2. Findings**

The City Council finds that:

- a) The proposed General Plan text will have acceptable effects on the general welfare of the community. Under the Introduction section of the 2040 General Plan, the Adoption and Amendment of the Plan on page I-9 states that, “*Amendments must not be made capriciously but only when a change is in the best interest of the community at large and when public health, safety and welfare is not endangered.*” The 2023-2031 Housing Element Update has been developed under careful consideration to serve the needs of

current residents and future residents, and allow for more housing opportunities, without compromising the public health, safety, and welfare.

- b) The proposed General Plan text and diagram amendments are consistent with the policies and intent of the General Plan. Under the Introduction section of the 2040 General Plan, the Adoption and Amendment of the Plan on page I-9 states that, *"Because the requirement for internal consistency is never relaxed, particular care must be taken to ensure that amendments maintain consistency with text and diagrams in all Plan elements."* The 2023-2031 Housing Element Update has been developed under careful consideration to ensure that it is consistent with the policies and intent of the General Plan.
- c) The proposed General Plan text and diagram amendments are in the public interest. The City Council's Values-Based Code of Conduct guides decision making process. The General Plan is supported by these values. One of which is, *"Honesty and Integrity: Decisions in the public's best interest, Open, honest and transparent communications"*. The 2023-2031 Housing Element Update has been developed under the public's best interest, where open, honest, and transparent communication was exercised throughout the process.
- d) The City Council finds that, as result of the high demand for housing in the Town, as well as obsolescent buildings, declining uses, low existing floor area ratio, the significant impact of the Covid-19 pandemic and related shifts in the commercial and residential real estate markets and development expectations, and as further evidenced by recent site development inquiries, each as further specified on a categorical and site-by-site basis in the 2023-2031 Housing Element Update, that the existing uses on each existing, nonvacant site identified for inclusion within the Site Inventory, and thereby zoned to accommodate the Town's needed lower income housing needs, as noted in the Site Inventory, and thereby the fact that these sites are not currently vacant is not an impediment to additional residential development during the planning period for the 2023-2031 Housing Element.

### **3. Orders**

NOW THEREFORE BE IT ORDERED AS FOLLOWS:

- (a) The City Council hereby rescinds Resolution No. 2023-04 adopted by the City Council on January 25, 2023 adopting the first iteration of the housing element.
- (b) The City Council hereby repeals the 2015 Housing Element adopted by Resolution 2015-04.
- (c) The City Council hereby adopts the 2023-2031 Housing Element and authorizes the City Manager to file all necessary material with the Department of Housing and Community Development for the Department to find that the Housing Element is in conformance with State Housing Element Law and further authorizes the City Manager to make all non-substantive

changes to the Housing Element to make it internally consistent or to address any non-substantive changes or amendments requested by the Department to achieve certification.

(d) The City Council hereby amends Colma Administrative Code Subchapter 5.05 related to the housing element conditioned on the Town receiving State Housing and Community Development certification of the housing element. Upon the Town receiving State Housing and Community Development formal certification, the Colma Administrative Code shall be and is hereby amended by replacing the existing subchapter 5.05, "Housing Element," with the "2023 Housing Element" adopted by this Resolution.

(e) This resolution shall become effective upon adoption.

***Certification of Adoption***

I certify that the foregoing Resolution No. 2024-\_\_ was duly adopted at a regular meeting of the City Council of the Town of Colma held on January 10, 2024, by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
John Irish Goodwin, Mayor					
Ken Gonzalez, Vice Mayor					
Carrie Slaughter					
Helen Fisicaro					
Joanne F. del Rosario					
<i>Voting Tally</i>					

Dated \_\_\_\_\_

\_\_\_\_\_  
John Irish Goodwin, Mayor

Attest: \_\_\_\_\_  
Abigail Dometita, Interim City Clerk





# 2023-2031 Housing Element

TOWN OF COLMA

Adoption Draft November 2023

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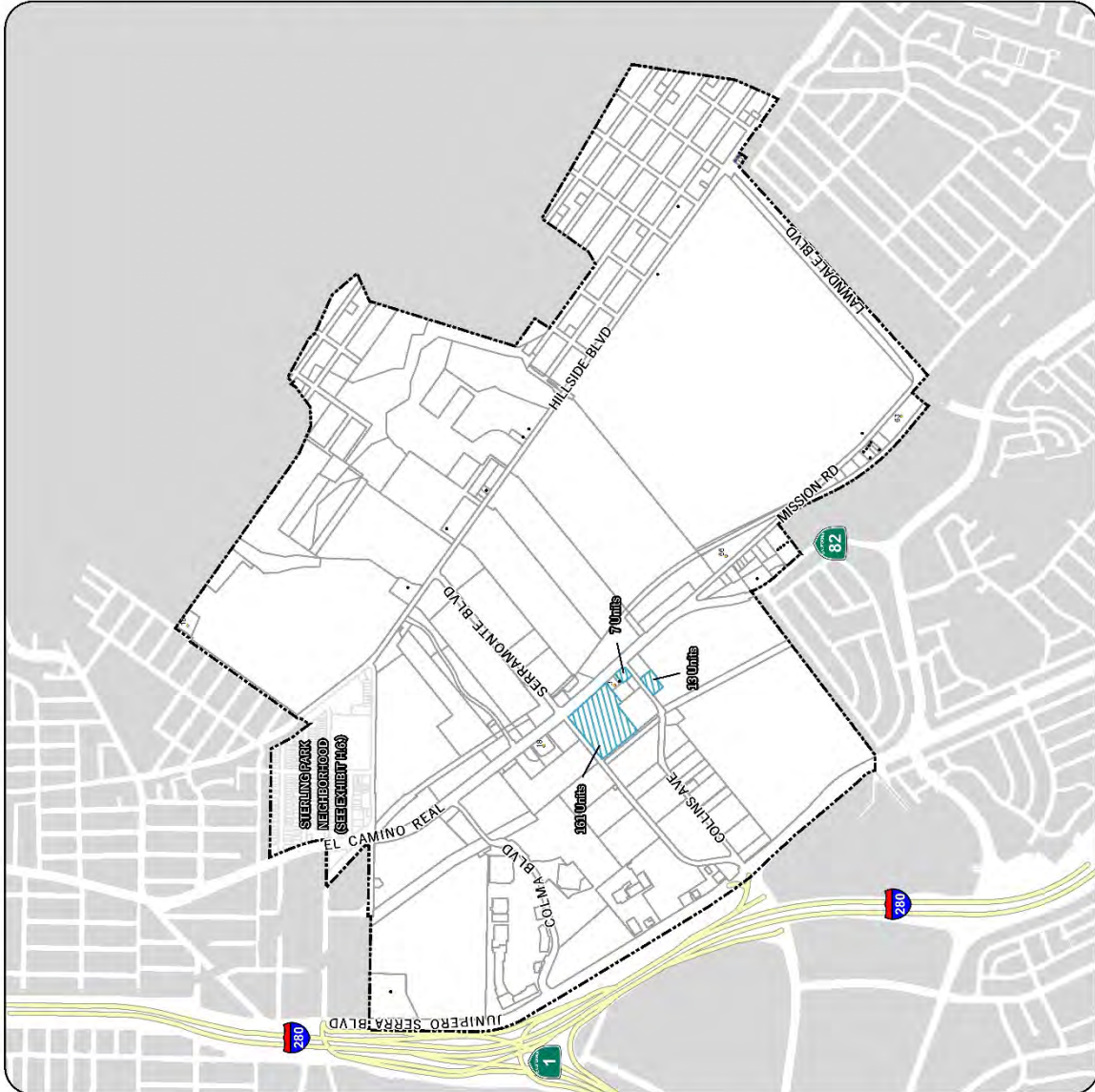
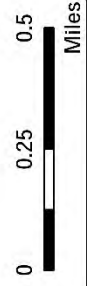
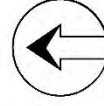


# Town of Colma

Figure H.5.  
Housing Sites

-  Town Limits
  -  Multiple Units
  -  Duplex Unit
  -  Single Unit
- Development Potential**
-  Developable Site
  -  32 Units
  -  Sterling Park  
(See Figure H.6.)
  -  224 Units
  -  El Camino Real

Data provided by: Town of Colma, San Mateo County, and Caltrans.



**Town of Colma**

**Figure H.6.**  
Housing Units  
Sterling Park

**Town Limits**

Multiple Units  
Duplex Unit  
Single Unit

**Development Potential**

Developable Site

Data provided by: Town of Colma, San Mateo County, and Caltrans.

0 0.05 0.1 Miles





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## INTRODUCTION

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Section 65302(c) of the California Government Code requires every county and city in the state to include a housing element as part of their adopted general plans. In stipulating the content of this element, Article 10.6 of the Government Code indicates that the element shall consist of “an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing.” Housing Element Law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community.

### PURPOSE OF THE HOUSING ELEMENT

The purpose of the 2023 Housing Element of the Town of Colma General Plan is:

- to plan for the Town’s housing needs;
- establish the housing-related goals, objectives, and programs necessary to allow for development;
- encourage development and maintenance of housing for all economic segments of the community over the 2023 – 2031 planning period.

The Housing Element is designed to comply with State Housing Element Law and guidelines for the preparation and adoption of Housing Elements.

### SETTING, CONTEXT AND HOUSING NEED

Colma’s location just south of San Francisco and Daly City makes it a desirable and slightly more affordable location to live in than San Francisco, with easy transit into San Francisco from the Colma and South San Francisco BART stations. Colma is also a regional shopping destination for automobiles and retail goods. However, Colma has limited land available for new development given that about 75% of its two square miles is devoted to cemetery land uses.

The San Francisco Bay Area continues to be one of the most desirable and expensive real estate markets in the country. Despite the economic downturn and lowering of housing prices that began in 2008, rents generally continued to rise throughout the region. Housing sale prices have regained losses associated with the recession, and most Bay Area homes are too expensive for families with average household incomes. Despite its small size and limited land resources, opportunities exist within Colma to provide new and affordable housing with good transit access.

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In a collaborative process, the 20 cities of San Mateo County and the County of San Mateo formed a countywide “Sub-region,” an ad-hoc joint powers authority formed to specifically administer the Association of Bay Area Governments’ (ABAG) Regional Housing Needs Allocation (RHNA) process. From this process, it was determined that Colma’s allocation for the 6<sup>th</sup> RHNA cycle is 202 units, 106 of which are allocated as units affordable to moderate, low, and very-low-income households. The RHNA applies to the years 2023 to 2031. A total of 75 units have been developed within Colma since 2015, meeting the 2015-2023 5<sup>th</sup> cycle RHNA numbers. Colma has the capacity for the 202 units through the development of vacant and underutilized parcels located throughout the Town. Colma’s General Plan and Housing Element includes goals, policies, and programs to encourage and facilitate the development of these units.



Development of an additional 202 units before the close of the planning period is feasible (since the sites are zoned for housing and mixed-use commercial) but construction before the end of the planning period is unpredictable due to the economy. The Town of Colma, however, faces significant non-governmental constraints to the development of housing units, the most pressing and unique of which is Colma’s cemetery land uses. Cemetery and related land uses comprise approximately 75% of the Town’s total land area and are considered a historic use in Colma. The Town was originally incorporated to protect cemetery land uses and accommodate

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the regional need for these uses. Per State law, the dedication of property for cemetery uses makes these lands unavailable for housing projects.

Cemeteries tend to suffer from vandalism when residential uses are built nearby. Furthermore, some cultural groups and individuals may avoid living near cemeteries if possible; however, Colma's cemeteries are easily visible from many development areas within the Town. Cemetery uses also place fiscal constraints on the Town, which receives no tax revenue from cemetery uses or burials. This financial constraint increases the dependence of the Town on its regional commercial and retail uses to fund Town services. Refer to the Governmental and Non-Governmental Constraints Section for more information regarding constraints to residential development in Colma.

## **CONTENTS AND ORGANIZATION OF THE HOUSING ELEMENT**

The contents of the 2023 Housing Element include an analysis of population, employment and housing trends, an evaluation of housing needs, statements of goals and policies, a schedule of programs and actions, and an estimate of the number of housing units the Town expects to be developed, improved, and maintained in the local housing stock. Programs and policies in the 2015 - 2023 Housing Element were evaluated and modified where necessary to reflect changing market conditions and policy priorities. The Housing Element is organized into the following sections:

- Introduction to the Housing Element
- Population, Housing and Employment Trends
- Existing and Projected Housing Needs
- Ability to Meet Housing Needs
- Evaluation of Housing Programs
- Housing Program Strategy
- Housing Goals, Policies, and Programs

## **BACKGROUND AND HISTORY OF THE HOUSING ELEMENT**

The Town of Colma has previously adopted several Housing Elements, as follows:

- 1991 Housing Element (1988-1995 Planning Period)
- 1999 Housing Element (prepared with comprehensive General Plan update, 1995-1999 Planning Period)
- 2004 Housing Element (1999-2007 Planning Period)
- 2009 Housing Element (2007-2014 Planning Period; adopted October 2012)
- 2015 Housing Element (2015-2023 Planning Period; adopted January 2015)

When referred to in the text of this document, previous Housing Elements will be referenced primarily by date and title not planning period. This Housing Element is an update and revision of the 2015 Housing Element, adopted in January 2015. The current Housing Element is titled

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and referenced as the 2023 Housing Element throughout this document. The State of California requires housing element updates at regularly designated time periods, or when a city or town makes any change in its policies, zoning, and land use designations. State law mandates that all cities in the San Francisco Bay Area adopt a compliant housing element by January 31, 2023, which takes into account the housing needs assessment numbers allocated to the respective jurisdiction by ABAG for 2023 through 2031.

To meet this requirement, policies from the 2015 Housing Element were reviewed, projected housing needs of all economic segments of Colma were evaluated, and new policies and programs aimed at the preservation and improvement of housing have been developed.

## RELATED PLANS AND PROGRAMS

### Relationship to other General Plan Elements

The Housing Element is closely related to the Land Use, Conservation/Open Space, and Circulation Elements of the Town of Colma General Plan.

The Land Use Element sets forth the amount and type of residential development permitted under the General Plan, thereby establishing housing opportunities in Colma. In addition, the Land Use Element contains policies directed at maintaining the existing housing stock, and ensuring the quality of new residential development. The 2040 General Plan Update adopted March 2022, includes a newly created Commercial Overlay Districts with a 40-acre designated area north of Hillside Boulevard and west of Lawndale Boulevard, as well as to a vacant 3.07-acre parcel on the north side of Town, east of El Camino Real and south of the BART railroad track.

The Circulation Element contains policies to minimize traffic spillover into residential neighborhoods and includes complete street considerations for alternate transportation such as transit, bicycling, and walking. The Conservation/Open Space Element establishes policies to minimize the impact of residential development on sensitive resources, such as ecological habitat, and scenic viewsheds.

Finally, the Safety Element sets forth policies to ensure the safety of Colma's housing stock through measures such as the mitigation of environmental hazards as a condition to development.

The Housing Element has been reviewed for consistency with Colma's other General Plan elements, and the policies and programs in this Element reflect the policy direction contained in other parts of the General Plan. As portions of the General Plan are amended in the future, this Housing Element will be reviewed to ensure that internal consistency is maintained – that it is entirely consistent with the policies and proposals set forth by the Plan. Furthermore Program 1.2 calls for an annual Housing Element implementation review.

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Pursuant to Government Code Section 65400, the Town will annually review its progress in implementing this Housing Element and ensure consistency between this Element and the City's other General Plan Elements.

### **Climate Action Plan**

The Town of Colma joins a growing number of California cities which have adopted a Climate Action Plan to reduce greenhouse gas emissions and meet State emission reduction targets. In May 2013, the Town adopted its Climate Action Plan which included programs such as energy efficiency, water conservation, and improved recycling programs for residents and businesses. Colma will also see an increase in bicycle lanes, green business program participation and a new green building program. These programs not only reduce emissions, but they also help residents and businesses save money and conserve natural resources.

The 2023 Housing Element is fully consistent with the Climate Action Plan. Housing Element policies that encourage maintenance and upgrades to existing residences are inherently sustainable since new resources are not used to reconstruct units. New housing units will be required to be constructed with the latest energy water saving standards, which will make them efficient and economical to maintain.

### **HOPE Plan to End Homelessness**

HOPE (Housing Our People Effectively) is a ten-year action plan initiated by San Mateo County that brings together the business, nonprofit, and public sector communities to address the challenging issue of homelessness. This plan reflects the Board of Supervisors' goal that housing should exist in their community for people at all income levels and all generations of families, including those who are extremely low-income or who are homeless. To end homelessness, San Mateo County must follow the housing strategy successfully documented in other communities around the country. The HOPE Plan is built around the following two key strategies:

- Housing - increasing the supply of permanent affordable and supportive housing for people who are homeless and developing strategies to help them move into housing as rapidly as possible;
- Prevention - prevent individuals and families from becoming homeless in the first place by assisting them in maintaining their housing; and
- These goals are consistent with the Town of Colma Housing Element.

### **Grand Boulevard Initiative**

The Grand Boulevard Initiative is a coordinated effort of 19 cities (including the Town of Colma), San Mateo and Santa Clara Counties, and local and regional agencies united to improve the performance, safety, and aesthetics of El Camino Real. Starting at the northern Daly City boundary (where it is named Mission Street) and ending near the Diridon Caltrain Station in central San Jose (where it is named The Alameda), the initiative brings together, for the first



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time, all the agencies responsible for the condition, use, and performance of El Camino Real. The Grand Boulevard Initiative looks to transform El Camino Real from a suburban, low-density, strip commercial highway to a vibrant, mixed-use, pedestrian-friendly boulevard and destination that links regional transportation improvements and local economic development efforts.

Within Colma, much of the El Camino Real is dedicated to cemetery uses, and the Town desires development that is respectful of this established land use. However, opportunities exist on the northern edge of Colma for the development of housing, both across the street and adjacent to the Colma BART Station, and to the south on Mission Road.

### **Plan Bay Area and Priority Development Areas**

Plan Bay Area (Plan) is an integrated transportation and land-use strategy through the year 2040 that marks the Bay Area's first nine-county long-range plan to meet the requirements of California's landmark 2008 Senate Bill 375. This bill calls on each of the state's 18 metropolitan areas to develop a Sustainable Communities Strategy (SCS), to accommodate future population growth and reduce greenhouse gas emissions from cars and light trucks. Working in collaboration with cities and counties, the Plan advances initiatives to expand housing and transportation choices, create healthier communities, and build a stronger regional economy.

The Plan was prepared by the Metropolitan Transportation Commission (MTC) and the ABAG and was approved in July of 2013. It is the long-term regional land-use and transportation strategy for the Bay Area, and transportation funding from state and federal sources will be distributed consistent with the plan. In addition, it will be used to determine housing needs allocations for Bay Area jurisdictions, including Colma.

The El Camino Real corridor is in a "Priority Development Area" (PDA) along which most of the new residential development in San Mateo County is expected to be created. The defined ¼-mile buffer encompassing El Camino Real from Daly City to San Jose is a planned PDA to encourage and leverage future growth near transit in existing communities.

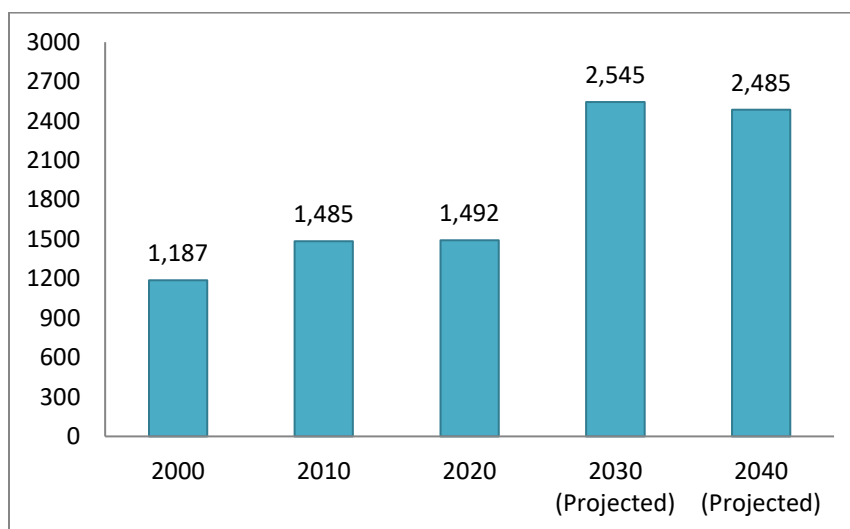
All of Colma's new housing is anticipated to be within the PDA area, on El Camino Real or on Mission Road. By placing new housing in this corridor, residents will benefit from viable transit options for local and regional travel.

# POPULATION, HOUSING AND EMPLOYMENT TRENDS

## GENERAL DEMOGRAPHICS AND PROJECTIONS SUMMARY

Colma is a town of 1,492 residents, according to US Census, 2020 American Community Survey estimates from January 2013. Between 2010 and 2020, Colma’s small population grew from 1,454 to 1,492 increasing by 38 residents, or 3%. ABAG predicts Colma will continue to grow over the next 20 years, albeit not as rapidly, to reach a population of 2,485 in 2040.

Figure H-1: Colma’s Population Growth



Source: Association of Bay Area Governments, Projections 2040; US Census, 2020 American Community Survey 5-Year Estimates

Table H-1: San Mateo County and State Population Growth

	Number of Residents			Percent Change (from previous decade)		
	Colma	County	State	Colma	County	State
2000	1,187	707,163	33,871,648	8%	9%	14%
2010	1,485	718,451	37,253,956	22%	2%	10%
2020	1,492	765,623	39,346,023	3%	7%	6%
2030 (Projected)	2,545	853,260	x	70%	11%	x
2040 (Projected)	2,485	916,590	x	-2%	7%	x

Source: ABAG, Projections 2040; US Census, 2020 American Community Survey 5-Year Estimates

Colma is more diverse than San Mateo County as a whole. Only 45 percent of the residents are white (compared to well over half in the county/50% of county residents) and 36 percent are Asian. Over the past decade, the white population has increased, while the Asian population has declined. Approximately one quarter OR 25% of the residents are non-white, or more than one race. Additionally, 37 percent of the population is Hispanic. Latino or Hispanic is not a separate racial category on the American Community Survey, so all individuals who identify as Latino or Hispanic also belong to another racial category (i.e.- Black, White, other, etc.).

**Table H-2: Race and Ethnicity**

Race and Ethnicity	Colma	County	State
White	45%	48%	56%
Black	3%	2%	6%
Asian	36%	29%	15%
Other	10%	11%	14%
More than one Race	7%	8%	8%
Hispanic	37%	24%	39%
Not Hispanic	63%	76%	61%

*Source: US Census, 2020 American Community Survey 5-Year Estimates*

The average age in Colma has increased notably over the past decade. In 2010 the median age was 31, but in 2020 it was 36. This appears to be due to growth in the 45-59 year old segment of the population, which grew from one-fifth of the total population in 2010, to one-fourth in 2020. Almost 24 percent of Colma's population is comprised of children under 19, and 18 percent of the population includes seniors over the age of 60.

**Table H-3: Age of Residents**

Age	2010	2020		
	Colma	Colma	County	State
Under 5 years	9%	8%	6%	6%
5 to 19 years	18%	16%	16%	19%
20 to 34 years	33%	24%	20%	22%
35 to 44 years	12%	9%	14%	13%
45 to 59 years	17%	25%	20%	19%
60 to 74 years	8%	12%	15%	12%
75 years and over	3%	6%	7%	6%
Median age	31	36	40	36
Total population	1,454	1,492 *	720,143	37,330,448

*Source: US Census, 2020 American Community Survey 5-Year Estimates*

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# HOUSING SAN MATEO COUNTY'S WORKFORCE

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## INCOME CATEGORIES

The U.S. Department of Housing and Urban Development (HUD) and the California Department of Housing and Community Development (HCD) use household income categories to help standardize analysis of housing needs. The income categories are summarized below and are based on a household's percentage of San Mateo County's Area Median Income (AMI).

Table H-4: Income Category Definitions

Income Category	Definition
Extremely Low	Below 30% of area median income
Very Low	30%-50% of area median income
Low	50%-80% of area median income
Moderate	80%-120% of area median income
Above Moderate	Above 120% of area median income

Source: U.S. Department of Housing and Urban Development

HCD uses the above categories, sometimes with minor adjustments, to establish the annual income limits for San Mateo County, as shown in Table H-5 below.

Table H-5: San Mateo County Income Limits (2021)

Income Category	Number of Persons Per Household (Maximum Income)				
	1	2	3	4	5
Extremely Low	\$38,400	\$43,850	\$49,350	\$54,800	\$59,200
Very Low	\$63,950	\$73,100	\$82,250	\$91,350	\$98,700
Lower Income	\$102,450	\$117,100	\$131,750	\$146,350	\$158,100
Median Income	\$104,700	\$119,700	\$134,650	\$149,600	\$161,550
Moderate Income	\$125,650	\$143,600	\$161,550	\$179,500	\$193,850

Source: HCD State Income Limits 2021 and State CDBG and HOME Income Limits also available at <https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml>

Table H-6 shows Plan Bay Area projections (approved November 2018) for housing units, households and local jobs. The following tables are ABAG Projections 2040, which provide more detailed information on household characteristics, types of jobs, etc. ABAG Projections 2040 provide an indicator of trends and conditions in San Mateo County and its jurisdictions.

ABAG Projections 2040 are based on 2015 demographic data taken directly from the U.S. Census. The 2015 employment data are derived from (1) California County-Level Economic

Forecast, 2017-2050, California Department of Transportation, (2) Bay Area Job Growth to 2040: Projections and Analysis, Center for Continuing Study of the California Economy, and (3) U.S. Bureau of Labor Statistics and the U.S. Census Bureau's 2013-2015 ACS.

**Table H-6: ABAG/MTC Plan Bay Area Projections for Housing, Households and Jobs (2020-2040)**

City	Housing Units		% Change	Households		% Change	Jobs		% Change
	2020	2040		2020	2040		2020	2040	
Atherton	2,560	2,560	0%	2,470	2,460	-1%	2,140	2,165	+2%
Belmont	11,085	11,775	+6%	10,910	11,620	+7%	9,240	9,430	+2%
Brisbane	6,500	6,670	+3%	6,360	6,410	+1%	6,590	16,870	+155 %
Burlingame	13,110	14,010	+7%	12,755	13,735	+8%	32,335	42,625	+32%
Colma	860	940	+9%	835	940	+13%	4,070	4,315	+6%
Daly City	34,500	36,360	+5%	33,615	35,775	+6%	18,370	22,480	+22%
East Palo Alto	7,730	8,705	+13%	7,610	8,675	+14%	5,810	6,660	+15%
Foster City	13,310	15,365	+15%	13,055	15,110	+16%	23,700	27,250	+15%
Half Moon Bay	4,790	4,790	+0%	4,590	4,585	-1%	5,290	5,375	+2%
Hillsborough	4,000	4,015	+1%	3,895	3,910	+1%	2,210	2,265	+3%
Menlo Park	15,650	18,045	+15%	15,390	17,680	+15%	36,410	42,475	+17%
Millbrae	8,470	10,050	+19%	8,235	9,725	+18%	6,570	11,595	+76%
Pacifica	14,565	14,800	+2%	14,155	14,520	+3%	6,160	7,115	+16%
Portola Valley	1,855	1,855	+0%	1,800	1,800	0%	1,520	1,520	0%
Redwood City	31,540	38,640	+23%	30,820	38,085	+24%	71,050	86,720	+22%
San Bruno	15,345	18,310	+19%	14,890	17,935	+20%	14,645	14,780	+1%
San Carlos	13,725	14,060	+3%	13,575	13,985	+3%	17,800	19,135	+8%
San Mateo	43,870	51,400	+17%	43,035	50,830	+18%	62,570	68,010	+9%
South San Francisco	22,700	25,715	+13%	22,155	25,305	+14%	46,365	54,230	+17%
Woodside	2,205	2,210	+1%	2,130	2,125	-1%	2,000	1,995	-1%
Unincorporated	22,845	23,480	+3%	21,980	22,755	+4%	24,430	25,045	+3%
<b>County Total</b>	291,195	323,755	+11%	284,260	317,965	+12%	399,275	472,045	+18%
SMC Change (2010-2040)		+32,560			+33,705			+72,770	

Source: Plan Bay Area 2040, Final Forecast of Jobs, Population and Housing

Table H-7: Projections for Population, Households and Total Jobs (2010-2040)

Geographic Area	2010	2015	2020	2025	2030	2035	2040	2010-2040 Change
<b>Bay Area Regional Total</b>								
Population	7,150,740	7,573,915	7,920,230	8,284,200	8,689,440	9,142,745	9,652,950	<b>2,502,210</b>
Households	2,606,290	2,678,810	2,881,965	3,009,055	3,142,015	3,281,130	3,426,700	<b>820,410</b>
Persons Per Household	2.69	2.77	2.69	2.70	2.71	2.73	2.76	<b>+0.07</b>
Employed Residents	3,506,680	3,894,850	4,147,000	4,270,595	4,397,865	4,528,925	4,663,900	<b>1,157,220</b>
Jobs	3,451,820	4,026,060	4,136,190	4,267,760	4,405,125	4,548,565	4,698,375	<b>1,246,555</b>
Jobs/Employed Residents	.98	1.03	.99	.99	1.0	1.0	1.01	<b>+0.03</b>
<b>San Mateo County</b>								
Population	718,450	757,895	796,925	816,460	853,260	878,020	916,590	<b>198,140</b>
Households	257,835	270,715	284,260	290,330	302,520	308,410	317,965	<b>60,130</b>
Persons Per Household	2.75	2.76	2.77	2.78	2.78	2.81	2.84	<b>+0.09</b>
Employed Residents	367,940	396,885	415,275	420,235	433,655	437,190	446,040	<b>78,100</b>
Jobs	347,860	385,770	399,275	415,305	423,005	436,205	472,045	<b>124,185</b>
Jobs/Employed Residents	.95	.97	.96	.99	.98	1.00	1.06	<b>+0.11</b>
% of Bay Area Population	10.0%	10.0%	10.0%	9.8%	9.8%	9.6%	9.4%	<b>-0.6%</b>
% of Bay Area Jobs	10.0%	9.5%	9.7%	9.7%	9.6%	9.6%	10.0%	<b>0%</b>
<b>Colma Planning Area (City Limits)</b>								
Population	1,485	1,485	1,492	2,500	2,545	2,690	2,485	<b>1,000</b>
Households	430	795	835	880	895	935	940	<b>510</b>
Persons Per Household	3.31	2.86	2.82	2.81	2.82	2.85	2.62	<b>-0.69</b>
Employed Residents	1,035	1,175	1,185	1,215	1,225	1,225	1,130	<b>95</b>
Jobs	3,935	4,065	4,070	4,150	4,195	4,270	4,315	<b>380</b>
Jobs/Employed Residents	3.80	3.46	3.43	3.42	3.42	3.49	3.82	<b>+0.02</b>
% of County Population	0.2%	0.2%	0.2%	0.3%	0.3%	0.3%	0.3%	<b>+0.1%</b>
% of County Jobs	1.1%	0.8%	1.1%	0.9%	0.9%	0.9%	0.9%	<b>+0.2%</b>

Source: Plan Bay Area 2040 Model Estimates

Table H-8: Projections for Types of Jobs (2010-2040)\*

Job Industry	2010	2015	2020	2025	2030	2035	2040	2010-2040 Change
<b>Bay Area Regional Total</b>								
Agriculture and Natural Resources	22,800	24,990	24,865	24,740	24,620	24,500	24,380	+1,580
Mfg, Wholesale and Transportation	525,685	524,475	523,320	522,175	521,025	519,885	518,740	-6,945
Retail	325,645	356,555	364,515	372,655	380,975	389,480	398,175	+72,530
Health, Educ. and Recreation Service	998,125	1,112,930	1,178,130	1,247,145	1,320,205	1,397,545	1,479,410	+481,285
Financial and Professional Services	817,405	1,138,830	1,174,370	1,211,020	1,248,815	1,287,790	1,327,980	+510,575
Information, Government and Construction	733,180	852,355	870,990	890,030	909,490	929,365	949,685	+216,505
<b>Total Jobs</b>	<b>3,422,845</b>	<b>4,010,135</b>	<b>4,136,190</b>	<b>4,267,760</b>	<b>4,405,125</b>	<b>4,548,565</b>	<b>4,698,375</b>	<b>+1,275,530</b>
<b>Total Employed Residents</b>	<b>3,376,380</b>	<b>4,026,995</b>	<b>4,147,000</b>	<b>4,270,595</b>	<b>4,397,865</b>	<b>4,528,925</b>	<b>4,663,900</b>	<b>+1,287,520</b>
<b>San Mateo County</b>								
Agriculture and Natural Resources	2,305	2,475	2,460	2,455	2,450	2,435	2,440	+135
Mfg, Wholesale and Transportation	63,720	58,320	55,850	53,595	51,240	49,430	48,305	-15,415
Retail	34,625	36,515	37,530	38,120	39,220	39,420	39,675	+5,050
Financial and Professional Services	91,670	124,590	130,365	140,750	145,610	151,195	169,620	+77,950
Health, Educ. and Recreation Service	90,695	96,840	104,175	110,690	114,890	120,415	134,400	+43,705
Information, Government and Construction	60,325	67,025	68,900	69,695	69,595	73,305	77,605	+17,280
<b>Total Jobs</b>	<b>343,335</b>	<b>385,770</b>	<b>399,275</b>	<b>415,305</b>	<b>423,005</b>	<b>436,205</b>	<b>472,045</b>	<b>+128,710</b>
<b>Total Employed Residents</b>	<b>332,760</b>	<b>396,885</b>	<b>415,275</b>	<b>420,235</b>	<b>433,655</b>	<b>437,190</b>	<b>446,040</b>	<b>+113,280</b>
Ratio of Jobs to Employed Residents (San Mateo Co.)	1.03	.97	.96	.99	.98	.99	1.06	+0.03

\*Continued on next page

Job Industry	2010	2015	2020	2025	2030	2035	2040	2010-2040 Change
<b>Colma Planning Area (City Limits)</b>								
Agriculture and Natural Resources	0	5	5	5	5	5	5	+5
Mfg, Wholesale and Transportation	160	165	150	150	150	155	155	-15
Retail	2,030	2,075	2,180	2,285	2,325	2,395	2,435	+405
Financial and Professional Service	115	145	140	140	140	140	140	+25
Health, Educ. and Recreation Service	1,180	1,215	1,160	1,135	1,135	1,130	1,135	-45
Information, Government and Construction	430	460	440	440	440	445	450	+20
<b>Total Jobs</b>	<b>3,915</b>	<b>4,065</b>	<b>4,070</b>	<b>4,150</b>	<b>4,195</b>	<b>4,270</b>	<b>4,315</b>	<b>+400</b>
<b>Total Employed Residents</b>	<b>970</b>	<b>1,175</b>	<b>1,185</b>	<b>1,215</b>	<b>1,225</b>	<b>1,225</b>	<b>1,130</b>	<b>+160</b>
Ratio of Local Jobs to Employed Residents	4.04	3.46	3.43	3.42	3.42	3.49	3.82	-0.22

Source: Plan Bay Area 2040 Model Estimates

Though San Mateo County has a robust economy, much of its workforce cannot afford to live within the county. Job growth has been strong, though cyclical, over the past 10 years, and is projected to continue. Housing development has not kept up pace with the growth in local jobs. According to ABAG/MTC Staff and Baird + Driskell Community Planning (Housing Needs Data Report, 2021), the number of homes in Colma increased 15.9%, from 2010 to 2020, which is above the growth rate for San Mateo County and the growth rate of the region's housing stock during that time period.

A home meets the standard definition of affordability if it does not cost more than 30 percent of a household's income. A household that spends more than 30 percent of its gross income on housing is considered to be overpaying for housing. Housing that costs more than 30% of household income is a more acute problem for lower income households since there is less discretionary money for other necessities.

While individual household income conditions vary, an example can be useful to illustrate affordability conditions for a low-income family in San Mateo County. A four-person family, with one parent working full-time as a cook and the other parent working in retail, could afford a monthly rent of about \$1,690 and a home sale price of \$274,650. A single parent family with the adult working as a police officer would be considered moderate income and could afford a monthly rent of about \$2,505 and a home costing \$407,053. Neither of these example households could afford San Mateo County's median condominium, costing \$910,000, or a



single-family home, which costs \$1,891,500 (SAMCAR). For example, a single-parent family also cannot afford the median county rent of \$2,618.

Other examples of affordable home sales and rents based on occupation are shown in Table H-9 below.

**Table H-9: Home Affordability by Occupation (2021)**

Occupation	Annual Salary	Affordable Home	Affordable Rent
Elementary School Teacher	\$76,136	\$288,697	\$1,777
Police Officer	\$107,349	\$407,053	\$2,505
Cook	\$33,550	\$127,217	\$783
Retail Salesperson	\$38,883	\$147,440	\$907
Registered Nurse	\$131,263	\$497,731	\$3,063

Source: HCD State Income Limits 2021; [www.hsh.com/calc-howmuch.html](http://www.hsh.com/calc-howmuch.html)

Maximum Affordable House Price is based on the following assumptions: 5% interest rate; 30-year fixed loan; 50% Yearly Salary as Down Payment; 1% property tax; PMI, .5% insurance rate; and no other monthly payments/debt.

Colma has more than three times as many jobs as residents, with approximately 4,070 jobs in the Town. Colma serves as a regional shopping destination for retail goods, used and new automobiles, and automobile services. In addition, Colma serves a regional need for cemetery land and associated services. The Town also has a card room, Lucky Chances, which employs over 600 individuals. About 39 percent of workers in the town make between \$1,251 and \$3,333/month, and 40 percent make more than \$3,333 per month. Almost all (93 percent) of the workers in Colma commute in from other cities to work, according to 2020 US Census data. The majority of these jobs are hourly wage from retail and other services, which traditionally are not high-paying types of employment.

According to ABAG projections, Colma can expect to see its workforce increase 10 percent by 2040, with much of that job growth coming from the retail services sector.

Table H-10: Workforce Age, Salary and Education

Category	Colma	County
Jobs by Worker Age		
Age 29 or Younger	26%	20%
Age 30 to 54	46%	58%
Age 55 or Older	28%	22%
Salaries Paid by Jurisdiction Employers		
\$1,250 per Month or Less	21%	13%
\$1,251 to \$3,333 per Month	39%	21%
More than \$3,333 per Month	40%	67%
Jobs by Worker Educational Attainment		
Less than High School	15%	11%
High School or Equivalent, No College	17%	14%
Some College or Associate Degree	24%	22%
Bachelor's Degree or Advanced Degree	18%	34%
Educational Attainment Not Available	26%	19%
Total Workers	4,509	422,723

Source: 2019 U.S. Census On The Map

Note: Educational Attainment Not Available is for workers 29 and younger

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## HOUSEHOLD TRENDS AND CHARACTERISTICS

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In 2020, the estimated number of households within Colma was 480 per US Census data.

### OCCUPANCY CHARACTERISTICS

Colma has a relatively large average household size at 3.08 individuals which is an increase from 2.8 in 2010. Households in renter-occupied units tend to be slightly larger at 3.12.

Table H-11 Household Size

Year	Household Size	Colma	County	State
2010	Average Household Size	2.8	2.7	2.4
2020	Average Household Size	3.08	2.87	2.9
	Owners Average Household Size	3.03	2.95	3.0
	Renters Average Household Size	3.12	2.75	2.9

Source: US Census, 2010 American Community Survey 5-Year Estimates  
2020 American Community Survey 5-Year Estimates

More than 30 percent of the households in Colma represent families with children. 38 percent of the population consists of families without children, which has increased since 2010. Single people make up 20 percent of households.

Table H-12 Household Type

Household Type	Colma	County	State
Single person	20%	22%	24%
Family no children	38%	38%	34%
Family with children	34%	32%	34%
Multi-person, nonfamily	8%	8%	8%
Total households	485	263,351	13,103,114

Source: 2020 American Community Survey 5-Year Estimates

### Overcrowded Households

According to the U.S. Census Bureau, a unit is considered overcrowded if it is occupied by more than 1.01 persons per room (excluding bathrooms and kitchens). Homes with more than 1.5 persons per room are considered severely overcrowded. Overcrowding increases health and safety concerns and stresses the condition of the housing stock and infrastructure.

Colma has a small number of overcrowded homes. Almost 3 percent of owner-occupied homes, or 7 homes, are overcrowded. The vast majority of rental homes are not overcrowded, and zero homes are extremely overcrowded, however, nine total homes are considered overcrowded. The percentage of overcrowded households has decreased since 2010, when close to 15 percent of homes were considered overcrowded.

**Table H-13 Number of Overcrowded Units**

Occupant	Overcrowded	Occupied Homes	Percent		
			Colma	County	State
Owner	Not overcrowded	222	97%	97%	96%
	Overcrowded	7	3%	2%	3%
	Extremely overcrowded	0	0%	1%	1%
Renter	Not overcrowded	232	96%	85%	87%
	Overcrowded	9	4%	8%	8%
	Extremely overcrowded	0	0%	7%	5%

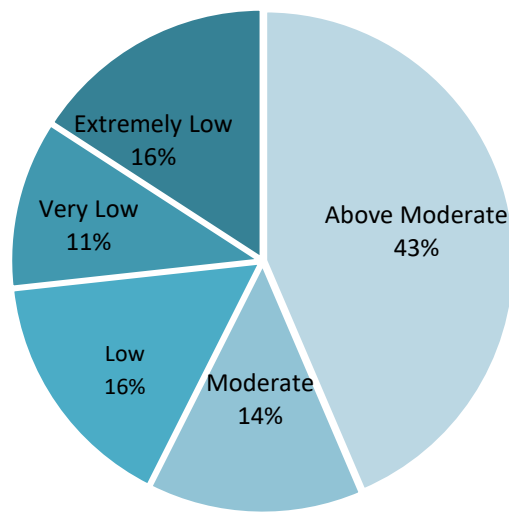
Source: US Census, 2020 American Community Survey 5-Year Estimates

Note: 0-1 people per room is not overcrowded, 1-1.5 people per room is overcrowded, more than 1.5 people per room is extremely overcrowded

### Trends in Household Income and Tenure

Colma’s median household income is \$118,750, which is below the countywide average of \$128,091. Just over 40 percent of Colma’s households make more than a moderate income, while 43 percent of Colma’s households are lower income. Sixteen percent of all households are considered low-income, 11 percent are very low income, and 16 percent are extremely low income.

**Figure H-2: Households by Income**



Source: US Census, 2020 American Community Survey 5-Year

Table H-14: Household Income

Income	Colma	County	State
Under \$25,000	9%	9%	16%
\$25,000 to \$34,999	3%	4%	7%
\$35,000 to \$49,999	3%	6%	10%
\$50,000 to \$74,999	12%	10%	15%
\$75,000 to \$99,999	14%	10%	12%
\$100,000+	59%	61%	40%
Poverty Rate	8.9%	6.7%	12.6%
Total (Estimated Households)	485	263,351	13,103,114
Median Income 2011	\$86,640	\$91,958	\$63,816
Median Income 2020	\$118,750	\$128,091	\$78,672

Source: US Census, 2020 American Community Survey 5-Year Estimates

Note: Adjusted for inflation to 2020 dollars

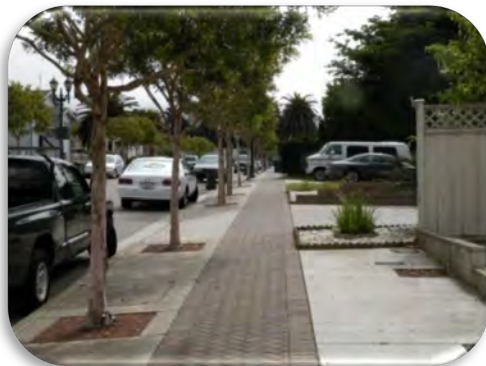
Table H-15: Households by Income and Tenure

Occupant	Extremely Low Income Level	Very Low Income Level	Low Income Level	Moderate Income Level	Above Moderate Income Level
Owner	20%	50%	66%	38%	64%
Renter	80%	50%	33%	62%	36%
Total	75	50	75	65	210
% of all households	16%	11%	16%	14%	44%

Sources: CHAS Data 2014-2018

## HOUSING VALUES AND COSTS

With relatively few homes, housing price data for Colma is hard to come by. According to Zillow data from 2022, the median sale price for a home (including both multi-family and single-



*The existing Sterling Park neighborhood was improved to include brick streets, sidewalks, landscaping, lighting, and underground utilities.*

family) in Colma is \$1,180,000. While Colma's home prices are below countywide averages for single-family homes, prices for multi-family homes are slightly higher. A median home in Colma is still unaffordable to most households making less than the median income.

**Table H-16: Ability to Pay for For-Sale Housing**

	Annual Income	Maximum Affordable Home Price	Median Home Sale Price	Affordability Gap
<b>Single Person Household</b>				
Extremely Low Income	\$38,400	\$142,016	\$1,180,000	-\$1,037,984
Very Low Income	\$63,950	\$236,509	\$1,180,000	-\$943,491
Low Income	\$102,450	\$378,895	\$1,180,000	-\$801,105
Median Income	\$104,700	\$387,216	\$1,180,000	-\$792,784
Moderate Income	\$125,650	\$464,697	\$1,180,000	-\$715,303
<b>Four Person</b>				
Extremely Low Income	\$54,800	\$202,669	\$1,180,000	-\$977,331
Very Low Income	\$91,350	\$337,844	\$1,180,000	-\$842,156
Low Income	\$146,350	\$541,253	\$1,180,000	-\$638,747
Median Income	\$149,600	\$553,272	\$1,180,000	-\$626,728
Moderate Income	\$179,500	\$663,853	\$1,180,000	-\$516,147

Source: HCD State Income Limits 2021 and State CDBG and HOME Income Limits [www.hsh.com/calc-howmuch.html](http://www.hsh.com/calc-howmuch.html)

Note: Maximum Affordable House Price is based on the following assumptions: 5% interest rate; 30-year fixed loan; 50% Yearly Salary as Down Payment; 1% property tax; PMI, .5% insurance rate; and no other monthly payments/debt.

Extremely limited rental data is available for Colma due to the small number of homes. According to this limited data, Colma's rental prices for one- and two-bedroom apartments are higher than the countywide averages for apartments of a similar size.

**Table H-17: Summary of 2022 Rents**

Bedrooms	Colma	County
Studio	no data	\$2,025
One Bedroom	\$2,797	\$2,618
Two Bedroom	\$3,627	\$3,469
Three Bedroom	no data	\$4,300
Four Bedroom	no data	\$6,188

Source: Zumper Rent research

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## Overpayment for Housing

A household that is overpaying for housing if more than 30 percent of their income is spent on rent or mortgage payments. In Figure H-3, data from ABAG shows that more than half of the Colma residents are utilizing less than 30% of their income for housing. 19% of renters and 26% of homeowners are utilizing between 30% and 50% of their income towards housing. While 28% of renters and 13% of homeowners are utilizing more than half of their income towards housing costs. Numbers from this figure show that at least half of the residents in Colma whether renting or owner are not severely cost-burdened related to housing costs.

Figure H-3: Overpayment (Cost Burden) by Tenure



Source: ABAG Housing Needs Data Workbook

According to the Table H-18, approximately 48 percent of Colma residents earning under \$75,000 annually are overpaying for homeownership. Per Census data, 30 percent of those making more than \$75,000 are overpaying for their homes. However, Census data does not provide additional detail regarding the this “more than \$75,000” income category 461 households, and the lower-income limit for San Mateo County is \$149,100 This makes it impossible to quantify cost burden by tenure, even if there is data stating that 138 of Colma’s 461 households (30 percent) are cost burdened and that 62 percent of renters are cost-burdened against 57 percent of homeowners.

That said, almost 95 percent of the lowest-income renters, those making under \$35,000, are overpaying on rent, and almost 57 percent of those making between \$35,000 and \$75,000 are overpaying as well. Only 82 percent of the lower-income homeowners are overpaying for housing, and only 48 percent of homeowners with household incomes between \$35,000 and \$75,000 are overpaying. There are disproportionately more lower-income renters overpaying for housing compared to lower-income homeowners.

If there is not enough affordable housing in Colma, lower income households may choose to relocate out of the area and commute into the city to work. Those who do live in Colma may need to live in overcrowded homes and have extremely limited finances for other necessities

such as food, transportation, and medical care. Extremely low-income households paying more than 50 percent of their income towards housing are at greater risk of becoming homeless.

**Table H-18: Households Overpaying for Housing**

Occupant	Income	Colma		County	State
		Number	Percent	Percent	Percent
Owner occupied	Less than \$35,000	9	82%	80%	73%
	\$35,000-\$74,999	16	48%	52%	48%
	\$75,000+	58	30%	20%	17%
Renter occupied	Less than \$35,000	40	95%	91%	91%
	\$35,000-\$74,999	16	57%	88%	65%
	\$75,000+	30	19%	23%	15%

Source: US Census, 2020 American Community Survey 5-Year

*Note: Excludes Households with no income or cash rent.*



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# HOUSING CHARACTERISTICS

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## PHYSICAL CHARACTERISTICS

Colma's housing stock has grown even faster than its population. In 2010 Colma had 446 homes, and by 2020 it had 558 homes - an increase of 8%. Most of the homes in Colma are single-family detached buildings. There are two townhome/attached single-family developments and one Veterans housing development with a combined total of 147 units which account for 26% of the total housing units. Close to 47% of the homes in Colma have three bedrooms. 41% of the homes have 1-2 bedrooms.

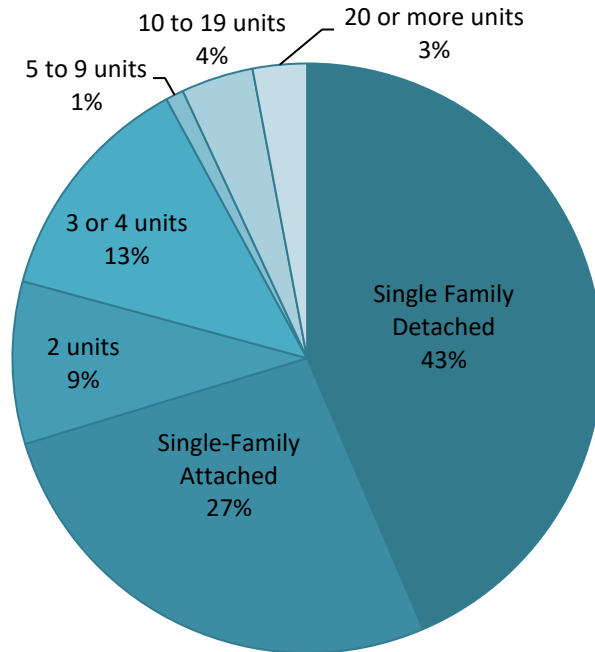
According to 2020 data from the American Community Survey, Colma has a vacancy rate of 13%. About 14% of those units are vacant for seasonal, recreational or occasional use. The other 86% are classified as "other vacant". The Census Bureau classifies vacant units as "other vacant" if they are vacant 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. A housing market with a vacancy rate under five percent is considered to be a tight market. Tight markets can lead to high housing prices and thus higher rates of overcrowding.



*A remodeled historic single family home (right) and duplex units (top) in Colma's Sterling Park neighborhood.*



Figure H-4: Building Type Chart



Source: US Census, 2010 American Community Survey 5-Year Estimates

Table H-19: Total Housing Units

Year	Colma		County		State	
	Number	Percent Change	Number	Percent Change	Number	Percent Change
2010	491	no data	270,039	no data	13,552,624	no data
2020	558	17.0%	278,756	3.2%	14,210,945	5%

Source: US Census, 2010 American Community Survey 5-Year Estimates  
2010 US Census SF1, 2020 American Community Survey 5-Year Estimates

Table H-20 Tenure Type

Year	Occupant	Colma	County	State
2010	Percent Owners	53.6%	61.1%	57.4%
	Percent Renters	46.4%	38.9%	42.6%
2020	Percent Owners	49.5%	59.9%	55.3%
	Percent Renters	50.5%	40.1%	44.7%

Source: US Census, 2010 American Community Survey 5-Year Estimates  
US Census, 2020 American Community Survey 5-Year Estimates

**Table H-21: Building Type**

Building Type	Colma	County	State
Single-Family Detached	43.9%	56.5%	57.7%
Single-Family Attached	26.7%	8.4%	7.1%
2 units	8.8%	2.5%	2.4%
3 or 4 units	13.1%	4.5%	5.4%
5 to 9 units	0.7%	6.4%	5.9%
10 to 19 units	3.6%	5.9%	5.1%
20 or more units	3.2%	14.7%	12.6%
Mobile Home or Other	0%	1.2%	3.7%
Total	558	278,756	14,210,945

*Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04, Town of Colma Building Permit records, San Mateo County Assessor's Records*

**Table H-22: Bedrooms**

Bedrooms	Colma	County	State
No bedroom	0%	4.9%	4%
1 bedroom	22.2%	15.2%	4.0%
2 bedrooms	19.2%	25.4%	4.3%
3 bedrooms	46.6%	33.0%	11.8%
4 bedrooms	10.0%	16.8%	19.1%
5 bedrooms	2.0%	4.7%	19.4%
Total	558	278,756	14,210,945

*Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04.*

Vacancy rates in Colma by tenure are shown in Table H-23. While this table shows vacancy rates at 0% for the years 2016 to 2020, there are 63 units that are categorized as other vacant and 10 homes categorized as for seasonal, recreational, or occasional use. The Town does not currently allow for short-term rentals as dwelling units defined in the municipal code as means a building or portion thereof designed or used for occupancy for no fewer than 30 consecutive days by persons living as one household. The 10 vacant homes could be second homes or vacation homes. However, it is uncertain where or what the 63 units categorized as vacant could be. As part of the annual reporting and Program 7.1 Neighborhood Improvement, the Planning Department and Code Enforcement Office will assess where and which units in town appear to be vacant. The City Council decided not to adopt an ordinance on short-term rental because there was minimal concern that it would reduce the housing inventory. Instead, the existing definition of dwelling unit was revised to state that occupancy for no fewer than 30 consecutive days by persons living in a household.

Table H-23: Vacancy Rate 2016-2020

Year	Colma		County		State	
	Homeowner Vacancy	Renter Vacancy	Homeowner Vacancy	Renter Vacancy	Homeowner Vacancy	Renter Vacancy
2016	0%	0%	0.6%	2.6%	1.3%	3.8%
2017	0%	0%	0.6%	3.0%	1.2%	3.6%
2018	0%	0%	0.6%	3.6%	1.2%	3.5%
2019	0%	0%	0.6%	3.9%	1.1%	3.6%
2020	0%	0%	0.7%	4.5%	1.1%	3.7%

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04.

## HOUSING STOCK CONDITIONS

In addition to issues with affordability and overcrowding, housing can have physical problems such as age or lack of facilities. One of the best ways to assess the condition of the housing stock is through a windshield tour. However, the Census gives some useful information as to the status of housing stock.

Approximately 35% of Colma's housing stock has been built since 2000. This percentage is extremely high; comparatively, approximately nine percent of San Mateo County's housing stock has been built since 2000. 48% of Colma's housing stock was built in the 1950s or earlier. Older housing can be more expensive to maintain and renovate.

Table H-24: Year Structure Was Built

	Colma	County	State
Built in 2014 or more recently	0.4%	2.3%	2.4%
Built in 2010 to 2013	0.0%	1.6%	1.8%
Built in 2000s	34.9%	5.3%	10.9%
Built in 1990s	5.9%	6.2%	11.0%
Built in 1980s	7.3%	9.6%	15.1%
Built in 1970s	2.2%	17.3%	17.5%
Built in 1960s	0.9%	17.2%	13.2%
Built 1950s or Earlier	48.3%	40.5%	30.1%

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04

The Census tracks other housing problems, including a lack of plumbing and kitchen facilities. In Colma, the data shows four homes lacking complete kitchen facilities and four homes lacking telephone service in Colma. However, given the decrease in popularity of landlines and thus can indicate an intentional opting out of wired telephone service.

Under the Policies, Programs, and Objectives Table, Policy 7 will help identify the condition of existing housing stock and estimate the number of units in need of rehabilitation or replacement. Specifically, Programs 7.1 & 7.2 will work together to continue maintenance and rehabilitation efforts.

By identifying units that need repair, this policy will help with the conservation of existing housing stock and improve housing conditions for the resident. As a result, the Town can have a better gauge of how many housing units are in disrepair. This policy will be a joint effort between the Planning Department and Code Enforcement Officer.

**Table H-25: Number of Potential Housing Problems**

	Colma		County	
	Number of Homes	Percent	Number of Homes	Percent
Lacking complete plumbing facilities	0	0.0%	664	0.3%
Lacking complete kitchen facilities	4	0.8%	2,428	0.9%
No telephone service available	4	0.8%	3,384	1.3%

*Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04*

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## BELOW MARKET RATE HOUSING TRENDS AND CHARACTERISTICS

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Units offered at rents or sale prices below that which they would command on the open market are referred to as “below-market rate” or BMR units. They are also often referred to as “affordable housing” units. Approximately 47 percent of Colma’s households make more than a moderate income, while 42 percent are lower income. Approximately 18 percent of all households are considered low-income, 11 percent are very low income, and 14 percent are extremely low income.

Creekside Villas consists of 18 units developed by the Town of Colma with monies from the Town’s general fund in the early 1990s. The units, located along El Camino Real, are reserved for senior tenants. The below-market rate rents collected from these housing units are paid into the general fund. Rent for these units was \$902 a month from 2005 to 20021, Rents were increased to \$1,050 per month in December 2021 (allowing up to two people per unit). Although household incomes for these units are not requested, the monthly limits are well below 2022 Very Low Income limits for San Mateo County 1-bedroom units (currently \$1,748). Council may only raise rents by 5 percent maximum annually, and have only increased rents twice in the previous 18 years. Creekside Villas is considered low risk for market rate conversion and does not currently have an expiration date for conversion.

In the last housing cycle, Veterans Village, a 65-unit affordable housing development for Veterans was built and completed using National Equity Fund (NEF) invested Housing Credit equity. Currently, 31 units are allotted for very low-income households, and 34 units are for low income households. This property is considered a Low Income Housing Tax Credit property (LIHTC), is considered low for market rate conversion and the current agreement will not expire until 2071.

### POTENTIAL LOSS OF SUBSIDIZED UNITS

Government Code Section 65583 requires local jurisdictions to address the potential conversion of multi-family rental housing that receives governmental assistance under federal programs, state and local multi-family revenue bond programs, or local density bonus programs to no low-income housing use. There are no locally subsidized units at risk in Colma, as the Town has not issued mortgage revenue bonds, has not approved any density bonus units with financial assistance, and has not assisted multi-family housing with redevelopment or CDBG funds.

# HOUSING NEEDS

## DETERMINATION OF HOUSING NEEDS

The Regional Housing Needs Allocation (RHNA) process addresses housing needs across income levels for each jurisdiction in California. All of the Bay Area’s 101 cities and nine counties are given a share of the Bay Area’s total regional housing need. The Bay Area’s regional housing need is allocated by the California Department of Housing and Community Development (HCD) and finalized through negotiations with the Association of Bay Area Governments (ABAG). San Mateo County jurisdictions, through a unique process different from other Bay Area counties, collaboratively developed a formula to divide up San Mateo County’s overall housing allocation among the 21 jurisdictions in the county.

Table H-26: Regional Housing Needs Allocation (2023-2031) – 6<sup>th</sup> Cycle

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Atherton	94	54	56	144	348
Belmont	448	281	283	733	1,785
Brisbane	317	183	303	785	1,588
Burlingame	863	497	529	1,368	3,257
<b>Colma</b>	<b>44</b>	<b>25</b>	<b>37</b>	<b>96</b>	<b>202</b>
Daly City	1,336	769	762	1,971	4,838
East Palo Alto	165	95	159	419	829
Foster City	520	299	300	777	1,896
Half Moon Bay	181	104	54	141	480
Hillsborough	155	89	87	223	554
Menlo Park	740	426	496	1,284	2,946
Hillsborough	575	331	361	932	2,199
Pacifica	538	310	291	753	1,892
Portola Valley	73	42	39	99	253
Redwood City	1,115	643	789	2,041	4,588
San Bruno	704	405	573	1,483	3,165
San Carlos	739	425	438	1,133	2,735
San Mateo	1,777	1,023	1,175	3,040	7,015
South San Francisco	871	502	720	1,863	3,956
Woodside	90	52	52	134	328
Unincorporated SMC	811	468	433	1,121	2,833

Source: Association of Bay Area Governments, Final RHNA Allocation Report 2023-2031

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According to the RHNA, Colma will need to ensure there is land available for a total of 202 new units between 2023 and 2031. Approximately 48 percent of those units will be for households making more than moderate income, 18 percent will be for households making moderate income, 12 percent for low-income, and 22 percent for very low income.

The housing policies and programs set forth in this document are intended to reach the local housing objective of 202 units within the 2023 to 2031 period.

## SPECIAL HOUSING NEEDS

Certain groups have greater difficulty in finding decent, affordable housing due to their special circumstances. Special circumstances may be related to employment and income, family characteristics, disability, and/or household characteristics.

State Housing Element law states that special needs groups include the following: senior households, disabled persons, developmentally delayed persons, large households, female-headed households with children, students, homeless persons, and farmworkers. This section provides a discussion of the housing needs facing each group.

Currently, the Zoning Code allows for multiple dwelling units of up to six units such as residential care facilities with a Use Permit in residential, commercial, and planned development zones provided that the residential density does not exceed that specified in the Colma General Plan. This process involves review from the Planning, Building, Engineering/Public Works, and Colma Fire Protection District. Once the departments review the application, the project will have to go up to City Council for approval. For dwelling units over seven, the project must be either in a PD zone or re-zone to a PD. This process could provide a constraint of housing for persons with disabilities, as this involves a discretionary process. With the establishment of the new Housing Element Zoning overlay, the barriers to this type of housing are removed.

## HOUSING NEEDS FOR SENIOR RESIDENTS

Seniors face many housing challenges as they age, including a fixed budget, higher medical costs, and greater likelihood of disabilities. According to the US Census 2020 American Community Survey, it is estimated that 13.9% of Colma's population is over the age of 65 (about 208 individuals).

*The Town of Colma owns 18  
Senior Housing Units, located  
on El Camino Real*





Roughly 25% of the seniors in Colma have incomes higher than \$100,000, but almost half the seniors have an income below \$50,000. The US Census 2020 American Community Survey estimates that approximately 20% of the population over the age of 65 in Colma is in poverty.

Seniors in Colma, like seniors in San Mateo County at large, are significantly more likely to be homeowners than renters. Thus, housing concerns for seniors in Colma might include retrofits to allow seniors to age in place (stay in their current home as they get older). Often, homeownership means greater housing security. According to ABAG MTC, all seniors making less than 30% of AMI are spending the majority of their income on housing. For seniors making more than 100% of AMI, 46.2% spend less than 30% of their income on housing and are considered as not cost-burdened by housing costs.

As the large baby boomer population ages, Colma, like the rest of San Mateo County, is expected to see a growing senior population. According to the “Key Housing Trends in San Mateo County” document, the County can expect to see a 76% increase in the number of seniors. A key challenge in the coming years will be how to accommodate the needs of aging residents. For more information about senior trends and preferences, refer to the 2013 “Key Housing Trends in San Mateo” report in Appendix A.

**Table H-27: Senior Households by Tenure (2020)**

	Occupant	Colma	County	State
All Ages	Owners	49.5%	59.9%	55.3%
	Renters	50.5%	40.1%	44.7%
	Total	485	263,351	13,103,114
Age 65-74	Owners	54.3%	79.2%	75%
	Renters	45.7%	20.7%	25%
	Total	35	37,482	1,834,659
Age 75-84	Owners	57.7%	80.6%	75%
	Renters	42.3%	19.3%	25%
	Total	52	20,016	922,510
Age 85 +	Owners	62.5%	74.3%	68.3%
	Renters	37.5%	25.6%	31.7%
	Total	8	11,465	441,681

Source: US Census, 2020 American Community Survey 5-Year Estimates

Notes: Seniors are age 65 +

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## PEOPLE LIVING WITH DISABILITIES

People with disabilities face many challenges when looking for housing. There is a limited supply of handicap accessible, generally affordable housing, and the supply is especially tight near transit. Being near transit is important because many people with disabilities cannot drive. People with disabilities are also often extremely low-income due to the challenge of securing long-term employment and higher medical bills. Additionally, some people with disabilities, particularly developmental disabilities, have lived with their parents and often do not have rental or credit history. This makes it harder for them to compete for the limited housing that is available.

## PEOPLE WITH DEVELOPMENTAL DISABILITIES

SB 812 requires Housing Elements to include an analysis of the special housing needs of people with developmental disabilities. Additionally, SB 812 requires that individuals with disabilities receive public services in the least restrictive, most integrated setting appropriate to their needs.

The State Welfare and Institutions Code (Section 4512) defines a “developmental disability” as a disability that originates before an individual becomes 18 years of age, can be expected to continue, indefinitely, and constitutes a substantial disability for that individual, which includes retardation, cerebral palsy, epilepsy, and autism. Due to the rise of autism spectrum disorders (ASD), the Housing Element is required to address and analyze the housing needs of persons with developmental disabilities, and to identify resources to serve this population.

People with developmental disabilities in San Mateo County have various diagnoses. The common ones are summarized below. Because people can have multiple diagnoses, the numbers total more than 100 percent.

Table H-28: Type of Developmental Disability (2020)

Developmental Disability	Percent
Mild/Moderate Mental Retardation	43.3%
Autism	25.9%
Epilepsy	14.7%
Cerebral Palsy	14.4%
Severe/Profound Mental Retardation	9.5%

Source: Golden Gate Regional Center, 2020 Performance Report

People with developmental disabilities tend to be younger than the general population. There are several reasons for this. For some diagnoses there is a shorter life expectancy. More importantly, starting in the 1990s there was an “autism wave”, with many more young people

being diagnosed with the disorder, for reasons that are still not well understood. The racial demographics of the developmentally disabled population mirror that of the population of the Bay Area.

**Table H-29: Age of People with Development Disabilities (2020)**

Age Range	People with Developmental Disability (Colma)
Under 18	4
Over 18	6

*Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2020)*

**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 cross walked 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.

Many people with developmental disabilities are unable to secure long-term employment. This results in many people relying on Supplemental Security Income (SSI) and many earn 10-20 percent of the Area Median Income (AMI).

People with developmental disabilities have various housing needs and situations. All Colma residents with disabilities live with a parent or legal guardian.

**Table H-30: Living Arrangements of People with Developmental Disabilities**

Lives with	Number (Colma)
Home of Parents/Family/Legal Guardian	9
Community Care Facility	0
Foster Family Home	0
Independent/Supportive Living	0
Intermediate Care Facility	0
All Others	0

*Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020)*

**Notes:**

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*-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 cross worked 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.*

Trends that are affecting people with developmental disabilities include California's moves to reduce institutionalization, aging family caregivers not being able to continue providing in-house care and the growing wave of people with autism.

- **Deinstitutionalization** – In 1969, California, passed the Lanterman Developmentally Disabilities Services Act, to minimize the institutionalization of developmentally disabled people, help them remain in their communities, and allow them to live their lives as similar to non-disabled people as possible. To accomplish this, the state has been closing large institutional care facilities, resulting in more people with disabilities being integrated into the community. However, this has increased the demand for community-based independent living options to serve the needs of the developmentally disabled.
- **Ageing Baby Boomers Unable to Care for their Children with Developmental Disabilities** – As displayed in the Table H-30 below, there is an estimated 39 people between the ages of 18 to 64 with developmental disabilities that live in Colma. Often those who have disabilities live with a parent or caregiver, and many of these caregivers are baby boomers. As these caregivers age their ability to continue to care for their developmentally disabled children will decrease to the point where it is no longer possible. This trend is also going to be a factor in the increased need for community-based independent living options for the developmentally disabled. Many service delivery systems and communities are not prepared to meet this increasing need.
- **Increasing Numbers of People with Autism** - There is a large number of people with developmental disabilities that have autism. They have been brought up as independent members of the community and want to remain independent and involved in the community. There is an impeding need to supply community-based independent living options for these individuals.

## OTHER DISABILITIES AND POLICY RECOMMENDATIONS

Some residents of the Town of Colma have both developmental and non-developmental disabilities, including hearing and vision disabilities.

Almost half of the senior population in the Town of Colma has a disability, and nine percent of the total population in the county has some form of disability. The most common disabilities in the Town are ambulatory disabilities (approximately 7% of the population) and independent living disabilities (approximately 6% of the population).

Table H-31: Age and Type of Disability

	Number			Percent		
	Colma	County	State	Colma	County	State
Under 18 with Disability	0	3,919	306,806	0.0%	2.5%	3.4%
Age 18-64 with Disability	39	23,680	1,944,580	4.1%	4.9%	8.0%
Age 65 + with Disability	94	34,818	1,895,565	45%	28.6%	34.2%
Any Age with Any Disability	133	62,417	4,146,951	9.0%	8.2%	10.7%
Any Age with Hearing Disability	19	19,065	1,147,500	1.3%	2.5%	3.0%
With Vision Disability	14	10,500	778,145	0.9%	1.4%	2.0%
With Cognitive Disability	65	22,911	1,585,969	4.8%	3.2%	4.4%
With Ambulatory Disability	92	30,648	2,118,765	6.8%	4.3%	5.8%
With Self Care Disability	25	14,141	964,579	1.8%	2.0%	2.6%
With Independent Living Disability	74	26,339	1,654,210	6.4%	4.4%	5.5%

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table S1810.

Note: Some people may have multiple disabilities

The three major needs for people with disabilities are low cost (subsidized) rents, handicap accessible homes, and buildings near public transportation. These needs are very similar to the desires of other segments of the population. Policies that promote affordable housing are generally also beneficial for the disabled community. Specific recommendations from the Golden Gate Regional Center (with a note on Colma’s actions or programs) include:

- Jurisdictions assisting with site identification for low-income developments (Colma’s Program 3.2, Density Bonus allowance; Program 3.5 establishing a Housing Element Overlay Zone; and Program 4.3, Emergency Shelters)
- Policies to promote accessible homes (Colma’s Program 4.1, Reasonable Accommodation and enforcement of building codes related to accessibility)
- Inclusionary zoning (Colma’s Program 3.4, Inclusionary Housing)
- Second units (Colma’s Program 2.1, Second Unit Ordinance)
- Accessory Dwelling Units (Colma’s Program 2.2)
- Mixed use zoning (Colma’s Program 3.3, High Density Housing near BART)

Additionally, some people with developmental disabilities need supportive housing that is affordable and located near public transit. In supportive housing, additional services are provided at the home.

In the Town’s zoning code, it defines the word family interchangeably with household in CMC 5.01:

Household shall mean one or more persons, whether or not related by blood, marriage or adoption, sharing a dwelling unit in a living arrangement usually

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characterized by sharing living expenses, such as rent or mortgage payments, food costs and utilities, as well as maintaining a single lease or rental agreement for all members of the household and other similar characteristics indicative of a single household.

The household definition does not mention disability nor does the Zoning Code require spacing or concentration requirements for housing for persons with disabilities.

In Subchapter 5.15 of the Colma Municipal Code, the Town describes the requests for reasonable accommodation in housing processes. This process includes any request for reasonable accommodation may be made by any person with a disability, their representative or entity, when the application of a zoning law, building code, or other land use regulation, policy, or practice acts as a barrier to fair housing opportunities. The request may include the elimination of regulatory barriers which include a modification or exception to Town rules, policies and procedures or to the standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. If a request is made, a review with other planning approvals such as a use permit, variance, design review permit, zone change, general plan amendment, or subdivision could be filed at the same time.

The reasonable accommodation process is as follows:

- **Application**, including the applicant's name, address, and telephone number; the address for which the request is being made; the current use of the property; the basis of the claim; the code, regulation, or policy from which accommodation is being requested; and the explanation of why the accommodation is necessary.
- **Review**, if the request is being made in connection with a project or land use that requires other planning approval then the applicant shall file the request concurrently with that project or land use.
- **Public Notice**, as appropriate. If there is no discretionally approval sought other than the request, notice shall be mailed to immediately adjacent properties at least 15 days prior to the decision. If there is related discretionary approval, then the request shall be transmitted along with the other planning application. If notice is required, then a person receiving a notice may request a hearing to contest the proposed decision within 10 days of the date the notice is mailed.
- **Consideration of Request**, including a public hearing if required by contestation of someone receiving a notice of the reasonable accommodation request. The following findings form the basis of the written decision to grant or deny a request:
  - Whether the housing will be used by an individual with a disability
  - Whether the request is necessary to make the specific housing available
  - Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the town

- Whether the requested accommodation would require a fundamental alteration in the nature of a Town program or law.
- If the Town determines that a requested accommodation would result in a fundamental alteration or undue financial or administrative burden, the Town may take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive equal access to the benefits or services provided by the town
- **Conditions of Approval**, if the City Planner deems them reasonable and necessary to ensure that the reasonable accommodation would comply with the findings above.

## FEMALE-HEADED AND LARGE HOUSEHOLDS

Households headed by a single parent can have special needs due to the economic limitation of earning only one income, and the challenges of childcare without a partner. Although gender equality has made strides over the past 50 years, women continue to earn lower incomes than men. Therefore, female-headed households have specific housing needs that must be addressed. Female-headed households can have special needs that require low-cost housing, suitability for children and located near schools and childcare facilities. Innovative, shared living arrangements, including congregate cooking and childcare, may also be appropriate.

Female-headed households comprise 28 percent of the households in Colma. The most vulnerable female-headed households can be those where women are living with children but without a partner. Colma has 90 such households, or 19 percent of the total number of households. Female-headed households are more likely to be living under the poverty line than other households: approximately eight percent of female-headed households in Colma are under the poverty line.

Table H-32: Female-Headed Households

	Colma		County	State
	Number	Percent		
Female living with own children, no partner	90	18.6%	23.5%	26.2%
Female living alone	48	9.9%	12.6%	13.1%
Total Households	485	100%	263,351	13,103,114
Female Households Below Poverty Level in past 12 months	38	7.8%	4.2%	11.3%

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP02, B17021

Large households are defined as households with five or more members living in the same home. Large households are a special needs group because of the difficulty of finding adequate and affordable housing. The higher costs required for homes with multiple bedrooms can result

in larger families experiencing a disproportionate cost burden compared to the rest of the population and can increase the risk of housing insecurity.

In Colma, 14% of large family households (5 or more family members) experience a cost burden of 30%-50%. There are no reported large family households that spend 50% or more on their income on housing.

**Table H-33: Cost Burden by Household Size**

Household Size	0%-30% of income Used for Housing	30%-50% of income Used for Housing	50% of Income Used for Housing
All other household types	256	74	52
Large Family (5+ persons)	67	12	0
Total	323	86	52

*Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release*

**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.

## HOUSING NEEDS FOR FARMWORKERS

Farmworkers are traditionally defined as persons whose primary incomes are earned through seasonal agricultural labor. Most jurisdictions in San Mateo County have no farms or farmworkers; however, there are 241 farms and 1,321 farmworkers in the county, primarily located in coastal communities. Of these 1,321 farmworkers, 123 are migrant workers and 343 work less than 150 days annually (and are therefore considered to be “seasonal labor”). Farmworkers who are migrant or seasonal workers have special housing needs because of their relatively low income and the unstable nature of their job (i.e., having to move throughout the year from one harvest to the next). These workers generally face higher rates of overcrowding and other substandard housing conditions. Continued efforts to provide affordable housing, especially affordable housing suitable for families, will help meet the needs of these farmworkers.

The Town of Colma has several commercial container plant nurseries that operate year-round and offer their employees regular pay and benefits. In addition, Colma has two small flower farms that are maintained by individual farmers that lease land and successfully sell their crops to local merchants.

Increasing the housing supply for farmworkers in Town can be achieved through ADUs or JADUs. In the G cemetery zoning district, upon issuance of a use permit, the City Council would allow



for a single caretaker unit with or without an ADU or JADU (Colma Municipal Code (5.03.060). Additionally, the R-S zoning district, allows for manufactured homes (R zone only), and with a use permit, existing multiple residences buildings, warehouses, and other facilities, all of which could be utilized for housing farmworkers (Colma Municipal Code 5.03.080).

**Table H-34: Farm workers in San Mateo County (2007-2017)**

	2007	2012	2017
Total Farms	329	334	241
Land in farms (acres)	57,089	48,160	45,972
Hired Farm Labor	2,608	1,722	1,321
Migrant labor	24	88	123
Working > 150 days annually	1697	718	978
Working <150 days annually	911	329	343

Source: U.S. Department of Agriculture, Census of Farmworkers (2007, 2012, 2017), Table 7: Hired Farm Labor

## HOUSING NEEDS FOR THE HOMELESS

All 21 jurisdictions within San Mateo County have adopted the ten-year HOPE Plan (Housing Our People Effectively: Ending Homelessness in San Mateo County), designed to end homelessness within ten years. The HOPE Plan adopts a Housing First policy, which seeks to move homeless people into permanent housing instead of shelters by increasing the stock of affordable and subsidized housing. Although the HOPE planners recognized that there is a lack of needed resources throughout the housing continuum, including emergency and transitional housing, the greatest need and the most effective use of new and/or redirected resources is for creating and sustaining quality affordable housing and supportive housing.

In the 2022 San Mateo County One Day Homeless Count and Survey, there was 1 homeless individual in Colma. Colma historically has one of the lower homeless counts in San Mateo County.

**Table H-35: Unsheltered Homeless Count by Jurisdiction**

	2011	2013	2015	2017	2019	2022
Colma	1	7	3	1	8	1
San Mateo County	1,162	1,299	775	637	901	1,092

Source: Chart 4: Unsheltered Homeless Count by Jurisdiction in 2022 San Mateo County One Day Homeless Count and Survey, page 6. Available at <https://www.smcgov.org/media/133851>

According to the 2019 San Mateo County One Day Homeless Count and Survey, there are 1,512 homeless people living in San Mateo County (901 unsheltered and 611 sheltered).

Table H-36: Demographics of San Mateo County Homeless Population by Household Type

	Adult Only Household (73.4%)			Family Household (26.5%)		
	Emergency Shelter	Transitional Housing	Unsheltered	Emergency Shelter	Transitional Housing	Unsheltered
<b>Gender</b>						
Male	67.7%	62.2%	78.9%	39.7%	42.8%	46.8%
Female	30.8%	37.8%	21.2%	60.3%	57.2%	53.2%
Transgender	1.5%	0.0%	0.1%	0.0%	0.0%	0.0%
<b>Race</b>						
White	59.1%	55.4%	74.5%	41.2%	55.0%	75.8%
African American	20.7%	27%	8.9%	23.5%	14.0%	17.7%
Asian	6.1%	2.7%	0.0%	8.8%	6.6%	0.0%
American Indian/Alaskan Native	4.0%	2.7%	8.2%	7.4%	3.3%	1.6%
Native Hawaiian/Other Pacific Islander	7.6%	5.4%	0.1%	4.4%	11.1%	1.6%
Multiple Races	2.5%	6.8%	8.2%	14.7%	10.0%	3.2%
<b>Ethnicity</b>						
Hispanic	20.7%	27%	39.3%	41.2%	52%	27.4%
Non-Hispanic	79.3%	73%	60.7%	58.8%	48%	75.8%
<b>Chronicity</b>						
Chronic Homelessness	33.3%	0.0%	30.0%	4.4%	0.0%	0.0%

Source: San Mateo County Human Services Agency, Center on Homelessness, 2019 San Mateo County One Day Homeless Count and Survey.

Note: May not total 100% due to rounding.

**Table H-37: Additional Demographics of San Mateo County Homeless Adult Population**

	<b>Emergency Shelter</b>	<b>Transitional Housing</b>	<b>Unsheltered</b>
Veteran Population	14%	2%	4%
Alcohol / Drug Abuse	20.5%	10.4%	12%
History of Domestic Violence	4.5%	7.3%	12%
Severe Mental Illness	31.3%	23.8%	22.7%

*Source: San Mateo County Human Services Agency, Center on Homelessness, 2019 San Mateo County One Day Homeless Count and Survey*

*Note: May not total 100% due to rounding*

**Table H-38: County Homeless Population Location 2013-2019**

<b>Location</b>	<b>2013</b>	<b>2019</b>	<b>Change</b>
<b>Unsheltered</b>			
On the Street	353	157	-55.5%
In Car	231	184	-20.3%
In RVs	392	494	+26.0%
In Tents/Encampments	323	66	-79.6%
Total	1,299	901	-30.6%
<b>Sheltered</b>			
In Emergency Shelter	272	266	-2.2%
In Transitional Housing	431	345	-20.0%
Total:	703	611	-13.5%

*Source: San Mateo County Human Services Agency, Center on Homelessness, 2019 San Mateo County One Day Homeless Count and Survey*

Homeless individuals in San Mateo are both sheltered, meaning they live in emergency shelters, transitional housing, treatment centers or similar institutions, and unsheltered, meaning they are unhoused living in encampments, or in a vehicle.

The number of homeless people living on the street in San Mateo County has decreased since 2013. However, the number living in an RV has risen by approximately 26 percent. The remaining 43 percent are considered sheltered homeless, and live in shelters, transitional housing, motels, or institutions.

Many homeless people are single adults (who may be living with another adult, but no children). Still, one-fourth of the sheltered homeless are families. Homeless persons in an adult only household were most likely to be unsheltered and male. In contrast, homeless family households were most likely to be in transitional housing and be headed by a female.

**Table H-39: Location where Homelessness Occurred**

Location	County
Living in San Mateo County when became homeless	77%
Hometown in San Mateo County	44%

*Source: San Mateo County Human Services Agency, Center on Homelessness, 2019 San Mateo County One Day Homeless Count and Survey*

### Quantification of Available Homeless Assistance Resources

Shelters and homeless assistance programs are the main resources available to homeless residents of San Mateo County. Colma helps to meet the needs of its homeless residents by providing financial support and appropriate referrals to local homeless assistance programs available in San Mateo County, including Shelter Network, the Human Investment Project, North Peninsula Food Pantry and Dining Center of Daly City, and the Second Harvest Food Bank. In addition, Colma allows development of an emergency shelter as permitted use in the Commercial (C) zone.

San Mateo County’s Center on Homeless, a program overseen by the County Human Services Agency, coordinates the provision of homeless services within the County, including those by non-governmental entities. The Center on Homeless provides information to county residents and, referrals, administers self-sufficiency programs, and develops homeless resources. There are also several specialized shelters for persons with substance abuse problems, mental illnesses, victims of domestic violence and for the youth.

The nearest large homeless assistance facility is the Community Service Center in Daly City. The Center is a clearinghouse providing motel vouchers, bus tickets and referrals to the County’s transitional shelters. In addition, this facility provides a Home Sharing service which keeps track of those with living quarters to share.

In May of 2013 City Council adopted Ordinance No. 720, allowing emergency shelters on all properties zoned for commercial use (“C” Zone), without a conditional use permit or other discretionary permit, and establishing development standards including proximity to other shelters (no closer than 300 feet), vehicle parking for employees, bicycle parking, shelter capacity, client waiting areas, length of stay, screening of outdoor uses, exterior lighting, laundry facilities, and personal property storage applicable to emergency shelters. As defined, an emergency shelter is housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less.

#### *Development Standards*

Pursuant to Section 5.03.290(d)(2), emergency shelters are subject to specific development standards. This subsection dictates the following:

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- Proximity to other shelters: No emergency shelter shall be located closer than three hundred (300) feet from another emergency shelter;
  - Vehicle parking: An emergency shelter shall provide off-street parking spaces totaling .35 parking spaces for every bed, rounded up to the nearest whole parking space; and one parking space for each employee working at the same time as another employee; and all parking spaces required under the Americans with Disabilities Act;
  - Bicycle parking: An emergency shelter shall provide a minimum of one bicycle space for every five (5) beds;
  - Shelter capacity: No emergency shelter shall contain more than five (5) beds. The maximum number of beds in all emergency shelters in the Town shall not be less than the number of unsheltered homeless persons in Colma as determined in San Mateo County's Homeless Survey;
  - Client Waiting Areas: Client waiting areas shall be sized and located appropriately to keep clients from waiting on the public right-of-way;
  - Length of Stay: The length of stay per individual in an emergency shelter shall not exceed six (6) months in a consecutive 12-month period;
  - Screening of Outdoor Uses: An emergency shelter shall not allow or include any of the following to occur in front of an emergency shelter or in any other location incidental to the shelter that is visible from adjoining properties or the public right-of-way, unless entirely screened from public view.
    - Designated outdoor smoking area;
    - Outdoor waiting and client intake area;
    - Outdoor public telephones; and
    - Outdoor refuse area.
  - Exterior lighting: Lighting in or on an emergency shelter shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity that is consistent with existing lighting in the surrounding area in which the shelter is located.
  - Laundry facilities: An emergency shelter shall provide laundry facilities to serve person residing in the shelter.
  - Personal property storage: An emergency shelter shall provide secure areas for temporary storage of personal property of the persons residing in the shelter.

The following changes shall be made to this provision in order to comply with state law as part of Program 4.3:

- Vehicle parking: Sufficient parking to accommodate all staff working in the emergency shelter, provided the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone (as per Gov. Code 65583 (a)(4)(A)(ii).
- Shelter capacity: The shelter bed capacity shall be increased to thirty (30), to accommodate the projected number of unsheltered unhoused persons in Colma as determined by San Mateo County's Homeless survey;

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### *Operational Standards*

Pursuant to Section 5.03.290(d)(3) of the Colma Municipal Code, emergency shelters must have a management plan. The operator of an emergency shelter shall prepare and submit to the City Planner for its approval, a management plan that includes the following:

- established staff training program to meet the needs of emergency shelter residents;
- adequate security measures to protect emergency shelter residents and the neighboring land uses;
- on-site management and security personnel who must be present at all times when the emergency shelter is in operation;
- a list of services provided to assist emergency shelter residents with obtaining permanent housing and income.
- The operator shall, at all times, comply with and perform all terms and conditions of the management plan approved by the City Planner.

There are no other management standards applicable in the C zone, so the Town is compliant with the requirement that "emergency shelters shall only be subject to development and management standards that apply to residential or commercial within the same zone."

### *Siting*

The parcels where emergency shelters are allowed by-right are subject to a siting analysis, reviewing proximity to transit and services, hazardous conditions, habitability, and feasibility of emergency shelter construction.

### *Proximity to Transportation and Services*

The C zone is based along the El Camino Real corridor, the major transit corridor in San Mateo County with frequent bus service. The majority of parcels in the C zone are also within a half mile of a major transit stop (including BART stations). Although Colma has limited services (a Target and Dollar Tree, but no social services), all such services are located in the C zone.

### *Hazardous Conditions*

There are no identified hazardous conditions on any of the parcels in the commercial zone that would interfere with an emergency shelter or shelters suitable to support the number of unsheltered homeless persons in Colma as of the 2022 county survey (one person).

### *Human Habitability*

There are already several residential developments in the C zone, as well as active commercial businesses.

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## *Feasibility*

The parcels in Colma's C zone contain a disproportionate amount of underutilized space, such as the far reaches of parking lots and vacant parcels. There are also underutilized buildings in the C zone substantial to fit Colma's most up-to-date homeless point in time count (1 unsheltered person)

## **Determination of Unmet Homeless Needs in Colma**

As of the 2022 San Mateo Homeless Census, one unsheltered homeless person was counted in Colma. Homelessness is a regional issue and consideration of the homeless is important in formulating housing policy.

## **HOUSING NEEDS FOR EXTREMELY LOW-INCOME HOUSEHOLDS**

Extremely Low Income (ELI) households earn 30 percent of the Area Median Income or less. According to the Department of Housing and Community Development 2022 State Income Limits, this amounts to an annual income of \$54,800 or below for a family of four in San Mateo County. Many ELI households live in rental housing and most likely face overpayment, overcrowding or substandard housing conditions. For additional information on overpayment by tenure, see Table H-18. Some ELI households are recipients of public assistance such as social security insurance or disability insurance. Housing types available and suitable for ELI households include affordable rentals, secondary dwelling units, emergency shelters, supportive housing and transitional housing.

Emergency shelters are a permitted use in the Commercial "C" zone that is subject to both development and management standards listed in chapter 5 of the Town's municipal code. In addition, supportive and transitional housing uses are permitted by right in the "R" and "R-S" zones and permitted with a use permit in the "C" zone.

In May of 2013, the Town of Colma amended its Municipal Code to allow transitional and supportive housing as a residential use of property of the same type and in the same zone, with no restriction on the number of units within the Commercial/Multi-family zone. Program 4.6 includes an action to clarify the Municipal Code and state that transitional and supportive housing is allowed as a residential use in all zones allowing residential uses and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. This includes compliance with Government Code section 65651 allowing supportive housing by right, without discretionary action, when the development meets certain requirements.

These standards align with measures required by the State of California such as the six-month length of stay limit, and the requirement that no individual or household may be denied access because of inability to pay. Capacity for this use is not specified in the Town's zoning code.

Further, to comply with AB 101, the Town has added a new program to permit Low-Barrier Navigation Centers in the C Zone. Low-Barrier Navigation Centers as defined by Government Code 65660(a) is housing or shelter in which a resident who is homeless or at risk of homelessness may live temporarily while waiting to move into permanent housing.

There are 75 ELI households in Colma according to 2018 CHAS data. All Colma’s ELI households face overcrowding, overpayment, and/or lack complete kitchen or plumbing facilities. As part of the zoning code update for 2023, the Town will identify Single Room Occupancy (SRO) opportunities available for individuals that fall within the ELI category, specifically those who are senior citizens. The Housing Element includes a program to add a definition and standards to regulate SROs in town.

Currently, in the R-S zone, with a conditional use permit, existing multiple residence buildings, warehouses, and other facilities could be areas where SROs and similar types of housing can be utilized in Town. (Colma Municipal Code 5.03.080) As part of the zoning code update, the Town will identify areas in other parts of town where SROs can exist.

**Table H-40: Housing Needs for Extremely Low Income (ELI) Households in Colma**

Household Category	Renter Households	Owner Households	Total Households
Total households any income	225	255	480
Total ELI households	60	15	75
ELI households with housing problems	35	15	50
ELI households with cost burden (paying 30% or more of income)	29	15	44
ELI households with cost burden (paying 50% or more of income)	25	15	40

*Source: HUD Comprehensive Housing Affordability Strategy (2014-2018)*



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## HOUSING ELEMENT PUBLIC PARTICIPATION

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For the 6<sup>th</sup> cycle of the Housing Element, State law requires jurisdictions to make a “diligent effort to achieve public participation of all economic segments of the community” when preparing a housing element (Government Code 65583(c)(7)). State law requires jurisdictions to take active steps to inform, involve, and solicit input from the public, particularly groups and organizations representing the interests of lower-income and minority households that might otherwise not participate in the process.

In previous Housing Elements, due to the small population of the Town, outreach consisted of Council Study Sessions. Because of the new requirements, the Town decided on a more comprehensive outreach plan that includes several methods both in-person and virtual, as well as utilizing traditional and social media. By offering different ways for residents and other stakeholders to provide input, the Town hopes to gain a better understanding of residents representing multiple demographics.

### HOUSING ELEMENT FLYER

To promote the survey and outreach events, a flyer was created and sent to residents (360 households). This flyer included information for outreach events, the first City Council public hearing for the Housing Element, and a link with a QR code to the survey. Written on the flyer, in English, traditional Chinese, Spanish, and Tagalog were translation services available to those who require language assistance. ADA assistance was stated and offered in the flyer as well. Paper copies of the flyer were also available at various outreach events.

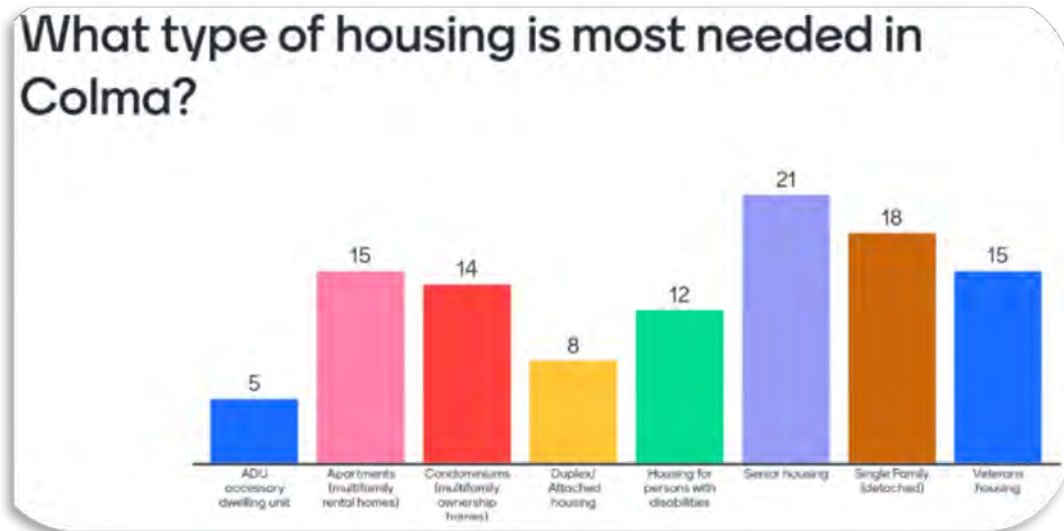
### HOUSING ELEMENT WEBSITE AND SOCIAL MEDIA

In April 2022 the Town launched its Housing Element Update website ([www.colma.ca.gov/housing-element](http://www.colma.ca.gov/housing-element)) to provide an overview of the project, purpose for the update, key benefits for the update, an explanation of the Regional Housing Needs Allocation (RHNA), ways to participate in the update process, a housing element video, and links to the housing survey. The Town utilizes Facebook, Twitter, and Simplicity for announcements. Posts were made on each app promoting the Housing Element Update and outreach events. The Town will continue to update the website with housing element revisions as well as any other related updates.

### HOUSING SURVEY

On April 8, 2022, the Town released a Housing Survey to assess current housing conditions, the community's priorities regarding future housing, and to gather information on housing constraints. This survey was available online using the Mentimeter app and paper copies were distributed at various outreach events in the month of April. The survey concluded on April 29, 2022. There were 44 responses. Participants included residents, those who work in Colma, and those who neither live nor work in the Town. The survey indicated that over 70% of

participants were satisfied with their current housing situation in Colma and would rate the physical condition of their unit as “excellent”. Participants shared that the types of housing they felt were most needed in Colma are Senior Housing, Single Family (detached homes), and Apartments (multifamily rental homes), Veterans Housing, and Condominiums (multifamily ownership homes).



*This is an example of a survey questions that was asked*

## OUTREACH EVENTS

- On April 12, 2022, planning staff participated in a barbeque at Veterans Village hosted by The American Legion. Town Staff and the Resident Services Coordinator assisted with outreach by distributing flyers and surveys to each resident. Input from residents at Veterans Village is important because they represent a demographic that currently live in affordable housing and has, were formerly homeless, or are over 60 years old.
- On April 16, 2022, the Town participated in an Easter event called Eggstravaganza hosted by the Colma Recreation Services Department at the Colma Community Center. Planning staff hosted a table at this event where a housing-related activity was created for children. The activity asked the children to dream of their future home in Colma, color it (see example to the right), and to write a reason for why they chose to live in that home. They were able to choose from three types of homes: apartment, duplex, or single-family. This event was well attended with close to 50 children participating in the activity.



*This is an example of a housing activity completed by a child at Eggstravaganza*

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- On April 20, 2022, the Town participated in a senior luncheon hosted by the Colma Recreation Services Department at the Colma Community Center. Planning staff hosted a table at this event where the Housing Element Update flyer and survey were distributed to the residents. This event also allowed staff to promote future Housing Element outreach events. Input from older residents is important to the Town because the residents represent a demographic that is over 60 and some have special needs.
  - On April 20, 2022, the Town hosted an event at Black Bear Diner called Coffee with a Planner. This was a workshop for community members to meet with planning staff and have an opportunity to engage, ask questions, and fill out the survey.
  - On April 22, 2022, the Town participated in the 2022 Arbor Day/Earth Day event hosted by the Colma Recreation Services Department at Sterling Park. Planning staff hosted a table at this event where the flyer and survey were distributed to residents. Staff engaged with several residents explaining the purpose of the Housing Element, and ways to get involved with the process.
  - On April 25, 2022, planning staff presented at the City Council meeting. The purpose of this study session was to introduce an overview of the Housing Element Update and obtain input from City Council and the public. Staff provided progress to date, public outreach efforts, and the preliminary map of potential new housing locations (site inventory). Email notices for this study session and the June 8, 2022, presentation of the Draft Housing Element, were sent to various housing advocacy groups and non-profits. They included: One Degree, Housing Choices, HIP Housing, Housing Leadership Council of San Mateo, Let's Talk Housing San Mateo County, Mercy Housing, MidPen Housing, and Samaritan House San Mateo.
  - Staff presented the Town's Goals, Policies, Programs, and Objectives to San Mateo County Equity Advisory Group on May 6, 2022. This group is a collection of housing advocates in San Mateo County. During this presentation, staff was able to gain feedback on which programs were considered strong and areas that needed further improvement.
  - Planning staff presented the Draft Housing Element to the City Council at their meeting on June 8, 2022. The purpose of this meeting was to introduce the Draft Housing Element to City Council and the public. Planning staff provided progress to date, a revised site inventory map (reflecting the removal of the Italian Cemetery, a 3.07-acre parcel), a highlight of key housing programs, and comments from the May 6, 2022 presentation to the San Mateo County Equity Advisory Group.
  - On September 23, 2022, Town Staff hosted Housing Leadership Council staff for a tour of the housing opportunity sites in Town and discussed the opportunity sites analysis.

## PUBLIC NOTICE DISTRIBUTION LIST

Please refer to Appendix C, Public Notice List

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## SUMMARY OF PUBLIC COMMENTS

On April 27, 2022, planning staff presented the Housing Element Update study session at the City Council meeting. There were no public comments made to staff at the meeting.

During the 30-day comment period, staff were notified by the Italian Cemetery of its desire not to be part of the housing inventory for their vacant site, located at El Camino Real and F Street. During the initial opportunity sites process, staff determined it was suitable for multi-family housing due to its location on El Camino Real and across the street from Colma BART station. As a result, staff revised the housing inventory and the draft to eliminate the 3.07-acre property owned by the Italian Cemetery.

The Housing Element Survey concluded on April 29<sup>th</sup> with 44 recorded responses. Planning staff collected this data and considered how this feedback could be integrated into future housing plans.

One major theme that resonated throughout the surveys was access to homeownership. Multiple members of the community expressed interest in homeownership specifically for those with moderate incomes and below to purchase homes in Colma. As a result, programs that relate to inclusionary housing, density bonuses, increasing density, and ADUs have been modified to provide more opportunities for homeownership and affordable housing. There is an additional new program, a Housing Element Overlay District to further remove any governmental constraints and encourage high-density housing development.

On May 6, 2022, staff participated in a virtual presentation to the members of the San Mateo County Equity Advisory Group. During this presentation, the Goals, Policies, Programs and Objectives for of the Draft Housing Element was discussed, and feedback provided by this group. Comments were provided verbally after staff's presentation. A couple of highlighted comments included: displacement strategies for low-income residents, equity for code enforcement and nuisance abatement, more efforts towards local funding sources for affordable housing, densities of 50 dwelling units per acre (du/ac) near the BART station, and inclusivity to all groups during the 6<sup>th</sup> housing cycle. As a result, existing programs were edited and several programs were added.

On May 27, 2022, the Housing Leadership Council of San Mateo County (HLC) submitted an undated letter through email commenting on Colma's Draft Housing Element. Following the receipt of this letter, staff has been in contact with HLC to discuss their concerns. On September 23, 2022, Staff hosted HLC Staff for a tour of opportunity sites, and engaged in a discussion of the opportunity sites. In preparation for the final draft of the Housing Element, Staff has incorporated HLC Staff's thoughts and concerns within the policies and programs. Specifically for the opportunity sites, where a new overlay district that removes parking minimums within a half mile of high-quality transit, allows for residential use on commercially zoned property without rezoning for projects that pay prevailing wages, and CEQA-exempt ministerial approval pathway on commercially zoned land for qualifying residential development

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that meets affordable housing targets. Staff will continue to foster relationships and open communication with the public and responsible organizations.

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## FAIR HOUSING

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### AFFIRMATIVELY FURTHERING FAIR HOUSING

Assembly Bill (AB) 686 requires that all housing elements contain an affirmatively furthering fair housing (AFFH) assessment. Under State Law, “affirmatively furthering fair housing” means “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.”

There are three parts to this requirement:

1. Include a Program that Affirmatively Furthers Fair Housing and Promotes Housing Opportunities throughout the Community for Protected Classes (applies to Housing Elements beginning January 1, 2019).
2. Conduct an Assessment of Fair Housing that includes a summary of fair housing issues, an analysis of available federal, state, and local data and knowledge to identify sites, and an assessment of contributing factors for fair housing issues.
3. Prepare the Housing Element Land Inventory and Identification of Sites through the lens of Affirmatively Furthering Fair Housing.

In compliance with AB 686, the Town has completed the following outreach and analysis.

Analysis of the fair housing issues in this section draws from the Town of Colma Fair Housing Assessment, an analysis that follows the April 2021 State of California State Guidance for AFFH, prepared by 21 Elements (Appendix B). The assessment identifies the primary factors contributing to fair housing challenges and the plan for taking meaningful actions to improve access to housing and economic opportunity. The following fair housing issues were analyzed: Fair housing enforcement and outreach, integration and segregation, access to opportunity, concentrated areas of poverty, disparate housing needs, disproportionate housing needs, and displacement risk within the jurisdiction. To address the identified factors, the assessment includes a Fair Housing Action Plan (FHAP) with goals, actions, and timelines.

### LOCAL KNOWLEDGE

Colma has a peculiar history within the San Francisco Bay Area region. The town was incorporated in 1924 by cemetery associations pushed out of San Francisco by high land costs of the cemeteries themselves. Currently, 922 of the Town's 1,225 acres (approximately 75 percent) are dedicated to cemetery uses. This preponderance of cemeteries is unusual, and often played as a laugh line. A 2021 public radio story called Colma “the last place you want to

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be when the zombie apocalypse goes down.” (Brooks, “Why Are There So Many Graves in Colma? (KQED: Oct. 7, 2021)

According to Michael Svanevik, a San Mateo County historian, Colma was not intended to be a residential jurisdiction at all, “The [Town Council] didn’t want living people in Colma,” Svanevik said in the 2021 article. “Every time somebody came forth and wanted to open a store, the town council voted it down, unless it was a floral shop or something associated with a cemetery.”

The Sterling Park subdivision began construction in 1950 with 260 single-family houses, almost entirely purchased by World War II veterans with GI loans ([colma.ca.gov/colma-history](http://colma.ca.gov/colma-history)). The GI Loan program was discriminatory, and Black veterans were not able to access home opportunities such as those in Colma the way that non-Black veterans were able to (“Benefits Denied: Older Black Veterans Battle for GI Education and Housing Compensation, Disability Payments” (NBC Bay Area: Feb. 28, 2023).

The population boomed in the latter decades of the 20<sup>th</sup> century, going from 395 in the 1980 census to 1,091 in the 1990 census count. This increase in population was linked to an increase in diversity: the town became majority (50.2 percent) non-white, which it remains today. Much of the population is Asian (notably, Joanne Del Rosario – elected mayor in 2008 – was the first Filipina mayor in the Bay Area region) and/or Hispanic.

The first multifamily housing developments in Colma, Hoffman Court and Verano Townhouse, were constructed in 2003. The new multifamily development was supported by the opening of Colma BART station in 1996. In 2020, the Town was certified as an Age-Friendly City by the World Health Organization.

## FAIR HOUSING ASSESSMENT

The Fair Housing Assessment (Appendix B) follows the April 2021 State of California State Guidance for AFFH. The study was conducted as part of the 21 Elements process, which facilitates the completion of Housing Elements for all San Mateo County jurisdictions.

### Primary Findings

This section summarizes the primary findings from the Fair Housing Assessment for the Town of Colma, including the following sections: fair housing enforcement and outreach capacity, integration and segregation, access to opportunity, disparate housing needs, and contributing factors, and the city’s fair housing action plan.

- No fair housing complaints were filed in the Town of Colma from 2017 to 2021. The Town of Colma could improve the accessibility of fair housing information on their website and provide resources for residents experiencing housing discrimination.
- Racial and ethnic minority populations are disproportionately impacted by poverty, low household incomes, overcrowding, and homelessness, compared to the non-Hispanic

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White population in the Town of Colma. Additionally, racial and ethnic minorities are more likely to be denied a home mortgage loan.

- Aside from Asian/API residents, racial and ethnic minority populations generally have higher poverty rates. Black or African American incomes are the lowest of any racial or ethnic minority population in the Town of Colma.
  - Racial and ethnic minorities are more likely than non-Hispanic White households to experience overcrowding. Low and moderate-income households are also more likely to be overcrowded.
  - People who identify as American Indian or Alaskan Native, Black, White, or Hispanic are overrepresented in the homeless population compared to their share of the general population.
  - Hispanic and Asian/API households have the highest denial rates for mortgage loan applications in 2018 and 2019.
- Colma is entirely contained within a single census tract—the standard geographic measure for “neighborhoods” in U.S. Census data products. It is important to note the jurisdiction’s small size when reviewing data points regarding both racial and economic segregation and integration. While neighborhood segregation seems to have increased, data shows the Town of Colma is trending towards integrations compared to its neighboring Bay Area jurisdictions. (See Appendix B).
  - The composite opportunity score for Colma shows the town to be a “moderate resource area,” and the Social Vulnerability Index (SVI) provided by the Centers for Disease Control and Prevention (CDC) ranks the town as “moderately vulnerable” to a disaster (based on four themes: socioeconomic status, household composition, race or ethnicity, and housing and transportation).
  - Compared to the County of San Mateo, the Town of Colma has a higher concentration of residents with a disability with 10% of the population compared to 8% in the county. Residents living with a disability in the Town are all employed, and only 1% of residents without a disability are unemployed. Additionally, the aging population is putting a strain on paratransit access countywide.
  - Black, Hispanic and Pacific Islander students in the Town of Colma—served by the Jefferson Union High School District and the Jefferson Elementary School District—experience poor educational outcomes compared to other students. Many high schoolers in the county met admission standards for a University of California (UC) or California State University (CSU) school. Black and Hispanic students in Jefferson Union High School District were less likely to meet the admission standards with rates at CSU and UC schools of 23% and 32%, respectively.
  - Jefferson Elementary School District had a 17% gap between their overall chronic absenteeism rate (12%) and their chronic absenteeism rate among Black students (28%). While Jefferson Union has the lowest dropout rates in the county — just 3% of students — the highest dropout rates were still found among Black (7%) and Hispanic students (6%).

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- Nearly half of all renter households in the Town of Colma are cost-burdened—spending more than 30% of their gross income on housing costs—and more than one in four are extremely cost-burdened—spending more than 50% of their gross income on housing costs. There are disparities in the housing cost burden in the Town of Colma for Hispanic households.

## Fair Housing Issues and Contributing Factors

This section summarizes the fair housing issues identified for the Town of Colma and the contributing factors.

**Fair housing issue:** No residents have filed fair housing complaints, indicating a potential lack of awareness about fair housing rights.

### Contributing factors:

- Lack of access to information about fair housing rights.
- Limited knowledge of fair housing by residents.

**Fair housing issue:** Residents of color experience disproportionate housing needs. Black residents experience lower income and higher poverty rates, Hispanic and Asian households experience high rates of mortgage loan denials when trying to purchase homes in Colma (43% and 33%, respectively), and Hispanic households also experience higher rates of cost burden.

The Town is addressing this issue through AFFH Action Area 1, where the focus is to increase outreach and improve the existing resources.

### Contributing factors:

- Higher poverty rates among Colma’s Black residents stem from decades of discrimination in employment, education, and housing markets. These residents have faced greater challenges in building wealth through economic mobility and homeownership.
- It is well documented that persons of color—particularly African American residents—were denied loans to purchase homes, were not allowed to buy in many neighborhoods because of restrictive covenants and were harassed if they managed to purchase a home in a predominantly White neighborhood. These historical actions have led to a significant homeownership gap among racial and ethnic minorities.

The Town is addressing this issue through AFFH Action Area 2, where the focus is to protect existing residents from displacement, provide housing strategies to Black, Indigenous, and People of Color (BIPOC) as well as those who have special needs.

**Fair housing issue:** Affordable housing is limited and the ability to add affordable housing is constrained by land use.



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Colma has a higher number of residents of color than the rest of the County, and offers relatively more affordable housing opportunities than surrounding cities. However, because most land is zoned for cemeteries, there is limited land available for residential development. Additionally, no areas within the town are zoned for multifamily housing.

The Town is addressing this issue through AFFH Action Area 3, to provide more strategies and housing choices through creating less restrictions on land use.

### **Fair Housing Enforcement and Outreach**

The Town currently enforces fair housing laws through the policies and code for compliance with State Law. If fair housing issues are reported by residents or potential residents, the Planning Department and Code Enforcement cooperatively work together to remediate the complaint. Fair housing issues are usually referred to the appropriate agencies, usually the County of San Mateo Housing Authority would be the first point of contact along with Project Sentinel a non-profit that assists individuals who face housing discrimination.

Currently, the fair housing information can be found on the Town's website under the Planning Department's page and Housing Resources. While the information is displayed in English, there is a button that translates the website into many languages. In addition to this functionality which provides needed language assistance, the Town plans to increase its visibility and accessibility with translated information readily available on the page without any further action. Under AFFH Action Plan 1, the Town will increase and implement its outreach in 2023.

The Town is compliant with the following:

- State Density Bonuses and Other Incentives Law (Gov. Code. Title 7. Division 1. Chapter 4.3 Density Bonuses and Other Incentives, amended and effective January 1, 2021) The Town does an annual review of the State's Density Bonus law and updates its Ordinance as needed;
- Housing Accountability Act (Gov Code Section 65589.5) requiring the adoption of a Housing Element, compliance with RHNA allocations, and that requires certain findings when approving or denying certain development projects. The Town's most recent Housing Element covering 2015-2022 has been adopted and the Town has met its RHNA allocations;
- No Net Loss Law (Gov Code Section 65863) requiring that adequate sites be maintained to accommodate unmet RHNA allocations, including among income levels. The Town has met its RHNA allocation for the current cycle and has identified opportunity sites to help meet its 6<sup>th</sup> housing cycle;
- Gov Code Section 65913.1 requiring that the Town designates and zones sufficient vacant land for residential use and nonresidential use in relation to the growth

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projections of the general plan to meet the housing needs for all income categories as identified in the housing element;

- Excessive Subdivision Standards Law (Gov Code Section 65913.2) The Town does not impose standards and/or criteria that renders the development of housing infeasible for any and all economic segments of the community;
- Limits on Growth Controls Law (Gov Code Section 65589.5) The Town does not have any growth control measures and has not rejected any proposals for housing projects that met objective planning and zoning criteria in the current cycle.

## SITES INVENTORY ANALYSIS

AB 686 requires an analysis of the identified sites to meet RHNA obligations for their ability to affirmatively further fair housing. Planning staff have identified seven parcels to meet RHNA obligations. A detailed site analysis can be found under the section titled "Ability to Meet Housing Needs". The seven parcels identified are not within or close to R/ECAPs, edge R/ECAPs and/or low income poverty concentrations. Since the Town of Colma is contained within one census tract, the proportion of low and very low-income units, concentrations of Housing Choice Vouchers, as well as the distribution of lower, moderate, and above moderate-income units in low, moderate, and high resourced areas are equally distributed. In addition, the identified parcels are similar in terms of proximity to high proficiency K-12 education institutions, high-resourced areas/positive economic outcome areas, low social vulnerability, proximity to high-quality jobs, access to transportation, and healthy places to live. There is one 0.2% Annual Chance Flood Hazard area located along El Camino Real by the northern boundary that could potentially affect 7778 El Camino Real.

Colma has not had to deal with any recent displacement due to environmental factors, however, it is important to note that the San Andreas Fault is just west of the Town and along El Camino Real has high liquefaction susceptibility.

A thorough analysis for the sites inventory can be found in Appendix B in the Site Inventory Analysis.

## GOALS AND ACTIONS

Goals and Actions for this cycle of the Housing Element will be included in the section called Housing Goals, Policies, and Programs. In that section, objectives to meet housing goals will be defined, programs to reach those goals will be explained, and an analysis of programs from the previous housing cycle (Table H-59) will be included. Additionally, an AFFH Action Plan will be implemented to reduce AFFH deficiencies (Table H-39).

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## Fair Action Plans

The AFFH Action Plan is broken down into three areas:

1. Improve fair housing outreach
2. Protecting and providing strategies for existing residents from displacement including those from are Black, Indigenous, and People of Color (BIPOC) including Residents with Special Needs
3. Enhancing housing mobility strategies and encouraging new housing choices

Each action plan is evaluated with existing and new programs developed in the 2023 Housing Element identifying the fair housing issues, contributing factors, objectives, actions, and timelines.

The AFFH Action Plan Table (Table H-41) is on the next page.

Table H-41: AFFH Action Plan

Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
<b>Action Area 1. Improve Fair Housing Outreach</b>				
Fair Housing Outreach	<ol style="list-style-type: none"> <li>1. Lack of access to information about fair housing rights; Limited knowledge of fair housing by residents</li> <li>2. Greater outreach efforts are needed in various formats.</li> <li>3. More resources should be made available to the public.</li> </ol>	<ul style="list-style-type: none"> <li>• Maintain zero to low complaints and inquiries.</li> <li>• Increase easy access to information about fair housing.</li> <li>• Offer resources to the public (owner and tenants) clarifying fair housing requirements in key languages.</li> </ul>	<p><b>Action 1.1: (Program 5.1, 5.4, 5.5, 8.1, 8.2)</b></p> <ul style="list-style-type: none"> <li>• Continue and update the Towns' fair housing webpage to include fair housing resources for residents who feel they have experienced discrimination, information about filing fair housing complaints with HCD or HUD, and information about protected classes under the Fair Housing Act.</li> <li>• Provide educational materials in various languages including Chinese, Spanish, Tagalog, and other (appropriate languages). These educational materials will include educational pamphlets, flyers, workshops regarding fair housing laws the jurisdiction is required to comply with.</li> <li>• Provide education to landlords and property managers on requirements to address reasonable accommodation requests</li> <li>• Utilize the Town's various existing media outlets to advertise Fair Housing Information</li> <li>• Conduct Fair Housing workshops and study sessions with the Town Council annually</li> </ul> <p><i>These actions will target multi-family properties in Colma, seeking outreach to 20% of units in these properties.</i></p>	Begin implementation in 2023, with Annual reports beginning in 2024.
<b>Action Area 2. Protecting Existing Residents from Displacement, Providing Strategies that Protect Residents that are Black, Indigenous, and People of Color (BIPOC) Including Residents with Special Needs (Seniors, Persons with Disabilities, and Homeless Persons)</b>				

Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
<p>Protected Groups have disproportionate housing needs including disparities in access to opportunities</p> <p>Disproportionate access to housing for individuals living with special needs</p>	<p>1. Historic discrimination and continued mortgage denials; High housing costs and low wages</p> <p>2. Need for community revitalization programs and strategies</p> <p>3. Lack of public investments in underprivileged neighborhoods.</p> <p>4. General lack of affordable housing, particularly in areas with appropriate services and amenities.</p>	<ul style="list-style-type: none"> <li>• Improve accessibility to home mortgage loans for protected groups who have high loan denial rates</li> <li>• Increase the number of new and low-income homebuyers through free educational programs and aggregating available incentives and grants available.</li> </ul>	<p><b>Action 2.1: (Programs 2.2, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 5.1, 5.2, 5.3, 5.4, 7.1, 7.2)</b></p> <ul style="list-style-type: none"> <li>• Provide down payment assistance to minority households and homebuyer education households by pursuing monies dedicated to providing financial assistance to BIPOC communities</li> <li>• Develop homebuyer educational workshops that include an overview of the home buying process, recommendations about what to look for when inspecting a prospective home, projected home maintenance costs after buying a home, and summarize and aggregate grants available to first-time and/or low-income homebuyers that may help them cover home buying and ownership costs such as closing costs, maintenance or rehabilitation costs.</li> <li>• Provide homebuyer education materials in Chinese, Spanish, Tagalog, and other (appropriate languages)</li> <li>• Annual workshops with HEART, HIP Housing, San Mateo Housing Authority, and other organizations that can assist with education and fair housing-related issues</li> <li>• Work with the San Mateo County Department of Housing to obtain information on anti-displacement programs that addresses tenant’s rights and relocation assistance. Utilize this information in annual workshops and study sessions to continue to inform Town residents of existing and new programs.</li> <li>• Rehabilitate housing, targeting the Sterling Park neighborhood, that is at risk of falling out of safe habitability.</li> </ul>	<p>Provide down payment assistance to at least 3 household by 2028. If action not completed by end of 2028, include action to seek grant funding and enhance outreach with additional actions by end of 2029, with target to provide down payment assistance to at least 3 household by 2031 (if action complete by 2028, target providing assistance to 4<sup>th</sup> household by 2031).</p> <p>Starting in 2024, partnering with HEART on an annual basis, providing first-time and low-income buyer education programs, and</p>

Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
			<p>Through these actions, 25% of households will take advantage of Town education and outreach efforts. These could support the Town's objective of 4 ADUs in the planning period.</p>	<p>prioritizing marketing of the programs to BIPOC and special needs community members</p> <p>Development of homebuyer educational resources for first-time and low-income buyers with translations by the beginning of 2024.</p> <p>Identify households in Sterling Park in units at risk of falling out of safe habitability via "Windshield Survey" by end of 2024. Proactively connect identified households to rehabilitation grants. Potentially connect to Program 2.2, linking rehabilitation to new ADU as a</p>

Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
				potential revenue stream, if suitable and property owner is interested.
<b>Action Area 3. Enhancing Housing Mobility Strategies and Encouraging New Housing Choices</b>				
Affordable housing is limited and the ability to add affordable housing is constrained by lack of available land	<ol style="list-style-type: none"> <li>1. 75 percent of Colma's land use is zoned for cemetery use</li> <li>2. Multifamily zoning does not currently exist</li> <li>3. Only one available affordable housing complex exists in the Town</li> <li>4. Design and Development standards are not appropriate for multi-family housing projects</li> </ol>	<ul style="list-style-type: none"> <li>• Create land use opportunities for multi-family housing in town</li> <li>• Encourage the construction of ADUs and JADUs</li> <li>• Encourage the construction of affordable housing throughout the Town</li> </ul>	<p><b>Action 3.1: (Programs 2.1, 2.2, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9)</b></p> <ul style="list-style-type: none"> <li>• Create Housing Element overlay zone that allows for land use flexibility in commercial zone</li> <li>• Develop a proactive outreach program where ADU and JADUs' information is readily available on the Town's website with an annual workshop for ADU development</li> <li>• The Town will proactively approach housing developers to encourage the development of opportunity sites and encourage affordable housing on these sites</li> <li>• Make appropriate amendments to the Town's zoning code to include multi-family residential zoning districts</li> <li>• Develop objective design and development standards that allow high-density and affordable housing projects to be constructed by right</li> <li>• Take necessary actions to ensure opportunity sites are vetted for environmental and zoning appropriateness so that high-density and affordable housing projects are reviewed via a streamlined process.</li> <li>• Amend the Town's parking standards to include parking alternatives that are less restrictive for high-density and affordable housing projects to be constructed; ensure parking standards meet State Law.</li> </ul>	<p>Housing Element overlay zone will go into effect once adopted and certified by HCD (estimated 2023)</p> <p>Begin ADU/JADU outreach program, workshops in 2025 and continued annually</p> <p>Beginning 2024, staff will proactively identify both for-profit and nonprofit developers, take meetings, and present opportunity sites for future housing development</p>

Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
			<p>Through these actions regarding zoning and development processes, at least 201 units will be developed in the Housing Element Overlay zone and at least 1 unit will be developed outside the Housing Element Overlay zone. Through the proactive ADU and JADU outreach action, the Town will target the development of 4 ADU and/or JADUs.</p>	



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# ABILITY TO MEET HOUSING NEEDS

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## RESIDENTIAL LAND INVENTORY

A key component of the Housing Element is a projection of the jurisdiction's housing supply. State law requires that the element identify adequate sites for housing, including rental and manufactured housing, and make adequate provisions for the existing and projected needs of all economic segments of the community. This includes an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public services to these sites.

Table H-42: Colma RHNA Targets Summary

Income Category	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
Units	22	22	25	37	96	202

Note: Extremely-low incomes is assumed half of the assigned RHNA targets of 44

### Existing Residential Development

Existing housing units are identified on *Exhibit H-1, Housing* and *Exhibit H-2, Sterling Park Neighborhood*. These maps include all dwelling units constructed prior to 2020. Based on American Community Survey (2020) and Census records, there are a total of 558 dwelling units in the Town of Colma, 292 of which are in the Sterling Park neighborhood and the remaining units are located outside of Sterling Park.

Since 2015, 75 residential units have been constructed, including 9 in Sterling Park and a 66-unit Veterans housing project on Mission Road.

### Approved Residential Development

As of April 29, 2022, there are no residential projects under construction in the Town, nor are there any approved residential projects not yet under construction.

### Development Potential

In total, there are 6 parcels available for the development of approximately 276 new residential units. Of these units, there is potential for at least 59 units to be available to extremely low income and very low-income households, 42 units for low-income households, 60 units for moderate income households and 115 units for above moderate-income households. The factors considered in Colma match the development trends seen in San Mateo County and the Peninsula broadly, as noted in Table H-49: Recent Development Trends. Colma's Site Inventory includes sites with a variety of redevelopment factors, as noted in Table H-50: Site Development Factors. These factors that were considered in site analysis include:

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- **Improvement over Land Value Ratio of less than 1.0**, indicating that the value of the property is “locked” in the land itself and not the building constructed on it.
  - **Existing Building 30 Years Old or More**, indicating that the building is near the end of its useful life (dilapidation and/or high vacancy is discussed in the site-by-site analysis beginning with “A. Sterling Park Development Potential” and continuing into “B. El Camino Real Development Potential”).
  - **Developer Interest**, indicating ongoing conversations between developers and the property owner about residential development on the parcel.
  - **Existing Maximum Floor Area Ratio of less than 0.5**, indicating that increased development allowance would potentially spur new financial viability of the site.

In addition, the Town projects the development of 4 accessory dwelling units, 1 at each of the four income categories. The potential for 280 new units exceeds the development need identified in Colma’s RHNA for 202 units to be constructed between 2023 and 2031.

### *Accessory Dwelling Units*

Colma is projecting four accessory dwelling units (ADUs) constructed in the 6<sup>th</sup> cycle planning period. There were zero ADUs constructed in the prior planning period.

ADU construction is rare in Colma because there is very little single-family zoning in the town. The Sterling Park area, zoned for single-family residences, is most conducive to ADU construction but is almost entirely built out with homes that make active use of garage and backyard areas. The Town projects four ADUs based on the incentives described in Program 2.2 that could serve to spur ADU construction, particularly if any existing houses are redeveloped in the planning period. The four units are comprised of a single unit at each affordability level (Very Low, Low, Moderate, and Above Moderate Income) based on using the Association of Bay Area Governments’ (ABAG) “safe harbor” distribution of 30% Very Low Income, 30% Low Income, 30% Moderate Income, and 10% Above Moderate Income (see “Using ADUs to Satisfy RHNA” Technical Memo published by ABAG on June 14, 2022) on four units with very conservative rounding.

### *Adjustment Factors for Site Capacity*

As part of its site capacity approach to the 6<sup>th</sup> Cycle Housing Element, Colma uses the HCD recommendation of five adjustment factors to calculate the projected residential development capacity of the sites in the Site Inventory that can realistically be achieved.

Colma uses the same Land Use Control, Realistic Capacity, Typical Density, and Infrastructure Available adjustment factors for all six sites in the Site Inventory. There is a reduced Environmental Constraint adjustment factor for the 1200 El Camino Real site to account for the easement running through the site, which would likely affect total buildout. The five adjustment factors used are:

- **Land Use Controls**

Based on an analysis of the current zoning code and anticipated development standards in the specific plans, there is no cumulative impact on the maximum development potential of the opportunity sites. However, the capacity factor was adjusted to 95 percent to account for sidewalks and roadway easements in a conservative approach.

- **Realistic Capacity**

The one recent development (built in the past 10 years) in Colma, Veterans Village, is 100-percent residential. Most mixed-use developments throughout the region include a residential component, as well. Therefore, the Realistic Capacity factor for the sites was set at 90 percent.

- **Typical Densities**

Densities are typically built above allowed densities at the Lower and Moderate income levels in San Mateo County. According to data collected by ABAG/MTC on San Mateo County, 14 lower-income projects were built on average at 107% of maximum allowable density. 19 moderate-income projects were built at an average of 125% of maximum allowable density. A Typical Densities factor of 90 percent can be considered conservative.

- **Infrastructure Availability**

There were no identified constraints on infrastructure availability.

- **Environmental Constraints**

There were no identified constraints based on environmental factors on five of the sites. There is a reduced Environmental Constraint adjustment factor of 60 percent for the 1200 El Camino Real site that accounts for the easement running through the site, which would likely affect total buildout.

Sites are therefore given a total adjustment, with a separate total adjustment calculated for the site at 1200 El Camino Real due to its unique characteristics.

**Table H-43: Adjustment Factors**

Geography	Land Use Controls	Realistic Capacity	Typical Densities	Infra. Availability	Enviro. Constraints	Total
<b>1200 El Camino Real Site</b>	0.95	0.9	0.9	1	0.6	0.4617
<b>Other 5 Sites</b>	0.95	0.9	0.9	1	1	0.7695

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## Sites Inventory

Planning staff inventoried vacant and underutilized parcels in Colma to determine what land is available for development. Types of sites include:

- 5<sup>th</sup> Cycle Housing Element Carryover Sites.
- Vacant and underutilized, residential, and non-residential sites that allow for residential development.

Colma distributed its housing opportunity sites throughout the Town, with placement of higher-density residential development near transit in order to distribute affordable housing while leveraging the assets existing in transit corridors.

The vacant and underutilized sites in Colma were analyzed based on several different categories to determine the best location for affordable housing:

- proximity to high quality transit and El Camino Real
- parcel size
- the need for lot consolidation
- General Plan designation
- underperforming or vacant uses
- proximity to public services and amenities
- developer interest of the site and
- if environmental remediation is required

Sites were scored between 0-1, 1 being the most likely to be redeveloped as affordable housing. All sites that scored above 0.5 were assumed to be suitable for affordable housing development and are included in the site inventory.

This affirmatively furthers fair housing by avoiding concentrations of affordable housing in any one or few particular areas of the Town. It also encourages affordable housing near amenities. The location of units suitable for lower-income households, particularly for very low-income households, are focused in transit corridors because the densities and walkability of these areas are best suited for multi-family developments whose residents may not desire or require car transportation.

During the 5<sup>th</sup> housing cycle, a total of 75 units were developed, 9 of which at about 13 dwelling units per acre, and 66 of which at about 30 dwelling units per acre. The average density was approximately 28 units per acre, the state guidance is to extrapolate the trend by multiplying it by 75% times the average which results in 21 units per acre. Given the most recent development trends in the Town, the realistic capacity for sites suitable for housing development are assumed to be developed at a conservative estimate of 20 dwelling units per acre, which meets HCD's default density requirement for lower income housing.

The site's analysis demonstrates that there is enough land to meet the ABAG Regional Housing Needs Allocation. The analysis for the affordability levels of developed units is based on the assumptions that 30% of the units on sites that scored above 0.6 would be for moderate income, and sites that scored above 0.8 would be 50% affordable (half extremely low or very-low income and half low-income). Units were then reallocated between developments to meet the number of units at specific affordability levels as required by the RHNA. On September 12, 2022, an electronic version of the Sites Inventory was sent to HCD as required by Government Code Sections 65583 and 65585.

**Table H-44: Sites Inventory and ADU Development Potential**

Site	Acres	Very Low	Low	Moderate	Above Moderate	Total
7733 El Camino Real	0.53	0	12	0	0	12
1200 El Camino Real	8.06	40	30	60	93	223
7778 El Camino Real	0.60	14	0	0	0	14
Between 461 and 469 B Street	0.11	0	0	0	1	1
El Camino and Collins	0.41	0	0	0	9	9
240 Collins Avenue	0.72	5	0	0	12	17
Total		59	42	60	115	276
ADUs (Projected)		1	1	1	1	4
<b>Gross Total</b>		<b>60</b>	<b>43</b>	<b>61</b>	<b>116</b>	<b>280</b>
RHNA		44 (includes Ex. Low)	25	37	96	202
Buffer (% over RHNA)		36%	72%	65%	21%	39%

The ability to provide affordable units in Colma is more dependent on available financial resources than density permitted by zoning. If qualified developments can obtain federal tax credits and other funding or incentives, there is a higher probability that more affordable units will be provided than in a development where no government or other subsidies are available or obtained.

There are three sites identified in two previous planning cycles: 7733 El Camino Real (008-127-020), 7778 El Camino Real (008-141-080), and Between 461 and 469 B Street (008-125-180). These sites are all zoned appropriate for lower-income housing (C and R-S zones both allow up

to 30 dwelling units per acre) and are covered by the rezoning provision in Program 3.5. None of the sites in the Site Inventory have existing residential units.

**Table H-45: Site Inventory – Site Characteristics**

Site	Existing Use/Vacancy	Identified in a Previous Planning Cycle?	General Plan Designation	Zoning Designation
7733 El Camino Real	Vacant	Used in Two Consecutive Prior Housing Elements - Vacant	Commercial	C
1200 El Camino Real	Kohl's retail store and parking lot	Not Used in Prior Housing Element	Commercial	C
7778 El Camino Real	Monument manufacturing facility and office	Used in Two Consecutive Prior Housing Elements - Vacant	Commercial	C
Between 461 and 469 B Street	Vacant	Used in Two Consecutive Prior Housing Elements - Vacant	Low Density Residential	R-S
El Camino and Collins	Parking spaces and vacant lawn area	Not Used in Prior Housing Element	Executive	PD
240 Collins Avenue	Parking lot	Not Used in Prior Housing Element	Commercial	PD

Figure H-5: Housing Sites

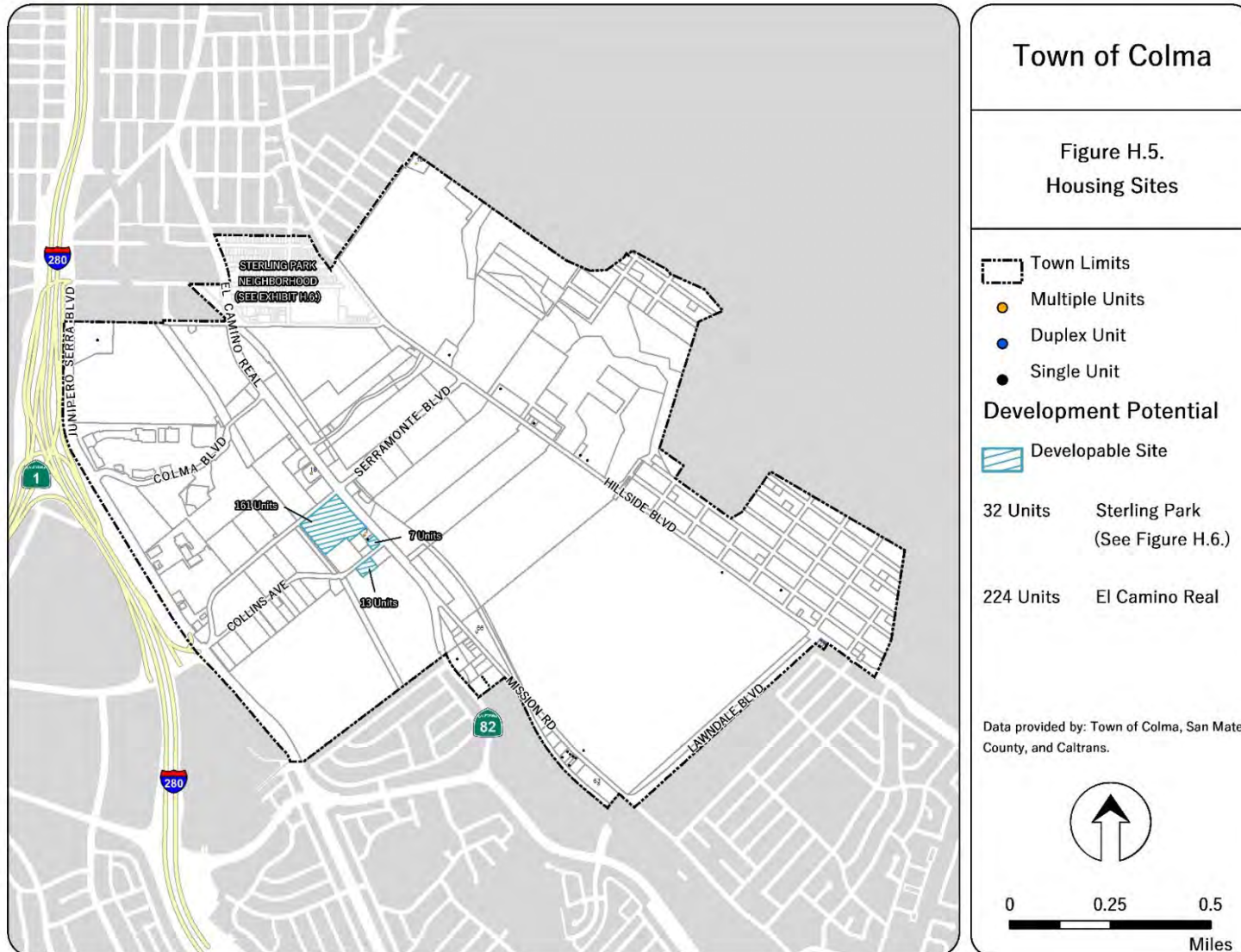
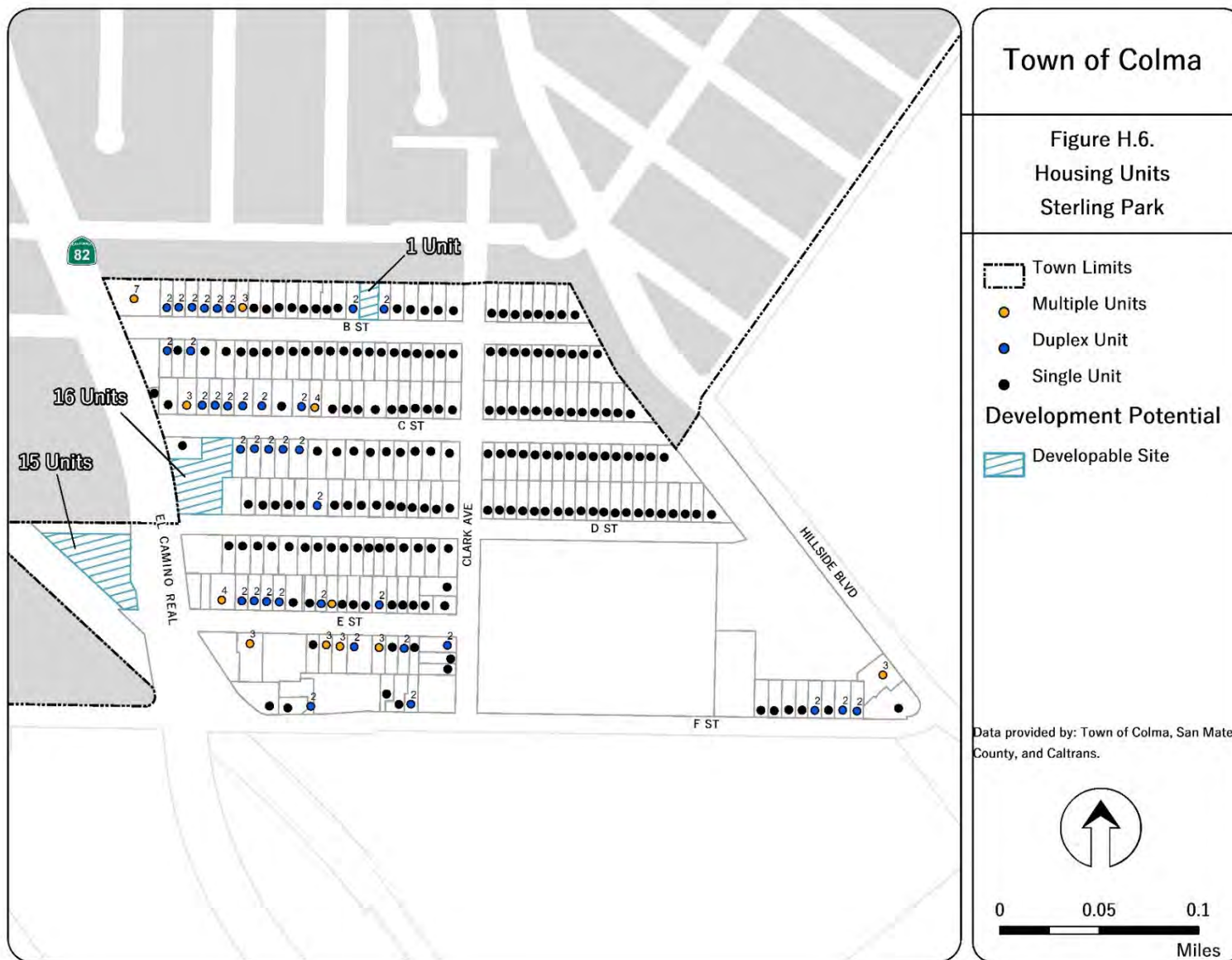


Figure H-6: Housing Units – Sterling Park





Several sites have development potential, including three parcels located in the Sterling Park neighborhood, two of which are located along El Camino Real near the Colma BART Station, and four additional sites located along El Camino Real at the Serramonte and Collins Avenue intersections. A detailed site inventory describing the development potential of each, as well as site-specific constraints is provided in the following section.

## A. STERLING PARK DEVELOPMENT POTENTIAL

There is one vacant privately-owned parcel within the Sterling Park residential neighborhood, located between 461 and 469 B Street. This parcel is a carryover site from the 5<sup>th</sup> Cycle Housing Element Update. A site analysis has determined that 1 single family detached (SFD) unit can be developed on this 0.11-acre vacant parcel. With SB 9, there is potential for the lot to be subdivided and developed at a higher density. However, given the character of the existing neighborhood and the small size of the lot, it is assumed that the property would only develop with one unit.

There are no governmental or site-specific constraints impeding the development of the parcel. Sewer, water, and dry utility infrastructure capacity exists to accommodate the potential housing unit. This amount of residential development in Sterling Park is already anticipated in the Colma General Plan.

Under a SB 9 lot split, the Town believes that this parcel is likely to be developed in the next housing cycle. A ministerial review process removing public hearings or discretionary review would streamline the development process. The Planning Department will reach out to the existing property owner to gauge interest and provide materials regarding a possible SB 9 lot split.

Table H-46: Sterling Park Single Family Neighborhood Development Potential

Location	Designation / Zone	Acres	Dev. Pot.*	Affordability	Density Allowed	Constraints
B Street 008-125-180	R / Residential	0.11	1	1 Above Moderate	13 du/ac	None, infrastructure capacity exists
Total		0.11	1 unit			

\* Development potential assumes that the lot would be developed as a single-family home.

Two additional separate parcels are west of the Sterling Park Neighborhood, near the Colma BART Station (which is located just outside the Town's municipal boundaries). One is located on the east side of El Camino Real and is vacant (Sandblaster property – 0.53 acre), and the other

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is on its west side (Bocci Property – 0.6 acre), a monument manufacturing operation. The two parcels are carryover sites from the 5<sup>th</sup> Cycle Housing Element Update, and are assumed to be developed independent of each other in the next cycle. Together, these parcels total 1.13 acres. The presence of the Colma BART Station is expected to stimulate development of multiple unit residential buildings and mixed-use developments in this area. Sewer, water, and dry utility infrastructure capacity exists and can accommodate all potential housing units. Development of existing and projected parcels is already anticipated in the Colma General Plan.

The County adopted the Colma BART Station Area Plan which provides incentives for higher density development and density bonuses for affordable housing on unincorporated land near the BART Station. Future higher density development on land near Colma’s boundaries may further spur similar development in Colma. Additionally, Colma’s Zoning Code provides density bonus incentives for affordable units.

### **Sandblaster Property – 7733 El Camino Real**



*This 0.53-acre property, the former site of a sandblasting business at 7733 El Camino, is one of two developable parcels along El Camino Real. The site has a realistic development potential of 13 high density residential units. Site-specific constraints on the property include steep topography along the edge of the developable pad.*

A 0.53-acre parcel on the east side of El Camino Real is bounded by “C” Street to the north and the “D” Street stairs to the south. This parcel is referred to as the ‘Sandblaster Property’ due to its past light industrial use. The parcel is currently underutilized with two billboards on the property. The site is designated as commercial, which permits residential planned developments.

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Site-specific constraints include steep topography along the eastern and northeastern boundaries of the site. This constraint can be mitigated by designing the 12-unit development to step up with the steep topography. In addition, there may be specific environmental and physical constraints on the site. Although an in-depth environmental site evaluation has not been completed, it is anticipated that there may be some surface and sub-surface ground contamination on the site as a result of the long-term sandblasting business. The future proposal for the site would need to include a report pertaining to the soil's possible contamination and measures for its clean up, if it is determined to be contaminated. This possible constraint could effectively add to the cost and slow down the process for future development. Historically, a development proposal for the site was received in 2007 by the Town Planning Department. The proposal included a total of 15 units with 2 single-family detached units on C Street and 13 residential units located above ground floor retail uses with sub-grade parking serving the development on El Camino Real. The proposal was deemed appropriate and feasible. The application was not pursued by the applicant since the proposed design included a massive retaining wall to the east of the property and was ultimately estimated to be too costly to build. One way to move forward with this site is to incorporate a step-design proposal that would utilize the topography for a better design rather than cutting into the hill, which requires a retaining wall of more than 20 ft. in height that ultimately made the 2007 project cost prohibitive. The existing zoning of the site is Commercial which allows for a Planned Development proposal, and as part, the Planned Development allows for additional flexibility in the setbacks and other design standards for the 16-unit project, pursuant to Sections 5.03.090(C)(3), and 5.03.130 of the Colma Municipal Code. Planned Development designation allows for a project's design to respond to site specific conditions and encourages mixed use and residential development. However, a rezone to PD would not be required. Adjustment factors give the site a realistic capacity measure of 12 units, less than the maximum capacity of 16 units.

The Town's Inclusionary Housing Ordinance (Subchapter 12 of the Colma Municipal Code) includes concessions and incentives for eligible development projects, subject to approval by the City Council, to facilitate development of affordable units on smaller sites such as the property at 7733 El Camino Real. Planning staff have been in contact with a San Jose-based development company regarding this site prior to and after the first draft submittal to HCD, on possible development of the property.

Additionally, with the new Housing Element Overlay, this site will remove further governmental constraints which include removing parking requirements, allowing for residential use on commercial zoned land when prevailing wages are met, and CEQA-exempt ministerial approval if the development meets affordable housing targets.

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## Bocci Property – 7778 El Camino Real



*The 0.6-acre Bocci site at 7778 El Camino Real has a realistic development potential of 24 high density multi-family units. Site specific constraints on the property include a utility easement serving the adjacent Colma BART Station.*

A 0.6-acre parcel on the west side of El Camino Real is occupied by a monument manufacturing light industrial operation. The parcel is referred to as the 'Bocci Property' due to the family name of the historic monument manufacturing company located there. The oldest building of the site is located at the southern end of this triangular-shaped parcel and is used as the company's office. The building has a Bocci Memorials sign with the indication of "since 1896" (to the left of the above picture - the beige-colored building). The building is not designated as an Historical Site, but some members of City Council have expressed a desire to see that building is preserved. The development assumption of this site is considered without the area of the subject building.

The parcel is bounded by the entrance to the Colma BART station to the north, the BART right-of-way to the west and south, and El Camino Real to the east. This parcel could be redeveloped with high-density residential or a mixed-use development that includes high density residential. The property is currently designated for commercial use, which allows for multi-family residential. The parcel is listed as an opportunity site in the General Plan and is eligible for

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height and lot coverage bonuses to encourage a transit-oriented development with a diverse mix of land uses. These characteristics contributed to the conclusion that with the current occupancy, the site is being underutilized.

Site-specific constraints on the parcel include its triangular shape, the close proximity of the BART tracks to the property, and an existing utility easement serving the adjacent Colma BART Station that reduces the buildable area of the property. In addition, although the parcel is not within a flood zone district diverted rain runoffs from El Camino Real to the north and Albert M. Taglia Boulevard to the west (from the BART Station) – during the rainy season - have had accumulated water run offs at the site.

A development proposal was previously submitted to the Town Planning Department, which took into account the site's constraints. The proposal included 24 high density multi-family dwelling units over ground-floor retail and was deemed to be a realistic development proposal. The development proposal has since been withdrawn and a small monument business has leased the property. While the terms of the lease are not known, it is likely that redevelopment of the site with mixed-use (including high-density residential) will not occur while the monument business exists on-site. Given the site's unusual shape and existing access, it is not recommended that residential development occur on the site while the present structures exist.

Similarly, to 7733 El Camino Real, the zoning of the parcel is Commercial, and a Planned Development is allowed under the Commercial zoning district. The Planned Development would allow for additional flexibility for the setbacks and other design standards applicable to the project. Planned Development designation allows for a project's design to respond to site specific conditions and is anticipated to encourage mixed use and residential development. The adjusted capacity for the site is 14 units, less than the maximum capacity of 18 units. Additionally, with the new housing element overlay, this site will remove further governmental constraints which include removing parking requirements, allowing for residential use on commercial zoned land when prevailing wages are met, and CEQA-exempt ministerial approval if the development meets affordable housing targets.

The Town's Inclusionary Housing Ordinance includes concessions and incentives for eligible development projects, subject to approval by the City Council, to facilitate development of affordable units on smaller sites such as the property at 7778 El Camino Real. Planning staff have been in contact with a Peninsula-based development company regarding this site prior to and after the first draft submittal to HCD, on the possible development of the property.

In neighboring South San Francisco, on the corner of McClellan and Mission Road, just past town limits, a 20-unit mixed-use condominium project is underway on an approximately 0.4-acre site. On the street level, there is approximately 6000 square foot dedicated commercial space and sub-terranean parking. With the new housing element overlay, removing parking requirements, and utilizing density bonuses this site as well as 7733 El Camino Real could be similarly developed.

Table H-47: El Camino Real Multi-Family Development Potential

Location	Designation / Zone	Acres	Dev. Pot	Affordability	Density Allowed
El Camino Real 008-127-020 (Sandblaster)	Commercial / C	0.53	12	Low Income	30 du/ac
El Camino Real 008-141-080 (Bocci)	Commercial / C	0.6	14	Very Low Income	30 du/ac
Total		1.13 acres	26	14 Very Low; 12 Low	

## B. EL CAMINO REAL DEVELOPMENT POTENTIAL

### Kohl's Site – 1200 El Camino Real



The Kohl's site is an 8.06-acre parcel on the southwest corner of El Camino Real and Serramonte Boulevard, currently occupied by Kohl's. The property is in the geographic center of town, across the street from the Town Hall and the Colma Police Department. The parcel is identified in the General Plan as a site suitable for a walkable Town Center development and could be redeveloped as a mixed-use development with commercial and restaurant spaces at the ground level, residential uses above, entertainment uses, and public gathering spaces.

The General Plan includes a conceptual commercial, residential mixed-use development at the site that allows for a maximum density of 60 units per acre. This concept would provide a high quality design/construction/materials, incorporate outdoor public gathering spaces, and include a diverse mix of land uses to be eligible for a height bonus and respect the existing easement on the site. Similar projects have been successful in the nearby communities of Daly City and

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South San Francisco. The adjusted capacity for the site is 223 units, less than the maximum capacity of 484 units.

The existing building was built in 1980 and has not had any improvements in the last two decades. There has been an interest in acquiring the property by Republic Urban Properties (RUP) of San Jose, California, which is looking into a more comprehensive implementation of the adopted Colma General Plan 2040 (March 2022) for a mixed-use project. Talks between RUP and the property owner are ongoing as the current business (Kohl's) has been underperforming, per Colma HDL (business-related vendor) sales tax report for the 110,295 sq. ft. department store. There have been quite a few Kohl's closures throughout the country due to the same finding, therefore the possibility of the entire site being redeveloped is greater than previously measured.

The existing zoning of the site is Commercial which allows for a Planned Development (PD) proposal. The Planned Development allows for additional flexibility in development standards including height, and other design standards for the 202-unit project, pursuant to Sections 5.03.090(C)(3), and 5.03.130 of the Colma Municipal Code, and a rezone (to PD) would not be required.

Additionally, with the new housing element overlay, this site will remove further governmental constraints which include removing parking requirements, allowing for residential use on commercial zoned land when prevailing wages are met, and CEQA-exempt ministerial approval if the development meets affordable housing targets.

## ADDITIONAL SITES

Two separate parcels are located along the El Camino Real Corridor near the Town Hall and potential Town Center site. A vacant, 0.41-acre parcel is located on the northwest corner of El Camino Real and Collins Avenue. El Camino Real and Collins Avenue is surrounded by an assisted living facility to the west, flower shop to the north, and an office-use to the south. The adjusted capacity for this site is 9 units, less than the maximum capacity of 12 units. The second parcel is a 0.72-acre site located at 240 Collins Avenue. The parcel is an overflow parking lot, an underutilized site evidenced by a permanent locked chain at its gateway. It is bounded by an office-use to the east, a car rental lot to the north, and a cemetery to the south and west. The adjusted capacity is for 17 mixed-income units, compared to a maximum capacity of 22 units. There has been discussion with the property owner, Centrix Builders Inc., on maximizing the site for a multi-family dwelling complex, possibly exceeding 17 units.

Significant site constraints are unknown since an in-depth site analysis has not been completed for either site. However, the two properties are vacant or underutilized and are zoned for commercial use where multifamily developments are allowed. The sites are located by the geographic center of the Town and are a walkable distance from the Town Hall and potential Town Center site.

Colma Municipal Code section 5.03.130 - "PD" Zone under subsection (b) allows the following uses upon issuance of a use permit:

- 1) Single family residential developments;
- 2) Multiple housing developments;
- 3) Neighborhood and community commercial centers;
- 4) Professional and administrative offices; or
- 5) A combination of such uses.

Therefore, the PD would allow any of the above uses or a combination thereof, such as mixed-use development, 100% multiple housing development, all commercial development, etc.

Additionally, with the new housing element overlay, this site will remove further governmental constraints which include removing parking requirements, allowing for residential use on commercial zoned land when prevailing wages are met, and CEQA-exempt ministerial approval if the development meets affordable housing targets.

**Table H-48: El Camino Real Corridor Multi-Family Development Potential**

Location	Designation & Zone*	Acres	Dev. Pot.	Affordability	Density Allowed	Constraints
El Camino Real 008-421-120 (Kohl's)	Commercial / MU	8.06	223	40 Very Low 30 low 60 Moderate 93 Above-Mod.	60 du/ac	Easement running through site
7733 ECR 008-127-020 (Sandblaster Site)	Commercial / C	0.53	12	Low	30 du/ac	Unknown
7778 ECR 008-141-080 (Bocci Site)	Commercial / C	0.60	14	Very Low	30 du/ac	Unknown
ECR and Collins 008-421-170	Executive / PD	0.41	9	Above Mod.	30 du/ac	Unknown
Collins near ECR 010-422-050	Commercial / PD	0.72	17	5 Very Low 12 Above Mod.	30 du/ac	Unknown
Total		10.32 acres	275 units	59 Very Low 42 Low 60 Moderate 114 Above-Mod.		

*\*Residential uses are allowed in Commercial and Planned Development zoning designations. Mixed uses including residential are allowed as part of the Housing Element Overlay (see program 3.5).*



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## REDEVELOPMENT FACTORS AND EXISTING USES

Table H-49 shows how the development trends seen in Veterans Village, nearby affordable housing developments, and other recent developments the region can be applied to the housing opportunity sites in the Site Inventory.

Table H-49: Recent Development Trends

Project Name (if Applicable)	City	Address	Prior Use	Land Use Designation	Zoning	Units Proposed	Proposed Density (DU/ac)	Max. Allowed Density (DU/ac)	% of Max Density	Development Trends			
										A	B	C	D
<b>Recent Development in Colma</b>													
Veterans Village	Colma	1680 Mission Road	Parking Lot	Medium Density Residential	MDR	66	30	30	100%	A			D
<b>Nearby Affordable Housing Developments</b>													
Gateway	Menlo Park	1345 Willow Road	Residential: Single Family	High Density Residential	R4S(AHO)	140	37	150	25%		B		
Crane Place	Menlo Park	1331 Crane Street	Retirement Home	Retirement Living Units District	RLU(X)	93	99	91	109%		B		
Menlo Uptown	Menlo Park	141 Jefferson Drive and 180-186 Constitution Drive	Industrial	Bayfront Innovation Area	R-MU-B	483	100	242	41%	A		C	
Menlo Portal	Menlo Park	104 & 110 Constitution Drive & 115 Independence Drive	Office/Light Industrial	Bayfront Innovation Area	R-MU-B	335	104	160	65%	A		C	
Menlo Flats	Menlo Park	165 Jefferson Drive	Office	Bayfront Innovation Area	R-MU-B	158	114	69	165%	A		C	
111 Independence Drive	Menlo Park	111 Independence Drive	Office	Bayfront Innovation Area	R-MU-B	105	114	46	248%	A		C	
Firehouse Square	Belmont	1300 El Camino Real	Vacant	Village Core	VC	81	65	N/A	N/A			C	
The Village at Burlingame	Burlingame	Public Parking Lots F and N	Parking Lot	Howard Mixed Use	HMU	132	157	N/A	N/A	A		C	
Alma Point at Foster Square	Foster City	790 Alma Lane	Vacant	Civic Center	C-M/PD/SHO	66	78	29	224%			C	
Arroyo Green	Redwood City	707 Bradford Street	Parking Lot	Mixed Use - Downtown	P	117	86	N/A	N/A	A		C	D
333 Main Street	Redwood City	353 Main Street	Industrial	Mixed Use - Corridor	P	125	77	97	129%	A		C	D
Huxley Apartments	Redwood City	1305 El Camino Real	Commercial	Mixed Use - Downtown	P	137	180	N/A	N/A	A		C	D
1409 El Camino Real	Redwood City	1409 El Camino Real	Vet	Mixed Use - Downtown	P	350	213	N/A	N/A	A		C	D
Kku Crossing	San Mateo	480 East 4th Avenue	Parking Lot	Central Business Support	CBD/S	225	93	121	77%	A		C	D
1178 Sonora Court	Sunnyvale	1178 Sonora Court	Industrial	Flexible Mixed Use I Zoning District	MXD1	176	139	57	245%	A		C	D
Eagle Park	Mountain View	1701 West El Camino Real	Commercial	Village Center		67	136	39	347%	A		C	D
Wilton Court	Palo Alto	3703 El Camino Real	Commercial	Neighborhood Commercial	CN	59	128	9	1391%	A		C	D
<b>Selected Nearby Developments in San Mateo and Santa Clara County</b>													
Edgewood Plaza	Palo Alto	2170 W Bayshore Road	Commercial	Neighborhood Commercial	CN	10	11	19	57%	A		C	
Vilagio	Cupertino	20187 Civic Park Lane	Commercial	General Commercial and Residential	P(CG, Res)	150	69	55	126%	A		C	D
210-260 View Street	Mountain View	210 View Street	Commercial	View/Hope Street Residential Transition Area	P(19)	8	14	23	59%	A		C	
The Village Residences	Mountain View	555 San Antonio Road	Commercial	Mixed Use Center Subarea	P(40)	331	163	162	100%	A		C	D
Broadway Plaza	Redwood City	1401 Broadway	Commercial	Mixed Use Corridor - Gateway Broadway	MUC-GB	518	37	848	4%	A		C	
12370 Saratoga-Sunnyvale	Saratoga	12370 Saratoga Sunnyvale Road	Commercial	Commercial Neighborhood	CN	20	7	54	14%	A		C	
Raines Terrace	Sunnyvale		Auto Dealer	El Camino Real Corridor	ECR	113	19	217	9%	A		C	

**Key:**

Development Trends: A: Nonresidential Redevelopment; B: Intensification of Residential Use; C: Mixed-Use Development Proposed/Eligible; D: Transit-Oriented Development Eligible

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Table H-50 includes all Housing Opportunity Sites, their existing uses, and their site typologies that corroborates with Table H-49, above. That is followed by a table of recent residential developments in Colma and the surrounding area that demonstrate a track record for redevelopment of similar non-vacant Housing Opportunity Sites to demonstrate their suitability for redevelopment. These trends are:

- Residential development on a previously nonresidential use (industrial or commercial site) or if vacant, a site allowing nonresidential use
- Residential development on a previously residential use (intensification of existing use) or if vacant, a site allowing residential use
- Mixed-Use development proposed or eligible
- Transit-oriented development eligible

The list also notes redevelopment factors:

- If land/improvement value ratio is less than 1.0 (or the site is vacant)
- If the existing building is estimated at 30 years old or more (or the site is vacant)
- If there is interest from developers to redevelop the site
- If the existing zoning's floor area ratio maximum is less than or equal to 0.5

Finally, the list notes the following incentives to increased residential development apply to the site:

- Whether the site is in the Housing Element Overlay Zone
- Whether the site is less than a quarter mile from a BART station
- Whether the site falls within an AB 2097-established half-mile from a major transit stop

• Table H-50: Site Development Factors

APN	Site Name (if Applicable)	Address	Existing Use	Typology	Development Trends				Redev. Factors				Incentives		
					A	B	C	D	E	F	G	H	I	J	K
008-127-020	Sandblaster	7733 El Camino Real	Vacant	ECR	A		C	D	E	F	G	H	I	J	K
008-421-120	Kohl's	1200 El Camino Real	Retail: Big Box	ECR	A		C	D	E	F	G	H	I		K
008-141-080	Bocci	7778 El Camino Real	Light Industrial	Sterling Park (West of ECR)	A		C	D	E	F	G	H	I	J	K
008-125-180		Between 461 and 469 B Street	Vacant	Sterling Park (East of ECR)		B		D	E	F		H		J	K
008-421-170		El Camino and Collins	Vacant	ECR	A		C	D	E	F	G	H	I		K
010-422-050		240 Collins Avenue	Parking Lot	ECR	A		C	D	E	F	G	H	I		K

*Key:*

Development Trends: A: Nonresidential Redevelopment; B: Intensification of Residential Use;

C: Mixed-Use Development Proposed/Eligible; D: Transit-Oriented Development Eligible

Redevelopment Factors: E: Improvement over Land Value Ratio < 1.0 (if Improvement Value N/A i.e. vacant, then E given); F: Existing Building 30 years old or more (or vacant lot); G: Developer Interest;

H: Existing Max. FAR < 0.5

Incentives: I: Housing Element Overlay Zone; J: Less than quarter-mile from BART station; K: Half-mile from major transit stop

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The following finding will be included in the Resolution for adoption of the Housing Element by the Colma City Council:

The City Council finds that, as result of the high demand for housing in the Town, as well as obsolescent buildings, declining uses, low existing floor area ratio, the significant impact of the Covid-19 pandemic and related shifts in the commercial and residential real estate markets and development expectations, and as further evidenced by recent site development inquiries, each as further specified on a categorical and site-by-site basis in the 2023-2031 Housing Element Update, that the existing uses on each existing, nonvacant site identified for inclusion within the Site Inventory, and thereby zoned to accommodate the City's needed lower income housing needs, as noted in the Site Inventory, are likely to be discontinued during the planning period and thereby the fact that these sites are not currently vacant is not an impediment to additional residential development during the planning period for the 2023-2031 Housing Element.

This finding is supported tables H-49 and H-50.

## **AFFH AND IDENTIFIED SITES**

AFFH analysis of Colma's Site Inventory is complicated by the fact that the vast majority of the Town is in a single census tract, 601601. Of the Town's 568 parcels, only 45 (8 percent) are in the census tract just north, 601300 because they are on the north side of B Street. These parcels include 6 zoned for Planned Development and one PD-zoned parcel subdivided into 13 condo-ized parcels in a mixed-use building), 26 zoned Residential (single family). These parcels are on the same street, served by the same services, as their counterparts on the south side of B Street and therefore can be treated identically to the majority of the city in census tract 601601.

This entire census tract consists of a single census block, and falls within the Moderate Resource area as per the Tax Credit Allocation Committee's 2023 Opportunity Mapping. Without access to detailed mapping analysis, the split between "Sterling Park" and "El Camino Real" is suitable for describing how the Town is composed of two distinct areas.

Overall, the sites inventory helps to expand housing options and promotes a pattern of interspersed multi-family residential uses rather than in concentrated locations. The analysis below illustrates that Colma's Site Inventory: (1) improves integration; (2) does not exacerbate racially or ethnically concentrated areas of affluence; (3) improves areas of opportunity for all Colma residents; and (4) does not exacerbate displacement risk for Colma's residents.

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## Segregation and Integration

- Most of Colma's housing sites are designated for higher density multi-family and mixed-use development and will include housing for a variety of income levels, fostering mobility of households throughout the Town.
- The Town will facilitate production of affordable units through both regulatory and financial incentives, including the Objective Development and Design Standards and Administrative Approval Process for Planned Development Districts, Housing Element Overlay; density bonus updates; and revised parking standards
- In addition to the housing sites, Housing Element implementation will encourage development of affordable housing throughout the city in all neighborhoods through the facilitation of ADU and JADU production, primarily in Sterling Park, and streamlining of eligible SB 35 projects.

## Racially or Ethnically Concentrated Areas of Affluence

- Colma is more racially diverse than San Mateo County, with the largest portion of the population being Latino (45 percent compared to 25 percent in the County). followed by Asian (31 percent compared to 27 Colma), and White (15 percent compared to 40 percent). The overall median income in Colma (\$102,500) is lower than the County (\$136,837). the 2017-2021 ACS shows the following discrepancies in median income by race/ethnicity (for races/ethnicities with data for both the County and Colma): Hispanic households - \$81,484 (Colma), \$89,431 (County); White households - \$111,250 (Colma), \$154,691 (County); and Asian households - \$160,2789 (Colma), \$154,260 (County).
- While income differences by race/ethnicity are less pronounced in Colma than on a countywide basis, Hispanic households have significantly lower incomes than other racial groups. The sites inventory and affordable housing programs will produce more affordable housing units that provide opportunities for all racial and ethnic groups and individuals who fall below the median income to have the opportunity to find housing in Colma.

## Areas of Opportunity

- The Town's inclusionary housing program helps to provide housing opportunities for low- and moderate-income households in Colma and incentivizes market-rate investment in the Town.
- Colma's Housing Element Overlay will facilitate affordable housing for low- and moderate-income households by providing density incentives, thereby helping to affirmatively further fair housing.

## Disproportionate Housing Needs and Displacement Risk

1. The Town is wholly located in areas identified as at a Lower Displacement Risk. However, tract 601300 north of Colma is identified as an area where Elevated, High, or Extreme Displacement is occurring. The Town's home rehabilitation and conversation

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programs will support the maintenance of existing homes so as not to exacerbate existing conditions.

## INFRASTRUCTURE

Currently, Colma uses Cal Water connected to the City of South San Francisco to obtain water and sewage. The Town's use of these services is described in the 2020 Urban Water Management Plan of the South San Francisco District. The District is expected to have adequate water supplies during normal years to meet its projected demands through 2045 (see page 103 of the Urban Water Management Plan). The South San Francisco District's groundwater/in-lieu surface water supply is expected to be 100 percent reliable in all year types at a consistent volume of 1,534 Acre-Feet per Year. The Town of Colma Wastewater Collection System Master Plan (published 2019) declared that both existing and "ultimate build-out" conditions did not show potential sewer system overflows or surcharging pipes.

Colma uses PG&E and Peninsula Clean Energy for its power consumption. All of these sources and usage agreements have plenty of capacity left and are not constraints to use of any sites in the Site Inventory.

## FINANCIAL RESOURCES TO MEET HOUSING NEEDS

There are many federal, state, and local resources available to produce, preserve, and protect affordable housing in Colma. This subsection provides an overview of these resources.

In addition to the resources listed below, private nonprofit organizations are key partners to affordable housing production. These organizations, such as HIP Housing, MidPen Housing, and Mercy Housing, provide local knowledge and facilitation services as well as bringing in their own funding resources.

### Federal Resources

#### *Community Development Block Grants (CDBG)*

Through the Community Development Block Grant (CDBG) program, the US Department of Housing and Urban Development (HUD) provides funds to local governments for a wide range of community development activities. These funds can be used for the acquisition of land for affordable housing units, rehabilitation through a nonprofit organization for housing, development of infrastructure and facilities, and public service activities.

#### *HOME Investment Partnerships Program (HOME)*

Another source of HUD funds is available under the HOME Investment Partnerships Program (HOME). These funds can be used to assist tenants or homeowners through acquisition, construction, reconstruction, or the rehabilitation of affordable housing. A federal priority for use of these funds is preservation of the at-risk housing stock.

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### *Housing Choice Voucher Program*

The Housing Authority of the County of San Mateo administers the HUD Section 8 Housing Choice Voucher Program for Colma residents. The program provides rental subsidies to low-income families who spend more than 30 percent of their gross income on housing costs. The program pays the difference between 30 percent of the recipients' monthly income and the federally approved payment standard.

### **State Resources**

#### *Low Income Housing Tax Credits (LIHTC)*

Created by the 1986 Tax Reform Act, the LIHTC program can be used in combination with Town and other resources to encourage the construction and rehabilitation of rental housing for lower-income households. The program allows investors an annual tax credit over a 10-year period, provided that the housing meets the following minimum low-income occupancy requirements: 20 percent of the units must be affordable to households at 50 percent of AMI or 40 percent of the units must be affordable to those at 60 percent of AMI. The total credit over the 10-year period has a present value equal to 70 percent of the qualified construction and rehabilitation expenditure. The tax credit is typically sold to large investors at a syndication value

#### *Additional State Resources*

Additional State housing resources include:

- Affordable Housing and Sustainable Communities (AHSC)
- CalHFA Single and Multi-Family Program
- CalHome Program
- Homekey
- Housing-Related Parks Grant
- Infill Infrastructure Grant (IIG)
- Local Housing Trust Fund (LHTF)
- Multifamily Housing Program (MHP) No Place Like Home
- Permanent Local Housing Allocation (PLHA)

### **Local Resources**

#### *Housing Endowment and Regional Trust of San Mateo County (HEART)*

HEART was formed in 2003 as a public/private partnership among the San Mateo cities and county, and the business, nonprofit, education, and labor communities. HEART raises funds from public and private sources to meet critical housing needs in San Mateo County.



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### *Affordable Housing Impact and In-Lieu Fees*

Colma's housing impact fees are described in depth in the "Inclusionary Housing and Housing Impact Fees" section, beginning on page H-111.

### *San Mateo County Affordable Housing Fund*

The San Mateo County Affordable Housing Fund was established in 2013 and is comprised of Measure K funds and other local and state housing funding sources. Together with its Preservation sub-fund, the County has allocated over \$120 million to assist 2,761 units in San Mateo County—supporting development of 2,403 new affordable rental and homeownership units, and preservation as affordable housing of 358 multifamily rental units.

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## **GOVERNMENTAL AND NON-GOVERNMENTAL CONSTRAINTS**

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### **GOVERNMENTAL CONSTRAINTS**

As part of the Housing Element process, the Town analyzed its zoning code, permitting processes, development standards, and building codes to identify potential constraints for the development of housing. The Housing Element proposes specific actions and implementation schedules to remove such impediments, where possible.

#### **General Plan and Zoning**

Colma's General Plan and Zoning Ordinance provide for a wide range of allowable residential densities in both residential and commercial districts. General Plan densities typically determine the maximum number of dwelling units allowed on a specific site. The Zoning Ordinance is consistent with the General Plan and outlines the allowed uses in each zone.

The Residential "R" Zone allows for the following uses by right: a single-family dwelling, a manufactured home, small and large family daycare homes, accessory dwelling units, supportive housing, transitional housing, and a home office or cottage food operation. Upon the issuance of a use permit, the following uses may be permitted in the R Zone: a multiple unit dwelling up to six units, residential planned development or a larger residential development provided that the residential density does not exceed that specified in the general plan, and/or a home occupation.

The Neighborhood Residential "R-S" Zone allows for the following uses by right: a single-family dwelling, a manufactured home, small and large family day care homes, community parks and

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public buildings, supportive housing, transitional housing, an accessory or junior accessory dwelling unit, and a home office or cottage food operation.

The Commercial "C" Zone allows for the following uses by right: an emergency shelter, and an accessory dwelling. The following uses may be permitted in the C Zone upon issuance of a use permit: a commercial establishment, a single family or multiple family dwelling up to six units, residential planned development or a larger residential development provided that the residential density does not exceed that specified in the general plan, supportive housing, transitional housing, light industrial establishment, communication structures, commercial center, retail merchandising unit, and such other uses found by City Council to be of similar nature to described uses. The uses allowed in the C Zone with the issuance of a use permit may be permitted upon issuance of an administrative use permit instead of a use permit if the proposed use meets the following criteria: will occupy an existing commercial building or occupy a tenant space within an existing commercial building, is within the same Building Code occupancy classification of the existing building, does not require any building modifications, and will not exceed the available on-site parking. Additionally, the Town has a Planned Development zoning designation which aims to allow flexibility in zoning standards by permitting the following uses upon issuance of a use permit: single family residential developments, multiple housing developments, neighborhood and community commercial centers, professional and administrative offices, or a combination of such uses. In the past, the Planned Development designation has been used to develop high density residential projects, that exceed the density requirements of their previous zoning. This is the most successful manner by which to develop the available parcels identified in the previous section, because of their unique site constraints and small sizes.

As discussed earlier, the Town's Commercial/Mixed Use and Commercial Land Use Designations sites will accommodate most of the housing need for lower income units. The Colma General Plan specifically identifies the Commercial/Mixed Use designation for ground-floor retail/office with residential units above as part of its Planning Area policies. The General Plan's El Camino Real Corridor Planning Area allows commercial mixed use (Restaurant/Hotel/Residential/Retail/Office/Entertainment) and mixed-use commercial/residential projects. The Mission Road Planning Area allows commercial (including mixed-use residential/commercial), residential (single and multi-family) and cemetery uses.

The mechanism to effectuate a mixed-use development is the rezoning of the property to Planned Development, which maintains the full multi-family allowance in the commercial zone but allows for greater flexibility in development standards to maximize unit yield. Planned Development "PD" districts may be established in any R, E, or C Zone upon application by property owners or the initiative of the City Council. The Planned Development process is described in further detail in the Permit Processing Procedures section.

This analysis is based upon two assumptions: that the identified sites allowing mixed-use will be developed with the residential uses and developers will build to the estimated realistic densities

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for each of these sites. The first of these assumptions is prudent considering latest trends in the Town and sites near the identified sites. Developments near the identified sites were almost exclusively residential use projects or included a small portion of retail/commercial uses.

Residential projects have been proposed on two of the sites near the Colma BART Station, lending credence toward the sites being developed with residential uses. There are several other reasons why the identified sites are likely to develop with the estimated residential capacity during the planning period:

1. Areas designated for mixed-use development have no minimum commercial component requirement, so developers are able to develop 100% residential (i.e., there is no vertical mixed-use requirement) on mixed use sites.
2. The Town supports housing in the Town's mixed-use areas by assisting in site assembly.
3. Most mixed-use sites are not prime sites favored by commercial establishments.
4. The sites are in close proximity to where other new residential developments have been built or approved.

Thus, it is reasonable to assume that the identified sites will be developed as residential-use projects at, or above, the estimated densities.

The Zoning Ordinance sets forth requirements that can affect the type, appearance, and cost of housing to be built within the Town of Colma. The Zoning Ordinance includes standards for development that determine minimum lot size, permitted use(s), minimum setbacks, maximum height limits and minimum parking standards. There is no lot coverage limit or floor area ratio standard for residential zoning districts in Colma. The building envelope allowed on a residentially zoned lot in Colma is determined by setbacks and height limits. In areas that allow residential development, R, R-S, and C, the zoning code only places restrictions on maximum height rather than limiting the number of building stories. There are two residentially zoned districts in Colma, the Residential (R) zone and the Residential – Sterling Park (R-S) zone. The R-zone allows single family dwellings by right (no land use entitlements required) and multi-family dwellings up to six units with approval of a Use Permit provided that the residential density proposed does not exceed that which is specified in the General Plan. All multi-family developments will require a Use Permit if they have greater than 6 units. The R-S zone allows single family detached dwellings only.

To further remove constraints to developing housing on the five opportunity sites, the Town has created a Housing Element Overlay Zone. This zoning designation allows for greater housing densities and supports mixed-use developments on opportunity sites. Allowable uses and development standards in the housing overlay zone will reflect recent legislative decisions that aim to remove barriers to development. A few of the most impactful standards include removing minimum parking requirements within a half mile of public transit, and density bonus amendments that will allow for projects consistent with the densities described in the Town's Land Use Element, rather than the zoning ordinance. Additionally, beginning July 1, 2023,

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proposed multi-family projects that are located within the housing element overlay zone, pay prevailing wages, and meet specified affordable housing targets would undergo a ministerial approval process which would exempt the project from the California Environmental Quality Act (CEQA) and the Town's discretionary approval processes.

Overall, development standards in Colma such as setbacks, building height and off-street parking are similar to or less restrictive than those in surrounding communities and would not be considered unreasonable development constraints. For example, the minimum side yard (10 percent of lot width) can be as narrow as 3.33 feet, which is much smaller than the 10-foot setback required by many San Mateo County jurisdictions. Colma allows a minimum lot size of 3,333 square feet, which is significantly smaller than most jurisdictions. In addition, Colma allows residential development on commercially zoned parcels, which is a far less restrictive land use policy than those found elsewhere in the County. The development standards for residential zones are summarized in the table below.

Figure H-7: Housing Element Overlay Zoning District

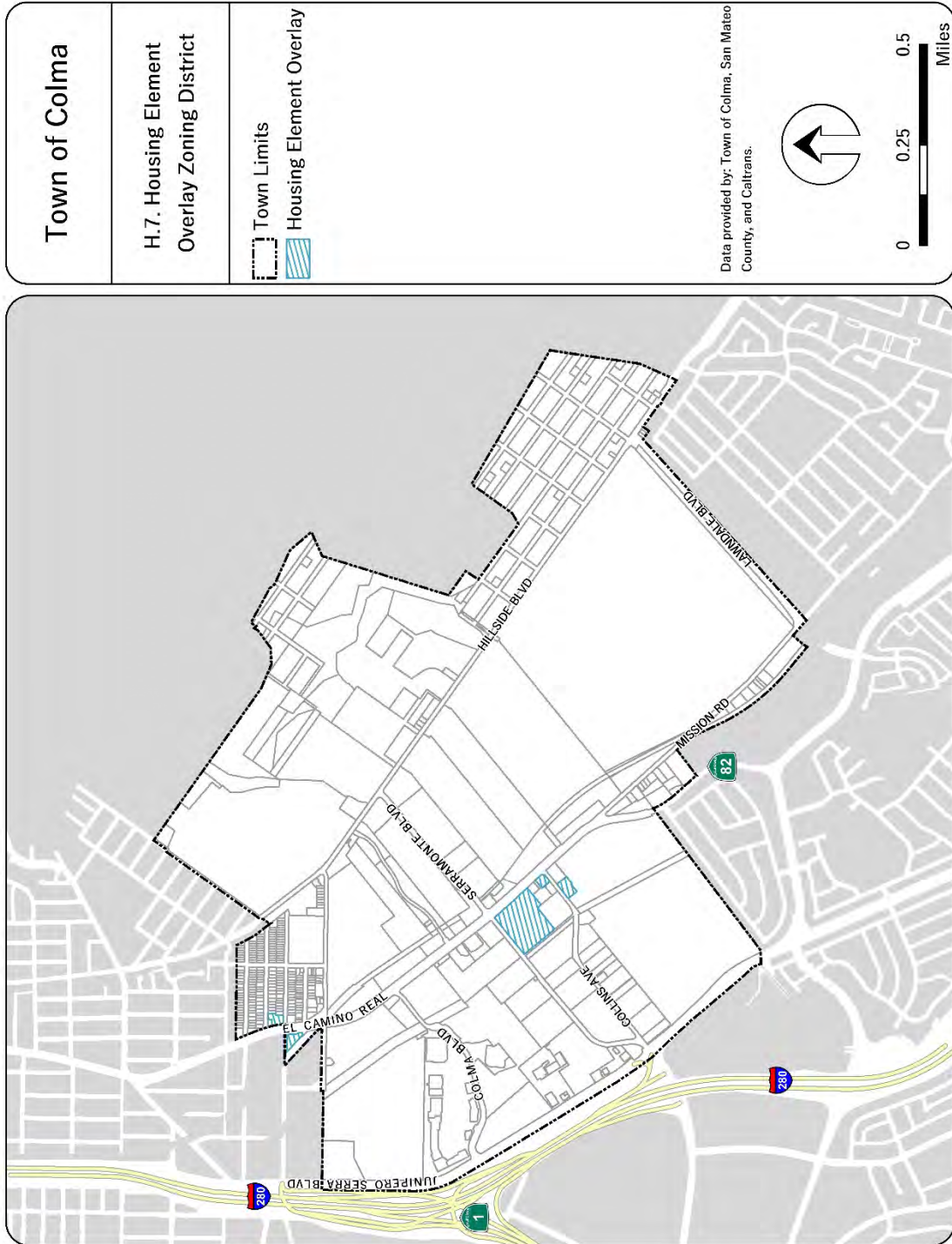


Table H-51: Current Residential Development Standards

Standard		R-S Zone	R Zone	C Zone
Front Setback:	First Floor	15' to building/19' to garage	15' to building/19' to garage	15' to building/19' to garage
Side Setback:	First Floor	10% of lot width or 10', whichever is less	10% of lot width or 10', whichever is less	10% of lot width or 10', whichever is less
Rear Setback:	First Floor	15'	25% of total lot area, not to exceed 25'	25% of total lot area, not to exceed 25'
	Second Floor	25'	25'	25'
FAR:		No restriction. Governed by setbacks/height limits	No restriction. Governed by setbacks/height limits	1.0-2.0
Height:		27'	36'	36'

Source: Town of Colma Municipal Code, Subchapter 5.03: Zoning

The R and C zones allow up to 36 feet in building height, sufficient for three-story buildings.

In 2013, the Town adopted manufactured home design standards. For the Town's two single-family residential zoning districts, manufactured homes are permitted as single-family dwellings in compliance with Government Code Section 65852.3(a).

The parking standards are set forth in the zoning ordinance by district and are defined in Section 5.01.080 of the zoning ordinance. These standards are summarized in the table below.

Table H-52: Parking Standards

Residence Type	Spaces Required		Total
	Covered	Uncovered	
<b>Single Family Detached:</b> (Over 4 bedrooms., add 0.5 spaces/each additional bedroom)	2		2
<b>Multiple Units:</b>			
Studio	1	.5	1.5
1 Bedroom	1	.5	1.5
2-4 Bedrooms	1	1	2
Over 4 Bedrooms add .5 covered or uncovered for each additional bedroom	1 (min., add .5 per additional bedroom)		1 (min., add .5 per additional bedroom)

Source: Town of Colma Municipal Code, Subchapter 5.01: General Plan

The Zoning Ordinance includes provisions for residential structures that are existing or were approved prior to March 1, 1988. These provisions require only one (1) parking space for each single-family dwelling or for a multi-family dwelling having no more than one bedroom and 1.5

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covered parking spaces for each multi-family dwelling having two (2) or more bedrooms. If the existing units comply with these provisions, property owners are not required to provide additional parking spaces because of repairs, restoration, remodeling, or additions to such units. However, if additional bedrooms are added to an existing single-family dwelling, the number of off-street parking spaces must be increased by 0.5 covered or uncovered spaces for each bedroom exceeding four (4) bedrooms. Program 3.8 directs the revision of Colma's parking standards down to only one space (either covered or uncovered) for both studio and one-bedroom units.

Parking requirements could be a potential constraint to development if high-density developments are required to meet the existing requirements. However, 90 percent (191 acres) of Colma's 213 acres of non-roadway, non-cemetery land use are in areas that are not within a half-mile of a major transit stop. In addition, all of the sites in Colma's site inventory are within a half mile of public transportation and are included in the Housing Element Overlay zone which removes all minimum parking requirements.

The density limits set forth in the Colma General Plan allow 13-30 units per acre in residentially zoned areas, and up to 30 units per acre in the mixed commercial/residential areas, including areas within the Commercial Overlay Zone. Up to 30 residential units per acre are permitted in certain commercial areas through mixed-use developments, which are established through the Planned Development process. Through the establishment of a Planned Development, standards may vary including those associated with parking, building height, and Floor Area Ratio. Density bonuses are also permitted under specific circumstances.

Although development standards and densities are generally less restrictive than those found in other Peninsula communities, Colma's high proportion of land uses directly related to the large inventory of cemetery land discussed in the preceding section must be viewed as a constraint to future development of housing in Colma. This constraint is not, however, insurmountable in view of the availability of sites identified in this document. Existing residential development standards, such as setbacks, height limits and parking requirements have not constrained housing development in the Town. In many cases, they are less restrictive than other jurisdictions in San Mateo County, resulting in lower costs to develop housing. The flexibility afforded in the Planned Development process allows residential development to achieve maximum densities while balancing livability and habitability standards.

The required setback from Colma Creek and the grading of sloped parcels is the extent of general environmental constraints to development in the Town. It is not anticipated that these environmental constraints will have a significant impact on housing development at the opportunity sites because they are all infill developments. Colma Creek does flow underground through the Kohl's site, but the potential environmental impacts of a development on the site have already been analyzed in the 2040 General Plan Update Environmental Impact Report.

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## Building Codes

The 2019-2022 California Building Code is currently used in Colma. The updated building code for 2023-2026 will be in place by January 2023, and all applications will have to conform to the new code. The Town's Building Official verifies that new residences, additions, auxiliary structures, etc., meet all construction and safety standards. Building permits are required for most construction work. Additionally, building code enforcement helps the Town maintain a safe building stock. Building inspectors ensure projects are compliant with the minimum requirements of the Building Code and reference the strictest code when overlap occurs. Code enforcement officials work to ensure that projects have the correct permits and are adhering to the proper codes. The Town of Colma is a small and quiet community that does not encounter as many citizens reported code enforcement complaints as many larger, and more involved, surrounding communities.

## On- and Off-Site Improvements

Site improvements are a necessary component of the development process. Improvements can include the laying of sewer, water, and streets for use by a community when that infrastructure is lacking, and these improvements make the development feasible. Due to the built-out nature of the Town, all the residential and commercial areas in Colma are already served with adequate streets, sidewalks, and infrastructure. This includes sidewalks that usually only require modification to the location of curb-cuts. All 6 sites identified for development potential are infill projects and have existing water, sewer, and dry utilities available. As developments are proposed, water and wastewater treatment districts determine if water and sewer capacity is adequate and may require upgrades to infrastructure. Program 4.7 includes an action to coordinate with the Cal Water and South San Francisco after the adoption of the Housing element to expedite the process for the 6 identified sites.

In areas already served by infrastructure, site improvement requirements vary depending on the existing condition of each project site. Usually, only standard connection laterals are required for most project utilities. The undergrounding of utilities from the nearest pole to the project is required of all projects, and street tree planting may also be required. These costs have not shown to be problematic for any developments in the Town when anticipated and known by the developer early in the process.

## Permit Processing and Procedures

As a small town, Colma provides high-level and personal customer service throughout the development process. Staff-level projects including sign review, temporary permits, and administrative use permits usually take less than 30 days to process. An example of an administrative level use permit in a commercial zone would include an occupation of an existing commercial building or occupy a tenant space within an existing commercial building and is within the same Building Code occupancy classification of the existing building, and does not



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require any building modifications, and will not exceed the available on-site parking. If a project meets all forementioned criteria the review period should take be approved in about 45 days.

In residential zones, single-family dwelling units, manufactured homes, small and large day care homes, ADUs, JADUs (R-S only), supportive housing, and transitional housing are permitted uses and do not require a planning permit. These abovementioned housing types would go to the Building Department for a permit and during this process, the Planning Department would review it for compliance. This type of permit would be a minimum of 30 days for project review and would not have to go to City Council if it meets the criteria for residential zones.

Single-family residential infill construction does not require land use entitlements, and building permit-related fees vary depending on the project's valuation. Provided that a proposal meets zoning code regulations, additions to and new construction of single-family dwellings do not require review or approval by City Council. As noted above, single-family dwellings are not subject to CEQA. Processing for a new single-family dwelling would begin with building permit submittal and there are no neighborhood noticing requirements.

Upon submittal of a building permit application for a single-family addition or construction of a new single-family dwelling, the Building Department routes the plans and application to the other City Departments for review. At that time there would be a detailed review of the proposed construction to determine if the project meets all municipal code regulations. There are no residential design guidelines for single-family additions or new construction. During review of the application by the Planning Department, design of the proposed addition or new construction would consider overall mass and bulk of the project in relation to the surrounding neighborhood. While there are no specific design criteria, impacts of the addition on adjacent properties are considered during the plan check of the building permit application. Plan check comments are returned to the Building Department within 10 days of submittal so that comments can be provided to the applicant in a timely manner.

Building permit plan check and processing in Colma is efficient and timely. Building permits are processed in a few days. Building permits for projects that require approval of entitlements cannot be issued until CEQA review is completed, and the City Council approves all entitlement applications. To expedite the process leading to construction, it is not uncommon for applicants to submit plans for building permit review while simultaneously proceeding through the CEQA and entitlement processes. Depending on the complexity of a project, building permit issuance ranges from a few days to a few weeks.

Building permits must be secured before commencement of any construction, reconstruction, conversion, alteration, or addition. Approval of permit applications is based on conformity with the Zoning Ordinance, although the City Council has the power to grant variances from the terms of the Ordinance within the limitations provided by law.

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### *Multi-family Development Process*

The Town of Colma does not have a specific multi-family zoning designation. However, the Town's zoning code and land use designations allow for multi-family developments through the Planned Development (PD) overlay entitlement process as detailed below. The Housing Element Overlay Zone creates an additional avenue for the development of housing in opportunity sites in Colma. The Housing Element Overlay Zone includes a set of requirements set by state legislation, including the need to pay prevailing wages and meet specified affordable housing targets, to undergo a ministerial approval process and be exempt from California Environmental Quality Act (CEQA) review.

### *Planned Development Process*

Since Colma does not have a Planning Commission, larger projects such as multifamily housing in commercial or residential zones require City Council approval. The Planning Department typically provides a courtesy pre-application meeting for the applicant providing zoning standards, design guidelines (if applicable), parking requirements, etc. Once an application is received, the project is reviewed for completeness, including design review. During this stage the project is routed to various departments including building, engineering/public works, and fire. Assuming this application is complete, this process will take a minimum of 30 days. The next step is the City Council hearing. For projects that require a public hearing, the Town notices all properties within a 300-foot radius at a minimum of 10-days prior to the hearing. If City Council approves a project, there is also a 10-day appeal period. In total, this type of project, as shown in Table H-50, could take anywhere from two to four months.

Until the Objective Development and Design Standards described in Program 3.5 are established, the Planned Development Process described beginning on page H-100 is in effect.

The Planned Development process can be summarized as follows:

Planned Development Districts may be established in any R, E, or C Zone upon application of a property owner(s), or upon the initiative of the City Council. A discretionary application for the establishment of a Planned Development District requires submittal of a Conceptual Development Plan which, if approved by the City Council, shall become part of the Zoning Map of the Town of Colma.

Once an application for a Planned Development (which consists of a Rezoning and a Use Permit request, at a minimum) is received by the Planning Department, the application is reviewed for completeness and processed as a Conceptual Development Plan. Applications to establish a Planned Development District shall be accompanied by a fee, which shall be established from time to time by the City Council of the Town of Colma by Resolution, for each proposed dwelling unit and each proposed commercial establishment shown in the Conceptual Design Plan. Said fee shall be in lieu of fees prescribed in the Town of Colma Municipal Code for an amendment to the Zoning Map, for a variance, or for a use permit. Environmental review is

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completed during the Conceptual Development Plan phase. All applications are processed concurrently, and entitlements are generally approved within four to six months of application filing. The approval process requires a discretionary decision to be made by the City Council.

The City Council shall make the following findings prior to approval of the Conceptual Development Plan:

1. The proposed uses are, in substantial part, generally or conditionally permitted under the zoning classification in existence for the proposed district at the time of application;
2. The proposed uses will not be detrimental to present and potential surrounding uses, but will have beneficial effects which could not be achieved under other zoning districts;
3. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and density will not generate traffic in such amounts as to overload the street network outside the Planned Development District; and
4. The impact created by the development can be absorbed and serviced by the City (police and fire service, water supply, sewage disposal, etc.).

The City Council shall make the following findings prior to approval of a Use Permit:

1. The specific proposed use will be consistent with the provisions of the General Plan and this subchapter;
2. The granting of the Use Permit will not be detrimental to the public health, safety or public welfare, or materially injurious to properties or improvements in the vicinity;
3. Existing property uses, large or small, will not be detrimentally affected by the proposed use;
4. The granting of the Use Permit will not constitute a grant of special privilege inconsistent with the limitations imposed by the zoning ordinance on the existing use of properties, large or small, within the Town of Colma;
5. The proposed structure or building conforms to the purposes and intent of the General Plan and zoning ordinance; and
6. The use will not constitute a nuisance as to neighboring persons or properties.

The final step in the approval process is a Detailed Development Plan. The development standards that provide a guideline for Planned Development are those most closely associated with the General Plan land use designation. For example, the properties targeted for mixed-use along El Camino Real are designated as Commercial/Mixed Use in the Colma General Plan. Building heights, floor area ratios and setbacks adopted in the Commercial zoning district would be used as a guideline for Planned Development.

The Town of Colma uses the PD Zone as a tool to entitle mixed use and multi-family housing developments within its boundaries. The discretionary aspect of the PD approval process is intended to provide flexibility in development standards and create projects that are cohesive with the surrounding area.

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Since 1999, the Town has been successful in entitling 12 PDs, including:

- Hoffman Estates (18-unit townhome development)
- Peninsula Reflections (Senior care facility)
- Verano Homes (84-unit townhome project)
- Veterans Village (66-unit affordable rental development)

The most recent example of establishing a PD to develop multi-family housing was in late 2016, the entitlement of Veterans Village at 1670-1692 Mission Road. Veterans Village is a 66-unit affordable rental housing project that provides stable housing for military veterans transitioning from homelessness. The site was originally zoned Commercial "C", which allowed for multifamily developments of greater than 6 units with a conditional use permit. By applying for a PD, the property owner gave the City Council flexibility to adjust development standards to address site configuration and location. In this case, a PD allowed the developer to create a development which would benefit the maximum number of occupants and meet their accessibility and support needs. This PD had a base density of 22 units per acre, but by providing 100% affordable housing it was entitled to an automatic 35-percent density bonus resulting in 66 units on 2.23 acres (30 du/ac). In addition, the PD reduced the parking requirements that would be imposed on a typical housing project. Finally, setback reductions in front yard and rear yard, to less than 0'-8" and 4'-1" respectively, maintained an existing structure on the property that now houses many of the developments amenities for its residents.

A PD Zone was also proposed for the redevelopment of the Sandblaster site at 7733 El Camino Real. The conceptual plan submitted to the Town included a subdivision of the uniquely shaped lot to create a multifamily development fronting El Camino Real and three substandard single family lots fronting C Street. A PD Zone would allow for increased density at the site by providing the flexibility to create lots smaller than the required minimum lot size given that all other requirements were met.

PD zoning is intended to be utilized in a similar manner as the examples above, to maximize the housing potential on the opportunity sites. Since its passage in 2022, AB 2097 can be used by developers to waive the parking minimums in PD zones that are within a half-mile of a major transit stop – a designation that includes most of Colma. This can be layered on top of other incentives.

For example, at the Kohl's site, PD zoning can be applied to exceed the maximum height limits set by the base zoning district, especially along the rear of the property away from El Camino Real and Serramonte Blvd to up to 110 feet without impacting surrounding properties given the topography of the site per the Colma Land Use and Urban Design Study (2014). The discretion is applied to determine what is appropriate for each site where a PD is proposed and is effective in entitling projects that are constructed as the Town has demonstrated since 1999.

Residential uses are permitted using the underlying zoning and accompanying objective design standards. The PD process can augment the number of units developable as well as ease the path for development of affordable housing, as it has done historically in the town of Colma.

Program 3.1 directs the establishment of objective development and design standards for the Planned Development zoning, as well as administrative approval processes. Once these are established by the end of 2025, the PD permit will no longer be a discretionary process for the Housing Element Overlay Zone.

*Entitlements and Fees*

The table below identifies various entitlements and the estimated processing time for each. Because many applications require multiple approvals, many of these approvals run concurrently. Variance and Use Permit requests usually take only two to four months to process. Because Colma has no Planning Commission, decision-making is streamlined.

Amendments and reclassifications to the Zoning Ordinance can be made by the City Council, subject to applicable provisions of State Law, and typically take four to six months to review. Procedures for amendments and reclassifications are stated in the Zoning Ordinance.

**Table H-53: Entitlement Processing Time and Approving Authority**

Type of Permit	Typical Processing Time	Approving Authority
Design Review	2 to 4 months	City Council
General Plan Amendment	4 to 8 months	City Council
Zoning Reclassification	4 to 8 months	City Council
Variance to Zoning Regulations	2 to 4 months	City Council
Planned Development Plan	4 to 8 months	City Council
Parcel Map (in conjunction with PD)	4 to 8 months	City Council/Public Works
Subdivision Map (in conjunction with PD)	6 to 8 months	City Council/Public Works
Negative Declaration	4 to 6 months	City Council
Environmental Impact Report	6-8 months	City Council

*Source: Town of Colma*

The DR or Design Review overlay zone may be combined with all base zone to achieve a consistent site landscape and building design theme in those areas where it is applied. In Colma the DR zone is applied to all sites except for the majority of Sterling Park neighborhood. DR zone applies to entirety of the site, landscape, and building plans whether it is submitted in connection with the construction of a new building or an alteration or modification to the structure or facade of an existing building, with a few exceptions. Usually, these exceptions apply to clashing of the established architectural theme. With the establishment of objective design standards and more detailed guidelines for the DR zone, could help streamline project applications and incentivize developers where costs during the design phase may be minimized. Programs 3.1 and 8.2 would help improve development potential in sites within town.

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*SB 35 Process*

SB 35 requires jurisdictions that have insufficient progress toward their lower-income RHNA to streamline the review and approval of eligible affordable housing projects by providing a ministerial approval process that exempts proposed developments with at least 50 percent affordability from environmental review under CEQA for proposed developments. If a jurisdiction also has insufficient progress toward their above-moderate-income RHNA, then the jurisdiction is subject to streamline the review and approval for developments with at least 10 percent affordability. SB 35 requirements will automatically sunset on January 1, 2026.

The Town of Colma is subject to the 10 percent affordability streamlining requirement. Program 3.6 directs the development of a SB 35 streamlining process for developments with at least 10 percent affordability.

**Fees**

The cost of development for single-family and multifamily housing within the Town of Colma includes planning and building fees, recycling fees, public works fees, and school fees. In addition, the Town of Colma imposes development impact fees such as parkland dedication fees for subdivisions (Quimby fee) and affordable housing impact fees. If inclusionary housing is not included (where required) then an inclusionary housing in-lieu fee may also be imposed.

This section gives an overview of the different types of fees in Colma before concluding with a summary of fees

*Planning Fees*

Planning-related application fees required for development in the Town of Colma fall into two categories: flat fees and deposits against actual costs. Flat fees are charged for processing applications through the Planning Department to develop property. Fees are due and payable upon making application and are non-refundable. Based upon an analysis of staff hours and comparison with other jurisdictions, the fees set forth do not exceed the estimated reasonable cost of providing the service. The Master Fee Schedule can be found on the Town’s website at: <https://www.colma.ca.gov/master-fee-schedule/>.

The following table summarizes the flat fees applicable to development:

**Table H-54: Planning Fees**

Type of Permit	Fee
Accessory Dwelling Unit	\$611
Address Assignment	\$267
Administrative Use Permit	\$1,833
Design Review, Minor	\$1,986
Landscape Plan Review	\$267

Sign Permit	\$500
Sign Review	\$300
Special Event	\$100-\$500
Temporary Use Permit (Tier 1)	\$70
Temporary Use Permit (Tier 2)	\$500-\$1000
Tree Removal Permit, Minor	\$1,833
Tree Removal Permit, Major	\$4,124
Use Permit, Home Occupation	\$50
Use Permit, Minor	\$7,255
Zoning Clearance for Retail Merchandising Unit	\$250
Zoning Letter	\$993

Source: Town of Colma Planning Permit Application

Deposit-based fees are required for processing major development applications through the Planning Department. The initial deposits shown below are due and payable upon filing an application and are based on the typical amount of staff time necessary to process similar applications. If additional staff time is necessary to adequately evaluate an application, additional deposits will be required. In accordance with the Colma ordinance that established the current Master Fee Schedule, the total amount of deposit-based fees shall not exceed three times the initial deposit, plus reimbursable costs. Any unused deposits are returned to the applicant after a decision on the application has been made by the City Council. Proposed amendments require the same fees as an initial application. The following summarizes the deposit-based fees associated with typical entitlement applications for all types of residential development:

**Table H-55: Deposit Against Actual Cost – Land Use Development Processing Fees, Planning Services**

Type of Permit	Initial Deposit
Design Review, Major	\$7,102
General Plan Amendment	\$10,844
Lot Line Adjustment	\$8,416
Master Sign Program	\$7,255
Parcel Map	\$7,744
Planned Development Plan	\$6,949
Stormwater Review Deposit (Preliminary)	\$1,497
Subdivision Map	\$9,776
Use Permit, Major	\$7,225
Vacation or Abandonment of Public Easement	\$6,644
Variance to Zoning Regulations	\$7,255
Zoning Reclassification	\$8,935

In addition to the above noted planning application fees, staff time associated with environmental review in accordance with CEQA (California Environmental Quality Act) review requires a separate deposit, which is due and payable at the time an application is submitted. As noted above, additional deposits will be required if the amount of staff time to evaluate the proposal exceeds the amount of the initial deposit. Any unused deposits are returned to the applicant after a decision on the environmental document has been made by the City Council. The total processing fee will not exceed the actual, reasonable cost of providing the service. In addition to the application and CEQA review fees, applicants are required to submit pass-through fees to the San Mateo County Clerk and California Department of Fish and Game, collected by the City after the environmental determination has been approved by the City Council. The following table summarizes the fees associated with environmental review of a proposed development (not specifically residential):

**Table H-56: CEQA Review Fees for Land Use Development Projects – Deposit Against Actual Cost**

Application	Initial Deposit	Pass-through Fees
Categorical Exemption	\$267	\$50-Document handling fee
(Mitigated) Negative Declaration	\$8,019 is prepared by Staff; otherwise, 10% of the cost charged by an outside consultant	\$2,548.00 –CA Dept. Fish & Game fee \$50- Document handling fee
Environmental Impact Report	Consultant cost plus a deposit of 10% of the cost charged by an outside consultant	\$3,539.25 –CA Dept. Fish & Game fee \$50- Document handling fee
Environmental Document pursuant to a Certified Regulatory Program (CRP)	-	\$1,203.25 –CA Dept. Fish & Game fee \$50- Document handling fee

Source: Town of Colma Planning Permit Application

The Town of Colma’s Planning Department is partially funded by application fees and deposits, but the remaining cost of operating the department is subsidized by the Town’s General Fund. A cost-of-service fee study was conducted in 2018, resulting in an overall increase of planning and building fees. Residential planning and building fees are broadly required by all jurisdictions in San Mateo County. In Colma, such fees are noted here as affecting development, but are not viewed as a governmental constraint.

### **Building Fees**

Colma, in accordance with the Government Code, enforces the latest edition of the California Building Code to ensure the health and safety of residents of newly constructed housing. The Town’s Building Department enforces the building code. Inspections and approvals are completed promptly and do not add unnecessary delays to the construction of new housing.



Fees are assessed for these projects to offset plan check and inspection activities. From time to time, the Town adjusts fees to keep up with inflation. These fees are established in accordance with the Government Code.

Building permit fees for new construction and additions are determined in dollars per square foot based on the occupancy of the use, with the final determination for the occupancy made by the Building Official. Permit fees for alterations, reports, and interior changes (tenant improvements) are charged on a sliding scale that is based upon the valuation of the project. The plan check fee is 65% of the permit fees.

### *Recycling Fees*

In March 2004, the Colma City Council passed an ordinance to meet the goals of the California Integrated Waste Management Act of 1989. The ordinance requires that at least 65% of the waste tonnage from any demolition project, including concrete and asphalt (or 15% where there is no concrete and/or asphalt) be recycled and/or reused, consistent with the Act. Prior to demolition and building permit issuance, applicants must comply with the Town’s Construction Debris and Demolition recycling ordinance and complete a “Recycling and Waste Calculation Form”. At the time of building permit issuance, the applicant posts a deposit at a rate of \$50 per ton for the percentage of recycled materials calculated. Upon the completion of the project, it is the contractor’s responsibility to demonstrate that they have properly recycled the correct amount of waste generated by submitting receipts, weight tags, or other records to the Colma’s Building Department for verification. If it is demonstrated that the construction debris recycling goals were met, the full amount of the deposit is refunded. If the amount recycled is less than the required amount, the Town of Colma retains the \$50.00 for each ton not recycled and/or reused. Since waste diversion is broadly required of all jurisdictions under State law, it is noted here as affecting development, but is not viewed as a constraint.

### *Public Works Fees*

There are also public works fees associated with property development. These fees are charged for processing documents necessary to implement a plan to develop a property. Fees are due and payable upon making application and are non-refundable. These fees are in addition to any other fees set forth in this schedule.

Typical public works fees include sewer connection fees, water meter and service connection fees, sidewalk, and special encroachment permits, and the most prevalent associated with residential construction, which are summarized on the following table.

**Table H-57: Public Works Fees – Town of Colma**

Type of Permit	Fee
Grading Plan Check Fees	
50-2,000 cu. yds	\$99.00 + \$71.00 per 100 cu. yds.

Type of Permit	Fee
Grading Plan Checking > 2,000 cu. yds	\$1,490.00 + \$75.00 per 100 cu. yds. (if > 2,000 cu. yds.)
Grading Permit, 50-2,000 cu. yds	\$596.00 + \$36 per 100 cu. yds.
Grading Permit, >2,000 cu. yds	\$1,201.00 + \$65.00 per 100 cu. yds. (if >2,000 cu. yds.)
Improvement Plan Check Fees	
Contracts of <= \$10,000	\$397.00
Contracts between \$10,000-\$100,000	\$429.00 + \$5.00 per \$1,000 of contract cost
Contracts between \$100,000-\$500,000	\$894.00 + \$8.00 per \$1,000 of contract cost
Contracts > \$500,000	\$4,170.00 + \$8.00 per \$1,000 of contract cost
Encroachment Permit, single residential lot driveway	\$230
Encroachment Permit, single residential lot utility cut by contractor in asphalt street or concrete sidewalk	\$230.00
Encroachment Permit, single residential lot utility cut by contractor in an interlocking concrete paver surface street or sidewalk	\$330.00
Encroachment Permit, fence and/or landscaping in right-of-way	\$25.00
Parcel or Final Map Subdividing Property	\$3,972.00 for four lots + \$199.00 per each additional lot + recording costs

Source: Town of Colma Public Works Department

### School Fees

In 1987, Assembly Bill 2926 amended the California Government Code to authorize school districts to levy school impact fees on new residential, commercial, and industrial development. There are two school districts that serve Colma: The Jefferson Union High School District (which includes Bayshore Elementary School, Brisbane Elementary School, Jefferson Elementary School, Pacifica Elementary School District) and the South San Francisco Unified School District. There is one high school district, the Jefferson Union High School District. School fees are collected to offset costs of rehabilitation and maintenance of school buildings. Fees are collected on all new construction projects in Colma, ADUs over 750 sq. ft., and residential remodels that add 500 square feet or more. Residential school development fees for the Bayshore, Jefferson, and Pacifica Elementary School Districts, and Jefferson Union High School District, are \$4.79 per square foot.

### Parkland Dedication

The Colma City Council adopted Ordinance 641 in 2006 to require dedication of land and/or payment of a parkland dedication fee. The parkland dedication fee applies to projects in Colma

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that require approval of a tentative map or parcel map for residential uses by one or more dwelling units but exempts subdivisions containing fewer than 5 parcels and not used for residential purposes. This fee is determined by multiplying 0.003 acres per person in the dwelling unit (which is the same as three acres per 1,000 persons) times the total number of dwelling units in the development times the average number of persons per dwelling unit in the subdivision for which the approval of a map is being sought. The ordinance assumes that the average number of persons in a dwelling unit in the subdivision will be 3.07, which is the average occupancy based on the 2020 Census and the 2020 American Community Survey 5 Year Estimates. In subdivisions of more than 50 lots, or in the case of a condominium project, stock cooperative or community apartment project, if the subdivision contains more than fifty (50) dwelling units, the developer shall both dedicate land and pay a fee. The purpose of collecting these fees is to provide park and/or recreational land for use by the residents of Colma. The Colma Parkland Dedication Fee ordinance is based on California State enabling legislation, so it is applicable statewide. Therefore, it is not viewed as a constraint to development, as many communities in the area have adopted the same regulations.

Local governments typically assess many different types of residential development fees. These include planning fees, building permit and related fees, capital facilities fees and development impact fees. Residential planning and building fees are broadly required by all jurisdictions in San Mateo County. In Colma, such fees are noted here as affecting development, but are not viewed as a governmental constraint.

### *Inclusionary Housing and Housing Impact Fees*

In December 2005, the Town adopted an Inclusionary Housing Ordinance amending the Colma Municipal Code. This Ordinance was amended in September 2016 through changes to Colma Municipal Code Section 5.12.

For for-sale residential developments of five or more units, at least 20% must be inclusionary units restricted to occupancy by Moderate, Low or Very Low income households. At least 20% of the inclusionary units (or 4% of the total development) must be restricted to occupancy by very low-income households. An additional 20% of the inclusionary units (or 4% of the total development) must be restricted to occupancy by low-income households. The remaining 60% (or 12% of the total development) to moderate income households. The owner-occupied units must remain affordable for a minimum of 45 years. The developer may elect to satisfy the requirements of this section by paying the in-lieu fee for developments with fewer than fifteen units. The in-lieu fee is calculated based on net new square footage of residential floor area, excluding the square footage of units that are sold at an affordable sale price. For-sale residential development projects of fewer than 15 units that are not, and have not been, part of a larger residential development project, may also propose an alternative equivalent action such as land donation and off-site construction, subject to the review and approval by the City Council.

For rental residential development, of five or more units, a Housing Impact fee is required. This fee is calculated based on net new square footage of residential floor area, excluding the square footage of units that are rented at affordable rent to moderate, low, or very low-income households so long as such units are deed restricted as such. For all residential rental development of five or more units, or non-residential or commercial over 5,000 square feet, a housing impact fee is required to be paid. The rental inclusionary housing provisions currently meet state requirements.

The affordable housing impact fee, as described in 5.12.010.(b), is based on Housing Impact Fee and is calculated based on the size and use of proposed developments as noted in Table H-58 below.

**Table H-58: Affordable Housing Impact Fees**

Use	Fee per Square Foot of Net New Floor Area
<b>Residential Use</b>	
Single Family Detached Home	\$10.00
Townhouses, Duplexes and Triplexes	\$ 15.00
Apartments and Condominiums	\$ 15.00
<b>Non-Residential Use (Only applies to developments over 5,000 sf)</b>	
Hotel	\$5.00
Retail, Restaurants and Services	\$5.00
Office, Medical Office and Research and Development Uses	\$5.00

*Source: Town of Colma Planning Department*

The Town's Affordable Housing Fund has not been utilized for the construction of new units. Funding from Veterans Village came from outside sources and the Hoffman Estates and Verano developments were completed prior to the establishment of the fund.

The framework and incentives for inclusionary housing is strong and providing ample incentives for developers to build both for-sale and for-rent housing for all income levels. In conversations with housing developers, the inclusionary requirements do not operate as a constraint on housing development in Colma. The biggest challenge the Town faces, whether it is for commercial or residential uses, is available land that is not dedicated to cemetery use. Impact fees are not required on developments of four or fewer units. The inclusionary unit requirement is only required for developments of five or more units, and the impact fee would be in-lieu of the affordable unit. Any additional units after five would require a fraction of an inclusionary unit and would be subject to the in-lieu fee. Therefore, a development that includes six units would need to include either one affordable unit and the in lieu fee for one unit OR two affordable units.

This is not necessarily done to encourage the development of smaller housing typologies including single-family housing units. It is rather because there is little available land for such

housing types. There is only one undeveloped single-family parcel remaining in Colma, APN 008-125-180 (included in the Site Inventory). Impact fees are designed to support affordable housing development through actual housing development on developable land.

### Summary of Fees

The following tables provide estimated planning, building and impact fees per unit for different types of residential units when compared to other jurisdictions within San Mateo County. The fees are based on single family developments, small multi-family developments (10 units on 1 acre, 10 du/ac.), and large multi-family developments (100 units on 2 acres, 50 du/ac.).

**Table H-59: Total Fees (includes entitlement, building permits, and impact fees, etc.) per Unit**

City	Single Family	Small Multi-Family	Large Multi-Family
Atherton	\$15,941	No Data	No Data
Brisbane	\$24,940	\$11,678	No Data
Burlingame	\$69,425	\$30,345	\$23,229
<b>Colma</b>	<b>\$6,760</b>	<b>\$36,950</b>	<b>\$17,030</b>
Daly City	\$24,202	\$32,558	\$12,271
East Palo Alto	\$104,241	No Data	\$28,699
Foster City	\$67,886	\$47,179	\$11,288
Half Moon Bay	\$52,569	\$16,974	No Data
Hillsborough	\$71,092	No Data	No Data
Millbrae	\$97,756	\$6,824	\$55,186
Pacifica	\$33,725	\$40,151	No Data
Portola Valley	\$52,923	No Data	No Data
Redwood City	\$20,795	\$18,537	\$62,696
San Bruno	\$58,209	\$72,148	\$39,412
San Mateo	\$99,003	\$133,658	\$44,907
South San Francisco	\$81,366	\$76,156	\$32,471
Unincorporated San Mateo	\$36,429	\$27,978	\$10,012
Woodside	\$70,957	\$82,764	No Data

Source: Baird + Driskell Fee Survey Summary

Colma's fees are generally much less than those of other jurisdictions in the County for the single-family home prototype. This is due to the fact that single-family developments are extremely rare in Colma. With no single-family developments in Colma's recent history, the fee has not been increased to reflect updated costs. Development fees for multi-family developments include additional entitlement costs that result in higher development fees per

unit compared to single family developments in Colma as shown in Table H-54. The fee for both small and large multi-family units is in line with rest of the county. The development fees for small and large multi-family developments are 4% and 2% of the total development costs. Again, this is similar to San Mateo County jurisdictions. In addition, the fees for multi-family developments in Colma are less than the development fees for single family homes in surrounding jurisdictions. Generally, the fees collected by the Town are relatively low and are not considered an impediment to development.

**Table H-60: Total Fees as a Percentage of Total Development Costs**

	Single family	Small Multi-Family	Large Multi-Family
Atherton	0%	No Data	No Data
Brisbane	1%	1%	No Data
Burlingame	3%	4%	3%
<b>Colma</b>	<b>0%</b>	<b>4%</b>	<b>2%</b>
Daly City	1%	4%	2%
East Palo Alto	4%	No Data	4%
Foster City	3%	6%	2%
Half Moon Bay	2%	2%	No Data
Hillsborough	3%	No Data	No Data
Millbrae	2%	8%	7%
Pacifica	1%	5%	No Data
Portola Valley	1%	No Data	No Data
Redwood City	1%	2%	8%
San Bruno	2%	8%	5%
San Mateo	4%	14%	6%
South San Francisco	3%	9%	4%
Unincorporated San Mateo	1%	3%	1%
Woodside	2%	9%	No Data

*Source: Baird + Driskell Fee Survey Summary*

## NON-GOVERNMENTAL CONSTRAINTS

State law requires that the Housing Element include a discussion of the factors that present barriers to the production of housing, including government actions and market forces (non-governmental constraints). Identification of these constraints helps the City to implement measures that address these concerns and reduce their impacts on the production of housing. The following sections discuss actual and potential non-governmental constraints to housing.

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## Availability and Cost of Financing

Home mortgage financing rates were at historic lows with rates ranging from 2 to 5 percent from 2018-2021 for a 30-year fixed rate loan (Freddie Mac). Low-interest rates dramatically affect housing affordability by decreasing monthly housing costs. For example, a 30-year home loan for \$400,000 at five percent interest has monthly payments of \$2,147. A similar home loan at seven percent interest has payments of nearly 24 percent more, or \$2,661. However, first-time buyers, people with limited credit history, lower incomes or self-employment incomes, or those with unusual circumstances have experienced challenges in qualifying for a loan or were charged higher rates.

San Mateo County qualifies as a high-cost area and has a higher loan limit through the Federal Housing Administration (FHA) loan program. In 2021, prospective home buyers could receive a loan of up to \$822,000 for a single-family home and approximately \$1,582,000 for a four-plex through an FHA loan.

Affordable housing developments face additional constraints for financing. Though public funding is available, it is allocated on a highly competitive basis and developments must meet multiple qualifying criteria, often including the requirement to pay prevailing wages. Smaller developments with higher per unit costs are among the hardest to make financially feasible. This is because the higher costs result in a sale price that is above the affordability levels set for many programs. Additionally, smaller projects often require significant time by developers, but because the overall budget is smaller and fees are based on a percentage of total costs, the projects are sometimes not feasible.

## Land and Construction Costs

San Mateo County is a desirable place for housing and available land is in short supply, which contributes to high land costs. These costs vary both between and within jurisdictions based on factors like the desirability of the location and the permitted density.

Colma has few vacant lots, which makes estimating land costs difficult. However, an analysis of assessed land value has costs upwards of \$2 million per acre.

Construction costs include both hard costs, such as labor and materials, and soft costs, such as architectural and engineering services, development fees and insurance. There is little residential construction in Colma, but estimates from surrounding jurisdictions have construction costs for single family homes at \$500 or more per square foot and multi-family construction at \$750,000 or more per unit.

An analysis of development costs in San Mateo County conducted by Century Urban in 2022 found that total costs, including land and construction costs, were approximately \$2,487,000 for a 2,600-square foot single family home and \$7,949,000 for a 10-unit multifamily development. Construction costs, including hard and soft costs, for single-family homes, ranged from \$553 to \$672 per square foot depending on the size of the house. A 10-unit multifamily development

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had an estimated construction cost of \$687 per square foot. Average land costs for single-family homes in San Mateo County was \$1,030,000 but could range from \$210,000 to \$2,510,000, while land costs for multifamily developments was an average of \$1,000,000 but could range from \$400,000 to \$1,600,000.<sup>157</sup>

## Developed Densities

State Housing Element law requires the non-governmental constraints analysis to evaluate developer requests to build at densities below the density identified in the Housing Element sites inventory. Due to Colma's unique history with little residential development, and most multifamily development using PD development, it is difficult to make this evaluation. Veterans Village – the only recent residential development – was developed at 30 units per acre, the maximum density allowed in the C zone.

## PERMIT TIMES

State Housing Element law requires the non-governmental constraints analysis to examine the length of time between receiving approval for a housing development and submittal of an application for building permits. The length of time between application approval and building permit issuance is influenced by a variety of factors, none of which are directly impacted by the Town. These factors can include, but not limited to: required technical or engineering studies; completion of construction drawings and detailed site and landscape design; securing construction and permanent financing; and retention of a building contractor and subcontractors. Veterans Village was entitled in November 2016 and building permits were not issued until January 2018, a little more than a year after entitlements.

## Working with Non-Profit Housing Developers

The key to the success of non-profit developers lies in three areas: (1) their ability to draw upon a diversity of funding sources and mechanisms to make their developments work financially; (2) their commitment to working cooperatively and constructively with the local community; and, (3) their long-term commitment to ensuring excellence in design, construction and management of their developments, creating assets that are valued by the people who live in the developments as well as their neighbors and others.

The Town can work with non-profit developers where there are opportunities, either through public ownership of property or key larger sites (over 1 acre in size) where special opportunities exist with minimal constraints, carrying costs, or costs of processing or construction. Since multiple funding sources are typically used for an affordable project, there are additional burdens placed on non-profit developers to track the information required and report on a timely basis. Veterans Village is a great example as the project came together through partnerships between Holy Cross Cemetery, Mercy Housing, and Town staff.



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There is considerable competition for the program funds that are available, and any one development will need to draw upon multiple resources to be financially feasible. When developments are able to demonstrate a financial commitment and contribution from local sources — especially if coupled with regulatory support through policies such as fast-track processing, fee waivers, and/or density bonuses — they are better positioned to leverage funding from other outside sources.

<sup>1571</sup> Century Urban. “San Mateo and Santa Clara Counties Development Cost & San Mateo County Unit Mix Research.” 2022.

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## HOUSING GOALS, POLICIES, AND PROGRAMS

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This section describes this Housing Element’s policies and programs, and quantifies the objectives intended to guide housing development in Colma until the year 2031. Many of the following programs are carried over from the 2015 Housing Element.

### KEY HOUSING CONSIDERATIONS

By the year 2030, nearly one in four San Mateo County residents will be over the age of 65. We must prepare for the aging baby boomer population by supporting healthy aging. Communities can support healthy older adults by placing neighborhood services near housing to allow for an easy walk between destinations, and accessibly high-quality public transit. Housing options for seniors can include senior housing with a variety of levels of services provided, assisted living facilities (a growing trend), and aging in place. Universal design (a set of building and design standards that make it easy for someone of any age to occupy a housing unit) can assist with aging in place. Shared housing arrangements (i.e., renting a room in an existing home) can also help meet senior needs.

Preserving the existing housing stock in Colma is a high priority. Continued maintenance of the existing housing stock helps provide lower-cost housing and ensures high-quality neighborhoods. Housing activities that help achieve these goals include rehabilitation of single- and multi-family housing, and code enforcement. Through code enforcement, and neighborhood and home improvement programs, the Town maintains the safe and healthy condition of existing housing units.

Providing affordable housing is essential for a healthy and balanced community. In addition to a diverse mix of housing types, it is necessary to make housing available for residents of all income levels. Throughout the Bay Area, residents face increasing challenges in finding affordable housing due to high housing demand at all levels. High demand and short supply have driven property values to levels that have shut many families and individuals out of the ownership market as well affordable rental housing. Lower-income families in particular find it difficult to secure decent, safe housing. The Town of Colma works with both nonprofit and for-profit developers to assist in the production of affordable for-sale and rental housing when opportunities arise. Seeking funding from varied sources increases opportunities for the

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development of affordable housing. Meeting the housing needs of all residents of the community requires the identification of adequate sites for all types of housing. By capitalizing on the variety of options available through the General Plan and continuing to maintain an inventory of potential sites, the Town will ensure that adequate residentially zoned and mixed-use sites are available to facilitate the development of a variety of housing types.

Market and governmental factors pose constraints to the provision of adequate and affordable housing. These factors tend to disproportionately impact lower- and moderate-income households due to their limited resources for absorbing costs. The Town of Colma is committed to removing governmental constraints that might hinder the production of housing. To fully meet the community's housing needs, the Town must ensure that housing is accessible to all residents, regardless of race, religion, family status, age, or physical disability.

## **HOUSING ELEMENT GOALS, POLICIES, PROGRAMS AND OBJECTIVES**

Colma's long-term housing goal is to facilitate and encourage housing that fulfills the diverse needs of the community. The Housing Element identifies long-term housing goals and shorter-term policies to address the identified housing needs. The goals and policies are implemented through a series of housing programs. Programs identify specific actions the town will take toward putting each goal and policy into action.

The goals, policies, and programs build upon the identified housing needs in the community, constraints confronting the town, and resources available to address the housing needs. This Housing Element will guide Colma's housing policy through the 2023-2031 planning period.

Colma's housing goals, policies, and programs address the six major housing needs identified by State law:

- Maintain and preserve the existing affordable housing stock
- Assist in the development of affordable housing
- Identify adequate sites to achieve a variety and diversity of housing
- Remove constraints to housing development
- Promote equal housing opportunities
- Provide programs to meet other identified housing needs

Colma takes a comprehensive approach to housing planning. Housing, land use, economic development, and transportation policies work together to address the total housing need in Colma.

Colma has established eight goals relating to housing. These goals include seven goals from the 2015 Housing Element and one new goal. Under each goal, policies related to that goal area are listed.

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- Goal A:** Identify adequate sites, with appropriate zoning and development standards and services, to accommodate Colma's share of the regional housing needs for each income level.
- Goal B:** Assist in making available adequate housing to meet the needs of extremely low, very low-, low-, and moderate-income households.
- Goal C:** Address and where possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities.
- Goal D:** Conserve and improve the condition of the existing housing stock.
- Goal E:** Preserve assisted housing developments at risk of conversion to market-rate.
- Goal F:** Affirmatively Furthering Fair Housing. Meaningful actions to promote equal housing opportunities for and combat discrimination against all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, disability, or economic background.
- Goal G:** Encourage sustainable residential development that is energy efficient and consistent with existing and future Town values and policies related to reducing greenhouse gas emissions.
- Goal H:** When opportunity sites are developed, they require provision of public benefits with values proportional to the project's building square footage, in excess of established development standards.

To reach the above identified housing goals, specific housing policies and programs have been identified. Table H-57, identifies each housing policy, the specific housing goals that the policies relate to, and the programs implementing the policies. Table H-58 identifies the quantified objectives for construction, rehabilitation, and conservation of housing in the Town of Colma.

Table H-61: Town of Colma Goals, Policies, Programs and Objectives

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
<b>Policy 1: Encourage the construction of cost-effective single-family housing that caters to all income levels and demographics in the Sterling Park Residential Neighborhood.</b>				
<p>Goal A: Identify Adequate Sites</p> <p>Goal B: Assist in making affordable units available</p>	<p><b>Program 1.1 Provide regulatory incentives to facilitate manufactured housing development in single-family residential zoning designations.</b></p> <p>In May of 2013 the City Council adopted Ordinance No. 720, allowing manufactured homes to be located in a single-family residential zone, provided it is on a permanent foundation, devoid of wheels or axles, and meets specified design standards, and establishing development standards applicable to manufactured homes.</p>	<p>Annually starting in 2024 through 2031, see Tasks &amp; Responsibility</p>	<ul style="list-style-type: none"> <li>• Planning Department will compile a list of housing manufacturers for residents interested in this type of housing. (end of 2025)</li> <li>• The planning department will develop objective design standards for manufactured housing in single-family zoning designations. (end of 2026)</li> <li>• Update the Colma Municipal Code to reflect new development and design standards for manufactured housing. Conduct annual outreach to community stakeholders to provide updates about new affordable housing opportunities. (end of</li> </ul>	<p>The construction of up to 4 new suburban units (if utilizing SB 9 lot split) on the vacant parcel on B Street in the Sterling Park Neighborhood by 2031.</p>

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
			2026 for code updates, annual outreach thereafter)	
<p>Goal A: Identify Adequate Sites</p> <p>Goal B: Assist in making affordable units available</p>	<p><b>Program 1.2 General Plan Consistency Review and Annual Report.</b></p> <p>Continue to conduct an annual Housing Element implementation review consistent with Government Code Section 65400. Provide an annual report on the Town's housing efforts to the City Council and ensure the annual report is available to the public.</p>	<p>Continue internal consistency review annually from 2023 to 2031 and make reports available to the public.</p>	<p>The planning department will continue internal consistency review annually from 2023 through 2031 and make reports available to the public.</p>	<p>Increase awareness to decision makers of annual progress toward meeting Housing Element Goals.</p>
<p><b>Policy 2: Encourage the construction of second dwelling units where appropriate.</b></p>				
<p>Goal A: Identify Adequate Sites</p> <p>Goal B: Assist in making affordable units available</p>	<p><b>Program 2.1 Second Unit Ordinance.</b></p> <p>Pursuant to Colma's Zoning Code, second dwelling units are permitted in the "R" Zone, in accordance with state law. They are also permitted in the "C" zone with a Conditional Use Permit.</p> <p>Planning department to update the Town's Second Unit Ordinance to align with State ADU laws that will go into effect on January 1, 2023.</p> <p>Planning department to create outreach materials for Second Unit and ADU development with objective design standards.</p>	<ul style="list-style-type: none"> <li>• Update the Second Unit ordinance prior to the end of 2023.</li> <li>• Create outreach materials and objective design standards prior to the end of 2023.</li> </ul>	<p>The planning department will update the second unit ordinance and create outreach materials including objective design standards for ADU and second units.</p>	<ul style="list-style-type: none"> <li>• To increase the number of second units/ADU/JADU by the end of 2031.</li> <li>• Starting in 2023, one (1) second units/ADUs/JADUs every two years (four total in planning period).</li> </ul>

<p>Goal A: Identify Adequate Sites</p> <p>Goal B: Assist in making affordable units available</p>	<p><b>Program 2.2 Accessory Dwelling Units.</b></p> <p>The Town's zoning regulations allows an ADU or JADU subject only to a building permit under subsection 5.19.040(A) may be created on a lot in a residential or mixed-use zone. To maximize ADU development, this program will incorporate additional provisions beyond those required under State law including the following:</p> <ul style="list-style-type: none"> <li>• Seek grants to help with ADU development</li> <li>• Conduct an annual survey of homeowner interest in ADUs and JADU</li> <li>• Develop ADU and JADU outreach materials</li> <li>• Notify residents of ADU/JADU eligibility</li> </ul> <p>The Town will update the municipal code and ordinance to reflect state law for ADU/JADU that go in effect on January 1, 2023.</p> <p>The Town will continue to facilitate ADU construction by providing information to interested homeowners and on the Town's website and will track the number of new ADUs inquiries, issued permits, and completed projects.</p> <p>ADU production will be monitored on an annual basis and continue to update grant opportunities to help applicants with costs. If no ADUs applications have been processed midway through the planning period (by end of 2027), the Town will proactively identify housing units in the Sterling Park neighborhood that could potentially be suitable for ADU construction (via conversion or construction) and pursue targeted outreach with property owners.</p>	<p>Annually starting in 2023 through 2031:</p> <ul style="list-style-type: none"> <li>• Apply for grants by end of 2027, at least every two years thereafter.</li> <li>• Conduct first survey by end of 2025, annually thereafter.</li> <li>• Develop outreach materials by 2025 (to go with survey), annually thereafter.</li> </ul> <p>Outreach materials will include notice of residents and property owners of ADU/JADU eligibility.</p> <ul style="list-style-type: none"> <li>• If no ADU applications have been processed by end of 2027, begin targeted lot analysis and outreach in 2028, with outreach concluding by end of 2029.</li> </ul>	<p>The planning department is responsible for all ADU/JADU programs including the Town's municipal code and ordinance related to ADUs/JADUs.</p>	<ul style="list-style-type: none"> <li>• To increase the number of completed ADU/JADU by the end of 2031.</li> <li>• Starting in 2023, one (1) second units/ADUs/JADUs every two years (four total in planning period).</li> <li>• To have annual outreach materials, surveys, and housing-related workshops to highlight ADUs/JADUs and provide updates to state legislation (if changes have been made) beginning in 2024.</li> </ul>
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	<p>In March 2017, the Town adopted an Ordinance related to any proposed ADU or JADU that does not conform to the objective standards set forth in Municipal Code Section 5.19, may be allowed with a Conditional Use Permit, in accordance with section 5.030.400 through 5.030.430.</p>			
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Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
<b>Policy 3: Provide incentives that encourage affordable high-density residential uses near major regional transportation facilities.</b>				
<p>Goal A: Identify Adequate Sites</p> <p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b>Program 3.1 Develop Objective Development and Design Standards for Planned Development Districts and create Administrative Approval Process.</b></p> <p>Pursuant to the Colma Zoning Ordinance, parcels zoned as “Planned Development (PD)” permit a mix of uses, including both residential and commercial. Higher-density, multi-family residential developments are permitted in PD zones.</p> <p>Until the Objective Development and Design Standards are established, the Planned Development Process described beginning on page H-99 is in effect.</p>	<p>Starting in 2023 through 2031 and as inquiries are presented</p>	<ul style="list-style-type: none"> <li>• The Planning Department will establish clear objective design and development standards for “PD” Districts (by end of 2025).</li> <li>• The Planning Department will establish an Administrative Approval Process to streamline review of any high-density or mixed-use projects in the PD District (by end of 2025).</li> </ul>	<p>For each commercial, and residential project, review and analyze the optimization of developable land:</p> <p>The .41-acre site on El Camino Real and Collins Avenue, at least 12 residential units.</p> <p>The .72-acre site on Collins Avenue near El Camino Real, at least 17 residential units.</p> <ul style="list-style-type: none"> <li>• Removes any constraints from requiring high-density residential or mixed-use projects to undergo a discretionary review process.</li> <li>• Establishes objective development and design standards and administrative processing procedures that will streamline the housing review process for high-residential and mixed-use projects in PD Districts.</li> </ul>



Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
Goal B: Assist in making affordable units available	<p><b>Program 3.2 Update the Town’s Density Bonus Provisions to Stay Consistent with State Density Bonus Law.</b></p> <p>In December of 2005, the Town adopted a Density Bonus Ordinance that provides for the granting of concessions and an increase in density for qualifying residential projects, consistent with State Law.</p>	Annual review of the State’s Density Bonus Law and update the Town’s Ordinance as needed. The first assessment and, if necessary, update will take place by the end of 2023.	<ul style="list-style-type: none"> <li>• The planning department will assess and make any required amendments to the Town’s Density Bonus Ordinance to stay consistent with State density bonus laws.</li> <li>• City Council is responsible for the adoption of updates to the Town’s Density Bonus Ordinance.</li> </ul>	A total of 22 extremely low-, 22 very low-, and 25 low-income affordable units by the end of 6 <sup>th</sup> Housing Element cycle.
Goal B: Assist in making affordable units available	<p><b>Program 3.3 High-Density Housing Near Colma and South San Francisco BART Stations.</b></p> <p>Per state law, parking minimums are no longer required on projects that are located within .5 mile of high-quality transit, which can be utilized in the density identified in the 2040 General Plan from 30 du/ac to higher densities.</p>	Starting in 2023, annually review state legislature and update Town’s ordinance as needed. The first zoning amendments will take place by the end of 2023. Outreach will begin in 2024, and will include mailings (to both address and owner address, if different) as well as	<ul style="list-style-type: none"> <li>• Planning Department is responsible for keeping up to date with state laws, identifying applicable property owners, and annual engagement.</li> <li>• The planning department will identify and reach out to applicable property owners in the vicinity of the BART stations to utilize state law removing parking requirements and</li> </ul>	<ul style="list-style-type: none"> <li>• Vacant parcels that are located near BART stations, encourage development to be over 30 du/ac.</li> <li>• Updated parking standards will facilitate in feasibility of high-density development near the BART station.</li> <li>• Remove constraints for projects that meet all characteristics for a Categorical Exemption under CEQA for infill development projects.</li> </ul>

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
		<p>an open house at Town Hall once every two years.</p>	<p>maximize housing units including affordable units.</p> <ul style="list-style-type: none"> <li>As part of the Zoning Code update in 2023, the Planning Department will update the Town's parking standards to include objective parking standards that will help facilitate a compact, well-designed residential development.</li> <li>The Planning Department will review and process qualified urban infill and residential projects with a categorical exemption under CEQA. The use of the CEQA exemption will be assessed on a case-by-case basis to ensure projects are absent of any potentially significant environmental impacts.</li> </ul>	<ul style="list-style-type: none"> <li>At 7733 El Camino Real, at least 16 total housing units, but encourage more.</li> <li>At 7778 El Camino Real, at least 15 total housing units, but encourage more.</li> </ul>

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
<p>Goal B: Assist in making affordable units available</p>	<p><b>Program 3.4 Inclusionary Housing.</b></p> <p>The Town adopted an Inclusionary Housing Ordinance amendment which requires developments of 5 or more units including 20% inclusionary affordable units or pay an in-lieu fee to the Colma Housing Trust Fund. The program will help support the inclusion of units at extremely low-, very-low, low-, and moderate income levels.</p>	<p>Starting in 2023, and annually through 2031.</p>	<p>City Manager administers the Housing Fund.</p> <ul style="list-style-type: none"> <li>• Planning department will record, assess parcels, and reach out to housing developers.</li> <li>• The planning department will identify and keep a record of possible developable parcels within the town in which monies from the Housing Fund can be utilized.</li> <li>• The planning department will contact for-profit and nonprofit developers to gauge interest in identified parcels</li> </ul>	<p>Develop a total of 22 extremely low-, 22 very low-, and 25 low-income units by the end of 6<sup>th</sup> Housing Element cycle.</p>
<p>Goal A: Identify Adequate Sites</p> <p>Goal B: Assist in making affordable units available</p>	<p><b>Program 3.5 Establish a Housing Element Overlay Zone</b></p> <p>The planning department will create a new overlay district based on the opportunity sites from the 6<sup>th</sup> cycle Housing Element. This overlay district will reflect state law that will be effective January 1, 2023. Some highlights of this overlay district will be:</p>	<p>2023 through 2031. This overlay will go into effect once the 6<sup>th</sup> cycle Housing Element is adopted by City Council and certified by HCD, with the zoning</p>	<ul style="list-style-type: none"> <li>• Create a new overlay district based on the opportunity sites from the 6<sup>th</sup> cycle Housing Element. This overlay district will reflect state law that will be effective January 1, 2023. Some</li> </ul>	<p>By the end of the 6<sup>th</sup> Housing Element cycle, to have built 22 extremely low-, 22 very-low, 25 low, 37 moderate, and 96 above-moderate units for a total of 202 units.</p>

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
<p>Goal C: Remove governmental constraints</p>	<ul style="list-style-type: none"> <li>Residential use on commercially zoned property without rezoning for projects that pay prevailing wages</li> <li>CEQA-exempt ministerial approval pathway on commercially zoned land for qualifying residential development that meets affordable housing targets and pays prevailing wages</li> <li>No parking minimums within half-mile of high-quality transit.</li> <li>Non-discretionary approval of projects using the Planned Development Objective Design and Development Standards (see Program 3.1)</li> </ul> <p>These sites will also allow development by right pursuant to State statutes (Gov Code 65583.2 (h) and 65583.2(i)), meeting the following requirements:</p> <ul style="list-style-type: none"> <li>Permit multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households</li> <li>Permit a minimum of 20 units per acre</li> <li>Allow a minimum of 16 units per site</li> <li>Accommodate at least 50 percent of the lower income need on sites designated for residential use only, otherwise allow 100 percent residential use and require residential to occupy at least 50 percent of the floor area in a mixed-use project.</li> </ul> <p>This rezone effort will ensure compliance with <i>Martinez v. City of Clovis (2023) 90 Cal.App.5th 193, 307 Cal.Rptr.3d 64.</i></p>	<p>code amended by the end of 2023.</p>	<p>highlights of this overlay district will be:</p> <ul style="list-style-type: none"> <li>Residential use on commercially zoned property without rezoning for projects that pay prevailing wages</li> <li>CEQA-exempt ministerial approval pathway on commercially zoned land for qualifying residential development that meets affordable housing targets and pays prevailing wages</li> <li>No parking minimums within half-mile of public</li> <li>City Council to approve overlay district as part of zoning code update in 2023.</li> </ul>	

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
<p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b>Program 3.6 Streamlining Ministerial Review Process for SB 35 projects</b></p> <p>The Town is currently subject to SB 35 processes for proposed developments with at least 10 percent affordability.</p> <p>The Town will develop written procedures for SB 35 applications at both 10 percent affordability as well as for applications with at least 50 percent affordability in case there is a change in Colma's eligibility in the future.</p>	<p>Develop streamlining procedures by 2026.</p>	<p>Planning Department shall oversee drafting of written procedures for SB 35 ministerial eligibility &amp; process</p>	<p>Ease development of multifamily housing in Colma.</p>
<p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b>Program 3.7: Remove 6-unit Limit</b></p> <p>Remove multifamily limit of 6 units without a Conditional Use Permit process in C and R zones.</p>	<p>Amend the Zoning code by the end of 2023.</p>	<ul style="list-style-type: none"> <li>• Planning Department will revise zoning ordinance</li> </ul>	<p>Ease development of multifamily housing in Colma.</p>
<p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b>Program 3.8: Revise Parking Standards</b></p> <p>Amend the zoning code to require only 1 parking space (either covered or uncovered) for studio and one-bedroom units.</p>	<p>Amend the Zoning code by the end of 2023.</p>	<ul style="list-style-type: none"> <li>• Planning Department will revise zoning ordinance</li> </ul>	<p>Ease development of smaller units in multifamily housing in Colma.</p>

**Policy 4: Provide Housing accessible to persons with special needs, including seniors, persons with disabilities, and homeless persons.**

<p>Goal C: Remove governmental constraints</p> <p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 4.1 Reasonable Accommodations Ordinance Public Information, Ordinance Amendment and Monitoring</b></p> <p>In January 2007, the Town adopted an ordinance amending the Colma Municipal Code to provide a procedure by which persons with disabilities can request reasonable accommodation in seeking equal access to housing. The procedure includes an application form, establishes review authority, requires public noticing and requires findings.</p> <p>In March 2015, the Town amended its Reasonable Accommodation Ordinance to remove provisions that are not in compliance with fair housing laws. The Town will continue to provide public information to continue to allow for reasonable accommodation for persons with special needs on the Town website. The Town will regularly monitor the implementation of the Town's codes, policies, and procedures to ensure that they comply with the "reasonable accommodation" for disabled provisions and all fair housing laws.</p> <p>The Reasonable Accommodation ordinance will be modified to clarify that no fee is required, no public notice is required, and to remove any other identified constraints.</p>	<p>Ongoing. Amend ordinance to clarify fee by end of 2023, and review annually.</p>	<ul style="list-style-type: none"> <li>• The Planning Department is responsible for amending and providing information about the municipal zoning code and monitoring the implementation of the Town's codes, policies, and procedures to ensure that they comply with the "reasonable accommodation" for disabled provisions and all fair housing laws.</li> <li>• The Planning Department shall assess all available resources available to the Town for use in funding and operation of services, programs, or activities that support reasonable accommodations for segmented groups with disabilities.</li> <li>• The Planning Department will work with the ADA Coordinator to obtain</li> </ul>	<p>To ensure that reasonable accommodation is made for individuals to have equal access to housing.</p>
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			guidance on the reasonable accommodations' application process. Any revisions will be complete by the end of 2023.	
Goal E: Preserve assisted housing developments at-risk of conversion to market- rate.  Goal F: Equal Opportunity for Housing	<b>Program 4.2 Expand Senior Housing Opportunities.</b> Through this program the Town maintains and manages Creekside Villas, an 18-unit Senior Housing Complex on El Camino Real. The current rental structure is designed to provide subsidized and affordable units to low-income seniors. This program will preserve affordable housing units for the senior population in town by continuing to fund maintenance and management of the facility (the facility is currently considered low risk) .	Ongoing, with maintenance and management provided as appropriate (annually/monthly) from Housing Element adoption	<ul style="list-style-type: none"> <li>• Town of Colma Administration and the Department of Public Works are responsible for ongoing maintenance/ management of the facility.</li> <li>• The Planning Department will work with developers to identify and expand senior housing opportunities in mixed-use and high-density multi-family housing projects.</li> </ul>	<ul style="list-style-type: none"> <li>• To preserve 18 very low units as affordable housing for seniors within the community.</li> <li>• To integrate senior housing into mixed-use and high-density developments in areas that are suitable for more modest income seniors.</li> </ul>
Goal F: Equal Opportunity for Housing	<b>Program 4.3 Identify Opportunities for Emergency Shelters and Homeless Assistance.</b> California Government Code Section 65583(a) (4) requires Colma to assess the need for emergency homeless shelters and zones to permit these shelters by right and without environmental review.  In May of 2013, the Town of Colma amended its Municipal Code to implement Government Code Section 65583(a) 94).	Ongoing, with outreach tasks as defined in "Tasks & Responsibilities". The town will amend 5.03.290(d)(2)(iv) by the end of 2023.	<ul style="list-style-type: none"> <li>• The Planning Department will work with LifeMoves to obtain resources for homeless individuals (annually, beginning in 2024).</li> <li>• The Planning Department will update</li> </ul>	<ul style="list-style-type: none"> <li>• Promote housing and services for homeless individuals by supporting agencies such as LifeMoves.</li> </ul>

	<p>The amendment allows for the construction of an emergency homeless shelter within the Commercial (C) district.</p> <p>The Town of Colma supports LifeMoves for resources to homeless individuals and families or those at risk of being homeless.</p> <p>The Town will revise its zoning ordinance (5.03.290(d)(2)(iv)) in order to raise the limit of beds in emergency shelters from 5 to 30 and to have parking requirements sufficient to accommodate all staff working in the emergency shelter, provided the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.</p>		<p>the Town's website with resource and guidance for individuals seeking homeless assistance (annually, beginning in 2024).</p> <ul style="list-style-type: none"> <li>• The Planning Department will provide street outreach through volunteers and Homeless Liaisons (annually, beginning in 2024)</li> <li>• Planning Department responsible for advising a potential developer of an emergency shelter of the zoning provisions (ongoing).</li> <li>• Building Department responsible for processing building permits.</li> </ul>	
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<p>Goal F: Equal Opportunity for Housing</p>	<p><b>Program 4.4 Housing Opportunities for Persons with Developmental Disabilities</b></p> <p>Provide housing opportunities for individuals with disabilities so that they have access to public services in the least restrictive and most integrative setting appropriate to their needs.</p> <p>Identify areas where community-based housing could exist and create outreach programs to identify residents in Colma who need this type of housing and services.</p> <p>Amend zoning code to ensure group homes for both six or fewer and seven or more residents are allowed objectively with approval certainty in all zones that allow residential uses and similar to other residential uses of the same form.</p>	<ul style="list-style-type: none"> <li>• Providing housing opportunities on an ongoing basis</li> <li>• Implement identification of areas where community-based housing could exist and create outreach programs by end of 2025</li> <li>• Amend zoning code by end of 2023.</li> </ul>	<ul style="list-style-type: none"> <li>• The Planning Department will amend the zoning code (by end of 2023)</li> <li>• The Planning Department will identify existing community-based housing types such as community care facilities and group homes (by end of 2025).</li> <li>• The Planning Department will prepare outreach programs to inform Colma residents and families of available housing and services for persons with developmental disabilities (by end of 2025).</li> <li>• The Planning Department will reach out to local service providers of special needs groups to assist in the identification and analysis of constraints to the provision of housing for persons with disabilities (first by end of 2025, ongoing thereafter).</li> </ul>	<ul style="list-style-type: none"> <li>• Provide equal opportunity for segmented groups with developmental disabilities to be able to live independently in an affordable housing.</li> <li>• Supports a variety of housing types to help address needs of persons with developmental disabilities.</li> <li>• Identifies unmet needs to overcome any constraints, including lack of capacity and available resources for segmented groups.</li> </ul>
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			<ul style="list-style-type: none"> <li>The Planning Department will assess and implement development standards that supports by-right zoning for care facilities, including residential care facilities, that would contribute to affordable housing for segmented groups (by end of 2027).</li> </ul>	
Goal F: Equal Opportunity for Housing	<p><b>Program 4.5 Low-Barrier Navigation Centers</b></p> <p>To comply with AB 101, the Town will amend the zoning code to permit Low-Barrier Navigation Centers in the R, C and PD Zones. Low-Barrier Navigation Centers as defined by Government Code 65660(a) is housing or shelter in which a resident who is homeless or at risk of homelessness may live temporarily while waiting to move into permanent housing.</p>	Amend the zoning code prior to the end of 2023.	The planning department will update the zoning code	<ul style="list-style-type: none"> <li>Identify areas where Low-Barrier Navigations could exist</li> <li>Support temporary housing types to help address the needs of those who are homeless or at risk of homelessness.</li> </ul>

<p>Goal B: Assist in making affordable units available</p> <p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 4.6 Transitional and Supportive Housing</b></p> <p>In May of 2013, the Town of Colma amended its Municipal Code to allow transitional and supportive housing as a residential use of property of the same type and in the same zone, with no restriction on the number of units within the Commercial/Multi-family zone as per AB 2162.</p> <p>The Town will amend the zoning code to allow transitional and supportive housing as a residential use only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. in the Commercial, Residential, and Planned Development zones (where “multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses” per Gov. Code 65651) if proposed supportive development meets all the requirements of Gov. Code 65651.</p> <p>The town will provide information regarding the Town’s transitional and supportive housing opportunities to local developers through counter handouts and interactions, and on the Town’s website.</p>	<p>Amend the zoning code prior to the end of 2023.</p> <p>Begin outreach in 2024, annually thereafter.</p>	<p>The planning department will update the zoning code, conduct outreach</p>	<ul style="list-style-type: none"> <li>Ease development of transitional and supportive housing for special needs populations</li> </ul>
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<p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b>Program 4.7: Priority Sewer Access</b></p> <p>Work with water and sewer service providers (Cal Water, via South San Francisco) to establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households as per Gov. Code 65589.7.</p>	<p>Send housing element to Cal Water and South San Francisco upon housing element certification and subsequent adoption. Establish procedures by end of 2025.</p>	<p>The Town will deliver the Housing Element to Cal Water and South San Francisco with a cover memo describing the Town's housing element, including the Town's housing needs and regional housing need.</p>	<ul style="list-style-type: none"> <li>Ease development of lower-income units.</li> </ul>
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**Policy 5: Assist citizens in locating and retaining affordable housing and promote equal housing opportunity and fair housing.**

<p>Goal B: Assist in making affordable units available</p> <p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 5.1 Knowledgeable Housing Referral.</b></p> <p>The Colma Planning Department currently retains a listing of major agencies and organizations active in housing related services in nearby cities and a listing of relevant regional, state, and federal offices providing project funding and individual assistance. Persons requesting information or assistance relative to fair housing discrimination complaints shall be referred to the County Community Services Department and provided with State and Federal printed information concerning Fair Housing Law and rights. Local fair housing policies will be posted proactively for public review at the Town Hall, Colma Community Center, Veterans Village and Creekside Villas - the Town's Senior Housing Complex, as well as all rental housing developments. Information about housing-related services and fair housing</p>	<p>Update lists of major agencies and organizations active in housing related services (annually). Outreach posters posted quarterly, beginning in Q3 2024. The first outreach event will be conducted by the end of 2025.</p>	<p>Planning Department will continue to track available funding and assistance and make this information publicly available.</p>	<p>Increase public awareness of fair housing laws and requirements,</p>
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	discrimination complaints will be distributed through Council announcements, as well as one outreach event annually (which can be done in concurrence with another outreach event of similar nature)			
Goal E: Preserve assisted housing developments at-risk of conversion to market- rate.  Goal F: Affirmatively Furthering Fair Housing	<b>Program 5.2 Human Investment Project (HIP) Support.</b> The Town supports the Human Investment Project (HIP), which provides affordable housing opportunities to residents of San Mateo County such as a Home Sharing Program for the elderly and roommate referral. Information about HIP is periodically printed in the Town's monthly newsletter.	Ongoing implementation of existing program. Annual outreach to HIP Housing.	Planning Department is responsible for the ongoing management of the existing program. City Council is responsible for the approval of any monetary support.	Support better utilization and maintenance of existing housing stock and provides affordable housing.
Goal B: Assist in making affordable units available  Goal F: Affirmatively Furthering Fair Housing	<b>Program 5.3 Section 8 Rental Assistance.</b> Through this program, the Town actively encourages very-low to low income households to apply to the San Mateo Housing Authority for rent subsidies. Information on application dates and contacts will be disbursed to the community by the Colma Planning Department, in addition to the Housing Authority's local advertisement. The Town's existing newsletter, mailed to all households, is also utilized to distribute information, as is the Town's website.	<ul style="list-style-type: none"> <li>• Ongoing implementation of existing program.</li> <li>• Bi-annual assessment of program and coordination with landlords</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Department is responsible for the ongoing management of the existing program.</li> <li>• Planning Department conduct outreach programs that focus on promoting Section 8 Rental Assistance</li> <li>• Planning Department will contact and coordinate with landlords of affordable multifamily complexes bi-annually to provide</li> </ul>	<ul style="list-style-type: none"> <li>• Continues to encourage qualified persons to participate in Section 8 Rental Assistance.</li> <li>• Ensures that information is provided to qualified applicants to provide equal access to housing.</li> </ul>

			information and assistance on the program.	
<p>Goal B: Assist in making affordable units available</p> <p>Goal E: Preserve assisted housing developments.</p> <p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 5.4 Address Needs of Extremely Low-Income Households.</b></p> <p>To address the housing needs of extremely low-income households, the Town will identify and meet with property owners and nonprofit builders annually who specialize in building housing for extremely low-income households including those with special needs and veterans. This effort is designed to build a long-term partnership in development, assist potential developers in gaining access to specialized funding sources, identify the range of local resources and assistance needed to facilitate the development of housing for extremely low-income households, and to promote a variety of housing types, including higher density, multi-family, and shared housing.</p> <p>The Town will publish debriefing materials after the annual meetings to the Town website and on postings in Town Hall, the Colma Community Center, Veterans Village, Creekside Villas and in Council announcements. The debriefings will include implementation steps, including the following:</p> <ol style="list-style-type: none"> <li>1) Pursuing a Pro-Housing designation through State HCD to allow greater access to funds in support of ELI housing (2024)</li> </ol>	<p>Ongoing. Meetings with property owners and non-profit developers on an annual basis. Planning Department Staff participated in several panel discussions and interacted with developers and housing advocates as part of the 21 Elements process to prepare this Housing Element. Additional actions as per notes per numbered list.</p>	<ul style="list-style-type: none"> <li>• Planning Department will lead the outreach and information distribution efforts (annually, beginning in 2024).</li> <li>• Planning Department will develop concessions for developers who include extremely low-income units within affordable housing developments (by end of 2025).</li> <li>• Planning Department will plan annual meeting and publish debriefing materials/implementation action plan (first meeting in 2024, debriefing to be published not more than 60 days after meeting).</li> <li>• Planning Department will lead on implementation steps</li> </ul>	<p>Assists developers and property owners in making affordable units available, which, in turn, provides equal housing opportunities to segmented groups</p>

	<p>2) Amending the zoning code to specify incentives for the development of ELI housing, including identifying opportunities for SROs and permanent supportive housing, priority development processing and flexible development standards. Incentives could include reduced fees, streamlined processes, special density bonus or priority for use of Town in-lieu fees to support the production of units for extremely low income households (2025)</p> <p>3) Pursuing an ADU funding program to assist homeowners who agree to place affordability restrictions on their ADU (program research in 2024, establish program pending available funds in 2026).</p>			
Goal B: Assist in making affordable units available	<p><b>Program 5.5 Demonstrate consistency with the Employee Housing Act.</b></p> <p>Amend the zoning code to allow for employee housing for six or fewer employees to be treated as and permitted in the same zones as single-family structures and employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as agricultural uses in the same zone.</p>	Amend the zoning code prior to the end of 2023.	The planning department will update the zoning code.	<ul style="list-style-type: none"> <li>To ensure that the Town is consistent with the Employee Housing Act.</li> <li>Support various housing types to help address the needs of employees in Colma</li> </ul>
Goal B: Assist in making affordable units available  Goal F: Affirmatively Furthering Fair Housing	<p><b>Program 5.6 Single Room Occupancy (SRO Housing)</b></p> <p>Amend the zoning code to allow for single room occupancy housing in the Colma zoning code in R-S, and C zoning districts. Add "single room occupancy housing" to the definition section of the zoning code.</p>	Amend the zoning code prior to the end of 2023.	The planning department will update the zoning code.	To ensure that reasonable accommodation is made for individuals to have equal access to housing.

<p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 5.7 AFFH Action Plan</b> The City will implement AFFH actions listed in Table H-41.</p>	<p>Ongoing, as per actions itemized in Table H-41.</p>	<p>Planning department, with support as per actions itemized in Table H-41.</p>	<p>Affirmatively further fair housing in Colma.</p>
<p><b>Policy 6: Recommend and promote energy conservation in existing and new housing.</b></p>				
<p>Goal G: Sustainable residential development</p>	<p><b>Program 6.1 Green Building Regulations for Residential Uses.</b> The Sustainability Manager recommend for adoption of reach code (starting January 1, 2023) that all new residential construction to be all-electric, requirements for enhanced vehicle charging infrastructure for new residential and non-residential construction.</p>	<p>Estimated completion of the study will be towards the end of Q4 2022, with considerations and approvals presented to City Council in January 2023 and to go into effect once adopted by the City Council</p>	<ul style="list-style-type: none"> <li>• Sustainability Manager to coordinate with Planning Department to amend Municipal Code once adopted by City Council.</li> <li>• Building Department to enforce reach code requirements for new construction projects.</li> </ul>	<ul style="list-style-type: none"> <li>• Reduce GHG Emissions from both new residential and non-residential buildings.</li> <li>• Reduce the reliance on natural gas.</li> </ul>
<p>Goal G: Sustainable residential development</p>	<p><b>Program 6.2 Encourage use of cool roofing systems and other energy conservation measures to reduce a building's energy usage.</b> Utilizing the Town's website and residential newsletter, the Town will provide information to the public on programs to assist in the provision of energy efficiency measures during new construction or as a residential retrofit. This includes updates to the existing program and new rebate programs.</p>	<p>Proactive outreach quarterly using website and newsletter, beginning Q1 2024. Applicants of new projects will be informed of programs upon initial application (if</p>	<ul style="list-style-type: none"> <li>• Planning and Building Departments to proactively educate applicants for applicable projects.</li> </ul>	<ul style="list-style-type: none"> <li>• To create new and sustainable residential development.</li> <li>• To retrofit existing structures to increase efficiency and reduce energy use and cost.</li> </ul>



		not in pre-application discussions).		
<b>Policy 7: Promote the conservation and improvement of the condition of existing housing stock and encourage remodeling and expansion efforts by homeowners.</b>				
<p>Goal D: Conserve and improve the condition of the existing housing stock.</p> <p>Goal E: Preserve assisted housing developments at-risk of conversion to market- rate.</p>	<p><b>Program 7.1 “Rebuilding Together Peninsula” Participation.</b></p> <p>The Town will continue AFFH in Rebuilding Together Peninsula as opportunities arise. Rebuilding Together Peninsula is a program organized by the Mid-Peninsula Housing Coalition.</p> <p>Through this program, Colma citizens and employees volunteer to rehabilitate a residence in the area, so their neighbors can live in warmth, safety and independence.</p>	Ongoing participation in existing program.	All Town staff and residents responsible for participation.	To conserve and improve the condition of the existing housing stock, targeting 4 rehabilitated units in the 8-year planning period.
<p>Goal D: Conserve and improve the condition of the existing housing stock.</p>	<p><b>Program 7.2 Neighborhood Improvement (Code Enforcement).</b></p> <p>Continue neighborhood improvement efforts through an active code enforcement program and provide staff as needed to improve residential areas.</p> <p>The Town of Colma’s Neighborhood Improvement - Code Enforcement program will use code enforcement complaints to:</p>	The Ordinance was adopted September 12, 2012. Housing stock assessment will continue annually, with area analysis done first by the end of 2023.	<ul style="list-style-type: none"> <li>• Planning Department will assess the conditions of the existing housing stock to determine processes for cleanup, maintenance, and rehabilitation (if applicable)</li> </ul>	Conserves and improves the conditions of the existing housing stock, targeting 16 rehabilitated units in the 8-year planning period.

	<ol style="list-style-type: none"> <li>1. Continually identify which areas within the jurisdiction to focus their rehabilitation efforts.</li> <li>2. Identify which complaints are relevant to home conditions to ensure program effectiveness.</li> </ol> <p>Currently, the average annual number of complaints received for 2020-2023 is 7, with over half of code enforcement cases occurring in the Sterling Park neighborhood. Using this average as a baseline, the town of Colma will commit to ensuring at minimum 2 units annually (16 over the course of the 8-year planning period) are rehabilitated with support from the Town.</p> <p>The Code Enforcement program is not a crime free ordinance.</p>		<ul style="list-style-type: none"> <li>• Planning Department will seek out funding sources to assist with residential maintenance</li> <li>• Code Enforcement will assist with the inventory of residential units in need of maintenance by analyzing complaints and identifying which indicate housing in need of rehabilitation. Town of Colma will coordinate with the Planning Department to assess common maintenance items.</li> <li>• Planning Department, with assistance from the Building Official and City Attorney's office.</li> </ul>	
<p>Goal D: Conserve and improve the condition of the existing housing stock.</p>	<p><b>Program 7.3 Organize Community Clean Up Days.</b> Town will organize community clean up days, to promote rehabilitation, renovation, and home care. Programs include waste hauling programs, Town-provided painting materials, other renovation supplies, and organize volunteers.</p>	<p>Ongoing – the Town organizes community clean-up days on an annual basis.</p>	<p>Planning and Recreation departments responsible for program. City Council is responsible for adopting program.</p>	<p>To conserve and improve the condition of the existing housing stock.</p>
<p><b>Policy 8: Promote public participation transparency in housing and land use plans</b></p>				

<p>Goal C: Remove governmental constraints</p> <p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 8.1 Housing and Land Use Public Participation</b></p> <p>The Town will undertake public participation from all segments of the community including residents, members of workforce, all economic segments, and special needs groups regarding housing and land use in town.</p>	<p>Starting in 2023 and on an annual basis.</p>	<p>Planning Department will focus its outreach to the underrepresented, providing materials in various languages and in digital and print media. Projects related to housing will be continually updated on the Town's website as needed.</p>	<ul style="list-style-type: none"> <li>• Annual outreach to underrepresented community members which result in upward trending participation.</li> <li>• Update housing related projects on the Town's website as needed.</li> </ul>
<p>Goal C: Remove governmental constraints</p> <p>Goal F: AFFH</p>	<p><b>Program 8.2 Zoning and Fees Transparency</b></p> <p>The Town will post all zoning and development standards as well as inclusionary requirements for each parcel on its website.</p>	<p>Starting in 2023. Updating as opportunity sites are developed or new sites are made available.</p>	<p>Planning Department will organize all opportunity sites which will include objective development standards, inclusionary standards for all income levels, and fees.</p>	<ul style="list-style-type: none"> <li>• Update housing related projects on the Town's website as needed.</li> <li>• Meet inclusionary housing units for all income levels for the 6<sup>th</sup> cycle.</li> </ul>

## QUANTIFIED OBJECTIVES

Table H-62 summarizes quantified objectives for the construction, rehabilitation and conservation of housing in the Town of Colma for this Housing Element. The RHNA allocation for the town includes 22 extremely low, 22 very low, 25 very low, 37 moderate, and 96 above moderate units for a total of 202 units. These are the New Construction Objectives, although the Site Inventory identifies more units in each of these categories. Rehabilitation goal include 16 units targeted in 7.1 (8 at moderate income, 8 at low income) and the 4 units targeted in Program 7.2 (at very low income). The Conservation/Preservation goal includes preserving the 18 units at Creekside Villas for low-income seniors, currently at a low risk for conversion.

Table H-62: Quantified Objectives 2023-2031

Income Category	New Construction	Rehabilitation	Conservation/ Preservation	Total <sup>1</sup>
Extremely Low (Less than 30% of AMI)	22	0	0	0
Very Low (30-50% of AMI)	22	4	18	44
Low (50-80% of AMI)	25	8	0	33
Moderate (80-120% of AMI)	37	8	0	45
Above Moderate (Greater than 120% of AMI)	96	0	0	9
Total	202	20	18	240

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## EVALUATION OF THE PRIOR 2015 HOUSING ELEMENT

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State housing element law requires communities to assess their achievements under adopted housing programs as part of the update of an existing housing element. These results should be quantified where possible (e.g., rehabilitation results), but may be qualitative where necessary (e.g., mitigation of governmental constraints). Past accomplishments are compared with what was projected or planned as part of the earlier housing element. Where significant shortfalls exist between what was planned and what was achieved, the reasons for such differences must be discussed.

The 2015 Housing Element identified a number of programs designed to facilitate affordable housing and quantified the number of units to be achieved through the various programs. An evaluation of the housing programs included in the 2009 Housing Element ultimately informed the policies and programs of the 2015 Housing Element, as several successful programs were carried over to this Housing Element, some less successful programs were modified by either consolidation or through elimination.

### EFFECTIVENESS OF PREVIOUS HOUSING ELEMENTS

The previous Housing Elements have been effective in maintaining, improving and increasing the supply of new housing.

The 2015 Housing Element called for 59 new units. Town records show that 75 new units were built under the 2015 Housing Element, exceeding the goal of 59 units. Therefore, the 2015 Housing Element was highly effective in meeting its RHNA allocation. This success was due to a successful identification of opportunity sites in the Housing Element and policies favorable to housing development.

Special needs populations include elderly, persons with disabilities, large families, female-headed single parent households, farmworkers, persons experiencing homelessness, and extremely low incomes. The Town made a diligent effort in addressing the needs of the housing needs of these groups through the programs and policies in the 2015 Housing Element. As a result of these programs, Veterans Village was built and completed. 31 very-low units and 34 low-income units were made available to Veterans who at one time formerly homeless, low-income, and have special needs.

Colma is in compliance with Assembly Bill 1233, which requires that necessary rezoning identified by the previous Housing Element be adopted within a specific time frame.

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## **APPROPRIATENESS OF THE 2015 HOUSING ELEMENT POLICIES AND PROGRAMS**

After thorough review, staff identified policies and programs from the 2015 Housing Element that will be carried over into the 2023 Housing Element. Some programs have been modified to strengthen the program, some consolidated into one program, and others eliminated. The 2015 Housing Element contains a series of Implementation Programs. Table H-59 provides a program-by-program review considering progress to date in implementation of these program actions, and the continued appropriateness of identified programs. The results of this analysis form the basis for developing the comprehensive housing program strategy presented in the General Plan Housing Element.

## HOUSING ELEMENT PROGRAM EVALUATION (2015-2023)

Table H-63: Town of Colma Previous Housing Element Accomplishments

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
<b><i>Policy 1: Encourage construction of single family detached homes at all income levels in the Sterling Park residential neighborhood.</i></b>			
<p><b><i>Program 1.1 Manufactured Housing Design Standards.</i></b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>Allows for construction of single-family residences at lower costs, thereby reducing the cost of housing.</i></p>	<p><i>In May of 2013 City Council adopted Ordinance No. 720, allowing manufactured homes to be located in a single-family residential zone, provided they are on a permanent foundation, devoid of wheels or axles, meets specified design standards, and established development standards applicable to manufactured homes.</i></p>	<p><i>Since adoption of this ordinance in 2013, no requests have been made to construct a manufactured home.</i></p> <p><i>This program is continued in the 2023 Housing Element. (see Program 1.1)</i></p> <p><i>Modifications to the program include annual outreach, developing objective design standards for manufactured housing in single-family housing zoning designations, and encourage developers to utilize lot split under SB 9.</i></p>
<p><b><i>Program 1.2 General Plan Consistency Review and Annual Report.</i></b>  <i>Continue to conduct an annual Housing Element implementation review consistent with Government Code Section 65400.</i>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>Increase awareness of decision-makers of annual progress toward meeting Housing Element Goals.</i></p>	<p><i>Continue internal consistency review annually and make reports available to the public.</i></p>	<p><i>The Town's General Plan was adopted in March 2022 and the Planning Department continues to annual report housing progress to HCD.</i></p> <p><i>This program is continued in the 2023 Housing Element. (See Program 1.2).</i></p>

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
			<p><i>Modifications to the program include annual internal consistency review and public reporting of the review on the Town's website.</i></p>
<p><b><i>Policy 2: Encourage construction of second dwelling units where appropriate.</i></b></p>			
<p><b><i>Program 2.1 Second Unit Ordinance.</i></b>  <i>Pursuant to Colma's Zoning Code, second dwelling units are permitted in the "R" Zone, in accordance with state law. Second dwelling units are not permitted in the Sterling Park neighborhood, in order to comply with the maximum density of the 13 units/acre density and to manage parking impacts.</i>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To increase the number of second dwelling units; and to encourage the development of second units in areas of the town where they are permitted or conditionally permitted (C and R zones).</i></p>	<p><i>Accessory Dwelling Unit (ADU) Ordinance adopted in 2017. The ordinance was amended in 2020 to comply with new state housing laws.</i></p>	<p><i>No new second units were constructed under the 2015 Housing Element.</i></p> <p><i>This program is effective and will continue in the 2023 Housing Element. (see Program 2.1 and 2.2)</i></p> <p><i>Modifications include updating Second Unit Ordinance in 2023, creating outreach materials which include objective design standards for ADU and second units. New ADU program (program 2.2), which includes annual outreach, workshops, and updating ADU ordinance to reflect state law in 2023.</i></p>
<p><b><i>Policy 3: Provide incentives that encourage affordable high-density residential uses near major regional transportation facilities.</i></b></p>			
<p><b><i>Program 3.1 Planned Development Districts and Mixed Use.</i></b>  <i>Pursuant to the Colma Zoning Ordinance, parcels zoned as "Planned Development (PD)" permit a mix of uses, including residential and commercial. Higher density, multi-unit residential developments are permitted in PD zones.</i></p>	<p><i>To optimize the use of developable land to maximize the General Plan density of each developable site; and to allow for implementation of Density Bonus</i></p>	<p><i>The Planned Development District process is an effective tool in allowing for design flexibility for maximizing unit output. No new Residential Planned Developments were constructed under the 2015 Housing Element.</i></p>	<p><i>No new "PD" Districts were established or Mixed Use developments were built in the current cycle.</i></p> <p><i>This program will continue in the 2023 Housing Element. (see Program 3.1)</i></p>



<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><i>PD districts may be established in any R or C zone upon application of a property owner or owners, or upon the initiative of the City Council.</i></p> <p><i>Timing: Ongoing</i></p> <p><i>Responsibility: Planning Department</i></p>	<p><i>provisions when appropriate.</i></p>		<p><i>Modifications include objective design standards and development standards for "PD" Districts, establish Administrative Approval Process to streamline review of any high-density or mixed-use projects.</i></p>
<p><b>Program 3.2 Density Bonus and Inclusionary Housing Provisions</b></p> <p><i>Timing: Ongoing</i></p> <p><i>Responsibility: Planning Department</i></p>	<p><i>To increase the supply of housing units through the use of density bonus provisions.</i></p>	<p><i>Evaluation to be completed within one year of Housing Element adoption.</i></p>	<p><i>Colma is participating with other jurisdictions in San Mateo County to prepare a joint Nexus study to the support existing ordinance.</i></p> <p><i>No new housing units were built using Density Bonus and Inclusionary Housing Provisions.</i></p> <p><i>This program is continued in the 2023 Housing Element. (see Program 3.2)</i></p> <p><i>Modifications include annual review of State's Density Bonus Law and make amendments to the Town's Density Bonus Ordinance for consistency.</i></p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 3.3 High-Density Housing Near Colma and South San Francisco BART Stations.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To facilitate the development of housing units and affordable housing units in proximity to the BART station.</i></p>	<p><i>The Town continues to encourage development near the BART Stations. Due to the recession, no units were built.</i></p>	<p><i>No new units were built under the 2015 Housing Element as a result of the economy. This program is continued in the 2023 Housing Element. (see program 3.3)</i></p> <p><i>Modifications include removing parking minimums for projects located within .5 mile of high quality transit, annual review of state legislature, updating the Town's ordinance as needed, outreach to property owners regarding new laws, and updating the Zoning Code to reflect changes.</i></p>
<p><b>Program 3.4 Planner Responsibility to Promote Affordable Housing and Mixed-Use.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To assist in the development of affordable units.</i></p>	<p><i>Ongoing implementation of existing program.</i></p> <p><i>This program and other programs led to Veterans Village to be built during the current housing cycle.</i></p>	<p><i>Routine meetings and inquiries with property owners, citizens and developers as they request information about various properties.</i></p> <p><i>This program and other programs led to Veterans Village to be built during the current housing cycle. While this program was successful, it will be discontinued in the 2023 Housing Element. The planning department has adopted this practice for every vacant and non-vacant site in town.</i></p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 3.5 Planned Development Zoning Provisions for Larger Lot Development.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i>  <i>The Town's Planned Development Ordinance provides for residential development proposals that would not be possible under the available conventional zoning. Establishing a PD or 'Planned Development' allows for site-specific constraints to be taken into account when setting the regulations for development, such as design, setback, and parking standards.</i></p>	<p><i>To optimize the use of developable land to maximize the General Plan density of each developable site; and to allow for implementation of Density Bonus provisions when appropriate.</i></p>	<p><i>None. The Town of Colma only has smaller development sites which are planned to be developed with higher density housing. No opportunities for Planned Development zoning have been presented.</i></p>	<p><i>No new units were constructed under the current housing cycle.</i></p> <p><i>This program is discontinued in the 2023 Housing Element.</i></p>
<p><b>Program 3.6 Ensure No Net Loss of Required Units.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To ensure that all units identified in the Housing Element will be built on designated sites or alternative sites.</i></p>	<p><i>Completed. In May of 2013 City Council adopted Ordinance No. 720, prohibiting the density of any multi-family residential site identified in the 2009 Housing Element from being reduced unless (1) the reduction is consistent with the General Plan and (2) the remaining sites are adequate to meet the Town's allocation of the regional housing needs (RHNA).</i></p>	<p><i>No new units were built under the 2009 Housing Element as a result of the economy, so this program scenario has not presented itself.</i></p> <p><i>This program has been discontinued in the 2015 Housing Element.</i></p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 3.7 Inclusionary Housing.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To create new affordable housing units both for rent and for sale.</i></p>	<p><i>Nexus Study and Housing Impact Fees adopted 2016.</i></p> <p><i>This program and other programs led to Veterans Village to be built during the current housing cycle.</i></p>	<p><i>This program is continued in the 2023 Housing Element. (see Program 3.4)</i></p> <p><i>Modifications to this program include a Inclusionary Housing Ordinance that requires a development of 5 or more to have 20% affordable units or pay an in-lieu fee. The planning department will also proactively reach out to property owners and developers to utilize Housing Fund.</i></p>
<p><b>Policy 4: Provide Housing accessible to persons with special needs, including seniors, persons with disabilities, and homeless persons.</b></p>			
<p><b>Program 4.1 Reasonable Accommodations Ordinance Enforcement.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To ensure that reasonable accommodation is made for individuals to have equal access to housing.</i></p>	<p><i>No requests for reasonable accommodation were made during the 2015 Housing Element period.</i></p>	<p><i>No requests for reasonable accommodation have been made during the reporting period. In January 2007, the Town adopted an ordinance amending the Colma municipal code which outlines the reasonable accommodation process.</i></p> <p><i>This program is modified in the 2023 Housing Element. (see program 4.1)</i></p> <p><i>Modifications include Planning Department's responsibility to amend, implement, monitor, and provide information about the municipal zoning</i></p>

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
			<p><i>code. This department will also confirm that the Town's codes, policies, and procedures will comply with the "reasonable accommodation" for disabled provisions and all fair housing laws. Joint efforts with the Town's ADA Coordinator to obtain guidance on reasonable accommodations' application process.</i></p>
<p><b>Program 4.2 Senior Housing.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To maintain affordable housing for seniors within the community.</i></p>	<p><i>Completed and ongoing.</i></p>	<p><i>Through this program the Town maintains and manages Creekside Villas, an 18-unit Senior Housing Complex on El Camino Real. The current rental structure is designed to provide subsidized and affordable units to low-income seniors.</i></p> <p><i>This program is effective and will continue in the 2023 Housing Element. (see program 4.2)</i></p> <p><i>Modifications include the Planning Department identifying opportunities to expand senior housing in mixed-use and high-density multi-family housing projects.</i></p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 4.3 Emergency Shelters.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>Allowance for an emergency shelter.</i></p>	<p><i>Completed. In May of 2013 City Council adopted Ordinance No. 720, allowing emergency shelters on all properties zoned for commercial use, without a conditional use permit or other discretionary permit, and establishing development standards including proximity to other shelters (no closer than 300 feet), vehicle parking for employees, bicycle parking, shelter capacity, client waiting areas, length of stay, screening of outdoor uses, exterior lighting, laundry facilities, and personal property storage applicable to emergency shelters (An emergency shelter is housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less).</i></p>	<p><i>No requests for an emergency shelter have been made during the 2015 Housing Element period.</i></p> <p><i>This program is effective and will continue in the 2023 Housing Element. (see program 4.3) in and working Modifications include working with LifeMoves, updating the Town's website for homeless related assistance, and advising potential developers of emergency shelter and zoning provisions.</i></p>
<p><b>Program 4.4 Inform local developers of opportunities to provide transitional and supportive housing.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>Allowance for transitional and supportive housing.</i></p>	<p><i>Ongoing. Information provided at time of counter interaction.</i></p>	<p><i>No dedicated transitional or supportive housing was built in the current housing cycle. Veterans Village does provide housing to formerly homeless veterans and provide supportive services to their residents.</i></p> <p><i>This program will not continue in the 2023 Housing Element. Program 4.3 (see</i></p>

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
			<i>Program 4.3) does cover some of the elements in this program.</i>
<p><b>Program 4.5 Amend the Zoning Code within one year of adoption of the Colma Housing Element to clarify that transitional and supportive housing is considered a residential use of the property, subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.</b></p> <p><i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i></p>	<p><i>Allowance for transitional and supportive housing in residential zones.</i></p>	<p><i>Completed. In May of 2013 City Council adopted Ordinance No. 720, allowing transitional and supportive housing on all properties zoned for residential or commercial use (Transitional housing is rental housing for a set period of time of at least six months and Supportive housing means rental housing with no limit on length of stay, which is linked to certain support services), and establishing development standards applicable to both.</i></p>	<p><i>The Town has amended its zoning code to clarify that the supportive housing is considered a residential use of property. As a result, this program is will not continue in the 2023 Housing Element.</i></p>
<p><b>Program 4.6. Reach out to local service providers of special needs groups to assist in the identification and analysis of constraints to the provision of housing for persons with disabilities.</b></p> <p><i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i></p>	<p><i>To ensure that equal access and opportunities are provided to persons with disabilities for housing.</i></p>	<p><i>During the preparation process of the 2015 Housing Element, the 21 Elements team facilitated a series of panel discussions to solicit input from stakeholders throughout the county on housing issues. Three meetings were held, with focused stakeholder participants, including housing developers, housing advocates and funding providers, and special needs service providers.</i></p>	<p><i>This program is effective and continued in the 2023 Housing Element. (see program 4.4)</i></p> <p><i>Modifications include identifying existing community-based housing types, outreach to residents who have special needs and local providers can assist with special needs. The Planning Department will assess and implements development standards that support by-right zoning for care facilities and affordable housing for segmented groups.</i></p>
<p><b>Policy 5: Assist citizens in locating and retaining affordable housing and promote equal housing opportunity and fair housing.</b></p>			

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 5.1 Knowledgeable Housing Referral. Timing: Ongoing</b>  <i>Responsibility: Planning Department</i></p>	<p><i>To ensure that referrals can be made to provide equal access to housing.</i></p>	<p><i>Information and referrals made during the reporting period to individuals calling or coming into planning department offices. The Colma Planning Department currently retains a listing of major agencies and organizations active in housing related services in nearby cities and a listing of relevant regional, state, and federal offices providing project funding and individual assistance.</i></p>	<p><i>There were no reported violations of fair housing in this cycle. Modifications to this program include incorporating proactive outreach strategies multiple times a year throughout the planning period.</i></p> <p><i>This program is effective and will continue in the 2023 Housing Element. (see Program 5.1)</i></p>
<p><b>Program 5.2 Human Investment Project (HIP) Support.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>Supports better utilization of existing housing stock and provides affordable housing. It also supports better maintenance of existing housing stock.</i></p>	<p><i>The Town supports the Human Investment Project (HIP), which provides affordable housing opportunities to residents of San Mateo County such as a Home Sharing Program for the elderly and roommate referral. Information about HIP is periodically printed in the Town's monthly newsletter.</i></p>	<p><i>HIP has attended town events on an annual basis to promote this program.</i></p> <p><i>This program is effective and will continue in the 2023 Housing Element. (see Program 5.2)</i></p>
<p><b>Program 5.3 Section 8 Rental Assistance.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To ensure that information is provided to qualified applicants to provide equal access to housing.</i></p>	<p><i>Information is disbursed to the community by the Colma Planning Department. Through this program, the Town actively encourages very-low-income households to apply to the San Mateo Housing Authority for rent subsidies.</i></p>	<p><i>This program is effective and will continue in the 2023 Housing Element. (see Program 5.3)</i></p> <p><i>Modifications includes outreach programs, contacting landlords of multifamily properties in town to educate and inform of program.</i></p>



<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 5.4 Housing Recordkeeping.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To conserve and improve the condition of the existing housing stock.</i></p>	<p><i>Through this program a master list of total housing units and the estimated population is maintained by the City Planner and updated annually using building records.</i></p>	<p><i>This program will not continue in the 2023 Housing Element as this is a task currently done by the Planning Department.</i></p>
<p><b>Program 5.5 Address needs of Extremely Low-Income Households.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To assist developers and property owners in making affordable units available, which, in turn, provides equal housing opportunities.</i></p>	<p><i>San Mateo County and 21 Elements organized a affordable housing developer panel in December 2013 that was attended by Colma Staff.</i></p> <p><i>As a result, 31 very-low and 34 low housing units were built at Veterans Village.</i></p>	<p><i>This program is effective and will continue in the 2023 Housing Element. (see Program 5.4)</i></p> <p><i>Modifications includes annual meetings with property owners, non-profit developers, and outreach to stakeholders who can assist in the development in affordable units.</i></p>
<p><b>Policy 6: Recommended and promote energy conservation in existing and new housing.</b></p>			
<p><b>Program 6.1 Greenbuilding Regulations for Residential Uses.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department, Sustainability Team, Building Department</i></p>	<p><i>To create new and sustainable residential development</i></p> <p><i>To retrofit existing structures to increase efficiency and reduce energy use and cost.</i></p>	<p><i>The Town has currently enforces the 2013 state building codes which provide for a high level of efficiency. In addition, the Town is working with PG&amp;E to support their “energy by design” review of building permit plans and rebate program. The Colma Planning Department will continue to evaluate the appropriateness and effectiveness of adopting green building and green landscaping ordinances that have greater energy efficiency standards, as part of a Town effort to address global climate change and energy conservation.</i></p>	<p><i>This program is effective and will continue in the 2023 Housing Element. (see Program 6.1)</i></p> <p><i>Modifications include Sustainability Manager to coordinate with Planning Department to draft reach code for City Council adoption in Q1 2023 and Building Department to enforce reach code requirements in new residential construction.</i></p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 6.2 Encourage use of cool roofing systems and other energy conservation measures to reduce a building's energy usage.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department, Sustainability Team, Building Department</i></p>	<p><i>To create new and sustainable residential development</i>  <i>To retrofit existing structures to increase efficiency and reduce energy use and cost.</i></p>	<p><i>The Town has provided information to the public on programs to assist in the provision of energy efficiency measures during new construction or as a residential retrofit.</i></p>	<p><i>This program is effective and will continue in the 2023 Housing Element. (see program 6.2)</i></p> <p><i>Modifications include Planning and Building Departments to proactively educate applicants for applicable projects.</i></p>
<p><b>Policy 7: Promote the conservation and improvement of the condition of existing housing stock and encourage remodeling and expansion efforts by homeowners.</b></p>			
<p><b>Program 7.1 "Rebuilding Together Peninsula" Participation.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To conserve and improve the condition of the existing housing stock.</i></p>	<p><i>No residences were improved in Colma as part of this program during the 2015 Housing Element time period. The Town will continue participation in Rebuilding Together Peninsula as opportunities arise.</i></p>	<p><i>This program is effective and will continue in the 2023 Housing Element. (see Program 7.1)</i></p> <p><i>Modifications includes Town staff to be included in the process.</i></p>
<p><b>Program 7.2 Minor Housing Repair Grant Program.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To conserve and improve the condition of the existing housing stock.</i></p>	<p><i>The Minor Housing Repair Grant Program remains part of the Town's Municipal Code. The funding program provided grants for repair of minor items such as unsafe walkways and porches, installation of insulation and dual-pane windows and energy-efficient appliances. The grants could also have been used for major repairs such as new roofs or foundation work, and for upgrades and retrofits pertaining to disability access.</i></p>	<p><i>This will not continue in the 2023 Housing Element.</i></p> <p><i>Many elements of this program is covered in Program 7.1. Working and cooperating with the Rebuilding Peninsula Together is ongoing at this time.</i></p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
		Although the program is currently not active, largely in part due to promotion of Rebuilding Together programs, the Town will consider reactivation of the program.	
<b>Program 7.3 Neighborhood Improvement (Code Enforcement).</b> <i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i>	<i>To conserve and improve the condition of the existing housing stock.</i>	<i>In September of 2012 City Council adopted an ordinance amending subchapter 2-01 of the Colma Municipal Code, relating to property maintenance and nuisance abatement, to provide for issuance of Administrative Citations and other enforcement tools, and Section 1.05.020 of the Colma Municipal Code, relating to penalties for infractions.</i>	<i>This program is effective and will continue in the 2023 Housing Element. (see Program 7.2)</i>  <i>Modifications include Planning Department and Code Enforcement collectively identifying properties who are in violation and seek out funding sources to help with maintenance costs.</i>
<b>Program 7.4 Low-interest loan program for very-low-, low-, and moderate-income homeowners.</b> <i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i>	<i>To conserve and improve the condition of the existing housing stock.</i> <i>To allow low-income homeowners to remain in their homes.</i>	<i>The Town will work to establish a low-interest loan program for rehabilitation of residential properties owned by those with very-low, low, and moderate income.</i>	<i>This program will be discontinued in the 2023 Housing Element.</i>
<b>Program 7.5 Underground Utilities in the Mission Road Corridor.</b> <i>Timing: Ongoing</i> <i>Responsibility: Public Works Department and Planning Department</i>	<i>To make Mission Road more attractive for new residential development.</i>	<i>Added to the 2013-2014 CIP. Will remain on the CIP list The Town will work with PG&amp;E to fund the undergrounding of utilities in the Mission Road corridor.</i>	<i>This program will be discontinued in the 2023 Housing Element.</i>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 7.6 Nuisance Abatement and Property Maintenance process to Improve Individual Properties and Neighborhood Pride.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To conserve and improve the condition of the existing housing stock.</i></p>	<p><i>The Town continues its active pursuance of compliance by property owners on laws related to property maintenance permit conditions and construction and zoning codes in order to correct conditions of visual blight and to protect property values.</i></p>	<p><i>This program will not continue in the 2023 Housing Element.</i></p> <p><i>Programs 7.1, 7.2, and 7.3 covers the tasks involved in this program.</i></p>
<p><b>Program 7.7 Organize Community Clean Up Days.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To conserve and improve the condition of the existing housing stock.</i></p>	<p><i>The Town hosts annual clean up days, to promote rehabilitation, renovation and home care. Program may include waste hauling program. The Town provides supplies and organizes volunteers and clean-up projects.</i></p>	<p><i>This program is effective and will continue in the 2023 Housing Element. (see Program 7.3)</i></p> <p><i>Modifications include outreach by Planning Department and Recreation Department.</i></p>

## PROGRESS IN ACHIEVING QUANTIFIED OBJECTIVES (2015-2023)

Table H-64: Progress in Achieving Quantified Objectives (2015-2023)

Program Category	Quantified Objectives
New Construction	
Extremely Low	-
Very Low	31
Low	34
Moderate	-
Above Moderate	10
Total	75
Rehabilitation	
Very Low	-
Low	-
Moderate	-
Above Moderate	-
Total	-
Conservation	
Very Low	-
Low	-
Moderate	-
Above Moderate	-
Total	-

Table H-60 provides the progress in achieving quantified objectives in the 2015 Housing Element cycle. The Town's RHNA allocation was 59 units for the 2015 Housing Element cycle. The Town successfully met that allocation and surpassed the amount by 16 units. The Town did not have rehabilitate or conserve any existing housing units in this cycle. Overall, the Town was successful in the 2015 Housing Element cycle by meeting its RHNA numbers and creating well-intended housing policies and programs.





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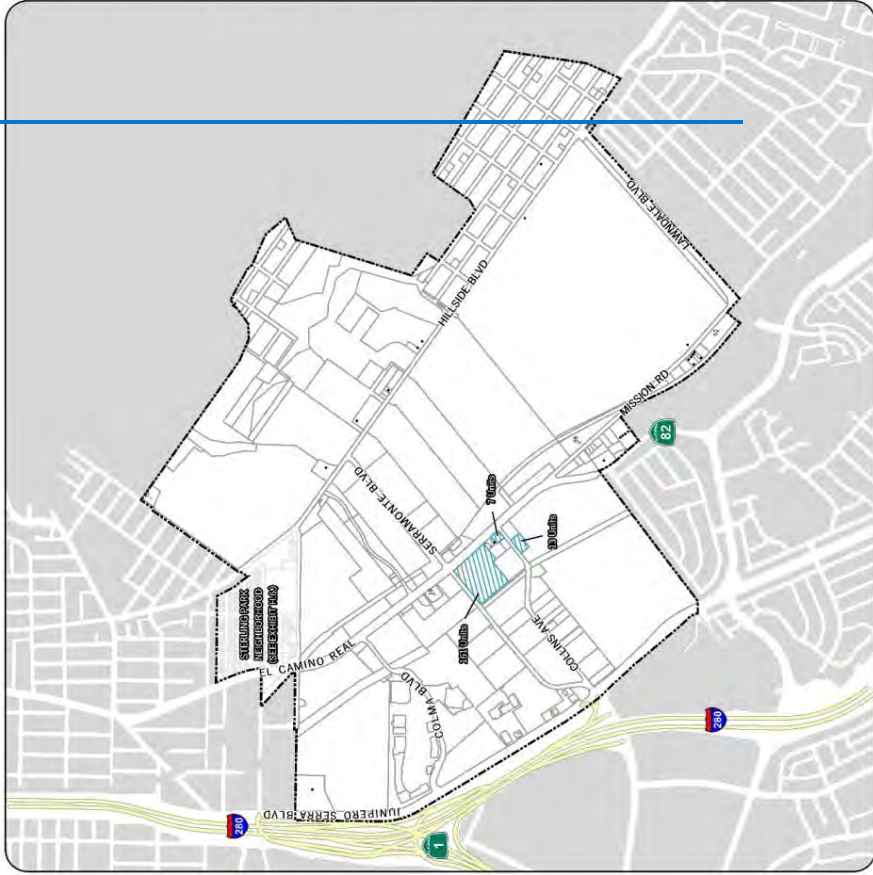
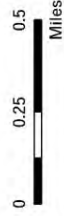
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# Town of Colma

Figure H.5.  
Housing Sites

- Town Limits
- Multiple Units
- Duplex Unit
- Single Unit
- Development Potential
- Developable Site
- 32 Units Sterling Park (See Figure H.6.)
- 224 Units El Camino Real

Data provided by: Town of Colma, San Mateo County, and Caltrans.



**Town of Colma**

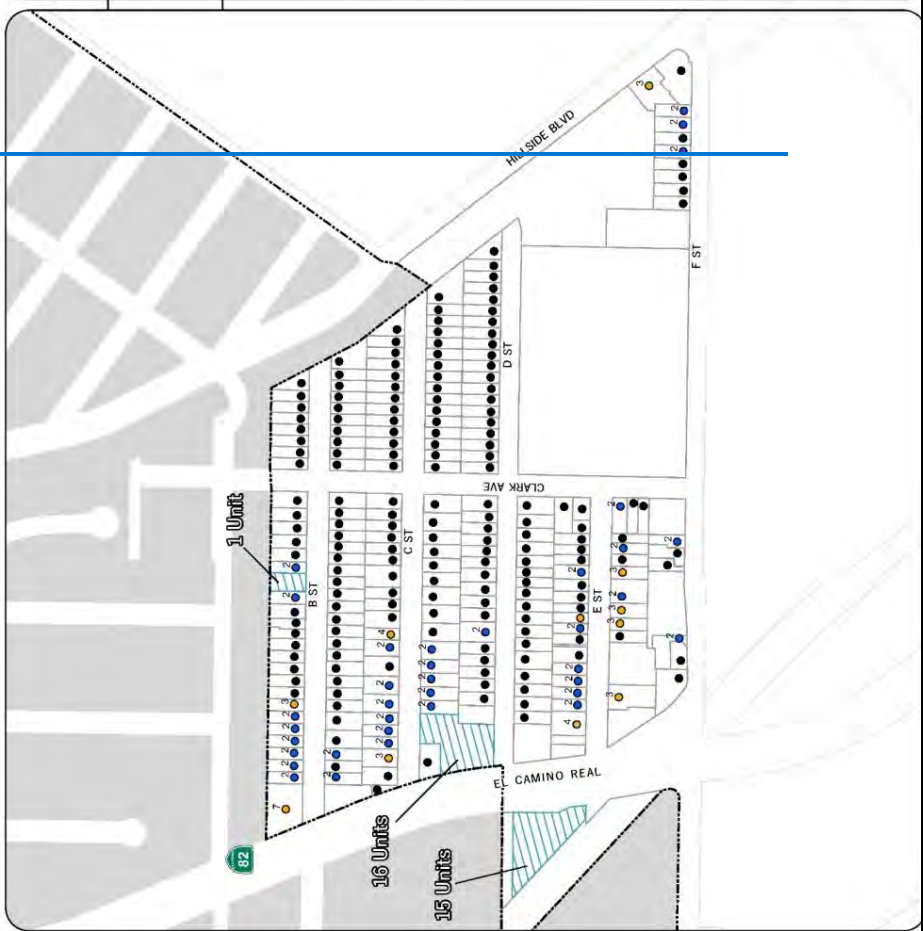
**Figure H.6.**  
**Housing Units**  
**Sterling Park**

Town Limits  
 Multiple Units  
 Duplex Unit  
 Single Unit

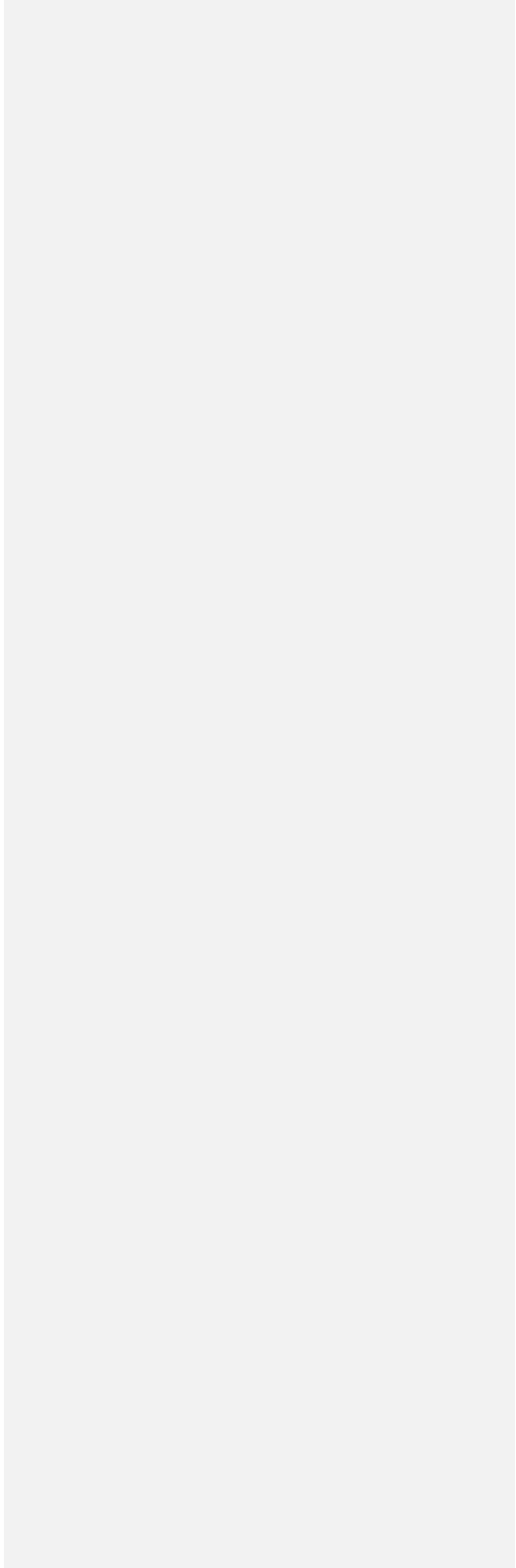
**Development Potential**  
 Developable Site

Data provided by: Town of Colma, San Mateo County, and Caltrans.

0 0.05 0.1 Miles



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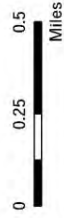


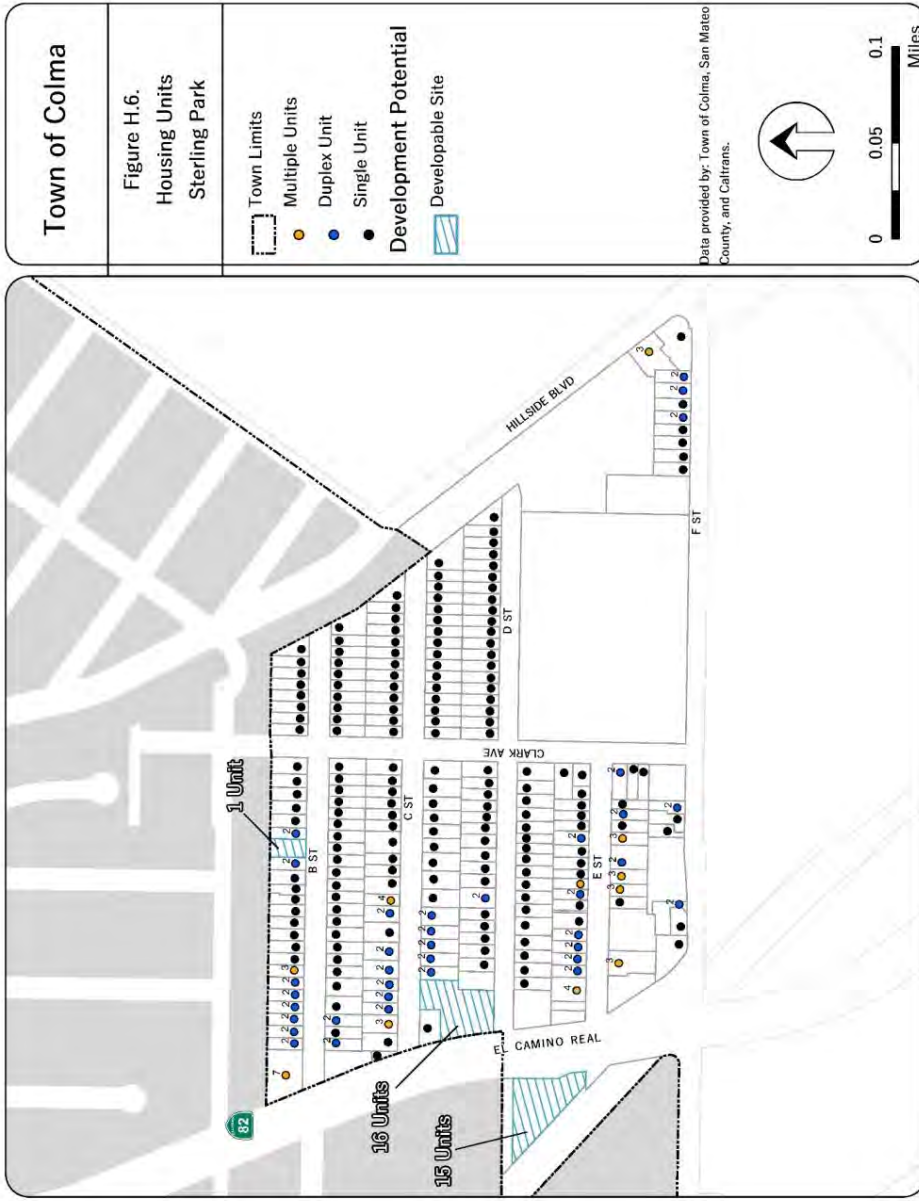
# Town of Colma

Figure H.5.  
Housing Sites

-  Town Limits
  -  Multiple Units
  -  Duplex Unit
  -  Single Unit
- Development Potential**
-  Developable Site
  -  32 Units Sterling Park (See Figure H.6.)
  -  224 Units El Camino Real

Data provided by: Town of Colma, San Mateo County, and Caltrans.





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## INTRODUCTION

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Section 65302(c) of the California Government Code requires every county and city in the state to include a housing element as part of their adopted general plans. In stipulating the content of this element, Article 10.6 of the Government Code indicates that the element shall consist of “an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing.” Housing Element Law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community.

### PURPOSE OF THE HOUSING ELEMENT

The purpose of the 2023 Housing Element of the Town of Colma General Plan is:

- to plan for the Town’s housing needs;
- establish the housing-related goals, objectives, and programs necessary to allow for development;
- encourage development and maintenance of housing for all economic segments of the community over the 2023 – 2031 planning period.

The Housing Element is designed to comply with State Housing Element Law and guidelines for the preparation and adoption of Housing Elements.

### SETTING, CONTEXT AND HOUSING NEED

Colma’s location just south of San Francisco and Daly City makes it a desirable and slightly more affordable location to live in than San Francisco, with easy transit into San Francisco from the Colma and South San Francisco BART stations. Colma is also a regional shopping destination for automobiles and retail goods. [However](#), Colma has limited land available for new development given that about 75% of its two square miles is devoted to cemetery land uses.

The San Francisco Bay Area continues to be one of the most desirable and expensive real estate markets in the country. Despite the economic downturn and lowering of housing prices that began in 2008, rents generally continued to rise throughout the region. Housing sale prices have regained losses associated with the recession, and most Bay Area homes are too expensive for families with average household incomes. Despite its small size and limited land resources, opportunities exist within Colma to provide new and affordable housing with good

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transit access. [rise The San transit and lowering of housing prices that began in 2008, rents general transit access.](#)



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In a collaborative process, the 20 cities of San Mateo County and the County of San Mateo formed a countywide “Sub-region,” an ad-hoc joint powers authority formed to specifically administer the Association of Bay Area Governments’ (ABAG) Regional Housing Needs Allocation (RHNA) process. From this process, it was determined that Colma’s allocation for the 6<sup>th</sup> RHNA cycle is 202 units, 106 of which are allocated as units affordable to moderate, low, and very-low-income households. The RHNA applies to the years 2023 to 2031. A total of 75 units have been developed within Colma since 2015, meeting the 2015-2023 5<sup>th</sup> cycle RHNA numbers. Colma has the capacity for the 202 units through the development of vacant and underutilized parcels located throughout the Town. Colma’s General Plan and Housing Element includes goals, policies, and programs to encourage and facilitate the development of these units.



Development of an additional 202 units before the close of the planning period is feasible (since the sites are zoned for housing and mixed-use commercial) but construction before the end of the planning period is unpredictable due to the economy. [The Town of Colma](#), however, faces significant non-governmental constraints to the development of housing units, the most pressing and unique of which is Colma’s cemetery land uses. Cemetery and related land uses comprise approximately 75% of the Town’s total land area and are considered a historic use in Colma. The Town was originally incorporated to protect cemetery land uses and accommodate

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the regional need for these uses. Per State law, the dedication of property for cemetery uses makes these lands unavailable for housing projects.

Cemeteries tend to suffer from vandalism when residential uses are built nearby. Furthermore, some cultural groups and individuals may avoid living near cemeteries if possible; however, Colma's cemeteries are easily visible from many development areas within the Town. Cemetery uses also place fiscal constraints on the Town, which receives no tax revenue from cemetery uses or burials. This financial constraint increases the dependence of the Town on its regional commercial and retail uses to fund Town services. Refer to the Governmental [Constraints Section](#) and Non-Governmental Constraints Section\_ for more information regarding constraints to residential development in Colma.

## CONTENTS AND ORGANIZATION OF THE HOUSING ELEMENT

The contents of the 2023 Housing Element include an analysis of population, employment and housing trends, an evaluation of housing needs, statements of goals and policies, a schedule of programs and actions, and an estimate of the number of housing units the Town expects to be developed, improved, and maintained in the local housing stock. Programs and policies in the 2015 - 2023 Housing Element were evaluated and modified where necessary to reflect changing market conditions and policy priorities. The Housing Element is organized into the following sections:

- Introduction to the Housing Element
- Population, Housing and Employment Trends
- Existing and Projected Housing Needs
- Ability to Meet Housing Needs
- Evaluation of Housing Programs
- Housing Program Strategy
- Housing Goals, Policies, and Programs

## BACKGROUND AND HISTORY OF THE HOUSING ELEMENT

The Town of Colma has previously adopted several Housing Elements, as follows:

- 1991 Housing Element (1988-1995 Planning Period)
- 1999 Housing Element (prepared with comprehensive General Plan update, 1995-1999 Planning Period)
- 2004 Housing Element (1999-2007 Planning Period)
- 2009 Housing Element (2007-2014 Planning Period; adopted October 2012)
- 2015 Housing Element (2015-2023 Planning Period; adopted January 2015)

When referred to in the text of this document, previous Housing Elements will be referenced primarily by date and title not planning period. This Housing Element is an update and revision of the 2015 Housing Element, adopted in January 2015. The current Housing Element is titled

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and referenced as the 2023 Housing Element throughout this document. The State of California requires housing element updates at regularly designated time periods, or when a city or town makes any change in its policies, zoning, and land use designations. State law mandates that all cities in the San Francisco Bay Area adopt a compliant housing element by January 31, 2023, which takes into account the housing needs assessment numbers allocated to the respective jurisdiction by ABAG for 2023 through 2031.

To meet this requirement, policies from the 2015 Housing Element were reviewed, projected housing needs of all economic segments of Colma were evaluated, and new policies and programs aimed at the preservation and improvement of housing have been developed.

## RELATED PLANS AND PROGRAMS

### Relationship to other General Plan Elements

The Housing Element is closely related to the Land Use, Conservation/Open Space, and Circulation Elements of the Town of Colma General Plan.

The Land Use Element sets forth the amount and type of residential development permitted under the General Plan, thereby establishing housing opportunities in Colma. In addition, the Land Use Element contains policies directed at maintaining the existing housing stock, and ensuring the quality of new residential development. The 2040 General Plan Update adopted March 2022, includes a newly created Commercial Overlay Districts with a 40-acre designated area north of Hillside Boulevard and west of Lawndale Boulevard, as well as to a vacant 3.07-acre parcel on the north side of Town, east of El Camino Real and south of the BART railroad track.

The Circulation Element contains policies to minimize traffic spillover into residential neighborhoods and includes complete street considerations for alternate transportation such as transit, bicycling, and walking. The Conservation/Open Space Element establishes policies to minimize the impact of residential development on sensitive resources, such as ecological habitat, and scenic viewsheds.

Finally, the Safety Element sets forth policies to ensure the safety of Colma's housing stock through measures such as the mitigation of environmental hazards as a condition to development.

The Housing Element has been reviewed for consistency with Colma's other General Plan elements, and the policies and programs in this Element reflect the policy direction contained in other parts of the General Plan. As portions of the General Plan are amended in the future, this Housing Element will be reviewed to ensure that internal consistency is maintained – that it is entirely consistent with the policies and proposals set forth by the Plan. Furthermore Program 1.2 calls for an annual Housing Element implementation review.



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Pursuant to Government Code Section 65400, the Town will annually review its progress in implementing this Housing Element and ensure consistency between this Element and the City's other General Plan Elements.

### **Climate Action Plan**

The Town of Colma joins a growing number of California cities which have adopted a Climate Action Plan to reduce greenhouse gas emissions and meet State emission reduction targets. In May 2013, the Town adopted its Climate Action Plan which included programs such as energy efficiency, water conservation, and improved recycling programs for residents and businesses. Colma will also see an increase in bicycle lanes, green business program participation and a new green building program. These programs not only reduce emissions, but they also help residents and businesses save money and conserve natural resources.

The 2023 Housing Element is fully consistent with the Climate Action Plan. Housing Element policies that encourage maintenance and upgrades to existing residences are inherently sustainable since new resources are not used to reconstruct units. New housing units will be required to be constructed with the latest energy water saving standards, which will make them efficient and economical to maintain.

### **HOPE Plan to End Homelessness**

HOPE (Housing Our People Effectively) is a ten-year action plan initiated by San Mateo County that brings together the business, nonprofit, and public sector communities to address the challenging issue of homelessness. This plan reflects the Board of Supervisors' goal that housing should exist in their community for people at all income levels and all generations of families, including those who are extremely low-income or who are homeless. To end homelessness, San Mateo County must follow the housing strategy successfully documented in other communities around the country. The HOPE Plan is built around the following two key strategies:

- Housing - increasing the supply of permanent affordable and supportive housing for people who are homeless and developing strategies to help them move into housing as rapidly as possible;
- Prevention - prevent individuals and families from becoming homeless in the first place by assisting them in maintaining their housing; and
- These goals are consistent with the Town of Colma Housing Element.

### **Grand Boulevard Initiative**

The Grand Boulevard Initiative is a coordinated effort of 19 cities (including the Town of Colma), San Mateo and Santa Clara Counties, and local and regional agencies united to improve the performance, safety, and aesthetics of El Camino Real. Starting at the northern Daly City boundary (where it is named Mission Street) and ending near the Diridon Caltrain Station in

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central San Jose (where it is named The Alameda), the initiative brings together, for the first time, all the agencies responsible for the condition, use, and performance of El Camino Real. The Grand Boulevard Initiative looks to transform El Camino Real from a suburban, low-density, strip commercial highway to a vibrant, mixed-use, pedestrian-friendly boulevard and destination that links regional transportation improvements and local economic development efforts.

Within Colma, much of the El Camino Real is dedicated to cemetery uses, and the Town desires development that is respectful of this established land use. However, opportunities exist on the northern edge of Colma for the development of housing, both across the street and adjacent to the Colma BART Station, and to the south on Mission Road.

### **Plan Bay Area and Priority Development Areas**

Plan Bay Area (Plan) is an integrated transportation and land-use strategy through the year 2040 that marks the Bay Area's first nine-county long-range plan to meet the requirements of California's landmark 2008 Senate Bill 375. This bill calls on each of the state's 18 metropolitan areas to develop a Sustainable Communities Strategy (SCS), to accommodate future population growth and reduce greenhouse gas emissions from cars and light trucks. Working in collaboration with cities and counties, the Plan advances initiatives to expand housing and transportation choices, create healthier communities, and build a stronger regional economy.

The Plan was prepared by the Metropolitan Transportation Commission (MTC) and the ABAG and was approved in July of 2013. It is the long-term regional land-use and transportation strategy for the Bay Area, and transportation funding from state and federal sources will be distributed consistent with the plan. In addition, it will be used to determine housing needs allocations for Bay Area jurisdictions, including Colma.

The El Camino Real corridor is in a "Priority Development Area" (PDA) along which most of the new residential development in San Mateo County is expected to be created. The defined ¼-mile buffer encompassing El Camino Real from Daly City to San Jose is a planned PDA to encourage and leverage future growth near transit in existing communities.

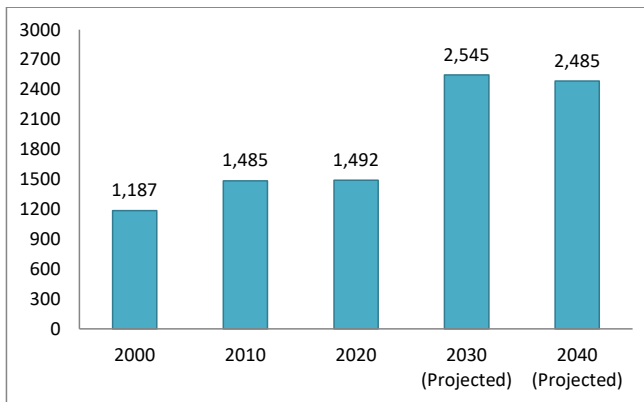
All of Colma's new housing is anticipated to be within the PDA area, on El Camino Real or on Mission Road. By placing new housing in this corridor, residents will benefit from viable transit options for local and regional travel.

## POPULATION, HOUSING AND EMPLOYMENT TRENDS

### GENERAL DEMOGRAPHICS AND PROJECTIONS SUMMARY

Colma is a town of 1,492 residents, according to US Census, 2020 American Community Survey estimates from January 2013. Between 2010 and 2020, Colma's small population grew from 1,454 to 1,492 increasing by 38 residents, or 3%. ABAG predicts Colma will continue to grow over the next 20 years, albeit not as rapidly, to reach a population of 2,485 in 2040.

Figure H-1: Colma's Population Growth



Source: Association of Bay Area Governments, Projections 2040; US Census, 2020 American Community Survey 5-Year Estimates

Table H-1: San Mateo County and State Population Growth

	Number of Residents			Percent Change (from previous decade)		
	Colma	County	State	Colma	County	State
2000	1,187	707,163	33,871,648	8%	9%	14%
2010	1,485	718,451	37,253,956	22%	2%	10%
2020	1,492	765,623	39,346,023	3%	7%	6%
2030 (Projected)	2,545	853,260	x	70%	11%	x
2040 (Projected)	2,485	916,590	x	-2%	7%	x

Source: ABAG, Projections 2040; US Census, 2020 American Community Survey 5-Year Estimates

Colma is more diverse than San Mateo County as a whole. Only 45 percent of the residents are white (compared to well over half in the county/50% of county residents) and 36 percent are Asian. Over the past decade, the white population has increased, while the Asian population has declined. Approximately one quarter OR 25% of the residents are non-white, or more than one race. Additionally, 37 percent of the population is Hispanic. Latino or Hispanic is not a separate racial category on the American Community Survey, so all individuals who identify as Latino or Hispanic also belong to another racial category (i.e.- Black, White, other, etc.).

**Table H-2: Race and Ethnicity**

Race and Ethnicity	Colma	County	State
White	45%	48%	56%
Black	3%	2%	6%
Asian	36%	29%	15%
Other	10%	11%	14%
More than one Race	7%	8%	8%
Hispanic	37%	24%	39%
Not Hispanic	63%	76%	61%

*Source: US Census, 2020 American Community Survey 5-Year Estimates*

The average age in Colma has increased notably over the past decade. In 2010 the median age was 31, but in 2020 it was 36. This appears to be due to growth in the 45-59 year old segment of the population, which grew from one-fifth of the total population in 2010, to one-fourth in 2020. Almost 24 percent of Colma’s population is comprised of children under 19, and 18 percent of the population includes seniors over the age of 60.

**Table H-3: Age of Residents**

Age	2010	2020		
	Colma	Colma	County	State
Under 5 years	9%	8%	6%	6%
5 to 19 years	18%	16%	16%	19%
20 to 34 years	33%	24%	20%	22%
35 to 44 years	12%	9%	14%	13%
45 to 59 years	17%	25%	20%	19%
60 to 74 years	8%	12%	15%	12%
75 years and over	3%	6%	7%	6%
Median age	31	36	40	36
Total population	1,454	1,492 *	720,143	37,330,448

*Source: US Census, 2020 American Community Survey 5-Year Estimates*

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## HOUSING SAN MATEO COUNTY'S WORKFORCE

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### INCOME CATEGORIES

The U.S. Department of Housing and Urban Development (HUD) and the California Department of Housing and Community Development (HCD) use household income categories to help standardize analysis of housing needs. The income categories are summarized below and are based on a household's percentage of San Mateo County's Area Median Income (AMI).

Table H-4: Income Category Definitions

Income Category	Definition
Extremely Low	Below 30% of area median income
Very Low	30%-50% of area median income
Low	50%-80% of area median income
Moderate	80%-120% of area median income
Above Moderate	Above 120% of area median income

Source: U.S. Department of Housing and Urban Development

HCD uses the above categories, sometimes with minor adjustments, to establish the annual income limits for San Mateo County, as shown in Table H-5 below.

Table H-5: San Mateo County Income Limits (2021)

Income Category	Number of Persons Per Household (Maximum Income)				
	1	2	3	4	5
Extremely Low	\$38,400	\$43,850	\$49,350	\$54,800	\$59,200
Very Low	\$63,950	\$73,100	\$82,250	\$91,350	\$98,700
Lower Income	\$102,450	\$117,100	\$131,750	\$146,350	\$158,100
Median Income	\$104,700	\$119,700	\$134,650	\$149,600	\$161,550
Moderate Income	\$125,650	\$143,600	\$161,550	\$179,500	\$193,850

Source: HCD State Income Limits 2021 and State CDBG and HOME Income Limits also available at <https://www.hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits.shtml>

Table H-6 shows Plan Bay Area projections (approved November 2018) for housing units, households and local jobs. The following tables are ABAG Projections 2040, which provide more detailed information on household characteristics, types of jobs, etc. ABAG Projections 2040 provide an indicator of trends and conditions in San Mateo County and its jurisdictions.

ABAG Projections 2040 are based on 2015 demographic data taken directly from the U.S. Census. The 2015 employment data are derived from (1) California County-Level Economic

Forecast, 2017-2050, California Department of Transportation, (2) Bay Area Job Growth to 2040: Projections and Analysis, Center for Continuing Study of the California Economy, and (3) U.S. Bureau of Labor Statistics and the U.S. Census Bureau's 2013-2015 ACS.

**Table H-6: ABAG/MTC Plan Bay Area Projections for Housing, Households and Jobs (2020-2040)**

City	Housing Units		% Change	Households		% Change	Jobs		% Change
	2020	2040		2020	2040		2020	2040	
Atherton	2,560	2,560	0%	2,470	2,460	-1%	2,140	2,165	+2%
Belmont	11,085	11,775	+6%	10,910	11,620	+7%	9,240	9,430	+2%
Brisbane	6,500	6,670	+3%	6,360	6,410	+1%	6,590	16,870	+155%
Burlingame	13,110	14,010	+7%	12,755	13,735	+8%	32,335	42,625	+32%
Colma	860	940	+9%	835	940	+13%	4,070	4,315	+6%
Daly City	34,500	36,360	+5%	33,615	35,775	+6%	18,370	22,480	+22%
East Palo Alto	7,730	8,705	+13%	7,610	8,675	+14%	5,810	6,660	+15%
Foster City	13,310	15,365	+15%	13,055	15,110	+16%	23,700	27,250	+15%
Half Moon Bay	4,790	4,790	+0%	4,590	4,585	-1%	5,290	5,375	+2%
Hillsborough	4,000	4,015	+1%	3,895	3,910	+1%	2,210	2,265	+3%
Menlo Park	15,650	18,045	+15%	15,390	17,680	+15%	36,410	42,475	+17%
Millbrae	8,470	10,050	+19%	8,235	9,725	+18%	6,570	11,595	+76%
Pacifica	14,565	14,800	+2%	14,155	14,520	+3%	6,160	7,115	+16%
Portola Valley	1,855	1,855	+0%	1,800	1,800	0%	1,520	1,520	0%
Redwood City	31,540	38,640	+23%	30,820	38,085	+24%	71,050	86,720	+22%
San Bruno	15,345	18,310	+19%	14,890	17,935	+20%	14,645	14,780	+1%
San Carlos	13,725	14,060	+3%	13,575	13,985	+3%	17,800	19,135	+8%
San Mateo	43,870	51,400	+17%	43,035	50,830	+18%	62,570	68,010	+9%
South San Francisco	22,700	25,715	+13%	22,155	25,305	+14%	46,365	54,230	+17%
Woodside	2,205	2,210	+1%	2,130	2,125	-1%	2,000	1,995	-1%
Unincorporated	22,845	23,480	+3%	21,980	22,755	+4%	24,430	25,045	+3%
<b>County Total</b>	<b>291,195</b>	<b>323,755</b>	<b>+11%</b>	<b>284,260</b>	<b>317,965</b>	<b>+12%</b>	<b>399,275</b>	<b>472,045</b>	<b>+18%</b>
SMC Change (2010-2040)		+32,560			+33,705			+72,770	

Source: Plan Bay Area 2040, Final Forecast of Jobs, Population and Housing

Table H-7: Projections for Population, Households and Total Jobs (2010-2040)

Geographic Area	2010	2015	2020	2025	2030	2035	2040	2010-2040 Change
<b>Bay Area Regional Total</b>								
Population	7,150,740	7,573,915	7,920,230	8,284,200	8,689,440	9,142,745	9,652,950	<b>2,502,210</b>
Households	2,606,290	2,678,810	2,881,965	3,009,055	3,142,015	3,281,130	3,426,700	<b>820,410</b>
Persons Per Household	2.69	2.77	2.69	2.70	2.71	2.73	2.76	<b>+0.07</b>
Employed Residents	3,506,680	3,894,850	4,147,000	4,270,595	4,397,865	4,528,925	4,663,900	<b>1,157,220</b>
Jobs	3,451,820	4,026,060	4,136,190	4,267,760	4,405,125	4,548,565	4,698,375	<b>1,246,555</b>
Jobs/Employed Residents	.98	1.03	.99	.99	1.0	1.0	1.01	<b>+0.03</b>
<b>San Mateo County</b>								
Population	718,450	757,895	796,925	816,460	853,260	878,020	916,590	<b>198,140</b>
Households	257,835	270,715	284,260	290,330	302,520	308,410	317,965	<b>60,130</b>
Persons Per Household	2.75	2.76	2.77	2.78	2.78	2.81	2.84	<b>+0.09</b>
Employed Residents	367,940	396,885	415,275	420,235	433,655	437,190	446,040	<b>78,100</b>
Jobs	347,860	385,770	399,275	415,305	423,005	436,205	472,045	<b>124,185</b>
Jobs/Employed Residents	.95	.97	.96	.99	.98	1.00	1.06	<b>+0.11</b>
% of Bay Area Population	10.0%	10.0%	10.0%	9.8%	9.8%	9.6%	9.4%	<b>-0.6%</b>
% of Bay Area Jobs	10.0%	9.5%	9.7%	9.7%	9.6%	9.6%	10.0%	<b>0%</b>
<b>Colma Planning Area (City Limits)</b>								
Population	1,485	1,485	1,492	2,500	2,545	2,690	2,485	<b>1,000</b>
Households	430	795	835	880	895	935	940	<b>510</b>
Persons Per Household	3.31	2.86	2.82	2.81	2.82	2.85	2.62	<b>-0.69</b>
Employed Residents	1,035	1,175	1,185	1,215	1,225	1,225	1,130	<b>95</b>
Jobs	3,935	4,065	4,070	4,150	4,195	4,270	4,315	<b>380</b>
Jobs/Employed Residents	3.80	3.46	3.43	3.42	3.42	3.49	3.82	<b>+0.02</b>
% of County Population	0.2%	0.2%	0.2%	0.3%	0.3%	0.3%	0.3%	<b>+0.1%</b>
% of County Jobs	1.1%	0.8%	1.1%	0.9%	0.9%	0.9%	0.9%	<b>+0.2%</b>

Source: Plan Bay Area 2040 Model Estimates

Table H-8: Projections for Types of Jobs (2010-2040)\*

Job Industry	2010	2015	2020	2025	2030	2035	2040	2010-2040 Change
<b>Bay Area Regional Total</b>								
Agriculture and Natural Resources	22,800	24,990	24,865	24,740	24,620	24,500	24,380	+1,580
Mfg, Wholesale and Transportation	525,685	524,475	523,320	522,175	521,025	519,885	518,740	-6,945
Retail	325,645	356,555	364,515	372,655	380,975	389,480	398,175	+72,530
Health, Educ. and Recreation Service	998,125	1,112,930	1,178,130	1,247,145	1,320,205	1,397,545	1,479,410	+481,285
Financial and Professional Services	817,405	1,138,830	1,174,370	1,211,020	1,248,815	1,287,790	1,327,980	+510,575
Information, Government and Construction	733,180	852,355	870,990	890,030	909,490	929,365	949,685	+216,505
<b>Total Jobs</b>	<b>3,422,845</b>	<b>4,010,135</b>	<b>4,136,190</b>	<b>4,267,760</b>	<b>4,405,125</b>	<b>4,548,565</b>	<b>4,698,375</b>	<b>+1,275,530</b>
<b>Total Employed Residents</b>	<b>3,376,380</b>	<b>4,026,995</b>	<b>4,147,000</b>	<b>4,270,595</b>	<b>4,397,865</b>	<b>4,528,925</b>	<b>4,663,900</b>	<b>+1,287,520</b>
<b>San Mateo County</b>								
Agriculture and Natural Resources	2,305	2,475	2,460	2,455	2,450	2,435	2,440	+135
Mfg, Wholesale and Transportation	63,720	58,320	55,850	53,595	51,240	49,430	48,305	-15,415
Retail	34,625	36,515	37,530	38,120	39,220	39,420	39,675	+5,050
Financial and Professional Services	91,670	124,590	130,365	140,750	145,610	151,195	169,620	+77,950
Health, Educ. and Recreation Service	90,695	96,840	104,175	110,690	114,890	120,415	134,400	+43,705
Information, Government and Construction	60,325	67,025	68,900	69,695	69,595	73,305	77,605	+17,280
<b>Total Jobs</b>	<b>343,335</b>	<b>385,770</b>	<b>399,275</b>	<b>415,305</b>	<b>423,005</b>	<b>436,205</b>	<b>472,045</b>	<b>+128,710</b>
<b>Total Employed Residents</b>	<b>332,760</b>	<b>396,885</b>	<b>415,275</b>	<b>420,235</b>	<b>433,655</b>	<b>437,190</b>	<b>446,040</b>	<b>+113,280</b>
Ratio of Jobs to Employed Residents (San Mateo Co.)	1.03	.97	.96	.99	.98	.99	1.06	+0.03

\*Continued on next page



Job Industry	2010	2015	2020	2025	2030	2035	2040	2010-2040 Change
<b>Colma Planning Area (City Limits)</b>								
Agriculture and Natural Resources	0	5	5	5	5	5	5	+5
Mfg, Wholesale and Transportation	160	165	150	150	150	155	155	-15
Retail	2,030	2,075	2,180	2,285	2,325	2,395	2,435	+405
Financial and Professional Service	115	145	140	140	140	140	140	+25
Health, Educ. and Recreation Service	1,180	1,215	1,160	1,135	1,135	1,130	1,135	-45
Information, Government and Construction	430	460	440	440	440	445	450	+20
Total Jobs	3,915	4,065	4,070	4,150	4,195	4,270	4,315	+400
Total Employed Residents	970	1,175	1,185	1,215	1,225	1,225	1,130	+160
Ratio of Local Jobs to Employed Residents	4.04	3.46	3.43	3.42	3.42	3.49	3.82	-0.22

Source: Plan Bay Area 2040 Model Estimates

Though San Mateo County has a robust economy, much of its workforce cannot afford to live within the county. Job growth has been strong, though cyclical, over the past 10 years, and is projected to continue. Housing development has not kept up pace with the growth in local jobs. According to ABAG/MTC Staff and Baird + Driskell Community Planning (Housing Needs Data Report, 2021), the number of homes in Colma increased 15.9%, from 2010 to 2020, which is above the growth rate for San Mateo County and the growth rate of the region's housing stock during that time period.

A home meets the standard definition of affordability if it does not cost more than 30 percent of a household's income. A household that spends more than 30 percent of its gross income on housing is considered to be overpaying for housing. Housing that costs more than 30% of household income is a more acute problem for lower income households since there is less discretionary money for other necessities.

While individual household income conditions vary, an example can be useful to illustrate affordability conditions for a low-income family in San Mateo County. A four-person family, with one parent working full-time as a cook and the other parent working in retail, could afford a monthly rent of about \$1,690 and a home sale price of \$274,650. A single parent family with the adult working as a police officer would be considered moderate income and could afford a monthly rent of about \$2,505 and a home costing \$407,053. Neither of these example households could afford San Mateo County's median condominium, costing \$910,000, or a

single-family home, which costs \$1,891,500 (SAMCAR). For example, a single-parent family also cannot afford the median county rent of \$2,618.

Other examples of affordable home sales and rents based on occupation are shown in Table H-9 below.

**Table H-9: Home Affordability by Occupation (2021)**

Occupation	Annual Salary	Affordable Home	Affordable Rent
Elementary School Teacher	\$76,136	\$288,697	\$1,777
Police Officer	\$107,349	\$407,053	\$2,505
Cook	\$33,550	\$127,217	\$783
Retail Salesperson	\$38,883	\$147,440	\$907
Registered Nurse	\$131,263	\$497,731	\$3,063

Source: HCD State Income Limits 2021; [www.hsh.com/calc-howmuch.html](http://www.hsh.com/calc-howmuch.html)

Maximum Affordable House Price is based on the following assumptions: 5% interest rate; 30-year fixed loan; 50% Yearly Salary as Down Payment; 1% property tax; PMI, .5% insurance rate; and no other monthly payments/debt.

Colma has more than three times as many jobs as residents, with approximately 4,070 jobs in the Town. Colma serves as a regional shopping destination for retail goods, used and new automobiles, and automobile services. In addition, Colma serves a regional need for cemetery land and associated services. The Town also has a card room, Lucky Chances, which employs over 600 individuals. About 39 percent of workers in the town make between \$1,251 and \$3,333/month, and 40 percent make more than \$3,333 per month. Almost all (93 percent) of the workers in Colma commute in from other cities to work, according to 2020 US Census data. The majority of these jobs are hourly wage from retail and other services, which traditionally are not high-paying types of employment.

According to ABAG projections, Colma can expect to see its workforce increase 10 percent by 2040, with much of that job growth coming from the retail services sector.

**Table H-10: Workforce Age, Salary and Education**

Category	Colma	County
Jobs by Worker Age		
Age 29 or Younger	26%	20%
Age 30 to 54	46%	58%
Age 55 or Older	28%	22%
Salaries Paid by Jurisdiction Employers		
\$1,250 per Month or Less	21%	13%
\$1,251 to \$3,333 per Month	39%	21%
More than \$3,333 per Month	40%	67%
Jobs by Worker Educational Attainment		
Less than High School	15%	11%
High School or Equivalent, No College	17%	14%
Some College or Associate Degree	24%	22%
Bachelor's Degree or Advanced Degree	18%	34%
Educational Attainment Not Available	26%	19%
Total Workers	4,509	422,723

Source: 2019 U.S. Census On The Map

Note: Educational Attainment Not Available is for workers 29 and younger

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## HOUSEHOLD TRENDS AND CHARACTERISTICS

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In 2020, the estimated number of households within Colma was 480 per US Census data.

### OCCUPANCY CHARACTERISTICS

Colma has a relatively large average household size at 3.08 individuals which is an increase from 2.8 in 2010. Households in renter-occupied units tend to be slightly larger at 3.12.

Table H-11 Household Size

Year	Household Size	Colma	County	State
2010	Average Household Size	2.8	2.7	2.4
	Average Household Size	3.08	2.87	2.9
2020	Owners Average Household Size	3.03	2.95	3.0
	Renters Average Household Size	3.12	2.75	2.9

Source: US Census, 2010 American Community Survey 5-Year Estimates  
2020 American Community Survey 5-Year Estimates

More than 30 percent of the households in Colma represent families with children. 38 percent of the population consists of families without children, which has increased since 2010. Single people make up 20 percent of households.

Table H-12 Household Type

Household Type	Colma	County	State
Single person	20%	22%	24%
Family no children	38%	38%	34%
Family with children	34%	32%	34%
Multi-person, nonfamily	8%	8%	8%
Total households	485	263,351	13,103,114

Source: 2020 American Community Survey 5-Year Estimates

### Overcrowded Households

According to the U.S. Census Bureau, a unit is considered overcrowded if it is occupied by more than 1.01 persons per room (excluding bathrooms and kitchens). Homes with more than 1.5 persons per room are considered severely overcrowded. Overcrowding increases health and safety concerns and stresses the condition of the housing stock and infrastructure.

Colma has a small number of overcrowded homes. Almost 3 percent of owner-occupied homes, or 7 homes, are overcrowded. The vast majority of rental homes are not overcrowded, and zero homes are extremely overcrowded, however, nine total homes are considered overcrowded. The percentage of overcrowded households has decreased since 2010, when close to 15 percent of homes were considered overcrowded.

**Table H-13 Number of Overcrowded Units**

Occupant	Overcrowded	Occupied Homes	Percent		
			Colma	County	State
Owner	Not overcrowded	222	97%	97%	96%
	Overcrowded	7	3%	2%	3%
	Extremely overcrowded	0	0%	1%	1%
Renter	Not overcrowded	232	96%	85%	87%
	Overcrowded	9	4%	8%	8%
	Extremely overcrowded	0	0%	7%	5%

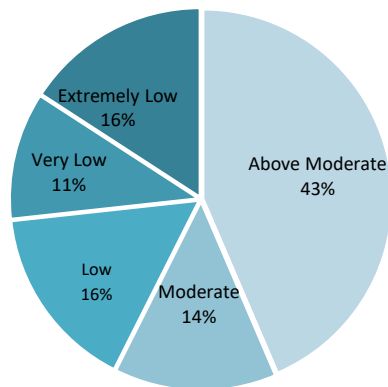
Source: US Census, 2020 American Community Survey 5-Year Estimates

Note: 0-1 people per room is not overcrowded, 1-1.5 people per room is overcrowded, more than 1.5 people per room is extremely overcrowded

**Trends in Household Income and Tenure**

Colma’s median household income is \$118,750, which is below the countywide average of \$128,091. Just over 40 percent of Colma’s households make more than a moderate income, while 43 percent of Colma’s households are lower income. Sixteen percent of all households are considered low-income, 11 percent are very low income, and 16 percent are extremely low income.

**Figure H-2: Households by Income**



Source: US Census, 2020 American Community Survey 5-Year

Table H-14: Household Income

Income	Colma	County	State
Under \$25,000	9%	9%	16%
\$25,000 to \$34,999	3%	4%	7%
\$35,000 to \$49,999	3%	6%	10%
\$50,000 to \$74,999	12%	10%	15%
\$75,000 to \$99,999	14%	10%	12%
\$100,000+	59%	61%	40%
Poverty Rate	8.9%	6.7%	12.6%
Total (Estimated Households)	485	263,351	13,103,114
Median Income 2011	\$86,640	\$91,958	\$63,816
Median Income 2020	\$118,750	\$128,091	\$78,672

Source: US Census, 2020 American Community Survey 5-Year Estimates

Note: Adjusted for inflation to 2020 dollars

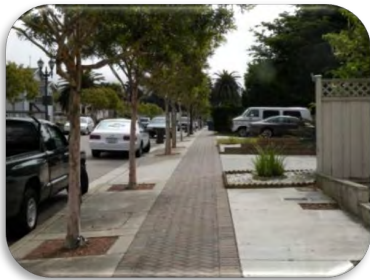
Table H-15: Households by Income and Tenure

Occupant	Extremely Low Income Level	Very Low Income Level	Low Income Level	Moderate Income Level	Above Moderate Income Level
Owner	20%	50%	66%	38%	64%
Renter	80%	50%	33%	62%	36%
Total	75	50	75	65	210
% of all households	16%	11%	16%	14%	44%

Sources: CHAS Data 2014-2018

## HOUSING VALUES AND COSTS

With relatively few homes, housing price data for Colma is hard to come by. According to Zillow data from 2022, the median sale price for a home (including both multi-family and single-



The existing Sterling Park neighborhood was improved to include brick streets, sidewalks, landscaping, lighting, and underground utilities.

family) in Colma is \$1,180,000. While Colma’s home prices are below countywide averages for single-family homes, prices for multi-family homes are slightly higher. A median home in Colma is still unaffordable to most households making less than the median income.

**Table H-16: Ability to Pay for For-Sale Housing**

	Annual Income	Maximum Affordable Home Price	Median Home Sale Price	Affordability Gap
<b>Single Person Household</b>				
Extremely Low Income	\$38,400	\$142,016	\$1,180,000	-\$1,037,984
Very Low Income	\$63,950	\$236,509	\$1,180,000	-\$943,491
Low Income	\$102,450	\$378,895	\$1,180,000	-\$801,105
Median Income	\$104,700	\$387,216	\$1,180,000	-\$792,784
Moderate Income	\$125,650	\$464,697	\$1,180,000	-\$715,303
<b>Four Person</b>				
Extremely Low Income	\$54,800	\$202,669	\$1,180,000	-\$977,331
Very Low Income	\$91,350	\$337,844	\$1,180,000	-\$842,156
Low Income	\$146,350	\$541,253	\$1,180,000	-\$638,747
Median Income	\$149,600	\$553,272	\$1,180,000	-\$626,728
Moderate Income	\$179,500	\$663,853	\$1,180,000	-\$516,147

Source: HCD State Income Limits 2021 and State CDBG and HOME Income Limits [www.hsh.com/calc-howmuch.html](http://www.hsh.com/calc-howmuch.html)  
 Note: Maximum Affordable House Price is based on the following assumptions: 5% interest rate; 30-year fixed loan; 50% Yearly Salary as Down Payment; 1% property tax; PMI, .5% insurance rate; and no other monthly payments/debt.

Extremely limited rental data is available for Colma due to the small number of homes. According to this limited data, Colma’s rental prices for one- and two-bedroom apartments are higher than the countywide averages for apartments of a similar size.

**Table H-17: Summary of 2022 Rents**

Bedrooms	Colma	County
Studio	no data	\$2,025
One Bedroom	\$2,797	\$2,618
Two Bedroom	\$3,627	\$3,469
Three Bedroom	no data	\$4,300
Four Bedroom	no data	\$6,188

Source: Zumper Rent research

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## Overpayment for Housing

A household that is overpaying for housing if more than 30 percent of their income is spent on rent or mortgage payments. In Figure H-3, data from ABAG shows that more than half of the Colma residents are utilizing less than 30% of their income for housing. 19% of renters and 26% of homeowners are utilizing between 30% and 50% of their income towards housing. While 28% of renters and 13% of homeowners are utilizing more than half of their income towards housing costs. Numbers from this figure show that at least half of the residents in Colma whether renting or owner are not severely cost-burdened related to housing costs.

Figure H-3: Overpayment (Cost Burden) by Tenure



Source: ABAG Housing Needs Data Workbook

According to the Table H-18, approximately 48 percent of Colma residents earning under \$75,000 annually are overpaying for homeownership. [Per Census data](#), 30 percent of those making more than \$75,000 are overpaying for their homes. [Almost](#) However, [Census data does not provide additional detail regarding the this "more than \\$75,000" income category 461 households, and the lower-income limit for San Mateo County is \\$149,100 This makes it impossible to quantify cost burden by tenure, even if there is data stating that 138 of Colma's 461 households \(30 percent\) are cost burdened and that 62 percent of renters are cost-burdened against 57 percent of homeowners.](#)

[That said, almost](#) 95 percent of the lowest-income renters, those making under \$35,000, are overpaying on rent, and almost 57 percent of those making [under \\$75,000 are overpaying as well-between \\$35,000 and \\$75,000 are overpaying as well.](#) Only 82 percent of the lower-income homeowners are overpaying for housing, and only 48 percent of homeowners with household incomes between \$35,000 and \$75,000 are overpaying. There are disproportionately more lower-income renters overpaying for housing compared to lower-income homeowners.

If there is not enough affordable housing in Colma, lower income households may choose to relocate out of the area and commute into the city to work. Those who do live in Colma may need to live in overcrowded homes and have extremely limited finances for other necessities



such as food, transportation, and medical care. Extremely low-income households paying more than 50 percent of their income towards housing are at greater risk of becoming homeless.

**Table H-18: Households Overpaying for Housing**

Occupant	Income	Colma		County	State
		Number	Percent	Percent	Percent
Owner occupied	Less than \$35,000	9	82%	80%	73%
	\$35,000-\$74,999	16	48%	52%	48%
	\$75,000+	58	30%	20%	17%
Renter occupied	Less than \$35,000	40	95%	91%	91%
	\$35,000-\$74,999	16	57%	88%	65%
	\$75,000+	30	19%	23%	15%

Source: US Census, 2020 American Community Survey 5-Year  
*Note: Excludes Households with no income or cash rent.*

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## HOUSING CHARACTERISTICS

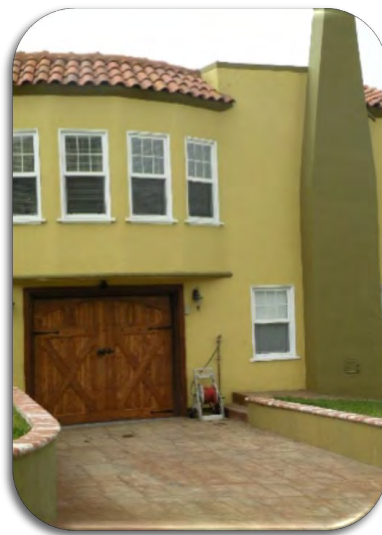
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### PHYSICAL CHARACTERISTICS

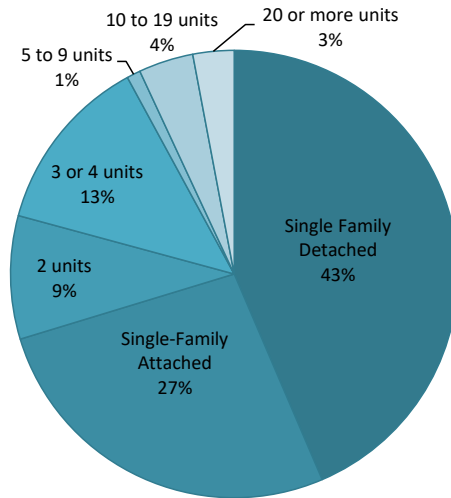
Colma's housing stock has grown even faster than its population. In 2010 Colma had 446 homes, and by 2020 it had 558 homes - an increase of 8%. Most of the homes in Colma are single-family detached buildings. There are two townhome/attached single-family developments and one Veterans housing development with a combined total of 147 units which account for 26% of the total housing units. Close to 47% of the homes in Colma have three bedrooms. 41% of the homes have 1-2 bedrooms.

According to 2020 data from the American Community Survey, Colma has a vacancy rate of 13%. About 14% of those units are vacant for seasonal, recreational or occasional use. The other 86% are classified as "other vacant". The Census Bureau classifies vacant 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. A housing market with a vacancy rate under five percent is considered to be a tight market. Tight markets can lead to high housing prices and thus higher rates of overcrowding.



*A remodeled historic single family home (right) and duplex units (top) in Colma's Sterling Park neighborhood.*

Figure H-4: Building Type Chart



Source: US Census, 2010 American Community Survey 5-Year Estimates

Table H-19: Total Housing Units

Year	Colma		County		State	
	Number	Percent Change	Number	Percent Change	Number	Percent Change
2010	491	no data	270,039	no data	13,552,624	no data
2020	558	17.0%	278,756	3.2%	14,210,945	5%

Source: US Census, 2010 American Community Survey 5-Year Estimates  
2010 US Census SF1, 2020 American Community Survey 5-Year Estimates

Table H-20 Tenure Type

Year	Occupant	Colma	County	State
2010	Percent Owners	53.6%	61.1%	57.4%
	Percent Renters	46.4%	38.9%	42.6%
2020	Percent Owners	49.5%	59.9%	55.3%
	Percent Renters	50.5%	40.1%	44.7%

Source: US Census, 2010 American Community Survey 5-Year Estimates  
US Census, 2020 American Community Survey 5-Year Estimates

Table H-21: Building Type

Building Type	Colma	County	State
Single-Family Detached	43.9%	56.5%	57.7%
Single-Family Attached	26.7%	8.4%	7.1%
2 units	8.8%	2.5%	2.4%
3 or 4 units	13.1%	4.5%	5.4%
5 to 9 units	0.7%	6.4%	5.9%
10 to 19 units	3.6%	5.9%	5.1%
20 or more units	3.2%	14.7%	12.6%
Mobile Home or Other	0%	1.2%	3.7%
Total	558	278,756	14,210,945

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04, Town of Colma Building Permit records, San Mateo County Assessor's Records

Table H-22: Bedrooms

Bedrooms	Colma	County	State
No bedroom	0%	4.9%	4%
1 bedroom	22.2%	15.2%	4.0%
2 bedrooms	19.2%	25.4%	4.3%
3 bedrooms	46.6%	33.0%	11.8%
4 bedrooms	10.0%	16.8%	19.1%
5 bedrooms	2.0%	4.7%	19.4%
Total	558	278,756	14,210,945

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04.

Vacancy rates in Colma by ~~tenure~~tenure are shown in Table H-23. While this table shows vacancy rates at 0% for the years 2016 to 2020, there are 63 units that are categorized as other vacant and 10 homes categorized as for seasonal, recreational, or occasional use. The Town does not currently allow for short-term rentals as dwelling units defined in the municipal code as means a building or portion thereof designed or used for occupancy for no fewer than 30 consecutive days by persons living as one household. The 10 vacant homes could be second homes or vacation homes. However, it is uncertain where or what the 63 units categorized as vacant could be. As part of the annual reporting and Program 7.1 Neighborhood Improvement, the Planning Department and Code Enforcement Office will assess where and which units in town appear to be vacant. The City Council decided not to adopt an ordinance on short-term rental because there was minimal concern that it would reduce the housing inventory. Instead, the existing definition of dwelling unit was revised to state that occupancy for no fewer than 30 consecutive days by persons living in a household.

Table H-23: Vacancy Rate 2016-2020

Year	Colma		County		State	
	Homeowner Vacancy	Renter Vacancy	Homeowner Vacancy	Renter Vacancy	Homeowner Vacancy	Renter Vacancy
2016	0%	0%	0.6%	2.6%	1.3%	3.8%
2017	0%	0%	0.6%	3.0%	1.2%	3.6%
2018	0%	0%	0.6%	3.6%	1.2%	3.5%
2019	0%	0%	0.6%	3.9%	1.1%	3.6%
2020	0%	0%	0.7%	4.5%	1.1%	3.7%

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04.

## HOUSING STOCK CONDITIONS

In addition to issues with affordability and overcrowding, housing can have physical problems such as age or lack of facilities. One of the best ways to assess the condition of the housing stock is through a windshield tour. However, the Census gives some useful information as to the status of housing stock.

Approximately 35% of Colma’s housing stock has been built since 2000. This percentage is extremely high; comparatively, approximately nine percent of San Mateo County’s housing stock has been built since 2000. 48% of Colma’s housing stock was built in the 1950s or earlier. Older housing can be more expensive to maintain and renovate.

Table H-24: Year Structure Was Built

	Colma	County	State
Built in 2014 or more recently	0.4%	2.3%	2.4%
Built in 2010 to 2013	0.0%	1.6%	1.8%
Built in 2000s	34.9%	5.3%	10.9%
Built in 1990s	5.9%	6.2%	11.0%
Built in 1980s	7.3%	9.6%	15.1%
Built in 1970s	2.2%	17.3%	17.5%
Built in 1960s	0.9%	17.2%	13.2%
Built 1950s or Earlier	48.3%	40.5%	30.1%

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04

The Census tracks other housing problems, including a lack of plumbing and kitchen facilities. In Colma, the data shows four homes lacking complete kitchen facilities and four homes lacking

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telephone service in Colma. [However, given the decrease in popularity of landlines and thus can indicate an intentional opting out of wired telephone service.](#)

Under the Policies, Programs, and Objectives Table, Policy 7 will help identify the condition of existing housing stock and estimate the number of units in need of rehabilitation or replacement. [Specifically, Programs 7.1 & 7.2 will work together to continue maintenance and rehabilitation efforts.](#)

By identifying units that need repair, this policy will help with the conservation of existing housing stock and improve housing conditions for the resident. As a result, the Town can have a better gauge of how many housing units are in disrepair. This policy will be a joint effort between the Planning Department and Code Enforcement Officer.

**Table H-25: Number of Potential Housing Problems**

	Colma		County	
	Number of Homes	Percent	Number of Homes	Percent
Lacking complete plumbing facilities	0	0.0%	664	0.3%
Lacking complete kitchen facilities	4	0.8%	2,428	0.9%
No telephone service available	4	0.8%	3,384	1.3%

*Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP04*

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## BELOW MARKET RATE HOUSING TRENDS AND CHARACTERISTICS

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Units offered at rents or sale prices below that which they would command on the open market are referred to as “below-market rate” or BMR units. They are also often referred to as “affordable housing” units. Approximately 47 percent of Colma’s households make more than a moderate income, while 42 percent are lower income. Approximately 18 percent of all households are considered low-income, 11 percent are very low income, and 14 percent are extremely low income.

Creekside Villas consists of 18 units developed by the Town of Colma with monies from the Town’s general fund in the early 1990s. The units, located along El Camino Real, are reserved for senior tenants. The below-market rate rents collected from these housing units are paid into the general fund. [Rent for these units was \\$902 a month from 2005 to 20021, Rents were increased to \\$1,050 per month in December 2021 \(allowing up to two people per unit\).](#) [Although household incomes for these units are not requested, the monthly limits are well below 2022 Very Low Income limits for San Mateo County 1-bedroom units \(currently \\$1,748\).](#) [Council may only raise rents by 5 percent maximum annually, and have only increased rents twice in the previous 18 years.](#) Creekside Villas is considered low risk for market rate conversion and ~~dedoes~~ not currently have an expiration date for conversion.

In the last housing cycle, Veterans Village, a 65-unit affordable housing development for Veterans was built and completed using National Equity Fund (NEF) invested Housing Credit equity. Currently, 31 units are allotted for very low-income households, and 34 units are for low income households. This property is considered a Low Income Housing Tax Credit property (LIHTC), is considered low for market rate conversion and the current agreement will not expire until 2071.

### POTENTIAL LOSS OF SUBSIDIZED UNITS

Government Code Section 65583 requires local jurisdictions to address the potential conversion of multi-family rental housing that receives governmental assistance under federal programs, state and local multi-family revenue bond programs, or local density bonus programs to no low-income housing use. There are no locally subsidized units at risk in Colma, as the Town has not issued mortgage revenue bonds, has not approved- any density bonus units with financial assistance, and has not assisted multi-family housing with redevelopment or CDBG funds.

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## HOUSING NEEDS

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### DETERMINATION OF HOUSING NEEDS

The Regional Housing Needs Allocation (RHNA) process addresses housing needs across income levels for each jurisdiction in California. All of the Bay Area’s 101 cities and nine counties are given a share of the Bay Area’s total regional housing need. The Bay Area’s regional housing need is allocated by the California Department of Housing and Community Development (HCD) and finalized through negotiations with the Association of Bay Area Governments (ABAG). San Mateo County jurisdictions, through a unique process different from other Bay Area counties, collaboratively developed a formula to divide up San Mateo County’s overall housing allocation among the 21 jurisdictions in the county.

Table H-26: Regional Housing Needs Allocation (2023-2031) – 6<sup>th</sup> Cycle

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
Atherton	94	54	56	144	348
Belmont	448	281	283	733	1,785
Brisbane	317	183	303	785	1,588
Burlingame	863	497	529	1,368	3,257
<b>Colma</b>	<b>44</b>	<b>25</b>	<b>37</b>	<b>96</b>	<b>202</b>
Daly City	1,336	769	762	1,971	4,838
East Palo Alto	165	95	159	419	829
Foster City	520	299	300	777	1,896
Half Moon Bay	181	104	54	141	480
Hillsborough	155	89	87	223	554
Menlo Park	740	426	496	1,284	2,946
Hillsborough	575	331	361	932	2,199
Pacifica	538	310	291	753	1,892
Portola Valley	73	42	39	99	253
Redwood City	1,115	643	789	2,041	4,588
San Bruno	704	405	573	1,483	3,165
San Carlos	739	425	438	1,133	2,735
San Mateo	1,777	1,023	1,175	3,040	7,015
South San Francisco	871	502	720	1,863	3,956
Woodside	90	52	52	134	328
Unincorporated SMC	811	468	433	1,121	2,833

Source: Association of Bay Area Governments, Final RHNA Allocation Report 2023-2031



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According to the RHNA, Colma will need to ensure there is land available for a total of 202 new units between 2023 and 2031. Approximately 48 percent of those units will be for households making more than moderate income, 18 percent will be for households making moderate income, 12 percent for low-income, and 22 percent for very low income.

The housing policies and programs set forth in this document are intended to reach the local housing objective of 202 units within the 2023 to 2031 period.

## SPECIAL HOUSING NEEDS

Certain groups have greater difficulty in finding decent, affordable housing due to their special circumstances. Special circumstances may be related to employment and income, family characteristics, disability, and/or household characteristics.

State Housing Element law states that special needs groups include the following: senior households, disabled persons, developmentally delayed persons, large households, female-headed households with children, students, homeless persons, and farmworkers. This section provides a discussion of the housing needs facing each group.

Currently, the Zoning Code allows for multiple dwelling units of up to six units such as residential care facilities with a Use Permit in residential, commercial, and planned development zones provided that the residential density does not exceed that specified in the Colma General Plan. This process involves review from the Planning, Building, Engineering/Public Works, and Colma Fire Protection District. Once the departments review the application, the project will have to go up to City Council for approval. For dwelling units over seven, the project must be either in a PD zone or re-zone to a PD. This process could provide a constraint of housing for persons with disabilities, as this involves a discretionary process. With the establishment of the new Housing Element Zoning overlay, the barriers to this type of housing are removed.

## HOUSING NEEDS FOR SENIOR RESIDENTS

Seniors face many housing challenges as they age, including a fixed budget, higher medical costs, and greater likelihood of disabilities. According to the US Census 2020 American Community Survey, it is estimated that 13.9% of Colma's population is over the age of 65 (about 208 individuals).

*The Town of Colma owns 18 Senior Housing Units, located on El Camino Real*



Roughly 25% of the seniors in Colma have incomes higher than \$100,000, but almost half the seniors have an income below \$50,000. The US Census 2020 American Community Survey estimates that approximately 20% of the population over the age of 65 in Colma is in poverty.

Seniors in Colma, like seniors in San Mateo County at large, are significantly more likely to be homeowners than renters. Thus, housing concerns for seniors in Colma might include retrofits to allow seniors to age in place (stay in their current home as they get older). Often, homeownership means greater housing security. According to ABAG MTC, all seniors making less than 30% of AMI are spending the majority of their income on housing. For seniors making more than 100% of AMI, 46.2% spend less than 30% of their income on housing and are considered as not cost-burdened by housing costs.

As the large baby boomer population ages, Colma, like the rest of San Mateo County, is expected to see a growing senior population. According to the "Key Housing Trends in San Mateo County" document, the County can expect to see a 76% increase in the number of seniors. A key challenge in the coming years will be how to accommodate the needs of aging residents. For more information about senior trends and preferences, refer to the 2013 "Key Housing Trends in San Mateo" report in Appendix A.

**Table H-27: Senior Households by Tenure (2020)**

	Occupant	Colma	County	State
All Ages	Owners	49.5%	59.9%	55.3%
	Renters	50.5%	40.1%	44.7%
	Total	485	263,351	13,103,114
Age 65-74	Owners	54.3%	79.2%	75%
	Renters	45.7%	20.7%	25%
	Total	35	37,482	1,834,659
Age 75-84	Owners	57.7%	80.6%	75%
	Renters	42.3%	19.3%	25%
	Total	52	20,016	922,510
Age 85 +	Owners	62.5%	74.3%	68.3%
	Renters	37.5%	25.6%	31.7%
	Total	8	11,465	441,681

Source: US Census, 2020 American Community Survey 5-Year Estimates

Notes: Seniors are age 65 +

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## PEOPLE LIVING WITH DISABILITIES

People with disabilities face many challenges when looking for housing. There is a limited supply of handicap accessible, generally affordable housing, and the supply is especially tight near transit. Being near transit is important because many people with disabilities cannot drive. People with disabilities are also often extremely low-income due to the challenge of securing long-term employment and higher medical bills. Additionally, some people with disabilities, particularly developmental disabilities, have lived with their parents and often do not have rental or credit history. This makes it harder for them to compete for the limited housing that is available.

## PEOPLE WITH DEVELOPMENTAL DISABILITIES

SB 812 requires Housing Elements to include an analysis of the special housing needs of people with developmental disabilities. Additionally, SB 812 requires that individuals with disabilities receive public services in the least restrictive, most integrated setting appropriate to their needs.

The State Welfare and Institutions Code (Section 4512) defines a “developmental disability” as a disability that originates before an individual becomes 18 years of age, can be expected to continue, indefinitely, and constitutes a substantial disability for that individual, which includes retardation, cerebral palsy, epilepsy, and autism. Due to the rise of autism spectrum disorders (ASD), the Housing Element is required to address and analyze the housing needs of persons with developmental disabilities, and to identify resources to serve this population.

People with developmental disabilities in San Mateo County have various diagnoses. The common ones are summarized below. Because people can have multiple diagnoses, the numbers total more than 100 percent.

Table H-28: Type of Developmental Disability (2020)

Developmental Disability	Percent
Mild/Moderate Mental Retardation	43.3%
Autism	25.9%
Epilepsy	14.7%
Cerebral Palsy	14.4%
Severe/Profound Mental Retardation	9.5%

Source: Golden Gate Regional Center, 2020 Performance Report

People with developmental disabilities tend to be younger than the general population. There are several reasons for this. For some diagnoses there is a shorter life expectancy. More importantly, starting in the 1990s there was an “autism wave”, with many more young people

being diagnosed with the disorder, for reasons that are still not well understood. The racial demographics of the developmentally disabled population mirror that of the population of the Bay Area.

**Table H-29: Age of People with Development Disabilities (2020)**

Age Range	People with Developmental Disability (Colma)
Under 18	4
Over 18	6

*Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2020)*

**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 cross walked 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.

Many people with developmental disabilities are unable to secure long-term employment. This results in many people relying on Supplemental Security Income (SSI) and many earn 10-20 percent of the Area Median Income (AMI).

People with developmental disabilities have various housing needs and situations. All Colma residents with disabilities live with a parent or legal guardian.

**Table H-30: Living Arrangements of People with Developmental Disabilities**

Lives with	Number (Colma)
Home of Parents/Family/Legal Guardian	9
Community Care Facility	0
Foster Family Home	0
Independent/Supportive Living	0
Intermediate Care Facility	0
All Others	0

*Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020)*

**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.

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*-The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were cross worked 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.*

Trends that are affecting people with developmental disabilities include California's moves to reduce institutionalization, aging family caregivers not being able to continue providing in-house care and the growing wave of people with autism.

- **Deinstitutionalization** – In 1969, California, passed the Lanterman Developmentally Disabilities Services Act, to minimize the institutionalization of developmentally disabled people, help them remain in their communities, and allow them to live their lives as similar to non-disabled people as possible. To accomplish this, the state has been closing large institutional care facilities, resulting in more people with disabilities being integrated into the community. However, this has increased the demand for community-based independent living options to serve the needs of the developmentally disabled.
- **Aging Baby Boomers Unable to Care for their Children with Developmental Disabilities** – As displayed in the Table H-30 below, there is an estimated 39 people between the ages of 18 to 64 with developmental disabilities that live in Colma. Often those who have disabilities live with a parent or caregiver, and many of these caregivers are baby boomers. As these caregivers age their ability to continue to care for their developmentally disabled children will decrease to the point where it is no longer possible. This trend is also going to be a factor in the increased need for community-based independent living options for the developmentally disabled. Many service delivery systems and communities are not prepared to meet this increasing need.
- **Increasing Numbers of People with Autism** - There is a large number of people with developmental disabilities that have autism. They have been brought up as independent members of the community and want to remain independent and involved in the community. There is an impending need to supply community-based independent living options for these individuals.

## OTHER DISABILITIES AND POLICY RECOMMENDATIONS

Some residents of the Town of Colma have both developmental and non-developmental disabilities, including hearing and vision disabilities.

Almost half of the senior population in the Town of Colma has a ~~of~~ disability, and nine percent of the total population in the county has some form of disability. The most common disabilities in the Town are ambulatory disabilities (approximately 7% of the population) and independent living disabilities (approximately 6% of the population).

Table H-31: Age and Type of Disability

	Number			Percent		
	Colma	County	State	Colma	County	State
Under 18 with Disability	0	3,919	306,806	0.0%	2.5%	3.4%
Age 18-64 with Disability	39	23,680	1,944,580	4.1%	4.9%	8.0%
Age 65 + with Disability	94	34,818	1,895,565	45%	28.6%	34.2%
Any Age with Any Disability	133	62,417	4,146,951	9.0%	8.2%	10.7%
Any Age with Hearing Disability	19	19,065	1,147,500	1.3%	2.5%	3.0%
With Vision Disability	14	10,500	778,145	0.9%	1.4%	2.0%
With Cognitive Disability	65	22,911	1,585,969	4.8%	3.2%	4.4%
With Ambulatory Disability	92	30,648	2,118,765	6.8%	4.3%	5.8%
With Self Care Disability	25	14,141	964,579	1.8%	2.0%	2.6%
With Independent Living Disability	74	26,339	1,654,210	6.4%	4.4%	5.5%

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table S1810.

Note: Some people may have multiple disabilities

The three major needs for people with disabilities are low cost (subsidized) rents, handicap accessible homes, and buildings near public transportation. These needs are very similar to the desires of other segments of the population. Policies that promote affordable housing are generally also beneficial for the disabled community. Specific recommendations from the Golden Gate Regional Center (with a note on Colma’s actions or programs) include:

- Jurisdictions assisting with site identification for low-income developments (Colma’s Program 5-5, ~~regular meetings with non-profit developers~~, Program 3-3.2, Density Bonus allowance; Program 3.5 establishing a Housing Element Overlay Zone; and Program 4.3 Emergency Shelters)
- Policies to promote accessible homes (Colma’s Program 4.1, Reasonable Accommodation and enforcement of building codes related to accessibility)
- Inclusionary zoning (Colma’s Program 3.74, Inclusionary Housing)
- Second units (Colma’s Program 2.1, Second Unit Ordinance)
- Accessory Dwelling Units (Colma’s Program 2.2)
- Mixed use zoning (Colma’s Program 3.3, High Density Housing near BART)

Additionally, some people with developmental disabilities need supportive housing that is affordable and located near public transit. In supportive housing, additional services are provided at the home.

In the Town’s zoning code, it defines the word family interchangeably with household—in CMC 5.01:

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Household shall mean one or more persons, whether or not related by blood, marriage or adoption, sharing a dwelling unit in a living arrangement usually characterized by sharing living expenses, such as rent or mortgage payments, food costs and utilities, as well as maintaining a single lease or rental agreement for all members of the household and other similar characteristics indicative of a single household.

The household definition does not mention disability nor does the Zoning Code require spacing or concentration requirements for housing for persons with disabilities.

In Subchapter 5.15 of the Colma Municipal Code, the Town describes the requests for reasonable accommodation in housing ~~process~~processes. This process includes any request for reasonable accommodation may be made by any person with a disability, their representative or entity, when the application of a zoning law, building code, or other land use regulation, policy, or practice acts as a barrier to fair housing opportunities. The request may include the elimination of regulatory barriers which include a modification or exception to Town rules, policies and procedures or to the standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. If a request is made, a review with other planning approvals such as a use permit, variance, design review permit, zone change, general plan amendment, or subdivision could be filed at the same time.

The reasonable accommodation process is as follows:

- **Application**, including the applicant's name, address, and telephone number; the address for which the request is being made; the current use of the property; the basis of the claim; the code, regulation, or policy from which accommodation is being requested; and the explanation of why the accommodation is necessary.
- **Review**, if the request is being made in connection with a project or land use that requires other planning approval then the applicant shall file the request concurrently with that project or land use.
- **Public Notice**, as appropriate. If there is no discretionally approval sought other than the request, notice shall be mailed to immediately adjacent properties at least 15 days prior to the decision. If there is related discretionary approval, then the request shall be transmitted along with the other planning application. If notice is required, then a person receiving a notice may request a hearing to contest the proposed decision within 10 days of the date the notice is mailed.
- **Consideration of Request**, including a public hearing if required by contestation of someone receiving a notice of the reasonable accommodation request. The following findings form the basis of the written decision to grant or deny a request:
  - Whether the housing will be used by an individual with a disability
  - Whether the request is necessary to make the specific housing available

- [Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the town](#)
- [Whether the requested accommodation would require a fundamental alteration in the nature of a Town program or law.](#)
- [If the Town determines that a requested accommodation would result in a fundamental alteration or undue financial or administrative burden, the Town may take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive equal access to the benefits or services provided by the town](#)
- [Conditions of Approval, if the City Planner deems them reasonable and necessary to ensure that the reasonable accommodation would comply with the findings above.](#)

## FEMALE-HEADED AND LARGE HOUSEHOLDS

Households headed by a single parent can have special needs due to the economic limitation of earning only one income, and the challenges of childcare without a partner. Although gender equality has made strides over the past 50 years, women continue to earn lower incomes than men. Therefore, female-headed households have specific housing needs that must be addressed. Female-headed households can have special needs that require low-cost housing, suitability for children and located near schools and childcare facilities. Innovative, shared living arrangements, including congregate cooking and childcare, may also be appropriate.

Female-headed households comprise 28 percent of the households in Colma. The most vulnerable female-headed households can be those where women are living with children but without a partner. Colma has 90 such households, or 19 percent of the total number of households. Female-headed households are more likely to be living under the poverty line than other households: approximately eight percent of female-headed households in Colma are under the poverty line.

Table H-32: Female-Headed Households

	Colma		County	State
	Number	Percent		
Female living with own children, no partner	90	18.6%	23.5%	26.2%
Female living alone	48	9.9%	12.6%	13.1%
Total Households	485	100%	263,351	13,103,114
Female Households Below Poverty Level in past 12 months	38	7.8%	4.2%	11.3%

Source: US Census, 2020 American Community Survey 5-Year Estimates, Table DP02, B17021

Large households are defined as households with five or more members living in the same home. Large households are a special needs group because of the difficulty of finding adequate



and affordable housing. The higher costs required for homes with multiple bedrooms can result in larger families experiencing a disproportionate cost burden compared to the rest of the population and can increase the risk of housing insecurity.

In Colma, 14% of large family households (5 or more family members) experience a cost burden of 30%-50%. There are no reported large family households that spend 50% or more on their income on housing.

**Table H-33: Cost Burden by Household Size**

Household Size	0%-30% of income Used for Housing	30%-50% of income Used for Housing	50% of Income Used for Housing
All other household types	256	74	52
Large Family (5+ persons)	67	12	0
Total	323	86	52

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

**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.

## HOUSING NEEDS FOR FARMWORKERS

Farmworkers are traditionally defined as persons whose primary incomes are earned through seasonal agricultural labor. Most jurisdictions in San Mateo County have no farms or farmworkers; however, there are 241 farms and 1,321 farmworkers in the county, primarily located in coastal communities. Of these 1,321 farmworkers, 123 are migrant workers and 343 work less than 150 days annually (and are therefore considered to be "seasonal labor"). Farmworkers who are migrant or seasonal workers have special housing needs because of their relatively low income and the unstable nature of their job (i.e., having to move throughout the year from one harvest to the next). These workers generally face higher rates of overcrowding and other substandard housing conditions. Continued efforts to provide affordable housing, especially affordable housing suitable for families, will help meet the needs of these farmworkers.

The Town of Colma has several commercial container plant nurseries that operate year-round and offer their employees regular pay and benefits. In addition, Colma has two small flower farms that are maintained by individual farmers that lease land and successfully sell their crops to local merchants.

Increasing the housing supply for farmworkers in Town can be achieved through ADUs or JADUs. In the G cemetery zoning district, upon issuance of a use permit, the City Council would allow for a single caretaker unit with or without an ADU or JADU (Colma Municipal Code (5.03.060). Additionally, the R-S zoning district, allows for manufactured homes (R zone only), and with a use permit, existing multiple residences buildings, warehouses, and other facilities, all of which could be utilized for housing farmworkers (Colma Municipal Code 5.03.080).

**Table H-34: Farm workers in San Mateo County (2007-2017)**

	2007	2012	2017
Total Farms	329	334	241
Land in farms (acres)	57,089	48,160	45,972
Hired Farm Labor	2,608	1,722	1,321
Migrant labor	24	88	123
Working > 150 days annually	1697	718	978
Working <150 days annually	911	329	343

Source: U.S. Department of Agriculture, Census of Farmworkers (2007, 2012, 2017), Table 7: Hired Farm Labor

## HOUSING NEEDS FOR THE HOMELESS

All 21 jurisdictions within San Mateo County have adopted the ten-year HOPE Plan (Housing Our People Effectively: Ending Homelessness in San Mateo County), designed to end homelessness within ten years. The HOPE Plan adopts a Housing First policy, which seeks to move homeless people into permanent housing instead of shelters by increasing the stock of affordable and subsidized housing. Although the HOPE planners recognized that there is a lack of needed resources throughout the housing continuum, including emergency and transitional housing, the greatest need and the most effective use of new and/or redirected resources is for creating and sustaining quality affordable housing and supportive housing.

[In the 2022 San Mateo County One Day Homeless Count and Survey, there was 1 homeless individual in Colma. Colma historically has one of the lower homeless counts in San Mateo County.](#)

**Table H-35: Unsheltered Homeless Count by Jurisdiction**

	2011	2013	2015	2017	2019	2022
Colma	1	7	3	1	8	1
San Mateo County	1,162	1,299	775	637	901	1,092

Source: Chart 4: Unsheltered Homeless Count by Jurisdiction in 2022 San Mateo County One Day Homeless Count and Survey, page 6. Available at <https://www.smcaov.org/media/133851>

According to the 2019 San Mateo County One Day Homeless Count and Survey, there are 1,512 homeless people living in San Mateo County- [\(901 unsheltered and 611 sheltered\).](#)

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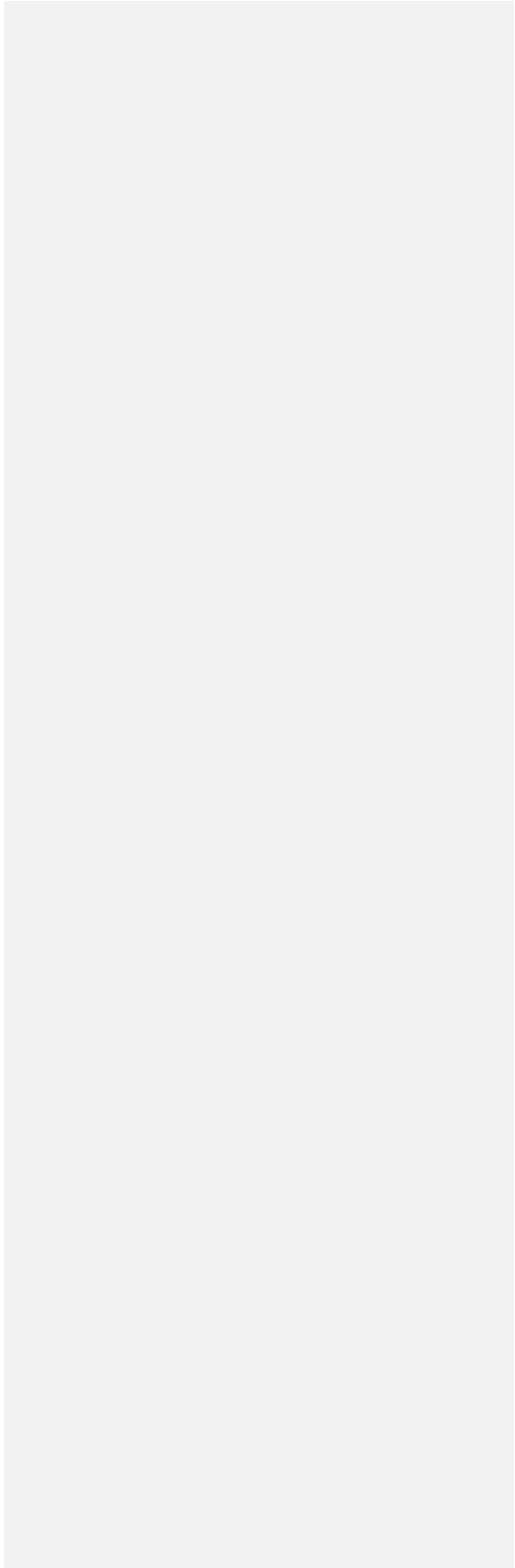


Table H-3536: Demographics of San Mateo County Homeless Population by Household Type

	Adult Only Household (73.4%)			Family Household (26.5%)		
	Emergency Shelter	Transitional Housing	Unsheltered	Emergency Shelter	Transitional Housing	Unsheltered
<b>Gender</b>						
Male	67.7%	62.2%	78.9%	39.7%	42.8%	46.8%
Female	30.8%	37.8%	21.2%	60.3%	57.2%	53.2%
Transgender	1.5%	0.0%	0.1%	0.0%	0.0%	0.0%
<b>Race</b>						
White	59.1%	55.4%	74.5%	41.2%	55.0%	75.8%
African American	20.7%	27%	8.9%	23.5%	14.0%	17.7%
Asian	6.1%	2.7%	0.0%	8.8%	6.6%	0.0%
American Indian/Alaskan Native	4.0%	2.7%	8.2%	7.4%	3.3%	1.6%
Native Hawaiian/Other Pacific Islander	7.6%	5.4%	0.1%	4.4%	11.1%	1.6%
Multiple Races	2.5%	6.8%	8.2%	14.7%	10.0%	3.2%
<b>Ethnicity</b>						
Hispanic	20.7%	27%	39.3%	41.2%	52%	27.4%
Non-Hispanic	79.3%	73%	60.7%	58.8%	48%	75.8%
<b>Chronicity</b>						
Chronic Homelessness	33.3%	0.0%	30.0%	4.4%	0.0%	0.0%

Source: San Mateo County Human Services Agency, Center on Homelessness, 2019 San Mateo County One Day Homeless Count and Survey  
 Note: May not total 100% due to rounding.

**Table H-3637: Additional Demographics of San Mateo County Homeless Adult Population**

	Emergency Shelter	Transitional Housing	Unsheltered
Veteran Population	14%	2%	4%
Alcohol / Drug Abuse	20.5%	10.4%	12%
History of Domestic Violence	4.5%	7.3%	12%
Severe Mental Illness	31.3%	23.8%	22.7%

*Source: San Mateo County Human Services Agency, Center on Homelessness, 2019 San Mateo County One Day Homeless Count and Survey*

*Note: May not total 100% due to rounding*

**Table H-3738: County Homeless Population Location 2013-2019**

Location	2013	2019	Change
<b>Unsheltered</b>			
On the Street	353	157	-55.5%
In Car	231	184	-20.3%
In RVs	392	494	+26.0%
In Tents/Encampments	323	66	-79.6%
Total	1,299	901	-30.6%
<b>Sheltered</b>			
In Emergency Shelter	272	266	-2.2%
In Transitional Housing	431	345	-20.0%
Total:	703	611	-13.5%

*Source: San Mateo County Human Services Agency, Center on Homelessness, 2019 San Mateo County One Day Homeless Count and Survey*

Homeless individuals in San Mateo are both sheltered, meaning they live in emergency shelters, transitional housing, treatment centers or similar institutions, and unsheltered, meaning they are unhoused living in encampments, or in a vehicle.

The number of homeless people living on the street in San Mateo County has decreased since 2013. However, the number living in an RV has risen by approximately 26 percent. The remaining 43 percent are considered sheltered homeless, and live in shelters, transitional housing, motels, or institutions.

Many homeless people are single adults (who may be living with another adult, but no children). Still, one-fourth of the sheltered homeless are families. Homeless persons in an adult only household were most likely to be unsheltered and male. In contrast, homeless family households were most likely to be in transitional housing and be headed by a female.

Table H-3839: Location where Homelessness Occurred

Location	County
Living in San Mateo County when became homeless	77%
Hometown in San Mateo County	44%

Source: San Mateo County Human Services Agency, Center on Homelessness, 2019 San Mateo County One Day Homeless Count and Survey

### Quantification of Available Homeless Assistance Resources

Shelters and homeless assistance programs are the main resources available to homeless residents of San Mateo County. Colma helps to meet the needs of its homeless residents by providing financial support and appropriate referrals to local homeless assistance programs available in San Mateo County, including Shelter Network, the Human Investment Project, North Peninsula Food Pantry and Dining Center of Daly City, and the Second Harvest Food Bank. In addition, Colma [permits/allows](#) development of [a homeless emergency shelter](#) as permitted use in the Commercial (C) zone.

San Mateo County's Center on Homeless, a program overseen by the County Human Services Agency, coordinates the provision of homeless services within the County, including those by non-governmental entities. The Center on Homeless provides information to county residents and, referrals, administers self-sufficiency programs, and develops homeless resources. There are also several specialized shelters for persons with substance abuse problems, mental illnesses, victims of domestic violence and for the youth.

The nearest large homeless assistance facility is the Community Service Center in Daly City. The Center is a clearinghouse providing motel vouchers, bus tickets and referrals to the County's transitional shelters. In addition, this facility provides a Home Sharing service which keeps track of those with living quarters to share.

In May of 2013 City Council adopted Ordinance No. 720, allowing emergency shelters on all properties zoned for commercial use- (["C" Zone](#)), without a conditional use permit or other discretionary permit, and establishing development standards including proximity to other shelters (no closer than 300 feet), vehicle parking for employees, bicycle parking, shelter capacity, client waiting areas, length of stay, screening of outdoor uses, exterior lighting, laundry facilities, and personal property storage applicable to emergency shelters. As defined, an emergency shelter is housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less.

#### Development Standards

[Pursuant to Section 5.03.290\(d\)\(2\), emergency shelters are subject to specific development standards. This subsection dictates the following:](#)

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- Proximity to other shelters: No emergency shelter shall be located closer than three hundred (300) feet from another emergency shelter;
  - Vehicle parking: An emergency shelter shall provide off-street parking spaces totaling .35 parking spaces for every bed, rounded up to the nearest whole parking space; and one parking space for each employee working at the same time as another employee; and all parking spaces required under the Americans with Disabilities Act;
  - Bicycle parking: An emergency shelter shall provide a minimum of one bicycle space for every five (5) beds;
  - Shelter capacity: No emergency shelter shall contain more than five (5) beds. The maximum number of beds in all emergency shelters in the Town shall not be less than the number of unsheltered homeless persons in Colma as determined in San Mateo County's Homeless Survey;
  - Client Waiting Areas: Client waiting areas shall be sized and located appropriately to keep clients from waiting on the public right-of-way;
  - Length of Stay: The length of stay per individual in an emergency shelter shall not exceed six (6) months in a consecutive 12-month period;
  - Screening of Outdoor Uses: An emergency shelter shall not allow or include any of the following to occur in front of an emergency shelter or in any other location incidental to the shelter that is visible from adjoining properties or the public right-of-way, unless entirely screened from public view.
    - Designated outdoor smoking area;
    - Outdoor waiting and client intake area;
    - Outdoor public telephones; and
    - Outdoor refuse area.
  - Exterior lighting: Lighting in or on an emergency shelter shall be stationary, directed away from adjacent properties and public rights-of-way, and of an intensity that is consistent with existing lighting in the surrounding area in which the shelter is located.
  - Laundry facilities: An emergency shelter shall provide laundry facilities to serve person residing in the shelter.
  - Personal property storage: An emergency shelter shall provide secure areas for temporary storage of personal property of the persons residing in the shelter.

The following changes shall be made to this provision in order to comply with state law as part of Program 4.3:

- Vehicle parking: Sufficient parking to accommodate all staff working in the emergency shelter, provided the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone (as per Gov. Code 65583 (a)(4)(A)(ii).
- Shelter capacity: The shelter bed capacity shall be increased to thirty (30), to accommodate the projected number of unsheltered unhoused persons in Colma as determined by San Mateo County's Homeless survey;

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### **Operational Standards**

Pursuant to Section 5.03.290(d)(3) of the Colma Municipal Code, emergency shelters must have a management plan. The operator of an emergency shelter shall prepare and submit to the City Planner for its approval, a management plan that includes the following:

- established staff training program to meet the needs of emergency shelter residents;
- adequate security measures to protect emergency shelter residents and the neighboring land uses;
- on-site management and security personnel who must be present at all times when the emergency shelter is in operation;
- a list of services provided to assist emergency shelter residents with obtaining permanent housing and income.
- The operator shall, at all times, comply with and perform all terms and conditions of the management plan approved by the City Planner.

There are no other management standards applicable in the C zone, so the Town is compliant with the requirement that "emergency shelters shall only be subject to development and management standards that apply to residential or commercial within the same zone."

### **Siting**

The parcels where emergency shelters are allowed by-right are subject to a siting analysis, reviewing proximity to transit and services, hazardous conditions, habitability, and feasibility of emergency shelter construction.

### **Proximity to Transportation and Services**

The C zone is based along the El Camino Real corridor, the major transit corridor in San Mateo County with frequent bus service. The majority of parcels in the C zone are also within a half mile of a major transit stop (including BART stations). Although Colma has limited services (a Target and Dollar Tree, but no social services), all such services are located in the C zone.

### **Hazardous Conditions**

There are no identified hazardous conditions on any of the parcels in the commercial zone that would interfere with an emergency shelter or shelters suitable to support the number of unsheltered homeless persons in Colma as of the 2022 county survey (one person).

### **Human Habitability**

There are already several residential developments in the C zone, as well as active commercial businesses.



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### Feasibility

The parcels in Colma's C zone contain a disproportionate amount of underutilized space, such as the far reaches of parking lots and vacant parcels. There are also underutilized buildings in the C zone substantial to fit Colma's most up-to-date homeless point in time count (1 unsheltered person)

### **Determination of Unmet Homeless Needs in Colma**

As of the ~~2019~~2022 San Mateo Homeless Census, ~~eightone~~ unsheltered homeless ~~people~~ ~~were~~person was counted in Colma. Homelessness is a regional issue and consideration of the homeless is important in formulating housing policy.

### **HOUSING NEEDS FOR EXTREMELY LOW-INCOME HOUSEHOLDS**

Extremely Low Income (ELI) households earn 30 percent of the Area Median Income or less. According to the Department of Housing and Community Development 2022 State Income Limits, this amounts to an annual income of \$54,800 or below for a family of four in San Mateo County. Many ELI households live in rental housing and most likely face overpayment, overcrowding or substandard housing conditions. For additional information on overpayment by tenure, see Table H-18. Some ELI households are recipients of public assistance such as social security insurance or disability insurance. Housing types available and suitable for ELI households include affordable rentals, secondary dwelling units, emergency shelters, supportive housing and transitional housing.

Emergency shelters are a permitted use in the Commercial "C" zone that is subject to both development and management standards listed in chapter 5 of the Town's municipal code. In addition, supportive and transitional housing uses are permitted by right in the "R" and "R-S" zones and permitted with a use permit in the "C" zone.

In May of 2013, the Town of Colma amended its Municipal Code to allow transitional and supportive housing as a residential use of property of the same type and in the same zone, with no restriction on the number of units within the Commercial/Multi-family zone. Program 4.6 includes an action to clarify the Municipal Code and state that transitional and supportive housing is allowed as a residential use in all zones allowing residential uses and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. This includes compliance with Government Code section 65651 allowing supportive housing by right, without discretionary action, when the development meets certain requirements.

These standards align with measures required by the State of California such as the six-month length of stay limit, and the requirement that no individual or household may be denied access because of inability to pay. Capacity for this use is not specified in the Town's zoning code.

Further, to comply with AB 101, the Town has added a new program to permit Low-Barrier Navigation Centers in the C Zone. Low-Barrier Navigation Centers as defined by Government Code 65660(a) is housing or shelter in which a resident who is homeless or at risk of homelessness may live temporarily while waiting to move into permanent housing.

There are 75 ELI households in Colma according to 2018 CHAS data. All Colma’s ELI households face overcrowding, overpayment, and/or lack complete kitchen or plumbing facilities. As part of the zoning code update for 2023, the Town will identify Single Room Occupancy (SRO) opportunities available for individuals that fall within the ELI category, specifically those who are senior citizens. The Housing Element includes a program to add a definition and standards to regulate SROs in town.

Currently, in the R-S zone, with a conditional use permit, existing multiple residence buildings, warehouses, and other facilities could be areas where SROs and similar types of housing can be utilized in Town. (Colma Municipal Code 5.03.080) As part of the zoning code update, the Town will identify areas in other parts of town where SROs can exist.

**Table H-3940: Housing Needs for Extremely Low Income (ELI) Households in Colma**

Household Category	Renter Households	Owner Households	Total Households
Total households any income	225	255	480
Total ELI households	60	15	75
ELI households with housing problems	35	15	50
ELI households with cost burden (paying 30% or more of income)	29	15	44
ELI households with cost burden (paying 50% or more of income)	25	15	40

*Source: HUD Comprehensive Housing Affordability Strategy (2014-2018)*

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## HOUSING ELEMENT PUBLIC PARTICIPATION

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For the 6<sup>th</sup> cycle of the Housing Element, State law requires jurisdictions to make a “diligent effort to achieve public participation of all economic segments of the community” when preparing a housing element (Government Code 65583(c)(7)). State law requires jurisdictions to take active steps to inform, involve, and solicit input from the public, particularly groups and organizations representing the interests of lower-income and minority households that might otherwise not participate in the process.

In previous Housing Elements, due to the small population of the Town, outreach consisted of Council Study Sessions. Because of the new requirements, the Town decided on a more comprehensive outreach plan that includes several methods both in-person and virtual, as well as utilizing traditional and social media. By offering different ways for residents and other stakeholders to provide input, the Town hopes to gain a better understanding of residents representing multiple demographics.

### HOUSING ELEMENT FLYER

To promote the survey and outreach events, a flyer was created and sent to residents (360 households). This flyer included information for outreach events, the first City Council public hearing for the Housing Element, and a link with a QR code to the survey. Written on the flyer, in English, traditional Chinese, Spanish, and Tagalog were translation services available to those who require language assistance. ADA assistance was stated and offered in the flyer as well. Paper copies of the flyer were also available at various outreach events.

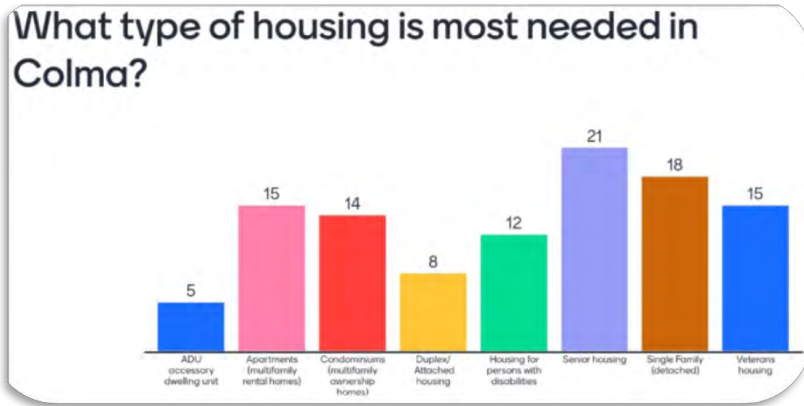
### HOUSING ELEMENT WEBSITE AND SOCIAL MEDIA

In April 2022 the Town launched its Housing Element Update website ([www.colma.ca.gov/housing-element](http://www.colma.ca.gov/housing-element)) to provide an overview of the project, purpose for the update, key benefits for the update, an explanation of the Regional Housing Needs Allocation (RHNA), ways to participate in the update process, a housing element video, and links to the housing survey. The Town utilizes Facebook, Twitter, and Simplicity for announcements. Posts were made on each app promoting the Housing Element Update and outreach events. The Town will continue to update the website with housing element revisions as well as any other related updates.

### HOUSING SURVEY

On April 8, 2022, the Town released a Housing Survey to assess current housing conditions, the community’s priorities regarding future housing, and to gather information on housing constraints. This survey was available online using the Mentimeter app and paper copies were distributed at various outreach events in the month of April. The survey concluded on April 29, 2022. There were 44 responses. Participants included residents, those who work in Colma, and those who neither live nor work in the Town. The survey indicated that over 70% of

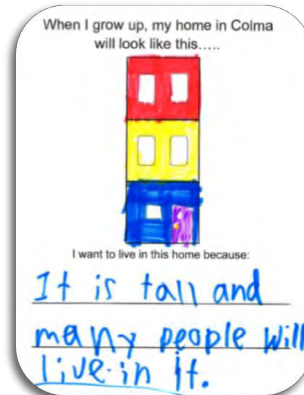
participants were satisfied with their current housing situation in Colma and would rate the physical condition of their unit as “excellent”. Participants shared that the types of housing they felt were most needed in Colma are Senior Housing, Single Family (detached homes), and Apartments (multifamily rental homes), Veterans Housing, and Condominiums (multifamily ownership homes).



*This is an example of a survey questions that was asked*

## OUTREACH EVENTS

- On April 12, 2022, planning staff participated in a barbeque at Veterans Village hosted by The American Legion. Town Staff and the Resident Services Coordinator assisted with outreach by distributing flyers and surveys to each resident. Input from residents at Veterans Village is important because they represent a demographic that currently live in affordable housing and has, were formerly homeless, or are over 60 years old.
- On April 16, 2022, the Town participated in an Easter event called Eggstravaganza hosted by the Colma Recreation Services Department at the Colma Community Center. Planning staff hosted a table at this event where a housing-related activity was created for children. The activity asked the children to dream of their future home in Colma, color it (see example to the right), and to write a reason for why they chose to live in that home. They were able to choose from three types of homes: apartment, duplex, or single-family. This event was well attended with close to 50 children participating in the activity.



*This is an example of a housing activity completed by a child at Eggstravaganza*

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- On April 20, 2022, the Town participated in a senior luncheon hosted by the Colma Recreation Services Department at the Colma Community Center. Planning staff hosted a table at this event where the Housing Element Update flyer and survey were distributed to the residents. This event also allowed staff to promote future Housing Element outreach events. Input from older residents is important to the Town because the residents represent a demographic that is over 60 and some have special needs.
  - On April 20, 2022, the Town hosted an event at Black Bear Diner called Coffee with a Planner. This was a workshop for community members to meet with planning staff and have an opportunity to engage, ask questions, and fill out the survey.
  - On April 22, 2022, the Town participated in the 2022 Arbor Day/Earth Day event hosted by the Colma Recreation Services Department at Sterling Park. Planning staff hosted a table at this event where the flyer and survey were distributed to residents. Staff engaged with several residents explaining the purpose of the Housing Element, and ways to get involved with the process.
  - On April 25, 2022, planning staff presented at the City Council meeting. The purpose of this study session was to introduce an overview of the Housing Element Update and obtain input from City Council and the public. Staff provided progress to date, public outreach efforts, and the preliminary map of potential new housing locations (site inventory). Email notices for this study session and the June 8, 2022, presentation of the Draft Housing Element, were sent to various housing advocacy groups and non-profits. They included: One Degree, Housing Choices, HIP Housing, Housing Leadership Council of San Mateo, Let's Talk Housing San Mateo County, Mercy Housing, MidPen Housing, and Samaritan House San Mateo.
  - Staff presented the Town's Goals, Policies, Programs, and Objectives to San Mateo County Equity Advisory Group on May 6, 2022. This group is a collection of housing advocates in San Mateo County. During this presentation, staff was able to gain feedback on which programs were considered strong and areas that needed further improvement.
  - Planning staff presented the Draft Housing Element to the City Council at their meeting on June 8, 2022. The purpose of this meeting was to introduce the Draft Housing Element to City Council and the public. Planning staff provided progress to date, a revised site inventory map (reflecting the removal of the Italian Cemetery, a 3.07-acre parcel), a highlight of key housing programs, and comments from the May 6, 2022 presentation to the San Mateo County Equity Advisory Group.
  - On September 23, 2022, Town Staff hosted Housing Leadership Council staff for a tour of the housing opportunity sites in Town and discussed the opportunity sites analysis.

## PUBLIC NOTICE DISTRIBUTION LIST

Please refer to Appendix C, Public Notice List

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## SUMMARY OF PUBLIC COMMENTS

On April 27, 2022, planning staff presented the Housing Element Update study session at the City Council meeting. There were no public comments made to staff at the meeting.

During the 30-day comment period, staff were notified by the Italian Cemetery of its desire not to be part of the housing inventory for their vacant site, located at El Camino Real and F Street. During the initial opportunity sites process, staff determined it was suitable for multi-unit family housing due to its location on El Camino Real and across the street from Colma BART station. As a result, staff revised the housing inventory and the draft to eliminate the 3.07-acre property owned by the Italian Cemetery.

The Housing Element Survey concluded on April 29<sup>th</sup> with 44 recorded responses. Planning staff collected this data and considered how this feedback could be integrated into future housing plans.

One major theme that resonated throughout the surveys was access to homeownership. Multiple members of the community expressed interest in homeownership specifically for those with moderate incomes and below to purchase homes in Colma. As a result, programs that relate to inclusionary housing, density bonuses, increasing density, and ADUs have been modified to provide more opportunities for homeownership and affordable housing. There is an additional new program, a Housing Element Overlay District to further remove any governmental constraints and encourage high-density housing development.

On May 6, 2022, staff participated in a virtual presentation to the members of the San Mateo County Equity Advisory Group. During this presentation, the Goals, Policies, Programs and Objectives for of the Draft Housing Element was discussed, and feedback provided by this group. Comments were provided verbally after staff's presentation. A couple of highlighted comments included: displacement strategies for low-income residents, equity for code enforcement and nuisance abatement, more efforts towards local funding sources for affordable housing, densities of 50 dwelling units per acre (du/ac) near the BART station, and inclusivity to all groups during the 6<sup>th</sup> housing cycle. As a result, existing programs were edited and several programs were added.

On May 27, 2022, the Housing Leadership Council of San Mateo County (HLC) submitted an undated letter through email commenting on Colma's Draft Housing Element. Following the receipt of this letter, staff has been in contact with HLC to discuss their concerns. On September 23, 2022, Staff hosted HLC Staff for a tour of opportunity sites, and engaged in a discussion of the opportunity sites. In preparation for the final draft of the Housing Element, Staff has incorporated HLC Staff's thoughts and concerns within the policies and programs. Specifically for the opportunity sites, where a new overlay district that removes parking minimums within a half mile of high-quality transit, allows for residential use on commercially zoned property without rezoning for projects that pay prevailing wages, and CEQA-exempt ministerial approval pathway on commercially zoned land for qualifying residential development

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that meets affordable housing targets. Staff will continue to foster relationships and open communication with the public and responsible organizations.

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## FAIR HOUSING

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### AFFIRMATIVELY FURTHERING FAIR HOUSING

Assembly Bill (AB) 686 requires that all housing elements contain an affirmatively furthering fair housing (AFFH) assessment. Under State Law, “affirmatively furthering fair housing” means “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.”

There are three parts to this requirement:

1. Include a Program that Affirmatively Furthers Fair Housing and Promotes Housing Opportunities throughout the Community for Protected Classes (applies to Housing Elements beginning January 1, 2019).
2. Conduct an Assessment of Fair Housing that includes a summary of fair housing issues, an analysis of available federal, state, and local data and knowledge to identify sites, and an assessment of contributing factors for fair housing issues.
3. Prepare the Housing Element Land Inventory and Identification of Sites through the lens of Affirmatively Furthering Fair Housing.

In compliance with AB 686, the Town has completed the following outreach and analysis.

Analysis of the fair housing issues in this section draws from the Town of Colma Fair Housing Assessment, an analysis that follows the April 2021 State of California State Guidance for AFFH, prepared by 21 Elements (Appendix B). The assessment identifies the primary factors contributing to fair housing challenges and the plan for taking meaningful actions to improve access to housing and economic opportunity. The following fair housing issues were analyzed: Fair housing enforcement and outreach, integration and segregation, access to opportunity, concentrated areas of poverty, disparate housing needs, disproportionate housing needs, and displacement risk within the jurisdiction. To address the identified factors, the assessment includes a Fair Housing Action Plan (FHAP) with goals, actions, and timelines.

### LOCAL KNOWLEDGE

[Colma has a peculiar history within the San Francisco Bay Area region. The town was incorporated in 1924 by cemetery associations pushed out of San Francisco by high land costs of the cemeteries themselves. Currently, 922 of the Town's 1,225 acres \(approximately 75](#)

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percent) are dedicated to cemetery uses. This preponderance of cemeteries is unusual, and often played as a laugh line. A 2021 public radio story called Colma “the last place you want to be when the zombie apocalypse goes down.” (Brooks, “Why Are There So Many Graves in Colma? (KOED: Oct. 7, 2021)

[According to Michael Svanevik, a San Mateo County historian, Colma was not intended to be a residential jurisdiction at all, “The \[Town Council\] didn’t want living people in Colma,” Svanevik said in the 2021 article. “Every time somebody came forth and wanted to open a store, the town council voted it down, unless it was a floral shop or something associated with a cemetery.”](#)

[The Sterling Park subdivision began construction in 1950 with 260 single-family houses, almost entirely purchased by World War II veterans with GI loans \(colma.ca.gov/colma-history\). The GI Loan program was discriminatory, and Black veterans were not able to access home opportunities such as those in Colma the way that non-Black veterans were able to \(“Benefits Denied: Older Black Veterans Battle for GI Education and Housing Compensation, Disability Payments” \(NBC Bay Area: Feb. 28, 2023\).](#)

[The population boomed in the latter decades of the 20<sup>th</sup> century, going from 395 in the 1980 census to 1,091 in the 1990 census count. This increase in population was linked to an increase in diversity: the town became majority \(50.2 percent\) non-white, which it remains today. Much of the population is Asian \(notably, Joanne Del Rosario – elected mayor in 2008 – was the first Filipina mayor in the Bay Area region\) and/or Hispanic.](#)

[The first multifamily housing developments in Colma, Hoffman Court and Verano Townhouse, were constructed in 2003. The new multifamily development was supported by the opening of Colma BART station in 1996. In 2020, the Town was certified as an Age-Friendly City by the World Health Organization.](#)

## **FAIR HOUSING ASSESSMENT**

The Fair Housing Assessment (Appendix B) follows the April 2021 State of California State Guidance for AFFH. The study was conducted as part of the 21 Elements process, which facilitates the completion of Housing Elements for all San Mateo County jurisdictions.

### **Primary Findings**

This section summarizes the primary findings from the Fair Housing Assessment for the Town of Colma, including the following sections: fair housing enforcement and outreach capacity, integration and segregation, access to opportunity, disparate housing needs, and contributing factors, and the city’s fair housing action plan.

- No fair housing complaints were filed in the Town of Colma from 2017 to 2021. The Town of Colma could improve the accessibility of fair housing information on their website and provide resources for residents experiencing housing discrimination.



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- Racial and ethnic minority populations are disproportionately impacted by poverty, low household incomes, overcrowding, and homelessness, compared to the non-Hispanic White population in the Town of Colma. Additionally, racial and ethnic minorities are more likely to be denied a home mortgage loan.
    - Aside from Asian/API residents, racial and ethnic minority populations generally have higher poverty rates. Black or African American incomes are the lowest of any racial or ethnic minority population in the Town of Colma.
    - Racial and ethnic minorities are more likely than non-Hispanic White households to experience overcrowding. Low and moderate-income households are also more likely to be overcrowded.
    - People who identify as American Indian or Alaskan Native, Black, White, or Hispanic are overrepresented in the homeless population compared to their share of the general population.
    - Hispanic and Asian/API households have the highest denial rates for mortgage loan applications in 2018 and 2019.
  - Colma is entirely contained within a single census tract—the standard geographic measure for “neighborhoods” in U.S. Census data products. ~~As such, the town does not contain any racial/ethnic concentrations, poverty concentrations, or concentrations of housing problems.~~ It is important to note the jurisdiction’s small size when reviewing data points regarding both racial and economic segregation and integration. While neighborhood segregation seems to have increased, data shows the Town of Colma is trending towards integrations compared to its neighboring Bay Area jurisdictions. (See Appendix B).
  - The composite opportunity score for Colma shows the town to be a “moderate resource area,” and the Social Vulnerability Index (SVI) provided by the Centers for Disease Control and Prevention (CDC) ranks the town as “moderately vulnerable” to a disaster (based on four themes: socioeconomic status, household composition, race or ethnicity, and housing and transportation).
  - Compared to the County of San Mateo, the Town of Colma has a higher concentration of residents with a disability with 10% of the population compared to 8% in the county. Residents living with a disability in the Town are all employed, and only 1% of residents without a disability are unemployed. Additionally, the aging population is putting a strain on paratransit access countywide.
  - Black, Hispanic and Pacific Islander students in the Town of Colma—served by the Jefferson Union High School District and the Jefferson Elementary School District—experience poor educational outcomes compared to other students. Many high schoolers in the county met admission standards for a University of California (UC) or California State University (CSU) school. Black and Hispanic students in Jefferson Union High School District were less likely to meet the admission standards with rates at CSU and UC schools of 23% and 32%, respectively.
  - Jefferson Elementary School District had a 17% gap between their overall chronic absenteeism rate (12%) and their chronic absenteeism rate among Black students

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(28%). While Jefferson Union has the lowest dropout rates in the county — just 3% of students — the highest dropout rates were still found among Black (7%) and Hispanic students (6%).

- Nearly half of all renter households in the Town of Colma are cost-burdened—spending more than 30% of their gross income on housing costs—and more than one in four are extremely cost-burdened—spending more than 50% of their gross income on housing costs. There are disparities in the housing cost burden in the Town of Colma for Hispanic households.

### Fair Housing Issues and Contributing Factors

This section summarizes the fair housing issues identified for the Town of Colma and the contributing factors.

**Fair housing issue:** No residents have filed fair housing complaints, indicating a potential lack of awareness about fair housing rights.

**Contributing factors:**

- Lack of access to information about fair housing rights.
- Limited knowledge of fair housing by residents.

**Fair housing issue:** Residents of color experience disproportionate housing needs. Black residents experience lower income and higher poverty rates, Hispanic and Asian households experience high rates of mortgage loan denials when trying to purchase homes in Colma (43% and 33%, respectively), and Hispanic households also experience higher rates of cost burden.

The Town is addressing this issue through AFFH Action Area 1, where the focus is to increase outreach and improve the existing resources.

**Contributing factors:**

- Higher poverty rates among Colma’s Black residents stem from decades of discrimination in employment, education, and housing markets. These residents have faced greater challenges in building wealth through economic mobility and homeownership.
- It is well documented that persons of color—particularly African American residents—were denied loans to purchase homes, were not allowed to buy in many neighborhoods because of restrictive covenants and were harassed if they managed to purchase a home in a predominantly White neighborhood. These historical actions have led to a significant homeownership gap among racial and ethnic minorities.

The Town is addressing this issue through AFFH Action Area 2, where the focus is to protect existing residents from displacement, provide housing strategies to Black, Indigenous, and People of Color (BIPOC) as well as those who have special needs.

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**Fair housing issue:** Affordable housing is limited and the ability to add affordable housing is constrained by land use.

Colma ~~is disproportionately occupied by~~ has a higher number of residents of color than the rest of the County, and offers relatively more affordable housing opportunities than surrounding cities. However, because most land is zoned for cemeteries, there is limited land available for residential development. Additionally, no areas within the town are zoned for multifamily housing.

The Town is addressing this issue through AFFH Action Area 3, to provide more strategies and housing choices through creating less restrictions on land use.

### Fair Housing Enforcement and Outreach

The Town currently enforces fair housing laws through the policies and code for compliance with State Law. If fair housing issues are reported by residents or potential residents, the Planning Department and Code Enforcement cooperatively work together to remediate the complaint. Fair housing issues are usually referred to the appropriate agencies, usually the County of San Mateo Housing Authority would be the first point of contact along with Project Sentinel a non-profit that assists ~~that~~ individuals ~~that have faced~~ who face housing discrimination.

Currently, the fair housing information can be found on the Town's website under the Planning Department's page and Housing Resources. ~~The~~ While the information is displayed in English, ~~however,~~ there is a button that translates the website into many languages. While this button ~~In addition to this~~ functionality which provides needed language assistance, the Town plans to increase its visibility and accessibility with translated information readily available on the page without any further action. Under AFFH Action Plan 1, the Town will increase and implement its outreach in 2023.

The Town is ~~in compliance~~ compliant with the following:

- State Density Bonuses and Other Incentives Law (Gov. Code. Title 7. Division 1. Chapter 4.3 Density Bonuses and Other Incentives, amended and effective January 1, 2021) The Town does an annual review of the State's Density Bonus law and updates its Ordinance as needed;
- Housing Accountability Act (Gov Code Section 65589.5) requiring the adoption of a Housing Element, compliance with RHNA allocations, and that requires certain findings when approving or denying certain development projects. The Town's most recent Housing Element covering 2015-2022 has been adopted and the Town has met its RHNA allocations;
- No Net Loss Law (Gov Code Section 65863) requiring that adequate sites be maintained to accommodate unmet RHNA allocations, including among income levels. The Town has

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met its RHNA allocation for the current cycle and has identified opportunity sites to help meet its 6<sup>th</sup> housing cycle;

- Gov Code Section 65913.1 requiring that the Town designates and zones sufficient vacant land for residential use and nonresidential use in relation to the growth projections of the general plan to meet the housing needs for all income categories as identified in the housing element;
- Excessive Subdivision Standards Law (Gov Code Section 65913.2) The Town does not impose standards and/or criteria that renders the development of housing infeasible for any and all economic segments of the community;
- Limits on Growth Controls Law (Gov Code Section 65589.5) The Town does not have any growth control measures and has not rejected any proposals for housing projects that met objective planning and zoning criteria in the current cycle.

## SITES INVENTORY ANALYSIS

AB 686 requires an analysis of the identified sites to meet RHNA obligations for their ability to affirmatively further fair housing. Planning staff have identified seven parcels to meet RHNA obligations. A detailed site analysis can be found under the section titled "Ability to Meet Housing Needs". The seven parcels identified are not within or close to R/ECAPs, edge R/ECAPs and/or low income poverty concentrations. Since the Town of Colma is contained within one census tract, the proportion of low and very low-income units, concentrations of Housing Choice Vouchers, as well as the distribution of lower, moderate, and above moderate-income units in low, moderate, and high resourced areas are equally distributed. In addition, the identified parcels are similar in terms of proximity to high proficiency K-12 education institutions, high-resourced areas/positive economic outcome areas, low social vulnerability, proximity to high-quality jobs, access to transportation, and healthy places to live. There is one 0.2% Annual Chance Flood Hazard area located along El Camino Real by the northern boundary that could potentially affect 7778 El Camino Real.

Colma has not had to deal with any recent displacement due to environmental factors, however, it is important to note that the San Andreas Fault is just west of the Town and along El Camino Real has high liquefaction susceptibility.

A thorough analysis for the sites inventory can be found in Appendix B in the Site Inventory Analysis.

## GOALS AND ACTIONS

Goals and Actions for this cycle of the Housing Element will be included in the section called Housing Goals, Policies, and Programs. In that section, objectives to meet housing goals will be defined, programs to reach those goals will be explained, and an analysis of programs from the

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previous housing cycle (Table H-59) will be included. Additionally, an AFFH Action Plan will be implemented to reduce AFFH deficiencies (Table H-39).

### Fair Action Plans

The AFFH Action Plan is broken down into three areas:

#### ~~1. Outreach~~

##### 1. [Improve fair housing outreach](#)

2. Protecting and providing strategies for existing residents from displacement including those from are Black, Indigenous, and People of Color (BIPOC) including Residents with Special Needs
3. Enhancing housing mobility strategies and encouraging new housing choices

Each action plan is evaluated with existing and new programs developed in the 2023 Housing Element identifying the fair housing issues, contributing factors, objectives, actions, and timelines.

The AFFH Action Plan Table (Table H-~~40~~[41](#)) is on the next page.

Table H-4041: AFFH Action Plan

Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
<b>Action Area 1. Improve Fair Housing Outreach</b>				
Fair Housing Outreach	<ol style="list-style-type: none"> <li>Lack of access to information about fair housing rights; Limited knowledge of fair housing by residents</li> <li>Greater outreach efforts are needed in various formats.</li> <li>More resources should be made available to the public.</li> </ol>	<ul style="list-style-type: none"> <li>Maintain zero to low complaints and inquiries.</li> <li>Increase easy access to information about fair housing.</li> <li>Offer resources to the public (owner and tenants) clarifying fair housing requirements in key languages.</li> </ul>	<p><b>Action 1.1: (Program 5.1, 5.4, 5.5, 8.1, 8.2)</b></p> <ul style="list-style-type: none"> <li>Continue and update the Towns’ fair housing webpage to include fair housing resources for residents who feel they have experienced discrimination, information about filing fair housing complaints with HCD or HUD, and information about protected classes under the Fair Housing Act.</li> <li>Provide educational materials in various languages including Chinese, Spanish, Tagalog, and other (appropriate languages). <u>These educational materials will include educational pamphlets, flyers, workshops regarding fair housing laws the jurisdiction is required to comply with.</u></li> <li>Provide education to landlords and property managers on requirements to address reasonable accommodation requests</li> <li>Utilize the Town’s various existing media outlets to advertise Fair Housing Information</li> <li>Conduct Fair Housing workshops and study sessions with the Town Council annually</li> </ul> <p><i>These actions will target multi-family properties in Colma, seeking outreach to 20% of units in these properties.</i></p>	Begin implementation in 2023, with Annual reports beginning in 2024.
<b>Action Area 2. Protecting Existing Residents from Displacement, Providing Strategies that Protect Residents that are Black, Indigenous, and People of Color (BIPOC) Including Residents with Special Needs (Seniors, Persons with Disabilities, and Homeless Persons)</b>				

Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
<p>Protected Groups have disproportionate housing needs including disparities in access to opportunities</p> <p>Disproportionate access to housing for individuals living with special needs</p>	<ol style="list-style-type: none"> <li>Historic discrimination and continued mortgage denials; High housing costs and low wages</li> <li>Need for community revitalization programs and strategies</li> <li>Lack of public investments in underprivileged neighborhoods.</li> <li>General lack of affordable housing, particularly in areas with appropriate services and amenities.</li> </ol>	<ul style="list-style-type: none"> <li>Improve accessibility to home mortgage loans for protected groups who have high loan denial rates</li> <li>Increase the number of new and low-income homebuyers through free educational programs and aggregating available incentives and grants available.</li> </ul>	<p><b>Action 2.1: (Programs 2.2, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 5.1, 5.2, 5.3, 5.4, 7.1, 7.2)</b></p> <ul style="list-style-type: none"> <li>Provide down payment assistance to minority households and homebuyer education households by pursuing monies dedicated to providing financial assistance to BIPOC communities</li> <li>Develop homebuyer educational workshops that include an overview of the home buying process, inspecting a prospective home, projected home maintenance costs after buying a home, and summarize and aggregate grants available to first-time and/or low-income homebuyers that may help them cover home buying and ownership costs such as closing costs, maintenance or rehabilitation costs.</li> <li>Provide homebuyer education materials in Chinese, Spanish, Tagalog, and other (appropriate languages)</li> <li>Annual workshops with HEART, HIP Housing, San Mateo Housing Authority, and other organizations that can assist with education and fair housing-related issues</li> <li>Work with the San Mateo County Department of Housing to obtain information on anti-displacement programs that addresses tenant’s rights and relocation assistance. Utilize this information in annual workshops and study sessions to continue to inform Town residents of existing and new programs.</li> <li>Rehabilitate housing, targeting the Sterling Park neighborhood, that is at risk of falling out of safe habitability.</li> </ul>	<p>Provide down payment assistance to at least 3 household by 2028. If action not completed by end of 2028, include action to seek grant funding and enhance outreach with additional actions by end of 2029, with target to provide down payment assistance to at least 3 household by 2031 (if action complete by 2028, target providing assistance to 4<sup>th</sup> household by 2031).</p> <p>Starting in 2024, partnering with HEART on an annual basis, providing first-time and low-income buyer education programs, and</p>

Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
			<p><a href="#">Through these actions, 25% of households will take advantage of Town education and outreach efforts. These could support the Town's objective of 4 ADUs in the planning period.</a></p>	<p>prioritizing marketing of the programs to BIPOC and special needs community members</p> <p><a href="#">Development of homebuyer educational resources for first-time and low-income buyers with translations by the beginning of 2024.</a></p> <p><a href="#">Identify households in Sterling Park in units at risk of falling out of safe habitability via "Windshield Survey" by end of 2024.</a></p> <p><a href="#">Proactively connect identified households to rehabilitation grants. Potentially connect to Program 2.2, linking rehabilitation to new ADU as a</a></p>



Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
				<a href="#">potential revenue stream, if suitable and property owner is interested.</a>
<b>Action Area 3. Enhancing Housing Mobility Strategies and Encouraging New Housing Choices</b>				
Affordable housing is limited and the ability to add affordable housing is constrained by lack of available land	<ol style="list-style-type: none"> <li>1. 75 percent- of Colma’s land use is zoned for cemetery use</li> <li>2. Multifamily zoning does not currently exist</li> <li>3. Only one available affordable housing complex exists in the Town</li> <li>4. Design and Development standards are not appropriate for multi-family housing projects</li> </ol>	<ul style="list-style-type: none"> <li>• Create land use opportunities for multi-family housing in town</li> <li>• Encourage the construction of ADUs and JADUs</li> <li>• Encourage the construction of affordable housing throughout the Town</li> </ul>	<p><b>Action 3.1: (Programs 2.1, 2.2, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9)</b></p> <ul style="list-style-type: none"> <li>• Create Housing Element overlay zone that allows for land use flexibility in commercial zone</li> <li>• Develop a proactive outreach program where ADU and JADUs’ information is readily available on the Town’s website with an annual workshop for ADU development</li> <li>• The Town will proactively approach housing developers to encourage the development of opportunity sites and encourage affordable housing on these sites</li> <li>• Make appropriate amendments to the Town’s zoning code to include multi-family residential zoning districts</li> <li>• Develop objective design and development standards that allow high-density and affordable housing projects to be constructed by right</li> <li>• Take necessary actions to ensure opportunity sites are vetted for environmental and zoning appropriateness so that high-density and affordable housing projects are reviewed via a streamlined process.</li> <li>• <u>Amend the Town’s parking standards to include parking alternatives that are less restrictive for high-density and affordable housing projects to be constructed; ensure parking standards meet State Law.</u></li> </ul>	<p>Housing Element overlay zone will go into effect once adopted and certified by HCD (estimated 2023)</p> <p>Begin ADU/JADU outreach program, workshops in <del>2023</del>2025 and continued annually</p> <p>Beginning <del>2023</del>2024, staff will proactively identify both for-profit and nonprofit developers, take meetings, and present opportunity sites for future housing development</p>

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Fair Housing Issues	Contributing Factors	Objectives	Meaningful Actions	Timeline
			<p>Through these actions regarding zoning and development processes, at least 201 units will be developed in the Housing Element Overlay zone and at least 1 unit will be developed outside the Housing Element Overlay zone. Through the proactive ADU and JADU outreach action, the Town will target the development of 4 ADU and/or JADUs.</p>	

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## ABILITY TO MEET HOUSING NEEDS

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### RESIDENTIAL LAND INVENTORY

A key component of the Housing Element is a projection of the jurisdiction's housing supply. State law requires that the element identify adequate sites for housing, including rental and manufactured housing, and make adequate provisions for the existing and projected needs of all economic segments of the community. This includes an inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public services to these sites.

Table H-4142: Colma RHNA Targets Summary

Income Category	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
Units	22	22	25	37	96	202

Note: Extremely-low incomes is assumed half of the assigned RHNA targets of 44

#### Existing Residential Development

Existing housing units are identified on *Exhibit H-1, Housing* and *Exhibit H-2, Sterling Park Neighborhood*. These maps include all dwelling units constructed prior to 2020. Based on American Community Survey (2020) and Census records, there are a total of 558 dwelling units in the Town of Colma, 292 of which are in the Sterling Park neighborhood and the remaining units are located outside of Sterling Park.

Since 2015, 75 residential units have been constructed, including 9 in Sterling Park and a 66-unit Veterans housing project on Mission Road.

#### Approved Residential Development

As of April 29, 2022, there are no residential projects under construction in the Town, nor are there any approved residential projects not yet under construction.

#### Development Potential

In total, there are 76 parcels available for the development of approximately 255276 new residential units. Of these units, there is potential for at least 5359 units to be available to extremely low income and very low-income households, 3942 units for low-income households, 4960 units for moderate income households and 142115 units for above moderate-income households. [The factors considered in Colma match the development trends seen in San Mateo County and the Peninsula broadly, as noted in Table H-49: Recent Development Trends.](#) [Colma's Site Inventory includes sites with a variety of redevelopment factors, as noted in Table H-50: Site Development Factors.](#) [These factors that were considered in site analysis include:](#)

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- [Improvement over Land Value Ratio of less than 1.0](#), indicating that the value of the property is “locked” in the land itself and not the building constructed on it.
  - [Existing Building 30 Years Old or More](#), indicating that the building is near the end of its useful life (dilapidation and/or high vacancy is discussed in the site-by-site analysis beginning with “A. Sterling Park Development Potential” and continuing into “B. El Camino Real Development Potential”).
  - [Developer Interest](#), indicating ongoing conversations between developers and the property owner about residential development on the parcel.
  - [Existing Maximum Floor Area Ratio of less than 0.5](#), indicating that increased development allowance would potentially spur new financial viability of the site.

In addition, the Town projects the development of 4 accessory dwelling units, 1 at each of the [four income categories](#). The potential for [255280](#) new units exceeds the development need identified in Colma’s RHNA for 202 units to be constructed between 2023 and 2031.

#### [\*\*Accessory Dwelling Units\*\*](#)

Colma is projecting four accessory dwelling units (ADUs) constructed in the 6<sup>th</sup> cycle planning period. There were zero ADUs constructed in the prior planning period.

ADU construction is rare in Colma because there is very little single-family zoning in the town. The Sterling Park area, zoned for single-family residences, is most conducive to ADU construction but is almost entirely built out with homes that make active use of garage and backyard areas. The Town projects four ADUs based on the incentives described in Program 2.2 that could serve to spur ADU construction, particularly if any existing houses are redeveloped in the planning period. The four units are comprised of a single unit at each affordability level (Very Low, Low, Moderate, and Above Moderate Income) based on using the Association of Bay Area Governments’ (ABAG) “safe harbor” distribution of 30% Very Low Income, 30% Low Income, 30% Moderate Income, and 10% Above Moderate Income (see “Using ADUs to Satisfy RHNA” Technical Memo published by ABAG on June 14, 2022) on four units with very conservative rounding.

#### [\*\*Adjustment Factors for Site Capacity\*\*](#)

As part of its site capacity approach to the 6<sup>th</sup> Cycle Housing Element, Colma uses the HCD recommendation of five adjustment factors to calculate the projected residential development capacity of the sites in the Site Inventory that can realistically be achieved.

Colma uses the same Land Use Control, Realistic Capacity, Typical Density, and Infrastructure Available adjustment factors for all six sites in the Site Inventory. There is a reduced Environmental Constraint adjustment factor for the 1200 El Camino Real site to account for the easement running through the site, which would likely affect total buildout. The five adjustment factors used are:

- [Land Use Controls](#)

Based on an analysis of the current zoning code and anticipated development standards in the specific plans, there is no cumulative impact on the maximum development potential of the opportunity sites. However, the capacity factor was adjusted to 95 percent to account for sidewalks and roadway easements in a conservative approach.

**• Realistic Capacity**

The one recent development (built in the past 10 years) in Colma, Veterans Village, is 100-percent residential. Most mixed-use developments throughout the region include a residential component, as well. Therefore, the Realistic Capacity factor for the sites was set at 90 percent.

**• Typical Densities**

Densities are typically built above allowed densities at the Lower and Moderate income levels in San Mateo County. According to data collected by ABAG/MTC on San Mateo County, 14 lower-income projects were built on average at 107% of maximum allowable density. 19 moderate-income projects were built at an average of 125% of maximum allowable density. A Typical Densities factor of 90 percent can be considered conservative.

**• Infrastructure Availability**

There were no identified constraints on infrastructure availability.

**• Environmental Constraints**

There were no identified constraints based on environmental factors on five of the sites. There is a reduced Environmental Constraint adjustment factor of 60 percent for the 1200 El Camino Real site that accounts for the easement running through the site, which would likely affect total buildout.

Sites are therefore given a total adjustment, with a separate total adjustment calculated for the site at 1200 El Camino Real due to its unique characteristics.

**Table H-43: Adjustment Factors**

<u>Geography</u>	<u>Land Use Controls</u>	<u>Realistic Capacity</u>	<u>Typical Densities</u>	<u>Infra. Availability</u>	<u>Enviro. Constraints</u>	<u>Total</u>
<u>1200 El Camino Real Site</u>	<u>0.95</u>	<u>0.9</u>	<u>0.9</u>	<u>1</u>	<u>0.6</u>	<u>0.4617</u>
<u>Other 5 Sites</u>	<u>0.95</u>	<u>0.9</u>	<u>0.9</u>	<u>1</u>	<u>1</u>	<u>0.7695</u>

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## Sites Inventory

Planning staff inventoried vacant and underutilized parcels in Colma to determine what land is available for development. Types of sites include:

- 5<sup>th</sup> Cycle Housing Element Carryover Sites.
- Vacant and underutilized, residential, and non-residential sites that ~~for~~ allow for residential development.

[Colma distributed its housing opportunity sites throughout the Town, with placement of higher-density residential development near transit in order to distribute affordable housing while leveraging the assets existing in transit corridors.](#)

The vacant and underutilized sites [in Colma](#) were analyzed based on several different categories to determine the best location for affordable housing:

- [proximity to high quality transit and El Camino Real](#);
- [parcel size](#);
- [the need for lot consolidation](#);
- [General Plan designation](#);
- [underperforming or vacant uses](#);
- [proximity to public services and amenities](#);
- [developer interest of the site](#); and
- [if environmental remediation is required](#).

Sites were scored between 0-1, 1 being the most likely to be redeveloped as affordable housing. All sites that scored above 0.5 were assumed to be suitable for affordable housing development and are included in the site inventory.

[This affirmatively furthers fair housing by avoiding concentrations of affordable housing in any one or few particular areas of the Town. It also encourages affordable housing near amenities. The location of units suitable for lower-income households, particularly for very low-income households, are focused in transit corridors because the densities and walkability of these areas are best suited for multi-family developments whose residents may not desire or require car transportation.](#)

During the 5<sup>th</sup> housing cycle, a total of 75 units were developed, 9 of which at about 13 dwelling units per acre, and 66 of which at about 30 dwelling units per acre. The average density was approximately 28 units per acre, the state guidance is to extrapolate the trend by multiplying it by 75% times the average which results in 21 units per acre. Given the most recent development trends in the Town, the realistic capacity for sites suitable for housing development are assumed to be developed at a conservative estimate of 20 dwelling units per acre, which meets HCD's default density requirement for lower income housing.

The site's analysis demonstrates that there is enough land to meet the ABAG Regional Housing Needs Allocation. The analysis for the affordability levels of developed units is based on the assumptions that 30% of the units on sites that scored above 0.6 would be for moderate income, and sites that scored above 0.8 would be 50% affordable (half extremely low or very-low income and half low-income). Units were then reallocated between developments to meet the number of units at specific affordability levels as required by the RHNA. On September 12, 2022, an electronic version of the Sites Inventory was sent to HCD as required by Government Code Sections 65583 and 65585.

Table H-4244: Sites Inventory and ADU Development Potential

Site	Acres	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
7733 El Camino Real	0.53	40	412	0	0	812	16
1200 El Camino Real	8.06	2240	2330	2360	4493	90223	202
7778 El Camino Real	0.660	14	0	70	0	814	15
Between 461 and 469 B Street	0.11	0	0	0	1	1	
El Camino and Collins	0.41	0	0	0	9	89	8
240 Collins Avenue	0.72	5	0	0	12	1417	14
<b>Total</b>		2659	2742	3060	44115	129276	256
<i>ADUs (Projected)</i>		1	1	1	1	4	
<b>Gross Total</b>		60	43	61	116	280	
RHNA		44 (includes Ex. Low)	25	37	96	202	
<i>Assumptions:</i> Assume each site gets		36%	72%	65%	21%	39%	

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developed at 20 units/acre, Suitability score of 0.875=> 50% of units affordable: half Low, half Very Low, Suitability score of 0.625=> 30% of units Moderate, Reallocate affordable units to consolidate affordability levels at sites, Reallocate affordable units to higher affordability levels based on <a href="#">RHNA Buffer (% over RHNA)</a>						
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The ability to provide affordable units in Colma is more dependent on available financial resources than density permitted by zoning. If qualified developments can obtain federal tax credits and other funding or incentives, there is a higher probability that more affordable units will be provided than in a development where no government or other subsidies are available or obtained.



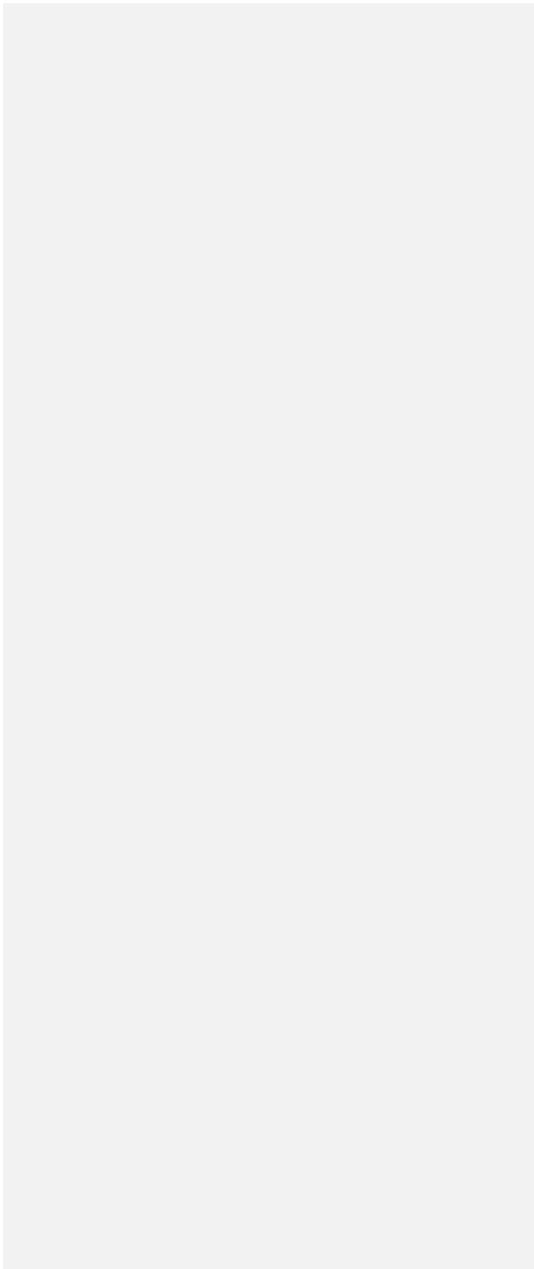
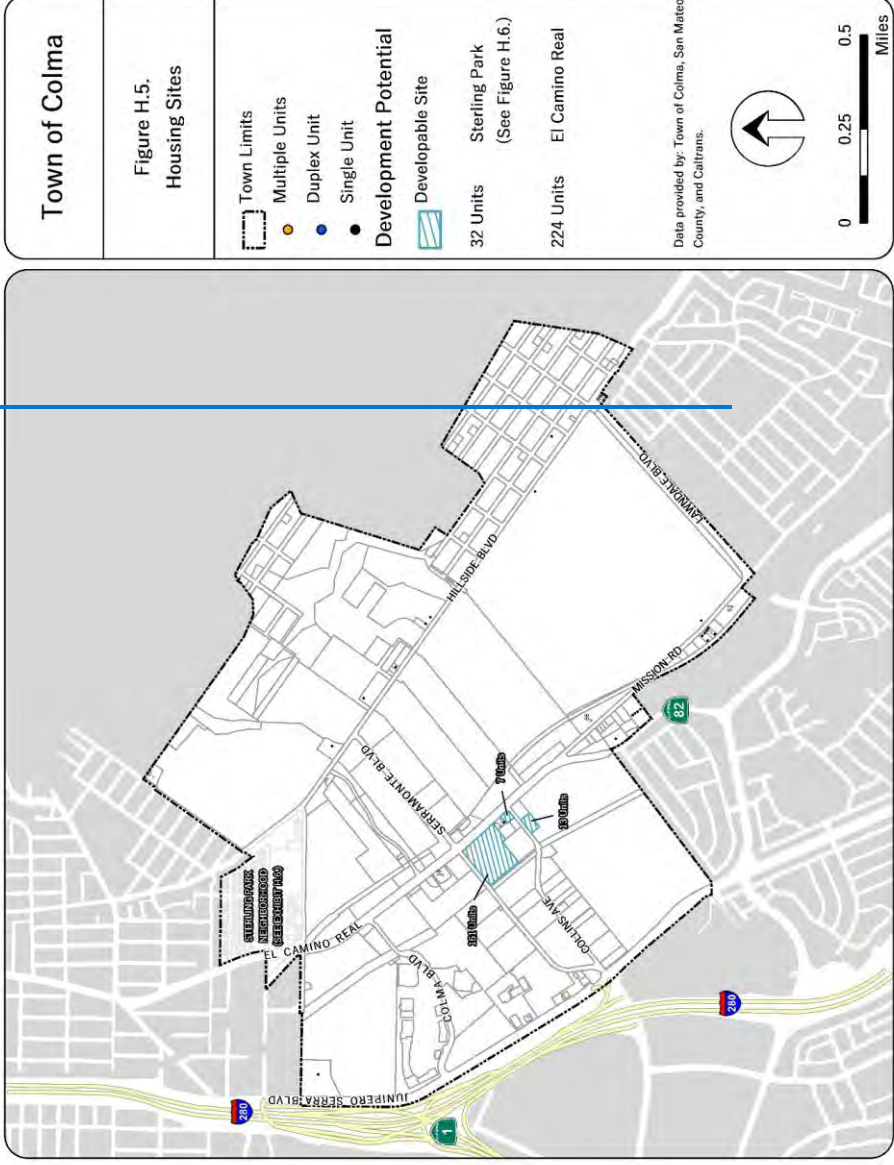
There are three sites identified in two previous planning cycles: 7733 El Camino Real (008-127-020), 7778 El Camino Real (008-141-080), and Between 461 and 469 B Street (008-125-180). These sites are all zoned appropriate for lower-income housing (C and R-S zones both allow up to 30 dwelling units per acre) and are covered by the rezoning provision in Program 3.5. None of the sites in the Site Inventory have existing residential units.

Table H-4345: Site Inventory – Site Characteristics

Site	Existing Use/Vacancy	Identified in a Previous Planning Cycle?	General Plan Designation	Zoning Designation
7733 El Camino Real	Vacant	Used in Two Consecutive Prior Housing Elements - Vacant	Commercial	C
1200 El Camino Real	Kohl's retail store and parking lot	Not Used in Prior Housing Element	Commercial	C
7778 El Camino Real	Monument manufacturing facility and office	Used in Two Consecutive Prior Housing Elements - Vacant	Commercial	C
Between 461 and 469 B Street	Vacant	Used in Two Consecutive Prior Housing Elements - Vacant	Low Density Residential	R-S
El Camino and Collins	Parking spaces and vacant lawn area	Not Used in Prior Housing Element	<del>Commercial</del> Executive	PD
240 Collins Avenue	Parking lot	Not Used in Prior Housing Element	Commercial	PD

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Figure H-5: Housing Sites





## Town of Colma

Figure H.5.  
Housing Sites

- Town Limits
- Multiple Units
- Duplex Unit
- Single Unit

### Development Potential

- Developable Site

- 32 Units     Sterling Park  
(See Figure H.6.)
- 224 Units    El Camino Real

Data provided by: Town of Colma, San Mateo County, and Caltrans.

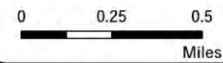
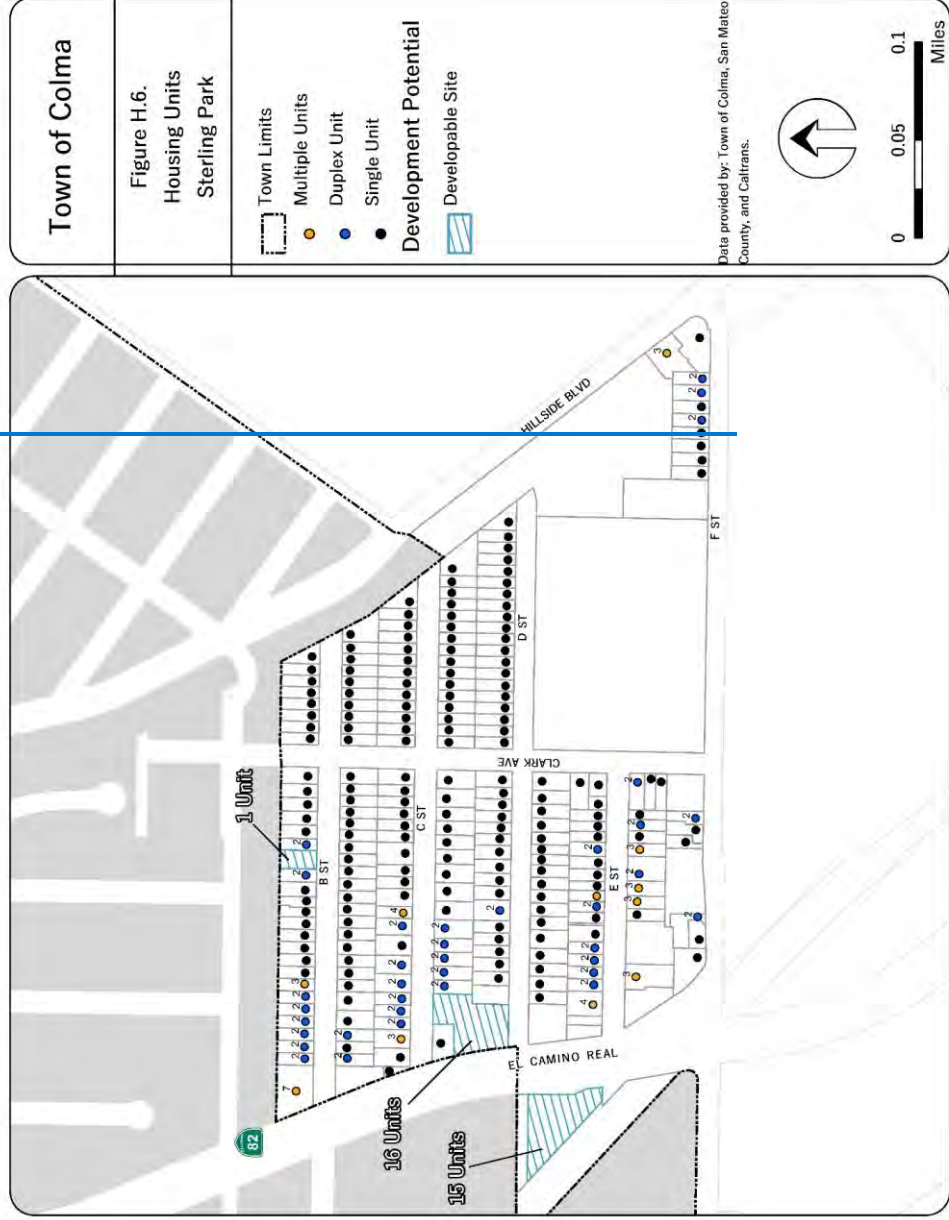
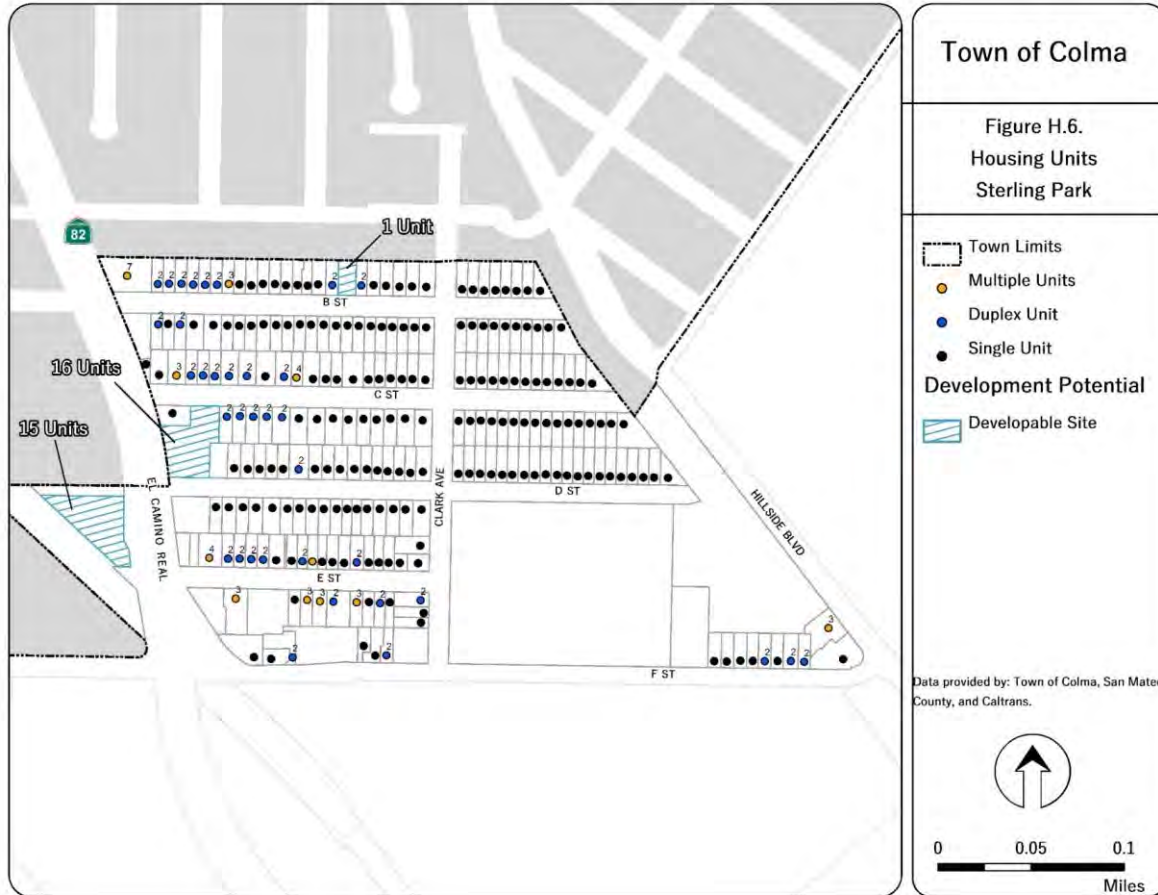


Figure H-6: Housing Units – Sterling Park

H-8





Several sites have development potential, including three parcels located in the Sterling Park neighborhood, two of which are located along El Camino Real near the Colma BART Station, and four additional sites located along El Camino Real at the Serramonte and Collins Avenue intersections. A detailed site inventory describing the development potential of each, as well as site-specific constraints is provided in the following section.

### A. STERLING PARK DEVELOPMENT POTENTIAL

There is one vacant privately-owned parcel within the Sterling Park residential neighborhood, located between 461 and 469 B Street. This parcel is a carryover site from the 5<sup>th</sup> Cycle Housing Element Update. A site analysis has determined that 1 single family detached (SFD) unit can be developed on this 0.11-acre vacant parcel. With SB 9, there is potential for the lot to be subdivided and developed at a higher density. However, given the character of the existing neighborhood and the small size of the lot, it is assumed that the property would only develop with one unit.

There are no governmental or site-specific constraints impeding the development of the parcel. Sewer, water, and dry utility infrastructure capacity exists to accommodate the potential housing unit. This amount of residential development in Sterling Park is already anticipated in the Colma General Plan.

Under a SB 9 lot split, the Town believes that this parcel is likely to be developed in the next housing cycle. A ministerial review process removing public hearings or discretionary review would streamline the development process. The Planning Department will reach out to the existing property owner to gauge interest and provide materials regarding a possible SB 9 lot split.

**Table H-4446: Sterling Park Single Family Neighborhood Development Potential**

Location	Designation & Zone	Acres	Dev. Pot.*	Affordability	Density Allowed	Constraints
B Street 008-125-180	R / Residential (R)	0.11	1	1 Above Moderate	13 du/ac	None, infrastructure capacity exists
Total		0.11	1 unit			

\* Development potential assumes that the lot would be developed as a single-family home.

Two additional separate parcels are west of the Sterling Park Neighborhood, near the Colma BART Station (which is located just outside the Town's municipal boundaries). One is located on the east side of El Camino Real and is vacant (Sandblaster property – 0.53 acre), and the

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other is on its west side (Bocci Property – 0.6 acre), a monument manufacturing operation. The two parcels are carryover sites from the 5<sup>th</sup> Cycle Housing Element Update, and are assumed to be developed independent of each other in the next cycle. Together, these parcels total 1.13 acres. The presence of the Colma BART Station is expected to stimulate development of multiple unit residential buildings and mixed-use developments in this area. Sewer, water, and dry utility infrastructure capacity exists and can accommodate all potential housing units. Development of existing and projected parcels is already anticipated in the Colma General Plan.

The County adopted the Colma BART Station Area Plan which provides incentives for higher density development and density bonuses for affordable housing on unincorporated land near the BART Station. Future higher density development on land near Colma's boundaries may further spur similar development in Colma. Additionally, Colma's Zoning Code provides density bonus incentives for affordable units.

#### **Sandblaster Property – 7733 El Camino Real**



*This 0.53-acre property, the former site of a sandblasting business at 7773 El Camino, is one of two developable parcels along El Camino Real. The site has a realistic development potential of 13 high density residential units. Site-specific constraints on the property include steep topography along the edge of the developable pad.*

A 0.53-acre parcel on the east side of El Camino Real is bounded by "C" Street to the north and the "D" Street stairs to the south. This parcel is referred to as the 'Sandblaster Property' due to its past light industrial use. The parcel is currently underutilized with two billboards on the property. The site is designated as commercial, which permits residential planned developments [with the approval of a use permit.](#)



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Site-specific constraints include steep topography along the eastern and northeastern boundaries of the site. This constraint can be mitigated by designing the 16-unit development to step up with the steep topography. In addition, there may be specific environmental and physical constraints on the site. Although an in-depth environmental site evaluation has not been completed, it is anticipated that there may be some surface and sub-surface ground contamination on the site as a result of the long-term sandblasting business. The future proposal for the site would need to include a report pertaining to the soil's possible contamination and measures for its clean up, if it is determined to be contaminated. This possible constraint could effectively add to the cost and slow down the process for future development. Historically, a development proposal for the site was received in 2007 by the Town Planning Department. The proposal included a total of 15 units with 2 single-family detached units on C Street and 13 residential units located above ground floor retail uses with sub-grade parking serving the development on El Camino Real. The proposal was deemed appropriate and feasible. The application was not pursued by the applicant since the proposed design included a massive retaining wall to the east of the property and was ultimately estimated to be too costly to build. One way to move forward with this site is to incorporate a step-design proposal that would utilize the topography for a better design rather than cutting into the hill, which requires a retaining wall of more than 20 ft. in height that ultimately made the 2007 project cost prohibitive. The existing zoning of the site is Commercial which allows for a Planned Development proposal, and as part, the Planned Development allows for additional flexibility in the setbacks and other design standards for the 16-unit project, pursuant to Sections 5.03.090(C)(3), and 5.03.130 of the Colma Municipal Code. Planned Development designation allows for a project's design to respond to site specific conditions and encourages mixed use and residential development. However, a rezone to PD would not be required. The Adjustment factors give the site a realistic capacity for this site was determined to be 4 extremely low, 4 very low and 8 above moderate income measure of 12 units with, less than the consideration maximum capacity of its topographical constraints 16 units.

The Town's Inclusionary Housing Ordinance (Subchapter 12 of the Colma Municipal Code) includes concessions and incentives for eligible development projects, subject to approval by the City Council, to facilitate development of affordable units on smaller sites such as the property at 7733 El Camino Real. Planning staff have been in contact with a San Jose-based development company regarding this site prior to and after the first draft submittal to HCD, on possible development of the property.

Additionally, with the new Housing Element Overlay, this site will remove further governmental constraints which include removing parking requirements, allowing for residential use on commercial zoned land when prevailing wages are met, and CEQA-exempt ministerial approval if the development meets affordable housing targets.

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## Bocci Property – 7778 El Camino Real



[The 0.6-acre Bocci site at 7778 El Camino Real has a realistic development potential of 24 high density multi-family units. Site specific constraints on the property include a utility easement serving the adjacent Colma BART Station.](#)

A 0.6-acre parcel on the west side of El Camino Real is occupied by a monument manufacturing light industrial operation. The parcel is referred to as the 'Bocci Property' due to the family name of the historic monument manufacturing company located there. The oldest building of the site is located at the southern end of this triangular-shaped parcel and is used as the company's office. The building has a Bocci Memorials sign with the indication of "since 1896" (to the left of the above picture - the beige-colored building). The building is not designated as an Historical Site, but some members of City Council have expressed a desire to see that building is preserved. The development assumption of this site is considered without the area of the subject building.

The parcel is bounded by the entrance to the Colma BART station to the north, the BART right-of-way to the west and south, and El Camino Real to the east. This parcel could be redeveloped with high-density residential or a mixed-use development that includes high density residential. The property is currently designated for commercial use, which allows for multi-family residential. The parcel is listed as an opportunity site in the General Plan and is eligible for

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height and lot coverage bonuses to encourage a transit-oriented development with a diverse mix of land uses. These characteristics contributed to the conclusion that with the current occupancy, the site is being underutilized.

Site-specific constraints on the parcel include its triangular shape, the close proximity of the BART tracks to the property, and an existing utility easement serving the adjacent Colma BART Station that reduces the buildable area of the property. In addition, although the parcel is not within a flood zone district diverted rain runoffs from El Camino Real to the north and Albert M. Taglia Boulevard to the west (from the BART Station) – during the rainy season - have had accumulated water run offs at the site.

A development proposal was previously submitted to the Town Planning Department, which took into account the site's constraints. The proposal included 24 high density multi-family dwelling units over ground-floor retail and was deemed to be a realistic development proposal. The development proposal has since been withdrawn and a small monument business has leased the property. While the terms of the lease are not known, it is likely that redevelopment of the site with mixed-use (including high-density residential) will not occur while the monument business exists on-site. Given the site's unusual shape and existing access, it is not recommended that residential development occur on the site while the present structures exist.

Similarly, to 7733 El Camino Real, the zoning of the parcel is Commercial, and a Planned Development is allowed under the Commercial zoning district. The Planned Development would allow for additional flexibility for the setbacks and other design standards applicable to the project. Planned Development designation allows for a project's design to respond to site specific conditions and is anticipated to encourage mixed use and residential development. The ~~realistic~~adjusted capacity for ~~this~~the site ~~was determined to be 7 moderate and 8 above moderate~~is 14 units. However, a Planned Development proposal may allow for the development, less than the maximum capacity of additional 18 units. Additionally, with the new housing element overlay, this site will remove further governmental constraints which include removing parking requirements, allowing for residential use on ~~commercial~~commercial zoned land when prevailing wages are met, and CEQA-exempt ministerial approval if the development meets affordable housing targets.

The Town's Inclusionary Housing Ordinance includes concessions and incentives for eligible development projects, subject to approval by the City Council, to facilitate development of affordable units on smaller sites such as the property at 7778 El Camino Real. Planning staff have been in contact with a Peninsula-based development company regarding this site prior to and after the first draft submittal to HCD, on the possible development of the property.

In neighboring South San Francisco, on the corner of McClellan and Mission Road, just past town limits, a 20-unit mixed-use condominium project is underway on an approximately 0.4-acre site. On the street level, there is approximately 6000 square foot dedicated commercial space and sub-terranean parking. With the new housing element overlay, removing parking

requirements, and utilizing density bonuses this site as well as 7733 El Camino Real could be similarly developed.

Table H-4547: El Camino Real Multi-Family Development Potential

Location	Designation / Zone	Acres	Dev. Potential	Affordability	Density Allowed	Constraints
El Camino Real 008-127-020 (Sandblaster)	<del>Mixed Use Residential Commercial (R/LC)</del>	0.53	<del>161</del> <u>2</u>	<del>4 extremely low 4 very low 8 Above Moderate Low Income</del>	30 du/ac	Topography, possible ground surface contamination
El Camino Real 008-141-080 (Bocci)	<del>Mixed Use Commercial (LC)</del>	0.6	<del>151</del> <u>4</u>	<del>7 low 8 Above Mod-Very Low Income</del>	30 du/ac	Utility Easement, Triangular Shape, Flood Zone
Total		1.13 acres	<del>31 unit</del> <u>526</u>	<del>4 extremely low 4 very low 7 low 16 Above Mod-14 Very Low; 12 Low</del>		

\*Development potential assumes that the properties would be developed at 20 units per acre.

Deleted Cells

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## B. EL CAMINO REAL DEVELOPMENT POTENTIAL

### Kohl's Site – 1200 El Camino Real



The Kohl's site is an 8.06-acre parcel on the southwest corner of El Camino Real and Serramonte Boulevard, currently occupied by Kohl's. The property is in the geographic center of town, across the street from the Town Hall and the Colma Police Department. The parcel is identified in the General Plan as a site suitable for a walkable Town Center development and could be redeveloped as a mixed-use development with commercial and restaurant spaces at the ground level, residential uses above, entertainment uses, and public gathering spaces.

The General Plan includes a conceptual commercial, residential mixed-use development at the site. ~~The concept is consistent with allowances for the site (with the exception of a height bonus) and shows a mixed-use Town Center consisting of 160,000 sq. ft. of commercial (retail) space and up to 240 residential units (22 dwelling units/acre). The maximum height shown is 72 feet (5 stories), and the total FAR is 1.8, that allows for a maximum density of 60 units per acre.~~ This concept would provide a high quality design/construction/materials, incorporate outdoor public gathering spaces, and include a diverse mix of land uses to be eligible for a height bonus: and respect the existing easement on the site. Similar projects have been successful in the nearby communities of Daly City and South San Francisco ~~(the realistic capacity of this site was determined to be 22 extremely low, 23 very low income units, 23 low income units, 44 moderate income units, and 90 above moderate income. The adjusted capacity for the site is 223 units, less than the maximum capacity of 484 units.~~

The existing building was built in 1980 and has not had any improvements in the last two decades. There has been an interest in acquiring the property by Republic Urban Properties (RUP) of San Jose, California, which is looking into a more comprehensive implementation of the adopted Colma General Plan 2040 (March 2022) for a mixed-use project. Talks between RUP and the property owner are ongoing as the current business (Kohl's) has been

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underperforming, per Colma HDL (business-related vendor) sales tax report for the 110,295 sq. ft. department store. There have been quite a few Kohl's closures throughout the country due to the same finding, therefore the possibility of the entire site being redeveloped is greater than previously measured.

The existing zoning of the site is Commercial which allows for a Planned Development (PD) proposal. The Planned Development allows for additional flexibility in development standards including height, and other design standards for the 202-unit project, pursuant to Sections 5.03.090(C)(3), and 5.03.130 of the Colma Municipal Code, and a rezone (to PD) would not be required.

Additionally, with the new housing element overlay, this site will remove further governmental constraints which include removing parking requirements, allowing for residential use on commercial zoned land when prevailing wages are met, and CEQA-exempt ministerial approval if the development meets affordable housing targets.

## ADDITIONAL SITES

Two separate parcels are located along the El Camino Real Corridor near the Town Hall and potential Town Center site. A vacant, 0.41-acre parcel is located on the northwest corner of El Camino Real and Collins Avenue. El Camino Real and Collins Avenue is surrounded by an assisted living facility to the west, flower shop to the north, and an office-use to the south. The ~~site analysis adjusted capacity for this site is a total of 8.29 units and is suitable for 8 above moderate income, less than the maximum capacity of 12 units.~~ The second parcel is a 0.72-acre site located at 240 Collins Avenue. The parcel is an overflow parking lot, an underutilized site evidenced by a permanent locked chain at its gateway. It is bounded by an office-use to the east, a car rental lot to the north, and a cemetery to the south and west. The ~~site analysis adjusted capacity is for this site indicates a total of 14.4 and is suitable for 14 above moderate 17 mixed-income units, compared to a maximum capacity of 22 units.~~ There has been discussion with the property owner, Centrix Builders Inc., on maximizing the site for a multi-family dwelling complex, possibly exceeding ~~14~~17 units.

Significant site constraints are unknown since an in-depth site analysis has not been completed for either site. However, the two properties are vacant or underutilized and are zoned for commercial use where multifamily developments are allowed. The sites are located by the geographic center of the Town and are a walkable distance from the Town Hall and potential Town Center site.

Colma Municipal Code section 5.03.130 - "PD" Zone under subsection (b) allows the following uses upon issuance of a use permit:

- 1) Single family residential developments;
- 2) Multiple housing developments;
- 3) Neighborhood and community commercial centers;

- 4) Professional and administrative offices; or
- 5) A combination of such uses.

Therefore, the PD would allow any of the above uses or a combination thereof, such as mixed-use development, 100% multiple housing development, all commercial development, etc.

Additionally, with the new housing element overlay, this site will remove further governmental constraints which include removing parking requirements, allowing for residential use on commercial zoned land when prevailing wages are met, and CEQA-exempt ministerial approval if the development meets affordable housing targets.

Table H-4648: El Camino Real Corridor Multi-Family Development Potential

Location	Designation & Zone	Acres	Dev. Pot	Affordability	Density Allowed	Constraints
El Camino Real 008-421-120 (Kohl's)	<del>Mixed Use- Residential/</del> Commercial - (C/R)/ MU	8.06	<del>2022</del> 23	<del>22 Extremely Low</del> <del>2340 Very Low</del> <del>2330 low</del> <del>4460 Moderate</del> <del>9093 Above-Mod.</del>	<del>30 to 60</del> du/ac	<del>Height of 72'</del> <del>compatible with</del> <del>the General</del> <del>Plan 2040</del> <del>is</del> <del>required to</del> <del>achieve the 202</del> <del>units Easement</del> <del>running</del> <del>through site</del>
7733 ECR 008-127-020 (Sandblaster Site)	<del>Commercial/</del> <del>Residential</del> -( L/C/R)	0.5853	1612	<del>4 Extremely Low</del> <del>4 Very Low</del> <del>8 Above-Mod.</del>	30 du/ac	Unknown
7778 ECR 008-141-080 (Bocci Site)	<del>Commercial/</del> <del>Residential</del> -( L/C/R)	0.60	1514	<del>7 Very Low</del> <del>8 Above-Mod.</del>	30 du/ac	Unknown

ECR and Collins 008-421-170	<del>Planned Development (Executive / PD/R)</del>	0.41	<del>89</del>	<del>8</del> Above-Mod.	30 du/ac	Unknown	
Collins near ECR 010-422-050	<del>Planned Development (Commercial / PD/R)</del>	0.72	<del>4417</del>	<del>145</del> Very Low <del>12</del> Above-Mod.	30 du/ac	Unknown	
Total		10. <del>373</del> 2 acres	<del>2552</del> 75 units	<del>26</del> Extremely Low <del>2759</del> Very Low <del>3042</del> Low <del>4460</del> Moderate <del>128114</del> Above-Mod.			

*\*Development potential assumes that the properties would be developed at 20-30 du/ac, and increased density around Colma BART station to 30 and the Kohl's site to 25 du/ac.\*Residential uses are allowed in Commercial and Planned Development zoning designations. Mixed uses including residential are allowed as part of the Housing Element Overlay (see program 3.5).*



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## **REDEVELOPMENT FACTORS AND EXISTING USES**

Table H-49 shows how the development trends seen in Veterans Village, nearby affordable housing developments, and other recent developments the region can be applied to the housing opportunity sites in the Site Inventory.

**Table H-49: Recent Development Trends**

Project Name (if Applicable)	City	Address	Prior Use	Land Use Designation	Zoning	Units Proposed	Proposed Density (DU/ac)	Max. Allowed Density (DU/ac)	% of Max Density	Development Trend			
										A	B	C	D
<b>Recent Development in Colma</b>													
Veterans Village	Colma	1680 Mission Road	Parking Lot	Medium Density Residential	MDR	66	30	30	100%	A			
<b>Nearby Affordable Housing Developments</b>													
Gateway	Menlo Park	1345 Willow Road	Residential: Single Family	High Density Residential	R4S(AHO)	140	37	150	25%		B		
Crane Place	Menlo Park	1331 Crane Street	Retirement Home	Retirement Living Units District	RLU(X)	93	99	91	109%		B		
Menlo Uptown	Menlo Park	141 Jefferson Drive and 180-186 Constitution Drive	Industrial	Bayfront Innovation Area	R-MU-B	483	100	242	41%	A		C	
Menlo Portal	Menlo Park	104 & 110 Constitution Drive & 115 Independence Drive	Office/Light Industrial	Bayfront Innovation Area	R-MU-B	335	104	160	65%	A		C	
Menlo Flats	Menlo Park	165 Jefferson Drive	Office	Bayfront Innovation Area	R-MU-B	158	114	69	165%	A		C	
111 Independence Drive	Menlo Park	111 Independence Drive	Office	Bayfront Innovation Area	R-MU-B	105	114	46	248%	A		C	
Firehouse Square	Belmont	1300 El Camino Real	Vacant	Village Core	VC	81	65	N/A	N/A			C	
The Village at Burlingame	Burlingame	Public Parking Lots F and N	Parking Lot	Howard Mixed Use	HMU	132	157	N/A	N/A	A		C	
Alma Point at Foster Square	Foster City	790 Alma Lane	Vacant	Civic Center	C-M/PPD/SHO	66	78	29	224%			C	
Arroyo Green	Redwood City	707 Bradford Street	Parking Lot	Mixed Use - Downtown	P	117	86	N/A	N/A	A		C	D
333 Main Street	Redwood City	353 Main Street	Industrial	Mixed Use - Corridor	P	125	77	97	129%	A		C	D
Huxley Apartments	Redwood City	1305 El Camino Real	Commercial	Mixed Use - Downtown	P	137	180	N/A	N/A	A		C	D
1409 El Camino Real	Redwood City	1409 El Camino Real	Vet	Mixed Use - Downtown	P	350	213	N/A	N/A	A		C	D
Kiku Crossing	San Mateo	480 East 4th Avenue	Parking Lot	Central Business Support	CBD/S	225	93	121	77%	A		C	D
1178 Sonora Court	Sunnyvale	1178 Sonora Court	Industrial	Flexible Mixed Use 1 Zoning District	MXD1	176	139	57	245%	A		C	D
Eagle Park	Mountain View	1701 West El Camino Real	Commercial	Village Center		67	136	39	347%	A		C	D
Wilton Court	Palo Alto	3703 El Camino Real	Commercial	Neighborhood Commercial	CN	59	128	9	1391%	A		C	D
<b>Selected Nearby Developments in San Mateo and Santa Clara County</b>													
Edgewood Plaza	Palo Alto	2170 W Bayshore Road	Commercial	Neighborhood Commercial	CN	10	11	19	57%	A		C	
Vilagio	Cupertino	20187 Civic Park Lane	Commercial	General Commercial and Residential	P(CG, Res)	150	69	55	126%	A		C	D
210-260 View Street	Mountain View	210 View Street	Commercial	View/Hope Street Residential Transition Area	P(19)	8	14	23	59%	A		C	
The Village Residences	Mountain View	555 San Antonio Road	Commercial	Mixed Use Center Subarea	P(40)	331	163	162	100%	A		C	D
Broadway Plaza	Redwood City	1401 Broadway	Commercial	Mixed Use Corridor - Gateway Broadway	MUC-GB	518	37	848	4%	A		C	
12370 Saratoga-Sunnyvale	Saratoga	12370 Saratoga Sunnyvale Road	Commercial	Commercial Neighborhood	CN	20	7	54	14%	A		C	
Raines Terrace	Sunnyvale		Auto Dealer	El Camino Real Corridor	ECR	113	19	217	9%	A		C	

**Key:**

Development Trends: A: Nonresidential Redevelopment; B: Intensification of Residential Use; C: Mixed-Use Development Proposed/Eligible; D: Transit-Oriented Development Eligible

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Table H-50 includes all Housing Opportunity Sites, their existing uses, and their site typologies that corroborates with Table H-49, above. That is followed by a table of recent residential developments in Colma and the surrounding area that demonstrate a track record for redevelopment of similar non-vacant Housing Opportunity Sites to demonstrate their suitability for redevelopment. These trends are:

- Residential development on a previously nonresidential use (industrial or commercial site) or if vacant, a site allowing nonresidential use
- Residential development on a previously residential use (intensification of existing use) or if vacant, a site allowing residential use
- Mixed-Use development proposed or eligible
- Transit-oriented development eligible

The list also notes redevelopment factors:

- If land/improvement value ratio is less than 1.0 (or the site is vacant)
- If the existing building is estimated at 30 years old or more (or the site is vacant)
- If there is interest from developers to redevelop the site
- If the existing zoning's floor area ratio maximum is less than or equal to 0.5

Finally, the list notes the following incentives to increased residential development apply to the site:

- Whether the site is in the Housing Element Overlay Zone
- Whether the site is less than a quarter mile from a BART station
- Whether the site falls within an AB 2097-established half-mile from a major transit stop

• [Table H-50: Site Development Factors](#)

APN	Site Name (if Applicable)	Address	Existing Use	Typology	Development Trends				Redev. Factors				Incentives		
					A	B	C	D	E	F	G	H	I	J	K
008-127-020	Sandblaster	7733 El Camino Real	Vacant	ECR	A		C	D	E	F	G	H	I	J	K
008-421-120	Kohl's	1200 El Camino Real	Retail: Big Box	ECR	A		C	D	E	F	G	H	I		K
008-141-080	Bocci	7778 El Camino Real	Light Industrial	Sterling Park (West of ECR)	A		C	D	E	F	G	H	I	J	K
008-125-180		Between 461 and 469 B Street	Vacant	Sterling Park (East of ECR)		B		D	E	F		H		J	K
008-421-170		El Camino and Collins	Vacant	ECR	A		C	D	E	F	G	H	I		K
010-422-050		240 Collins Avenue	Parking Lot	ECR	A		C	D	E	F	G	H	I		K

Key:

Development Trends: A: Nonresidential Redevelopment; B: Intensification of Residential Use;

C: Mixed-Use Development Proposed/Eligible; D: Transit-Oriented Development Eligible

Redevelopment Factors: E: Improvement over Land Value Ratio < 1.0 (if Improvement Value N/A i.e. vacant, then E given); F: Existing Building 30 years old or more (or vacant lot); G: Developer Interest;

H: Existing Max. FAR < 0.5

Incentives: I: Housing Element Overlay Zone; J: Less than quarter-mile from BART station; K: Half-mile from major transit stop

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The following finding will be included in the Resolution for adoption of the Housing Element by the Colma City Council:

The City Council finds that, as result of the high demand for housing in the Town, as well as obsolescent buildings, declining uses, low existing floor area ratio, the significant impact of the Covid-19 pandemic and related shifts in the commercial and residential real estate markets and development expectations, and as further evidenced by recent site development inquiries, each as further specified on a categorical and site-by-site basis in the 2023-2031 Housing Element Update, that the existing uses on each existing, nonvacant site identified for inclusion within the Site Inventory, and thereby zoned to accommodate the City's needed lower income housing needs, as noted in the Site Inventory, are likely to be discontinued during the planning period and thereby the fact that these sites are not currently vacant is not an impediment to additional residential development during the planning period for the 2023-2031 Housing Element.

This finding is supported tables H-49 and H-50.

## **AFFH AND IDENTIFIED SITES**

AFFH analysis of Colma's Site Inventory is complicated by the fact that the vast majority of the Town is in a single census tract, 601601. Of the Town's 568 parcels, only 45 (8 percent) are in the census tract just north, 601300 because they are on the north side of B Street. These parcels include 6 zoned for Planned Development and one PD-zoned parcel subdivided into 13 condo-ized parcels in a mixed-use building), 26 zoned Residential (single family). These parcels are on the same street, served by the same services, as their counterparts on the south side of B Street and therefore can be treated identically to the majority of the city in census tract 601601.

This entire census tract consists of a single census block, and falls within the Moderate Resource area as per the Tax Credit Allocation Committee's 2023 Opportunity Mapping. Without access to detailed mapping analysis, the split between "Sterling Park" and "El Camino Real" is suitable for describing how the Town is composed of two distinct areas.

Overall, the sites inventory helps to expand housing options and promotes a pattern of interspersed multi-family residential uses rather than in concentrated locations. The analysis below illustrates that Colma's Site Inventory: (1) improves integration; (2) does not exacerbate racially or ethnically concentrated areas of affluence; (3) improves areas of opportunity for all Colma residents; and (4) does not exacerbate displacement risk for Colma's residents.

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### **Segregation and Integration**

- Most of Colma’s housing sites are designated for higher density multi-family and mixed-use development and will include housing for a variety of income levels, fostering mobility of households throughout the Town.
- The Town will facilitate production of affordable units through both regulatory and financial incentives, including the Objective Development and Design Standards and Administrative Approval Process for Planned Development Districts, Housing Element Overlay; density bonus updates; and revised parking standards
- In addition to the housing sites, Housing Element implementation will encourage development of affordable housing throughout the city in all neighborhoods through the facilitation of ADU and JADU production, primarily in Sterling Park, and streamlining of eligible SB 35 projects.

### **Racially or Ethnically Concentrated Areas of Affluence**

- Colma is more racially diverse than San Mateo County, with the largest portion of the population being Latino (45 percent compared to 25 percent in the County), followed by Asian (31 percent compared to 27 Colma), and White (15 percent compared to 40 percent). The overall median income in Colma (\$102,500) is lower than the County (\$136,837). the 2017-2021 ACS shows the following discrepancies in median income by race/ethnicity (for races/ethnicities with data for both the County and Colma): Hispanic households - \$81,484 (Colma), \$89,431 (County); White households - \$111,250 (Colma), \$154,691 (County); and Asian households - \$160,278 (Colma), \$154,260 (County).
- While income differences by race/ethnicity are less pronounced in Colma than on a countywide basis, Hispanic households have significantly lower incomes than other racial groups. The sites inventory and affordable housing programs will produce more affordable housing units that provide opportunities for all racial and ethnic groups and individuals who fall below the median income to have the opportunity to find housing in Colma.

### **Areas of Opportunity**

- The Town’s inclusionary housing program helps to provide housing opportunities for low- and moderate-income households in Colma and incentivizes market-rate investment in the Town.
- Colma’s Housing Element Overlay will facilitate affordable housing for low- and moderate-income households by providing density incentives, thereby helping to affirmatively further fair housing.

### **Disproportionate Housing Needs and Displacement Risk**

1. The Town is wholly located in areas identified as at a Lower Displacement Risk. However, tract 601300 north of Colma is identified as an area where Elevated, High, or Extreme Displacement is occurring. The Town’s home rehabilitation and conversation

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[programs will support the maintenance of existing homes so as not to exacerbate existing conditions.](#)

## **INFRASTRUCTURE**

[Currently, Colma uses Cal Water connected to the City of South San Francisco to obtain water and sewage. The Town's use of these services is described in the 2020 Urban Water Management Plan of the South San Francisco District. The District is expected to have adequate water supplies during normal years to meet its projected demands through 2045 \(see page 103 of the Urban Water Management Plan\). The South San Francisco District's groundwater/in-lieu surface water supply is expected to be 100 percent reliable in all year types at a consistent volume of 1,534 Acre-Feet per Year. The Town of Colma Wastewater Collection System Master Plan \(published 2019\) declared that both existing and "ultimate build-out" conditions did not show potential sewer system overflows or surcharging pipes.](#)

[Colma uses PG&E and Peninsula Clean Energy for its power consumption. All of these sources and usage agreements have plenty of capacity left and are not constraints to use of any sites in the Site Inventory.](#)

## **FINANCIAL RESOURCES TO MEET HOUSING NEEDS**

[There are many federal, state, and local resources available to produce, preserve, and protect affordable housing in Colma. This subsection provides an overview of these resources.](#)

[In addition to the resources listed below, private nonprofit organizations are key partners to affordable housing production. These organizations, such as HIP Housing, MidPen Housing, and Mercy Housing, provide local knowledge and facilitation services as well as bringing in their own funding resources.](#)

### **Federal Resources**

#### ***Community Development Block Grants (CDBG)***

[Through the Community Development Block Grant \(CDBG\) program, the US Department of Housing and Urban Development \(HUD\) provides funds to local governments for a wide range of community development activities. These funds can be used for the acquisition of land for affordable housing units, rehabilitation through a nonprofit organization for housing, development of infrastructure and facilities, and public service activities.](#)

#### ***HOME Investment Partnerships Program (HOME)***

[Another source of HUD funds is available under the HOME Investment Partnerships Program \(HOME\). These funds can be used to assist tenants or homeowners through acquisition, construction, reconstruction, or the rehabilitation of affordable housing. A federal priority for use of these funds is preservation of the at-risk housing stock.](#)

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### **Housing Choice Voucher Program**

The Housing Authority of the County of San Mateo administers the HUD Section 8 Housing Choice Voucher Program for Colma residents. The program provides rental subsidies to low-income families who spend more than 30 percent of their gross income on housing costs. The program pays the difference between 30 percent of the recipients' monthly income and the federally approved payment standard.

### **State Resources**

#### **Low Income Housing Tax Credits (LIHTC)**

Created by the 1986 Tax Reform Act, the LIHTC program can be used in combination with Town and other resources to encourage the construction and rehabilitation of rental housing for lower-income households. The program allows investors an annual tax credit over a 10-year period, provided that the housing meets the following minimum low-income occupancy requirements: 20 percent of the units must be affordable to households at 50 percent of AMI or 40 percent of the units must be affordable to those at 60 percent of AMI. The total credit over the 10-year period has a present value equal to 70 percent of the qualified construction and rehabilitation expenditure. The tax credit is typically sold to large investors at a syndication value

#### **Additional State Resources**

Additional State housing resources include:

- Affordable Housing and Sustainable Communities (AHSC)
- CalHFA Single and Multi-Family Program
- CalHome Program
- Homekey
- Housing-Related Parks Grant
- Infill Infrastructure Grant (IIG)
- Local Housing Trust Fund (LHTF)
- Multifamily Housing Program (MHP) No Place Like Home
- Permanent Local Housing Allocation (PLHA)

### **Local Resources**

#### **Housing Endowment and Regional Trust of San Mateo County (HEART)**

HEART was formed in 2003 as a public/private partnership among the San Mateo cities and county, and the business, nonprofit, education, and labor communities. HEART raises funds from public and private sources to meet critical housing needs in San Mateo County.



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### **[Affordable Housing Impact and In-Lieu Fees](#)**

[Colma's housing impact fees](#) are described in depth in the "Inclusionary Housing and Housing Impact Fees" section, beginning on page H-111.

### **[San Mateo County Affordable Housing Fund](#)**

[The San Mateo County Affordable Housing Fund](#) was established in 2013 and is comprised of Measure K funds and other local and state housing funding sources. Together with its Preservation sub-fund, the County has allocated over \$120 million to assist 2,761 units in San Mateo County—supporting development of 2,403 new affordable rental and homeownership units, and preservation as affordable housing of 358 multifamily rental units.

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## **GOVERNMENTAL AND NON-GOVERNMENTAL CONSTRAINTS**

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### **GOVERNMENTAL CONSTRAINTS**

As part of the Housing Element process, the Town analyzed its zoning code, permitting processes, development standards, and building codes to identify potential constraints for the development of housing. The Housing Element proposes specific actions and implementation schedules to remove such impediments, where possible.

#### **General Plan and Zoning**

Colma's General Plan and Zoning Ordinance provide for a wide range of allowable residential densities in both residential and commercial districts. General Plan densities typically determine the maximum number of dwelling units allowed on a specific site. The Zoning Ordinance is consistent with the General Plan and outlines the allowed uses in each zone.

The Residential "R" Zone allows for the following uses by right: a single-family dwelling, a manufactured home, small and large family daycare homes, accessory dwelling units, supportive housing, transitional housing, and a home office or cottage food operation. Upon the issuance of a use permit, the following uses may be permitted in the R Zone: a multiple unit dwelling up to six units, residential planned development or a larger residential development provided that the residential density does not exceed that specified in the general plan, and/or a home occupation.

The Neighborhood Residential "R-S" Zone allows for the following uses by right: a single-family dwelling, a manufactured home, small and large family day care homes, community parks and

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public buildings, supportive housing, transitional housing, an accessory or junior accessory dwelling unit, and a home office or cottage food operation.

The Commercial "C" Zone allows for the following uses by right: an emergency shelter, and an accessory dwelling. The following uses may be permitted in the C Zone upon issuance of a use permit: a commercial establishment, a single family or multiple family dwelling up to six units, residential planned development or a larger residential development provided that the residential density does not exceed that specified in the general plan, supportive housing, transitional housing, light industrial establishment, communication structures, commercial center, retail merchandising unit, and such other uses found by City Council to be of similar nature to described uses. The uses allowed in the C Zone with the issuance of a use permit may be permitted upon issuance of an administrative use permit instead of a use permit if the proposed use meets the following criteria: will occupy an existing commercial building or occupy a tenant space within an existing commercial building, is within the same Building Code occupancy classification of the existing building, does not require any building modifications, and will not exceed the available on-site parking. Additionally, the Town has a Planned Development zoning designation which aims to allow flexibility in zoning standards by permitting the following uses upon issuance of a use permit: single family residential developments, multiple housing developments, neighborhood and community commercial centers, professional and administrative offices, or a combination of such uses. In the past, the Planned Development designation has been used to develop high density residential projects, that exceed the density requirements of their previous zoning. This is the most successful manner by which to develop the available parcels identified in the previous section, because of their unique site constraints and small sizes.

As discussed earlier, the Town's Commercial/Mixed Use and Commercial Land Use Designations sites will accommodate most of the housing need for lower income units. The Colma General Plan specifically identifies the Commercial/Mixed Use designation for ground-floor retail/office with residential units above— [as part of its Planning Area policies. The General Plan's El Camino Real Corridor Planning Area allows commercial mixed use \(Restaurant/Hotel/Residential/Retail/Office/Entertainment\) and mixed-use commercial/residential projects. The Mission Road Planning Area allows commercial \(including mixed-use residential/commercial\), residential \(single and multi-family\) and cemetery uses.](#)

The mechanism to effectuate a mixed-use development is the rezoning of the property to Planned Development, which maintains the full multi-family allowance in the commercial zone but allows for greater flexibility in development standards to maximize unit yield. Planned Development "PD" districts may be established in any R, E, or C Zone upon application by property owners or the initiative of the City Council. The Planned Development process is described in further detail in the Permit Processing Procedures section.

This analysis is based upon two assumptions: that the identified sites allowing mixed-use will be developed with the residential uses and developers will build to the estimated realistic densities

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for each of these sites. The first of these assumptions is prudent considering latest trends in the Town and sites near the identified sites. Developments near the identified sites were almost exclusively residential use projects or included a small portion of retail/commercial uses.

Residential projects have been proposed on two of the sites near the Colma BART Station, lending credence toward the sites being developed with residential uses. There are several other reasons why the identified sites are likely to develop with the estimated residential capacity during the planning period:

1. Areas designated for mixed-use development have no minimum commercial component requirement, so developers are able to develop 100% residential (i.e., there is no vertical mixed-use requirement) on mixed use sites.
2. The Town supports housing in the Town's mixed-use areas by assisting in site assembly.
3. Most mixed-use sites are not prime sites favored by commercial establishments.
4. The sites are in close proximity to where other new residential developments have been built or approved.

Thus, it is reasonable to assume that the identified sites will be developed as residential-use projects at, or above, the estimated densities.

The Zoning Ordinance sets forth requirements that can affect the type, appearance, and cost of housing to be built within the Town of Colma. The Zoning Ordinance includes standards for development that determine minimum lot size, permitted use(s), minimum setbacks, maximum height limits and minimum parking standards. There is no lot coverage limit or floor area ratio standard for residential zoning districts in Colma. The building envelope allowed on a residentially zoned lot in Colma is determined by setbacks and height limits. In areas that allow residential development, R, R-S, and C, the zoning code only places restrictions on maximum height rather than limiting the number of building stories. There are two residentially zoned districts in Colma, the Residential (R) zone and the Residential – Sterling Park (R-S) zone. The R-zone allows single family dwellings by right (no land use entitlements required) and multi-family dwellings up to six units with approval of a Use Permit provided that the residential density proposed does not exceed that which is specified in the General Plan. All multi-family developments will require a Use Permit if they have greater than 6 units. The R-S zone allows single family detached dwellings only.

To further remove constraints to developing housing on the five opportunity sites, the Town has created a Housing Element Overlay Zone. This zoning designation allows for greater housing densities and supports mixed-use developments on opportunity sites. Allowable uses and development standards in the housing overlay zone will reflect recent legislative decisions that aim to remove barriers to development. A few of the most impactful standards include removing minimum parking requirements within a half mile of public transit, and density bonus amendments that will allow for projects consistent with the densities described in the Town's Land Use Element, rather than the zoning ordinance. Additionally, beginning July 1, 2023,

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proposed multi-family projects that are located within the housing element overlay zone, pay prevailing wages, and meet specified affordable housing targets would undergo a ministerial approval process which would exempt the project from the California Environmental Quality Act (CEQA) and the Town's discretionary approval processes.

[Development](#)[Overall, development](#) standards in Colma such as setbacks, building height and off-street parking are similar to or less restrictive than those in surrounding communities and would not be considered unreasonable development constraints. For example, the minimum side yard (10 percent of lot width) can be as narrow as 3.33 feet, which is much smaller than the 10-foot setback required by many San Mateo County jurisdictions. Colma allows a minimum lot size of 3,333 square feet, which is significantly smaller than most jurisdictions. In addition, Colma allows residential development on commercially zoned parcels, which is a far less restrictive land use policy than those found elsewhere in the County. The development standards for residential zones are summarized in the table below.

Figure H-7: Housing Element Overlay Zoning District

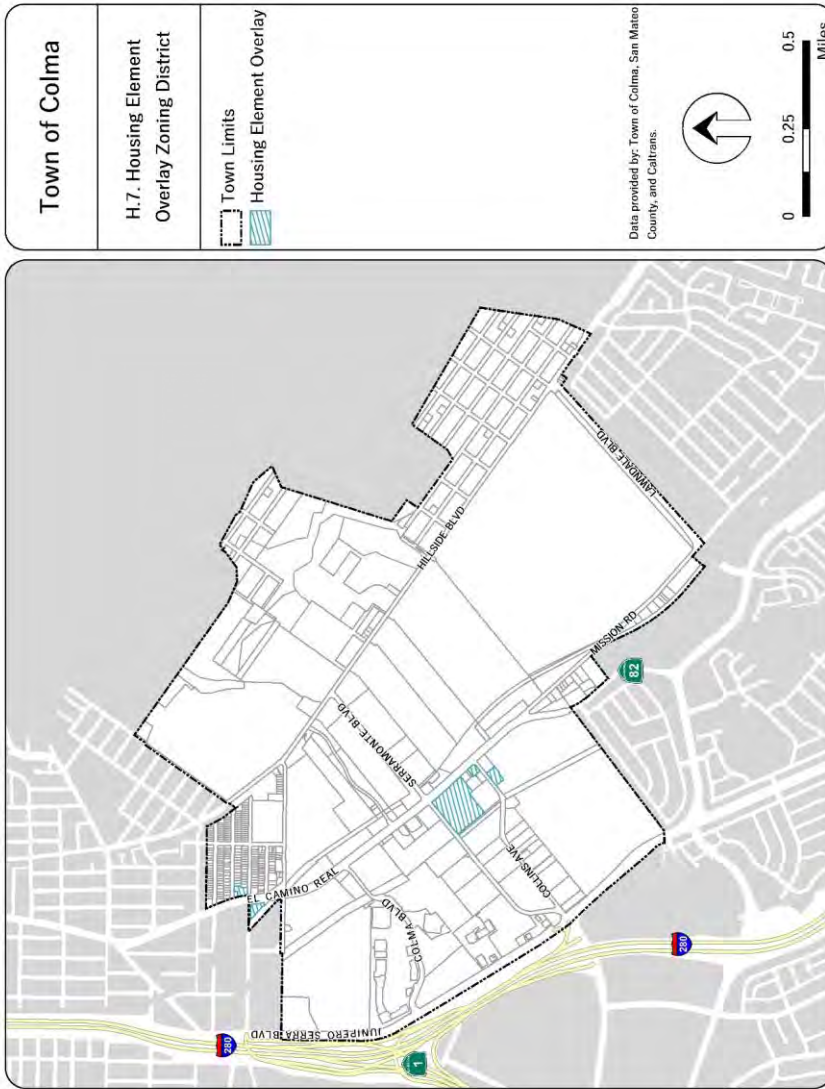


Table H-4751: Current Residential Development Standards

Standard		R-S Zone	R Zone	C Zone
Front Setback:	First Floor	15' to building/19' to garage	15' to building/19' to garage	15' to building/19' to garage
Side Setback:	First Floor	10% of lot width or 10', whichever is less	10% of lot width or 10', whichever is less	10% of lot width or 10', whichever is less
Rear Setback:	First Floor	15'	25% of total lot area, not to exceed 25'	25% of total lot area, not to exceed 25'
	Second Floor	25'	25'	25'
FAR:		No restriction. Governed by setbacks/height limits	No restriction. Governed by setbacks/height limits	1.0-2.0
Height:		27'	36'	36'

Source: Town of Colma Municipal Code, Subchapter 5.03: Zoning

The R and C zones allow up to 36 feet in building height, sufficient for three-story buildings.

In 2013, the Town adopted manufactured home design standards. For the Town's two single-family residential zoning districts, manufactured homes are permitted as single-family dwellings in compliance with Government Code Section 65852.3(a).

The parking standards are set forth in the zoning ordinance by district and are defined in Section 5.01.080 of the zoning ordinance. These standards are summarized in the table below.

Table H-4852: Parking Standards

Residence Type	Spaces Required		Total
	Covered	Uncovered	
<b>Single Family Detached:</b> (Over 4 bedrooms., add 0.5 spaces/each additional bedroom)	2		2
<b>Multiple Units:</b>			
Studio	1	.5	1.5
1 Bedroom	1	.5	1.5
2-4 Bedrooms	1	1	2
Over 4 Bedrooms add .5 covered or uncovered for each additional bedroom	1 (min., add .5 per additional bedroom)		1 (min., add .5 per additional bedroom)

Source: Town of Colma Municipal Code, Subchapter 5.01: General Plan

The Zoning Ordinance includes provisions for residential structures that are existing or were approved prior to March 1, 1988. These provisions require only one (1) parking space for each single-family dwelling or for a multi-family dwelling having no more than one bedroom and 1.5

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covered parking spaces for each multi-family dwelling having two (2) or more bedrooms. If the existing units comply with these provisions, property owners are not required to provide additional parking spaces because of repairs, restoration, remodeling, or additions to such units. However, if additional bedrooms are added to an existing single-family dwelling, the number of off-street parking spaces must be increased by 0.5 covered or uncovered spaces for each bedroom exceeding four (4) bedrooms. [Program 3.8 directs the revision of Colma's parking standards down to only one space \(either covered or uncovered\) for both studio and one-bedroom units.](#)

Parking requirements could be a potential constraint to development if high-density developments are required to meet the existing requirements. ~~However, all of the sites in~~ [However, 90 percent \(191 acres\) of Colma's 213 acres of non-roadway, non-cemetery land use are in areas that are not within a half-mile of a major transit stop. In addition, all of the sites in Colma's](#) site inventory are within a half mile of public transportation and are included in the Housing Element Overlay zone which removes all minimum parking requirements.

The density limits set forth in the Colma General Plan allow 13-30 units per acre in residentially zoned areas, and up to 30 units per acre in the mixed commercial/residential areas, including areas within the Commercial Overlay Zone. Up to 30 residential units per acre are permitted in certain commercial areas through mixed-use developments, which are established through the Planned Development process. Through the establishment of a Planned Development, standards may vary including those associated with parking, building height, and Floor Area Ratio. Density bonuses are also permitted under specific circumstances.

Although development standards and densities are generally less restrictive than those found in other Peninsula communities, Colma's high proportion of land uses directly related to the large inventory of cemetery land discussed in the preceding section must be viewed as a constraint to future development of housing in Colma. This constraint is not, however, insurmountable in view of the availability of sites identified in this document. Existing residential development standards, such as setbacks, height limits and parking requirements have not constrained housing development in the Town. In many cases, they are less restrictive than other jurisdictions in San Mateo County, resulting in lower costs to develop housing. The flexibility afforded in the Planned Development process allows residential development to achieve maximum densities while balancing livability and habitability standards.

The required setback from Colma Creek and the grading of sloped parcels is the extent of general environmental constraints to development in the Town. It is not anticipated that these environmental constraints will have a significant impact on housing development at the opportunity sites because they are all infill developments. Colma Creek does flow underground through the Kohl's site, but the potential environmental impacts of a development on the site have already been analyzed in the 2040 General Plan Update Environmental Impact Report.

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## Building Codes

The 2019-2022 California Building Code is currently used in Colma. The updated building code for 2023-2026 will be in place by January 2023, and all applications will have to conform to the new code. The Town's Building Official verifies that new residences, additions, auxiliary structures, etc., meet all construction and safety standards. Building permits are required for most construction work. Additionally, building code enforcement helps the Town maintain a safe building stock. Building inspectors ensure projects are compliant with the minimum requirements of the Building Code and reference the strictest code when overlap occurs. Code enforcement officials work to ensure that projects have the correct permits and are adhering to the proper codes. The Town of Colma is a small and quiet community that does not encounter as many citizens reported code enforcement complaints as many larger, and more involved, surrounding communities.

## On- and Off-Site Improvements

Site improvements are a necessary component of the development process. Improvements can include the laying of sewer, water, and streets for use by a community when that infrastructure is lacking, and these improvements make the development feasible. Due to the built-out nature of the Town, all the residential and commercial areas in Colma are already served with adequate streets, sidewalks, and infrastructure. This includes sidewalks that usually only require modification to the location of curb-cuts. [All 6 sites identified for development potential fall within serviced residential and commercial areas and are infill projects. All 6 sites identified for development potential are infill projects and have existing water, sewer, and dry utilities available. As developments are proposed, water and wastewater treatment districts determine if water and sewer capacity is adequate and may require upgrades to infrastructure. Program 4.7 includes an action to coordinate with the Cal Water and South San Francisco after the adoption of the Housing element to expedite the process for the 6 identified sites.](#)

In areas already served by infrastructure, site improvement requirements vary depending on the existing condition of each project site. Usually, only standard connection laterals are required for most project utilities. The undergrounding of utilities from the nearest pole to the project is required of all projects, and street tree planting may also be required. These costs have not shown to be problematic for any developments in the Town when anticipated and known by the developer early in the process.

## Permit Processing and Procedures

As a small town, Colma provides high-level and personal customer service throughout the development process. Staff-level projects including sign review, temporary permits, and administrative use permits usually take less than 30 days to process. An example of an administrative level use permit in a commercial zone would include an occupation of an existing commercial building or occupy a tenant space within an existing commercial building and is within the same Building Code occupancy classification of the existing building, and does not



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require any building modifications, and will not exceed the available on-site parking. If a project meets all forementioned criteria the review period should take be approved in about 45 days.

In residential zones, single-family dwelling units, manufactured homes, small and large day care homes, ADUs, JADUs (R-S only), supportive housing, and transitional housing are permitted uses and do not require a planning permit. These abovementioned housing types would go to the Building Department for a permit and during this process, the Planning Department would review it for compliance. This type of permit would be a minimum of 30 days for project review and would not have to go to City Council if it meets the criteria for residential zones.

Single-family residential infill construction does not require land use entitlements, and building permit-related fees vary depending on the project's valuation. Provided that a proposal meets zoning code regulations, additions to and new construction of single-family dwellings do not require review or approval by City Council. As noted above, single-family dwellings are not subject to CEQA. Processing for a new single-family dwelling would begin with building permit submittal and there are no neighborhood noticing requirements.

Upon submittal of a building permit application for a single-family addition or construction of a new single-family dwelling, the Building Department routes the plans and application to the other City Departments for review. At that time there would be a detailed review of the proposed construction to determine if the project meets all municipal code regulations. There are no residential design guidelines for single-family additions or new construction. During review of the application by the Planning Department, design of the proposed addition or new construction would consider overall mass and bulk of the project in relation to the surrounding neighborhood. While there are no specific design criteria, impacts of the addition on adjacent properties are considered during the plan check of the building permit application. Plan check comments are returned to the Building Department within 10 days of submittal so that comments can be provided to the applicant in a timely manner.

Building permit plan check and processing in Colma is efficient and timely. Building permits are processed in a few days. Building permits for projects that require approval of entitlements cannot be issued until CEQA review is completed, and the City Council approves all entitlement applications. To expedite the process leading to construction, it is not uncommon for applicants to submit plans for building permit review while simultaneously proceeding through the CEQA and entitlement processes. Depending on the complexity of a project, building permit issuance ranges from a few days to a few weeks.

Building permits must be secured before commencement of any construction, reconstruction, conversion, alteration, or addition. Approval of permit applications is based on conformity with the Zoning Ordinance, although the City Council has the power to grant variances from the terms of the Ordinance within the limitations provided by law.

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### *Multi-family Development Process*

The Town of Colma does not have a specific multi-family zoning designation. However, the Town's zoning code and land use designations allow for multi-family developments through the Planned Development ([PD overlay](#)) entitlement process as detailed below. The Housing Element Overlay Zone creates an additional avenue for the development of housing in opportunity sites in Colma. The Housing Element Overlay Zone includes a set of requirements set by state legislation, including the need to pay prevailing wages and meet specified affordable housing targets, to undergo a ministerial approval process and be exempt from California Environmental Quality Act (CEQA) review.

### *Planned Development Process*

Since Colma does not have a Planning Commission, larger projects such as multifamily housing in commercial or residential zones require City Council approval. The Planning Department typically provides a courtesy pre-application meeting for the applicant providing zoning standards, design guidelines (if applicable), parking requirements, etc. Once an application is received, the project is reviewed for completeness, including design review. During this stage the project is routed to various departments including building, engineering/public works, and fire. Assuming this application is complete, this process will take a minimum of 30 days. The next step is [the](#) City Council hearing. For projects that require a public hearing, the Town notices all properties within a 300-foot radius at a minimum of 10-days prior to the hearing. If City Council approves a project, there is also a 10-day appeal period. In total, this type of project, as shown in Table H-50, could take anywhere from two to four months.

[Until the Objective Development and Design Standards described in Program 3.5 are established, the Planned Development Process described beginning on page H-100 is in effect.](#)

The Planned Development process can be summarized as follows:

Planned Development Districts may be established in any R, E, or C Zone upon application of a property owner(s), or upon the initiative of the City Council. A discretionary application for the establishment of a Planned Development District requires submittal of a Conceptual Development Plan which, if approved by the City Council, shall become part of the Zoning Map of the Town of Colma.

Once an application for a Planned Development (which consists of a Rezoning and a Use Permit request, at a minimum) is received by the Planning Department, the application is reviewed for completeness and processed as a Conceptual Development Plan. Applications to establish a Planned Development District shall be accompanied by a fee, which shall be established from time to time by the City Council of the Town of Colma by Resolution, for each proposed dwelling unit and each proposed commercial establishment shown in the Conceptual Design Plan. Said fee shall be in lieu of fees prescribed in the Town of Colma Municipal Code for an

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amendment to the Zoning Map, for a variance, or for a use permit. Environmental review is completed during the Conceptual Development Plan phase. All applications are processed concurrently, and entitlements are generally approved within four to six months of application filing. The approval process requires a discretionary decision to be made by the City Council.

The City Council shall make the following findings prior to approval of the Conceptual Development Plan:

1. The proposed uses are, in substantial part, generally or conditionally permitted under the zoning classification in existence for the proposed district at the time of application;
2. The proposed uses will not be detrimental to present and potential surrounding uses, but will have beneficial effects which could not be achieved under other zoning districts;
3. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and density will not generate traffic in such amounts as to overload the street network outside the Planned Development District; and
4. The impact created by the development can be absorbed and serviced by the City (police and fire service, water supply, sewage disposal, etc.).

The City Council shall make the following findings prior to approval of a Use Permit:

1. The specific proposed use will be consistent with the provisions of the General Plan and this subchapter;
2. The granting of the Use Permit will not be detrimental to the public health, safety or public welfare, or materially injurious to properties or improvements in the vicinity;
3. Existing property uses, large or small, will not be detrimentally affected by the proposed use;
4. The granting of the Use Permit will not constitute a grant of special privilege inconsistent with the limitations imposed by the zoning ordinance on the existing use of properties, large or small, within the Town of Colma;
5. The proposed structure or building conforms to the purposes and intent of the General Plan and zoning ordinance; and
6. The use will not constitute a nuisance as to neighboring persons or properties.

The final step in the approval process is a Detailed Development Plan. The development standards that provide a guideline for Planned Development are those most closely associated with the General Plan land use designation. For example, the properties targeted for mixed-use along El Camino Real are designated as Commercial/Mixed Use in the Colma General Plan. Building heights, floor area ratios and setbacks adopted in the Commercial zoning district would be used as a guideline for Planned Development.

~~The Town of Colma uses the past, Planned Development "PD" has been the Town's primary method of entitling. Zone as a tool to entitle mixed use and multi-family housing developments of greater than 6 units within its boundaries. The discretionary aspect of the PD approval~~

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process is intended to provide flexibility in development standards and create projects that are cohesive with the surrounding area.

Since 1999, the Town has been successful in entitling 12 PDs, including:

- Hoffman Estates (18-unit townhome development)
- Peninsula Reflections (Senior care facility)
- Verano Homes (84-unit townhome project)
- Veterans Village (66-unit affordable rental development)

The most recent example of establishing a PD usage to develop multi-family housing was in late 2016, the entitlement of Veterans Village at 1670-1692 Mission Road. Veterans Village is a 66-unit affordable rental housing project that provides stable housing for military veterans transitioning from homelessness. The site was originally zoned Commercial "C", which allows for multifamily developments of greater than 6 units with a conditional use permit. By applying for a PD, the property owner ~~(s)~~ gave the City Council flexibility to adjust development standards to address site configuration and location. In this case, a PD allowed the developer to create a development ~~that~~ which would benefit the maximum number of occupants and meet their accessibility and support needs. This PD had a base density of 22 units per acre, but by providing 100% affordable housing, it was entitled to an automatic 35% percent density bonus resulting in ~~an allowable~~ 66 units on ~~the~~ 2.23 acres. The usage (30 du/ac). In addition, the PD reduced the parking requirements that would be imposed on a typical housing project. Finally, setback reductions in front yard and rear yard, to less than 0'-8" and 4'-1" respectively, maintained an existing structure on the property that now houses many of the PD zoning in a similar manner to the Veterans Village application, will allow developments amenities for the maximization of housing potential on the identified opportunity sites. its residents.

The discretionary aspect of the PD approval process intended to provide flexibility in development standards and create projects that are cohesive with the surrounding area. For example, since most of Colma is near half mile of high-quality transit, utilizing AB 2097, the parking minimums can be waived in PD zones that meet these requirements.

A PD Zone was also proposed for the redevelopment of the Sandblaster site at 7733 El Camino Real. The conceptual plan submitted to the Town included a subdivision of the uniquely shaped lot to create a multifamily development fronting El Camino Real and three substandard single family lots fronting C Street. A PD Zone would allow for increased density at the site by providing the flexibility to create lots smaller than the required minimum lot size given that all other requirements were met.

PD zoning is intended to be utilized in a similar manner as the examples above, to maximize the housing potential on the opportunity sites. Since its passage in 2022, AB 2097 can be used by developers to waive the parking minimums in PD zones that are within a half-mile of a major transit stop – a designation that includes most of Colma. This can be layered on top of other incentives.

[For example, at the Kohl’s site, PD zoning can be applied to exceed the maximum height limits set by the base zoning district, especially along the rear of the property away from El Camino Real and Serramonte Blvd to up to 110 feet without impacting surrounding properties given the topography of the site per the Colma Land Use and Urban Design Study \(2014\). The discretion is applied to determine what is appropriate for each site where a PD is proposed and is effective in entitling projects that are constructed as the Town has demonstrated since 1999.](#)

[Residential uses are permitted using the underlying zoning and accompanying objective design standards. The PD process can augment the number of units developable as well as ease the path for development of affordable housing, as it has done historically in the town of Colma.](#)

[Program 3.1 directs the establishment of objective development and design standards for the Planned Development zoning, as well as administrative approval processes. Once these are established by the end of 2025, the PD permit will no longer be a discretionary process for the Housing Element Overlay Zone.](#)

**Entitlements and Fees**

The table below identifies various entitlements and the estimated processing time for each. Because many applications require multiple approvals, many of these approvals run concurrently. Variance and Use Permit requests usually take only two to four months to process. Because Colma has no Planning Commission, decision-making is streamlined.

Amendments and reclassifications to the Zoning Ordinance can be made by the City Council, subject to applicable provisions of State Law, and typically take four to six months to review. Procedures for amendments and reclassifications are stated in the Zoning Ordinance.

**Table H-4953: Entitlement Processing Time and Approving Authority**

Type of Permit	Typical Processing Time	Approving Authority
Design Review	2 to 4 months	City Council
General Plan Amendment	4 to 8 months	City Council
Zoning Reclassification	4 to 8 months	City Council
Variance to Zoning Regulations	2 to 4 months	City Council
Planned Development Plan	4 to 8 months	City Council
Parcel Map (in conjunction with PD)	4 to 8 months	City Council/Public Works
Subdivision Map (in conjunction with PD)	6 to 8 months	City Council/Public Works
Negative Declaration	4 to 6 months	City Council
Environmental Impact Report	6-8 months	City Council

*Source: Town of Colma*

The DR or Design Review overlay zone may be combined with all base zone to achieve a consistent site landscape and building design theme in those areas where it is applied. In Colma

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the DR zone is applied to all sites except for the majority of Sterling Park neighborhood. DR zone applies to entirety of the site, landscape, and building plans whether it is submitted in connection with the construction of a new building or an alteration or modification to the structure or facade of an existing building, with a few exceptions. Usually, these exceptions apply to clashing of the established architectural theme. With the establishment of objective design standards and more detailed guidelines for the DR zone, could help streamline project applications and incentivize developers where costs during the design phase may be minimized. Programs 3.1 and 8.2 would help improve development potential in sites within town.

### *SB 35 Process*

SB 35 requires jurisdictions that have insufficient progress toward their lower-income RHNA to streamline the review and approval of eligible affordable housing projects by providing a ministerial approval process that exempts proposed developments with at least 50 percent affordability from environmental review under CEQA for proposed developments. If a jurisdiction also has insufficient progress toward their above-moderate-income RHNA, then the jurisdiction is subject to [streamline](#) the review and approval for developments with at least 10 percent affordability. SB 35 requirements will automatically sunset on January 1, 2026.

The Town of Colma [has met the 5<sup>th</sup> Cycle RHNA and is not subject to the 10 percent affordability streamlining requirement. Program 3.6 directs the review and approval of a SB 35 streamlining process for developments with at least 10 percent affordability.](#)

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## Fees

The cost of development for single-family and multifamily housing within the Town of Colma includes planning and building [plan check fees](#), [permit fees](#), [utility service fees](#), recycling fees, [public works fees](#), and school fees. In addition, the Town of Colma imposes [development impact fees such as](#) parkland dedication [fees](#) for subdivisions (Quimby fee) and [affordable housing impact fees](#). If inclusionary housing is not included (where required) then [an inclusionary housing in-lieu fee](#) may also be imposed. [Local governments typically assess many](#)

[This section gives an overview of the different types of residential development fees. These include planning fees, building permit and related fees, capital facilities in Colma before concluding with a summary of fees, and development impact fees.](#)

### Planning Fees

Planning-related application fees required for development in the Town of Colma fall into two categories: flat fees and deposits against actual costs. Flat fees are charged for processing applications through the Planning Department to develop property. Fees are due and payable upon making application and are non-refundable. Based upon an analysis of staff hours and comparison with other jurisdictions, the fees set forth do not exceed the estimated reasonable cost of providing the service. The Master Fee Schedule can be found on the Town's website at: <https://www.colma.ca.gov/master-fee-schedule/>.

The following table summarizes the flat fees applicable to development:

Table H-5054: Planning Fees

Type of Permit	Fee
Accessory Dwelling Unit	\$611
Address Assignment	\$267
Administrative Use Permit	\$1,833
Design Review, Minor	\$1,986
Landscape Plan Review	\$267
Sign Permit	\$500
Sign Review	\$300
Special Event	\$100-\$500
Temporary Use Permit (Tier 1)	\$70
Temporary Use Permit (Tier 2)	\$500-\$1000
Tree Removal Permit, Minor	\$1,833
Tree Removal Permit, Major	\$4,124
Use Permit, Home Occupation	\$50
Use Permit, Minor	\$7,255
Zoning Clearance for Retail Merchandising Unit	\$250
Zoning Letter	\$993

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Source: Town of Colma Planning Permit Application

Deposit-based fees are required for processing major development applications through the Planning Department. The initial deposits shown below are due and payable upon filing an application and are based on the typical amount of staff time necessary to process similar applications. If additional staff time is necessary to adequately evaluate an application, additional deposits will be required. In accordance with the Colma ordinance that established the current Master Fee Schedule, the total amount of deposit-based fees shall not exceed three times the initial deposit, plus reimbursable costs. Any unused deposits are returned to the applicant after a decision on the application has been made by the City Council. Proposed amendments require the same fees as an initial application. The following summarizes the deposit-based fees associated with typical entitlement applications for all types of residential development:

**Table H-5155: Deposit Against Actual Cost – Land Use Development Processing Fees, Planning Services**

Type of Permit	Initial Deposit
Design Review, Major	\$7,102
General Plan Amendment	\$10,844
Lot Line Adjustment	\$8,416
Master Sign Program	\$7,255
Parcel Map	\$7,744
Planned Development Plan	\$6,949
Stormwater Review Deposit (Preliminary)	\$1,497
Subdivision Map	\$9,776
Use Permit, Major	\$7,225
Vacation or Abandonment of Public Easement	\$6,644
Variance to Zoning Regulations	\$7,255
Zoning Reclassification	\$8,935

Source: Town of Colma Planning Permit Application

In addition to the above noted planning application fees, staff time associated with environmental review in accordance with CEQA (California Environmental Quality Act) review requires a separate deposit, which is due and payable at the time an application is submitted. As noted above, additional deposits will be required if the amount of staff time to evaluate the proposal exceeds the amount of the initial deposit. Any unused deposits are returned to the applicant after a decision on the environmental document has been made by the City Council. The total processing fee will not exceed the actual, reasonable cost of providing the service. In addition to the application and CEQA review fees, applicants are required to submit pass-through fees to the San Mateo County Clerk and California Department of Fish and Game, collected by the City after the environmental determination has been approved by the City



Council. The following table summarizes the fees associated with environmental review of a proposed development (not specifically residential):

**Table H-5256: CEQA Review Fees for Land Use Development Projects – Deposit Against Actual Cost**

Application	Initial Deposit	Pass-through Fees
Categorical Exemption	\$267	\$50-Document handling fee
(Mitigated) Negative Declaration	\$8,019 is prepared by Staff; otherwise, 10% of the cost charged by an outside consultant	\$2,548.00 –CA Dept. Fish & Game fee \$50- Document handling fee
Environmental Impact Report	Consultant cost plus a deposit of 10% of the cost charged by an outside consultant	\$3,539.25 –CA Dept. Fish & Game fee \$50- Document handling fee
Environmental Document pursuant to a Certified Regulatory Program (CRP)	-	\$1,203.25 –CA Dept. Fish & Game fee \$50- Document handling fee

*Source: Town of Colma Planning Permit Application*

The Town of Colma’s Planning Department is partially funded by application fees and deposits, but the remaining cost of operating the department is subsidized by the Town’s General Fund. A cost-of-service fee study was conducted in 2018, resulting in an overall increase of planning and building fees. Residential planning and building fees are broadly required by all jurisdictions in San Mateo County. In Colma, such fees are noted here as affecting development, but are not viewed as a governmental constraint.

~~The following tables provide estimated planning, building and impact fees per unit for different types of residential units when compared to other jurisdictions within San Mateo County. The fees are based on the following prototypical projects:~~

Table H-53: Total Fees (includes entitlement, building permits, and impact fees) per Unit

City	Single-Family	Small-Multi-Unit	Large-Multi-Unit
Atherton	\$15,941	No Data	No Data
Brisbane	\$24,940	\$11,679	No Data
Burlingame	\$69,425	\$30,345	\$23,229
Colma	\$6,760	\$36,950	\$17,030
Daly City	\$24,202	\$32,550	\$12,271
East Palo Alto	\$104,241	No Data	\$28,699
Foster City	\$67,806	\$47,179	\$11,289
Half Moon Bay	\$52,569	\$16,974	No Data
Hillsborough	\$71,092	No Data	No Data
Millbrae	\$97,756	\$6,024	\$55,106
Pacific	\$33,725	\$40,151	No Data
Portola Valley	\$52,923	No Data	No Data
Redwood City	\$20,795	\$18,537	\$62,696
San Bruno	\$58,209	\$72,148	\$39,412
San Mateo	\$99,003	\$133,650	\$44,907
South San Francisco	\$81,366	\$76,156	\$32,471
Unincorporated San Mateo	\$36,429	\$27,970	\$10,012
Woodside	\$70,957	\$82,764	No Data

Source: Baird + Briskell Fee Survey Summary

Colma's fees are generally much less than those of other jurisdictions in the County for the single family home prototype. Development fees for multi-unit developments include additional entitlement costs that result in higher development fees per unit compared to single family developments in Colma as shown in Table H-54. The development fees for small and large multi-family developments are 4% and 2% of the total development costs, similar to San Mateo County jurisdictions. In addition, the fees for multi family developments in Colma are less than the development fees for single family homes in surrounding jurisdictions. Generally, the fees collected by the Town are relatively low and are not considered an impediment to development.

**Table H-54: Total Fees as a Percentage of Total Development Costs**

	Single-family	Small-Multi-Family	Large-Multi-Family
Atherton	0%	No Data	No Data
Brisbane	1%	1%	No Data
Burlingame	3%	4%	3%
Colma	0%	4%	2%
Daly City	1%	4%	2%
East Palo Alto	4%	No Data	4%
Foster City	3%	6%	2%
Half Moon Bay	2%	2%	No Data
Hillsborough	3%	No Data	No Data
Millbrae	2%	0%	7%
Pacific	1%	5%	No Data
Portola Valley	1%	No Data	No Data
Redwood City	1%	2%	0%
San Bruno	2%	0%	5%
San Mateo	4%	14%	6%
South San Francisco	3%	9%	4%
Unincorporated San Mateo	1%	3%	1%
Woodside	2%	9%	No Data

*Source: Baird + Driskell Fee Survey Summary*

### Building Fees

Colma, in accordance with the Government Code, enforces the latest edition of the California Building Code to ensure the health and safety of residents of newly constructed housing. The Town’s Building Department enforces the building code. Inspections and approvals are completed promptly and do not add unnecessary delays to the construction of new housing. Fees are assessed for these projects to offset plan check and inspection activities. From time to time, the Town adjusts fees to keep up with inflation. These fees are established in accordance with the Government Code.

Building permit fees for new construction and additions are determined in dollars per square foot based on the occupancy of the use, with the final determination for the occupancy made by the Building Official. Permit fees for alterations, reports, and interior changes (tenant improvements) are charged on a sliding scale that is based upon the valuation of the project. The plan check fee is 65% of the permit fees.

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### *Recycling Fees*

In March 2004, the Colma City Council passed an ordinance to meet the goals of the California Integrated Waste Management Act of 1989. The ordinance requires that at least 65% of the waste tonnage from any demolition project, including concrete and asphalt (or 15% where there is no concrete and/or asphalt) be recycled and/or reused, consistent with the Act. Prior to demolition and building permit issuance, applicants must comply with the Town's Construction Debris and Demolition recycling ordinance and complete a "Recycling and Waste Calculation Form". At the time of building permit issuance, the applicant posts a deposit at a rate of \$50 per ton for the percentage of recycled materials calculated. Upon the completion of the project, it is the contractor's responsibility to demonstrate that they have properly recycled the correct amount of waste generated by submitting receipts, weight tags, or other records to the Colma's Building Department for verification. If it is demonstrated that the construction debris recycling goals were met, the full amount of the deposit is refunded. If the amount recycled is less than the required amount, the Town of Colma retains the \$50.00 for each ton not recycled and/or reused. Since waste diversion is broadly required of all jurisdictions under State law, it is noted here as affecting development, but is not viewed as a constraint.

### *Public Works Fees*

There are also public works fees associated with property development. These fees are charged for processing documents necessary to implement a plan to develop a property. Fees are due and payable upon making application and are non-refundable. These fees are in addition to any other fees set forth in this schedule.

Typical public works fees include sewer connection fees, water meter and service connection fees, sidewalk, and special encroachment permits, and the most prevalent associated with residential construction, which are summarized on the following [page table](#).

Table H-557: Public Works Fees – Town of Colma

Type of Permit	Fee
<b>Grading Plan Check Fees</b>	
50-2,000 cu. yds	\$99.00 + \$71.00 per 100 cu. yds.
Grading Plan Checking > 2,000 cu. yds	\$1,490.00 + \$75.00 per 100 cu. yds. (if > 2,000 cu. yds.)
Grading Permit, 50-2,000 cu. yds	\$596.00 + \$36 per 100 cu. yds.
Grading Permit, >2,000 cu. yds	\$1,201.00 + \$65.00 per 100 cu. yds. (if >2,000 cu. yds.)
<b>Improvement Plan Check Fees</b>	
Contracts of </= \$10,000	\$397.00
Contracts between \$10,000-\$100,000	\$429.00 + \$5.00 per \$1,000 of contract cost
Contracts between \$100,000-\$500,000	\$894.00 + \$8.00 per \$1,000 of contract cost
Contracts > \$500,000	\$4,170.00 + \$8.00 per \$1,000 of contract cost
Encroachment Permit, single residential lot driveway	\$230
Encroachment Permit, single residential lot utility cut by contractor in asphalt street or concrete sidewalk	\$230.00
Encroachment Permit, single residential lot utility cut by contractor in an interlocking concrete paver surface street or sidewalk	\$330.00
Encroachment Permit, fence and/or landscaping in right-of- way	\$25.00
Parcel or Final Map Subdividing Property	\$3,972.00 for four lots + \$199.00 per each additional lot + recording costs

Source: Town of Colma Public Works Department

### School Fees

In 1987, Assembly Bill 2926 amended the California Government Code to authorize school districts to levy school impact fees on new residential, commercial, and industrial development. There are two school districts that serve Colma: The Jefferson Union High School District (which includes Bayshore Elementary School, Brisbane Elementary School, Jefferson Elementary School, Pacifica Elementary School District) and the South San Francisco Unified School District. There is one high school district, the Jefferson Union High School District. School fees are collected to offset costs of rehabilitation and maintenance of school buildings. Fees are collected on all new construction projects in Colma, ADUs over 750 sq. ft., and residential remodels that add 500 square feet or more. Residential school development fees for the Bayshore, Jefferson, and Pacifica Elementary School Districts, and Jefferson Union High School District, are \$4.79 per square foot.

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### *Parkland Dedication*

The Colma City Council adopted Ordinance 641 in 2006 to require dedication of land and/or payment of a parkland dedication fee. The parkland dedication fee applies to projects in Colma that require approval of a tentative map or parcel map for residential uses by one or more dwelling units but exempts subdivisions containing fewer than 5 parcels and not used for residential purposes. This fee is determined by multiplying 0.003 acres per person in the dwelling unit (which is the same as three acres per 1,000 persons) times the total number of dwelling units in the development times the average number of persons per dwelling unit in the subdivision for which the approval of a map is being sought. The ordinance assumes that the average number of persons in a dwelling unit in the subdivision will be 3.07, which is the average occupancy based on the 2020 Census and the 2020 American Community Survey 5 Year Estimates. In subdivisions of more than 50 lots, or in the case of a condominium project, stock cooperative or community apartment project, if the subdivision contains more than fifty (50) dwelling units, the developer shall both dedicate land and pay a fee. The purpose of collecting these fees is to provide park and/or recreational land for use by the residents of Colma. The Colma Parkland Dedication Fee ordinance is based on California State enabling legislation, so it is applicable statewide. Therefore, it is not viewed as a constraint to development, as many communities in the area have adopted the same regulations.

Local governments typically assess many different types of residential development fees. These include planning fees, building permit and related fees, capital facilities fees and development impact fees. Residential planning and building fees are broadly required by all jurisdictions in San Mateo County. In Colma, such fees are noted here as affecting development, but are not viewed as a governmental constraint.

### **Affordable Housing Fees**

~~The Colma City Council adopted an affordable housing impact fee which applies to housing, office, and retail development. The fees contribute to the Town's housing fund which is used to increase and improve the supply of housing affordable to moderate, low and very low income households. The use of the fund is not limited to the housing opportunities within the Town's boundaries but also includes surrounding areas in San Mateo County.~~

~~Pursuant to Subchapter 5.12 of the Colma Municipal Code, Housing Impact Fee payments are required for all new for-sale residential developments of 5 or more units, for rent residential developments, and commercial/non-residential developments that result in new floor area exceeding 5,000 square feet. For-sale residential development projects of fewer than 15 units that are not, and have not been, part of a larger residential development project, may propose an alternative equivalent action such as land donation and off-site construction, subject to the review and approval by the City Council.~~

~~The affordable housing impact fee is based on the size and use of proposed developments as noted in Table 56 below.~~

**Table H-56: Affordable Housing Impact Fees**

Use	Fee per Square Foot of Net New Floor Area
<b>Residential Use</b>	
Single-Family Detached Home	\$10.00
Townhouses, Duplexes and Triplexes	\$ 15.00
Apartments and Condominiums	\$ 15.00
<b>Non-Residential Use (Only applies to developments over 5,000 sf)</b>	
Hotel	\$5.00
Retail, Restaurants and Services	\$5.00
Office, Medical Office and Research and Development Uses	\$5.00

Source: Town of Colma Planning Department

**Inclusionary Housing and Housing Impact Fees**

In December 2005, the Town adopted an Inclusionary Housing Ordinance amending the Colma Municipal Code. ~~This Ordinance requires developments of 5 or more units including 20% inclusionary affordable units or pay an in-lieu fee to the Colma Housing Trust Fund.~~ This Ordinance was amended in September 2016 through changes to Colma Municipal Code Section 5.12.

For for-sale residential developments of ~~fewer than fifteen units, the developer may elect, as an option, to satisfy the requirements of this section by paying the in-lieu fee.~~ five or more units, at least 20% must be inclusionary units restricted to occupancy by Moderate, Low or Very Low income households. At least 20% of the inclusionary units (or 4% of the total development) must be restricted to occupancy by very low-income households. An additional 20% of the inclusionary units (or 4% of the total development) must be restricted to occupancy by low-income households. The remaining 60% (or 12% of the total development) to moderate income households. ~~Additionally, a minimum of 45 years for owner-occupied units must remain affordable.~~ The owner-occupied units must remain affordable for a minimum of 45 years. The developer may elect to satisfy the requirements of this section by paying the in-lieu fee for developments with fewer than fifteen units. The in-lieu fee is calculated based on net new square footage of residential floor area, excluding the square footage of units that are sold at an affordable sale price. For-sale residential development projects of fewer than 15 units that are not, and have not been, part of a larger residential development project, may also propose an alternative equivalent action such as land donation and off-site construction, subject to the review and approval by the City Council.

For rental residential development, of five or more units, a Housing Impact fee is required. This fee is calculated based on net new square footage of residential floor area, excluding the square footage of units that are renter at affordable rent to moderate, low, or very low-income households so long as such units are deed restricted as such. For all residential rental

development of five or more units, or non-residential or commercial over 5,000 square feet, a housing impact fee is required to be paid. The rental inclusionary housing provisions currently meet state requirements.

The affordable housing impact fee, as described in 5.12.010.(b), is based on Housing Impact Fee and is calculated based on the size and use of proposed developments as noted in Table H-58 below.

**Table H-58: Affordable Housing Impact Fees**

<u>Use</u>	<u>Fee per Square Foot of Net New Floor Area</u>
<b>Residential Use</b>	
<u>Single Family Detached Home</u>	<u>\$10.00</u>
<u>Townhouses, Duplexes and Triplexes</u>	<u>\$ 15.00</u>
<u>Apartments and Condominiums</u>	<u>\$ 15.00</u>
<b>Non-Residential Use (Only applies to developments over 5,000 sf)</b>	
<u>Hotel</u>	<u>\$5.00</u>
<u>Retail, Restaurants and Services</u>	<u>\$5.00</u>
<u>Office, Medical Office and Research and Development Uses</u>	<u>\$5.00</u>

*Source: Town of Colma Planning Department*

The Town's Affordable Housing Fund has not been utilized for the construction of new units. Funding from Veterans Village came from outside sources and the Hoffman Estates and Verano developments were completed prior to the establishment of the fund.

The framework and incentives for inclusionary housing is strong and providing ample incentives for developers to build both for-sale and for-rent housing for all income levels. [In conversations with housing developers, the inclusionary requirements do not operate as a constraint on housing development in Colma.](#) The biggest challenge the Town faces, whether it is for commercial or residential uses, is available land that is not dedicated to cemetery use.



Impact fees are not required on developments of four or fewer units. The inclusionary unit requirement is only required for developments of five or more units, and the impact fee would be in-lieu of the affordable unit. Any additional units after five would require a fraction of an inclusionary unit and would be subject to the in-lieu fee. Therefore, a development that includes six units would need to include either one affordable unit and the in lieu fee for one unit OR two affordable units.

This is not necessarily done to encourage the development of smaller housing typologies including single-family housing units. It is rather because there is little available land for such housing types. There is only one undeveloped single-family parcel remaining in Colma, APN 008-125-180 (included in the Site Inventory). Impact fees are designed to support affordable housing development through actual housing development on developable land.

**Summary of Fees**

The following tables provide estimated planning, building and impact fees per unit for different types of residential units when compared to other jurisdictions within San Mateo County. The fees are based on single family developments, small multi-family developments (10 units on 1 acre, 10 du/ac.), and large multi-family developments (100 units on 2 acres, 50 du/ac.).

**Table H-59: Total Fees (includes entitlement, building permits, and impact fees, etc.) per Unit**

<u>City</u>	<u>Single Family</u>	<u>Small Multi-Family</u>	<u>Large Multi-Family</u>
<u>Atherton</u>	<u>\$15,941</u>	<u>No Data</u>	<u>No Data</u>
<u>Brisbane</u>	<u>\$24,940</u>	<u>\$11,678</u>	<u>No Data</u>
<u>Burlingame</u>	<u>\$69,425</u>	<u>\$30,345</u>	<u>\$23,229</u>
<b><u>Colma</u></b>	<b><u>\$6,760</u></b>	<b><u>\$36,950</u></b>	<b><u>\$17,030</u></b>
<u>Daly City</u>	<u>\$24,202</u>	<u>\$32,558</u>	<u>\$12,271</u>
<u>East Palo Alto</u>	<u>\$104,241</u>	<u>No Data</u>	<u>\$28,699</u>
<u>Foster City</u>	<u>\$67,886</u>	<u>\$47,179</u>	<u>\$11,288</u>
<u>Half Moon Bay</u>	<u>\$52,569</u>	<u>\$16,974</u>	<u>No Data</u>
<u>Hillsborough</u>	<u>\$71,092</u>	<u>No Data</u>	<u>No Data</u>
<u>Millbrae</u>	<u>\$97,756</u>	<u>\$6,824</u>	<u>\$55,186</u>
<u>Pacifica</u>	<u>\$33,725</u>	<u>\$40,151</u>	<u>No Data</u>
<u>Portola Valley</u>	<u>\$52,923</u>	<u>No Data</u>	<u>No Data</u>
<u>Redwood City</u>	<u>\$20,795</u>	<u>\$18,537</u>	<u>\$62,696</u>
<u>San Bruno</u>	<u>\$58,209</u>	<u>\$72,148</u>	<u>\$39,412</u>
<u>San Mateo</u>	<u>\$99,003</u>	<u>\$133,658</u>	<u>\$44,907</u>
<u>South San Francisco</u>	<u>\$81,366</u>	<u>\$76,156</u>	<u>\$32,471</u>

<u>Unincorporated San Mateo</u>	<u>\$36,429</u>	<u>\$27,978</u>	<u>\$10,012</u>
<u>Woodside</u>	<u>\$70,957</u>	<u>\$82,764</u>	<u>No Data</u>

*Source: Baird + Driskell Fee Survey Summary*

Colma's fees are generally much less than those of other jurisdictions in the County for the single-family home prototype. This is due to the fact that single-family developments are extremely rare in Colma. With no single-family developments in Colma's recent history, the fee has not been increased to reflect updated costs. Development fees for multi-family developments include additional entitlement costs that result in higher development fees per unit compared to single family developments in Colma as shown in Table H-54. The fee for both small and large multi-family units is in line with rest of the county. The development fees for small and large multi-family developments are 4% and 2% of the total development costs. Again, this is similar to San Mateo County jurisdictions. In addition, the fees for multi-family developments in Colma are less than the development fees for single family homes in surrounding jurisdictions. Generally, the fees collected by the Town are relatively low and are not considered an impediment to development.

**Table H-60: Total Fees as a Percentage of Total Development Costs**

	<u>Single family</u>	<u>Small Multi-Family</u>	<u>Large Multi-Family</u>
<u>Atherton</u>	<u>0%</u>	<u>No Data</u>	<u>No Data</u>
<u>Brisbane</u>	<u>1%</u>	<u>1%</u>	<u>No Data</u>
<u>Burlingame</u>	<u>3%</u>	<u>4%</u>	<u>3%</u>
<b><u>Colma</u></b>	<b><u>0%</u></b>	<b><u>4%</u></b>	<b><u>2%</u></b>
<u>Daly City</u>	<u>1%</u>	<u>4%</u>	<u>2%</u>
<u>East Palo Alto</u>	<u>4%</u>	<u>No Data</u>	<u>4%</u>
<u>Foster City</u>	<u>3%</u>	<u>6%</u>	<u>2%</u>
<u>Half Moon Bay</u>	<u>2%</u>	<u>2%</u>	<u>No Data</u>
<u>Hillsborough</u>	<u>3%</u>	<u>No Data</u>	<u>No Data</u>
<u>Millbrae</u>	<u>2%</u>	<u>8%</u>	<u>7%</u>
<u>Pacifica</u>	<u>1%</u>	<u>5%</u>	<u>No Data</u>
<u>Portola Valley</u>	<u>1%</u>	<u>No Data</u>	<u>No Data</u>
<u>Redwood City</u>	<u>1%</u>	<u>2%</u>	<u>8%</u>
<u>San Bruno</u>	<u>2%</u>	<u>8%</u>	<u>5%</u>
<u>San Mateo</u>	<u>4%</u>	<u>14%</u>	<u>6%</u>
<u>South San Francisco</u>	<u>3%</u>	<u>9%</u>	<u>4%</u>
<u>Unincorporated San Mateo</u>	<u>1%</u>	<u>3%</u>	<u>1%</u>
<u>Woodside</u>	<u>2%</u>	<u>9%</u>	<u>No Data</u>

*Source: Baird + Driskell Fee Survey Summary*

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## **NON-GOVERNMENTAL CONSTRAINTS**

State law requires that the Housing Element include a discussion of the factors that present barriers to the production of housing, including government actions and market forces (non-governmental constraints). Identification of these constraints helps the City to implement measures that address these concerns and reduce their impacts on the production of housing. The following sections discuss actual and potential non-governmental constraints to housing.

### **Availability and Cost of Financing**

Home mortgage financing rates were at historic lows with rates ranging from 2 to 5 percent from 2018-2021 for a 30-year fixed rate loan (Freddie Mac). Low-interest rates dramatically affect housing affordability by decreasing monthly housing costs. For example, a 30-year home loan for \$400,000 at five percent interest has monthly payments of \$2,147. A similar home loan at seven percent interest has payments of nearly 24 percent more, or \$2,661. However, first-time buyers, people with limited credit history, lower incomes or self-employment incomes, or those with unusual circumstances have experienced challenges in qualifying for a loan or were charged higher rates.

San Mateo County qualifies as a high-cost area and has a higher loan limit through the Federal Housing Administration (FHA) loan program. In 2021, prospective home buyers could receive a loan of up to \$822,000 for a single-family home and approximately \$1,582,000 for a four-plex through an FHA loan.

Affordable housing developments face additional constraints for financing. Though public funding is available, it is allocated on a highly competitive basis and developments must meet multiple qualifying criteria, often including the requirement to pay prevailing wages. Smaller developments with higher per unit costs are among the hardest to make financially feasible. This is because the higher costs result in a sale price that is above the affordability levels set for many programs. Additionally, smaller projects often require significant time by developers, but because the overall budget is smaller and fees are based on a percentage of total costs, the projects are sometimes not feasible.

### **Land and Construction Costs**

San Mateo County is a desirable place for housing and available land is in short supply, which contributes to high land costs. These costs vary both between and within jurisdictions based on factors like the desirability of the location and the permitted density.

Colma has few vacant lots, which makes estimating land costs difficult. However, an analysis of assessed land value has costs upwards of \$2 million per acre.

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[Construction costs include both hard costs, such as labor and materials, and soft costs, such as architectural and engineering services, development fees and insurance. There is little residential construction in Colma, but estimates from surrounding jurisdictions have construction costs for single family homes at \\$500 or more per square foot and multi-family construction at \\$750,000 or more per unit.](#)

[An analysis of development costs in San Mateo County conducted by Century Urban in 2022 found that total costs, including land and construction costs, were approximately \\$2,487,000 for a 2,600-square foot single family home and \\$7,949,000 for a 10-unit multifamily development. Construction costs, including hard and soft costs, for single-family homes, ranged from \\$553 to \\$672 per square foot depending on the size of the house. A 10-unit multifamily development had an estimated construction cost of \\$687 per square foot. Average land costs for single-family homes in San Mateo County was \\$1,030,000 but could range from \\$210,000 to \\$2,510,000, while land costs for multifamily developments was an average of \\$1,000,000 but could range from \\$400,000 to \\$1,600,000.<sup>\[57\]</sup>](#)

### **Developed Densities**

[State Housing Element law requires the non-governmental constraints analysis to evaluate developer requests to build at densities below the density identified in the Housing Element sites inventory. Due to Colma's unique history with little residential development, and most multifamily development using PD development, it is difficult to make this evaluation. Veterans Village – the only recent residential development – was developed at 30 units per acre, the maximum density allowed in the C zone.](#)

### **PERMIT TIMES**

[State Housing Element law requires the non-governmental constraints analysis to examine the length of time between receiving approval for a housing development and submittal of an application for building permits. The length of time between application approval and building permit issuance is influenced by a variety of factors, none of which are directly impacted by the Town. These factors can include, but not limited to: required technical or engineering studies; completion of construction drawings and detailed site and landscape design; securing construction and permanent financing; and retention of a building contractor and subcontractors. Veterans Village was entitled in November 2016 and building permits were not issued until January 2018, a little more than a year after entitlements.](#)

### **Working with Non-Profit Housing Developers**

[The key to the success of non-profit developers lies in three areas: \(1\) their ability to draw upon a diversity of funding sources and mechanisms to make their developments work financially; \(2\) their commitment to working cooperatively and constructively with the local community; and, \(3\) their long-term commitment to ensuring excellence in design, construction](#)

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[and management of their developments, creating assets that are valued by the people who live in the developments as well as their neighbors and others.](#)

[The Town can work with non-profit developers where there are opportunities, either through public ownership of property or key larger sites \(over 1 acre in size\) where special opportunities exist with minimal constraints, carrying costs, or costs of processing or construction. Since multiple funding sources are typically used for an affordable project, there are additional burdens placed on non-profit developers to track the information required and report on a timely basis. Veterans Village is a great example as the project came together through partnerships between Holy Cross Cemetery, Mercy Housing, and Town staff.](#)

[There is considerable competition for the program funds that are available, and any one development will need to draw upon multiple resources to be financially feasible. When developments are able to demonstrate a financial commitment and contribution from local sources — especially if coupled with regulatory support through policies such as fast-track processing, fee waivers, and/or density bonuses — they are better positioned to leverage funding from other outside sources.](#)

<sup>[67]</sup> Century Urban. "San Mateo and Santa Clara Counties Development Cost & San Mateo County Unit Mix Research." 2022.

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## HOUSING GOALS, POLICIES, AND PROGRAMS

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This section describes this Housing Element's policies and programs, and quantifies the objectives intended to guide housing development in Colma until the year 2031. Many of the following programs are carried over from the 2015 Housing Element.

### KEY HOUSING CONSIDERATIONS

By the year 2030, nearly one in four San Mateo County residents will be over the age of 65. We must prepare for the aging baby boomer population by supporting healthy aging. Communities can support healthy older adults by placing neighborhood services near housing to allow for an easy walk between destinations, and accessibly high-quality public transit. Housing options for seniors can include senior housing with a variety of levels of services provided, assisted living facilities (a growing trend), and aging in place. Universal design (a set of building and design standards that make it easy for someone of any age to occupy a housing unit) can assist with aging in place. Shared housing arrangements (i.e., renting a room in an existing home) can also help meet senior needs.

Preserving the existing housing stock in Colma is a high priority. Continued maintenance of the existing housing stock helps provide lower-cost housing and ensures high-quality neighborhoods. Housing activities that help achieve these goals include rehabilitation of single- and multi-family housing, and code enforcement. Through code enforcement, and

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neighborhood and home improvement programs, the Town maintains the safe and healthy condition of existing housing units.

Providing affordable housing is essential for a healthy and balanced community. In addition to a diverse mix of housing types, it is necessary to make housing available for residents of all income levels. Throughout the Bay Area, residents face increasing challenges in finding affordable housing due to high housing demand at all levels. High demand and short supply have driven property values to levels that have shut many families and individuals out of the ownership market as well affordable rental housing. Lower-income families in particular find it difficult to secure decent, safe housing. The Town of Colma works with both nonprofit and for-profit developers to assist in the production of affordable for-sale and rental housing when opportunities arise. Seeking funding from varied sources increases opportunities for the development of affordable housing. Meeting the housing needs of all residents of the community requires the identification of adequate sites for all types of housing. By capitalizing on the variety of options available through the General Plan and continuing to maintain an inventory of potential sites, the Town will ensure that adequate residentially zoned and mixed-use sites are available to facilitate the development of a variety of housing types.

Market and governmental factors pose constraints to the provision of adequate and affordable housing. These factors tend to disproportionately impact lower- and moderate-income households due to their limited resources for absorbing costs. The Town of Colma is committed to removing governmental constraints that might hinder the production of housing. To fully meet the community's housing needs, the Town must ensure that housing is accessible to all residents, regardless of race, religion, family status, age, or physical disability.

## **HOUSING ELEMENT GOALS, POLICIES, PROGRAMS AND OBJECTIVES**

Colma's long-term housing goal is to facilitate and encourage housing that fulfills the diverse needs of the community. The Housing Element identifies long-term housing goals and shorter-term policies to address the identified housing needs. The goals and policies are implemented through a series of housing programs. Programs identify specific actions the town will take toward putting each goal and policy into action.

The goals, policies, and programs build upon the identified housing needs in the community, constraints confronting the town, and resources available to address the housing needs. This Housing Element will guide Colma's housing policy through the 2023-2031 planning period.

Colma's housing goals, policies, and programs address the six major housing needs identified by State law:

- Maintain and preserve the existing affordable housing stock
- Assist in the development of affordable housing
- Identify adequate sites to achieve a variety and diversity of housing
- Remove constraints to housing development

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- Promote equal housing opportunities
  - Provide programs to meet other identified housing needs

Colma takes a comprehensive approach to housing planning. Housing, land use, economic development, and transportation policies work together to address the total housing need in Colma.

Colma has established eight goals relating to housing. These goals include seven goals from the 2015 Housing Element and one new goal. Under each goal, policies related to that goal area are listed.

- Goal A:** Identify adequate sites, with appropriate zoning and development standards and services, to accommodate Colma’s share of the regional housing needs for each income level.
- Goal B:** Assist in making available adequate housing to meet the needs of extremely low, very low-, low-, and moderate-income households.
- Goal C:** Address and where possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities.
- Goal D:** Conserve and improve the condition of the existing housing stock.
- Goal E:** Preserve assisted housing developments at risk of conversion to market-rate.
- Goal F:** Affirmatively Furthering Fair Housing. Meaningful actions to promote equal housing opportunities for and combat discrimination against all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, disability, or economic background.
- Goal G:** Encourage sustainable residential development that is energy efficient and consistent with existing and future Town values and policies related to reducing greenhouse gas emissions.
- Goal H:** When opportunity sites are developed, they require provision of public benefits with values proportional to the project’s building square footage, in excess of established development standards.

To reach the above identified housing goals, specific housing policies and programs have been identified. Table H-57, identifies each housing policy, the specific housing goals that the policies relate to, and the programs implementing the policies. Table H-58 identifies the quantified objectives for construction, rehabilitation, and conservation of housing in the Town of Colma.

Table H-5761: Town of Colma Goals, Polices, Programs and Objectives

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
<b>Policy 1: Encourage the construction of cost-effective single-family housing that caters to all income levels and demographics in the Sterling Park Residential Neighborhood.</b>				
<p>Goal A: Identify Adequate Sites</p> <p>Goal B: Assist in making affordable units available</p>	<p><b>Program 1.1 Provide regulatory incentives to facilitate manufactured housing development in single-family residential zoning designations.</b></p> <p>In May of 2013 the City Council adopted Ordinance No. 720, allowing manufactured homes to be located in a single-family residential zone, provided it is on a permanent foundation, devoid of wheels or axles, and meets specified design standards, and establishing development standards applicable to manufactured homes.</p>	<p>Annually starting in <del>2023</del>2024 through 2031, <a href="#">see Tasks &amp; Responsibility</a></p>	<ul style="list-style-type: none"> <li>• Planning Department will compile a list of housing manufacturers for residents interested in this type of housing. <a href="#">(end of 2025)</a></li> <li>• The planning department will develop objective design standards for manufactured housing in single-family zoning designations. <a href="#">(end of 2026)</a></li> <li>• Update the Colma Municipal Code to reflect new development and design standards for manufactured housing. Conduct annual outreach to community stakeholders to provide updates about new affordable housing opportunities. <a href="#">(end of</a></li> </ul>	<p>The construction of up to 4 new suburban <a href="#">s units</a> (if utilizing SB 9 lot split) on the vacant parcel on B Street in the Sterling Park Neighborhood by 2031.</p>



Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
			<a href="#">2026 for code updates, annual outreach thereafter</a>	
Goal A: Identify Adequate Sites  Goal B: Assist in making affordable units available	<b>Program 1.2 General Plan Consistency Review and Annual Report.</b>  Continue to conduct an annual Housing Element implementation review consistent with Government Code Section 65400. Provide an annual report on the Town's housing efforts to the City Council and ensure the annual report is available to the public.	Continue internal consistency review annually from 2023 to 2031 and make reports available to the public.	The planning department will continue internal consistency review annually from 2023 through 2031 and make reports available to the public.	Increase awareness to decision makers of annual progress toward meeting Housing Element Goals.
<b>Policy 2: Encourage the construction of second dwelling units where appropriate.</b>				
Goal A: Identify Adequate Sites  Goal B: Assist in making affordable units available	<b>Program 2.1 Second Unit Ordinance.</b>  Pursuant to Colma's Zoning Code, second dwelling units are permitted in the "R" Zone, in accordance with state law. They are also permitted in the "C" zone with a Conditional Use Permit.  Planning department to update the Town's Second Unit Ordinance to align with State ADU laws that will go into effect on January 1, 2023.  Planning department to create outreach materials for Second Unit and ADU development with objective design standards.	<ul style="list-style-type: none"> <li>Update the Second Unit ordinance prior to the end of 2023.</li> <li>Create outreach materials and objective design standards prior to the end of 2023.</li> </ul>	The planning department will update the second unit ordinance and create outreach materials including objective design standards for ADU and second units.	<ul style="list-style-type: none"> <li>To increase the number of second units/ADU/JADU by the end of 2031.</li> <li>Starting in 2023, one (1) second units/ADUs/JADUs <del>annually</del> <a href="#">every two years (four total in planning period)</a>.</li> </ul>

<p>Goal A: Identify Adequate Sites</p> <p>Goal B: Assist in making affordable units available</p>	<p><b>Program 2.2 Accessory Dwelling Units.</b></p> <p>The Town's zoning regulations allows an ADU or JADU subject only to a building permit under subsection 5.19.040(A) may be created on a lot in a residential or mixed-use zone. To maximize ADU development, this program will incorporate additional provisions beyond those required under State law including the following:</p> <ul style="list-style-type: none"> <li>• Seek grants to help with ADU development</li> <li>• Conduct an annual survey of homeowner interest in ADUs and JADU</li> <li>• Develop ADU and JADU outreach materials</li> <li>• Notify residents of ADU/JADU eligibility</li> </ul> <p>The Town will update the municipal code and ordinance to reflect state law for ADU/JADU that go in effect on January 1, 2023.</p> <p>The Town will continue to facilitate ADU construction by providing information to interested homeowners and on the Town's website and will track the number of new ADUs inquiries, issued permits, and completed projects.</p> <p>ADU production will be monitored on an annual basis and continue to update grant opportunities to help applicants with costs. <a href="#">If no ADUs applications have been processed midway through the planning period (by end of 2027), the Town will proactively identify housing units in the Sterling Park neighborhood that could potentially be suitable for ADU construction (via conversion or construction) and pursue targeted outreach with property owners.</a></p>	<p>Annually starting in 2023 through 2031.</p> <ul style="list-style-type: none"> <li>• <a href="#">Apply for grants by end of 2027, at least every two years thereafter.</a></li> <li>• <a href="#">Conduct first survey by end of 2025, annually thereafter.</a></li> <li>• <a href="#">Develop outreach materials by 2025 (to go with survey), annually thereafter.</a></li> <li>• <a href="#">Outreach materials will include notice of residents and property owners of ADU/JADU eligibility.</a></li> <li>• <a href="#">If no ADU applications have been processed by end of 2027, begin targeted lot analysis and outreach in 2028, with outreach concluding by end of 2029.</a></li> </ul>	<p>The planning department is responsible for all ADU/JADU programs including the Town's municipal code and ordinance related to ADUs/JADUs.</p>	<ul style="list-style-type: none"> <li>• To increase the number of completed ADU/JADU by the end of 2031.</li> <li>• Starting in 2023, one (1) second units/ADUs/JADUs <del>annually every two years</del> <a href="#">(four total in planning period).</a></li> <li>• To have annual outreach materials, surveys, and housing-related workshops to highlight ADUs/JADUs and provide updates to state legislation (if changes have been made)-) <a href="#">beginning in 2024.</a></li> </ul>
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	<p>In March 2017, the Town adopted an Ordinance related to any proposed ADU or JADU that does not conform to the objective standards set forth in Municipal Code Section 5.19, may be allowed with a Conditional Use Permit, in accordance with section 5.030.400 through 5.030.430.</p>			
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Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
<b>Policy 3: Provide incentives that encourage affordable high-density residential uses near major regional transportation facilities.</b>				
<p>Goal A: Identify Adequate Sites</p> <p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b>Program 3.1 Develop Objective Development and Design Standards for Planned Development Districts and create Administrative Approval Process.</b></p> <p>Pursuant to the Colma Zoning Ordinance, parcels zoned as "Planned Development (PD)" permit a mix of uses, including both residential and commercial. Higher-density, multi-unit family residential developments are permitted in PD zones.</p> <p><a href="#">Until the Objective Development and Design Standards are established, the Planned Development Process described beginning on page H-99 is in effect.</a></p>	<p>Starting in 2023 through 2031 and as inquiries are presented</p>	<ul style="list-style-type: none"> <li>The Planning Department will establish clear objective design and development standards for "PD" Districts- <a href="#">(by end of 2025)</a>.</li> <li>The Planning Department will establish an Administrative Approval Process to streamline review of any high-density or mixed-use projects in the PD District- <a href="#">(by end of 2025)</a>.</li> </ul>	<p>For each commercial, and residential project, review and analyze the optimization of developable land-:</p> <ul style="list-style-type: none"> <li>The .41-acre site on El Camino Real and Collins Avenue, at least <del>8</del><sup>12</sup> residential units.</li> <li>The .72-acre site on Collins Avenue near El Camino Real, at least <del>14</del><sup>17</sup> residential units.</li> <li>Removes any constraints from requiring high-density residential or mixed-use projects to undergo a discretionary review process.</li> <li>Establishes objective development and design standards and administrative processing procedures that will streamline the housing review process for high-residential and mixed-use projects in PD Districts.</li> </ul>

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
Goal B: Assist in making affordable units available	<p><b>Program 3.2 Update the Town’s Density Bonus Provisions to Stay Consistent with State Density Bonus Law.</b></p> <p>In December of 2005, the Town adopted a Density Bonus Ordinance that provides for the granting of concessions and an increase in density for qualifying residential projects, consistent with State Law.</p>	<p>Annual review of the State’s Density Bonus Law and update the Town’s Ordinance as needed.</p> <p><a href="#">The first assessment and, if necessary, update will take place by the end of 2023.</a></p>	<ul style="list-style-type: none"> <li>• The planning department will assess and make any required amendments to the Town’s Density Bonus Ordinance to stay consistent with State density bonus laws.</li> <li>• City Council is responsible for the adoption of updates to the Town’s Density Bonus Ordinance.</li> </ul>	<p>A total of 22 extremely low-, 22 very low-, and 25 low-income affordable units by the end of 6<sup>th</sup> Housing Element cycle.</p>
Goal B: Assist in making affordable units available	<p><b>Program 3.3 High-Density Housing Near Colma and South San Francisco BART Stations.</b></p> <p>Per state law, parking minimums are no longer required on projects that are located within .5 mile of high-quality transit, which can be utilized in the density identified in the 2040 General Plan from 30 du/ac to higher densities.</p>	<p>Starting in 2023, annually review state legislature and update Town’s ordinance as needed. <a href="#">The first zoning amendments will take place by the end of 2023. Outreach will begin in 2024, and will include mailings (to both address and owner address, if different) as well as</a></p>	<ul style="list-style-type: none"> <li>• Planning Department is responsible for keeping up to date with state laws, identifying applicable property owners, and annual engagement.</li> <li>• The planning department will identify and reach out to applicable property owners in the vicinity of the BART stations to utilize state law removing parking requirements and</li> </ul>	<ul style="list-style-type: none"> <li>• Vacant parcels that are located near BART stations, encourage development to be over 30 du/ac.</li> <li>• Updated parking standards will facilitate in feasibility of high-density development near the BART station.</li> <li>• Remove constraints for projects that meet all characteristics for a Categorical Exemption under CEQA for infill development projects.</li> </ul>

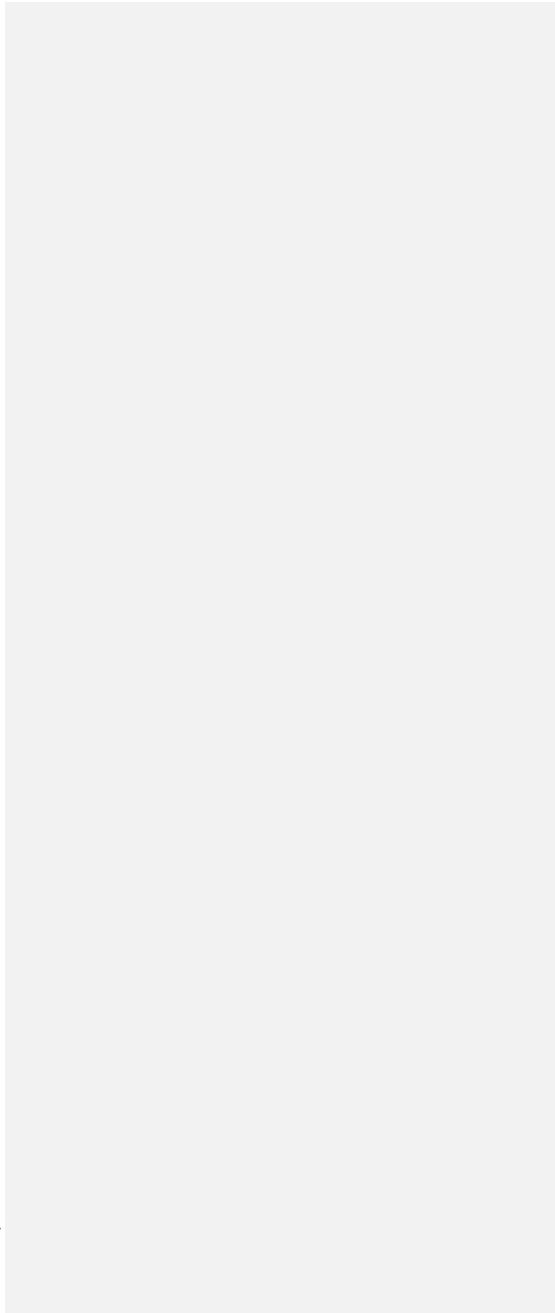
Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
		<a href="#">an open house at Town Hall once every two years.</a>	<p>maximize housing units including affordable units.</p> <ul style="list-style-type: none"> <li>As part of the Zoning Code update in 2023, the Planning Department will update the Town's parking standards to include objective parking standards that will help facilitate a compact, well-designed residential development.</li> <li>The Planning Department will review and process qualified urban infill and residential projects with a categorical exemption under CEQA. The use of the CEQA exemption will be assessed on a case-by-case basis to ensure projects are absent of any potentially significant environmental impacts.</li> </ul>	<ul style="list-style-type: none"> <li>At 7733 El Camino Real, at least 16 total housing units, but encourage more.</li> <li>At 7778 El Camino Real, at least 15 total housing units, but encourage more.</li> </ul>

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
Goal B: Assist in making affordable units available	<p><b>Program 3.4 Inclusionary Housing.</b></p> <p>The Town adopted an Inclusionary Housing Ordinance amendment which requires developments of 5 or more units including 20% inclusionary affordable units or pay an in-lieu fee to the Colma Housing Trust Fund. The program will help support the inclusion of units at extremely low-, very-low, low-,and moderate income levels.</p>	Starting in 2023, and annually through 2031.	<p>City Manager administers the Housing Fund.</p> <ul style="list-style-type: none"> <li>• Planning department will record, assess parcels, and reach out to housing developers.</li> <li>• The planning department will identify and keep a record of possible developable parcels within the town in which monies from the Housing Fund can be utilized.</li> <li>• The planning department will contact for-profit and nonprofit developers to gauge interest in identified parcels</li> </ul>	Develop a total of 22 extremely low-, 22 very low-, and 25 low-income units by the end of 6 <sup>th</sup> Housing Element cycle.
Goal A: Identify Adequate Sites  Goal B: Assist in making affordable units available	<p><b>Program 3.5 Establish a Housing Element Overlay Zone</b></p> <p>The planning department will create a new overlay district based on the opportunity sites from the 6<sup>th</sup> cycle Housing Element. This overlay district will reflect state law that will be effective January 1, 2023. Some highlights of this overlay district will be:</p>	2023 through 2031. This overlay will go into effect once the 6 <sup>th</sup> cycle Housing Element is adopted by City Council and certified by HCD <a href="#">with the zoning</a>	<ul style="list-style-type: none"> <li>• Create a new overlay district based on the opportunity sites from the 6<sup>th</sup> cycle Housing Element. This overlay district will reflect state law that will be effective January 1, 2023. Some</li> </ul>	By the end of the 6 <sup>th</sup> Housing Element cycle, to have built 22 extremely low-, 22 very-low, 25 low, 37 moderate, and 96 above-moderate units for a total of 202 units.

Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
<p>Goal C: Remove governmental constraints</p>	<ul style="list-style-type: none"> <li>Residential use on commercially zoned property without rezoning for projects that pay prevailing wages</li> <li>CEQA-exempt ministerial approval pathway on commercially zoned land for qualifying residential development that meets affordable housing targets and pays prevailing wages</li> <li><u>No parking minimums within half-mile of high-quality transit.</u></li> <li><u>Non-discretionary approval of projects using the Planned Development Objective Design and Development Standards (see Program 3.1)</u></li> </ul> <p><u>These sites will also allow development by right pursuant to State statutes (Gov Code 65583.2 (h) and 65583.2(i)), meeting the following requirements:</u></p> <ul style="list-style-type: none"> <li><u>Permit multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower-income households</u></li> <li><u>Permit a minimum of 20 units per acre</u></li> <li><u>Allow a minimum of 16 units per site</u></li> <li><u>Accommodate at least 50 percent of the lower income need on sites designated for residential use only, otherwise allow 100 percent residential use and require residential to occupy at least 50 percent of the floor area in a mixed-use project.</u></li> </ul> <p><u>This rezone effort will ensure compliance with <i>Martinez v. City of Clovis (2023) 90 Cal.App.5th 193, 307 Cal.Rptr.3d 64.</i></u></p>	<p><u>code amended by the end of 2023.</u></p>	<p>highlights of this overlay district will be:</p> <ul style="list-style-type: none"> <li>Residential use on commercially zoned property without rezoning for projects that pay prevailing wages</li> <li>CEQA-exempt ministerial approval pathway on commercially zoned land for qualifying residential development that meets affordable housing targets and pays prevailing wages</li> <li>No parking minimums within half-mile of public</li> <li>City Council to approve overlay district- as part of <u>General Plan Update amendment, by March zoning code update in 2023.</u></li> </ul>	



Related Goal	Implementing Program	Timeframe	Tasks & Responsibility	Quantified Objective
<p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b><u>Program 3.6 Streamlining Ministerial Review Process for SB 35 projects</u></b></p> <p>The Town is currently subject to SB 35 processes for proposed developments with at least 10 percent affordability. The Town will develop written procedures for SB 35 applications at both 10 percent affordability as well as for applications with at least 50 percent affordability in case there is a change in Colma's eligibility in the future.</p>	<p>Develop streamlining procedures by 2026.</p>	<p>Planning Department shall oversee drafting of written procedures for SB 35 ministerial eligibility &amp; process</p>	<p>Ease development of multifamily housing in Colma.</p>
<p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b><u>Program 3.7: Remove 6-unit Limit</u></b></p> <p>Remove multifamily limit of 6 units without a Conditional Use Permit process in C and R zones.</p>	<p>Amend the Zoning code by the end of 2023.</p>	<ul style="list-style-type: none"> <li>• Planning Department will revise zoning ordinance</li> </ul>	<p>Ease development of multifamily housing in Colma.</p>
<p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b><u>Program 3.8: Revise Parking Standards</u></b></p> <p>Amend the zoning code to require only 1 parking space (either covered or uncovered) for studio and one-bedroom units.</p>	<p>Amend the Zoning code by the end of 2023.</p>	<ul style="list-style-type: none"> <li>• Planning Department will revise zoning ordinance</li> </ul>	<p>Ease development of smaller units in multifamily housing in Colma.</p>



**Policy 4: Provide Housing accessible to persons with special needs, including seniors, persons with disabilities, and homeless persons.**

<p>Goal C: Remove governmental constraints</p> <p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 4.1 Reasonable Accommodations Ordinance Public Information, Ordinance Amendment and Monitoring</b></p> <p>In January 2007, the Town adopted an ordinance amending the Colma Municipal Code to provide a procedure by which persons with disabilities can request reasonable accommodation in seeking equal access to housing. The procedure includes an application form, establishes review authority, requires public noticing and requires findings. In March 2015, the Town amended its Reasonable Accommodation Ordinance to remove provisions that are not in compliance with fair housing laws. The Town will continue to provide public information to continue to allow for reasonable accommodation for persons with special needs- <a href="#">on the Town website</a>. The Town will regularly monitor the implementation of the Town’s codes, policies, and procedures to ensure that they comply with the “reasonable accommodation” for disabled provisions and all fair housing laws.</p> <p><a href="#">The Reasonable Accommodation ordinance will be modified to clarify that no fee is required, no public notice is required, and to remove any other identified constraints.</a></p>	<p>Ongoing- <a href="#">continuing in Amend ordinance to clarify fee by end of 2023</a>, and <a href="#">review</a> annually.</p>	<ul style="list-style-type: none"> <li>• The Planning Department is responsible for amending and providing information about the municipal zoning code and monitoring the implementation of the Town’s codes, policies, and procedures to ensure that they comply with the “reasonable accommodation” for disabled provisions and all fair housing laws.</li> <li>• The Planning Department shall assess all available resources available to the Town for use in funding and operation of services, programs, or activities that support reasonable accommodations for segmented groups with disabilities.</li> <li>• The Planning Department will work with the ADA Coordinator to obtain guidance on the</li> </ul>	<p>To ensure that reasonable accommodation is made for individuals to have equal access to housing.</p>
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			reasonable accommodations' application process. <a href="#">Any revisions will be complete by the end of 2023.</a>	
Goal E: Preserve assisted housing developments at-risk of conversion to market-rate.  Goal F: Equal Opportunity for Housing	<b>Program 4.2 Expand Senior Housing Opportunities.</b> Through this program the Town maintains and manages Creekside Villas, an 18-unit Senior Housing Complex on El Camino Real. The current rental structure is designed to provide subsidized and affordable units to low-income seniors. This program <del>aims to</del> will preserve affordable housing units for the senior population in town <a href="#">by continuing to fund maintenance and management of the facility (the facility is currently considered low risk)</a> .	<a href="#">Ongoing</a> <a href="#">Ongoing, with maintenance and management provided as appropriate (annually/monthly) from Housing Element adoption</a>	<ul style="list-style-type: none"> <li>Town of Colma Administration and the Department of Public Works are responsible for <a href="#">ongoing</a> maintenance/management of the facility.</li> <li>The Planning Department will work with developers to identify and expand senior housing opportunities in mixed-use and high-density multi-family housing projects.</li> </ul>	<ul style="list-style-type: none"> <li><del>To maintain</del> <a href="#">To preserve 18 very low units as</a> affordable housing for seniors within the community.</li> <li>To integrate senior housing into mixed-use and high-density developments in areas that are suitable for more modest income seniors.</li> </ul>
Goal F: Equal Opportunity for Housing	<b>Program 4.3 Identify Opportunities for Emergency Shelters and Homeless Assistance.</b> California Government Code Section 65583(a) (4) requires Colma to assess the need for emergency homeless shelters and zones to permit these shelters by right and without environmental review. In May of 2013, the Town of Colma amended its Municipal Code to implement Government Code Section 65583(a) 94). The amendment allows for the construction of an emergency homeless shelter within the Commercial (C) district.	<a href="#">Ongoing</a> <a href="#">Ongoing, with outreach tasks as defined in "Tasks &amp; Responsibilities". The town will amend 5.03.290(d)(2)(iv) by the end of 2023.</a>	<ul style="list-style-type: none"> <li>The Planning Department will work with LifeMoves to obtain resources for homeless individuals- <a href="#">(annually, beginning in 2024).</a></li> <li>The Planning Department will update the Town's website with</li> </ul>	<ul style="list-style-type: none"> <li>Promote housing and services for homeless individuals by supporting agencies such as LifeMoves.</li> </ul>

	<p>The Town of Colma supports LifeMoves for resources to homeless individuals and families or those at risk of being homeless.</p> <p><u>The Town will revise its zoning ordinance (5.03.290(d)(2)(iv)) in order to raise the limit of beds in emergency shelters from 5 to 30 and to have parking requirements sufficient to accommodate all staff working in the emergency shelter, provided the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.</u></p>		<p>resource and guidance for individuals seeking homeless assistance- <u>(annually, beginning in 2024).</u></p> <ul style="list-style-type: none"> <li>• The Planning Department will provide street outreach through volunteers and Homeless Liaisons- <u>(annually, beginning in 2024)</u></li> <li>• Planning Department responsible for advising a potential developer of an emergency shelter of the zoning provisions- <u>(ongoing).</u></li> <li>• Building Department responsible for processing building permits.</li> </ul>	
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<p>Goal F: Equal Opportunity for Housing</p>	<p><b>Program 4.4 Housing Opportunities for Persons with Developmental Disabilities</b></p> <p>Provide housing opportunities for individuals with disabilities so that they have access to public services in the least restrictive and most integrative setting appropriate to their needs.</p> <p>Identify areas where community-based housing could exist and create outreach programs to identify residents in Colma who need this type of housing and services.</p> <p><a href="#">Amend zoning code to ensure group homes for both six or fewer and seven or more residents are allowed objectively with approval certainty in all zones that allow residential uses and similar to other residential uses of the same form.</a></p>	<ul style="list-style-type: none"> <li>• <a href="#">Ongoing Providing housing opportunities on an ongoing basis</a></li> <li>• <a href="#">Implement identification of areas where community-based housing could exist and create outreach programs by end of 2025</a></li> <li>• <a href="#">Amend zoning code by end of 2023.</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">The Planning Department will amend the zoning code (by end of 2023)</a></li> <li>• The Planning Department will identify existing community-based housing types such as community care facilities and group homes- <a href="#">(by end of 2025)</a>.</li> <li>• The Planning Department will prepare outreach programs to inform Colma residents and families of available housing and services for persons with developmental disabilities- <a href="#">(by end of 2025)</a>.</li> <li>• The Planning Department will reach out to local service providers of special needs groups to assist in the identification and analysis of constraints to the provision of housing for persons with disabilities- <a href="#">(first by end</a></li> </ul>	<ul style="list-style-type: none"> <li>• Provide equal opportunity for segmented groups with developmental disabilities to be able to live independently in an affordable housing.</li> <li>• Supports a variety of housing types to help address needs of persons with developmental disabilities.</li> <li>• Identifies unmet needs to overcome any constraints, including lack of capacity and available resources for segmented groups.</li> </ul>
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			<p><a href="#">of 2025, ongoing thereafter).</a></p> <ul style="list-style-type: none"> <li>The Planning Department will assess and implement development standards that supports by-right zoning for care facilities, including residential care facilities, that would contribute to affordable housing for segmented groups- <a href="#">(by end of 2027).</a></li> </ul>	
<p><a href="#">Goal B: Assist in making affordable units available</a></p> <p>Goal F: Equal Opportunity for Housing</p>	<p><b>Program 4.5 Low-Barrier Navigation Centers</b></p> <p>To comply with AB 101, the Town will amend the zoning code to permit Low-Barrier Navigation Centers in the <a href="#">R_C Zone and PD Zones</a>. Low-Barrier Navigation Centers as defined by Government Code 65660(a) is housing or shelter in which a resident who is homeless or at risk of homelessness may live temporarily while waiting to move into permanent housing.</p>	<p>Amend the zoning code prior to the end of 2023.</p>	<p>The planning department will update the zoning code</p>	<ul style="list-style-type: none"> <li>Identify areas where Low-Barrier Navigations could exist</li> <li>Support temporary housing types to help address the needs of those who are homeless or at risk of homelessness.</li> </ul>

<p>Goal B: Assist in making affordable units available</p>	<p><b>Program 4.6 Transitional and Supportive Housing</b>  <a href="#">In May of 2013, the Town of Colma amended its Municipal Code to allow transitional and supportive housing as a residential use of property of the same type and in the same zone, with no restriction on the number of units within the Commercial/Multi-family zone as per AB 2162.</a></p>	<p><a href="#">Amend the zoning code prior to the end of 2023.</a>  <a href="#">Begin outreach in 2024, annually thereafter.</a></p>	<p><a href="#">The planning department will update the zoning code, conduct outreach</a></p>	<ul style="list-style-type: none"> <li><a href="#">Ease development of transitional and supportive housing for special needs populations</a></li> </ul>	
<p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><a href="#">The Town will amend the zoning code to allow transitional and supportive housing as a residential use only subject to those restrictions that apply to other residential dwellings of the same type in the same zone, in the Commercial, Residential, and Planned Development zones (where "multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses" per Gov. Code 65651) if proposed supportive development meets all the requirements of Gov. Code 65651.</a>  <a href="#">The town will provide information regarding the Town's transitional and supportive housing opportunities to local developers through counter handouts and interactions, and on the Town's website.</a></p>				



<p>Goal B: Assist in making affordable units available</p> <p>Goal C: Remove governmental constraints</p>	<p><b><u>Program 4.7: Priority Sewer Access</u></b></p> <p><u>Work with water and sewer service providers (Cal Water, via South San Francisco) to establish specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households as per Gov. Code 65589.7.</u></p>	<p><u>Send housing element to Cal Water and South San Francisco upon housing element certification and subsequent adoption. Establish procedures by end of 2025.</u></p>	<p><u>The Town will deliver the Housing Element to Cal Water and South San Francisco with a cover memo describing the Town's housing element, including the Town's housing needs and regional housing need.</u></p>	<ul style="list-style-type: none"> <li><u>Ease development of lower-income units.</u></li> </ul>
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**Policy 5: Assist citizens in locating and retaining affordable housing and promote equal housing opportunity and fair housing.**

<p>Goal B: Assist in making affordable units available</p> <p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b><u>Program 5.1 Knowledgeable Housing Referral.</u></b></p> <p><u>The Colma Planning Department currently retains a listing of major agencies and organizations active in housing related services in nearby cities and a listing of relevant regional, state, and federal offices providing project funding and individual assistance. Persons requesting information or assistance relative to fair housing discrimination complaints shall be referred to the County Community Services Department and provided with State and Federal printed information concerning Fair Housing Law and rights. Local fair housing policies <del>are</del><u>will be</u> posted <u>proactively</u> for public review at the Town Hall, Colma Community Center, <u>Veterans Village</u> and Creekside Villas - the Town's Senior Housing Complex, <u>as well as all rental housing developments.</u></u></p> <p><u>Information about housing-related services and fair housing</u></p>	<p><u>Ongoing implementation of existing program- Annual updating of Update lists of major agencies and organizations active in housing related services- (annually). Outreach posters posted quarterly. beginning in Q3 2024.</u></p>	<p><u>Planning Department will continue to <del>manage existing program</del> track available funding and resources for affordable housing- assistance and make this information publicly available.</u></p>	<p><u>To ensure that referrals can be made to provide equal access to housing- Increase public awareness of fair housing laws and requirements.</u></p>
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	<a href="#">discrimination complaints will be distributed through Council announcements, as well as one outreach event annually (which can be done in concurrence with another outreach event of similar nature)</a>	<a href="#">The first outreach event will be conducted by the end of 2025.</a>		
Goal E: Preserve assisted housing developments at-risk of conversion to market-rate.  Goal F: Affirmatively Furthering Fair Housing	<b>Program 5.2 Human Investment Project (HIP) Support.</b> The Town supports the Human Investment Project (HIP), which provides affordable housing opportunities to residents of San Mateo County such as a Home Sharing Program for the elderly and roommate referral. Information about HIP is periodically printed in the Town's monthly newsletter.	Ongoing implementation of existing program. Annual outreach to HIP Housing.	Planning Department is responsible for the ongoing management of the existing program. City Council is responsible for the approval of any monetary support.	Support better utilization and maintenance of existing housing stock and provides affordable housing.
Goal B: Assist in making affordable units available  Goal F: Affirmatively Furthering Fair Housing	<b>Program 5.3 Section 8 Rental Assistance.</b> Through this program, the Town actively encourages very-low to low income households to apply to the San Mateo Housing Authority for rent subsidies. Information on application dates and contacts will be disbursed to the community by the Colma Planning Department, in addition to the Housing Authority's local advertisement. The Town's existing newsletter, mailed to all households, is also utilized to distribute information, as is the Town's website.	<ul style="list-style-type: none"> <li>• Ongoing implementation of existing program.</li> <li>• Bi-annual assessment of program and coordination with landlords</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Department is responsible for the ongoing management of the existing program.</li> <li>• Planning Department conduct outreach programs that focus on promoting Section 8 Rental Assistance</li> <li>• Planning Department will contact and coordinate with landlords of affordable</li> </ul>	<ul style="list-style-type: none"> <li>• Continues to encourage qualified persons to participate in Section 8 Rental Assistance.</li> <li>• Ensures that information is provided to qualified applicants to provide equal access to housing.</li> </ul>

			multifamily complexes bi-annually to provide information and assistance on the program.	
<p>Goal B: Assist in making affordable units available</p> <p>Goal E: Preserve assisted housing developments.</p> <p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 5.4 Address <del>needs</del>Needs of Extremely Low-Income Households.</b></p> <p>To address the housing needs of extremely low-<del>income, very low, low, low and moderate</del>-income households, the Town will identify and meet with property owners and nonprofit builders annually who specialize in building housing for extremely low-income households including those with special needs and veterans. This effort is designed to build a long-term partnership in development, assist potential developers in gaining access to specialized funding sources, identify the range of local resources and assistance needed to facilitate the development of housing for extremely low-income households, and to promote a variety of housing types, including higher density, multi-family, and shared housing.</p> <p><a href="#">The Town will publish debriefing materials after the annual meetings to the Town website and on postings in Town Hall, the Colma Community Center, Veterans Village, Creekside Villas and in Council announcements. The debriefings will include implementation steps, including the following:</a></p> <p><a href="#">1) Pursuing a Pro-Housing designation through State HCD to allow greater access to funds in support of ELI housing (2024)</a></p>	<p>Ongoing. Meetings with property owners and non-profit developers on an annual basis.</p> <p>Planning Department Staff participated in several panel discussions and interacted with developers and housing advocates as part of the 21 Elements process to prepare this Housing Element.</p> <p><a href="#">Additional actions as per notes per numbered list.</a></p>	<ul style="list-style-type: none"> <li>• Planning Department will lead the outreach and information <del>dispersal</del><a href="#">distribution</a> efforts- <a href="#">(annually, beginning in 2024).</a></li> <li>• Planning Department will develop concessions for developers who include extremely low-income units within affordable housing developments- <a href="#">(by end of 2025).</a></li> <li>• <a href="#">Planning Department will plan annual meeting and publish debriefing materials/implementation action plan (first meeting in 2024, debriefing to be published not more than 60 days after meeting.</a></li> </ul>	<p>Assists developers and property owners in making affordable units available, which, in turn, provides equal housing opportunities to segmented groups</p>

	<p><a href="#">2) Amending the zoning code to specify incentives for the development of ELI housing, including identifying opportunities for SROs and permanent supportive housing, priority development processing and flexible development standards. Incentives could include reduced fees, streamlined processes, special density bonus or priority for use of Town in-lieu fees to support the production of units for extremely low income households (2025).</a></p> <p><a href="#">3) Pursuing an ADU funding program to assist homeowners who agree to place affordability restrictions on their ADU (program research in 2024, establish program pending available funds in 2026).</a></p>		<ul style="list-style-type: none"> <li>• <a href="#">Planning Department will lead on implementation steps</a></li> </ul>	
Goal B: Assist in making affordable units available	<p><b>Program 5.5 Demonstrate consistency with the Employee Housing Act.</b></p> <p>Amend the zoning code to allow for employee housing for six or fewer employees to be treated as and permitted in the same zones as single-family structures and employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as agricultural uses in the same zone.</p>	Amend the zoning code prior to the end of 2023.	The planning department will update the zoning code.	<ul style="list-style-type: none"> <li>• To ensure that the Town is consistent with the Employee Housing Act.</li> <li>• Support various housing types to help address the needs of employees in Colma</li> </ul>
Goal B: Assist in making affordable units available  Goal F: Affirmatively Furthering Fair Housing	<p><b>Program 5.6 Single Room Occupancy (SRO Housing)</b></p> <p>Amend the zoning code to allow for single room occupancy housing in the Colma zoning code in R-S, and C zoning districts. Add "single room occupancy housing" to the definition section of the zoning code.</p>	Amend the zoning code prior to the end of 2023.	The planning department will update the zoning code.	To ensure that reasonable accommodation is made for individuals to have equal access to housing.

<p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 5.7 AFFH Action Plan</b> The City will implement AFFH actions listed in Table H-41.</p>	<p>Ongoing, as per actions itemized in Table H-41.</p>	<p>Planning department, with support as per actions itemized in Table H-41.</p>	<p>Affirmatively further fair housing in Colma.</p>
<p><b>Policy 6: Recommend and promote energy conservation in existing and new housing.</b></p>				
<p>Goal G: Sustainable residential development</p>	<p><b>Program 6.1 Green Building Regulations for Residential Uses.</b> The Sustainability Manager recommend for adoption of reach code (starting January 1, 2023) that all new residential construction to be all-electric, requirements for enhanced vehicle charging infrastructure for new residential and non-residential construction.</p>	<p>Estimated completion of the study will be towards the end of Q4 2022, with considerations and approvals presented to City Council in <a href="#">January</a> <del>January</del> 2023 and to go into effect once adopted by the City Council</p>	<ul style="list-style-type: none"> <li>• Sustainability Manager to coordinate with Planning Department to amend Municipal Code once adopted by City Council.</li> <li>• Building Department to enforce reach code requirements for new construction projects.</li> </ul>	<ul style="list-style-type: none"> <li>• Reduce GHG Emissions from both new residential and non-residential buildings.</li> <li>• Reduce the reliance on natural gas.</li> </ul>
<p>Goal G: Sustainable residential development</p>	<p><b>Program 6.2 Encourage use of cool roofing systems and other energy conservation measures to reduce a building's energy usage.</b> Utilizing the Town's website and residential newsletter, the Town will provide information to the public on programs to assist in the provision of energy efficiency measures during new construction or as a residential retrofit. This includes updates to the existing program and new rebate programs.</p>	<p><a href="#">Proactive Outreach</a> <a href="#">Proactive outreach quarterly using website and newsletter, beginning Q1 2024.</a> <a href="#">Applicants of new projects will be informed of</a></p>	<ul style="list-style-type: none"> <li>• Planning and Building Departments to proactively educate applicants for applicable projects.</li> </ul>	<ul style="list-style-type: none"> <li>• To create new and sustainable residential development.</li> <li>• To retrofit existing structures to increase efficiency and reduce energy use and cost.</li> </ul>

		<a href="#">programs upon initial application (if not in pre-application discussions).</a>		
<b>Policy 7: Promote the conservation and improvement of the condition of existing housing stock and encourage remodeling and expansion efforts by homeowners.</b>				
<p>Goal D: Conserve and improve the condition of the existing housing stock.</p> <p>Goal E: Preserve assisted housing developments at-risk of conversion to market- rate.</p>	<p><b>Program 7.1 "Rebuilding Together Peninsula" Participation.</b></p> <p>The Town will continue <del>affin</del><a href="#">AFFH in</a> Rebuilding Together Peninsula as opportunities arise. Rebuilding Together Peninsula is a program organized by the Mid-Peninsula Housing Coalition.</p> <p>Through this program, Colma citizens and employees volunteer to rehabilitate a residence in the area, so their neighbors can live in warmth, safety and independence.</p>	<p>Ongoing participation in existing program.</p>	<p>All Town staff and residents responsible for participation.</p>	<p>To conserve and improve the condition of the existing housing stock- <a href="#">targeting 4 rehabilitated units in the 8-year planning period.</a></p>
<p>Goal D: Conserve and improve the condition of the existing housing stock.</p>	<p><b>Program 7.2 Neighborhood Improvement (Code Enforcement).</b></p> <p>Continue neighborhood improvement efforts through an active code enforcement program and provide staff as needed to improve residential areas.</p> <p><a href="#">The Town of Colma's Neighborhood Improvement - Code Enforcement program will use code enforcement complaints to:</a></p>	<p><del>Completed-The</del> Ordinance <a href="#">was</a> adopted September 12, 2012. <del>Ongoing code enforcement program</del><a href="#">Housing stock assessment will continue annually, with area</a></p>	<ul style="list-style-type: none"> <li>• Planning Department will assess the conditions of the existing housing stock to determine processes <del>for which cleanup and for</del><a href="#">cleanup, maintenance, and rehabilitation (if applicable)</a></li> </ul>	<p>Conserves and improves the conditions of the existing housing stock- <a href="#">targeting 16 rehabilitated units in the 8-year planning period.</a></p>

	<p>1. <u>Continually identify which areas within the jurisdiction to focus their rehabilitation efforts.</u></p> <p>2. <u>Identify which complaints are relevant to home conditions to ensure program effectiveness.</u></p> <p><u>Currently, the average annual number of complaints received for 2020-2023 is 7, with over half of code enforcement cases occurring in the Sterling Park neighborhood. Using this average as a baseline, the town of Colma will commit to ensuring at minimum 2 units annually (16 over the course of the 8-year planning period) are rehabilitated with support from the Town.</u></p> <p><u>The Code Enforcement program is not a crime free ordinance.</u></p>	<p><u>analysis done first by the end of 2023.</u></p>	<ul style="list-style-type: none"> <li>• Planning Department will seek out funding sources to assist with residential maintenance</li> <li>• Code Enforcement will assist with the inventory of residential units in need of maintenance <del>and</del> <u>by analyzing complaints and identifying which indicate housing in need of rehabilitation. Town of Colma</u> will coordinate with the Planning Department to assess common maintenance items.</li> <li>• Planning Department, with assistance from the Building Official and City Attorney's office.</li> </ul>	
<p>Goal D: Conserve and improve the condition of the existing housing stock.</p>	<p><b>Program 7.3 Organize Community Clean Up Days.</b></p> <p>Town will organize community clean up days, to promote rehabilitation, renovation, and home care. Programs include waste hauling programs, Town-provided painting materials, other renovation supplies, and organize volunteers.</p>	<p>Ongoing – the Town organizes community clean-up days on an annual basis.</p>	<p>Planning and Recreation departments responsible for program. City Council is responsible for adopting program.</p>	<p>To conserve and improve the condition of the existing housing stock.</p>
<p><b>Policy 8: Promote public participation transparency in housing and land use plans</b></p>				

<p>Goal C: Remove governmental constraints</p> <p>Goal F: Affirmatively Furthering Fair Housing</p>	<p><b>Program 8.1 Housing and Land Use Public Participation</b></p> <p>The Town will undertake public participation from all segments of the community including residents, members of workforce, all economic segments, and special needs groups regarding housing and land use in town.</p>	<p>Starting in 2023 and on an annual basis.</p>	<p>Planning Department will focus its outreach to the underrepresented, providing materials in various languages and in digital and print media. Projects related to housing will be continually updated on the Town's website as needed.</p>	<ul style="list-style-type: none"> <li>• Annual outreach to underrepresented community members which result in upward trending participation.</li> <li>• Update housing related projects on the Town's website as needed.</li> </ul>
<p>Goal C: Remove governmental constraints</p> <p>Goal F: AFFH</p>	<p><b>Program 8.2 Zoning and Fees Transparency</b></p> <p>The Town will post all zoning and development standards as well as inclusionary requirements for each parcel on its website.</p>	<p>Starting in 2023. Updating as opportunity sites are developed or new sites are made available.</p>	<p>Planning Department will organize all opportunity sites which will include objective development standards, inclusionary standards for all income levels, and fees.</p>	<ul style="list-style-type: none"> <li>• Update housing related projects on the Town's website as needed.</li> <li>• Meet inclusionary housing units for all income levels for the 6<sup>th</sup> cycle.</li> </ul>



## QUANTIFIED OBJECTIVES

Table H-5862 summarizes quantified objectives for the construction, rehabilitation and conservation of housing in the Town of Colma for this Housing Element. The RHNA allocation for the town includes ~~44 very low (this includes 22 extremely low incomes), 22 very low,~~ 25 very low, 37 moderate, and 96 above moderate units for a total of 202 units. ~~To account~~ ~~These are the New Construction Objectives, although the Site Inventory identifies more units in each of these categories. Rehabilitation goal include 16 units targeted in 7.1 (8 at moderate income, 8 at low income) and the 4 units targeted in Program 7.2 (at very low income). The Conservation/Preservation goal includes preserving the 18 units at Creekside Villas for extremely low income units, the allocated 44 units for very low is divided in half, where 26 new units will be allocated to the extremely low-income levels and 27 new units to the very seniors, currently at a low-income levels. At the time of this draft of the Town has not identified any units that may be considered rehabilitation and/or conservation/preservation eligible. Under the Town of Colma Goals, Policies, Programs and Objectives table, Policy 7, the goals are to identify housing units that would be eligible for rehabilitation and/or conservation/preservation. risk for conversion.~~

Table H-5862: Quantified Objectives 2023-2031—

Income Category	RHNA	New Construction		Rehabilitation	Conservation/Preservation	Deleted Cells	
						Total <sup>1</sup>	
Extremely Low (Less than 30% of AMI) <sup>2</sup>		0 <del>22</del>	2 <del>6</del>	0	0	0	Deleted Cells
Very Low (30-50% of AMI)		44 <del>22</del>		27 <del>4</del>	0 <del>18</del>	0 <del>44</del>	Deleted Cells
Low (50-80% of AMI)		25		30 <del>8</del>	0	0 <del>33</del>	0
Moderate (80-120% of AMI)		37		44 <del>8</del>	0	0 <del>45</del>	0
Above Moderate (Greater than 120% of AMI)		96	12 <del>8</del>	0	0	0 <del>9</del>	Deleted Cells
Total		202		255 <del>20</del>	0 <del>18</del>	0 <del>24</del>	Deleted Cells

Notes:

<sup>1</sup>Totals in each category are estimated based on site inventory, income category of existing units to be conserved and past performance in rehabilitation.

<sup>2</sup>The "extremely low income" category is not formally included in the RHNA. However, cities are charged with addressing the housing needs of this population in the Housing Element. The extremely low income totals are based on an estimated average of 50 percent of all very low income households, per HCD direction.

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## EVALUATION OF THE PRIOR 2015 HOUSING ELEMENT

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State housing element law requires communities to assess their achievements under adopted housing programs as part of the update of an existing housing element. These results should be quantified where possible (e.g., rehabilitation results), but may be qualitative where necessary (e.g., mitigation of governmental constraints). Past accomplishments are compared with what was projected or planned as part of the earlier housing element. Where significant shortfalls exist between what was planned and what was achieved, the reasons for such differences must be discussed.

The 2015 Housing Element identified a number of programs designed to facilitate affordable housing and quantified the number of units to be achieved through the various programs. An evaluation of the housing programs included in the 2009 Housing Element ultimately informed the policies and programs of the 2015 Housing Element, as several successful programs were carried over to this Housing Element, some less successful programs were modified by either consolidation or through elimination.

### EFFECTIVENESS OF PREVIOUS HOUSING ELEMENTS

The previous Housing Elements have been effective in maintaining, improving and increasing the supply of new housing.

The 2015 Housing Element called for 59 new units. Town records show that 75 new units were built under the 2015 Housing Element, exceeding the goal of 59 units. Therefore, the 2015 Housing Element was highly effective in meeting its RHNA allocation. This success was due to a successful identification of opportunity sites in the Housing Element and policies favorable to housing development.

Special needs populations include elderly, persons with disabilities, large families, female-headed single parent households, farmworkers, persons experiencing homelessness, and extremely low incomes. The Town made a diligent effort in addressing the needs of the housing needs of these groups through the programs and policies in the 2015 Housing Element. As a result of these programs, Veterans Village was built and completed. 31 very-low units and 34 low-income units were made available to Veterans who at one time formerly homeless, low-income, and have special needs.

Colma is in compliance with Assembly Bill 1233, which requires that necessary rezoning identified by the previous Housing Element be adopted within a specific time frame.

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## **APPROPRIATENESS OF THE 2015 HOUSING ELEMENT POLICIES AND PROGRAMS**

After thorough review, staff identified policies and programs from the 2015 Housing Element that will be carried over into the 2023 Housing Element. Some programs have been modified to strengthen the program, some consolidated into one program, and others eliminated. The 2015 Housing Element contains a series of Implementation Programs. Table H-59 provides a program-by-program review considering progress to date in implementation of these program actions, and the continued appropriateness of identified programs. The results of this analysis form the basis for developing the comprehensive housing program strategy presented in the General Plan Housing Element.

## HOUSING ELEMENT PROGRAM EVALUATION (2015-2023)

Table H-5963: Town of Colma Previous Housing Element Accomplishments

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
<b><i>Policy 1: Encourage construction of single family detached homes at all income levels in the Sterling Park residential neighborhood.</i></b>			
<b><i>Program 1.1 Manufactured Housing Design Standards.</i></b> <i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i>	<i>Allows for construction of single-family residences at lower costs, thereby reducing the cost of housing.</i>	<i>In May of 2013 City Council adopted Ordinance No. 720, allowing manufactured homes to be located in a single-family residential zone, provided they are on a permanent foundation, devoid of wheels or axles, meets specified design standards, and established development standards applicable to manufactured homes.</i>	<i>Since adoption of this ordinance in 2013, no requests have been made to construct a manufactured home.</i>  <i>This program is continued in the 2023 Housing Element. (see Program 1.1)</i>  <i>Modifications to the program include annual outreach, developing objective design standards for manufactured housing in single-family housing zoning designations, and encourage developers to utilize lot split under SB 9.</i>
<b><i>Program 1.2 General Plan Consistency Review and Annual Report.</i></b> <i>Continue to conduct an annual Housing Element implementation review consistent with Government Code Section 65400.</i> <i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i>	<i>Increase awareness of decision-makers of annual progress toward meeting Housing Element Goals.</i>	<i>Continue internal consistency review annually and make reports available to the public.</i>	<i>The Town's General Plan was adopted in March 2022 and the Planning Department continues to annual report housing progress to HCD.</i>  <i>This program is continued in the 2023 Housing Element. (See Program 1.2).</i>

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
			Modifications to the program include annual internal consistency review and public reporting of the review on the Town's website.
<b>Policy 2: Encourage construction of second dwelling units where appropriate.</b>			
<p><b>Program 2.1 Second Unit Ordinance.</b> Pursuant to Colma's Zoning Code, second dwelling units are permitted in the "R" Zone, in accordance with state law. Second dwelling units are not permitted in the Sterling Park neighborhood, in order to comply with the maximum density of the 13 units/acre density and to manage parking impacts.</p> <p>Timing: Ongoing Responsibility: Planning Department</p>	To increase the number of second dwelling units; and to encourage the development of second units in areas of the town where they are permitted or conditionally permitted (C and R zones).	Accessory Dwelling Unit (ADU) Ordinance adopted in 2017. The ordinance was amended in 2020 to comply with new state housing laws.	<p>No new second units were constructed under the 2015 Housing Element.</p> <p>This program is effective and will continue in the 2023 Housing Element. (see Program 2.1 and 2.2)</p> <p>Modifications include updating Second Unit Ordinance in 2023, creating outreach materials which include objective design standards for ADU and second units. New ADU program (program 2.2), which includes annual outreach, workshops, and updating ADU ordinance to reflect state law in 2023.</p>
<b>Policy 3: Provide incentives that encourage affordable high-density residential uses near major regional transportation facilities.</b>			
<p><b>Program 3.1 Planned Development Districts and Mixed Use.</b> Pursuant to the Colma Zoning Ordinance, parcels zoned as "Planned Development (PD)" permit a mix of uses, including residential and commercial. Higher density, multi-unit residential developments are permitted in PD zones.</p>	To optimize the use of developable land to maximize the General Plan density of each developable site; and to allow for implementation of Density Bonus	The Planned Development District process is an effective tool in allowing for design flexibility for maximizing unit output. No new Residential Planned Developments were constructed under the 2015 Housing Element.	<p>No new "PD" Districts were established or Mixed Use developments were built in the current cycle.</p> <p>This program will continue in the 2023 Housing Element. (see Program 3.1)</p>

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
<p><i>PD districts may be established in any R or C zone upon application of a property owner or owners, or upon the initiative of the City Council.</i></p> <p><i>Timing: Ongoing</i></p> <p><i>Responsibility: Planning Department</i></p>	<p><i>provisions when appropriate.</i></p>		<p><i>Modifications include objective design standards and development standards for "PD" Districts, establish Administrative Approval Process to streamline review of any high-density or mixed-use projects.</i></p>
<p><b>Program 3.2 Density Bonus and Inclusionary Housing Provisions</b></p> <p><i>Timing: Ongoing</i></p> <p><i>Responsibility: Planning Department</i></p>	<p><i>To increase the supply of housing units through the use of density bonus provisions.</i></p>	<p><i>Evaluation to be completed within one year of Housing Element adoption.</i></p>	<p><i>Colma is participating with other jurisdictions in San Mateo County to prepare a joint Nexus study to the support existing ordinance.</i></p> <p><i>No new housing units were built using Density Bonus and Inclusionary Housing Provisions.</i></p> <p><i>This program is continued in the 2023 Housing Element. (see Program 3.2)</i></p> <p><i>Modifications include annual review of State's Density Bonus Law and make amendments to the Town's Density Bonus Ordinance for consistency.</i></p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 3.3 High-Density Housing Near Colma and South San Francisco BART Stations.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To facilitate the development of housing units and affordable housing units in proximity to the BART station.</i></p>	<p><i>The Town continues to encourage development near the BART Stations. Due to the recession, no units were built.</i></p>	<p><i>No new units were built under the 2015 Housing Element as a result of the economy. This program is continued in the 2023 Housing Element. (see program 3.3)</i></p> <p><i>Modifications include removing parking minimums for projects located within .5 mile of high quality transit, annual review of state legislature, updating the Town's ordinance as needed, outreach to property owners regarding new laws, and updating the Zoning Code to reflect changes.</i></p>
<p><b>Program 3.4 Planner Responsibility to Promote Affordable Housing and Mixed-Use.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To assist in the development of affordable units.</i></p>	<p><i>Ongoing implementation of existing program.</i></p> <p><i>This program and other programs led to Veterans Village to be built during the current housing cycle.</i></p>	<p><i>Routine meetings and inquiries with property owners, citizens and developers as they request information about various properties.</i></p> <p><i>This program and other programs led to Veterans Village to be built during the current housing cycle. While this program was successful, it will be discontinued in the 2023 Housing Element. The planning department has adopted this practice for every vacant and non-vacant site in town.</i></p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 3.5 Planned Development Zoning Provisions for Larger Lot Development.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i>  <i>The Town's Planned Development Ordinance provides for residential development proposals that would not be possible under the available conventional zoning. Establishing a PD or 'Planned Development' allows for site-specific constraints to be taken into account when setting the regulations for development, such as design, setback, and parking standards.</i></p>	<p><i>To optimize the use of developable land to maximize the General Plan density of each developable site; and to allow for implementation of Density Bonus provisions when appropriate.</i></p>	<p><i>None. The Town of Colma only has smaller development sites which are planned to be developed with higher density housing. No opportunities for Planned Development zoning have been presented.</i></p>	<p><i>No new units were constructed under the current housing cycle.</i></p> <p><i>This program is discontinued in the 2023 Housing Element.</i></p>
<p><b>Program 3.6 Ensure No Net Loss of Required Units.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To ensure that all units identified in the Housing Element will be built on designated sites or alternative sites.</i></p>	<p><i>Completed. In May of 2013 City Council adopted Ordinance No. 720, prohibiting the density of any multi-family residential site identified in the 2009 Housing Element from being reduced unless (1) the reduction is consistent with the General Plan and (2) the remaining sites are adequate to meet the Town's allocation of the regional housing needs (RHNA).</i></p>	<p><i>No new units were built under the 2009 Housing Element as a result of the economy, so this program scenario has not presented itself.</i></p> <p><i>This program has been discontinued in the 2015 Housing Element.</i></p>



<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 3.7 Inclusionary Housing.</b>  Timing: Ongoing  Responsibility: Planning Department</p>	<p>To create new affordable housing units both for rent and for sale.</p>	<p>Nexus Study and Housing Impact Fees adopted 2016.</p> <p>This program and other programs led to Veterans Village to be built during the current housing cycle.</p>	<p>This program is continued in the 2023 Housing Element. (see Program 3.4)</p> <p>Modifications to this program include a Inclusionary Housing Ordinance that requires a development of 5 or more to have 20% affordable units or pay an in-lieu fee. The planning department will also proactively reach out to property owners and developers to utilize Housing Fund.</p>
<p><b>Policy 4: Provide Housing accessible to persons with special needs, including seniors, persons with disabilities, and homeless persons.</b></p>			
<p><b>Program 4.1 Reasonable Accommodations Ordinance Enforcement.</b>  Timing: Ongoing  Responsibility: Planning Department</p>	<p>To ensure that reasonable accommodation is made for individuals to have equal access to housing.</p>	<p>No requests for reasonable accommodation were made during the 2015 Housing Element period.</p>	<p>No requests for reasonable accommodation have been made during the reporting period. In January 2007, the Town adopted an ordinance amending the Colma municipal code which outlines the reasonable accommodation process.</p> <p>This program is modified in the 2023 Housing Element. (see program 4.1)</p> <p>Modifications include Planning Department's responsibility to amend, implement, monitor, and provide information about the municipal zoning</p>

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
			<p><i>code. This department will also confirm that the Town's codes, policies, and procedures will comply with the "reasonable accommodation" for disabled provisions and all fair housing laws. Joint efforts with the Town's ADA Coordinator to obtain guidance on reasonable accommodations' application process.</i></p>
<p><b>Program 4.2 Senior Housing.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To maintain affordable housing for seniors within the community.</i></p>	<p><i>Completed and ongoing.</i></p>	<p><i>Through this program the Town maintains and manages Creekside Villas, an 18-unit Senior Housing Complex on El Camino Real. The current rental structure is designed to provide subsidized and affordable units to low-income seniors.</i></p> <p><i>This program is effective and will continue in the 2023 Housing Element. (see program 4.2)</i></p> <p><i>Modifications include the Planning Department identifying opportunities to expand senior housing in mixed-use and high-density multi-family housing projects.</i></p>

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
<p><b>Program 4.3 Emergency Shelters.</b>  Timing: Ongoing  Responsibility: Planning Department</p>	<p>Allowance for an emergency shelter.</p>	<p>Completed. In May of 2013 City Council adopted Ordinance No. 720, allowing emergency shelters on all properties zoned for commercial use, without a conditional use permit or other discretionary permit, and establishing development standards including proximity to other shelters (no closer than 300 feet), vehicle parking for employees, bicycle parking, shelter capacity, client waiting areas, length of stay, screening of outdoor uses, exterior lighting, laundry facilities, and personal property storage applicable to emergency shelters (An emergency shelter is housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less).</p>	<p>No requests for an emergency shelter have been made during the 2015 Housing Element period.</p> <p>This program is effective and will continue in the 2023 Housing Element. (see program 4.3)</p> <p><a href="#">in and working</a> Modifications include working with LifeMoves, updating the Town's website for homeless related assistance, and advising potential developers of emergency shelter and zoning provisions.</p>
<p><b>Program 4.4 Inform local developers of opportunities to provide transitional and supportive housing.</b>  Timing: Ongoing  Responsibility: Planning Department</p>	<p>Allowance for transitional and supportive housing.</p>	<p>Ongoing. Information provided at time of counter interaction.</p>	<p>No dedicated transitional or supportive housing was built in the current housing cycle. Veterans Village does provide housing to formerly homeless veterans and provide supportive services to their residents.</p> <p>This program will not continue in the 2023 Housing Element. Program 4.3 (see</p>

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
			Program 4.3) does cover some of the elements in this program.
<p><b>Program 4.5 Amend the Zoning Code within one year of adoption of the Colma Housing Element to clarify that transitional and supportive housing is considered a residential use of the property, subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p>Allowance for transitional and supportive housing in residential zones.</p>	<p>Completed. In May of 2013 City Council adopted Ordinance No. 720, allowing transitional and supportive housing on all properties zoned for residential or commercial use (Transitional housing is rental housing for a set period of time of at least six months and Supportive housing means rental housing with no limit on length of stay, which is linked to certain support services), and establishing development standards applicable to both.</p>	<p>The Town has amended its zoning code to clarify that the supportive housing is considered a residential use of property. As a result, this program is will not continue in the 2023 Housing Element.</p>
<p><b>Program 4.6. Reach out to local service providers of special needs groups to assist in the identification and analysis of constraints to the provision of housing for persons with disabilities.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p>To ensure that equal access and opportunities are provided to persons with disabilities for housing.</p>	<p>During the preparation process of the 2015 Housing Element, the 21 Elements team facilitated a series of panel discussions to solicit input from stakeholders throughout the county on housing issues. Three meetings were held, with focused stakeholder participants, including housing developers, housing advocates and funding providers, and special needs service providers.</p>	<p>This program is effective and continued in the 2023 Housing Element. (see program 4.4)  Modifications include identifying existing community-based housing types, outreach to residents who have special needs and local providers can assist with special needs. The Planning Department will assess and implements development standards that support by-right zoning for care facilities and affordable housing for segmented groups.</p>
<p><b>Policy 5: Assist citizens in locating and retaining affordable housing and promote equal housing opportunity and fair housing.</b></p>			

Program	Program Objective	Accomplishments	Effectiveness and Appropriateness
<p><b>Program 5.1 Knowledgeable Housing Referral. Timing: Ongoing</b> Responsibility: Planning Department</p>	<p>To ensure that referrals can be made to provide equal access to housing.</p>	<p>Information and referrals made during the reporting period to individuals calling or coming into planning department offices. The Colma Planning Department currently retains a listing of major agencies and organizations active in housing related services in nearby cities and a listing of relevant regional, state, and federal offices providing project funding and individual assistance.</p>	<p>There were no reported violations of fair housing in this cycle. <a href="#">Modifications to this program include incorporating proactive outreach strategies multiple times a year throughout the planning period.</a></p> <p>This program is effective and will continue in the 2023 Housing Element. (see Program 5.1)</p>
<p><b>Program 5.2 Human Investment Project (HIP) Support.</b> Timing: Ongoing Responsibility: Planning Department</p>	<p>Supports better utilization of existing housing stock and provides affordable housing. It also supports better maintenance of existing housing stock.</p>	<p>The Town supports the Human Investment Project (HIP), which provides affordable housing opportunities to residents of San Mateo County such as a Home Sharing Program for the elderly and roommate referral. Information about HIP is periodically printed in the Town's monthly newsletter.</p>	<p>HIP has attended town events on an annual basis to promote this program.</p> <p>This program is effective and will continue in the 2023 Housing Element. (see Program 5.2)</p>
<p><b>Program 5.3 Section 8 Rental Assistance.</b> Timing: Ongoing Responsibility: Planning Department</p>	<p>To ensure that information is provided to qualified applicants to provide equal access to housing.</p>	<p>Information is disbursed to the community by the Colma Planning Department. Through this program, the Town actively encourages very-low-income households to apply to the San Mateo Housing Authority for rent subsidies.</p>	<p>This program is effective and will continue in the 2023 Housing Element. (see Program 5.3)</p> <p>Modifications includes outreach programs, contacting landlords of multifamily properties in town to educate and inform of program.</p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<b>Program 5.4 Housing Recordkeeping.</b> <i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i>	<i>To conserve and improve the condition of the existing housing stock.</i>	<i>Through this program a master list of total housing units and the estimated population is maintained by the City Planner and updated annually using building records.</i>	<i>This program will not continue in the 2023 Housing Element as this is a task currently done by the Planning Department.</i>
<b>Program 5.5 Address needs of Extremely Low-Income Households.</b> <i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i>	<i>To assist developers and property owners in making affordable units available, which, in turn, provides equal housing opportunities.</i>	<i>San Mateo County and 21 Elements organized a affordable housing developer panel in December 2013 that was attended by Colma Staff.</i>  <i>As a result, 31 very-low and 34 low housing units were built at Veterans Village.</i>	<i>This program is effective and will continue in the 2023 Housing Element. (see Program 5.4)</i>  <i>Modifications includes annual meetings with property owners, non-profit developers, and outreach to stakeholders who can assist in the development in affordable units.</i>
<b>Policy 6: Recommended and promote energy conservation in existing and new housing.</b>			
<b>Program 6.1 Greenbuilding Regulations for Residential Uses.</b> <i>Timing: Ongoing</i> <i>Responsibility: Planning Department, Sustainability Team, Building Department</i>	<i>To create new and sustainable residential development</i> <i>To retrofit existing structures to increase efficiency and reduce energy use and cost.</i>	<i>The Town has currently enforces the 2013 state building codes which provide for a high level of efficiency. In addition, the Town is working with PG&amp;E to support their "energy by design" review of building permit plans and rebate program. The Colma Planning Department will continue to evaluate the appropriateness and effectiveness of adopting green building and green landscaping ordinances that have greater energy efficiency standards, as part of a Town effort to address global climate change and energy conservation.</i>	<i>This program is effective and will continue in the 2023 Housing Element. (see Program 6.1)</i>  <i>Modifications include Sustainability Manager to coordinate with Planning Department to draft reach code for City Council adoption in Q1 2023 and Building Department to enforce reach code requirements in new residential construction.</i>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 6.2 Encourage use of cool roofing systems and other energy conservation measures to reduce a building's energy usage.</b>  Timing: Ongoing  Responsibility: Planning Department, Sustainability Team, Building Department</p>	<p>To create new and sustainable residential development  To retrofit existing structures to increase efficiency and reduce energy use and cost.</p>	<p>The Town has provided information to the public on programs to assist in the provision of energy efficiency measures during new construction or as a residential retrofit.</p>	<p>This program is effective and will continue in the 2023 Housing Element. (see program 6.2)  Modifications include Planning and Building Departments to proactively educate applicants for applicable projects.</p>
<p><b>Policy 7: Promote the conservation and improvement of the condition of existing housing stock and encourage remodeling and expansion efforts by homeowners.</b></p>			
<p><b>Program 7.1 "Rebuilding Together Peninsula" Participation.</b>  Timing: Ongoing  Responsibility: Planning Department</p>	<p>To conserve and improve the condition of the existing housing stock.</p>	<p>No residences were improved in Colma as part of this program during the 2015 Housing Element time period. The Town will continue participation in Rebuilding Together Peninsula as opportunities arise.</p>	<p>This program is effective and will continue in the 2023 Housing Element. (see Program 7.1)  Modifications includes Town staff to be included in the process.</p>
<p><b>Program 7.2 Minor Housing Repair Grant Program.</b>  Timing: Ongoing  Responsibility: Planning Department</p>	<p>To conserve and improve the condition of the existing housing stock.</p>	<p>The Minor Housing Repair Grant Program remains part of the Town's Municipal Code. The funding program provided grants for repair of minor items such as unsafe walkways and porches, installation of insulation and dual-pane windows and energy-efficient appliances. The grants could also have been used for major repairs such as new roofs or foundation work, and for upgrades and retrofits pertaining to <del>disable</del> <a href="#">disability</a> access.</p>	<p>This will not continue in the 2023 Housing Element.  Many elements of this program is covered in Program 7.1. <a href="#">Working and cooperating with the Rebuilding Peninsula Together is ongoing at this time.</a></p>

<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
		Although the program is currently not active, largely in part due to promotion of Rebuilding Together programs, the Town will consider reactivation of the program.	
<b>Program 7.3 Neighborhood Improvement (Code Enforcement).</b> <i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i>	<i>To conserve and improve the condition of the existing housing stock.</i>	<i>In September of 2012 City Council adopted an ordinance amending subchapter 2-01 of the Colma Municipal Code, relating to property maintenance and nuisance abatement, to provide for issuance of Administrative Citations and other enforcement tools, and Section 1.05.020 of the Colma Municipal Code, relating to penalties for infractions.</i>	<i>This program is effective and will continue in the 2023 Housing Element. (see Program 7.2)</i>  <i>Modifications include Planning Department and Code Enforcement collectively identifying properties who are in violation and seek out funding sources to help with maintenance costs.</i>
<b>Program 7.4 Low-interest loan program for very-low-, low-, and moderate-income homeowners.</b> <i>Timing: Ongoing</i> <i>Responsibility: Planning Department</i>	<i>To conserve and improve the condition of the existing housing stock.</i> <i>To allow low-income homeowners to remain in their homes.</i>	<i>The Town will work to establish a low-interest loan program for rehabilitation of residential properties owned by those with very-low, low, and moderate income.</i>	<i>This program will be discontinued in the 2023 Housing Element.</i>
<b>Program 7.5 Underground Utilities in the Mission Road Corridor.</b> <i>Timing: Ongoing</i> <i>Responsibility: Public Works Department and Planning Department</i>	<i>To make Mission Road more attractive for new residential development.</i>	<i>Added to the 2013-2014 CIP. Will remain on the CIP list The Town will work with PG&amp;E to fund the undergrounding of utilities in the Mission Road corridor.</i>	<i>This program will be discontinued in the 2023 Housing Element.</i>



<b>Program</b>	<b>Program Objective</b>	<b>Accomplishments</b>	<b>Effectiveness and Appropriateness</b>
<p><b>Program 7.6 Nuisance Abatement and Property Maintenance process to Improve Individual Properties and Neighborhood Pride.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To conserve and improve the condition of the existing housing stock.</i></p>	<p><i>The Town continues its active pursuance of compliance by property owners on laws related to property maintenance permit conditions and construction and zoning codes in order to correct conditions of visual blight and to protect property values.</i></p>	<p><i>This program will not continue in the 2023 Housing Element.</i></p> <p><i>Programs 7.1, 7.2, and 7.3 covers the tasks involved in this program.</i></p>
<p><b>Program 7.7 Organize Community Clean Up Days.</b>  <i>Timing: Ongoing</i>  <i>Responsibility: Planning Department</i></p>	<p><i>To conserve and improve the condition of the existing housing stock.</i></p>	<p><i>The Town hosts annual clean up days, to promote rehabilitation, renovation and home care. Program may include waste hauling program. The Town provides supplies and organizes volunteers and clean-up projects.</i></p>	<p><i>This program is effective and will continue in the 2023 Housing Element. (see Program 7.3)</i></p> <p><i>Modifications include outreach by Planning Department and Recreation Department.</i></p>

## PROGRESS IN ACHIEVING QUANTIFIED OBJECTIVES (2015-2023)

Table H-60: Progress in Achieving Quantified Objectives (2015-2023)

Program Category	Quantified Objectives
New Construction	
Extremely Low	-
Very Low	31
Low	34
Moderate	-
Above Moderate	10
Total	75
Rehabilitation	
Very Low	-
Low	-
Moderate	-
Above Moderate	-
Total	-
Conservation	
Very Low	-
Low	-
Moderate	-
Above Moderate	-
Total	-

Table H-60 provides the progress in achieving quantified objectives in the 2015 Housing Element cycle. The Town's RHNA allocation was 59 units for the 2015 Housing Element cycle. The Town successfully met that allocation and surpassed the amount by 16 units. The Town did not have rehabilitate or conserve any existing housing units in this cycle. Overall, the Town was successful in the 2015 Housing Element cycle by meeting its RHNA numbers and creating well-intended housing policies and programs.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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Sacramento, CA 95833  
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November 22, 2023

Brian Dossey, Town Manager  
Town of Colma  
1198 El Camino Real  
Colma, CA 94014

Dear Brian Dossey:

**RE: Town of Colma's (2023-2031) Revised Draft Housing Element**

Thank you for submitting the Town of Colma's (Town) revised draft housing element received for review on October 12, 2023. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The revised draft element meets the statutory requirements described in HCD's September 22, 2023 review. The housing element will substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq) when it is adopted, submitted to and approved by HCD, in accordance with Government Code section 65585.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the Town failed to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), Program 3.5 (Establish a Housing Element Overlay Zone) to create an overlay district to accommodate the regional housing needs allocation (RHNA) 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). Please be aware, if the Town fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until rezones to accommodate a shortfall of sites pursuant to Government Code section 65583, subdivision (c) (1) (A) and Government Code section 65583.2, subdivision (c) are completed.

Additionally, the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households. The element must demonstrate existing uses are not an impediment to additional residential development (Gov. Code, § 65583.2, subd. (g)(2)). Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional

residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA. As the Town adopts the housing element, it must include the appropriate finding as part of the adoption resolution.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the Town must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate.

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 programs; 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 Town will meet 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 Town 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://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the effort the housing element team provided throughout the housing element review. We are committed to assisting the Town in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Claire Sullivan, of our staff, at [Claire.Sullivan@hcd.ca.gov](mailto:Claire.Sullivan@hcd.ca.gov).

Sincerely,



Paul McDougall  
Senior Program Manager



# STAFF REPORT

TO: Mayor and Members of the City Council

FROM: Farhad Mortazavi APA, City Planner  
Alvin Jen, APA, Associate Planner

VIA: Brian Dossey, City Manager

DATE: January 25, 2023

SUBJECT: Public Hearing and Adoption for the Town of Colma Housing Element 2023-2031 ("6<sup>th</sup> Cycle")

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## RECOMMENDATION

Staff recommends that the City Council adopt a:

RESOLUTION ADOPTING A GENERAL PLAN AMENDMENT TO REPEAL THE 2015-2022 HOUSING ELEMENT AND ADOPT THE 2023-2031 HOUSING ELEMENT IN COMPLIANCE WITH STATE HOUSING ELEMENT LAW PURSUANT TO A PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT AND PURSUANT TO CEQA GUIDELINE 15061(B)(3)

## EXECUTIVE SUMMARY

The Town of Colma has prepared a draft update to the Housing Element of the General Plan to affirmatively further fair housing and accommodate 202 units Regional Housing Needs Allocation (RHNA) for the 2023-2031 Housing Element cycle. The content of the draft 2023-2031 Housing Element is structured for consistency with the requirements set forth in state law.

In addition to responding to requirements of state law, the Housing Element also demonstrates Colma's strategy for meeting the Town's locally determined housing needs, and that these needs are addressed through policies and programs outlined within the Housing Element. Public review and input have been a critical component of this 6th cycle Housing Element Update.

This staff report provides a summary of the Housing Element requirements, an overview of the status of Colma's Draft Housing Element, the findings provided to the town by HCD on the first 90-day review of the draft, and how the Town has responded to HCD's findings and the reasons the Town of Colma believes that the draft element substantially complies with Article 10.6 of State Planning and Zoning law contained at Government Code Section 65580, *et seq.*,

## **BACKGROUND**

CA Government Code Title 7, Division 1, Chapter 3, Article 10.6 [65580 – 65589.11] regulates the use and requirements of Housing Elements in California. The state law requires that the Town update its General Plan Housing Element every eight years. State law further requires the current update for jurisdictions in the Association of Bay Area Governments (ABAG) region to comply by January 31, 2023.

The Town of Colma's 2023-2031 Draft Housing Element was prepared with the benefit of the community, City Council input, and discussion at two public meetings over the course of the year-long Housing Element preparation period. Workshops on the draft Housing Element were held by the City Council. Guidance was also provided by HCD throughout the process.

The Draft Housing Element was released on April 29, 2022, for a 30-day public review and comment period, ending on May 28, 2022. An additional 10-day period is required for the incorporation of comments after the initial 30-day public review period which was provided. The draft included a total of 53 very-low, 30 low, 40 moderate, and 142 above-moderate units, for a total of 265 units. During the comment period, staff was notified by the Italian Cemetery – one of the property owners of the initial site inventory - of their desire not to be part of the housing inventory for their site located at El Camino Real and F Street. Therefore, staff revised the housing inventory and the draft document eliminating the 3.07-acre property owned by the Italian Cemetery. By doing so, staff needed to recalculate the possibilities for the remaining six properties, which resulted in a total of 256 units that includes 53 very-low, 30 low, 44 moderate, and 129 above-moderate (market rate) units. On May 27, 2022, the Housing Leadership Council of San Mateo County (HLC) sent an email with their attached public comment letter addressed to email addresses for the Town Clerk, building department, and planning department. However, the Town's email server filtered this email and sent it to the junk folder for all the previously mentioned email addresses. Staff did not discover this email until late afternoon on June 8, 2022, the same day as the City Council hearing for the first draft of the Housing Element.

On June 17, 2022, the Town submitted the draft Housing Element to HCD for its review. On August 17, 2022, HCD and Town staff participated in an hour-long preliminary feedback phone call, where comments were provided for the first draft. During this call, HCD provided staff the opportunity to address areas where the Housing Element was missing information prior to the end of the 90-day review period and official comment letter. Based upon these comments, staff revised the draft Housing Element to include additional information and analysis.

On August 26, 2022, a revised first draft was made public, with no comments received during that period. On September 2, 2022, this revised first draft was sent to HCD for consideration. On September 14, 2022, HCD provided the Town a formal review letter of the first draft.

On September 23, 2022, Town staff hosted a staff member from HLC where a tour of the Town and opportunity sites of the Housing Element was provided. On October 6, 2022, HLC provided additional comments for the Housing Element.

In November 2022, the Housing Element was reviewed and determined that it is exempt under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), common sense

exemption. It has been determined that the Housing Element involves policies, programs, and actions to meet the Town's RHNA allocation that either would not cause a significant effect on the environment or incorporates actions that have already been taken by the Town.

Additionally, the growth projected by the Housing Element has been analyzed in the prior General EIR that was adopted by the City Council on March 23, 2022. The policies incorporated into the General Plan by the General Plan EIR include mitigation measures to avoid or mitigate environmental impacts on sites designated in the Housing Element. Further, none of the circumstances requiring preparation of a subsequent or supplemental EIR (as specified in CEQA section 21166 and CEQA Guidelines 15162 and 15163) are present. This has been determined as there is no evidence in the record that (1) substantial changes are proposed for Project that will require major revisions of the EIR, (2) substantial changes will occur with respect to the circumstances under which the Project will be undertaken that will require major revisions in the EIR, or (3) new information, which was not known and could not have been known when the EIR was certified, has become available

Based on these factors, it is concluded, that the General Plan EIR adequately analyzed the environmental impacts of the Housing Element. Further, based on the scope of the Housing Element, it can be seen with certainty, that there is no possibility that the proposed 6<sup>th</sup> Cycle Housing Element Update would have a significant effect on the environment pursuant to Section 15061(b)(3), of the State CEQA Guidelines.

Comments and questions based on HCD's review letter, as well as public comments, have been incorporated into the final document. A final public hearing for the Housing Element is concurrent with the City Council consideration of the document with staff's recommendation for adoption of the Housing Element. The adopted document will be returned to HCD with the expectation that HCD will certify the document after their 60-day review period or end of March 2023.

The following section summarizes the required components of Housing Element Updates per State law, new requirements included since the 5th cycle Housing Element Update (2015-2023), and penalties for non-compliance with Housing Element Laws. The section also includes a summary of public meetings related to the 6th cycle Housing Element Update prior to today's meeting.

### **Required Components of a Housing Element**

Pursuant to Government Code Section 65583, local governments are required to include the below items as components within their Housing Elements, and subsequent updates thereto. *Newly required components introduced as part of the 6<sup>th</sup> Cycle are included in italics below* and discussed in further detail within the "New Requirements for the 6<sup>th</sup> Cycle Housing Element Update" Section below.

1. **Housing Needs Assessment:** Examine demographic, employment and housing trends and conditions and identify existing and projected housing needs of the community, with attention paid to special housing needs (e.g., large families, persons with disabilities). This Section includes a community's Regional Housing Needs Allocation (RHNA) as determined by a community's regional planning body in partnership with HCD.

2. **Evaluation of Past Performance:** Review the prior Housing Element to measure progress in implementing policies and programs.
3. **Housing Sites Inventory:** Identify locations of available sites for housing development or redevelopment to demonstrate there is enough land zoned for housing to meet future need at all income levels. *The standards for designating adequate sites were substantially changed from the sixth cycle, particularly for non-vacant sites.*
4. **Community Engagement:** Implement a robust community engagement program that includes reaching out to individuals and families at all economic levels of the community plus historically underrepresented groups.
5. **Constraints Analysis:** Analyze and recommend remedies for existing and potential governmental and nongovernmental barriers to housing development.
6. **Policies and Programs:** Establish policies and programs to be carried out during the 2023-2031 planning period to fulfill the identified housing needs.
7. *AFFH: Analyze and address significant disparities in housing needs and access to opportunity by proposing housing goals, objectives, and policies that aid in replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.*

## **New Requirements for the 6<sup>th</sup> Cycle Housing Element**

Pursuant to recent State legislation, the following items are now required as part of the Housing Element Update process:

- **Affirmatively Furthering Fair Housing (AFFH).** Assembly Bill 686 (AB 686), passed in 2018, created new requirements for jurisdictions to affirmatively further fair housing. According to AB 686, affirmatively furthering fair housing means to take “meaningful actions, in addition to combating discrimination, which overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics” and is Federally mandated by the 1968 Fair Housing Act. The four main goals are to:
  - Address significant disparities in housing needs and in access to opportunity, and
  - Replace segregated living patterns with truly integrated and balanced living patterns, and
  - Transform racially and ethnically concentrated areas of poverty into areas of opportunity, and
  - Foster and maintain compliance with civil rights and fair housing laws.
- **Public Comment on Draft Revisions.** Assembly Bill (AB)215 (2021), requires local governments to make the first draft revision of their housing element update available for public comment for at least 30 days. Further, if any comments are received, a local government must take at least ten additional business days to consider and incorporate public comments into the draft revision before submitting to HCD. HCD must review the draft and report its written findings to the planning agency within 90 days of receiving the first draft submittal for each housing element revision or within 60 days of its receipt for a subsequent draft amendment or adoption.



## Penalties for Non-Compliance

For the 6<sup>th</sup> cycle, jurisdictions face a number of new consequences for not having a certified Housing Element. Under legislation enacted in recent years, if a jurisdiction does not comply with State housing law, HCD may refer the Town to the Attorney General. Significant fines may be imposed if a jurisdiction does not comply with a court order for one year. A court finding a Housing Element inadequate may limit local land use decision-making authority until the jurisdiction brings its Housing Element into compliance, or local governments may lose the right to deny certain projects.

Conversely, an HCD-certified housing element allows jurisdictions eligible for, or with higher priority for, numerous sources of funding, such as Local Housing Allocations, Affordable Housing and Sustainable Communities Grants, SB 1 Planning Grants, CalHOME Program Grants, Infill Infrastructure Grants, Pro-Housing Design funding, Local Housing Trust Funds, and Regional Transportation Funds (such as MTC's OneBayArea Grants).

## Related Elements

- **Safety Element.** Jurisdictions must review and update their Safety Element to meet certain requirements concurrently with the Housing Element update. The Safety Element must be reviewed and updated to address wildfire, seismic, geologic, and flood risks. Climate adaptation and resiliency strategies are also considered. The Community Health, Safety and Services Element was updated in March 2022 as part of the Town's 2040 Colma General Plan update.
- **SB 1035 and SB 379.** Require all cities to address climate change adaptation and resilience in their general plan safety element. SB 379 is triggered by the next update of a jurisdiction's local hazard mitigation plan (updated every five years) or before 1/1/2022, whichever is first. SB 1035 was built off SB 379, requiring the safety element to be updated every eight years upon the next housing element update. The Community Health, Safety and Services was updated in March 2022 as part of the Town's 2040 Colma General Plan update.
- **SB 1241.** Applies to communities with very high fire hazard severity or unincorporated communities in state responsibility areas. Communities subject to SB1241 need to ensure consistency between the housing and safety elements to address fire risks. AB 2911 strengthened the local very high fire hazard severity zone designation. The Community Health, Safety and Services updated in March 2022 as part of the Town's 2040 Colma General Plan update addresses fire hazards in and surrounding Colma.

## Summary of Study Sessions and Prior Meetings

Over the last year, the Town of Colma has conducted a comprehensive community engagement and outreach strategy as required by Government Code to assist in informing the 6<sup>th</sup> cycle Housing Element Update Process. This strategy has included community meetings and study sessions with City Council. These meetings and study sessions are summarized below. Feedback received throughout the ongoing community engagement and outreach process has assisted staff and the consulting team in preparing the draft Housing Element Update and related items.

## Study Sessions

- April 27, 2022 – City Council  
2023-2031 6<sup>th</sup> Cycle Housing Element Update, staff presented to City Council and the public an overview of the progress to date, public outreach efforts, and the preliminary map of potential new housing locations (Site Inventory).

## Public Meetings

- June 8, 2022 – City Council  
2023-2031 6<sup>th</sup> Cycle Draft Housing Element, staff presented to City Council and the public the first draft of the Housing Element, updated Site Inventory list, and appendices to be sent to HCD for their first 90-day review.

## Housing Element Requirements

The following section summarizes the contents of the Town of Colma’s Housing Element Update for the 2023-2031 Planning Period.

## Housing Needs Assessment

As part of the Housing Element Update process, the Town of Colma is required to analyze the existing and projected housing needs, including its fair share of RHNA requirements. The Town’s analysis of housing needs is required to include an assessment of detailed demographic data including population age, size, and ethnicity; household characteristics; overpayment trends; housing stock conditions; units in need of replacement or rehabilitation; and needs of special needs populations including the elderly, persons with disabilities, unhoused persons, extremely low-income households, and farmworkers. Utilizing the *Housing Needs Data Report* provided by ABAG, the 6<sup>th</sup> cycle Housing Element Update outlines the following housing needs for Colma.

- Senior Housing: About 13.9%<sup>1</sup> of Colma’s population are considered seniors (over the age of 65). Colma along with San Mateo County is expected to see the senior population grow. Housing opportunities to accommodate this demographic are discussed in this Housing Element.
- Housing for Disabled Individuals: Disabilities include physical, developmental, and other special needs. Typically, individuals with disabilities are lower incomes due to the difficulties of securing long-term employment. Providing housing opportunities near transit, along with affordability is discussed in this Housing Element.
- Housing for Extremely Low Income Households: Extremely Low Income (ELI) Households earn 30% of the Area Median Income (AMI) or less. In San Mateo County, for a family of four, the annual income would be \$54,800 or lower.<sup>2</sup> Housing opportunities for ELI households can also include affordable units, secondary dwelling units, emergency shelters, supportive housing, and transitional housing.

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<sup>1</sup> US Census 2020 American Community Survey

<sup>2</sup> HCD 2021 State Income Limits

## Regional Housing Needs Allocation (RHNA)

In January of 2022, HCD approved ABAG’s adopted *Final RHNA Plan for the San Francisco Bay Area: 2023-2031* which establishes a total RHNA for the San Francisco Bay Area of 441,176 residential units for the 6<sup>th</sup> cycle housing element update 2023-2031 planning period. ABAG’s *Plan* further distributes this RHNA across the bay area’s nine counties, and 101 cities based on demographic and population data received from the California Department of Finance (DOF). Local jurisdictions must then utilize their ascribed RHNA to update the housing elements of their general plans for the 6<sup>th</sup> cycle planning period, inclusive of identifying eligible land resources to accommodate this RHNA. See the Sites Inventory Section below.

RHNA requirements are organized into four affordability categories, established according to the Area Median Income (AMI) of a geography. These categories include very low-income residential units, which are affordable to households earning less than 50% of AMI; low-income residential units, which are affordable to households earning between 50% and 80% of AMI; moderate income residential units, which are affordable to households earning between 80% and 120%; and above moderate-income residential units which are affordable to households earning upwards of 120% of AMI. The Town of Colma’s is included below in Figure 1.

**Figure 1: Colma’s Regional Housing Needs Allocation (RHNA)**

Income Category	Town of Colma RHNA	
	Previous Housing Element Cycle (2015-2023)	6 <sup>th</sup> Cycle RHNA (2023-2031)
Very Low (less than 50% of AMI)	20	44
Low (50-80% of AMI)	8	25
Moderate (80-120% of AMI)	9	37
Above Moderate (More than 120% of AMI)	22	96
Total	59	202

Source: Final RHNA Plan for the San Francisco Bay Area: 2023-2031

## RHNA Buffer

New “no net loss” provisions of Government Code Section 65863 require Colma to ensure an adequate supply of land resources to be made available for housing development throughout the duration of the 2023-2031 planning period. This means if housing sites identified within the Town’s 6th cycle housing element update are developed with non-residential uses, lower residential densities, or residential uses at affordability levels higher than anticipated by the Housing Element, Colma’s Housing Element could be determined to be out of compliance. Accordingly, the Town’s RHNA requirement is further buffered with 21 percent to ensure compliance with “no net loss” provisions.

## Constraints Analysis

In addition to analyzing the existing and projected housing needs of Colma, the Housing Element Update must also identify and analyze potential and actual governmental and nongovernmental constraints to the maintenance, improvement, or development of housing for all income in the community, regardless of protected class. A summary of constraints to the development and improvement of housing in Colma is included below, along with descriptions of local efforts to lessen these constraints as applicable.

- Land Use/Zoning: Approximately 75% of the current land use is zoned for cemetery use in Colma. In a town that is comprised of two square miles, the lack of available land, whether it is vacant or non-vacant presents a constraint for the development of housing.
- Parking Standards: 1 parking space is required for a multi-family dwelling unit having no more than one bedroom. 1.5 covered spaces are required for multi-family dwelling units having 2 or more bedrooms. Existing parking requirements can be a potential constraint to housing developments.
- Multi-family Housing Development: In residential and commercial zoning districts, certain uses are allowable by right. Multiple dwelling units of up to six, residential planned developments, or larger residential developments require a use permit. Obtaining a use permit for certain types of residential development can be considered a barrier to building affordable housing.

### Housing Resources and Sites Inventory

As part of the 6th cycle Housing Element Update, Colma is also required to identify resources available to the Town for the preservation, rehabilitation, and production of housing throughout the community. This includes programmatic and financial resources, such as those offered locally or through State or Federal partners. These resources also include land resources within the Town that were identified as eligible for accommodation of Colma’s RHNA Requirements. Pursuant to Government Code Section 65583.2(a) the following land resources are eligible for accommodation of the Town’s RHNA: vacant sites zoned for residential use; or vacant sites zoned for nonresidential use that allows residential development; or residentially zoned sites that are capable of being developed at a higher density; or sites zoned for nonresidential use that can be redeveloped for residential use, and for which the housing element includes a program to rezone the site.

Colma’s Housing Sites Inventory is summarized below in Figure-2. Land resources identified within the below Inventory Summary are included on the attached maps, included as Attachment G.

**Figure -2: Colma Housing Sites Inventory**

Site	Zoning Designation	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total	Vacant/ Non-Vacant
7733 El Camino	Commercial	4	4			8	16	Y
1200 El Camino	Commercial	22	23	23	44	90	202	N

7778 El Camino	Commercial			7		8	15	N
Btwn. 461 & 469 B St.	Residential					1	1	Y
El Camino & Collins Ave.	Planned Development					8	8	Y
240 Collins Ave.	Planned Development					14	14	Y
Total		26	27	30	44	129	256	
RHNA			44 (includes Ex. Low-)	25	37	96	202	

*Assumptions:*

*Assume each site gets developed at 20 units/acre*

*Suitability score of 0.875=> 50% of units affordable: half Low, half Very Low*

*Suitability score of 0.625=> 30% of units Moderate*

*Reallocate affordable units to consolidate affordability levels at sites*

*Reallocate affordable units to higher affordability levels based on RHNA*

Source: Town of Colma, 2022

## Policies and Programs

The Housing Element Update includes a set of goals, policies, and implementing programs intended to promote the preservation, rehabilitation, and production of housing throughout Colma. Goals are long-range, broad, and comprehensive targets that describe future outcomes the Town desires. A policy is a specific instructional guideline that seeks to promote goals. Together, goals and policies are implemented through a series of programs that identify specific, quantifiable actions the City will undertake during the 6<sup>th</sup> cycle planning period. A summary of Draft Goals, Policies, and Programs included within Colma’s Draft Housing Element Update is included below:

**Goal A:** Identify adequate sites, with appropriate zoning and development standards and services, to accommodate Colma’s share of the regional housing needs for each income level.

- Policy 1: Encourage the construction of cost-effective single-family housing that caters to all income levels and demographics in the Sterling Park Residential Neighborhood.
- Policy 2: Encourage the construction of second dwelling units where appropriate.
- Policy 3: Provide incentives that encourage affordable high-density residential uses near major regional transportation facilities.
  - Program 1.1, Program 1.2, Program 2.1, Program 2.2, Program 3.1, Program 3.5

**Goal B:** Assist in making available adequate housing to meet the needs of extremely low, very low-, low-, and moderate-income households.

- Policy 1: Encourage the construction of cost-effective single-family housing that caters to all income levels and demographics in the Sterling Park Residential Neighborhood.
- Policy 2: Encourage the construction of second dwelling units where appropriate.
- Policy 3: Provide incentives that encourage affordable high-density residential uses near major regional transportation facilities.
- Policy 4: Provide Housing accessible to persons with special needs, including seniors, persons with disabilities, and homeless persons.
- Policy 5: Assist citizens in locating and retaining affordable housing and promote equal housing opportunity and fair housing.
  - Program 1.1, Program 1.2, Program 2.1, Program 2.2, Program 3.1, Program 3.2, Program 3.3, Program 3.4, Program 3.5, Program 4.5, Program 5.1, Program 5.3, Program 5.4, Program 5.5, Program 5.6

**Goal C:** Address and where possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities.

- Policy 3: Provide incentives that encourage affordable high-density residential uses near major regional transportation facilities.
- Policy 4: Provide Housing accessible to persons with special needs, including seniors, persons with disabilities, and homeless persons.
- Policy 5: Assist citizens in locating and retaining affordable housing and promote equal housing opportunity and fair housing.
- Policy 8: Promote public participation transparency in housing and land use plans.
  - Program 3.1, Program 3.5, Program 4.1, Program 8.1, Program 8.2

**Goal D:** Conserve and improve the condition of the existing housing stock.

- Policy 7: Promote the conservation and improvement of the condition of existing housing stock and encourage remodeling and expansion efforts by homeowners.
  - Program 7.1, Program 7.2, Program 7.3

**Goal E:** Preserve assisted housing developments at risk of conversion to market-rate.

- Policy 4: Provide Housing accessible to persons with special needs, including seniors, persons with disabilities, and homeless persons.
- Policy 5: Assist citizens in locating and retaining affordable housing and promote equal housing opportunity and fair housing.
- Policy 7: Promote the conservation and improvement of the condition of existing housing stock and encourage remodeling and expansion efforts by homeowners.
  - Program 4.2, Program 5.2, Program 5.4, Program 7.1

**Goal F:** Affirmatively Furthering Fair Housing. Meaningful actions to promote equal housing opportunities for and combat discrimination against all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, disability, or economic background.

- Policy 4: Provide Housing accessible to persons with special needs, including seniors, persons with disabilities, and homeless persons.
- Policy 5: Assist citizens in locating and retaining affordable housing and promote equal housing opportunity and fair housing.

Policy 8: Promote public participation transparency in housing and land use plans.

- Program 4.1, Program 4.2, Program 4.3, Program 4.4, Program 4.5, Program 5.1, Program 5.2, Program 5.3, Program 5.4, Program 5.6, Program 8.1, Program 8.2

**Goal G:** Encourage sustainable residential development that is energy efficient and consistent with existing and future Town values and policies related to reducing greenhouse gas emissions.

- Policy 6: Recommend and promote energy conservation in existing and new housing.
  - Program 6.1, Program 6.2

**Goal H:** When opportunity sites are developed, they require provision of public benefits with values proportional to the project's building square footage, in excess of established development standards.

- Policy 3: Provide incentives that encourage affordable high-density residential uses near major regional transportation facilities.  
Policy 6: Recommend and promote energy conservation in existing and new housing.
  - Program 3.3, Program 3.4, Program 6.1

## **AFFH**

Assembly Bill 686 (AB 686), passed in 2018, created new requirements for jurisdictions to affirmatively further fair housing as part of the Housing Element Update process. These requirements found in Government Code Section 8899.50 are intended to address racial inequalities seen today throughout the Bay Area which developed through historical policies and practices enacted at federal, state, regional, and local levels and across the public and private sectors. Though many of these explicit forms of historical discrimination have been outlawed, the results of these systems have left a lasting imprint on both the Bay Area region and Colma. Racially explicit practices (e.g., racial covenants) which excluded persons of color from predominately white neighborhoods have been replaced with race-neutral land use policies that continue to exclude these same groups. Furthermore, rapidly increasing housing costs have deepened racial and economic disparity and segregation, displacing many low income and people of color to the peripheries of the region or out of the Bay Area all together.

Accordingly, the Town must incorporate fair housing considerations into its 6<sup>th</sup> Cycle Housing Element Update to increase housing opportunities in high resource neighborhoods and bring additional resources to traditionally under-resourced neighborhoods. The following Section summarizes the components of the required AFFH component of Colma's Housing Element Update.

### **Targeted Community Outreach**

The Town of Colma must demonstrate "meaningful, frequent, and ongoing community participation, consultation, and coordination" as part of the 6<sup>th</sup> Cycle Housing Element Update Process. This is intended to ensure that input has been received from groups historically and presently most impacted by fair housing issues and that local knowledge is incorporated into Housing Elements. Accordingly, Colma's targeted community outreach efforts included:

- To promote the survey and outreach events, a flyer was created and sent to residents. This flyer included information for outreach events, the first City Council public hearing for the Housing Element, and a link with a QR code to the survey. Written on the flyer, in English, traditional Chinese, Spanish, and Tagalog were translation services available to those who require language assistance.
- Staff participated in a several events to help promote the Housing Element Update and engage with the community. A barbeque event at Veterans Village where staff was able to meet and discuss housing needs with lower income individuals, some that are disabled, and over the age of 65. The Eggstravaganza Easter event children were asked to dream about what their future home in Colma would look like. At this event this also provided the opportunity for their parent(s) or guardians to provide their feedback on their ideal vision of Colma’s future housing needs. During the senior luncheon, staff had the opportunity to engage with this demographic and understand their needs and how their housing needs have changed. The “Coffee with a planner” event provided the public to sit down with staff and have a free-flowing discussion about housing. The Earth Day event with the recreation department, this also provided another opportunity for children, parents, guardians, and families to engage in the Housing Element Update process.

### **Assessment of Fair Housing**

Colma must also describe and analyze the unique housing circumstances of the Town. This analysis is referred to as an Assessment of Fair Housing (AFH) and analyzes circumstances within the Town pertaining to Fair Housing issues including:

### **Fair Housing Outreach Capacity and Enforcement**

Colma’s AFH includes information regarding the Town’s Fair Housing Outreach Capacity and Enforcement methods which includes information on the Town’s website for residents and other community members. Fair housing issues are usually referred to the appropriate agencies, usually the County of San Mateo Housing Authority would be the first point of contact along with Project Sentinel a non-profit that assists individuals that have faced housing discrimination. The Town currently enforces fair housing laws through the policies and code for compliance with State Law. If fair housing issues are reported by residents or potential residents, the Planning Department and Code Enforcement cooperatively work together to remediate the complaint.

- No fair housing complaints were filed in the Town of Colma from 2017 to 2021.
- Limits on Growth Controls Law (Gov Code Section 65589.5) The Town does not have any growth control measures and has not rejected any proposals for housing projects that met objective planning and zoning criteria in the current cycle.

### **Segregation And Integration Patterns**

Colma’s AFH also analyzes segregation and integration patterns within the jurisdiction as well as regionally. Segregation and integration patterns are analyzed by evaluating the concentration (or lack thereof) of protected groups within the community, relative to their distribution across



a larger geography. This is shown in Figure 3 (Attachment G), Map of Neighborhood Segregation.

- Colma is entirely contained within a single census tract—the standard geographic measure for “neighborhoods” in U.S. Census data products. As such, the Town does not contain any racial/ethnic concentrations, poverty concentrations, or concentrations of housing problems.
- The composite opportunity score for Colma shows the town to be a “moderate resource area,” and the Social Vulnerability Index (SVI) provided by the Centers for Disease Control and Prevention (CDC) ranks the town as “moderately vulnerable” to a disaster (based on four themes: socioeconomic status, household composition, race or ethnicity, and housing and transportation).

Compared to the Bay Area, Colma has a lower share of white residents, a higher share of Latinx residents, a lower share of Black residents, and a higher share of Asian/Pacific Islander residents. This is shown in Figure 4 (Attachment G), Population by Racial Group, Colma, and the Region

Using the Racial dot map in Figure 5, (Attachment G), the visual provides how multiple racial groups are distributed within a specific geography. In Colma, the distribution patterns show that segregation is lower in Town because there are no patterns or clusters that support certain a concentration of one racial group over another.

### **Racially and/or Ethnically Concentrated Areas of Poverty (R/ECAPS)**

Colma’s AFH includes an analysis of Racially and or Ethnically Concentrated Areas of Poverty (R/ECAPS) which are areas in the Town defined by HUD as (1) having a non-White population of 50 percent or more, and (2) Having extreme levels of poverty, meaning either: (a) At least 40 percent of the population lives at or below the federal poverty line, or (b) The poverty rate is three times the average census tract level poverty rate in the region, whichever is less.

In 2010 three Census tracts qualify as R/ECAPs (19.4% poverty rate) in the County, and 11 are eligible as edge R/ECAPs (13% poverty rate). None of the R/ECAPs were in the Town of Colma in 2010. In 2019 two Census tracts qualify as R/ECAPs (19.1% poverty rate) in the County, and 14 are eligible as edge R/ECAPs (12.8% poverty rate). None of the R/ECAPs were in the Town of Colma in 2019. Looking at the surrounding R/ECAPs in Daly City over the past decade, it appears that the census tracts that were identified in 2010 were no longer considered R/ECAPs in 2019. While Daly City and South San Francisco are bordering jurisdictions to Colma, the identified R/ECAPs do not affect the Town.

### **Disparities In Access to Opportunity**

Colma’s AFH also evaluates disparities in access to opportunity within the Town which are areas that have substantial differences in access to education, transportation, economic, and environmental outcomes than other areas as identified by the California Tax Credit Allocation Committee (TCAC).

Colma scores between 0.25 and 0.5—opportunity scores are presented on a scale from zero to one. The higher the number, the more positive the outcomes (Figure 6, Attachment G). In the northern part of San Mateo County, almost all Census tracts east of Highway 280, including Colma, have lower education scores (Less than 0.25 and between 0.25 and .5) compared to those Census tracts west of Highway 280. Lower education scores in these areas could be related to language barriers where Jefferson Union has a higher share of English learners (36% compared to 20% countywide) and a concentration of lower income households where students qualify for reduced lunch (44% compared to 29% countywide) compared to the countywide proportion.

### **Disproportionate Housing Needs (For Low-Income Households and Protected Classes)**

Colma’s AFH also evaluates disproportionate housing needs among low-income households and protected classes within the Town. Disproportionate housing needs are evident when members of a protected group disproportionately experience a housing need in comparison to other groups or the total population. Disproportionate housing needs typically refer to the risk of displacement, over-crowding, or cost-burdened, among others.

Racial and ethnic minority populations are disproportionately impacted by poverty, low household incomes, overcrowding, and homelessness, compared to the non-Hispanic White population in the Town of Colma. Additionally, racial and ethnic minorities are more likely to be denied a home mortgage loan.

- Aside from Asian/API residents, racial and ethnic minority populations generally have higher poverty rates. Black or African American incomes are the lowest of any racial or ethnic minority population in the Town of Colma.
- Racial and ethnic minorities are more likely than non-Hispanic White households to experience overcrowding. Low and moderate-income households are also more likely to be overcrowded.
- Hispanic and Asian/API households have the highest denial rates for mortgage loan applications in 2018 and 2019.

### **Sites Inventory**

State Law requires Colma to evaluate whether Housing Sites identified as suitable for accommodation of the Town’s RHNA requirements are identified relative to the full scope of the assessment of fair housing (e.g., segregation and integration, racially and ethnically concentrated areas of poverty and affluence, access to opportunity, etc.). A summary of how Housing Sites were identified consistent with AFFH requirements is included below:

- Improved Conditions: An analysis of the sites identified discussed how each site can affirmatively further fair housing. This analysis consists of the distribution of various income units, proximity to or concentration of poverty, educational outcomes, social vulnerability, job proximity, access to transportation, environmental scores, and flood hazards. Since there are no concentrated areas of poverty or affluence in Colma, the

site inventory will not negatively affect this area of AFFH. The analysis can be found in Attachment E, called "Appendix B, Colma Fair Housing Assessment".

- **Exacerbated Conditions:** Since Colma does not have an existing pattern of segregation, the site inventory should not pose a significant impact. While Veterans Village primarily consists of lower income households, in this cycle, there are no sites that have been identified in the immediate area. On the sites that have been projected to include lower income household units, moderate- and above moderate-income units are also included.
- **Isolation of the RHNA:** The sites inventory distributes income units to various parts of the Town and integrates them with various income types. Residents in these sites should have access to the same or improved access to resources as the current residents.
- **Local Data and Knowledge:** The most recent significant residential development in Colma would be Veterans Village. This project helped meet the needs of many individuals covering many demographics. In the 2015-2023 Housing Element 5<sup>th</sup> cycle, a total of 75 units were built surpassing the Town's RHNA allocation by 16. There are no current or future housing proposals at this time, however, staff has been in contact with several developers and they have expressed interest in the sites in the Inventory List.

### **Goals, Policies, and Actions**

Figure 7 (Attachment G), AFFH Action Plan summarizes the policies and programs required by State Law to demonstrate Colma's commitment to affirmatively further fair housing as part of the Housing Element Update Process. This table identifies the Town's fair housing issues, contributing factors, objectives, meaningful actions, and a timeline.

### **Evaluation of Past Progress**

Pursuant to State Law the following table summarizes the implementation status of Goals, Policies and Programs from the Colma's 5<sup>th</sup> cycle Housing Element Update. A number of identified policies and programs from the 2015 Housing Element that will be carried over into the 2023 Housing Element. Some programs have been modified to strengthen the program, some consolidated into one program, and others eliminated.

### **Community Engagement**

Consistent with State Law, the Town has conducted ongoing community outreach efforts throughout the 6<sup>th</sup> Cycle Housing Element Update process. These efforts, inclusive of City Council meetings held prior to today are summarized within the Housing Element Public Participation of the Housing Element Update and below.

#### **Community Meetings & Study Sessions**

##### **Study Sessions**

- April 27, 2022 – City Council

January 25, 2023 - Staff Report – Housing Element

2023-2031 6<sup>th</sup> Cycle Housing Element Update, staff presented to City Council and the public an overview of the progress to date, public outreach efforts, and the preliminary map of potential new housing locations (Site Inventory).

#### Public Meetings

- June 8, 2022 – City Council  
2023-2031 6th Cycle Draft Housing Element, staff presented to City Council and the public the first draft of the Housing Element, updated Site Inventory list, and appendices to be sent to HCD for their first 90-day review.

In addition to City Council study sessions and meetings, a comprehensive outreach plan was created that included several events both in-person and virtual, as well as utilizing traditional and social media.

To promote the survey and outreach events, a flyer was created and sent to residents (360 households). This flyer included information for outreach events, the first City Council public hearing for the Housing Element, and a link with a QR code to the Housing Element Update survey. This survey set out to assess current housing conditions, the community's priorities regarding future housing, and to gather information on housing constraints. It was available online using the Mentimeter app and paper copies were distributed at various outreach events in the month of April.

The Town launched its Housing Element Update website to provide an overview of the project, purpose for the update, key benefits for the update, an explanation RHNA, ways to participate in the update process, a housing element video, and links to the housing survey. The Town also utilized Facebook, Twitter, and Simplicity.

There were five in-person events in the month of April, where the goals were to promote the Housing Element Update, reach a wide range of individuals from varying demographics, and provide as many opportunities to engage with the public.

In early May 2022, staff participated in a presentation to a collection of housing advocates, the San Mateo County Equity Advisory Group. During this presentation, the Town's Goals, Policies, Programs, and Objectives were discussed and their feedback was given. In September 2022, staff hosted a Housing Leadership Council staff member for a tour of the housing opportunity sites in Town and provided additional information for the Draft Housing Element.

#### **Review Process**

On June 16, 2022, the Town submitted the draft Housing Element to HCD for a mandatory 90-day review.

On August 9, 2022, HCD contacted the Town to schedule a meeting with staff to clarify several questions and concerns about the Draft Housing Element. The meeting was scheduled on August 17, 2022, and preliminary feedback was provided by HCD through email as a courtesy request. In response, staff revised the Draft Housing Element and included additional information and analysis. This revised draft was available to the public on August 26, 2022, for

a 7-day review and comment period. The Town did not receive any comments during this most recent review period. This revised draft was sent to HCD on September 2, 2022 as part of the initial 90-day review.

On September 14, 2022, the Town received HCD's findings regarding the Element's compliance with state law. Attached to the resolution for the adoption of the Housing Element are Attachment B and C, demonstrating how the proposed Housing Element conforms with State law. Attachment B shows that the Housing Element conforms with each provision contained in the housing element statutes. Attachment C contains a response to each of HCD's findings.

The following section outlines HCD's required changes, including information on the City's response. Please refer to Attachment H for a copy of HCD's first 90-day review letter for the Town, dated September 14, 2022.

### **Required Findings**

1. The proposed General Plan text will have acceptable effects on the general welfare of the community. Under the Introduction section of the 2040 General Plan, the Adoption and Amendment of the Plan on page I-9 states that, "Amendments must not be made capriciously but only when a change is in the best interest of the community at large and when public health, safety and welfare is not endangered."

The 2023-2031 Housing Element Update has been developed under careful consideration to serve the needs of current residents and future residents, and allow for more housing opportunities, without compromising the public health safety and welfare.

2. The proposed General Plan text and diagram amendments are consistent with the policies and intent of the General Plan. Under the Introduction section of the 2040 General Plan, the Adoption and Amendment of the Plan on page I-9 states that, "Because the requirement for internal consistency is never relaxed, particular care must be taken to ensure that amendments maintain consistency with text and diagrams in all Plan elements."

The 2023-2031 Housing Element Update has been developed under careful consideration to ensure that it is consistent with the policies and intent of the General Plan.

3. The proposed General Plan text and diagram amendments are in the public interest. City Council's Values-Based Code of Conduct guides decision making process. The General Plan is supported by these values. One of which is, "Honesty and Integrity: Decisions in the public's best interest, Open, honest and transparent communications".

The 2023-2031 Housing Element Update has been developed under the public's best interest, where open, honest, and transparent communication was exercised throughout the process.

### **HCD Findings Letter – Outstanding Comments**

Pursuant to Government Code section 65585, subdivision (b), HCD reviewed the draft Housing Element and reported the results of its review.

Responses to each comment of Housing Element can be found in Attachment C. Changes requested by HCD were included in the revised Housing Element.

**State Law - CA Government Code Title 7, Division 1, Chapter 3, Article 10.6 [65580 – 65589.11]**

To be in substantial compliance with state law, a Housing Element must contain all of the elements mandated by state housing element law. (*See Fonseca v. City of Gilroy* (2007) 148 Cal.App.4<sup>th</sup> 1174, 1191-92.) Conformance of Housing Element with State Law Requirements, Attachment B demonstrates that Colma’s Housing Element contains each of the elements mandated by State law.

**Environmental Review**

The Town has prepared the necessary environmental review, consistent with CEQA, for the Draft 2023–2031 Housing Element Update.

The Town finds that the Housing Element is exempt from CEQA under the common sense exemption at 15061(b)(3) as it can be seen with certainty that the implementation of the Housing Element will not have a significant effect on the environment. The 2023-2031 Housing Element Update involves policies, programs, and actions to meet the Town’s RNHA allocation that either would not cause a significant effect on the environment or incorporates actions that have already been taken by the Town.

Further, the Environmental Impact Report for the 2040 General Plan has analyzed the growth projected by the Housing Element and no subsequent, supplemental, or addendum to the EIR is needed. Upon adoption, the 2023-2031 Housing Element will become part of the 2040 General Plan. A Final Environmental Impact Report (EIR) (SCH No. 2020069005) was certified by the Town in March 2022 and a Notice of Determination (NOD) was submitted to the State Clearinghouse (SCH) on March 23, 2022. The EIR considered and addressed growth and development opportunities and the 2023 Housing Element is consistent with the analysis and findings of the General Plan Update Final EIR. Additionally, the policies incorporated into the General Plan by the General Plan EIR include mitigation measures to avoid or mitigate environmental impacts on sites designated in the Housing Element.

**COUNCIL ADOPTED VALUES**

The recommendation is consistent with the Council’s value of *vision* in considering the broader regional and statewide implications of the Town’s decisions and issues.

**CONCLUSION**

Staff recommends that the City Council review the 2023 Housing Element and adopt a resolution adopting the Housing Element.

## **Alternatives Considered**

The City Council could opt not to adopt the resolution adopting the 2023-2031 Housing Element. This is not recommended as the Town must comply with state law and the State has set January 31, 2023 as the deadline. If the Town does not adopt before the deadline, it would put the Town at risk of the State imposing penalties, or the Town may see a legal challenge from the State or other interest groups.

## **ATTACHMENTS:**

- A. Resolution 2023-XX Housing Element Adoption.
- B. Compliance with Statutory Provisions.
- C. Findings Responding to Letter from Department of Housing and Community Development dated 9/14/22
- D. 2023 – 2031 Housing Element
- E. Colma Fair Housing Assessment
- F. Notice of Exemption, 2023-2031 Housing Element Update
- G. Figures and Maps
- H. HCD 90-Day First Review Letter dated 9/14/22
- I. Santa Monica Article about Builder’s Remedy
- J. HEU Edits
- K. Additional Resources from 21 Elements, Root Policy, Housing Element Survey Results, Children’s Outreach Activity, and Public Comment Letter





**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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March 29, 2023

Brian Dossey, Town Manager  
Town of Colma  
1198 El Camino Real  
Colma, CA, 94014

Dear Brian Dossey:

**RE: Town of Colma's 6<sup>th</sup> Cycle (2023-2031) Adopted Housing Element**

Thank you for submitting the Town of Colma's (Town) housing element adopted January 25, 2023 and received for review on January 30, 2023. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. HCD considered comments from Housing Leadership Council of San Mateo County and David Kellogg pursuant to Government Code section 65585, subdivision (c).

The adopted housing element addresses many statutory requirements described in HCD's September 14, 2022 review; however, additional revisions are necessary to fully comply with State Housing Element Law (Article 10.6 of the Gov. Code), see enclosed Appendix.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), then any rezoning to make prior identified sites available or accommodate the regional housing needs allocation (RHNA) shall be completed no later than one year from the statutory deadline pursuant to Government Code sections 65583, subdivision (c) and 65583.2, subdivision (c). 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). Please be aware, if the Town fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until these rezones are completed.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. During the housing element revision process, the Town must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate. Please be

aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

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 programs; 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 Town will meet 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 Town 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://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the effort that the housing element team provided throughout the housing element review. We are committed to assist the Town in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Molivann Phlong, of our staff, at [Molivann.Phlong@hcd.ca.gov](mailto:Molivann.Phlong@hcd.ca.gov).

Sincerely,



Paul McDougall  
Senior Program Manager

## APPENDIX TOWN OF COLMA

The following changes are necessary to bring the Town's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <https://www.hcd.ca.gov/planning-and-community-development/hcd-memos>. Among other resources, the housing element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks> and includes the Government Code addressing State Housing Element Law and other resources.

### **A. Housing Needs, Resources, and Constraints**

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Integration and Segregation: While the element states the Town is integrated because it is one census tract, it must supplement this analysis with local knowledge on patterns and geographic trends within the Town and add or modify programs as appropriate.

Affirmatively Furthering Fair Housing (AFFH) and Identified Sites: While the element analyzes sites against census data, the Town is located within one census tract. The element should include local knowledge and other factors to demonstrate whether sites identified to meet the regional housing needs allocation (RHNA) are distributed throughout the community in a manner that affirmatively furthers fair housing. A full analysis should address the income categories of identified sites with respect to location, the number of sites and units by all income groups and how that effects the existing patterns for all components of the assessment of fair housing (e.g., segregation and integration, access to opportunity). The element should also discuss whether the distribution of sites improves or exacerbates conditions. If sites exacerbate conditions, the element should identify further program actions that will be taken to mitigate this (e.g., anti-displacement strategies).

Contributing Factors to Fair Housing Issues: As noted in the prior review, based on the outcomes of a complete analysis, the element must re-assess and prioritize contributing factors to fair housing issues. Please see HCD's prior review for additional information.

2. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

Overpayment: While the element includes information on overpayment by household income, it does not correlate to households by income level. For example, the analysis discusses incomes at less than \$75,000 but the income limit for a 4 person households is approximately \$149,000. The element must quantify and analyze the number of lower-income households overpaying by tenure (i.e. renter and owner).

Housing Stock Conditions: The element now includes Program 7.2 (Neighborhood Improvement) with various actions, including assessing the conditions of the housing stock. However, the element could include an approximate estimate of the need of rehabilitation and replacement to better guide the formulation of Program 7.2. For example, the element could use estimates from past code enforcement to prioritize areas for assessing conditions. In addition, Program 7.2 (Neighborhood Improvement Code Enforcement) must include specific timing to implement each action.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should provide examples of recent development to support assumptions and describe trends and factors.

Suitability of Nonvacant Sites: While the element describes the existing uses on each site, it must support these assumptions with examples of projects with similar characteristics and affordability. The feasibility of sites must consider factors including the extent to which existing uses may impede additional residential development, development trends, market conditions, and any existing leases or other contracts that would perpetuate the existing uses or prevent redevelopment of the site for additional residential development, and regulatory or other incentives or standards to encourage additional residential development on these sites (Gov. Code, § 65583.2, subd. (g).) The element must also address whether the identified environmental and topographical constraints were considered in the suitability of the sites. In addition, the element should describe the feasibility of developing on the Sandblaster site with required remediation and the statement that a retaining wall is cost prohibitive to development. The feasibility of the Bocci Property must also be demonstrated. While the element states that the Town does not know when the current lease will expire, it states the site is not likely feasible for development while the existing use remains on the site. With this information, the element must demonstrate likelihood of development during this planning period or identify additional sites. Regarding the Kohl's site, the element should describe the similar projects mentioned that have been completed in Daly City and South San Francisco to help demonstrate feasibility of redevelopment.

In addition, if the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households, the housing element must demonstrate that the existing use is not an impediment to additional residential

development in the planning period. This can be demonstrated by analyzing the existing use is likely to be discontinued during the planning period (Gov. Code, § 65583.2, subd. (g)(2). Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA.

Planned Development (PD) Permit: While the element was revised to add additional information, the element must demonstrate that the PD permit process is not a constraint as all sites in the inventory identified for multifamily development rely on the discretionary PD approval process. The element should add programs as appropriate to address the identified constraint.

Availability of Infrastructure: While the element was revised to state each site has access to water, sewer, and dry utilities, it must demonstrate sufficient existing supply capacity including availability and access to distribution facilities to accommodate the Town's RHNA for the planning period.

Zoning for a Variety of Housing Types:

- *Multifamily Zoning:* While the element was revised to state a PD permit is needed for multifamily developments of more than 6 units, and a conditional use permit (CUP) is required for multifamily developments up to 6 units, not allowing multifamily developments without a CUP is a constraint on housing supply and affordability. The element states a housing overlay will be created, but should also commit to how it will apply and whether it will create approval certainty for multifamily developments.
  - *Emergency Shelters:* The element must still describe the emergency shelter development and management standards currently required and add or revise a program as appropriate.
  - *Transitional and Supportive Housing:* While the element was revised to state transitional and supportive housing is permitted in the R and R-S zones, it must clarify that they are allowed as a residential use in all zones allowing residential uses and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. In addition, the element must have policies and procedures to accommodate AB 2162. The element should also describe the Town's procedure for complying with Government Code section 65651, subdivision. For example, section 65651 requires jurisdictions to allow supportive housing by right (without discretionary action) in zones allowing multifamily housing, including mixed-use and nonresidential zones when the development meets certain requirements.
4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Land Use Controls: While the element was revised to state that developments are limited by height, not the number of stories, it should demonstrate that three stories are allowed in the R and C zones. Lastly, the element should describe what uses are allowed in the mixed-use zone.

Parking: The element states that 1.5 parking spaces are required for studio and one-bedroom units. The element also states that the PD process could be utilized to remove the potential constraint. Requiring a discretionary process to remove an identified constraint should be addressed and the element should include a program to address the parking requirements. While the element states that parking is not a constraint because identified sites are within half a mile of transit, it must still analyze parking as a constraint for all areas allowing residential, not just the sites inventory and add or revise programs as needed.

Fees and Exaction: While the element was revised to add an analysis of the affordable housing fee, it should clarify whether there are additional fees including impact fees other than a school fee. In addition, the element demonstrates that fees for multifamily developments are significantly higher than single-family fees on a per unit basis. The element must include a program to address this constraint.

Local Processing and Permit Procedures: While the element states that the discretion of the planned development (PD) permit allows flexibility, it should still address potential constraints on multifamily developments as noted in the prior review. In addition, the element should describe the development standards and approval process for the new housing overlay as well as the development standards in the mixed-use zones. Lastly, the element states that the Town is not subject to SB 35 streamlining, but HCD data shows that the Town is subject to the 10 percent requirement. Further, conditions may change in the current planning cycle. A program must be added to create a streamlined, ministerial approval process pursuant to SB35.

Inclusionary Housing: While the element added additional information on inclusionary requirements, it must analyze the inclusionary's policy and available options to encourage and facilitate compliance with the inclusionary requirements such as availability of options to comply with the requirements, incentives and intersections with State Density Bonus Law.

Constraints on Housing for Persons with Disabilities: While the element references a reasonable accommodation procedure, it must still list approval findings and the approval process for the reasonable accommodation procedure and analyze as a constraint or add a program as appropriate. In addition, the element states "family" is defined as a household, but the element should include the definition of family and/or household to insure it is not a constraint. Lastly, while program 4.4 (Housing Opportunities for Persons with Developmental Disabilities) was added to assess development standards for care facilities, the program must include specific timing and commitment to ensuring group homes for both six or fewer and seven or more residents are allowed objectively with approval certainty in all zones that allow residential uses and similar to other residential uses of the same form.

Water Sewer Priority: This finding was not addressed, please see HCD's prior review for additional information.

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584... (Gov. Code, § 65583, subd. (a)(6).)*

Financing, Price of Land and Cost of Construction: The element must describe and analyze the availability of financing, the price of land, and cost of construction as a potential constraint on housing production. When analyzing the availability of financing, the element could consider other relevant factors such as down payment assistance to lower-income households and homeowner association fees. For additional information, see the Building Blocks at: <https://www.hcd.ca.gov/planning-and-community-development/regional-housing-needs-allocation>.

Developed Densities and Permit Times: This finding was not addressed, please see HCD's prior review for additional information.

## **B. Housing Programs**

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element... (Gov. Code, § 65583, subd. (c).)*

To have a beneficial impact in the planning period, programs must have specific commitment and discrete timelines (e.g., at least annually, by 2025), as follows:

- *Program 1.1 (Manufactured Housing Design Standards)*: The program should be revised to include specific timing to implement the objective standards.
- *Program 2.2 (Accessory Dwelling Units (ADU))*: The program should be revised to include specific implementation and timing of incentives if ADU assumptions are not met.
- *Program 3.2 (Density Bonus Provisions for Affordable Housing)*: The program should be revised to specify when the first update to the Town's density bonus will occur.
- *Program 3.3 (High-Density Housing Near Colma)*: The program should be revised to specify when the zoning update will take place and how often outreach will occur.
- *Program 3.5 (Planned Development Zoning Provisions for Single Family Attached Development)*: This program was deleted and replaced with a new program. The

new program 3.5 should include specific timing and implementation for the new housing overlay zone. If this program is necessary to accommodate the Town's RHNA for lower-income households, it must meet all by-right rezone requirements pursuant to Government Code sections 65583.2, subdivisions (h) and (i).

- Numerous programs in the draft element were removed including programs 3.8 (Development Agreement), 3.9 (Funding District), 4.4 (Inform Local Developers of Opportunities to Provide Transitional and Supportive Housing), 4.5 (Transitional and Supportive Housing), 4.6 (Reach Out to Local Service Providers), 54 (Housing Recordkeeping). The element must clarify why the programs were removed, or address HCD's prior findings.
- *Program 4.1 (Reasonable Accommodations Ordinance Public Information, Ordinance Amendment and Monitoring)*: The program should be revised to include timing of when revisions will be made.
- *Program 4.2 (Senior Housing)*: This finding was not addressed, please see HCD's prior review.
- *Program 4.3 (Emergency Shelters)*: The program should be revised to include specific timing for outreach and resources. The element should also clarify whether the Town's emergency shelter standards comply with AB 139 parking requirements.
- *Program 4.4 (Housing Opportunities for Persons with Developmental Disabilities)*: This program should be revised to include specific timing of implementation.
- *Program 5.1 (Knowledgeable Housing Referral)*: The program should be revised to include proactive outreach and how often it will occur throughout the planning period.
- *Program 5.4 (Address Needs of Extremely Low-Income Households (ELI))*: This program was not revised to include implementation actions or results after identified meetings. The program should include specific implementation actions and timing to assist ELI households. Please see HCD's prior review for additional information.
- *Program 6.2 (Encourage Use of Energy Conservation Measures)*: The program should be revised to include specific timing of implementation.
- *Program 7.2 (Neighborhood Improvement)*: The program should be revised to clarify whether it includes a crime free ordinance. If so, it should be analyzed as a constraint on fair housing. The program should also clarify what action is being implemented if the element states actions are complete. Lastly, the program should describe how often the housing stock will be accessed and include specific timing to implement each action.

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*



As noted in Finding A3, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the Town may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element should be revised as follows:

Program 3.1 (Planned Development Districts and Mixed Use) and 3.6 (Ensure No Net Loss of Required Units): While these programs were removed from the element, they should be included with specific actions. Please see HCD's prior review for additional information.

Previously Identified Nonvacant and Vacant Sites: This finding was not addressed, please see HCD's prior review.

Replacement Housing Requirements: This finding was not addressed, please see HCD's prior review.

3. *The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

The element must include a program(s) with specific actions and timelines to assist in the development of housing for ELI households. While the element includes Program 5.4 to address ELI households, the program must commit to actions beyond meeting with developers. The program should be revised to include specific actions and outcomes and could further commit the Town to adopting priority processing, granting fee waivers or deferrals, modifying development standards, granting concessions and incentives for housing developments that include units affordable to ELI households; and assisting, supporting, or pursuing funding applications.

4. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Findings A4 and A5, the element requires a complete analysis of potential governmental and non-governmental constraints. Depending upon the results of that analysis, the Town may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, programs should be revised as follows:

Program 3.1 (Develop Objective Development and Design Standards): The program should specify what is included as well as timing of when they will be adopted. The program should also clarify whether a PD permit will still be required as a discretionary process.

Program 4.5 (Low-Barrier Navigation Centers): The program must be revised to allow Low-Barrier Navigation Centers (AB 101) in all zones where multifamily and mixed-uses are permitted.

Design Review: While the element was revised to add programs to adopt objective design standards, programs 1.1 and 3.1 must include clear timing of implementation.

Density Bonus: While the element states the Town is in compliance with State Density Bonus Law, Program 3.2 must include timing of the first update to the ordinance being that it was last updated in 2005.

5. *The Housing Element shall include programs to conserve and improve the condition of the existing affordable housing stock. (Gov. Code, § 65583, subd. (c)(4).)*

The element must include a program(s) to conserve and improve the condition of the existing stock, which may include addressing the loss of dwelling units. While the element includes program 7.2, it should include specific timing to implement the actions listed in the program. This is especially important as the Town did not include an estimate of housing units in need of rehabilitation or replacement within the Town.

6. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding A1, the element must include a complete analysis of AFFH. The element must be revised to add goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, milestones, geographic targeting and metrics or numeric objectives and, as appropriate, must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection.

### **C. Quantified Objectives**

*Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b)(1 & 2).)*

The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. While the element was revised to include quantified objectives for construction, it must also include objectives for rehabilitation as well as conservation/preservation.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

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September 22, 2023

Brian Dossey, Town Manager  
Town of Colma  
1198 El Camino Real  
Colma, CA 94014

Dear Brian Dossey:

**RE: Town of Colma's 6<sup>th</sup> Cycle (2023-2031) Revised Draft Housing Element**

Thank you for submitting the Town of Colma's (Town) revised draft housing element update received for review on July 25, 2023, along with revisions received on September 15, 2023. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on August 24, 2023 and September 5, 2023 with Farhad Mortazavi, Town Planner and consultants Jonathan Kwan and Alexandra Sandoval.

The revised draft element addresses many statutory requirements described in HCD's March 29, 2023 review; however, additional revisions are necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq), as follows:

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

*Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

Goals, Priorities, Metrics, and Milestones: As noted in the prior review, goals and actions must specifically respond to the identified fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Additionally, programs must generally address promoting housing mobility, creating new housing choices and affordability in appropriate areas and place-based strategies toward community revitalization. The element could also

consider modifying existing programs to include specific commitment, milestones, geographic targeting and metrics.

2. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Shortfall of Sites: The element indicated that the Town will be rezoning sites to accommodate the Regional Housing Needs Allocation (RHNA) through an overlay zone. Please be aware, the recent California appellate decision in *Martinez v. City of Clovis* found that while overlays can be used in a rezone, when the base zone allows residential development, both the base zone and the overlay zone must comply with the minimum density requirements of Government Code section 65583.2, subdivision (h). The Town may need to adjust its rezoning strategy if the underlying zoning for sites that will be rezoned allows minimum densities less than 20 dwelling units per acre. *Martinez v. City of Clovis (2023) 90 Cal.App.5th 193, 307 Cal.Rptr.3d 64.*

Suitability of Nonvacant Sites: As found in prior reviews and for your information, the housing element relies upon nonvacant sites to accommodate more than 50 percent of the RHNA for lower-income households. The element must demonstrate existing uses are not an impediment to additional residential development (Gov. Code, § 65583.2, subd. (g)(2).). Absent findings (e.g., adoption resolution) based on substantial evidence, the existing uses will be presumed to impede additional residential development and will not be utilized toward demonstrating adequate sites to accommodate the RHNA.

The element will meet the statutory requirements of State Housing Element Law once it has been revised and adopted, if necessary, to substantially comply with the above requirements pursuant to Government Code section 65585.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the Town failed to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), Program 3.5 (Establish a Housing Element Overlay Zone) to create an overlay district to accommodate the RHNA 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). Please be aware, if the Town fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until rezones to accommodate a shortfall of sites pursuant to Government Code section 65583, subdivision (c), paragraph (1),

subparagraph (A) and Government Code section 65583.2, subdivision (c) are completed.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. During the housing element revision process, the Town must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available while considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

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 programs; 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 Town will meet housing element requirements for these and other funding sources.

HCD appreciates the effort the housing element team provided throughout the housing element review. We are committed to assisting the Town in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Claire Sullivan, of our staff, at [Claire.Sullivan@hcd.ca.gov](mailto:Claire.Sullivan@hcd.ca.gov).

Sincerely,



Paul McDougall  
Senior Program Manager

