CITY OF UPLAND
"The City of Gracious Living"

MEETING OF THE CITY COUNCIL

Agenda

Bill Velto, Mayor
James Breitling, Mayor Pro Tem - District 2
Carlos A. Garcia, Councilmember - District 3
Shannan Maust, Councilmember - District 1
Rudy Zuniga, Councilmember - District 4

Michael Blay, City Manager
Stephen P. Deitsch, City Attorney
Keri Johnson, City Clerk

Monday, September 23, 2024

Open session begins at 6:00 p.m.

Council Chamber

JOINT MEETING OF THE UPLAND CITY COUNCIL, THE SUCCESSOR AGENCY TO THE UPLAND COMMUNITY REDEVELOPMENT AGENCY, THE UPLAND PUBLIC FINANCING AUTHORITY, AND THE CITY OF UPLAND FINANCING AUTHORITY

City Hall, 460 N Euclid Avenue

Residents may observe the City Council meetings remotely via livestream on the City website, Spectrum Cable TV Channel 3, or Frontier Cable TV Channel 26.

City of Upland Mission Statement
The City of Upland is committed to delivering superior services that meet community needs with transparency and integrity.

City of Upland Vision Statement
Upland is a safe community with historic character where residents enjoy a high quality of life.

Pages

1. CALL TO ORDER AND ROLL CALL

2. ADDITIONS-DELETIONS TO AGENDA

3. ORAL COMMUNICATIONS

   This is a time for any citizen to comment on item listed on the closed session agenda only. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. The use of visual aids will be included in the time limit.

CLOSED SESSION BEGINS AT 5:00 p.m.

4. CLOSED SESSION

   a. CLOSED SESSION PUBLIC EMPLOYEE PERFORMANCE EVALUATION

      Government Code Section 54957

      Title: City Manager

   b. CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

City Designated Representatives: Mayor Bill Velto and City Attorney Stephen Deitsch

Unrepresented Employee: City Manager

5. INVOCATION

Soheila Azizi, Baha'i Faith of Upland

6. PLEDGE OF ALLEGIANCE

7. PRESENTATIONS

Presentation of the Proclamation recognizing the 125th anniversary of First United Methodist Church

Recognition of Upland Foothill Little League for an outstanding spring 2024 season including the Alan Fitzgerald Sportsmanship Award and All-Star Tournament Banners for each division

8. CITY ATTORNEY

9. ORAL COMMUNICATIONS

This is a time for any citizen to comment on any item listed or not listed on the agenda. Anyone wishing to address the legislative body is requested to submit a speaker card to the City Clerk at or prior to speaking. The speakers are requested to keep their comments to no more than three (3) minutes. Speakers will be given five (5) minutes during public hearings. The use of visual aids will be included in the time limit. Public comments and questions for the purpose of hearing current matters of concern in our community and to provide citizens a method for the public to hear those concerns in an open venue is encouraged. However, under the provisions of the Brown Act, the City Council is prohibited from discussion of items not listed on the agenda, and therefore, the City Council, City Manager, or City Attorney will take communications under advisement for consideration and appropriate response or discussion at a later time.

Individuals who demonstrate disruptive conduct during City Council meetings that prevent the City Council from conducting its meeting in an orderly manner are guilty of a misdemeanor as stated in PC403, disrupting a public meeting, and are subject to removal from the chamber or arrest.

CAMPAIGN CONTRIBUTION DISCLOSURE: Pursuant Gov. Code § 84308, any party to a permit, license, contract, or other entitlement before the Council is required to disclose on the record any contribution, including aggregated contributions, of more than $250 made by the party or the party's agents within the preceding 12 months to any City official. Participants and agents are requested to make this disclosure as well. The disclosure must include the name of the party, participant, or agent, and any other person making the contribution; the name of the recipient, the amount of the contribution, and the date the contribution was made.

10. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one roll call vote. There will be no separate discussion of these items unless members of the legislative body request specific items be removed from the Consent

Calendar for separate action.

Recommended Action:
Approve the Consent Calendar

a. APPROVAL OF MINUTES 7

Recommended Action:
Approve the Special Workshop Minutes of September 9, 2024 and the Regular Meeting Minutes of September 9, 2024. (Staff Person: Keri Johnson)

b. CONSIDER APPROVAL OF AUGUST WARRANT AND PAYROLL REGISTERS 14

CEQA: Not a Project.

Recommended Action:
Approve the August warrant registers (check numbers 49308 – 49747 and direct disbursements totaling $14,725,905.36) and payroll registers totaling $1,914,877.72 (check numbers 163963 – 163979 and electronic fund transfers 49446 – 50013). (Staff Person: Stephen Parker)

c. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ROBERT HALF INC. 26

CEQA: Not a Project.

Recommended Action:
Approve a professional services agreement with Robert Half International, Inc. for $150,000 to provide the City with staff augmentation services; and authorize the City Manager to execute the agreement. (Staff Person: Stephen Parker)

d. CONSIDER ADOPTING RESOLUTIONS AUTHORIZING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND 42

CEQA: Not a Project

Recommended Action:
The City Council, for itself and acting as the legislative body the Successor Agency to the Upland Community Redevelopment Agency, the Upland Public Financing Authority, and the City of Upland Financing Authority adopt resolutions authorizing the investment of monies in the Local Agency Investment Fund and establishing positions authorized to invest monies in the Local Agency Investment Fund. (Staff Person: Stephen Parker)

e. CONSIDER ACCEPTANCE OF BOARD OF SUPERVISORS DISCRETIONARY FUND ALLOCATION FROM SUPERVISOR ARMENDAREZ FOR ECONOMIC DEVELOPMENT AND INFLATION REDUCTION PROJECT 52

CEQA: Not a Project.

Recommended Action:
Accept $350,000 in funding from the County of San Bernardino through Supervisor Armendarez allocations of the Board of Supervisors Discretionary Fund – District Specific Priorities Program for an economic development and inflation reduction project; and authorize the City Manager to execute the agreement. (Staff Person: Stephen Parker)

f. CONSIDER APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WATERWORKFORCE 71

CEQA: Not a Project.

Recommended Action:
Approve Amendment No. 1 to update the exhibits related to the WaterWorkforce contract that was approved on August 12, 2024 and authorize the City Manager to execute the amendment. (Staff Person: Chris Alanis)

g. CONSIDER APPROVAL OF PURCHASE AGREEMENT FOR 12.5 % SODIUM HYPOCHLORITE FOR WATER TREATMENT FACILITIES 97

CEQA: Not a Project.

Recommended Action:
Approve an agreement with Hasa Inc. for the purchase of 12.5% sodium hypochlorite for use in the City's water treatment facilities; and authorize the City Manager to execute the agreement. (Staff Person: Chris Alanis)

h. CONSIDER ADOPTING RESOLUTION AUTHORIZING THE SUBMISSION OF HOUSEHOLD HAZARDOUS WASTE GRANT APPLICATIONS TO CALRECYCLE 157

CEQA: Not a Project.

Recommended Action:
Approve and authorize the submission of a grant application to the California Department of Resource Recycling and Recovery (CalRecycle) for the Small and Large Project discretionary fund Grants starting with HD43 Cycle and any future Cycles; and adopt a Resolution, as required by CalRecycle, authorizing the submittal of Household Hazardous Waste applications to the Department of resources Recycling and Recovery. (Staff Person: Chris Alanis)

i. CONSIDER APPROVAL OF THE PURCHASE OF HYDRO EXCAVATOR WATER TRUCK 163

CEQA: Not a Project.

Recommended Action:
Approve the purchase of a new 2024 Truvac Hydro-Excavator Water Truck with a 12 cubic yard debris tank from Haaker Equipment Company in the amount of $704,008.33; and authorize the City Manager to finalize the purchase of the vehicle. (Staff Person: Chris Alanis)

j. CONSIDER APPROVAL OF THE PURCHASE OF PUBLIC WORKS OPERATIONS AND WATER VEHICLES 167

CEQA: Not a Project.

Recommended Action:
Deem the bid received by MK Smith Chevrolet as non-responsive, approve the purchase of two (2) 2024 Public Works Operations Chevrolet Colorado trucks and two (2) Water Department Chevrolet Colorado trucks from Mountain View Chevrolet in the amount of $151,832.36; and authorize the City Manager to execute all necessary documents for the purchase of the vehicles. (Staff Person:

Chris Alanis)

k. CONSIDER APPROVAL OF A MAINTENANCE SERVICES AGREEMENT FOR ON-CALL STRIPING SERVICES 169

CEQA: Determined to be categorically exempt from further environmental review pursuant to Section 15301(c) (Existing Facilities), of the CEQA guidelines.

Recommended Action:
Approve a Maintenance Services Agreement with Safe USA, Inc for On-Call Striping Services Agreement; and authorize the City Manager to execute the agreement. (Staff Person: Chris Alanis)

l. CONSIDER AWARD OF BID FOR PROJECT NO. 9137, 9138 & 82341, STANDBY GENERATOR INSTALLATION AND REPLACEMENT PROJECT (BID NO. 2024-07) 194

CEQA: Categorically Exempt from further environmental review pursuant to Section 15301(c) (Existing Facilities). The City filed the Notice of Exemption with the County of San Bernardino on July 8, 2024.

Recommended Action:
Approve the plans and specifications for Project No. 9137, 9138 & 82341, Standby Generator Installation and Replacement Project, deem the bid from High Volt Electric as non-responsive, award a construction contract to Proterra Builders, Inc. in the amount of $1,175,000, and approve a construction contingency in the amount of $117,500 for a total contract amount of $1,292,500; and authorize the City Manager to execute the agreement. Additionally, authorize a transfer of $50,000 from the Infrastructure Improvement Reserve to the General Capital Project Fund and appropriate the funds to be used towards the project. (Staff Person: Chris Alanis)

11. PUBLIC HEARINGS

a. CONSIDER APPROVAL OF GENERAL PLAN AMENDMENT NO. GPA-24-0002 FOR THE RE-ADOPTION OF THE 2021-2029 HOUSING ELEMENT 200

CEQA: Determine to be Exempt.

Recommended Action:
The City Council will conduct a public hearing to consider General Plan Update 24-0002 for re-adoption of the 2021-2029 Housing Element Update to the Upland General Plan. (Staff Person: Robert Dalquest)

1. Staff Presentation
2. Hold Public Hearing
3. Close Public Hearing
4. Find that GPA 24-0002 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), Section 15162(a) and Section 15283 of the CEQA Guidelines
5. Adopt a Resolution approving General Plan Amendment No. GPA-24-0002, approving the 2021-2029 Housing Element Update

12. COUNCIL COMMITTEE REPORTS

a. COUNCIL REPORTS ON REGIONAL COMMITTEE MEETING, TRAINING, OR CONFERENCE ATTENDANCE

Councilmembers will provide oral reports on any meetings, trainings, or conferences they attended on behalf of the City. This item is for information only.

13. BUSINESS ITEMS

a. CONSIDERATION OF A RESOLUTION ESTABLISHING A MEASURE N CITIZENS' OVERSIGHT COMMITTEE 716

CEQA: Not a Project.

Recommended Action:
Consider adopting a Resolution establishing a Measure N Citizens' Oversight Committee and adopting operational guidelines for said committee. (Staff Person: Keri Johnson)

14. COUNCIL COMMUNICATIONS

15. CITY MANAGER

16. ADJOURNMENT

The next regularly scheduled City Council meeting is Monday, October 14, 2024.

NOTE: If you challenge the public hearing(s) or the related environmental determinations in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Upland, at, or prior to, the public hearing.

All Agenda items and back-up materials are available for public review at the Upland Public Library, at 450 North Euclid Avenue, the City Clerk's Office at 460 North Euclid Avenue and the City website at www.uplandca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office, 909-931-4120. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

On September 18, 2024 a true and correct copy of this agenda was posted on the bulletin boards at 450 N. Euclid Avenue (Upland Public Library) and 460 N. Euclid Avenue (Upland City Hall), and the City website at www.uplandca.gov

MINUTES OF THE SPECIAL MEETING OF THE UPLAND CITY COUNCIL

September 9, 2024
4:00 p.m.
SPECIAL WORKSHOP
City Council
Council Chamber
City Hall, 460 N Euclid Avenue

Members Present:	Mayor Bill Velto, Councilmember James Breitling, Councilmember Carlos A. Garcia, Councilmember Shannan Maust, Councilmember Rudy Zuniga
Staff Present:	City Manager Michael Blay, City Attorney Stephen P. Deitsch, City Clerk Keri Johnson

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1. CALL TO ORDER AND ROLL CALL

The special meeting of the Upland City Council was called to order by Mayor Bill Velto at 4:00 p.m. in the Council Chamber of the Upland City Hall.

2. ORAL COMMUNICATIONS

Brian Taylor, Upland, questioned why the Parks, Recreation, and Community Services Advisory Committee was not reviewing the park funding and project priorities and why the flooring projects in the parks has not been completed. He also questioned the watering schedule for parks.

Natasha Walton, People for Upland Parks, thanked Council for completing some recent upgrades at parks and provided suggestions regarding park improvements and plans.

3. AGENDA ITEMS

a. DISCUSSION AND DIRECTION ON PARK IMPROVEMENT PROJECTS FUNDING & PRIORITIES

Assistant City Manager Parker introduced Recreation and Community Services Manager Jessica Gandara who presented the staff report along with a PowerPoint presentation.

Assistant City Manager Parker and Recreation and Community Services Manager Jessica Gandara answered questions posed by the Council regarding available funding, park plans, and projects.

Interim Public Works Director Alanis answered questions posed by the Council regarding the timeline to complete projects and ADA accessibility requirements.

The Council provided a list of project ideas for the parks and each Councilmember used a dot voting system to choose their preferred priorities.

4. ADJOURNMENT

Mayor Velto adjourned the workshop at 5:04 p.m. The next regularly scheduled City Council meeting is Monday, September 9, 2024 at 5:00 p.m..

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Keri Johnson, City Clerk

MINUTES OF THE REGULAR MEETING OF THE UPLAND CITY COUNCIL

September 9, 2024
6:00 p.m.
City Council Chamber
City Hall, 460 N. Euclid Avenue

Members Present:	Mayor Bill Velto, Councilmember James Breitling, Councilmember Carlos A. Garcia, Councilmember Shannan Maust, Councilmember Rudy Zuniga
Staff Present:	City Manager Michael Blay, City Attorney Stephen P. Deitsch, City Clerk Keri Johnson

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1. CALL TO ORDER AND ROLL CALL

The regular meeting of the Upland City Council was called to order by Mayor Bill Velto at 5:04 p.m. in the Council Chamber of the Upland City Hall.

2. ADDITIONS-DELETIONS TO AGENDA

None.

3. ORAL COMMUNICATIONS

None.

4. CLOSED SESSION

At 5:05 p.m. Mayor Velto announced that the City Council would recess to Closed Session pursuant to Government Code

a. CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of California Government Code Section 54956.9)

Case Name: James Ems v. City of Upland

San Bernardino County Superior Court of California Case No.CIVSB2322381

b. CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS

California Government Code Section 54956.8

Property: 1.03-acre parcel located on Third Avenue, approximately 75 feet south of the Pacific Electric Trail and adjacent along the north side of the Coy D. Estes Senior Apartments, in the City of Upland (Assessor Parcel Number: 1046-411-54)

City Negotiators: City Manager Michael Blay, Development Services Director Robert Dalquest, Housing Manager Diane Cotto and Housing Coordinator Lizzet Avalos.

Negotiating Party: Steven Dukett, Upland Community Housing, Inc.

Under Negotiation: Price and Terms of payment

The City Council reconvened in open session at 6:04 p.m.

5. INVOCATION

Pastor Noel Anderson, First Presbyterian Church

6. PLEDGE OF ALLEGIANCE

Led by Police Chief Blanco

7. PRESENTATIONS

Certificate of Recognition to Information Technology Manager Richard Jeganathan for his exemplary service to the Community during the CrowdStrike incident.

8. CITY ATTORNEY

City Attorney Deitsch announced the City Council received reports and there was no reportable action during Closed Session.

9. ORAL COMMUNICATIONS

Steve Martinson, Upland, stated that he received a weed abatement notice for his rental property and corrected the issue. He then received a second notice after correcting the issue and requested those fines be waived.

Lois Sicking, Upland, spoke in opposition of Measure N and the proposed prioritization resolution.

Chris Robles, Ontario, stated that Ontario passed a 1% sales tax and the money goes to the general fund and can be used for anything.

Maria Galvan, spoke in opposition of the prioritization plan for Measure N funds and stated it was misleading.

Gabe Garcia, Upland, spoke in support of Measure N and stated that the funding is needed to improve overall public safety services.

Elder Miranda, Upland, stated that their organization can assist the community and questioned who they could reach out to and offer their services.

10. CONSENT CALENDAR

Councilmember Zuniga removed Consent Calendar Item 10j for separate action.

Moved by: Councilmember Zuniga
Seconded by: Councilmember Maust

Approve the Consent Calendar

Motion: Carried Unanimously

a. APPROVAL OF MINUTES

Approve the Special Meeting Minutes of August 9, 2024, the Special Workshop Minutes of August 12, 2024, the Regular Meeting Minutes of August 12, 2024, and the Special Meeting Minutes of August 29, 2024.

b. TREASURER'S REPORT JULY 2024

Receive and file the July 2024 Treasurer's Report.

c. CONSIDER APPROVING THE RECLASSIFICATION OF ONE RECREATION COORDINATOR POSITION TO A SENIOR RECREATION COORDINATOR

Approve the reclassification of one Recreation Coordinator at the Gibson Senior Center to a Senior Recreation Coordinator; amend the Classification Plan as described; and add the Senior Recreation Coordinator job description to the Classification Plan.

d. FIRE DEVELOPMENT IMPACT FEES

Establish the Fire Development Impact Fees (DIF) Fund (Fund 418); transfer the $318,428 liability from the General DIF Fund to the Fire DIF Fund as of July 1, 2023; approve the refunding of $254,149 in weed abatement costs incurred by the City between Fiscal Year 2017-18 and Fiscal Year 2023-24 from the City's General Fund to the Fire DIF Fund; and appropriate the remaining balance of $64,279 to Account No. 418XXXX-5253 in Fiscal Year 2024-25.

e. CONSIDER ADOPTING A RESOLUTION ACCEPTING BUILDING FORWARD: LIBRARY INFRASTRUCTURE GRANT – ROUND ONE

Adopt Resolution No. 6796 Accepting Building Forward: Library Infrastructure Grant – Round One funding of $252,080.

f. CONSIDER APPROVAL OF AN AGREEMENT FOR CROSSING GUARD SERVICES

Approve the agreement with All City Management Services, Inc. for crossing guard services in the amount of $195,102 for the 2024/2025 school year and authorize the City Manager to execute the agreement.

g. CONSIDER APPROVAL OF THE REALLOCATION OF ARPA FUNDS FOR POLICE DEPARTMENT BUILDING UPSTAIRS EXPANSION

Reallocate previously approved American Rescue Plan Act (ARPA) funds in the amount of $200,000 and approve an additional $50,000 to fund an upstairs expansion at the Police Department.

h. CONSIDER ACCEPTANCE OF IMPROVEMENTS FOR PARCEL MAP 20448

Accept the improvements for Parcel Map 20448 and reduce the improvement bonds to 25%.

i. CONSIDER APPROVAL OF TRACT MAP 20647 AND SUBDIVISION AGREEMENT, LOCATED AT THE NORTHWEST CORNER OF NORTH FIRST AVENUE AND A STREET

Approve Tract Map 20647 for recordation and authorize the City Manager to sign the subdivision agreement.

k. CONSIDER ACCEPTING THE NOTICE OF COMPLETION FOR PROJECT NO. 9149, STORM WATER TRASH CAPTURE SYSTEM INSTALLATION PROJECT

Accept the work; authorize the City Manager or designee to record the Notice of Completion; and reduce the Faithful Performance Bond to 10% for Project No. 9149, Storm Water Trash Capture System Installation Project.

j. CONSIDER APPROVAL OF ELIGIBLE AMERICAN RESCUE PLAN ACT FUNDED COMMERCIAL REHABILITATION PROGRAM APPLICATIONS AND REVISED GRANT APPROVAL PROCESS

Councilmembers Breitling and Zuniga recused themselves from this item and left the Council Chamber at 6:26 p.m.

Councilmembers thanked staff for their hard work on this program. Development Services Director Dalquest answered questions posed by the Council regarding the projects.

Moved by: Councilmember Maust
Seconded by: Councilmember Garcia

Accept the Grant Review Committee's recommendation relative to eligibility and funding for eleven (11) Commercial Rehabilitation Program ("CRP") projects listed herein and return the authority to approve individual project grant funding to the Grant Review Committee for all future CRP projects.

Motion: Carried Unanimously with Councilmembers Breitling and Zuniga abstaining

Councilmembers Breitling and Zuniga returned to the Council Chamber at 6:30 p.m.

11. PUBLIC HEARINGS

a. CONSIDER ADOPTING A RESOLUTION APPROVING THE HUD CITIZEN PARTICIPATION PLAN

Development Services Director Dalquest introduced Housing Manager Cotto who presented the staff report.

Mayor Velto opened the public hearing and hearing no testimony, Mayor Velto closed the public hearing.

Moved by: Councilmember Breitling
Seconded by: Councilmember Garcia

Adopt Resolution No. 6797 approving the City's Citizen Participation Plan required by the U.S. Department of Housing and Urban Development (HUD) and direct staff to transmit all documents to HUD.

Motion: Carried Unanimously

12. COUNCIL COMMITTEE REPORTS

a. COUNCIL REPORTS ON REGIONAL COMMITTEE MEETING, TRAINING, OR CONFERENCE ATTENDANCE

No reports.

13. BUSINESS ITEMS

a. CONSIDER ADOPTING A RESOLUTION ESTABLISHING MEASURE N SPENDING PRIORITIES

Assistant City Manager Parker presented the staff report and answered questions posed by the Council regarding establishing a citizen oversight committee.

Council commented on spending priorities in the City if Measure N is adopted and the fiscal challenges that the City has faced.

Moved by: Councilmember Garcia
Seconded by: Councilmember Breitling

Adopt Resolution No. 6798 expressing Council's intent to prioritize spending of transactions and use (sales) tax revenue (TUT) for infrastructure and public safety purposes.

Motion: Carried Unanimously

14. COUNCIL COMMUNICATIONS

Councilmembers announced various activities and events throughout the community.

15. CITY MANAGER

16. ADJOURNMENT

Mayor Velto adjourned the meeting at 6:56 p.m. The next regularly scheduled City Council meeting is Monday, September 23, 2024.

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Keri Johnson, City Clerk

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: STEPHEN PARKER, ASSISTANT CITY MANAGER
STACI SULLIVAN, FINANCE MANAGER
SUBJECT: CONSIDER APPROVAL OF AUGUST WARRANT AND PAYROLL REGISTERS

RECOMMENDED ACTION:
It is recommended that the City Council approve the August warrant registers (check numbers 49308 – 49747 and direct disbursements totaling $14,725,905.36) and payroll registers totaling $1,914,877.72 (check numbers 163963 – 163979 and electronic fund transfers 49446 – 50013).

GOAL STATEMENT
The proposed action supports the City's goal of managing the City's resources in a fiscally responsible and transparent manner.

BACKGROUND
The City Council is presented with the financial disbursements for the purchase of materials, supplies, services, capital projects, and payroll warrants issued in the prior month. This process provides the City Council with the opportunity to review the monthly expenses of the city.

ISSUES AND ANALYSIS
In accordance with Government Code 37208, the Finance Manager hereby certifies that the attached warrant registers, direct disbursements and payroll registers have been found to conform to the approved budget and have been paid. These demands are submitted to the City Council for review and approval.

ENVIRONMENTAL DETERMINATION
The proposed action is not subject to the California Environmental Quality Act (CEQA). Section 15378 of the CEQA Guidelines defines a project subject to CEQA. The proposed action is not included within the definition of a "project" and thus is exempt.

FISCAL IMPACTS
Funds are available for the payment of the warrant registers, direct disbursements and payroll registers in accordance with the Fiscal Year 2024-25 operating budget.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

City of Upland
Accounts Payable Check Reconciliation Register
08/01/2024 - 08/31/2024

CHECK #	CHECK DATE	CHECK TYPE	VENDOR #	VENDOR NAME	CHECK AMOUNT
49308	08/07/2024	PRINTED	292	ACEVEDO, VICTOR	222.00
49309	08/07/2024	PRINTED	291	GOLDEN STATE SUPPLY, LLC	992.35
49310	08/07/2024	PRINTED	25	AGUILAR-RILEY, VIRGINIA	866.80
49311	08/07/2024	PRINTED	39171	ALL AMERICAN ASPHALT	759,523.00
49312	08/07/2024	PRINTED	1396	ALVAREZ, MARIA ELENA	883.50
49313	08/07/2024	PRINTED	6109	AMERICAN HERITAGE LIFE INS CO	93.09
49314	08/07/2024	PRINTED	1291	AMTECH ELEVATOR SERVICES	4,006.78
49315	08/07/2024	PRINTED	12378	ATKINSON ANDELSON LOYA RUDD	327.60
49316	08/07/2024	PRINTED	6683	ATMAA INC	1,040.00
49317	08/07/2024	PRINTED	55	BABCOCK & SONS, INC	797.62
49318	08/07/2024	PRINTED	3987	BALDY VIEW GYMNASTICS	1,240.75
49319	08/07/2024	PRINTED	1348	BAST, KAY	179.55
49320	08/07/2024	PRINTED	1734	BATTERY WORX INC	138.21
49321	08/07/2024	PRINTED	1374	BAY ALARM COMPANY	2,518.62
49322	08/07/2024	PRINTED	1112	BEGINNERS EDGE SPORTS TRAINING, LLC	1,271.10
49323	08/07/2024	PRINTED	119661	BEST BEST & KRIEGER LLP	37,057.81
49324	08/07/2024	PRINTED	1769	BIO-TOX LABORATORIES	2,642.00
49325	08/07/2024	PRINTED	1722	RAQUEL VEISAGA	230.13
49326	08/07/2024	PRINTED	819	BRINKS, INC	1,022.25
49327	08/07/2024	PRINTED	5944	BURRTEC WASTE INDUSTRIES	1,273,168.12
49328	08/07/2024	PRINTED	195	CALIFORNIA NEWSPAPERS PARTNERSHIP	268.12
49329	08/07/2024	PRINTED	82791	CHEM PRO LLC	333.00
49330	08/07/2024	PRINTED	1784	CLEARGOV INC	13,300.00
49331	08/07/2024	PRINTED	521	COUPLAND, DONNA	212.55
49332	08/07/2024	PRINTED	366	CRAFCO INC	6,140.13
49333	08/07/2024	PRINTED	15814	CRIME SCENE STERI-CLEAN, LLC	850.00
49334	08/07/2024	PRINTED	1153	DENCO LIEN SALES, INC	765.00
49335	08/07/2024	PRINTED	1562	EVCO CLEANING SUPPLIES LLC	1,292.73
49336	08/07/2024	PRINTED	1587	EXPRESS BRAKE SUPPLY & DISTRIBUTORS INC	659.45
49337	08/07/2024	PRINTED	1531	FELICITY USA MANAGEMENT SERVICES LLC	283.05
49338	08/07/2024	PRINTED	123041	FRIENDS OF UPL ANML SHLTR INC	3,243.00
49339	08/07/2024	PRINTED	567	FRITTS FORD	49,313.91
49340	08/07/2024	PRINTED	78	FRONTIER	134.08
49341	08/07/2024	PRINTED	78	FRONTIER	119.91
49342	08/07/2024	PRINTED	78	FRONTIER	107.64
49343	08/07/2024	PRINTED	111311	FUN WITH SCIENCE	282.00
49344	08/07/2024	PRINTED	129941	GENTRY GENERAL ENGINEERING INC	6,247.86
49345	08/07/2024	PRINTED	1603	GOLDEN STAR JANITORIAL INC	1,700.00
49346	08/07/2024	PRINTED	91751	GOVERNMENTJOBS.COM, INC	21,847.05
49347	08/07/2024	PRINTED	34941	GUZMAN, STACEY	215.18
49348	08/07/2024	PRINTED	5206	H D L COREN & CONE	695.00
49349	08/07/2024	PRINTED	1171	CLEMENT, RICHARD N	12,981.60
49350	08/07/2024	PRINTED	1212	HARDY & HARPER, INC	3,979.00
49351	08/07/2024	PRINTED	1787	VANESSA ANN HIDALGO	76.95
49352	08/07/2024	PRINTED	329	HOLLIDAY ROCK CO INC	2,340.36
49353	08/07/2024	PRINTED	153	INLAND EMPIRE UTILITIES AGENCY	36,408.90
49354	08/07/2024	PRINTED	4719	INTERSTATE BATTERIES	189.53

CHECK #	CHECK DATE	CHECK TYPE	VENDOR #	VENDOR NAME	CHECK AMOUNT
49355	08/07/2024	PRINTED	114501	INTERWEST CONSULTING GROUP	17,335.50
49356	08/07/2024	PRINTED	635	RENTOKIL NORTH AMERICA INC	879.40
49357	08/07/2024	PRINTED	841	JOHNSTONE SUPPLY	346.09
49358	08/07/2024	PRINTED	846	KLAUS & SONS PLUMBING	6,800.00
49359	08/07/2024	PRINTED	53241	KONICA MINOLTA BUSINESS SOLUTIONS	8,565.30
49360	08/07/2024	PRINTED	15595	L D M ASSOCIATES INC	6,961.50
49361	08/07/2024	PRINTED	1609	LANDSCAPE WEST MANAGEMENT SERVICES, INC	19,500.00
49362	08/07/2024	PRINTED	102	LIGHTING INSTYLE	211.85
49363	08/07/2024	PRINTED	122601	LOWE'S	10,133.43
49364	08/07/2024	PRINTED	1123	HYATT LEGAL PLANS, INC	672.00
49365	08/07/2024	PRINTED	345	MK SMITH CHEVROLET	44,774.32
49366	08/07/2024	PRINTED	1561	MNM CONSTRUCTION	3,800.00
49367	08/07/2024	PRINTED	238	MOUNTAIN VIEW CHEVROLET	265.22
49368	08/07/2024	PRINTED	7816	MR T'S TOWING INC	3,632.29
49369	08/07/2024	PRINTED	1834	DEBORAH NAKATANI	589.95
49370	08/07/2024	PRINTED	30971	OCCUPATIONAL HEALTH CENTERS	369.00
49371	08/07/2024	PRINTED	1410	OUTDOOR CREATIONS INC	210,132.48
49372	08/07/2024	PRINTED	33021	PELLITTERI, CHRISTOPHER	355.96
49373	08/07/2024	PRINTED	16760	POLY-CORR INDUSTRIES INC	3,386.04
49374	08/07/2024	PRINTED	992	PRISTINE UNIFORMS, LLC	3,682.47
49375	08/07/2024	PRINTED	869	PPS ENTERPRISES, INC	1,803.98
49376	08/07/2024	PRINTED	1853	RESTCON ENVIORNMENTAL OF SOUTHERN CALIFORNIA	1,490.00
49377	08/07/2024	PRINTED	828	RICHDAI, INC	1,291.35
49378	08/07/2024	PRINTED	67381	ROUTE 66 CAR WASH INC	714.00
49379	08/07/2024	PRINTED	969	HECTOR SALCIDO	459.00
49380	08/07/2024	PRINTED	63121	SAN ANTONIO REGIONAL HOSPITAL	2,500.00
49381	08/07/2024	PRINTED	4974	SAN BERNARDINO ASSOCIATED GOVT	8.00
49382	08/07/2024	PRINTED	11671	SAN BERNARDINO COUNTY	13,811.95
49383	08/07/2024	PRINTED	1931	SANTA HATZ	825.00
49384	08/07/2024	PRINTED	1931	SANTA HATZ	800.00
49385	08/07/2024	PRINTED	1237	VANESSA SEE	2,785.65
49386	08/07/2024	PRINTED	893	PLANT, CHRISTI	2,180.86
49387	08/07/2024	PRINTED	407	SINGLETON, DENICE	370.50
49388	08/07/2024	PRINTED	107	SITEONE LANDSCAPE SUPPLY HOLDING LLC	10,594.04
49389	08/07/2024	PRINTED	637	SMART & FINAL IRIS CO	1,814.92
49390	08/07/2024	PRINTED	77751	IDSC HOLDINGS LLC	1,167.95
49391	08/07/2024	PRINTED	18062	SOFFA ELECTRIC INC	780.00
49392	08/07/2024	PRINTED	21671	CHARTER COMMUNICATIONS HOLDINGS, LLC	1,234.81
49393	08/07/2024	PRINTED	21671	CHARTER COMMUNICATIONS HOLDINGS, LLC	601.97
49394	08/07/2024	PRINTED	21671	CHARTER COMMUNICATIONS HOLDINGS, LLC	780.50
49395	08/07/2024	PRINTED	21671	CHARTER COMMUNICATIONS HOLDINGS, LLC	219.11
49396	08/07/2024	PRINTED	21671	CHARTER COMMUNICATIONS HOLDINGS, LLC	1,046.23
49397	08/07/2024	PRINTED	21671	CHARTER COMMUNICATIONS HOLDINGS, LLC	144.98
49398	08/07/2024	PRINTED	21671	CHARTER COMMUNICATIONS HOLDINGS, LLC	164.98
49399	08/07/2024	PRINTED	21671	CHARTER COMMUNICATIONS HOLDINGS, LLC	134.98
49400	08/07/2024	PRINTED	21671	CHARTER COMMUNICATIONS HOLDINGS, LLC	142.67
49401	08/07/2024	PRINTED	16607	STAPLES BUSINESS ADVANTAGE	1,968.05
49402	08/07/2024	PRINTED	10218	STATE OF CALIFORNIA DMV	367.00
49403	08/07/2024	PRINTED	69231	STEP SAVER CA LLC	2,042.58
49404	08/07/2024	PRINTED	1617	ARIZONA MACHINERY LLC	38.68
49405	08/07/2024	PRINTED	2439	T K E ENGINEERING INC	15,042.50
49406	08/07/2024	PRINTED	1154	T-MOBILE USA	400.00

CHECK #	CHECK DATE	CHECK TYPE	VENDOR #	VENDOR NAME	CHECK AMOUNT
49407	08/07/2024	PRINTED	1347	TINKERSPACE, INC	79.80
49408	08/07/2024	PRINTED	16541	ANDREW TODD	1,111.26
49409	08/07/2024	PRINTED	68821	TOTAL CORPORATE SOLUTIONS	315.00
49410	08/07/2024	PRINTED	11484	U S BANK	6,200.00
49411	08/07/2024	PRINTED	17022	UPLAND MUSIC SCHOOL	1,139.25
49412	08/07/2024	PRINTED	990	VEOLIA NORTH AMERICA, INC	128.27
49413	08/07/2024	PRINTED	14735	VERIZON WIRELESS	8,630.64
49414	08/07/2024	PRINTED	14735	VERIZON WIRELESS	5,687.53
49415	08/07/2024	PRINTED	857	WATERLINE TECHNOLOGIES, INC	1,027.94
49416	08/07/2024	PRINTED	1865	WATRY DESIGN, INC.	18,985.08
49417	08/07/2024	PRINTED	392	WAXIE SANITARY SUPPLY	1,663.15
49418	08/07/2024	PRINTED	1345	YOUR PROPERTY SOLUTIONS	5,445.00
49419	08/07/2024	PRINTED	5193	ZAILO, ROBERT	465.90
49420	08/07/2024	PRINTED	999999	PASCUALA SANCHEZ	55.00
49421	08/07/2024	PRINTED	999999	ROBERT MELENDEZ	100.00
49422	08/07/2024	PRINTED	999999	RS DESIGN GROUP	2,285.61
49423	08/07/2024	PRINTED	999999	TED NEAG	350.00
49498	08/14/2024	PRINTED	1681	10-8 RETROFIT INC	406.11
49499	08/14/2024	PRINTED	291	GOLDEN STATE SUPPLY, LLC	502.05
49500	08/14/2024	PRINTED	358	ADVANCED AUTO, SMOG CHECK CENTER	160.00
49501	08/14/2024	PRINTED	1380	ADVANTEC CONSULTING ENGINEERS, INC	12,362.50
49502	08/14/2024	PRINTED	15750	AFLAC PREMIUM HOLDING	636.20
49503	08/14/2024	PRINTED	3	AIRGAS USA LLC	1,652.71
49504	08/14/2024	PRINTED	1291	AMTECH ELEVATOR SERVICES	1,900.00
49505	08/14/2024	PRINTED	1932	ASSOCIATION OF RIVERSIDE COUNTY CHIEFS OF POLICE	350.00
49506	08/14/2024	PRINTED	1259	ARCHITECTURAL DESIGN & SIGNS, INC	2,365.50
49507	08/14/2024	PRINTED	289	ARROW TRAILER SUPPLIES INC	61.82
49508	08/14/2024	PRINTED	1710	ASPHALT PROFESSIONAL SERVICES INC	9,880.00
49509	08/14/2024	PRINTED	6683	ATMAA INC	1,400.00
49510	08/14/2024	PRINTED	862	BADGER METER INC	91,260.70
49511	08/14/2024	PRINTED	1638	BIDDLE CONSULTING GROUP, INC	2,670.00
49512	08/14/2024	PRINTED	7415	BILL & WAGS INC	829.69
49513	08/14/2024	PRINTED	1503	BROWN AND CALDWELL	20,119.50
49514	08/14/2024	PRINTED	195	CALIFORNIA NEWSPAPERS PARTNERSHIP	747.88
49515	08/14/2024	PRINTED	831	CHARGEPOINT INC	7,056.00
49516	08/14/2024	PRINTED	163	CLINICAL LABORATORY OF SAN BERNARDINO, INC	264.00
49517	08/14/2024	PRINTED	1933	CMAX SANITARY SERVICES, INC	840.00
49518	08/14/2024	PRINTED	1500	THE CUSTOM GRAPHICS	105.60
49519	08/14/2024	PRINTED	656	DANIELS TIRE SERVICE, INC	2,965.46
49520	08/14/2024	PRINTED	16636	DELL MARKETING LP	5,343.30
49521	08/14/2024	PRINTED	39021	EH WACHS CO	875.23
49522	08/14/2024	PRINTED	97141	EUROFINS EATON ANALYTICAL INC	87,278.00
49523	08/14/2024	PRINTED	2435	EVERSOFT	950.82
49524	08/14/2024	PRINTED	10485	EXPERIAN	75.00
49525	08/14/2024	PRINTED	1000	FIX AUTO UPLAND	2,232.52
49526	08/14/2024	PRINTED	96251	FORD OF UPLAND	461.60
49527	08/14/2024	PRINTED	1721	GARAGE AUTO PAINT & BODY	5,654.81
49528	08/14/2024	PRINTED	290	GRAINGER	3,774.26
49529	08/14/2024	PRINTED	90227	HEARD'S INVESTIGATIONS AND POLYGRAPH, LLC	450.00
49530	08/14/2024	PRINTED	329	HOLLIDAY ROCK CO INC	1,085,717.06
49531	08/14/2024	PRINTED	16340	INFOSEND INC	31,249.86
49532	08/14/2024	PRINTED	1357	JACKS KEY SERVICE	520.10

CHECK #	CHECK DATE	CHECK TYPE	VENDOR #	VENDOR NAME	CHECK AMOUNT
49533	08/14/2024	PRINTED	913	JOEL'S AUTOMOTIVE, INC	1,707.99
49534	08/14/2024	PRINTED	841	JOHNSTONE SUPPLY	672.54
49535	08/14/2024	PRINTED	79821	K S M ELECTRIC	870.00
49536	08/14/2024	PRINTED	583	KING FENCING INC	450.00
49537	08/14/2024	PRINTED	1441	KNIGHT CLAREMONT INC	77.70
49538	08/14/2024	PRINTED	26101	KONICA MINOLTA	8,738.54
49539	08/14/2024	PRINTED	1817	LANGUAGE NETWORK, INC	130.00
49540	08/14/2024	PRINTED	1232	LARSON LLP	390.00
49541	08/14/2024	PRINTED	3020	LAW ENFORCEMENT MEDICAL SVCS	3,970.00
49542	08/14/2024	PRINTED	131091	LEXIPOL, LLC	1,631.47
49543	08/14/2024	PRINTED	1845	LWP CLAIMS SOLUTIONS INC	10,500.00
49544	08/14/2024	PRINTED	1935	MACIAS REFRIGERATION INC.	5,400.00
49545	08/14/2024	PRINTED	1868	MAUREEN ERBEZNIK & ASSOCIATES	9,900.00
49546	08/14/2024	PRINTED	1376	MEADE, MEGHAN	410.18
49547	08/14/2024	PRINTED	1724	VETERINARY PET INSURANCE COMPANY	349.26
49548	08/14/2024	PRINTED	1740	O-REILLY AUTO ENTERPRISES, LLC	531.35
49549	08/14/2024	PRINTED	30971	OCCUPATIONAL HEALTH CENTERS	323.00
49550	08/14/2024	PRINTED	1871	PHOTOSHELTER, INC	15,750.00
49551	08/14/2024	PRINTED	1731	R E S ENVIRONMENTAL INC	1,700.00
49552	08/14/2024	PRINTED	349	RAIN MASTER IRRIGATION SYSTEMS	298.90
49553	08/14/2024	PRINTED	612	RIDE ON POWERSPORTS, INC	786.77
49554	08/14/2024	PRINTED	67381	ROUTE 66 CAR WASH INC	747.00
49555	08/14/2024	PRINTED	90591	S & J SUPPLY CO INC	2,987.37
49556	08/14/2024	PRINTED	507	SERVIAM BY WRIGHT LLP	9,781.60
49557	08/14/2024	PRINTED	2570	SIX BASINS WATERMASTER DEPT	25,788.00
49558	08/14/2024	PRINTED	43011	SMITH-EMERY LABORATORIES	4,909.16
49559	08/14/2024	PRINTED	1934	SMOKIN' RUBEN'S LLC	957.04
49560	08/14/2024	PRINTED	18062	SOFFA ELECTRIC INC	1,770.00
49561	08/14/2024	PRINTED	99141	SONSRAY MACHINERY LLC	458.16
49562	08/14/2024	PRINTED	16607	STAPLES BUSINESS ADVANTAGE	917.15
49563	08/14/2024	PRINTED	69231	STEP SAVER CA LLC	1,029.87
49564	08/14/2024	PRINTED	1866	THOMAS GRAY & ASSOCIATES, INC	4,150.00
49565	08/14/2024	PRINTED	1432	RYAN HOOVER	899.49
49566	08/14/2024	PRINTED	1861	THREATER, INC	8,400.00
49567	08/14/2024	PRINTED	626	TMP ENTERPRISES, LLC	200.00
49568	08/14/2024	PRINTED	1148	TOTAL ENVIRONMENTAL MANAGEMENT, INC	7,650.00
49569	08/14/2024	PRINTED	311	U S ARMOR CORPORATION	946.05
49570	08/14/2024	PRINTED	1682	UPLAND AUTO BODY	1,282.74
49571	08/14/2024	PRINTED	1507	WILCOX SUPPLY INC	917.98
49572	08/14/2024	PRINTED	1325	WILLDAN ENGINEERING	12,800.00
49573	08/21/2024	PRINTED	291	GOLDEN STATE SUPPLY, LLC	624.94
49574	08/21/2024	PRINTED	851	ADVANTAGE SEALING SYSTEMS, INC	321.84
49575	08/21/2024	PRINTED	3	AIRGAS USA LLC	3,483.60
49576	08/21/2024	PRINTED	1937	DIANA L FRIELING	2,003.00
49577	08/21/2024	PRINTED	1782	BLUE-WHITE INDUSTRIES	31,508.65
49578	08/21/2024	PRINTED	120021	BRIGHTVIEW	67,779.89
49579	08/21/2024	PRINTED	819	BRINKS, INC	1,039.41
49580	08/21/2024	PRINTED	195	CALIFORNIA NEWSPAPERS PARTNERSHIP	6,139.14
49581	08/21/2024	PRINTED	83401	CARL WARREN & CO	8,470.25
49582	08/21/2024	PRINTED	1167	ALERIA, TONY R	377.13
49583	08/21/2024	PRINTED	448	CINTAS CORPORATION	5,983.60
49584	08/21/2024	PRINTED	1869	CALIFORNIA INTERGOVERNMENTAL RISK AUTHORITY (CIRA)	29,502.02

CHECK #	CHECK DATE	CHECK TYPE	VENDOR #	VENDOR NAME	CHECK AMOUNT
49585	08/21/2024	PRINTED	45421	COSTAR REALTY INFORMATION GROUP INC	729.40
49586	08/21/2024	PRINTED	1570	DIRECTV ENTERTAINMENT HOLDINGS LLC	163.24
49587	08/21/2024	PRINTED	1872	EMPIRE SKATES	5,000.00
49588	08/21/2024	PRINTED	97141	EUROFINS EATON ANALYTICAL INC	14,504.00
49589	08/21/2024	PRINTED	10485	EXPERIAN	77.48
49590	08/21/2024	PRINTED	4456	FEDERAL EXPRESS	24.25
49591	08/21/2024	PRINTED	96251	FORD OF UPLAND	56.37
49592	08/21/2024	PRINTED	99418	FRANCHISE TAX BOARD	40.00
49593	08/21/2024	PRINTED	78	FRONTIER	1,865.53
49594	08/21/2024	PRINTED	78	FRONTIER	1,238.52
49595	08/21/2024	PRINTED	78	FRONTIER	357.00
49596	08/21/2024	PRINTED	78	FRONTIER	577.50
49597	08/21/2024	PRINTED	78	FRONTIER	83.70
49598	08/21/2024	PRINTED	78	FRONTIER	43.23
49599	08/21/2024	PRINTED	78	FRONTIER	716.28
49600	08/21/2024	PRINTED	111251	GNA BROOK FIRE PROTECTION INC	894.97
49601	08/21/2024	PRINTED	329	HOLLIDAY ROCK CO INC	196.11
49602	08/21/2024	PRINTED	3430	INLAND EMPIRE STAGES, LTD	4,860.50
49603	08/21/2024	PRINTED	153	INLAND EMPIRE UTILITIES AGENCY	39,243.68
49604	08/21/2024	PRINTED	1371	INNOVATIVE PLAYGROUNDS COMPANY, INC	110,123.99
49605	08/21/2024	PRINTED	114501	INTERWEST CONSULTING GROUP	5,728.00
49606	08/21/2024	PRINTED	635	RENTOKIL NORTH AMERICA INC	495.65
49607	08/21/2024	PRINTED	1732	GREGORY KILEY	3,900.00
49608	08/21/2024	PRINTED	1802	KTUA	10,940.00
49609	08/21/2024	PRINTED	102	LIGHTING INSTYLE	105.67
49610	08/21/2024	PRINTED	1427	MARIPOSA LANDSCAPES INC	24,829.20
49611	08/21/2024	PRINTED	1622	SHANNAN MAUST	1,150.00
49612	08/21/2024	PRINTED	7816	MR T'S TOWING INC	1,200.00
49613	08/21/2024	PRINTED	1740	O-REILLY AUTO ENTERPRISES, LLC	165.68
49614	08/21/2024	PRINTED	30971	OCCUPATIONAL HEALTH CENTERS	396.00
49615	08/21/2024	PRINTED	1631	STACEY PADRON	1,379.99
49616	08/21/2024	PRINTED	1601	PARKER, STEPHEN	48.00
49617	08/21/2024	PRINTED	1312	PB LOADER COPORATION	175,523.97
49618	08/21/2024	PRINTED	909	PSYCHOLOGICAL CONSULTING ASSOCIATES INC	1,040.00
49619	08/21/2024	PRINTED	62081	QUADIENT LEASING USA, INC	1,863.42
49620	08/21/2024	PRINTED	1838	R&T LIFT GATE SERVICE, INC.	9,680.50
49621	08/21/2024	PRINTED	1864	REAL GONE PEST CONTROL	1,519.98
49622	08/21/2024	PRINTED	1528	RISE INTERPRETING, INC	1,510.00
49623	08/21/2024	PRINTED	2225	SAN BERNARDINO COUNTY FIRE	28,463.47
49624	08/21/2024	PRINTED	131121	SHRED-IT USA JV LLC	838.17
49625	08/21/2024	PRINTED	1106	SPORT PINS INTERNATIONAL, INC	2,462.09
49626	08/21/2024	PRINTED	16607	STAPLES BUSINESS ADVANTAGE	1,708.51
49627	08/21/2024	PRINTED	69231	STEP SAVER CA LLC	1,899.55
49628	08/21/2024	PRINTED	417	E&S TOWING ENTERPRISES, INC	2,435.00
49629	08/21/2024	PRINTED	1083	LOS CARNALES, INC	2,090.35
49630	08/21/2024	PRINTED	1777	TELEGRAPH AVENUE ADVISORS, LLC	5,000.00
49631	08/21/2024	PRINTED	1477	TROVAO AND ASSOCIATES INC	5,653.12
49632	08/21/2024	PRINTED	4463	NANCY K BOHL INC	2,000.00
49633	08/21/2024	PRINTED	62321	U.S. TELEPACIFIC CORP	2,560.47
49634	08/21/2024	PRINTED	1936	TRANSPO GROUP	8,000.00
49635	08/21/2024	PRINTED	483	ULINE, INC	5,638.21
49636	08/21/2024	PRINTED	3557	UNDERGROUND SERVICE ALERT	761.39

CHECK #	CHECK DATE	CHECK TYPE	VENDOR #	VENDOR NAME	CHECK AMOUNT
49637	08/21/2024	PRINTED	1595	VALLEY MAINTENANCE CORP	8,015.00
49638	08/21/2024	PRINTED	79181	VELTO, BILL	3,500.00
49639	08/21/2024	PRINTED	14735	VERIZON WIRELESS	163.08
49640	08/21/2024	PRINTED	14735	VERIZON WIRELESS	40.01
49641	08/21/2024	PRINTED	14735	VERIZON WIRELESS	241.41
49642	08/21/2024	PRINTED	14735	VERIZON WIRELESS	368.03
49643	08/21/2024	PRINTED	14735	VERIZON WIRELESS	40.01
49644	08/21/2024	PRINTED	14735	VERIZON WIRELESS	523.50
49645	08/21/2024	PRINTED	14735	VERIZON WIRELESS	2,268.49
49646	08/21/2024	PRINTED	14735	VERIZON WIRELESS	164.60
49647	08/21/2024	PRINTED	14735	VERIZON WIRELESS	41.36
49648	08/21/2024	PRINTED	14735	VERIZON WIRELESS	614.60
49649	08/21/2024	PRINTED	14735	VERIZON WIRELESS	849.33
49650	08/21/2024	PRINTED	14735	VERIZON WIRELESS	1,000.33
49651	08/21/2024	PRINTED	1653	MARIA E WALWORTH	250.00
49652	08/21/2024	PRINTED	1697	WATERWORKFORCE, INC	34,965.00
49653	08/21/2024	PRINTED	1725	WEST COAST ARBORISTS INC	307,010.00
49654	08/21/2024	PRINTED	999999	CEDARS BUSINESS SERVICES LLC	82.29
49655	08/21/2024	PRINTED	999999	THE HOME DEPOT AT HOME	285.60
49656	08/21/2024	PRINTED	1622	SHANNAN MAUST	1,150.00
49657	08/28/2024	PRINTED	17278	A T & T	245.00
49658	08/28/2024	PRINTED	1948	CALIFORNIA FUELS AND LUBRICANTS	2,503.46
49659	08/28/2024	PRINTED	292	ACEVEDO, VICTOR	65.00
49660	08/28/2024	PRINTED	207	ADLERHORST INTERNATIONAL LLC	199.34
49661	08/28/2024	PRINTED	1380	ADVANTEC CONSULTING ENGINEERS, INC	25,200.00
49662	08/28/2024	PRINTED	1615	ALISON GRAY SVILAR LOUKEH	700.00
49663	08/28/2024	PRINTED	1313	UNIVERSAL PROTECTION SERVICE, LP	9,517.84
49664	08/28/2024	PRINTED	1243	AMERICAN GLOBAL SECURITY, INC	24,132.64
49665	08/28/2024	PRINTED	1945	ANN KERIAN CONSULTING & COACHING, LLC	4,000.00
49666	08/28/2024	PRINTED	134	AQUATIC INFORMATICS INC	5,558.40
49667	08/28/2024	PRINTED	289	ARROW TRAILER SUPPLIES INC	360.54
49668	08/28/2024	PRINTED	862	BADGER METER INC	4,504.44
49669	08/28/2024	PRINTED	1374	BAY ALARM COMPANY	54.00
49670	08/28/2024	PRINTED	120021	BRIGHTVIEW	10,234.69
49671	08/28/2024	PRINTED	195	CALIFORNIA NEWSPAPERS PARTNERSHIP	953.42
49672	08/28/2024	PRINTED	600	CALIFORNIA STREET LIGHTING	9,800.00
49673	08/28/2024	PRINTED	83401	CARL WARREN & CO	4,166.66
49674	08/28/2024	PRINTED	1479	MAP COMMUNICATIONS INC	570.34
49675	08/28/2024	PRINTED	1803	CHINO GLASS AND GLAZING CORP	15,100.00
49676	08/28/2024	PRINTED	1755	CIVICA LAW GROUP, APC	30,143.00
49677	08/28/2024	PRINTED	4696	CUCAMONGA VALLEY WATER DISTRIC	6,675.95
49678	08/28/2024	PRINTED	1500	THE CUSTOM GRAPHICS	129.30
49679	08/28/2024	PRINTED	1153	DENCO LIEN SALES, INC	830.00
49680	08/28/2024	PRINTED	1786	DRAGONFLY PUBLIC AFFAIRS	7,000.00
49681	08/28/2024	PRINTED	82651	ECONOLITE SYSTEMS, INC	12,698.03
49682	08/28/2024	PRINTED	1165	EWING IRRIGATION	1,055.20
49683	08/28/2024	PRINTED	1587	EXPRESS BRAKE SUPPLY & DISTRIBUTORS INC	505.76
49684	08/28/2024	PRINTED	1541	FERGUSON WATERWORKS	5,325.02
49685	08/28/2024	PRINTED	1011	FOOTHILLS BANK	126,183.00
49686	08/28/2024	PRINTED	96251	FORD OF UPLAND	280.00
49687	08/28/2024	PRINTED	99418	FRANCHISE TAX BOARD	40.00
49688	08/28/2024	PRINTED	1721	GARAGE AUTO PAINT & BODY	4,004.86

CHECK #	CHECK DATE	CHECK TYPE	VENDOR #	VENDOR NAME	CHECK AMOUNT
49689	08/28/2024	PRINTED	1458	GONZALEZ, HECTOR	180.00
49690	08/28/2024	PRINTED	91751	GOVERNMENTJOBS.COM, INC	15,315.75
49691	08/28/2024	PRINTED	28871	GRAFFITI PROTECTIVE COATINGS	14,353.30
49692	08/28/2024	PRINTED	290	GRAINGER	1,219.27
49693	08/28/2024	PRINTED	72691	HAAKER EQUIPMENT CO	5,350.87
49694	08/28/2024	PRINTED	306	HACH CO	4,999.00
49695	08/28/2024	PRINTED	90227	HEARD'S INVESTIGATIONS AND POLYGRAPH, LLC	225.00
49696	08/28/2024	PRINTED	329	HOLLIDAY ROCK CO INC	390.06
49697	08/28/2024	PRINTED	15090	HOLLIDAY TRUCKING INC	10,726.98
49698	08/28/2024	PRINTED	629	HONEYCOTT, INC	585.00
49699	08/28/2024	PRINTED	153	INLAND EMPIRE UTILITIES AGENCY	124,179.00
49700	08/28/2024	PRINTED	59251	J & S STRIPING	25,554.15
49701	08/28/2024	PRINTED	63221	J C I JONES CHEMICALS INC	5,178.45
49702	08/28/2024	PRINTED	1357	JACKS KEY SERVICE	336.29
49703	08/28/2024	PRINTED	304	JENSEN PRECAST	189.23
49704	08/28/2024	PRINTED	477	JOHNSON, KERI	65.66
49705	08/28/2024	PRINTED	841	JOHNSTONE SUPPLY	179.37
49706	08/28/2024	PRINTED	53241	KONICA MINOLTA BUSINESS SOLUTIONS	770.00
49707	08/28/2024	PRINTED	1817	LANGUAGE NETWORK, INC	195.00
49708	08/28/2024	PRINTED	1818	LIGHTHOUSE HEALTH AND WELLNESS, PBC	3,500.00
49709	08/28/2024	PRINTED	102	LIGHTING INSTYLE	194.57
49710	08/28/2024	PRINTED	1845	LWP CLAIMS SOLUTIONS INC	21,290.00
49711	08/28/2024	PRINTED	406	M2 IMAGE SOLUTION	1,319.59
49712	08/28/2024	PRINTED	1870	JOSE MIRANDA	250.00
49713	08/28/2024	PRINTED	337	BOYER, WAYNE	3,407.70
49714	08/28/2024	PRINTED	473	MUNICIPAL MAINTENANCE EQUIPMENT INC	3,330.39
49715	08/28/2024	PRINTED	771	NETWRIX CORPORATION	5,557.50
49716	08/28/2024	PRINTED	117121	NUCKLES OIL COMPANY INC	30,591.25
49717	08/28/2024	PRINTED	1740	O-REILLY AUTO ENTERPRISES, LLC	82.78
49718	08/28/2024	PRINTED	42771	OCCU-MED LTD	1,801.75
49719	08/28/2024	PRINTED	1581	OPERATIONS MANAGEMENT GROUP	3,975.00
49720	08/28/2024	PRINTED	1410	OUTDOOR CREATIONS INC	147,454.20
49721	08/28/2024	PRINTED	6625	P F SERVICES INC	170.00
49722	08/28/2024	PRINTED	1676	POWER TRIP RENTALS	1,408.38
49723	08/28/2024	PRINTED	992	PRISTINE UNIFORMS, LLC	1,188.63
49724	08/28/2024	PRINTED	1808	ROBERT AVERY CARTER	1,282.55
49725	08/28/2024	PRINTED	1528	RISE INTERPRETING, INC	1,330.00
49726	08/28/2024	PRINTED	1649	ROSALES, HECTOR	65.00
49727	08/28/2024	PRINTED	785	ROSEMOUNT INC	6,708.81
49728	08/28/2024	PRINTED	67381	ROUTE 66 CAR WASH INC	1,025.00
49729	08/28/2024	PRINTED	90591	S & J SUPPLY CO INC	4,504.07
49730	08/28/2024	PRINTED	601	SAN ANTONIO WATER CO	405,242.94
49731	08/28/2024	PRINTED	606	SAN BERNARDINO COUNTY SHERIFF'S	55.50
49732	08/28/2024	PRINTED	1793	SANTA FE WATER SYSTEMS	2,595.15
49733	08/28/2024	PRINTED	637	SMART & FINAL IRIS CO	1,591.49
49734	08/28/2024	PRINTED	77751	IDSC HOLDINGS LLC	372.76
49735	08/28/2024	PRINTED	1608	STAFFING NETWORK HOLDINGS, LLC	2,409.60
49736	08/28/2024	PRINTED	16607	STAPLES BUSINESS ADVANTAGE	648.28
49737	08/28/2024	PRINTED	99981	THOMSON REUTERS - WEST PAYMENT CENTER	3,197.40
49738	08/28/2024	PRINTED	1557	S&J CAPITAL GROUP LLC	225.00
49739	08/28/2024	PRINTED	1296	TRANSTECH ENGINEERS, INC	13,858.75
49740	08/28/2024	PRINTED	4481	V C A CENTRAL ANIMAL HOSPITAL	150.00

CHECK #	CHECK DATE	CHECK TYPE	VENDOR #	VENDOR NAME	CHECK AMOUNT
49741	08/28/2024	PRINTED	990	VEOLIA NORTH AMERICA, INC	127.47
49742	08/28/2024	PRINTED	14735	VERIZON WIRELESS	120.03
49743	08/28/2024	PRINTED	14735	VERIZON WIRELESS	11,724.96
49744	08/28/2024	PRINTED	1725	WEST COAST ARBORISTS INC	260,800.00
49745	08/28/2024	PRINTED	1261	WEX HEALTH INC	232.65
49746	08/28/2024	PRINTED	999999	DUTCH BROS LLC	916.00
49747	08/28/2024	PRINTED	999999	JERRY & LINDA DOTSON AB TRUST	46.17
				PRINTED CHECKS (366 COUNT)	**$ 6,728,361.18**
80124000	08/01/2024	MANUAL	1788	CHARLES SCHWAB TRUST BANK	654,010.00
80124001	08/01/2024	MANUAL	65181	CALPERS	225,776.42
80224000	08/02/2024	MANUAL	32091	SOUTHERN CALIF EDISON CO	125,096.21
80224001	08/02/2024	MANUAL	153	INLAND EMPIRE UTILITIES AGENCY	613,123.24
80224002	08/02/2024	MANUAL	32091	SOUTHERN CALIF EDISON CO	47,689.81
80224003	08/02/2024	MANUAL	43651	U S BANK NATIONAL ASSN	65,604.14
80524000	08/05/2024	MANUAL	116231	NEOPOST USA INC	5,000.00
80524005	08/08/2024	MANUAL	621	KAREN LONG	187.50
80824000	08/08/2024	MANUAL	1337	STANDARD INSURANCE COMPANY	2,855.33
80824001	08/08/2024	MANUAL	1597	TRUSTMARK VOLUNTARY BENEFIT ADMINISTRATOR	2,747.64
80824002	08/08/2024	MANUAL	1845	LWP CLAIMS SOLUTIONS INC	12,395.27
80824003	08/08/2024	MANUAL	125761	CITY EMPLOYEE ASSOCIATES	336.00
80824004	08/08/2024	MANUAL	1594	COBRA PROFESSIONALS, INC	1,848.70
80824006	08/08/2024	MANUAL	1589	LIVELY INC	3,286.02
80824007	08/08/2024	MANUAL	441	MIDAMERICA ADMIN & RETIREMENT SOLUTIONS, LLC	1,247.10
80824008	08/08/2024	MANUAL	618	ICMA-RC	1,637.50
80824009	08/08/2024	MANUAL	622	UPLAND CITY EMPLOYEE ASSOCIATION	1,020.00
80824010	08/08/2024	MANUAL	736	UPLAND POLICE MANAGEMENT ASSN	1,072.00
80824011	08/08/2024	MANUAL	737	UPLAND POLICE OFFICERS ASSN	5,202.00
80824012	08/08/2024	MANUAL	441	MIDAMERICA ADMIN & RETIREMENT SOLUTIONS, LLC	33,150.81
80824013	08/08/2024	MANUAL	1939	COMPETITIVE EDGE RESEARCH & COMMUNICATION	38,000.00
80924000	08/09/2024	MANUAL	1499	EMPOWER TRUST COMPANY, LLC	65,859.05
80924001	08/09/2024	MANUAL	624	DEPT OF THE TREASURY	100.00
81324000	08/13/2024	MANUAL	543	SOUTHERN CALIF GAS COMPANY	642.05
81324001	08/13/2024	MANUAL	65181	CALPERS	226,584.73
81324002	08/13/2024	MANUAL	543	SOUTHERN CALIF GAS COMPANY	805.90
81624000	08/16/2024	MANUAL	32091	SOUTHERN CALIF EDISON CO	172,420.74
81624001	08/16/2024	MANUAL	83401	CARL WARREN & CO	31,002.94
82224000	08/22/2024	MANUAL	754	PUBLIC AGENCY COALITION ENTERPRISE	116,437.84
82224001	08/22/2024	MANUAL	5012	ICRMA	87,686.73
82224002	08/22/2024	MANUAL	960	MUNICIPAL DENTAL POOL	25,925.88
82224003	08/22/2024	MANUAL	114711	METROPOLITAN LIFE INSURANCE CO	1,906.80
82324000	08/23/2024	MANUAL	760	WATER FACILITIES AUTHORITY	21,970.22
82324001	08/23/2024	MANUAL	760	WATER FACILITIES AUTHORITY	6,935.06
82324002	08/23/2024	MANUAL	1499	EMPOWER TRUST COMPANY, LLC	64,591.74
82324003	08/23/2024	MANUAL	1589	LIVELY INC	3,286.02
82324004	08/23/2024	MANUAL	441	MIDAMERICA ADMIN & RETIREMENT SOLUTIONS, LLC	1,341.50
82324005	08/23/2024	MANUAL	621	KAREN LONG	187.50
82324006	08/23/2024	MANUAL	622	UPLAND CITY EMPLOYEE ASSOCIATION	1,030.00
82324007	08/23/2024	MANUAL	125761	CITY EMPLOYEE ASSOCIATES	336.00
82324008	08/23/2024	MANUAL	736	UPLAND POLICE MANAGEMENT ASSN	1,072.00
82324009	08/23/2024	MANUAL	737	UPLAND POLICE OFFICERS ASSN	5,016.00
82324010	08/23/2024	MANUAL	1594	COBRA PROFESSIONALS, INC	2,148.70

CHECK #	CHECK DATE	CHECK TYPE	VENDOR #	VENDOR NAME	CHECK AMOUNT
82324011	08/23/2024	MANUAL	618	ICMA-RC	1,637.50
82324012	08/23/2024	MANUAL	126761	THE LINCOLN NATIONAL LIFE INS	7,134.50
82324013	08/23/2024	MANUAL	91491	LIBRARY SYSTEMS & SERVICES LLC	118,731.00
82624000	08/26/2024	MANUAL	624	DEPT OF THE TREASURY	100.00
82824000	08/28/2024	MANUAL	760	WATER FACILITIES AUTHORITY	48,341.87
82824001	08/28/2024	MANUAL	65181	CALPERS	225,982.93
82824002	08/28/2024	MANUAL	760	WATER FACILITIES AUTHORITY	423,784.59
82924000	08/29/2024	MANUAL	529	KAISER FOUNDATION HEALTH PLAN	144,777.36
82924001	08/29/2024	MANUAL	529	KAISER FOUNDATION HEALTH PLAN	24,084.05
82924002	08/29/2024	MANUAL	529	KAISER FOUNDATION HEALTH PLAN	28,425.21
82924003	08/29/2024	MANUAL	1282	WESTERN ALLIANCE BUSINESS TRUST	85,812.14
82924004	08/29/2024	MANUAL	11484	U S BANK	4,291,111.38
83024000	08/30/2024	MANUAL	1869	CALIFORNIA INTERGOVERNMENTAL RISK AUTHORITY (CIRA)	7,885.29
				MANUAL CHECKS (56 COUNT)	**$ 8,086,380.91**
49611	08/21/2024	VOID	1622	SHANNAN MAUST	(1,150.00)
45847	07/17/2024	VOID	4392	ICRMA	(87,686.73)
				VOID CHECKS (2 COUNT)	**$ (88,836.73)**

** CHECK # 49424 THRU 49497 SKIPPED IN ERROR*

PRINTED CHECKS (366 COUNT)	$ 6,728,361.18
MANUAL CHECKS (56 COUNT)	$ 8,086,380.91
VOID CHECKS (2 COUNT)	$ (88,836.73)
PRINTED & MANUAL CHECK TOTALS	**$ 14,725,905.36**

CITY OF UPLAND

Payroll Costs

Payroll		
8/4/2024 Through 8/17/2024	*Check Date: 8/22/2024*	
Checks	$15,473.68	
Manual Checks		
Void Checks		
Direct Deposit	$758,327.70	
Manual Direct Deposit		
Void Direct Deposit		
		$773,801.38

Taxes		
8/4/2024 Through 8/17/2024	*Check Date: 8/22/2024*	
Federal	153,444.56	
State	48,933.91	
		202,378.47
		$976,179.85

Prepared by: Yesica Montoya

CITY OF UPLAND

Payroll Costs

Payroll		
7/21/2024 Through 8/3/2024 *Check Date: 8/8/2024*		
Checks	$25,073.80	
Manual Checks		
Void Checks		
Direct Deposit	$724,535.59	
Manual Direct Deposit		
Void Direct Deposit		
		$749,609.39

Taxes		
7/21/2024 Through 8/3/2024 *Check Date: 8/8/2024*		
Federal	143,377.38	
State	45,711.10	
		189,088.48
		$938,697.87

Prepared by: Charles Kwon

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: STEPHEN PARKER, ASSISTANT CITY MANAGER
SUBJECT: CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ROBERT HALF INC.

RECOMMENDED ACTION:
It is recommended that the City Council approve a professional services agreement with Robert Half Inc. for $150,000 to provide the City with staff augmentation services; and authorize the City Manager to execute the agreement.

GOAL STATEMENT
The proposed action supports the City's goal of maintaining orderly and timely financial and administrative processes.

BACKGROUND
On several occasions in the last five years, the City has entered into professional services agreements with Robert Half to fill various City vacancies and for assistance with preparation for the annual audit.

On June 12, 2023, City Council approved a $67,000 professional services agreement with Robert Half Inc. for Fiscal Year 2023/24, and City Council approved amendments to that agreement on January 22, 2024.

ISSUES AND ANALYSIS
From time to time, positions may become vacant, and additional personnel services are needed to maintain the city's financial and administrative processes. Robert Half has provided temporary staffing for administrative and professional tasks in the past, and staff recommends approving a professional services agreement with the firm for the 2024-25 fiscal year to provide such staffing until positions can be filled with permanent staff. As the City has come back to Council for amendments the last two fiscal years, this years' approach is to have a higher agreement amount, even if budget has not yet been allocated for that purpose. The city's controls around procurement will ensure that a purchase order is not entered into in excess of budget. If personnel expense is needed to be reclassed to contract services in order to have sufficient budget, a budget amendment will be requested of City Council.

FISCAL IMPACTS
The FY 2024/25 operating budget can accommodate the initial need under this agreement. If additional budget is necessary, staff will come to City Council with a budget adjustment in the future.

ENVIRONMENTAL DETERMINATION
The subject action approves a contract for staff augmentation services. This is not considered a "project" under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines. Under this section, a project does not include the creation of a government funding mechanism or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

CITY OF UPLAND
PROFESSIONAL SERVICES AGREEMENT

This Agreement is made and entered into as of September 10, 2024 (Effective Date") by and between the City of Upland, a public agency organized and operating under the laws of the State of California with its principal place of business at 460 N. Euclid Avenue, Upland, CA 91786 ("City"), and Robert Half Inc., a Delaware corporation, by and through its administrative & customer service and finance & accounting contract talent practice groups with its location at 3633 Inland Empire Blvd, Suite 525, Ontario, CA 91764-4922 (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

RECITALS

A. City is a public agency of the State of California and is in need of staff augmentation services.

B. Consultant has the necessary qualifications to provide such services.

C. The Parties desire by this Agreement to establish the terms for City to retain Consultant to provide the services described herein.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Services.

Consultant shall provide the City with the services described in the Scope of Services attached hereto as Exhibit "A."

2. Compensation.

a. Subject to paragraph 2(b) below, the City shall pay for such services in accordance with the Schedule of Charges set forth in Exhibit "B."

b. In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of $150,000. This amount is to cover all printing and related costs, and the City will not pay any additional fees for printing expenses. Periodic payments shall be made within 30 days of receipt of an invoice which includes the hours worked. Payments to Consultant for work performed will be made on a weekly billing basis.

c. The City Manager may approve Additional Work, as further defined in Section 3, up to fifteen thousand dollars ($15,000). In no event shall the total sum of the agreement (original compensation amount and Additional Work) exceed one hundred sixty-five thousand dollars ($165,000). Any additional work in excess of this amount shall be approved by the City Council.

d. Notwithstanding anything to the contrary in this Agreement, Consultant may at any time, in its sole discretion, discontinue performance of the services once the Not-to-Exceed Amount has been attained (even if Consultant continued to provided services after the Not-to-Exceed Amount was reached).

3. Additional Work.

If changes in the work seem merited by Consultant or the City, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter outlining the changes shall be forwarded to the City by Consultant. An amendment to this Agreement shall be prepared by the City and executed by both Parties before performance of such services. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the contract period and for four (4) years from the date of final payment under the contract for inspection by City. This audit provision should not apply to confidential information, including but not limited to, Consultant's Professional's personnel files or the remuneration paid by Consultant to its Professionals and subcontractors.

5. Term

The term of this Agreement shall begin on July 1, 2024, and continue for a period of one year, unless earlier terminated as provided herein. The Parties may, by mutual, written consent, extend the term of this Agreement.

6. Reserved

7. Compliance with Law.

a. Consultant shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government applicable to its staff augmentation services.

8. Standard of Care

Consultant's staff augmentation services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the City, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates, and subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Contractor

a. Consultant is retained as an independent contractor and is not an employee of City. No employee or agent of Consultant shall become an employee of City. The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from City as herein provided.

b. City shall supervise Professionals provided services to City. City shall not permit or require Professionals (i) to perform services outside of the scope of Professional's assignment; (ii) to sign contracts or statements (including SEC documents); (iii) to make any management decisions; (iv) to make any final decisions regarding system design, software development or the acquisition of hardware or software; (v) to sign, endorse, wire, transport or otherwise convey cash, securities, checks or any negotiable instruments or valuables; (vi) to use computers, or other electronic devices, software or network equipment owned or licensed by Professional; (vii) to operate machinery (other than office machines) or automotive equipment. City may request that Consultant permit its Professionals to provide services to City remotely (i.e., from a location other than City's offices) using City's or Consultant's laptop and/or other computer or telecommunications equipment (the "Equipment"). City acknowledges and agrees that Consultant shall have no control over, and City shall be solely responsible for, (i) the logical and physical performance, reliability and security of the Equipment or related devices, network accessibility and availability, software, services, tools and e-mail accounts (collectively, "Computer Systems") used by the Professional, and (ii) the security, integrity, and backing up of the data and other information stored therein or transmitted thereby. Moreover, City must not permit Professional to save or store any of the City's files or other data on the Computer Systems provided by Consultant (included, but not limited to, any virtual desktop infrastructure solution). City agrees thar Consultant shall not be liable for any loss, damage, expense, harm, business interruption or inconvenience resulting from the use of such Computer Systems. Since Consultant is not a professional accounting firm, City agrees that City will not permit or require Professional (a) to render an opinion on behalf of Consultant or on City's behalf regarding financial statements; (b) to sign the name of Consultant on any document; or (c) to sign their own names on financial statements or tax returns.

c. It is understood that City has full responsibility for: (i) providing safe working conditions as required by law, including compliance with all public health and occupational safety regulations and guidelines applicable to City's business, and (ii) ensuring that safety plans exist for, and safety related training is provided to, Professionals working on City's premises.

a. PERS Eligibility Indemnification

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

Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing service under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation, benefit, or any incident of employment by City,

including but not limited to eligibility to enroll in PERS as an employee of City and entitlement to any contribution to be paid by City for employer contribution and/or employee contributions for PERS benefits.

11. Insurance. Consultant shall not commence work for the City until it has provided evidence satisfactory to the City it has secured all insurance required under this section. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required under this section.

a. Commercial General Liability

(i) The Consultant shall maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance.

(ii) Reserved.

(iii) Commercial General Liability Insurance must include coverage for the following:

(1) Bodily Injury and Property Damage
(2) Personal Injury/Advertising Injury
(3) Premises/Operations Liability
(4) Products/Completed Operations Liability
(5) Contractual Liability
(6) Property Damage

(iv) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; or (3) products/completed operations liability.

(v) The policy shall give City, its officials, officers, employees, agents and City designated volunteers additional insured status.

(vi) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, and provided that such deductibles shall not apply to the City as an additional insured.

b. Reserved

c. Workers' Compensation/Employer's Liability

(i) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(ii) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the

"Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this section.

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession in an amount indicated herein.

e. Minimum Policy Limits Required

(i) The following insurance limits are required for the Agreement:

	Combined Single Limit
Commercial General Liability	$1,000,000 per occurrence/ $2,000,000 aggregate for bodily injury, personal injury, and property damage
Employer's Liability	$1,000,000 per accident or disease
Professional Liability	$1,000,000 per claim and aggregate (errors and omissions)

(ii) Defense costs shall be payable in addition to the limits.

(iii) Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

f. Evidence Required

Prior to execution of the Agreement, the Consultant shall provide the City with evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include Certificate of Insurance. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds as required hereunder, where appropriate, the type and amount of the insurance, and the expiration date of such insurance.

g. Policy Provisions Required

(i) Consultant shall provide the City at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the City at the City's request.

(ii) The Commercial General Liability Policy shall contain a provision stating that Consultant's policy is primary insurance and that any insurance, self-insurance or other coverage maintained by the City or any named insureds shall not be called upon to contribute to any loss.

(iii) Reserved

(iv) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to provide a waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(v) The limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the City and shall not preclude the City from taking such other actions available to the City under other provisions of the Agreement or law.

h. Qualifying Insurers

(i) All policies required shall be issued by acceptable insurance companies, as determined by the City, which satisfy the following minimum requirements:

(1) Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

i. Additional Insurance Provisions

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(ii) Reserved

(iii) Reserved

(iv) City officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the City that they have secured all insurance required under this section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the City as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant,

City may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

12. Indemnification.

a. Consultant agrees to defend, indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any negligent acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, or this Agreement, including without limitation the payment of damages, reasonable expert witness fees and reasonable attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

13. Reserved

14. Verification of Employment Eligibility.

By executing this Agreement, Consultant verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

15. Reserved.

16. Laws and Venue.

This Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of San Bernardino, State of California.

17 Termination or Abandonment

a. City has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. City shall pay all invoices of Consultant for work performed by Professionals prior to termination.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to City.

18 Documents. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, Drawings and Specifications and other documents, produced or developed by an assigned Professional for the City shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the City.

19. Reserved

20. Reserved

21. Notice

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

CITY:
City of Upland
460 N. Euclid Avenue
Upland, CA 91786
Attn: City Manager

CONSULTANT:
Robert Half Inc.
Attn: Regional Vice President
3633 Inland Empire Blvd, Suite 955
Ontario, CA 91764-4922
With a copy to: Client Contracts Dept.
3001 Bishop Drive, Suite 140
San Ramon, CA 94583

and shall be effective upon receipt thereof.

22. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the City and the Consultant.

23. Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

24. Entire Agreement

This Agreement, with its exhibits, represents the entire understanding of City and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

25. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the remaining provisions unenforceable, invalid or illegal.

26. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

27. Non-Waiver

None of the provisions of this Agreement shall be considered waived by either Party, unless such waiver is specifically specified in writing.

28. Reserved

29. City's Right to Employ Other Consultants

City reserves its right to employ other consultants, including engineers.

30. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

31. Reserved

32. Additional Terms

a. If City requires Consultant to perform background checks or other placements screenings of Professionals, City agrees to notify Consultant prior to the start of services under this Agreement. Consultant will conduct such checks or screenings online if they are described in a signed, written amendment to this Agreement. If City requests a copy of the results of any checks conducted on Consultant's Professionals, City agrees to keep such results strictly confidential and to use such results in accordance with applicable laws and solely for employment purposes.

b. In the event City wishes to convert any of Consultant's Professionals, City agrees to pay a conversion fee in accordance with this Section. The conversion fee will equal 30% of the Professional's aggregate compensation, including bonuses, for assignments through Consultant's administrative & customer service practice group, and 35% of the Professional's aggregate annual compensation, including bonuses, for assignments through Consultant's finance & accounting contract talent practice group. City agrees to pay a conversion fee if Consultant's Professional is hired by an affiliate or other related business entity as a result of City's subsequent referral of the Professional or one of City's customers as a result of Professional

providing services to the customer. The conversion fee is payable is City hires the Professional, regardless of the job classification, on either a full-time, temporary (including temporary assignments through another agency) or consulting basis within twelve months after the last day of the assignment. The same calculation will be used if City converts Consultant's Professional on a part-time basis using the full-time equivalent salary; however, the conversion fee will not be less than $1,000.

c. Notwithstanding any language in this Agreement to the contrary (including any references to fixed-price, deliverables, acceptance of deliverables, or milestones). Consultant shall be compensated on a time and materials basis only. Consultant provided contract talent solutions and does not provide deliverables. City agrees to hold in confidence the identity of any Professional and the Professional's resume, social security number and other legally protected personal information, and City agrees to implement and maintain reasonable security procedures and practices to protect such information from unauthorized access, use modification or disclosure. Any respective obligations of Consultant or City hereunder which by their nature would continue beyond the termination, cancellation or expiration of this Agreement shall survive such termination, cancellation or expiration.

d. Notwithstanding anything to the contrary in this Agreement, Consultant shall not be liable for, or have any duty of indemnification with respect to any acts or omissions of City. Notwithstanding anything in this Agreement to the contrary, Consultant's maximum liability for any specific engagement, in any case, will not exceed the fees paid to Consultant for that engagement, except that this limitation on liability shall not apply to any indemnity obligations that Consultant may have under this Agreement.

e. This Agreement is only applicable to, and the only Robert Half Inc. branch and practice group(s) obligated under this Agreement are, the administrative & customer service and finance & accounting contract talent practice group(s) of the branch office located at 3633 Inland Empire Blvd, Suite 525, Ontario, CA 91764-4922.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE FOR PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF UPLAND AND ROBERT HALF INC.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF UPLAND

By: _____
Michael Blay
City Manager

ATTEST:

By: _____
Keri Johnson
City Clerk

APPROVED AS TO FORM:

By: _____
Stephen Deitsch
City Attorney

ROBERT HALF INC.[EOE]

By: _____

Its: Regional Vice President

Printed Name: Damian Garcia

By: _____

Its: District President

Printed Name: Cyndi Karapogosian

EXHIBIT A

Scope of Services

Consultant shall use best efforts to assign Professionals to perform the job functions requested by City. Consultant shall send City a job arrangement letter at the start of each assignment setting forth the Professional's name, the estimated start date, the hourly bill rate, and the job function.

EXHIBIT B

Schedule of Charges/Payments

Hourly rates for all assignments will be agreed on a case-by-case basis. Professionals will present a time sheet or an electronic time record to City for verification and approval at the end of each week. Consultant will invoice City on a weekly cycle for the total hours worked. Consultant's invoices are due within 30 days of receipt, including applicable sales and service taxes all of which are payable by City. Consultant will include supporting documentation with each invoice. This is a time-and-materials contract. If applicable, overtime will be billed at 1.50 times the normal billing rate. Federal law defines overtime as hours in excess of 40 hours per week, state laws vary. If state law requires double time pay, the double time hours will be billed at 2.00 times the normal billing rate. Consultant may charge City a fee for the provision of equipment or technology, if City requests that Professional use equipment or technology provided by Consultant. Consultant may also increase Consultant's rates to reflect increases in Consultant's cost of doing business, including costs associated with higher wages for workers and/or related taxes, benefits or other costs. Consultant will provide 14 days prior written notice of technology charges and/or increases in rates. Any increase in rates will be prospective, starting as of the effective date Consultant specifies.

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CALIFORNIA LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits City Officers from participating in any action concerning a license, permit, other entitlement for use, franchise, or contract (collectively "license, permit, or contract") if they receive political contribution(s) from a party, or its agent(s), totaling more than $250 within the twelve (12) months before the proceeding, while a proceeding is pending, and for twelve (12) months following the date of a final decision in a proceeding.

The Levine Act also requires a member of the Upland City Council who has received such a contribution to disclose the contribution on the record of the proceeding and recuse themselves before the proceeding unless the violation has been properly cured.

Current Upland City Council Members are listed at:

https://www.uplandca.gov/city-council-treasurer

Parties and their Agents are responsible for accessing the link to review the names and disclosing their applicable contributions to City Officers on the record of a proceeding.

As a party to a proceeding, you are also required to provide information below about contributions made by you, your agents on behalf of you or your organization, your organization subject to the proceeding with the City, and any organization you direct or control pursuant to the aggregation rules at FPPC Reg. § 18438.5, except for uncompensated officers of a nonprofit organization. This form is to be submitted to the City of Upland and is a public record. If you have any questions about this form, please contact your City representative for assistance.

1. Have you or your company, or any agent/board member on behalf of you or your company/entity, made any political contributions of more than $250 to any Upland City Council Member in the 12 months preceding the date of the submission of your proposal or application, or the anticipated date of any Council action?

☐ YES If yes, please identify the Council Member(s):_____

☑ NO

2. Do you or your company/entity, or any agency on behalf of you or your company/entity, anticipate or plan to make any political contribution of more than $250 to any Upland City Council Member in the 12 months following any Council action related to your proposal or application?

☐ YES If yes, please identify the Council Member(s):_____

☑ NO

Answering yes to either of the two questions above does not preclude the Upland City Council from awarding a contract or approving an application or any subsequent action. It does, however, preclude the identified Council Member(s) from participating in any actions related to your proposal or application.

9/5/2024
Date

DocuSigned by:
Damian Garcia
5CB29500C49A480...
Signature of authorized individual

Damian Garcia
Company/Applicant Name

(Levine Act definitions on reverse side)

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LEVINE ACT DISCLOSURE STATEMENT DEFINITIONS

Term	Definition	Law
Covered "proceedings"	A proceeding to grant, deny, revoke, restrict, or modify a license, permit or other entitlement for use, that does not solely involve purely ministerial decisions and is: (1) Applied for by the party; (2) Formally or informally requested by the party; or (3) A contract between the agency and the party or a franchisee granted by the agency to the party, other than a contract that is **competitively bid**, a **labor contract**, or a **personal employment contract**.	FPPC Reg 18438.2(a)
Party	Any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.	Gov. Code 84308(a)(1)
Participant	Any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.	Gov. Code 84308(a)(2) FPPC Reg 18438.4
Agent	A person who represents a party or participant for compensation and appears before or otherwise communicates with the governmental agency for the purpose of influencing the pending proceeding. See FPPC Reg 18438.3 for exceptions for certain consultants.	FPPC Reg 18438.3
Competitively Bid	A contract required by law to be awarded to the lowest responsible bidder with a responsive bid, or, if the successful bidder refuses or fails to execute the contract, to the next lowest bidder with a responsive bid.	FPPC Reg 18438.2(a)(3)(A)
Labor Contract	A contract or agreement reached through collective bargaining or with a representative group regarding the salary, benefits, or terms and conditions under an employment or retirement policy for employees or retirees, including a project labor agreement entered under Public Contract Code Section 2500.	FPPC Reg 18438.2(a)(3)(B)
Personal Employment Contract	A contract for employment, including the terms and conditions of employment, between the agency and an agency employee. A contract with an independent contractor is NOT a personal employment contract.	FPPC Reg 18438.2(a)(3)(C)-(D)

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: STEPHEN PARKER, ASSISTANT CITY MANAGER
STACI SULLIVAN, FINANCE MANAGER
SUBJECT: CONSIDER ADOPTING RESOLUTIONS AUTHORIZING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

RECOMMENDED ACTION:
It is recommended that the City Council, the Successor Agency to the Upland Community Redevelopment Agency, the Upland Public Financing Authority, and the City of Upland Financing Authority adopt resolutions authorizing the investment of monies in the Local Agency Investment Fund and establishing positions authorized to invest monies in the Local Agency Investment Fund.

GOAL STATEMENT
The proposed action supports the City's goal of being fiscally conservative and utilizing city assets in the best possible way.

BACKGROUND
On March 12, 2018, the City Council adopted Resolution No. 6433 authorizing the Investment of Monies with the Local Agency Investment Fund (LAIF) and establishing positions authorized to deposit and withdraw monies from the City's account.

On March 12, 2018, the City Council, acting as the governing body of the Successor Agency to the former Upland Community Redevelopment Agency adopted Resolution No. 2018-01 authorizing the Investment of Monies with the LAIF and establishing positions authorized to deposit and withdraw monies from the Successor Agency's account.

On March 12, 2018, the City Council acting as the governing body of the Upland Public Financing Authority adopted Resolution No. 2018-1 authorizing the Investment of Monies with the LAIF and establishing positions authorized to deposit and withdraw monies from the Upland Public Financing Authority's account.

On January 24, 2022, the City Council established the City of Upland Financing Authority pursuant to Government Code section 6500.

ISSUES AND ANALYSIS
The current resolutions authorizing investments of monies in LAIF are in need of update to reflect the tile/position change from Finance Officer to Finance Manager and the title/position change from Accounting Technician to Budget Coordinator. In addition, the incumbent signatures will be updated. Delegations will also be listed and approved at this time.

ENVIRONMENTAL DETERMINATION
The proposed action is not subject to the California Environmental Quality Act (CEQA). Section 15378 of the CEQA Guidelines defines a project subject to CEQA. The proposed action is not included within the definition of a "project" and thus is exempt.

FISCAL IMPACTS
There is no fiscal impact associated with this report.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND AUTHORIZING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND AND APPROVING POSITIONS AUTHORIZED TO INVEST MONIES IN THE LOCAL AGENCY INVESTMENT FUND

WHEREAS, the Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS the Upland City Council hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interest of the City of Upland.

NOW, THEREFORE, the City Council of the City of Upland hereby finds, determines and resolves, as follows:

Section 1. Authorization. The City Council does hereby authorize the deposit and withdrawal of the City of Upland monies in the Local Agency Investment fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purposes of investment as provided therein.

Section 2. Officers. The following City of Upland officers holding the title(s) specified herein below or their successors in office each hereby are authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions contemplated herein:

Name	Title	Signature	Resolution	Delegation
Michael Blay	City Manager		X	
Stephen Parker	Assistant City Manager		X	
Staci Sullivan	Finance Manager		X	
Saleha Kazmi	Accounting Supervisor			X
Charles Kwon	Budget Coordinator			X

Section 3. Compliance with California Environmental Quality Act. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has

no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 4. This Resolution shall prevail over any existing resolution in the event of a conflict and shall remain in full force and effect until rescinded by the City Council by resolution and a copy of the resolution rescinding this Resolution is filed with the State Treasurer's Office.

Section 5. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Section 6. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED AND ADOPTED this 23rd day of September, 2024.

_____
Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 23rd day of September, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

ATTEST: _____
Keri Johnson, City Clerk

RESOLUTION NO.

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE UPLAND COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND AND APPROVING POSITIONS AUTHORIZED TO INVEST MONIES IN THE LOCAL AGENCY INVESTMENT FUND

WHEREAS, the Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Successor Agency to the Upland Community Redevelopment Agency hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interest of the Successor Agency to the former Upland Community Redevelopment Agency (Successor Agency).

NOW, THEREFORE, the Successor Agency to the Upland Community Redevelopment Agency hereby finds, determines and resolves, as follows:

Section 1. Authorization. The Successor Agency does hereby authorize the deposit and withdrawal of the Successor Agency monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purposes of investment as provided therein.

Section 2. Officers. The following City of Upland officers holding the title(s) specified herein below or their successors in office each hereby are authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions contemplated herein:

Name	Title	Signature	Resolution	Delegation
Michael Blay	City Manager		X	
Stephen Parker	Assistant City Manager		X	
Staci Sullivan	Finance Manager		X	
Saleha Kazmi	Accounting Supervisor			X
Charles Kwon	Budget Coordinator			X

Section 3. Compliance with California Environmental Quality Act. The Successor Agency to the Upland Community Redevelopment Agency finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA")

pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 4. This Resolution shall prevail over any existing resolution in the event of a conflict and shall remain in full force and effect until rescinded by the Successor Agency by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

Section 5. Certification. The Secretary of the Successor shall certify the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 23rd day of September, 2024.

_____
Bill Velto, Chairperson

I, Keri Johnson, Secretary of the Successor Agency to the Upland Community Redevelopment Agency, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Successor Agency held on the 23rd day of September, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

ATTEST: _____
Keri Johnson, Secretary

RESOLUTION NO.

A RESOLUTION OF THE UPLAND PUBLIC FINANCING AUTHORITY AUTHORIZING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND AND APPROVING POSITIONS AUTHORIZED TO INVEST MONIES IN THE LOCAL AGENCY INVESTMENT FUND

WHEREAS, the Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Board of Directors of the Upland Public Financing Authority hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interest of the Upland Public Financing Authority (Authority).

NOW, THEREFORE, the Board of Directors of the Authority hereby finds, determines and resolves, as follows:

Section 1. Authorization. The Board of Directors of the Authority does hereby authorize the deposit and withdrawal of the Authority's monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purposes of investment as provided therein.

Section 2. Officers. The following City of Upland officers holding the title(s) specified herein below or their successors in office each hereby are authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this Resolution and the transactions contemplated herein:

Name	Title	Signature	Resolution	Delegation
Michael Blay	City Manager		X	
Stephen Parker	Assistant City Manager		X	
Staci Sullivan	Finance Manager		X	
Saleha Kazmi	Accounting Supervisor			X
Charles Kwon	Budget Coordinator			X

Section 3. Compliance with California Environmental Quality Act. The Board of Directors of the Authority finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section

15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 4. This Resolution shall prevail over any existing resolution in the event of a conflict and shall remain in full force and effect until rescinded by the Authority by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

Section 5. Certification. The Secretary of the Upland Public Financing Authority shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Section 6. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED AND ADOPTED this 23rd day of September, 2024.

_____
Bill Velto, Chairperson

I, Keri Johnson, Secretary of the Upland Public Financing Authority, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the Upland Public Financing Authority held on the 23rd day of September, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

ATTEST: _____
Keri Johnson, Secretary

RESOLUTION NO.

A RESOLUTION OF THE CITY OF UPLAND FINANCING AUTHORITY AUTHORIZING THE INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND AND APPROVING POSITIONS AUTHORIZED TO INVEST MONIES IN THE LOCAL AGENCY INVESTMENT FUND

WHEREAS, the Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Board of Directors of the City of Upland Financing Authority hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interest of the City of Upland Financing Authority (Authority).

NOW, THEREFORE, the Board of Directors of the Authority hereby finds, determines and resolves, as follows:

Section 1. Authorization. The Board of Directors of the Authority does hereby authorize the deposit and withdrawal of the Authority's monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purposes of investment as provided therein.

Section 2. Officers. The following City of Upland officers holding the title(s) specified herein below or their successors in office each hereby are authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this Resolution and the transactions contemplated herein:

Name	Title	Signature	Resolution	Delegation
Michael Blay	City Manager		X	
Stephen Parker	Assistant City Manager		X	
Staci Sullivan	Finance Manager		X	
Saleha Kazmi	Accounting Supervisor			X
Charles Kwon	Budget Coordinator			X

Section 3. Compliance with California Environmental Quality Act. The Board of Directors of the Authority finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section

15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 4. This Resolution shall prevail over any existing resolution in the event of a conflict and shall remain in full force and effect until rescinded by the Authority by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

Section 5. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Section 6. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED AND ADOPTED this 23rd day of September, 2024.

_____
Bill Velto, Chairperson

I, Keri Johnson, Secretary of the City of Upland Financing Authority, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City of Upland Financing Authority held on the 23rd day of September, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

ATTEST: _____
Keri Johnson, Secretary

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: STEPHEN PARKER, ASSISTANT CITY MANAGER
SUBJECT: CONSIDER ACCEPTANCE OF BOARD OF SUPERVISORS DISCRETIONARY FUND ALLOCATION FROM SUPERVISOR ARMENDAREZ FOR ECONOMIC DEVELOPMENT AND INFLATION REDUCTION PROJECT

RECOMMENDED ACTION:
It is recommended that the City Council accept $350,000 in funding from the County of San Bernardino through Supervisor Armendarez allocations of the Board of Supervisors Discretionary Fund – District Specific Priorities Program for an economic development and inflation reduction project; and authorize the City Manager to execute the agreement.

GOAL STATEMENT
The proposed action supports the City's goal of seeking alternate funding sources for City purchases.

BACKGROUND
Upland is represented by San Bernardino County Supervisors Curt Hagman and Jesse Armendarez. Second District Supervisor Armendarez represents the northern portion of the City, with the boundary line mostly running on 14th Street.

In recent years, Supervisor Armendarez has frequently supported the City of Upland from the County of San Bernardino's Supervisors Discretionary Fund – District Specific Priorities Program. Some of the funds City Council has recently accepted from Supervisor Armendarez are detailed below:

Date	Funding Provided	Project
August 14, 2023	$500,000	Baldy View Dog Park
August 14, 2023	$250,000	Downtown Cameras
January 8, 2024	$250,000	Police Department Locker Room
August 12, 2024	$2,000,000	Foothill Blvd. Rehabilitation and Water Improvement Project

On June 10, 2024, the City Council approved a professional services agreement with Watry Design, Inc. for a not to exceed $337,610 to complete a conceptual and schematic design and preliminary engineering services for a multiple story parking structure in Downtown Upland and appropriated additional ARPA funds to cover the agreement.

ISSUES AND ANALYSIS
Recently, Supervisor Armendarez was informed about the City's current effort to support the economic development of Downtown Upland through the development of a multi-story parking structure. The Supervisor has been pleased with the improvements seen in Downtown Upland to date, and desired to support the continued revitalization efforts.

ENVIRONMENTAL DETERMINATION
The proposed action is the acceptance of funding from County Supervisors and is not subject to the California Environmental Quality Act (CEQA). Section 15378 of the CEQA Guidelines defines a project subject to CEQA. The proposed action is not included within the definition of a "project" and thus is exempt.

FISCAL IMPACTS
This action will increase the budget in Fund 217 by $350,000 to account for the provision of Supervisors Discretionary Funds for economic development efforts. In addition, this will re-purpose the current $337,610 appropriation in ARPA Fund 229 towards other infrastructure projects.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY

Contract Number

SAP Number

Board of Supervisors

Department Contract Representative	Stephanie Maldonado
Telephone Number	909-387-4378
Contractor	City of Upland
Contractor Representative	Michael Blay
Telephone Number	909-931-4106
Contract Term	10/08/24-10/07/25
Original Contract Amount	Not-to-Exceed $350,000
Amendment Amount	
Total Contract Amount	Not-to-Exceed $350,000
Cost Center	1022001000

IT IS HEREBY AGREED AS FOLLOWS*:*

WHEREAS, it is the policy of the Board of Supervisors (Board) to work with community partners through services provided by San Bernardino County (County) and contractual agreements to identify programs, projects, and initiatives, that support the mission of the County, and to provide services to citizens that promote health, safety, economic well-being, education, recreation, and other public services that enhance quality of life, and meet the needs of the County's citizens; and

WHEREAS, under Government Code sections 26224 and 26227 the Board may contract with certain entities to provide certain services to County residents; and,

WHEREAS, on September 21, 2021 (Item No. 18), the Board approved the Board of Supervisors Discretionary Fund – District Specific Priorities Program (Priorities Program) and allocated $4 million to each of the five supervisorial districts; and

WHEREAS, on November 16, 2021 (Item No. 33), the Board approved an additional allocation of $7 million to each of the five supervisorial districts under the Priorities Program; and

WHEREAS, on February 6, 2024 (Item No.61), the Board approved an additional allocation of $6 million to each of the five supervisorial districts under the Priorities Program; and

WHEREAS, on June 11, 2024 (Item No. 110), the Board approved an additional allocation of $3 million to each of the five supervisorial districts under the Priorities Program; and

WHEREAS, County desires to providing funding to the City of Upland (City or Contractor) to contribute towards the costs of a comprehensive Economic Development and Inflation Reduction Project (Project) to stimulate local economic growth, create job opportunities, and reduce the impact of inflation on residents and business; and create new housing and business opportunities in downtown Upland.

WHEREAS, the County would like the City to provide these services; and

WHEREAS, the County finds Contractor qualified to oversee the management of the Project; and

WHEREAS, providing funding to Contractor serves the public purpose of providing for the health, safety, economic well-being, education, recreational, and social service needs of residents; and

WHEREAS, the County residents of Upland and the surrounding communities of the Second District will be served by the Project; and

WHEREAS, the County desires that such services be provided by Contractor and Contractor agrees to perform these services as set forth below.

NOW, THEREFORE, the County and Contractor mutually agree to the following terms and conditions:

A. PURPOSE OF CONTRACT

This Contract is made for the purpose of providing funding to support Contractor with the costs of a comprehensive Economic Development and Inflation Reduction Project to meet the needs of the residents of Upland and surrounding communities.

B. CONTRACTOR RESPONSIBILITIES AND SCOPE OF SERVICES

B.1 Funding arising out of this Contract will be used for a Scope of Services to with the costs of a comprehensive Economic Development and Inflation Reduction Project to stimulate local economic growth, create job opportunities, reduce the impact of inflation on residents and business, and provides the ability to develop new housing and create new businesses by consolidating parking within downtown Upland.

B.2 Contractor shall allow the County, its officers, agents and employees the privilege and right to on-site inspection of the Project for the duration of this Contract. Contractor will ensure that its employees or agents furnish any information that in the judgment of the County, may be relevant to a question of compliance with contractual conditions, or the effectiveness, legality, and achievements of the program.

B.3 Contractor shall provide the County all documentation regarding the scope of services covered by this Contract that the County requests from Contractor within 10 days of County's request unless a different time is agreed to by the County.

B.4 Contractor shall provide the County with documentation supporting completion of the project within 60 days of project completion.

B.5 Contractor acknowledges and agrees that it will make a matching contribution of at least 25% of the cost of the Services that Contractor will provide under this Contract. Contractor's matching contribution will be a minimum of $87,500.

C. GENERAL CONTRACT REQUIREMENTS

C.1 Recitals

The recitals set forth above are true and correct and incorporated herein by this reference.

C.2 Contract Amendments

Contractor agrees any alterations, variations, modifications, or waivers of the provisions of the Contract, shall be valid only when reduced to writing, executed and attached to the original Contract and approved by the person(s) authorized to do so on behalf of Contractor and County.

C.3 Contract Assignability

Without the prior written consent of the County, the Contract is not assignable by Contractor either in whole or in part. Any attempt by Contractor to assign any performance of the terms of this Contract shall be null and void and shall constitute a material breach of this Contract.

C.4 Contract Exclusivity

This is not an exclusive Contract. The County reserves the right to enter into a contract with other contractors for the same or similar services. The County does not guarantee or represent that the Contractor will be permitted to perform any minimum amount of work, or receive compensation other than on a per order basis, under the terms of this Contract.

C.5 Attorney's Fees and Costs

If any legal action is instituted to enforce any party's rights hereunder, each party shall bear its own costs and attorney fees, regardless of who is the prevailing party. This paragraph shall not apply to those costs and attorney fees directly arising from a third-party legal action against a party hereto and payable under Indemnification and Insurance Requirements.

C.6 Background Checks for Contractor Personnel

Contractor shall ensure that its personnel (a) are authorized to work in the jurisdiction in which they are assigned to perform Services; (b) do not use legal or illegal substances in any manner which will impact their ability to provide Services to the County; and (c) are not otherwise disqualified from performing the Services under applicable law. If requested by the County and not in violation of applicable law, Contractor shall conduct a background check, at Contractor's sole expense, on all its personnel providing Services. If requested by the County, Contractor shall provide the results of the background check of each individual to the County. Such background check shall be in the form generally used by Contractor in its initial hiring of employees or contracting for contractors or, as applicable, during the employment-screening process but must, at a minimum, have been performed within the preceding 12-month period. Contractor personnel who do not meet the County's hiring criteria, in County's sole discretion, shall not be assigned to work on County property or Services, and County shall have the right, at its sole option, to refuse access to any Contractor personnel to any County facility.

C.7 Change of Address

Contractor shall notify the County in writing, of any change in mailing address within ten (10) business days of the change.

C.8 Choice of Law

This Contract shall be governed by and construed according to the laws of the State of California.

C.9 Compliance with County Policy

In performing the Services and while at any County facilities, Contractor personnel (including subcontractors) shall (a) conduct themselves in a businesslike manner; (b) comply with the policies, procedures, and rules of the County regarding health and safety, and personal, professional and ethical conduct; (c) comply with the finance, accounting, banking, Internet, security, and/or other applicable standards, policies, practices, processes, procedures, and controls of the County; and (d) abide by all laws applicable to the County facilities and the provision of the Services, and all amendments and modifications to each of the documents listed in subsections (b), (c), and (d) (collectively, "County Policies"). County Policies, and additions or modifications thereto, may be communicated orally or in writing to Contractor or Contractor personnel or may be made available to Contractor or Contractor personnel by conspicuous posting at a County facility, electronic posting, or other means generally used by County to disseminate such information to its employees or contractors. Contractor shall be responsible for

the promulgation and distribution of County Policies to Contractor personnel to the extent necessary and appropriate.

County shall have the right to require Contractor's employees, agents, representatives and subcontractors to exhibit identification credentials issued by County in order to exercise any right of access under this Contract.

C.10 Confidentiality

Contractor shall protect from unauthorized use or disclosure names and other identifying information concerning persons receiving Services pursuant to this Contract, except for statistical information not identifying any participant. Contractor shall not use or disclose any identifying information for any other purpose other than carrying out the Contractor's obligations under this Contract, except as may be otherwise required by law. This provision will remain in force even after the termination of the Contract.

C.11 Primary Point of Contact

Contractor will designate an individual to serve as the primary point of contact for the Contract. Contractor or designee must respond to County inquiries within two (2) business days. Contractor shall not change the primary contact without written acknowledgement to the County. Contractor will also designate a back-up point of contact in the event the primary contact is not available.

C.12 County Representative

The Second District Supervisor or his/her designee shall represent the County in all matters pertaining to the services to be rendered under this Contract, including termination and assignment of this Contract, and shall be the final authority in all matters pertaining to the Services/Scope of Work by Contractor. Except as provided under Section D of this Contract, if this Contract was initially approved by the San Bernardino County Board of Supervisors, then the Board of Supervisors must approve all amendments to this Contract.

C.13 Damage to County Property

Contractor shall repair, or cause to be repaired, at its own cost, all damages to County vehicles, facilities, buildings or grounds caused by the willful or negligent acts of Contractor or its employees or agents. Such repairs shall be made immediately after Contractor becomes aware of such damage, but in no event later than thirty (30) days after the occurrence.

If the Contractor fails to make timely repairs, the County may make any necessary repairs. The Contractor, as determined by the County, shall repay all costs incurred by the County for such repairs, by cash payment upon demand, or County may deduct such costs from any amounts due to the Contractor from the County, as determined at the County's sole discretion.

C.14 Debarment and Suspension

Contractor certifies that neither it nor its principals or subcontractors is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency. (See the following United States General Services Administration's System for Award Management website https://www.sam.gov). Contractor further certifies that if it or any of its subcontractors are business entities that must be registered with the California Secretary of State, they are registered and in good standing with the Secretary of State.

C.15 Drug and Alcohol Free Workplace

In recognition of individual rights to work in a safe, healthful and productive work place, as a material condition of this Contract, the Contractor agrees that the Contractor and the Contractor's employees, while performing service for the County, on County property, or while using County equipment:

C.15.1 Shall not be in any way impaired because of being under the influence of alcohol or an illegal or controlled substance.

C.15.2 Shall not possess an open container of alcohol or consume alcohol or possess or be under the influence of an illegal or controlled substance.

C.15.3 Shall not sell, offer, or provide alcohol or an illegal or controlled substance to another person, except where Contractor or Contractor's employee who, as part of the performance of normal job duties and responsibilities, prescribes or administers medically prescribed drugs.

The Contractor shall inform all employees that are performing service for the County on County property, or using County equipment, of the County's objective of a safe, healthful and productive work place and the prohibition of drug or alcohol use or impairment from same while performing such service for the County.

The County may terminate for default or breach of this Contract and any other Contract the Contractor has with the County, if the Contractor or Contractor's employees are determined by the County not to be in compliance with above.

C.16 Duration of Terms

This Contract, and all of its terms and conditions, shall be binding upon and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of the respective parties, provided no such assignment is in violation of the provisions of this Contract.

C.17 Employment Discrimination

During the term of the Contract, Contractor shall not discriminate against any employee or applicant for employment because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, sexual orientation, age, or military and veteran status. Contractor shall comply with Executive Orders 11246, 11375, 11625, 12138, 12432, 12250, 13672, Title VI and Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act and other applicable Federal, State and County laws and regulations and policies relating to equal employment and contracting opportunities, including laws and regulations hereafter enacted.

C.18 Environmental Requirements

In accordance with County Policy 11-08, the County prefers to acquire and use products with higher levels of post-consumer recycled content. Environmentally preferable goods and materials must perform satisfactorily and be available at a reasonable price. The County requires Contractor to use recycled paper for any printed or photocopied material created as a result of this Contract. Contractor is also required to use both sides of paper sheets for reports submitted to the County whenever practicable.

To assist the county in meeting the reporting requirements of the California Integrated Waste Management Act of 1989 (AB 939), Contractor must be able to annually report the County's environmentally preferable purchases. Contractor must also be able to report on environmentally preferable goods and materials used in the provision of their service to the County, utilizing a County approved form.

C.19 Improper Influence

Contractor shall make all reasonable efforts to ensure that no County officer or employee, whose position in the County enables him/her to influence any award of the Contract or any competing offer, shall have any direct or indirect financial interest resulting from the award of the Contract or shall have any relationship to the Contractor or officer or employee of the Contractor.

C.20 Improper Consideration

Contractor shall not offer (either directly or through an intermediary) any improper consideration such as, but not limited to cash, discounts, service, the provision of travel or entertainment, or any items of value to any officer, employee or agent of the County in an attempt to secure favorable treatment regarding this Contract.

The County, by written notice, may immediately terminate this Contract if it determines that any improper consideration as described in the preceding paragraph was offered to any officer, employee or agent of the County with respect to the proposal and award process. This prohibition shall apply to any amendment, extension or evaluation process once a contract has been awarded.

Contractor shall immediately report any attempt by a County officer, employee or agent to solicit (either directly or through an intermediary) improper consideration from Contractor. The report shall be made to the supervisor or manager charged with supervision of the employee or the County Administrative Office. In the event of a termination under this provision, the County is entitled to pursue any available legal remedies.

C.21 Informal Dispute Resolution

In the event the County determines that service is unsatisfactory, or in the event of any other dispute, claim, question or disagreement arising from or relating to this Contract or breach thereof, the parties hereto shall use their best efforts to settle the dispute, claim, question or disagreement. To this effect, they shall consult and negotiate with each other in good faith and, recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to both parties.

C.22 Legality and Severability

The parties' actions under the Contract shall comply with all applicable laws, rules, regulations, court orders and governmental agency orders. The provisions of this Contract are specifically made severable. If a provision of the Contract is terminated or held to be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall remain in full effect.

C.23 Licenses, Permits and/or Certifications

Contractor shall ensure that it has all necessary licenses, permits and/or certifications required by the laws of Federal, State, County, and municipal laws, ordinances, rules and regulations. The Contractor shall maintain these licenses, permits and/or certifications in effect for the duration of this Contract. Contractor will notify County immediately of loss or suspension of any such licenses, permits and/or certifications. Failure to maintain a required license, permit and/or certification may result in immediate termination of this Contract.

C.24 Material Misstatement/Misrepresentation

If during the course of the administration of this Contract, the County determines that Contractor has made a material misstatement or misrepresentation or that materially inaccurate information has been provided to the County, this Contract may be immediately terminated. If this Contract is terminated according to this provision, the County is entitled to pursue any available legal remedies.

C.25 Mutual Covenants

The parties to this Contract mutually covenant to perform all of their obligations hereunder, to exercise all discretion and rights granted hereunder, and to give all consents in a reasonable manner consistent with the standards of "good faith" and "fair dealing".

C.26 Nondisclosure

Contractor shall hold as confidential and use reasonable care to prevent unauthorized access by, storage, disclosure, publication, dissemination to and/or use by third parties of, confidential information that is either: (1) provided by the County to Contractor or an agent of Contractor or otherwise made available to Contractor or Contractor's agent in connection with this Contract; or, (2)

acquired, obtained, or learned by Contractor or an agent of Contractor in the performance of this Contract. For purposes of this provision, confidential information means any data, files, software, information or materials in oral, electronic, tangible or intangible form and however stored, compiled or memorialize and includes, but is not limited to, technology infrastructure, architecture, financial data, trade secrets, equipment specifications, user lists, passwords, research data, and technology data.

C.27 Notice of Delays

Except as otherwise provided herein, when either party has knowledge that any actual or potential situation is delaying or threatens to delay the timely performance of this Contract, that party shall, within twenty-four (24) hours, give notice thereof, including all relevant information with respect thereto, to the other party.

C.28 Ownership of Documents

All documents, data, products, graphics, computer programs and reports prepared by Contractor pursuant to the Contract shall be considered property of the County upon payment for services (and products, if applicable). All such items shall be delivered to County at the completion of work under the Contract, subject to the requirements of Section IV–Term of the Contract. Unless otherwise directed by County, Contractor may retain copies of such items.

C.29 RESERVED*.*

C.30 Air, Water Pollution Control, Safety and Health

Contractor shall comply with all air pollution control, water pollution, safety and health ordinances and statutes, which apply to the work performed pursuant to this Contract.

C.31 Records

Contractor shall maintain all records and books pertaining to the delivery of services under this Contract and demonstrate accountability for Contract performance. All records shall be complete and current and comply with all Contract requirements. Failure to maintain acceptable records shall be considered grounds for withholding of payments for invoices submitted and/or termination of the Contract.

All records relating to the Contractor's personnel, consultants, subcontractors, Services/Scope of Work and expenses pertaining to this Contract shall be kept in a generally acceptable accounting format. Records should include primary source documents. Fiscal records shall be kept in accordance with Generally Accepted Accounting Principles and must account for all funds, tangible assets, revenue and expenditures. Fiscal records must comply with the appropriate Office of Management and Budget (OMB) Circulars, which state the administrative requirements, cost principles and other standards for accountancy.

C.32 Relationship of the Parties

Nothing contained in this Contract shall be construed as creating a joint venture, partnership, or employment arrangement between the Parties hereto, nor shall either Party have the right, power or authority to create an obligation or duty, expressed or implied, on behalf of the other Party hereto.

C.33 Release of Information

No news releases, advertisements, public announcements or photographs arising out of the Contract or Contractor's relationship with County may be made or used without prior written approval of the County.

C.34 Representation of the County

In the performance of this Contract, Contractor, its agents and employees, shall act in an independent capacity and not as officers, employees, or agents of the San Bernardino County.

C.35 Strict Performance

Failure by a party to insist upon the strict performance of any of the provisions of this Contract by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Contract thereafter.

C.36 Subcontracting

Contractor shall obtain County's written consent, which County may withhold in its sole discretion, before entering into Contracts with or otherwise engaging any subcontractors who may supply any part of the Services to County. At County's request, Contractor shall provide information regarding the subcontractor's qualifications and a listing of a subcontractor's key personnel including, if requested by the County, resumes of proposed subcontractor personnel. Contractor shall remain directly responsible to County for its subcontractors and shall indemnify County for the actions or omissions of its subcontractors under the terms and conditions specified in Section G. All approved subcontractors shall be subject to the provisions of this Contract applicable to Contractor Personnel.

For any subcontractor, Contractor shall:

C.36.1 Be responsible for subcontractor compliance with the Contract and the subcontract terms and conditions; and

C.36.2 Ensure that the subcontractor follows County's reporting formats and procedures as specified by County.

C.36.3 Include in the subcontractor's subcontract substantially similar terms as are provided in Sections B. Contractor Responsibilities and C. General Contract Requirements.

Upon expiration or termination of this Contract for any reason, County will have the right to enter into direct Contracts with any of the Subcontractors. Contractor agrees that its arrangements with Subcontractors will not prohibit or restrict such Subcontractors from entering into direct Contracts with County.

C.37 Subpoena

In the event that a subpoena or other legal process commenced by a third party in any way concerning the Goods or Services provided under this Contract is served upon Contractor or County, such party agrees to notify the other party in the most expeditious fashion possible following receipt of such subpoena or other legal process. Contractor and County further agree to cooperate with the other party in any lawful effort by such other party to contest the legal validity of such subpoena or other legal process commenced by a third party as may be reasonably required and at the expense of the party to whom the legal process is directed, except as otherwise provided herein in connection with defense obligations by Contractor for County.

C.38 Termination for Convenience

The County and the Contractor each reserve the right to terminate the Contract, for any reason, with a thirty (30) day written notice of termination. Such termination may include all or part of the services described herein. Upon such termination, payment will be made to the Contractor for services rendered and expenses reasonably incurred prior to the effective date of termination. Upon receipt of termination notice Contractor shall promptly discontinue services unless the notice directs otherwise. Contractor shall deliver promptly to County and transfer title (if necessary) all completed work, and work in progress, including drafts, documents, plans, forms, data, products, graphics, computer programs and reports.

County may immediately terminate this Contract upon the termination, suspension, discontinuation or substantial reduction in County funding for the Contract activity or if for any reason the timely completion of the scope of work described in Section A or B under this Contract is rendered improbable, infeasible or impossible.

Upon Contract termination, Contractor shall immediately transfer to County all County Funds on hand at the time of expiration and any accounts receivable attributable to the use of County Funds.

C.39 Time of the Essence

Time is of the essence in performance of this Contract and of each of its provisions.

C.40 Venue

The parties acknowledge and agree that this Contract was entered into and intended to be performed in San Bernardino County, California. The parties agree that the venue of any action or claim brought by any party to this Contract will be the Superior Court of California, San Bernardino County, San Bernardino District. Each party hereby waives any law or rule of the court, which would allow them to request or demand a change of venue. If any action or claim concerning this Contract is brought by any third party and filed in another venue, the parties hereto agree to use their best efforts to obtain a change of venue to the Superior Court of California, San Bernardino County, San Bernardino District.

C.41 Conflict of Interest

Contractor shall make all reasonable efforts to ensure that no conflict of interest exists between its officers, employees, or subcontractors and the County. Contractor shall make a reasonable effort to prevent employees, Contractor, or members of governing bodies from using their positions for purposes that are, or give the appearance of being motivated by a desire for private gain for themselves or others such as those with whom they have family business, or other ties. Officers, employees, and agents of cities, counties, districts, and other local agencies are subject to applicable conflict of interest codes and state law. In the event the County determines a conflict of interest situation exists, any increase in costs, associated with the conflict of interest situation, may be disallowed by the County and such conflict may constitute grounds for termination of the Contract. This provision shall not be construed to prohibit employment of persons with whom Contractor's officers, employees, or agents have family, business, or other ties so long as the employment of such persons does not result in increased costs over those associated with the employment of any other equally qualified applicant.

C.42 Former County Administrative Officials

Contractor agrees to provide, or has already provided information on former San Bernardino County administrative officials (as defined below) who are employed by or represent Contractor. The information provided includes a list of former County administrative officials who terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the business. The information also includes the employment with or representation of Contractor. For purposes of this provision, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, County Executive Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit or Safety Management Unit.

C.43 Disclosure of Criminal and Civil Procedures

The County reserves the right to request the information described herein from the Contractor. Failure to provide the information may result in a termination of the Contract. The County also reserves the right to obtain the requested information by way of a background check performed by an investigative firm. The Contractor also may be requested to provide information to clarify initial responses. Negative information discovered may result in Contract termination.

Contractor is required to disclose whether the firm, or any of its partners, principals, members, associates or key employees (as that term is defined herein), within the last ten years, has been indicted on or had charges brought against it or them (if still pending) or convicted of any crime or offense arising directly or indirectly from the conduct of the firm's business, or whether the firm, or any of its partners, principals, members, associates or key employees, has within the last ten years, been indicted on or had charges brought against it or them (if still pending) or convicted of any crime or offense involving financial misconduct or fraud. If the response is affirmative, the

Contractor will be asked to describe any such indictments or charges (and the status thereof), convictions and the surrounding circumstances in detail.

In addition, the Contractor is required to disclose whether the firm, or any of its partners, principals, members, associates or key employees, within the last ten years, has been the subject of legal proceedings as defined herein arising directly from the provision of services by the firm or those individuals. "Legal proceedings" means any civil actions filed in a court of competent jurisdiction, or any matters filed by an administrative or regulatory body with jurisdiction over the firm or the individuals. If the response is affirmative, the Contractor will be asked to describe any such legal proceedings (and the status and disposition thereof) and the surrounding circumstances in detail.

For purposes of this provision "key employees" includes any individuals providing direct service to the County. "Key employees" do not include clerical personnel providing service at the firm's offices or locations.

C.44 Copyright

County shall have a royalty-free, non-exclusive and irrevocable license to publish, disclose, copy, translate, and otherwise use, copyright or patent, now and hereafter, all reports, studies, information, data, statistics, forms, designs, plans, procedures, systems, and any other materials or properties developed under this Contract including those covered by copyright, and reserves the right to authorize others to use or reproduce such material. All such materials developed under the terms of this Contract shall acknowledge the San Bernardino County as the funding agency and Contractor as the creator of the publication. No such materials, or properties produced in whole or in part under this Contract shall be subject to private use, copyright or patent right by Contractor in the United States or in any other country without the express written consent of County. Copies of all educational and training materials, curricula, audio/visual aids, printer material, and periodicals, assembled pursuant to this Contract must be filed with the County prior to publication.

C.45 Artwork, Proofs and Negatives

All artwork, proofs, and/or negatives in either print or digital format for anything produced under the terms of this Contract are the property of the County. These items must be returned to the County within ten (10) days, upon written notification to the Contractor. In the event of a failure to return the documents, the County is entitled to pursue any available legal remedies. In addition, the Contractor will be barred from all future solicitations, for a period of at least six (6) months.

C.46 Reserved

C.47 Reserved

C.48 Reserved

C.49 California Consumer Privacy Act

To the extent applicable, if Contractor is a business that collects the personal information of a consumer(s) in performing Services pursuant to this Contract, Contractor must comply with the provisions of the California Consumer Privacy Act (CCPA). (Cal. Civil Code §§1798.100, et seq.). For purposes of this provision, "business," "consumer," and "personal information" shall have the same meanings as set forth at Civil Code section 1798.140. Contractor must contact the County immediately upon receipt of any request by a consumer submitted pursuant to the CCPA that requires any action on the part of the County, including but not limited to, providing a list of disclosures or deleting personal information. Contractor must not sell, market or otherwise disclose personal information of a consumer provided by the County unless specifically authorized pursuant to terms of this Contract. Contractor must immediately provide to the County any notice provided by a consumer to Contractor pursuant to Civil Code section 1798.150(b) alleging a violation of the CCPA, that involves personal information received or maintained pursuant to this

Contract. Contractor must immediately notify the County if it receives a notice of violation from the California Attorney General pursuant to Civil Code section 1798.155(b).

D. TERM OF CONTRACT

The services to be provided by Contractor shall commence October 8, 2024, and shall be completed by October 7, 2025, but may be terminated earlier in accordance with provisions of this Contract.

The County Chief Executive Officer, at the direction of the Second District Supervisor, may extend the term of the Contract, in writing, to allow Contractor to complete all requirements in the Contract under the following conditions:

a. In aggregate all extensions do not exceed twelve (12) calendar months;
b. Are specifically requested by Contractor;
c. Will not change the project goals or scope of services;
d. Are in the best interests of County and Contractor in performing the scope of services under this Contract; and
e. Do not alter the amount of compensation under this Contract.

E. RESERVED.

F. FISCAL PROVISIONS

F.1 The maximum amount of payment under this Contract shall not exceed $350,000 and shall be subject to availability of other funds to the County. The consideration to be paid to Contractor, as provided herein, shall be in full payment for all Contractor's services and expenses incurred in the performance hereof, including travel and per diem.

F.2 Any costs in excess of the amount available in this section shall be the sole responsibility of Contractor. This condition however, does not preclude County from providing additional funding at its sole discretion. For the purpose of this Contract, County shall disburse compensation and monitor the Contractor's performance in satisfying the scope of work obligations under the terms of this Contract.

Disbursement of funds to Contractor shall be made in one lump sum. Upon review/approval by County, County shall make payment to Contractor within thirty (30) working days after receipt of Contractor's invoice or the resolution of any billing dispute. Contractor shall email County the Contractor's invoice requesting one lump sum payment. The invoice(s) shall reflect the Entity Payable To Name and Address, Invoice Date, Invoice Number, Project Name, Contract Number, County-Issued Purchase Order (if applicable), the text "Final Invoice", amount due, in a format acceptable to the County for services performed under this Contract. Contractor shall email invoice to County Administrative Office-Finance and Administration (County Finance) and shall include in the Subject Line: BOS – ENTITY NAME – PROJECT NAME – CONTRACT NUMBER – PO # [PURCHASE ORDER NUMBER]" (i.e. BOS-SAN BERNARDINO COUNTY-EDUCATION PROGRAM — 21-NNN – PO 4100NNNNNN).

Contractor shall submit a final expenditure report documented with "audit ready" supportive evidence of each expenditure and proof of payment until all funds have been justified 60 days after project completion. Documentation shall be submitted electronically, and Contractor shall supply hard copies upon request by County. Supportive evidence shall include, but is not limited to, copy of County's approval email to Contractor, quotes, copy(ies) of purchase order, packing slips, **a copy** of the invoice submitted by Contractor requesting one lump sum payment from County, invoices paid by the Contractor for this project, proof of payment, etc., to County Finance. Email to County Finance shall include in the Subject Line: BOS – ENTITY NAME – PROJECT NAME – CONTRACT NUMBER – PO **#** [PURCHASE ORDER NUMBER]"-SUPPORTIVE DOCUMENTS.

F.3 Contractor shall accept all payments from County via electronic funds transfer (EFT) directly deposited into the Contractor's designated checking or other bank account. Contractor shall

promptly comply with directions and accurately complete forms provided by County required to process EFT payments.

F.4 County is exempt from Federal excise taxes and no payment shall be made for any personal property taxes levied on Contractor or on any taxes levied on employee wages. The County shall only pay for any State or local sales or use taxes on the services rendered or equipment and/or parts supplied to the County pursuant to the Contract.

F.5 Costs for services under the terms of this Contract shall be incurred during the contract period except as approved by County. Contractor shall not use current year funds to pay prior or future year obligations.

F.6 Funds made available under this Contract shall not supplant any federal, state or any governmental funds intended for services of the same nature as this Contract. Contractor shall not claim reimbursement or payment from County for, or apply sums received from County with respect to that portion of its obligations that have been paid by another source of revenue. Contractor agrees that it will not use funds received pursuant to this Contract, either directly or indirectly, as a contribution or compensation for purposes of obtaining funds from another revenue source without prior written approval of the County.

F.7 Contractor shall adhere to the County's Travel Management Policy (8-02 and 08-02SP1) when travel is pursuant to this Contract and for which reimbursement is sought from the County. In addition, Contractor is encouraged to utilize local transportation services, including but not limited to, the Ontario International Airport.

F.8 Contractor understands and agrees that any and all legal fees or costs associated with lawsuits concerning this Contract against the County shall be the Contractor's sole expense and shall not be charged as a cost under this Contract.

F.9 If the Contractor does not use the County funds provided under this Contract to pay appropriate costs associated with the Scope of Services by the termination date of this Contract, the Contractor shall return the County funds, or any unused portion thereof, to the County in accordance with any directions issued by County staff, within 60 days of written demand for the return of the County funds.

G. INDEMNIFICATION AND INSURANCE REQUIREMENTS

G.1 Indemnification

The Contractor agrees to indemnify, defend (with counsel reasonably approved by County) and hold harmless the County and its authorized officers, employees, agents and volunteers from any and all claims, actions, losses, damages and/or liability arising out of this Contract from any cause whatsoever, including the acts, errors or omissions of any person and for any costs or expenses incurred by the County on account of any claim except where such indemnification is prohibited by law. This indemnification provision shall apply regardless of the existence or degree of fault of indemnities. The Contractor indemnification obligation applies to the County's "active" as well as "passive" negligence but does not apply to the County's "sole negligence" or "willful misconduct" within the meaning of Civil Code section 2782.

G.2 Additional Insured

All policies, except for Worker's Compensation, Errors and Omissions and Professional Liability policies shall contain additional endorsements naming the County and its officers, employees, agents and volunteers as additional named insured with respect to liabilities arising out of the performance of services hereunder. The additional insured endorsements shall not limit the scope of coverage for the County to vicarious liability but shall allow coverage for the County to the full extent provided by the policy. Such additional insured coverage shall be at least as broad as Additional Insured (Form B) endorsement form ISO, CG 2010.11 85.

G.3 Waiver of Subrogation Rights

The Contractor shall require the carriers of required coverages to waive all rights of subrogation against the County, its officers, employees, agents, volunteers, contractors and subcontractors. All general or auto liability insurance coverage provided shall not prohibit the Contractor and Contractor's employees or agents from waiving the right of subrogation prior to a loss or claim. The Contractor hereby waives all rights of subrogation against the County.

G.4 Policies Primary and Non-Contributory

All policies required herein are to be primary and non-contributory with any insurance or self-insurance programs carried or administered by the County.

G.5 Severability of Interests

The Contractor agrees to ensure that coverage provided to meet these requirements is applicable separately to each insured and there will be no cross liability exclusions that preclude coverage for suits between the Contractor and the County or between the County and any other insured or additional insured under the policy.

G.6 Proof of Coverage

The Contractor shall furnish Certificates of Insurance to the County Department administering the Contract evidencing the insurance coverage at the time the Contract is executed, additional endorsements, as required shall be provided prior to the commencement of performance of services hereunder, which certificates shall provide that such insurance shall not be terminated or expire without thirty (30) days written notice to the Department, and Contractor shall maintain such insurance from the time Contractor commences performance of services hereunder until the completion of such services. Within fifteen (15) days of the commencement of this contract, the Contractor shall furnish a copy of the Declaration page for all applicable policies and will provide complete certified copies of the policies and endorsements immediately upon request.

G.7 Acceptability of Insurance Carrier

Unless otherwise approved by Risk Management, insurance shall be written by insurers authorized to do business in the State of California and with a minimum "Best" Insurance Guide rating of "A- VII".

G.8 Deductibles and Self-Insured Retention

Any and all deductibles or self-insured retentions in excess of $10,000 shall be declared to and approved by Risk Management.

G.9 Failure to Procure Coverage

In the event that any policy of insurance required under this contract does not comply with the requirements, is not procured, or is canceled and not replaced, the County has the right but not the obligation or duty to cancel the contract or obtain insurance if it deems necessary and any premiums paid by the County will be promptly reimbursed by the Contractor or County payments to the Contractor will be reduced to pay for County purchased insurance.

G.10 Insurance Review

Insurance requirements are subject to periodic review by the County. The Director of Risk Management or designee is authorized, but not required, to reduce, waive or suspend any insurance requirements whenever Risk Management determines that any of the required insurance is not available, is unreasonably priced, or is not needed to protect the interests of the County. In addition, if the Department of Risk Management determines that heretofore unreasonably priced or unavailable types of insurance coverage or coverage limits become reasonably priced or available, the Director of Risk Management or designee is authorized, but not required, to change the above insurance requirements to require additional types of insurance coverage or higher coverage limits, provided that any such change is reasonable in light of past claims against the County, inflation, or any other item reasonably related to the County's risk.

Any change requiring additional types of insurance coverage or higher coverage limits must be made by amendment to this contract. Contractor agrees to execute any such amendment within thirty (30) days of receipt.

Any failure, actual or alleged, on the part of the County to monitor or enforce compliance with any of the insurance and indemnification requirements will not be deemed as a waiver of any rights on the part of the County.

G.11 The Contractor agrees to provide insurance set forth in accordance with the requirements herein. If the Contractor uses existing coverage to comply with these requirements and that coverage does not meet the specified requirements, the Contractor agrees to amend, supplement or endorse the existing coverage to do so.

Without in anyway affecting the indemnity herein provided and in addition thereto, the Contractor shall secure and maintain throughout the contract term the following types of insurance with limits as shown:

G.11.1 Workers' Compensation/Employer's Liability – A program of Workers' Compensation insurance or a state-approved, self-insurance program in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employer's Liability with $250,000 limits covering all persons including volunteers providing services on behalf of the Contractor and all risks to such persons under this contract.

If Contractor has no employees, it may certify or warrant to the County that it does not currently have any employees or individuals who are defined as "employees" under the Labor Code and the requirement for Workers' Compensation coverage will be waived by the County's Director of Risk Management.

With respect to Contractors that are non-profit corporations organized under California or Federal law, volunteers for such entities are required to be covered by Workers' Compensation insurance.

G.11.2 Commercial/General Liability Insurance – The Contractor shall carry General Liability Insurance covering all operations performed by or on behalf of the Contractor providing coverage for bodily injury and property damage with a combined single limit of not less than one million dollars ($1,000,000), per occurrence. The policy coverage shall include:

a. Premises operations and mobile equipment.
b. Products and completed operations.
c. Broad form property damage (including completed operations).
d. Explosion, collapse and underground hazards.
e. Personal injury.
f. Contractual liability.
g. $2,000,000 general aggregate limit.

G.11.3 Automobile Liability Insurance – Primary insurance coverage shall be written on ISO Business Auto coverage form for all owned, hired and non-owned automobiles or symbol 1 (any auto). The policy shall have a combined single limit of not less than one million dollars ($1,000,000) for bodily injury and property damage, per occurrence.

If the Contractor is transporting one or more non-employee passengers in performance of contract services, the automobile liability policy shall have a combined single limit of two million dollars ($2,000,000) for bodily injury and property damage per occurrence.

If the Contractor owns no autos, a non-owned auto endorsement to the General Liability policy described above is acceptable.

G.11.4 Umbrella Liability Insurance – An umbrella (over primary) or excess policy may be used to comply with limits or other primary coverage requirements. When used, the umbrella policy shall apply to bodily injury/property damage, personal injury/advertising injury and shall include a "dropdown" provision providing primary coverage for any liability not covered by the primary policy. The coverage shall also apply to automobile liability.

H. RIGHT TO MONITOR AND AUDIT

H.1 The County, State and Federal government shall have absolute right to review and audit all records, books, papers, documents, corporate minutes, and other pertinent items as requested, and shall have absolute right to monitor the performance of Contractor in the delivery of services provided under this Contract. Contractor shall give full cooperation, in any auditing or monitoring conducted. Contractor shall cooperate with the County in the implementation, monitoring, and evaluation of this Contract and comply with any and all reporting requirements established by the County.

H.2 All records pertaining to services delivered and all fiscal, statistical and management books and records shall be available for examination and audit by County representatives for a period of three years after final payment under this Contract or until all pending County, State and Federal audits are completed, whichever is later.

I. CORRECTION OF PERFORMANCE DEFICIENCIES

I.1 Failure by Contractor to comply with any of the provisions, covenants, requirements or conditions of this Contract shall be a material breach of this Contract.

I.2 In the event of a non-cured breach, County may, at its sole discretion and in addition to any other remedies available at law, in equity, or otherwise specified in this Contract:

a. Afford Contractor thereafter a time period within which to cure the breach, which period shall be established at the sole discretion of County; and/or
b. Discontinue reimbursement to Contractor for and during the period in which Contractor is in breach, which reimbursement shall not be entitled to later recovery; and/or
c. Withhold funds pending duration of the breach; and/or
d. Offset against any monies billed by Contractor but yet unpaid by County those monies disallowed pursuant to Item "b" of this paragraph; and/or
e. Terminate this Contract immediately and be relieved of the payment of any consideration to Contractor. In the event of such termination, the County may proceed with the work in any manner deemed proper by the County. The cost to the County shall be deducted from any sum due to the Contractor under this Contract and the balance, if any, shall be paid by the Contractor upon demand.

J. NOTICES

All written notices provided for in this Contract or which either party desires to give to the other shall be deemed fully given, when made in writing and either served personally, or by facsimile, or deposited in the United States mail, postage prepaid, and addressed to the other party as follows:

San Bernardino County
CAO – Finance and Administration
385 N. Arrowhead Ave., Fourth Floor
San Bernardino, CA 92415
Attn: BOS Finance Analyst

City of Upland
460 North Euclid Avenue
Upland, CA 91786
Attn: Michael Blay, City Manager

Notice shall be deemed communicated two (2) County working days from the time of mailing if mailed as provided in this paragraph.

K. ENTIRE AGREEMENT

This Contract, including all Exhibits and other attachments, which are attached hereto and incorporated by reference, and other documents incorporated herein, represents the final, complete and exclusive agreement between the parties hereto. Any prior agreement, promises, negotiations or representations relating to the subject matter of this Contract not expressly set forth herein are of no force or effect. This Contract is executed without reliance upon any promise, warranty or representation by any party or any representative of any party other than those expressly contained herein. Each party has carefully read this Contract and signs the same of its own free will.

L. CONTRACT EXECUTION

This Contract may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same Contract. The parties shall be entitled to sign and transmit an electronic signature of this Contract (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed Contract upon request.

IN WITNESS WHEREOF, the San Bernardino County and the Contractor have each caused this Contract to be subscribed by its respective duly authorized officers, on its behalf.

SAN BERNARDINO COUNTY

►

Dawn Rowe, Chair, Board of Supervisors

Dated:

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

Lynna Monell
Clerk of the Board of Supervisors
of the San Bernardino County

By

Deputy

CITY OF UPLAND

(Print or type name of corporation, company, contractor, etc.)

By ►

(Authorized signature - sign in blue ink)

Name Michael Blay

(*Print or type name of person signing contract)*

Title City Manager

(Print or Type)

Dated:

Address 460 North Euclid Avenue

Upland, CA 91786

FOR COUNTY USE ONLY

Approved as to Legal Form	Reviewed for Contract Compliance	Reviewed/Approved by Department
►	►	►
Julie Surber, Principal Assistant County Counsel		
Date	Date	Date

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: CHRIS ALANIS, INTERIM PUBLIC WORKS DIRECTOR
LIZBETH RODRIGUEZ, MANAGEMENT ANALYST
SUBJECT: CONSIDER APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WATERWORKFORCE

RECOMMENDED ACTION:
It is recommended that the City Council approve Amendment No. 1 to update the exhibits related to the WaterWorkforce contract that was approved on August 12, 2024 and authorize the City Manager to execute the amendment.

GOAL STATEMENT
The proposed action supports the City's goal of maintaining accurate and up-to-date contractual documents to ensure effective management and execution of City projects.

BACKGROUND
The WaterWorkforce contract, including its exhibits, was initially approved by the City Council on August 12, 2024. Following this approval, it was identified that the agreement inadvertently included incorrect exhibits.

ISSUES AND ANALYSIS
The exhibits in the Agreement do not reflect the current terms of the three-year contract, particularly in regard to current staff assignments and dates. This amendment will correct these discrepancies by replacing "Exhibit A" and "Exhibit B" to accurately mirror the current contract conditions and ensure that all information is up to date.

ENVIRONMENTAL DETERMINATION
The proposed action is not subject to the California Environmental Quality Act (CEQA). Section 15378 of the CEQA Guidelines define a project subject to CEQA. The proposed action is not included within the definition of a "project" and thus, is exempt.

FISCAL IMPACTS
There is no fiscal impact associated with the approval of Amendment No. 1, as these updates are purely administrative and do not involve changes to the scope or financial terms of the project.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF UPLAND AND WATERWORKFORCE ENGINEERING

THIS FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT (the "First Amendment") is made as of the 23rd day of September, 2024, by and between the City of Upland, a public agency organized and operating under the laws of the State of California ("City"), and WaterWorkforce, a California corporation (the "Consultant"). Collectively, City and Consultant are referred to herein as the "Parties".

RECITALS

WHEREAS, City and Consultant previously entered into a Professional Services Agreement dated August 12, 2024 (the "Agreement"), to provide staff augmentation services in support of the City's Engineering Administration within the Public Works Department, as set forth in Attachment "A" attached to the Agreement and incorporated therein by reference; and

WHEREAS, the Agreement inadvertently included an incorrect Exhibit "A" which does not accurately reflect staffing summary, essential functions, and certification requirements; and

WHEREAS, "Exhibit "B" of the Agreement does not accurately reflect the intended schedule of charges/payments agreed upon by the Parties.; and

WHEREAS, the Parties desire to: (1) continue services subject to the terms and conditions as stated in the Agreement; (2) replace the incorrect Exhibit "A" with a corrected and updated Exhibit "A" to accurately reflect their mutual understanding and agreement; (3) replace the incorrect Exhibit "B" with a corrected and updated Exhibit "B" to accurately reflect their mutual understanding and agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual undertakings herein, the Parties amend the Agreement, as follows:

1. The Agreement is hereby amended by deleting Exhibit "A" and by substituting therefor Amended Exhibit "A" attached hereto and incorporated herein by reference."

2. The Agreement is hereby amended by deleting Exhibit "B" and by substituting therefor Amended Exhibit "B" attached hereto and incorporated herein by reference."

3. All remaining provisions of the Agreement shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, City and Consultant have approved this First Amendment effective the day and year first above written.

CITY:

City of Upland

By: _____
Michael Blay,
City Manager

ATTEST:

By: _____
Keri Johnson,
City Clerk

APPROVED AS TO FORM:

By: _____
Stephen Deitsch,
City Attorney

CONSULTANT:

WaterWorkforce

By: _____

Its: _____

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

Docusign Envelope ID: D66960E4-0E67-4A9C-9723-91F4E0B3E6BD

CITY OF UPLAND
PROFESSIONAL SERVICES AGREEMENT

This Agreement is made and entered into as of August 12th, 2024 by and between the City of Upland, a public agency organized and operating under the laws of the State of California with its principal place of business at 460 N. Euclid Avenue, Upland, CA 91786 ("City"), and WaterWorkforce, a California corporation with offices at 1619 Couples Court, Upland, CA 91784 (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

RECITALS

A. City is a public agency of the State of California and is in need of professional services for the following project:

Engineering Administration (hereinafter referred to as "the Project").

B. Consultant is duly licensed and has the necessary qualifications to provide such services.

C. The Parties desire by this Agreement to establish the terms for City to retain Consultant to provide the services described herein.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Services.

Consultant shall provide the City with the services described in the Scope of Services attached hereto as Exhibit "A."

2. Compensation.

a. Subject to paragraph 2(b) below, the City shall pay for such services in accordance with the Schedule of Charges set forth in Exhibit "B."

b. In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of $150,000 per fiscal year of the City (the first partial fiscal year's maximum compensation shall be reduced to the prorated amount based on the remaining number of days between August 12, 2024 and June 30, 2025). This amount is to cover all printing and related costs, and the City will not pay any additional fees for printing expenses. Periodic payments shall be made within 30 days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis.

c. The City Manager may approve Additional Work, as further defined in Section 3, up to ten percent (10%) of the amount of the Agreement or fifty thousand dollars ($50,000.00). In no event shall the total sum of the agreement (original compensation amount and Additional Work) exceed fifty thousand dollars ($50,000). Any additional work in excess of this amount shall be approved by the City Council.

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3. Additional Work.

If changes in the work seem merited by Consultant or the City, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter outlining the changes shall be forwarded to the City by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this Agreement shall be prepared by the City and executed by both Parties before performance of such services, or the City will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the contract period and for four (4) years from the date of final payment under the contract for inspection by City.

5. Term

The term of this Agreement shall be from August 12th, 2024 to June 30th, 2027, unless earlier terminated as provided herein. The Parties may, by mutual, written consent, extend the term of this Agreement if necessary to complete the Project. Consultant shall perform its services in a prompt and timely manner within the term of this Agreement and shall commence performance upon receipt of written notice from the City to proceed ("Notice to Proceed"). The Notice to Proceed shall set forth the date of commencement of work.

6. Delays in Performance.

a. Neither City nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; pandemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage or judicial restraint.

b. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

7. Compliance with Law.

a. Consultant shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including Cal/OSHA requirements.

b. If required, Consultant shall assist the City, as requested, in obtaining and maintaining all permits required of Consultant by federal, state and local regulatory agencies.

c. If applicable, Consultant is responsible for all costs of clean up and/ or removal of hazardous and toxic substances spilled as a result of his or her services or operations performed under this Agreement.

Docusign Envelope ID: D66960E4-0E67-4A9C-9723-91F4E0B3E6BD

8. Standard of Care

Consultant's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the City, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates, and subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Contractor

Consultant is retained as an independent contractor and is not an employee of City. No employee or agent of Consultant shall become an employee of City. The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from City as herein provided.

a. PERS Eligibility Indemnification

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

Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing service under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in PERS as an employee of City and entitlement to any contribution to be paid by City for employer contribution and/or employee contributions for PERS benefits.

11. Insurance. Consultant shall not commence work for the City until it has provided evidence satisfactory to the City it has secured all insurance required under this section. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required under this section.

a. Commercial General Liability

(i) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the City.

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(ii) Coverage for Commercial General Liability insurance shall be at least as broad as the following:

(1) Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent.

(iii) Commercial General Liability Insurance must include coverage for the following:

(1) Bodily Injury and Property Damage
(2) Personal Injury/Advertising Injury
(3) Premises/Operations Liability
(4) Products/Completed Operations Liability
(5) Aggregate Limits that Apply per Project
(6) Explosion, Collapse and Underground (UCX) exclusion deleted
(7) Contractual Liability with respect to this Agreement
(8) Property Damage
(9) Independent Contractors Coverage

(iv) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(v) The policy shall give City, its officials, officers, employees, agents and City designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(vi) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the City, and provided that such deductibles shall not apply to the City as an additional insured.

b. Automobile Liability

(i) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the City.

(ii) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(iii) The policy shall give City, its officials, officers, employees, agents and City designated volunteers additional insured status.

(iv) Subject to written approval by the City, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the City as an additional insured, but not a self-insured retention.

c. Workers' Compensation/Employer's Liability

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(i) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(ii) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this section.

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the City and in an amount indicated herein. This insurance shall be endorsed to include contractual liability applicable to this Agreement and shall be written on a policy form specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

e. Minimum Policy Limits Required

(i) The following insurance limits are required for the Agreement:

	Combined Single Limit
Commercial General Liability	$1,000,000 per occurrence/ $2,000,000 aggregate for bodily injury, personal injury, and property damage
Automobile Liability	$1,000,000 combined single limit
Employer's Liability	$1,000,000 per accident or disease
Professional Liability	$1,000,000 per claim and aggregate (errors and omissions)

(ii) Defense costs shall be payable in addition to the limits.

(iii) Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

f. Evidence Required

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Prior to execution of the Agreement, the Consultant shall file with the City evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

g. Policy Provisions Required

(i) Consultant shall provide the City at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the City at least ten (10) days prior to the effective date of cancellation or expiration.

(ii) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, self-insurance or other coverage maintained by the City or any named insureds shall not be called upon to contribute to any loss.

(iii) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(iv) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to provide a waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(v) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the City and shall not preclude the City from taking such other actions available to the City under other provisions of the Agreement or law.

h. Qualifying Insurers

(i) All policies required shall be issued by acceptable insurance companies, as determined by the City, which satisfy the following minimum requirements:

Docusign Envelope ID: D66960E4-0E67-4A9C-9723-91F4E0B3E6BD

(1) Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

i. Additional Insurance Provisions

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the City, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(ii) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, City may cancel this Agreement.

(iii) The City may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(iv) Neither the City nor any of its officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the City that they have secured all insurance required under this section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the City as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, City may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

12. Indemnification.

a. To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

Docusign Envelope ID: D66960E4-0E67-4A9C-9723-91F4E0B3E6BD

b. If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance of "design professional" services (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

13. California Labor Code Requirements.

a. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). If the services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

b. If the services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

c. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

14. Verification of Employment Eligibility.

Docusign Envelope ID: D66960E4-0E67-4A9C-9723-91F4E0B3E6BD

By executing this Agreement, Consultant verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

15. Reserved

16. Laws and Venue.

This Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of San Bernardino, State of California.

17 Termination or Abandonment

a. City has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. In such event, City shall be immediately given title and possession to all original field notes, drawings and specifications, written reports and other documents produced or developed for that portion of the work completed and/or being abandoned. City shall pay Consultant the reasonable value of services rendered for any portion of the work completed prior to termination. If said termination occurs prior to completion of any task for the Project for which a payment request has not been received, the charge for services performed during such task shall be the reasonable value of such services, based on an amount mutually agreed to by City and Consultant of the portion of such task completed but not paid prior to said termination. City shall not be liable for any costs other than the charges or portions thereof which are specified herein. Consultant shall not be entitled to payment for unperformed services, and shall not be entitled to damages or compensation for termination of work.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to City only in the event of substantial failure by City to perform in accordance with the terms of this Agreement through no fault of Consultant.

18 Documents. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, Drawings and Specifications and other documents, produced or developed for the Project shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the City.

19. Organization

Consultant shall assign **Bret Kadel** as Project Manager. The Project Manager shall not be removed from the Project or reassigned without the prior written consent of the City.

20. Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described above.

21. Notice

Docusign Envelope ID: D66960E4-0E67-4A9C-9723-91F4E0B3E6BD

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

CITY:	CONSULTANT:
City of Upland	WaterWorkforce
460 N. Euclid Avenue	1619 Couples Court,
Upland, CA 91786	Upland CA 91784
Attn: City Manager	Attn: Bret Kadel

and shall be effective upon receipt thereof.

22. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the City and the Consultant.

23. Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

24. Entire Agreement

This Agreement, with its exhibits, represents the entire understanding of City and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

25. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the remaining provisions unenforceable, invalid or illegal.

26. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

27. Non-Waiver

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None of the provisions of this Agreement shall be considered waived by either Party, unless such waiver is specifically specified in writing.

28. Time of Essence

Time is of the essence for each and every provision of this Agreement.

29. City's Right to Employ Other Consultants

City reserves its right to employ other consultants, including engineers, in connection with this Project or other projects.

30. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

[SIGNATURES ON FOLLOWING PAGE]

Docusign Envelope ID: D66960E4-0E67-4A9C-9723-91F4E0B3E6BD

SIGNATURE PAGE FOR PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF UPLAND AND WATER WORKFORCE

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first above written.

CITY OF UPLAND
Approved By:

By: DocuSigned by: Stephen Parker FB84DF523SFB40C...
Stephen Parker for Michael Blay
City Manager

Attested by:

By: DocuSigned by: Keri Johnson F42JA8F85BE347A...
Keri Johnson
City Clerk

Approved as to form:

By: Signed by: Stephen Deitsch 932637UF6DB6478E...
Best Best & Krieger LLP
City Attorney

WaterWorkforce

By: DocuSigned by: Bret Kadel B8CEE0E0366F4B9...
Its: CEO
Name: Bret Kadel

By: DocuSigned by: Myranda Kelly 8C33FEDFF3F943F...
Its: Administrative Coordinator
Name: Myranda Kelly

AMENDED EXHIBIT A

STAFFING SUMMARY:

This role, operating under the guidance of allocated management, is responsible for carrying out assigned task orders to support the operational needs of the City of Upland Utility Division. These responsibilities encompass Acting Utility Manager staff augmentation, On-call Services and Water Staff Augmentation as specified in the "Temporary Staffing Rates."

The task and responsibilities of the Acting Utility Manager and Water Staff Augmentation shall be the same as the City's job description for Utility Manager and the corresponding positions as shown in the "Temporary Staffing Rates".

ESSENTIAL FUNCTIONS and CERTIFICATIONS REQUIRED:

The essential functions and necessary certifications are all detailed in City of Upland job descriptions. These encompass a wide range of roles, including Water Production, Water Treatment, Water Distribution, Sewer Collections, and Electrical/Technical positions within the City of Upland Utility Division. All on-call services and staff augmentation will require compliance with these essential functions and certifications, ensuring the proper coverage and expertise for the designated roles.

(continued - see attachments)

WATERWORKFORCE
WATER AND WASTEWATER EXPERTS

Exhibit A

Task Order

Task Order# 2024-8-07

Client Information

Name: City of Upland
Address: 460 N Euclid.
Upland, Ca 91786

Contact: Liz Rodriguez
Phone: (909) 291-2965
Email: LRodriguez@uplandca.gov

Assignment

Position Job Name: Utilities Manager

Department: Public Works **Reports To:** Chris Alanis

Location: 460 N Euclid Avenue Upland, CA 91786

Assigned Facility (s): Public Works Utilities

Duration of Placement: August 2024 to June 2027

Work Schedule: Start Time: TBD **End Time:** TBD **Days of the week:** TBD

Scope of placement: Please see job descriptions attached.

WaterWorkforce Fee Schedule		
Position	**Local Regular Hourly Scale**	**Travel Rate**
Utilities Manager	**$135.00**	**$156.50**

City of Upland	**WaterWorkforce INC**
	Bret Kadel
Signature	Signature
	Bret Kadel
Printed Name	Printed Name
	CEO
Title	Title
	8/7/2024
Date	**Date**

GENERAL PURPOSE

Under general direction, plans, organizes, oversees, coordinates, and manages the staff and operations of the Public Works Utilities Division, including water production, treatment, system maintenance, conservation; recycled water system maintenance; sewer system maintenance; field customer service; utility engineering; water resources planning and management; regulatory compliance; reviews water, recycled water, and wastewater land development; oversees the Utility capital improvement project planning, contract management, and implementation functions; oversees environmental review and Geographic Information Systems (GIS) mapping; manages the effective use of division resources to improve organizational productivity and customer service; provides complex and responsible support to the Director of Public Works in areas of expertise; and performs related work as required.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the Director of Public Works. Exercises direct supervision over supervisory, professional, and technical support staff.

CLASS CHARACTERISTICS

This is a management classification responsible for planning, organizing, and managing the staff, operations, and activities of the Utilities Division, including water and sewer operations, engineering and customer service, and water resources planning and management. Incumbents are responsible for performing diverse, specialized, and complex work involving significant accountability and decision-making responsibilities, which include division budget administration, program evaluation, and recommendation and implementation of policies, procedures, goals, objectives, priorities, and standards related to the City's water, wastewater, and storm drain utility systems. Incumbents serve as a professional-level resource for organizational, managerial, and operational analyses and studies. Performance of the work requires the use of considerable independence, initiative, and discretion within broad guidelines.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so qualified employees can perform the essential functions of the job.

- Plans, manages, and oversees the daily functions, operations, and activities of the City's water, recycled water, sewer and storm drain operations which includes treatment plants, reservoirs, pumping stations, pressure regulating stations, well pumps, remotely operated valves, and both water and recycled water distribution mains to ensure the delivery of safe drinking water in compliance with federal, state, and local regulations; monitors sewer collection mains and other sewage facilities; properly manages water supply resources, operating efficiencies, and proper operation and maintenance of water system facilities; maintains cleaning schedules of sewer pipelines; and maintenance of the storm drain collection system.
- Participates in the development and implementation of goals, objectives, policies, and priorities for assigned functions; recommends within department policy, appropriate service and staffing levels; recommends and administers policies and procedures.
- Participates in the development, administration, and oversight of division and department budgets; determines funding needed for staffing, equipment, materials, and supplies; ensures compliance with budgeted funding; monitors department budgets and expenditures.
- Develops and standardizes procedures and methods to improve and continuously monitor the efficiency and effectiveness of assigned programs, service delivery methods, and procedures; assesses and monitors workload, administrative and support systems, and internal reporting relationships; identifies opportunities and makes recommendations for improvement.
- Participates in the selection of, trains, motivates, and evaluates assigned personnel; works with employees to correct deficiencies; recommends and implements discipline and termination procedures.
- Develops and manages requests for proposals for professional and/or contracted services; prepares scope of work and any technical specifications; evaluates proposals and recommends award; negotiates contracts; administers contracts to ensure compliance with City specifications and service quality.
- Acts as liaison and discusses issues related to municipal utility systems with other City departments as well as developers, contractors, subcontractors, financial institutions, businesses, and their representatives.
- Directs, coordinates, reviews, and updates the Water Systems Operations Plan; oversees and coordinates water meter services; reviews meter testing to ensure accuracy and compliance.
- Participates in the planning of new utilities facilities and systems; participates in the development of specifications for the purchase of equipment; implements and complies with and monitors hazardous material procedures and local, county, state,

- and federal regulations.
- Prepares and presents staff and agenda reports and other necessary correspondence related to assigned activities and services; attends City Council, Planning Commission, and other board meetings; conducts presentations and provides technical advice regarding assigned functions; prepares and conducts public meetings and presentations for community groups.
- Conducts a variety of organizational and operational studies and investigations; recommends modifications to assigned programs, policies, and procedures, as appropriate.
- Serves as a liaison and provides technical guidance and assistance for assigned functions with other City departments, divisions, businesses, outside agencies, and other interested parties; provides staff support to commissions, committees, and task forces, as necessary.
- Attends and participates in professional group meetings; stays abreast of new trends and innovations in municipal utility systems; researches emerging products and enhancements and their applicability to City needs.
- Monitors changes in regulations and technology that may affect operations; implements policy and procedural changes after approval.
- Receives, investigates, and responds to difficult and sensitive problems and complaints in a professional manner; identifies and reports findings and takes necessary corrective action.
- Directs the establishment and maintenance of working and official division files.
- Ensures staff compliance with City and mandated safety rules, regulations, and protocols.
- Performs other duties as assigned.

QUALIFICATION GUIDELINES
Knowledge of:

- Administrative principles and practices, including goal setting, program development, implementation, and evaluation, and project management.
- Principles and practices of budget development and administration.
- Principles and practices of employee supervision, including work planning, assignment, review and evaluation, and the training of staff in work procedures.
- Principles and practices of leadership.
- Principles and techniques for working with groups and fostering effective team interaction to ensure teamwork is conducted smoothly.
- Applicable federal, state, and local laws, regulatory codes, ordinances, and procedures relevant to assigned areas of responsibility.
- Organization and management practices as applied to the development, analysis, and evaluation of programs, policies, and operational needs of the assigned area of responsibility.
- Principles and practices of contract administration and management.
- Civil, hydraulic, mechanical, and sanitary engineering theory, principles, and practices, including their application to a wide variety of water production and distribution applications.
- Principles, procedures, standards, practices, information sources, and trends in the fields of municipal water production and distribution facility operations.
- Principles and practices of engineering and construction, including project and construction management as applied to municipal water production and distribution facility operations.
- Environmental engineering principles, practices, and methods.
- Techniques for effectively representing the City in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.
- Recent and on-going developments, current literature, and sources of information related to the operations of the assigned division.
- Methods and techniques of preparing technical and administrative reports, and general business correspondence.
- City and mandated safety rules, regulations, and protocols.
- Modern equipment and communication tools used for business functions and program, project, and task coordination, including computers and software programs relevant to work performed.
- The structure and content of the English language, including the meaning and spelling of words, rules of composition, and grammar.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

Ability to:

- Plan, organize, oversee, and manage the Utilities division staff and operations.
- Develop and implement goals, objectives, practices, policies, procedures, and work standards.
- Prepare and administer large and complex budgets; allocate limited resources in a cost-effective manner.
- Provide administrative, management, and professional leadership for the division.
- Select and supervise staff, provide training and development opportunities, ensure work is performed effectively, and evaluate performance in an objective and positive manner.
- Understand, interpret, and apply all pertinent laws, codes, regulations, policies, procedures, and standards relevant to work performed.
- Evaluate and develop improvements in operations, procedures, policies, or methods.
- Perform and coordinate utility studies and other assigned programs and projects.
- Make persuasive oral and written presentations.
- Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.
- Research, analyze, and evaluate new service delivery methods, procedures, and techniques.
- Analyze, interpret, summarize, and present technical information and data in an effective manner.
- Conduct complex research projects, evaluate alternatives, make sound recommendations, and prepare effective technical staff reports.
- Effectively represent the division and the City in meetings with governmental agencies, community groups, and various businesses, professional, and regulatory organizations, the media, and in meetings with individuals.
- Direct the establishment and maintenance of a variety of filing, record-keeping, and tracking systems.
- Independently organize work, set priorities, meet critical deadlines, and follow-up on assignments.
- Effectively use computer systems, software applications relevant to work performed, and modern business equipment to perform a variety of work tasks.
- Communicate clearly and concisely, both orally and in writing, using appropriate English grammar and syntax.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

Education and Experience:

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

Education:

- Equivalent to a bachelor's degree from an accredited college or university with major coursework in civil engineering, business administration, public administration, or a related field.
    - (Substitution: An associate degree plus three (3) additional years of related experience may substitute for the required bachelor's degree.)

Experience:

- Seven (7) years of increasingly responsible experience in water production and distribution system operations, or a related field, of which two (2) years should be in a lead or supervisory capacity.

Licenses and Certifications:

- Possession of a valid California Driver's License, to be maintained throughout employment.
- Possession of a valid registration as a Professional Engineer (PE) issued by the California State Board of Registration for Civil and Professional Engineers, to be maintained throughout employment.

OR

- Possession of a valid California Driver's License, to be maintained throughout employment.
- Possession of a valid Grade IV (D-4) Water Distribution Certificate from the State of California, to be maintained throughout employment,
- Possession of, or successful acquisition within twelve (12) months of employment, a valid Grade V (D-5) Water Distribution Certificate from the State of California, to be maintained throughout employment and
- Possession of a valid Grade III (T-3) Water Treatment Certificate from the State of California, to be maintained throughout employment.

AMENDED EXHIBIT B

Schedule of Charges/Payments Consultant will invoice City on a monthly cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each task. Consultant will inform City regarding any out-of-scope work being performed by Consultant. This is a time-and-materials contract.

(See attached fee schedule)

WATERWORKFORCE
WATER AND WASTEWATER EXPERTS

Cost Summary Sheet

DATE: August 7, 2024

CLIENT: City of Upland
060 N. Euclid Avenue
Upland CA 91786

CONTRACTOR: WATERWORKFORCE Inc.
1618 Couples Court
Upland CA 91784

SUBJECT: **City of Upland – Temporary Staffing Rates**

1. **Contact/Project Manager for WaterWorkforce**
   Bret Kadel
   951-202-6604
   bretk@Waterworkforce.com

2. **Scope of Services:**

STAFFING SUMMARY:
This role, operating under the guidance of allocated management, is responsible for carrying out assigned task orders to support the operational needs of the City of Upland Utility Division. These responsibilities encompass on-call services and staff augmentation positions as specified in the "Temporary Staffing Rates."

ESSENTIAL FUNCTIONS and CERTIFICATIONS REQUIRED:
The essential functions and necessary certifications are all detailed in City of Upland job descriptions. These encompass a wide range of roles, including Water Production, Water Treatment, Water Distribution, Sewer Collections, and Electrical/Technical positions within the City of Upland Utility Division. All on-call services and staff augmentation will require compliance with these essential functions and certifications, ensuring the proper coverage and expertise for the designated roles.

EQUIPMENT USE:
Equipment for all job duties and/or task orders will be provided by the “client”. Any additional equipment needed will billed as follows:

Standard Size Truck or Vehicle	$20/hr will be added to hourly rate
Heavy Equipment	Will be billed based on vehicle and daily rates

3. **Temporary Staffing Rates:**

Positions	Local Regular Rate Per Hour	Travel Regular Rate Per Hour
Utility Systems Worker - Water Trainee	$61.00	$82.50
Utility Systems Worker - Sewer Trainee	$61.00	$82.50
Utility Worker I/II - Sewer	$70.00	$91.50
Lead Utility Worker - Sewer	$80.00	$101.50
Water Meter Technician	$68.00	$89.50
Lead Water Meter Technician	$78.00	$105.44
Utility System Worker Water	$70.00	$91.50
Senior Utility System Worker	$80.00	$101.50
Cross Connection Control Technician	$95.00	$116.50
Water Treatment Operator I/II	$85.00	$106.50
Lead Water Treatment Operator	$95.00	$110.96
Chief Water Treatment Operator	$105.00	$116.50
Utility System Worker Supervisor	$115.00	$136.50
Utilities Manager	$135.00	$156.50
Apprentices for Water and Sewer (WaterWorkforce Apprenticeship)	$48.00	NA

On-Call Support:

If an Operator is expected to provide On-Call support, they shall be compensated in the following manner:

- **Standby On-Call:** if WaterWorkforce Operator is expected to remain in the vicinity of the Client system and in a ready-to-respond status during off hours on a day where they have already worked a shift, this time will be compensated as one (1) regular hour of time. On days where they have not worked a shift and are expected to remain in a ready-to-respond status (off days), time will be compensated as two (2) regular hours of time.
- **Activated On-Call:** if WaterWorkforce Operator is called to respond to a system alarm or emergency after hours to Client system, then this time will be charged at a minimum of two (2.5) hours or for the total duration of time from departure from domicile to return to domicile, whichever is greater. Standard labor laws shall apply if Operator happens to have accrued the appropriate number of hours to constitute overtime.

CALIFORNIA LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits City Officers from participating in any action concerning a license, permit, other entitlement for use, franchise, or contract (collectively "license, permit, or contract") if they receive political contribution(s) from a party, or its agent(s), totaling more than $250 within the twelve (12) months before the proceeding, while a proceeding is pending, and for twelve (12) months following the date of a final decision in a proceeding.

The Levine Act also requires a member of the Upland City Council who has received such a contribution to disclose the contribution on the record of the proceeding and recuse themselves before the proceeding unless the violation has been properly cured.

Current Upland City Council Members are listed at:

https://www.uplandca.gov/city-council-treasurer

Parties and their Agents are responsible for accessing the link to review the names and disclosing their applicable contributions to City Officers on the record of a proceeding.

As a party to a proceeding, you are also required to provide information below about contributions made by you, your agents on behalf of you or your organization, your organization subject to the proceeding with the City, and any organization you direct or control pursuant to the aggregation rules at FPPC Reg. § 18438.5, except for uncompensated officers of a nonprofit organization. This form is to be submitted to the City of Upland and is a public record. If you have any questions about this form, please contact your City representative for assistance.

1. Have you or your company, or any agent/board member on behalf of you or your company/entity, made any political contributions of more than $250 to any Upland City Council Member in the 12 months preceding the date of the submission of your proposal or application, or the anticipated date of any Council action?

☐ YES If yes, please identify the Council Member(s):_____

☑ NO

2. Do you or your company/entity, or any agency on behalf of you or your company/entity, anticipate or plan to make any political contribution of more than $250 to any Upland City Council Member in the 12 months following any Council action related to your proposal or application?

☐ YES If yes, please identify the Council Member(s):_____

☑ NO

Answering yes to either of the two questions above does not preclude the Upland City Council from awarding a contract or approving an application or any subsequent action. It does, however, preclude the identified Council Member(s) from participating in any actions related to your proposal or application.

08/05/2024
Date

Myranda Kelly
Signature of authorized individual

WaterWorkforce, Inc
Company/Applicant Name

(Levine Act definitions on reverse side)

LEVINE ACT DISCLOSURE STATEMENT DEFINITIONS

Term	Definition	Law
Covered "proceedings"	A proceeding to grant, deny, revoke, restrict, or modify a license, permit or other entitlement for use, that does not solely involve purely ministerial decisions and is: (1) Applied for by the party; (2) Formally or informally requested by the party; or (3) A contract between the agency and the party or a franchisee granted by the agency to the party, other than a contract that is **competitively bid**, a **labor contract**, or a **personal employment contract**.	FPPC Reg 18438.2(a)
Party	Any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.	Gov. Code 84308(a)(1)
Participant	Any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.	Gov. Code 84308(a)(2) FPPC Reg 18438.4
Agent	A person who represents a party or participant for compensation and appears before or otherwise communicates with the governmental agency for the purpose of influencing the pending proceeding. See FPPC Reg 18438.3 for exceptions for certain consultants.	FPPC Reg 18438.3
Competitively Bid	A contract required by law to be awarded to the lowest responsible bidder with a responsive bid, or, if the successful bidder refuses or fails to execute the contract, to the next lowest bidder with a responsive bid.	FPPC Reg 18438.2(a)(3)(A)
Labor Contract	A contract or agreement reached through collective bargaining or with a representative group regarding the salary, benefits, or terms and conditions under an employment or retirement policy for employees or retirees, including a project labor agreement entered under Public Contract Code Section 2500.	FPPC Reg 18438.2(a)(3)(B)
Personal Employment Contract	A contract for employment, including the terms and conditions of employment, between the agency and an agency employee. A contract with an independent contractor is NOT a personal employment contract.	FPPC Reg 18438.2(a)(3)(C)-(D)

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: CHRIS ALANIS, INTERIM PUBLIC WORKS DIRECTOR
NORBERTO FERREIRA, CHIEF WATER SYSTEMS OPERATOR
LIZBETH RODRIGUEZ, MANAGEMENT ANALYST
SUBJECT: CONSIDER APPROVAL OF PURCHASE AGREEMENT FOR 12.5 % SODIUM HYPOCHLORITE FOR WATER TREATMENT FACILITIES

RECOMMENDED ACTION:
It is recommended that the City Council approve an agreement with Hasa Inc. for the purchase of 12.5% sodium hypochlorite for use in the City's water treatment facilities; and authorize the City Manager to execute the agreement.

GOAL STATEMENT
The proposed action supports the City's goal of providing potable water that meets all State and Federal Drinking Water Standards.

BACKGROUND
Sodium hypochlorite is vital in water treatment, serving as a powerful disinfectant that effectively eliminates harmful microorganisms, including bacteria and viruses. The 12.5% concentration ensures consistent chlorine levels, protecting water quality throughout the distribution system.

12.5% sodium hypochlorite is essential for preventing waterborne diseases, improving taste and odor, and maintaining regulatory compliance. Its residual disinfectant effect continues to safeguard water as it travels to consumers, making it a preferred and cost-effective option in City operations.

ISSUES AND ANALYSIS
In July 2024, the Utilities team sent a request for quotes to four (4) companies for the purchase of 12.5% sodium hypochlorite for the treatment facilities.

Vendor	Cost per Gallon	Sales Tax (7.75%)	Transportation	CA Pesticide Tax (2.45%)	Mil Tax (2.075%)	Total
Hasa Pool	$2.92	0.23	0.05	0.07	-	$3.27
JCI Jones Chemical (unresponsive)	-	-	-	-	-	-
Waterline Technologies, Inc.	$3.18	0.25	-	-	-	$3.43
Northstar Chemical (Plant 7) *	$3.05	-	-	-	0.06	$3.11
Northstar Chemical (Treatment Plant) *	$2.80	-	-	-	0.06	$2.86

(*variable pricing was offered based on market trends and a minimum $0.25 cent per gallon increase every quarter)

While two Northstar quotes had a lower initial cost per gallon, the variable pricing proposed for each included a minimum $0.25 per quarter. After consideration and review of the total per gallon price with added fees, including future cost increase, the Utilities division recommends awarding the purchase agreement to Hasa Inc.

Given its critical role in public health and safety, timely procurement of sodium hypochlorite is essential to sustain our water treatment processes. This purchase will ensure the continued safe and effective disinfection of our potable water supply.

ENVIRONMENTAL DETERMINATION
The proposed action is not subject to the California Environmental Quality Act (CEQA). Section 15378 of the CEQA Guidelines define a project subject to CEQA. The proposed action is not included within the definition of a "project" and thus, is exempt.

FISCAL IMPACTS
The total cost for the purchase of 12.5% sodium hypochlorite is estimated at $104,000 with available funds in Water Utility Other Supplies/Materials Account No. 6406205-5217.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

CITY OF UPLAND
GOODS PURCHASE AGREEMENT

This Goods Purchase Agreement ("Agreement") is entered into this 9th day of September, 2024, by and between the City of Upland, a general law city and municipal corporation organized under the laws of the State of California with its principal place of business at 460 N. Euclid Avenue, Upland, CA 91786 ("City"), and Hasa, Inc. a California Corporation with its principal place of business at 1415 E. 3rd Street Pomona, CA 91766 ("Supplier"). City and Supplier are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

Section 1. DEFINITIONS.

A. "Goods" means all machinery, equipment, supplies, items, parts, materials, labor or other services, including design, engineering and installation services, provided by Supplier as specified in Exhibit "A," attached hereto and incorporated herein by reference.

B. "Delivery Date(s)" means that date or dates upon which the Goods is to be delivered to City, ready for approval, testing and/or use as specified in Exhibit "B", attached hereto and incorporated herein by reference.

Section 2. MATERIALS AND WORKMANSHIP.

When Exhibit "A" specifies machinery, equipment or material by manufacturer, model or trade name, no substitution will be made without City's written approval. Machinery, equipment or material installed in the Goods without the approval required by this Section 2 will be deemed to be defective material for purposes of Section 4. Where machinery, equipment or materials are referred to in Exhibit "A" as equal to any particular standard, City will decide the question of equality. When requested by City, Supplier will furnish City with the name of the manufacturer, the performance capabilities and other pertinent information necessary to properly determine the quality and suitability of any machines, equipment and material to be incorporated in the Goods. Material samples will be submitted at City's request.

Section 3. INSPECTIONS AND TESTS.

City shall have the right to inspect and/or test the Goods prior to acceptance. If upon inspection or testing the Goods or any portion thereof are found to be nonconforming, unsatisfactory, defective, of inferior quality or workmanship, or fail to meet any requirements or specifications contained in Exhibit "A," then without prejudice to any other rights or remedies, City may reject the Goods or exercise any of its rights under Section 4.C. The inspection, failure to make inspection, acceptance of goods, or payment for goods shall not impair City's right to reject nonconforming goods, irrespective of City's failure to notify Supplier of a rejection of nonconforming goods or revocation of acceptance thereof or to specify with particularity any defect in nonconforming goods after

rejection or acceptance thereof.

Section 4. WARRANTY.

A. Supplier warrants that the Goods will be of merchantable quality and free from defects in design, engineering, material, and workmanship for a period of two (2) years, or such longer period as provided by a manufacturer's warranty or as agreed to by Supplier and City, from the date of final written acceptance of the Goods by City as required for final payment under Section 7. Supplier further warrants that any services provided in connection with the Goods will be performed in a professional and workmanlike manner and in accordance with the highest industry standards.

B. Supplier further warrants that all machinery, equipment, or process included in the Goods will meet the performance requirements and specifications specified in Exhibit "A" and shall be fit for the purpose intended. City's inspection, testing, approval, or acceptance of any such machinery, equipment, or process will not relieve Supplier of its obligations under this Section 4.B.

C. For any breach of the warranties contained in Section 4.A and Section 4.B, Supplier will, immediately after receiving notice from City, at the option of City, and at Supplier's own expense and without cost to City:

1. Repair the defective Goods;

2. Replace the defective Goods with conforming Goods, F.O.B. City's plant, office or other location of City where the Goods was originally performed or delivered; or

3. Repay to City the purchase price of the defective Goods.

If City selects repair or replacement, any defects will be remedied without cost to City, including but not limited to, the costs of removal, repair, and replacement of the defective Goods, and reinstallation of new Goods. All such defective Goods that is so remedied will be similarly warranted as stated above. In addition, Supplier will repair or replace other items of the Goods which may have been damaged by such defects or the repairing of the same, all at its own expense and without cost to City.

D. Supplier also warrants that the Goods is free and clear of all liens and encumbrances whatsoever, that Supplier has a good and marketable title to same, and that Supplier owns or has a valid license for all of the proprietary technology and intellectual property incorporated within the Goods. Supplier agrees to indemnify, defend, and hold City harmless against any and all third party claims resulting from the breach or inaccuracy of any of the foregoing warranties.

E. In the event of a breach by Supplier of its obligations under this Section 4, City will not be limited to the remedies set forth in this Section 4, but will have all the rights

and remedies permitted by applicable law, including without limitation, all of the rights and remedies afforded to City under the California Commercial Code.

Section 5. PRICES.

Unless expressly provided otherwise, all prices and fees specified in Exhibit "C," attached hereto and incorporated herein by reference, are firm and shall not be subject to change without the written approval of City. No extra charges of any kind will be allowed unless specifically agreed to in writing by City's authorized representative. The total price shall include (i) all federal, state and local sales, use, excise, privilege, payroll, occupational and other taxes applicable to the Goods furnished to City hereunder; and (ii) all charges for packing, freight and transportation to destination.

Section 6. CHANGES.

City, at any time, by a written order, and without notice to any surety, may make changes in the Goods, including but not limited to, City's requirements and specifications. If such changes affect the cost of the Goods or time required for its performance, an equitable adjustment will be made in the price or time for performance or both. Any change in the price necessitated by such change will be agreed upon between City and Supplier and such change will be authorized by a change order document signed by City and accepted by Supplier. Additionally, the City Manager may approve the purchase of additional Goods up to ten percent (10%) of the amount of the Agreement as specified in Exhibit "C" or one thousand five hundred dollars ($1,500.00). In no event shall the total sum of the Agreement (basic agreement amount and additional goods) exceed the sum specified in Exhibit "C" plus one thousand five hundred dollars ($1,500.00). The purchase of any additional Goods in excess of this amount shall be approved by the City Council.

Section 7. PAYMENTS.

A. Terms of payment, are net thirty (30) days, less any applicable retention, after receipt of invoice, or completion of applicable Progress Milestones. Final payment shall be made by City after Supplier has satisfied all contractual requirements. Payment of invoices shall not constitute acceptance of Goods.

B. If Progress Milestones have been specified in Exhibit "B," then payments for the Goods will be made as the requirements of such Progress Milestones are met. Progress payments for the Goods will be made by City upon proper application by Supplier during the progress of the Goods and according to the terms of payment as specified in Exhibit "B." Supplier's progress billing invoice will include progress payments due for the original scope of work and changes. Each "Item for Payment" shown in Exhibit "B" and each change order will be itemized on the invoice. Invoices for cost plus work, whether part of Exhibit "B" or a change order, must have subcontractor and/or supplier invoices attached to Supplier's invoice. Other format and support documents for invoices will be determined by City in advance of the first invoice cycle.

C. Payments otherwise due may be withheld by City on account of defective Goods not remedied, liens or other claims filed, reasonable evidence indicating probable filing of liens or other claims, failure of Supplier to make payments properly to its subcontractors or for material or labor, the failure of Supplier to perform any of its other obligations under the Agreement, or to protect City against any liability arising out of Supplier's failure to pay or discharge taxes or other obligations. If the causes for which payment is withheld are removed, the withheld payments will be made promptly. If the said causes are not removed within a reasonable period after written notice, City may remove them at Supplier's expense.

D. Payment of the final Progress Milestone payment or any retention will be made by City upon:

1. Submission of an invoice for satisfactory completion of the requirements of a Progress Milestone as defined in Exhibit "B" and in the amount associated with the Progress Milestone;

2. Written acceptance of the Goods by City;

3. Delivery of all drawings and specifications, if required by City;

4. Delivery of executed full releases of any and all liens arising out of this Agreement; and

5. Delivery of an affidavit listing all persons who might otherwise be entitled to file, claim, or maintain a lien of any kind or character, and containing an averment that all of the said persons have been paid in full.

If any person refuses to furnish an actual release or receipt in full, Supplier may furnish a bond satisfactory to City to indemnify City against any claim or lien at no cost to City.

E. Acceptance by Supplier of payment of the final Progress Milestone payment pursuant to Section 7.D will constitute a waiver, release and discharge of any and all claims and demands of any kind or character which Supplier then has, or can subsequently acquire against City, its successors and assigns, for or on account of any matter or thing arising out of, or in any manner connected with, the performance of this Agreement. However, payment for the final Progress Milestone by City will not constitute a waiver, release or discharge of any claims or demands which City then has, or can subsequently acquire, against Supplier, its successors and assigns, for or on account of any matter or thing arising out of, or in any manner connected with, the performance of this Agreement.

Section 8. SCHEDULE FOR DELIVERY.

A. The time of Supplier's performance is of the essence for this Agreement. The Goods will be delivered in accordance with the schedule set forth in Exhibit "B."

Supplier must immediately notify City in writing any time delivery is behind schedule or may not be completed on schedule. In addition to any other rights City may have under this Agreement or at law, Supplier shall pay City the sum of $250 per item of Goods for each calendar day for which the item of Goods is unavailable beyond the scheduled delivery date(s) specified in Exhibit "B."

B. In the event that the Goods is part of a larger project or projects that require the coordination of multiple contractors or suppliers, then Supplier will fully cooperate in scheduling the delivery so that City can maximize the efficient completion of such project(s).

Section 9. TAXES.

A. Supplier agrees to timely pay all sales and use tax (including any value added or gross receipts tax imposed similar to a sales and use tax) imposed by any federal, state or local taxing authority on the ultimate purchase price of the Goods provided under this Agreement.

B. Supplier will withhold, and require its subcontractors, where applicable, to withhold all required taxes and contributions of any federal, state or local taxing authority which is measured by wages, salaries or other remuneration of its employees or the employees of its subcontractors. Supplier will deposit, or cause to be deposited, in a timely manner with the appropriate taxing authorities all amounts required to be withheld.

C. All other taxes, however denominated or measured, imposed upon the price of the Goods provided hereunder, will be the responsibility of Supplier. In addition, all taxes assessed by any taxing jurisdiction based on Supplier property used or consumed in the provision of the Goods such as and including ad valorem, use, personal property and inventory taxes will be the responsibility of Supplier.

D. Supplier will, upon written request, submit to City written evidence of any filings or payments of all taxes required to be paid by Supplier hereunder.

Section 10. INDEPENDENT CONTRACTOR.

Supplier enters into this Agreement as an independent contractor and not as an employee of City. Supplier shall have no power or authority by this Agreement to bind City in any respect. Nothing in this Agreement shall be construed to be inconsistent with this relationship or status. All employees, agents, contractors or subcontractors hired or retained by the Supplier are employees, agents, contractors or subcontractors of the Supplier and not of City. City shall not be obligated in any way to pay any wage claims or other claims made against Supplier by any such employees, agents, contractors or subcontractors or any other person resulting from performance of this Agreement.

A. In the event that Supplier or any employee, agent, or subcontractor of Supplier providing services under this Agreement claims or is determined by a court of competent jurisdiction or the California Public Employees Retirement System ("PERS")

to be eligible for enrollment in PERS as an employee of the City, Supplier shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Supplier or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

B. Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, Supplier and any of its employees, agents, and subcontractors providing service under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in PERS as an employee of City and entitlement to any contribution to be paid by City for employer contribution and/or employee contributions for PERS benefits.

Section 11. SUBCONTRACTS.

Unless otherwise specified, Supplier must obtain City's written permission before subcontracting any portion of the Goods. Except for the insurance requirements in Section 13.A, all subcontracts and orders for the purchase or rental of supplies, materials or equipment, or any other part of the Goods, will require that the subcontractor be bound by and subject to all of the terms and conditions of the Agreement. No subcontract or order will relieve Supplier from its obligations to City, including, but not limited to Supplier's insurance and indemnification obligations. No subcontract or order will bind City.

Section 12. TITLE AND RISK OF LOSS.

Unless otherwise agreed, City will have title to, and risk of loss of, all completed and partially completed portions of the Goods upon delivery, as well as materials delivered to and stored on City property which are intended to become a part of the Goods. However, Supplier will be liable for any loss or damage to the Goods and/or the materials caused by Supplier or its subcontractors, their agents or employees, and Supplier will replace or repair said Goods or materials at its own cost to the complete satisfaction of City. Notwithstanding the foregoing, in the event that the City has paid Supplier for all or a portion of the Goods which remains in the possession of Supplier, then City shall have title to, and the right to take possession of, such Goods at any time following payment therefor. Risk of loss for any Goods which remains in the possession of Supplier shall remain with Supplier until such Goods has been delivered or City has taken possession thereof. Supplier will have risk of loss or damage to Supplier's property used in the construction of the Goods but which does not become a part of the Goods.

Section 13. INDEMNIFICATION.

A. Supplier shall defend, indemnify and hold the City, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any alleged acts, omissions, negligence or willful misconduct of Supplier, its officials,

officers, employees, agents, subcontractors and subconsultants arising out of or in connection with the Goods or the performance of this Agreement, including without limitation the payment of all consequential damages and attorneys' fees and other related costs and expenses except such loss or damage which was caused by the sole negligence or willful misconduct of the City.

B. Supplier's defense obligation for any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against the City, its officials, officers, employees, agents, or volunteers shall be at Supplier's own cost, expense, and risk. Supplier shall pay and satisfy any judgment, award, or decree that may be rendered against City or its officials, officers, employees, agents, or volunteers, in any such suit, action, or other legal proceeding. Supplier shall reimburse City and its officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

C. Supplier's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City, its officials, officers, employees, agents or volunteers.

Section 14. INSURANCE.

A. General. Supplier shall take out and maintain:

1. Commercial General Liability Insurance, of at least $1,000,000 per occurrence/ $2,000,000 aggregate for bodily injury, personal injury and property damage, at least as broad as Insurance Services Office Commercial General Liability most recent Occurrence Form CG 00 01;

2. Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, of at least $1,000,000 per accident for bodily injury and property damage, at least as broad as most recent Insurance Services Office Form Number CA 00 01 covering automobile liability, Code 1 (any auto);

3. Workers' Compensation in compliance with applicable statutory requirements and Employer's Liability Coverage of at least $1,000,000 per occurrence; and

4. Pollution Liability Insurance of at least $1,000,000 per occurrence and $2,000,000 aggregate shall be provided by the Supplier if transporting hazardous materials.

5. If Supplier is also the manufacturer of any equipment included in the Goods, Supplier shall carry Product Liability and/or Errors and Omissions Insurance which covers said equipment with limits of not less than $1,000,000.

B. Additional Insured; Primary; Waiver of Subrogation; No Limitation on Coverage. The policies required under this Section shall give City, its officials, officers, employees, agents or volunteers additional insured status. Such policies shall contain a provision stating that Supplier's policy is primary insurance and that any insurance, self-insurance or other coverage maintained by the City or any additional insureds shall not be called upon to contribute to any loss, and shall contain or be endorsed with a waiver of subrogation in favor of the City, its officials, officers, employees, agents, and volunteers. The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as additional insured pursuant to this Agreement.

C. Insurance Carrier. All insurance required under this Section is to be placed with insurers with a current A.M. Best's rating no less than A-:VII, licensed to do business in California, and satisfactory to the City.

D. Evidence of Insurance. Supplier shall furnish City with original certificates of insurance and endorsements effecting coverage required by the Agreement. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf, and shall be on forms supplied or approved by the City. All certificates and endorsements must be received and approved by the City before delivery commences. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.

E. Subcontractors. All subcontractors shall meet the requirements of this Section before commencing work. In addition, Supplier shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

F. Freight. Supplier shall ensure that third party shippers contracted by Supplier have adequate insurance coverage for the shipped Goods.

Section 15. LIENS.

A. Supplier, subcontractors and suppliers will not make, file or maintain a mechanic's or other lien or claim of any kind or character against the Goods, for or on account of any labor, materials, fixtures, tools, machinery, equipment, or any other things furnished, or any other work done or performance given under, arising out of, or in any manner connected with the Agreement (such liens or claims referred to as "Claims"); and Supplier, subcontractor and suppliers expressly waive and relinquish any and all rights which they now have, or may subsequently acquire, to file or maintain any Claim and Supplier, subcontractor and suppliers agree that this provision waiving the right of Claims will be an independent covenant.

B. Supplier will save and hold City harmless from and against any and all Claims that may be filed by a subcontractor, supplier or any other person or entity and Supplier will, at its own expense, defend any and all actions based upon such Claims and will pay all charges of attorneys and all costs and other expenses arising from such Claims.

Section 16. TERMINATION OF AGREEMENT BY CITY.

A. Should Supplier at any time refuse or fail to deliver the Goods with promptness and diligence, or to perform any of its other obligations under the Agreement, City may terminate Supplier's right to proceed with the delivery of the Goods by written notice to Supplier. In such event City may obtain the Goods by whatever method it may deem expedient, including the hiring of another contractor or other contractors and, for that purpose, may take possession of all materials, machinery, equipment, tools and appliances and exercise all rights, options and privileges of Supplier. In such case Supplier will not be entitled to receive any further payments until the Goods is delivered. If City's cost of obtaining the Goods, including compensation for additional managerial and administrative services, will exceed the unpaid balance of the Agreement, Supplier will be liable for and will pay the difference to City.

B. City may, for its own convenience, terminate Supplier's right to proceed with the delivery of any portion or all of the Goods by written notice to Supplier. Such termination will be effective in the manner specified in such notice, will be without prejudice to any claims which City may have against Supplier, and will not affect the obligations and duties of Supplier under the Agreement with respect to portions of the Goods not terminated.

C. On receipt of notice under Section 16.B, Supplier will, with respect to the portion of the Goods terminated, unless the notice states otherwise,

1. Immediately discontinue such portion of the Goods and the placing of orders for materials, facilities, and supplies in connection with the Goods,

2. Unless otherwise directed by City, make every reasonable effort to procure cancellation of all existing orders or contracts upon terms satisfactory to City; and

3. Deliver only such portions of the Goods which City deems necessary to preserve and protect those portions of the Goods already in progress and to protect material, plant and equipment at the Goods site or in transit to the Goods site.

D. Upon termination pursuant to Section 16.B, Supplier will be paid a pro rata portion of the compensation in the Agreement for any portion of the terminated Goods already delivered, including material and services for which it has made firm contracts which are not canceled, it being understood that City will be entitled to such material and services. Upon determination of the amount of said pro rata compensation, City will

promptly pay such amount to Supplier upon delivery by Supplier of the releases of liens and affidavit, pursuant to Section 7.C.

Section 17. FORCE MAJEURE

A. Supplier shall not be held responsible for failure or delay in shipping nor City for failure or delay in accepting goods described herein if such failure or delay is due to a Force Majeure Event.

B. A Force Majeure Event shall mean an event that materially affects a Party's performance and is one or more of the following: (1) Acts of God or other natural disasters occurring at the project site; (2) terrorism or other acts of a public enemy; (3) orders of governmental authorities (including, without limitation, unreasonable and unforeseeable delay in the issuance of permits or approvals by governmental authorities that are required for the work); (4) pandemics, epidemics or quarantine restrictions; and (5) strikes and other organized labor action occurring at the project site and the effects thereof on the work, only to the extent such strikes and other organized labor action are beyond the control of Supplier and its subcontractors, of every tier, and to the extent the effects thereof cannot be avoided by use of replacement workers. For purposes of this section, "orders of governmental authorities," includes ordinances, emergency proclamations and orders, rules to protect the public health, welfare and safety, and other actions of the City in its capacity as a municipal authority.

C. In the event of any such excused interference with shipments, City shall have the option either to reduce the quantity provided for in the order accordingly or to exercise its right of cancellation as set forth in this Agreement.

Section 18. MISCELLANEOUS PROVISIONS.

A. Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address or at such other address as the respective parties may provide in writing for this purpose:

CITY:	SUPPLIER:
City of Upland	Hasa, Inc
460 N. Euclid Avenue	1415 E 3rd Street
Upland, CA 91786	Pomona, CA 91766
Attn: City Manager	Attn: Ken Ward
With Copy To:	kenward@hasa.com
City of Upland	
460 N. Euclid Avenue	
Upland, CA 91786	
Attn: City Attorney	

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

B. Assignment or Transfer. Supplier shall not assign or transfer any interest in this Agreement whether by assignment or novation, without the prior written consent of the City, which will not be unreasonably withheld. Provided, however, that claims for money due or to become due Supplier from the City under this Agreement may be assigned to a financial institution or to a trustee in bankruptcy, without such approval. Notice of any assignment or transfer, whether voluntary or involuntary, shall be furnished promptly to the City.

C. Successors and Assigns. This Agreement shall be binding on the successors and assigns of the Parties.

D. Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

E. Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel or otherwise.

F. Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in San Bernardino County.

G. Attorneys' Fees and Costs. If any action in law or equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, each Party shall pay its own attorneys' fees.

H. Interpretation. Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party.

I. No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

J. Authority to Enter Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right and authority to make this Agreement and bind each respective Party.

K. Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

L. Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

M. City's Right to Employ Other Suppliers. City reserves its right to employ other contractors in connection with the Goods.

N. Entire Agreement. This Agreement constitutes the entire agreement between the Parties relative to the Goods specified herein. There are no understandings, agreements, conditions, representations, warranties or promises with respect to this Agreement, except those contained in or referred to in the writing.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE TO GOODS PURCHASE AGREEMENT
BETWEEN THE CITY OF UPLAND
AND HASA, INC.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first above written.

CITY OF UPLAND
Approved By:

By: _____
Michael Blay
City Manager

Attested by:

By: _____
Keri Johnson
City Clerk

Approved as to form:

By: _____
Best Best & Krieger LLP
City Attorney

HASA, INC.

By: _____

Its: _____

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

Exhibit A
Goods Specifications

[ATTACHED]

Exhibit B
Delivery Schedule

See attached Scope of Work for delivery information.

Delivery may also be contingent on rate of usage and ordered as needed.

Exhibit C
Fee Schedule

[ATTACHED]

MULTI-CHLOR

Safety Data Sheet

12.5% Sodium Hypochlorite

Emergency 24 Hour Telephone: **CHEMTREC 800.424.9300**

Corporate Headquarters: Hasa Inc.
P.O. Box 802736
Santa Clarita, CA 91355
Telephone • 661.259.5848
Fax • 661.259.1538

SECTION 1: IDENTIFICATION			
1.1	**Product Identification:**		
	1.1.1	**Product Name:**	MULTI-CHLOR
	1.1.2	**CAS #** (Chemical Abstracts Service)**:**	7681-52-9
	1.1.3	**RTECS** (Registry of Toxic Effects of Chemical Substances)**:**	NH3486300
	1.1.4	**EINECS** (European Inventory of Existing Commercial Substances)**:**	231-668-3
	1.1.5	**EC Number:**	231-668-3
	1.1.6	**Synonym:**	Bleach, Hypo, Hypochlorite, Liquid Chlorine Solution
	1.1.7	**Chemical Name:**	Sodium Hypochlorite
	1.1.8	**Chemical Formula:**	NaOCl
1.2	**Recommended Uses:**		Dairy, food and beverage industries: Sanitizing processing equipment. Water treatment chlorination.
1.3	**Company Identification:**		Hasa Inc. P. O. Box 802736 Santa Clarita, CA 91355
1.4	**Emergency Telephone Number:**		**CHEMTREC** 1-800-424-9300 (24 hour Emergency Telephone)
1.5	**Non-Emergency Assistance:**		661-259-5848 (8 AM – 5 PM PST / PDT)

SECTION 2: HAZARD(S) IDENTIFICATION		
HEALTH HAZARD	Skin corrosion / irritation:	Category 1
	Serious Eye damage / Eye Irritation	Category 1
	Specific target organ toxicity, single exposure	Category 3 (respiratory tract irritation)
ENVIRONMENTAL HAZARD	Hazardous to the aquatic environment, acute hazard	Category 1
PHYSICAL HAZARD	Corrosive to metals.	Category 1
SYMBOLS	  	
SIGNAL WORD	**DANGER**	
HAZARD STATEMENT	May be corrosive to metals. Causes severe skin burns and eye damage. May cause respiratory irritation. Very toxic to aquatic life.	
PRECAUTIONARY STATEMENT	**Prevention**	
	Wear protective gloves/protective clothing/eye protection/face protection. Do not breathe mist or vapor. Use only outdoors or in a well-ventilated area. Wash thoroughly after handling. Keep only in original container. Avoid release to the environment.	
	Response	
	If swallowed: Rinse mouth. Do NOT induce vomiting. If inhaled: Remove person to fresh air and keep comfortable for breathing. If on skin (or hair): Take off immediately all contaminated clothing. Rinse skin with water/shower. If in eyes: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center/doctor. Wash contaminated clothing before reuse. Absorb spillage to prevent material damage. Collect spillage.	
	Storage and Disposal	
	Store in a well-ventilated place. Keep container tightly closed. Store locked up. Store in corrosive resistant container. Dispose of container/contents in accordance with local, regional, national, international regulations as specified.	

SECTION 3: COMPOSITION INFORMATION ON INGREDIENTS				
	Ingredient	**Synonyms**	**CAS No.**	**Weight %**
3.1	Sodium Hypochlorite	Bleach	7681-52-9	12.5%
3.2	Sodium Hydroxide	Caustic Soda	1310-73-2	0.2%

SECTION 4: FIRST AID MEASURES

4.1	**IF IN EYES**	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
4.2	**IF ON SKIN OR CLOTHING**	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
4.3	**IF INHALED**	• Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
4.4	**IF SWALLOWED**	• Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.

NOTE TO PHYSICIAN

Probable mucosal damage may contraindicate the use of gastric lavage.

SECTION 5: FIRE FIGHTING MEASURES

5.1	**Flash Point:**		Not applicable.
5.2	**Flammability:**		Nonflammable and noncombustible.
5.3	**Auto-Ignition Temperature:**		Not applicable.
5.4	**Products of Combustion:**		Not pertinent.
5.5	**Fire Hazards:**		May decompose, generating irritating chlorine gas.
5.6	**Explosion Hazards:**		Not explosive.
5.7	**Fire Fighting Media and Instructions:**		
	5.7.1	**Extinguishing Media:**	Water fog. Foam. Dry chemical powder. Carbon dioxide.
	5.7.2	**Small Fires:**	Use carbon dioxide, or water spray.
	5.7.3	**Large Fires:**	Use flooding quantities of water as fog.
5.8	**Special Remarks on Fire Hazards:**		Do not use Mono Ammonium Phosphate (MAP) fire extinguishers. Such use may cause explosion with release of toxic gases.

SECTION 6: ACCIDENTAL RELEASE MEASURES		
6.1	**Small Spill:**	Wipe up with absorbent material (e.g. cloth, fleece). Clean surface thoroughly to remove residual contamination.
6.2	**Large Spill:**	Stop the flow of material, if this is without risk. Dike the spilled material, where this is possible. Absorb in vermiculite, dry sand or earth and place into containers. Following product recovery, flush area with water. Never return spills in original containers for re-use. For waste disposal, see Section 13 of the SDS.
6.3	**Personal Precautions, Protective Equipment & Emergency Procedures:**	Keep unnecessary personnel away. Wear appropriate personal protective equipment. Do not touch damaged containers or spilled material unless wearing appropriate protective clothing. Absorb spillage to prevent material damage. Local authorities should be advised if significant spillages cannot be contained. For personal protection, see Section 8 of the SDS.
6.4	**Environmental Precautions:**	Do not discharge into drains, water courses or onto the ground. Environmental manager must be informed of all major releases.

SECTION 7: HANDLING AND STORAGE		
7.1	**Handling:**	• Avoid contact with skin or eyes. • Do not ingest. • Avoid inhalation of vapor or mist. • Wear protective equipment if necessary. • Mix only with water in accordance with label directions. • Mixing this product with ammonia, acids, detergents, etc or with organic materials, e.g. feces, urine, etc. will release chlorine gas, which is irritating to eyes, lungs, and mucous membranes.
7.2	**Hygiene Measures:**	• Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. • While handling this product, avoid eating, drinking or smoking.
7.3	**Storage:**	• Do not freeze. • Store in a cool, shaded outdoor area. • Inside storage should be in a cool, dry, well-ventilated area. • To maintain hypochlorite strength, do not store in direct or heated indoor areas. • Keep in original vented container. • Keep container closed when not in use. • Do not store adjacent to chemicals that may react if spillage occurs. • If closed containers become heated, vent to release decomposition products (mainly oxygen under normal decomposition).

SECTION 8: EXPOSURE CONTROLS / PERSONAL PROTECTION

8.1	**Engineering Controls:**		Local exhaust ventilation to maintain levels below STEL (Short Term Exposure Limit) of 1 ppm as chlorine.	
8.2	**Personal Protection:**			
	8.2.1	**Eye / Face Protection:**	Wear safety glasses, goggles or face shield to prevent eye contact.	
	8.2.2	**Skin Protection:**	Wear appropriate chemical resistant protective clothing and chemical resistant gloves to prevent skin contact. Butyl rubber, Neoprene, or Nitrile Gloves should be worn when handling this material. Wear chemical resistant clothing such as a rubber apron when splashing may occur. Rinse immediately if skin is contaminated. Remove contaminated clothing promptly and wash before reuse. Clean protective equipment before reuse.	
	8.2.3	**Respiratory Protection:**	Avoid breathing vapor or mist. When airborne exposure limits are exceeded (see below), use NIOSH approved respiratory protection equipment appropriate to the material and/or its components. Full facepiece equipment is recommended and, if used, replaces need for face shield and chemical goggles. For emergency and other conditions where exposure limit may be significantly exceeded, use an approved full face positive-pressure, self-contained breathing apparatus.	
	8.2.4	**Other Safety Equipment:**	Eye wash facility and emergency shower should be in close proximity.	
8.3	**Exposure Limits:**		**Sodium Hypochlorite**	**Chlorine***
	8.3.1	**AIHA** (American Industrial Hygiene Association) / **WEEL** (Workplace Environmental Exposure Level guides) 2010	2 mg/m^3: 15 minute. (Short-term time weighted average)	Not established
	8.3.2	**ACGIH** (American Conference of Governmental Industrial Hygienists) **TWA** (Time Weighted Average)	Not established.	0.5 ppm
	8.3.3	**ACGIH STEL** (Short Term Exposure Limit)	Not established.	1 ppm
	8.3.4	**OSHA PEL** (Permisible Exposure Limit)	Not established.	0.5 ppm
	8.3.5	**ACGIH** Ceiling	Not established.	Not established
	8.3.6	**NIOSH** (National Institute for Occupational Safety & Health) **IDLH** (Immediate Danger to Life & Health)	Not established.	10 ppm
	8.3.7	**OSHA STEL** (Short Term Exposure Limit)	Not established.	1 ppm as Cl_2
	8.3.8	**NIOSH** (15 min. ceiling)	Not established.	0.5 ppm
	** Chlorine is unlikely to be present as a decomposition product, but may be present in incidents of accidental mixing with other chemicals.*			

SECTION 9: PHYSICAL AND CHEMICAL PROPERTIES		
9.1	**Appearance:**	Greenish yellow liquid.
9.2	**Odor:**	Pungent.
9.3	**Odor Threshold:**	0.9 mg/m^3.
9.4	**pH:**	11.2 – 11.4 (1% solution)
9.5	**Melting Point:**	Not pertinent.
9.6	**Freezing point:**	-23.3°C (-10°F)
9.7	**Boiling Point & Boiling Range:**	Decomposes @ 110°C (230°F)
9.8	**Flash Point:**	No information available.
9.9	**Evaporation Rate:**	No information available.
9.10	**Flammability (solid, gas):**	Not flammable.
9.11	**Upper / Lower Flammability or Explosive Limits:**	No information available.
9.12	**Vapor Pressure:**	12.1 mm Hg @ 20°C (68°F)
9.13	**Vapor Density:**	2.61 (air=1)
9.14	**Relative Density (Specific Gravity):**	1.2 g/mL or 10 lb/gallon @ 20°C (68°F)
9.15	**Solubility in Water:**	Mixes infinitely with water.
9.16	**Partition Coefficient: (n-octanol / water):**	No information available.
9.17	**Auto-ignition Temperature:**	No information available.
9.18	**Decomposition Temperature:**	Decomposes @ 110°C (230°F)
9.19	**Molecular Weight:**	74.5 g/mole
9.20	**Viscosity:**	1.75 - 2.50 centipoises (varies with temperature)

SECTION 10: STABILITY AND REACTIVITY		
10.1	**Stability:**	Stable under normal conditions of storage, handling, and use.
10.2	**Instability / Decomposition Temperature:**	All bleach decomposition is dependant on temperature. For any given temperature, the higher the strength, the faster it decomposes. In summary, for every 10°C increase in storage temperature, the sodium hypochlorite will decompose at an increased rate factor of approximately 3.5.
10.3	**Conditions of Instability:**	High heat, ultraviolet light.
10.4	**Incompatibility with Various Substances:**	Oxidizing agents, acids, nitrogen containing organics, metals, iron, copper, nickel, cobalt, organic materials, and ammonia.
10.5	**Corrosivity:**	Corrosive to metals.
10.6	**Special Remarks on Reactivity:**	Rate of decomposition increases with heat. May develop chlorine if mixed with acidic solutions.
10.7	**Special Remarks on Corrosivity:**	None.
10.8	**Hazardous Polymerization:**	Will not occur.

SECTION 11: TOXICOLOGICAL INFORMATION			
11.1	**Routes of Entry:**		Eyes, skin, ingestion, dermal absorption.
11.2	**Acute Toxicity:**		
	11.2.1	**Oral Toxicity** (LD_{50})**:**	3-5 g/kg (rat)
	11.2.2	**Dermal Toxicity** (LD_{50})**:**	>2 g/kg (rabbit)
	11.2.3	**Primary Eye Irritation:**	Corrosive
	11.2.4	**Primary Skin Irritation:**	Corrosive
	11.2.5	**Inhalation Toxicity** (LC_{50}):	No data available.
11.3	**Chronic Effects (Human Risk Assessment):**		Based on the toxicity profile and exposure scenarios for sodium hypochlorite, EPA concludes that the risks from chronic and subchronic exposure to low levels of these pesticides are minimal and without consequence to human health.
11.4	**Tolerance Requirement:**		Exempt (EPA document “Index to Pesticide Chemical Names, Part 180 Tolerance Information, and Food and Feed Commodities (by Commodity)” July 2010

SECTION 12: ECOLOGICAL INFORMATION			
12.1	**Ecotoxicity:**		Sodium hypochlorite is low in toxicity to avian wildlife, but it is highly toxic to freshwater fish and invertebrates.
	12.1.1	**Freshwater Fish Toxicity:**	Atlantic Herring (clupea harengus) LC_{50} = 0.033 - 0.097 mg//l/96 hr, flow through bioassay (pH: 8) Shiner Perch (cymatogaster aggregata) LC_{50} = 0.045 - 0.098 mg/l/96 hr, flow through bioassay (pH: 8) Three Spine Stickleback (gasterosteus aculeatus) LC_{50} = 0.141 - 0.193 mg/l/96 hr, flow through bioassay (pH: 8) Pink Salmon (oncorhynchus gorbuscha) LC_{50} = 0.023 - 0.052 mg/l/96 hr, flow through bioassay (pH: 8) Coho Salmon (oncorhynchus kisutch) LC_{50} = 0.026 - 0.038 mg/l/96 hr, flow through bioassay (pH: 8) English Sole (parophrys vetulus) LC_{50} = 0.044 - 0.144 mg/l/96 hr, flow through bioassay (pH: 8) Fat Head Minnow (pimephales promelas) LC_{50} = 0.22 - 0.62 mg/l/96 hr, flow through bioassay (pH: 7)
	12.1.2	**Invertebrate Toxicity:**	Water Flea (ceriodaphnia sp. 0) LC_{50} = 0.006 mg/l/24 hr Water Flea (daphnia magna) LC_{50} = 0.07 - 0.7 mg/l/24 hr Water Flea (daphnia magna) LC_{50} = 2.1 mg/l/96 hr Fresh Water Shrimp (gammarus fasciatus) LC_{50} = 0.4 mg/l/96 hr No common name (nitocra spinipes) LC_{50} = 0.40 mg/l/96 hr Grass Shrimp (palaemonetes pugio) LC_{50} = 0.52 mg/l/96 hr
12.2	**Persistence:**		No data available.
12.3	**Environmental Fate:**		In fresh water, sodium hypochlorite breaks down rapidly into non-toxic compounds when exposed to sunlight. In seawater, chlorine levels decline rapidly; however, hypobromite (which is acutely toxic to aquatic organisms) is formed. EPA believes that the risk of acute exposure to aquatic organisms is sufficiently mitigated by precautionary labeling and National Pollutant Discharge Elimination System (NPDES) permit requirements.
12.4	**Bioconcentration:**		This material is not expected to bioconcentrate in organisms.
12.5	**Biodegradation:**		This material is inorganic and not subject to biodegradation.

SECTION 13: DISPOSAL CONSIDERATIONS

Do not contaminate food or feed by storage, disposal, or cleaning of equipment. Product or rinsates that cannot be used should be diluted with water before disposal in a sanitary sewer. This product can be neutralized with sodium bisulfite, sodium thiosulfate, sodium sulfite. Do not confuse these products with sulfates or bisulfates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination system (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not contaminate water containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA. Dispose of in accordance with all applicable local, County, State, and Federal regulations.

SECTION 14: TRANSPORT INFORMATION

		Inside containers (< 1.3 gallons)	Container (>1.3 gallons)
14.1	**UN Number**	Limited Quantity	UN 1791
14.2	**UN Proper Shipping Name**	--	Hypochlorite Solutions (Sodium Hypochlorite)
14.3	**Transport Hazard Class**	--	8
14.4	**Packing Group**	--	PG III
14.5	**Environmental Hazard (e.g. Marine Pollutant)**	Yes	Yes
14.6	**Reportable Quantity (RQ):**	100 lb (45.4 kg) or 80 gallons (based on 12.5% active ingredient)	100 lb (45.4 kg) or 80 gallons (based on 12.5% active ingredient)
14.7	**Materials of Trade (MOT) Exceptions.** Certain hazardous materials transported in small quantities as part of a business are subject to less regulation, because of the limited hazard they pose. These materials are known as Materials of Trade. The regulations that apply to MOTs are found in 49 CFR § 173.6.		

This information is not intended to convey all specific regulatory or operational requirements / information relating to this product. It is the responsibility of the transporting organization to follow all applicable laws, regulations and rules relating to the transportation of the material.

SECTION 15: REGULATORY INFORMATION

15.1	**U.S. Regulations:**		
	15.1.1	**OSHA HAZCOM** (Hazard Communication)	This material is considered hazardous under the HAZCOM Standard (29 CFR 1910.1200)
	15.1.2	**OSHA PSM** (Process Safety Management)	Not regulated under PSM Standard (29 CFR 1910.119)
	15.1.3	**EPA FIFRA** (Federal Insecticide, Fungicide and Rodenticide Act)	EPA Reg. No. :10897-26 (Registered pesticide under 40 CFR 152.10)
	15.1.4	**EPA TSCA** (Toxic Substance Control Act)	All components are listed or exempted. TSCA 12(b): This product is not subject to export notification.
	15.1.5	**EPA CERCLA** (Comprehensive Environmental Response, Compensation, and Liability Act)	Reportable Quantity (RQ): 45.4 kg (100 lbs) or 80 gallons (based on 12.5% active ingredient).
	15.1.6	**EPA RMP** (Risk Management Plan)	Not listed. (40 CFR 68.130)
15.2	**State of California Regulations:**		
	15.2.1	**Safe Drinking Water and Toxic Enforcement Act of 1986 [Proposition 65, California only]:** This product is not subject to warning labeling under California Proposition 65.	
	15.2.2	**CDPR** (California Department of Pesticide Regulation)	Registration No: 10897-26-AA
	15.2.3	**CalARP** (California Accidental Release Prevention Program)	Not regulated.
15.3	**Canada Regulations:**		
	15.3.1	**WHMIS** (Workplace Hazardous Materials Information System)	• Classification: E (Corrosive Materials) • Health Effects Criteria Met by this Chemical: ▪ E - Corrosive to skin ▪ E - TDG class 8 - corrosive substance • Ingredient Disclosure List: Included for disclosure at 1% or greater.
	15.3.2	**DSL** (Domestic Substances List)	All components of this product are on the DSL.
15.4	**International Inventory:**		
	15.4.1	**AICS** (Australian Inventory of Chemical Substances)	On inventory or in compliance with inventory.
	15.4.2	**KECI** (Korean Existing Chemicals Inventory)	On inventory or in compliance with inventory.
	15.4.3	**PICCS** (Philippine Inventory of Chemicals and Chemical Substances)	On inventory or in compliance with inventory.
	15.4.4	**IECSC** (Inventory of Existing Chemical Substances in China)	On inventory or in compliance with inventory.
	15.4.5	**NZIoC** (New Zealand Inventory of Chemicals)	On inventory or in compliance with inventory.

SECTION 16: OTHER INFORMATION

16.1	**HMIS III** (Hazardous Materials Identification System):			
	16.1.1	**HEALTH**	**2**	
	16.1.2	**FLAMMABILITY**	**0**	
	16.1.3	**PHYSICAL HAZARD**	**1**	
	16.1.4	**PERSONAL PROTECTION**	See Section 8.	
16.2	**NFPA 704** (National Fire Protection Association):			
	16.2.1	**HEALTH**	**2**	
	16.2.2	**FLAMMABILITY**	**0**	
	16.2.3	**INSTABILITY**	**0**	
	16.2.4	**SPECIAL**	**None**	
16.3	**International Fire Code / International Building Code:**		Irritant.	
16.4	**ANSI** (American National Standards Institute):			
	16.4.1	**Hazardous Industrial Chemicals -** SDS-Preparation:	Complies with **ANSI Z400.1 – 2004**.	
	16.4.2	**Hazardous Industrial Chemicals -** Precautionary Labeling:	Complies with **ANSI Z129.1 – 2006**.	

Note: The information contained herein, while not guaranteed, was prepared by competent technical personnel and is true and accurate to the best of our knowledge and belief. NO WARRANTY OR GUARANTEE, express or implied, is made regarding the product performance, product stability, or as to any other condition of use, handling, transportation, and storage. Customer use, handling, transportation, and storage may involve additional safety and/or performance considerations. Our technical personnel will be happy to respond to questions regarding safe handling, storage, transportation, and use procedures. The safe handling, storage, transportation, and use procedures remain the sole responsibility of the customer. No suggestions for handling, storage, transportation, or use are intended as or to be construed as recommendations which may infringe on any existing patents or violate any Federal, State, and/or local law and/or regulation, ordinance, standard, etc. This Safety Data Sheet has been prepared by HASA, Inc. staff from test reports and other information available in the public domain.



NSF Product and Service Listings

The Public Health and Safety Organization

NSF Product and Service Listings

These NSF Official Listings are current as of Tuesday, January **23, 2024** at 12:15 a.m. Eastern Time. Please contact NSF to confirm the status of any Listing, report errors, or make suggestions.

Alert: NSF is concerned about fraudulent downloading and manipulation of website text. Always confirm this information by clicking on the below link for the most accurate information:
httP-:l/info.nsf.org/Certified/PwsChemicals/Listings.asP-?ComP-anY-=OA68o&Standard-o6o&

NSF/ANSI/CAN 60
Drinking Water Treatment Chemicals - Health Effects

Hasa Inc.
23119 Drayton Street
Saugus, CA 91350
United States
925-432-3866
Visit this comP-any'.'s website (httP-://www.hasaP-ool.com).

Facility : Eloy, *AZ*

Sodium Hypochlorite[HY]

Trade Designation	**Product Function**	***Max Use***
Multi-Chlor	Disinfection & Oxidation	84mg/L
Multi-chlor 15.5%	Disinfection & Oxidation	68mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

Facility : Pittsburg, CA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
12.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	84mg/L
FRESHCHLOR	Disinfection & Oxidation	84 mg/L
HASACHLOR	Disinfection & Oxidation	84mg/L
Hasa 15.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	68mg/L
Hasa Bleach 5.25%	Disinfection & Oxidation	200mg/L
Hasa Sani-clor	Disinfection & Oxidation	84mg/L
MULTI-CHLOR	Disinfection & Oxidation	84mg/L
Multi-chlor 15.5%	Disinfection & Oxidation	68 mg/L

[HY) The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

NOTE: Only products bearing the NSF Mark on the product, product packaging, and/or documentation shipped with the product are Certified.

Facility : Pomona, CA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
Classic Bleach	Bactericide Disinfection & Oxidation	175mg/L
HASA BLEACH 5.25%	Bactericide Disinfection & Oxidation	200mg/L
Multi-Chlor	Bactericide Disinfection & Oxidation	84mg/L

[HY) The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

Facility : Saugus, CA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
12.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	84mg/L
FRESHCHLOR	Disinfection & Oxidation	84mg/L
HASACHLOR	Disinfection & Oxidation	84mg/L
Hasa 15.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	68mg/L
Hasa Bleach 5.25%	Disinfection & Oxidation	200mg/L
MULTI-CHLOR	Disinfection & Oxidation	84mg/L
Multi-chlor 15.5%	Disinfection & Oxidation	68mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA 8300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

NOTE: Only products bearing the NSF Mark on the product, product packaging, and/or documentation shipped with the product are Certified.

Facility: Spring Valley, CA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
Multi-chlor	Disinfection & Oxidation	84mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA 8300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

Facility : Bryan, TX

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
HASACHLOR	Disinfection & Oxidation	84mg/L
MULTI-CHLOR	Disinfection & Oxidation	84mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the **AWWA** B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

NOTE: Only products bearing the NSF Mark on the product, product p\ckaging, and/or documentation shipped with the product are Certified.

Facility : Longview, WA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
12.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	84mg/L
FRESHCHLOR	Disinfection & Oxidation	84mg/L
HASACHLOR	Disinfection & Oxidation	84mg/L
Hasa 15.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	68mg/L
Hasa Bleach 5.25%	Disinfection & Oxidation	200mg/L
MULTI-CHLOR	Disinfection & Oxidation	84mg/L
Multi-chlor 15.5%	Disinfection & Oxidation	68mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

NOTE: Only products bearing the NSF Mark on the product, product packaging, and/or documentation shipped with the product are Certified.

Number of matching Manufacturers is 1

Number of matching Products is 30

Processing time was 0 seconds

PUBLIC WORKS DEPARTMENT
1370 North Benson Avenue
Upland, California 91786-0460
Telephone (909) 291-2930
Facsimile (909) 291-2974

06/27/2024

City of Upland
Public Works
1370 N. Benson Avenue
Upland, CA 91786

Scope of Work

Introduction:
The City of Upland (City) has a Basin that needs to be kept clean, safe and visually appealing. The City is solicitating quotes for the work to be performed described in this scope of work. The quote should cover all labor, materials and equipment to perform the work described.

Project Location:
See attached exhibit showing the location of the Upland Basin that is along the south side of Arrow Route and the east side of Monte Vista Avenue.

Description of Work:
The purpose of this solicitation is to obtain the services of a firm able to perform weed abatement services. The City is requesting two quotes for the Upland Basin, one quote for quarterly service and the other for a yearly service.
Services to be performed:

- Remove any litter/ trash on-site before the abatement begins.
- Cutting down existing weeds throughout the site as close to existing grade as possible.
- Green waste material resulting from the services performed can be left on site to decompose.
- Healthy native shrubs/ small trees to be left on site.
- Herbicide spraying to the dirt areas shall take place after abatement of weeds has been completed.

Submittal of Quote:
All responses and questions pertaining to this solicitation can be emailed to:
Jose Aguilar
Assistant Engineer
City of Upland
Public Works Department
1370 N. Benson Avenue
Upland, CA 91786
jaguilar@uplandca.gov
(909) 291-2979

Norberto Ferreira / City of Upland - Operations Supervisor July 22, 2024

Jose Aguilar / Assistant Engineer

At HASA we manufacture our own products for treating Fresh Water, Wastewater Treatment, Cooling Towers, and recreational water. Our goal is to provide the best quality products safely and consistently to our customers in an effective and timely manner. We have been in business since 1964 based in Saugus, CA. and produce our products 24 hours prior to delivery. We will deliver products from our Pomona location. To specifically address our Quality Service standards, we have briefly addressed each commitment as it applies to HASA, Inc.'s product and safety standards for our customer base.

1. On-time deliveries:
    a. HASA owns and operates its fleet of delivery vehicles and employs our own drivers. This allows us the flexibility to adjust to limitations that exist in external transportation market and utilize internal resources to ensure consistent and on-time deliveries to our customers. We are the only company that delivers our products via Mini-Bulk with a (2) man team, to ensure safe deliveries for our customers.
2. Timely response:
    a. We have four dedicated facilities in both Southern California focused on supplying our customers with their water treatment chemical needs. With other sites in No. CA., Washington, Arizona, and Texas serving (11) states in the West.
    b. We maintain a personalized industrial account sales manager for each region dedicated to providing accurate, dependable, and expedient communication with our customers. As your representative, I am local in the market.
3. Quality as specified:
    a. Our production facilities adhere to internal production standards that maintain consistent and uniform product quality standards. These internal production metrics conform with NSF 60 and AWWA B300 standards. Supporting documentation is included below.
    b. HASA manufactures, ships, and delivers our products in a tight timeline to ensure product arrives to the customer in pristine condition.
4. Quality control
    a. HASA, Inc. is the manufacturer of our water treatment chemicals we deliver. This allows us to tightly adhere to product quality standards described above.
5. Customer satisfaction
    a. By emphasizing cooperative partnerships with our customers HASA, Inc. consistently strives to raise the level of our customer satisfaction.

We look forward to creating a long-term partnership with the City of Upland. If there are any specific questions or concerns, please contact me via email or by phone at 661-749-3698.

Phillip Flores
Industrial Sales, Southern California
phillipflores@hasa.com
HASA, Inc.

Phil Flores

Price Quote

City of Upland

Date:	**7/22/2024**
Contact:	**Jose Aguilar**
Phone:	**909-291-2979**
e-mail:	jaguilar@upland.gov

Ship To	Effective Date	Expiration Date	Product Code	Item Description	Pkg	Misc. Parts	Price	Transportation Surcharge
Plant 7 – 1655 W. 17th Street	**7/22/24**	**6/30/24**	**07001**	**HASA / Multi-Chlor**	**Mini Bulk**	**Per Gallon**	**$2.92**	**0.05**
Upland Treatment Plant							**CA. Pesticde Tax 2.45% per gal**	**0.07**
2545 Mountain Lane				**Year one guareented pricing**			**City Sales Tax 7.75%**	**0.23**
								$3.26
		Please visit hasapool.com to see our Terms and Conditions that apply to this Price Quote						

PAYMENT TERMS: **Net 30 days**
DEMURRAGE: **1 hrs free unload time / $17.50 p/quarter hr. thereafter**
EMERGENCY FEE: **$300.00 + demurrage**
RESTOCKING FEE: **25%, + Freight**

Submitted by: HASA Inc.
Sales Representative: Phil Flores
Phone number: 661-749-3698
Email: phillipflores@hasapool.com

Refundable Container Deposits	Each
Four 1- Gallon Jugs & Crate	$10.00
5-gallon	$15.00
15-gallon	$50.00
53-gallon drums	$75.00
330-gallon totes	$900.00
Pallets	$20.00

Price Quote

City of Upland

Date:	**7/22/2024**
Contact:	**Jose Aguilar**
Phone:	**909-291-2979**
e-mail:	jaguilar@upland.gov

Ship To	Effective Date	Expiration Date	Product Code	Item Description	Pkg	Misc. Parts	Price	Transportation Surcharge
Plant 7 – 1655 W. 17th Street	**7/22/24**	**6/30/24**	**07001**	**HASA / Multi-Chlor**	**Mini Bulk**	**Per Gallon**	**$2.88**	**0.05**
Upland Treatment Plant							**CA. Pesticde Tax 2.45% per gal**	**0.07**
2545 Mountain Lane				**We have guareented pricing for year one on 2 year deal.**			**City Sales Tax 7.75%**	**0.22**
				Based on current market conditions we would present pricing in April of 2025 for year two ensuring no greater increase of 5% with supporting documentation. Should the market comannd a pricing adjustment. If not we hold the current price for year two				**$3.22**
		Please visit hasapool.com to see our Terms and Conditions that apply to this Price Quote						

Submitted by: HASA Inc.

Sales Representative: Phil Flores
Phone number: 661-749-3698
Email: phillipflores@hasapool.com

PAYMENT TERMS:	**Net 30 days**
DEMURRAGE:	**1 hrs free unload time / $17.50 p/quarter hr. thereafter**
EMERGENCY FEE:	**$300.00 + demurrage**
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Refundable Container Deposits	**Each**
Four 1- Gallon Jugs & Crate	**$10.00**
5-gallon	**$15.00**
15-gallon	**$50.00**
53-gallon drums	**$75.00**



HASA Inc., 23119 Drayton Street, Saugus, CA. 91350 www.hasapool.com phillipflores@hasapool.com

Food and Drug Administration (FDA) Letter of Guaranty

, Inc.

February 27, 2023

Food and Drug Administration (FDA)
Letter of Guaranty

Hasa Inc. states that, as of the date of shipment, the product(s) hereafter listed, when used for intended use, are neither adulterated nor misbranded when shipped, within the meaning of the Federal Food, Drug and Cosmetic Act, as amended, or any substantially similar state or local law. Further, they comply with the provisions of 21 CFR §176.170 and §176.180.

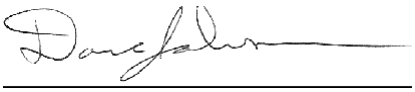
We further guaranty that, as of the date of shipment, the products hereafter listed, when used for their intended use (a) are not "food additives" as defined in the Act because there is either no migration to the food being packaged or the substance is "generally recognized as safe" as defined in the Act, or (b) have either been approved for use without limitation or within approved limitations and under prescribed conditions as required by the Food Additives Amendment and the Regulations issued by the Food and Drug Administration (in such cases, the limitations and conditions are annexed hereto) and, where applicable, the products are within the extraction limitations of the appropriate test for paper and paperboard as prescribed in Part 176 of the Code of Federal Regulations.

The guaranty covers the following products according to the specific 21 CFR section, as noted:

PRODUCTS	
HASA sodium hypochlorite products	In compliance with FDA regulation

We understand that the intended use of the above product(s) may be for food packaging.

This is a continuing guaranty and shall apply to each shipment made to you of such products until you receive written notification of termination. Upon termination, this guaranty shall apply to shipments made prior to your receipt of such termination notice.



Signature



Affidavit of Compliance

, Inc.

October 25, 2023

Affidavit of Compliance

HASA Inc. hereby certifies that all sodium hypochlorite products manufactured by HASA Inc. are made in the U.S.A and meet the standards of the (AWWA) American Water Works Association. Including the following product brand name(s):

Hasachlor

Multi-chlor



MULTI-CHLOR

Safety Data Sheet

12.5% Sodium Hypochlorite

Emergency 24 Hour Telephone: **CHEMTREC 800.424.9300**

Corporate Headquarters: Hasa Inc.
P.O. Box 802736
Santa Clarita, CA 91355
Telephone • 661.259.5848
Fax • 661.259.1538

SECTION 1: IDENTIFICATION			
1.1	**Product Identification:**		
	1.1.1	**Product Name:**	MULTI-CHLOR
	1.1.2	**CAS #** (Chemical Abstracts Service)**:**	7681-52-9
	1.1.3	**RTECS** (Registry of Toxic Effects of Chemical Substances)**:**	NH3486300
	1.1.4	**EINECS** (European Inventory of Existing Commercial Substances)**:**	231-668-3
	1.1.5	**EC Number:**	231-668-3
	1.1.6	**Synonym:**	Bleach, Hypo, Hypochlorite, Liquid Chlorine Solution
	1.1.7	**Chemical Name:**	Sodium Hypochlorite
	1.1.8	**Chemical Formula:**	NaOCl
1.2	**Recommended Uses:**		Dairy, food and beverage industries: Sanitizing processing equipment. Water treatment chlorination.
1.3	**Company Identification:**		Hasa Inc. P. O. Box 802736 Santa Clarita, CA 91355
1.4	**Emergency Telephone Number:**		**CHEMTREC** 1-800-424-9300 (24 hour Emergency Telephone)
1.5	**Non-Emergency Assistance:**		661-259-5848 (8 AM – 5 PM PST / PDT)

SECTION 2: HAZARD(S) IDENTIFICATION		
HEALTH HAZARD	Skin corrosion / irritation:	Category 1
	Serious Eye damage / Eye Irritation	Category 1
	Specific target organ toxicity, single exposure	Category 3 (respiratory tract irritation)
ENVIRONMENTAL HAZARD	Hazardous to the aquatic environment, acute hazard	Category 1
PHYSICAL HAZARD	Corrosive to metals.	Category 1
SYMBOLS	  	
SIGNAL WORD	**DANGER**	
HAZARD STATEMENT	May be corrosive to metals. Causes severe skin burns and eye damage. May cause respiratory irritation. Very toxic to aquatic life.	
PRECAUTIONARY STATEMENT	**Prevention**	
	Wear protective gloves/protective clothing/eye protection/face protection. Do not breathe mist or vapor. Use only outdoors or in a well-ventilated area. Wash thoroughly after handling. Keep only in original container. Avoid release to the environment.	
	Response	
	If swallowed: Rinse mouth. Do NOT induce vomiting. If inhaled: Remove person to fresh air and keep comfortable for breathing. If on skin (or hair): Take off immediately all contaminated clothing. Rinse skin with water/shower. If in eyes: Rinse cautiously with water for several minutes. Remove contact lenses, if present and easy to do. Continue rinsing. Immediately call a poison center/doctor. Wash contaminated clothing before reuse. Absorb spillage to prevent material damage. Collect spillage.	
	Storage and Disposal	
	Store in a well-ventilated place. Keep container tightly closed. Store locked up. Store in corrosive resistant container. Dispose of container/contents in accordance with local, regional, national, international regulations as specified.	

SECTION 3: COMPOSITION INFORMATION ON INGREDIENTS				
	Ingredient	**Synonyms**	**CAS No.**	**Weight %**
3.1	Sodium Hypochlorite	Bleach	7681-52-9	12.5%
3.2	Sodium Hydroxide	Caustic Soda	1310-73-2	0.2%

SECTION 4: FIRST AID MEASURES

4.1	**IF IN EYES**	• Hold eye open and rinse slowly and gently with water for 15-20 minutes. • Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. • Call a poison control center or doctor for treatment advice.
4.2	**IF ON SKIN OR CLOTHING**	• Take off contaminated clothing. • Rinse skin immediately with plenty of water for 15-20 minutes. • Call a poison control center or doctor for treatment advice.
4.3	**IF INHALED**	• Move person to fresh air. • If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. • Call a poison control center or doctor for further treatment advice.
4.4	**IF SWALLOWED**	• Call a poison control center or doctor immediately for treatment advice. • Have person sip a glass of water if able to swallow. • Do not induce vomiting unless told to do so by a poison control center or doctor. • Do not give anything by mouth to an unconscious person.

HOT LINE NUMBER

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-800-424-9300 for emergency medical treatment information.

NOTE TO PHYSICIAN

Probable mucosal damage may contraindicate the use of gastric lavage.

SECTION 5: FIRE FIGHTING MEASURES

5.1	**Flash Point:**		Not applicable.
5.2	**Flammability:**		Nonflammable and noncombustible.
5.3	**Auto-Ignition Temperature:**		Not applicable.
5.4	**Products of Combustion:**		Not pertinent.
5.5	**Fire Hazards:**		May decompose, generating irritating chlorine gas.
5.6	**Explosion Hazards:**		Not explosive.
5.7	**Fire Fighting Media and Instructions:**		
	5.7.1	**Extinguishing Media:**	Water fog. Foam. Dry chemical powder. Carbon dioxide.
	5.7.2	**Small Fires:**	Use carbon dioxide, or water spray.
	5.7.3	**Large Fires:**	Use flooding quantities of water as fog.
5.8	**Special Remarks on Fire Hazards:**		Do not use Mono Ammonium Phosphate (MAP) fire extinguishers. Such use may cause explosion with release of toxic gases.

SECTION 6: ACCIDENTAL RELEASE MEASURES		
6.1	**Small Spill:**	Wipe up with absorbent material (e.g. cloth, fleece). Clean surface thoroughly to remove residual contamination.
6.2	**Large Spill:**	Stop the flow of material, if this is without risk. Dike the spilled material, where this is possible. Absorb in vermiculite, dry sand or earth and place into containers. Following product recovery, flush area with water. Never return spills in original containers for re-use. For waste disposal, see Section 13 of the SDS.
6.3	**Personal Precautions, Protective Equipment & Emergency Procedures:**	Keep unnecessary personnel away. Wear appropriate personal protective equipment. Do not touch damaged containers or spilled material unless wearing appropriate protective clothing. Absorb spillage to prevent material damage. Local authorities should be advised if significant spillages cannot be contained. For personal protection, see Section 8 of the SDS.
6.4	**Environmental Precautions:**	Do not discharge into drains, water courses or onto the ground. Environmental manager must be informed of all major releases.

SECTION 7: HANDLING AND STORAGE		
7.1	**Handling:**	• Avoid contact with skin or eyes. • Do not ingest. • Avoid inhalation of vapor or mist. • Wear protective equipment if necessary. • Mix only with water in accordance with label directions. • Mixing this product with ammonia, acids, detergents, etc or with organic materials, e.g. feces, urine, etc. will release chlorine gas, which is irritating to eyes, lungs, and mucous membranes.
7.2	**Hygiene Measures:**	• Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. • While handling this product, avoid eating, drinking or smoking.
7.3	**Storage:**	• Do not freeze. • Store in a cool, shaded outdoor area. • Inside storage should be in a cool, dry, well-ventilated area. • To maintain hypochlorite strength, do not store in direct or heated indoor areas. • Keep in original vented container. • Keep container closed when not in use. • Do not store adjacent to chemicals that may react if spillage occurs. • If closed containers become heated, vent to release decomposition products (mainly oxygen under normal decomposition).

SECTION 8: EXPOSURE CONTROLS / PERSONAL PROTECTION

8.1	**Engineering Controls:**		Local exhaust ventilation to maintain levels below STEL (Short Term Exposure Limit) of 1 ppm as chlorine.	
8.2	**Personal Protection:**			
	8.2.1	**Eye / Face Protection:**	Wear safety glasses, goggles or face shield to prevent eye contact.	
	8.2.2	**Skin Protection:**	Wear appropriate chemical resistant protective clothing and chemical resistant gloves to prevent skin contact. Butyl rubber, Neoprene, or Nitrile Gloves should be worn when handling this material. Wear chemical resistant clothing such as a rubber apron when splashing may occur. Rinse immediately if skin is contaminated. Remove contaminated clothing promptly and wash before reuse. Clean protective equipment before reuse.	
	8.2.3	**Respiratory Protection:**	Avoid breathing vapor or mist. When airborne exposure limits are exceeded (see below), use NIOSH approved respiratory protection equipment appropriate to the material and/or its components. Full facepiece equipment is recommended and, if used, replaces need for face shield and chemical goggles. For emergency and other conditions where exposure limit may be significantly exceeded, use an approved full face positive-pressure, self-contained breathing apparatus.	
	8.2.4	**Other Safety Equipment:**	Eye wash facility and emergency shower should be in close proximity.	
8.3	**Exposure Limits:**		**Sodium Hypochlorite**	**Chlorine***
	8.3.1	**AIHA** (American Industrial Hygiene Association) / **WEEL** (Workplace Environmental Exposure Level guides) 2010	2 mg/m^3: 15 minute. (Short-term time weighted average)	Not established
	8.3.2	**ACGIH** (American Conference of Governmental Industrial Hygienists) **TWA** (Time Weighted Average)	Not established.	0.5 ppm
	8.3.3	**ACGIH STEL** (Short Term Exposure Limit)	Not established.	1 ppm
	8.3.4	**OSHA PEL** (Permisible Exposure Limit)	Not established.	0.5 ppm
	8.3.5	**ACGIH** Ceiling	Not established.	Not established
	8.3.6	**NIOSH** (National Institute for Occupational Safety & Health) **IDLH** (Immediate Danger to Life & Health)	Not established.	10 ppm
	8.3.7	**OSHA STEL** (Short Term Exposure Limit)	Not established.	1 ppm as Cl_2
	8.3.8	**NIOSH** (15 min. ceiling)	Not established.	0.5 ppm
	** Chlorine is unlikely to be present as a decomposition product, but may be present in incidents of accidental mixing with other chemicals.*			

SECTION 9: PHYSICAL AND CHEMICAL PROPERTIES		
9.1	**Appearance:**	Greenish yellow liquid.
9.2	**Odor:**	Pungent.
9.3	**Odor Threshold:**	0.9 mg/m^3.
9.4	**pH:**	11.2 – 11.4 (1% solution)
9.5	**Melting Point:**	Not pertinent.
9.6	**Freezing point:**	-23.3°C (-10°F)
9.7	**Boiling Point & Boiling Range:**	Decomposes @ 110°C (230°F)
9.8	**Flash Point:**	No information available.
9.9	**Evaporation Rate:**	No information available.
9.10	**Flammability (solid, gas):**	Not flammable.
9.11	**Upper / Lower Flammability or Explosive Limits:**	No information available.
9.12	**Vapor Pressure:**	12.1 mm Hg @ 20°C (68°F)
9.13	**Vapor Density:**	2.61 (air=1)
9.14	**Relative Density (Specific Gravity):**	1.2 g/mL or 10 lb/gallon @ 20°C (68°F)
9.15	**Solubility in Water:**	Mixes infinitely with water.
9.16	**Partition Coefficient: (n-octanol / water):**	No information available.
9.17	**Auto-ignition Temperature:**	No information available.
9.18	**Decomposition Temperature:**	Decomposes @ 110°C (230°F)
9.19	**Molecular Weight:**	74.5 g/mole
9.20	**Viscosity:**	1.75 - 2.50 centipoises (varies with temperature)

SECTION 10: STABILITY AND REACTIVITY		
10.1	**Stability:**	Stable under normal conditions of storage, handling, and use.
10.2	**Instability / Decomposition Temperature:**	All bleach decomposition is dependant on temperature. For any given temperature, the higher the strength, the faster it decomposes. In summary, for every 10°C increase in storage temperature, the sodium hypochlorite will decompose at an increased rate factor of approximately 3.5.
10.3	**Conditions of Instability:**	High heat, ultraviolet light.
10.4	**Incompatibility with Various Substances:**	Oxidizing agents, acids, nitrogen containing organics, metals, iron, copper, nickel, cobalt, organic materials, and ammonia.
10.5	**Corrosivity:**	Corrosive to metals.
10.6	**Special Remarks on Reactivity:**	Rate of decomposition increases with heat. May develop chlorine if mixed with acidic solutions.
10.7	**Special Remarks on Corrosivity:**	None.
10.8	**Hazardous Polymerization:**	Will not occur.

SECTION 11: TOXICOLOGICAL INFORMATION			
11.1	**Routes of Entry:**		Eyes, skin, ingestion, dermal absorption.
11.2	**Acute Toxicity:**		
	11.2.1	**Oral Toxicity** (LD_{50})**:**	3-5 g/kg (rat)
	11.2.2	**Dermal Toxicity** (LD_{50})**:**	>2 g/kg (rabbit)
	11.2.3	**Primary Eye Irritation:**	Corrosive
	11.2.4	**Primary Skin Irritation:**	Corrosive
	11.2.5	**Inhalation Toxicity** (LC_{50}):	No data available.
11.3	**Chronic Effects (Human Risk Assessment):**		Based on the toxicity profile and exposure scenarios for sodium hypochlorite, EPA concludes that the risks from chronic and subchronic exposure to low levels of these pesticides are minimal and without consequence to human health.
11.4	**Tolerance Requirement:**		Exempt (EPA document "Index to Pesticide Chemical Names, Part 180 Tolerance Information, and Food and Feed Commodities (by Commodity)" July 2010

SECTION 12: ECOLOGICAL INFORMATION			
12.1	**Ecotoxicity:**		Sodium hypochlorite is low in toxicity to avian wildlife, but it is highly toxic to freshwater fish and invertebrates.
	12.1.1	**Freshwater Fish Toxicity:**	Atlantic Herring (clupea harengus) LC_{50} = 0.033 - 0.097 mg//l/96 hr, flow through bioassay (pH: 8) Shiner Perch (cymatogaster aggregata) LC_{50} = 0.045 - 0.098 mg/l/96 hr, flow through bioassay (pH: 8) Three Spine Stickleback (gasterosteus aculeatus) LC_{50} = 0.141 - 0.193 mg/l/96 hr, flow through bioassay (pH: 8) Pink Salmon (oncorhynchus gorbuscha) LC_{50} = 0.023 - 0.052 mg/l/96 hr, flow through bioassay (pH: 8) Coho Salmon (oncorhynchus kisutch) LC_{50} = 0.026 - 0.038 mg/l/96 hr, flow through bioassay (pH: 8) English Sole (parophrys vetulus) LC_{50} = 0.044 - 0.144 mg/l/96 hr, flow through bioassay (pH: 8) Fat Head Minnow (pimephales promelas) LC_{50} = 0.22 - 0.62 mg/l/96 hr, flow through bioassay (pH: 7)
	12.1.2	**Invertebrate Toxicity:**	Water Flea (ceriodaphnia sp. 0) LC_{50} = 0.006 mg/l/24 hr Water Flea (daphnia magna) LC_{50} = 0.07 - 0.7 mg/l/24 hr Water Flea (daphnia magna) LC_{50} = 2.1 mg/l/96 hr Fresh Water Shrimp (gammarus fasciatus) LC_{50} = 0.4 mg/l/96 hr No common name (nitocra spinipes) LC_{50} = 0.40 mg/l/96 hr Grass Shrimp (palaemonetes pugio) LC_{50} = 0.52 mg/l/96 hr
12.2	**Persistence:**		No data available.
12.3	**Environmental Fate:**		In fresh water, sodium hypochlorite breaks down rapidly into non-toxic compounds when exposed to sunlight. In seawater, chlorine levels decline rapidly; however, hypobromite (which is acutely toxic to aquatic organisms) is formed. EPA believes that the risk of acute exposure to aquatic organisms is sufficiently mitigated by precautionary labeling and National Pollutant Discharge Elimination System (NPDES) permit requirements.
12.4	**Bioconcentration:**		This material is not expected to bioconcentrate in organisms.
12.5	**Biodegradation:**		This material is inorganic and not subject to biodegradation.

SECTION 13: DISPOSAL CONSIDERATIONS

Do not contaminate food or feed by storage, disposal, or cleaning of equipment. Product or rinsates that cannot be used should be diluted with water before disposal in a sanitary sewer. This product can be neutralized with sodium bisulfite, sodium thiosulfate, sodium sulfite. Do not confuse these products with sulfates or bisulfates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination system (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not contaminate water containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance, contact your State Water Board or Regional Office of the EPA. Dispose of in accordance with all applicable local, County, State, and Federal regulations.

SECTION 14: TRANSPORT INFORMATION

		Inside containers (< 1.3 gallons)	Container (>1.3 gallons)
14.1	**UN Number**	Limited Quantity	UN 1791
14.2	**UN Proper Shipping Name**	--	Hypochlorite Solutions (Sodium Hypochlorite)
14.3	**Transport Hazard Class**	--	8
14.4	**Packing Group**	--	PG III
14.5	**Environmental Hazard (e.g. Marine Pollutant)**	Yes	Yes
14.6	**Reportable Quantity (RQ):**	100 lb (45.4 kg) or 80 gallons (based on 12.5% active ingredient)	100 lb (45.4 kg) or 80 gallons (based on 12.5% active ingredient)
14.7	**Materials of Trade (MOT) Exceptions.** Certain hazardous materials transported in small quantities as part of a business are subject to less regulation, because of the limited hazard they pose. These materials are known as Materials of Trade. The regulations that apply to MOTs are found in 49 CFR § 173.6.		

This information is not intended to convey all specific regulatory or operational requirements / information relating to this product. It is the responsibility of the transporting organization to follow all applicable laws, regulations and rules relating to the transportation of the material.

SECTION 15: REGULATORY INFORMATION

15.1	**U.S. Regulations:**		
	15.1.1	**OSHA HAZCOM** (Hazard Communication)	This material is considered hazardous under the HAZCOM Standard (29 CFR 1910.1200)
	15.1.2	**OSHA PSM** (Process Safety Management)	Not regulated under PSM Standard (29 CFR 1910.119)
	15.1.3	**EPA FIFRA** (Federal Insecticide, Fungicide and Rodenticide Act)	EPA Reg. No. :10897-26 (Registered pesticide under 40 CFR 152.10)
	15.1.4	**EPA TSCA** (Toxic Substance Control Act)	All components are listed or exempted. TSCA 12(b): This product is not subject to export notification.
	15.1.5	**EPA CERCLA** (Comprehensive Environmental Response, Compensation, and Liability Act)	Reportable Quantity (RQ): 45.4 kg (100 lbs) or 80 gallons (based on 12.5% active ingredient).
	15.1.6	**EPA RMP** (Risk Management Plan)	Not listed. (40 CFR 68.130)
15.2	**State of California Regulations:**		
	15.2.1	**Safe Drinking Water and Toxic Enforcement Act of 1986 [Proposition 65, California only]:** This product is not subject to warning labeling under California Proposition 65.	
	15.2.2	**CDPR** (California Department of Pesticide Regulation)	Registration No: 10897-26-AA
	15.2.3	**CalARP** (California Accidental Release Prevention Program)	Not regulated.
15.3	**Canada Regulations:**		
	15.3.1	**WHMIS** (Workplace Hazardous Materials Information System)	• Classification: E (Corrosive Materials) • Health Effects Criteria Met by this Chemical: ▪ E - Corrosive to skin ▪ E - TDG class 8 - corrosive substance • Ingredient Disclosure List: Included for disclosure at 1% or greater.
	15.3.2	**DSL** (Domestic Substances List)	All components of this product are on the DSL.
15.4	**International Inventory:**		
	15.4.1	**AICS** (Australian Inventory of Chemical Substances)	On inventory or in compliance with inventory.
	15.4.2	**KECI** (Korean Existing Chemicals Inventory)	On inventory or in compliance with inventory.
	15.4.3	**PICCS** (Philippine Inventory of Chemicals and Chemical Substances)	On inventory or in compliance with inventory.
	15.4.4	**IECSC** (Inventory of Existing Chemical Substances in China)	On inventory or in compliance with inventory.
	15.4.5	**NZIoC** (New Zealand Inventory of Chemicals)	On inventory or in compliance with inventory.

SECTION 16: OTHER INFORMATION

16.1	**HMIS III** (Hazardous Materials Identification System):			
	16.1.1	**HEALTH**	**2**	
	16.1.2	**FLAMMABILITY**	**0**	
	16.1.3	**PHYSICAL HAZARD**	**1**	
	16.1.4	**PERSONAL PROTECTION**	See Section 8.	
16.2	**NFPA 704** (National Fire Protection Association):			
	16.2.1	**HEALTH**	**2**	
	16.2.2	**FLAMMABILITY**	**0**	
	16.2.3	**INSTABILITY**	**0**	
	16.2.4	**SPECIAL**	**None**	
16.3	**International Fire Code / International Building Code:**		Irritant.	
16.4	**ANSI** (American National Standards Institute):			
	16.4.1	**Hazardous Industrial Chemicals -** SDS-Preparation:	Complies with **ANSI Z400.1 – 2004**.	
	16.4.2	**Hazardous Industrial Chemicals -** Precautionary Labeling:	Complies with **ANSI Z129.1 – 2006**.	

Note: The information contained herein, while not guaranteed, was prepared by competent technical personnel and is true and accurate to the best of our knowledge and belief. NO WARRANTY OR GUARANTEE, express or implied, is made regarding the product performance, product stability, or as to any other condition of use, handling, transportation, and storage. Customer use, handling, transportation, and storage may involve additional safety and/or performance considerations. Our technical personnel will be happy to respond to questions regarding safe handling, storage, transportation, and use procedures. The safe handling, storage, transportation, and use procedures remain the sole responsibility of the customer. No suggestions for handling, storage, transportation, or use are intended as or to be construed as recommendations which may infringe on any existing patents or violate any Federal, State, and/or local law and/or regulation, ordinance, standard, etc. This Safety Data Sheet has been prepared by HASA, Inc. staff from test reports and other information available in the public domain.



NSF Product and Service Listings

The Public Health and Safety Organization

NSF Product and Service Listings

These NSF Official Listings are current as of Tuesday, January **23, 2024** at 12:15 a.m. Eastern Time. Please contact NSF to confirm the status of any Listing, report errors, or make suggestions.

Alert: NSF is concerned about fraudulent downloading and manipulation of website text. Always confirm this information by clicking on the below link for the most accurate information:
httP-:l/info.nsf.org/Certified/PwsChemicals/Listings.asP-?ComP-anY-=OA68o&Standard-o6o&

NSF/ANSI/CAN 60
Drinking Water Treatment Chemicals - Health Effects

Hasa Inc.
23119 Drayton Street
Saugus, CA 91350
United States
925-432-3866
Visit this comP-any'.'s website (httP-://www.hasaP-ool.com).

Facility : Eloy, *AZ*

Sodium Hypochlorite[HY]

Trade Designation	**Product Function**	***Max Use***
Multi-Chlor	Disinfection & Oxidation	84mg/L
Multi-chlor 15.5%	Disinfection & Oxidation	68mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

Facility : Pittsburg, CA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
12.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	84mg/L
FRESHCHLOR	Disinfection & Oxidation	84 mg/L
HASACHLOR	Disinfection & Oxidation	84mg/L
Hasa 15.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	68mg/L
Hasa Bleach 5.25%	Disinfection & Oxidation	200mg/L
Hasa Sani-clor	Disinfection & Oxidation	84mg/L
MULTI-CHLOR	Disinfection & Oxidation	84mg/L
Multi-chlor 15.5%	Disinfection & Oxidation	68 mg/L

[HY) The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

NOTE: Only products bearing the NSF Mark on the product, product packaging, and/or documentation shipped with the product are Certified.

Facility : Pomona, CA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
Classic Bleach	Bactericide Disinfection & Oxidation	175mg/L
HASA BLEACH 5.25%	Bactericide Disinfection & Oxidation	200mg/L
Multi-Chlor	Bactericide Disinfection & Oxidation	84mg/L

[HY) The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

Facility : Saugus, CA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
12.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	84mg/L
FRESHCHLOR	Disinfection & Oxidation	84mg/L
HASACHLOR	Disinfection & Oxidation	84mg/L
Hasa 15.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	68mg/L
Hasa Bleach 5.25%	Disinfection & Oxidation	200mg/L
MULTI-CHLOR	Disinfection & Oxidation	84mg/L
Multi-chlor 15.5%	Disinfection & Oxidation	68mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA 8300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

NOTE: Only products bearing the NSF Mark on the product, product packaging, and/or documentation shipped with the product are Certified.

Facility: Spring Valley, CA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
Multi-chlor	Disinfection & Oxidation	84mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA 8300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

Facility : Bryan, TX

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
HASACHLOR	Disinfection & Oxidation	84mg/L
MULTI-CHLOR	Disinfection & Oxidation	84mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the **AWWA** B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

NOTE: Only products bearing the NSF Mark on the product, product p\ckaging, and/or documentation shipped with the product are Certified.

Facility : Longview, WA

Sodium Hypochlorite[HY]

Trade Designation	*Product Function*	*Max Use*
12.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	84mg/L
FRESHCHLOR	Disinfection & Oxidation	84mg/L
HASACHLOR	Disinfection & Oxidation	84mg/L
Hasa 15.5% Sodium Hypochlorite Solution	Disinfection & Oxidation	68mg/L
Hasa Bleach 5.25%	Disinfection & Oxidation	200mg/L
MULTI-CHLOR	Disinfection & Oxidation	84mg/L
Multi-chlor 15.5%	Disinfection & Oxidation	68mg/L

[HY] The residual levels of chlorine (hypochlorite ion and hypochlorous acid), chlorine dioxide, chlorate ion, chloramine and disinfection by-products shall be monitored in the finished drinking water to ensure compliance to all applicable regulations. Also, reference the AWWA B300 (Hypochlorites) standard's Recommendations for the Handling and Storage of Hypochlorite Solutions appendix for information on preservation techniques for hypochlorite bleach in transit and storage.

NOTE: Only products bearing the NSF Mark on the product, product packaging, and/or documentation shipped with the product are Certified.

Number of matching Manufacturers is 1

Number of matching Products is 30

Processing time was o seconds

CALIFORNIA LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits City Officers from participating in any action concerning a license, permit, other entitlement for use, franchise, or contract (collectively "license, permit, or contract") if they receive political contribution(s) from a party, or its agent(s), totaling more than $250 within the twelve (12) months before the proceeding, while a proceeding is pending, and for twelve (12) months following the date of a final decision in a proceeding.

The Levine Act also requires a member of the Upland City Council who has received such a contribution to disclose the contribution on the record of the proceeding and recuse themselves before the proceeding unless the violation has been properly cured.

Current Upland City Council Members are listed at:

https://www.uplandca.gov/city-council-treasurer

Parties and their Agents are responsible for accessing the link to review the names and disclosing their applicable contributions to City Officers on the record of a proceeding.

As a party to a proceeding, you are also required to provide information below about contributions made by you, your agents on behalf of you or your organization, your organization subject to the proceeding with the City, and any organization you direct or control pursuant to the aggregation rules at FPPC Reg. § 18438.5, except for uncompensated officers of a nonprofit organization. This form is to be submitted to the City of Upland and is a public record. If you have any questions about this form, please contact your City representative for assistance.

1. Have you or your company, or any agent/board member on behalf of you or your company/entity, made any political contributions of more than $250 to any Upland City Council Member in the 12 months preceding the date of the submission of your proposal or application, or the anticipated date of any Council action?

☐ YES If yes, please identify the Council Member(s): N/A_____

X NO

2. Do you or your company/entity, or any agency on behalf of you or your company/entity, anticipate or plan to make any political contribution of more than $250 to any Upland City Council Member in the 12 months following any Council action related to your proposal or application?

☐ YES If yes, please identify the Council Member(s): N/A_____

_X_NO

Answering yes to either of the two questions above does not preclude the Upland City Council from awarding a contract or approving an application or any subsequent action. It does, however, preclude the identified Council Member(s) from participating in any actions related to your proposal or application.

08/02/2024
Date

Ken Ward
Ken Ward (Aug 2, 2024 11:53 PDT)
Signature of authorized individual

HASA Inc. Ken Ward / CFO
Company/Applicant Name

(Levine Act definitions on reverse side)

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 9, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: CHRIS ALANIS, INTERIM PUBLIC WORKS DIRECTOR
TANYA GARCIA, MANAGEMENT ANALYST
SUBJECT: CONSIDER ADOPTING RESOLUTION AUTHORIZING THE SUBMISSION OF HOUSEHOLD HAZARDOUS WASTE GRANT APPLICATIONS TO CALRECYCLE

RECOMMENDED ACTION:
It is recommended that the City Council approve and authorize the submission of a grant application to the California Department of Resource Recycling and Recovery (CalRecycle) for the Small and Large Project discretionary fund Grants starting with HD43 Cycle and any future Cycles; and adopt a Resolution, as required by CalRecycle, authorizing the submittal of Household Hazardous Waste applications to the Department of resources Recycling and Recovery.

GOAL STATEMENT
The proposed action supports the City's goal to actively pursue all grant funding opportunities.

BACKGROUND
CalRecycle annually offers funding opportunities to assist public and private entities in the safe and effective management of the Household Hazardous Waste (HHW) program. This program provides comprehensive services, including the collection, packaging, transportation, re-use, recycling, and environmentally safe disposal of hazardous waste.

The HHW Section plays a critical role in managing household hazardous wastes at the local level. In the County of San Bernardino, twenty-two cities and two towns contract with the San Bernardino County Fire Department for household hazardous waste management. Additionally, Upland is one of the fourteen sites that collect household hazardous waste, which requires ongoing maintenance.

Funding from these grants is specifically allocated for small or large projects that aim to improve an HHW facility, purchase equipment or supplies, and benefit the operation and the community. The Oil Payment Program (OPP) grant is earmarked for advertising and conducting events to promote the proper recycling and disposal of used oil and oil filters. No matching funds are required for these grants, and all costs must be incurred within the identified program term: one year for OPP funds, two years for small projects, and three years for large projects. CalRecycle will determine funding eligibility based on the competition of projects submitted statewide.

ISSUES AND ANALYSIS
The CalRecycle Discretionary Fund Grants and Oil Payment Program Grants are available annually. The HHW Section applies for these funds each year to expand and improve operations. There are three types of grants: one for small projects, which provides up to $50,000; one for large projects, which provides up to $250,000, depending on the project and funding needs; and the Oil Payment Program, which supports education on the proper recycling and disposal of used oil and oil filters. The grant application window is narrow, with all paperwork needing to be submitted within a month of the opening date.

This item seeks the City Council's approval of discretionary fund grant application(s)/agreement(s) in the name of the City of Upland for Fiscal Year 2024-25 (HD43) and succeeding cycles in the HD Discretionary Fund Grants for small and large projects, as well as for the Oil Payment Program Grant Cycle 13 and subsequent cycles, as specified in the Resolution. The City Council is also requested to adopt a resolution that authorizes the City of Upland to apply for the CalRecycle grants and empowers the City Manager, or designee, to execute and submit the necessary payment program applications.

ENVIRONMENTAL DETERMINATION
The proposed action is not subject to the California Environmental Quality Act (CEQA). Section 15378 of the CEQA Guidelines defines a project subject to CEQA. The proposed action is not included within the definition of a "project" and thus is exempt.

FISCAL IMPACTS
There is no fiscal impact. If the City of Upland is successful with the application, a future item will be submitted to the City Council for acceptance of grant funds. The grants awarded will be used to improve and expand the Household Hazardous Waste (HHW) operations in Upland. Revenue and appropriation related to the grant awards will be included in a future quarterly budget report for approval by the City Council.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA AUTHORIZING THE SUBMITTAL OF HOUSEHOLD HAZARDOUS WASTE APPLICATIONS TO THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE)

WHEREAS, Public Resources Code sections 48690 et seq. authorize the Department of Resources Recycling and Recovery ("CalRecycle"), formerly known as the California Integrated Waste Management Board, to make payments to qualifying jurisdictions for collection and management of Household Hazardous Waste PRC§ 25218; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the administration of the Used Oil Payment Program; and

WHEREAS, CalRecycle's procedures for administering the Used Oil Payment Program require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of the Used Oil Payment Program.

NOW, THEREFORE, the City Council of the City of Upland hereby finds, determines and resolves as follows:

Section 1. The City Council authorizes the submittal of applications for the collection and management of Household Hazardous Waste to CalRecycle; and.

Section 2. The City Manager, or his/her designee, is hereby authorized and empowered to execute in the name of the City of Upland all documents, including but not limited to, applications, agreements, annual reports including expenditure reports and amendments necessary to secure said payments to support the collection and management of Household Hazardous Waste Program; and

Section 3. This authorization is effective until rescinded by the City Council.

Section 4. Compliance with California Environmental Quality Act. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 5. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

Section 6. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED and ADOPTED this 9th day of September 2024.

Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 9th day of September, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

ATTEST:

Keri Johnson, City Clerk

Application Certification

Application Information

Applicant: City of Upland

Cycle Name: Household Hazardous Waste Discretionary Grants

Cycle Code: HD43

Grant ID: 29075

Grant Funds Requested: $50,000.00

Matching Funds: $0.00 (if applicable)

Application Due Date: 08/20/2024

Secondary Due Date: 09/20/2024

Contacts

Name	Title	Prime	Second	Auth	Cnslt	Prtcpnt. Auth
Tanya Garcia	Management Analyst	X				
Stephen Parker	Assistant City Manager			X		

Budget

Category Name	Amount
Admin and Personnel Costs	$5,000.00
Collection	$0.00
Education	$6,000.00
Equipment	$32,000.00
Training	$0.00
Upgrade/Expansion	$7,000.00

Site Information

Name	Type
Upland Household Hazardous Waste Collection	HHW Facility

Documents	Document Title	Received Date
Required		
Application Certification		
Budget	Budget	8/20/2024
Narrative Proposal	Narrative Proposal	8/20/2024
Work Plan	Work Plan	8/20/2024
Required By Secondary Due Date		
Resolution - Lead Participant		
Other Supporting Document(s)		
Joint Powers Agreement		
Letter of Authorization/Resolution		
Letter of Designation		

Application Certification

Resolution

Check the following, as applicable. See Application Guidelines and Instructions for more information and examples.

X Applicant acknowledges that its approved Resolution must be uploaded no later than the secondary due date. Applicant further acknowledges that if its Resolution is received after this date, its application will be disqualified.

EPPP

Does your organization and any participants have an Environmentally Preferable Purchasing and Practices (EPPP) Policy?

X No, our organization and any participants do not have an EPPP Policy. We acknowledge that our organization and any participants will adopt one by the respective cycle secondary due date or our application will be disqualified.

Program Questions

California Labor Code section 1782 prohibits a charter city from receiving state funding or financial assistance for construction projects if that charter city does not comply with Labor Code sections 1770-1782. If any applicants or participating jurisdictions are charter cities or joint powers authorities that include charter cities, the lead applicant must certify that Labor Code section 1782 does not prohibit any included charter city from receiving state funds for the project described in this application. If it is determined after award that a participating jurisdiction is a charter city prohibited from receiving state funds for this grant project, the grant will be terminated and any disbursed grant funds shall be returned to CalRecycle.

If any applicant or participating jurisdiction is a charter city or a joint powers authority that contains one or more charter cities, does Labor Code section 1782 prohibit those charter cities from receiving state funding for the project described in this grant application? Check the following, as applicable.

X Not Applicable. This application does not include any charter cities.

Conditions and Certification

Condition of Application Submittal: Acceptance of Grant Agreement Provisions

In the event the Applicant is awarded a grant, the submittal of this Application constitutes acceptance of all provisions contained in the Grant Agreement, which may consist of the following:

- Executed Grant Agreement Cover Sheet and any approved amendments
- Exhibit A - Terms and Conditions
- Exhibit B - Procedures and Requirements
- Exhibit C - Application with revisions, if any, and any amendments

Environmental Justice:

In the event Applicant is awarded a grant, submittal of this Application constitutes acceptance of the following; that in the performance of the Grant Agreement, Applicant/Grantee shall conduct their programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the State. (see Govt. Code §65040.12(e) and Pub. Resources Code §71110(a))

Certification:

I declare under penalty of perjury under the laws of the State of California, that funds have been allocated for the project(s)/activities identified in the grant application and that sufficient funds are available to complete the project(s)/activities identified in the grant application, that I have read the Application Guidelines and Instructions and that all information submitted for CalRecycle's consideration for award of grant funds is true and correct to the best of my knowledge, and that on behalf of the Applicant I accept the above conditions of submittal.

X Stephen Parker for Richard Bloy — 8/20/24

Signature of Signature Authority (as authorized in Resolution or Letter of Commitment) or Authorized Designee (as authorized in Letter of Designation, submitted with this Application) — Date

Stephen Parker — Acting City Manager

Print Name — Print Title

IMPORTANT! Applicant must print out this document, have the Signature Authority sign it, upload signed document to the application system, and retain the original hard copy document in your cycle file.

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: CHRIS ALANIS, PUBLIC WORKS DIRECTOR
JOSE REYES, LEAD EQUIPMENT MECHANIC
SUBJECT: CONSIDER APPROVAL OF THE PURCHASE OF HYDRO EXCAVATOR WATER TRUCK

RECOMMENDED ACTION:
It is recommended that the City Council approve the purchase of a new 2024 Truvac Hydro-Excavator Water Truck with a 12 cubic yard debris tank from Haaker Equipment Company in the amount of $704,008.33; and authorize the City Manager to finalize the purchase of the vehicle.

GOAL STATEMENT
The proposed action supports the City's goal of long-term City-wide fleet replacement and modernization.

BACKGROUND
Sourcewell, formally known as the National Joint Powers Alliance (NJPA), is a self-sustaining government organization with over 40 years of service helping government, education, and nonprofit agencies operate more efficiently by providing Contract Purchasing solutions through Cooperative Purchasing. Cooperative purchasing is "procurement conducted by, or on behalf of, one or more Public Procurement Units" as defined by the American Bar Association Model Procurement Code for State and Local Governments. This arrangement allows multiple agencies to combine their buying requirements onto a single contract and aggregate volume to enhance purchasing power. Participants can negotiate lower prices, reduce their time spent in procurement and contracting, and benefit from more favorable terms and conditions.

Participation in Sourcewell is available at no cost, no obligation, and no liability to public agencies, school districts, state colleges, universities, and local governments. Sourcewell follows the competitive contracting law process to solicit, evaluate and award cooperative purchasing contracts for goods and services. Sourcewell saves purchasers money by offering better pricing, less time is spent reviewing bids and it combines the purchasing power of more than 50,000 organizations. The City of Upland is a Sourcewell Member. This procurement process meets the state of California's Cooperative Purchasing Code 6500 & 6502, and Upland Municipal Code section 2.48.080, allowing the City to dispense with the bidding procedures when purchasing is beneficial to the interest of the City and from suppliers who has been awarded a contract resulting from a formal competitive bidding process by another governmental agency.

ISSUES AND ANALYSIS
In the Fiscal Year 2024-25 budget, the City Council approved funds for the purchase of a new Hydro-Excavator Water Truck. The Public Works Water Department is requesting the purchase of new equipment to aide in its operations of repairing and installing the City's water lines.

The Public Works Fleet Maintenance department requested a bid quote from Haaker Equipment Company, who was awarded a Sourcewell Agreement (Contract No. 101221-VTR) for the purchase of one (1) 2024 Truvac Hydro-Excavator Water Truck.

ENVIRONMENTAL DETERMINATION
The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) because the activity includes the administrative activity of purchasing maintenance equipment that will not result in direct or indirect changes in the environment. Further, future use of the equipment is expected to be Categorically exempt from CEQA pursuant to

Article 19, Section 15301, Existing Facilities, Class 1 (a), of the CEQA Guidelines, since the use of the equipment is anticipated to include maintenance of existing water infrastructure.

FISCAL IMPACTS
The fiscal impact of this action is the purchase of one (1) Truvac Hydro-Excavator Water Truck with $704,008.33 in funds available in Account No. 6406206-5531.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

HAAKER

EQUIPMENT COMPANY

2070 NORTH WHITE AVENUE, LA VERNE, CALIFORNIA 91750
(909) 598-2706 ~ HAAKER.COM

QUOTE
JULY 26, 2024

TO: CITY OF UPLAND
1370 NORTH BENSON AVENUE
UPLAND, CA 91786

ATTN: MR. Marc Warner
(909) 931-4254
EMAIL: mwarner@ci.iupland.ca.us

In Accordance With Your Request, We Are Pleased To Submit The Following Proposal For Your Consideration And Approval Based On *The Sourcewell Cooperative Purchasing Agreement - Contract #101221-VTR.*

ONE (1) NEW TRUVAC HYDRO-EXCAVATOR (83313-1)

12 Cubic Yard Debris, 1200 Gallons Water with Roots 824RCS 18" Blower, Mounted on a 2024 Kenworth T480 8x4 Chassis, 370 HP, Allison Auto Transmission, with air brakes. Includes the following Standard and Optional Equipment:

STANDARD FEATURES INCLUDED:

- ❒ DIG RIGHT TECHNOLOGY
- ❒ CYLINDRICAL DESIGNED DEBRIS BODY, 1/4" EX-TEN STEEL
- ❒ FLAT STYLE, 3/4 REAR DOOR W/REPLACEABLE NEOPRENE SEAL
- ❒ HYDRAULIC REAR DOOR LOCKING SYSTEM
- ❒ HYDRAULIC REAR DOOR OPEN/CLOSE SYSTEM
- ❒ 8" INSPECTION PORT W/LADDER ACCESS
- ❒ REAR DOOR SUPPORT FOR OPERATOR SAFETY
- ❒ DOUBLE ACTING DUMP HOIST CYLINDER
- ❒ DUAL AIR PORTS W/DUAL 10" STAINLESS STEEL FLOAT BALLS
- ❒ 1200 GALLON INSULATED POLYPROPYLENE WATER TANK
- ❒ WATER TANK SEPARATE FROM DEBRIS TANK
- ❒ WATER TANK FILL W/25' WATER HOSE AND CONNECTORS
- ❒ WATER LEVEL SIGHT GAUGE, MARK-V ELECTRONIC LOW WATER WARNING SYSTEM
- ❒ 5 YEAR WARRANTY AGAINST LEAKS
- ❒ HYDRAULIC OPERATED TRI-PLEX PISTON WATER PUMP
- ❒ WATER PUMP ON/OFF LOCATED ON WIRELESS CONTROL AND CONTROL BOX
- ❒ VARIABLE PRESSURE AND FLOW ACHIEVED BY ELECTRONIC-OVER-HYDRAULIC CONTROLS @ OPERATORS STATION
- ❒ ISO 46 HYDRAULIC OIL
- ❒ HANDGUN HOSE 3/8" X 75' W/OPERATING PRESSURE OF 3500 PSI
- ❒ ULTRA QUIET INLET AND OUTLET SILENCERS ACOUSTICALLY MATCHED TO BLOWER
- ❒ DIRECT DRIVE OMSI TRANSFER CASE W/AIR SHIFT
- ❒ SINGLE CYCLONIC SEPARATOR W/14" CLEANOUT DOOR
- ❒ MICRO STRAINER FINAL FILTER W/3" CAMLOC DRAIN
- ❒ 8" VACUUM RELIEF LOCATED IN THE INLET OF DEBRIS TANK.
- ❒ WIRELESS REMOTE CONTROL FOR BOOM W/WATER PUMP CONTROL, THROTTLE, VACUUM RELIEF & E-STOP. - HAND-HELD
- ❒ CONTROL PANEL LOCATED INSIDE AN ALUMINUM BOX FOR PROTECTION
- ❒ 8" I.D WIRE REINFORCED RUBBER SUCTION HOSE
- ❒ ELECTRIC-OVER-HYDRAULIC BOOM
- ❒ HYDRAULICALLY POWERED UP/DOWN/LEFT/RIGHT/EXTEND/RETRACT BOOM
- ❒ BOOM CONTROL LOCATED AT CONTROL PANEL AND HANDHELD WIRELESS CONTROL
- ❒ ALL BOOM INLET HOSE AND TUBING WILL BE 8" INSIDE DIAMETER
- ❒ 8" VACUUM PIPE PACKAGE WITH 8" DIG TUBE
- ❒ WATER SYSTEM DIGGING WAND PACKAGE
- ❒ ALUM. HYD. OIL TANK W/SIGHT GAUGE
- ❒ ENTIRE ELECTRICAL SYSTEM MOISTURE AND VAPOR SEALED
- ❒ TOW HOOKS FRONT AND REAR
- ❒ MUD FLAPS
- ❒ ELECTRONIC BACK-UP ALARM
- ❒ FENDERS
- ❒ MANUAL HAND PUMP FOR BOOM HYDRAULIC OVERRIDE
- ❒ GROUNDING CABLE TO TIE DEBRIS BODY, SUB FRAME, AND CHASSIS
- ❒ WIRELESS WRIST STRAP EMERGENCY STOP W/DIG LANCE TETHER
- ❒ FACTORY TRAINING AND START-UP
- ❒ CAMERA SYSTEM, REAR ONLY
- ❒ 6" REAR DOOR KNIFE VALVE W/CAMLOC, 6:00 POSITION
- ❒ REAR DOOR SPLASH SHIELD
- ❒ REMOTE CORDED PENDANT
- ❒ (2) SINGLE JET DIGGING NOZZLES W/CARBIDE INSERTS AND (1) 3 JET DIGGING NOZZLES WITH STAINLESS STEEL INSERTS AND FLOW STRAIGHTENER TO BE SUPPLIED
- ❒ LED LIGHTS, CLEARANCE, STOP, TAIL, TURN, BACKUP
- ❒ (1) 50" X 30" X 30" ALUMINUM TOOLBOX LOCATED BEHIND CAB FOR WATER PUMP AND/OR HOSE REEL.
- ❒ TOOLBOX, PASSENGER SIDE SUBFRAME IN LIEU OF TOOL TRAY, 104W X 24H X 22D

ADDITIONAL FEATURES INCLUDED

- ❒ WATER SYSTEM RATING IS 20 GPM @ 3000 PSI
- ❒ WIRELESS REMOTE CONTROL FOR BODY FUNCTIONS - HAND-HELD
- ❒ 7' TELESCOPIC BOOM,320 DEG. ROTATION WITH REMOVABLE TURRET BOX
- ❒ 8" DIG TUBE HANDLE ASSEMBLY
- ❒ DEBRIS BODY LOAD LIMIT ALARM
- ❒ CYCLONE DRAIN VALVE
- ❒ FOLDING PIPE RACK, CURBSIDE
- ❒ FOLDING PIPE RACK, STREETSIDE
- ❒ FOLDING PIPE RACK, REAR DOOR
- ❒ LUBE MANIFOLD
- ❒ PLASTIC LUBE CHART
- ❒ DEBRIS BODY VIBRATOR, ELECTRIC
- ❒ AIR EXCAVATION PACKAGE, 185 CFM/150 PSI
- ❒ WORK LIGHTS (2), BOOM
- ❒ WORK ZONE LIGHTING, (8) LED LIGHTS
- ❒ TOOLBOX, PASSENGER SIDE BEHIND TANDEM, 18W X 48H X 24D
- ❒ TOOLBOX, DRIVER SIDE BEHIND TANDEM, 18W X 48H X 24D
- ❒ TOOLBOX, DRIVER SIDE SUBFRAME IN LIEU OF TOOL TRAY, 104W X 24H X 22D
- ❒ BEHIND CAB TOOLBOX, 16W X 18H X 92D
- ❒ WHEEL CHOCK AND HOLDERS - 2 CHOCKS STORED EACH SIDE
- ❒ MODULE PAINT, DUPONT IMRON ELITE - SANDED PRIMER BASE
- ❒ TRUVAC LOGOS - APPLIED
- ❒ EXTENDED FACTORY WARRANTY - 3YRS
- ❒ TRUVAC MANUAL, PARTIAL MANUAL AND USB VERSION
- ❒ LIGHT PACKAGE: LIGHT BAR, (6) STROBES, TRAFFIC ADVISOR
- ❒ EXTRA LIGHT PACKAGE, JACK HAMMER HOLDER

UNIT PRICE	$ 666,070.00
SOURCEWELL DISCOUNT	*(- $ 12,698.00)*
SOURCEWELL SUBTOTAL	$ 653,372.00
SALES TAX (7.75%)	$ 50,636.33
UNIT PRICE: FOB UPLAND, CA:	**$ 704,008.33**

THE PROPERTY HEREIN IS GUARANTEED BY MANUFACTURER'S WARRANTY ONLY AND SELLER MAKES NO WARRANTY EXPRESSED OR IMPLIED, OF MERCHANTABILITY OR OTHERWISE, OR OF FITNESS FOR ANY PARTICULAR PURPOSE, THAT EXTENDS BEYOND THE ABOVE DESCRIPTION OF THE EQUIPMENT.

NOTE: Price is good for 15 Days. Cost increases due to the addition of Government mandated safety or environmental devices incurred after the date of this proposal, will be charged to you at our cost. Proof of such costs, if any, will be documented.

TAXES: ***Any sales tax shown is subject to change. Sales tax will be calculated and charged based on current rates for the location of the sale at time of invoice.*** FEDERAL EXCISE TAXES, if applicable, will require payment unless a properly executed Exemption Certificate is submitted.

DELIVERY: 30-60 Days **TERMS:** Net Terms or Approved Financing

We appreciate the opportunity to present this proposal and look forward to being of further and continued service.

HAAKER EQUIPMENT COMPANY **ACCEPTED BY:** _____

BY: George Lopez **DATE:** _____

GEORGE LOPEZ
SALES REPRESENTATIVE

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: CHRIS ALANIS, INTERIM PUBLIC WORKS DIRECTOR
JOSE REYES, LEAD EQUIPMENT MECHANIC
SUBJECT: CONSIDER APPROVAL OF THE PURCHASE OF PUBLIC WORKS OPERATIONS AND WATER VEHICLES

RECOMMENDED ACTION:
It is recommended that the City Council: 1) deem the bid received by MK Smith Chevrolet as non-responsive; 2) approve the purchase of two (2) 2024 Public Works Operations Chevrolet Colorado trucks and two (2) Water Department Chevrolet Colorado trucks from Mountain View Chevrolet in the amount of $151,832.36; and 3) authorize the City Manager to execute all necessary documents for the purchase of the vehicles.

GOAL STATEMENT
The proposed action supports the City's goal of the ongoing long-term City-wide fleet replacement and modernization program.

BACKGROUND
The Public Works Fleet Maintenance Division is responsible for the acquisition, maintenance and repair of City fleet vehicles and equipment. As part of the City's long-term fleet replacement and modernization program, the Fleet Maintenance Division works with all City Departments on design, acquisition, and vehicle replacement.

ISSUES AND ANALYSIS
On August 1, 2024, the Public Works Fleet Division sent out a bid request to four dealerships, three (3) local and one (1) wholesale. Bids closed on August 15, 2024, and the Fleet Maintenance Division received three bid packets, one from each of the following dealerships: MK Smith Chevrolet, Mountain View Chevrolet, and Penske Chevrolet (bid sheet attached). The lowest bidder, MK Smith Chevrolet, is not able to fill the order so staff will be going with the next lowest bidder, Mountain View Chevrolet, for this purchase.

ENVIRONMENTAL DETERMINATION
The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) because the activity includes the administrative activity of purchasing maintenance equipment that will not result in direct or indirect changes in the environment. Further, future use of the equipment is expected to be Categorically Exempt from CEQA pursuant to Article 19, Section 15301, Existing Facilities, Class 1 (a), of the CEQA Guidelines, since the use of the equipment is anticipated to include maintenance of existing water infrastructure.

FISCAL IMPACTS
The total cost to purchase the vehicles is $151,832.36. There are available funds for the two (2) Public Works Chevrolet Colorado trucks in Account No. 6406205-5531 ($75,916.18) and for the two (2) Water Chevrolet Colorado trucks in Account No. 7525401-5531 ($75,916.18).

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

BID OPENING LOG SHEET

	VENDOR	SIGN IN	BID# 2025-06
1.	PACIFIC AUTO SALES 356 E FOOTHILL BLVD UPLAND CA 91786 RICHARD MAYO	EMAILED ON 08/01/2024 PACIFICAUT@AOL.COM	
2	PENSKE CHEVROLET 10907 E 183RD STREET CERRITOS CA. 90703 ROBERT BAUER	EMAILED ON 08/01/24 rbauer@socalpenske.com	184,864.95
3	MK SMITH CHEVROLET 12845 CENTRAL AVE CHINO, CA 91710 909-743-5697 GERARD BAUTISTA	EMAILED ON 08/01/24 mksmithgerard@yahoo.com	142,016.12
4	MOUNTAIN VIEW CHEVROLET 1079 W FOOTHILL BLVD UPLAND,CA. 91786 BILL SMITH ITSBILLSMITH@MOUNTAINVIEWCHEVROLET.COM	EMAILED ON 8/01/2024	151,862.36

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: CHRIS ALANIS, INTERIM PUBLIC WORKS DIRECTOR
RICHARD SMIDERLE, OPERATIONS MANAGER
SUBJECT: CONSIDER APPROVAL OF A MAINTENANCE SERVICES AGREEMENT FOR ON-CALL STRIPING SERVICES

RECOMMENDED ACTION:
It is recommended that the City Council approve a Maintenance Services Agreement with Safe USA, Inc for On-Call Striping Services Agreement; and authorize the City Manager to execute the agreement.

GOAL STATEMENT
The proposed action supports the City's goal of providing a high quality of life by assuring that all the City's crosswalks, centerlines, pavement markings, stop bar/limit lines, ADA compliant parking stalls and routine striping special projects / repairs are restored as soon as feasibly possible to proper right-of-way conditions.

BACKGROUND
The City of Upland has 200 miles of roadways that contain variations of striping and pavement markings. Striping maintenance tasks also include the following, double yellow center lines, left edge lines, right edge lines, bike lane lines, channelizing lanes and installation of ADA compliant van accessible parking stalls, which the Operations Division performs and/or oversees the routine maintenance of all aforementioned related items. Public Works Operations Division receives frequent requests for assistance each year from interdepartmental divisions such as Engineering Capital Improvements and Land Development & Transportation Divisions.

The On-Call Striping Services Contract will augment the in-house staff operations and benefit our striping, painting, pavement marking and routine striping special project maintenance program. This will offer the option for more efficient and effective striping repairs throughout the city and will also provide the flexibility of utilizing the contractor for striping special project services on an as-needed basis, benefiting our overall maintenance program.

ISSUES AND ANALYSIS
Staff prepared an On-Call Striping Services request for proposals (RFP), seeking the services of a striping/painting repair contractor who specializes in providing striping repairs, and miscellaneous services billed on a line-item/quantity basis. On May 3, 2024, the RFP for On-Call Striping Services went out to qualified Contractors asking bidders to provide a line-item quote. On June 4, 2024, two (2) proposals were received from striping contractors. Staff analyzed the bid information and confirmed that Safe USA, Inc. offered more competitive pricing on 16 out of the 30 total line items. As a result, the City confirmed that Safe USA, Inc. is the lowest responsible and responsive bidder.

If approved, the initial term of this agreement would be for two (2) years and three (3) optional one-year extensions.

BIDDER	LOWEST BID ITEMS
Safe USA, Inc.	16 of 30
WGJ	14 of 30

ENVIRONMENTAL DETERMINATION
The project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act ("CEQA"), and the State CEQA Guidelines, and determined to be categorically exempt from further environmental review pursuant to Section 15301(c) (Existing Facilities), of CEQA Guidelines. The project involves repair, maintenance, and retrofit of existing public facilities, and does not involve any expansion of use beyond that which is existing.

FISCAL IMPACTS
The total annual compensation shall vary, subject to on-call routine services and additional extra work. The adopted Fiscal Year 2024-25 – 2025-26 biennial budget includes funds available in the Gas Tax Capital Improvement Projects Account No. 2047500-5540-70020.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Determined to be categorically exempt from further environmental review pursuant to Section 15301(c) (Existing Facilities), of the CEQA guidelines.

CITY OF UPLAND
MAINTENANCE SERVICES AGREEMENT
ON-CALL STRIPING SERVICES

1. PARTIES AND DATE.

This Agreement is made and entered into this **23rd day of September 2024** by and between the City of Upland, a general law city and municipal corporation organized under the laws of the State of California with its principal place of business at 460 N. Euclid Avenue, Upland, CA 91786 ("City") and **Safe USA, Inc.**, a California Corporation, with its principal place of business at 1030 N. Mountain Avenue #180, Ontario, CA. 91762 ("Contractor"). City and Contractor are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

2. RECITALS.

2.1 Contractor.

Contractor desires to perform and assume responsibility for the provision of certain maintenance services required by the City on the terms and conditions set forth in this Agreement. Contractor represents that it is experienced in providing **On-Call Striping Services** to public clients, that it and its employees or subcontractors have all necessary licenses and permits to perform the Services in the State of California, and that is familiar with the plans of City. Contractor shall not subcontract any portion of the work required by this Agreement, except as expressly stated herein, without prior written approval of City. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

2.2 Project.

City desires to engage Contractor to render such services for the **On-Call Striping Services Project** ("Project") as set forth in this Agreement.

3. TERMS.

3.1 Scope of Services and Term.

3.1.1 General Scope of Services. Contractor promises and agrees to furnish to the City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional **On-Call Striping Services** necessary for the Project ("Services"). The Services are more particularly described in Exhibit "A" attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement, the exhibits attached hereto and incorporated herein by reference, and all applicable local, state, and federal laws, rules, and regulations.

3.1.2 Term. The term of this Agreement shall be from **October 1, 2024,** to **June 30, 2026**, unless earlier terminated as provided herein. The City shall have the unilateral option, at its sole discretion, to renew / extend this Agreement automatically for no more than **three (3) additional one-year (1) terms.** Contractor shall complete the Services within the term of this Agreement and shall meet any other established schedules and deadlines. The Parties may, by mutual, written consent, extend the term of this Agreement if necessary to complete the Services.

3.2 Responsibilities of Contractor.

3.2.1 Control and Payment of Subordinates; Independent Contractor. The Services shall be performed by Contractor or under its supervision. Contractor will determine the means, methods, and details of performing the Services subject to the requirements of this Agreement. City retains Contractor on an independent contractor basis and not as an employee. Contractor retains the right to perform similar or different services for others during the term of this Agreement. Any additional personnel performing the Services under this Agreement on behalf of Contractor shall also not be employees of City and shall at all times be under Contractor's exclusive direction and control. Contractor shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law. Contractor shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation insurance.

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

Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, Contractor and any of its employees, agents, and subcontractors providing service under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in PERS as an employee of City and entitlement to any contribution to be paid by City for employer contribution and/or employee contributions for PERS benefits.

3.2.2 Schedule of Services. Contractor shall perform the Services expeditiously, within the term of this Agreement, Contractor represents that it has the professional and technical personnel required to perform the Services in conformance with such conditions. In order to facilitate Contractor's conformance with the Schedule, City shall respond to Contractor's submittals in a timely manner. Upon request of City, Contractor shall provide a more detailed schedule of anticipated performance to meet the Schedule of Services.

3.2.3 Conformance to Applicable Requirements. All work prepared by Contractor shall be subject to the approval of City.

3.2.4 City's Representative. The City hereby designates **Public Works Director**, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). City's Representative shall have the power to act on behalf of the City for all purposes under this Agreement. Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.

3.2.5 Contractor's Representative. Contractor hereby designates the Project Manager, or his or her designee, to act as its representative for the performance of this Agreement (such as "Contractor's Representative"). Contractor's Representative shall have full authority to represent and act on behalf of the Contractor for all purposes under this Agreement. The Contractor's Representative shall supervise and direct the Services, using his or her best skill and attention, and shall be responsible for all means, methods, techniques, sequences, and procedures and for the satisfactory coordination of all portions of the Services under this Agreement.

3.2.6 Coordination of Services. Contractor agrees to work closely with City staff in the performance of Services and shall be available to City's staff, consultants, and other staff at all reasonable times.

3.2.7 Standard of Care; Performance of Employees. Contractor shall perform all Services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Contractor represents and maintains that it is skilled in the professional calling necessary to perform the Services. Contractor warrants that all employees and subcontractors shall have sufficient skill and experience to perform the Services assigned to them. Finally, Contractor represents that it, its employees, and subcontractors have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services, including a City Business License, and that such licenses and approvals shall be maintained throughout the term of this Agreement. As provided for in the indemnification provisions of this Agreement, Contractor shall perform, at its own cost and expense and without reimbursement from the City, any services necessary to correct errors or omissions which are caused by the Contractor's failure to comply with the standard of care provided for herein. Any employee of the Contractor or its sub-contractors who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any employee who fails or refuses to perform the Services in a manner acceptable to the City, shall be promptly removed from the Project by the Contractor and shall not be re-employed to perform any of the Services or to work on the Project.

3.2.8 Period of Performance. Contractor shall perform and complete all Services under this Agreement within the term set forth in Section 3.1.2 above ("Performance Time").

3.2.9 Disputes. Should any dispute arise respecting the true value of any work done, of any work omitted, or of any extra work which Contractor may be required to do or respecting the size of any payment to Contractor during the performance of this Contract, Contractor shall continue to perform the Work while said dispute is decided by the City. If Contractor disputes the City's decision, Contractor shall have such remedies as may be provided by law.

3.2.10 Laws and Regulations; Employee/Labor Certifications. Contractor shall keep itself fully informed of and in compliance with all local, state, and federal laws, rules and regulations in any manner affecting the performance of the Project or the Services, including all Cal/OSHA requirements, and shall give all notices required by law. Contractor shall be liable for all violations of such laws and regulations in connection with Services. If the Contractor performs any work knowing it to be contrary to such laws, rules, and regulations and without giving written notice to the City, Contractor shall be solely responsible for all costs arising therefrom. City is a public entity of the State of California subject to certain provisions of the Health & Safety Code, Government Code, Public Contract Code, and Labor Code of the State. It is stipulated and agreed that all provisions of the law applicable to the public contracts of a municipality are a part of this Agreement to the same extent as though set forth herein and will be complied with. These include but are not limited to the payment of prevailing wages, the stipulation that eight (8) hours' labor shall constitute a legal day's work, and that no worker shall be permitted to work in excess of eight (8) hours during any one calendar day except as permitted by law. Contractor shall defend, indemnify, and hold City, its officials, directors, officers, employees, and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules, or regulations.

3.2.10.1 Employment Eligibility; Contractor. By executing this Agreement, Contractor verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time. Such requirements and restrictions include, but are not limited to, examination and retention of documentation confirming the identity and immigration status of each employee of the Contractor. Contractor also verifies that it has not committed a violation of any such law within the five (5) years immediately preceding the date of execution of this Agreement and shall not violate any such law at any time during the term of the Agreement. Contractor shall avoid any violation of any such law during the term of this Agreement by participating in an electronic verification of work authorization program operated by the United States Department of Homeland Security, by participating in an equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, or by some other legally acceptable method. Contractor shall maintain records of each such verification and shall make them available to the City or its representatives for inspection and copy at any time during normal business hours. The City shall not be responsible for any costs or expenses related to Contractor's compliance with the requirements provided for in Section 3.2.10 or any of its sub-sections.

3.2.10.2 Employment Eligibility; Subcontractors, Sub-subcontractors, and Consultants. To the same extent and under the same conditions as Contractor, Contractor shall require all of its subcontractors, sub-subcontractors and consultants performing any work relating to the Project or this Agreement to make the same verifications and comply with all requirements and restrictions provided for in Section 3.2.10.1.

3.2.10.3 Employment Eligibility: Failure to Comply. Each person executing this Agreement on behalf of Contractor verifies that they are a duly authorized officer of Contractor, and understands that any of the following shall be grounds for the City to terminate the Agreement for cause: (1) failure of Contractor or its subcontractors, sub-subcontractors or consultants to meet any of the requirements provided for in Sections 3.2.10.1 or 3.2.10.2; (2) any misrepresentation or material omission concerning compliance with such requirements (including in those verifications provided to the Contractor under Section 3.2.10.2); or (3) failure to immediately remove from the Project any person found not to be in compliance with such requirements.

3.2.10.4 Labor Certification. By its signature hereunder, Contractor certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code and agrees to comply with such provisions before commencing the performance of the Services.

3.2.10.5 Equal Opportunity Employment. Contractor represents that it is an equal opportunity employer, and it shall not discriminate against any subcontractor, employee, or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, or termination.

3.2.10.6 Air Quality. Contractor must fully comply with all applicable laws, rules and regulations in furnishing or using equipment and/or providing services, including, but not limited to, emissions limits and permitting requirements imposed by the California Air Resources Board (CARB). Contractor shall specifically be aware of the CARB limits and requirements' application to "portable equipment", which definition is considered by CARB to include any item of equipment with a fuel-powered engine. Contractor shall indemnify City against any fines or penalties imposed by CARB or any other governmental or regulatory agency for

violations of applicable laws, rules and/or regulations by Contractor, its subcontractors, or others for whom Contractor is responsible under its indemnity obligations provided for in this Agreement.

3.2.10.7 Water Quality.

(A) Management and Compliance. To the extent applicable, Contractor's Services must account for, and fully comply with, all local, state and federal laws, rules and regulations that may impact water quality compliance, including, without limitation, all applicable provisions of the Federal Water Pollution Control Act (33 U.S.C. §§ 1300); the California Porter-Cologne Water Quality Control Act (Cal Water Code §§ 13000-14950); laws, rules and regulations of the Environmental Protection Agency and the State Water Resources Control Board; the City's ordinances regulating discharges of storm water; and any and all regulations, policies, or permits issued pursuant to any such authority regulating the discharge of pollutants, as that term is used in the Porter-Cologne Water Quality Control Act, to any ground or surface water in the State.

(B) Liability for Non-Compliance. Failure to comply with the laws, regulations and policies described in this Section is a violation of law that may subject Contractor or City to penalties, fines, or additional regulatory requirements. Contractor shall defend, indemnify and hold the City, its directors, officials, officers, employees, volunteers and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from and against any and all fines, penalties, claims or other regulatory requirements imposed as a result of Contractor's non-compliance with the laws, regulations and policies described in this Section, unless such non-compliance is the result of the sole established negligence, willful misconduct or active negligence of the City, its officials, officers, agents, employees or authorized volunteers.

(C) Training. In addition to any other standard of care requirements set forth in this Agreement, Contractor warrants that all employees and subcontractors shall have sufficient skill and experience to perform the Services assigned to them without impacting water quality in violation of the laws, regulations and policies described in this Section. Contractor further warrants that it, its employees, and subcontractors will receive adequate training, as determined by City, regarding the requirements of the laws, regulations and policies described in this Section as they may relate to the Services provided under this Agreement. Upon request, City will provide Contractor with a list of training programs that meet the requirements of this paragraph.

3.2.11 Insurance.

3.2.11.1 Time for Compliance. Contractor shall not commence Work under this Agreement until it has provided evidence satisfactory to the City that it has secured all insurance required under this Section. In addition, Contractor shall not allow any subcontractor to commence work on any subcontract until it has provided evidence satisfactory to the City that the subcontractor has secured all insurance required under this Section.

3.2.11.2 Minimum Requirements. Contractor shall, at its expense, procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the Agreement by the Contractor, its agents, representatives, employees, or subcontractors. Contractor shall also require all of its subcontractors to procure and maintain the same insurance for the duration of the Agreement. Such insurance shall meet at least the following minimum levels of coverage:

(A) Minimum Scope of Insurance. Coverage shall be at least as broad as the latest version of the following: (1) *General Liability*: Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001); (2) *Automobile Liability*: Insurance Services Office Business Auto Coverage form number CA 0001, code 1 (any auto); and (3) *Workers' Compensation and Employer's Liability*: Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance. The policy shall not contain any exclusion contrary to the Agreement, including but not limited to endorsements or provisions limiting coverage for (1) contractual liability (including but not limited to ISO CG 24 26 or 21 29); or (2) cross liability for claims or suits by one insured against another.

(B) Minimum Limits of Insurance. Contractor shall maintain limits no less than: (1) General Liability: One million dollars ($1,000,000) per occurrence for bodily injury, personal injury, and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. (2) Automobile Liability: One million dollars ($1,000,000) per accident for bodily injury and property damage. (3) Worker's Compensation as required by the State of Californii:1;·Employer's Liability: One million dollars ($1,000,000) per accident for bodily injury or disease. (4) Professional Liability coverage: Two million ($2,000,000) per claim and in aggregate.

(C) Notices; Cancellation or Reduction of Coverage. At least fifteen (15) days prior to the expiration of any such policy, evidence showing that such insurance coverage has been renewed or extended shall be filed with the City. If such coverage is cancelled or materially reduced, Contractor shall, within ten (10) days after receipt of written notice of such cancellation or reduction of coverage, file with the City evidence of insurance showing that the required insurance has been reinstated or has been provided through another insurance company or companies. In the event any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, the City has the right but not the duty to obtain the insurance it deems necessary, and any premium paid by the City will be promptly reimbursed by Contractor or the City may withhold amounts sufficient to pay premium from Contractor payments. In the alternative, the City may suspend or terminate this Agreement.

(D) Additional Insured. The City of Upland, its directors, officials, officers, employees, agents, and volunteers shall be named as additional insureds on Contractor's and its subcontractors' policies of commercial general liability and automobile liability insurance using the endorsements and forms specified herein or exact equivalents.

3.2.11.3 Insurance Endorsements. The insurance policies shall contain the following provisions, or Contractor shall provide endorsements on forms supplied or approved by the City to add the following provisions to the insurance policies:

(A) General Liability. The general liability policy shall include or be endorsed (amended) to state that: (1) using ISO CG forms 20 10 and 20 37, or endorsements providing the exact same coverage, the City of Upland, its directors, officials, officers, employees, agents, and volunteers shall be covered as additional insured with respect to the Services or ongoing and complete operations performed by or on behalf of the Contractor, including materials, parts or equipment furnished in connection with such work; and (2) using ISO form 20 01, or endorsements providing the exact same coverage, the insurance coverage shall be primary insurance as respects the City, its directors, officials, officers, employees, agents, and volunteers, or if excess, shall stand in an unbroken chain of coverage excess of the Contractor's scheduled underlying coverage. Any excess insurance shall contain a provision that such coverage shall also apply on a primary and noncontributory basis for the benefit of the City before the City's own primary insurance or self-insurance shall be called upon to protect it as a named insured. Any insurance or self-insurance maintained by the City, its directors, officials, officers, employees, agents, and volunteers shall be excess of the Contractor's insurance and shall not be called upon to contribute with it in any way. Notwithstanding the minimum limits set forth in Section

3.2.11.2(B), any available insurance proceeds in excess of the specified minimum limits of coverage shall be available to the parties required to be named as additional insureds pursuant to this Section 3.2.11.3(A).

(B) Automobile Liability. The automobile liability policy shall include or be endorsed (amended) to state that: (1) the City, its directors, officials, officers, employees, agents, and volunteers shall be covered as additional insureds with respect to the ownership, operation, maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by the Contractor or for which the Contractor is responsible; and (2) the insurance coverage shall be primary insurance as respects the City, its directors, officials, officers, employees, agents, and volunteers, or if excess, shall stand in an unbroken chain of coverage excess of the Contractor's scheduled underlying coverage. Any insurance or self-insurance maintained by the City, its directors, officials, officers, employees, agents, and volunteers shall be excess of the Contractor's insurance and shall not be called upon to contribute with it in any way. Notwithstanding the minimum limits set forth in Section 3.2.11.2(B), any available insurance proceeds in excess of the specified minimum limits of coverage shall be available to the parties required to be named as additional insureds pursuant to this Section 3.2.11.3(B).

(C) Workers' Compensation and Employer's Liability Coverage. The insurer shall agree to waive all rights of subrogation against the City, its directors, officials, officers, employees, agents, and volunteers for losses paid under the terms of the insurance policy which arise from work performed by the Contractor.

(D) All Coverages. Each insurance policy required by this Agreement shall be endorsed to state that: (A) coverage shall not be suspended, voided, reduced or canceled except after thirty (30) days (10 days for nonpayment of premium) prior written notice by certified mail, return receipt requested, has been given to the City; and (B) any failure to comply with reporting or other provisions of the policies, including breaches of warranties, shall not affect coverage provided to the City, its directors, officials, officers, employees, agents, and volunteers. Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the City, its officials, officers, employees, agents and volunteers, or any other additional insureds.

3.2.11.4 Separation of Insureds; No Special Limitations; Waiver of Subrogation. All insurance required by this Section shall contain standard separation of insureds provisions. In addition, such insurance shall not contain any special limitations on the scope of protection afforded to the City, its directors, officials, officers, employees, agents, and volunteers. All policies shall waive any right of subrogation of the insurer against the City, its officials, officers, employees, agents, and volunteers, or any other additional insureds, or shall specifically allow Contractor or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Contractor hereby waives its own right of recovery against City, its officials, officers, employees, agents, and volunteers, or any other additional insureds, and shall require similar written express waivers and insurance clauses from each of its subcontractors.

3.2.11.5 Deductibles and Self-Insurance Retentions. Any deductibles or self-insured retentions must be declared to and approved by the City. Contractor shall guarantee that, at the option of the City, either: (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its directors, officials, officers, employees, agents, and volunteers; or (2) the Contractor shall procure a bond guaranteeing payment of losses and related investigation costs, claims, and administrative and defense expenses.

3.2.11.6 Subcontractor Insurance Requirements. Contractor shall not allow any subcontractors to commence work on any subcontract relating to the work under the Agreement until they have provided evidence satisfactory to the City that they have secured all insurance required under this Section. If requested by Contractor, the City may approve different

scopes or minimum limits of insurance for particular subcontractors. The Contractor and the City shall be named as additional insureds on all subcontractors' policies of Commercial General Liability using ISO form 20 38, or coverage at least as broad.

3.2.11.7 Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best's rating no less than A:VIII, licensed to do business in California, and satisfactory to the City.

3.2.11.8 Verification of Coverage. Contractor shall furnish City with original certificates of insurance and endorsements effecting coverage required by this Agreement on forms satisfactory to the City. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf and shall be on forms provided by the City if requested. All certificates and endorsements must be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.

3.2.11.9 Reporting of Claims. Contractor shall report to the City, in addition to Contractor's insurer, any and all insurance claims submitted by Contractor in connection with the Services under this Agreement.

3.2.12 Safety. Contractor shall execute and maintain their work so as to avoid injury or damage to any person or property. In carrying out its Services, the Contractor shall at all times be in compliance with all applicable local, state, and federal laws, rules, and regulations, and shall exercise all necessary precautions for the safety of employees appropriate to the nature of the work and the conditions under which the work is to be performed. Safety precautions as applicable shall include, but shall not be limited to: (A) adequate life protection and lifesaving equipment and procedures; (B) instructions in accident prevention for all employees and subcontractors, such as safe walkways, scaffolds, fall protection ladders, bridges, gang planks, confined space procedures, trenching and shoring, equipment and other safety devices, equipment and wearing apparel as are necessary or lawfully required to prevent accidents or injuries; and (C) adequate facilities for the proper inspection and maintenance of all safety measures.

3.2.13 Bonds.

3.2.13.1 Performance Bond. If required by law or otherwise specifically requested by City in Exhibit "B" attached hereto and incorporated herein by reference, Contractor shall execute and provide to City concurrently with this Agreement a Performance Bond in the amount of the total, not-to-exceed compensation indicated in this Agreement, and in a form provided or approved by the City. If such bond is required, no payment will be made to Contractor until it has been received and approved by the City.

3.2.13.2 Payment Bond. If required by law or otherwise specifically requested by City in Exhibit "B" attached hereto and incorporated herein by reference, Contractor shall execute and provide to City concurrently with this Agreement a Payment Bond in the amount of the total, not-to-exceed compensation indicated in this Agreement, and in a form provided or approved by the City. If such bond is required, no payment will be made to Contractor until it has been received and approved by the City.

3.2.13.3 Bond Provisions. Should, in City's sole opinion, any bond become insufficient, or any surety be found to be unsatisfactory, Contractor shall renew or replace the affected bond within 10 days of receiving notice from City. In the event the surety or Contractor intends to reduce or cancel any required bond, at least thirty (30) days prior written notice shall be given to the City, and Contractor shall post acceptable replacement bonds at least ten (10) days prior to expiration of the original bonds. No further payments shall be deemed due or will be made under this Agreement until any replacement bonds required by this Section are

accepted by the City. To the extent, if any, that the total compensation is increased in accordance with the Agreement, the Contractor shall, upon request of the City, cause the amount of the bonds to be increased accordingly and shall promptly deliver satisfactory evidence of such increase to the City. To the extent available, the bonds shall further provide that no change or alteration of the Agreement (including, without limitation, an increase in the total compensation, as referred to above), extensions of time, or modifications of the time, terms, or conditions of payment to the Contractor, will release the surety. If the Contractor fails to furnish any required bond, the City may terminate this Agreement for cause.

3.2.13.4 Surety Qualifications. Only bonds executed by an admitted surety insurer, as defined in Code of Civil Procedure Section 995.120, shall be accepted. The surety must be a California-admitted surety with a current A.M. Best's rating no less than A:VIII and satisfactory to the City. If a California-admitted surety insurer issuing bonds does not meet these requirements, the insurer will be considered qualified if it is in conformance with Section 995.660 of the California Code of Civil Procedure, and proof of such is provided to the City.

3.2.14 Accounting Records. Contractor shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Contractor shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement. Contractor shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of three (3) years from the date of final payment under this Agreement.

3.2.15 Work Site.

3.2.15.1 Inspection Of Site. Contractor shall visit sites where Services are to be performed and shall become acquainted with all conditions affecting the Services prior to commencing the Services. Contractor shall make such examinations as it deems necessary to determine the condition of the work sites, its accessibility to materials, workmen and equipment, and to determine Contractor's ability to protect existing surface and subsurface improvements. No claim for allowances–time or money–will be allowed as to such matters after commencement of the Services.

3.2.15.2 Field Measurements. Contractor shall make field measurements, verify field conditions, and shall carefully compare such field measurements and conditions and other information known to Contractor with the Contract Documents, including any plans, specifications, or scope of work before commencing Services. Errors, inconsistencies, or omissions discovered shall be reported to the City immediately and prior to performing any Services or altering the condition.

3.2.16 Loss and Damage. Contractor shall be responsible for all loss and damage which may arise out of the nature of the Services agreed to herein, or from the action of the elements, or from any unforeseen difficulties which may arise or be encountered in the prosecution of the Services until the same is fully completed and accepted by City.

3.2.17 Warranty. Contractor warrants all Services under the Contract (which for purposes of this Section shall be deemed to include unauthorized work which has not been removed and any non-conforming materials incorporated into the work) to be of good quality and free from any defective or faulty material and workmanship. Contractor agrees that for a period of one year (or the period of time specified elsewhere in the Contract or in any guarantee or warranty provided by any manufacturer or supplier of equipment or materials incorporated into the work, whichever is later) after the date of final acceptance, Contractor shall within ten (10) days after being notified in writing by the City of any defect in the Services or non-conformance of the Services to the Contract, commence and prosecute with due diligence all Services necessary to fulfill the

terms of the warranty at its sole cost and expense. Contractor shall act sooner as requested by the City in response to an emergency. In addition, Contractor shall, at its sole cost and expense, repair and replace any portions of the work (or work of other contractors) damaged by its defective Services or which becomes damaged in the course of repairing or replacing defective work. For any work so corrected, Contractor's obligation hereunder to correct defective work shall be reinstated for an additional one-year period, commencing with the date of acceptance of such corrected work. Contractor shall perform such tests as the City may require verifying that any corrective actions, including, without limitation, redesign, repairs, and replacements comply with the requirements of the Contract. All costs associated with such corrective actions and testing, including the removal, replacement, and reinstitution of equipment and materials necessary to gain access, shall be the sole responsibility of the Contractor. All warranties and guarantees of subcontractors, suppliers, and manufacturers with respect to any portion of the work, whether express or implied, are deemed to be obtained by Contractor for the benefit of the City, regardless of whether or not such warranties and guarantees have been transferred or assigned to the City by separate agreement and Contractor agrees to enforce such warranties and guarantees, if necessary, on behalf of the City. In the event that Contractor fails to perform its obligations under this Section, or under any other warranty or guaranty under this Contract, to the reasonable satisfaction of the City, the City shall have the right to correct and replace any defective or non-conforming work and any work damaged by such work or the replacement or correction thereof at Contractor's sole expense. Contractor shall be obligated to fully reimburse the City for any expenses incurred hereunder upon demand.

3.3 Fees and Payments.

3.3.1 Compensation. Contractor shall receive compensation, including authorized reimbursements, for all Services rendered under this Agreement at the rates set forth in Exhibit "D" attached hereto and incorporated herein by reference. The total annual compensation shall vary, subject to City Council approval of the annual budget itemized for **On-Call Striping Services**, including routine services as well as Additional Extra Work, which may be authorized, as described below.

3.3.2 Payment of Compensation. Contractor shall submit to City a monthly itemized statement which indicates work completed and hours of Services rendered by Contractor. The statement shall describe the amount of Services and supplies provided since the initial commencement date, or since the start of the subsequent billing periods, as appropriate, through the date of the statement. City shall, within 45 days of receiving such statement, review the statement and pay all approved charges thereon.

3.3.3 Deductions. City may deduct or withhold, as applicable, from each progress payment an amount necessary to protect City from loss because of: (1) stop payment notices as allowed by state law; (2) unsatisfactory prosecution of the Services by Contractor; (3) sums representing expenses, losses, or damages as determined by the City, incurred by the City for which Contractor is liable under the Agreement; and (4) any other sums which the City is entitled to recover from Contractor under the terms of the Agreement or pursuant to state law, including Section 1727 of the California Labor Code. The failure by the City to deduct any of these sums from a progress payment shall not constitute a waiver of the City's right to such sums.

3.3.4 Reimbursement for Expenses. Contractor shall not be reimbursed for any expenses unless authorized in writing by City.

3.3.5 Extra Work. At any time during the term of this Agreement, City may request that Contractor perform Extra Work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of the Project, but which the parties did not reasonably anticipate would be necessary at the execution of this Agreement. The City Manager may approve Extra Work up to ten percent (10%) of the amount of the Agreement or fifty thousand dollars ($50,000.00). Any Extra Work in excess of this amount shall be approved by the

City Council. Contractor shall not perform, nor be compensated for, Extra Work without written authorization from City's Representative.

3.3.6 Prevailing Wages. Contractor is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. If the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. City shall provide Contractor with a copy of the prevailing rates of per diem wages in effect at the commencement of this Contract. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request and shall post copies at Contractor's principal place of business and at the project site. Contractor shall defend, indemnify, and hold the City, its officials, officers, employees, and agents free and harmless from any claims, liabilities, costs, penalties, or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Contractor and all subcontractors to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

3.3.7 Registration/DIR Compliance. If the Services are being performed as part of an applicable "public works" or "maintenance" project, and if the total compensation is $15,000 or more, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Contractor and all subcontractors performing such Services must be registered with the Department of Industrial Relations. Contractor shall maintain registration for the duration of the Project and require the same of any subcontractors, as applicable. This Project may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Contractor's sole responsibility to comply with all applicable registration and labor compliance requirements.

3.3.8 Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1. Any stop orders issued by the Department of Industrial Relations against Contractor or any subcontractor that affect Contractor's performance of Services, including any delay, shall be Contractor's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Contractor caused delay and shall not be compensable by the City. Contractor shall defend, indemnify, and hold the City, its officials, officers, employees, and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Contractor or any subcontractor.

3.4 Termination of Agreement.

3.4.1 Grounds for Termination. City may, by written notice to Contractor, terminate the whole or any part of this Agreement at any time and without cause by giving written notice to Contractor of such termination, and specifying the effective date thereof, at least seven (7) days before the effective date of such termination. Upon termination, Contractor shall be compensated only for those services which have been adequately rendered to City, and Contractor shall be entitled to no further compensation. Contractor may not terminate this Agreement except for cause.

3.4.2 Effect of Termination. If this Agreement is terminated as provided herein, City may require Contractor to provide all finished or unfinished Documents and Data and other information of any kind prepared by Contractor in connection with the performance of Services under this Agreement. Contractor shall be required to provide such document and other information within fifteen (15) days of the request.

3.4.3 Additional Services. In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated.

3.5 General Provisions.

3.5.1 Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Contractor:

Safe USA, Inc.
1030 N. Mountain Avenue #180
Ontario, CA, 91762

City:

City of Upland
460 N. Euclid Avenue
Upland, CA 91786
Attn: City Manager

With Copy To:
City of Upland
460 N. Euclid Avenue
Upland, CA 91786
Attn: City Attorney

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

3.5.2 Indemnification.

3.5.2.1 Scope of Indemnity. To the fullest extent permitted by law, Contractor shall defend, indemnify and hold the City, its officials, employees, agents and volunteers free and harmless from any and all claims, demands, causes of action, suits, actions, proceedings, costs, expenses, liability, judgments, awards, decrees, settlements, loss, damage or injury of any kind, in law or equity, regardless of whether the allegations are false, fraudulent, or groundless, to property or persons, including wrongful death, (collectively, "Claims") in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions, or willful misconduct of Contractor, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Contractor's Services, the Project or this Agreement, including without limitation the payment of all expert witness fees, attorneys' fees and other related costs and expenses. Notwithstanding the foregoing, to the extent required by Civil Code section 2782, Contractor's indemnity obligation shall not apply to liability for damages for death or bodily injury to persons, injury to property, or any other loss, damage or expense which is caused by the sole or active negligence or willful misconduct of the City or the City's agents, servants, or independent contractors who are directly responsible to the City.

3.5.2.2 Additional Indemnity Obligations. Contractor shall defend, with counsel of City's choosing and at Contractor's own cost, expense, and risk, any and all Claims covered by this indemnification section that may be brought or instituted against City or its officials, employees, agents, and volunteers. In addition, Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its officials, employees, agents, and volunteers as part of any such claim, suit, action, or other proceeding. Contractor shall also reimburse City for the cost of any settlement paid by City or its officials, employees, agents, and volunteers as part of any such claim, suit, action, or other proceeding. Such reimbursement shall include payment for City's attorney's fees and costs, including expert witness fees. Contractor shall reimburse City and its officials, employees, agents, and volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall survive expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by the City, its officials, employees, agents, and volunteers.

3.5.3 Governing Law; Government Code Claim Compliance. This Agreement shall be governed by the laws of the State of California. Venue shall be in San Bernardino County, California. In addition to any and all contract requirements pertaining to notices of and requests for compensation or payment for extra work, disputed work, claims and/or changed conditions, Contractor must comply with the claim procedures set forth in Government Code sections 900 et seq. prior to filing any lawsuit against the City. Such Government Code claims, and any subsequent lawsuit based upon the Government Code claims shall be limited to those matters that remain unresolved after all procedures pertaining to extra work, disputed work, claims, and/or changed conditions have been followed by Contractor. If no such Government Code claim is submitted, or if any prerequisite contractual requirements are not otherwise satisfied as specified herein, Contractor shall be barred from bringing and maintaining a valid lawsuit against the City.

3.5.4 Time of Essence. Time is of the essence for each and every provision of this Agreement.

3.5.5 City's Right to Employ Other Contractors. City reserves right to employ other contractors in connection with this Project.

3.5.6 Successors and Assigns. This Agreement shall be binding on the successors and assigns of the parties.

3.5.7 Assignment or Transfer. Contractor shall not assign, hypothecate, or transfer, either directly or by operation of law, this Agreement, or any interest herein without the prior written consent of the City. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation, or transfer.

3.5.8 Construction; References; Captions. Since the Parties or their agents have participated fully in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days or period for performance shall be deemed calendar days and not workdays. All references to Contractor include all personnel, employees, agents, and subcontractors of Contractor, except as otherwise specified in this Agreement. All references to City include its officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

3.5.9 Amendment; Modification. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

3.5.10 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual rights by custom, estoppel or otherwise.

3.5.11 No Third-Party Beneficiaries. Except to the extent expressly provided for in Section 3.5.7, there are no intended third-party beneficiaries of any right or obligation assumed by the Parties.

3.5.12 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.5.13 Prohibited Interests. Contractor maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Contractor, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid, nor has it agreed to pay any company or person, other than a bona fide employee working solely for Contractor, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Contractor further agrees to file, or shall cause its employees or subcontractors to file, a Statement of Economic Interest with the City's Filing Officer as required under state law in the performance of the Services. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer, or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

3.5.14 Cooperation; Further Acts. The Parties shall fully cooperate with one another and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.

3.5.15 Authority to Enter Agreement. Contractor has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

3.5.16 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

3.5.17 Entire Agreement. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings, or agreements. This Agreement may only be modified by a writing signed by both parties.

3.5.18 Fleet Compliance.

3.5.18.1 To the extent applicable, Contractor, shall comply, and shall ensure all subcontractors comply, with all requirements of the most current version of the California Air Resources Board ("CARB") including, without limitation, all applicable terms of Title 13, California Code of Regulations Division 3, Chapter 9 and all pending amendments ("Regulation"). A Fleet Compliance Certification Form is attached hereto as Exhibit "C" and incorporated herein by this reference.

3.5.18.2 Throughout Project, and for three (3) years thereafter, Contractor shall make available for inspection and copying any and all documents or information associated with Contractor's and subcontractors' fleet including, without limitation, the CRCs, fuel/refueling records, maintenance records, emissions records, and any other information the Contractor is required to produce, keep, or maintain pursuant to the Regulation upon two (2) calendar days' notice from the City.

3.5.18.3 Contractor shall be solely liable for any and all costs associated with complying with the Regulation as well as for any and all penalties, fines, damages, or costs associated with any and all violations, or failures to comply with the Regulation. Contractor shall defend, indemnify, and hold harmless the City, its officials, officers, employees, and authorized volunteers free and harmless from any claims, liabilities, costs, penalties, or interest arising out of any failure or alleged failure to comply with the Regulation.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE FOR
MAINTENANCE SERVICES AGREEMENT
BETWEEN THE CITY OF UPLAND
AND Safe USA, INC.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the date first written above.

CITY OF UPLAND

APPROVED BY:

MICHAEL BLAY,
CITY MANAGER

ATTESTED BY:

KERI JOHNSON,
City Clerk

APPROVED AS TO FORM:

Best Best & Krieger LLP
City Attorney

Safe USA, Inc.

By: _____

Its: President .

Printed Name: Jacob Coplenas .

By: _____

Its: Secretary .

Printed Name: Monica Coplenas .

874085 .
Contractor's License Number

1000000311 .
DIR Registration Number

EXHIBIT A

SCOPE OF SERVICES

The City of Upland has a need for on-call services for routine striping and pavement marking repairs and is soliciting proposals from qualified paving contractors for “On-Call Striping Services”.

Contractor promises and agrees to furnish to the City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply the professional striping maintenance services necessary for the Project (“Services”). The Services are more particularly described in Exhibit “D” attached hereto and incorporated herein by reference. All Services shall be subject to, and performed in accordance with, this Agreement, the exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations.

Work to be performed on an “as-needed" basis.

EXHIBIT B

BONDS

A Payment Bond and a Performance Bond, each in the amount of $210,000 Two Hundred and Ten Thousand Dollars, are required and shall be renewed annually.

EXHIBIT C

FLEET COMPLIANCE CERTIFICATION

Bidder hereby acknowledges that they have reviewed the California Air Resources Board's policies, rules and regulations and are familiar with the requirements of Title 13, California Code of Regulations, Division 3, Chapter 9, effective on January 1, 2024 (the "Regulation"). Bidder hereby certifies, subject to penalty for perjury, that the option checked below relating to the Bidder's fleet, and/or that of their subcontractor(s) ("Fleet") is true and correct:

X The Fleet is subject to the requirements of the Regulation, and the appropriate Certificate(s) of Reported Compliance have been attached hereto.

☐ The Fleet is exempt from the Regulation under section 2449.1(f)(2), and a signed description of the subject vehicles, and reasoning for exemption has been attached hereto.

☐ Bidder and/or their subcontractor is unable to procure R99 or R100 renewable diesel fuel as defined in the Regulation pursuant to section 2449.1(f)(3). Bidder shall keep detailed records describing the normal refueling methods, their attempts to procure renewable diesel fuel and proof that shows they were not able to procure renewable diesel (i.e. third-party correspondence or vendor bids).

☐ The Fleet is exempt from the requirements of the Regulation pursuant to section 2449(i)(4) because this Project has been deemed an Emergency, as defined under section 2449(c)(18). Bidder shall only operate the exempted vehicles in the emergency situation and records of the exempted vehicles must be maintained, pursuant to section 2449(i)(4).

☐ The Fleet does not fall under the Regulation or are otherwise exempted, and a detailed reasoning is attached hereto.

Name of Bidder: Safe USA, Inc. .

Signature: .

Name: Jacob Coplenas .

Title: PRESIDENT .

Date: September 23, 2024 .

EXHIBIT D

COMPENSATION

ITEM NUMBER	ITEM DESCRIPTION	UNIT COST	PER
1	Install Raised Pavement Markers Type D, G and H	$3.25	EA
2	Removal of Raised Pavement Markers	$0.25	EA
3	Removal of Thermoplastic 200 s.f. or less	$3.00	SQ FT
4	Install 12” Thermoplastic Crosswalk (White / Yellow).	$5.00	SQ FT
5	Install 12” Thermoplastic Stop Bar / Limit Line	$4.00	LF
6	Install Thermoplastic Pavement Markings	$8.00	SQ FT
7	Install Thermoplastic Two-Way Left Turn, Detail 32	$3.00	LF
8	Install Thermoplastic Double Yellow, Detail 22	$1.70	LF
9	Install Thermoplastic Yellow Left Edge Line, Detail 25	$2.00	LF
10	Install Thermoplastic 6” Lane Line, Detail 9	$1.30	LF
11	Install Thermoplastic 4” Right Edge Line, Detail 27B	$1.00	LF
12	Install Thermoplastic 6” Bike Lane Line, Detail 39	$1.30	LF
13	Install Thermoplastic 8” White Channelizing, Detail 38A	$1.50	LF
14	Install Thermoplastic 6” Yellow Centerline, Detail 2	$1.00	LF
18	Install Thermoplastic 8” White Lane Drop, Detail 37B	$1.50	LF
19	Install Thermoplastic 6” White Bike Lane, Detail 39A	$1.50	LF
20	Paint 12” Crosswalk (White / Yellow)	$3.00	SQ FT
21	Paint 12” Stop Bar / Limit Line	$3.00	LF

ITEM NUMBER	ITEM DESCRIPTION	UNIT COST	PER
22	Paint Pavement Markings	$5.00	SQ FT
23	Paint Two-Way Left Turn, Detail 32	$0.70	LF
24	Paint Double Yellow, Detail 22	$0.50	LF
25	Paint Yellow Left Edge Line, Detail 25	$0.30	LF
26	Paint 6” Lane Line, Detail 9	$0.30	LF
27	Paint 4” Right Edge Line, Detail 27B	$0.30	LF
28	Paint 6” Bike Lane Line, Detail 39	$0.30	LF
29	Paint 8” White Channelizing, Detail 38A	$0.40	LF
30	Paint 6” Yellow Centerline, Detail 2	$0.30	LF
31	Paint 8” White Lane Drop, Detail 37B	$0.30	LF
32	Paint 6” White Bike Lane, Detail 39A	$0.40	LF
33	Contractor mark-up percentage for pass-through costs (for special items NOT included on this schedule).	10	%

CALIFORNIA LEVINE ACT DISCLOSURE STATEMENT

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits City Officers from participating in any action concerning a license, permit, other entitlement for use, franchise, or contract (collectively "license, permit, or contract") if they receive political contribution(s) from a party, or its agent(s), totaling more than $250 within the twelve (12) months before the proceeding, while a proceeding is pending, and for twelve (12) months following the date of a final decision in a proceeding.

The Levine Act also requires a member of the Upland City Council who has received such a contribution to disclose the contribution on the record of the proceeding and recuse themselves before the proceeding unless the violation has been properly cured.

Current Upland City Council Members are listed at:

https://www.uplandca.gov/city-council-treasurer

Parties and their Agents are responsible for accessing the link to review the names and disclosing their applicable contributions to City Officers on the record of a proceeding.

As a party to a proceeding, you are also required to provide information below about contributions made by you, your agents on behalf of you or your organization, your organization subject to the proceeding with the City, and any organization you direct or control pursuant to the aggregation rules at FPPC Reg. § 18438.5, except for uncompensated officers of a nonprofit organization. This form is to be submitted to the City of Upland and is a public record. If you have any questions about this form, please contact your City representative for assistance.

1. Have you or your company, or any agent/board member on behalf of you or your company/entity, made any political contributions of more than $250 to any Upland City Council Member in the 12 months preceding the date of the submission of your proposal or application, or the anticipated date of any Council action?

☐ YES If yes, please identify the Council Member(s): N/A

☑ NO

2. Do you or your company/entity, or any agency on behalf of you or your company/entity, anticipate or plan to make any political contribution of more than $250 to any Upland City Council Member in the 12 months following any Council action related to your proposal or application?

☐ YES If yes, please identify the Council Member(s): N/A

☑ NO

Answering yes to either of the two questions above does not preclude the Upland City Council from awarding a contract or approving an application or any subsequent action. It does, however, preclude the identified Council Member(s) from participating in any actions related to your proposal or application.

9/12/2024
Date

Signature of authorized individual

SafeUSA, Inc.
Company/Applicant Name

(Levine Act definitions on reverse side)

LEVINE ACT DISCLOSURE STATEMENT DEFINITIONS

Term	Definition	Law
Covered "proceedings"	A proceeding to grant, deny, revoke, restrict, or modify a license, permit or other entitlement for use, that does not solely involve purely ministerial decisions and is: (1) Applied for by the party; (2) Formally or informally requested by the party; or (3) A contract between the agency and the party or a franchisee granted by the agency to the party, other than a contract that is **competitively bid**, a **labor contract**, or a **personal employment contract**.	FPPC Reg 18438.2(a)
Party	Any person who files an application for, or is the subject of, a proceeding involving a license, permit, or other entitlement for use.	Gov. Code 84308(a)(1)
Participant	Any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.	Gov. Code 84308(a)(2) FPPC Reg 18438.4
Agent	A person who represents a party or participant for compensation and appears before or otherwise communicates with the governmental agency for the purpose of influencing the pending proceeding. See FPPC Reg 18438.3 for exceptions for certain consultants.	FPPC Reg 18438.3
Competitively Bid	A contract required by law to be awarded to the lowest responsible bidder with a responsive bid, or, if the successful bidder refuses or fails to execute the contract, to the next lowest bidder with a responsive bid.	FPPC Reg 18438.2(a)(3)(A)
Labor Contract	A contract or agreement reached through collective bargaining or with a representative group regarding the salary, benefits, or terms and conditions under an employment or retirement policy for employees or retirees, including a project labor agreement entered under Public Contract Code Section 2500.	FPPC Reg 18438.2(a)(3)(B)
Personal Employment Contract	A contract for employment, including the terms and conditions of employment, between the agency and an agency employee. A contract with an independent contractor is NOT a personal employment contract.	FPPC Reg 18438.2(a)(3)(C)-(D)

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: CHRIS ALANIS, INTERIM PUBLIC WORKS DIRECTOR
STEVEN NIX, CONTRACT PROJECT MANAGER
SUBJECT: CONSIDER AWARD OF BID FOR PROJECT NO. 9137, 9138 & 82341, STANDBY GENERATOR INSTALLATION AND REPLACEMENT PROJECT (BID NO. 2024-07)

RECOMMENDED ACTION:
It is recommended that the City Council approve the plans and specifications for Project No. 9137, 9138 & 82341, Standby Generator Installation and Replacement Project, deem the bid from High Volt Electric as non-responsive, award a construction contract to Proterra Builders, Inc. in the amount of $1,175,000, and approve a construction contingency in the amount of $117,500 for a total contract amount of $1,292,500; and authorize the City Manager to execute the agreement. Additionally, authorize a transfer of $50,000 from the Infrastructure Improvement Reserve to the General Capital Project Fund and appropriate the funds to be used towards the project.

GOAL STATEMENT
The proposed action supports the City's goal to continue to maintain and improve the City's public infrastructure and maintain a high standard of public health and safety.

BACKGROUND
The Upland Animal Shelter facility located at the southeast corner of Memorial Park was constructed in 2009 and included the installation of a 276kW standby generator which was sized to provide standby power for the animal shelter as well as other facilities within Memorial Park. For unknown reasons, no other facilities were ever connected to the standby generator which makes the generator extremely over-sized for the load occurring from the animal shelter alone. Because of this, the generator cannot run at a sufficient load to run efficiently and maintain appropriate emissions rating. The animal shelter generator is recommended to be replaced with a more appropriately sized generator of 105kW.

The other two sites included in this project are Water Plant No. 2 located on 24th Street west of Mountain Avenue and Water Plant No. 6 located on 15th Street west of Campus Avenue. Both of these facilities are water pumping stations which move water between elevation zones and as such, should have a source of emergency backup power available in case of SCE power outages that may occur during events such as a brownout, power shut-off due to high wind or fire or a significant earthquake event.

ISSUES AND ANALYSIS
The Standby Generator Installation and Replacement Project Notice Inviting Bids (NIB) was advertised on July 12, 2024 and July 19, 2024 in accordance with the California Public Contract Code (Section 20164) and was also listed on the City's website and distributed to various electronic plan rooms. On August 13, 2024, a public bid opening was held in which the City received and opened seven (7) bids for the Project, under Bid No. 2024-07, as follows:

BIDDER	BID AMOUNT
Proterra Builders, Inc.	$ 1,175,000
High Volt Electric	$ 1,178,850 **
Metrocell Construction, Inc.	$ 1,576,429
MBE Construction	$ 1,614,663
Cora Constructors	$ 1,727,001
Mel Smith Electric, Inc.	$ 1,984,000
Pramira Inc.	$ 2,374,090

**(the bid schedule provided shows $1,166,850 in figures and $1,178,850 in words for the bid amount)

The lowest bidder with no discrepancies on their bid was Proterra Builders, Inc. with a base bid amount of $1,175,000. During the review of the bids received, discrepancies were found in the bid provided by High Volt Electric which raised question on the actual amount of the bid. Included in the project bid schedule was a bid item to provide a credit amount for the salvage value of the generator to be removed from the animal shelter. In the bid provided by High Volt Electric, this bid item was included as an addition in-lieu of a credit. After the bid opening, staff received a call from High Volt Electric stating that a mistake was made on their bid and in fact this bid item was intended to be a credit which should have made their bid $1,154,850, thereby making their bid the lowest bid received.

Based upon multiple errors on the bid provided and discussions with the City Attorney, it is recommended that the bid provided by High Volt Electric be deemed non-responsive due to the errors provided on the bid and that Proterra Builders, Inc be confirmed as the lowest responsible and responsive bidder.

ENVIRONMENTAL DETERMINATION

The Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), and the State CEQA Guidelines, and determined to be categorically exempt from further environmental review pursuant to Section 15301(c) (Existing Facilities), of the CEQA guidelines. The project involves repair and maintenance of existing public facilities and does not involve any expansion of use beyond that which is existing. The City filed the Notice of Exemption with the County of San Bernardino on July 8, 2024.

FISCAL IMPACTS

The total project cost is estimated at $1,327,500 as detailed below:

Estimated Project Costs	
Basic Bid Amount	$1,175,000
Construction Contingency	$117,500
Total Contract Work:	**$1,292,500**
Construction Administration and Inspection	$35,000
Total Estimated Project Cost:	**$1,327,500**

Once the transfer in the amount of $50,000 from the Infrastructure Improvement Reserve to the General Capital Project Fund to cover the total cost for the Animal Shelter replacement generator ($197,295.93) is complete, sufficient funds will be available in the following accounts:

FY 24-25 Funding	**Budget Available**
CIP Account 639 9137 (Water Bond)	$500,770
CIP Account 639 9138 (Water Bond)	$1,074,140
CIP Account 425 7500 82341 (General Capital Project Fund)	$200,000
Total Project Funding	**$1,724,910**

ALTERNATIVES

1. Reject all bids and authorize the City Clerk to re-advertise the Project. Due to a successful bidding process, staff does not recommend this alternative.
2. Provide alternative direction to staff.

CEQA: Categorically Exempt from further environmental review pursuant to Section 15301(c) (Existing Facilities). The City filed the Notice of Exemption with the County of San Bernardino on July 8, 2024.

AMENDED BID SCHEDULE

STAND-BY GENERATOR INSTALLATION & REPLACEMENT PROJECT

Name of Bidder: Eco Energy Solutions, Inc. dba High Volt Electric

The undersigned, having examined the proposed Contracts and having visited the site and examined the conditions affecting the work, hereby and agrees to furnish all labor, materials, equipment, and appliances, and perform operations necessary to complete the work as required by said proposed Contract Documents, excluding work of alternates for.

BASIC BID

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	ITEM COST (Subtotal)
	PART A – GENERAL ITEMS				
1	Furnish and Install 200 kW Kohler Generator with 400A Automatic Transfer Switch, Concrete Foundation, all conduits and wiring, and all other appurtenances as shown on the project drawings for Water Plant #2.	1	L.S.	$ 220,722	$ 220,722
2	Furnish and Install 900 kW Kohler Generator with 1200A Automatic Transfer Switch, Concrete Foundation, all conduits and wiring, and all other appurtenances as shown on the project drawings for Water Plant #6.	1	L.S.	$ 806,904	$ 806,904
3	Disconnect existing 275 kW Generator from the existing Transfer Switch, Main Electrical Panel and Concrete Foundation and set aside for salvage.	1	L.S.	$ 17,000	$ 17,000
4	Furnish and Install New 100 kW Kohler Generator. Secure to existing concrete foundation and connect to existing Transfer switch and Main Electrical Panel as shown on the project drawings for the Upland Animal Shelter,	1	L.S.	$ 122,224	$ 122,224
5	"Trade-In" credit for existing 275 kW Diesel Generator	1	L.S.	$ 12,000	$ 12,000

1,166,850

TOTAL BASE BID (ITEMS 1-5)	(In Figures)	$ 1,166,850.00
	(In Words)	One-Million, One-Hundred Seventy-Eight Thousand, Eight-Hundred and Fifty Dollars Even

1,178,850

The basis for award of contract shall be the Contractor's Base Bid only.

TOTAL BASE BID PRICE BASED ON BID SCHEDULE

$ 1,166,850.00

Total Base Bid in Numbers

The costs for any Work shown or required in the Contract Documents, but not specifically identified as a line item are to be included in the related line items and no additional compensation shall be due to Contractor for the performance of the Work.

All blank spaces appearing above must be filled in. Failure to fill in any blank spaces may render the bid non-responsive. In case of discrepancy between the Unit Price and Item Cost set forth for a unit basis item, the Unit Price shall prevail and be utilized as the basis for determining the lowest responsive, responsible Bidder. However, if the amount set forth as a Unit Price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or is the same amount as the entry in the Item Cost column, then the amount set forth in the Item Cost column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the Unit Price.

For purposes of evaluating Bids, the City will correct any apparent errors in the extension of unit prices and any apparent errors in the addition of lump sum and extended prices.

The estimated quantities for Unit Price items are for purposes of comparing Bids only and the City makes no representation that the actual quantities of work performed will not vary from the estimates. Final payment shall be determined by the Engineer from measured quantities of work performed based upon the Unit Price.

The undersigned agrees that this Bid Schedule constitutes a firm offer to the City which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the Bid opening, or until a Contract for the Work is fully executed by the City and a third party, whichever is earlier.

If the Contract Documents specify Alternate Bid items, the City can choose to include any, all, or none of the Alternate Bid items in the Work. If the City selects any of the Alternate Bid items, the corresponding Alternate Bid prices shall be added to or deducted from Base Bid Price for the Work. The City can award/select Alternate Bid items at any time(s).

NOTES:

1. Determination of the lowest bidder will be based upon the "TOTAL BASIC BID" price indicated in the Bid Schedule above.
2. All amounts and totals given in the Bid Schedule will be subject to verification by the Contractor. In case of variation between the unit cost and amount shown by bidder, the unit cost will be considered to be his/her bid.

AMENDED BID SCHEDULE

STAND-BY GENERATOR INSTALLATION & REPLACEMENT PROJECT

Name of Bidder: Preoterra Builders, Inc.

The undersigned, having examned the proposed Contracts and having visited the site and examined the conditions affecting the work, hereby agrees to furnish all labor, materials, equipment, and appliances, and perform operations necessary to complete the work as required by said Contract Documents, excluding work of alternates for.

BASIC BID

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	ITEM COST (Subtotal)
	PART A - GENERAL ITEMS				
1	Furnish and install 200 kW Kohler Generator with 400A Automatic Transfer Switch, Concrete Foundation, all conduits and wiring, and all other appurtenances as shown on the project drainings for Water Plant #2.	1	L.S.	$ 241,336.94	$ 241,336.94
2	Furnish and install 900 kW Kohler Generator with 1200A Automatic Transfer Switch, Concrete Foundation, all conduits and wiring, and all other appurtenances as shown on the project drainings for Water Plant #6.	1	L.S.	$ 736,367.13	$ 736,367.13
3	Disconnect existing 275 kW Generator from the existing Transfer Switch, Main Electrical Panel and Concrete Foundation and set aside for salvage.	1	L.S.	$ 6,345.01	$ 6,345.01
4	Furnish and install 100 kW Kohler Generator, secure to existing concrete foundation and connect to existing Transfer Switch and Main Electrical Panel as shown on the project drainings for the Upland Animal Shelter.	1	L.S.	$ 201,943.11	$ 201,943.11
5	"Trade-In" credit for existing 275 kW Diesel Generator.	1	L.S.	$ (10,992.19)	$ (10,992.19)
TOTAL BASE BID (ITEMS 1-5)	{In Figures)			**$**	**1,175,000.00**
	(In Words) One Million One Hundred Seventy Five Thousand and No Cents				

The basis for award of contract shall be the Contractor's Base Bid only.

TOTAL BASE BID PRICE BASED ON BID SCHEDULE

$ 1,175,000.00

Total Base Bid in Numbers

The costs for any Work shown or required in the Contract Documents, but not specifically identified as a line item are to be included in the related line items and no additional compensation shall be due to Contractor for the performance of the Work.

All blank spaces appearing above must be filled in. Failure to fill in any blank spaces may render the bid non-responsive. In case of discrepancy between the Unit Price and Item Cost set forth for a unit basis item, the Unit Price shall prevail and be utilized as the basis for determining the lowest responsive, responsible Bidder. However, if the amount set forth as a Unit Price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or is the same amount as the entry in the Item Cost column, then the amount set forth in the Item Cost column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the Unit Price.

For purposes of evaluating Bids, the City will correct any apparent errors in the extension of unit prices and any apparent errors in the addition of lump sum and extended prices.

The estimated quantities for Unit Price items are for purposes of comparing Bids only and the City makes no representation that the actual quantities of work performed will not vary from the estimates. Final payment shall be determined by the Engineer from measured quantities of work performed based upon the Unit Price.

The undersigned agrees that this Bid Schedule constitutes a firm offer to the City which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the Bid opening, or until a Contract for the Work is fully executed by the City and a third party, whichever is earlier.

If the Contract Documents specify Alternate Bid items, the City can choose to include any, all, or none of the Alternate Bid items in the Work. If the City selects any of the Alternate Bid items, the corresponding Alternate Bid prices shall be added to or deducted from Base Bid Price for the Work. The City can award/select Alternate Bid items at any time(s).

NOTES:

1. Determination of the lowest bidder will be based upon the **"TOTAL BASIC BID"** price indicated in the Bid Schedule above.
2. All amounts and totals given in the Bid Schedule will be subject to verification by the Contractor. In case of variation between the unit cost and amount shown by bidder, the unit cost will be considered to be his/her bid.

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: ROBERT D. DALQUEST, DEVELOPMENT SERVICES DIRECTOR
JOSHUA WINTER, SENIOR PLANNER
DAN WERY, PRINCIPAL COMMUNITY PLANNER, MICHAEL BAKER INTERNATIONAL
SHANNON LISKA, PLANNER, MICHAEL BAKER INTERNATIONAL
SUBJECT: CONSIDER APPROVAL OF GENERAL PLAN AMENDMENT NO. GPA-24-0002 FOR THE RE-ADOPTION OF THE 2021-2029 HOUSING ELEMENT

RECOMMENDED ACTION:
It is recommended that the City Council conduct a public hearing and: (1) Find that GPA 24-0002 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), Section 15162(a) and Section 15283 of the CEQA Guidelines; and (2) Adopt a Resolution approving General Plan Amendment No. GPA-24-0002, approving the 2021-2029 Housing Element Update (See Attachment A – Draft Resolution.)

GOAL STATEMENT
The proposed Housing Element Update supports the City's goal to encourage new balanced growth with a range of housing choices for its residents, including households of all income levels and persons with special needs.

BACKGROUND
State law requires every city to update its Housing Element every eight years, with the most recent update period being the 2021-2029 planning period within the Southern California Association of Governments ("SCAG") region. The Housing Element is one of seven required elements to be included in the City's General Plan. The Housing Element identifies priority goals, policies, and programs that directly address the housing needs of current and future City residents for all income levels. The City Council has previously adopted the Housing Element Update to the City Council, but changes have been made to the Housing Element as part of the review process with the California Department of Housing and Community Development (HCD) that require a "re-adoption.". Therefore, the City Council is requested to consider re-adoption of the revised 2021-2029 Housing Element.

The City began the process of updating the Housing Element in 2020, which consisted of drafting the Housing Element Update and hosting public workshops throughout 2021. On September 24, 2021, the City submitted an initial draft Housing Element to the California Department of Housing and Community Development (HCD) for review, as required by law. On November 22, 2021, HCD issued a letter noting necessary revisions were required to comply with State Housing Element Law. After revising the Housing Element in response to the State's comments and resubmitting the 2nd draft for approval, HCD issued a subsequent letter on May 23, 2022, noting additional required revisions.

After completing these revisions, on October 5, 2022, City staff processed the adoption of the 3rd Draft Housing Element to the Planning Commission who recommended adoption to the City Council, where it was formally adopted on October 24, 2022. Following adoption, City staff submitted the 3rd draft Housing Element to HCD for certification and received additional comments on December 22, 2022 (Attachment B – HCD Comments 12/22/22).

The City addressed these comments and submitted a 4th draft to HCD on February 13, 2024 (Attachment C) and received a comment letter on April 12, 2024 (Attachment D). City staff then revised the Housing Element, met with HCD on May 1, 2024, to discuss the final revisions (Attachment E), and submitted the final Housing Element (5th draft) (Attachment F) for review on May 20, 2024, following a seven-day public review period. Please note that Attachment F contains a redlined version of the Housing Element for City Council to review the changes to the document. Exhibit A to the draft resolution contains a clean version of the document with no tracked changes.

HCD provided the City of Upland with a letter of conditional compliance on June 17, 2024 (Attachment G). The letter states that once the Housing Element is re-adopted by City Council and the rezonings and upzonings are completed as outlined in the Housing Element, the City will be in full compliance with state law and will be certified by HCD. The letter did not request any further revisions to the Housing Element document.

The Planning Commission, at its Special Meeting on August 21, 2024, conducted a public hearing and adopted a resolution recommending that the City Council approve the Housing Element Update. Attachment H provides the Planning Commission Resolution. At the hearing, one speaker queried about a residential density increase that would be processed on and around their property, as part of rezoning efforts that would follow the Housing Element adoption. They spoke in favor of the proposed rezoning of their property and mentioned that there are other residents in the area willing to sell their properties for future residential development. City staff and consultants, Michael Baker International, addressed the Housing Element's site inventory, which anticipated a future increase in density of the inquired area under the processing of a subsequent "overlay zone" efforts in order to meet the City's Regional Housing Needs Allocation of 5,686 units during the 2021-2029 planning period. Rezoning, upzoning, or related Municipal Code Amendments will be initiated as a separate process, requiring City Council approval, as a subsequent process following adoption of the Housing Element. Another member of the public and resident also spoke in favor of the higher density upzoning in proximity to public transit and concurred that several neighbors of their mixed-use area would be interested in selling to residential developers.

A summary of the Housing Element public participation process is included in Section 1 of the Housing Element and comment letters received to date are provided in Appendix D.

For background information regarding Housing Element requirements, please refer to the staff reports and materials for the previous public meetings posted on the City website at https://www.uplandca.gov/2021-2029-housing-element-update.

ISSUES AND ANALYSIS

Since the previous adoption of the Housing Element, the City has made several rounds of revisions in response to comments from HCD. Many of HCD's comments only required technical or clerical revisions, such as additional data and information. Other comments required substantive revisions to programs to comply with state law. Comments and revisions are generally grouped into the following three categories:

Affirmatively Furthering Fair Housing and Public Outreach

The element was revised to include a full fair housing analysis. This included data and maps analyzing integration and segregation, racially and ethnically concentrated areas of poverty and affluence, disparities in access to opportunities, and disproportionate housing needs. This included local and regional demographic and geographic comparison, as well as several additional maps analyzing how the City's Regional Housing Needs Allocation (RHNA) sites distribution relate to existing conditions of segregation and fair housing concerns.

As a part of this effort, the City also conducted targeted stakeholder engagement focused on local housing service providers for low-moderate income and special needs households.

Sites Analysis

No new RHNA sites have been added to the inventory since the prior adoption of the 3rd Draft Housing Element by the City Council. The element was revised to include an extensive evaluation of each proposed RHNA site. This includes evaluation of each non-vacant site against five criteria determined by recent development trends in the City of Upland. These criteria included standards in land improvement ratio, building age, existing uses, access to services, and access to high-quality transit (Metrolink Stations).

An evaluation of each of the 292 non-vacant sites revealed that all 292 of the sites meet at least three of the five site selection criteria. Furthermore, 270 sites meet at least four of the five site selection criteria, and 110 of the sites meet all five of the criteria.

The element was also revised to include an analysis of small (less than 0.5-acre) sites. All sites used to satisfy the lower income RHNA are larger than 0.5 acres with the exception of two groups of parcels. The groups of parcels, consisting of 11 and 4 parcels that have individual parcels smaller than 0.5 acres are vacant and are functionally developable as one development site. Together, the groups of parcels are 5.35 and 1.63 total acres, respectively.

Analysis and details were added to show they are still appropriate for development of lower-income units. Additionally, five examples of lot consolidation were added to demonstrate the City's track record in facilitation of small-lot consolidation.

Program Revisions

The Housing Element was revised both to include new programs and to add details, geographic targeting, and quantifiable metrics to existing programs. *Program 2: HOME Improvements, Program 3: Emergency Repairs for Homeowners, Program 4: Rental Acquisition and Rehabilitation, Program 7: Specific Plans, Program 9: Accessory Dwelling Units, and Program 15: Housing Incentives* were expanded or revised to add geographic targets, specific timelines, and/or quantifiable goals and metrics. These programs did not have major revisions to their content.

Entirely new programs to the Housing Element include:

- *Program 5: Multi-Family Rental Rehabilitation Program,* which highlights the City's already existing efforts to assist low to moderate income tenants by providing Upland landlords of multi-family apartments (8-units or less) with grants up to $25,000 to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. This Program is already ongoing.

- *Program 14: Acquisition of Existing Units for Affordable Housing* was added to highlight the City's ongoing efforts to proactively acquire the remaining eleven (11) fourplexes in Magnolia Colony, Sunset Ridge, and The Village to add to the City's affordable housing portfolio.

- *Program 22: Housing Education and Outreach* includes a commitment to provide information about housing assistance, fair housing, housing resources, and housing programs through a wide variety of outreach methods. The program includes two workshops annually, outreach to 100 households annually, and fair housing matched pair testing once in the planning period.

- *Program 23: Housing Mobility* includes an ADU Bonus Program. During the implementation of this program, the City will amend its zoning ordinance to allow one additional ADU, beyond state law, on lots in the RS-10, RS-15, and RS-20 zones with a single-family home that are larger than 15,000 square feet. The program will allow one additional ADU on eligible single-family lots given that the bonus ADUs are deed restricted as affordable to lower-income households for a certain, shortened period of time (ex. 10 years). The program is applicable to an estimated 1,940 lots.

- *Program 24: Place-Based Improvements in South Upland* highlights ongoing efforts to create place-based improvements through investments in the public right of way. This includes the existing Business Attraction Assistance Program, Historic Downtown Revitalization Program, and Capital Improvement Projects planned to occur in South Upland, such as alley rehabilitation, pavement maintenance, ADA improvements, and water and sewer infrastructure improvements.

Next Steps

If the Housing Element is "re-adopted" by the City Council, HCD will be notified and a copy of the re-adopted revised Housing Element and City Council Resolution will be submitted to HCD. HCD will confirm receipt of the adopted revised Housing Element and Resolution and will note that full compliance with state law is dependent on the City completing its planned rezoning processes as outlined in the Housing Element.

Following this, the Planning Division will begin the rezoning processes which will include public hearings held by the Planning Commission for a recommendation, and public hearing with the City Council to consider approval of specific zoning amendments as provided in the Housing Element programs.

ENVIRONMENTAL DETERMINATION

The Housing Element update is exempt from the CEQA Guidelines 14 Cal. Code. Regs Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Project may have a significant effect on the environment as set forth in Section 21080.17 of the Public Resources Code. The Project is further exempt pursuant to 14 Cal. Code. Regs Section 15162(a) of the CEQA Guidelines. Further, to the extent the Regional Housing Needs determinations are made, the Project is further exempt from the CEQA Guidelines 14 Cal. Code. Regs Section 15283, which provides,

"CEQA does not apply to regional housing needs determinations made by the Department of Housing and Community Development, a council of governments, or a city or county pursuant to Section 65584 of the Government Code."

FISCAL IMPACTS
There is no fiscal impact associated with this action. Any implementation programs resulting from the Housing Element Update will be funded through the Senate Bill 2 and Local Early Action Planning (LEAP) grants in Fund 217.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Determine to be Exempt.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT NO. GPA-24-0002 ADOPTING THE 2021-2029 HOUSING ELEMENT UPDATE.

WHEREAS, local governments are authorized by Government Code section 65350 et seq. to prepare, adopt and amend general plans; and

WHEREAS, Government Code Section 65580 et seq. requires cities to update their Housing Elements on a regular basis; and

WHEREAS, a comprehensive update to the Housing Element of the Upland General Plan for the 2021-2029 planning period has been initiated and prepared by the City of Upland; and

WHEREAS, the staff report and supporting materials accompanying this resolution are found to be true, are adopted as Facts and Findings, and are incorporated by reference in this resolution; and

WHEREAS, HCD issued letters finding that the draft 2021-2029 Housing Element was not in compliance with state law on November 22, 2021, May 23, 2022 and December 22, 2022, and February 13, 2024; and

WHEREAS, pursuant to State Law, a revised draft 2021-2029 Housing Element was prepared to address all comments received from the California Department of Housing and Community Development ("HCD") and statutory requirements to comply with State Housing Element Law and was submitted to the HCD for review on May 20, 2024; and

WHEREAS, on June 17, 2024, HCD issued a letter finding that the draft 2021-2029 Housing Element is conditionally compliant and will be in full compliance with state law upon readoption and completion of the proposed rezonings; and

WHEREAS, based on the factors and substantial evidence described in Appendix B (Sites Inventory) of the Housing Element, incorporated herein by reference, the existing uses on underutilized sites identified to accommodate the lower-income RHNA allocation are likely to be discontinued during the planning period and therefore do not constitute an impediment to additional residential development during the period covered by the Housing Element; and

WHEREAS, this General Plan amendment is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to State CEQA Regulation §15061(b)(3) (14 Cal. Code Regs. § 15061(b)(3)), the common sense exemption covering activities with no possibility of having a significant effect on the environment; and

WHEREAS, during the preparation of the 2021-2029 Housing Element update the City of Upland conducted public meetings on February 25, 2021, June 22, 2021,

September 23, 2021, March 23, 2022 and October 5, 2022 during which all interested persons were invited to offer testimony concerning the Housing Element; and

WHEREAS, during February 2024 additional outreach was conducted targeting lower-income and special needs households and service providers; and

WHEREAS, the City of Upland on September 13, 2024 posted two (2) true and correct copies of the legal notice at the Upland City Hall Bulletin Board and at the Upland Public Library, and posted on the City's website in accordance with the Upland Municipal Code Section 17.46.020; and

WHEREAS, the City of Upland Planning Division on September 10, 2024 mailed copies of the legal notice to property owners listed on the sites inventory; and

WHEREAS, the City of Upland Planning Division on September 13, 2024, published a legal notice in the Inland Valley Daily Bulletin, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, Upland Municipal Code Section 17.49.050 requires that the City Council take action on General Plan Amendments, and UMC Section 17.49.040 requires that the Planning Commission make a recommendation to the City Council on such amendments; and

WHEREAS, the City of Upland Planning Commission conducted a duly noticed public hearing on August 21, 2024, at which time it received public testimony concerning the Housing Element Update, and at the conclusion of the public hearing the Planning Commission adopted a resolution recommending City Council approval of General Plan Amendment No. GPA No. 24-0002 for the 2021-2029 Housing Element update; and

WHEREAS, the City of Upland City Council conducted a duly noticed public hearing on September 23, 2024, at which time it solicited public testimony concerning the Housing Element update, and considered the CEQA determination for the proposed project; and

NOW, THEREFORE, the City Council of the City of Upland hereby finds, determines, and resolves and recommends as follows:

Section 1. Findings. Pursuant to Upland Municipal Code Section 17.49.060 the City Council hereby makes the following findings and determinations in connection with the approval of General Plan Amendment No. 24-0002:

A. Finding: The proposed General Plan Amendment is in the public interest.

Evidence: The 2021-2029 Housing Element amendment is in the public interest because the Housing Element includes policies and programs to

facilitate the provision of housing opportunities for all economic segments of the community, including persons with special needs.

B. Finding: The proposed General Plan Amendment is consistent and compatible with the rest of the General Plan.

Evidence: The 2021-2029 Housing Element amendment identifies land use policies to accommodate the City's assigned share of regional housing needs as required by State law and includes programs to ensure consistency between the Land Use Element and the Housing Element.

C. Finding: The potential effects of the proposed General Plan Amendment have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare.

Evidence: The 2021-2029 Housing Element amendment furthers the public health, safety and welfare by facilitating the production of housing to address the needs of all Upland residents, including those of all ages, incomes, household sizes and persons with disabilities.

D. Finding: The proposed General Plan Amendment has been processed in accordance with the applicable provisions of the California Government Code and CEQA.

Evidence: The 2021-2029 Housing Element amendment has been processed in accordance with the applicable provisions of the California Government Code, including Government Code §65352.3 which regulates tribal consultation requirements for General Plan Amendments and Government Code §65358 which regulates amendments to General Plans. The project is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to State CEQA Guidelines §15061(b)(3), §15162(a) and §15283 because the Housing Element would not approve any development project or other physical change to the environment.

Section 2. California Environmental Quality Act (CEQA). The Project is exempt from the CEQA Guidelines 14 Cal. Code. Regs Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Project may have a significant effect on the environment. The Project is further exempt pursuant to 14 Cal. Code. Regs Section 15162(a) of the CEQA Guidelines. Further, to the extent the Regional Housing Needs determinations are made, the Project is further exempt from the CEQA Guidelines 14 Cal. Code. Regs Section 15283, which provides, "CEQA does not apply to regional housing needs determinations made by the Department of Housing and Community Development, a council of governments, or a city or county pursuant to Section 65584 of the Government Code."

Section 3. Determination. The City Council adopts General Plan Amendment No. 24-0002, an update to the Upland Housing Element for the 2021-2029 planning period as shown in Exhibit A, attached hereto and incorporated herein by reference.

Section 4. Severability. If any section, subsection, subdivision, sentence, or clause or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

Section 5. Certification. The City Clerk shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Section 6. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED and ADOPTED this 23rd day of September, 2024.

_____
Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 23rd day of September, 2024 by the following vote:

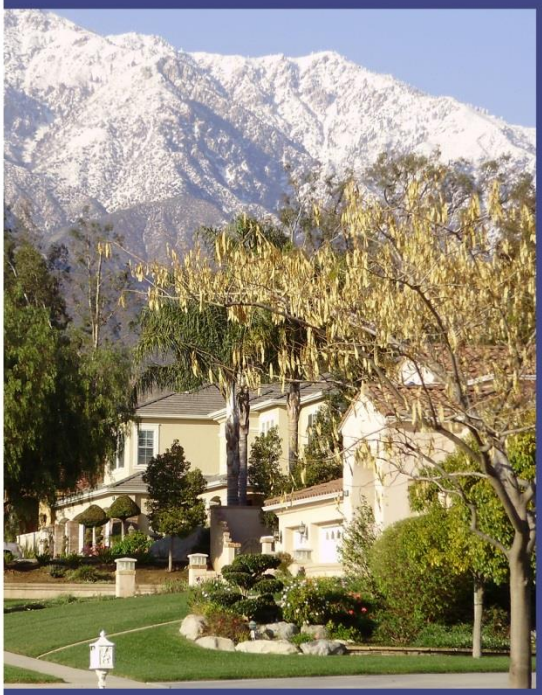
AYES:
NOES:
ABSENT:
ABSTAINED:

ATTEST: _____
Keri Johnson, City Clerk

Exhibit A

Upland 2021-2029 Housing Element

CITY OF UPLAND









City of Upland
Housing Element

Revised February 2024 and May 2024

City Council Resolution No. 6697

Contents

1. Introduction....H-1
Background....H-1
Related Plans....H-1
Public Outreach....H-2
2. Housing Needs....H-11
Demographic Trends....H-11
Housing Characteristics....H-14
Special Housing Needs....H-22
Affordable Housing at Risk of Conversion....H-29
2021-2029 Housing Needs....H-31
3. Constraints Analysis....H-32
Market Constraints....H-32
Land Use Controls....H-34
Permitting Process....H-49
Environmental and Infrastructure Constraints....H-56
4. Housing Resources....H-59
Land to Accommodate New Housing Needs....H-59
Financial and Administrative Resources....H-59
5. Housing Plan....H-62
Goals and Policies....H-62
Housing Programs....H-64

Tables

Table H-1 Public Comment Summary....H-5
Table H-2 Affordable Housing Costs – San Bernardino County....H-18
Table H-3 Overpayment by Income Category – Upland....H-21
Table H-4 Extremely-Low-Income Housing Needs – Upland....H-22
Table H-5 Elderly Households by Income and Tenure – Upland....H-22
Table H-6 Disabilities by Employment Status – Upland....H-25
Table H-7 Developmental Disabilities – Upland....H-25
Table H-8 Publicly Assisted Lower Income Rental Units in Upland....H-29
Table H-9 Upland Regional Housing Needs Allocation, 2021–2029....H-31
Table H-10 Development Fees, City of Upland....H-33
Table H-11 Development Impact Fees, City of Upland....H-33
Table H-12 Fee Comparison for Single-Family and Multifamily Development....H-34
Table H-13 Land Use Designations Allowing Housing....H-35
Table H-14 Specific Plans Allowing Housing....H-35
Table H-15 Permitted Uses in Zones Allowing Residential Uses....H-36
Table H-16 Permitted Uses in Mixed Use Zones....H-38
Table H-17 Residential Development Standards....H-44
Table H-18 Residential Parking Standards....H-45
Table H-19 Multiple-Family Parking Standards....H-46
Table H-20 Permit Process and Time Frame for Housing Projects....H-50
Table H-21 Housing Element Quantified Objectives....H-82

Figures

Figure H-1 Population Growth 2000-2020 – Upland vs. SCAG Region....H-11
Figure H-2 Population by Age and Gender – Upland....H-12
Figure H-3 Household Size by Tenure - Upland....H-12

Figure H-4 Employment by Industry - Upland H-13
Figure H-5 Employment by Occupation - Upland H-13
Figure H-6 Housing Units by Type – Upland vs. SCAG Region H-14
Figure H-7 Housing Tenure – Upland vs. SCAG Region H-15
Figure H-8 Housing Tenure by Age – Upland H-15
Figure H-9 Vacant Units by Type – Upland vs. SCAG Region H-16
Figure H-10 Age of Housing Stock – Upland vs. SCAG Region H-17
Figure H-11 Median Sale Price for Existing Homes – Upland vs. SCAG Region H-18
Figure H-12 Monthly Owner Cost for Mortgage Holders – Upland vs. SCAG Region H-19
Figure H-13 Percentage of Income Spent on Rent – Upland H-19
Figure H-14 Rental Cost by Income Category – Upland H-20
Figure H-15 Overcrowding by Tenure – Upland vs. SCAG Region H-20
Figure H-16 Disabilities by Type – Upland H-24
Figure H-17 Disabilities by Type for Seniors 65+ – Upland H-24
Figure H-18 Female Headed Households – Upland H-26
Figure H-19 Female Headed Households by Poverty Status – Upland H-27
Figure H-20 Agricultural Employment – Upland H-28
Figure H-21 Very High Fire Hazard Severity Zone - Upland H-58
Figure H-22 Rezone and Upzone Areas H-68

Appendices

Appendix A Evaluation of the Prior Housing Element
Appendix B Sites Inventory
Appendix C Fair Housing Assessment
Appendix D Public Comments
Appendix E Divestment of Thrall Hall

1. INTRODUCTION

Background

The State of California recognizes that an adequate supply of affordable housing for all income levels is a fundamental need for all communities. To achieve that goal, it is critical that all local governments share in the responsibility of implementing solutions to address local and regional housing needs. To that end, all California local governments are required to prepare a Housing Element that specifies how the community will plan for its housing needs.

The detailed statutory requirements for Housing Elements are codified in the California Government Code (§§65580–65589). The Housing Element must contain an identification and analysis of its existing and projected housing needs; an analysis of governmental and nongovernmental constraints to meeting those needs; and goals, policies, programs and objectives to further the development, improvement, and preservation of housing.

This Housing Element includes the following six sections:

- *Chapter 1, Introduction* provides an introduction to the statutory authority and requirements for the Housing Element, related planning efforts, and a description of the public outreach process.
- *Chapter 2, Community Profile* provides an analysis of demographic and housing characteristics; current and future housing needs; and analysis of fair housing issues.
- *Chapter 3, Constraints Analysis* provides an analysis of the governmental and nongovernmental constraints that affect the development, maintenance, and improvement of housing for all income groups.
- *Chapter 4, Housing Resources* provides an analysis of the available land for housing, as well as the financial resources and administrative capacity to manage housing programs.
- *Chapter 5, Program Evaluation* provides a review of the City's accomplishments relative to the programs and objectives established in the prior Housing Element.
- *Chapter 6, Housing Plan* establishes goals, policies, and implementation programs to address the development, improvement, and conservation of housing to address housing needs in Upland for the next 8 years.

Related Plans

This Housing Element is related to several other local planning efforts, some of which are mandated by the State of California or the federal government. The most important of these related plans and programs are summarized below.

- **General Plan Consistency.** The Housing Element is a component of the City's General Plan and must be consistent with other General Plan elements. The sites identified in this Housing Element for future housing development are correlated with the Land Use Plan shown in the Land Use Element. The City will maintain consistency between General Plan elements by ensuring that any proposed changes in this Housing Element that would result in an inconsistency with another element will be reconciled through amendments to other elements. As an example, a Housing Element program calling for changes to land

use designations to create additional capacity for future housing development would be implemented through amendments to the Land Use Element.

- **Water and Sewer Services.** The Water Division of the Public Works Department, San Antonio Water Company, West End Consolidated Water Company, and Water District of Southern California provide water to Upland residents. The Inland Empire Utilities Agency (IEUA) and the City provide wastewater services in Upland. In accordance with State law, the City provides a copy of its Housing Element to each water and wastewater service agency. These agencies are required to establish a priority system for water and sewer services to housing projects serving lower-income households in accordance with Section 65589.7 of the Government Code.

- **City of Upland Consolidated Plan.** The City of Upland is an entitlement jurisdiction and receives housing and community development funds directly from the federal government. Upland's Consolidated Plan was last revised for the 2021–2024 period. The housing, community development, and economic needs identified in the Consolidated Plan have been evaluated as part of the 2021 Housing Element update process to ensure that these efforts work together to address the community's needs. The Housing Element also reflects the public housing agency plan prepared by the San Bernardino County Housing Authority.

Public Outreach

The Housing Element Update process provided numerous opportunities for Upland residents and other stakeholders to be involved in shaping the City's housing policies and programs. From the outset, diligent efforts were made to involve all economic segments of the community and persons with special needs in the development of the housing element. A list of community stakeholders was compiled based upon City knowledge and previous projects including the Upland Consolidated Plan, and direct mail notice was sent to all parties inviting them to participate. To ensure all economic segments of the community were engaged in the Housing Element Update process, direct mail notice was sent out to 35 stakeholders, including specifically those who represent lower-income and special needs groups; the list is provided below. The stakeholders represent a variety of special needs groups active in the City and larger region. Additionally, further public outreach was conducted in January and February 2024, specifically targeting groups who ae comprised of and represent lower-moderate income populations and special needs populations.

In addition to public workshops and hearings, the City also directly contacted housing advocates, housing service providers, and community organizations who serve the interests of lower-income households and special needs groups to solicit comments on housing needs, barriers to fair and affordable housing, and opportunities for development. Translation services were available for all meetings upon request.

As an entitlement city, Upland also conducts an extensive public outreach process every four years as part of the Consolidated Plan process. The City is including Program 22 to provide for additional public outreach efforts in the future. The program includes the following, specific outreach efforts:

- Disseminate fair housing outreach materials at the library, website, and counter so that residents and landlords are aware of their rights, responsibilities, and opportunities for resolving fair housing concerns. Provide information to 100 households annually.

- The Upland Development Services Department and Inland Fair Housing and Mediation Board (IFHMB) will continue providing educational opportunities for property owners, property managers, and residents in Upland concerning the law as it pertains to reasonable accommodations and

reasonable modifications. The City will contract with IFHMB to provide two workshops per year in the City, with one workshop per year serving as a general introduction to fair housing laws and possible discrimination, and one workshop each year being specifically focused on housing issues faced by persons with disabilities and the reasonable accommodation and modification processes.

- The City will also contract with IFHMB at least once during the planning period to fund matched pair testing in Upland to address issues of possible discrimination based on disability as well as race, familial status, national origin, disability and other protected categories.

The following is a summary of the outreach activities that were held over the course of the Housing Element update. Table H-1 below provides a summary of public comments received during preparation of the Housing Element and how those comments are addressed in the Housing Element. Written correspondence received during the course of the Housing Element update is provided in Appendix D. Copies of HCD's review letters and summaries of the City's revisions to the Housing Element in response to HCD comments are also available as part of the Planning Commission and City Council meeting materials posted on the City's Housing Element website (https://www.uplandca.gov/2021-2029-housing-element-update).

- **Housing Element Interest List**. At the beginning of the Housing Element update process the City compiled a list of agencies, organizations and other stakeholders with expertise in housing issues, particularly those that provide or advocate for lower-income households and persons with special needs. The City distributed notices of public meetings to these parties by direct mail or email prior to each meeting.
- **Housing Element Website.** At the beginning of the update process a web page was created on the City's website where background information, meeting notices, draft documents, and other relevant materials regarding the Housing Element update were posted. The website was updated throughout the course of the project.
- **Frequently Asked Questions.** The City prepared an FAQ containing background information regarding Housing Element requirements, including the RHNA process and assessment of housing needs, which was posted on the Housing Element web page.
- **Public Workshops**. The City held two public workshops with the City Council and Planning Commission in February and June 2021 prior to the preparation of the draft Housing Element to provide decision-makers and interested stakeholders with background information on Housing Element requirements and to solicit comments regarding housing needs and policy options. Public comments were considered in the preparation of the draft Housing Element, which was posted for public review on September 16, 2021.
- **Joint Study Session**. After preparing the draft Housing Element and prior to submitting the draft to the Department of Housing and Community Development (HCD), a joint study session was held on September 23, 2021 with the Planning Commission and City Council to review the draft Housing Element and its goals, policies, and implementation programs. Stakeholders on the Housing Element interest list were invited to attend and offer comments on the draft Housing Element. The draft Housing Element was then revised to incorporate comments received at this meeting.

  Comments on the draft Housing Element focused on housing affordability and the challenges faced by local governments in addressing those needs. Specific comments included the following:

  ✓ The elimination of the redevelopment agency has diminished the City's ability to address housing problems

- ✓ ADUs provide opportunities for affordable housing but also bring challenges such as adequate parking
- ✓ More housing also increases the City's cost of providing adequate services such as infrastructure and public safety

- **HCD Review**. The draft Housing Element was submitted to HCD for review on September 24, 2021. On November 22, 2021 HCD issued a letter finding that the draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law.

- **Planning Commission Review**. After receiving HCD's November 22, 2021 review, a revised draft Housing Element was prepared addressing HCD's comments. The revised draft Housing Element was posted for public review on March 16, 2022 and a public meeting was held by the Planning Commission on March 23, 2022 to review HCD comments, other public comments and the revised draft Housing Element. An agenda and invitation to attend the meeting was sent to all parties on the Housing Element interest list. Comments offered at the meeting included whether changes to parking requirements would result in adequate parking for new housing developments. A letter dated February 28, 2022 was also submitted by YIMBY Law (see Appendix D).

- **HCD Review #2**. Following the March 23, 2022 Planning Commission meeting the revised draft Housing Element was submitted to HCD for review on March 24, 2022. On May 23, 2022 HCD issued a letter finding that the draft element addresses some statutory requirements described in HCD's November 22, 2021 review; however, additional revisions are necessary to fully comply with State Housing Element Law.

- **Planning Commission Public Hearing**. After receiving HCD's May 23, 2022 comments a revised draft Housing Element was prepared addressing HCD's comments. The revised draft Housing Element was posted for public review on September 29, 2022 and on October 5, 2022 the Planning Commission conducted a public hearing to review the revised draft Housing Element. At the conclusion of the hearing the Planning Commission adopted a recommendation for City Council approval of the Housing Element. In addition to the formal public hearing notice, direct notice of the hearing was provided to all parties on the Housing Element stakeholder list.

- **City Council Public Hearing**. On October 24, 2022 the City Council conducted a public hearing to review the revised draft Housing Element. At the conclusion of the hearing the City Council adopted a resolution approving the revised draft Housing Element.

- **Targeted Stakeholder Outreach.** During the month of January and early February, 2024, the City conducted additional, targeted stakeholder outreach focusing on low-moderate income and special needs populations. The City conducted five additional stakeholder interviews with groups who include and represent low-moderate income and special needs populations in Upland. Target populations include extremely low-income persons, those in transitional housing, those in senior housing, mobile home communities, fair housing services, homeowner wraparound services, and disability services. Interviewees stressed the high cost of construction, importance of housing choices, need for education on fair housing and housing resources, homeownership and repair programs, and importance of ADUs, including educating homeowners on ADU development. The City has included and modified a number of programs in the Housing Element based in part on this feedback. The feedback and where it is addressed in Housing Element Programs is as follows:

    - Increased housing mobility and housing options (Program 6, Program 23)

- Importance of education, especially regarding fair housing and tenant's rights (Program 21, Program 22)
- Importance and opportunity for ADUs (Program 9, Program 23)
- Need for additional low-income housing (Program 6, Program 14, Program 15, Program 20)
- Home Repair and Assistance Programs (Program 2, Program 3, Program 5)

The revised Housing Element was published for a full seven day public review from February 5th to February 12th, 2024. No public comments were received.

Chapter 5, the Housing Plan, describes the City's goals, policies and specific program actions over the next 8 years to address issues raised during the public outreach process (see also **Table H-1**).

Table H-1 Public Comment Summary

Comment	Response
There is a limited amount of vacant land remaining for housing development in Upland. The RHNA goals assigned to the city are far higher than in the past. How can the city achieve these goals?	The availability of vacant land suitable for housing development is a significant problem in most cities in Southern California, particularly those that are near major employment centers. Over the past several decades, most of the vacant properties in the urban areas without major development constraints such as steep slopes, floodplains, or wildland fire hazards have already been developed. Therefore, a large component of new housing development is occurring through redevelopment of previously developed properties that are economically or physically underutilized. Appendix B of the Housing Element identifies underutilized properties that are suitable for redevelopment and the following programs encourage the redevelopment of those properties for housing or mixed use: Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
Accessory dwelling units (ADUs) can provide additional housing opportunities.	ADUs are an important strategy for meeting housing needs, especially for single persons and small households. The City encourages production of ADUs through a variety of methods as described in Program 9: Accessory Dwelling Units.
Past underproduction of housing has resulted in higher prices and rents that make it difficult for younger persons to live in the community. A market-based solution is needed to provide more housing.	Many factors contribute to high housing cost, and the problem is not unique to California. While cities play an important role in housing production, there are also many factors that are beyond the City's control, such as housing speculators and investors, State environmental regulations, private business decisions, the cost of labor and materials, federal economic policies, interest rates, etc. The following programs are intended to facilitate housing production in all areas of Upland: Program 6: Adequate Sites to Accommodate Regional Housing Needs, Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units;

Comment	Response
	Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
How will the City pay for the additional cost of providing public services to new housing?	California cities face major fiscal challenges in providing public services. After the passage of Proposition 13 in 1978 and its limitation on local governments' property tax revenues, local governments have faced increased difficulty in providing and financing appropriate public services and facilities to serve residents. One of the main consequences of Proposition 13 has been the shift in funding of new infrastructure from general tax revenues to development impact fees and improvement requirements on developers, which has contributed to increased housing costs. The Housing Element addresses this issue by encouraging efficient housing development patterns and provision of infrastructure as described in Program 6: Adequate Sites to Accommodate Regional Housing Needs, Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 10: Water Priority System, Program 11: Neighborhood Improvements; and Program 15: Housing Incentives.
Prioritize rezoning in high resource, historically exclusionary neighborhoods. Many of the highest resource neighborhoods with the best access to jobs, good schools, and other amenities have histories of exclusion which are still reflected in their zoning. Cities should rezone to allow more housing opportunities in those neighborhoods, particularly those with low Vehicle Miles Traveled, as part of their Housing Elements.	It is important to recognize that the residential areas of the city are nearly built-out, and State laws already facilitate more housing opportunities in existing residential areas through ADUs and SB 9 lot splits. Redevelopment in residential areas also could lead to displacement of existing occupants. Commercial and industrial areas have the greatest opportunity for additional housing. The following programs are intended to facilitate housing production in all areas of Upland: Program 6: Adequate Sites to Accommodate Regional Housing Needs, Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
Establish a strong tenant protection ordinance so that new housing benefits everyone. Development should not permanently displace current residents. Housing replacement programs, temporary housing vouchers, right of return, and demolition controls will create stability for renters while allowing new homes to be built for new households and to accommodate the growth associated with RHNA. In your sites inventory and rezoning programs, you should prioritize development on sites with owner-occupied housing & commercial uses over those with existing rent-controlled apartments or other rental housing with lower income residents.	Strong tenant protections are already provided under State and Federal law. The City helps to facilitate tenant protection through partnerships with fair housing organizations and enforcement of existing laws. The following programs address this comment: Program 2: HOME Improvement; Program 4: Rental Acquisition and Rehabilitation; Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 13: Rental Housing Assistance; Program 15: Housing Incentives; Program 16: Mobile Home Rent Stabilization; Program 17: Affordable Housing at Risk of Conversion to Market Rate; Program 19, Administrative Capacity; Program 20: Housing for People with Disabilities or other Special Needs; Program 21: Affirmatively Furthering Fair Housing.
Support homeownership opportunities for historically excluded groups. Homeownership continues to be a path to building financial security and inter-generational wealth,	The City helps to facilitate homeownership for all segments of the community through the following programs: Program 2: HOME Improvement; Program 3: Emergency Repairs for

Comment	Response
which has been systematically denied to many Americans. As a society, we need to make this right by intentionally offering opportunities to communities who have been excluded. The housing element should identify opportunities to create a variety of for-sale housing types and create programs to facilitate property ownership among excluded groups.	Homeowners, Program 4: Rental Acquisition and Rehabilitation; Program 6: Adequate Sites to Accommodate Regional Housing Needs, Program 12: Homeownership Assistance, Program 15: Housing Incentives; Program 17: Affordable Housing at Risk of Conversion to Market Rate; Program 19: Administrative Capacity; Program 21: Affirmatively Furthering Fair Housing.
Adequately plan for density. Ensure that a site's density will accommodate the number of homes that are projected to be built. In addition, make sure height limits, setback requirements, FAR, and other controls allow for adequate density and the ability to achieve a site's realistic capacity. Housing will not be feasible if you have a high density paired with low height limits. This density should be emphasized around jobs and transit and should go beyond the Mullin density in those areas.	The following programs are intended to facilitate housing production at appropriate densities in Upland Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 15 Housing Incentives.
Provide sufficient zoned capacity to accommodate all income levels, including a minimum No Net Loss buffer of 30%. Not every site will be developed at maximum density during the eight-year planning period. Identify an ample amount of opportunity sites and zone the sites to accommodate lower-income housing types (usually a statutory minimum of 30 dwelling units per acre) to give the city the best chance at meeting its RHNA.	The Housing Plan identifies sites and zoning strategies to accommodate all income levels as assigned through the RHNA. State law (Government Code 65583.2(h)) requires zoning to accommodate 100% (not 130%) of the RHNA allocation for lower-income households. The following programs are intended to facilitate housing production at appropriate densities in Upland Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 15 Housing Incentives.
Use data from the 5th Cycle to calculate the likelihood of development for your 6th Cycle site inventory Likelihood of development is a measure of the probability of an inventory site being developed during the planning period. The median likelihood of development across the state is 25%, meaning only one of every four sites will likely be developed during the planning period for the median city. Incorporating the likelihood of development into the zoned capacity will set the city up to successfully achieve their RHNA, making the housing element less of a paper exercise and more of an actionable, functional document.	Calculating the likelihood of development on the basis of development during the previous housing cycle is not a valid methodology for estimating current potential for development due to significant changes in market conditions over the past decade. The "Great Recession" that began in 2007-08 resulted in a near-catastrophic collapse in property values and housing construction, particularly in the Inland Empire. The RHNA is a planning goal, and cities are required to identify adequate sites that could accommodate the RHNA allocation. State law recognizes that cities do not have control over many aspects of the development process, and therefore achieving the RHNA is not a legal mandate. Many strategies have been suggested that the State Legislature could adopt to stimulate housing production, such as CEQA reform and real estate tax policy, but it has declined to do so. To address this comment, the following programs identify actions the City intends to take to facilitate additional housing development: Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
Commit to an automatic mid-cycle adjustment if ADU permitting activity is lower than estimated in the housing	The Housing Element utilizes HCD "safe harbor" methodology in estimating future potential for ADU

Comment	Response
element. We highly recommend complying with HCD's standards of using one of its "safe harbor" methodologies to anticipate future ADU production. However, if the city is optimistic about ADU growth, then creating an automatic mid-cycle adjustment will automatically facilitate alternative housing options (i.e., a rezoning program, removing development constraints, ADU incentives, etc.) if the city falls behind the estimated ADU production.	production. This comment is addressed in Program 9: Accessory Dwelling Units, which includes a mid-cycle review and adjustment.
Incentivize new ADUs, including those that are rent-restricted for moderate or lower-income households or that are prioritized for households with housing choice vouchers. Consider offering low- or no-interest loans, forgivable loans, impact fee waivers for ADUs that are 750 square feet or larger, allowances to facilitate two-story and second story ADU construction, etc.	It should be noted that ADU regulations beyond those authorized in State law is prohibited. Also, after the State's dissolution of redevelopment agencies a significant source of City funding for housing was eliminated. Many worthwhile housing activities now compete for scarce public subsidies such as CDBG and HOME funds. This comment is also addressed in Program 9: Accessory Dwelling Units.
Allow residential to be built in areas that are zoned for commercial use. There are a myriad of ways to do this, but a housing overlay is one common policy. Additionally, consider eliminating new commercial space in mixed-use developments where there is not a strong demand or there is otherwise a glut of commercial space that is unused or frequently vacant.	The following programs are intended to facilitate housing production in areas currently zoned for commercial use: Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
Allow flexibility in inclusionary zoning. Cities should require different percentages for different AMI levels. Additionally, we urge cities to incentivize land dedication to affordable developers in order for market-rate developers to meet their inclusionary requirements. Avoid getting trapped into thinking that the affordable units must be "sprinkled throughout" the market-rate units, or require the market-rate units to look exactly the same as the affordable ones. This should be balanced against not locating all of the affordable units in one place and ghettoizing neighborhoods by creating or perpetuating racially concentrated areas of poverty.	"Inclusionary housing" refers to a requirement that a portion of new housing is made available at affordable rents or prices. There are valid arguments among experts for and against such policies, and each city must evaluate whether inclusionary requirements are appropriate. There are currently no inclusionary requirements in Upland, and inclusionary housing is not a requirement of State housing law.
Ensure that the city has a ministerial process for housing permitting, especially multi-family housing, and remove impact fees for deed-restricted housing. A discretionary process for housing development creates uncertainty and adds to the cost of construction. For example, multi-family housing should not require a conditional use permit or city council approval unless the builder is asking for unique and extraordinary concessions. Right-sizing governmental constraints, entitlement processes, and impact fees will help the city successfully meet its RHNA.	This comment is addressed in Program 8: Reduce Potential Constraints to Housing Development. With regard to impact fees, the elimination of such fees for affordable housing would need to be backfilled from another source or there would be insufficient funds to provide the public facilities paid for by impact fees. There are limited sources of funding that could be used to offset that loss.
Reduce parking standards and eliminate parking minimums. Minimum parking requirements are a major constraint on housing, especially for lower cost housing types. They can cost in excess of $30,000 per spot and can raise rents by as much as 17%, and eliminating them is particularly important for smaller & other spatially constrained sites. Consider adopting a parking maximum.	This comment is addressed in Program 8: Reduce Potential Constraints to Housing Development.

Comment	Response
Cap fees on all new housing. Most construction costs are outside the City's control, but reducing impact fees can demonstrate that a city is serious about building new housing. At a minimum, cities should delay the collection of impact fees until the issuance of the certificate of occupancy to reduce financial impacts on new housing and make the units cheaper by not asking the developer to carry impact fee charges or debt throughout the construction phase.	The City is serious about facilitating the construction of new housing. However, this comment disregards the fact that impact fees are determined by the cost of providing public services and facilities, and cannot be reduced without rendering the services financially infeasible.
Provide local funding. One of the largest barriers to building new affordable homes is the lack of city/county funds available to assemble sites, provide gap funding, and to pay for dedicated staff. Without new funding, especially at the local level, we will not be able to build more affordable homes. There are three new revenue streams that should be considered: 1) Transfer tax, a one-time payment levied by a jurisdiction on the sale of a home, may be utilized to raise much needed revenue to fund affordable homes; 2) Vacancy tax may be collected on vacant land to convince landowners to sell their underutilized properties and be used to fund the construction of affordable homes; 3) Commercial linkage fees should be adopted or revisited for increases on new commercial developments.	This comment correctly notes that public funding is a major limiting factor on affordable housing development. However, increased taxes on real estate is not a universally accepted strategy for raising additional funding. A statewide real estate transfer tax of $1.10 per $1,000 is assessed on transactions. In addition, SB 2 of 2017 (the Building Homes and Job Act) requires County Recorders to charge an additional $75 fee at the time of recording every real estate instrument, paper, or notice, except those expressly exempted from payment of recording fees, per each transaction per parcel of real property, not to exceed $225 per single transaction. Funds raised by this fee are used to support affordable housing.

Upland Housing Element Stakeholders

Pacific Lifeline
315 N. San Antonio Avenue
Upland, CA 91786

Foothill Family Shelter
1501 W. 9th Street, Suite D
Upland, CA 91786

Inland Regional Center
1365 S. Waterman Avenue
San Bernardino, CA 92408

San Bernardino County Housing Authority
1200 N. Campus Avenue
Upland, CA 91786

Inland Valley Hope Partners
1753 N. Park Avenue
Pomona, CA 91786

Inland Valley Recovery Services
1260 E. Arrow Hwy
Upland, CA 91786

Time for Change Foundation
2164 N. Mountain View Ave
San Bernardino, CA 92405
info@timeforchangefoundation.org

Linc Housing
3590 Elm Avenue.
Long Beach, CA 90807

National CORE
9421 Haven Avenue
Rancho Cucamonga, CA 91730

Inland Fair Housing and Mediation Board
1500 South Haven Avenue, Suite 100
Ontario, CA 91761

Neighborhood Partnership Housing Services
9551 Pittsburgh Avenue
Rancho Cucamonga, CA 91730

Neighborhood Housing Services of The Inland Empire
1845 Business Center Drive South, Suite 120
San Bernardino, CA 92408

Building Industry Association
3891 11th Street

Riverside, CA 92501

Apartment Association Greater Inland Empire
8250 White Oak Avenue, Suite 00
Rancho Cucamonga, CA 91730

County of San Bernardino Economic Development Agency
385 N. Arrowhead Avenue
San Bernardino, CA 92455

Lewis Land Developers
1156 N. Mountain Avenue
Upland, CA 91786

KB Homes
36310 Inland Valley Drive
Wildomar, CA 92595

Lennar Homes
980 Montecito Drive, Suite 302
Corona, CA 92879

RC Homes, Inc.
Ridge Crest Real Estate, LLC
550 N. Larchmont Blvd., Suite 201
Los Angeles, CA 90004

GFR Homes
434 N. 2nd Avenue
Upland, CA 91786

Williams Homes
21080 Centre Pointe Pkwy.
Santa Clarita, CA 91350

Diversified Pacific
10621 Civic Center Drive
Rancho Cucamonga, CA 91730

Taylor Morrison
4695 MacArthur Court
8th Floor
Newport Beach, CA 92660
dhahn@habitatsb.org

Century Communities
4695 MacArthur Court, Suite #350
Newport Beach, CA 92660

Frontier Communities
2151 E. Convention Center Way
Suite 114
Ontario, CA 91764

San Bernardino Association of Governments
1170 W. 3rd Street, Suite 140
San Bernardino, CA 92410

Upland Chamber of Commerce
215 N. 2nd Ave Suite D
Upland, CA 91786

OmniTrans
1700 W. Fifth Street
San Bernardino, CA 92411

Community Action Partnership of San Bernardino County
696 S. Tippecanoe Avenue
San Bernardino, CA 92408

Upland Unified School District
390 N. Euclid Avenue
Upland, CA 91786

Habitat for Humanity California
2200 Ritchey Street
Santa Ana, CA 92705

Pomona Valley Habitat for Humanity
2111 Bonita Ave
La Verne, CA 91750-4927
ed@habitatpv.org

San Bernardino Area Habitat for Humanity
25948 Business Center Dr
Redlands, CA 92374

Southern California Association of Non-Profit Housing
340 E. 2nd Street, Suite 406
Los Angeles, CA 90012

Jamboree Housing Corporation
17701 Cowan Suite 200
Irvine, CA 92614

2. HOUSING NEEDS

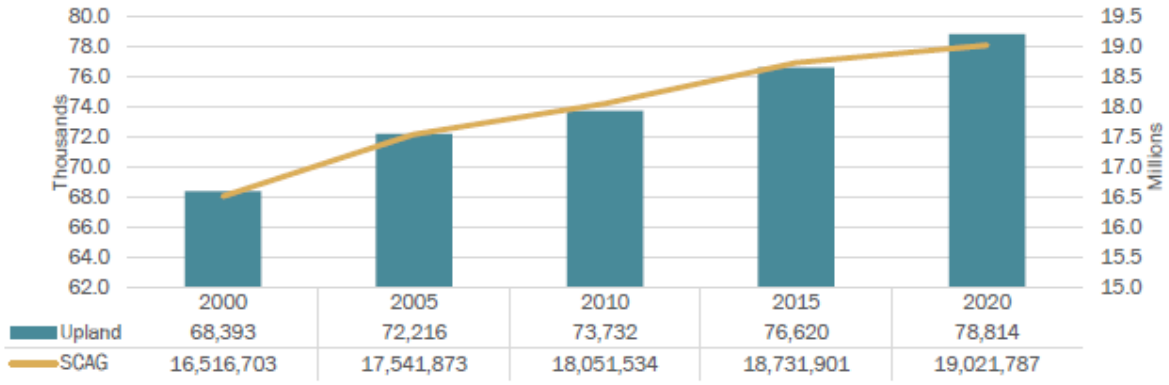
This chapter provides an overview of Upland's demographic, economic, housing, and special needs characteristics and trends and identifies issues that affect the city's existing and future housing needs.

Demographic Trends

Population Growth

Upland had an estimated 2020 total population of 78,814 including 682 living in group quarters according to the California Department of Finance. **Figure H-1** shows population growth trends in Upland from 2000 to 2020. Over this period Upland's annual growth rate of 0.7% was the same as the region as a whole.

Figure H-1 Population Growth 2000-2020 – Upland vs. SCAG Region



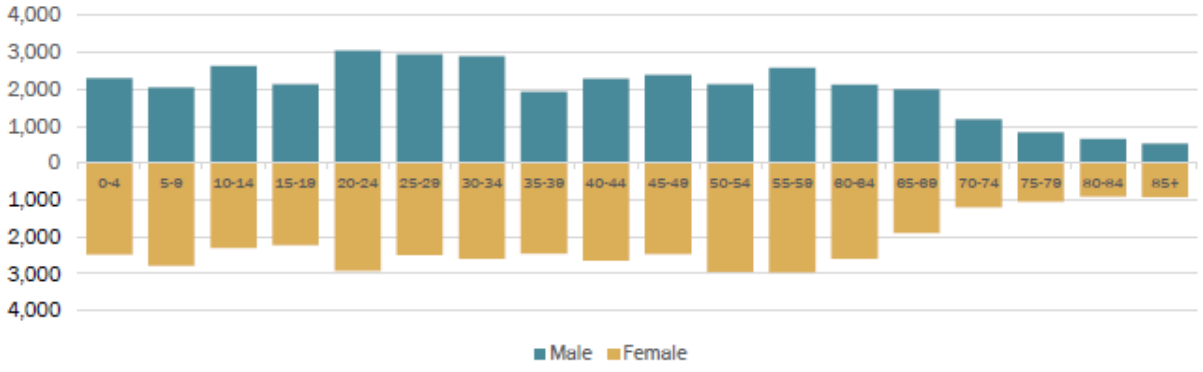
CA DOF E-5 Population and Housing Unit Estimates

Population Age and Gender

Different age groups have different housing needs based on lifestyles, family types, income levels, and housing preference. Typically, younger households seek affordable rental housing opportunities as they begin their careers. As adults spend more time in the workforce and form families, they may seek larger homes and opportunities to build equity through home ownership. Seniors may eventually choose to trade down larger homes that once accommodated children to smaller and more affordable homes.

The population of Upland is 48% male and 52% female. The share of the population of Upland that is under 18 years of age is approximately 22%, which is slightly lower than the regional share of 23%. Upland's seniors (65 and above) make up about 15% of the population compared to 13% for the regional as a whole (**Figure H-2**).

Figure H-2 Population by Age and Gender – Upland

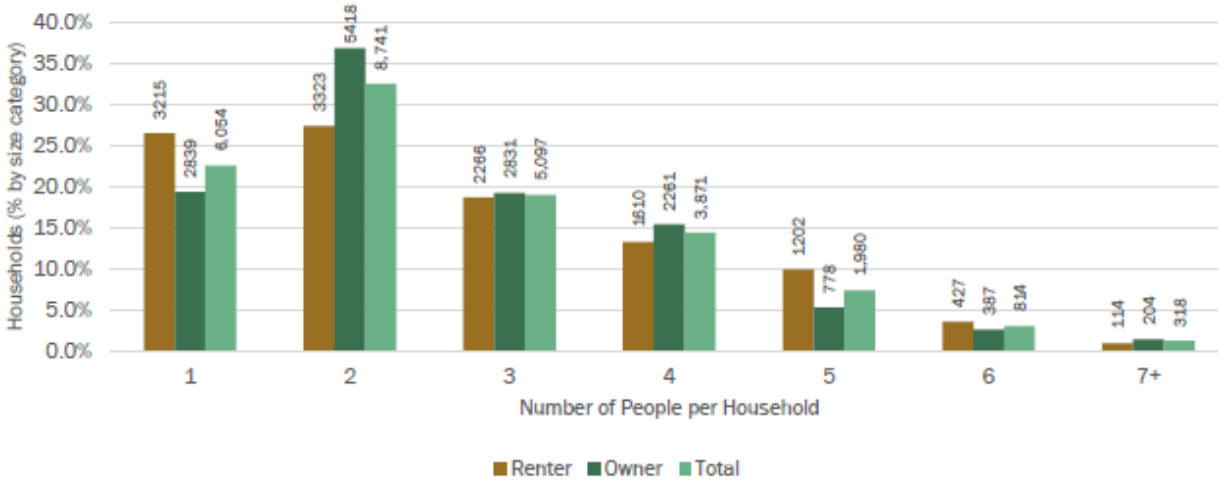


American Community Survey 2014-2018 5-year estimates

Household Size

Figure H-3 illustrates the range of household sizes in Upland for homeowners, renters, and overall. The most commonly occurring household size is of two people (33%) and the second-most commonly occurring household is of one person (23%). Upland has a similar share of single-person households as the SCAG region overall (23%) and a smaller share of large households with 7+ persons than the SCAG region overall (1% vs. 3%).

Figure H-3 Household Size by Tenure - Upland

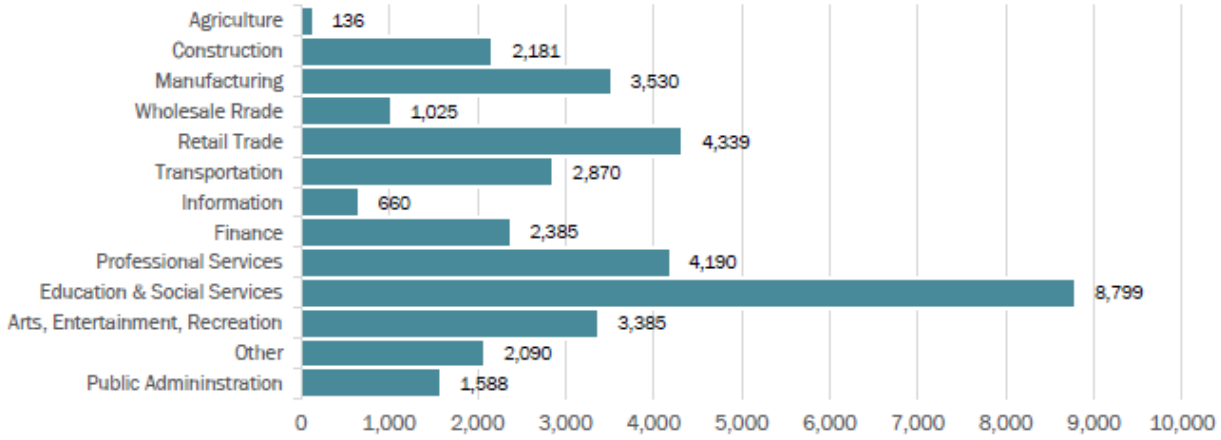


American Community Survey 2014-2018 5-year estimates.

Employment Characteristics

According to recent Census estimates, Upland has 37,178 workers living within its borders who work across 13 major industrial sectors. **Figure H-4** shows that most prevalent industry for Upland residents is Education & Social Services with approximately 24% of the total while the second most prevalent industry is Retail trade with 12% of employed residents. The largest employers in Upland are San Antonio Community Hospital, Upland Unified School District, Home Depot and Upland Rehabilitation and Care Center.

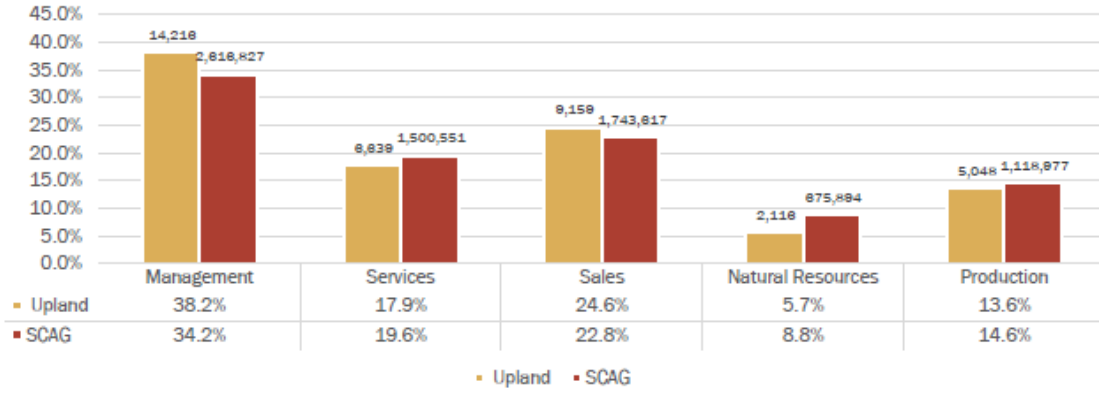
Figure H-4 Employment by Industry - Upland



American Community Survey 2014-2018 5-year estimates using groupings of 2-digit NAICS codes.

As shown in **Figure H-5**, the most prevalent occupational category in Upland is Management, in which about 38% of employees work. The second-most prevalent type of work is in Sales, which employs about 25% of residents.

Figure H-5 Employment by Occupation - Upland

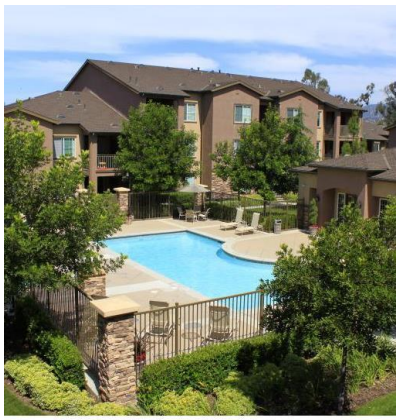


American Community Survey 2014-2018 5-year estimates using groupings of SOC codes.

Housing Characteristics

This section describes housing characteristics and trends including housing type, tenure (owner vs. renter), vacancy, age and condition, housing prices and rents, and homeownership rates.

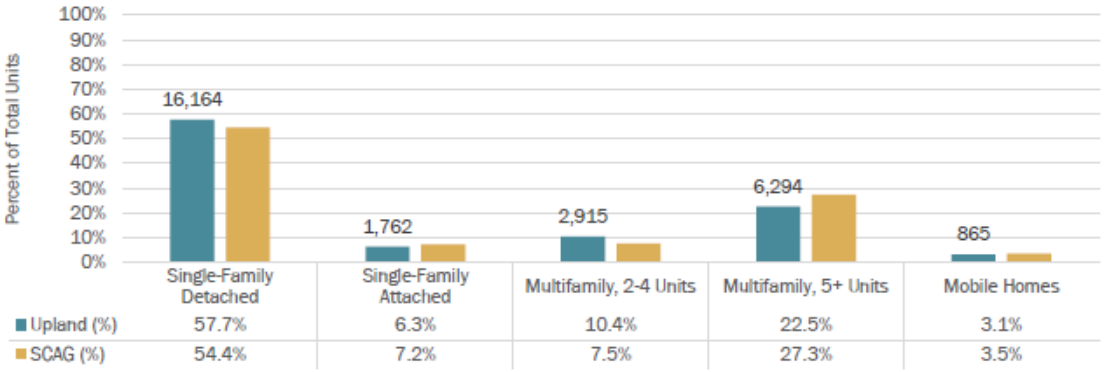
Housing Type



A range in housing types and prices allows residents of all ages and incomes the opportunity to find adequate housing in Upland. As shown in **Figure H-6**, the most prevalent housing type in Upland is single-family detached homes. According to recent Department of Finance estimates, the share of all single-family housing units in Upland is approximately 64%, which is higher than the 62% share for the SCAG region as a whole. The estimated vacancy rate is 2.8% and the average household size (as expressed by the population to housing unit ratio) is approximately 2.9.

Looking forward, the City of Upland anticipates continued residential growth in several focus areas and specific plan areas such as the Foothill Boulevard corridor, College Heights, and Downtown.

Figure H-6 Housing Units by Type – Upland vs. SCAG Region

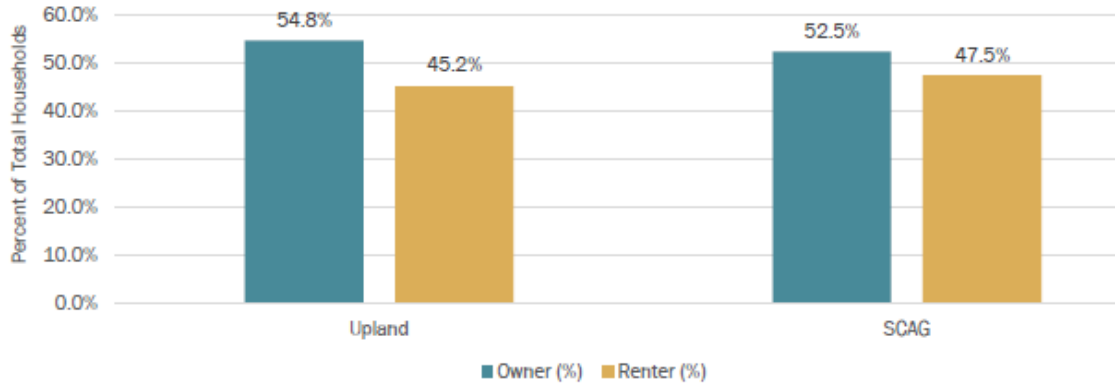


CA DOF E-5 Population and Housing Unit Estimates

Housing Tenure

Tenure refers to whether a household owns or rents a home. Ample homeownership and rental opportunities allow people of all incomes and household sizes to choose the type of housing and location best suited to their needs and preferences. Vacancy rates, in combination with housing tenure, also affect the prices and rents charged for housing. Recent Census data estimated that Upland's housing stock consists of 26,875 total units, 14,718 of which are owner-occupied and 12,157 of which are renter-occupied (**Figure H-7**). The home ownership rate in Upland is slightly higher than in the SCAG region overall.

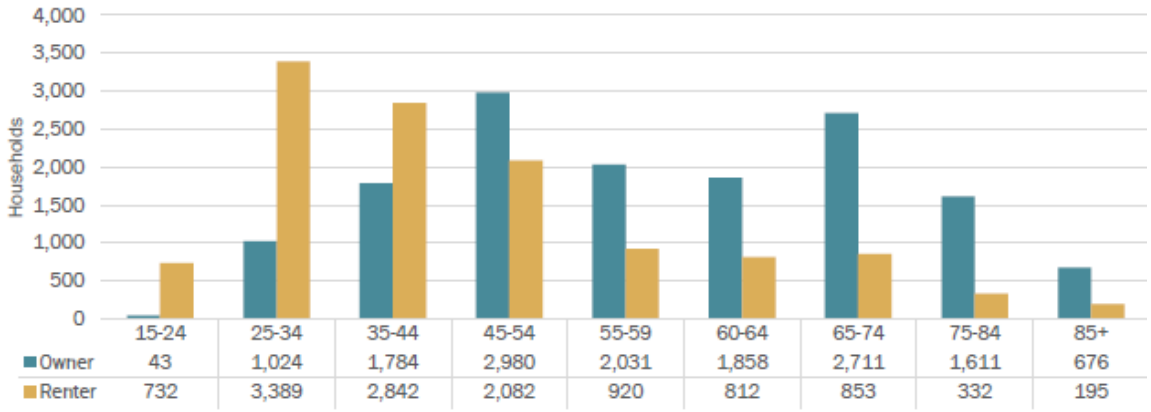
Figure H-7 Housing Tenure – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

Figure H-8 shows recent Census estimated of housing tenure for different age groups. As may be expected, younger residents are more likely to be renters while those over age 45 are more often homeowners.

Figure H-8 Housing Tenure by Age – Upland



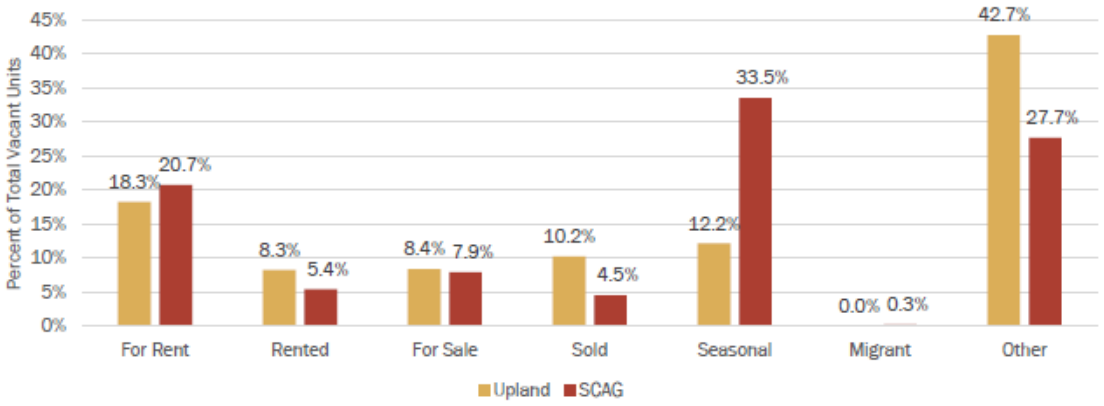
American Community Survey 2014-2018 5-year estimates.

Vacancy Rates

Housing vacancies are one measure of how well the supply of housing matches the demand. Typically, housing vacancy rates of 5% for apartments and 1% to 2% for owner-occupied homes are considered to be a healthy housing market with enough vacancies to provide consumers with sufficient choices for different types of housing products, and that developers have a financial incentive to continue building housing. Higher vacancy rates may lead to price depreciation while lower vacancy rates indicate a tight market and generally cause housing rents and prices to increase.

According to recent Census estimates, Upland's overall vacancy rate is approximately 2.8%. The various categories of vacant units for Upland and the entire SCAG region are shown in **Figure H-9**. In Upland the highest number of reported vacant units was "other" while "seasonal" vacant units were most common throughout the region. The estimated vacancy rate in 2019 was 0% for owner-occupied units and 5.7% for rental units.

Figure H-9 Vacant Units by Type – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

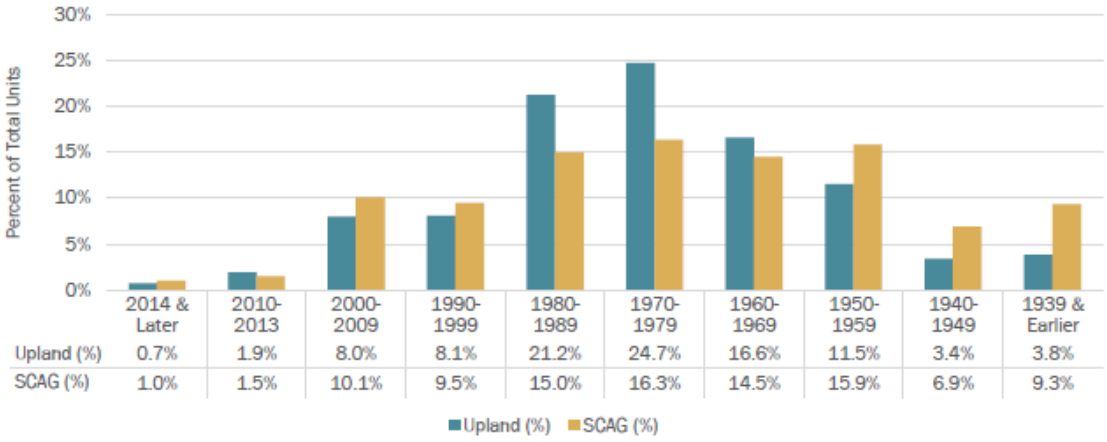
Housing Age and Condition

Well-maintained housing is important for maintaining property values and neighborhood stability. However, the majority of homes in Upland are over 50 years old, indicating a need for ongoing maintenance and rehabilitation such as roof repair, painting, landscaping, and exterior finishes. Homes between 30 and 50 years typically require more significant maintenance and even renovation. Generally, homes built 50 or more years ago (unless well maintained) are more likely to require substantial repairs or need renovation.

Another concern related to the age of housing is That homes built prior to 1978 typically contain lead-based paint, which can cause hazardous health conditions for children (specifically, developmental delays). Health hazards occur when the paint chips and is inhaled by residents, particularly children. Since 1978, the federal government has banned the use of lead-based paint.

Figure H-10 shows the age of Upland's housing stock. City staff estimates that approximately 70-80% of housing units (approximately 21,000 units) may be in need of minor repair while one-third (approximately 9,000 units) may require more substantial rehabilitation. Most of the homes in need of repair are located in the older southern portions of the city, while the majority of newer housing is located in the northern area. The City's code enforcement activities are primarily based on complaints. When violations are noted, City staff directs residents to programs that may be available to assist lower-income residents with needed repairs.

Figure H-10 Age of Housing Stock – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

Housing Cost and Affordability

Housing Affordability Criteria

State law establishes five income categories for purposes of housing programs based on the area (i.e., County) median income (AMI): extremely low (30% or less of AMI), very-low (31-50% of AMI), low (51-80% of AMI), moderate (81-120% of AMI) and above moderate (over 120% of AMI). Housing affordability is based on the relationship between household income and housing expenses. According to HUD and the California Department of Housing and Community Development, housing is considered "affordable" if the monthly payment is no more than 30% of a household's gross income. In some areas, these income limits may be increased to adjust for high housing costs.

Table H-2 shows affordable rent levels and estimated affordable purchase prices for housing in San Bernardino County by income category for on a 4-person family. Based on 2022 State standards, the maximum affordable monthly rent for extremely-low-income households is $694, while the maximum affordable rent for very-low-income households is $1,100. The maximum affordable rent for low-income households is $1,760, while the maximum for moderate-income households is $2,623.

Affordable purchase prices are more difficult to determine due to variations in conditions such as mortgage interest rates and qualifying procedures, down payments, special tax assessments, homeowner association fees, and property insurance rates. With this caveat, the maximum home purchase prices by income category shown in **Table H-2** have been estimated based on typical current conditions.

Table H-2 Affordable Housing Costs – San Bernardino County

Income Category	Maximum Income	Affordable Rent	Affordable Price (est.)
Extremely low	$27,750	$694	*
Very low	$44,000	$1,100	*
Low	$70,400	$1,760	*
Moderate	$104,900	$2,623	$400,000
Above moderate	Over $104,900	Over $2,623	Over $400,000

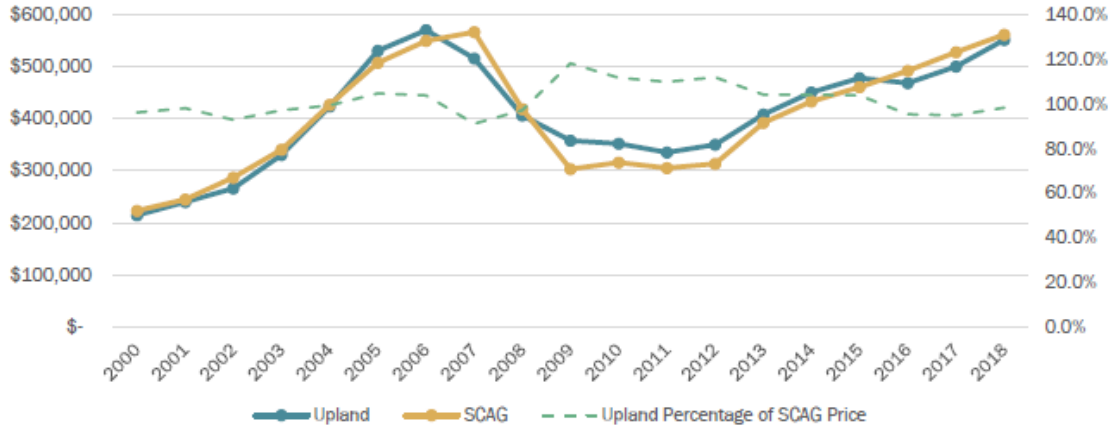
Assumptions:
- Based on a family of 4 and 2022 State income limits
- 30% of gross income for rent or principal, interest, taxes & insurance plus utility allowance
- 10% down payment, 5.5% interest, 1.25% taxes & insurance, $300 HOA dues

* For-sale affordable housing is typically at the moderate-income level
Source: Cal. HCD; JHD Planning LLC

For-Sale Housing Cost

Between 2000 and 2018, median home sales prices in Upland increased 157% while prices in the SCAG region increased 151%. 2018 median home sales prices in Upland were $551,000 and the highest experienced since 2000 was $569,500 in 2006. Prices in Upland have ranged from a low of 91% of the SCAG region median in 2007 and a high of 118% in 2009 (**Figure H-11**).

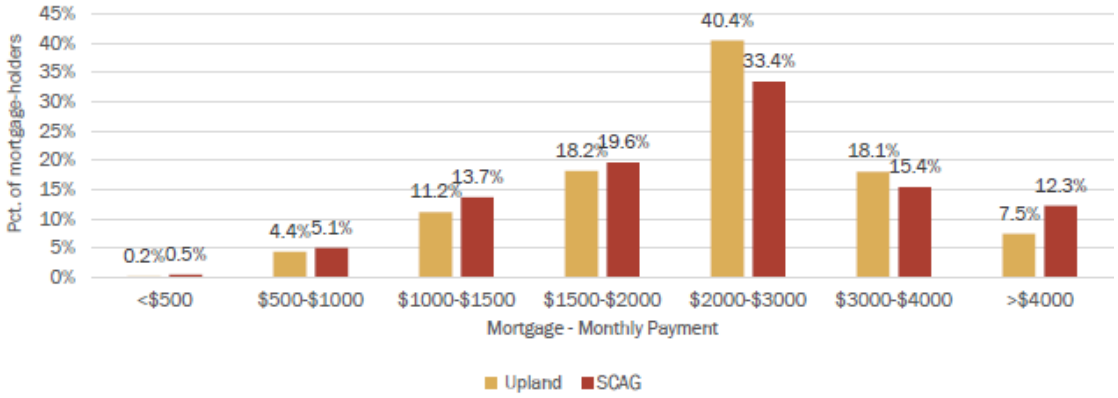
Figure H-11 Median Sale Price for Existing Homes – Upland vs. SCAG Region



SCAG Local Profiles, Core Logic/Data Quick. SCAG median home sales price calculated as household-weighted average of county medians.

Recent data for monthly homeowner housing costs are shown in **Figure H-12**. The most common amount paid is $2,000 to $3,000 in Upland and in the SCAG region as a whole.

Figure H-12 Monthly Owner Cost for Mortgage Holders – Upland vs. SCAG Region

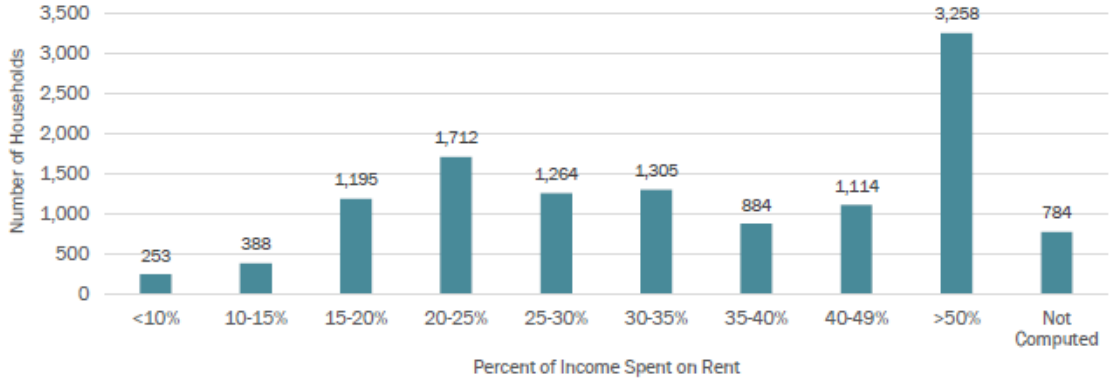


American Community Survey 2014-2018 5-year estimates.

Rental Housing Cost

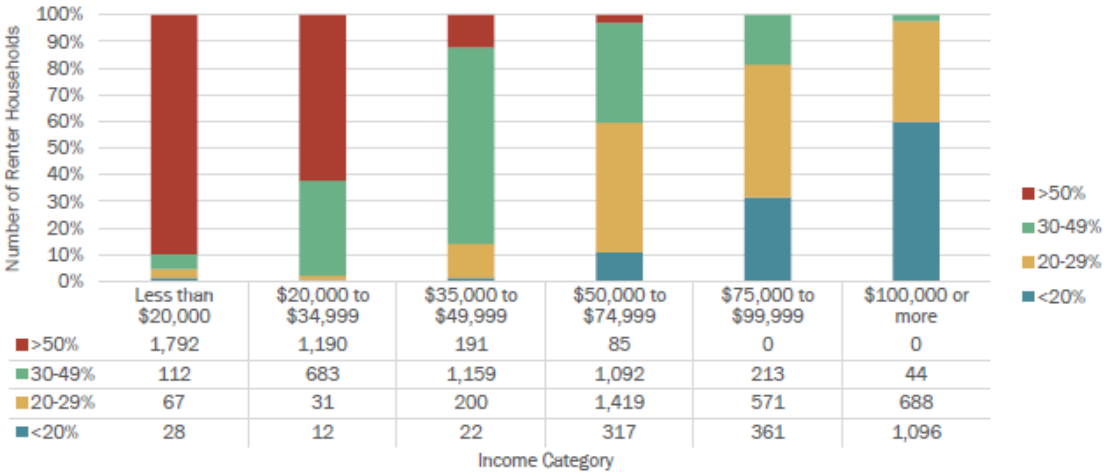
Across Upland's 12,157 renter households, about 54% spend 30% or more of gross income on housing cost, compared to 55% in the SCAG region. About 27% of Upland renters spend 50% or more of gross income on housing cost, compared to 29% in the SCAG region (**Figure H-13**). According to 2019 Census estimates the median rent in Upland was $1,600 per month. An August 2022 internet survey of apartments offered for rent found typical rents for 2-bedroom units in Upland ranging from $1,845 to $2,840 per month.

Figure H-13 Percentage of Income Spent on Rent – Upland



As illustrated in **Figure H-14**, lower-income households typically pay a higher proportion of their incomes for rent.

Figure H-14 Rental Cost by Income Category – Upland



	Less than $20,000	$20,000 to $34,999	$35,000 to $49,999	$50,000 to $74,999	$75,000 to $99,999	$100,000 or more
>50%	1,792	1,190	191	85	0	0
30-49%	112	683	1,159	1,092	213	44
20-29%	67	31	200	1,419	571	688
<20%	28	12	22	317	361	1,096

American Community Survey 2014-2018 5-year estimates.

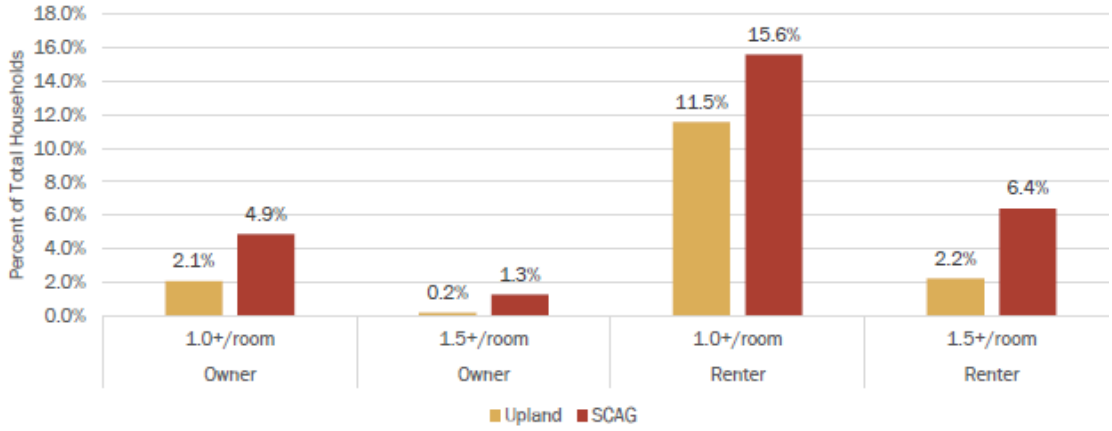
Housing Problems

Housing problems refer to overpayment, overcrowding, and the difficulties faced by extremely-low-income households.

Overcrowding

Overcrowding is often closely related to household income and the cost of housing. The U.S. Census Bureau considers a household to be overcrowded when there is more than one person per room, excluding bathrooms and kitchens, with severe overcrowding when there are more than 1.5 residents per room. Overcrowded households are usually a reflection of a shortage of affordable housing. **Figure H-15** shows recent Census estimates of the prevalence of overcrowding in Upland compared to the SCAG region as a whole. Among renters, approximately 11.5% of Upland renter households reported more than 1.0 person per room while an additional 2.2% reported more than 1.5 persons per room. These rates are substantially lower than for the region as a whole. Rates of overcrowding were significantly lower for owner households.

Figure H-15 Overcrowding by Tenure – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

Overpayment

According to State housing policy, overpaying occurs when housing costs exceed 30% of gross household income. **Table H-3** displays recent HUD estimates for overpayment by tenure and income category, and shows that overpayment is closely related to income, with lower-income households far more likely to be cost-burdened than those in higher income categories.

Although homeowners enjoy income and property tax deductions and other benefits that help to compensate for high housing costs, homeowners paying a higher percentage toward a mortgage may need to defer maintenance or repairs due to limited funds, which can lead to deterioration. For renters, severe cost burden can require families to double up resulting in overcrowding and related problems.

Table H-3 Overpayment by Income Category – Upland

Income by Cost Burden (Renters only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income less-than or= 30% HAMFI	1,475	1,415	1,960
Household Income >30% to less-than or= 50% HAMFI	1,415	1,125	1,585
Household Income >50% to less-than or= 80% HAMFI	1,695	500	2,000
Household Income >80% to less-than or= 100% HAMFI	840	55	1,385
Household Income >100% HAMFI	840	55	5,230
Total	6,265	3,150	12,155
Income by Cost Burden (Owners only)	**Cost burden > 30%**	**Cost burden > 50%**	**Total**
Household Income less-than or= 30% HAMFI	535	475	755
Household Income >30% to less-than or= 50% HAMFI	415	365	645
Household Income >50% to less-than or= 80% HAMFI	700	425	1,265
Household Income >80% to less-than or= 100% HAMFI	520	170	1,010
Household Income >100% HAMFI	2,155	265	11,045
Total	4,325	1,700	14,720

Source: HUD CHAS, 2014-2018
HAMFI = Housing Urban Development Area Median Family Income

Extremely-Low-Income Households

Housing the extremely-low-income (ELI) population (below 30% of area median income) can be especially challenging. Recent HUD data (**Table H-4**) provides a breakdown of extremely-low-income households by race/ethnicity and tenure. ELI households often experience overcrowding, overpayment and other difficulties.

Table H-4 Extremely-Low-Income Housing Needs – Upland

	Total Households	Households below 30% HAMFI	Share below 30% HAMFI
White, non-Hispanic	13,795	1,205	8.7%
Black, non-Hispanic	1,869	480	25.7%
Asian and other, non-Hispanic	2,658	410	15.4%
Hispanic	8,805	1,255	14.3%
Total	27,127	3,350	12.3%
Renter-occupied	12,325	2,625	21.3%
Owner-occupied	14,830	730	4.9%
Total	27,155	3,355	12.4%

Source: HUD CHAS, 2012-2016
HAMFI = Housing Urban Development Area Median Family Income

Special Housing Needs

This section contains a discussion of the housing needs of special needs groups who reside in Upland. Special needs households include seniors, large families, single-parent households, people who are homeless, farmworkers and people with disabilities.

Senior Citizens

Seniors are defined as persons 65 years or older, although for some housing purposes the age may be as low as 55 years. Federal housing data define a household type as 'elderly family' if it consists of two persons with either or both age 62 or over. As shown in **Table H-5**, of Upland's 6,495 such households, approximately 11% earn less than 30% of median income, (compared to 24% in the SCAG region), and 23% earn less than 50% of the surrounding area income (compared to 31% in the SCAG region).

Table H-5 Elderly Households by Income and Tenure – Upland

Income Category, Relative to Surrounding Areas	Owner	Renter	Total	Percent of Total Elderly Households
< 30% HAMFI	355	375	730	11.2%
30-50% HAMFI	430	320	750	11.5%
50-80% HAMFI	785	255	1,040	16.0%
80-100% HAMFI	470	185	655	10.1%
> 100% HAMFI	3,015	305	3,320	51.1%
Total Households	5,055	1,440	6,495	

Providing appropriate housing for seniors has become an increasingly important issue for many communities. In past years, the baby boomer generation provided the impetus and majority of demand for single-family housing. However, as this group ages and approaches retirement or elderly years, many communities will see an increased demand for all types of senior housing, from smaller condominiums to independent age-restricted housing to assisted residential settings for those requiring more supportive services.

In addition to housing, an appropriate mix of affordable support services provided locally can benefit seniors living in Upland. Support services are essential in facilitating the ability of seniors to live as independently as possible without having to change their residences. Services can include transportation, health care, home maintenance assistance, and low-cost loans or grants to rehabilitate homes.

The City uses its CDBG funds, and implements the Emergency Repair Program (ERP), which provides a grant up to $15,000 to make emergency repairs and/or code violations corrections. Many of the ERP grants that the City processes are for low-income seniors living in mobile home parks and help to address safety and emergency repairs that they cannot afford. The City also uses its Home Improvement Program (HIP) funds from CalHOME and HOME which provides a deferred low or no interest loans (silent seconds) of up to $90,000 which allows low-income seniors the ability to address life/safety repairs, or upgrades to their home due to a lack of ongoing maintenance.

The City also supports the housing needs of seniors through reasonable accommodation for persons with disabilities as well as programs including Program 9: Accessory Dwelling Units, Program 13: Rental Housing Assistance and Program 16: Mobile Home Rent Stabilization.

In addition to these housing programs, the City's Gibson Senior Center[1] serves over 3,500 seniors each month with a lunch program and over 40 classes and activities taking place weekly, with over half of those being free.



The Gibson Center also hosts free monthly health lectures with community doctors, free non-invasive medical screenings, free AARP Tax-Aide, AARP 55 Alive Driver Safety courses, a free Fall flu shot clinic and wellness faire, non-biased medical insurance counseling, and a multitude of services at little to no cost to seniors.

Persons with Disabilities

Physical, mental, and/or developmental disabilities are impairments that substantially limit life activities and make it difficult to care for oneself. Because of that, persons with disabilities have special housing needs. Many disabled persons live on fixed incomes, thus limiting their ability to afford housing. Persons with a disability may also have limited housing choices (e.g., single-story homes or projects with elevators). Someone with a visual impairment may require a home that allows service animals.

Recent Census estimates reported that the most prevalent types of disabilities for Upland residents were ambulatory and independent living disabilities (**Figure H-16**). Of those aged 65 and over, ambulatory difficulties were the most common type of disability, with approximately 25% of Upland seniors affected (**Figure H-17**). As seen in **Table H-6**, over one-third of those with a disability in Upland were employed. Housing opportunities for persons with disabilities can be maximized through housing assistance programs and universal design features such as widened doorways, ramps, lowered countertops, single-level units and ground floor units.

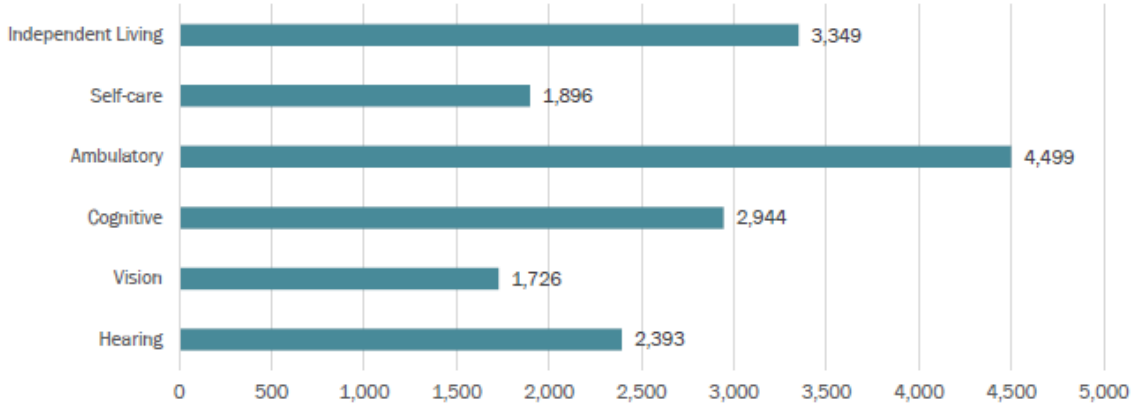
The Housing Plan addresses the housing needs of persons with disabilities through Program 2: HOME Improvement, Program 3: Emergency Repairs for Homeowners, Program 9: Accessory Dwelling Units, Program 13: Rental Housing Assistance, Program 16: Mobile Home Rent Stabilization, Program 17: Affordable

[1] https://www.uplandca.gov/gibson-senior-center

Housing at Risk of Conversion to Market Rate, Program 18: Homeless Services and Facilities, Program 20: Housing for People with Disabilities or other Special Needs, and Program 21: Affirmatively Furthering Fair Housing.

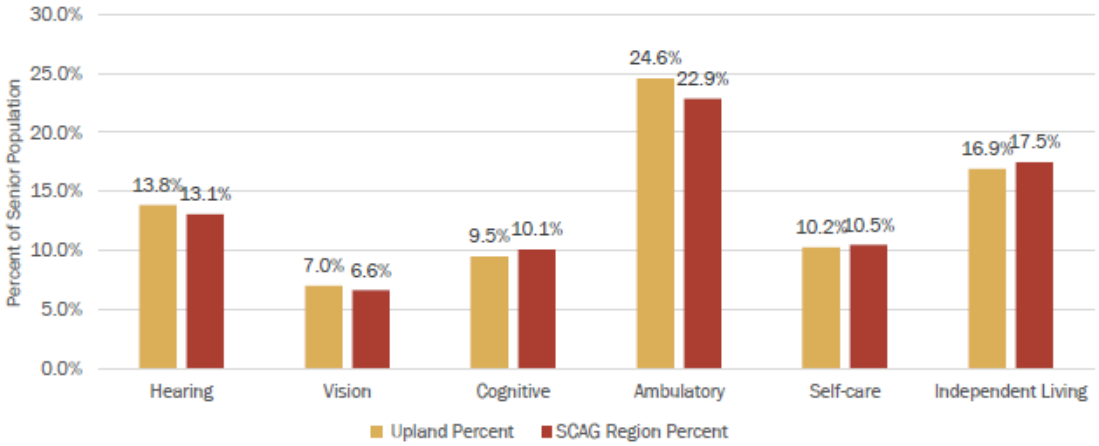
The Emergency Repair Program (ERP), which is funded with the City's share of CDBG, provides a grant up to $15,000 to make emergency repairs and/or code violations corrections, but also includes addressing Americans with Disabilities Act (ADA) such as ramps, widening doorways, and any other improvements necessary to comply with ADA improvements for disabled persons who are on fixed incomes and make up to 80% of the Area Median Income.

Figure H-16 Disabilities by Type – Upland



American Community Survey 2014-2018 5-year estimates.

Figure H-17 Disabilities by Type for Seniors 65+ – Upland



American Community Survey 2014-2018 5-year estimates.

Table H-6 Disabilities by Employment Status – Upland

	With a Disability	Percent of Total	No Disability	Percent of Total
Employed	1,488	37%	33,258	76%
Unemployed	262	7%	1,893	4%
Not in Labor Force	2,222	56%	8,880	20%
Total	3,972		44,031	

Source: American Community Survey, 2014-2018 5-year estimates

Developmental Disabilities

State law defines "Developmental disability" to mean a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include mental retardation, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but shall not include other handicapping conditions that are solely physical in nature.

The California Department of Developmental Services (DDS) provides community services to persons with developmental disables and their families through a system of regional centers. In San Bernardino County, the Inland Regional Center (IRC) is the local service provider for the State Department of Developmental Services. The center provides access to a variety of resources such as educational, employment, health, and housing to persons with developmental disabilities. The IRC coordinates housing programs with In-Home Supportive Services (through the County Department of Aging and Adult Services) and family support services such as respite, for persons living at home with the family. Respite services may include a behavior modification specialist and educational services. The IRC also provides transportation vouchers. Recent DDS data for persons in Upland is provided in **Table H-7**.

Many persons with developmental disabilities may live independently with minimal supervision. Others may live in a group facility with some supervision, while more severe conditions may require institutional living with regular supervision.

Table H-7 Developmental Disabilities – Upland

By Residence	
Home of parent/family/guardian	455
Independent/supported living	31
Community care facility	30
Intermediate care facility	85
Foster/family home	19
Other	5
By Age	
0-17 years	625
18+ years	297
Total	1,547

California DDS consumer count by California ZIP code, age group, and residence type for the end of June 2019. Data available in 161/197 SCAG jurisdictions

Upland has a variety of services available for people with disabilities. Centerbest Neurofeedback Centers for Success, Scheu Family YMCA, OPARC, and Easter Seals Child Development Center provide programs to

enhance the independent living skills for those with a disability. Services may include advocacy, counseling, employment assistance, housing referrals, and transportation to medical appointments.

Large Families

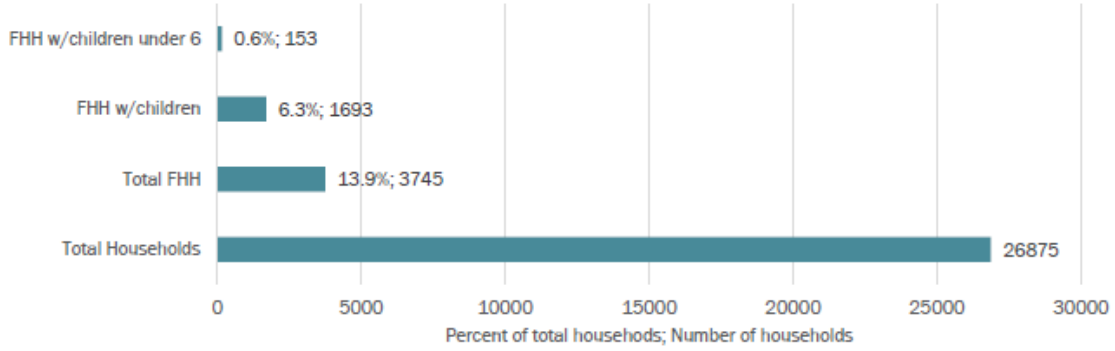
Household size is an indicator of need for large units. Large households are defined as those with five or more members. Among both owners and renters, more than half of all households have only one or two members. According to recent Census estimates, about 12% of all households in Upland had five or more members. Families with five or more persons require larger units with three or more bedrooms in order to avoid overcrowding.

The Housing Plan addresses the needs of large families, particularly those with lower incomes, through Program 2: HOME Improvement, Program 3: Emergency Repairs for Homeowners, Program 13: Rental Housing Assistance, Program 16: Mobile Home Rent Stabilization, Program 17: Affordable Housing at Risk of Conversion to Market Rate and Program 21: Affirmatively Furthering Fair Housing. The City's Home Improvement Program (HIP) provides a deferred low or no interest loans (silent seconds) of up to $90,000 to low-income households with incomes up to 80% of the Area Median Income for owner-occupied homes. The City uses its CalHOME and HOME funds for this program. The HIP would enable large family household to expand the number of bedrooms to help address overcrowding.

Female-Headed Households

Female headed households typically have greater housing needs than other households due to their limited income and higher expenses. According to recent Census Bureau estimates (**Figure H-18**), approximately 14% of Upland households are female-headed (compared to 14% in the SCAG region), 6% are female-headed and with children (compared to 7% in the SCAG region), and 0.6% are female-headed and with children under 6 (compared to 1% in the SCAG region).

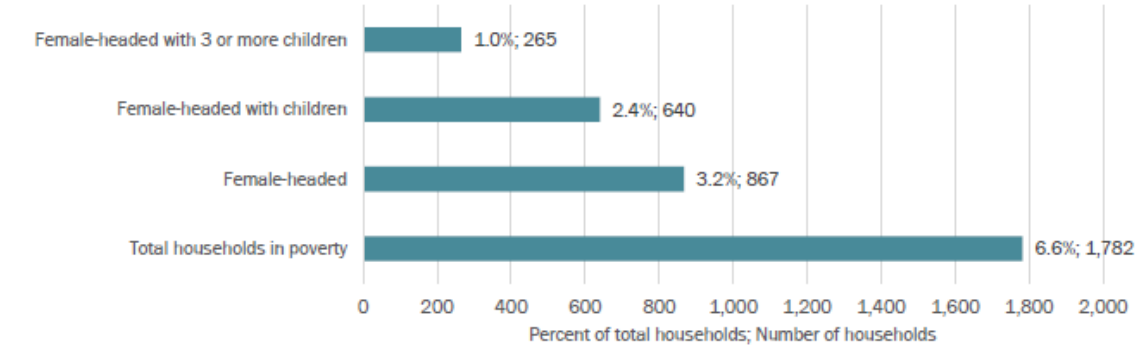
Figure H-18 Female Headed Households – Upland



American Community Survey 2014-2018 5-year estimates.

It is estimated that about 7% percent of Upland's households are experiencing poverty, compared to 8% of all households in the SCAG region. Nearly half of Upland households below the poverty line were female-headed households (**Figure H-19**).

Figure H-19 Female Headed Households by Poverty Status – Upland



American Community Survey 2014-2018 5-year estimates.

The Housing Plan addresses the needs of female headed households, particularly those with lower incomes, through Program 2: HOME Improvement, Program 3: Emergency Repairs for Homeowners, Program 13: Rental Housing Assistance, Program 16: Mobile Home Rent Stabilization, Program 17: Affordable Housing at Risk of Conversion to Market Rate and Program 21: Affirmatively Furthering Fair Housing.

Farmworkers

Unlike most areas of the Southern California metropolitan area, agriculture is still a significant component of the economy in San Bernardino County; however, over the past several decades agriculture has diminished in importance in Upland and adjacent areas. Recent Census estimates for agricultural employment in Upland published by SCAG in its HCD pre-approved data set (**Figure H-20**) shows that there were only about 24 full-time year-round jobs in the farming/fishing/forestry occupations. According to the USDA Census on agriculture population there are 2,246 farmworkers residing in San Bernardino County. As a consequence of the small population and rapidly declining agricultural production, no statistical need for housing has been identified for farmworkers. Farmworker housing needs can be met with the City's programs for lower-income housing populations.

Program 20 is included in the Housing Plan to ensure compliance with the Employee Housing Act, and other programs intended to assist lower-income persons and households would also serve any agricultural workers who may live in Upland.

Figure H-20 Agricultural Employment – Upland

Farmworkers by Occupation:

Upland	Percent of total Upland workers:	SCAG Total	
26	0.07%	57,741	Total jobs: Farming, fishing, and forestry occupations
24	0.10%	31,521	Full-time, year-round jobs: Farming, fishing, and forestry occupations

Employment in the Agricultural Industry:

Upland	Percent of total Upland workers:	SCAG Total	
110	0.30%	73,778	Total in agriculture, forestry, fishing, and hunting
134	0.53%	44,979	Full-time, year-round in agriculture, forestry, fishing, and hunting

American Community Survey 2014-2018 5-year estimates using groupings of NAICS and SOC codes.

Homelessness

Homeless persons are defined as those who lack a fixed and adequate residence. Homelessness is a pressing issue for many communities, and the varied dimensions involved have implications for housing programs. People who are homeless may be chronically homeless (perhaps due to substance abuse) or situationally homeless resulting from job loss, family strife, incarceration, or violence. Homeless people face critical housing challenges due to their very low incomes and other problems.

Counting the homeless population is problematic due to its transient nature. According to the 2020 San Bernardino County Homeless Count and Subpopulation Survey Report[2] there were 44 unsheltered and no sheltered homeless persons in Upland at the time of the survey.

Housing accommodations for homeless people include emergency shelters, navigation centers, transitional housing, and permanent supportive housing. The City helps to support the establishment and operation of these types of facilities by ensuring that City regulations are consistent with current law (see Program 20: Housing for People with Disabilities or other Special Needs). Facilities serving the homeless in Upland are briefly summarized below.

- **Foothill Family Shelter**. Foothill Family Shelter is the primary facility serving Upland's homeless. This facility provides emergency shelter, transitional housing, and permanent housing in one center for homeless individuals and families. It includes 75 emergency beds, 7 short-term apartments for homeless families with children, 12 transitional housing apartments, and 8 apartments for affordable permanent housing.
- **Pacific Lifeline Ministry**. Pacific Lifeline Ministry in Upland is a faith-based ministry that empowers women and children facing chronic homelessness to achieve personal and social stability. Pacific Lifeline provides 28 beds for women and their young children at a transitional shelter in Upland. As part of the

[2] https://wp.sbcounty.gov/dbh/sbchp/wp-content/uploads/sites/2/2020/04/2020-SBC-Homeless-Count-Report.pdf

transitional housing, Pacific Lifeline provides services that include case management, individual group and family therapy, tutoring and counseling services, clothes, food, and limited housing services.

- **Substance abuse**. Inland Valley Recovery Services provides a number of programs for the Upland community. The Women and Children Program/Staying Sober provides a support base for recovering parents to restore relationships with children. IVRS also offers residential treatment in a 75-bed treatment center in Upland.

- **Service agencies**. Inland Valley Hope Partners provides emergency assistance with food, utilities, and educational classes. Other groups, such as OUR Homeless, links local ministries to community service providers and other congregations implementing solutions to ending homelessness on the west end of San Bernardino County.

- **Housing Authority**. The County Housing Authority (HACSB) has jurisdiction over a number of housing voucher programs, including those for homeless people. The Upland Housing Authority entered into a memorandum of understanding (MOU) with the San Bernardino County Housing Authority (HACSB) to administer housing assistance contracts with landlords in the City of Upland for applicants/participants of HACSB special purpose homeless voucher programs (Housing Opportunities for Persons with AIDS, Shelter Plus Care, Veterans Affairs Supportive Housing).

Affordable Housing at Risk of Conversion

Affordable housing that has received public subsidies in return for long-term affordability covenants represents a significant component of the City of Upland's affordable housing inventory. Assisted lower-income rental units that could convert to market rate due to the expiration of covenants or prepayment of mortgage are considered to be "at-risk" of conversion. **Table H-8** summarizes publicly assisted affordable projects in Upland and identifies those that are at risk of conversion during the 2021-2031 period.

Table H-8 Publicly Assisted Lower Income Rental Units in Upland

	Project Characteristics					
Project	Target Group	Total Units	Affordable Units	Unit Size	Project Funding	Expiration Date of Covenants
Richland Apts.	Family	33	8 LI	2 BR	HOME	2022
Sycamore Terrace	Senior	100	100 VLI	1 BR	LIHTC, HUD	2069
Northwoods	Family	324	64 LI	2 BR	MRB	2024
Arbor Park	Family	260	104 LI	2 BR	MRB	2028
Sunset Ridge[1]	Family	108	16 VLI	1 & 2 BR	MRB, RDA	2037
Village Apts [1]	Family	72	20 VLI	1 & 2 BR	MRB, RDA	2037
Alpine Woods	Family	137	136 LI	1 & 2 BR	LIHTC	2053
Magnolia Colony[1]	Family	40	18 VL; 18 LI 36 Moderate	2 & 3 BR	HOME, RDA	2058
Coy D. Estes	Senior	130	110 LI 20 Moderate	1 & 2 BR	LIHTC, HUD, CalHFA	2051
Los Olivos	Family	97	97 VLI	2 BR	Public Housing	Permanent
9th Street Terrace	Family	24	24 VLI	1 & 2 BR	Section 8	Permanent
FFS	Family	20	13VL; 7 LI	2 BR	RDA	2058

Source: CHPC and City of Upland, 2021

VLI: Very low income
LI: Low income
HUD2: Dept. of Housing and Urban Development
HOME: Federal Home Investment Partnership Funds
MRB: Mortgage Revenue Bonds
LIHTC: Low Income Housing Tax Credit
RDA: Upland Redevelopment Agency
Section 8: Federal Housing Voucher program
[1]Projects owned by the City of Upland

At-Risk Status

Three developments with 176 lower-income units are at risk of converting to market rate during the 2021 to 2031 period.

Preservation and Replacement Alternatives

Options for preserving or replacing at-risk units are described below. The cost to preserve affordable multiple-family housing depends on market rents, availability of funding sources, and the administrative capacity of housing organizations.

Project Acquisition

The estimated market value of the 176 at-risk units is approximately $48 million. The actual property values will change over time based on market conditions, property conditions, and other factors.

Purchase of Affordability Covenants

As an alternative to project acquisition, the affordability of at-risk projects could be extended through the purchase of affordability covenants. Based on current market conditions, the estimated cost of purchasing affordability covenants ranges from $400,000 to $725,000 per unit, or a total cost of approximately $70.4 to $127.6 million.

Rental Subsidies

The third option for preserving affordable units is to provide rental assistance. Rent subsidies could be structured similar to the Section 8 program, where HUD pays the difference between what tenants can afford (defined as 30% of household income) and HUD's estimates of the fair market rent. The feasibility of this alternative is highly dependent upon the availability of reliable funding sources necessary to make rent subsidies and the willingness of property owners to participate in the program. The cost of subsidizing rents at 176 at-risk units is estimated to be $8.8 million per year.

Construction of Replacement Units

The construction of new low-income housing units is a costly means of replacing the at-risk units should they be converted to market-rate units. The cost of developing housing depends upon a variety of factors, including density, unit size, location, land costs, and type of construction. Assuming an average construction cost of $310,000 per unit (including the cost of land), the total cost of developing 176 new low-income units is estimated to be approximately $54.6 million.

Qualified Entities

Entities having the capacity to acquire and/or manage affordable housing projects in Upland include the San Bernardino County Housing Authority, National CORE, Abode, A Community of Friends, Jamboree Housing Corporation and many others posted on HCD's *Public Lands for Affordable Housing Development* web page.[3]

[3] https://www.hcd.ca.gov/community-development/public-lands-for-affordable-housing-development.shtml

Funding Sources

Potential funding sources that may be used to preserve affordable housing include Low Income Housing Tax Credits (LIHTC), Federal CDBG and HOME funds, CalHOME and other State affordable housing programs, and the City's Housing Fund.

2021-2029 Housing Needs

California law requires local governments to facilitate and encourage the production of housing to accommodate population and employment growth. To assist in that effort, the Southern California Association of Governments (SCAG) prepares housing planning goals for each city as part of the RHNA pursuant to criteria established State law, including household growth, existing needs such as overpayment and overcrowding, proximity to transportation, replacement of housing units expected to be lost, and vacancy rates. The total housing need is distributed among income categories as shown in **Table H-9**. SCAG's detailed methodology used in preparing the RHNA is posted at https://scag.ca.gov/rhna.

Table H-9 Upland Regional Housing Needs Allocation, 2021–2029

Income Category	Definition	RHNA Allocation	
		Number of Units	Percentage
Extremely Low*	30% or less of MFI	792	14%
Very Low*	31–50% of MFI	792	14%
Low	51–80% of MFI	959	17%
Moderate	81–120% of MFI	1,013	18%
Above Moderate	above 120% of MFI	2,130	37%
Total		**5,686**	**100%**

Source: Southern California Association of Governments, 3/4/2021.
Note: Extremely-low-income units are estimated as half of the very-low-income need, pursuant to Government Code Sec. 65583(a)(1).

The City's strategy for accommodating future housing needs is discussed in Section 4.

3. CONSTRAINTS ANALYSIS

This chapter contains an analysis of potential and actual market, governmental, and environmental constraints to the production, maintenance, and improvement of housing for persons of all income levels, including persons with disabilities.

Market Constraints

In recent years, communities have seen a decline in the number of new housing units built due to a variety of factors including limited supply of buildable land, labor shortages, the rising cost of materials, and the business strategies of developers and homebuilders. This section analyzes the impact of market factors on the development of new and affordable housing. Cities have little control over many of these factors.

Development Cost

Development cost is a major constraint that affects the feasibility of building housing. Land costs include the cost of raw land and site improvements (e.g., grading and installation of infrastructure). If an existing use is on the parcel, the developer must also factor in the cost of demolition and site cleanup. Other factors affecting land cost include the decline in availability of buildable sites without major site constraints such as environmental hazards and sensitive habitat areas.

Upland is a nearly built-out community. As the remaining supply of buildable vacant land is exhausted, development will shift to underutilized properties where higher-value uses will support the additional cost of redevelopment. Based on recent property sales, the typical cost of land in Upland is estimated to be approximately $14 to $16 per square foot for single-family property and $28 to $30 per square foot for multi-family property.

Housing construction constitutes a substantial portion of construction costs. The typical cost of new housing construction can range from $150 to $200 per square foot but can be much higher for luxury homes or developments on difficult sites such as slopes.

Access to Financing

Changes in construction lending practices for housing projects have had a significant impact on the financial feasibility of new construction. In past decades, housing developers could receive construction loans for 100% or more of a project's estimated future value. Following the housing market crash of the early 1990s, financial institutions tightened regulations for approving construction loans. After the boom period of the early to mid-2000s, this cycle repeated itself during the late 2000s. Loan underwriting has grown more conservative, with higher equity requirements and smaller "phases" of large development projects.

Upland is similar to most other California communities with regard to private sector homebuyer financing programs. For those homebuyers with good credit who can qualify, interest rates are currently at historic lows, which improves housing affordability. If grant funding allows, the City also assists homebuyers in financing home purchases through low-interest loans (see Program 12 in Section 5 - Housing Plan).

Development Fees

The City of Upland, like other California communities, charges fees to cover the cost of processing development applications and also charges development impact fees to finance the construction of adequate public facilities, water and sanitation treatment, and other infrastructure needed to support new residential developments. These fees are updated periodically and are based on the City's cost in processing applications, pursuant to the requirements of State law. Development impact fees are assessed through a pro-rata share system, based on the magnitude of the project's impact. **Table H-10** shows the typical fees charged for residential developments.

The City of Upland provides a fee schedule for development impact fees. Impact fees are updated each fiscal year and were last updated on October 16, 2023. Development impact fees add to the cost of residential development; however, they can be a cost-effective mechanism for financing the new infrastructure (e.g., water, sewer, roads) required to support new development. The fees allow for the consolidation of infrastructure projects when it is more cost-effective to do so and, by law, must be linked to the actual impact of the specific project.

Table H-10 Development Fees, City of Upland

Fee Category	Fee Amount
Planning Fees	
Site Plan: Project Review	$4,680
Design Review - Administrative Determination / Minor	$800
Design Review - Architectural Plans	$1,310
Administrative Use Permit - New Development	$8,580 (Deposit)
Administrative Use Permit - Complex	$3,630
Administrative Use Permit - Minor	$810
Conditional Use Permit	$4,860
Tentative Tract Map	$8,770 plus $25 per lot
Tentative Parcel Map	$7,180
Tentative Parcel Map - SB 9 Urban Lot Split	$1,420
General Plan amendment	$ 6,340
Specific plan	$10,230
Variance – General (First Request)	$4,830
Variance – Zone Change	$6,620
Building Permit Fees	$4,911– $23,297
CEQA Review	
Environmental Exemption	$870
Negative Declaration	$3,290
Environmental Impact Report	$10,000 (Initial Deposit)

Source: City of Upland, 2023

The City of Upland imposes a number of development impact fees, including for parks, sewer connection, drainage, police, water, and general government. Typically, and in the case of Upland, fees per unit for high-density residential are lower than fees per unit for low density residential.

Table H-11 Development Impact Fees, City of Upland

Development Impact Fees (per unit)[1]	Single Family	Multi-family
General government	$993	$853
Parks	$10,700	$9,182
Water	$3,768	$2,900

Police	$902	$774
Drainage	$2,856	$2,315
City Sewer Connection	$5,978	$918
Total Impact Fees	**$25,197**	**$16,942**

Notes:
1. Based on a total development cost of $750,000 for single-family and $500,000 for multi-family

Since some fees are based on project valuation and some are charged on per unit or per square foot basis, it is difficult to generalize the total fees which apply to residential projects. Therefore, Table H-12 provides a comparison of the applicable fees for a single family development (0 - 1,500 Sq. Ft.) and a multifamily development project (73,000 sq. ft. with 87 units). These assumptions were established as an average from several recent developments (see Table B6). Fees may represent a barrier to the construction of housing as they increase the minimum cost of development for a dwelling unit and may be passed onto the purchaser or renter. However, the City's fees are not excessive and do not constitute unreasonable constraints on the production of multifamily housing.

Table H-12 Fee Comparison for Single-Family and Multifamily Development

	Single Family (1,500 sq. ft. home in new residential area)	Multifamily (87-unit multi-family complex)
Total Square Footage	1,500	73,000 (average 840 sq. ft. per unit)
Construction Cost per Square Foot	$200	$150
Total Construction Costs	$300,000	$10,950,000 ($126,000 per unit)
Land Costs (vacant land)	$56,000 (3,500 sq. ft. lot)	$1,400,000 ($16,091 per unit)
Estimated Fees per unit:		
Building	$4,911	$297 per unit
Planning	$4,680 (Site Plan: Project review only)	$13,260 (Site Plan and Administrative use Permit)
Public Works (grading, public and private improvement)	$16,432	$188 per unit
Impact Fees	$25,197	$16,942 per unit
Total Fees/Unit	**$51,220**	**$30,687**
Fees as a % of Total Costs	**12.5%**	**17.8%**
Total Costs	$407,220	$15,019,769
Development Cost per Unit	**$407,220**	**$172,778**

Notes:
1. Based on an average square footage of approved single family and multifamily development projects.

Land Use Controls

This section describes the City's land use and development regulations that affect the location, density, and types of permitted residential land uses in Upland. This section also sets the foundation for identifying sites for housing in the land inventory.

General Plan Land Use

Each city and county in California must prepare a comprehensive, long-term general plan to guide its future. The land use element of the general plan establishes the basic land uses and density of development within the

various areas of the city. Under State law, the general plan elements must be internally consistent, and zoning must be consistent with the general plan. Thus, the land use plan must provide suitable locations and densities to implement the policies of the housing element.

Upland's General Plan is the blueprint for the growth and development of the community. The General Plan was comprehensively updated in 2015 and provides six residential land use designations tailored to different locations in the city. To encourage additional housing opportunities in focused areas of the community, the General Plan Land Use Element also allows stand-alone high-density residential uses and mixed uses in two mixed-use designations—the Business/Residential Mixed-Use and Commercial/Residential Mixed-Use land use districts.

Table H-13 describes the primary General Plan land use designations allowing housing, the intensity and density of uses allowed, and primary residential uses.

Table H-13 Land Use Designations Allowing Housing

General Plan Designation	Permitted Density	Primary Residential Use Allowed
Single-Family Low	0–4 units per acre	Single-family detached units
Single-Family Medium	4–10 units per acre	Single-family detached units
Mobile Home	8–14 units per acre	Mobile home parks
Multi-Family Low	10–20 units per acre	Multi-family units (i.e., duplexes, triplexes, townhomes)
Multi-Family Medium	20–30 units per acre	Multi-family units (i.e., stacked flats, etc.)
Multi-Family High	30–40 units per acre	Multi-family attached units (i.e., stacked flats)
Business/Residential Mixed-Use	20 units max	Areas in which business and/or light industrial uses are compatible with multi-family or single-family residential
Commercial/Residential Mixed-Use	20 units max	Combination of retail, service commercial and medium-density multi-family residential

Source: City of Upland General Plan, 2021.

Specific Plans

The City of Upland has adopted several specific plans that offer a range of housing types, densities, and mix of uses. The City anticipates that much of its new residential growth will occur in these Specific Plan areas. The Specific Plans with sites identified in Appendix B to accommodate new housing needs during the planning period are summarized in **Table H-14**.

Table H-14 Specific Plans Allowing Housing

Specific Plan	Purpose
Historic Downtown Upland	The Historic Downtown Upland Specific Plan promotes the development of housing, work places, shops, entertainment, schools, parks, and civic facilities within easy walking distance. The plan encourages multi-family, single-family, second dwellings, live/work, mixed-use, senior housing, etc.
Colonies at San Antonio	Establishes a clearly recognizable mixed-use community. The specific plan is developed with 1,050 residential units, 115 acres of commercial, and 71 acres of recreational/community uses. A key feature is a 23.5-acre retention basin surrounded by a greenbelt. Only one residential site remains in the specific plan.
The Enclave	Located within the "College Heights" redevelopment area, the Enclave Specific Plan consists of approximately 19.04 gross acres along Foothill Boulevard. The Specific Plan allows up to 350 single-family attached and/or detached homes within a master planned with multiple recreation opportunities.

These specific plan areas and focus areas are discussed in Chapter 4, Housing Resources in relation to strategies for addressing the City's regional housing needs.

Residential Uses by Zone

All cities are required to facilitate and encourage a range of housing types for all economic segments of the community, as well as housing to address the needs of seniors, families, those with disabilities, farmworkers, and the homeless. Zoning districts that allow residential uses are listed below and in **Table H-15**.

- RS – Residential Single-Family Low Zones
- RS-MH – Single-Family Mobile Home
- RM – Residential Multi-Family Zones (RM-10, RM-20, RM-30)
- C/R-MU – Commercial Residential Mixed-Use
- B/R-MU – Business Residential Mixed-Use
- C/O MU – Commercial Office Mixed-Use
- C/I MU – Commercial Industrial Mixed-Use

Table H-15 Permitted Uses in Zones Allowing Residential Uses

Type of Unit	Zones Allowing Residential Uses						
	RS Zones	RS-MH	RM10 RM20 RM30	C/R MU	B/R MU	C/O MU	C/I MU
Residential							
+ Single-Family Detached	P	P			P		
+ Single-Family Attached			P	P	P		
+ Multi-Family Residential			AUP*	CUP	AUP*		CUP
+ Mobile Home Park		P					
+ Live/Work				AUP	AUP	CUP	CUP
+ Accessory Dwelling Units	P		P		P		
Special Needs							
+ Assisted Living/Convalescent			CUP	CUP	CUP	CUP	
+ Residential Care (6 or fewer)	P	P	P				
+ Residential Care (7 or more)			CUP		CUP		
+ Senior Housing			P	AUP	P	CUP	CUP
+ Single-Room Occupancy				CUP		CUP	CUP
+ Emergency Shelter			CUP	CUP	CUP	CUP	CUP
+ Supportive and Transitional Housing (6 or fewer)	P	P	P	CUP	CUP		
+ Supportive and Transitional Housing (7 or more)			CUP	CUP	CUP		

Source: Upland Zoning Code, 2021
* CUP if the density is over 15 units/acre
P = permitted
AUP = administrative use permit
CUP = conditional use permit

Single-Family Housing

Single-family housing is permitted by-right in the single-family residential zones and also the Business/Residential Mixed-Use zone. The RS-MH is intended to protect areas for mobile homes and manufactured housing.

Accessory Dwelling Units

Accessory dwelling units (ADUs) offer affordable housing opportunities for lower-income households such as seniors, caregivers, household employees and college students. The City's ADU regulations (Municipal Code Chapter 17.37) were updated in 2021 to incorporate the current provisions of State law. ADUs are allowed by-right in all residential zones and in the B/R MU zone. To ensure that City regulations continue to encourage ADU production, Program 8 in the Housing Plan includes annual review of State ADU law and amendments to City regulations as necessary.

Mobile Home Parks

Mobile and manufactured homes provide affordable housing options for many Upland families. The city presently has approximately 865 mobile homes situated in 6 mobile home parks, one of which is age-restricted for seniors and the other five parks are not restricted. Upland's mobile homes are relatively inexpensive, and most parks are fully occupied. The City implements a rent stabilization program for mobile home parks, helping to maintain the affordability for residents.

Manufactured Housing

According to the National Manufactured Home Construction and Safety Act of 1974, a manufactured home built and certified after June 15, 1976, and constructed on a permanent foundation may be located in any residential zone where a conventional single-family detached unit is permitted subject to the same restrictions on density and to the same property development regulations, provided it has received approval of the Architectural Review Board and receives a Certificate of Compatibility. The City complies with this act and permits manufactured homes constructed on a permanent foundation in all residential zones where single-family homes are permitted.

Multi-Family Housing

Multiple-family development (apartments and condominiums) are currently permitted with an administrative use permit (AUP) or conditional use permit (CUP) in the RM multi-family residential zones and B/R mixed-use zone. Multi-family development is also conditionally permitted in the C/R MU and C/I MU zones as part of a mixed-use development that provides a minimum of 0.25 floor area ratio of nonresidential development. The minimum densities in the RM and MU zones are intended to facilitate higher-density multi-family residential. RM zones do not require a minimum parcel area or maximum lot coverage. To reduce potential constraints to multi-family development, Program 7 in the Housing Plan includes a Code amendment to eliminate the administrative use permit/conditional use permit requirement for multi-family housing in multi-family zones.

In the Downtown, multi-family residential uses are permitted by right in all districts, with the exception of the Pleasant View District, which is a single-family historic neighborhood. Given that Downtown is also the commercial heart of Upland, multi-family residential is only permitted on upper floors in Old Town and the Historic Core except within the 1st Avenue Overlay of the Old Town District, where multi-family is permitted on the ground floor. Each multi-family project requires minimum lot dimensions, setbacks, floor area, and outdoor living space, and maximum lot coverage, development intensities, and height.

Mixed-Use Residential and Live-Work

Mixed-use projects combine nonresidential and residential uses on the same site. Mixed-use development can help reduce the effects of housing cost burden by increasing density and offering opportunities for reduced vehicular trips by walking, bicycling, or taking public transportation. The City has created four mixed-use zones to provide flexibility and facilitate mixed-use developments. In Downtown, mixed-use developments are permitted by-right in all districts with the exception of single-family residential-only districts. **Table H-16** summarizes allowable uses in the three mixed-use zones that allow residential use.

Table H-16 Permitted Uses in Mixed Use Zones

Zone	100% Residential?	Limitations
B/R Mixed Use	Yes	0.5 max. non-residential FAR
C/R Mixed Use	Yes (CUP)	1.0 max. non-residential FAR
C/I Mixed Use	Yes	0.25-1.0. non-residential FAR

Stand-alone residential developments are permitted in all three mixed-use zones. While the development standards in these zones allow 100% non-residential development, non-residential FAR limits create a significant financial incentive to include a residential component and fully utilize the allowable development for each site. Recent development trends within these zones in recent years have included a variety of residential projects, including a 6-unit apartment complex, a 203-unit apartment complex, a 78-unit Live-Work development, and a 37-unit residential condominium development. This development trend indicates that residential development is viable and actively sought after by developers within the mixed-use zones, as evident by the addition of 324 new housing units to the City's housing stock. Please see Appendix B for additional information regarding development trends in mixed-use zones.

A live-work unit is an integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity. Live-work is permitted with an administrative use permit in the C/R MU and B/R MU zones and conditionally permitted in the C/O MU and C/I MU zones. In the Historic Downtown Specific Plan area, live-work units are permitted by-right in five of the nine districts provided the residential portion is on the upper floors.

Single Room Occupancy

Single Room Occupancy (SRO) units are one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit, in that a studio is a one-room unit with a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other. SROs are conditionally permitted in the C/R MU, C/O MU and C/I MU zones.

Senior Housing

Senior housing is permitted by-right in the RM zone and permitted through an administrative use permit in the C/R/MU and B/R MU zones. Senior housing is also conditionally permitted in the C/O MU and C/I MU zones. In Downtown, senior housing is permitted by-right in most districts. Senior housing developments are required to provide amenities, services, and facilities to ensure the comfort, health, and recreation of elderly persons, including health and transportation services. Eligible senior housing developments can receive a density bonus pursuant to State law. In addition, reduced parking standards may be granted.

Housing for Persons with Disabilities

Persons with disabilities often require special consideration to accommodate their housing needs. City standards and procedures for addressing these needs are described below.

Residential Care Facilities

In accordance with State law, residential care facilities that serve six or fewer persons are permitted by-right in all residential zones. Larger residential care facilities and assisted living/convalescent facilities are allowed by CUP in the RM, C/R MU and B/R MU zones. Program 20 includes an amendment to the Zoning Ordinance to ensure that small residential care facilities are allowed subject to the same standards as apply to residential uses of the same type in the same zone, including mixed-use zones, and to ensure that regulations do not pose an unreasonable constraint to large residential care facilities.

Emergency Shelters and Low Barrier Navigation Centers

"Emergency shelter" means housing with minimal supportive services for the homeless, with occupancy limited to six months or less by a homeless person. The Zoning Ordinance allows emergency shelters by-right in the Light Industrial and General Industrial zones and also in the RM and MU zones with approval of a CUP. Development standards for emergency shelters include the following:

- The applicant or operator shall submit a Management and Operation Plan for the emergency shelter for review and approval by the reviewing authority in consultation with the chief of police, as part of the application review process, prior to issuance of permits. The Operation Plan shall be based on Best Practices and include, but not be limited to:
    1. A security plan;
    2. List of services;
    3. Staff training;
    4. Client transport;
    5. Ratio of staff to clients;
    6. Client eligibility and intake and check out process;
    7. Hours of operation;
    8. Refuse collection;
    9. Separation of sleeping areas and restrooms by gender and for families;
    10. Bed bug prevention;
    11. Enforcement of rules and procedures for disruptive clients; and
    12. An outreach plan.

  The Operation Plan shall remain active throughout the life of the facility. The City may inspect the facility at any time for compliance with the facility's Operation Plan and other applicable laws and standards.
- Inability to Pay. No individual or household may be denied emergency shelter because of an inability to pay.
- Separation Criteria. An emergency shelter shall not be located within 300 feet of another emergency shelter, as measured from the closest property line. An emergency shelter shall be located within ½ mile of a transit stop. Emergency shelters shall be located at least 500 feet from any child care center or kindergarten through 12th grade curriculum school, as measured from the closest property line. An

exception to this separation requirement may be granted if significant physical features act as barriers from said sensitive uses.

- Abutting Residential. When abutting a residential use or residentially-zoned property, all areas for shelter activities and uses, including, but not limited to, waiting and intake, personal storage, facility storage, and recreation, shall be located indoors.
- Occupancy. The number of beds shall be limited to 30. Any emergency shelter requesting more than 30 beds shall require a Conditional Use Permit, and shall find that:
    1. A larger shelter facility will help meet the City's goals pertaining to emergency housing of the homeless;
    2. The circumstances of the subject property make the larger facility appropriate; and
    3. Design features will minimize impacts of the surrounding area.
- Parking. One (1) vehicle parking space shall be provided per five (5) beds. A covered and secured area for bicycle parking shall be provided for use by staff and clients, commensurate with demonstrated need.
- Waiting and Intake Area. A client waiting and intake area shall be provided and contain a minimum of ten (10) square feet per bed provided at the facility. The client waiting and intake area shall be screened from the public right-of-way, and shall be sufficient in size to accommodate all persons waiting to enter the facility.
- On-Site Management. On-site management shall be provided during the hours that the emergency shelter is in operation and at least one hour prior to and one hour after operation hours.
- Support Services. Emergency shelters shall allocate sufficient areas on site, outside of any required landscape areas, to provide the following minimal support services:
    1. Food preparation and dining areas;
    2. Laundry facilities;
    3. Restrooms and showers;
    4. Areas to secure and store client belongings;
    5. Indoor and outdoor recreational facilities and/or open space; and
    6. A private area for providing referral services to assist shelter clients in entering programs aimed at obtaining permanent shelter and income. Referral services refers to the initial assessment of a homeless client to identify the areas in which assistance is needed, and connecting clients with appropriate off-site programs and services depending on their need.
- Length of Stay. The length of stay for each individual at any emergency shelter shall not exceed ninety (90) days within a twelve (12) month period, but extensions up to a total stay of six (6) months within a twelve (12) month period may be provided if no alternative housing is available; days of stay need not be consecutive.
- Lighting. Lighting shall be provided in all exterior areas, including pathways, parking areas, courtyards, rear yard areas, and spaces between structures, and shall be directed in a manner that does not cast light onto neighboring properties.
- Trash Enclosure and Loading Zone. Each facility shall have a trash enclosure and loading zone. The trash enclosure shall be completely enclosed with masonry walls not less than five (5) feet high with a solid-gated opening, and be large enough to accommodate a standard-sized trash bin adequate for use on the parcel. The trash enclosure shall be accessible to refuse collection vehicles.
- Security Plan. Security shall be provided during the hours that the emergency shelter is in operation. Security plans shall be submitted to City staff for review and approval prior to issuance of an occupancy permit. Security plans shall be resubmitted to City staff on an annual basis.

- Noise Abatement. For the purposes of noise abatement in residential zoning districts, organized outdoor activities may only be conducted between the hours of 8:00 a.m. and 10:00 p.m., and no client shall arrive to the emergency shelter after 10:00 p.m.
- Applicable Laws. The facility shall comply with all other laws, rules and regulations that apply, including Building and Fire codes. In addition, the facility is to be consistent with the Cable Airport Land Use Compatibility Plan policies and standards, particularly as it relates to protecting sensitive uses from airport related noise levels.

The Industrial Zone is a suitable location for emergency shelter facilities. The City has approximately 300 parcels zoned industrial. Approximately 25 parcels (38 acres) are significantly underutilized, and 8 parcels (23 acres) are vacant. The industrial zones are located along several public transportation routes and near the Montclair Transportation Center for convenient access. Parcels are also near commercial/professional office areas where homeless persons can access supportive services. These parcels are therefore suitable for emergency shelters.

The amount of land needed to accommodate emergency shelters depends on the number of individuals and families to be housed and the product built. Based upon the most recent homeless count of 44 unsheltered people in Upland and an emergency shelter size of 150 square feet per person, less than one acre would be sufficient to accommodate a shelter. With the potential 23 acres of industrially zoned vacant land and 38 acres of underutilized industrial land that could be adaptively reused for emergency shelters, the City has more than ample sites to accommodate the City's projected need for emergency shelters.

To ensure compliance with State law, Program 20 is included to review current development standards for emergency shelters and process a Code amendment to ensure that permit processing, development, and management standards for emergency shelters are objective and encourage and facilitate the development of, or conversion to, emergency shelters, and are subject to the same development and management standards applicable to residential or commercial development within the same zone except for those standards prescribed by Government Code section 65583 (a)(4)(A).

AB 139 (2019) revised State law regarding parking standards for emergency shelters. To ensure that City development standards and procedures continue to provide adequate sites for emergency shelters, Program 16 includes a Zoning Code amendment to revise parking requirements for emergency shelters consistent with current law.

In 2019 the State Legislature adopted AB 101 establishing requirements related to local regulation of low barrier navigation centers, which are defined as "Housing first, low-barrier, service-enriched shelters focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing." *Low Barrier* means best practices to reduce barriers to entry, and may include, but is not limited to:

(1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth
(2) Accommodation of residents' pets
(3) The storage of possessions
(4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms

Low barrier navigation centers meeting specified standards must be allowed by-right in areas zoned for mixed use and in nonresidential zones permitting multi-family uses. Chapter V includes Program 1d to address this requirement.

Transitional and Supportive Housing

California Government Code §65582(j) defines *transitional housing* as buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Supportive housing is defined as housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. *Target population* means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. "Supportive services" include, but are not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

Program 20 in the Housing Plan includes a commitment to review current City regulations regarding transitional and supportive housing and amend regulations as necessary consistent with current law.

Agricultural Employee Housing

Under the Employee Housing Act (Health and Safety Code, § 17000 et seq.) employee housing for six or fewer employees must be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone, and employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone. Program 20 is included in the Housing Plan to ensure that City regulations are consistent with these requirements.

Definition of "Family"

The Zoning Code defines *Family* as "one or more persons living together as a single housekeeping unit in a dwelling unit." There are no constraints on unrelated persons or number of persons in the definition.

Single Housekeeping Unit is defined as the functional equivalent of a traditional family, whose members are an interactive group of persons jointly occupying a single dwelling unit, including the joint use of and responsibility for common areas, and sharing household activities and responsibilities (e.g., meals, chores, household maintenance, expenses, etc.) and where, if the unit is rented, all adult residents have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises, and the makeup of the household occupying the unit is determined by the residents of the unit rather

than the landlord or property manager. This definition may cause a constraint on those living together under separate leases.

The City will remove the definition of single housekeeping unit as a part of Program 20 so that the definition of family is inclusive and compliant with all fair housing laws.

Reasonable Accommodation

State and federal fair housing law require cities to make reasonable accommodations to address the special needs of persons with disabilities when applying standards of the Municipal Code and other land use regulations to ensure equal opportunity to use and enjoy a dwelling. State and federal guidelines recommend establishing a process of reasonable accommodation to grant changes in land use, building practices, or permitting processes to allow a disabled person equal access to housing. The process should not be discretionary or achieved through a variance. Program 20 is included in the Housing Plan to establish written procedures for processing requests for reasonable accommodation.

Inclusionary Requirements

There are no inclusionary requirements in the City.

Short-term Rental Requirements

Municipal Code Chapter 17.23.1 establishes regulations for short-term rental of a dwelling unit (i.e., 30 consecutive days or less) including requirements for an administrative use permit, business license and transient occupancy registration certificate. Short-term rentals are conditionally permitted in all residential zones with the exception of RS-MH (Single Family Mobile Home).

Growth Controls

No growth controls have been adopted in Upland.

Residential Development Standards

Residential development standards are designed to promote a sustainable livable environment, with adequate space for recreation, height restrictions and setbacks to ensure privacy from adjacent homes, and minimum unit sizes to ensure adequate living areas for families. These standards are carefully devised to result in quality housing, while not placing an undue burden on residential developers to building housing in the community.

Table H-17 lists residential development standards for housing in Upland. These standards become increasingly flexible depending on the proximity to employment areas, transportation corridors, or Downtown. As shown below, more rural areas (RS zones) have the largest minimum lot sizes and lowest lot coverage standards—reflective of historical land use patterns and topography. RM zones have less restrictive lot coverage and greater building heights and density to facilitate multi-family housing. The Downtown has the smallest minimum lot sizes, greatest density, and allow the tallest buildings.

Table H-17 Residential Development Standards

Zoning District	Density (du/ac)	Maximum Building Height	Setbacks			Lot Coverage Regulations	
			Front	Side	Rear	Lot Coverage	Minimum Lot Size
RS	1 du/lot	35'	20-40'	5–10'	20'	35–50%	4,000-20,000 SF
RS-MH	8–14	16'	25'	5'	5'	60%	10 acres
RM-10	5-10	40'	20'	5'	15'	--	--
RM-20	10-20	40'	20'	5'	15'	--	--
RM-30	15-30	40'	20'	5'	15'	--	--
C/R MU	15-20	40'	5'	5–10'	10'	--	20,000 SF
B/R MU	10–20	40'	5'	5'	10'	45% for single-family	4,000 SF
C/O MU	10–20	40'	5'	5'	10'	--	20,000 SF
C/I MU	15–20	40'	5'	5'	10'	--	20,000 SF
HDU SP	0–55	30'–55'	0-25'	0-25'	0-20'	35%–100%	-
Enclave SP	12-20	45'	8-10'	3-10'	-	-	-

Source: Upland Zoning Code, 2021
Notes:
Residential development standards may different slightly in the respective specific plan areas.
Under certain circumstances (e.g., corner lot, adjacent to major highway) setbacks may be increased.

Unit Size Requirements

Upland's development standards require a minimum floor area ranging from 1,000 to 2,000 square feet for single-family homes in RS zones. Given the wide range of RS Zones (due to topography and lot sizes), the minimum floor area increases progressively with the minimum lot size. For multiple-family residential uses, the Zoning Code requires a minimum of 600 square feet for studio and one-bedroom apartments, and an additional 200 square feet for two or more bedrooms. Senior units are allowed up to a 20% reduction in minimum unit sizes.

Open Space Requirements

Given the higher densities in multiple-family housing, such projects must include a minimum of 100 square feet of private open space per unit and on average 250 square feet of common open space per residential unit. These minimum open space requirements are not considered a constraint to the development of housing; they are intended to provide a desired level of privacy and recreational opportunities for residents of multiple-family housing.

Density Standards and Density Bonus

Upland's Zoning Code provides significant flexibility in the density of residential products—reflective of the topography, location, and type of development. Multiple-family housing projects are allowed at 10 to 55 dwelling units per acre depending on location. For instance, corridor housing is typically permitted at up to 20 units per acre, stand-alone residential in a multiple-family district at up to 30 units per acre, and up to 55 units per acre in the Downtown Specific Plan. As discussed later, these density standards have been successful in facilitating ownership and rental housing at a variety of densities and affordability levels.

As required by State law (Government Code Sec. 65915 et seq.) Chapter 17.17 of the Municipal Code establishes standards and procedures for granting a density bonus or other incentives when a development provides affordable or senior housing. State density bonus law has been amended since the current City ordinance was

adopted, and Program 15 in the Housing Plan includes a provision to update the City's density bonus regulations consistent with State law.

Height Limitations

The Zoning Code allows for a range in maximum building heights tailored to different neighborhoods and housing types. For instance, lower-density residential zones with single-family homes generally allow structures of one to two stories. Multiple-family residential zones allow structures of 40 feet and accommodate three or more stories. In the Historic Downtown, where higher residential densities are desired, the Historic Downtown Upland Specific Plan allows up to 55 feet in certain areas to accommodate higher residential densities and commercial intensities. These height allowances are comparable to other communities in the Inland Empire.

Parking Standards

Adequate parking is an important component of well-designed residential development, contributing to the value of a project, the safety of residents, its appearance, and the livability of the project. Upland's residential parking regulations are intended to promote efficient land use, reduce street congestion and traffic hazards, promote vehicular and pedestrian safety, and improve the ability to secure financing for a new residential project.

Upland's residential parking requirements offer reduced standards for smaller units and in areas near high-quality transit. **Table H-18** provides a summary of parking requirements.

Table H-18 Residential Parking Standards

Types of Residential Development	Parking Requirements
Conventional Housing	
Single-Family	2 spaces within a garage
Manufactured Housing	Same as single-family units, except can be in a carport
Accessory Dwelling Units	1 space in addition to that required for a single-family unit (Unless parking is waived in accordance with State law
Duplex	2 per unit
Multiple-Family	Studio and 1-bedroom units: 1 for each unit in a garage 2-bedroom: 2 for each unit in a garage 3 or more bedrooms: 2.5 for each unit, including 2 in garage Guest parking: 3-50 units: 1 per 4 units; 51-100 units: 1 per 5 units; 100 + units: 1 per 6 units
Mobile Home Parks	2 for each mobile home (tandem parking allowed in an attached carport); plus 1 guest space for every 5 mobile homes [senior mobile-home parks are allowed parking concessions per Chapter 17.17 (Density Bonus Program)]
Senior Housing	1 space for each unit with half the spaces covered, plus 1 guest parking space for each 10 units
Boarding houses	1 per two beds

Types of Residential Development	Parking Requirements
Special Needs	
Elderly & Long-term Care	1 space for each 3 beds the facility is licensed to provide
Assisted Living	1 space for each 3 beds the facility is licensed to provide
Residential Care Facilities[1]	--Small (6 or fewer) - 2 within a garage --Large (7 or more) - 2 within a garage; plus 1 per 300 sq. ft. of office and other non-residential areas 2 spaces, plus 1 per employee onsite at any given time 2 spaces, plus 1 per employee onsite at any given time
Emergency Shelters	1 per 300 square feet of habitable floor area, or sufficient to serve the parking demand determined in a parking study
Supportive & Transitional Housing – small (6 or fewer in a dwelling unit)	2 per dwelling
Supportive & Transitional Housing – large (7 or more in a dwelling unit)	1 per 3 beds plus 1 per 300 sq. ft. of office and other non-residential areas
Single-Room Occupancy	1 space per unit plus 1 guest space for every 3 units

Source: City of Upland Zoning Code, 2021
Notes:
1. See Program 20 to modify parking requirements for small residential care facilities consistent with State law

The Upland Zoning Code sets forth flexible standards for multiple-family residential parking that vary by the location and proposed residential use (**Table H-19**). Whereas all areas of the community have the same parking space requirement for studio units, the number of required parking spaces increases gradually for one- and two-bedroom units.

Table H-19 Multiple-Family Parking Standards

Housing Characteristics	Location of Development		
	Mixed Use Districts	Historic Downtown	Outside Downtown
Type of Development Allowed	Mixed Use Projects	Residential and Mixed Uses	Residential Only
Unit Size			
Studio	1	1	1
1-bedroom	1	1	1
2-bedroom	1.5	2	2
Garage Required	None	Required	Required

Note: Guest parking is also required, which ranges between ¼ space per unit to ½ space per unit and may be uncovered.
Source: City of Upland, 2021

Recent multiple-family projects demonstrate that parking requirements have not been a significant constraint to housing production. Modifications to parking requirements are allowed in the following circumstances:

- **Density bonus projects**–reductions in parking spaces for projects that meet density bonus requirements
- **Senior housing projects**–a 50% reduction in required spaces with covered garages
- **Transit oriented districts**– a 20% reduction in parking space requirements for projects within ¼ mile of a transit station
- **Shared parking**–eligible projects can receive reductions in parking for qualifying mixed-use developments
- **Downtown Specific Plan**. This area allows developers to propose studio or one-bedroom units with only 1.0 parking space per unit and less floor area. This is also allowed for senior units.

- **Minor Variation**. The City Development Services Director has the authority to grant a minor adjustment over the counter (defined as 10% variation) to virtually every physical development standard.

Although apartments outside the Downtown and mixed-use corridors are feasible and built at current parking and garage requirement standards, there are situations where flexibility in garage requirements may be appropriate. Therefore, the Housing Incentives Program includes a statement to amend the Zoning Code to allow half covered/ uncovered spaces for studio and 1-bedroom units in projects outside the Downtown and corridors provided the project qualifies for a density bonus or is deed-restricted as affordable.

In summary, the City's residential development standards, either individually or cumulatively, have not deterred either the production of condominiums or apartments. Adequate provisions are also in place to allow modifications to the residential development standards based on the location, affordability, and type of residential project. Because of these factors, the City's Zoning Code residential development requirements are not a significant constraint to the development of housing. However, to minimize constraints on housing cost, an amendment to multi-family development standards will be processed to eliminate garage parking requirements (Program 8).

Building Codes and Enforcement

The City has adopted the current (2019) Building Codes (Title 15 of the Municipal Code) with minor modifications to address local conditions. Because of the local topography and fire hazards, all newly constructed buildings of any occupancy group when the gross floor area is equal to or exceeds 5,000 square feet are required to have automatic fire sprinklers.

The City's Building Division provides reasonable controls for construction and occupancy of buildings and structures throughout the city through the enforcement of all building-related ordinances. This division serves and protects the public with plan checking services, the issuance of permits, the keeping of building-related records, and building inspections. The division further provides information to its customers through records research, provision of informational handouts, and development consultation through all phases of a project from concept to completion.

In addition to building codes mentioned above, the City has also adopted a variety of property maintenance codes for the protection of property values and the general welfare of the community. These are in the Public Peace and Welfare Code, which addresses graffiti and unnecessary noise; the Health and Safety Code, which addresses public nuisances as well as other occupancy requirements; and the Uniform Code for the Abatement of Dangerous Buildings.

The City's Code Enforcement Division is tasked with the responsibility of protecting property values and eliminating blight through the use of the City's Municipal Code.

Offsite and Infrastructure Requirements

After the passage of Proposition 13 and its limitation on local governments' property tax revenues, local governments have faced increased difficulty in providing and financing appropriate public services and facilities to serve residents. In fact, one of the main consequences of Proposition 13 has been the shift in funding of new infrastructure from general tax revenues to development impact fees and improvement requirements on developers.

In order to ensure public health and safety, the City also requires developers to provide onsite and offsite improvements necessary to serve proposed residential projects. Requirements for on- and offsite improvements vary depending on the existing improvements, as well as the size and nature of the proposed development, but the requirements are standard and do not exceed the City's authority under State law.

In areas where existing infrastructure is not adequate, the City requires the following improvements:

- **Drainage:** Including curbs and gutters, storm drains, and culverts in accordance with acceptable standards. These requirements are standard among urban communities in California.
- **Sidewalks and trees:** Including sidewalks—of a width and quality suitable for the local neighborhood use—and parkway trees. Dimensions generally 12 feet on either side of the road, which includes 5 feet of sidewalks.
- **Streets:** Pavement of a width and quality suitable for local traffic. Specifications include 60' right-of-way for residential streets and 66' right-of-way for collectors. All other streets are already in place. Streets within PUDs and specific plans are typically narrower than the requirements for public streets.
- **Water and sewer:** Adequate domestic water supply, including the relocation or replacement of water mains, irrigation lines and appurtenances and appropriate sanitary sewer facilities and connections for each lot.

Energy Conservation

In 2006, the State Legislature adopted the Global Warming Solutions Act, which created the first comprehensive, state regulatory program to reduce GHG emissions to 80% below 1990 levels by 2050. Through both SB 375 and AB32, promoting energy conservation has become a consistent theme in regulations, green building practices, and business operations. Cities across California have become increasingly involved in promoting resource conservation to make their community more environmentally sustainable.

The City of Upland encourages resource conservation as follows.

- **Building codes**. The California Green Building Code (CALGreen) is designed to help California achieve GHG reduction goals through the planning, design, operation, construction, use, and occupancy of every new building, and to additions and alterations to nonresidential buildings. CALGreen includes mandatory provisions to reduce water use, improve indoor air quality, divert construction waste from landfills, and inspect energy systems for nonresidential buildings.

- **Neighborhood design.** Neighborhood design and site planning can reduce energy consumption. Sizing and configuring lots to maximize a building's solar orientation facilitates optimal use of passive heating and cooling techniques. Placing housing near jobs, services, and other amenities reduces energy consumption for transportation. Other design strategies with beneficial energy implications include installing broad-canopied trees for shade and clustering development to reduce auto use. The Zoning Code and Historic Downtown Specific Plan both promote sustainable development patterns to promote energy conservation.

- **Green standards**. The building industry offers programs to improve the energy efficiency and sustainability of housing. The BIA sponsors a voluntary program called Green Builder. The U.S. Green Building Council (USGBC) sponsors a building certification program called Leadership in Energy and

Environmental Design (LEED). The USGBC reviews projects for conformance based on efficiency, sustainability, materials quality, and design factors, and issues certifications based on the points achieved for sustainable practices. The Kohl's at the Colonies and the Wells Fargo building are recent projects that received LEED Silver certification.

- **Retrofits of residential buildings.** Older residential buildings built before energy conservation standards provide the greatest opportunity to make a measurable difference in energy usage. To that end, the City's Housing Improvement Program provides residential rehabilitation loans that can be used to purchase more energy-efficient upgrades to windows, insulation, and other home items. Moreover, local utility companies also offer a wide range of incentive programs to trade in energy-inefficient appliances and receive a rebate to purchase energy-efficient models.

Permitting Process

The City of Upland has the responsibility to ensure that residential developments are of lasting quality, that housing opportunities are available, and that the public health and welfare are maintained. To that end, the Upland Municipal Code establishes standard procedures for processing applications for the development, maintenance, and improvement of housing. These processes are described in the following section.

Requests to Develop at Lower Densities

The decision on what residential densities to build to are largely market-driven as private developers strive to produce the most marketable housing. The General Plan establishes minimum densities for each of the multi-family and mixed-use residential categories and development in Upland generally falls at 75% of the maximum allowable density or above. In addition, City staff and decisionmakers, increasingly aware of the need to increase housing choice within the City, encourage applicants to propose development near the upper limits of the allowable density range.

Permit Requirements by Residential Project Type

Chapters 17.43 and 17.44 of the Zoning Ordinance establish development review procedures that balance the need for efficient and timely processing, while also recognizing that the final product should reflect quality workmanship and design.

Once a development application is deemed complete, the case planner reviews the project for conformance with applicable development codes, land use regulations, architectural drawings, site design, landscaping plan, design standards, and other requirements. The City provides an application and checklist that can be used to ensure that all relevant requirements and materials are submitted to the City. This ensures a timely submittal so that the project can proceed to the next step. Project review generally requires approximately one month to complete, assuming a well-prepared application.

Permit requirements are briefly described below and in **Table H-20**.

- **Single-family residential.** Single-family dwellings are reviewed through plan check by the Development Services Director or designee. Total time to process permits for new single-family dwellings is typically 30 to 60 days. This assumes that the project is proposed in a zone that allows the use by-right and that the project meets the minimum development and site standards in the municipal code. No specific findings or public hearing is required.

- **Multiple-family residential**. Multi-family projects have three levels of review, depending on the zone in which the project is located and the associated permit required (i.e., P, AUP, CUP). Projects permitted by-right or an administrative use permit are reviewed by the Development Services Director or designee. For AUPs, the director may solicit technical expertise and/or convene staff from affected departments in the review of projects. If an AUP or CUP is required, the findings for approval are as described below. Total time to process AUP permits is typically 30 to 90 days. For multi-family projects requiring a CUP, the Development Services Director or his/her designee performs the initial screening and makes a recommendation to the Planning Commission for final action on the application. Required findings for approval are as described below. Total time to process a CUP for a new project is typically 3 to 6 months.

Although the current AUP and CUP requirements for multi-family development do not appear to have been an unreasonable constraint to development in the past, Program 8 is included in the Housing Plan to eliminate use permit requirements for conforming multi-family developments, thereby minimizing permit processing time and improving development certainty.

Table H-20 Permit Process and Time Frame for Housing Projects

Criteria	Application Review		
	Single-family	Multi-family (AUP)	Multi-family (CUP)
Application Completeness	1 month	1 month	1 month
Project Review Committee	1 month to review project design	1 month to review project design	1 month to review project design
Decision-maker Regarding Project	Development Services Director	Development Services Director	Planning Commission
Planning Commission Public Hearing	N/A unless project appealed	N/A unless project appealed	3 months
City Council Public Hearing	N/A	None unless appealed	None unless appealed
Environmental Review and Clearance	In accordance with CEQA requirements		
Plan Check	60 days	60 days	60 days
Total Time from Start to Building Permit	30–60 days	4–6 months	4-6 months (up to 9 with EIR)

Source: City of Upland, 2021

Environmental Review

Environmental clearance is required by the California Environmental Quality Act (CEQA). CEQA is quite prescriptive regarding the most appropriate form of clearance and the timelines for noticing, circulation, and public review. The vast majority of projects will qualify as infill and are exempt from CEQA, or the projects can be cleared through a Negative Declaration or Mitigated Negative Declaration. The time frames for this step vary widely and can typically take about 90 days. This step is often taken concurrent with permit processing. However, if an EIR is required, it may add six months or more to the project schedule.

Public Review

Projects that are permitted by-right or through an AUP are not required to be noticed to the public or subject to a public hearing. Projects over 15 du/ac currently require a CUP due to the possibility for unintended impacts on surrounding homes and neighborhoods require a public hearing before a decision can made. Hearings must be scheduled within 45 days of the filing of the application. Notices are mailed to affected local agencies and landowners within 300 feet of the proposed project so that the public can attend or submit comments on the proposed project. The entire process takes approximately three months unless an appeal is filed, which would add approximately 3.5 months.

Once prior stages are complete, the application for residential development moves forward to the building permit stage. The time from entitlement approval to submittal of a building permit application can vary widely depending on the type and size of the project and other issues beyond the City's control, such as project financing or real estate market factors. The process is relatively straightforward and requires filing an application, paying required fees, and commencing work. Overall, the time frame for obtaining permission to build residential projects in Upland is relatively short and therefore not considered an undue constraint for the vast majority of developers proposing projects in Upland. However, in order to minimize permit processing time and improve development certainty Program 8 is included in the Housing Plan to eliminate use permit requirements for multi-family development. **Table H-20** summarizes current time frames for project review in Upland.

Residential Design Standards and Guidelines

Section 17.04.050 of the Zoning Ordinance establishes residential design standards and guidelines for single- and multi-family developments, which provide an added level of definition for the intended character within single and multi-family developments and establish minimum criteria for achieving a high-quality design expression in site and building design while allowing reasonable flexibility in the implementation of developments in the residential zones. As part of development review plan process the City provides design feedback to applicants administratively and uses the Residential Design Guidelines as guidance during the review process. The design review process is described in detail below. The director or designee will review the project as part of the overall development review process and solicits technical advice from other departments as appropriate before making recommendations to the Planning Commission. No separate fees are charged for design review and there is no design review board or review committee. Coupled City staff receive comments from multiple departments and work with applicant to address all comments comprehensively.

Some of the more pertinent requirements are:

- **Neighborhood context.** Single- and multi-family developments shall be compatible and coordinated with adjacent properties in terms of height, massing, setback, and design character. New development shall contribute to the visual quality and cohesiveness of its setting.
- **Site design**. Single-family developments shall vary the front yard setbacks from unit to unit to avoid long repetitious development patterns. Garages shall also be set back to not dominate the front façade of the residence. For multi-family developments, buildings shall be located as close as possible to the front setback line. Where buildings are set back, enhanced landscaping shall be provided within the setback.
- **Building design**. Single-family homes shall avoid large, box-like structures by employing techniques such as recessed porches, bay windows, dormers, varying planes or setbacks, and varying roof forms. The design should minimize views of garages. For multi-family projects, building massing shall be varied through techniques such as recessed porches, bay windows, dormers, varying planes or setbacks, and varying roof forms. Large masses shall be broken down to give individuality to units to be legible as individual residences or small groups of units.
- **Architectural Style**. Building design should not be limited to any particular style, be compatible with surrounding residential development, and multi-family residential should have varied design elements.
- **Private and Outdoor living space.** In multi-family projects, private open space shall be at the same level as and immediately accessible from within the unit. Outdoor living space for the shared use of

residents should include lawns, courtyards, community gardens, roof gardens, pools, and play areas. Shared spaces should be accessible to all residents, provide seating areas, be lighted, relatively flat and usable, and designed to encourage social activity. When included, such public space should be provided where high levels of pedestrian and/or community activity can be expected.

Design Review Process

The design review process is the same for ministerial and non-ministerial projects, excepting a public hearing requirement for non-ministerial projects. The set of design review standards are the same for ministerial and non-ministerial review. A review of recent projects found that no projects have been denied on the basis of the design review guidelines. Furthermore Program 8 is included to eliminate use permit requirements for conforming multi-family developments as well as adopt a set of purely objective development standards. This will further expedite the permitting process.

Residential construction involving individual single-family homes on an existing lot, mobile homes, and two units are approved at a staff level (ministerial review). Multiple family projects with three-units or more are approved by staff with an administrative use permit, except multiple family projects that are for-sale, such as townhomes and condominiums, which require a Tentative Tract Map and must be approved by the Planning Commission. These projects require a non-ministerial level review.

All projects are evaluated relative to zoning and building code standards and receive approvals within two to four weeks of application. The City's plan check policy is to complete first submittal plan checks within 30 business days and resubmittal plan checks within 10 business days.

The City offers a "Preliminary Review" service where plans may be submitted for review and comment by all relevant City departments prior to formal application. This provides the customer with a quick due diligence process to obtain City comments and requirements. Alternatively, City staff will meet with customers and developers at their request if they want to individually speak with representatives from Planning, Building & Safety, Public Works, and Engineering to receive guidance and obtain standards for development.

The design review process below is applicable for non-ministerial projects. Residential construction involving tracts and larger multi-family projects utilize the following processing schedule.

For projects not requiring legislative actions the entitlement process can take as little as 100 calendar days (approximately) if a CEQA Initial Study is not required under the California Environmental Quality Act. Steps are:

(1) Submission of complete application,

(2) Development Review (Technical Review Committee) (40 days),

(3) Planning Commission (45 days).

During this formal application phase, the applicant submits eight (8) sets of plans, appropriate application forms and all required fees. Completeness review by Planning staff and committee review by the Technical Review Committee occurs within the first 40 days following a complete application submittal. The applicant then provides additional information and prepares plan revisions (if needed) based on the Technical Review Committee comments/corrections. Conditions of approval are prepared, and any final issues are addressed

before the project moves on to Planning Commission review. A public hearing before the Planning Commission is only required if the project includes a Tentative Tract Map.

The Planning Commission's review or public hearing, proposed projects must be included on an agenda in advance. Staff prepares and presents reports on each project. The applicant and members of the public have the opportunity to comment. As for multi-family development (3 or more attached units), the Zoning Ordinance allows projects of 15 du/ac or less to be approved by the Development Services Director with an administrative use permit. In this case, there is not a requirement for a public hearing, including for non-ministerial projects. The Development Services Director on a case-by-case basis may choose to refer any administrative use permit application to the Planning Commission for review and approval. The multi-family projects that are generally referred are those that require a CEQA Initial Study. For multiple family projects that are for-sale, such as townhomes or condominiums, a Tentative Tract Map is required and must be approved by the Planning Commission.

If the project is subject to CEQA, then an Initial Study must be prepared by the City's environmental consultant(s) and typically requires an additional 90 to 120 days including a 20-day public comment period on the environmental document (e.g., a Mitigated Negative Declaration). Consideration of the project's environmental document is part of a public hearing on the entire project and has not been a factor in inhibiting affordable housing in the past.

For non-ministerial projects (General Plan Amendment, Zone Change, Development Agreement, etc.) processing takes approximately 120 calendar days, plus any CEQA environmental review processing requirements. The steps are the same as above plus No. 4 City Council (40 days).

- Once the entitlements are granted developers prepare the final engineering and complete the final map (as well as finalized home designs), which is the same process as other communities.

- During the same time as the above final map process, the developer and his engineer and architect prepare the development plans for plan check review submittal. The plan check review timelines are mentioned in the first paragraph above.

- Note: With implementation of SB 330 provisions through at least January 1, 2025, the evaluation and approval of multifamily residential dwelling units now occur simultaneous with the individual project's DPR and/or AUP entitlement process.

The development review process is not different for residential projects included as part of a mixed-use project.

The City of Upland's permit processing times are in line and/or faster than other communities in the area. Upland's development review process does not represent a constraint that is significant, although additional staff resources would enable staff to process projects more quickly. Since 2016, the City has retained contract staff to supplement City staff to maintain efficient entitlement processing, and also makes use of contractors for planning entitlements and building & Safety plan check. Regulations to include additional environmental assessment, requirements of SB 18 and/or AB 52, and water quality management plan requirements (all federal, state, and regional requirements), etc. have added to the processing time and cost of development in all cities, not just in Upland. These additional requirements are not generally reflected in the timelines above because this information and requirements are required at time of application submittal and determination of completeness.

Developers may face delays in obtaining building permits after entitlements due to the need to create more detailed plan sets after entitlement approval. Plans for land use entitlement are often conceptual. After entitlement approval applicants will prepare detailed construction plan sets for building permit review. Those plans on average take one or more months to prepare and submit for plan check review. Most discretionary applications are generally ready to proceed to plan check within a short period of time upon Planning Commission and/or City Council review. However, the City accepts plan checks "at risk" and some developers take advantage of this option to expedite the permitting process. This process allows the developer to submit their project for plan check review prior to entitlement approval. The plan check is "at risk" as the project may be modified prior to entitlement, but the ability to initiate the plan check process early can result in developers obtaining building permits shortly after the conclusion of the entitlement and/or an appeal period.

Detailed plan sets for building permit issuance is universal across the State and Upland's implementation of the California Building Code does not result in a burden or constraint beyond that experienced in other jurisdictions. Because the City allows for conceptual plans during the entitlement process developers can reserve funds and limit risk by initiating detailed construction plans after entitlement approval. Developers who do not wish to wait and are accepting of risk are permitted to submit detailed plans at-risk to reduce time between approval and permit. Ultimately, the amount of time between approval and permit application is at the discretion of the developer and does not constitute a constraint or hinderance on meeting the RHNA.

A review of recent projects found that no projects have been denied on the basis of the design review guidelines. Furthermore Program 8 is included to eliminate use permit requirements for conforming multi-family developments as well as adopt a set of purely objective development standards. This will further expedite the permitting process.

In 2014, the City streamlined its design review process by repealing provisions requiring separate review by a Design Review Board. The director or designee will review the project as part of the overall development review process and solicits technical advice from other departments as appropriate before making recommendations to the Planning Commission. No separate fees are charged for design review as well. Coupled with user-friendly design guidelines, projects can be approved in a timely manner. Note that the set of design guidelines are the same for ministerial and non-ministerial review. A review of recent projects found that no projects have been denied on the basis of the design review guidelines. The design review process for both ministerial and non-ministerial process does not add time to the permitting process, as documented in the timelines above. The City works with applicants throughout the permitting process to ensure that design guidelines do not serve as a constraint to the development process, both in cost and time. Therefore, design review is not considered a potential constraint to residential development.

In order to minimize potential constraints, Program 8 includes a commitment to establish objective development and design standards for qualifying residential projects as well as remove the use permit requirements for conforming multi-family developments. This program will serve to expedite the permitting process for multi-family developments.

Development Plan Review

Development Plan review is required for all new construction prior to issuance of a building permit. The Development Services Director or designee is the approving authority on all development plan review applications unless the Director refers the application to the Planning Commission. No public hearing is required for Director approval.

Required findings for approval are as follows:

1. The design and layout of the proposed project will not interfere with the use and enjoyment of existing and future neighboring properties and structures.

2. The proposed architectural design makes use of appropriate materials, texture, and color, and will remain aesthetically appealing and appropriately maintained.

3. The proposed landscaping design, including color, location, size, texture, type, and coverage of plant materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.

4. The proposed design will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.

Use Permit/Administrative Use Permit

Historically, the Upland Development Code required developers of multiple-family projects to secure a conditional use permit prior to project approval. In 2015 the Development Code was reconfigured to provide more clear guidance for developers, City staff, policy makers, and residents. The Code now only requires an administrative use permit for projects with a density of 15 du/ac or less. The purpose is to provide an appropriate review of land uses and their associated operational characteristics in a particular zoning district, whose effects on a site and surroundings cannot be determined before being proposed for a specific site.

An application for an administrative use permit shall be filed and reviewed in compliance with Chapter 17.42 of the Code. The application shall include the information and materials specified in the Development Services Department handout for an administrative use permit application, together with all required application fees. It is the responsibility of the applicant to provide evidence in support of the required findings.

The Development Services Director or designee shall approve, conditionally approve, or deny administrative use permit applications upon the recommendations of technical staff. However, in certain cases, the Development Services Director or designee may choose to refer any administrative use permit application to the Planning Commission for review and final decision. Unlike most discretionary approvals, no public notice and hearing is required for an administrative use permit application.

The decision-making authority may approve an application for an administrative use permit only if the proposed project complies with applicable standards in the zoning code, other City ordinances, the General Plan, and any other applicable community or specific plans, and as supported by all of the following findings:

- The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.
- The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.
- The proposed use will not be detrimental to the public health, safety, and welfare of the persons residing or working in the neighborhood of the proposed use.

The administrative use permit is not considered to be a constraint. Indeed, prior to the update, the City conditionally permitted six apartment and condominium projects, providing nearly a thousand affordable housing units. The AUP is intended to streamline the development review process and avoid unnecessary and additional reviews of projects that meet all the applicable standards in the City's general plan and municipal codes. However, to further reduce potential constraints and improve development certainty, Program 8 is included in the Housing Plan to eliminate use permit requirements for conforming multi-family developments.

Environmental and Infrastructure Constraints

This section analyzes potential environmental conditions and infrastructure availability that could limit housing development during the 2021-2029 planning period.

Environmental Hazards

Potential environmental issues that could constrain development include wildland fire hazards, flood hazard zones and geological conditions.

- **Wildland Fire Hazards**. A small portion of the city is located within the Very High Fire Hazard Severity Zone as designated by Cal Fire (**Figure H-21**). These areas are along the City's western edge and northeast area and do not contain a substantial portion of the City's potential sites for future housing. Housing developments that may be located within fire hazard zones must comply with certain regulations designed to mitigate risk from wildland fires, which could increase development costs, although these requirements would not prevent the City from accommodating its share of regional housing needs. There are four sites that have a capacity of 216 moderate income units that fall within the Very High Fire Hazard Severity Zones as well as three pending projects, therefore, the location of the RHNA sites within the Fire Hazard Severity Zone would not preclude or impact the development of these sites.
- **Flood Hazard Zones**. Upland is located on the southerly side of the San Gabriel Mountains and small areas of the city are within washes that include designated flood hazard zones. None of the sites identified to accommodate the City's housing needs for the planning period are with these flood hazard areas.
- **Geological Conditions**. A mapped Alquist-Priolo fault zone crosses the northern portion of the city. In such areas, housing developments must comply with certain regulations designed to mitigate risk from earthquakes and other geological hazards, which could increase development costs, although these requirements would not prevent the City from accommodating its share of regional housing needs.

Water Availability

The 2015 General Plan Update EIR analyzed water needs for the entire City. That analysis concluded that water supply is projected to be sufficient to accommodate housing needs through 2035.

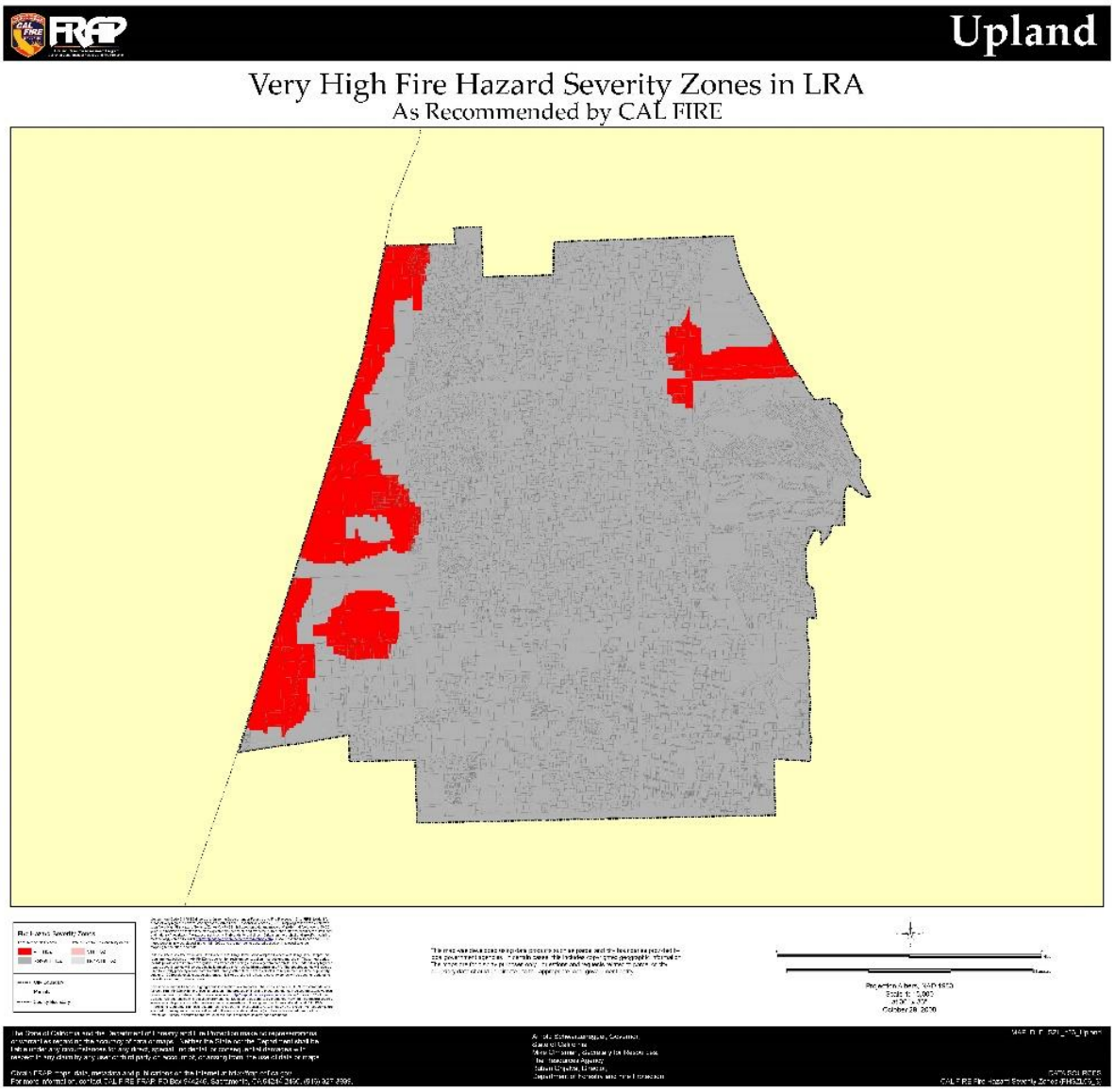
Sewer Availability

The capacity of sewer lines and treatment facilities is projected to be sufficient to accommodate the City's housing needs through 2029.

Dry Utilities

Dry utilities such as electric, telephone, cable and internet are provided by private companies and are expanded to meet demand as development occurs and are not a significant constraint to housing development during the 2021-2029 planning period.

Figure H-21 Very High Fire Hazard Severity Zone - Upland



4. HOUSING RESOURCES

This chapter describes the land, financial, and administrative resources available to assist Upland in addressing its housing needs.

Land to Accommodate New Housing Needs

To facilitate new housing production and address the community's housing needs, cities must ensure that sufficient land with appropriate zoning is available to accommodate the amount of additional housing need as determined through the Regional Housing Needs Assessment (RHNA). The City's land use plans and development regulations are discussed in Section 3 – Constraints. A detailed analysis of how the RHNA allocation for the 2021-2029 planning period can be accommodated is provided in Appendix B, including a parcel-specific inventory of potential housing sites.

Financial and Administrative Resources

Upland has access to local, state, and federal financial administrative resources to fund the construction, improvement, and maintenance of housing or the administration of programs. Some of the primary funding sources and organizations are described below.

Financial Resources

Financial resources to provide housing assistance are summarized below.

- **Community development block grants.** CDBG is the largest federal housing-related program for affordable housing. Cities with populations of over 50,000 receive CDBG funds directly from HUD, while smaller cities usually use County-administered CDBG funds. HUD makes allocations based on a formula that takes population, poverty, and housing distress into account. CDBG funds are used for eligible activities aimed at reducing costs for private development (helping fund site acquisition, improvement, and other soft costs); housing acquisition and rehabilitation through short and long-term loans, grants or loan guarantees; direct payment of rent or mortgage and housing counseling services; and fair housing activities. Upland receives $675,000 annually in CDBG funds.

- **State and Federal HOME.** HOME is a formula-based grant that must be spent for the acquisition, construction, and rehabilitation of affordable rental and home ownership. HOME requires local governments to provide matching funds, though the matching ratio depends on the specific uses to which HOME funds are to be put. Upland does not qualify for entitlement HOME funds but rather applies to the State HCD for them. In addition, the City also periodically applies to the state for CalHome funds to support its affordable housing programs. The City uses State HOME and CalHome program income funds to support its First Time Homebuyers and HOME Improvement Programs. Before Upland can apply for additional HOME dollars, staff must expend the $1.25 million of program income the City has on hand. CalHome funds for these programs are no longer available from the State. However, the City has $550,000 of reuse funds available for the same programs.

- **Rental housing choice vouchers (formerly Section 8).** The federal housing choice voucher program is rental assistance provided to lower income households that allows a household to afford to rent a unit. The voucher amount equals the difference between what a household can afford to pay (up to 30% of monthly

income) and the fair market rent. The vouchers are typically granted to individuals who can use the voucher at any apartment project where the property owner accepts the voucher. Although this long-standing federal assistance program is not expected to increase in size, it remains an important affordable housing program. The housing choice voucher program in Upland is administered by the Housing Authority of San Bernardino County, which receives approximately $6.2 million annually to administer the housing voucher program.

- **Tax exempt multi-family revenue bonds**. The construction, acquisition, and rehabilitation of multi-family rental housing developments can be funded by tax exempt bonds which provide a lower interest rate than is available through conventional financing. Projects financed through these bonds are required to set aside 20% of the units for occupancy by very-low-income households or 40% of the units to be set aside for households at 60% of the area median income. Tax exempt bonds for multi-family housing may also be issued to refinance existing tax-exempt debts, which are referred to as a refunding bond issue. The City has several bond-funded affordable housing projects in the community.

- **Housing fund**. Upland owns three multiple-family housing projects funded through mortgage revenue bonds and former redevelopment funds. Due to the low cost of bond refinancing completed in 2007, these apartment projects provide net positive revenues after all operating and long-term expenses on the apartment projects are paid. These projects include Sunset Ridge, Village Apartments, and Magnolia Colony, which provide approximately $2.4 million net annually. The funding is used to support monitoring, implementation and preservation of existing affordable housing units. Although these projects provide a sizable amount for operating the City's housing programs, the long-term viability of this source is uncertain.

- **Enforceable obligations**. The City of Upland historically set aside $1.26 million in redevelopment tax increment financing to provide funding for the Coy D. Estes senior project. Upon dissolution of the Redevelopment Agency, the City petitioned that these funds should be deemed to be an enforceable obligation. The Department of Finance concurred, and the RDA tax increment funds were granted for this project. It is important to note that these are one-time funds and cannot be used for purposes other than the Coy D. Estes project. Upon the use of funds, the City will not have additional redevelopment tax increment funds that can be used to fund the development of new affordable housing.

Administrative Resources

The following agencies and organizations assist the City of Upland in implementing a variety of housing programs and activities.

- **Upland Development Services**. The Development Services Department facilitates the orderly physical and economic development of the City. Following closure of RDA, the department assumed their responsibilities. The Development Services Department administers advance planning, current planning, building permitting, and building inspection programs in compliance with local, state, and federal requirements. The Building Division provides reasonable controls for construction, occupancy, and maintenance of buildings and structures throughout the community. The department also implements programs that promote economic and housing development projects, emphasizing those that produce jobs, build infrastructure, expand the City's tax base, and/or provide housing.

- **Nonprofit Housing Developers**. The City of Upland works with nonprofit partners to assist in administering programs or furthering housing goals. The City has partnered with Upland Community Housing to develop 72 affordable assisted living units for the elderly in Downtown and to develop the 131-

unit Coy D. Estes Senior Apartments project. The City works with the Foothill Family Shelter to provide emergency shelter, transitional housing, and services to homeless residents. The City also assisted the shelter with the acquisition and rehabilitation of 44 units of permanent affordable housing in the Magnolia Colony project. Nonprofit affordable housing developers are a key asset for any community.

- **San Bernardino County Housing Authority.** The San Bernardino County Housing Authority is responsible for management of a public housing development of 97 units and administration of the City's rental assistance program (Section 8 Housing Choice Vouchers). This program encompasses more than 619 housing choice vouchers at an annual value of $6.2 million. The housing authority also manages the Public Housing Modernization Program. Coupled with the City's publicly assisted multiple-family projects, these two efforts are the largest providers of affordable housing for residents. Given the demise of redevelopment, many cities are considering options for enhancing cooperation with housing authorities for implementing or managing affordable housing programs for residents.

5. HOUSING PLAN

This chapter describes the goals, policies, programs and objectives to address the City's housing needs for the 2021-2029 planning period. The Plan addresses the issues of new housing production, rehabilitation, conservation, and assistance for current and future Upland residents.

Goals and Policies

The three goals around which the Housing Plan is organized are:

- **Goal 1: Upland's Neighborhoods.** Strong and healthy neighborhoods with well-maintained housing, ample public services, open space, and infrastructure that provide a quality place to live.
- **Goal 2: Upland's Housing Supply.** A diverse supply of housing that is designed, built, and located in a manner that is consistent with the City's land use, zoning, circulation, and open space goals.
- **Goal 3: Housing Assistance.** Opportunities for lower- and moderate- income residents and households with special needs to rent, purchase, or maintain adequate housing in the community.

Issue #1: Housing and Neighborhood Quality

Upland residents are drawn to the community for its quality housing and the unique character of neighborhoods. Upland offers a blend of neighborhoods, ranging from traditional to more urban living experiences. Whether it is the hillside ambience of northern Upland, traditional neighborhoods of central Upland, or a more historic neighborhood setting in the Historic Downtown area, each neighborhood offers a unique lifestyle for residents. Strengthening and creating quality neighborhoods while preserving and promoting community character are essential priorities for the community. The following goal and policies further the livability of Upland's neighborhoods.

Goal HE-1	Strong and healthy neighborhoods with well-maintained housing, ample public services, open space, and infrastructure that provide a quality place to live.

Policy HE-1.1 **Housing Quality.** Promote the repair, improvement, and rehabilitation of single-family housing, multiple-family housing, and mobile homes to enhance the quality of life and improve and maintain property values.

Policy HE-1.2 **Historic Character.** Support the maintenance and preservation of the City's historic districts, historic homes, buffers, and other neighborhood features of local significance that lend identity to the community.

Policy HE-1.3 **Neighborhood Improvement**. Encourage maintenance, and upgrading of neighborhoods through property maintenance codes, graffiti abatement, high quality infill housing, and replacement of deteriorated infrastructure.

Policy HE-1.4 **Neighborhood Amenities.** Maintain a variety of distinctive amenities in Upland (landscape, trees, urban design, parks, etc.) that provide and enhance the beauty, identity, and form of the City's districts and residential neighborhoods.

Policy HE-1.5 **Neighborhood Preservation**. Maintain lower-density residential designations in established low-density residential areas, unless conversion to another use is encouraged by the General Plan land use plan and policies.

Issue #2: Housing Opportunities

Upland is committed to addressing the housing needs of its residents and meeting its State-mandated responsibilities. Addressing these needs requires a multifaceted strategy. Housing needs and preferences differ for families, young and working-age adults, college students, seniors, and other groups. Therefore, the City's housing strategy includes facilitating a wide range of quality housing products—including single-family homes, townhomes, apartments, and mixed-use residential developments where appropriate.

The City is strategically accommodating growth to address several objectives. These include preserving residential neighborhoods, supporting economic development, and managing traffic and safety concerns. Adopted specific plans propose residential and mixed-use developments while incentives are in place to revitalize corridors and other neighborhood areas of Upland. The following goal and policies further these objectives.

Goal HE-2 A diverse supply of housing that is designed, built, and located in a manner that is consistent with land use, zoning, circulation, and open space goals of the City.

Policy HE-2.1 **Housing Growth**. Direct new housing growth into strategic locations that strengthen the City's economy, maximize existing and planned infrastructure, and foster the use and development of transit and multimodal transportation. These areas include Historic Downtown, Foothill Boulevard, Southeast Quadrant, and College Heights.

Policy HE-2.2 **Housing Diversity:** Provide high-quality housing in a range of types, densities, and unit sizes that meet the housing needs of residents of all income levels and household types. This includes single- and multiple-family housing, senior developments, mixed-use projects, and transit-oriented developments.

Policy HE-2.3 **Housing Design**. Require adherence to design standards with respect to site planning, materials and colors, building treatments, landscaping, open space, parking, and environmentally sustainable design practices that adhere to standards set in general plan and design guidelines.

Policy HE-2.4: **Housing Incentives**. Facilitate the development of a mix of prices, types, and affordability of housing products through the implementation of flexible standards, efficient permitting process, and other assistance.

Policy HE-2.5: **Natural Environment**. In meeting housing needs, preserve important natural features of Upland's environment, including hillsides and viewsheds, historic resources, habitat, landscaped amenities, and other distinctive features.

Issue #3: Housing Assistance

Upland residents exhibit a diversity of housing needs. Some Upland residents wish to purchase a new home, while others may wish to downsize to housing that is age-appropriate, such as senior housing. Younger residents may be seeking their first independent apartment. Within its resource limitations, Upland seeks to improve the

ability of residents to secure and maintain adequate housing. The following goal and policies serve as a guide in providing housing assistance.

Goal HE-3 Opportunities for lower- and moderate-income residents and households with special needs to rent, purchase, or maintain adequate housing in the community.

Policy HE-3.1 **Rental Assistance.** Continue to support the San Bernardino County Housing Authority's efforts to provide rental assistance for individuals and families earning lower incomes and the modernization and maintenance of existing affordable housing.

Policy HE-3.2 **Homebuyer Assistance.** Support and increase opportunities for residents and Upland employees to achieve homeownership through the provision of financial or regulatory assistance where feasible.

Policy HE-3.3 **Special Needs.** Address the special housing needs of seniors, families with children, disabled people, homeless people, and others with special needs through proactive strategies aimed at housing production and assistance.

Policy HE-3.4 **Collaborative Partners.** Work collaboratively with nonprofit, for-profit, and faith-based organizations in the community to address the housing and supportive services of residents and those with special housing needs.

Policy HE-3.5 **Affordable Housing Preservation.** Support the maintenance, rehabilitation, and continued long-term preservation of publicly subsidized rental housing affordable to lower-income and special needs households.

Policy HE-3.6 **Mobile Homes.** Preserve the long-term affordability, condition, quality, and viability of mobile home parks in the community through rent stabilization and proactive maintenance and repair of units.

Policy HE-3.7 **Fair Housing.** Promote equal and fair housing opportunities for residents from all walks of life to allow for adequate choice to purchase or rent a home or live in a neighborhood that is best suited to their individual needs.

Housing Programs

Programs for Housing and Neighborhood Quality

Program 1. Code Enforcement

The Code Enforcement program is intended to ensure compliance with municipal codes to maintain the value and safety of property and structures. The program addresses hazardous vegetation, substandard buildings, accumulation of debris and vehicles, yard sales, graffiti, stormwater drainage, green pools, construction without a permit, land use violations, and various other health and safety codes. The City's code enforcement officers work with residents and the business community to remedy code violations in a timely manner. The code enforcement program also includes graffiti removal. This program is essential to maintaining and improving the safety, livability, and value of properties in the City of Upland.

Objective(s):

- Continue to implement code enforcement activities throughout the planning period to ensure full compliance with City ordinances. Inspect up to 4,300 units annually.
- Develop abatement process by October 2024 for buildings where the property owner does not remedy substandard housing conditions; utilize the Administrative Citations Ordinance to obtain code compliance.
- Refer property owners to assistance programs (e.g., Program 2)

Responsible Agency: City Housing Division
Funding Source(s): CDBG Funds; General Funds
Time Frame: Ongoing

Program 2. HOME Improvement

The HOME Improvement Program provides loans of up to $90,000 to lower income households for repair work to single-family owner-occupied homes. Funds must be used to correct code deficiencies in the structure. Eligible improvements include electrical, plumbing, kitchen and bathroom improvements, furnace and hot water heater replacement, home painting, structural upgrading, roofing, foundation and drainage improvements, disabled access, windows, doors and frames, rodent and pest extermination and repairs, fence improvements, and energy conservation. Loans are deferred at 0% or 3% interest and are due upon sale or transfer of property, 30 years or no longer occupied as a primary residence, whichever is less. The City will promote the availability of the HOME Improvement Program through the City website, word of mouth and articles in City newsletter on a yearly basis.

Objective(s):

- Provide up to 4 HIP loans annually to qualified low- and moderate-income (1 VL, 3 Low) homeowners earning less than 80% of CMFI.

- Annual outreach to developers

Responsible Agency: City Housing Division
Funding Source(s): CalHome; HOME; Housing Rent Revenues
Time Frame: Ongoing; annual promotion in the City newsletter
Geographic Target: At least 50% of assistance to households south of Foothill Boulevard.

Program 3. Emergency Repairs for Homeowners

The Emergency Repairs Program for Upland Homeowners Program provides a grant of up to $10,000 for emergency repairs. The grant is eligible for very-low-income homeowners of single-family homes, condominiums, and mobile homes. The grant can be increased to $12,000 for homeowners wishing to provide a dollar-for-dollar match above the $4,000 emergency grant limit. Qualifying home repairs include structural, mechanical, plumbing, electrical, and code violations, as well as weather-proofing, installation of low-flow toilets and smoke detectors, HVAC repairs, and accessibility improvements. This program works in tandem with the code enforcement program where income qualified homeowners who have housing units with code violations can be referred to seek grants to make necessary repairs. The City will promote the availability of the HOME Improvement Program through the City website, word of mouth and articles in City newsletter on a yearly basis.

Objective(s):

- Provide grants to up to 25 (VL) qualified homeowners annually to address emergency repairs; disseminate information to property owners; and seek additional funding for the program to ensure its long-term viability. Geographic target of 50% of assistance south of Foothill Boulevard.

- Annual outreach to developers

Responsible Agency: City Housing Division
Funding Source(s): CDBG Funds; Housing Rent Revenues
Time Frame: Ongoing and Annual Basis
Geographic Target: At least 50% of assistance to households south of Foothill Boulevard.

Program 4. Rental Acquisition and Rehabilitation

The Rental Acquisition and Rehabilitation Program (RARP) is designed to assist lower income tenants (whose combined family income does not exceed 80% of the County median income) by providing Upland landlords with loans to acquire multi-family units and rehabilitate their multi-family properties. The program offers zero interest deferred loans of up to $30,000 per dwelling unit for rehabilitation expenses. Eligible improvements include structural, roofing, insulation, plumbing, electrical, lead paint abatement, accessibility improvements, foundation work, habitability, health and safety, etc. Code violations take precedent. The minimum affordability covenant may be 5, 10, 15 and up to 55 years depending on the project, the loan amount, and the funding source used for the rehabilitation loan. The City will reach out to existing RARP participants annually to extend loans and affordability provisions to the extent funding is available.

Objective(s):

- Continue to provide RARP grants to up to 4 units annually to address properties with substantial rehabilitation or maintenance needs. Geographic target of 50% of assistance south of Foothill Boulevard.

- Work to pursue and purchase properties defaulting on local taxes to remove substandard housing.

Responsible Agency: City Housing Division
Funding Source(s): Home Funds; Housing Rent Revenues
Time Frame: Ongoing and Annual Basis
Geographic Target: At least 50% of assistance to households south of Foothill Boulevard.

Program 5. Multi-Family Rental Rehabilitation Program

The Multi-Family Rental Rehabilitation Program (MFRRP) is designed to assist low to moderate income (LMI) tenants (i.e., tenant's whose combined family income does not exceed 80% of the County median adjusted by family size, as promulgated by the U. S. Department of Housing and Urban Development [HUD]) by providing Upland landlords of multi-family apartments (8-units or less) with grants to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. Energy improvements will include energy star rated dual-pane vinyl windows, attic insulation, cool roofs, HVAC improvements, LED lighting, low-flow toilets and water fixtures. The amount available for rehabilitation financed under this Program will be $25,000 and will be dependent on a 50% match contribution from the property owner. As such, for every one-dollar ($1.00) of grant funds provided by the City, the property owner will be required to make a fifty-cent ($0.50) match used towards making other living condition improvements to the units.

Objective(s):

- Provide up to 5 grants annually to qualified multiple family rental properties.
- Increase affordable housing stock by requiring affordable covenants to be recorded on each property receiving the grant.

Responsible Agency: City Housing Division
Funding Source(s): Housing Fund balance, and Housing rental revenues
Geographic Target: At least 65% of funds to areas south of Foothill Boulevard
Time Frame: Ongoing and Annual Basis

Programs to Improve Housing Opportunities

Program 6. Adequate Sites to Accommodate Regional Housing Needs

The sites analysis presented in Appendix B indicates that relatively little vacant land suitable for residential development remains in Upland; therefore, most future residential development – especially higher-density housing to facilitate affordable housing – will occur on properties that have previously been used for non-residential purposes but are now underutilized and ripe for residential redevelopment.

The Regional Housing Needs Assessment (RHNA) for the 2021-2029 planning period assigned Upland a new housing need of 5,686 units, of which 2,543 (45%) are in the lower-income categories. To address the current shortfall in capacity for potential housing development the City will process zoning amendments to fully accommodate the City's remaining housing need. Rezoned sites will comply with the requirements of Government Code §65583.2(h) and (i).

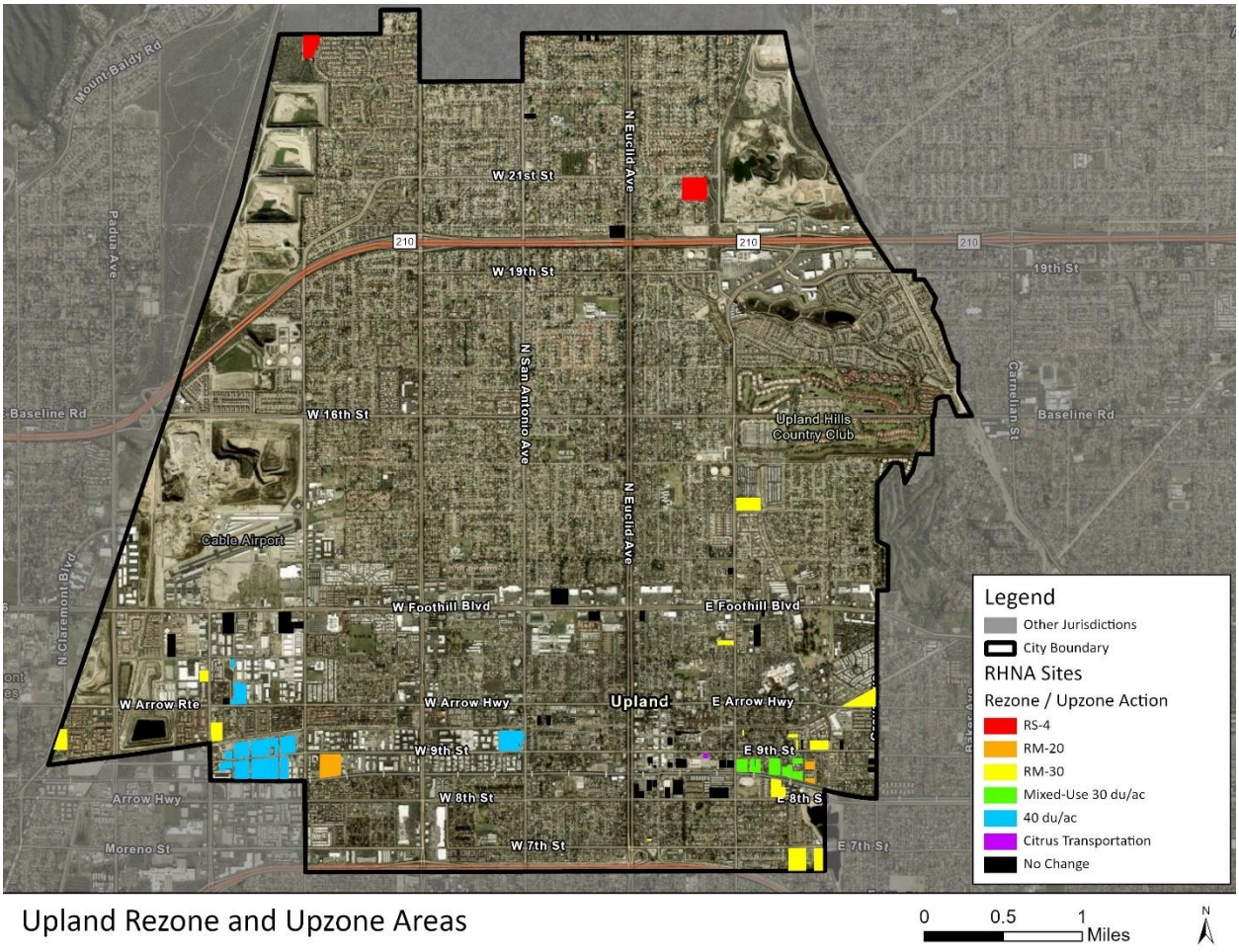
• Permit owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower income households. By-right means local government review must not require a CUP, planned unit development permit, or other discretionary review or approval.
• Accommodate a minimum of 16 units per site;
• Require a minimum density of 20 units per acre; and
• At least 50 percent of the lower-income need must be accommodated on sites designated for residential use only or on sites zoned for mixed uses that accommodate all of the very low and low-income housing need, if those sites:
    o Allow 100 percent residential use, and
    o Require residential use occupy 50 percent of the total floor area of a mixed-use project.

The rezone program will consist of the following, as shown in Figure H-22:

- Rezone or upzone 132 parcels totaling 63.8 acres to allow residential uses from 20 to 40 du/acre (including parcels to be in the Transit Overlay Zone) (projected for 544 very low, 376 low, 414 moderate, and 385 above moderate, totaling 1,719 units).
- Rezone one 0.48 acre-parcel to the Citrus Transportation District, allowing up to 55 du/acre (projected for 11 moderate and 10 above moderate units, totaling 21 units).
- Rezone or upzone 42 parcels totaling 12.21 acres to allow mixed-use residential up to 30 du/acre (projected for 46 very low, 30 low, 64 moderate, and 49 above moderate units, totaling 189 units).

- Rezone or upzone 8 parcels totaling 10.66 acres to RM-20 (projected for 163 very low, 109 low, 18 moderate, and 16 above moderate units, totaling 306 units).
- Rezone or upzone 60 parcels totaling 41.14 acres to RM-30, allowing residential densities from 20-30 du/acre (projected for 487 very low, 327 low, 131 moderate, and 116 above moderate, totaling 1,061 units).
- Rezone two parcels totaling 15.5 acres to RS-4, allowing densities up to 10 units per acre (projected for 85 moderate and 84 above moderate units, totaling 169 units).

Figure H-22 Rezone and Upzone Areas



To address AFFH goals (see Appendix C) and improve access to a diverse array of housing opportunities for all Upland residents including members of protected classes, the City will seek to expand affordable rental housing opportunities north of Foothill Boulevard by encouraging multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed-use and flexible residential uses are allowed. (see also Program 23)

Reused Sites: The adequate sites rezoning program will include a provision that on any non-vacant sites identified in Appendix B that were listed in a previous Housing Element sites inventory, or vacant sites that were listed in two previous consecutive inventories, residential development will be allowed by-right when a

housing project provides at least 20 percent of the units affordable to lower-income households in compliance with Government Code Sec. 65583.2(c),

Replacement Policy: Development on any site listed in Appendix B that proposes to demolish existing housing units shall be subject to a policy requiring the replacement of affordable units as a condition of any development on the site pursuant to Government Code Sec. 65583.2(g)(3). RHNA sites with existing residential uses will be subject to a replacement housing policy. The replacement housing policy will comply with all provisions of Government Code section 65915, subdivision (c) (3).

To facilitate housing development, zoning regulations, development standards and fees will continue to be posted on the City website and updated annually, and the City will establish written procedures for streamlined review consistent with Government Code Section 65913.4 (SB 35) by December 2024.

The City will continue to facilitate development and monitor approvals of all pending projects that are used to meet the RHNA. Currently, City staff coordinates with applicants, supports and assists with funding applications, and expedites approvals of projects as possible. The City will continue to provide technical assistance to ensure that projects counted towards the RHNA are built during the planning period. The City will monitor the status of these projects, including units and income levels.

The City will conduct a mid-cycle review of units built and capacity to meet the RHNA in 2026. If the entitled projects are not anticipated to be completed during the 6th Cycle at this time, the City will identify additional sites and/or programs, such as upzoning or rezoning of additional parcels, to adequately meet the RHNA. The City will identify sites or initiate any necessary programs within six months of the identified net loss.

City-Owned Sites:

There are 18 City-owned parcels in the sites inventory with a projected capacity 96 lower and moderate income units. They are all public parking lots. The City will declare these sites surplus with the intent to develop housing. The sites will be developed in compliance with the Surplus Land Act. The City will issue a request for proposal after the development of a downtown parking garage. The City will outreach with developers by Q3 2025 for the development of the site. To ensure the development of the sites, the City will monitor developer interest and status of the development of the parking garage as well as incentivize the development of the sites, once they are declared surplus. Actions to develop the sites may include, but are not limited to priority processing, flexibility in development standards, and financial assistance as possible.

The parking structure design will be approved in the first quarter of 2025. Construction will be completed toward the end of 2026. Development of the 18 parcels in the RHNA inventory will follow.

Objectives:

- Process amendments to the General Plan and zoning regulations to make adequate sites available to accommodate the City's RHNA allocation for the 2021-2029 planning period. The following outlines the rezone program:
- Rezone or upzone 132 parcels totaling 63.8 acres to allow residential uses from 20 to 40 du/acre (including parcels to be in the Transit Overlay Zone) (projected for 544 very low, 376 low, 414 moderate, and 385 above moderate, totaling 1,719 units).

- Rezone one 0.48 acre-parcel to the Citrus Transportation District, allowing up to 55 du/acre (projected for 11 moderate and 10 above moderate units, totaling 21 units).

- Rezone or upzone 42 parcels totaling 12.21 acres to allow mixed-use residential up to 30 du/acre (projected for 46 very low, 30 low, 64 moderate, and 49 above moderate units, totaling 189 units)
- Rezone or upzone 8 parcels totaling 10.66 acres to RM-20 (projected for 163 very low, 109 low, 18 moderate, and 16 above moderate units, totaling 306 units).
- Rezone or upzone 60 parcels totaling 41.14 acres to RM-30, allowing residential densities from 20-30 du/acre (projected for 487 very low, 327 low, 131 moderate, and 116 above moderate, totaling 1,061 units).
- Rezone two parcels totaling 15.5 acres to RS-4, allowing densities up to 10 units per acre (projected for 85 moderate and 84 above moderate units, totaling 169 units).
- Seek to expand affordable rental housing opportunities north of Foothill Boulevard by encouraging multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed-use and flexible residential uses are currently allowed and will be allowed through rezoning.
- Post zoning, development standards and fees on the City website annually throughout the planning period
- Establish procedures for streamlined permit review by October 2024
- Monitor progress annually through Annual Progress Reports
- No net loss of units below the RHNA.
- Development of 96 units on 18 city-owned parking lots within the planning period.

Responsible Agency: City Planning Division
Funding Source(s): State grants; General Fund
Time Frame(s): General Plan and zoning amendments by Q2 2025 begin zoning process in May 2024, CEQA process 2024, hearings in early 2025; annual progress reports and website updates. Mid-cycle review by Q2 2026. Completion of 96 units on 18 city-owned parking lots by end of planning period, reach out to developers by Q3 2025.

Program 7. Specific Plans

Upland has developed specific plans to guide development of key areas in the community according to smart growth principles. These include the creation and restoration of diverse, walkable, compact, vibrant, mixed-use communities composed of the same program components as conventional development, but assembled in a more integrated fashion. These contain housing, workplaces, shops, entertainment, schools, parks, and civic facilities essential to the daily lives of the residents, all within easy walking distance. The intent is to design complete neighborhoods that are coherent, visually attractive, and integrated. Specific plans with remaining development capacity include the Enclave, Villa Serena and Sycamore Hills.

The Historic Downtown Upland Specific Plan was adopted in 2012. This specific plan covers the City's historic core and contains a transit station, civic center, parks, schools, housing, and commercial uses. The specific plan denotes nine districts, each with a defined purpose and mix of land uses. To facilitate the production of multiple-family housing, especially affordable housing, the Plan allows for more than 1,000 new housing units, with multiple-family and mixed uses allowed by-right at densities of up to 55 units per acre. The City is working with developers to build affordable senior housing, townhomes, and mixed-use projects. The City will outreach annually to developers, including affordable housing developers, to advertise and discuss opportunities for housing development in the City, including in specific plan areas. This could be done through a roundtable,

virtual meetings, or other outreach efforts. The City will continue to manage the implementation of this plan, which includes strategies and priorities to increase housing opportunities within the district.

Objective(s):

- Continue to implement specific plans throughout the planning period to facilitate the development of high-quality infill residential development in Upland.
- Process amendments needed to encourage the production of housing for all income levels, in particular for lower- and moderate-income households concurrent with zoning amendments described in Program 6.

Responsible Agency: City Planning Division
Funding Source(s): General Funds
Time Frame(s): Ongoing implementation of plan. Track developments as applications are received. Outreach to developers annually.

Program 8. Reduce Potential Constraints to Housing Development

Housing cost is affected by the time required for review and approval as well as the perception of development approval certainty. While the development review process in Upland is not considered to create unreasonable constraints to new housing, the City will process an amendment to the Zoning Ordinance to eliminate use permit (AUP or CUP) requirements on residential development and establish objective development and design standards for projects that are eligible for ministerial review. In addition, the garage requirement will be eliminated for multi-family development.

Objective(s):

- Reduce the time and cost of development
- Process a Code amendment by December 2024.

Responsible Agency: City Planning Division
Funding Source(s): General Funds
Time Frame(s): Code amendment by December 2024

Program 9. Accessory Dwelling Units

The Upland Municipal Code allows accessory dwelling units (ADUs) in all residential zones. ADUs provide additional income for the homeowner, while also providing affordable housing opportunities for family members, students, caretakers, seniors, and other individuals seeking housing in Upland. The City has seen significant increase of ADU development in recent years, and is currently averaging 45 ADUs per year.

In 2021 the City received approval for a State SB 2 grant to prepare an ADU Assessment, Workbook and Website. Encouraging the development of ADUs is one of several ways to increase housing production in the City. This activity will include conducting an assessment that will be looking at ADU capacity within the City, preparation of pre-approved ADU plans to reduce the cost to property owners. This activity will provide sample floor plans, useful videos, a list of local regulations, and a cost calculator to assist homeowners in developing ADUs for low-income households. These tools will encourage and assist in developing ADUs in Upland.

Additionally, the City participated in an ADU Education Workshop in December 2023 held by Chaffey Federal Credit Union. This workshop provided information on financing options for ADUs including Home Equity Line of Credit and Reverse Mortgages Line of Credit as well as answered questions on the process of building

an ADU in Upland. As a part of outreach to encourage ADUs, the City will actively continue participation in education events with local credit unions and other partners working to develop ADUs in the area. The City will participate in at least one such outreach, workshop or ADU educational event annually.

To ensure that City regulations remain consistent with State laws, the City will review ADU regulations each year and process Code amendments as necessary to incorporate any changes. The City will continue to monitor the extent of ADU production to ensure that the ordinance is being successful and that the Housing Element goals and RHNA production can be met.

If annual production and affordability rates do not match the estimates included in the Housing Element, the City will update the ADU strategy to ensure that the City continues to maintain adequate capacity for all income levels. In the event of an ADU shortfall that results in a net loss of units below the RHNA, the City will adopt another ADU program such as adopting fee waivers, seek state grant funding to incentivize ADU production to reimburse pre-development costs, additional promotion of ADU opportunities through outreach such as surveys and workshops, or will identify additional sites within six months of the identified shortfall.

Objective(s):

- Encourage ADU production through preparation of an ADU assessment, workbook and website with pre-approved plans. The efforts are intended to help encourage ADU construction and affordability.
- Review State ADU law annually and process amendments to local regulations as necessary to ensure conformance with current law.
- Track the number of ADUs produced annually by type and residential covenants issued during the planning period. The City will review ADU production annually and if permits fall short of projections, additional incentives and strategies will be identified to further encourage ADU construction within six months.
- Development of 45 ADUs annually, with a geographic target of 50% of ADUs in north Upland.
- Continue outreach with local credit unions and ADU partners, with participation in at least one outreach event annually.

Responsible Agency: City Planning Division
Funding Source(s): General Funds
Geographic Target: At least 50% of affordable ADUs north of Foothill Boulevard
Time Frame: Code amendment by December 2024 and as necessary thereafter on an annual basis. Review of ADU production annually and additional incentives adopted within six months of any identified shortfall.

Program 10. Water Priority System

The City Public Works Department, San Antonio Water Company, West End Consolidated Water Company, and MWD provide water to Upland residents. The Inland Empire Utilities Agency (IEUA) provides sewer services. Senate Bill 1087 (2005) requires all local governments to transmit a copy of the Housing Element to water and sewer service providers that serve their community. It also requires water and sewer providers to have a policy that gives priority for service allocations to proposed projects with housing units affordable to lower-income households if a shortfall in supply occurs. Because the City is a majority owner in two water utilities (except for MWD), the City will actively encourage these entities to draft and adopt a water priority system. The City will also notify IEUA of their responsibility under state law upon adoption of the Housing Element.

Objective(s):

- Notify water and sewer providers of requirements for a water and sewer priority system by December 2022.

Responsible Agency: Public Works Department
Funding Source(s): General Funds
Time Frame: December 2022 and Ongoing

Program 11. Neighborhood Improvements

Having adequate public facilities is essential for a complete community. These services provide a high quality of life for residents and workforce, improve property values, and increase City revenues that are available to fund and expand City services. This includes the improvement and maintenance of libraries, sewer system, school services, drainage and water system, police and fire, parks and recreational facilities, private recreation facilities required for new residential development, and other services. The City prepares a capital improvement program on an annual basis to identify and prioritize the improvements needed. Certain services are tied more directly to specific plan areas, others to private developments, and others to the entire community. The City of Upland will review neighborhood improvement needs on an annual basis and continue to make such infrastructure and service improvements that further the vision of the City Council through the annual budget process.

Objective(s):

- Continue monitoring, planning, and programming for public improvements that serve the community on an annual basis.

Responsible Agency: City Planning Division, Public Works
Funding Source(s): General Funds, Measure I, CDBG
Time Frame: Annual review and budgeting

Programs for Housing Assistance

Program 12. Homeownership Assistance

The Housing Division provides low-interest FTHB loans, as funds are available, to help individuals and families who wish to purchase a home, but are unable to qualify and/or do not have the necessary down payment. This program is designed to help persons who would not otherwise achieve the American dream of owning their own home. A program loan is a silent second mortgage; a 0% to 3% simple interest loan (interest free after 20 years) with all payments deferred until the first occurrence of sale, refinancing, full payment of the first mortgage, or 30 years. As of 2021, the maximum assistance is 30% of the purchase price and the home price cannot exceed $669,750. Because the program is dependent on State HOME funding, and due to loss of RDA funds, it is necessary to seek additional grants to continue and expand the program.

Objective(s):

- Continue to provide up to 2 FTHB loans annually to qualified low-income homebuyers and advertise program availability.
- Annually evaluate the City's funding capacity and as needed, pursue additional HOME/CalHOME funds from HCD.

Responsible Agency: City Housing Division
Funding Source(s): HOME, CalHOME, and Housing rental revenues
Time Frame: Ongoing and Annual Basis

Program 13. Rental Housing Assistance

The Housing Authority of San Bernardino County is responsible for implementing the Section 8 rental assistance program. Under this program, the Housing Authority extends rental subsidies to very-low-income households who spend more than 30% of their gross income on housing. Rental assistance not only addresses housing affordability but also overcrowding, by allowing families that "double up" to afford their own unit. The San Bernardino County Housing Authority is also responsible for managing public housing in Upland, the public housing modernization program, and partnering with the City on various affordable housing programs and outreach.

Objective(s):

- Continue to participate in the federal housing choice voucher program and family self-sufficiency program.

Responsible Agency: San Bernardino County Housing Authority
Funding Source(s): HUD housing choice vouchers
Time Frame: Ongoing

Program 14. Acquisition of Existing Units for Affordable Housing

The Housing Division oversees the management of 255 City-owned dwelling units which are generally contained within three apartment complexes: Magnolia Colony, Sunset Ridge and The Village. A majority of the 255 units are designated for up to Low-Income households. Magnolia Colony was constructed in 1960 and consists of thirty-seven (37) fourplexes on individual lots. The City owns eighteen (18) of the fourplexes which were purchased in the early 2000's with Low- and Moderate-Income Housing Funds (LMIHF) and are restricted to up to Low-Income households. Seven (7) of the fourplexes are owned by a private non-profit which provides transitional housing and eleven (11) are individually owned by private parties and are market rate properties. This program entails the City to proactively acquire the remaining eleven (11) fourplexes to add to the City's affordable housing portfolio. The City is currently in escrow on one of the eleven (11) fourplexes.

Objective(s):

- Pursue the acquisition of the remaining eleven (11) privately-owned fourplexes in Magnolia Colony and covenant for affordable housing up to the Low-Income level. Acquire at least one fourplex every two years.
- Annually evaluate the City's Housing Fund for funding capacity and pursue additional grant opportunities to augment the financial capacity to purchase the remaining eleven (11) fourplexes at Magnolia Colony.

Responsible Agency: City Housing Division
Funding Source(s): Housing Fund balance, Housing rental revenues, and Affordable Housing Grants
Geographic Target: Existing fourplexes in Magnolia Colony, Sunset Ridge, and The Village
Time Frame: Ongoing and Annual Basis, as fourplexes are available for purchase

Program 15. Housing Incentives

Upland implements a toolkit of incentives to facilitate the construction of affordable and market rate housing. These include a density bonus ordinance, a minor modification and variance process, lot consolidation efforts, etc. Lot consolidation is encouraged when developers initially approach the City with preliminary applications and will be facilitated through expedited processing and fee waivers when affordable units are provided. The density bonus ordinance (Municipal Code Chapter 17.17) allows the development of additional units and the provision of regulatory/financial incentives for projects providing affordable units. Both the minor modification and variance processes facilitate infill development. Financial assistance may also be provided subject to availability.

The current lot consolidation process consists of completing the Lot Merger application. The application is a simple, ministerial process and consists of submitting four sets of plans, two copies of the legal description of the lots, two copies of the title report, and a notarized letter from the lender and property owner, if applicable.

The City will provide a number of incentives for the consolidation of small lots including:

- Expedite processing of lot consolidation so that it is completed within 30 days.
- Provide fee waivers for lot consolidation projects that have affordable units or housing for special needs households.
- Proactive outreach to developers and applicants regarding opportunities for lot consolidation. The City will outreach to developers on an annual basis regarding opportunities for development in the City.
- Assisting developers in identification of parcels with lot consolidation potential.
- Provide technical assistance with the lot consolidation process.
- Continue to utilize a ministerial process for lot mergers.

Objective(s):

- Update the Density Bonus Ordinance by October 2025
- Continue to permit and encourage density bonuses, lot consolidations, and other means to build market-rate and affordable housing. Advertise the availability of incentives at the planning public counter and through the development review process.
- Facilitation of development on small lots.

Responsible Agency: City Planning Division
Funding Source(s): General Funds
Time Frame: Code amendment by October 2022; Ongoing; Outreach to developers annually.

Program 16. Mobile Home Rent Stabilization

The City's Mobile Home Rent Ordinance is intended to protect occupants of from unreasonable rent increases while still recognizing the need for park owners to receive a reasonable return on investment and increase rents at a rate sufficient for covering the costs of repairs, maintenance, insurance, upkeep, and amenities. Under the Mobile Home Rent Ordinance, the annual rent increase is indexed to the consumer price index. The Ordinance covers six mobile home parks: Mountain View Estates, Oasis Mobile Estates, Upland Cascade, Upland Eldorado, Upland Meadows Mobile Estates, and Upland View Terrace. The City had been looking to update the Rent Review ordinance , but due to pending court cases regarding the constitutionality of Rent Stabilization

laws, the process was placed on hold pending the outcome from the courts. Staff has been given the go ahead to begin implementing the existing ordinance and review the ordinance for any updates to current State laws.

Objective(s):

- Continue to enforce the Mobile Home Rent Ordinance to preserve mobile home affordability throughout the planning period consistent with State law.

Responsible Agency: City Housing Division
Funding Sources: General funds
Geographic Target: Mobile Home Parks
Time Frame: Ordinance review and updates by Q2 2026; Ongoing

Program 17. Affordable Housing at Risk of Conversion to Market Rate

The City periodically monitors its affordable housing projects to determine properties at risk of conversion. A total of 176 lower-income rental units are at risk of conversion by 2031. In 2022 and each year thereafter City staff will contact property owners to discuss options for extending affordability covenants for units at risk of conversion and will also notify qualified entities if a project is proposed for conversion. Notification will incorporate State preservation notice law (Government Code section 65863,10, 65863.11, and 65863.13) to inform the property owners of their responsibilities to tenants beginning three years before the property's potential conversion to market-rate.

Objective(s):

- Monitor publicly assisted low-income rental units at risk of conversion; support efforts to preserve the units through grants, tax credits, bonds, and transfer of ownership to entities willing to keep the units affordable.
- Inform tenants and property owners of their rights and responsibilities to provide adequate notice and other procedures if an affordable project is proposed for conversion to market rate housing.

Responsible Agency: City Housing Division
Funding Source(s): General Fund, Housing Rent Revenue Fund
Time Frame: Annual review and outreach

Program 18. Homeless Services and Facilities

The City of Upland seeks to proactively address the needs of the homeless population by encouraging production of emergency shelters, transitional housing, supportive housing, and single-room-occupancy units. Transitional housing and supportive housing must be permitted 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 (Gov. Code, § 65583(a)(5)). In 2018 AB 2162 amended State law to require that supportive housing also be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed housing development meets specified criteria. Regulations and management standards for emergency shelters must be objective and encourage and facilitate the development of, or conversion to, emergency shelters, and are subject to the same development and management standards applicable to residential or commercial development within the same zone except for those standards prescribed by Government Code section 65583 (a)(4)(A). Key development standards that would be revised include separation/distance requirements, parking requirements, waiting and intake area requirements, and operational requirements. AB 139 (2019) modified the allowable parking standards for emergency shelters. AB 101 (2019) added the requirement that *low barrier navigation centers* meeting specified

standards be allowed by-right in areas zoned for mixed use and in non-residential zones permitting multi-family uses pursuant to Government Code §65660 et seq. The City will review current development standards for these facilities and process a Code amendment to ensure that regulations regarding emergency shelters, transitional housing, supportive housing and low barrier navigation centers are consistent with State law.

Objective(s):

- Amend City regulations regarding emergency shelters, transitional housing, supportive housing and low barrier navigation centers consistent with State law.

Responsible Agency: Development Services Department,
Funding Sources: General Fund, Housing Rent Revenue Fund
Time Frame: Code amendment by December 2025

Program 19. Administrative Capacity

The dissolution of redevelopment agencies and loss of funding has required many cities to look for ways to activate the nonprofit sector and seek to collaborate and leverage resources to address community needs. The City has many active nonprofit organizations to address local needs. As the City continues to realign resources, augmenting its administrative capacity is a key concern. The City will leverage available resources through annual outreach and coordination with local non-profit organizations to maximize the benefits to lower-income households and persons with special needs.

Objective(s):

Utilize faith-based organizations, other non-profits, San Bernardino County Housing Authority, County, and other stakeholders and create a network of community and mainstream resources. The City will develop and implement a Homeless Services Plan that addresses:

- Community Outreach, Engagement, and Education Initiatives
- Treatment and Permanent Supportive Housing Initiatives
- Housing First/Rapid Re-housing Initiatives
- Chronic Homelessness
- Enforcement

Responsible Agency: Police Department
Funding Sources: General Fund, PLHA, CDBG and Housing Fund
Time Frame: Annual outreach and coordination with local non-profit organizations

Program 20. Housing for People with Disabilities or other Special Needs

The City of Upland encourages the provision of housing to serve the needs of persons with disabilities or other special needs, including residential care facilities, senior housing, transitional housing and supportive housing, and employee housing. The City will monitor changes to State law and process amendments to the Municipal Code annually as necessary to ensure that City regulations are consistent with State requirements. The City of Upland also has many organizations that serve persons with disabilities, including those with developmental disabilities. This includes OPARC Center, Easter Seals Development Center, Salem Christian Homes, and other organizations.

Objective(s):

- Monitor changes in State law and process amendments annually to the Municipal Code as necessary to ensure that City regulations are consistent with State requirements. Support agencies in seeking funding, as available, for the provision of housing and services for people with disabilities, including developmental disabilities. Reach out to potential developers or service agencies as part of the annual Action Plan solicitation for CDBG.
- Create reasonable accommodation process and procedure by December 2025 to allow flexibility in land use, building, and development standards to accommodate people with disabilities.
- Amend use standards and parking regulations for small residential care facilities by December 2025 to be the same as for other residential uses of the same type in the same zone consistent with State law.
- Review and amend regulations and parking standards for large (7+) residential care facilities by December 2023 to replace or modify the CUP requirement to provide greater objectivity and development certainty for residential care facilities serving 7 or more persons in all residential zones.
- Remove the definition of "single housekeeping unit".
- Amend regulations for employee housing consistent with the Employee Housing Act by December 2023.
- Assist in the development of housing for persons with special needs, including 792 extremely-low-income households, throughout the planning period through priority processing, granting fee waivers or deferrals, modified development standards, concessions and incentives for housing developments that include units affordable to extremely-low-income households; assisting and supporting funding applications; and annual outreach and coordination with affordable housing developers.

Responsible Agency: City Housing Division; Development Services Department
Funding Sources: General fund
Time Frame: Code amendments by December 2025; Annual monitoring, outreach and coordination

Program 21. Affirmatively Furthering Fair Housing

Upland implements programs to promote fair housing opportunities for all persons, regardless of protected status. As an entitlement jurisdiction, Upland prepares an Analysis of Impediments to Fair Housing Choice (AI) to periodically identify constraints or obstacles to fair housing opportunity. The City also contracts with the Inland Fair Housing and Mediation Board (IHFMB) to provide fair housing services that affirmatively further fair housing. Services include landlord and tenant education, community outreach and advocacy, and enforcement of fair housing laws. IFHMB also implements the policies and recommendations, where applicable, articulated in Upland's AI.

Objective(s):

- Promote fair housing practices through contract with IFHMB. Comply with all State and federal fair housing requirements when implementing housing programs or delivering housing-related services.
- Continue to prepare the Analysis of Impediments to Fair Housing Choice as required under federal law; implement the recommendations to improve fair housing as contained therein.
- Monitor residential and commercial developments that may impact ridership potential for expanded fixed route service north of the 210 Freeway and if any new developments in this area have the potential to generate ridership, the City will share this information with Omnitrans for consideration in future transit planning.

- To foster development of a balanced community that provides access to a diverse array of housing opportunities for all Upland residents including members of protected classes, the City will seek to expand affordable rental housing opportunities north of Foothill Boulevard by encouraging multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed use and flexible residential uses are currently allowable. (see also Program 7)
- Encourage continuing stakeholder involvement in local housing issues through ongoing, proactive outreach to engage members of all socio-economic groups and recruit members of underrepresented groups to participate in City meetings.

Responsible Agency: City and Inland Fair Housing and Mediation Board
Funding Sources: CDBG Funds
Time Frame: Ongoing and Annual Basis

Program 22. Housing Outreach and Information

The City shall provide information about housing assistance, fair housing, housing resources, and housing programs through a wide variety of outreach methods.

Objective(s):

- Disseminate fair housing outreach materials at the library, website, and counter so that residents and landlords are aware of their rights, responsibilities, and opportunities for resolving fair housing concerns. **Provide information to 100 households annually.**
- The Upland Development Services Department and IFHMB will continue providing educational opportunities for property owners, property managers, and residents in Upland concerning the law as it pertains to reasonable accommodations and reasonable modifications. The City will contract with IFHMB to provide two workshops per year in the City, with one workshop per year serving as a general introduction to fair housing laws and possible discrimination, and one workshop each year being specifically focused on housing issues faced by persons with disabilities and the reasonable accommodation and modification processes.
- The City will also contract with IFHMB at least once during the planning period to fund matched pair testing in Upland to address issues of possible discrimination based on disability as well as race, familial status, national origin, disability and other protected categories.

Responsible Agency: City and Inland Fair Housing and Mediation Board
Funding Sources: General fund
Time Frame: Ongoing and Annual Basis. Two workshops per year. Matched pair testing once in the planning period.

Program 23. Housing Mobility

The City will strive to increase opportunities and promote housing mobility, specifically, the City will strive to improve housing mobility and options north of Foothill Boulevard. To promote housing mobility in relatively higher income and lower density areas, the City will employ a variety of strategies to achieve the development of 150 units (such as ADUs, JADUs, and SB 9 units) throughout the entirety of the planning period.

The City will create and implement an ADU Bonus Program. The City amend its zoning ordinance to allow one additional ADU, beyond state law, on lots in the RS-10, RS-15, and RS-20 zones with a single family home that are larger than 15,000 square feet. The program will allow additional one additional ADU on eligible single-

family lots given that the bonus ADUs are deed restricted as affordable to lower-income households for a certain, shortened period of time (ex. 10 years). The program is applicable to an estimated 1,940 lots.

Objective(s):

- **ADU Bonus Program:** Increase affordable housing opportunity north of Foothill Boulevard through allowing more than one ADU per lot on eligible single-family parcels. Goal of at least 50% of ADUs developed in north Upland. Creation of 20 bonus, affordable ADUs annually once program is in place.
- Encourage multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed use and flexible residential uses are currently allowable. (see Programs 5 and 6). Use of Specific Plans can incentivize higher density housing in these areas.
- Develop of ADUs (Program 9). Development of 45 ADUs annually, with a geographic target of 50% of ADUs in north Upland
- Rezone to allow additional housing opportunities throughout the City, including an assumed 273 lower-income units north of Foothill (Program 6)
- Increase Housing Choice Voucher use in north Upland

As part of these efforts, the City will conduct a mid-cycle evaluation in 2026 to review the effectiveness of the above strategies and consider additional programs as necessary, including but not limited to higher density opportunities on religious, institutional and quasi-institutional lands, missing middle zoning in addition to SB 9 such as adaptive reuse, acquiring and adding affordability to existing structures, and upzoning.

Responsible Agency:	City Housing Division; Development Services Department
Funding Sources:	General fund, CDBG Funds
Time Frame:	Ongoing and Annual Basis. Creation of Bonus ADU program by Q1 2025. Promotion of ADU program in 2025 and beyond. Mid-cycle review in 2026.
Geographic Target:	Comparatively higher income and resource areas of the City, including the RCAA area in northern Upland.

Program 24. Place-Based Improvements in South Upland

Develop and continue programs and strategies to create place-based improvements through investments in the public right of way. The City will continue to prioritize CDBG funding in south Upland, communities south of Foothill Boulevard, and low-resource areas of the City as well as annually work with the City Council to prioritize other funding sources in these areas. This will serve to continue to improve communities through neighborhood improvements such as enhanced streetscapes, multi-modal and active transportation, pedestrian safety improvements, safe routes to schools, community facilities, park improvements, and other community amenities.

Objective(s):

- Business Attraction Assistance Program (BAAP). This program provides up to $75,000 via a forgivable loan to sales tax producing businesses in locate in Downtown Upland in exchange for creating full time equivalent jobs for low to moderate income persons. Since its inception, the program has provided 15 business loans, ranging from $25,000 to $75,000.
- Historic Downtown Revitalization Program (Commercial Rehabilitation Program, CRP). This program provides a grant to businesses located in downtown Upland of up to $30,000 for eligible façade improvements and an additional $15,000 for mitigation of asbestos or lead-based paint hazards. The

City has provided 15 grants through this program. Eligible improvements include ADA entry improvements, exterior lighting, doors and windows, façade reconfiguration, and signage.

- Capital Improvements in south Upland. The City will continue to complete Capital Improvement Projects in south Upland. Recent and ongoing projects south of Foothill include
    - ARPA Alley Rehabilitation Phase I ($465,490, 50% of project south of Foothill)
    - Civic Center Paving and ADA Improvements ($247,626)Pavement maintenance on Euclid Ave ($436,749, 60% of project south of Foothill)
    - Street and Alley Program from 2018-2020, ($732,414)
    - Complete rehabilitation (street, sidewalk, curb, gutter, ADA, pedestrian improvements, water and sewer infrastructure) of Arrow Highway ($11,490,592).
- Multiple Family Rental Rehabilitation Program (Program 5) provides targeted funding to improve affordable existing affordable housing stock, including a target of 50% of funding going to properties south of Foothill.
- The City will continue to seek grant funding for improving and encouraging redevelopment in south Upland.

Responsible Agency:	City Housing Division; Development Services Department
Funding Sources:	General fund, CDBG Funds, CIP, Housing Fund balance, Housing rental revenues
Time Frame:	BAAP and CRP are ongoing. CIP projects per CIP schedule. Seek grant funding annually or as available.
Geographic Target:	Southern Upland, and areas with comparatively lower income and resources.

Quantified Objectives

Subject to availability of funding, **Table H-21** summarizes the City's quantified objectives for the 2021-2029 planning period.

Table H-21 Housing Element Quantified Objectives

Housing Program Area	Households Assisted by Income Level				
	Ext. Low	Very Low	Low	Moderate	Above Mod
New Construction[1]	792	792	959	1,013	2,130
Housing Rehabilitation[2]	50	100	89	-	N/A
Housing Preservation[3]	-	-	176	-	N/A
Rental Assistance[4]	416	165	29	N/A	N/A
Homebuyer Assistance[5]	-	-	10	-	N/A
Mobile Home Rent Stabilization[6]	806				N/A
Code Enforcement Case Resolution[7]	20,000				N/A

Source: City of Upland, 2021.

Note: Quantified objectives dependent on continued funding.

[1] Housing construction goals refer to the provision of sites to address the 2021–2029 RHNA allocation.

[2] Housing rehabilitation goals include the Housing Improvement, Emergency Repairs for Homeowners, and Rental Acquisition and Rehabilitation programs.

[3] Housing preservation goals refer to the preservation of publicly subsidized units at risk of conversion to market rate.

[4] Rental assistance goals refers to the annual number of housing choice vouchers issued by the San Bernardino County Housing Authority.

[5] Homeownership goals refer to the City's homeownership assistance program.

[6] Mobile home rent stabilization goals refer to all units under the program, regardless of income level.

[7] Code enforcement refers to units inspected citywide and in focus areas.

Appendix A Evaluation of the Prior Housing Element

Section 65588(a) of the Government Code requires that jurisdictions evaluate the effectiveness of the previous Housing Element; the appropriateness of goals, objectives, and policies; and the progress in implementing programs for the previous planning period.

Table A1 summarizes the City's accomplishments in implementing the programs for the previous planning period. In addition, a cumulative evaluation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female headed households, farmworkers and persons experiencing homelessness) is described below.

The City of Upland implemented various programs as part of its previous cycle of the Housing Element in an effort to maintain its existing housing stock, conserve and improve existing affordable housing, increase housing production, provide assistance to households in need, create equal opportunity to housing, and comply with State law and code amendments.

A number of the City's programs addressed the housing needs of special needs populations during the previous cycle. Special needs populations include seniors, large families, single-parent households, people who are homeless, and people with disabilities. The City addressed the housing needs of special populations through the following programs:

- The Emergency Repair Program (ERP) - provides a grant for emergency repairs to single-family homes, condominiums, and mobile homes of very-low-income families. The grant is available to income eligible homeowners who live within Upland's city limits. Funding for this program is provided by Community Development Block Grant (CDBG) and/or local City funds and grants up to $ 15,000 are available for emergency repairs and/or code violations corrections on a first come, first served basis subject to type of emergency and annual appropriation caps.
- First Time Home Buyer Program – The Housing Division of the Development Services Department provides low-interest loans for First Time Home Buyers (FTHB) through HOME and Cal HOME funds. When funds are available, this program helps individuals and families to purchase a home if they are unable to qualify and/or raise the necessary down payment without financial assistance. This program is designed to help persons who would not otherwise achieve the American Dream of owning their own home. Loan are structured as a second mortgage at 3% simple interest- with all payments deferred until the first occurrence of sale, refinancing, or full payment of the first mortgage.
- The Home Improvement Program is funded by HOME and CalHOME funds and provides 30-year deferred, zero or 3% interest loan up to $90,000 for qualifying repairs. This program targets lower-income homeowners who cannot secure conventional funding for repairs.
- Affordable Housing – There are currently 10 affordable rental housing complexes in the City that offer a total of 732 affordable units at the following sites: Coy D. Estes Senior Housing, Los Olivos Housing Authority of the County of San Bernardino, The Village Apartments, Sunset Ridge Apartments, Magnolia Colony Apartments, Northwoods Apartments, Arbor Park Apartments, Alpine Woods, Mountain Springs Apartments and Ninth Street Terrace Apartments.

- Families and Individuals in Need of Emergency Shelter / Homelessness – The City of Upland is actively engaged in supporting residents experiencing homelessness by providing direct Outreach Services through the U-HOPE program implemented by the Upland Police Department. Homelessness occurs for a variety of reasons and requires different resources and services for each homeless individual, serving the needs of this population is complex. The City aims to provide a system that coordinates and focuses resources to those most in need and least able to advocate for themselves. People experiencing homelessness in Upland can be connected to Emergency Shelters, Substance Abuse Programs, and the County Coordinated Entry System (2-1-1). Available services include clothing, food, childcare, health care, government resources, transportation, local libraries and afterschool programs, donation information and volunteer information. Service locations include the following:

Abundant Living Family Church
Hours: Tuesday & Thursday, 4 p.m.-7 p.m. Saturday 10 a.m.-1 p.m.
9269 Uticia Ave. #125 Rancho Cucamonga, CA 91730
(909) 987-7110

Citylink—Food Bank Only
Hours: Tuesday and Thursdays 2: p.m. - 6 p.m.
16779 Spring St. Fontana, CA
(909) 803-1059

Foothill Family Shelter
Hours: Tuesday-Friday, 9:00a.m.-5 p.m.
1501 W. 9th Street, Ste D Upland, CA 91786
(909) 920-0453

St. Joseph's Church—Food Bank His Hands Ministry (Upland only)
Hours: Monday-Thursday, 9 a.m.-11 a.m. Saturday 7:00 a.m. - 2 p.m.
937 N. Campus Ave. Upland, CA 91786
(909) 981-8110

Salvation Army
Hours: Monday-Friday, 9 a.m.-10:30 a.m.
412 S. Euclid Ave., #408 Ontario, CA 91762
Food Bank (909) 986-6748 Shelter (909) 888-4880

GAP—Food Bank
Thursdays only 4 p.m. - 6 p.m.
8768 Helms Ave Rancho Cucamonga, CA 91730
(909) 945-1020

Para Los Niños
Family Services Hours: Tuesday-Friday, 9 a.m.-1 p.m.
1205 N. Baker Ave
Ontario, CA 91764
(213) 413-1466

Inland Valley Hope Partners
Hours: Monday-Thursday, 8:00 a.m.-6 p.m.
1753 Park Avenue.
Ontario, CA 91762
(909) 622-3806

Table A1. Program Accomplishments, 2013–2021 Housing Element

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
Code Enforcement	Ensure compliance with municipal codes and maintain value and safety of property and structures.	Ongoing	The City has continued to provide code enforcement services. This program is successful and should be continued. Modify to include clear objectives on number of inspected units per year and timeframe for the abatement process.	Program 1
Home Improvement	Provide Home Improvement loans to qualified low and moderate income homeowners earning less than the 80% Area median Income.	Ongoing	Due to the decrease of the State after rehabilitation value limits to $285,000 and the long-awaited approval to increase said value limits, staff has struggled to provide assistance to any potential qualified applicants. This program should be continued. Modify to include clear objectives on number of HIP loans provided per year.	Program 2
Emergency Repair Program	Provide grants to qualified homeowners to address emergency repairs.	Ongoing	This program continued to provide grants to qualified homeowners to address emergency repairs. During 2014-2020 92 households were assisted through the Emergency Repair Program. This program helps to avoid deterioration and should be continued. Modify to include clear objectives on number of grants provided for homeowners per year.	Program 3
Rental Acquisition and Rehabilitation	Continue to provide grants to address properties with substantial rehabilitation or maintenance needs.	Ongoing	No units were assisted during 2014-2020 due to dissolution of the Redevelopment Agency. This program helps to avoid deterioration and should be continued if funding is available. Modify to include clear objectives on number of RARP grants provided per year.	Program 4
Historic Preservation	Continue to support the preservation of historic properties through a variety of planning, zoning, rehabilitation, and other incentives.	Discontinued	The Historic Home Rehabilitation Program has been defunded, however, if there is an opportunity to preserve a Historic Home for affordability purposes, the city will assist in that activity.	N/A
Five Star Rental Recognition	The objective is to continue this program and disseminate information to landlords to encourage their participation in the Five Star Rental Recognition Program.	Discontinued	This program was discontinued in 2016.	N/A
Specific Plans	Continue to implement remaining specific plans to facilitate the development of high quality infill residential development in Upland.	Ongoing	The City continued to implement the remaining specific plans in order to facilitate the development of high quality infill residential development in Upland. This program is an important strategy for effective land use planning and should be continued. Modify to include clear objectives to process specific plan amendments to encourage the production of housing for all income levels, in particular for lower- and	Program 7

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
			moderate-income households concurrent with zoning amendments described in Program 6.	
Historic Downtown Specific Plan	Continue to implement the Historic Downtown Specific Plan to facilitate the development of high quality infill residential development in Upland.	Ongoing	The City continued to implement the Downtown specific plan. This program is an important strategy for effective land use planning and should be continued. Modify to include clear objectives to facilitate the production of multi-family housing at 55 units per acre in the Historic Downtown Specific Plan.	Program 7
Secondary Units	The City will continue to support the production of second units and guest quarters that meet the requirements in the municipal code.	Ongoing	The City continued to support the production of accessory units and in 2021 the ADU Ordinance was updated consistent with State law. This program is an important component of the City's overall housing strategy and should be continued. Modify to include clear objectives on number of ADUs developed per year.	Program 9
Green Valley Initiative	Participate in the Green Valley Initiative's regional meetings and outreach efforts to promote a healthy economic and environmental future. Continue implementation of the City's other green initiatives, including waste management, water conservation and use, and CalGreen programs.	Ongoing	The City continued to participate in this collaborative effort. As of 2021 the City participates in 4 open PACE programs. This program supports energy conservation and should be continued.	N/A
Water Priority System	Encourage water and sewer providers to have a water and sewer priority system in place in compliance with state housing law.	Ongoing	The City actively participated in the establishment of a water and sewer priority system. This program supports infrastructure for new housing and should be continued. Modify to include clear objectives on program time frame.	Program 10
Neighborhood Improvements	Continue monitoring, planning, and programming for public improvements that serve the community.	Ongoing	The City continued to make such infrastructure and service improvements to further the vision of the City Council. This program supports infrastructure for new housing and should be continued.	Program 11
Homeownership Assistance	Continue to provide up to 2 FTHB loans annually to qualified low income homeowners and advertise program availability. Annually evaluate the City's funding capacity and as needed pursue additional HOME / CAL HOME funds.	Ongoing	During 2014-2020 there were 2 FTHB loans granted. This program supports home ownership for low-income households and should be continued. Modify to include clear objectives on number of FTHB loans provided per year as well as a commitment to evaluate the City's funding capacity annually.	Program 12
Rental Housing Assistance	Continue to participate in the federal	Ongoing	According to the Housing Authority of the County of San	Program 12

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
	housing choice voucher program and family self-sufficiency program allocating.		Bernardino, the Upland Housing Authority served vouchers to 619 families. This program supports rental housing affordability and should be continued. Modify to include clear objectives on the time frame and continuance of program.	
Housing Incentives	Continue to permit and encourage density bonuses, lot consolidations, and other means to build market rate and affordable housing. Amend the Zoning Code to allow half covered/ uncovered spaces for studio and 1-bedroom units in projects outside the downtown and mixed use corridors provided the project qualifies for a density bonus or is deed restricted as affordable. Advertise the availability of incentives at the planning public counter and through the development review process.	Ongoing	The Development Code Update was adopted on September 28, 2015. The update provided modifications to the Development Code that were recommended in the Housing Element. These included providing for residential care facilities (7 or fewer) by right in all residential zones. New provisions were also provided for Supportive and Transitional Housing, Emergency Shelters, Child Care/Day Care, SROs, and efficiency units. This program supports production of new housing, including affordable units, and should be continued. Modify to include clear objectives on the time frame for the Density Bonus code amendments to be completed.	Program 15
Mobile Home Rent Stabilization	Continue to enforce the Mobile Home Rent Ordinance; complete review and revisions to the Rent Ordinance after the courts complete proceedings on the legality of rent stabilization	Ongoing	The City was advised to place a hold on proposed revisions to the existing ordinance pending litigation challenging the constitutionality of Rent Stabilization law until the outcome of court proceedings Modify to include a clear timeline.	Program 16
Housing at Risk of Conversion	Monitor publicly assisted multiple units at risk of conversion; support efforts to preserve the units through grants, tax credits, bonds, and transfer of ownership to entities willing to keep the units affordable. Inform tenants and property owners of their rights and responsibilities to provide adequate notice and other procedures if an affordable project is proposed for conversion to market rate housing.	Ongoing	The City continued to monitor affordable housing projects to determine properties at risk for conversion. This program is an important strategy for preserving existing affordable housing and should be continued. Modify to include clear objectives on commitments regarding the annual monitoring and outreach of affordable housing projects.	Program 17
Low Income Housing Assistance	Offer expedited permit processing, contact developers annually about potential sites, and support applications of developers to build affordable	Ongoing	This program is duplicative and should be combined with other programs that have similar purposes.	Program 15

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
	housing that targets extremely low income households in Upland. Assist in the development of housing for lower-income households by outreaching to affordable housing developers, exploring available funding options, and supporting grant applications for housing.			
Homeless Services	Define shelters, transitional housing, and permanent supportive housing consistent with state law, permit shelters with a ministerial permit in the Industrial zone; and establish objective standards as allowed by state law. In all zones allowing residential uses, permit transitional and supportive housing as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.	Ongoing	The City continued to provide funding support to agencies that serve the homeless and at- risk homeless through the CDBG Program process and the City's Housing Fund. In 2013, a Homeless Shelter Stakeholders Group was formed to assist the implementation of this goal. The Development Code Update was adopted in the summer of 2015. In December 2019, the City hired a Homeless Coordinator to conduct and assist with homeless prevention activities. During CY2020, the City applied for and received a new affordable housing grant from the State that will provide funding to the Homeless Prevention Program for the next 3 years. Also, during CY2020, the City applied and received CARES CV1 and CV3 to provide additional funds to assist homeless prevention activity. This program is an important strategy for addressing the special needs of the homeless and should be continued. Modify to include clear objectives and time frame to amend City regulations regarding emergency shelters, transitional housing, supportive housing and low barrier navigation centers consistent with State law.	Program 18
Administrative Capacity	Utilize the Service Council to coordinate the City, faith-based organizations, other non-profits, Upland Housing Authority, County, and other stakeholders and create a network of community and mainstream resources. The Service Council will develop and implement a Homeless Services Plan that addresses: -Community Outreach, Engagement, and Education Initiatives -Treatment and Permanent Supportive	Ongoing	The City has continued to work with the various organizations in San Bernardino County to create a Homeless Service Plan. The stakeholders team is comprised of individuals and organizations that have a desire to help the community and seek a positive change in the city, specifically, as it relates to those affected by homelessness. The team meets monthly in order to maintain an active effort to address the homeless issues. In December 2019, the City hired a Homeless Coordinator to assist with all homeless activities. During CY2020, the City applied for the Permanent Local Housing Allocation to assist the Homeless Coordinator with additional	Program 19

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
	Housing Initiatives -Housing First/Rapid Re-housing initiatives - Chronic Homelessness -Enforcement		funds for the City's Homeless Prevention Program. Also, during CY2020, the City applied and received CARES CV1 and CV3 to provide additional funds to assist homeless prevention activity. This program is an important strategy for leveraging housing resources and should be continued. Modify to include clear objectives of the Homeless Services Plan and the City's outreach and coordination responsibilities.	
Housing for People with Disabilities	Amend the Zoning Code to define and allow residential care facilities serving six or fewer residents as a by-right use in all residential zones; remove or amend the definition of a family in the Zoning Code. Permit larger facilities with a CUP in two additional mixed-use zones. Support agencies in seeking funding, as available, for the provision of housing and services for people with disabilities, including developmental disabilities. Reach out to potential developers or service agencies as part of the annual Action Plan solicitation for CDBG. Create reasonable accommodation process and procedure as part of the Zoning Code Update to a low flexibility in land use, building, and development standards to accommodate people with disabilities.	2015	The Development Code Update was adopted on September 28, 2015. The update provided modifications to the Development Code that were recommended in the Housing Element. These included providing for residential care facilities by right in all residential zones (for those serving 6 or fewer residents), Supportive and Transitional Housing, Second Dwelling Units, Emergency Housing and Single Room Occupancy (SRO) in Mixed Use Zones and Efficiency Units. This program is an important strategy for addressing the special housing of persons with disabilities and should be continued. Modify to include clear objectives and time frame of the code amendments as well as the City's commitment to annually monitor State law, conduct outreach, and coordination with affordable housing developers.	Program 20
Fair Housing	Promote fair housing practices through contract with IFHMB. Comply with all state and federal fair housing requirements when implementing housing programs or delivering housing-related services. Continue to prepare the Analysis of Impediments to Fair Housing Choice as required under federal law; implement the recommendations to	Ongoing	The City continues to promote fair housing practices and provide educational information to the public. This program is an important strategy for affirmatively furthering fair housing and should be continued. Modify to include clear objectives.	Program 21

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
	improve fair housing as contained therein. Disseminate fair housing outreach materials at the library, website, and counter so that residents and landlords are aware of their rights, responsibilities, and opportunities for resolving fair housing concerns.			

Appendix B Sites Inventory

This appendix contains a parcel-specific inventory of potential sites that are suitable for housing development during the 2021-2029 planning period. Table B2 lists approved projects expected to be built during the planning period while Table B3 lists vacant sites zoned for residential development.

Housing Allocation

California General Plan law requires that a community plan for an adequate number of sites to allow for and facilitate production of its share of the regional housing need. Each jurisdiction must identify "adequate sites" to determine whether that jurisdiction has sufficient land to accommodate its share of regional housing needs for each income level. As defined under California Government Code Section 655839(c)(1), adequate sites are those with appropriate zoning and development standards, and with services and facilities to encourage and provide for the development of a variety of housing for all income levels. As shown in the table below, the RHNA for the 2021-2029 (6th Cycle) planning period is 5,686 units. Broken down by income level, the allocation is 1,584 very low-, 959 low-, 1,013 moderate-, and 2,130 above-moderate units.

Table B1. RHNA Allocation

	Very Low	Low	Moderate	Above Moderate	Total
RHNA	1,584	959	1,013	2,130	5,686

No Net Loss Buffer

Recent changes to State law, including Senate Bill 166, require cities to continually maintain adequate capacity in their sites inventories to meet their RHNA for all income levels. In the event that a site is developed below the density or at a different income than projected in the Housing Element, the City must have adequate sites available to accommodate the remaining balance of the RHNA. If the City does not have any additional capacity within the existing zoning it must identify and rezone for new sites that can accommodate the remaining need. For these reasons, the City is including an additional buffer of 15 percent above the unmet RHNA in each category. Table B-2 below identifies the total target capacity based on the RHNA plus 15 percent of any unmet RHNA. As shown, the pipeline projects (Row B) and projected ADUs (Row C) are subtracted from the RHNA (Row A) to determine the unmet RHNA (Row D). The unmet RHNA is then multiplied by 15 percent (Row E). Row F sums the RHNA (Row A) and the 15 percent of the unmet RHNA (Row E) to show the total target sites capacity.

Table B2. Target Sites Capacity (15% No Net Loss Buffer of Unmet RHNA)

	Type	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
A	RHNA	1,584	959	1,013	2,130	5,686

	Type	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
B	Completed, Approved, and Proposed Projects	240	19	-	1,331	1,590
C	ADUs	82	125	125	28	360
D	Unmet RHNA (A-B-C)	1,262	815	888	771	3,736
E	Target Buffer (15% of Unmet RHNA)	190	123	134	116	563
F	Unmet RHNA + Target Buffer (D+E)	1,452	940	1,022	885	4,299

To facilitate new housing production and address the community's housing needs, cities must ensure that sufficient land with appropriate zoning is available to accommodate the amount of additional housing need as determined through the Regional Housing Needs Assessment (RHNA). The City's land use plans and development regulations are discussed in Section 3 – Constraints. This section describes how the RHNA allocation for the 2021-2029 planning period will be accommodated, as summarized in Table B3 below. The City is relying on a combination of completed, approved, and proposed projects, ADUs, vacant, and non-vacant sites to meet the RHNA.

Table B3. Ability to Meet the RHNA

	Type	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
A	**RHNA Assessment**	1,584	959	1,013	2,130	5,686
B	Completed, Approved, and Proposed Projects	240	19	-	1,331	1,590
C	ADUs	82	125	125	28	360
D	Unmet RHNA *(A - B - C)*	1,262	815	888	771	3,736
E	Vacant Opportunity Site Capacity	199	133	135	133	600
F	Non-Vacant Opportunity Site Capacity	1,312	858	935	822	3,927
G	Opportunity Site Capacity *(E + F)*	1,511	991	1,070	955	4,527
H	**Total Capacity** *(B + C + G)*	1,833	1,135	1,195	2,314	6,477
J	Surplus of units beyond RHNA + buffer	59	53	48	68	228

Realistic Capacity

State law requires that a jurisdiction project realistic estimates for housing capacity on its RHNA sites. The realistic capacity of sites may be calculated using recent project history, a minimum density, or other methods. As a majority of growth is expected to take the form of multifamily housing, recently constructed multifamily projects were reviewed to understand and establish historical trends for multifamily housing development in the City. The realistic capacity calculation also takes into account recent inquiries and permits for uses in zones that allow mixed-use or stand-alone commercial uses.

Upland is a mature community with only a small amount of vacant land suitable for housing development. Potential sites for housing development include sites zoned exclusively for residential use as well as sites where zoning allows either residential or non-residential development. The realistic potential for housing on residentially-zoned sites has been estimated based on densities of recently approved multi-family and condo projects. Project densities on sites allowing only residential use have ranged from 61% to 108% of the allowable maximum.

Potential Development on Sites Zones for Non-Residential or Mixed Use. In recent years several projects have been developed with a residential component despite non-residential also being allowed in the zoning district. One example is a 78-unit live-work project located at the corner of Central Avenue and 11th Street. Each unit is 3 stories with the upper two stories used as living space while the first story includes parking and a work area. At the time it was approved, this project was located in the Highway Commercial zone; however, the property has since been rezoned to Commercial Industrial Mixed Use (C/I-MU) consistent with the new General Plan. This zoning district is intended to accommodate a variety of industrial, regional retail, and support commercial activities to satisfy a range of shopping needs for residents and maximize the potential for job generation. This zone is situated at an important gateway to the City at the west end of Foothill Boulevard and along portions of Central and Benson avenues. Development in this zone is intended to include pedestrian-friendly sidewalks and landscaping to facilitate the transformation of this area into an attractive, welcoming gateway into Upland. This zone supports residential uses in the form of live/work developments. The maximum permitted non-residential FAR is 1.0, which facilitates residential development.

Another example of a successful residential project within the Commercial Residential Mixed-Use Zone (C/R-MU) is GFR Homes, a 37-unit townhome style condominium development. The C/R-MU Zone is intended to support the development of compact, walkable, and pedestrian-oriented districts with a combination of retail, local-serving commercial and medium-density multi-family developments. The preference for land uses consists of integrated, vertical mixed uses that facilitate an active street front by bringing buildings and building entrances to the street edge and providing pedestrian-friendly sidewalks, trees, landscaping and public plazas. The maximum permitted non-residential FAR is 1.0 with a maximum permitted residential density of 20 dwelling units per net acre, exclusive of City and state density bonuses. This zone provides opportunities for a mix of medium- to large-scale integrated mixed-use developments while ensuring a sensitive scaled transition to adjacent buildings and uses.

A recent 6-unit apartment development on San Antonio Avenue is located within the Business Residential Mixed-Use Zone (B/R-MU). This zoning district is intended for areas in which business and/or light industrial uses are compatible with residential or live/work units. The B/R-MU Zone provides an environment where residents can enjoy the convenience of living and working in close proximity. The intended development pattern consists of horizontal mixed uses that provide adequate buffering and transitions between residential and non-residential land uses. This zone supports residential units adjacent to non-residential uses such as: light

manufacturing, assembly and offices. The maximum permitted non-residential FAR is 0.5 with a maximum permitted residential density of 20 dwelling units per acre. This zone provides opportunities for preservation of small- to medium-scale development and an authentic mix of building typologies and uses. The site was developed with 6 units (15 units/acre) with the retention of an existing single-family home.

In 2018 the Planning Commission approved a 203-unit apartment complex on a 4.5-acre site (46.9 dwelling units per acre) within the Colonies Specific Plan, Planning Area 4, which is a Mixed-Use Zone. The purpose of the mixed-use designation is to encourage development of higher-density housing with neighborhood commercial and restaurant uses.

Table B4 summarizes densities of recent residential developments in zones allowing commercial or mixed-use. For housing developments on sites where non-residential and mixed uses are allowed, densities of approved projects have ranged from 67% to 93% of the allowable maximum.

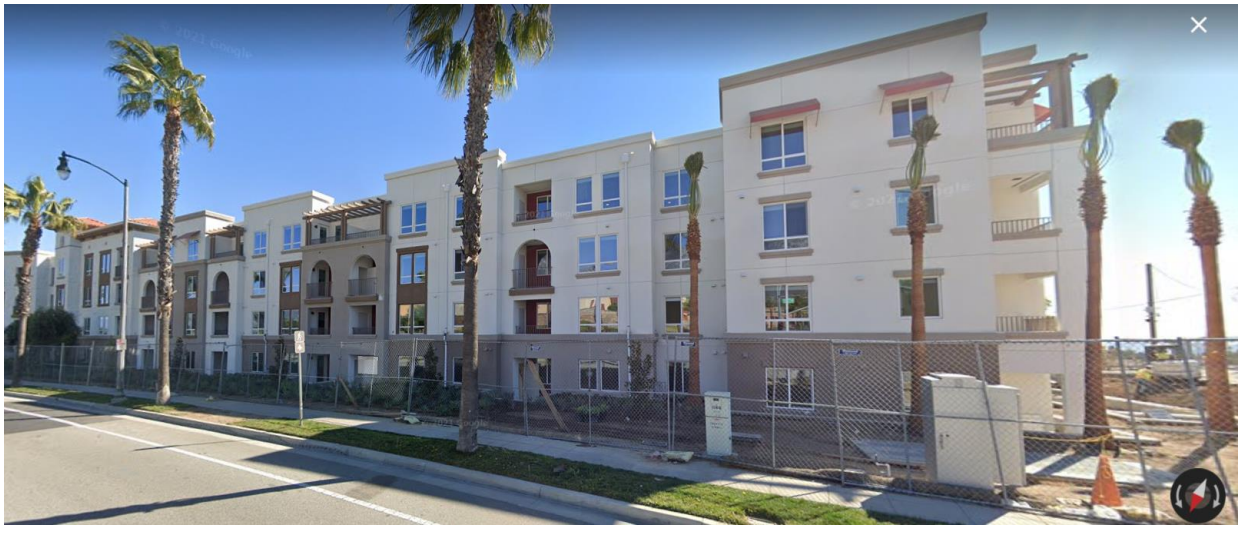
Table B4. Residential Developments in Mixed Use and Non-Residential Zones

Project	Project Type	Zoning District	Non-residential uses allowed?	Allowable Density (du/ac)	Project Density (% of max)	# of units
6 Unit Apartments (San Antonio)	Apartments	B/R-MU	Yes	20	15 (75%)	6
Alta Apartments	Apartments	PA-4 of Colonies SP	Yes	62	46.9 (76%)	203
11th & Central Mixed Use	Live-Work	C/I-MU	Yes	20	17.5 (88%)	78
Mt. Fuji (GFR)	Condominiums	C/R-MU	Yes	20	14.4 (72%)	37

Source: City of Upland, 9/2022

Other approved projects and property owner inquiries indicate strong interest high-density multi-family residential development in Upland. Examples include the following:

- This 4-story condominium development was approved at a density of 45 units/acre in The Colonies Planning Area 4. The zoning for this site is Specific Plan/Mixed Use, which allowed mixed-use or commercial development.



- Immediately adjacent to the 4-story condominium development in The Colonies Planning Area 4 is this approved 7-story apartment project at a density of 47 units/acre. The zoning for this site is Specific Plan/Mixed Use, which allowed mixed-use or commercial development.



- A 4-story 111-unit apartment project was approved at a density of 48 units/acre in the Historic Downtown Upland Specific Plan near the Metrolink Station. The site was created through the consolidation of 9 separate parcels totaling 2.3 acres. The project density is 88% of the maximum 55 units/acre allowed in this district. Zoning allowed commercial use on this site.

- A 32-unit attached townhome development within four 3-story buildings was approved at a density of 32 units/acre in the Historic Downtown Upland Specific Plan near the Metrolink Station. The site involves the consolidation of 6 separate parcels totaling approximately 1 acre.

- The City has received 2 applications for affordable and permanent supportive housing developments at a density of approximately 70 units/acre in the Historic Downtown Upland Specific Plan.

- Preliminary discussions regarding a 4-story 141-unit apartment project at a density of 55 units/acre (100% of maximum) in the Historic Downtown Upland Specific Plan. The property is currently occupied with older commercial buildings.

- Preliminary discussions regarding a 199-unit expansion of a senior apartment project at a density of 32 units/acre.

Based on these development trends, the realistic capacity of sites zoned for residential use only (i.e., where non-residential or mixed uses are not allowed) was conservatively estimated as 80% of the allowable density, while the capacity of sites permitting non-residential use was estimated at only 50% of the allowable density.

A parcel-specific list of vacant sites with potential for housing development is provided in Table B10. Potential new housing units on vacant sites are assigned to income categories based on allowable density and parcel size. Sites allowing a density of less than 15 units/acre are assigned to the above-moderate income category, while sites allowing a density of 15 to 29 units/acre are assigned to either the moderate or above-moderate income category. Sites that are at least ½ acre in size and where a density of 30+ units/acre is allowed may be assigned to any income category based on the "default density" specified in State law. Small sites less than ½ acre are assigned to either the moderate or above-moderate category.

Potential Development on Underutilized Sites

As with most of the older cities of Southern California where little vacant land remains, a significant portion of new residential development in Upland is expected to occur on underutilized non-vacant properties where additional housing units can be built or the existing uses can be replaced with higher-value development. In 2015, the City updated its General Plan and Municipal Code to incorporate mixed-use zones that allow additional opportunity for residential development in commercial areas. The purposes of the Mixed-Use zones are to:

1. Foster developments that provide a mix of related land uses close to one another, either within a single building, on the same parcel, or on adjacent parcels, in order to reduce reliance on the automobile, create pedestrian-oriented environments, and support social interaction by allowing residents to work or shop within walking distance to where they live;

2. Promote infill development, intensification, and reuse of currently underused sites consistent with the General Plan;

3. Establish design standards that improve the visual quality of development and create unified, distinctive, and attractive mixed-use corridors and centers;

4. Provide appropriate buffers and transition standards between commercial, industrial and residential uses to preserve non-residential and mixed-use feasibility and residential quality; and

5. Provide incentives for mixed-use (horizontal and vertical) development along main corridors and nodes to promote varied uses within a pedestrian-oriented environment.

To estimate the realistic capacity of development on non-vacant sites the City evaluated recent development trends including project applications and interest from local developers (Table B8). Although the zoning on several of these sites also allows non-residential uses, all of these projects are 100% residential at densities ranging up to 55 units/acre.

Size

No sites larger than 10 acres are included in the inventory of lower-income sites.

Sites Smaller than 0.5 acres. Pursuant to Government Code 65583.2(c) sites smaller than 0.5 acre are assigned to the moderate- or above-moderate categories, with the exception of two groups of contiguous parcels. For both groups of parcels, the total acreage of each group of sites is over 0.5 acres, and they are functionally developable as one parcel.

For parcel group one, all of the parcels have the same owner, are currently vacant, and are contiguous in a normal, rectangular shape. Parcel group two is much larger and contains 13 parcels in a contiguous, rectangular block. Two parcels are larger than 0.5 acres, nine parcels are each 0.4 acres, and two parcels are 0.2 acres. Of the thirteen parcels, seven have a singular owner (3.33 acres). Two parcels are owned by a singular owner (0.81 acres), and the other four parcels have separate owners. The group of 13 parcels could be developed as a singular or multiple projects, and the size of the parcels will not preclude their development.

To assist in lot consolidation, the City is included Program 15, which includes expedited process, fee waivers for lot consolidation projects for affordable or special needs households, proactive outreach regarding lot consolidation opportunities, and technical assistance with lot consolidation.

Table B5. Small Sites

ID	APNs	Total Acreage	# of Owners	# of Parcels	Assumed Capacity
1	104660105, 104660112, 104660113, 104660114, 104660101, 104660102, 104660103, 104660104, 104660106, 104660107, 104660115	1.63	One	11	60
2	104633313, 104633308, 104633307, 104633306, 104633309, 104633305, 104633310, 104633304, 104633301, 104633311, 104633303, 104633312, 104633302	5.35	Six	13	133

Additionally, the City has seen a trend of interest in residential development on small lots that are consolidated. There have been multiple, recent projects where a singular owner purchased multiple, contiguous parcels for the purpose of developing multifamily residential uses. This includes both vacant and non-vacant lots and lots with one and multiple owners. This also includes both market rate and affordable housing. Recent inquiries and applications include the following:

- An application for the development of 19 multi-family units, including 2 affordable units, on 0.64 total acres, and the consolidation of 3 lots with two separate owners.
- Consolidation of four lots, including one lot smaller than 0.5 acres, for development of residential units on 5.86 total acres
- Interest on consolidating twelve parcels totaling 1.96 acres for the development of approximately 61 units.
- Five separate owners of nine contiguous properties totaling 3 acres are seeking to sell the land to a single developer for multi-family residential development.
- Consolidation of four, non-vacant lots all smaller than 0.5 acres into one for the development of 84 multi-family units, including 12 affordable units. Uses on these lots include a contractor office and storage and are similar to the uses in parcel cluster 3. The parcels total 1.37 acres. These small sites were formerly on the RHNA sites inventory list and are now a pending project.

The RHNA sites inventory also includes 18 City-owned parcels in the RHNA inventory, totaling 2.94 acres. The lots are all smaller than 0.5 acres; however, they are in clusters that can be consolidated and all owned by the City. The City is planning on declaring the parcels surplus with the intent of developing affordable housing on them during the planning period. Parcels that are adjacent to each other are already functioning as one use.

Each lot has several parcels that can be consolidated and considered as one site for the purposes of the RHNA and thus are appropriate for lower-income housing. There is a total of 96 units (44 lower, 52 moderate) projected on the parking lots for the purposes of meeting the RHNA. Each parking lot is larger than 0.5 acres after consolidation with the exception of Lots E and F. All lots are entirely contiguous. Program 6 details the timeline and goals for the development of the City-owned parking lots.

- Parking Lot A: A 0.6-acre site consisting of three parcels total
- Parking Lot B: A 0.52-acre site consisting of two parcels
- Parking Lot C: A 0.56-acre site consisting of three parcels
- Parking Lot D: A 0.75-acre site consisting of nine parcels
- Parking Lot E: A 0.33-acre site consisting of two parcels.
- Parking Lot F: A 0.17-acre parcel that is diagonal from Lot C, and may be consolidated with Lot C for the purposes of development.

Environmental Hazards and Availability of Infrastructure

As part of the sites analysis process the City reviewed environmental hazards and the availability of infrastructure to determine whether these issues could prevent the City from achieving the assigned housing need.

Environmental Hazards

None of the potential housing sites identified for the Regional Housing Needs Allocation are known to have environmental constraints that would preclude the development of housing. As reflected in each of the individual specific plan EIRs, none of the sites is on a fault, in an Alquist-Priolo zone, or in a 100-year flood plain. None of the sites is located on prime farmland or currently used for agricultural purposes. Several sites may be located on ground suitable for mining, but the sites are no longer used for active mining. Seismic and fire hazards require various mitigation features in residential construction to protect public safety, and are incorporated into the building code. These code requirements add to the cost of housing but are necessary to protect public safety. There are four sites that have a capacity of 216 moderate income units that fall within the Very High Fire Hazard Severity Zones as well as three pending projects, therefore, the location of the RHNA sites within the Fire Hazard Severity Zone would not preclude or impact the development of these sites.

Water Availability

The 2015 General Plan Update EIR projects water needs for the whole City (including development in the four specific plan areas with the housing inventory sites). In 2030, the City will need 23,141 acre-feet per year of water, according to the 2020 Upland Urban Water Management Plan. The dry-year scenario projects a supply of 24,662 AFY in 2030 and 25,689 AFY in 2035. Based on that analysis, the City is expected to have enough water to serve projected housing needs during the planning period.

Sewer Availability

The 2015 General Plan Update EIR analyzed the capacity of sewer lines and treatment facilities based on residential and non-residential build-out estimates would only require additional sewerage flow of 1.32 mgd over existing conditions or an annual increase of approximately 0.066 mgd per year over 20 years. The EIR concluded that no significant impact to sewer facilities associate with General Plan build-out is anticipated, as demands on the local sewer system can be mitigated. The EIR indicated a need to upgrade certain local lateral sewer lines on a case-by-case basis, but no costly force mains, main trunk lines, or similar infrastructure are necessary. Upgrades to laterals are financed through the payment of sewer impact fees, which is common for any new apartment project.

Dry Utilities

Dry utilities such as electric, telephone, cable and internet are provided by private companies and are expanded to meet demand as development occurs. No known limitations on these services would preclude development of the sites listed in the inventory (Appendix B) during the 2021-2029 planning period.

Ability to Meet the RHNA

Approved Projects

Per the HCD Sites Inventory Guidebook, the City may credit sites that have been proposed, approved, or given a certificate of occupancy since the beginning of the RHNA projection period.[4] The City is including 1,590 units towards the RHNA, 240 very low income units, 19 low income units, and 1,331 above moderate income units. New housing units approved and expected to be completed during the RHNA period are credited toward the City's new housing need based on the estimated income category of these units as shown in Table B6. The City works closely with applicants, owners, and developers to monitor progress and updates on pending projects. In October 2023, staff contacted each applicant to discuss progress and ensure that each project would be completed during the planning period; all projects are anticipated to be completed during the planning period. A status update for each project is provided in Table B6.

All units are anticipated to be completed in the planning period. The City will monitor the actual units constructed and income/affordability when the projects are developed. If the projects are not developed or are developed with fewer RHNA units than anticipated, the City will identify additional RHNA sites needed to make up the loss (see Program 6)

There are 259 lower-income units counted towards the RHNA. The units are listed below. All units will all be deed restricted to maintain their affordability.

- Twelve lower income units in an 84-unit proposed project utilizing state density bonus law. The project developer is utilizing a density bonus to achieve the desired density of 60 du/ac, and to overcome some development standards. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for 55 years.

[4] HCD Sites Inventory Guidebook https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf

- Four very-low income units in a 24-units project. The project developer is utilizing a density bonus to achieve the desired density of 25 du/ac. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

- Five very-low income units as a part of a 32-unit project. Five very-low income, for sale, units as a part of a 32-unit project. The project site was owned by the City of Upland and was declared surplus property in 2022. The property was subsequently sold to a developer with the requirement that 15% of the project units (5 total) be affordable.

- Ninety-three very low income units on SANBAG owned property. The project developer is utilizing a density bonus to achieve the desired density of 82 du/ac. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

- Eighty-one very low income units developed on SANBAG owned property. The project developer is utilizing a density bonus to achieve the desired density of 69 du/acre. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

- Sixty-two very low income units as a part of a 251-unit project. The project developer is utilizing a density bonus to achieve the desired density of 43 du/ac. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

- Two low income units as a part of a 19-unit density bonus project. The project developer is utilizing a density bonus to achieve the desired density of 23 du/ac. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

Table B6. Approved Projects

Project	Product Type	Zoning District	Non-residential allowed?	Vacant or Non-vacant Site?	Allowable Density (du/ac)	Project Density (% of max)	Lower	Moderate	Above Moderate	Total Units	Status
ATI Packing House Apts	Apartments	Historic Downtown Upland SP (Citrus Trans. District)	Yes	Vacant	55	51.4 (93%)			111	111	Currently project is in building plan check, Development Services Staff waiting on resubmittal.
Sage At 9th Phase 2	Townhomes	RM-20	No	Vacant	20	16.4 (82%)			26	26	Project Completed 1.29.24
Sage At 9th Phase 1	Townhomes	RM-20	No	Vacant	20	15.2 (76%)			28	28	Completed September 2021.
Enclave SP	76 Townhomes 116 SFR	Enclave Specific Plan	No	Vacant	20	12.2 (61%)			192	192	Completion anticipated in 4th quarter, 2023.
Mesa Court Apts	Apartments	RM-30	No	Vacant	30	21.6 (72%)			54	54	This project is currently in Plan Check, with some permits approved, including numerous building permits, parcel map and grading plans as of 2022. Applicant intends to start construction in late 2024 or early 2025. Email Received from applicant with anticipated timeline.
7th Street Apts (KIVA)	Apartments	RM-20	No	Vacant	20	20.1 (108%)			64	64	1st quarter, 2025. Project Currently in Plan Check. Applicant currently preparing resubmittal plans and working to complete a site clean-up plan with DTSE. Applicant intends to start construction 1st quarter 2025. Applicant provided email with timeline.
San Antonio Apts (Mario Sosa)	Apartments	B-R/MU	Yes	Non-Vacant	20	13.3 (67%)			6	6	Completed August 2022.
Sycamore Hills PA3	83 Townhomes 93 SFR	Park View Specific Plan (Planning Area 3)	No	Vacant (Under Construction)	13.4	10.6 (79%)			176	176	All units completed by February 2022.
Crestwood Homes	SFD	RS-20	No	Vacant	0-4	N/A			4	4	Completed December to November 2021.
Individual SFD	SFR+ADU+JADU	Various	No			N/A			3	3	Plans Under Review. Staff expects to issue permits towards the end of 2023, early 2024.
Individual SFD	SFR+ADU	Various	No			N/A			2	2	Plans in plan check. Staff expects applicants to pull permits in 1st Q 2024.
Villa Serena	SFR	Villa Serena SP	No	Vacant		10.6			65	65	Entitlements are expected to be approved 4th Quarter of 2024, with construction starting shortly after. Many of the plans have been reviewed and are ready for approval, including the grading plans, utility plans, and construction is expected to begin within 6 months after entitlement approval. Applicant timeline received.

Project	Product Type	Zoning District	Non-residential allowed?	Vacant or Non-vacant Site?	Allowable Density (du/ac)	Project Density (% of max)	Lower	Moderate	Above Moderate	Total Units	Status
Colonies PA4	Condo	Colonies SP (PA 4-Mixed Use Zone)	Yes	Vacant	62	46.9 (76%)			60	60	Applicant contacted Development Services Director. Application anticipates construction starting in 2025, and completion in 2026 or 2027.
Alta Apts	Apartments	Colonies SP (PA 4-Mixed Use Zone)	Yes	Vacant	62	46.9 (76%)			106	106	Completed August 2021.
A Street Apts	Apartments	RM-20	No	Vacant	20	20.0 (100%)			4	4	4th quarter, 2024. Permits are nearly ready for Issuance. Plans have been reviewed, and Building staff is waiting for minor corrections.
Colonies - Watt	Townhome	Colonies SP	No	Vacant	24	15.7 (65%)			12	12	Completed Aug-Sep 2021.
Individual SFD	SFD	Various	Yes	Vacant	0-4	N/A			2	2	Completed. July 2022.
11th Ave Apts	Apartments	RM-20	No	Vacant	20	14.6 (73%)				6	Under Construction. Anticipated completion July 2024.
Lennar Remainder Units	SFR	Upland Crossing	No	Non-vacant	12-20	15				12	Completed August 2021.
Individual SFD	SFR	RS-7.5	No	Non-Vacant	4 – 10				1	1	Completed April 2023
SBCTA Property	MFR	Citrus Transportation	Yes	Non-Vacant	55	69 (127%)	93			93	3rd quarter, 2025. staff is currently reviewing entitlements, which are expected to be approved by the end of 2023, or 1st quarter 2024. Applicant anticipates starting construction in Q1 2025, and completion in Q3 2026. applicant provided email for timeline.
SBCTA Property 2	MFR	Citrus Transportation	Yes	Non-Vacant	55	70 (127%)	81			81	3rd quarter, 2025. staff is currently reviewing entitlements, which are expected to be approved by the end of 2023, or 1st quarter 2024. Applicant anticipates starting construction in Q1 2025, and completion in Q3 2026. applicant provided email for timeline.
104659108 104659109 104659110 104659111 104659112 104659113	Townhomes	Old Town1st Street Overlay	Yes	Non-Vacant	55	32 (58%)	5		27	32	The Planning Commission approved entitlements on October 25, 2023, Applicant intends to start construction in June 2024, and complete the project within 18 months, completing the project in Q4 2025.
104634102	Apartments	RM-20	No	Non-Vacant	20	24 (141%)	4		20	24	3rd Quarter, 2025.

Project	Product Type	Zoning District	Non-residential allowed?	Vacant or Non-vacant Site?	Allowable Density (du/ac)	Project Density (% of max)	Lower	Moderate	Above Moderate	Total Units	Status
104643325	Townhomes	Multi-Family Senior Housing	No	Vacant	25	17 (66%)			8	8	1st Quarter, 2026. Staff is in discussions to sell the property to Crestwood Communities for the development of 8 units. The PSA is currently being prepared.
100718101 104632143 100718102 100718103 100718104	Apartments	PB	Yes	Vacant	40*	42	62		189	251	2nd Quarter, 2027. Staff will be making Zone changes in 2025 as required by the Housing Element which will allow for this project. The applicant is expected to submit for entitlements in 2024, with approval in 2025. This results in a reasonable construction time of 1.5 to 2 years.
104648114	SFR	LI	Yes	Non-Vacant	15	13 (87%)				64	4th quarter, 2024. Staff has issued permits for the project and construction has begun as of October 2023. Applicant anticipates completing the project within 1 to 1.5 years
100746121 100746122 100746112	MFR	B/R-MU	Yes	Non-vacant	40**	29 (72%)	2		17	19	Staff has received an application on 10/25/23 for the development of 19 multi-family units, and the consolidation of 3 lots.
100743106 100743110 100743109 100743108	MFR, Affordable Housing	B/R-MU	Yes	Non-vacant	40**	61 (153%)	12		72	84	Single property owner has merged all four lots, and has provided preliminary plans for an 84-unit project including approximately 12 affordable units. Application received 11/20/23.
						Totals	**257**	**-**	**1,333**	**1,590**	

Source: City of Upland, 12/18/2023

* City to create new RM-40 Residential Multi-Family High zone on this site and others.

**B/R-MU parcels in this area will be subject to a high density transit overlay, allowing densities up to 40 du/acre

Accessory Dwelling Units

Under State law, two accessory dwelling units (ADUs) – one ADU and one "junior ADU" – may be permitted on most single-family residential lots. ADUs represent a significant source of new affordable housing that can be created within the fabric of existing residential neighborhoods.

In December 2020, SCAG published a study of ADU affordability in Southern California[5] and concluded that a significant portion of ADUs built recently have been affordable to low- and moderate-income households. SCAG determined that the following affordability assumptions are appropriate for San Bernardino County:

Table B7. ADU Income Distribution

Very Low	Low	Moderate	Above Moderate
23%	35%	35%	8%

Source: SCAG 2020

ADU permits have steadily increased during the 2018-2021 period in Upland as follows:

- 2018: none
- 2019: 14 units
- 2020: 41 units
- 2021: 71 units
- 2022: 95 units
- 2023 (through December): 48 units

This 6-year trend shows that interest in ADU construction has increased significantly as homeowners have become familiar with the new regulations and the options provided for ADUs. Based on this trend and SCAG's analysis, it is assumed that an average of 45 ADUs per year (total of 360 during the 8-year planning period) will be produced in the income categories shown in Table B7 above.

Vacant Sites

As part of the sites inventory analysis, vacant residential land was identified throughout the City. A portion of the RHNA will be met on vacant land that is zoned for residential use. Per HCD's Housing Element Sites Inventory Guidebook, a vacant site is one "without any houses, offices, buildings, or other significant improvements […] or structures on a property that are permanent and add significantly to the value of the property."

The estimated capacity of vacant sites is based on the densities allowed in the City's General Plan and zoning regulations and have been adjusted to account for development that may be proposed at lower than the maximum allowable densities based on market conditions. As noted above, the potential yield is assumed to be 80% of the allowable density for residential zones and 50% of the maximum density for mixed-use zones. These assumed densities are intended to portray the typical density of residential development, accounting for development standards such as lot coverage requirements, parking, setbacks, open space, infrastructure, and public facilities.

The City is including 600 total units on vacant sites, 199 very low, 133 low, 135 moderate, and 133 above moderate income units.

[5] https://scag.ca.gov/sites/main/files/file-attachments/adu_affordability_analysis_120120v2.pdf?1606868527

Non-Vacant Sites

Pursuant to Government Code Sec. 65583.2(g)(2) when a city is relying on non-vacant sites to accommodate 50% or more of its lower-income housing need, the methodology used to determine additional development potential shall demonstrate that the existing use does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period. The City is relying on non-vacant sites to meet 1,745 of the 2,543 lower-income RHNA units (68%).

The current capacity for additional housing based on current zoning is insufficient to accommodate the RHNA allocation in all income categories. As required by Government Code Sec. 65583(c)(1) candidate sites have been identified for either "upzoning" (i.e., increasing the allowable density of residential uses) or "rezoning" (i.e., changing the zoning designation from a non-residential designation to a residential or mixed-use designation).

The additional potential capacity of these sites is estimated at 80% of allowable density for sites proposed for residential zoning and 50% of allowable density for sites proposed for mixed-use zoning.

The following analysis of non-vacant sites compares the sites directly to recent development trends in the City, illustrating that, based on substantial evidence, the existing uses of the sites do not impede additional residential development on these sites.

Non-Vacant Trend Sites

To understand development trends and aid in the non-vacant site selection process, recently developed sites, pipeline projects, and sites with developer/property owner interest in residential development were reviewed. Ten recent projects were reviewed. Table B8 provides a summary of these sites, including their zoning, year built, previous use, floor area ratio, and land-improvement ratio. These ten non-vacant trend sites concretely demonstrate that there is a market for housing in Upland, illustrate the market trends and site characteristics of recent residential projects in Upland, and provide examples upon which to compare the non-vacant sites in the RHNA inventory.

A review of these non-vacant trend sites shows a set of characteristics that the sites have in common. Understanding the commonalities between recently developed sites helps establish a set of characteristics that can be used to establish thresholds for the non-vacant sites in the inventory. The recently developed sites share the following characteristics:

- A building age over 40 years old.
- A wide range of LIRs, from 0.34 to 50.
- Similar non-vacant uses among projects. Most of the trend sites included similar residential, and light industrial uses. Uses include parking lots, residential, both single and multi-family, and commercial buildings. Light industrial uses include boat repair, industrial buildings, warehouses, contractor storage, and lumberyards.

Table B8. Development Trends on Underutilized Sites

#	Project/Address (APN)	Project Type	No. of Units	Density	Zoning	Previous Use				Current Status
						Year Built	FAR	LIR	Description	
1	401 A Street (0146-582-13 to 20)	Apartments	111	48.3	Citrus Transportation District, Historic Downtown Upland SP	1960s	0.00	N/A	Parking Lot	Approved Entitlement
2	708 Mesa Court (1046-102-13)	Apartments	60	15.8	RM-30	1961-1963	0.23	0.51	Apartments (6 units demolished)	Approved Construction Plans
3	1332, 1336, and 1344 E. 9th Street (1046-501-07, 08, 09)	Townhomes	26	16.4	RM-20	1940 -1978	0.25	1.59	Three SFRs, Boat Repair Facility	Completed
4	1252 .E 7th Street (1047-181-02)	Apartments	66	20.8	RM-20	1969	0.15	50	Industrial Building	Approved Entitlement
5	1400 E. Arrow Rte (1046-481-14)	Condominiums	64	13.1	Proposed Zone Change from Light Industrial to SP	1956	0.11	0.34	Lumber Yard	Applications under review
6	167 S. Sultana Avenue (1046-604-03 to 08)	Apartments	141	54.9	Citrus Transportation District, Historic Downtown Upland SP	1947-1957	0.32	31.5	2 Industrial Warehouses and Residential (Fourplex, Duplex, and two SFRs)	Preliminary Review
7	105 N. 1st Street	Apartments with 5 Low Income Units	32	29.3	Old Town District (1st Avenue Overlay), Historic Downtown Upland SP	1908	0.05	City-owned	Commercial Building	Approved Entitlement
8	SANBAG Affordable Housing	Affordable Housing	174	69	Citrus Transportation District, Historic Downtown Upland SP	1948-1959	N/A	N/A	Former lumber and hardware store and former smudge pot factory; industrial buildings removed between 2012-2014 and 2018-2020.	Under Review
9	104634102/ 649 W. Vernon Drive	Apartments	24	50	RM-20	1940s	0.04	0.54	Single family residential and related structures	Under Review
10	1910 Huntington Drive	Apartments, Affordable Housing	84	1.37	B/R-MU	1940s	0.06	0.99	Industrial structure and storage yard	Under Review

Non-Vacant Site Selection Criteria

The City's assumptions regarding the income categories and realistic capacity for underutilized sites are the same as for vacant sites described above. Most of these underutilized properties are in the Downtown or the Focus Areas identified in the General Plan Land Use Element and discussed previously in Section 3 - Constraints. As land and housing values have increased and the supply of buildable vacant land has been nearly exhausted, redevelopment of these areas has become financially feasible.

Based on the trends of redevelopment of non-vacant sites in Upland outlined above, a set of criteria was used for evaluating the redevelopment potential of sites and selecting RHNA sites. Criteria include building age, LIR, and a similar type of non-vacant use. Note that not every trend site meets all characteristics identified, but that all sites included are appropriate for redevelopment. All sites have similar uses to recent projects that were developed in the City, and can be directly compared to these trends.

In addition to the trends identified from the ten non-vacant site examples, other considerations were made in selecting the RHNA sites, as follows:

- Residential development interest expressed by property owners or developers.
- Site conditions indicating a property is suitable for development or redevelopment during the planning period, such as vacant buildings, for sale/for lease signs, low land-to-improvement (LIR) value ratio, buildings more than 40 years old, signs of deferred maintenance or deterioration, or low site utilization (i.e., current building floor area compared to market potential).
- Proximity to public transportation, employment and educational opportunities, and urban services such as shopping, medical facilities and parks. The City considered if a site was within ½ mile of a high quality transit stop.
- No incompatible uses or adverse development conditions such as high noise levels, heavy truck traffic, sensitive biological habitat, flood hazards or wildland fire hazards .
- The City has reviewed the properties and is not aware of any leases on underutilized sites that would prevent housing development during the planning period.

The following section provides further detail on each of the non-vacant sites identified in the inventory. The non-vacant sites were selected based on their existing uses, capacity for residential redevelopment, and their high potential for short-term redevelopment. The non-vacant sites are described in geographic clusters; however, all of the clusters have the same set of similar uses, single family residential, light industrial including automotive, storage, and contractor uses, and limited office uses. Each of the clusters of sites have at least four of the five characteristics on aggregate that suggest suitability and favorable conditions for redevelopment within the planning period.

An evaluation of each of the 291 non-vacant sites is provided in Table B9. Each site is evaluated against the five criteria listed below. All 291 of the sites meet a majority, at least three of the five, criteria. 270 sites meet at least four of the five criteria. 110 of the sites meet all five of the five criteria. The table shows the value for each of the criteria and if the site meets the threshold the cell has been filled in green.

The criteria used to illustrate the strong redevelopment potential for the non-vacant sites are as follows:

A. **Significantly Underdeveloped.** (LIR > 0.44). Land-improvement ratios were calculated and considered in site selection. Typically, a newly improved site will have a ratio of well under 0.2, or where the improvements are valued at five times the value of the land. For the identified clusters of sites, the average LIR is greater than 0.44. This threshold is based on a review of the ten trend sites. The trends sites had a wide range LIRs from 0.34 to 50. Four of the ten sites had LIRs under 1. Of the 291 non-vacant sites, 243 of them have an LIR greater than 0.44.

B. **Building Age.** The majority of structures are older than 40 years. This threshold was determined by reviewing the ten trend sites. All of the trend sites had structures that were at least 40 years old.

C. **Similar Types of Non-Vacant Uses.** The non-vacant sites existing uses are similar to those in the identified trend sites. Trend sites had a wide variety of residential, industrial, and commercial uses. Some sites included a mix of uses on a single site. Four of the ten sites included residential uses included single and multi-family uses. Six of the ten trends sites included an industrial use, such as lumber yards, boat repair facilities, a smudge pot factory, and industrial yards. Two sites had commercial uses, including a hardware store. One former use was a parking lot. Sites in the inventory were reviewed for their existing use. A similar use to trend sites includes residential (single or 2-3 units), industrial uses (storage yards, automotive or boating facilities), commercial, and parking lots. In Table B9, the currently use of the parcel is shown. The general category is given and more specific use follows. If a site has a use of "Other" is it not considered to be similar to the trend sites; there are only two sites that have this use. One is the National Guard Center that the federal government has noticed will be disposed (described in detail below). The other is landscaping, and has no buildings. If it is a similar use to the trend sites, it is shown in green. Of the 291 sites, 289 of the sites have similar uses to the trend sites. Many of the trend sites are redevelopment in areas that are identified in the sites inventory (as seen in the geographic clusters outlined below) and as such, have similar uses.

D. **Adjacent to Services**. Sites were reviewed for their location within one mile of services such as daycares, grocery stores, medical centers, and schools. If a site is within one mile of any of these services, it is shown as green in Table B9. All of the non-vacant sites are within one mile of at least two of the listed services (daycares, stores, medical centers, schools).

E. **Within ½ Mile of High Quality Transit.** The analysis identifies whether a site is within ½ mile of a Metrolink Station. There are two Metrolink Stations that are either in or within ½ mile of Upland. The Montclair Transcenter (Metrolink station) is just to the southwest of the City. Two of the clusters, the Western Cluster and Mixed-Use Cluster, have sites that are within ½ mile of the Montclair Transcenter. The Upland Metrolink station is located in the Historic Downtown Specific Plan Area. Sites in the Historic Downtown Specific Plan and East of Downtown clusters have sites that are within ½ mile of the Metrolink Station. A total of 148 of the sites are located within ½ mile of either of the Metrolink Stations.

SITE CLUSTER	A (LIR)	B (Age)	C (Use)	D (Services)	E (Transit)
Western Cluster	✓	✓	✓	✓	✓*
Mix-Use Cluster	✓	✓	✓	✓	✓
San Antonio and 9th	✓	✓	✓	✓	
Historic Downtown Specific Plan	✓	✓	✓	✓	✓
East of Downtown	✓	✓	✓	✓	✓*

SITE CLUSTER	A (LIR)	B (Age)	C (Use)	D (Services)	E (Transit)
Other: Single Family	✓	✓	✓	✓	
Other: Light Industrial and Commercial	✓	✓	✓	✓	✓*

*Some but not all of the parcels are within ½ mile of a Metrolink Station.

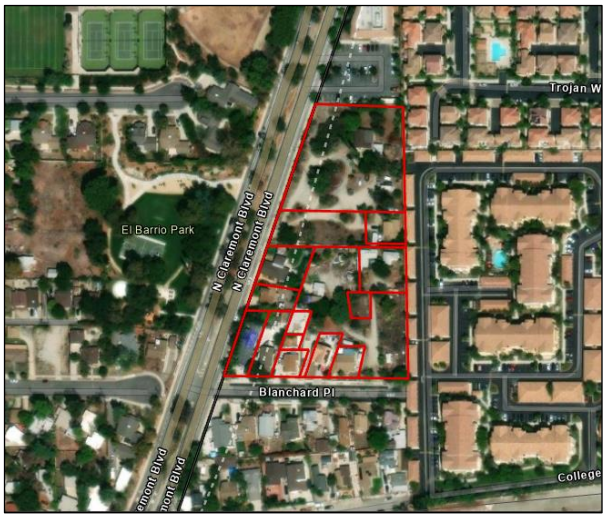
Interest in Development on RHNA Sites

In addition to the similarities to recent projects as noted above, the City has received interest in developing on a number of sites included in the RHNA inventory. This further demonstrates the feasibility of the sites in the RHNA inventory. This includes the following:

- Staff has received an application on 10/25/23 for the development of 19 multi-family units on 0.64 acres, and the consolidation of 3 vacant lots previously include in the sites inventory.
- Staff has met with one potential developer who has made an offer on a RHNA site that is for sale, and is aiming to purchase three adjacent RHNA sites to consolidate the lots for a multi-family residential project. Three parcels are vacant and the fourth is currently used for commercial fueling.
- Staff have met with owners of two adjacent sites regarding the development of senior housing on two sites totaling 5.6 acres. The site is currently a plant nursery. The owners have expressed support for 40 du/ac on the site to staff in meetings and at public hearings.
- Interest on consolidating twelve parcels totaling 1.96 acres for the development of approximately 61 units.
- Five separate owners of nine contiguous properties totaling 3 acres are seeking to sell the land to a single developer for multi-family residential development. Staff has received support for increased density on the parcels. The land currently has industrial uses including a termite company, contractor's yard, and automotive uses.
- Consolidation of four, non-vacant lots all smaller than 0.5 acres into one for the development of 84 multi-family units, including 12 affordable units. Uses on these lots include a contractor office and storage and are similar to the uses in parcel cluster 3. The parcels total 1.37 acres and were previously included in the RHNA inventory.
- Request from a property owner to include their 2.86 acre site in the inventory and rezone to allow high density so that multi-family housing can be developed on the site.

Non-Vacant Site Descriptions

Western Cluster



The western cluster consists of 15 contiguous parcels, 13 of which are non-vacant. The City is upzoning the 3.64 acre cluster of parcels to have a maximum density of 30 units per acre. The cluster has a projected realistic capacity for 89 total units, including 11 on the vacant parcels. The non-vacant parcels are single-family parcels. The capacity is a mixture of income levels including 43 lower-income units, 25 moderate units, and 21 above moderate units. The sites could be developed together or individually. The single-family homes were built prior to 1938. Upzoning this aging single-family housing stock provide increased opportunity for housing adjacent to the College Campus that could be utilized by faculty and staff. The cluster is adjacent to El Barrio Park and are approximately ½ mile from the Claremont McKenna College Campus. The land improvement ratio for the non-vacant parcels averages 0.46, indicating the land is considerably underdeveloped. The non-vacant uses of single-family homes are similar to the follow recent projects:

- A project currently in plan check that demolished six existing units to develop 60 units.
- Developed 26 townhomes on a site that included three single family residences and a boat repair facility.

Developed 141 apartments on a site that included a fourplex, duplex, and two single family residences.

Mixed-Use Cluster



The mixed-use cluster incudes 101 total parcels, 9 of which are vacant and 92 of which are non-vacant. The capacity for the vacant sites is 29 lower, 30 moderate, and 27 above moderate income units. The assumed realistic capacity for the non-vacant sites is 552 lower income, 331 moderate, and 312 above moderate units. The mixed-use cluster includes 93 parcels (36.6 acres) zoned B/R-MU, which will be upzoned to allow at least 40 du/acre and 8 parcels zoned C/R-MU (3.3 acres north of Huntington Drive) which will be upzoned to allow up to 30 du/acre. This area consists of many small parcels with the potential for consolidation and potential to create larger scale development. Although many of the recent development projects include consolidation of multiple parcels and existing uses, the City is including Program 15 to encourage and facilitate the consolidation of lots and development of residential and mixed-uses on these consolidated, smaller parcels.

There are residential uses on 57 of the parcels, including 56 single family homes and one parcel with three unit residential, which have an average LIR of 0.77. The other 39 parcels consist of a mix of light industrial and office uses and have an average LIR of 2.0. These LIR demonstrate a significant underdevelopment and strong incentive and opportunity for redevelopment.

Light industrial uses consist of three parcels with auto-oriented uses, seven parcels with contractor offices, 22 parcels with storage uses, one garage, three industrial buildings, and three offices. The existing uses are generally low intensity with significant opportunity for redevelopment of higher intensity uses. The City has received interest and inquiries in developing high density residential uses on a number of these sites. Additionally, the cluster is approximately 0.5 miles from the Montclair Transcenter and Metrolink station providing access to transportation. The majority of the buildings were constructed between 1948 and 1985.

This area of the City was annexed in the early 2000s. There are a number of existing, non-conforming uses including junkyards and contractor storage yards. This area will be subject to the new transit overlay district which will continue to allow mixed uses and encourage redevelopment of the area. The City has received two recent applications for the development of housing in this area, that are noted in crosshatch on the aerial above. The two projects care:

- Application received in November for an 84-unit project including approximately 12 affordable units on a four parcels that included a light industrial structure and contractor yard.

- An application for the development of 19 multi-family units on 0.64 total acres, and the consolidation of 3 lots with two separate owners. The lots are currently used for industrial storage.

The uses and potential in the mixed-use cluster are similar to recent projects in the City, including:

- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- A project currently in plan check that demolished six existing units to develop 60 units.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Developed 141 apartments on a site that included a fourplex, duplex, and two single family residences as well as two industrial warehouses.
- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building
- A developer inquiry for 29 units on a site that contains a commercial building

San Antonio and 9th

The San Antonio and 9th cluster consists of 25 parcels in the B/R-MU zone, comprising 8.98 acres. They will be upzoned to allow density up to 40 du/acre. Two of the parcels are vacant and have an assumed realistic capacity of 13 lower income units each. The 23 non-vacant parcels have a capacity for 145 lower, 56 moderate and 59 above moderate units. Uses in this cluster are a mix of light industrial and residential and include six contractor offices and related office uses, 14 single family residential units, and three storage yards. The average LIR in the cluster is a strong 0.74.



The City has seen interest in residential development in this area, and there is a recently completed project that developed 6 units on the corner of N. San Antonio and 9th, not included in the RHNA. Redevelopment of the area could be pursued individually on each lot or on a larger scale basis. Seven of these parcels have the same owner. The buildings are older, and were constructed largely between 1949 and 1985. It is within one mile of Upland High School and Baldy Dog Park.

The uses and potential in the mixed-use cluster are similar to recent projects in the City, including:

- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building
- A developer inquiry for 29 units on a site that contains a commercial building
- A project currently in plan check that demolished six existing units to develop 60 units.
- Developed 26 townhomes on a site that included three single family residences and a boat repair facility.
- Developed 141 apartments on a site that included a fourplex, duplex, and two single family residences.
- Application received in November for an 84-unit project including approximately 12 affordable units on a four parcels that included a light industrial structure and contractor yard.
- An application for the development of 19 multi-family units on 0.64 total acres, and the consolidation of 3 lots with two separate owners. The lots are currently used for industrial storage.

Historic Downtown Specific Plan

The cluster of sites in the Historic Downtown Specific Plan zone consists of 64 total parcels (18.9 acres), 14 of which are vacant and 50 of which are non-vacant. The projected realistic capacity for the 16 vacant parcels is 53 lower, 16 moderate, and 13 above moderate income units for a total of 89 units. The realistic capacity for the 50 non-vacant parcels is 303 lower, 180 moderate and 118 above moderate income units, for a total of 601 units. These parcels will not be rezoned or upzoned, with the exception of one parcel that will be rezoned to the Citrus Transportation District.



The 50 non-vacant parcels have a variety of existing uses, including 15 with existing residential. There are 17 parcels with warehouse, automotive, commercial, and industrial uses, including four parcels that have vacant industrial uses. The parcels have an average LIR of 9.5. The Downtown parcels also have direct access to the Metrolink Station.

The remaining 18 parcels included are public parking lots. The City is planning on acquiring funding to create a parking structure downtown that will make the existing surface parking lots available for redevelopment. As of May 2024, the City had sent out a Request for Proposals and received three proposals from parking structure consultants, and is currently in the process of selecting a firm to design the parking structure and preliminary engineering. The contract is tentatively scheduled to be approved by the City Council in June 2024. The City also is currently seeking funding and has contracted with two lobbyists in Washington DC, with one of their priorities being to seek federal funding for the parking structure. In addition, staff is pursuing a public/private partnership with two potential developers that would entail developing several parking lots in conjunction with assisting in the funding to develop a parking structure. The City is receiving $1.6 million from the San Bernardino County Transit Authority from their sale of two surplus parcels along the Metrolink right-of-way in Upland which is currently planned for Upland's Parking Structure construction. Once the parking structure is designed and built, the remaining parking lots will be redeveloped. The City plans to declare the 18 parcels surplus land with the intent to develop housing on them. This is anticipated to be completed during the planning period. The location where the parking structure is to be located is not included in the RHNA. The remaining parking lots that will be redeveloped are included in the sites inventory. There are no lease agreements or other regulatory agreements that would inhibit the development of housing on these lots during the planning period. The Parking Structure design will be approved in the first quarter of 2025. Construction would be completed toward the end of 2026. Development of the 18 parcels in the RHNA inventory will follow.

The City is seeing increasing development in the Historic Downtown area and has included the parcels that are most likely develop in the short term. The recent development includes a number of affordable or mixed-income projects. The development trends in the Historic Downtown support the conversion of these non-vacant uses and increased redevelopment. Note that there is additional capacity in the Historic Downtown Zone that is not included to meet the

RHNA. As shown in the aerial image, there are multiple recent, pending, and approved projects in the Historic Downtown, depicted with crosshatches. These projects include:

- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- A project currently in plan check that demolished six existing units to develop 60 units.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Development of 141 apartments on a site that included a fourplex, duplex, and two single family residences.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building
- Application received in November for an 84-unit project including approximately 12 affordable units on a four parcels that included a light industrial structure and contractor yard.
- An application for the development of 19 multi-family units on 0.64 total acres, and the consolidation of 3 lots with two separate owners. The lots are currently used for industrial storage.

East of Downtown

The cluster of sites that are east of downtown include 67 total parcels (23.2 acres), three vacant and 64 non-vacant sites. The are two moderate and one above moderate units on vacant parcels. The non-vacant parcels include 347 lower, 126 moderate, and 105 above moderate income units. The sites currently allow densities up to 20 units per acre and will be rezoned or upzoned to allow 30 du/acre. The sites east of downtown are generally included as groups of developable blocks or parcels.



Current uses include 29 parcels with existing single family or two-units. Existing non-residential uses include four parcels with automotive uses, 23 contractors or other types of storage yards or contractor offices, five light industrial or industrial buildings and one office.

The average LIR for the non-vacant parcels is 1.2. The majority of sites have access to a grocery store within ½ mile, as well as access to the downtown Metrolink station. The majority of the structures are over 40 years old. Each of these characteristics individually and collectively demonstrate the feasibility and potential for redevelopment in the planning period.

These uses and projects are similar to inquiries and recently developed projects including:

- A project directly adjacent to a RHNA site east of downtown developing six units on a vacant parcel.
- Development of 64 units on a construction yard that included multiple industrial buildings, storage, and active industrial uses.
- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- A project currently in plan check that demolished six existing units to develop 60 units.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Development of 141 apartments on a site that included a fourplex, duplex, and two single family residences.
- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building
- Application received in November for an 84-unit project including approximately 12 affordable units on a four parcels that included a light industrial structure and contractor yard.

- An application for the development of 19 multi-family units on 0.64 total acres, and the consolidation of 3 lots with two separate owners. The lots are currently used for industrial storage.

Other Non-Vacant Sites

The remainder of the non-vacant parcels are not in a geographic cluster. They consist of 49 parcels spread throughout the City. The 49 parcels have realistic capacity for 981 lower, 213 moderate and 213 above moderate units, for a total of 1,709 total units. They can be divided into two main use types, single family residential and light industrial uses. Any parcels that do not fit into one of these two typologies is described on its own below.

Other: Single Family

There are eleven other single family residential parcels being included in the inventory, with a total assumed capacity of 191 units, 21 lower 81 moderate, and 90 above moderate. The average LIR for the parcels is 1.5, indicating high land value and potential for redevelopment and more intensive use. A large portion, 109, of the units come from one site that is a 10 acre single family parcel. One other large single family lot is included in the inventory for 10 additional above moderate units. These two large parcels are in existing , developed communities. The majority of the structures are over 40 years old.

The remaining nine single family units are in areas with mixed residential and industrial uses that are strong candidates for redevelopment. These are spread throughout the City. The parcels all have increased, unused capacity for net new units and redevelopment on the whole, or a portion of, the site.

Examples of recent redevelopment of single family parcels include:

- A project currently in plan check that demolished six existing units to develop 60 units.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Development of 141 apartments on a site that included a fourplex, duplex, and two single family residences.

Other: Light Industrial and Commercial Uses

The remaining 35 parcels have largely industrial or commercial uses. This includes three parcels with automotive uses, seven parcels that are single-story commercial and their associated parking lots, eleven parcels that are contractors yard and storage, seven parcels that are light industrial uses, three parcels that are plant nursery and associated nursery retail, two parcels that are a vacant restraint, and two parcels that are offices. The majority of the structures are over 40 years old.

Note that these uses are similar to those in the geographic clusters, largely a mix of light industrial, storage, and some commercial buildings. They have realistic capacity for 774 lower, 128 moderate and 121 above moderate income units. The average LIR of the sites is 9.2, indicating significant underutilization and potential for redevelopment.

These sites were selected not only for their increased potential and capacity, but also for their similarity in to recently developed projects, including:

- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- Development of 64 units on a construction yard that included multiple industrial buildings, storage, and active industrial uses.
- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Development of 141 apartments on a site that included a fourplex, duplex, and two single family residences as well as two industrial warehouses.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building.

Other: Federally Owned Property



One property included is currently owned by federal government and is currently a United States Army Reserve Center. However, the City has received notice that the United Stated Federal Government plans to dispose of the property in 2028; the intent to dispose of the property is provided in Appendix E. Thrall Hall ARC is an overutilized 1963 vintage facility consisting of a 24,073-square foot training building and 4,217-square foot vehicle maintenance shop. The 3.8-acre property will be upzoned to allow housing up to 30 du/acre, and the City anticipates housing to be developed on the Site during the planning period once the current use is discontinued. The City has spoken with developers regarding interest to redevelop the property to multi-family housing.

The realistic capacity for the site is 86 lower income units. Since the parcel is currently federally owned, there is no assessed value for it. There is currently housing being developed on the parcel directly adjacent to the property, showing market demand in the area.

Other: San Bernardino Housing Authority Property



The San Bernardino Housing Authority owns two properties, 10.21 acres and 2.39 acres, in the City. There is currently 98 lower density affordable housing units on the site, Los Olivos. The housing is older stock and was constructed in the 1950s. There is capacity for considerably more affordable housing on the properties. The City has been in contact with the San Bernardino Housing authority regarding the redevelopment of these sites with higher density low income housing. The City is upzoning the parcels to allow density up to 40 du/acre.

The San Bernardino Housing Authority has redeveloped two other low density housing properties in Redlands and San Bernardino that were nearly identical to the site in Uplands. The former Lugonia Public Housing site was redeveloped from 115 units to a total of 238 units, for an increase of 113 units. Similarly in San Bernardino, the former Waterman Gardens was redeveloped to increase from 270 units to 411 units, an increase of 141 total units. There is the potential for a similar project on these parcels.

The realistic capacity for the site is 100 net additional new lower income units, though there is actual capacity for over 400 net new units.

Table B9. Non-Vacant Site Evaluation

Key:	Meets the threshold for the criteria determined by trend projects	Does not meet the threshold for the criteria determined by trend projects

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104645108	Industrial (Contractors Yard)	0.21	1938	Yes - medical center, school, grocery store	Yes
104646104	Industrial - Automotive (Auto Trim)	0.87	1948	Yes - medical center, school, grocery store	No
104646105	Industrial (Contractors Yard)	2.23	2002	Yes - medical center, school, grocery store	No
104646107	Industrial (Contractors Yard)	2.78	1948	Yes - medical center, school, grocery store	No
104646109	Industrial (Contractors Yard)	0.25	1959	Yes - medical center, school, grocery store	No
104646110	Industrial (paved)	N/A	1959	Yes - medical center, school, grocery store	No
104646111	Industrial (Small building - Termite Company)	0.82	1959	Yes - medical center, school, grocery store	No
104646112	Industrial (Contractors Yard)	0.53	1959	Yes - medical center, school, grocery store	No
104646113	Industrial (Contractors Yard)	N/A	N/A - no structure	Yes - medical center, school, grocery store	No
104646206	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104646209	Industrial (Contractor office/yard)	0.52	1938	Yes - medical center, school, grocery store	No
100706108	Commercial (Vacant building)	67.88	1948	Yes - medical center, school, grocery store	No
100706123	Commercial (Vacant building)	25.88	N/A - no structure	Yes - medical center, school, grocery store	No
100709107	Industrial Building/yard	0.90	1978	Yes - medical center, school, grocery store	No
100709108	Industrial - Automotive (Car Rental/Vacant)	9.00	1964	Yes - medical center, school, grocery store	No
100709109	Industrial (Paved lot)	N/A	N/A - no structure	Yes - medical center, school, grocery store	No
100736215	Residential - one unit	0.37	1938	Yes - school, grocery store, medical center	Yes
100736214	Residential - one unit	0.54	2005	Yes - school, grocery store, medical center	Yes
100736205	Residential - one unit	0.14	1948	Yes - school, grocery store, medical center	Yes
100736207	Residential - one unit	1.10	1959	Yes - school, grocery store, medical center	Yes
100736203	Residential - one unit	0.53	1948	Yes - school, grocery store, medical center	Yes
100736201	Residential - one unit	0.27	1938	Yes - school, grocery store, medical center	Yes
100736213	Residential - one unit	0.44	1938	Yes - school, grocery store, medical center	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100736210	Residential - one unit	N/A	N/A - no structure	Yes - school, grocery store, medical center	Yes
100736212	Residential - one unit	0.56	1938	Yes - school, grocery store, medical center	Yes
100736211	Residential - one unit	0.54	1997	Yes - school, grocery store, medical center	Yes
100736209	Residential - one unit	0.34	1959	Yes - school, grocery store, medical center	Yes
100736206	Residential - one unit	0.19	1972	Yes - school, grocery store, medical center	Yes
100736204	Residential - one unit	0.54	1972	Yes - school, grocery store, medical center	Yes
104646217	Residential - two units	1.00	1938	Yes - medical center, school, grocery store	No
104652104	Industrial	1.94	1978	Yes - medical center, school, grocery store	No
104653101	Residential - one unit	0.55	1959	Yes - medical center, school, grocery store	No
104653102	Residential - one unit	0.54	1938	Yes - medical center, school, grocery store	No
104653107	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104653108	Residential - two units	0.51	1959	Yes - medical center, school, grocery store	No
104653109	Residential - one unit	0.89	1959	Yes - medical center, school, grocery store	No
104654118	Industrial (Contractor Storage Yard)	0.98	1959	Yes - medical center, school, grocery store	No
104654119	Industrial (Contractor Storage Yard)	0.12	1959	Yes - medical center, school, grocery store	No
104654120	Industrial (Contractor Storage Yard)	0.71	1959	Yes - medical center, school, grocery store	No
104654121	Industrial (Contractor Storage Yard)	0.71	1948	Yes - medical center, school, grocery store	No
104654122	Industrial (Contractor Storage Yard)	2.13	1978	Yes - medical center, school, grocery store	No
104654201	Industrial (Storage Yard/building)	0.49	1980	Yes - medical center, school, grocery store	No
104654202	Residential - one unit	0.27	1959	Yes - medical center, school, grocery store	No
104654204	Industrial (Storage Yard)	7.67	1959	Yes - medical center, school, grocery store	No
104654206	Residential and Industrial (one unit and storage yard)	1.00	1959	Yes - medical center, school, grocery store	No
104654226	Residential - one unit	0.61	1938	Yes - medical center, school, grocery store	No
104654228	Industrial (Storage Yard/building)	0.56	1959	Yes - medical center, school, grocery store	No
104654229	Residential - one unit	0.54	1938	Yes - medical center, school, grocery store	No
104654230	Industrial (Storage Yard/building)	N/A	N/A - no structure	Yes - medical center, school, grocery store	No

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104654238	Residential - one unit	0.43	1980	Yes - medical center, school, grocery store	No
104654239	Industrial (Storage Yard/building)	0.54	1959	Yes - medical center, school, grocery store	No
104654240	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104654241	Industrial (Storage Yard/building)	0.38	1959	Yes - medical center, school, grocery store	No
104654242	Residential - one unit	0.18	1978	Yes - medical center, school, grocery store	No
104654243	Residential - one unit	0.85	1948	Yes - medical center, school, grocery store	No
104654244	Residential - one unit	0.55	1959	Yes - medical center, school, grocery store	No
104654245	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104654246	Industrial (Storage Yard)	0.57	1959	Yes - medical center, school, grocery store	No
104655101	Industrial (Storage)	0.69	1948	Yes - medical center, school, grocery store	No
104655102	Industrial (Storage)	0.88	1948	Yes - medical center, school, grocery store	No
104655103	Industrial (Office)	N/A	1966	Yes - medical center, school, grocery store	No
104655106	Residential - one unit	2.00	1938	Yes - medical center, school, grocery store	No
104655107	Residential - one unit	0.23	1966	Yes - medical center, school, grocery store	No
104655108	Industrial (Tow Yard)	5.67	2002	Yes - medical center, school, grocery store	No
104655141	Industrial (Storage)	0.53	1978	Yes - medical center, school, grocery store	No
104656318	Industrial Building	N/A	1985	Yes - medical center, school, grocery store	Yes
104656319	Industrial	0.25	1985	Yes - medical center, school, grocery store	Yes
104656401	Industrial - Automotive (Auto Body Shop)	0.15	1980	Yes - medical center, school, grocery store	Yes
100709116	Industrial Building/yard	0.75	1978	Yes - medical center, school, grocery store	No
100728115	Industrial (Storage)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
100728117	Industrial (Storage)	1.25	1959	Yes - grocery store, medical center, school	Yes
100728118	Industrial (Storage)	4.74	1959	Yes - grocery store, medical center, school	Yes
100728119	Industrial (Storage)	0.60	1959	Yes - grocery store, medical center, school	Yes
100743111	Industrial (Contractor yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100743112	Residential - one unit	6.16	1938	Yes - grocery store, elementary school, medical center	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100743201	Industrial (Storage Yard)	N/A	1959	Yes - grocery store, elementary school, medical center	Yes
100743202	Industrial (Storage Yard)	N/A	1938	Yes - grocery store, elementary school, medical center	Yes
100743203	Residential and Industrial (one unit and storage yard)	1.21	1938	Yes - grocery store, elementary school, medical center	Yes
104633322	Residential - one unit	0.62	1959	Yes - grocery store, medical center, school	No
104633323	Residential - one unit	0.21	1959	Yes - grocery store, medical center, school	No
104633319	Residential - one unit	0.53	1938	Yes - grocery store, medical center, school	No
104633324	Residential - one unit	0.55	1959	Yes - grocery store, medical center, school	No
104633325	Residential - one unit	0.55	1959	Yes - grocery store, medical center, school	No
104633326	Residential - one unit	0.54	1959	Yes - grocery store, medical center, school	No
104633318	Residential - one unit	0.80	1959	Yes - grocery store, medical center, school	No
104633317	Residential and Industrial (one unit and contractor yard)	0.54	1959	Yes - grocery store, medical center, school	No
104633313	Industrial (Paved)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633308	Residential - one unit	0.48	1959	Yes - grocery store, medical center, school	No
104633307	Residential - one unit	0.33	1959	Yes - grocery store, medical center, school	No
104633306	Residential - one unit	0.54	1959	Yes - grocery store, medical center, school	No
104633309	Residential - one unit	0.53	1959	Yes - grocery store, medical center, school	No
104633304	Industrial (Storage Yard/building)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633301	Industrial (Vacant/Storage Yard)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633327	Industrial (Contractor office/yard)	0.72	1964	Yes - grocery store, medical center, school	No
104633329	Industrial (Office)	0.43	1964	Yes - grocery store, medical center, school	No
104633316	Industrial (Storage Yard/building)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633331	Residential and Industrial (one unit and industrial office use)	0.67	1964	Yes - grocery store, medical center, school	No
104633311	Residential - one unit	0.48	1948	Yes - grocery store, medical center, school	No
104633303	Industrial (Contractor yard)	1.10	1972	Yes - grocery store, medical center, school	No
104633312	Industrial (Contractor yard)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633302	Industrial (Contractor yard)	3.67	N/A - no structure	Yes - grocery store, medical center, school	No

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104656402	Industrial - Automotive (Auto Body Shop)	N/A	1980	Yes - medical center, school, grocery store	Yes
104656403	Industrial - Automotive (Auto Body Shop)	N/A	1980	Yes - medical center, school, grocery store	Yes
104656404	Residential - one unit	0.54	1938	Yes - medical center, school, grocery store	Yes
104656405	Residential - one unit	0.53	1948	Yes - medical center, school, grocery store	Yes
104656406	Residential - one unit	N/A	1994	Yes - medical center, school, grocery store	Yes
100728122	Industrial	0.48	1948	Yes - grocery store, medical center, school	Yes
100728123	Residential - one unit	1.38	1938	Yes - grocery store, medical center, school	Yes
100728132	Industrial (Storage)	N/A	N/A - no structure	Yes - grocery store, medical center, school	Yes
100728133	Industrial (Storage)	1.49	1938	Yes - grocery store, medical center, school	Yes
100728134	Industrial (Storage)	1.42	1978	Yes - grocery store, medical center, school	No
100728144	Industrial	N/A	1948	Yes - grocery store, medical center, school	Yes
100728145	Industrial	N/A	1948	Yes - grocery store, medical center, school	Yes
100728146	Industrial	0.31	1948	Yes - grocery store, medical center, school	Yes
100729108	Industrial - Automotive (Auto Sales)	0.56	1995	Yes - grocery store, medical center, school	No
100730109	Residential - two units	2.66	1959	Yes - grocery store, medical center, school	Yes
100730110	Industrial (Office)	1.00	1959	Yes - grocery store, medical center, school	Yes
100730111	Commercial (Plant Retail)	1.11	1959	Yes - grocery store, medical center, school	Yes
100760101	Industrial (Contractors Yard)	4.84	1964	Yes - medical center, grocery store, school	No
100762105	Industrial (Contractors Yard)	50.00	1959	Yes - medical center, grocery store, school	No
100762106	Industrial (Contractors Yard)	49.00	1959	Yes - medical center, grocery store, school	No
104349102	Residential - one unit and horse facility	7.10	1966	Yes - grocery store, school	No
104405104	Residential - one unit	0.64	1938	Yes - grocery store, school	No
104518102	Commercial (Plant Nursery)	N/A	1994	Yes - grocery store, medical center, school	No
104658207	Industrial - Automotive (Auto Repair)	0.50	1959	Yes - medical center, school, grocery store	Yes
104656407	Residential - one unit	0.62	1938	Yes - medical center, school, grocery store	Yes
104656408	Residential - one unit	0.29	1938	Yes - medical center, school, grocery store	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104656415	Residential - one unit	0.56	1959	Yes - medical center, school, grocery store	Yes
104656417	Residential - one unit	0.52	1959	Yes - medical center, school, grocery store	Yes
104656418	Residential - one unit	0.54	1948	Yes - medical center, school, grocery store	Yes
104656419	Residential - one unit	0.39	1948	Yes - medical center, school, grocery store	Yes
104656424	Industrial Building	0.09	1978	Yes - medical center, school, grocery store	Yes
104656425	Industrial Building	0.47	1978	Yes - medical center, school, grocery store	Yes
100743204	Residential and Industrial (one unit and storage yard)	0.62	1938	Yes - grocery store, elementary school, medical center	Yes
100743206	Residential and Industrial (one unit and storage yard)	0.54	1978	Yes - grocery store, elementary school, medical center	yes
100743209	Residential - one unit	0.29	1978	Yes - grocery store, elementary school, medical center	Yes
100743210	Residential - one unit	N/A	1978	Yes - grocery store, elementary school, medical center	Yes
100743211	Industrial (Contractor yard)	2.67	1964	Yes - grocery store, elementary school, medical center	Yes
100743212	Residential - one unit	0.43	1948	Yes - grocery store, elementary school, medical center	Yes
100743213	Residential - one unit	0.56	1985	Yes - grocery store, elementary school, medical center	Yes
100743214	Residential - one unit	0.54	1978	Yes - grocery store, elementary school, medical center	Yes
100744102	Residential - one unit	1.67	1938	Yes - grocery store, elementary school, medical center	Yes
100744103	Residential - one unit	1.33	1938	Yes - grocery store, elementary school, medical center	Yes
100744114	Residential - one unit	0.47	1948	Yes - grocery store, elementary school, medical center	Yes
100744115	Residential - one unit	0.53	1938	Yes - grocery store, elementary school, medical center	Yes
100744117	Residential - one unit	0.20	1948	Yes - grocery store, elementary school, medical center	Yes
100746101	Industrial (Contractors Yard)	N/A	1948	Yes - grocery store, elementary school, medical center	Yes
100746102	Industrial (Contractors Yard)	N/A	1948	Yes - grocery store, elementary school, medical center	Yes
100746106	Industrial (Storage Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100746107	Residential - one unit	4.68	1959	Yes - grocery store, elementary school, medical center	No
100746108	Residential and Industrial (one unit and storage yard)	0.54	1972	Yes - grocery store, elementary school, medical center	No
100746109	Residential and Industrial (one unit and storage yard)	0.62	1948	Yes - grocery store, elementary school, medical center	No
100746110	Residential and Industrial (one unit and storage yard)	0.54	1948	Yes - grocery store, elementary school, medical center	No

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100746111	Residential - one unit	0.31	1948	Yes - grocery store, elementary school, medical center	No
100746113	Industrial (Storage Yard)	8.01	N/A - no structure	Yes - grocery store, elementary school, medical center	No
100746115	Industrial (Storage Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100746116	Residential - one unit	1.00	1972	Yes - grocery store, elementary school, medical center	Yes
100746119	Industrial (Contractors Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100746123	Residential - one unit	0.08	1959	Yes - grocery store, elementary school, medical center	Yes
100746126	Residential - one unit	0.29	1948	Yes - grocery store, elementary school, medical center	Yes
100746127	Residential - one unit	0.27	1972	Yes - grocery store, elementary school, medical center	Yes
100746128	Residential - one unit	0.13	1959	Yes - grocery store, elementary school, medical center	Yes
100746130	Industrial (Contractors Yard)	0.53	1972	Yes - grocery store, elementary school, medical center	Yes
100746131	Residential - one unit	0.55	1972	Yes - grocery store, elementary school, medical center	Yes
100746132	Residential and Industrial (one unit and storage yard)	0.26	1948	Yes - grocery store, elementary school, medical center	yes
100746133	Residential and Industrial (one unit and storage yard)	0.48	1959	Yes - grocery store, elementary school, medical center	No
100746201	Residential - one unit	0.53	1964	Yes - grocery store, elementary school, medical center	No
100746203	Industrial (Contractor office/yard)	0.89	1938	Yes - grocery store, elementary school, medical center	No
100746204	Industrial (Tow Yard)	0.45	1948	Yes - grocery store, elementary school, medical center	No
100746214	Residential and Industrial (one unit and storage yard)	0.54	1948	Yes - grocery store, elementary school, medical center	No
100746215	Residential - one unit	0.54	1964	Yes - grocery store, elementary school, medical center	No
100746216	Residential - one unit	0.32	1972	Yes - grocery store, elementary school, medical center	No
100746217	Residential - one unit	0.40	1978	Yes - grocery store, elementary school, medical center	No
100746218	Residential - one unit	0.54	1978	Yes - grocery store, elementary school, medical center	No
100746220	Industrial (Office/Landscaper storage yard)	1.25	1964	Yes - grocery store, elementary school, medical center	No
100764201	Residential - one unit	0.53	1948	Yes - grocery store, elementary school, medical center	Yes
100764202	Residential and Industrial (one unit and storage yard)	1.25	1938	Yes - grocery store, elementary school, medical center	yes
100764203	Industrial (Storage Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100764204	Residential - one unit	0.86	1938	Yes - grocery store, elementary school, medical center	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100764205	Residential and Industrial (one unit and storage yard)	0.54	1948	Yes - grocery store, elementary school, medical center	No
100764206	Residential and Industrial (one unit and storage yard)	1.78	1948	Yes - grocery store, elementary school, medical center	No
100764207	Residential and Industrial (one unit and storage yard)	0.53	1948	Yes - grocery store, elementary school, medical center	No
100764209	Industrial - Automotive (Auto Body Shop)	2.18	1948	Yes - grocery store, elementary school, medical center	No
100764211	Industrial (Contractor office/yard)	4.77	1959	Yes - grocery store, elementary school, medical center	No
100764212	Industrial (Contractor office/yard)	0.54	1948	Yes - grocery store, elementary school, medical center	No
100764213	Residential - one unit	0.54	1948	Yes - grocery store, elementary school, medical center	No
100764214	Industrial (Storage Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	No
100764215	Residential and Industrial (one unit and storage yard)	0.94	1959	Yes - grocery store, elementary school, medical center	No
100764218	Residential and Industrial (one unit and storage yard)	1.88	1959	Yes - grocery store, elementary school, medical center	No
100764219	Industrial (Building)	0.09	1959	Yes - grocery store, elementary school, medical center	No
100764301	Residential - one unit	0.64	1959	Yes - grocery store, elementary school, medical center	No
100764302	Residential and Industrial (one unit and storage yard)	1.09	1959	Yes - grocery store, elementary school, medical center	No
100764303	Industrial Building	0.60	1972	Yes - grocery store, elementary school, medical center	No
100764304	Residential and Industrial (one unit and industrial building)	2.73	1959	Yes - grocery store, elementary school, medical center	No
100764305	Industrial (Building)	0.83	1964	Yes - grocery store, elementary school, medical center	No
100764308	Residential and Industrial (one unit and industrial building)	2.67	1938	Yes - grocery store, elementary school, medical center	No
100764310	Residential and Industrial (one unit and storage yard)	1.31	1959	Yes - grocery store, elementary school, medical center	No
100764325	Residential and Industrial (one unit and contractor yard)	1.36	1959	Yes - grocery store, elementary school, medical center	No
100765201	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	No
100765202	Industrial (Contractor office/yard)	0.42	1938	Yes - grocery store, elementary school, medical center	No
100765304	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	No
100765305	Industrial (Office)	6.03	1938	Yes - grocery store, elementary school, medical center	Yes
100765306	Industrial (Office)	0.54	1938	Yes - grocery store, elementary school, medical center	yes
100765307	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	Yes
100765308	Residential - thee units	0.12	1959	Yes - grocery store, elementary school, medical center	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100765401	Industrial (Contractor office/yard)	1.94	1959	Yes - grocery store, elementary school, medical center	Yes
100765402	Residential - one unit	0.54	1964	Yes - grocery store, elementary school, medical center	Yes
100765403	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	yes
100765404	Residential - one unit	0.14	1959	Yes - grocery store, elementary school, medical center	Yes
100765405	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	Yes
100765501	Industrial (Tow Yard)	2.33	1978	Yes - grocery store, elementary school, medical center	Yes
100765502	Residential and Industrial (one unit and storage yard)	0.56	1938	Yes - grocery store, elementary school, medical center	Yes
100765503	Industrial - Automotive (Auto Storage)	0.35	1938	Yes - grocery store, elementary school, medical center	Yes
100765504	Industrial - Automotive (Auto Repair)	1.35	1948	Yes - grocery store, elementary school, medical center	Yes
100765505	Residential and Industrial (one unit and storage yard)	0.54	1959	Yes - grocery store, elementary school, medical center	Yes
100765506	Residential and Industrial (one unit and storage yard)	0.82	1959	Yes - grocery store, elementary school, medical center	Yes
100765507	Residential - one unit	0.47	1959	Yes - grocery store, elementary school, medical center	Yes
100765508	Residential - one unit	0.54	1959	Yes - grocery store, elementary school, medical center	Yes
100765509	Industrial (Contractor office/yard)	0.09	1948	Yes - grocery store, elementary school, medical center	Yes
100765510	Industrial (Storage Yard)	6.87	1959	Yes - grocery store, elementary school, medical center	Yes
104638309	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104638310	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104625301	Industrial - Automotive (Auto Repair)	0.43	1959	Yes - medical center, school, grocery store	Yes
104625315	Industrial - Automotive (Auto Repair)	1.08	1959	Yes - medical center, school, grocery store	Yes
104641154	Other (Landscaping/City to acquire parcel and pursue housing on)	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640312	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640313	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640314	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640315	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640316	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104640317	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640318	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104656201	Industrial	N/A	1966	Yes - medical center, school, grocery store	Yes
104656203	Industrial	N/A	1966	Yes - medical center, school, grocery store	Yes
104656202	Industrial	N/A	1966	Yes - medical center, school, grocery store	Yes
104656204	Industrial	1.00	1966	Yes - medical center, school, grocery store	Yes
104656212	Industrial	0.38	1966	Yes - medical center, school, grocery store	Yes
104656213	Industrial	0.51	1966	Yes - medical center, school, grocery store	Yes
104658101	Industrial (Warehouse)	0.29	1938	Yes - medical center, school, grocery store	Yes
104659324	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659318	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659224	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659204	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659205	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659206	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104660207	Industrial (Vacant lumber yard and parking)	33.60	1959	Yes - medical center, school, grocery store	Yes
104660208	Industrial (Vacant lumber yard and parking)	17.62	1959	Yes - medical center, school, grocery store	Yes
104660209	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104660210	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104660211	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104660308	Residential - one unit	1.50	1938	Yes - medical center, school, grocery store	Yes
104660307	Residential - one unit	N/A	1938	Yes - medical center, school, grocery store	Yes
104660310	Residential - one unit	1.71	1938	Yes - medical center, school, grocery store	Yes
104660311	Commercial (Fueling)	0.36	1938	Yes - medical center, school, grocery store	Yes
104660309	Residential - one unit	0.37	1938	Yes - medical center, school, grocery store	Yes
104660408	Industrial (vacant)	31.50	1978	Yes - medical center, school, grocery store	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104660403	Residential - one unit	31.50	1948	Yes - medical center, school, grocery store	Yes
104660404	Residential - one unit	31.50	1948	Yes - medical center, school, grocery store	Yes
104660405	Residential (Multi-family)	31.50	1959	Yes - medical center, school, grocery store	Yes
104660406	Industrial (vacant)	31.50	1959	Yes - medical center, school, grocery store	Yes
104660407	Industrial	31.50	1959	Yes - medical center, school, grocery store	Yes
104657106	Residential - one unit and storage yard	1.39	1959	Yes - medical center, school, grocery store	Yes
104657107	Residential - one unit	0.35	1948	Yes - medical center, school, grocery store	Yes
104657108	Residential - 4 units	0.54	1948	Yes - medical center, school, grocery store	Yes
104657109	Residential - 4 units	0.81	1959	Yes - medical center, school, grocery store	Yes
104657110	Residential - 4 units	1.14	1959	Yes - medical center, school, grocery store	Yes
104657111	Residential - one unit	0.33	1948	Yes - medical center, school, grocery store	Yes
104657113	Residential - one unit	0.54	1948	Yes - medical center, school, grocery store	Yes
104657112	Residential - one unit	2.00	1959	Yes - medical center, school, grocery store	Yes
104518103	Commercial (Plant Nursery)	3.44	1994	Yes - grocery store, medical center, school	No
104550101	Residential (Housing Authority)	N/A	1948	Yes - grocery store, medical center, school	No
104551123	Residential (Housing Authority)	N/A	1948	Yes - grocery store, medical center, school	No
104553214	Residential - one unit	0.87	1938	Yes - grocery store, medical center, school	No
104558137	Industrial - Automotive (Auto Sales)	0.99	1966	Yes - medical center, school, grocery store	No
104605117	Industrial (Office)	N/A	1959	Yes - medical center, school, grocery store	No
104606183	Commercial (building and parking)	1.08	1980	Yes - grocery store, medical center, school	No
104606184	Commercial (parking)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104606187	Commercial (building and parking)	0.51	1959	Yes - grocery store, medical center, school	No
104606188	Commercial (parking)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104609123	Residential - one unit	0.50	1938	Yes - grocery store, medical center, school	No
104609124	Residential - one unit	0.52	1948	Yes - grocery store, medical center, school	No
104617103	Commercial (Fueling)	0.29	1959	Yes - grocery store, medical center, school	No

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104634101	Residential - one unit	0.57	1938	Yes - medical center, school, grocery store	No
104634103	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104649310	Residential - one unit	0.45	1959	Yes - medical center, school, grocery store	No
104650128	Residential - one unit	N/A	1948	Yes - grocery store, medical center, school	No
104650159	Commercial	0.72	1959	Yes - grocery store, medical center, school	No
104656430	Residential - one unit	0.15	1959	Yes - medical center, school, grocery store	Yes
104650160	Industrial (Contractors Yard)	N/A	1959	Yes - grocery store, medical center, school	No
104718103	Other - National Guard Center	N/A	1966	Yes - grocery store, medical center, school	No
104718107	Industrial Building	0.55	1959	Yes - medical center, school, grocery store	No

Table B10. Site Inventory

APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
104646112	1315 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.56		Contractors Yard	20	30	30	Lower	8	6	0	0	14	Yes	No	No	No
104646113	0 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.14		Contractors Yard	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104646104	1307 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.29		Auto Trim	20	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104646105	1301 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.33		Contractors Yard	20	30	30	Mixed	0	0	4	4	8	Yes	No	No	No
104646107	1293 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.29		Contractors Yard	20	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104645108	756 E WASHINGTON BLVD	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.28		Contractors Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104646109	1279 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.55		Contractors Yard	20	30	30	Lower	8	6	0	0	14	Yes	No	No	No
104646110	1253 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.29		Termite Company	20	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104646111	1213 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.29		Termite Company	20	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104646217	298 N 11TH AVE	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.6		2-units	20	30	30	Lower	8	6	0	0	14	Yes	No	No	No
104646108	1179 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.34		Contractor office/yard	20	30	30	Mixed	0	0	4	4	8	Yes	No	No	No
104646209	1179 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.35		Contractor office/yard	20	30	30	Mixed	0	0	5	4	9	Yes	No	No	No
104617101	1320 SAN BERNARDINO RD	Vacant	Upzone	MFR-L	RM-20	RM-30	1.88		Vacant	20	40	40	Lower	36	24	0	0	60	Yes	No	No	No
104617107	147 E ARROW	Vacant	Upzone	MFR-L	RM-20	RM-30	0.21		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104617102	1471 E ARROW	Vacant	Upzone	MFR-L	RM-20	RM-30	1.2		Vacant	20	40	40	Lower	23	15	0	0	38	Yes	No	No	No
104617103	1401 ARROW HWY	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	2.57		Commercial Fueling	20	30	30	Lower	37	25	0	0	62	Yes	No	No	No
104609124	847 N CAMPUS AVE	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.21		1 SFR	20	30	30	Mixed	0	0	3	2	5	Yes	No	No	No
104609123	855 N CAMPUS AVE	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.22		1 SFR	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104609122	N CAMPUS AVE, WEST OF 847 AND 851	Vacant	Upzone	MFR-L	RM-20	RM-30	0.85		Vacant	20	30	30	Lower	13	8	0	0	21	Yes	No	No	No
104551123	N CAMPUS AVE and E 13th STREET	Non-Vacant	Upzone	MFR-L	RM-1	40 du ac	2.38		Housing Authority	10	40	40	Lower	18	12	0	0	30	Yes	No	No	No
104550101	N CAMPUS AVE and WEST ST.	Non-Vacant	Upzone	MFR-L	RM-1	40 du ac	10.21		Housing Authority	10	40	40	Lower	42	28		0	70	Yes	No	No	No
100736215	2571 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.1		SFR	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
100736214	2579 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.11		SFR	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
100736208	2587 BLANCHARD PL	Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.06		Vacant	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
100736205	2561 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.23		SFR/Vacant	4-10 DU	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
100736207	2585 E BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.69		SFR/Vacant	4-10 DU	30	30	Lower	10	7	0	0	17	Yes	No	No	No
100736203	300 CLAREMONT BLVD	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.14		SFR/Vacant	4-10 DU	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
100736202	NORTH of 290 N CLAREMONET BLVD	Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.37		Vacant	4-10 DU	30	30	Mixed	0	0	5	4	9	Yes	No	No	No
100736201	350 CLAREMONT BLVD	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	1.09		SFR/Vacant	4-10 DU	30	30	Lower	16	10	0	0	26	Yes	No	No	No
100736213	2581 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.08		SFR	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No

APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
100736210	NORTH of 2581 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.03		SFR	4-10 DU	30	30	Mixed	0	0	1	0	1	Yes	No	No	No
100736212	2595 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.17		SFR	4-10 DU	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
100736211	2597 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.17		SFR	4-10 DU	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
100736209	2583 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.05		SFR	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
100736206	270 CLAREMONT BLVD	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.13		SFR	4-10 DU	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
100736204	290 N CLAREMONT BLVD	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.22		SFR	4-10 DU	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104656318	141 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.6		Industrial Building	20	30	30	Lower	5	4	0	0	9	Yes	No	No	No
104656401	114 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.18		Auto Body Shop	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104656403	114 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		Auto Body Shop	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656402	114 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		Auto Body Shop	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656425	0 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.25		Industrial Building	20	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
104656424	101 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.29		Industrial Building	20	30	30	Mixed	0	0	3	2	5	Yes	No	No	No
104656419	135 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656404	128 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656405	138 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656418	139 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656429	153 N 9th Ave	Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.01		Vacant	20	30	30	Mixed	0	0	0	0	0	Yes	No	No	No
104656417	153 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656406	0 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656407	156 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656430	159 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656415	165 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656408	164 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656319	145 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	1.75		Industrial	20	30	30	Lower	16	11	0	0	27	Yes	No	No	No
104654122	145 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	1.05		Contractor Storage Yard	20	30	30	Lower	10	6	0	0	16	Yes	No	No	No
104654121	147 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	1.07		Contractor Storage Yard	20	30	30	Lower	10	6	0	0	16	Yes	No	No	No
104654120	153 N TENTH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.36		Contractor Storage Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654119	159 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.36		Contractor Storage Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654118	167 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.36		Contractor Storage Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654201	1091 E A ST	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.34		Storage Yard/building	20	30	30	Mixed	0	0	3	2	5	Yes	No	No	No

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104654202	106 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.2		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654204	112 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.38		Storage Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654246	112 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.3		Storage Yard	20	30	30	Mixed	0	0	3	2	5	Yes	No	No	No
104654208	142 N 10TH AVE	Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.15		Vacant	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654206	136 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.5		SFR/Storage Yard	20	30	30	Lower	5	3	0	0	8	Yes	No	No	No
104654243	109 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.26		SFR	20	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
104654242	119 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104654244	1127 E A ST	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.15		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654245	1117 E A ST	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.13		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104654241	125 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.15		Storage Yard/building	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654238	127 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.21		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654240	123 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.16		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654239	127 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.18		Storage Yard/building	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654229	169 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.38		SFR	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654226	177 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.17		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654228	165 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.13		Storage Yard/building	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104654230	165 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.31		Storage Yard	20	30	30	Mixed	0	0	3	0	3	Yes	No	No	No
104718103	1284 E SEVENTH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	3.6		National Guard Center	20	30	30	Lower	52	34	0	0	86	Yes	No	No	No
104718107	420 S 11TH AVE	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	4.48		Industrial Building	20	30	30	Lower	64	43	0	0	107	Yes	No	No	No
104718108	420 S 11TH AVE	Vacant	Upzone	MFR-L	RM-20	RM-30	2.57		Vacant	20	30	30	Lower	37	25	0	0	62	Yes	No	No	No
104349102	502 E TWENTYFIRST ST	Non-Vacant	Upzone	SFR-L	RS-20	RS-7.5	10		1 SFR/Horse Facility	0-4	10	10	Mixed	0	0	55	54	109	Yes	No	No	No
100402104	0 24TH ST	Vacant	Upzone	SFR-L	RS-15	RS-7.5	5.5		Vacant	0-4	10	10	Mixed	0	0	30	30	60	Yes	No	No	No
104518103	1420 N CAMPUS AVE	Non-Vacant	Rezone	P-OS	PB-L	RM-30	5.4		Nursery	NA	40	40	Lower	104	69	0	0	173	Yes	No	No	No
104518102	1420 N CAMPUS AVE	Non-Vacant	Rezone	P-OS	PB-L	RM-30	0.23		Nursery/ Easement	NA	40	40	Mixed	0	0	4	3	7	Yes	No	No	No
100744104	378 N CENTRAL AVE	Vacant	Rezone	C/R-MU	C/R-MU	RM-30	0.45		Vacant	20	30	30	Mixed	0	0	6	5	11	Yes	No	No	No
100744116	391 DRAKE AVE	Vacant	Rezone	0	C/R-MU	RM-30	0.27		Vacant	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
100744115	361 N DRAKE AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.27		SFR	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
100744114	367 DRAKE AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.22		SFR	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
100744117	377 DRAKE AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.36		SFR	20	30	30	Mixed	0	0	5	4	9	Yes	No	No	No
100744101	318 N CENTRAL AVE	Vacant	Rezone	0	C/R-MU	RM-30	1.2		Vacant	20	30	30	Lower	17	12	0	0	29	Yes	No	No	No
100744102	360 N CENTRAL AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.27		Storage	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No

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100744103	368 N CENTRAL AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.27		Storage	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104633322	811 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633323	823 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633319	239 N SAN ANTONIO AVE	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633324	831 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633325	845 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633326	855 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633318	822 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633317	842 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR/Contractor Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633313	842 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.64		Driveway	20	40	40	Lower	13	8	0	0	21	Yes	No	No	No
104633308	261 N SAN ANTONIO AVE	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633307	277 N SAN ANTONIO AVE	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633306	309 N SAN ANTONIO AVE	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633309	827 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633305	0 SAN ANTONIO PL	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		Vacant	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633310	843 SAN ANTONIO PL	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Vacant	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633304	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Storage Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633301	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.64		Vacant/Storage Yard	20	40	40	Lower	13	8	0	0	21	Yes	No	No	No
104633327	869 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Contractor office/Storage yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633329	887 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Office	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633316	869 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Storage Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633331	891 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.61		SFR/Business Use	20	40	40	Lower	11	8	0	0	19	Yes	No	No	No
104633311	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633303	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Contractor storage yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633312	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Contractor storage yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633302	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Contractor storage yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104653101	102 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.21		SFR	4-10 DU	20	20	Mixed	0	0	2	1	3	Yes	No	No	No
104653102	106 N 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.55		SFR/Vacant	4-10 DU	20	20	Mixed	0	0	5	4	9	Yes	No	No	No
104653107	144 N 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.5		SFR/Vacant	4-10 DU	20	20	Mixed	0	0	4	4	8	Yes	No	No	No
104653108	152 N 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.5		2 SFR	4-10 DU	20	20	Mixed	0	0	4	4	8	Yes	No	No	No
104653109	168 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.41		SFR/Vacant	4-10 DU	20	20	Mixed	0	0	3	3	6	Yes	No	No	No

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104707205	370 S 1ST AVE	Vacant	Rezone	OP	OP	RM-30	0.16		Vacant	NA	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
100730108	735 N CENTRAL AVE	Vacant	Rezone	C/I-MU	C/I-MU	RM-30	0.4		Vacant	20	30	30	Mixed	0	0	5	5	10	Yes	No	No	No
100730109	705 N CENTRAL AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	RM-30	0.42		2 SFR	20	30	30	Mixed	0	0	5	5	10	Yes	No	No	No
100730110	665 N CENTRAL AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	RM-30	0.42		Office	20	30	30	Mixed	0	0	5	5	10	Yes	No	No	No
100730111	653 N CENTRAL AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	RM-30	0.56		Plant Retail	20	30	30	Lower	8	6	0	0	14	Yes	No	No	No
100762105	1540 W 9TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-20	1.94		Contractor Yard	NA	40	40	Lower	37	25	0	0	62	Yes	No	No	No
100762106	1526 W 9TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-20	1.9		Contractor Yard	NA	40	40	Lower	37	24	0	0	61	Yes	No	No	No
100760101	1500 W 9TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-20	4.65		Contractor Yard	NA	40	40	Lower	89	60	0	0	149	Yes	No	No	No
100729108	1920 W 11TH ST	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.55		Auto Sales	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100728122	1915 W ARROW AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.17		Industrial	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100728146	1905 W ARROW RTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.11		Industrial	20	40	40	Mixed	0	0	2	1	3	Yes	No	No	No
100728144	1915 W ARROW AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.02		Industrial	20	40	40	Mixed	0	0	1	0	1	Yes	No	No	No
100728145	1915 W ARROW AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.03		Industrial	20	40	40	Mixed	0	0	1	0	1	Yes	No	No	No
100728118	1884 WOODLAWN ST	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	1.56		Storage	20	40	40	Lower	30	20	0	0	50	Yes	No	No	No
100728115	1882 WOODLAWN ST	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.56		Storage	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100728119	1859 W ARROW RTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.2		Storage	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100728117	1853 W ARROW RTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.2		Storage	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100728132	1851 W ARROW ROUTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.41		Storage	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100728134	1846 WOODLAWN ST	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	1.06		Storage	20	40	40	Lower	20	14	0	0	34	Yes	No	No	No
100728133	1845 W ARROW RTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.8		Storage	20	40	40	Lower	16	10	0	0	26	Yes	No	No	No
104658207	530 E 9TH ST	Non-Vacant	Rezone	SP	Pleasant View	Citrus Transp.	0.48		Auto Repair	4-10 du	55	55	Mixed	0	0	11	10	21	Yes	No	No	No
104655108	997 E 8TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-30	1.62		Tow Yard	0	30	30	Lower	23	16	0	0	39	Yes	No	No	No
104655102	119 GILMORE DR	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.26		Storage	0	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104655101	124 GILMORE DR	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.3		Storage	0	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104655107	1041 E 8TH ST	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-30	0.15		SFR	4-10 DU	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
104655106	1017 E 8TH ST	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-30	0.26		SFR	4-10 DU	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104655141	1019 E 8TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.34		Storage	0	30	30	Mixed	0	0	4	4	8	Yes	No	No	No
104655103	1059 E 8TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.67		Office	0	30	30	Lower	10	6	0	0	16	Yes	No	No	No
104652104	1059 E 8TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.9		Light Industrial	0	30	30	Lower	13	9	0	0	22	Yes	No	No	No
100746130	1813 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.15		Contractor Yard (Tree Service)	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100746119	0 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.21		Contractor Yard (Tree Service)	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No

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100746102	1813 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.38		Contractor Yard (Tree Service)	20	40	40	Mixed	0	0	6	6	12	Yes	No	No	No
100746131	1823 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100765401	1845 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Contractor office/yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100765402	1861 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.29		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765403	1871 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765404	1885 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.37		SFR	20	40	40	Mixed	0	0	6	6	12	Yes	No	No	No
100765405	1893 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.34		SFR	20	40	40	Mixed	0	0	6	5	11	Yes	No	No	No
100765201	1915 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.32		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765202	1937 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.38		Contractor office/yard	20	40	40	Mixed	0	0	6	6	12	Yes	No	No	No
100743211	0 N LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.07		Contractor storage yard	20	40	40	Mixed	0	0	1	1	2	Yes	No	No	No
100746101	202 N LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.58		Contractor Yard (Tree Service)	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100743214	1822 W HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743210	1861 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.15		Garage	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100743209	203 N LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.26		SFR	20	40	40	Mixed	0	0	4	4	8	Yes	No	No	No
100743206	229 N LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.51		SFR/Storage Yard	20	40	40	Lower	10	6	0	0	16	Yes	No	No	No
100743208	1871 W 9TH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.18		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743213	1850 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.15		SFR	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100743212	1860 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.15		SFR	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100743207	1885 W 9TH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.18		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743201	0 N VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743202	230 N VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.23		Storage Yard	20	40	40	Mixed	0	0	4	3	7	Yes	No	No	No
100743203	230 VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.24		SFR/Storage Yard	20	40	40	Mixed	0	0	4	4	8	Yes	No	No	No
100743204	280 VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.48		SFR/Storage Yard	20	40	40	Mixed	0	0	8	7	15	Yes	No	No	No
100743112	1915 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Storage	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743111	N VISTA PL, SOUTH OF HUNTINGTON DR.	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.16		Contractor storage yard	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100746220	1663 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.93		Office/Landscaper storage yard	20	40	40	Lower	18	12	0	0	30	Yes	No	No	No
100746126	1775 W NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.08		SFR	20	40	40	Mixed	0	0	1	1	2	Yes	No	No	No
100746127	1791 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.09		SFR	20	40	40	Mixed	0	0	2	1	3	Yes	No	No	No
100746128	1795 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.09		SFR	20	40	40	Mixed	0	0	2	1	3	Yes	No	No	No
100746214	1693 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.56		SFR/Storage Yard	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100746215	244 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No

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100746216	256 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746217	270 N SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746120	0 W NINTH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.09		Vacant	20	40	40	Mixed	0	0	2	1	3	Yes	No	No	No
100746111	1703 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR - Mixed Use	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100746110	257 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.27		SFR/Storage Yard	20	40	40	Mixed	0	0	5	4	9	Yes	No	No	No
100746109	275 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.32		SFR/Storage Yard	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100746108	297 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.59		SFR/Storage Yard	20	40	40	Lower	11	8	0	0	19	Yes	No	No	No
100746201	282 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746123	1751 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100746133	0 W 9TH ST, EAST OF 1775	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.46		SFR/Storage Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100746113	1751 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746115	1775 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746107	1760 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.89		SFR	20	40	40	Lower	17	12	0	0	29	Yes	No	No	No
100746106	0 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.42		Storage Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100746116	1791 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746117	1795 W 9TH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746132	0 W 9TH ST EAST OF 1813	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.76		SFR/Storage Yard	20	40	40	Lower	14	10	0	0	24	Yes	No	No	No
100746105	0 W HUNTINGTON DR	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		Vacant	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100746204	1638 W HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	1.2		Tow Yard	20	40	40	Lower	23	15	0	0	38	Yes	No	No	No
100746203	1659 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	1.1		Contractor office/yard	20	40	40	Lower	21	14	0	0	35	Yes	No	No	No
100746218	1670 W HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.22		SFR	20	40	40	Mixed	0	0	4	3	7	Yes	No	No	No
100765305	1948 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.46		Office	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100765304	1956 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.45		SFR	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100764202	108 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.81		SFR/Storage Yard	20	40	40	Lower	16	10	0	0	26	Yes	No	No	No
100764203	112 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100764201	102 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100765509	105 LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.29		Contractor office/yard	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765510	101 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	1.24		Storage Yard	20	40	40	Lower	24	16	0	0	40	Yes	No	No	No
100764204	1822 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.6		SFR	20	40	40	Lower	11	8	0	0	19	Yes	No	No	No
100765508	63 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.29		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765507	61 LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.18		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No

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100765506	1860 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.45		SFR/Storage Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100765505	1870 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.43		SFR/Storage Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100765501	34 N VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.64		Tow Yard	20	40	40	Lower	13	8	0	0	21	Yes	No	No	No
100765502	28 N VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.39		SFR/Storage Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100765504	1890 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.36		Auto Repair	20	40	40	Mixed	0	0	6	5	11	Yes	No	No	No
100765503	1894 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.49		Auto Body/Paint	20	40	40	Mixed	0	0	8	8	16	Yes	No	No	No
100765308	1916 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		3 Residential Units	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765307	1924 W NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765306	1934 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		Office	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764310	1678 W NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.69		SFR/Storage Yard	20	40	40	Lower	13	9	0	0	22	Yes	No	No	No
100764301	8793 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764302	108 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		SFR/Storage Yard	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764303	206 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		Industrial Building	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764304	202 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		SFR/Industrial building	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764219	203 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	2.74		Industrial Park	20	40	40	Lower	53	35	0	0	88	Yes	No	No	No
100764305	140 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		Industrial Building	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764325	120 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.44		SFR/Contractor Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100764309	0 W NINTH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.21		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100764308	1698 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		SFR/Industrial building	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764215	143 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR/Auto Storage	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100764214	0 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.18		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100764212	1726 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.63		Contractor office/Storage yard	20	40	40	Lower	12	8	0	0	20	Yes	No	No	No
100764211	1736 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.57		Contractor office/Storage yard	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100764213	1718 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.24		SFR	20	40	40	Mixed	0	0	4	4	8	Yes	No	No	No
100764209	1752 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.59		Auto Storage Yard	20	40	40	Lower	11	8	0	0	19	Yes	No	No	No
100764218	1770 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.75		SFR/Auto Storage	20	40	40	Lower	14	10	0	0	24	Yes	No	No	No
100764207	1784 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		SFR/Storage Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100764206	1794 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.49		SFR/Storage Yard	20	40	40	Mixed	0	0	8	8	16	Yes	No	No	No
100764205	1806 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.47		SFR/Storage Yard	20	40	40	Mixed	0	0	8	7	15	Yes	No	No	No
104638309	SOUTHWEST CORNER OF E ARROW HWY AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Arrow Hwy		0.13	Lot E	public parking lot	15	N/A	15	Mixed	1	0	1	0	2	Yes	Yes	Yes	Yes

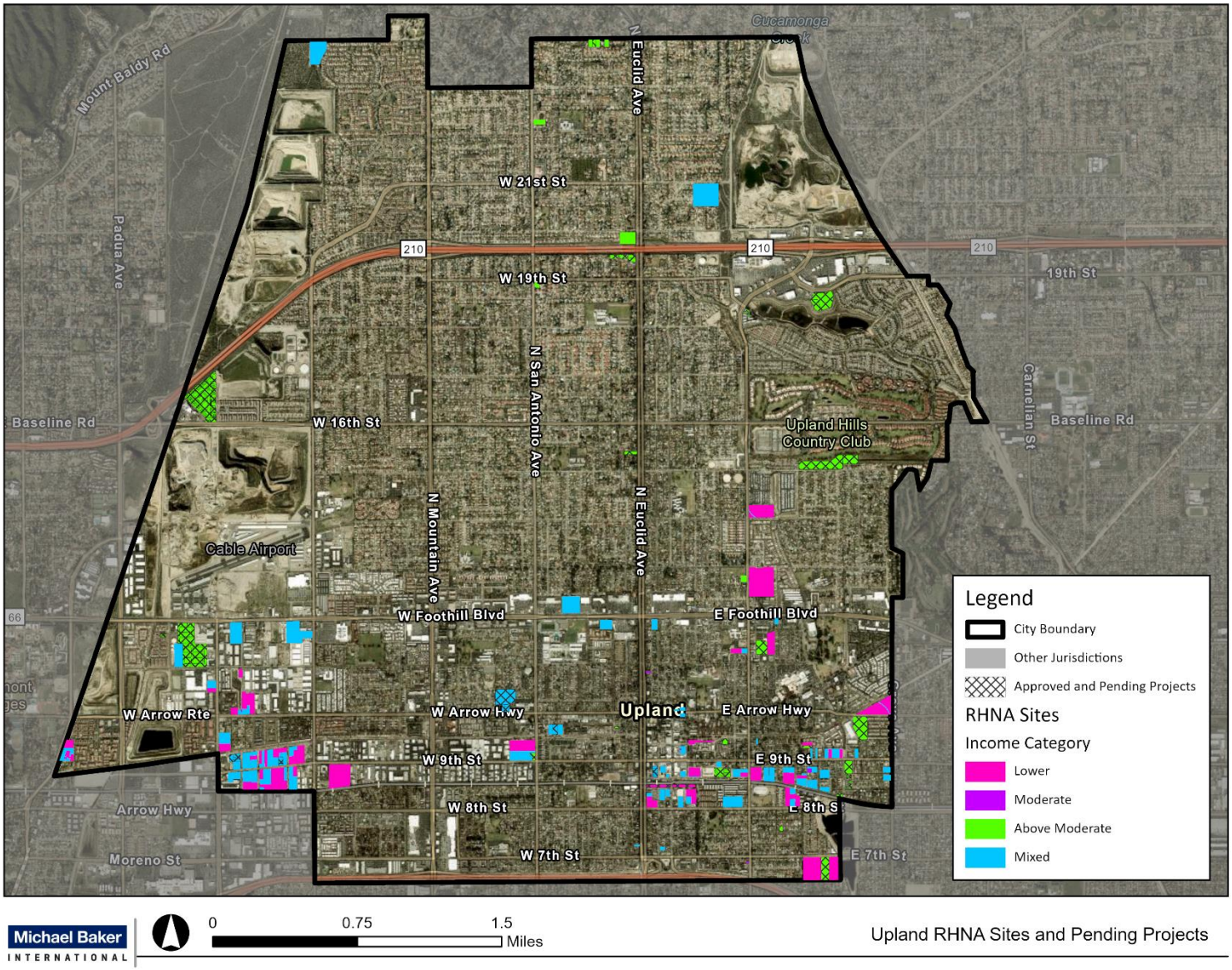
APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
104638310	SOUTHWEST CORNER OF E ARROW HWY AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Arrow Hwy		0.21	Lot E	public parking lot	15	N/A	15	Mixed	1	0	1	0	2	Yes	Yes	Yes	Yes
104625301	231 E ARROW HWY	Non-Vacant	Existing Zoning	SP	Arrow Hwy		0.17		Auto Repair	15	N/A	15	Mixed	0	0	1	1	2	Yes	No	Yes	Yes
104625315	523 3RD AVE	Non-Vacant	Existing Zoning	SP	Arrow Hwy		0.34		Auto Repair	15	N/A	15	Mixed	0	0	2	2	4	Yes	No	Yes	Yes
104641154	WASHINGTON BLVD AND C STREET	Non-Vacant	Existing Zoning	SP	Multi-family Senior Housing		1.03		landscaping	25	N/A	40	Lower	43	29	0	0	72	Yes	No	No	No
104640312	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.05	Lot D	public parking lot	35	N/A	35	Mixed	1	0	1	0	2	Yes	Yes	Yes	Yes
104640313	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.17	Lot D	public parking lot	35	N/A	35	Mixed	2	0	3	0	5	Yes	Yes	Yes	Yes
104640314	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.03	Lot D	public parking lot	35	N/A	35	Mixed	0	0	1	0	1	Yes	Yes	Yes	Yes
104640315	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.12	Lot D	public parking lot	35	N/A	35	Mixed	1	0	2	0	3	Yes	Yes	Yes	Yes
104640316	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.12	Lot D	public parking lot	35	N/A	35	Mixed	1	0	2	0	3	Yes	Yes	Yes	Yes
104640317	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.12	Lot D	public parking lot	35	N/A	35	Mixed	1	0	2	0	3	Yes	Yes	Yes	Yes
104640318	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.14	Lot D	public parking lot	35	N/A	35	Mixed	2	0	2	0	4	Yes	Yes	Yes	Yes
104656201	100 N 6TH AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.23		Industrial	55	N/A	55	Mixed	0	0	5	5	10	Yes	No	No	Yes
104656203	100 N 6TH AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.23		Industrial	55	N/A	55	Mixed	0	0	5	5	10	Yes	No	No	Yes
104656202	100 N 6TH AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.23		Industrial	55	N/A	55	Mixed	0	0	5	5	10	Yes	No	No	Yes
104656204	142 N SIXTH AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.28		Industrial	55	N/A	55	Mixed	0	0	6	6	12	Yes	No	No	Yes
104656212	153 N CAMPUS AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.46		Industrial	55	N/A	55	Mixed	0	0	10	10	20	Yes	No	No	No
104656213	125 N CAMPUS AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.51		Industrial	55	N/A	55	Lower	13	9	0	0	22	Yes	No	No	No
104658101	110 N 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		1.81		Warehouse	55	N/A	55	Lower	48	32	0	0	80	Yes	No	Yes	Yes
104658108	110 N 3RD AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.11		Vacant	55	N/A	55	Mixed	0	0	3	2	5	Yes	No	No	No
104659324	NORTHWEST CORNER OF A ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.16	Lot B	public parking lot	35	N/A	35	Mixed	2	0	3	0	5	Yes	Yes	Yes	Yes
104659318	NORTHWEST CORNER OF A ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.36	Lot B	public parking lot	35	N/A	35	Mixed	5	0	5	0	10	Yes	Yes	Yes	Yes
104659224	NORTH OF A ST AND WEST OF N 2ND AVE	Non-Vacant	Existing Zoning	SP	Old Town/ Historic Core		0.17		public parking lot	25	N/A	25	Mixed	1	0	2	0	3	Yes	Yes	Yes	Yes
104659204	N 1ST STREET BETWEEN A ST AND E 9TH ST	Non-Vacant	Existing Zoning	SP	Old Town/1st St. Overlay		0.14	Lot C	public parking lot	55	N/A	55	Mixed	3	0	3	0	6	Yes	Yes	Yes	Yes
104659205	N 1ST STREET BETWEEN A ST AND E 9TH ST	Non-Vacant	Existing Zoning	SP	Old Town/1st St. Overlay		0.21	Lot C	public parking lot	55	N/A	55	Mixed	5	0	5	0	10	Yes	Yes	Yes	Yes
104659206	N 1ST STREET BETWEEN A ST AND E 9TH ST	Non-Vacant	Existing Zoning	SP	Old Town/1st St. Overlay		0.21	Lot C	public parking lot	55	N/A	55	Mixed	5	0	5	0	10	Yes	Yes	Yes	Yes
104660105	178 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.17		vacant	40	N/A	40	Lower	4	2	0	0	6	Yes	No	Yes	Yes
104660112	179 S 1ST AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.17		vacant	55	N/A	55	Lower	4	3	0	0	7	Yes	No	No	No
104660113	185 S 1ST AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.17		vacant	55	N/A	55	Lower	4	3	0	0	7	Yes	No	No	No
104660114	89 8TH ST	Vacant	Existing Zoning	SP	Citrus Transp.		0.33		vacant	55	N/A	55	Lower	8	6	0	0	14	Yes	No	No	No
104660101	0 EIGHTH ST	Vacant	Existing Zoning	SP	Euclid		0.03		vacant	40	N/A	40	Lower	1	0	0	0	1	Yes	No	Yes	No

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104660102	196 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.11		vacant	40	N/A	40	Lower	2	1	0	0	3	Yes	No	No	No
104660103	188 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.05		vacant	40	N/A	40	Lower	1	1	0	0	2	Yes	No	No	No
104660104	188 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.11		vacant	40	N/A	40	Lower	2	1	0	0	3	Yes	No	No	No
104660106	178 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.15		vacant	40	N/A	40	Lower	3	2	0	0	5	Yes	No	No	No
104660107	170 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.17		vacant	40	N/A	40	Lower	4	2	0	0	6	Yes	No	No	No
104660115	188 EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.17		vacant	40	N/A	40	Lower	4	2	0	0	6	Yes	No	No	No
104660108	150 EUCLID	Vacant	Existing Zoning	SP	Euclid		0.33		vacant	40	N/A	40	Mixed	0	0	5	5	10	Yes	No	Yes	No
104660207	166 S FIRST AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.32		Vacant lumber yard and parking with single owner	55	N/A	55	Mixed	0	0	7	7	14	Yes	No	Yes	Yes
104660208	140 S 1ST AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.32		Vacant lumber yard and parking with single owner	55	N/A	55	Mixed	0	0	7	7	14	Yes	No	Yes	Yes
104660206	172 S 1ST AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.16		Vacant	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660205	172 S 1ST AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.16		Vacant	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660209	140 E 2ND ST	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.11	Lot A	public parking lot	55	N/A	55	Mixed	2	0	3	0	5	Yes	Yes	Yes	Yes
104660210	140 E 2ND ST	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.12	Lot A	public parking lot	55	N/A	55	Mixed	3	0	3	0	6	Yes	Yes	Yes	Yes
104660211	140 E 2ND ST	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.37	Lot A	public parking lot	55	N/A	55	Mixed	8	0	8	0	16	Yes	Yes	Yes	Yes
104660308	283 E 8TH ST	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.11		SFR	55	N/A	55	Mixed	0	0	3	2	5	Yes	No	Yes	Yes
104660307	0 THIRD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		single-family residential	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660310	183 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		single-family residential	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	Yes	Yes
104660311	167 S THIRD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.49		Commercial Building	55	N/A	55	Mixed	0	0	11	11	22	Yes	No	No	No
104660309	251 E 8TH ST	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.05		single-family residential	55	N/A	55	Mixed	0	0	1	1	2	Yes	No	No	No
104660408	167 S SULTANA AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		1.29		vacant industrial	55	N/A	55	Lower	34	23	0	0	57	Yes	No	Yes	Yes
104660403	184 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		single-family residential	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660404	176 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		single-family residential	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660405	170 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		Multi-family	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660406	164 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		vacant industrial	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660407	140 S THIRD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.64		Industrial	55	N/A	55	Lower	17	11	0	0	28	Yes	No	No	No
104657106	669 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.81		1 SFR/Storage Yard	20	N/A	20	Mixed	0	0	7	6	13	Yes	No	No	No
104657107	659 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.21		SFR	20	N/A	20	Mixed	0	0	2	1	3	Yes	No	No	No
104657108	649 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.65		4 units	20	N/A	20	Mixed	0	0	5	5	10	Yes	No	No	No
104657109	635 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.51		4 units	20	N/A	20	Mixed	0	0	4	4	8	Yes	No	No	No
104657110	623 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.51		4 units	20	N/A	20	Mixed	0	0	4	4	8	Yes	No	No	No

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104657111	613 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.51		SFR	20	N/A	20	Mixed	0	0	4	4	8	Yes	No	No	No
104657113	599 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.17		SFR	20	N/A	20	Mixed	0	0	1	1	2	Yes	No	No	No
104657112	605 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.41		SFR	20	N/A	20	Mixed	0	0	3	3	6	Yes	No	No	No
104610214	867 E 11TH ST	Vacant	Existing Zoning	MFR-L	RM-30		1.5		Vacant	30	N/A	30	Lower	22	14	0	0	36	Yes	No	No	No
104650160	85 N GROVE ST	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.37		Contractor Yard	20	N/A	20	Mixed	0	0	2	2	4	Yes	No	No	No
104650159	1472 BOWEN ST	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.37		Commercial	20	N/A	20	Mixed	0	0	2	2	4	Yes	No	No	No
104650128	111 N GROVE AVE	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.7		1 SFR	20	N/A	20	Mixed	0	0	4	3	7	Yes	No	No	No
104405104	1997 N EUCLID AVE	Non-Vacant	Existing Zoning	SFR-L	RS-20		3.22		SFR	0-4	N/A	4	Above Moderate	0	0	0	10	10	Yes	No	No	No
104325122	2224 N SAN ANTONIO AVE	Vacant	Existing Zoning	SFR-L	RS-20		1		Vacant	1	N/A	1	Above Moderate	0	0	0	2	2	Yes	No	No	No
100706108	1816 FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		3.74		Restaurant/Vacant (Buffalo Inn)	20	N/A	20	Mixed	0	0	19	19	38	Yes	No	No	No
100706123	1812 FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		0.83		Restaurant/Vacant (Buffalo Inn)	20	N/A	20	Mixed	0	0	5	4	9	Yes	No	No	No
100704107	2085 W ELEVENTH ST	Vacant	Existing Zoning	Enclave	Specific Plan		3.39		Vacant	20	N/A	20	Mixed	0	0	27	27	54	Yes	No	No	No
100709108	1690 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		1.82		Car Rental/Vacant	20	N/A	20	Mixed	0	0	9	9	18	Yes	No	No	No
100709109	0 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		0.92		Commercial Building/Abandoned SFR/vacant	20	N/A	20	Mixed	0	0	5	4	9	Yes	No	No	No
100709110	1656 W FOOTHILL	Vacant	Existing Zoning	C/I-MU	C/I-MU		0.95		vacant	20	N/A	20	Mixed	0	0	5	5	10	Yes	No	No	No
100709116	939 N BENSON AVE	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		1.76		Industrial Building/yard	20	N/A	20	Mixed	0	0	9	9	18	Yes	No	No	No
100709107	1700 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		1.35		Industrial Building/yard	20	N/A	20	Mixed	0	0	7	7	14	Yes	No	No	No
104707206	370 S 1ST AVE	Vacant	Existing Zoning	SFR-M	RS-7.5		0.16		Vacant	4-10 du	N/A	10	Mixed	0	0	1	1	2	Yes	No	No	No
104627105	0 N EUCLID AVE	Vacant	Existing Zoning	SFR-M	RS-7.5		0.14		Vacant	4-10 du	N/A	10	Mixed	0	0	1	0	1	Yes	No	No	No
104606184	0 E FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.21		Commercial/parking	20	N/A	20	Mixed	0	0	1	1	2	Yes	No	No	No
104606188	0 FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.2		Commercial/parking	20	N/A	20	Mixed	0	0	1	1	2	Yes	No	No	No
104606183	80 E FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.41		Commercial/parking	20	N/A	20	Mixed	0	0	2	2	4	Yes	No	No	No
104606187	60 E FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.15		Commercial/parking	20	N/A	20	Mixed	0	0	1	1	2	Yes	No	No	No
104611101	920 E FOOTHILL BLVD	Vacant	Existing Zoning	C/O-MU	C/O-MU		0.38		Vacant	20	N/A	20	Mixed	0	0	2	2	4	Yes	No	No	No
104303234	0 W 24TH ST	Vacant	Existing Zoning	SFR-L	RS-20		0.55		Vacant	0-4 du/ac	N/A	4	Above Moderate	0	0	0	2	2	Yes	No	No	No
104303230	0 W 24TH ST	Vacant	Existing Zoning	SFR-L	RS-20		0.51		Vacant	0-4 du/ac	N/A	4	Above Moderate	0	0	0	2	2	Yes	No	No	No
104303232	0 W 24TH ST	Vacant	Existing Zoning	SFR-L	RS-20		0.51		Vacant	0-4 du/ac	N/A	4	Above Moderate	0	0	0	2	2	Yes	No	No	No
104403219	1887 LIVEOAK WAY	Vacant	Existing Zoning	SFR-L	RS-15		0.35		Vacant	0-4 du/ac	N/A	4	Above Moderate	0	0	0	1	1	Yes	No	No	No
100728123	1931 W ARROW	Non-Vacant	Existing Zoning	MFR-M	RM-30		0.85		1SFR	30	N/A	30	Lower	13	8	0	0	21	Yes	No	No	No
104722125	0 N CAMPUS AVE	Vacant	Existing Zoning	SFR-M	RS-7.5		0.07		Vacant	4-10 du/ac	N/A	10	Mixed	0	0	1	0	1	Yes	Yes	No	No

APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
104704107	0 EUCLID AVE	Vacant	Existing Zoning	SFR-M	RS-7.5		0.17		Vacant	4-10 du/ac	N/A	10	Mixed	0	0	1	1	2	Yes	No	No	No
104558137	555 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		5.21		Auto Dealership	20	N/A	20	Mixed	0	0	26	26	52	Yes	No	No	No
104553214	689 E PINE ST	Non-Vacant	Existing Zoning	SFR-M	4-10 DU		0.64		1 SFR	1	N/A	1	Above Moderate	0	0	0	1	1	Yes	No	No	No
104605117	234 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		1.94		Office	20	N/A	20	Mixed	0	0	10	10	20	Yes	No	No	No
104646206	1221 E 9TH ST	Non-Vacant	Existing Zoning	RM-20	RM-20		0.31		SFR	20	N/A	20	Mixed	0	0	3	2	5	Yes	No	No	No
104634103	689 W VERNON DR	Non-Vacant	Existing Zoning	MFR-L	RM-20		0.66		SFR	20	N/A	20	Mixed	0	0	5	5	10	Yes	No	No	No
104634101	619 W VERNON DR	Non-Vacant	Existing Zoning	MFR-L	RM-20		0.85		SFR	20	N/A	20	Mixed	0	0	7	7	14	Yes	No	No	No
104649310	1371 E 9TH ST	Non-Vacant	Existing Zoning	MFR-L	RM-20		0.29		SFR	20	N/A	20	Mixed	0	0	3	2	5	Yes	No	No	No
104649311	1369 E 9TH ST	Vacant	Existing Zoning	MFR-L	RM-20		0.29		Vacant	20	N/A	20	Mixed	0	0	3	2	5	Yes	No	No	No

Figure B1. Site Map



Appendix C Fair Housing Assessment

Assembly Bill (AB) 686 requires a jurisdiction's Housing Element to provide an analysis of barriers that restrict access to opportunity and a commitment to specific meaningful actions and how the identified Regional Housing Needs Allocation (RHNA) sites affirmatively further fair housing. AB 686 requires jurisdictions to identify meaningful goals to address the impacts of systemic issues such as residential segregation, housing cost burden, and unequal educational or employment opportunities to the extent these issues create and/or perpetuate discrimination against protected segments of the population. In addition, AB 686:

- Requires jurisdictions and public housing authorities to administer their programs and activities related to housing and community development in a way that affirmatively furthers fair housing;
- Prohibits the state, cities, counties, and public housing authorities from taking actions materially inconsistent with their Affirmatively Furthering Fair Housing (AFFH) obligation;
- Adds an AFFH analysis to the Housing Element (an existing planning process that California cities and counties must complete) for plans that are due beginning in 2021; and
- Includes in the Housing Element's AFFH analysis a required examination of issues such as segregation and resident displacement, as well as the required identification of fair housing goals.

The bill added an assessment of fair housing to the Housing Element which includes the following components:

- A summary of fair housing issues and assessment of the City's fair housing enforcement and outreach capacity;
- An analysis of segregation patterns and disparities in access to opportunities,
- An assessment of contributing factors, and
- An identification of fair housing goals and actions.

Outreach

As discussed in the Public Participation section, early in the Housing Element update process the City developed a list of stakeholders with local expertise in housing issues, including fair housing. The stakeholder list included local service providers, affordable housing developers, and fair housing organizations in an effort to include the interests of lower-income residents and persons with special needs in the community.

Over the course of the Housing Element update process the City conducted a series of public meetings. Public notice of each meeting was posted on the City's dedicated Housing Element website and was also sent directly to persons and organizations on the stakeholder list. Public meetings were held both online and in person to encourage those with mobility difficulties to participate. Agendas and other information for each meeting was posted on the City website to allow interested stakeholders to access to this information throughout the process. Interested persons were also encouraged to provide input or ask questions via telephone or email.

In addition to public workshops and hearings, the City also directly contacted housing advocates, housing service providers, and community organizations who serve the interests of lower-income households and special needs groups to solicit comments on housing needs, barriers to fair and affordable housing, and opportunities for development. Translation services were available for all meetings upon request.

To encourage continuing stakeholder involvement in local housing issues throughout the planning period, Program 21 and Program 22 include a commitment to conduct ongoing, proactive outreach to engage members of all socio-economic groups and recruit members of underrepresented groups to participate in City meetings.

During the month of January and early February, 2024, the City conducted additional, targeted stakeholder outreach focusing on low-moderate income and special needs populations. The City conducted five additional stakeholder interviews with groups who include and represent low-moderate income and special needs populations in Upland. Target populations include extremely low-income persons, those in transitional housing, those in senior housing, mobile home communities, fair housing services, homeowner wraparound services, and disability services. .Interviewees stressed the high cost of construction, importance of housing choices, need for education on fair housing and housing resources, homeownership and repair programs, and importance of ADUs, including educating homeowners on ADU development. The City has included and modified a number of programs in the Housing Element based in part on this feedback. The feedback and where it is addressed in Housing Element Programs is as follows:

- Increased housing mobility and housing options (Program 6, Program 23)
- Importance of education, especially regarding fair housing and tenant's rights (Program 21, Program 22)
- Importance and opportunity for ADUs (Program 9, Program 23)
- Need for additional low-income housing (Program 6, Program 14, Program 15, Program 20)
- Home Repair and Assistance Programs (Program 2, Program 3, Program 5)

Fair Housing Assessment

This section provides an assessment of fair housing issues in Upland including fair housing enforcement and outreach capacity, patterns of integration and segregation, racial or ethnic patterns of concentration, disparities in access to opportunities, and disproportionate housing needs, including displacement risk.

City Overview

Upland is in the Riverside-San Bernardino-Ontario Metropolitan Statistical Area. The City is located in the southwest corner of San Bernardino County adjacent to Los Angeles County. The City encompasses approximately 15.6 square miles and has no external sphere of influence.

Much of the fair housing analysis is based upon census data provided at the census tract level. Upland has a total of 18 census tracts. Figure C1 displays the census tracts in the City and the RHNA sites within those census tracts; however, some of the census tracts are not solely in Upland and have portions in neighboring jurisdictions. As a result, demographic information for these census tracts reflects neighboring communities, as well as Upland.

Most of the census tracts in Upland contain housing, with the majority of the City being zoned for single-family neighborhoods. 17 of the 18 census tracts that intersect Upland have the majority of their area located inside City limits. Of the 17 tracts mostly in the City, these tracts vary in demographic makeup, with tracts on average having lower incomes and more predominant non-White populations in southern Upland, and tracts in northern Upland have higher incomes and a more predominant White population. While there is much variation in the tracts

surrounding the City, the majority of the surrounding areas follow the opportunity trends in Upland to the north and south. There is significant variation in resource categories within the City, with the northern areas of the City being of highest resource, areas in the central city being high resource and moderate resource, and areas in the south being low resource. This is a relative ranking based on composites of environmental, economic, and education scores.

The Affirmatively Furthering Fair Housing (AFFH) section also considers the effects that the selected RHNA sites may have on fair housing. Selected RHNA sites and entitled projects are relatively distributed throughout the City.

Figure C1. Census Tracts and RHNA Sites

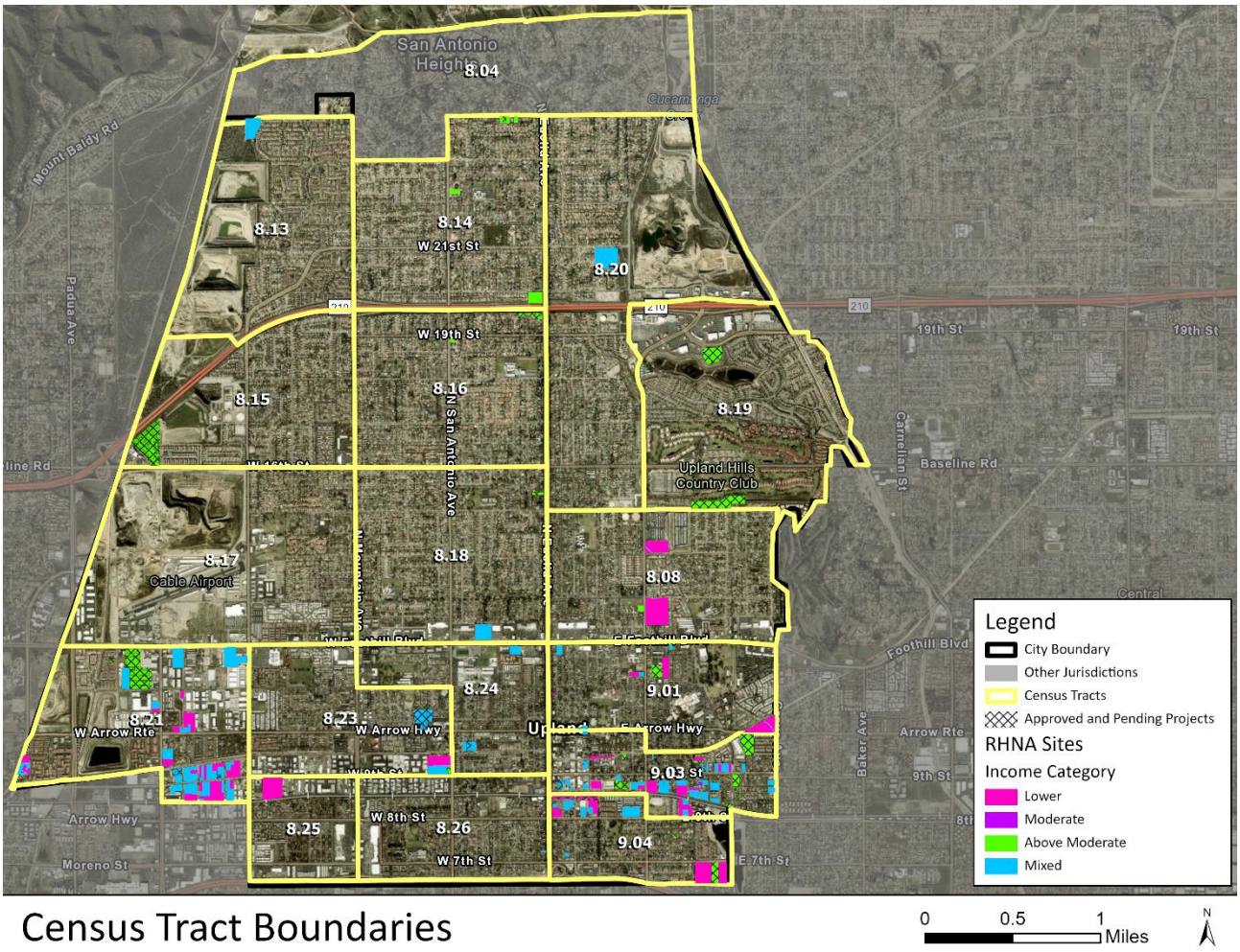


Table C2. Comparison of Fair Housing with Respect to Location

Tract	Low	Mod.	Above Mod.	RHNA Units		Total HH	Total Pop.	TCAC Composite Category	Median Income	% with Disability	% of Children in FHH	CES Percentile	% Non-White	R/ECAP Present
Census Tracts Mostly Inside Upland														
9.03	374	232	469	1,075	17.6%	1,412	1,794	Moderate Resource	$57,826	12.5%	14.9%	77.2	76.6%	No
8.21	791	507	768	2,066	33.8%	1,976	2,084	Moderate Resource	$74,977	9.9%	29.3%	71.3	59.3%	No
9.01	217	20	72	309	5.1%	1,948	1,699	Moderate Resource	$62,939	14.6%	18.5%	73.0	64.7%	No
8.14	0	0	21	21	0.3%	1,248	824	Highest Resource	$ 147,813	11.6%	8.9%	14.3	36.9%	No
8.24	4	22	44	70	1.1%	1,866	1,059	Low Resource	$64,492	11.3%	15.0%	81.1	41.3%	No
8.08	273	4	4	281	4.6%	1,840	1,333	Moderate Resource	$85,583	15.2%	14.1%	67.4	61.2%	No
8.25	272	0	0	272	4.4%	1,562	2,387	Low Resource	$56,649	6.8%	8.6%	81.8	77.8%	No
9.04	574	114	167	855	14.0%	1,332	2,603	Low Resource	$68,592	9.5%	18.5%	85.4	72.2%	No
8.26	0	1	1	2	0.0%	1,445	1,309	Low Resource	$74,306	11.0%	14.4%	83.5	50.5%	No
8.2	0	55	54	109	1.8%	1,210	1,682	Highest Resource	$ 138,846	11.0%	0.0%	15.7	38.0%	No
8.19	0	0	243	243	4.0%	2,085	2,281	High Resource	$ 140,893	9.9%	4.0%	36.6	48.7%	No
8.13	0	30	30	60	1.0%	1,163	1,798	Highest Resource	$91,250	12.8%	19.7%	12.3	40.3%	No
8.17	0	0	0	0	0.0%	1,367	1,391	Moderate Resource	$78,750	15.3%	8.2%	56.8	54.5%	No
8.15	0	0	176	176	2.9%	1,164	1,729	Highest Resource	$ 140,000	10.2%	8.9%	15.0	51.0%	No
8.16	0	0	5	5	0.1%	1,479	989	Highest Resource	$ 122,096	10.4%	19.2%	10.3	39.9%	No
8.23	212	59	249	520	8.5%	2,404	1,627	Moderate Resource	$64,774	13.7%	21.7%	75.6	65.9%	No
8.18	0	26	27	53	0.9%	1,885	1,159	High Resource	$99,913	14.5%	4.1%	52.7	40.4%	No
Census Tracts Mostly Outside Upland														
8.04	0	0	0	0	0.0%	1,062	2,144	Highest Resource	$ 141,190	11.1%	9.8%	8.3	35.9%	No

Fair Housing Enforcement and Outreach Capacity

The City of Upland has contracted with Inland Fair Housing and Mediation Board (IFHMB) to provide fair housing and related services to residents. Established in 1980, IFHMB is a nonprofit, public benefit corporation that provides information about fair housing rights under the law, comprehensive housing counseling services, mediation services for the resolution of disputes, and information concerning shared housing opportunities and needs among senior citizens. IFHMB serves as an intermediary to resolve issues related to housing discrimination, homeownership and housing sustainability, rental complaints, and disputes in court, with the goal of empowering individuals and enriching the communities they serve. IFHMB provides services to over 40,000 individuals annually throughout County of San Bernardino representing a multiplicity of racial, ethnic, age, and income groups.

Funded primarily with Community Development Block Grant (CDBG) funds, IFHMB provides programs and services focused on eliminating housing discrimination, general housing assistance, and education and outreach activities to residents in the County of San Bernardino as well as residents in the City of Indio and Cathedral City in Riverside County, the City of Pomona in Los Angeles County, and the City of El Centro in Imperial County. The comprehensive Fair Housing Programs includes:

- Community-Based Mediation: IFHMB provides trained mediators to provide education and information regarding rights and responsibilities under the California Landlord-Tenant laws and help to resolve conflicts between landlords and tenants (including mobile homes). IFHMB contracts with San Bernardino County to provide mediation in small claims and unlawful detainer lawsuits in County courts.

- Education/Outreach: IFHMB provides education and outreach services to landlords and tenants, Realtors, newspapers, service organizations, schools, persons with Limited English Proficiency, and others interested in learning about fair housing laws. IFHMB also provides HUD-certified counseling to homeowners who are delinquent on FHA loans or seniors interested in reverse equity mortgage loan programs. Fair housing workshops and newsletters are also provided on a quarterly basis.

- Senior Services: IFHMB actively and successfully mediates conflicts between seniors and Social Security, Medi-Cal, utility companies, collection agencies, neighbors, and others. IFHMB also provides a Care Referral Service, offers help in filing for HEAP and Homeowner/Renter Assistance, and maintains a list of senior housing and care homes.

- Alternative Dispute Resolution: The California Dispute Resolution Programs Act of 1986 provides the authority for mediation in the court system. Inland Fair Housing and Mediation Board has a contract with the County of San Bernardino to provide mediation in civil, family, probate, small claims, and unlawful detainer lawsuits in all of the courts in San Bernardino County.

- Mobile Home Mediation: IFHMBs mediators are trained to handle the specialized problems based on the Mobile Home Residency Law (MRL) that reflects the dual ownership and unique life style of mobile home communities. They provide education and information to residents and parks about the MRL, as well as provide information to both sides when fair housing issues are presented, and when requested serve as neutral third parties to facilitate resolution of conflicts.

IFHMB responds to discrimination inquiries and complaints in an expedient manner, relying on over 30 years of experience in the industry. Determining whether a client is inquiring regarding a fair housing discrimination problem or a non-discrimination landlord/tenant or other problem can be difficult. Often what may appear at first to be a simple landlord/tenant dispute turns out to be a situation where a landlord has violated one or more fair housing laws. While many of the cases IFHMB are presented with no longer involve a discriminatory policy, such as "No Hispanics need apply," many cases involve a discriminatory application of a facially neutral policy, such as different eviction timelines for minorities.

IFHMB investigates allegations of discrimination based on a person's status as a member of one of the State or Federal protected categories, which include: Race, Color, Religion, National Origin, Sex, Familial Status, Disability, Marital Status, Sexual Orientation, Ancestry, Age, Source of Income, and Arbitrary Characteristics. Race, Color, Religion, National Origin, Sex, Familial Status, and Disability are the categories protected by the federal Fair Housing Act. The State of California provides protection from discrimination based on all seven of the federal protected categories and has added Marital Status, Sexual Orientation, Ancestry, Age, Source of Income and Arbitrary Characteristics as additional protected classes under state law.

Once a fair housing complaint is received, IFHMB educates the complainant of their rights and responsibilities under the state and federal fair housing laws. Further investigation may then be conducted depending on the nature of the complaint and the suitability of the complaint to investigation.

IFHMB uses government-regulated testing methodologies to enforce, support, and conduct fair housing investigations. A housing discrimination complaint can be investigated through testing, the gathering of witness statements, and through research surveys. Based on the details provided by the complainant, IFHMB will either investigate the complaint or advise the complainant of their other options, which include: conciliation, filing a complaint with the Department of Housing and Urban Development (HUD) or with California's Department of Fair Employment and Housing (DFEH), hiring a private attorney, or possibly, a referral to such an attorney, or filing a complaint with the Department of Justice (DOJ).

During the five-year period studied, there were 138 discrimination inquiries made to IFHMB by Upland residents, with the primary basis for the inquiry as follows:

Basis	Number
Age	1
Ancestry	0
Arbitrary	7
Color	0
Disability	92
Familial Status	8
Marital Status	0
National Origin	6
Race	13
Religion	1
Sex	8
Sexual Orientation	1
Source of Income	1
Total:	138

Review of the data shows that disability is, far and away, the most common category for allegations of discrimination. No other protected category accounts for 10 percent of the total number of discrimination complaints, while disability represents a full two-thirds of all discrimination complaints. Race (9 percent) is the second most common basis for alleged discrimination, with sex and familial status tied for third with 6 percent of all discrimination complaints coming from the City of Upland over the last five years.

This data becomes more enlightening when compared to the data reported in 2013 in the City of Upland's prior Analysis of Impediments to Fair Housing Choice. For Fiscal Years 2007-2008 through 2011-2012, there were 141 fair housing discrimination complaints during that period. While the total number of discrimination complaints has stayed relatively the same, the nature of those complaints is what is worthy of consideration.

Over that time frame, discrimination based on disability went from 48 percent of all complaints made to IFHMB in the five-year period ending FY 2011-12 to 67 percent of all complaints made to IFHMB in the five-year period ending FY 2017-18. Conversely, allegations of discrimination based on race dropped from 21 percent of all complaints made to IFHMB in the five-year period ending FY 2011-12 to 9 percent of all claims made to IFHMB in the five-year period ending FY 2017-18. No other protected categories saw large shifts in their percentage of the total number of complaints IFHMB has received in the most recent five-year period versus the prior period.

One possible reason for this shift in the nature of discrimination complaints that IFHMB is receiving could be an aging population in the City of Upland. As one member of the community pointed out at one of the community meetings, the neighborhood in which she lived is predominately made up of longer-term residents, many of whom are the first and only owner of the home they live in. As more and more residents of the City of Upland "age in place," the needs of persons with disabilities will become more pressing.

The Office of Fair Housing and Employment (OFHE) is the federal agency responsible for investigating housing discrimination complaints filed with HUD. HUD annually compiles data on housing discrimination complaints from OFHE and Federal Housing Assistance Programs (FHAP) which are state and local government agencies that enforce fair housing laws. The annual report identifies the types of complaints, any fair housing impediments, OFHE's progress in addressing the complaints, and HUD's efforts to promote equal housing choice.

The most recent OFHE report, FHEO Annual Report FY 2017 found a similar percentage of complaints were made based on disability across the nation as was reported in the City of Upland. 59.4 percent of all discrimination complaints made to HUD during the last fiscal year were based on the protected category of disability. Race was second nationally, just as it was in the City of Upland, but the percentage of total complaints was higher nationally than in the City of Upland, 26 percent versus 9 percent respectively.

The Constraints section of this Housing Element describes ways that the City works to address potential impediments to fair housing choice. As noted in Program 21 of the Housing Plan, the City intends to continue to contract with the IFHMB or another comparable and qualified service provider to implement fair housing goals.

The City Attorney has indicated that as of November 29, 2023, and after due inquiry with City staff who would have relevant knowledge and information, the City Attorney is not aware of any violation by the City of Upland or its related public entities of any of the civil rights and fair housing laws set forth below, and the City Attorney is unaware of any unresolved or other litigation concerning compliance.

- California Fair Employment and Housing Act (FEHA) (Part 2.8 (commencing with section 12900) of Division 3 of Title 2);
- California Government Code sections 8899.50, 65008, and 11135;
- Civil Code section 51 (the Unruh Civil Rights Act); and
- FEHA regulations in California Code of Regulations, title 2, sections 12005-12271
- Density Bonus Law (Gov. Code, § 65915.)
- Housing Accountability Act (Gov. Code, § 65589.5.)
- No-Net-Loss Law (Gov. Code, § 65863)Density Bonus Law
- Least Cost Zoning Law (Gov. Code, § 65913.1)
- Excessive subdivision standards (Gov. Code, § 65913.2.)
- Limits on growth controls (Gov. Code, § 65302.8.)
- Housing Element Law (Gov. Code, § 65583, esp. subds. (c)(5), (c)(10).)

Patterns of Integration and Segregation

Race and Ethnicity

Figure C3 shows the racial and ethnic majority by census tract in the City of Upland. As illustrated, the southern areas of the City have a slim (<10%) to sizeable (10-50%) Hispanic majority, while the majority of the City has a slim (<10%) to predominant (>50%) White majority. These trends extend beyond the City boundaries. The tracts with Hispanic majorities have a larger low- to moderate- income population and less positive TCAC scores than the majority White tracts.

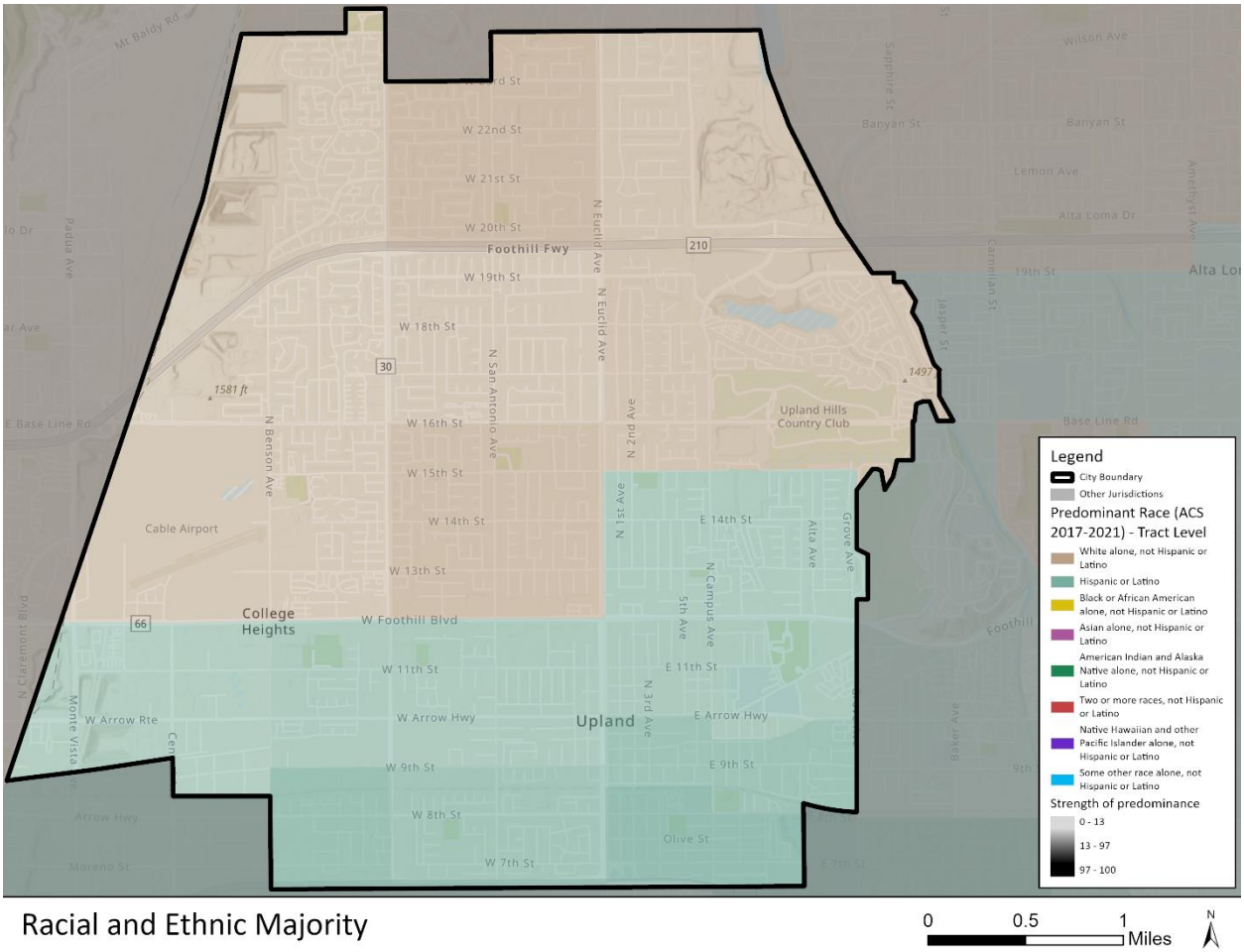
These trends continue beyond the City limits. Upland has comparable racial trends to the County as a whole. Regionally, there is a common correlation between wealth and race, which may help explain the racial/income concentrations in the City. The City has a smaller Hispanic population (43.5 percent) in comparison to the County (54.6 percent). Upland, however, has a larger Asian/Asian Pacific Islander (API) population (9.2 percent) to the County (7.6 percent), and a significantly larger non-Hispanic White population (32.6 percent) compared to the County (26.6 percent).

As seen in Figure C4, the percentage of non-white population in Upland is highest in the southern portion of the City and is similar to the adjacent areas in Montclair and Ontario, while the northern portion of the City has a lower non-white proportion similar to the adjacent areas of Claremont and Rancho Cucamonga.

The northern portion of Upland abuts the San Gabriel Mountains foothills which contains substantial open space and very few households. The census tract data in this part of Upland may be affected by these factors. The northern portion of Upland is classified with a White majority, and this demographic data remains the same extending north of the City to unincorporated San Antonio Heights and the foothills. Southern Upland as well as a majority of the cities south of Upland have a Hispanic majority, including the City of Ontario which has a significantly more predominant Hispanic majority. Beyond the southern areas of San Bernardino County, there are a few areas in neighboring jurisdictions with Asian majority populations, including in the Cities of Eastvale and Chino Hills.

The trends in and around Upland have remained similar over time. However, some tracts further to the South which now have more predominant Asian populations were previously predominantly Hispanic or White. Upland has had a predominant White population in northern areas, and predominant Hispanic population in southern areas at least since census data available in 2010. As of 2021 ACS data, the Hispanic population in the south is becoming more predominant, and there are some areas in central/eastern Upland that are becoming more predominantly Hispanic over time.

Figure C2. Racial and Ethnic Majority (2010)



Source: HCD AFFH Data Viewer

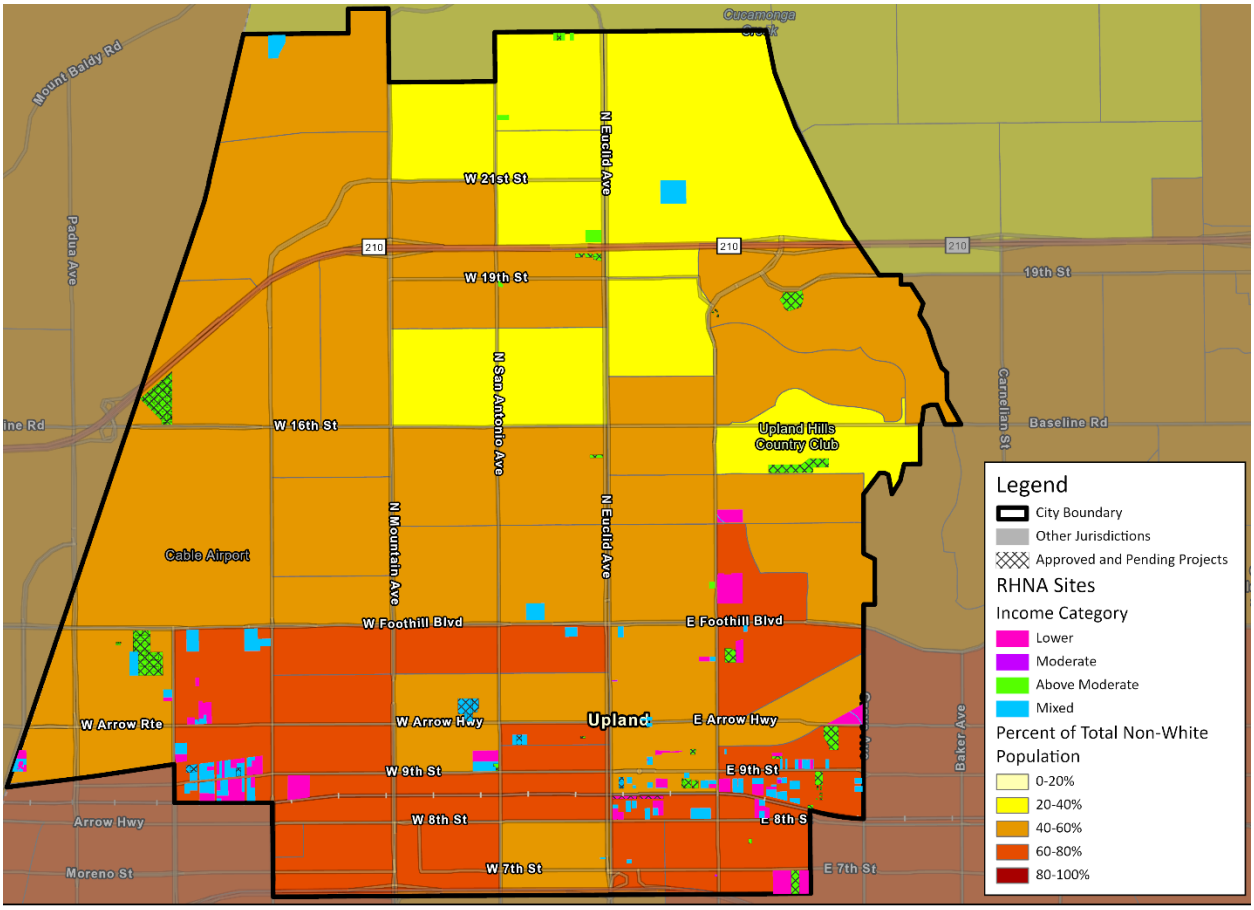
As shown in Figure C4, there is significant variation in the levels of concentration of the non-White population throughout the City. The southern areas of the City have a higher concentration of the non-White population. The tracts with a larger non-White population also generally have a larger low- to moderate- income population and less positive TCAC scores than the more northern areas of the City.

As of 2021, 67.4 percent of the City was non-White, while 73.4 percent of the County was non-White, indicating that the overall distribution of the non-White population is lower in the City than in the region as a whole.

Figure C4 compares the RHNA units with the percentage of the population that is non-White. About 40 percent of the RHNA units are located in areas of the City where 40 to 60 percent of the population is non-White. There are very few sites in areas with relatively very high or relatively very low concentrations of the non-White population. This is a reflection of the trends within the City as a whole, as most of Upland's block groups are 20 to 60 percent non-White.

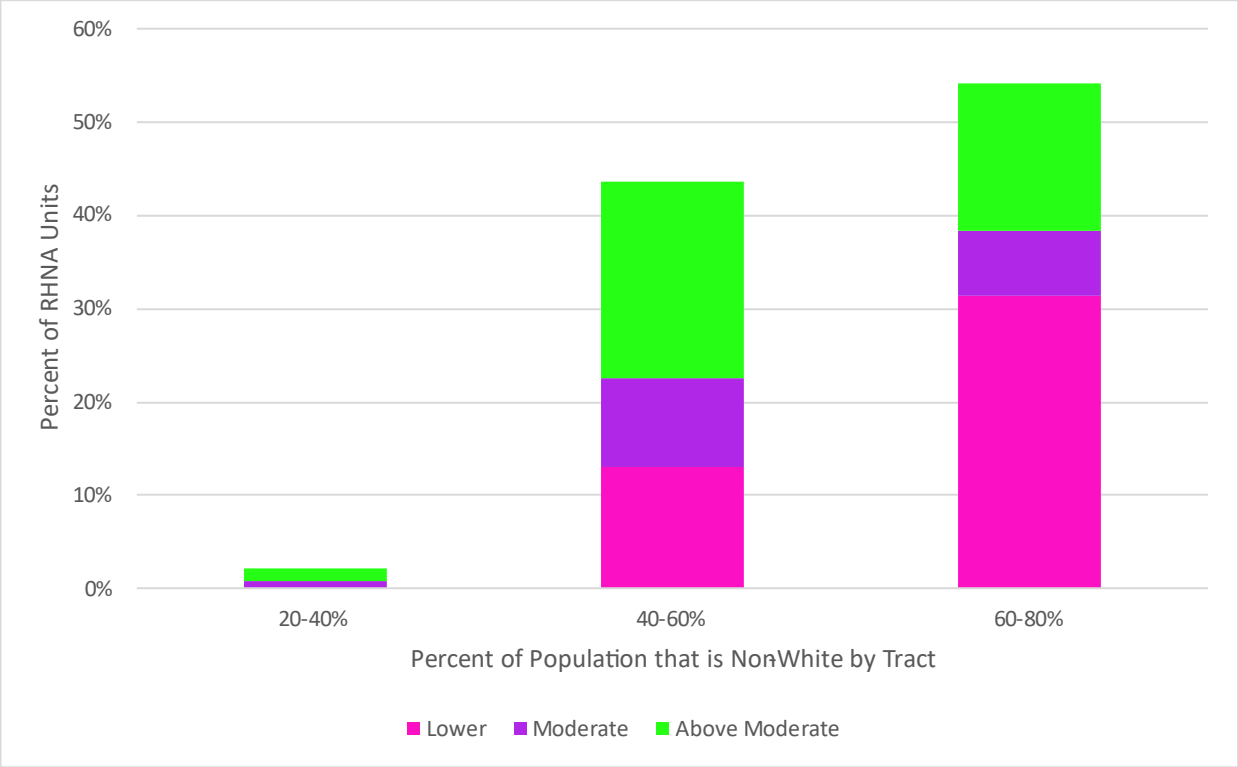
The City's RHNA strategy reflects the overall composition of Upland, and is not expected to negatively exacerbate segregation conditions related to race or ethnicity.

Figure C3. Percentage of the Population that is Non-White (2010 and 2018)



Source: HCD AFFH Data Viewer

Figure C4. Percent Non-White Comparison of RHNA Units



Dissimilarity Index – Race and Ethnicity

Segregation is defined by the census as the spatial distributions of different groups among units in a metropolitan area. Segregation can be quantified by using the dissimilarity index. The dissimilarity index measures the distribution of two groups in a city and assigns a score between 1 and 100. The level of segregation is determined by assessing what percentage of residents of a census block would have to move for each block to have the exact same population of said group. A score of zero (0) reflects a fully integrated environment; a score of 100 (or 100%) reflects full segregation. Therefore, a higher dissimilarity index indicates higher concentrations of the indicated ethnic groups in areas of the City, when compared to the White population distribution. A lower dissimilarity index implies higher integration, and a more even distribution of each ethnicity when compared to the White population. The formula for this calculation is provided by the HCD AFFH Guidance Document.

The categories for the dissimilarity index on a scale of 1-100 are as follows:

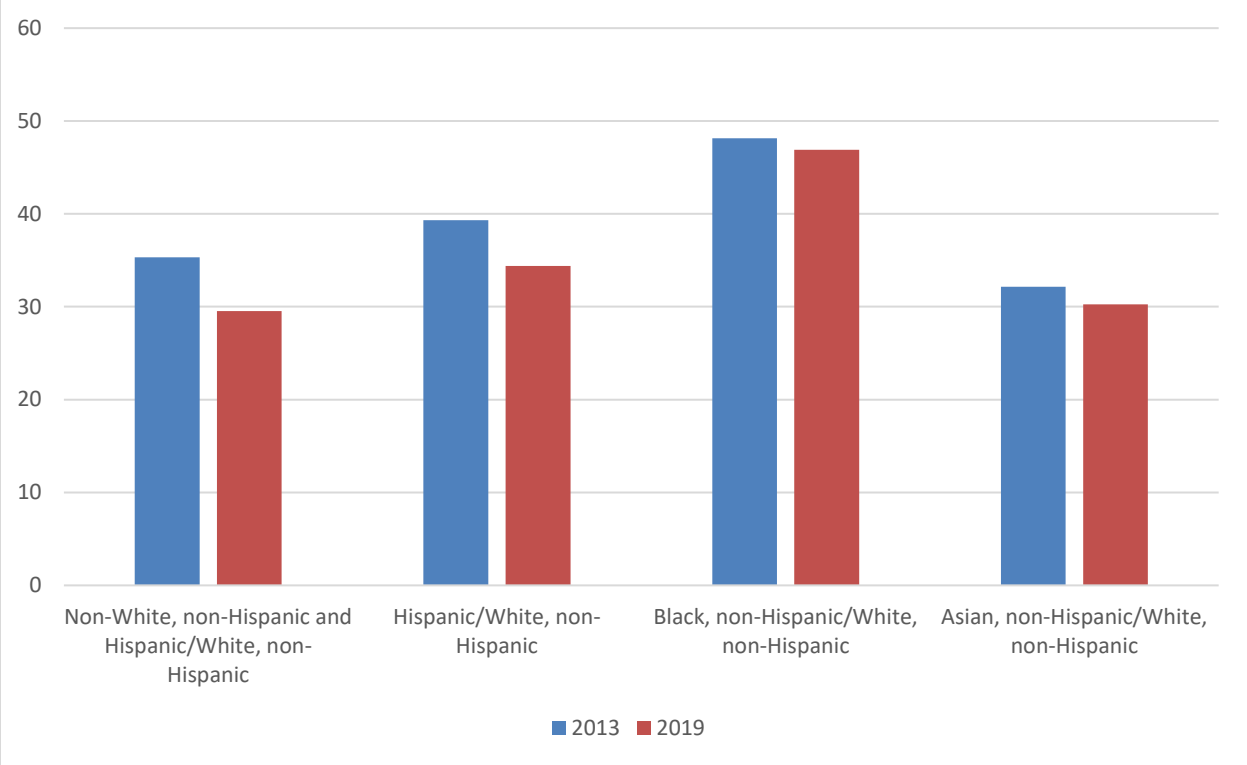
- <30: Low Segregation
- 30 – 60: Moderate Segregation
- >60: High Segregation

Ethnic and racial composition of an area is useful in analyzing housing demand and related fair housing concerns, as these factors illustrate the relationship with other characteristics such as household size, locational preferences, and mobility.

Figure C5 provides the dissimilarity index values in Upland, indicating the level of segregation between White residents and residents who are non-White, Black, Hispanic, or Asian/Pacific Islander. In 2019, there was low segregation between the Non-White and White populations, and moderate segregation between the Hispanic and White, Black and White, and Asian and White populations. A low dissimilarity index of 29.53 in the figure below means that 29.53 percent of Upland's Non-White or White residents would need to move to a different census block to create balanced integration between Non-White and White residents. Levels of segregation have reduced slightly since 2013.

The County has moderate levels of segregation across all racial and ethnic comparisons, indicating that segregation is more prevalent regionally than in the City of Upland.

Figure C5. Racial/Ethnic Dissimilarity Index (2013-2019)



Source: HUD AFFH Database, 2020

Income

The dissimilarity index can also be used to calculate income segregation, using the same scale as above. In the City of Upland, the dissimilarity index for income is 46.4, which indicates moderate segregation. In San Bernardino County as a whole, the dissimilarity index for income is 21.7, which is low income segregation. The patterns of development have led to northern Upland containing newer, more expensive housing stock, which has led to a discrepancy in incomes between north and south Upland. This may explain why the dissimilarity index in Upland is significantly higher than countywide,

Identifying low to moderate income (LMI) geographies and individuals is important to overcome patterns of segregation. HUD defines an LMI area as a Census tract or block group where over 51 percent of the households are LMI (based on HUD income definition of up to 80 percent of the area median income (AMI).

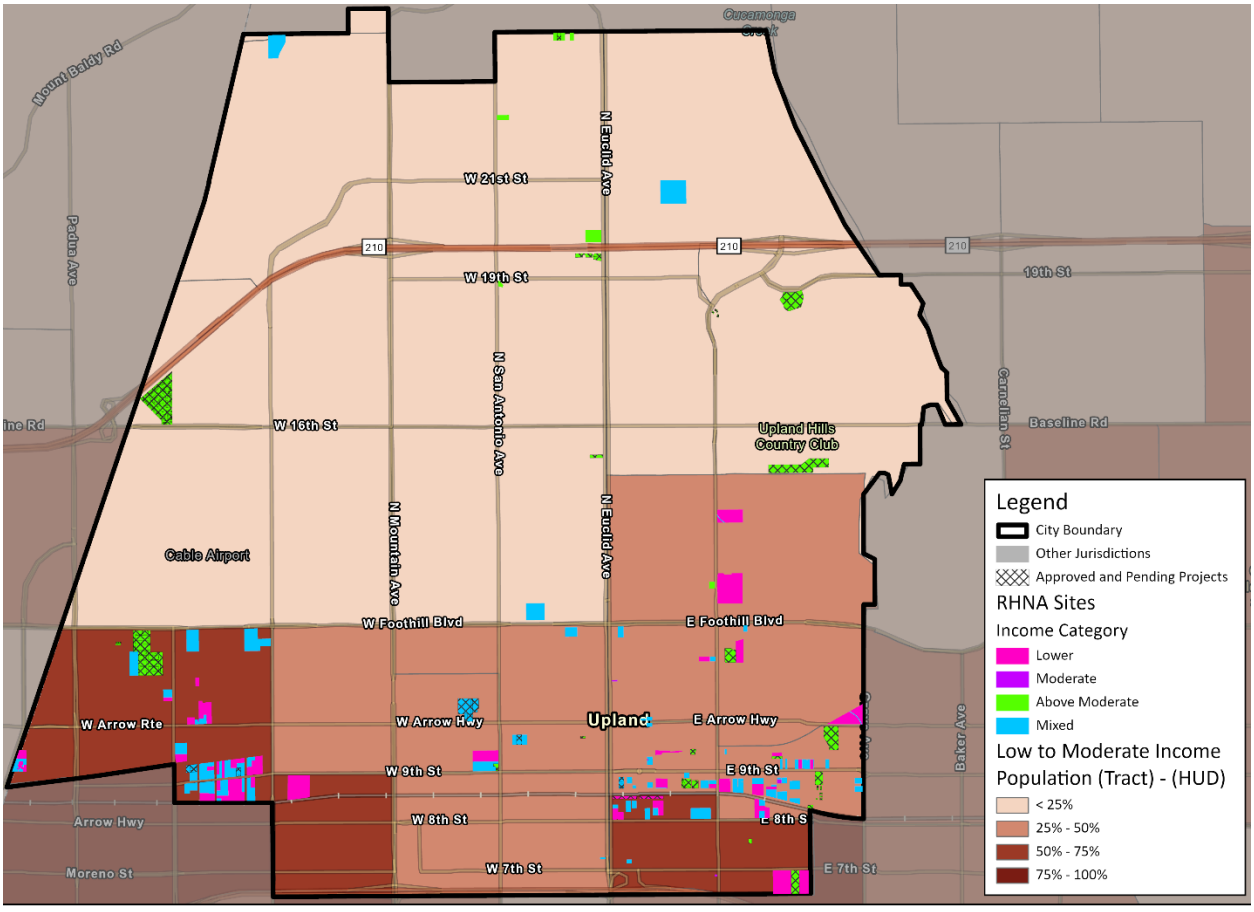
Figure C6 and Figure C7 show the distribution of RHNA units by low to moderate income population. As shown in Figure C3, the area with the largest low to moderate income population is also the area with a Hispanic majority, and the overall largest non-White population. Compared to the region, Upland has a higher median income and a higher income disparity.

Figure C7 shows the percentage of RHNA units compared to the percent of each block group that is in the low- to moderate-income category. The sites are distributed throughout the various concentrations of the low to moderate income population, with the intention of creating opportunity for low to moderate income residents in higher income areas, and provide new housing opportunities in existing low to moderate income neighborhoods without displacing current residents.

Due to the lack of households, the areas to the north of Upland have been consistently labelled as having lower income households on average. There has been very little median income variation in Upland and in the surrounding cities since 2010. From 2010 to 2021, Ontario remained in the lowest median income range in proximity to Upland. The income distribution in Upland is consistent with surrounding cities, with the exception of Ontario.

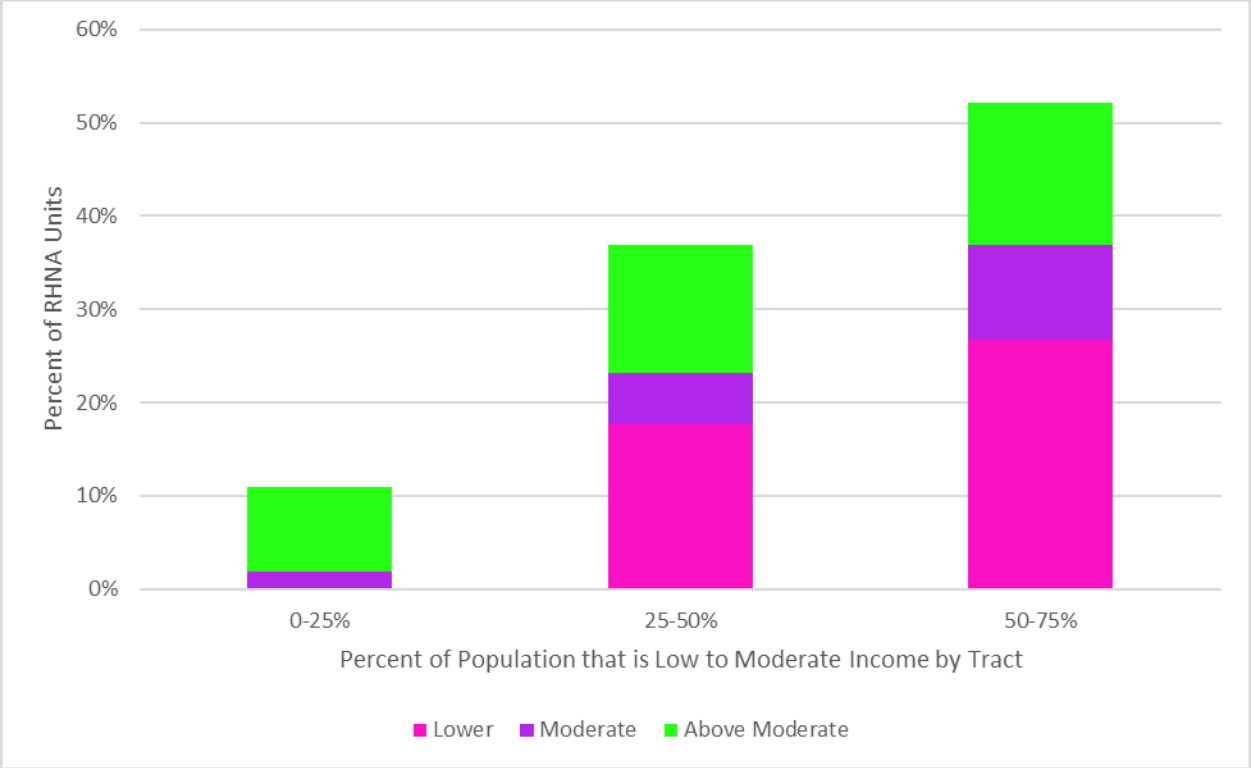
About 35 percent of units, fall in areas where 25 to 50 percent of the population is Low to Moderate income.

Figure C6. Low to Moderate Income Population and RHNA Sites (2021)



Source: HCD AFFH Data Viewer

Figure C7. Percent Low-Moderate Income Comparison of RHNA Units



Income is an important aspect in understanding patterns of segregation. Figure C8 shows that median incomes in Upland are lowest in the southern portions of the city. Lower incomes also appear to correlate with housing problems such as overcrowding and overpayment.

To address the housing challenges faced by Upland's lower-income residents, the Housing Plan includes several programs that provide financial assistance, encourage construction of new affordable housing, and address issues of discrimination.

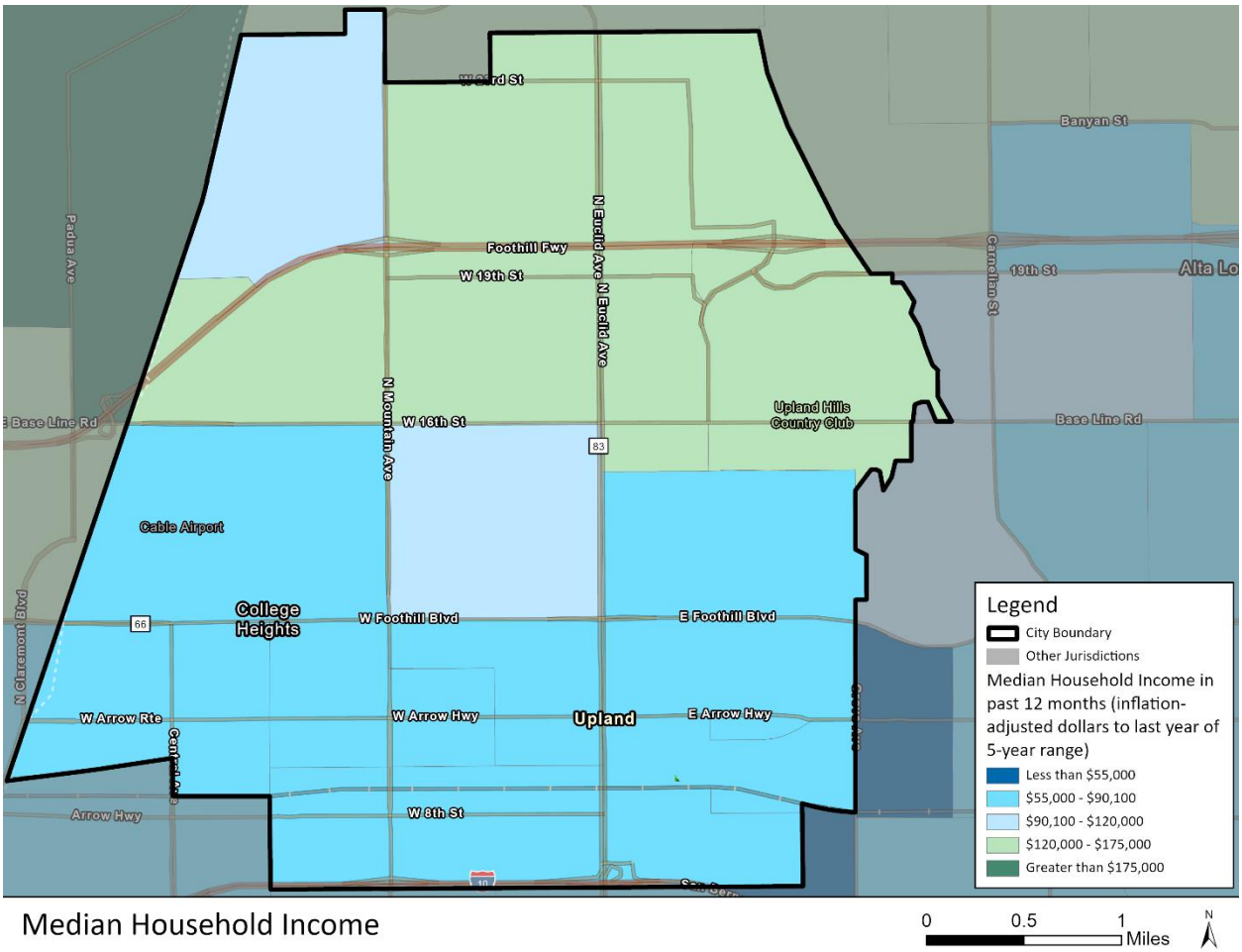
Table C3 compares the median household incomes of White/non-Hispanic residents in Upland and San Bernardino County as a whole to the median incomes for the total population of the city and county. This table shows that in Upland, the median income for non-Hispanic White households is about 29% higher than for the city's population as a whole. Countywide, the median income for non-Hispanic White households is about 13% higher than for the population as a whole. These data suggest that there is more racial concentration of affluence in Upland that in San Bernardino County as a whole.

Table C3. Median Household Income by Race – Upland and San Bernardino County

Median Household Income	Upland	San Bernardino County
White Alone (not Hispanic)	$93,808	$71,910
All Households	$72,782	$63,362

Source: U.S. Census ACS 2015-2019
B19013 (all)
B19013H (white alone, not Hispanic)

Figure C8. Median Household Income



Source: HCD AFFH Data Viewer

Poverty is defined by incomes falling below the annually defined thresholds for family size by the US Census. Poverty status by tract in Upland is shown in Figure C9. Consistent with the aggregation of LMI areas, tracts with more predominant populations below the poverty level are located in the southern areas of the City, where there is a more predominant non-White population. Since the 2010-2014 ACS, the population of persons experiencing poverty has decreased throughout the City, specifically in the southern portion of the City. In 2014, tracts in the central-southern areas of the City had rates of poverty over 30 percent. In 2019, this region has rates of poverty under 20 percent.

The 2015–2019 map shows lower levels of poverty Citywide and increased geographic parity. The 2015–2019 map also shows that pending projects and proposed Opportunity sites are spread throughout the City with more sites in areas without concentrations of poverty.

Figure C9. Poverty Status (2010-2014 and 2017-2021)

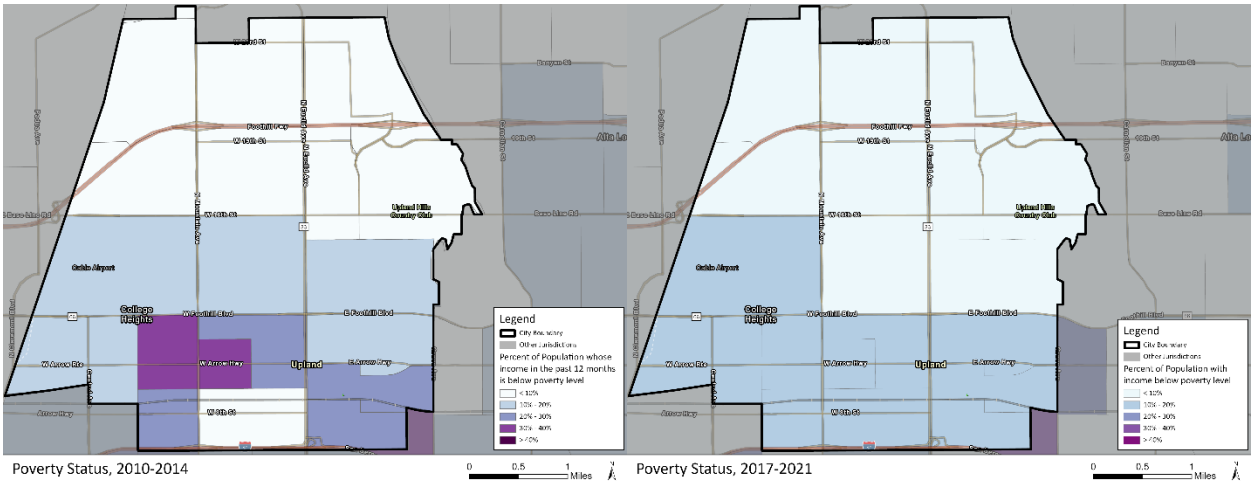
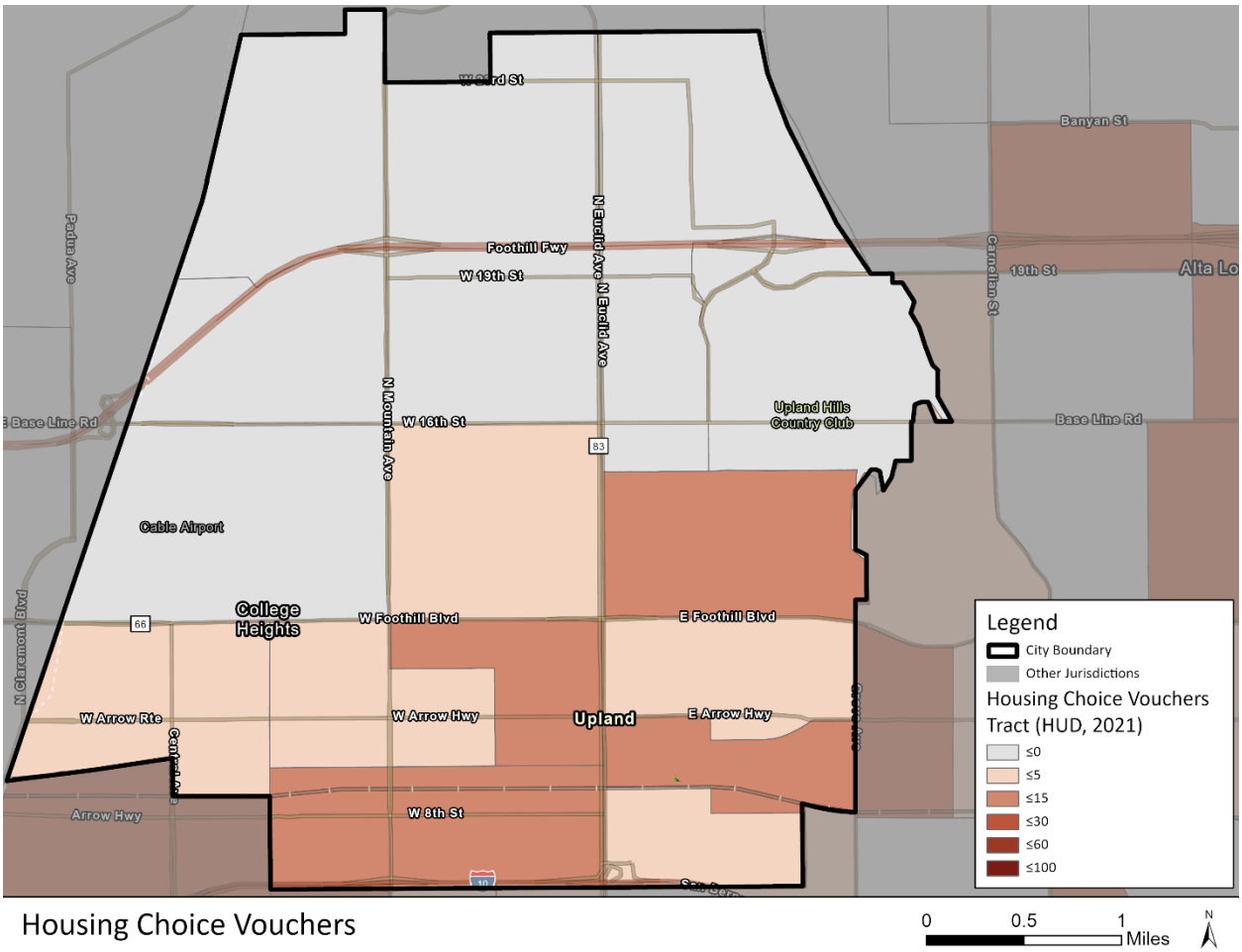


Figure C10 shows housing choice voucher (HCV) recipients by tract in the City. The HCV program is a 100 percent federally funded rental subsidy for low-income households living in privately owned rental units. HCV recipients are most concentrated in the southern area of the City. The federal housing choice voucher program is rental assistance provided to lower income households that allows a household to afford to rent a unit. The voucher amount equals the difference between what a household can afford to pay (up to 30% of monthly income) and the fair market rent. The vouchers are typically granted to individuals who can use the voucher at any apartment project where the property owner accepts the voucher. Although this long-standing federal assistance program is not expected to increase in size, it remains an important affordable housing program. The housing choice voucher program in Upland is administered by the Housing Authority of San Bernardino County, which receives approximately $6.2 million annually to administer the housing voucher program.

The San Bernardino County Housing Authority is responsible for management of a public housing development of 97 units and administration of the City's rental assistance program (Section 8 Housing Choice Vouchers). This program encompasses more than 619 housing choice vouchers at an annual value of $6.2 million. The housing authority also manages the Public Housing Modernization Program. Coupled with the City's publicly assisted multiple-family projects, these two efforts are the largest providers of affordable housing for residents. Given the demise of redevelopment, many cities are considering options for enhancing cooperation with housing authorities for implementing or managing affordable housing programs for residents.

Figure C10. Housing Choice Voucher Recipients by Tract



Source: HCD AFFH Data Viewer

Familial Status

Under the Fair Housing Act, housing providers may not discriminate because of familial status. Familial status covers the following: the presence of children under the age of 18, pregnant persons, and any person in the process of securing legal custody of a minor child (including adoptive or foster parents). Examples of familial status discrimination include refusing to rent to families with children, evicting families once a child joins the family (e.g., through birth, adoption, or custody), or requiring families with children to live on specific floors or in specific buildings or areas. Single-parent households are also protected by fair housing law.

Familial status refers to the presence of children under the age of 18, whether the child is biologically related to the head of household, and the martial status of the head of households. Families with children may face housing discrimination by landlords who fear that children will cause property damage. Some landlords may have cultural biases against children of the opposite sex sharing a bedroom. Differential treatments such as limiting the number of children in a complex or confining children to a specific location are also fair housing concerns.

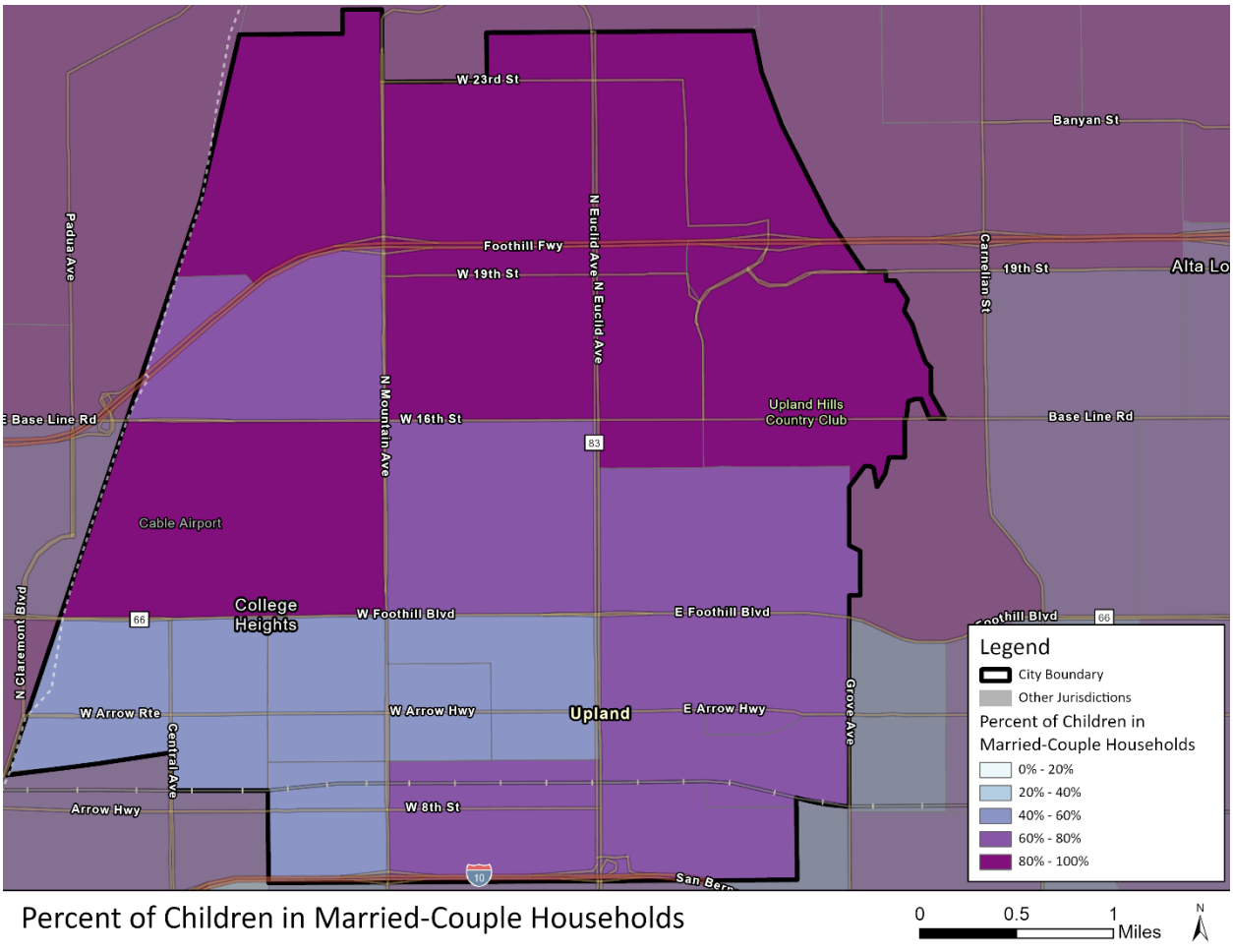
Single-parent households are also protected by fair housing law. Female-headed households with children require special consideration and assistance because of their greater need for affordable housing and accessible

day care, health care, and other supportive services. As discussed in the Housing Needs Assessment, 13.9% of Upland households are female-headed, 6.3% are female-headed and with children, and 0.6% are female-headed and with children under 6. Figure C11 shows the percentage of children living in married couple households in Upland.

In Upland, the City has had a decrease in female-headed households, and an increase in married-couple households from 2015 to 2021. In the adjacent neighborhoods outside of Upland, the familial demographics of nearby tracts have remained very similar over the same time period. The most notable discrepancies include a significant decrease in female-headed households in Pomona, and increase in La Verne. With the exception of these notable tracts, Upland's demographics are consistent with surrounding tracts and jurisdictions.

As shown in Figure C11 the tracts with the highest concentrations of children living in married-couple households are primarily in northern Upland, which correlates with areas with higher concentrations of the low to moderate income population and non-White population. In Upland, 71.6 percent of households are married-couple households with children present, compared to 67.9 percent countywide. RHNA pending and opportunity sites are distributed throughout the City and are not expected to impact fair housing concerns based on familial status.

Figure C11. Percentage of Children in Married Couple Households (2015 - 2019)

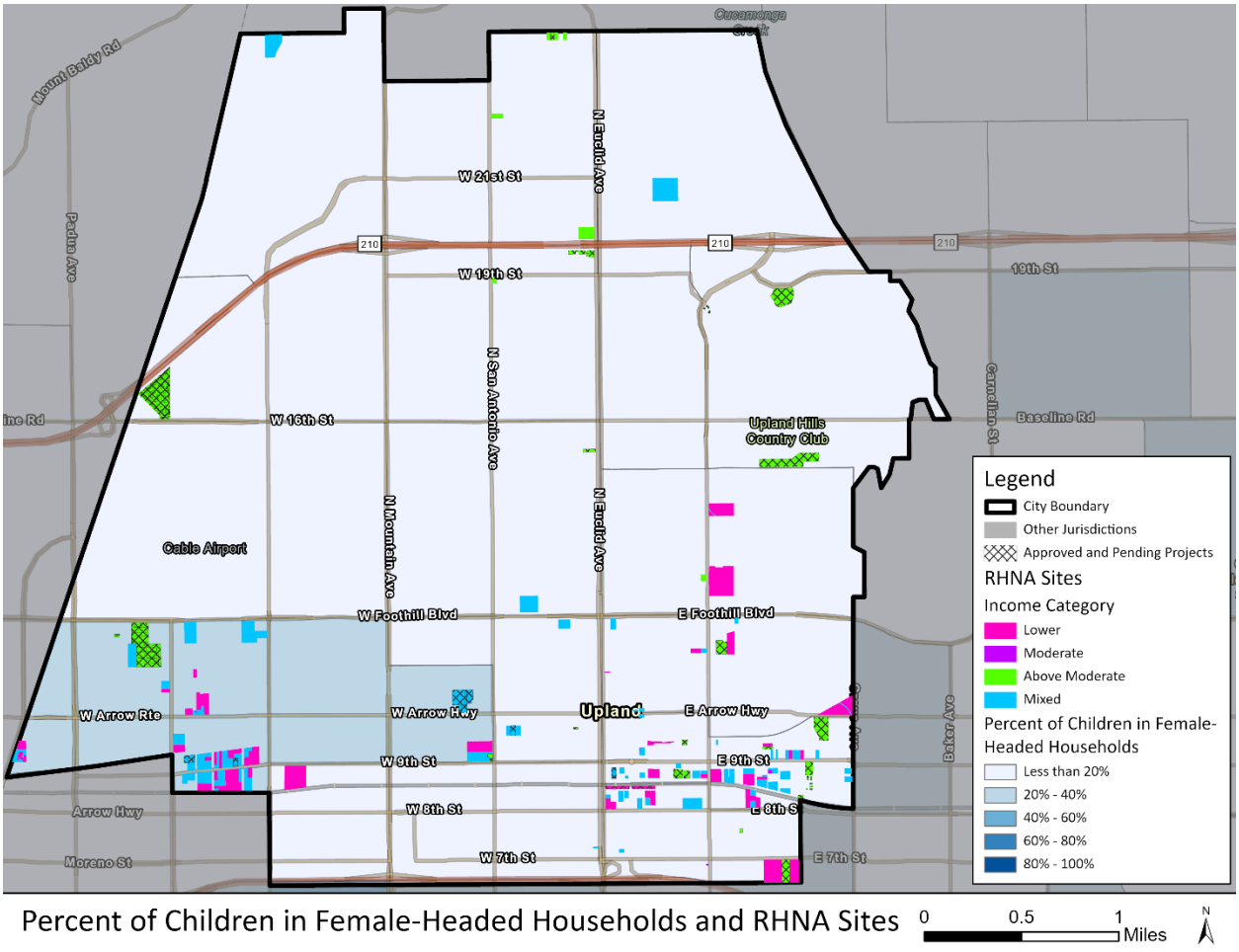


Source: HCD AFFH Data Viewer

Consistent with Figure C11, Figure C12 illustrates that more children in the southwestern area of Upland live in single-parent female-headed households compared to the rest of the City. In 2020, 17.5 percent of the total households in Upland were female-headed households, which is similar to the County, at 23.6 percent.

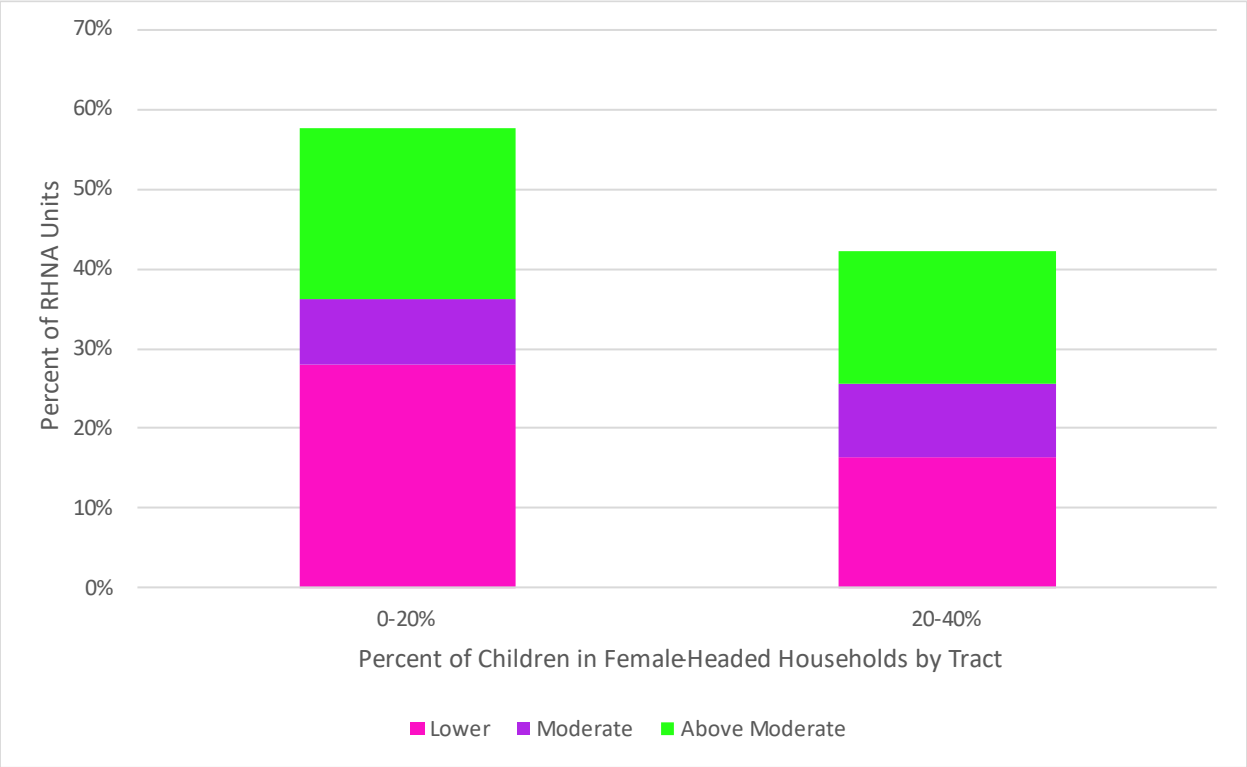
As shown in Figure C13, RHNA sites are distributed throughout the City, without concentration in areas with high levels of female-headed households, and are not expected to impact fair housing concerns based on familial status. For example, about 60percent of RHNA units are located in tracts where 0-20 percent of children are living in female-headed households with no spouse.

Figure C12. Percent of Children in Female-Headed Households and RHNA Sites by Tract (2015-2019)



Source: HCD AFFH Data Viewer

Figure C13. Female Headed Households Comparison of RHNA Units



Persons with Disabilities

The US Census Bureau provides information on the number of persons with disabilities of varying types and degrees. According to the US Census Bureau, a person is considered to have a disability if they have difficulty performing certain functions or difficulty with certain social roles. Affordability of appropriate housing and access, both within the home and to/from the home site, are the primary challenges for persons with disabilities. Access often requires specially designed dwelling units. Additionally, housing locations near public facilities and public transit are important for these special needs group. The 2021 American Community Survey estimates that 10.3 percent of Upland and 11.4 percent of San Bernardino County has a disability.

The types of disabilities included in the Census are:

- Hearing difficulty: deaf or has serious difficulty hearing
- Vision difficulty: blind or has serious difficulty seeing even with glasses
- Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions
- Ambulatory difficulty: has serious difficulty walking or climbing stairs
- Self-care difficulty: has difficulty dressing or bathing
- Independent living difficulty: has difficulty doing errands alone, such as visiting a doctor's office or shopping

As shown on Figure C13 the proportion of Upland residents with a disability is similar to adjacent cities and is less than 20% of the population in all areas. There appears to be no significant geographic difference in disability rates.

Additional data regarding the number of people with disabilities by disability type in Upland is provided in Figure H-16 in Chapter 2: Housing Needs. Some individuals may experience more than one type of disability, and some disability types are not recorded for children below a certain age. The California Department of Developmental Services (DDS) estimates that there are approximately 1,547 persons with developmental disabilities within the City of Upland.

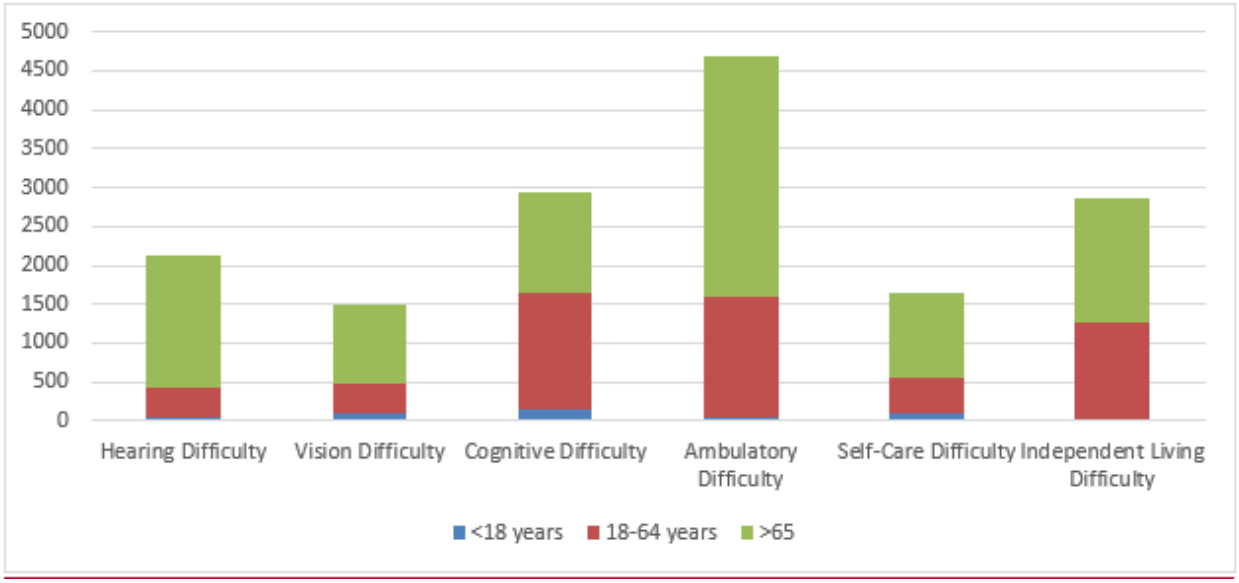
The housing needs of persons with disabilities vary, but generally include accessible and affordable housing, and access to supportive services. More severely disabled individuals may require a group living environment where supervision is provided, and the most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. The City of Upland facilitates housing for persons with disabilities through its Reasonable Accommodation procedures and regulations to encourage production of supportive housing.

Figure C14 shows an estimate of the number of Upland residents with disabilities by type of disability and age group. The most prevalent types of disability are hearing and vision difficulties, although the population with each disability type is rather comparable. Note that individuals may have more than one type of disability.

Ambulatory issues are the highest reported disability countywide. A large population with walking difficulty creates a need for single-story housing, elevators, transit access, wheelchair access, larger homes for live-in help, and proximity to health facilities. For many in need of live-in help or living assistance, accessory dwelling units (ADUs) may serve as a caregiver unit. The City is including Program 9 to continue to encourage and incentivize the development of ADUs, especially affordable ADUs, in the City. Furthermore, Program 23 is included to increase affordable housing stock in the northern parts of the City by allowing additional ADUs per lot given that they are subject to an affordability covenant for a certain period of time. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA.

The percent of the population with a disability is relatively similar throughout the region as a whole. There is not a strong correlation or pattern with other fair housing topics in the jurisdictions near Upland. In 2019, the nearest tracts with any level of notable concentration of the disabled population were in the cities of Walnut and Jurupa Valley. Over time, these concentrations have dissipated, and there is only one slightly higher concentration of the disabled population, 15 miles east of Upland near Fontana. There is a medical center in this tract, which may contribute to the higher population percentage.

Figure C14. Disability Characteristics by Age Group, Upland (2021)

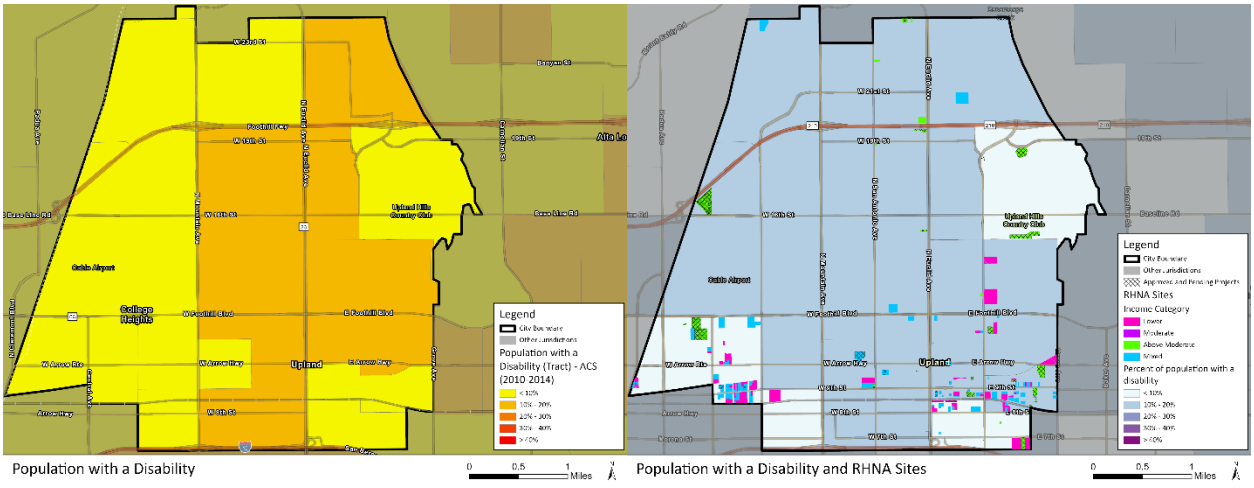


Source: US Census Bureau, ACS16-19 (5-year Estimates), Table C18108

Figure C15 shows the population of persons with disabilities by tract in the City. There is no clear correlation to the current areas with higher concentrations of the population with a disability and other demographic distributions. Health care facilities are distributed throughout the City, with a slight concentration I the southern areas of Upland.

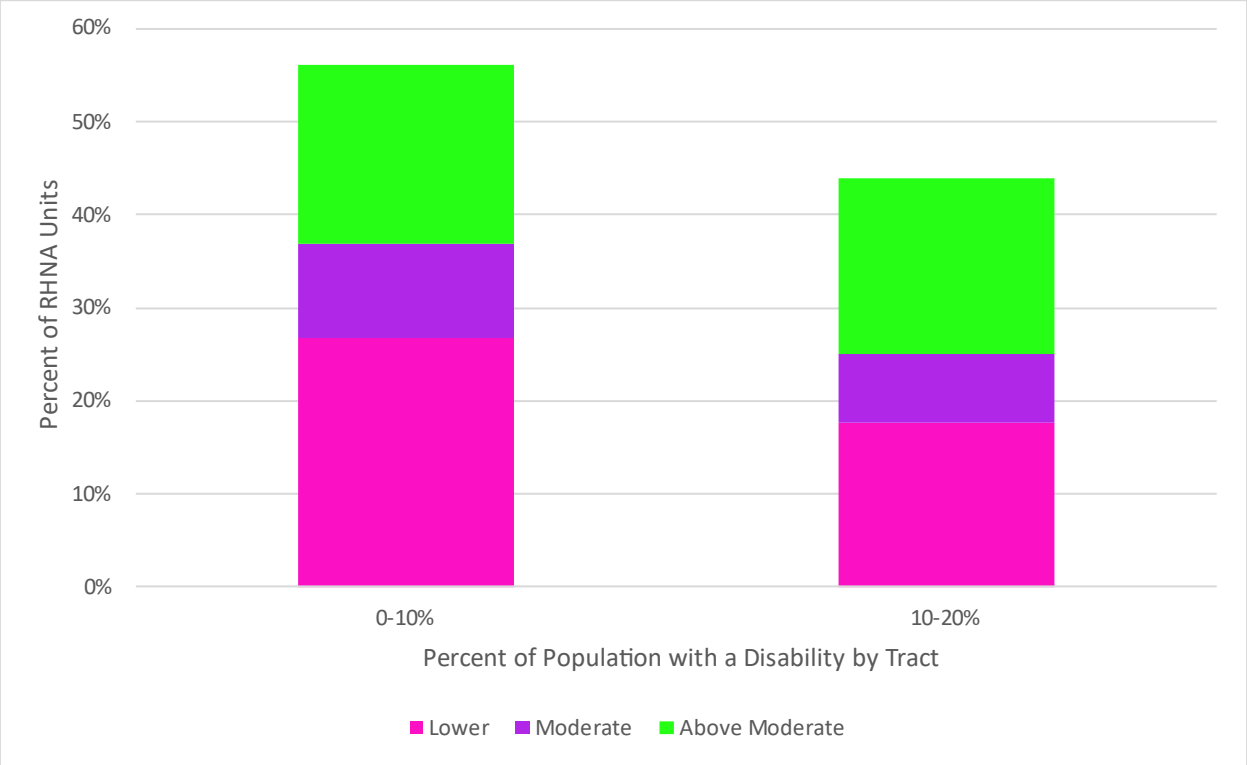
Figure C15 and Figure C16 also show pending projects and proposed RHNA Opportunity sites with population of persons with disabilities by tract in the City. As shown in Figure C15, the RHNA sites are mostly distributed in the areas where 10 and 20 percent of the population experiences a disability, which covers a majority of the City. For example, about 55 percent of the RHNA units are located in the area where 10-20 percent of the population has a disability. As such, the sites are not expected to cause fair housing concerns as they relate to residents with a disability.

Figure C15. Population of Persons with Disability by Tract (2015-2019 and 2017-2021)



Source: HCD AFFH Data Viewer

Figure C16. Population with a Disability Comparison of RHNA Units



Findings

Overall, the City of Upland has higher concentrations of non-White and low- to moderate-income residents in the southern part of the City. This area is also where housing choice voucher use primarily occurs. Some tracts in this area saw a reduction over time in households under the federal poverty level, from >30 percent in 2010-2014 to <20 percent in 2015-2019, while other tracts remained unchanged. The selected RHNA sites are not anticipated to cause displacement or worsen patterns of segregation.

The City's RHNA strategy reflects the overall composition of Upland, and is not expected to negatively exacerbate conditions of segregation.

Racially/Ethnically Concentrated Areas

Racially/Ethnically Concentrated Areas of Poverty

According to HUD, a racially or ethnically concentrated area of poverty (R/ECAP) is an area in which 50 percent or more of the population identifies as non-White and 40 percent or more of residents are living in poverty. As shown in Figure C17, there are no designated R/ECAP areas in Upland. The nearest R/ECAP areas are in the City of Ontario approximately 1 mile to the south of Upland; the presence of a R/ECAP in the neighboring jurisdiction does not appear to have any effect on Upland. Additionally, as noted above, the City has multiple efforts to increase the quality of housing stock and broader quality of life in south Upland.

Other nearby R/ECAPs are in the Cities of Riverside, San Bernardino, and Los Angeles, all of which are over 20 miles from Upland. The northern portion of Upland abuts the Angeles National Forest foothills which

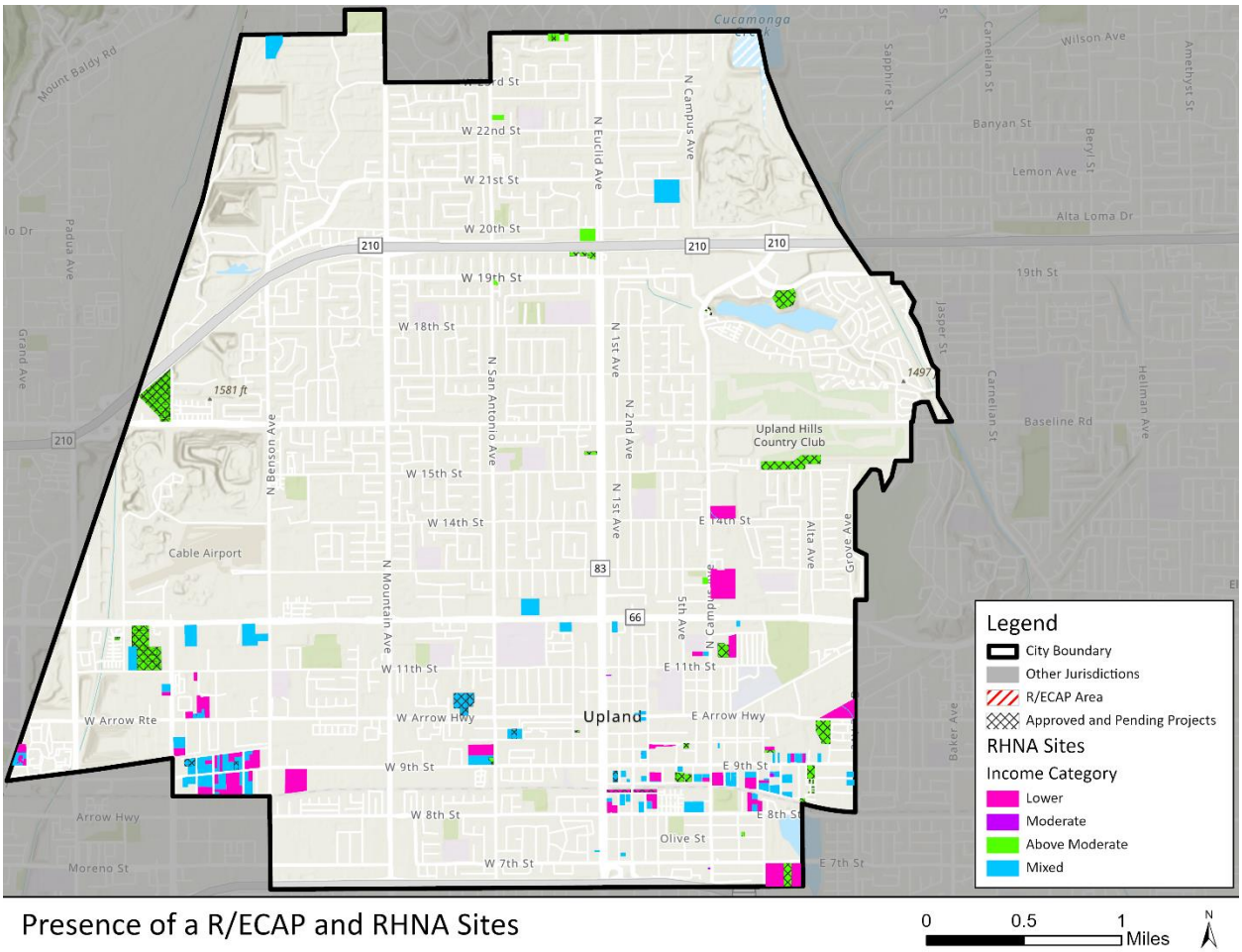
contains substantial open space, and therefore no R/ECAPs due to the lack of residents. While Ontario contains a R/ECAP, south of Upland, the majority of the area south of Upland is higher opportunity. Regionally, the presence of a R/ECAP correlates with lower median incomes, a larger non-white population, and lower opportunity- areas.

Due to the lack of households, the areas to the north of Upland have been consistently labelled with low median incomes for several years. There has been very little median income variation in Upland and in surrounding cities since 2010. From 2010 to 2021, Ontario remained in the lowest median income range, and is consistently the closest R/ECAP to Upland. The income distribution in Upland is consistent with surrounding cities, with the exception of Ontario, where the R/ECAP is located.

The area surrounding Upland has had a decrease in the non-White population over time. The majority of the tracts in Riverside County, to the south of Upland, have decreased from the 80-100% non-White category to the 60-80% non-White category. This is consistent with several tracks in San Bernardino County to the east and west of the City. In southern Upland, there has been a slight decrease in the non-White population overtime, while the north has been relatively consistent. The areas that maintained a high non-White population near Upland include the cities of Ontario and San Bernardino, which include the nearest R/ECAPs to the City.

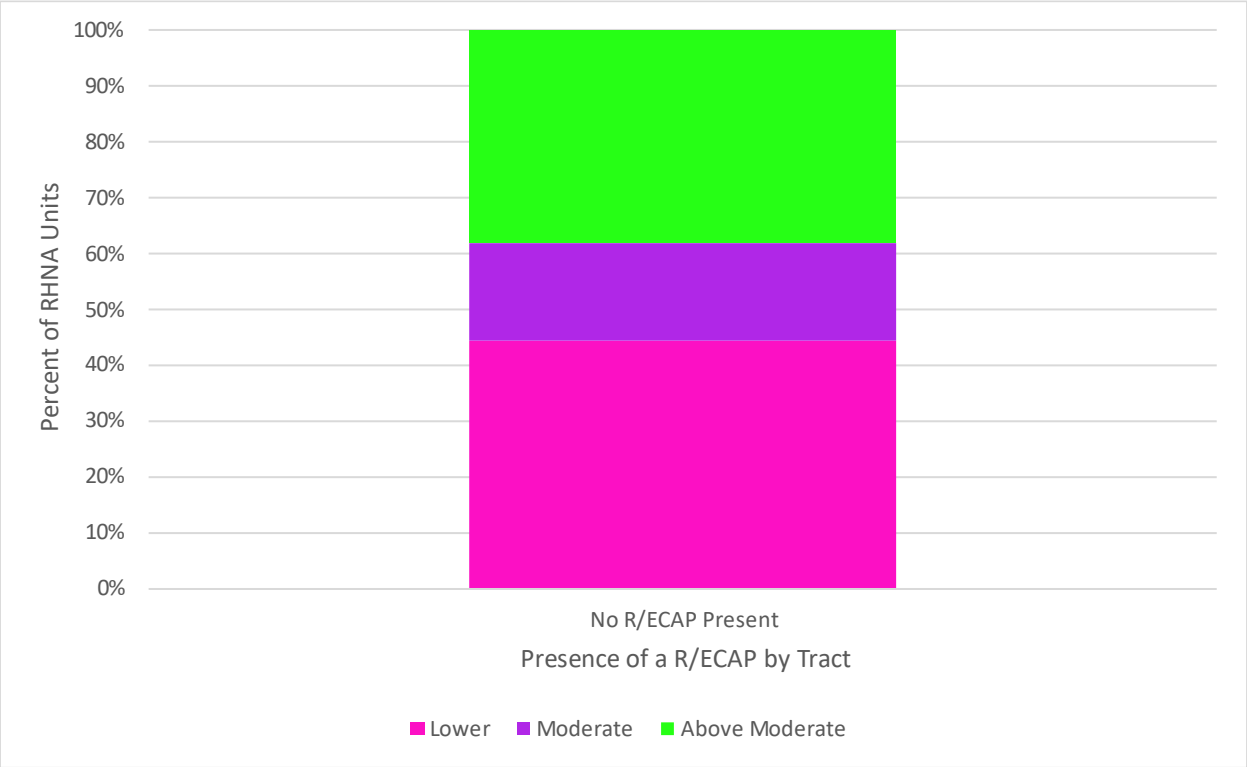
The City is encouraging affordable housing stock and housing mobility in the northern part of the City, in order to create more opportunity for lower income housing further from the nearby R/ECAP in Ontario. Once the program is in place, the City is aiming for the creation of 20 bonus, affordable ADUs annually. The City is also upzoning parcels in north Upland through Program 6.

Figure C17. Racially/Ethnically Concentrated Areas of Poverty – Upland



Source: HCD AFFH Data Viewer

Figure C18. Presenceof a R/ECAP Comparison of RHNA Units

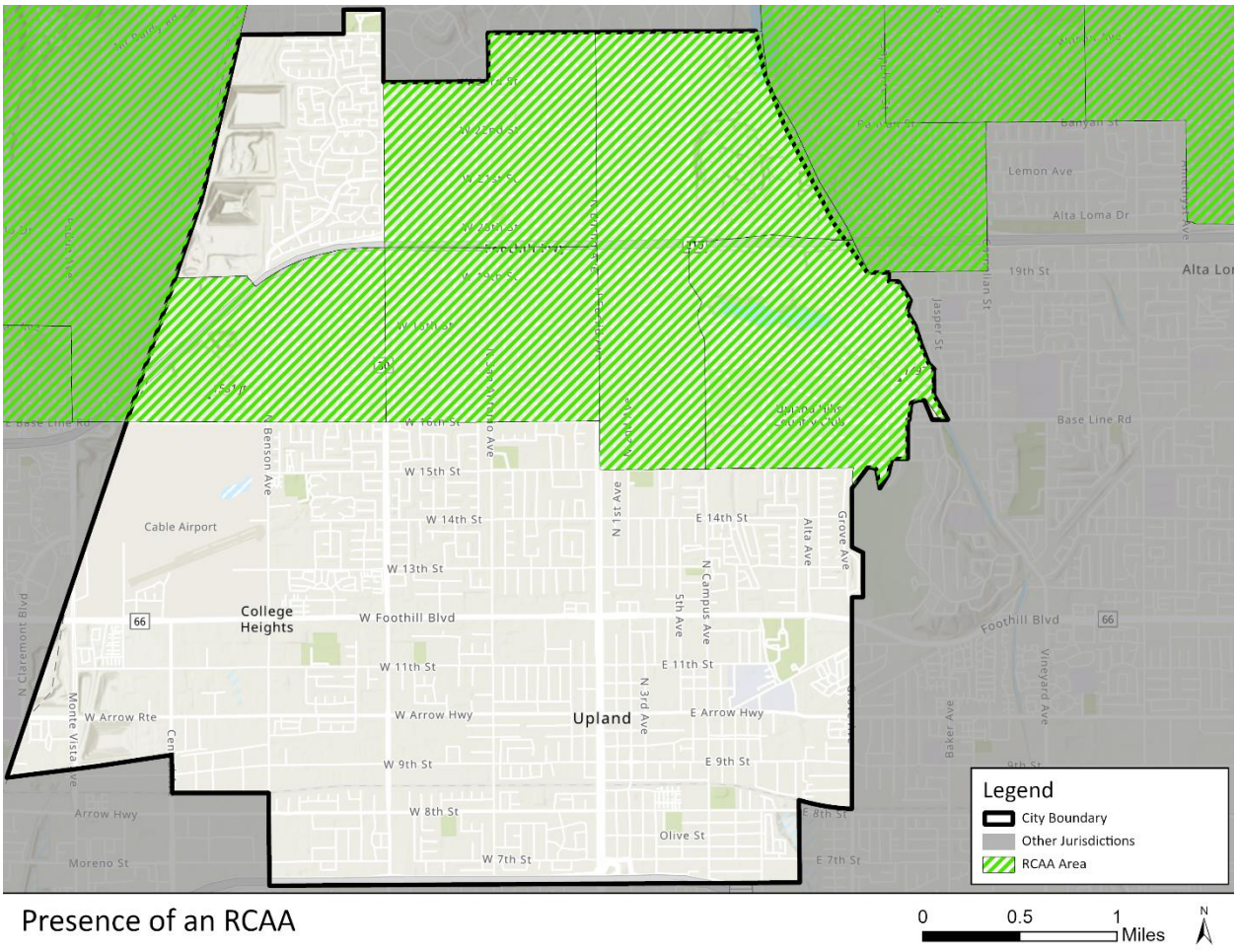


Racially/Concentrated Areas of Affluence

According to the Housing and Community Development AFFH Guidance Memo, "segregation is a continuum, with polarity between race, poverty, and affluence, which can be a direct product of the same policies and practices." Therefore, both sides of the continuum must be examined. A large portion of the northern area of the City is identified as an RCAA, with the exception of the northwest corner.

The City is encouraging increased housing opportunity in north Upland through Program 23, which aims to increase affordable housing stock in the highest resource and income areas of the City. The program allows an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. The program is applicable to an estimated 1,940 lots, primarily located in the RCAA area. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA. Once the program is in place, the City is aiming for the creation of 20 bonus, affordable ADUs annually. The City is also upzoning parcels in north Upland through Program 6.

Figure C19. Racially Concentrated Areas of Affluence



Source: HCD AFFH Data Viewer

Findings

The City is also working to improve the quality of housing and broader quality of life in lower resource areas through the following ways:

- **Program 24: Place-Based Improvements in South Upland** includes a variety of methods to improve quality of life in south Upland (lower resource areas of the City). The program includes the ongoing Business Attraction Assistance Program, Historic Downtown Revitalization Program, and Capital Improvement projects in lower resource areas. The program also commits the City to continue to seek grant funding for further improvements to south Upland.

- **Program 3: Emergency Repairs for Homeowners** provides a grant of up to $10,000 for emergency repairs. There is a geographic target of 50% of assistance in south Upland for this program.

- **Program 4: Rental Acquisition and Rehabilitations** assists lower income tenants by providing Upland landlords with loans to acquire multi-family units and rehabilitate their multi-family properties. Properties are then subject to an affordability covenant. There is a geographic target of 50% of assistance in south Upland for this program.

- **Program 5: Multi-Family Rental Rehabilitation Program** provides Upland property owners of multi-family apartments (8-units or less) with grants up to $25,000 to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. There is a geographic target of 65% of assistance in south Upland for this program.

Disparities in Access to Opportunity

Overview

California housing law requires cities to analyze disparities in access to opportunity as part of the fair housing assessment. The California Tax Allocation Committee (TCAC) and the California Department of Housing and Community Development (HCD) have developed maps showing access to various types of opportunities such as education, economic, transportation, and environmental indicators.

California Tax Credit Allocation Committee (TCAC*)*

One tool that can be used to analyze disparities in access to opportunities is the California Tax Credit Allocation Committee's (TCAC) Opportunity Area scores. These were prepared by a task force commissioned by the TCAC and HCD to identify areas statewide whose economic, educational, and environmental characteristics support positive outcomes for low-income families. The map is updated annually. Opportunity maps are made for three domains: economic, environmental, and education. Each map uses categorical indicators to determine its individual score. A composite score and resource designation combining all three designations is then assigned to each block group.

To determine the final resource category, the top 20 percent of overall scores in a county are labeled as highest resource and the next 20 percent of scores are labeled as High Resource. Then, any area that is considered segregated and that has at least 30 percent of the population living below the federal poverty line is labeled as an area of High Segregation and Poverty. Any remaining uncategorized areas in the County are evenly divided between Moderate Resource and Low Resource areas. The rationale and metric for each indicator is described in more detail in current guidance documents for the California TCAC. Additional information regarding these indicators in Upland are provided on the following pages.

Educational Opportunity

Education indicators include math and reading proficiencies of fourth graders, high school graduation rates, and the student poverty rate. The Upland Unified School District is the district that serves the entirety of the City and consists of 9 elementary schools, 2 junior high schools, and 2 high schools.

Greatschools.org is a nonprofit organization that rates schools across the country. The Great Schools Summary Rating calculation is based on four ratings: the Student Progress Rating or Academic Progress Rating, College Readiness Rating, Equity Rating, and Test Score Rating. Ratings at the lower end of the scale (1-4) signal that the school is "below average," 5-6 is "average," and 7-10 is "above average."

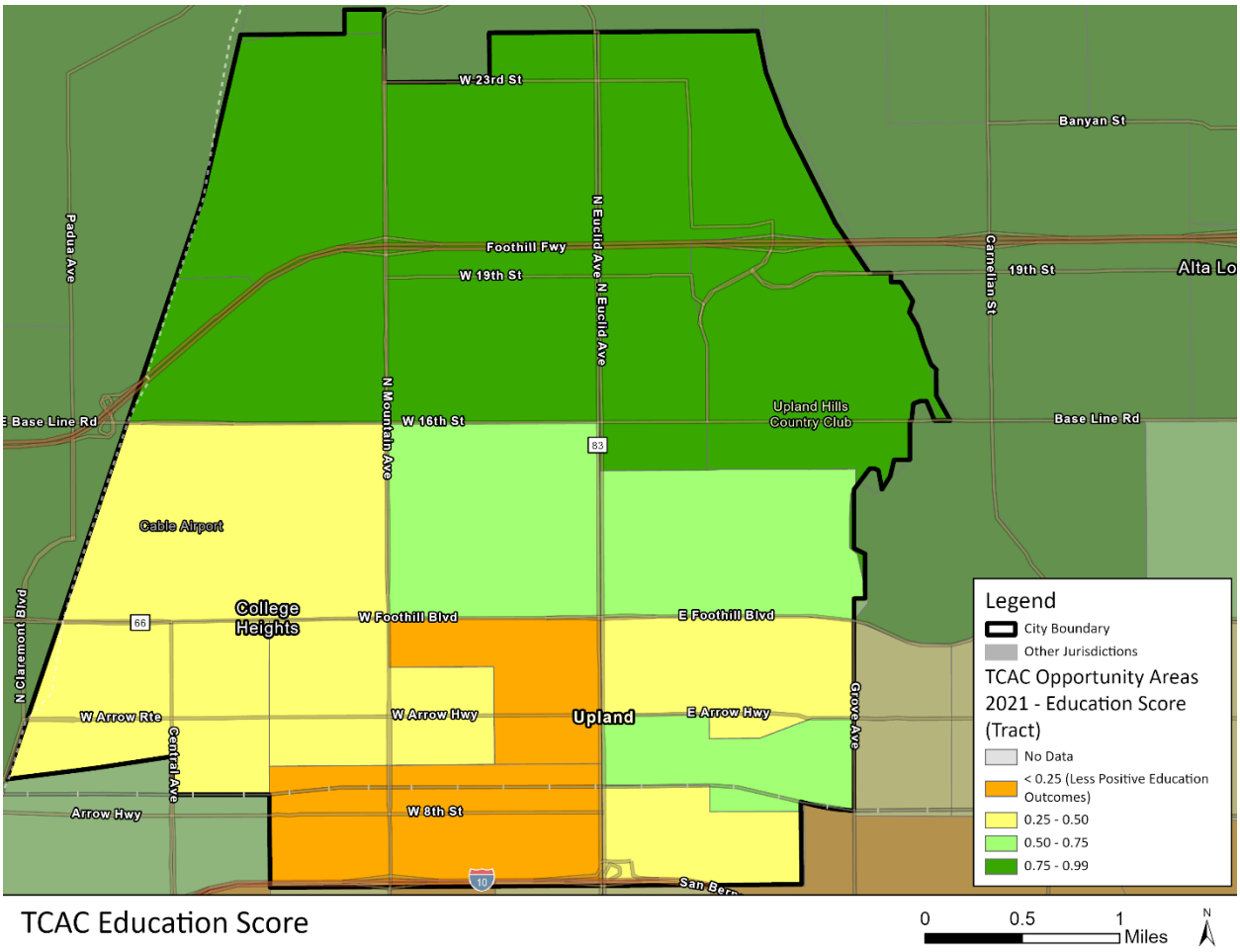
The schools in Upland range are primarily above average, with most scores being between 7 and 9. The scores do not show a clear pattern correlating with fair housing trends.

As shown in Figure C20, tracts in Upland have high variation in education opportunity resource scores within the City, with less positive scores in the southern areas, moderate scores in the central areas, and high scores in

the areas in the northern areas of the City. Additionally, the areas with higher poverty rates in the City have a negative effect on TCAC educational scores, as poverty rates are included in this calculation.

Educational opportunity scores for Upland are shown in Figure C20. As shown in this map, TCAC educational opportunity scores are highest in the northern areas of the city and lowest in the south-central portion of the city.

Figure C20. TCAC Opportunity Areas - Education by Tract (2021)

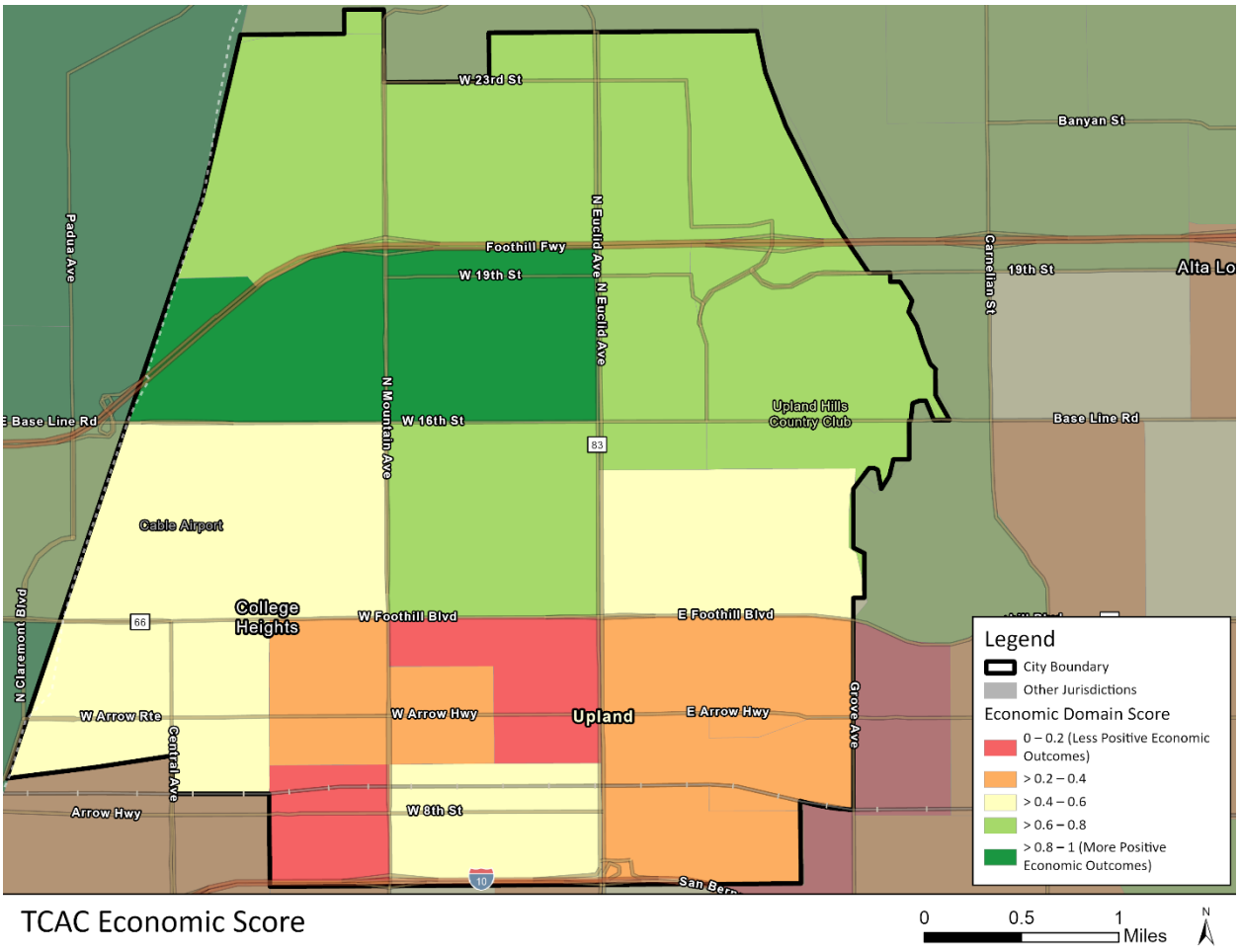


Source: HCD AFFH Data Viewer

Economic Opportunity

Economic indicators include poverty, adult education, employment, job proximity, and median home value. TCAC economic scores for the City by tract are presented in Figure C21. The northern areas of the City, where TCAC economic scores are the highest, have the lowest poverty rates and percentage of LMI households. The neighborhoods in the northwestern area of the City with slightly lower economic opportunity have a more predominant Hispanic or non-White population. However, the entire City has generally positive economic opportunity scores. Figure C21 shows economic opportunity areas in Upland as determined by TCAC. As seen in this map, the majority of the city is identified as having high economic opportunity scores.

Figure C21. TCAC Opportunity Areas - Economic Score by Tract (2021)



Source: HCD AFFH Data Viewer

Environmental Opportunity

According to HUD, "The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level." The Index combines standardized EPA estimates of air quality carcinogenic, respiratory and neurological hazards with indexing census tracts.

Values are inverted and then percentile ranked nationally. Values range from 0 to 100: the higher the index value, the less exposure to toxins harmful to human health; or, put differently, the higher the value, the better the environmental quality of a neighborhood, where a neighborhood is a census tract.

The EPA standardizes its estimates of air quality hazards using the National Air Toxics Assessment (NATA), which is EPA's ongoing review of air toxics in the United States. EPA developed NATA as a screening tool for state, local and tribal air agencies. NATA's results help these local agencies identify which pollutants, emission sources and places they may wish to study further to better understand any possible risks to public health from air toxics. EPA suggests that local communities use NATA to "prioritize pollutants and emission source types; identify places of interest for further study; get a starting point for local assessments; focus community efforts; inform monitoring programs." According to EPA, communities have found that using NATA helps "inform and empower citizens to make local decisions about their community's health. Local projects often improve air quality faster than federal regulations alone."

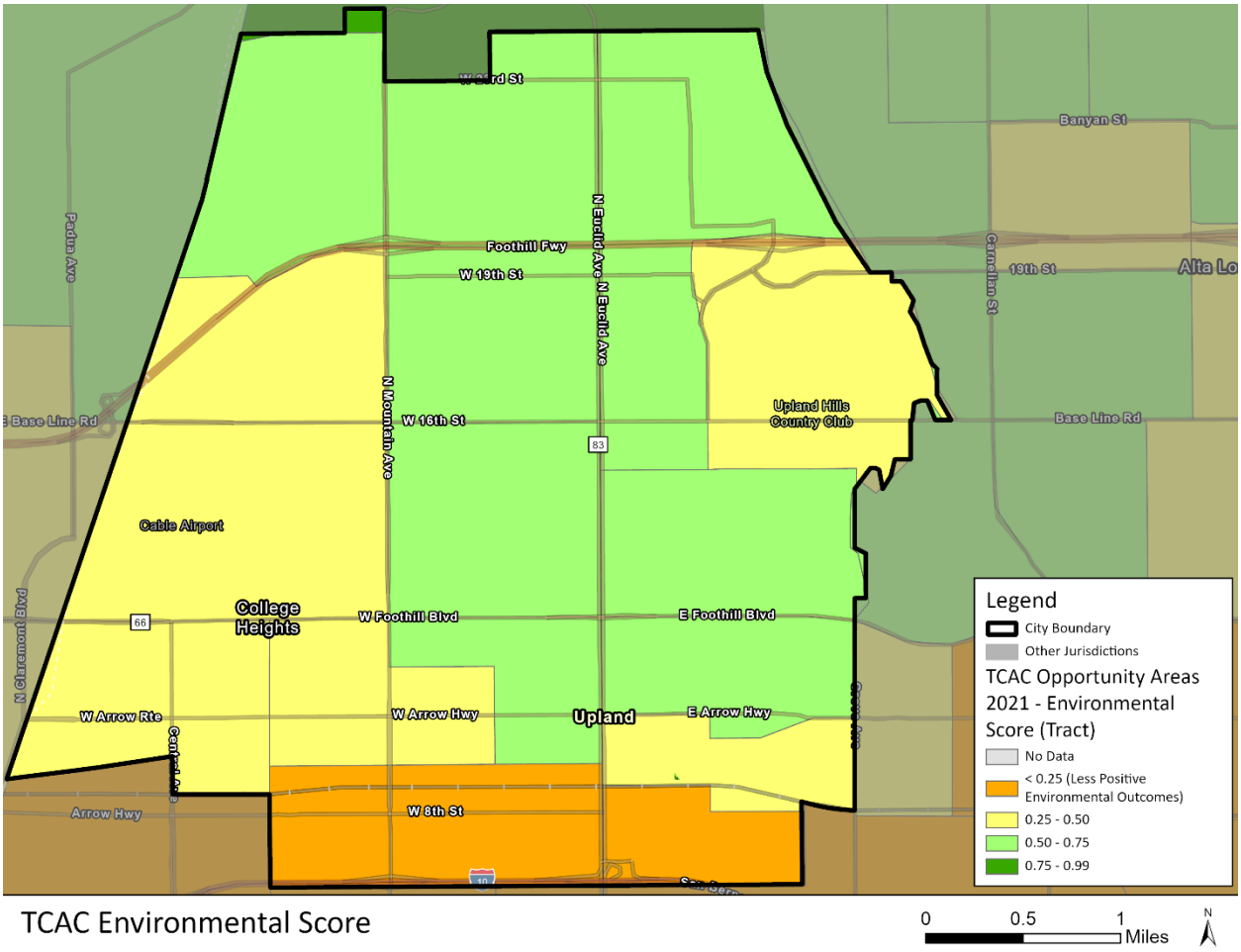
Although EPA characterizes NATA results as "a snapshot of outdoor air quality with respect to emissions of air toxics," it nonetheless suggests long-term risks to human health if air toxics emissions are steady over time, including estimates of the cancer risks from breathing air toxics over many years. It also estimates non-cancer health effects for some pollutants, including diesel particulate matter (PM). It is important to note that NATA only includes outdoor sources of pollutants, and its estimates of risk "assume a person breathes these emissions each year over a lifetime (or approximately 70 years). NATA only considers health effects from breathing these air toxics. It ignores indoor hazards, contacting or ingesting toxics, and any other ways people might be exposed." (http://www.epa.gov/national-airtoxics-assessment/nata-overviewepa.gov)

The Upland AI[6] analyzed Environmental Health Index values for various groups within Upland and within the region at large. Across every category, including those results reported for communities below the federal poverty level, Upland scores are significantly lower than those for the region. These lower scores are an indication of significantly greater exposure to cancer risks for City residents and of the potential for elevated non-cancer health effects from pollutants such as diesel particulate matter.

While Whites in Upland score the highest on the Index, at 35.55, their score is 35.92 percent lower than the score for Whites in the region, at 55.48. For Blacks the differential is -37.68 percent (27.56 vs. 44.22); For Hispanics, -33.15 percent (28.33 vs. 42.38). For Asians, the score within the jurisdiction is 17.07 percent lower than that for the region (35.07 vs. 42.29), and Native Americans within the City score 45.70 percent lower (30.54 vs. 56.24). For communities living under the federal poverty level, the jurisdiction compares similarly unfavorably to the region: 32.37 vs. 56.84 for Whites; 20.44 vs. 44.86 for Blacks; 24.12 vs. 42.23 for Hispanics; 31.99 vs. 39.74 for Asians; and 25.67 vs. 50.63 for Native Americans. The lowest scoring census tracts in Upland are located south of Foothill Boulevard and nearer in proximity to Interstate 10, the rail line, industrial uses and Ontario International Airport.

[6] City of Upland, Analysis of Impediments to Fair Housing Choice 2019-2023, p. II-37

Figure C22. TCAC Opportunity Areas - Environmental Score by Tract (2021)



Source: HCD AFFH Data Viewer

TCAC Composite Score

The TCAC composite score for the City is shown in Figure C23. There is variation in resource category designations, with the northern part of the City generally having higher resource designations than the southern portions, following the pattern seen throughout the City.

Program 23 is included to increase affordable housing stock in the highest resource areas of the City by allowing an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA.

Figure C24 shows the RHNA units by TCAC opportunity category. Approximately 70 percent of units are in the moderate resource category. These are areas that have the best proximity to the Metrolink transit stops and highest job proximity.

The City is also working to improve the quality of housing and broader quality of life in lower resource areas through the following ways:

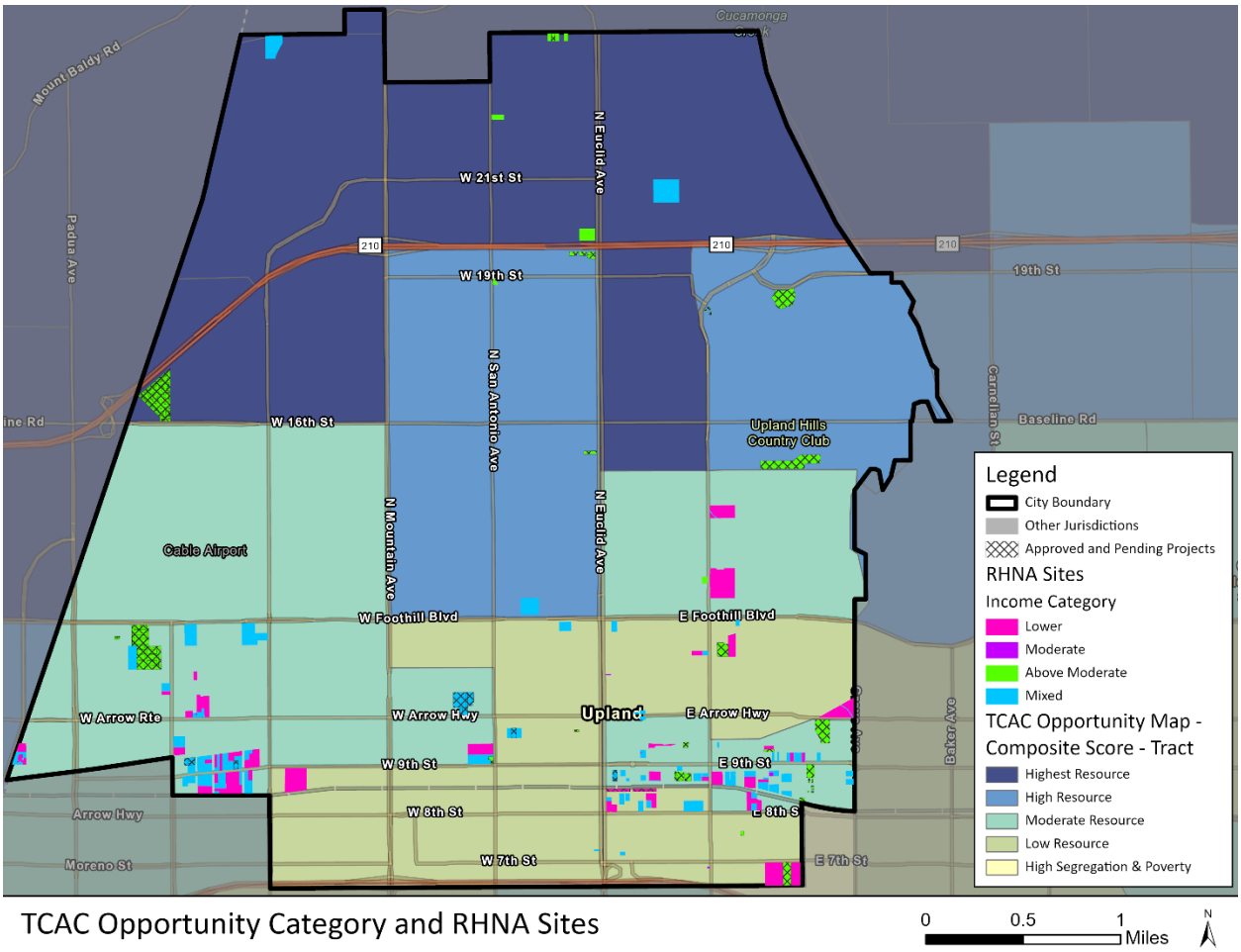
- **Program 24: Place-Based Improvements in South Upland** includes a variety of methods to improve quality of life in south Upland (lower resource areas of the City). The program includes the ongoing Business Attraction Assistance Program, Historic Downtown Revitalization Program, and Capital Improvement projects in lower resource areas. The program also commits the City to continue to seek grant funding for further improvements to south Upland.

- **Program 3: Emergency Repairs for Homeowners** provides a grant of up to $10,000 for emergency repairs. There is a geographic target of 50% of assistance in south Upland for this program.

- **Program 4: Rental Acquisition and Rehabilitations** assists lower income tenants by providing Upland landlords with loans to acquire multi-family units and rehabilitate their multi-family properties. Properties are then subject to an affordability covenant. There is a geographic target of 50% of assistance in south Upland for this program.

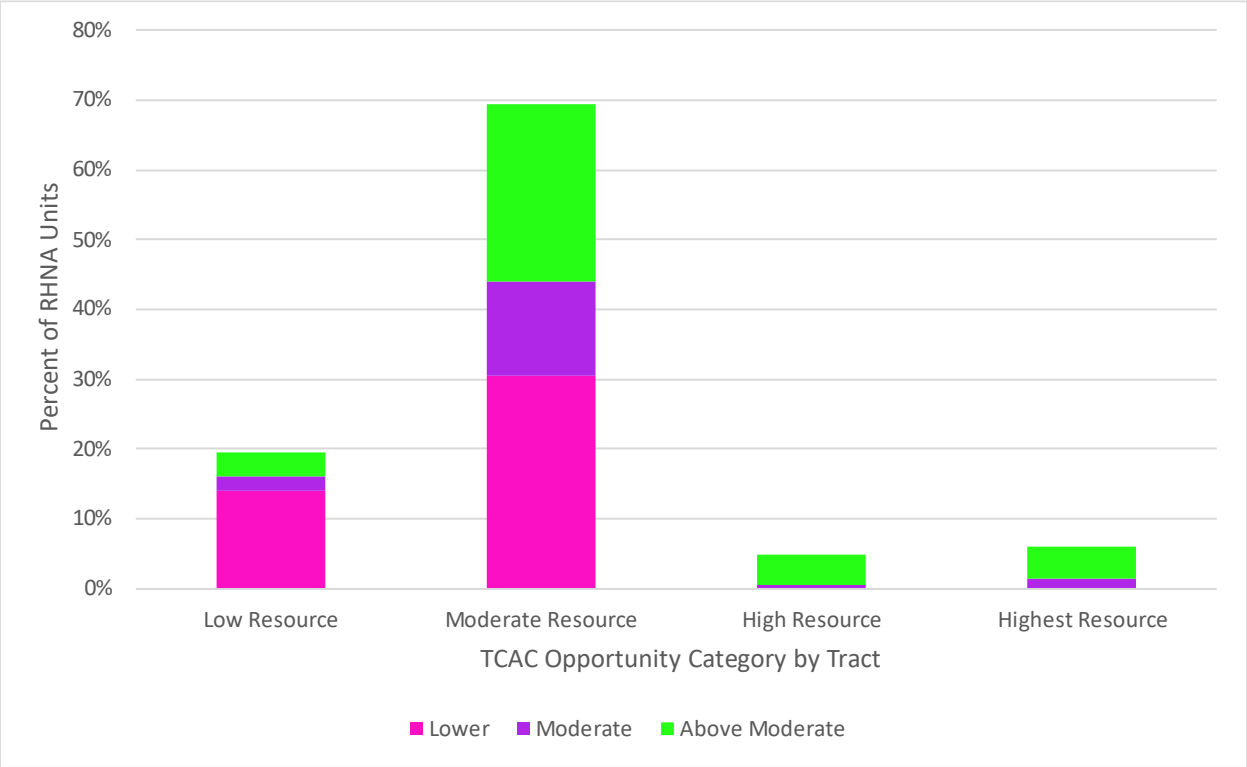
- **Program 5: Multi-Family Rental Rehabilitation Program** provides Upland property owners of multi-family apartments (8-units or less) with grants up to $25,000 to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. There is a geographic target of 65% of assistance in south Upland for this program.

Figure C23. TCAC Opportunity Areas Composite Score by Tract (2022)



Source: HCD AFFH Data Viewer

Figure C24. Distribution of RHNA Units by TCAC Category

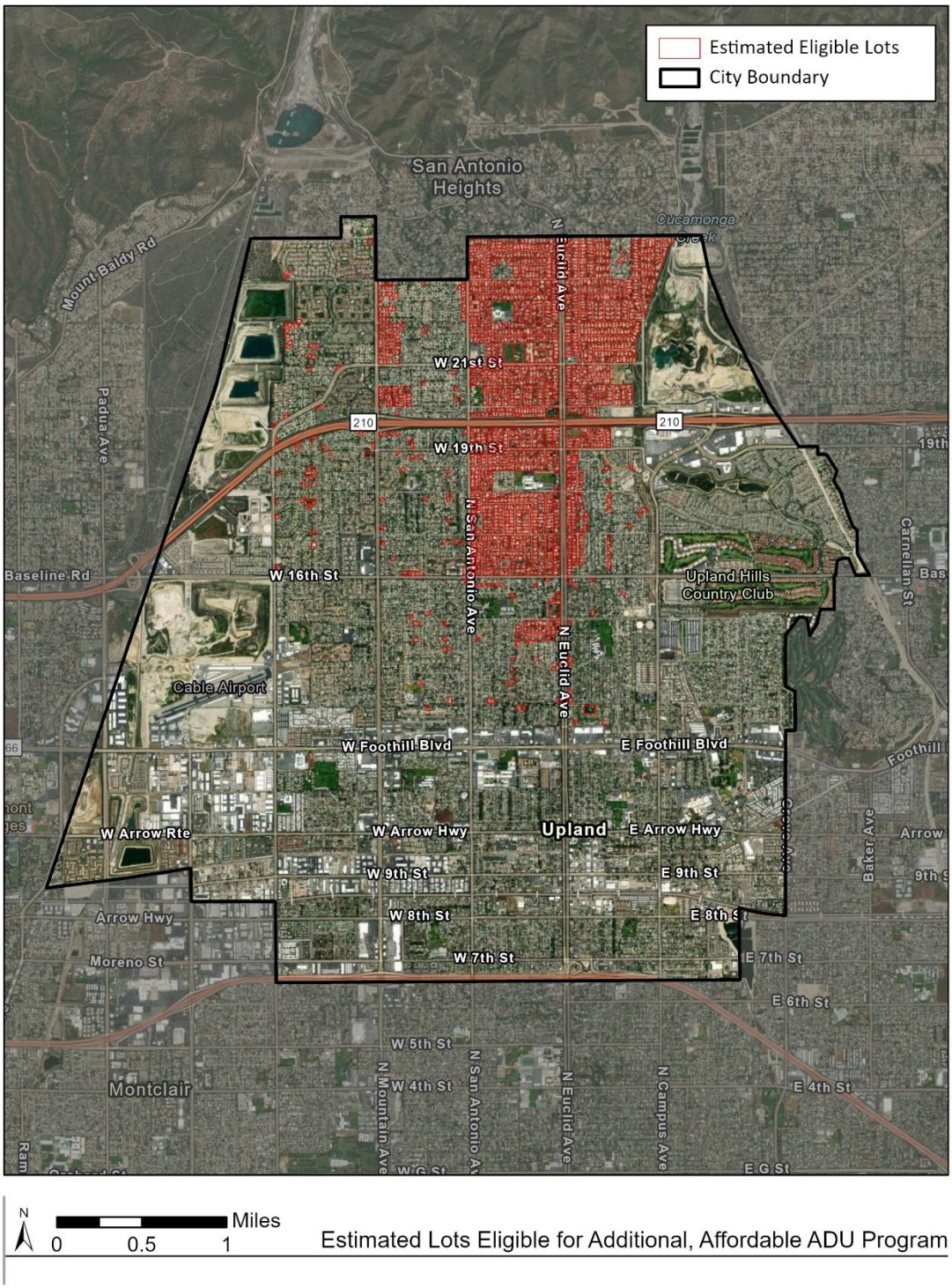


Housing Mobility ADU Program

The City is encouraging increased housing opportunity in north Upland through Program 23, which aims to increase affordable housing stock in the highest resource and income areas of the City. The program allows an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. The program is applicable to an estimated 1,940 lots.

Figure C25 shows the estimated eligible lots for the additional, affordable ADU program; the lots are primarily located in the northern and central portions of the City. The majority of eligible lots are located in the RCAA area, which correlates with areas that are comparatively higher resource and higher income. This will increase affordable housing stock and opportunity as well as increase housing mobility in the northern part of the City beyond the RHNA. Once the program is in place, the City is aiming for the creation of 20 bonus, affordable ADUs annually.

Figure C25. Lots Eligible for Additonal ADU



CalEnviroScreen 4.0

CES 4.0 is a tool that identifies communities in California that are disproportionately burdened by pollutants. Factors used to identify communities include ozone, particulate matter, drinking water contaminants, pesticide

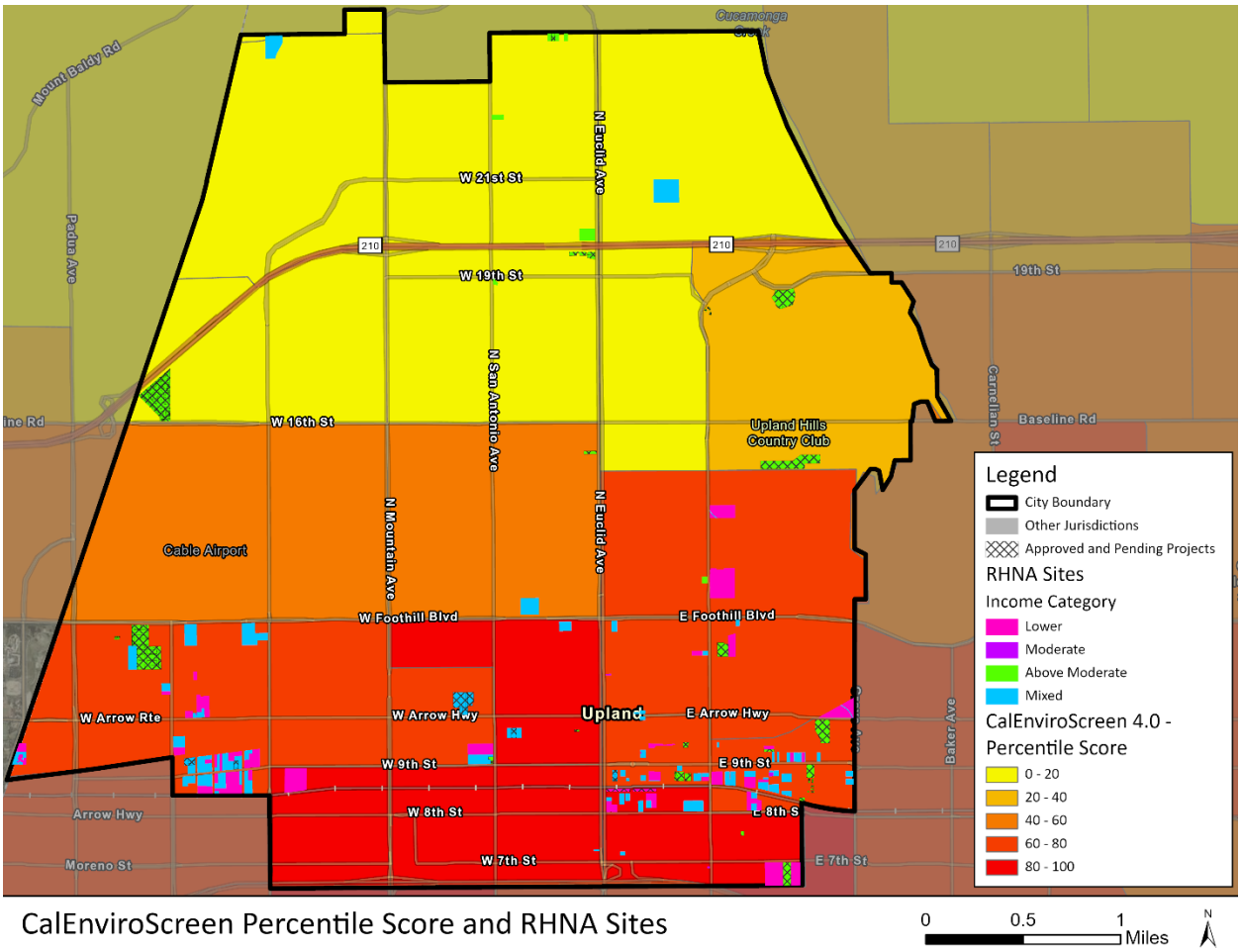
use, lead, diesel particulates, asthma rates, and linguistic isolation. A higher score indicates a higher effect of pollutants for the area.

The California Office of Environmental Health Hazard Assessment (OEHHA) compiles data to help identify California communities that are disproportionately burdened by multiple sources of pollution. In addition to environmental factors (pollutant exposures, groundwater threats, toxic sites, and hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma and low birth weight infants), CalEnviroScreen also takes into consideration socioeconomic factors. These factors include education attainment, linguistic isolation, poverty, and unemployment.

Figure C26 shows the RHNA sites and CES scores and Figure C27 displays the RHNA units by income in each CES percentile group. The majority of RHNA sites are in the 60 – 80 percentile group. These are also the transit-oriented areas where the City is seeing housing growth, high density housing, and increased opportunity and investment.

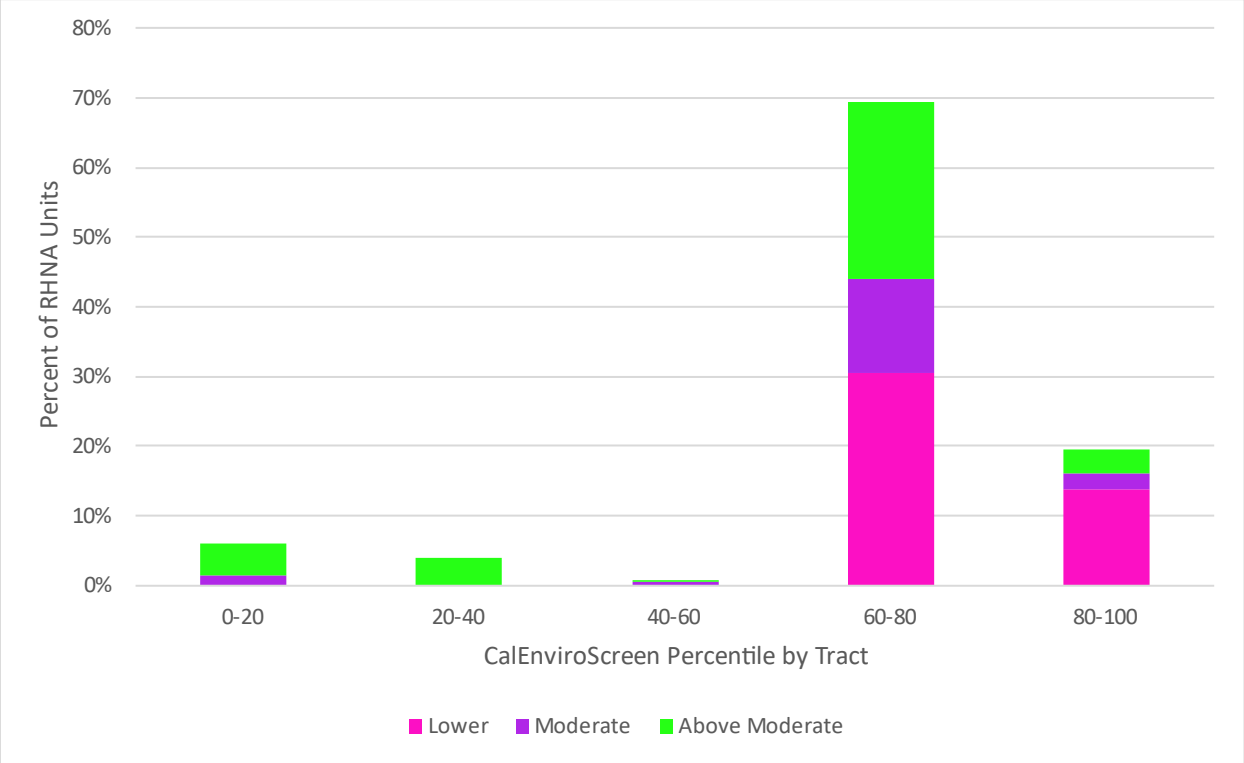
Program 23 is included to increase affordable housing stock in the northern parts of the City by allowing additional ADUs per lot given that they are subject to an affordability covenant for a shortened period of time. The program allows an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. The program is applicable to an estimated 1,940 lots, primarily located in the RCAA area. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA.

Figure C26. CES 4.0 Score



Source: HCD AFFH Data Viewer

Figure C27. Distribution of RHNA Units by CalEnviroScreen 4.0 Percentile Score



Access to Opportunities Regional Comparison

HUD has developed a series of indices for fair housing analysis to assist cities in identifying disparities in access to opportunity. The following indicators are scored on a scale from zero to 100.[7]

- **Low Poverty Index**: The low poverty index captures poverty at the census tract level. The higher the score, the less exposure to poverty.
- **School Proficiency Index**: The school proficiency index uses the performance of fourth-grade students on state exams to describe which areas have higher and lower performing schools. The higher the score, the higher the school system quality.
- **Labor Market Index**: The labor market index measures the relative intensity of labor market engagement and human capital. The index is calculated using employment levels, labor force participation, and education attainment. The higher the score, the higher the labor market participation in a neighborhood.
- **Transit Index**: The transit index is based on estimates of transit trips taken by a three-person, single-parent family with income at 50 percent of the median income for renters for the region. The higher the index, the more likely that the residents use public transit.
- **Low Transportation Cost Index**: The low transportation cost index is calculated based on estimates for a three-person, single-parent family with income at 50 percent of the median income for renters for the region. More specifically, this index considers transportation costs as a percentage of income for this household type. The higher the index, the lower the cost of transportation.

[7] HUD Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation

- **Jobs Proximity Index**: The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a region. Larger employment centers are more heavily weighted. The higher the index, the better access to employment opportunities.
- **Environmental Health Index**: The environmental health index summarizes potential exposure to a variety of toxins that are harmful to human health. The higher the index, the less exposure to toxins.

Table C4 compares the HUD opportunity indicators between upland and the Riverside-San Bernardino-Ontario Region broken down by race and ethnicity. Compared to the region, Upland scores much higher in the proximity to jobs index, and higher scores in transit index, and labor market index. The scores in the school proficiency index and low poverty index are roughly equivalent. However, Upland has lower environmental health index scores, indicating a higher exposure to toxins.

Table C4. Opportunity Indicators

(Upland, CA CDBG) Jurisdiction	Low Poverty Index	School Proficiency Index	Labor Market Index	Transit Index	Low Transportation Cost Index	Jobs Proximity Index	Environmental Health Index
Upland							
White, Non-Hispanic	58.56	50.74	58.24	67.65	48.70	66.35	33.90
Black, Non-Hispanic	41.79	36.11	47.58	71.93	59.38	73.85	29.84
Hispanic	42.32	37.26	47.57	71.61	57.97	71.33	30.77
Asian or Pacific Islander, Non-Hispanic	57.21	49.08	56.89	68.80	51.34	67.53	33.35
Native American, Non-Hispanic	46.89	40.52	49.60	70.61	55.76	69.85	31.80
Riverside-San Bernardino-Ontario, CA Region							
White, Non-Hispanic	50.83	46.43	33.94	48.57	42.13	45.92	48.02
Black, Non-Hispanic	41.38	35.44	26.46	53.65	45.13	45.67	38.89
Hispanic	36.39	33.26	24.37	55.76	46.31	46.90	37.84
Asian or Pacific Islander, Non-Hispanic	58.83	51.51	42.31	55.92	42.65	53.56	35.12
Native American, Non-Hispanic	39.48	35.90	24.58	47.70	43.26	43.36	49.90

Source: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA

Transportation Opportunities

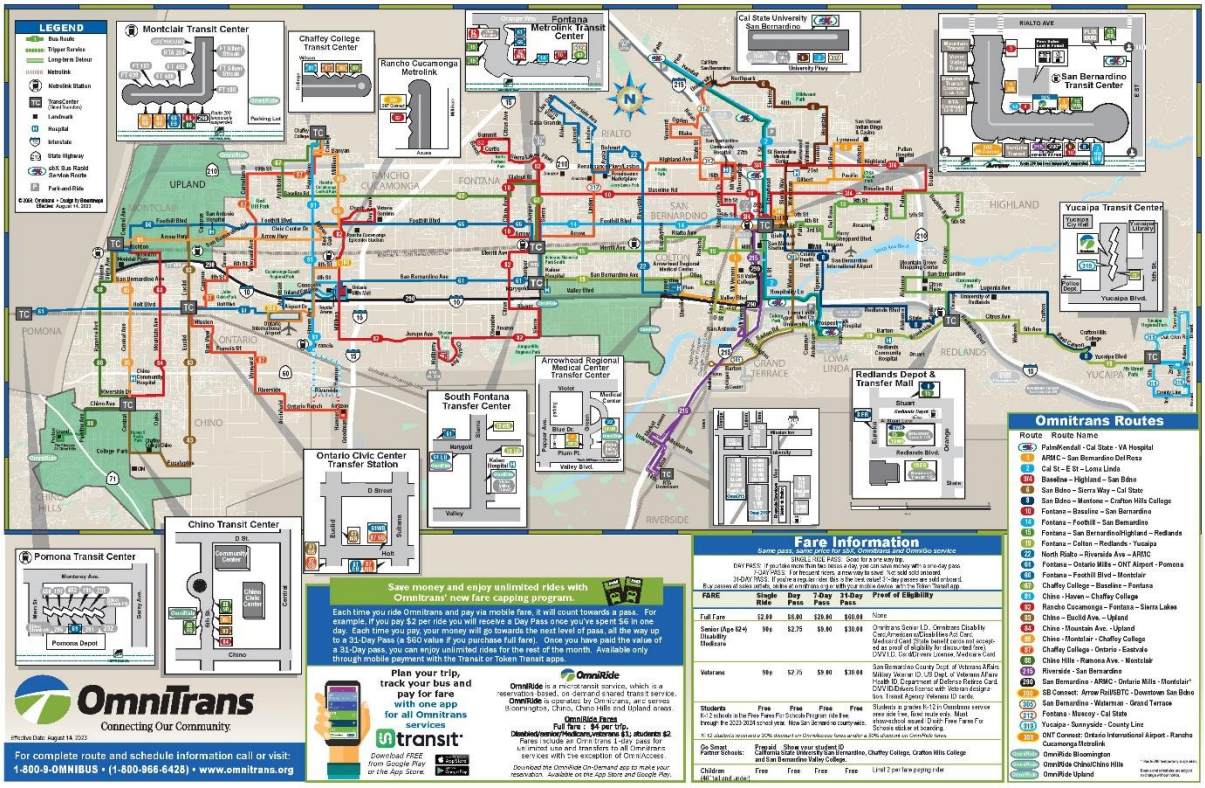
According to the City's AI, Upland residents enjoy superior access to transportation infrastructure, which includes the Burlington Northern/Santa Fe Railroad and the Upland Metrolink Station; the location of both a local airport (Cable Airport) and an International airport (Ontario Airport); and the traversing of the two major freeways through its boundaries (Interstates 10 and 210).

OmniTrans buses run throughout the San Bernardino Valley connecting the cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Redlands, Rialto, San Bernardino, Upland, Rancho Cucamonga, and Yucaipa, and unincorporated communities including Mentone and Muscoy. Bus services to Upland include Routes 83, 84, and 85. Route 85 provides services between the Chino Transit Center, Montclair, and Chino Civic Center.

Additionally, the Montclair Metrolink station is just west of the City boundary, at the southern side of the City. Portions of the City are within ½ mile of the station, and are served by the Metrolink. As a part of the rezoning efforts included in Program 6, the City is creating a Transit Overlay Zone to allow for high density housing, from 20 – 40 du/acre in the vicinity of the Montclair Metrolink Station. There is also a Metrolink Station downtown, and surrounding areas in the Citrus Transportation District allow housing up to 55 du/acre. The City has prioritized rezoning efforts in areas that are in the vicinity of high quality transit.

The Pacific Electric trail runs east-west through the City and provides transportation access for cyclists and pedestrians.

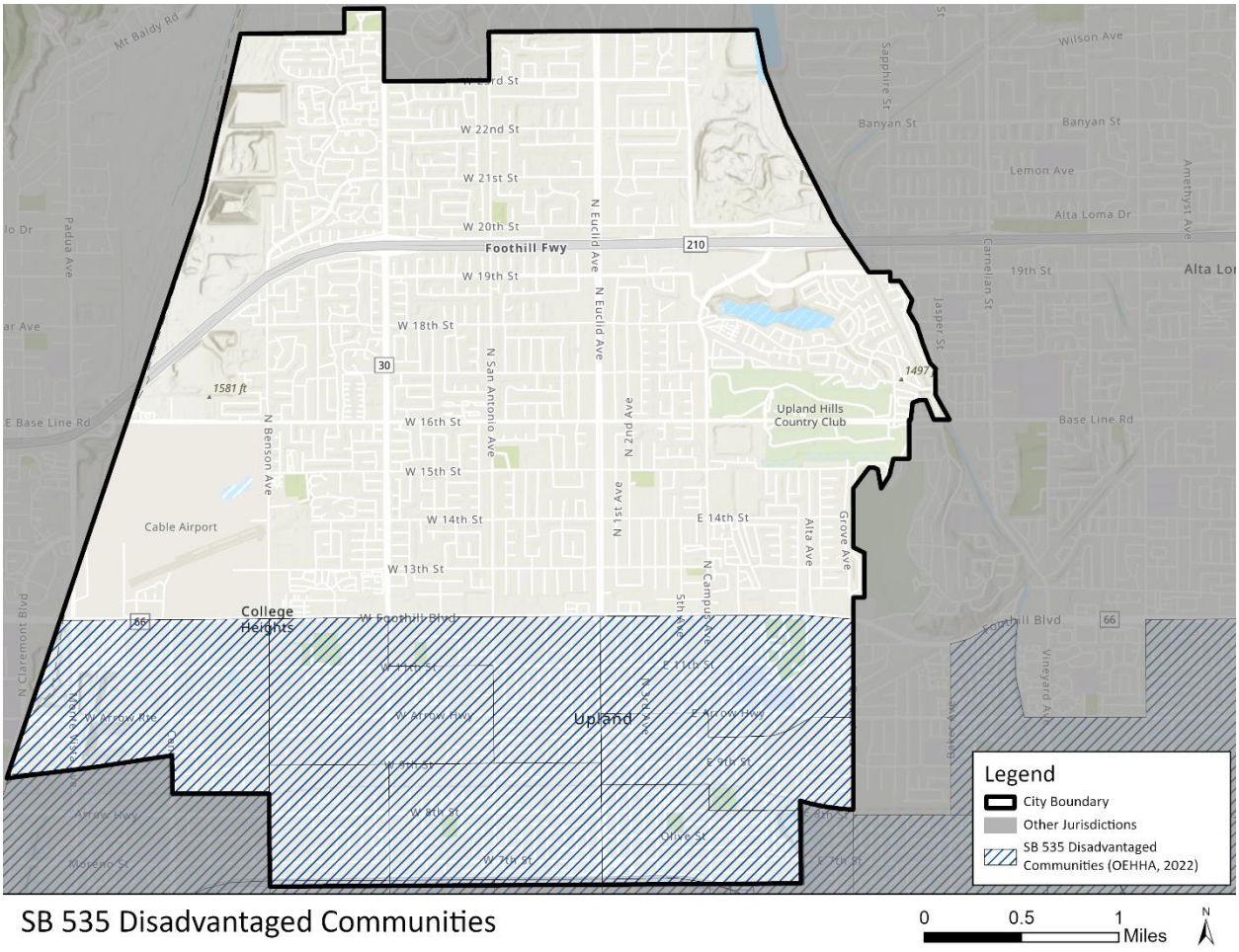
Figure C28. Transit Routes



Disadvantaged Communities

Senate Bill 1000 (SB 1000) requires cities with designated disadvantaged communities to include environmental justice goals and policies in the General Plan. Per SB 1000, the California EPA uses CalEnviroScreen, a mapping tool to identify disadvantaged communities. CalEnviroScreen examines various indicators to characterize pollution and socioeconomic factors. As seen in Figure C29 below, the southern portion of the city is classified as a disadvantaged community.

Figure C29. Disadvantaged Communities – Upland



Source: HCD AFFH Data Viewer

Findings

Compared to the region as a whole, Upland has better access to transit, job proximity, and scores higher in the labor market index. The scores in the school proficiency index and low poverty index are roughly equivalent.to the region as a whole; however, Upland has lower environmental health index scores, indicating a higher exposure to toxins.

Within the City, the southern areas of the City have better access to jobs and transit, while the northern areas of the City have more positive environmental scores. The City is encouraging additional housing in both regions

of the City through different means. Program 23 is included to increase affordable housing stock in the highest resource areas of the City by allowing additional ADUs per lot given that they are subject to an affordability covenant for a certain period of time. The program allows an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. The program is applicable to an estimated 1,940 lots, primarily located in the RCAA area. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA.

The City is also working to improve the quality of housing and broader quality of life in lower resource areas through multiple programs including Program 24, Program 3, Program 4, and Program 5.

The distribution of RHNA sites in these areas is not anticipated to exacerbate conditions, and allows for more housing near transit hubs and job opportunities.

Disproportionate Housing Needs and Displacement Risk

The AFFH Rule Guidebook (24 C.F.R. § 5.152) defines "disproportionate housing needs" as "a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing needs when compared to the proportion of a member of any other relevant groups or the total population experiencing the category of housing need in the applicable geographic area." The analysis is completed by assessing cost burden, severe cost burden, overcrowding, and substandard housing. In addition, this analysis examines homelessness and displacement risk.

Substandard Housing

The AFFH Rule Guidebook defines disproportionate housing needs as a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing needs when compared to the proportion of a member of any other relevant groups or the total population experiencing the category of housing need in the applicable geographic area (Code of Federal Regulations). The analysis is completed by assessing cost burden, overcrowding, and substandard housing. The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census for HUD provides detailed information on housing needs by income level for different types of households in San Bernardino County.

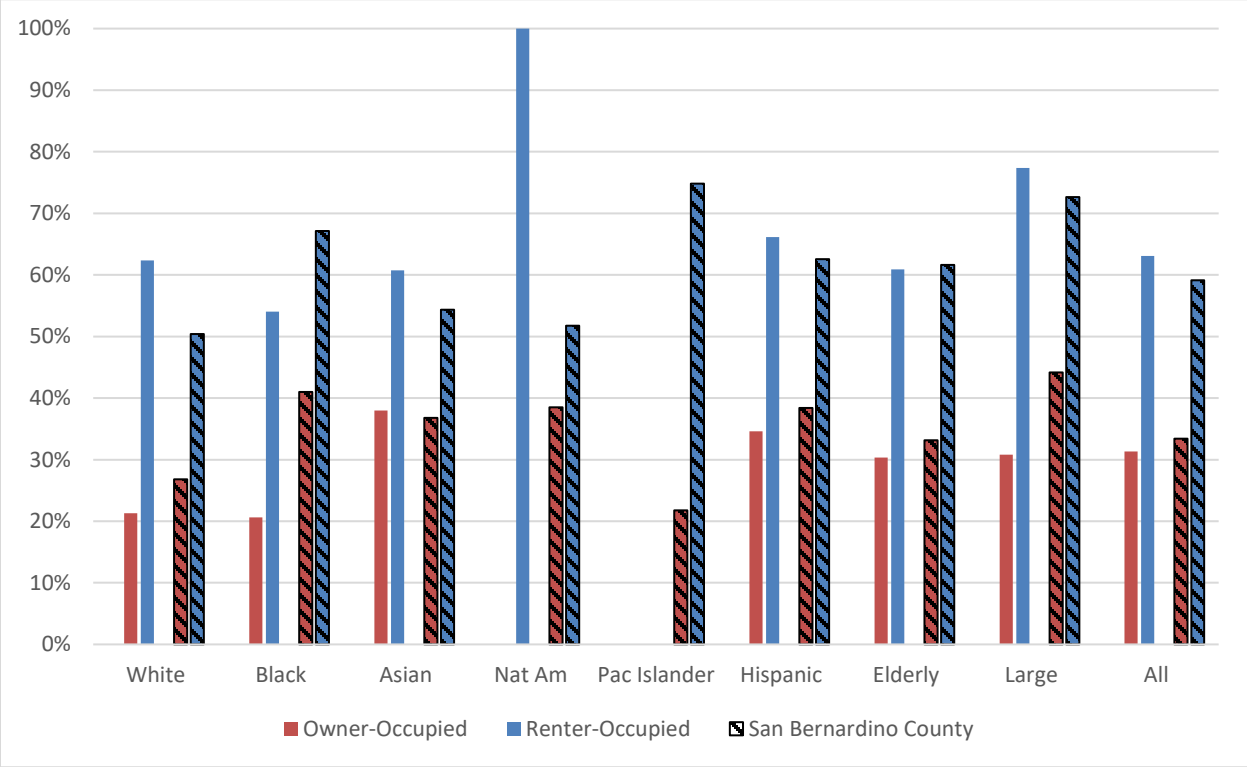
Disproportionate housing needs are determined by finding trends in housing problems in the population by race, household size, or household age. A housing unit is considered substandard or having a housing problem if it has one or more of the following housing conditions:

- Housing unit lacks complete kitchen facilities
- Housing unit lacks complete plumbing facilities
- Household is cost burdened
- Housing unit is overcrowded

Large and elderly households are often more likely to experience housing problems. A large household is a household with three or more children, but is also often calculated as a household with five or more people. An elderly household is calculated as any household with a person over 62 years of age.

Renters of all races and demographics experience high rates of housing problems, over 60 percent, while less than 30 percent of White or Black owners experience housing problems. Rates of housing problems are generally lower for owners in the City compared to the County, while rates of housing problems for renters are relatively comparable at the County and City level.

Figure C30. Housing Problems by Tenure and Race/Elderly/Housing Size



Source: HUD CHAS Data, 2019

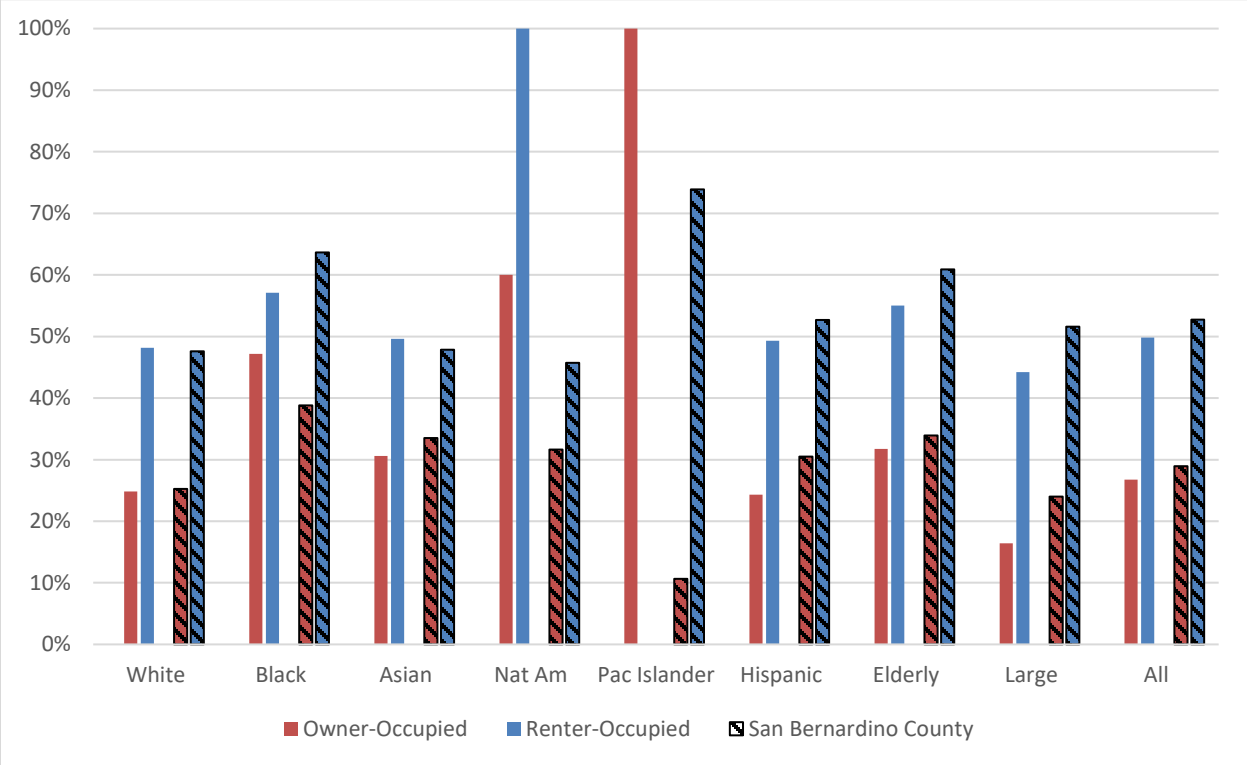
Cost Burden (Overpayment)

A household is considered cost-burdened if it spends more than 30 percent of its income in housing costs, including utilities. Reducing housing cost burden can also help foster more inclusive communities and increase access to opportunities for persons of color, persons with disabilities, and other protected classes.

Overpayment is a problem for many Upland residents, particularly for lower-income households. According to recent HUD estimates (Table C5) approximately 6,265 renter households (52% of all renters) and 4,325 owner households (29% of all owners) were paying more than 30% of income for housing. The highest rates of overpayment occur among very-low-income and extremely-low-income households. The impact of housing overpayment on lower income households is particularly significant for special needs populations – seniors, persons with disabilities, and female-headed households with children.

Cost burden is when a household spends more than 30 percent of its monthly income on housing costs such as rent, mortgage, or utilities. Large households have more costs to support more people, and may experience cost burden or a lack of excess funds to amend housing problems. Elderly households may be on a fixed income, which affects excess funds necessary for maintenance in an older home bought before retirement.

Figure C31. Cost Burden by Tenure and Race/Elderly/Housing Size



Source: HUD CHAS Data, 2019

Table C5. Cost Burden by Tenure and Income Category - Upland

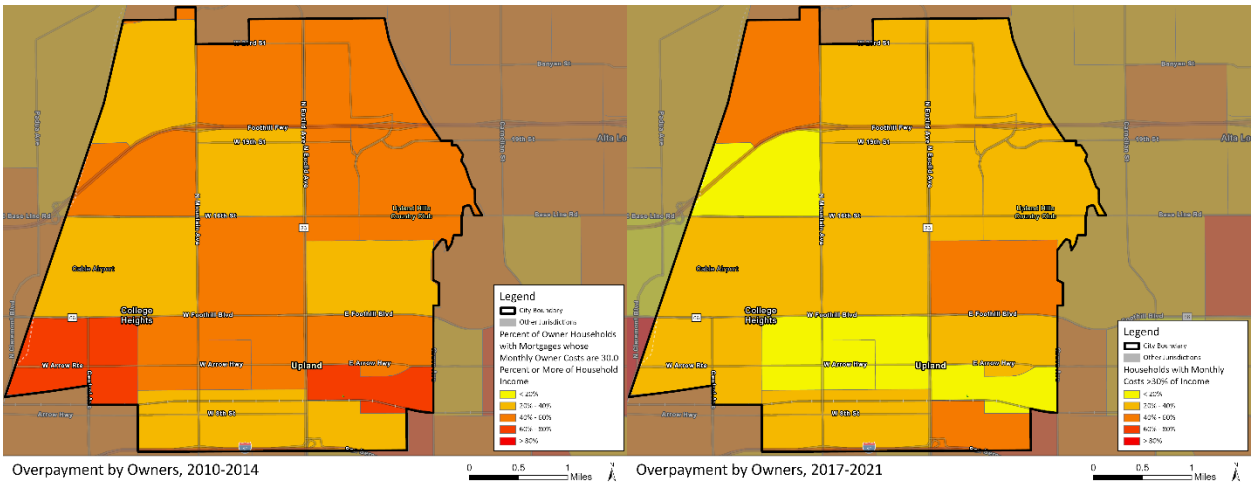
Income by Cost Burden (Renters only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income less-than or= 30% HAMFI	1,475	1,415	1,960
Household Income >30% to less-than or= 50% HAMFI	1,415	1,125	1,585
Household Income >50% to less-than or= 80% HAMFI	1,695	500	2,000
Household Income >80% to less-than or= 100% HAMFI	840	55	1,385
Household Income >100% HAMFI	840	55	5,230
Total	6,265	3,150	12,155
Income by Cost Burden (Owners only)	**Cost burden > 30%**	**Cost burden > 50%**	**Total**
Household Income less-than or= 30% HAMFI	535	475	755
Household Income >30% to less-than or= 50% HAMFI	415	365	645
Household Income >50% to less-than or= 80% HAMFI	700	425	1,265
Household Income >80% to less-than or= 100% HAMFI	520	170	1,010
Household Income >100% HAMFI	2,155	265	11,045
Total	4,325	1,700	14,720

As shown in Figure C33, overpayment among renters is most prevalent in the southern portions of the city. Overpayment among Upland homeowners is highest in the central and southern portions of the city (Figure

C32). The problems of overpayment are addressed in the Housing Plan through efforts to facilitate production and preservation of affordable housing.

Overpayment is prevalent regionwide, most notably in the cities of Ontario and San Bernardino. These are also areas with more prevalent non-White populations and households with lower median-incomes. Additionally, these cities also have a R/ECAP present. Overpayment in the surrounding region, including other jurisdictions in San Bernardino County, as well as Riverside County, has shifted in concentration from southwest to east over time within the jurisdictions. This trend regionwide is consistent with the patterns in Upland, as trends of overpayment seen previously in tracts southwest of the City boundary are now apparent in Upland, and within City limits areas of concentration have moved from southwestern tracts are now are seen in tracts to the east. Overpayment in the City has overall decreased since 2010, but overpayment in the eastern neighborhoods of the City has increased.

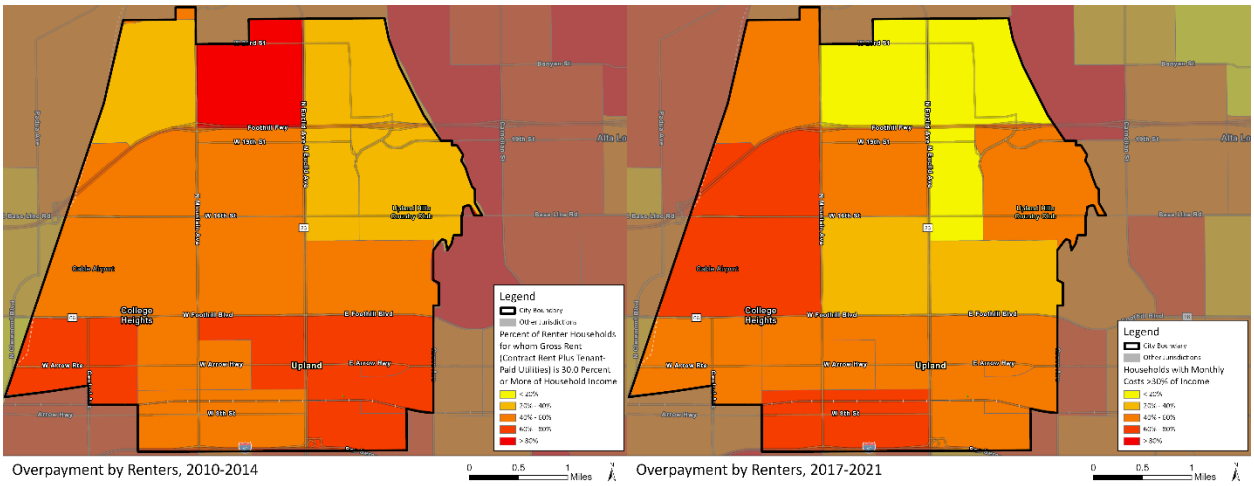
Figure C32. Overpayment by Owners (2010-2014 and 2017-2021)



Overpayment by Owners, 2010-2014 Overpayment by Owners, 2017-2021

Source: HCD AFFH Data Viewer

Figure C33. Overpayment by Renters (2010-2014 and 2017-2021)



Source: HCD AFFH Data Viewer

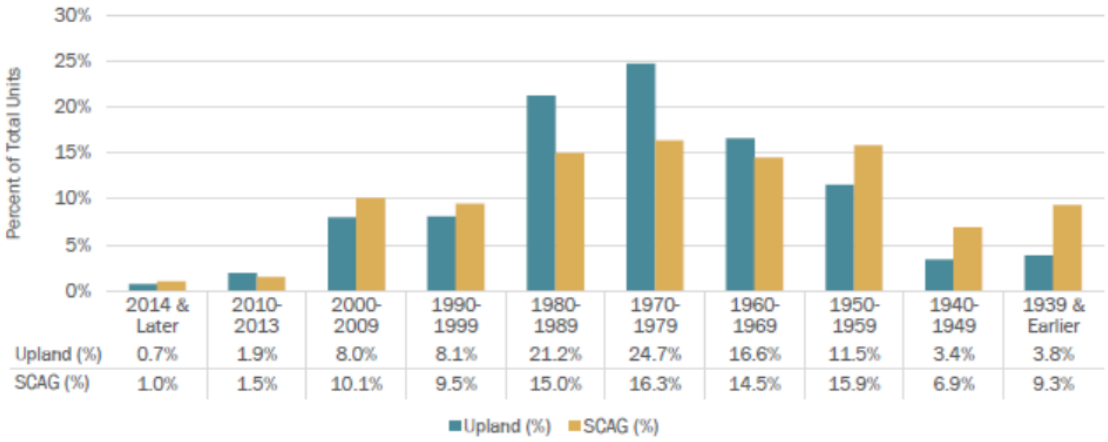
Substandard Housing

The age of a housing unit is often an indicator of housing conditions. Housing units without proper maintenance can deteriorate over time. Housing units built before 1970 are the most likely to need rehabilitation and to have lead-based paint in deteriorated condition. Lead-based paint becomes hazardous to children under age six and to pregnant women when it peels off walls or is pulverized by windows and doors opening and closing.

Housing over 50 years old is considered aged and is more likely to exhibit a need for major repairs. Additionally, older units may not be built to current building standards for fire and earthquake safety.

The age of housing units in Upland compared to the SCAG region as a whole is shown in Figure C34. Approximately 60% of Upland's housing units were constructed prior to 1980 and are now more than 40 years old. These findings suggest that there may be a substantial need for maintenance and rehabilitation, including remediation of lead-based paint. Based upon field observations of City building inspectors and code enforcement staff, it is estimated there may be 9,000 housing units currently in the City that are in need of substantial rehabilitation. Housing programs to assist lower-income households with needed repairs are described in Chapter 4.

Figure C34. : Age of Housing Units – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

Overcrowding

"Overcrowding" is defined as a housing unit occupied by more than 1.01 persons per room (excluding kitchens, porches, and hallways). A unit with more than 1.51 occupants per room is considered "severely overcrowded." The incidence of overcrowded housing is a general measure of whether there is an available supply of adequately sized housing units. Overcrowding is also related to overpayment, because households may not be able to afford a large enough home to accommodate their needs. Overcrowding can lead to a variety of other problems such as lower educational performance among children, psychological stress and adverse health impacts.

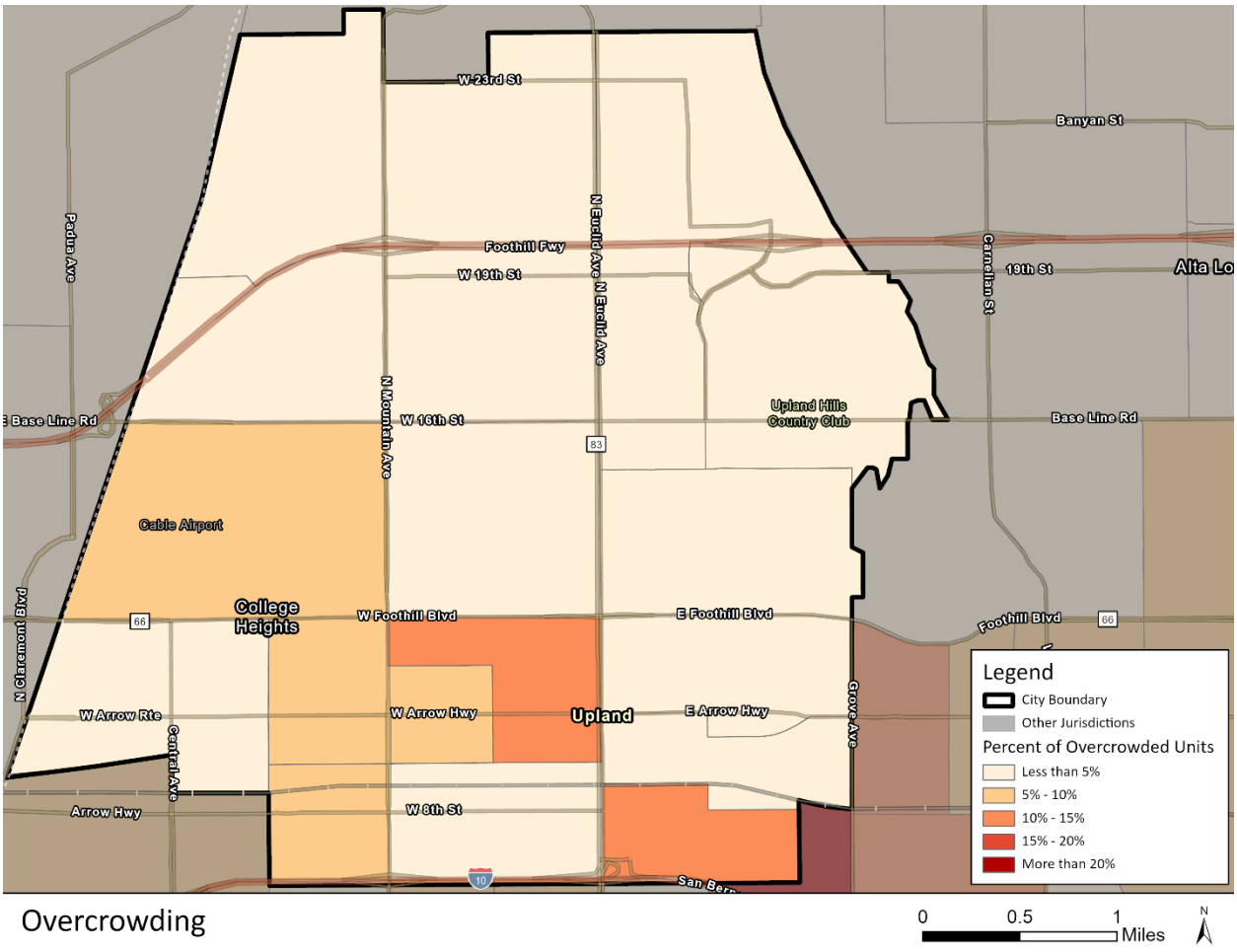
Overcrowding can affect public facilities and services, reduce the quality of the physical environment, and create conditions that contribute to the deterioration of the housing stock. Additionally, overcrowding can indicate that a community does not have an adequate supply of affordable housing and/or variety of suitable housing units to meet the needs of the community.

Program 23 is included to increase the affordable housing stock in the highest resource areas of the City by allowing additional ADUs per lot on approximately 1,940 lots, given that they are subject to an affordability covenant for a certain period of time. This will increase the affordable housing stock, so households with multiple families living together to save money may have more housing opportunities. ADUs can also provide additional rooms to aid in alleviating overcrowding.

In Upland, the highest rates of overcrowding occur in the southern portion of the city (Figure C35), which are also the areas with higher percentages of minority residents.

The problems of overcrowding are addressed in the Housing Plan through efforts to facilitate production and preservation of affordable housing and also through financial assistance such as Section 8 vouchers.

Figure C35. Overcrowded Households by Tract (2017-2021)



Source: HCD AFFH Data Viewer

Homelessness

Persons threatened with homelessness are often those with incomes at 30% of area median income or below who are paying more than 30% of their income for rent. Homeless persons are defined as those who lack a fixed and adequate residence. Homelessness is a pressing issue for many communities, and the varied dimensions involved have implications for housing programs. People who are homeless may be chronically homeless (perhaps due to substance abuse) or situationally homeless resulting from job loss, family strife, incarceration, or violence. Homeless people face critical housing challenges due to their very low incomes and other problems.

Counting the homeless population is problematic due to its transient nature. According to the 2020 San Bernardino County Homeless Count and Subpopulation Survey Report[8] there were 44 unsheltered and no sheltered homeless persons in Upland at the time of the survey.

Housing accommodations for homeless people include emergency shelters, navigation centers, transitional housing, and permanent supportive housing. The City helps to support the establishment and operation of

[8] https://wp.sbcounty.gov/dbh/sbchp/wp-content/uploads/sites/2/2020/04/2020-SBC-Homeless-Count-Report.pdf

these types of facilities by ensuring that City regulations are consistent with current law (see Program 20: Housing for People with Disabilities or other Special Needs). Facilities serving the homeless in Upland are briefly summarized below.

- **Foothill Family Shelter**. Foothill Family Shelter is the primary facility serving Upland's homeless. This facility provides emergency shelter, transitional housing, and permanent housing in one center for homeless individuals and families. It includes 75 emergency beds, 7 short-term apartments for homeless families with children, 12 transitional housing apartments, and 8 apartments for affordable permanent housing.
- **Pacific Lifeline Ministry**. Pacific Lifeline Ministry in Upland is a faith-based ministry that empowers women and children facing chronic homelessness to achieve personal and social stability. Pacific Lifeline provides 28 beds for women and their young children at a transitional shelter in Upland. As part of the transitional housing, Pacific Lifeline provides services that include case management, individual group and family therapy, tutoring and counseling services, clothes, food, and limited housing services.
- **Substance abuse**. Inland Valley Recovery Services provides a number of programs for the Upland community. The Women and Children Program/Staying Sober provides a support base for recovering parents to restore relationships with children. IVRS also offers residential treatment in a 75-bed treatment center in Upland.
- **Service agencies**. Inland Valley Hope Partners provides emergency assistance with food, utilities, and educational classes. Other groups, such as OUR Homeless, links local ministries to community service providers and other congregations implementing solutions to ending homelessness on the west end of San Bernardino County.
- **Housing Authority**. The County Housing Authority (HACSB) has jurisdiction over a number of housing voucher programs, including those for homeless people. The Upland Housing Authority entered into a memorandum of understanding (MOU) with the San Bernardino County Housing Authority (HACSB) to administer housing assistance contracts with landlords in the City of Upland for applicants/participants of HACSB special purpose homeless voucher programs (Housing Opportunities for Persons with AIDS, Shelter Plus Care, Veterans Affairs Supportive Housing).

Table C6. Homeless Population by Jurisdiction

Jurisdiction	2018	2020	2022
Upland	125	44	89
Grand Terrace	1	5	1
Bloomington	7	19	11
Chino	28	31	23
Chino Hills	6	2	4
Colton	42	136	199
Crestline	18	22	13
Fontana	72	116	156
Highland	49	78	82
Loma Linda	46	51	9
Montclair	8	54	37

Jurisdiction	2018	2020	2022
Ontario	90	102	193
Rancho Cucamonga	64	54	47
Redlands	143	186	184
San Bernardino	646	1,056	1,350
County Total	2,118	3,125	3,333

Source: San Bernardino County Analysis of Impediments to Fair Housing Choice. 2020.

Table C7 shows the unsheltered homeless population in Upland by age demographics. Homelessness in Upland is most prevalent in those ages 25 to 54. However, since the homeless population in 2023 that provided data is relatively small, the age distribution is pretty even and low across age levels. In addition to age data, surveys also indicated that almost 90 percent of the homeless population in Upland is male. Additionally, nearly 20 percent have a mental disability or disorder, and almost 40 percent have a physical disability, which limits the ability to live independently.

Table C7. Homeless Population in Upland by Age

Age	Number	Percent
18 to 24	0	0%
25 to 34	5	31.3%
35 to 44	3	18.8%
45 to 54	4	25.0%
55 to 64	2	12.5%
65+	2	12.5%

Source: San Bernardino County Point in Time Count. 2023.

Table C8 includes data on the homeless population in Upland by race demographics. The most prevalent races in Upland that are experiencing homelessness are the White and Black populations. While the white population is most prevalent overall in Upland's population, there is a relatively small Black population in the City. This indicates that there is a disproportionately large portion of the homeless population that is Black.

Table C8. Homeless Population in Upland by Race

Race	Number	Percent
American Indian, Alaska Native, or Indigenous	0	0%
Asian or Asian American	0	0%
Black, African American, or African	2	12.5%
Native Hawaiian or Pacific Islander	0	0%
White	11	68.8%
Multiple Races	3	18.8%

Source: San Bernardino County Point in Time Count. 2023.

Geographic Concentrations of Substandard Housing and Homelessness

To understand the trends of substandard housing and homelessness, the City conducted a geographic review of the concentrations of substandard housing and homelessness in the City. Figure C36 displays the concentrations of both substandard housing and homelessness in Upland. Generally, both are concentrated more in the southern portion of the City. The City is including programs in the Housing Element with geographic targeting to areas in south Upland address these needs. Specifically, this includes:

- Program 2. HOME Improvement provides loans of up to $90,000 to lower income households for repair work to single-family owner-occupied homes. Funds must be used to correct code deficiencies in the structure. Eligible improvements include electrical, plumbing, kitchen and bathroom improvements, furnace and hot water heater replacement, home painting, structural upgrading, roofing, foundation and drainage improvements, disabled access, windows, doors and frames, rodent and pest extermination and repairs, fence improvements, and energy conservation. This program is targeted for 50% of assistance to households south of Foothill Boulevard.

- Program 3. Emergency Repairs for Homeowners targets 50% of assistance to households south of Foothill Boulevard. The program provides a grant of up to $10,000 for emergency repairs to very-low income households.

- Program 4. Rental Acquisition and Rehabilitation includes a target of 50% of assistance to households south of Foothill Boulevard. This program provides a zero interest loan of up to $30,000 for lower-income tenants for improvements such as structural, roofing, insulation, plumbing, electrical, lead paint abatement, accessibility improvements, foundation work, habitability, and health and safety hazards.

- Program 5. Multi-Family Rental Rehabilitation Program includes a targeting of 65% of funds to areas south of Foothill Boulevard to improve existing affordable housing stock. The program provides up to $25,000 for housing rehabilitation.

- Program 24. Place-Based Improvements in south Upland includes a number of efforts to improve south Upland. This includes a Business Attraction Assistance Program, Historic Downtown Revitalization Program, and over $13 million in Capital Improvements such as ADA improvements, street and alley improvements, and complete street rehabilitation.

Substandard Housing

Local windshield surveys and review noted that substandard housing is most prevalent in areas with older housing stock and lower median incomes. These households commonly experience overcrowding and substandard conditions at a higher rate regionwide and in Upland. Concentrations of substandard housing are shown in blue in Figure C36. Generally, these areas include older, smaller apartments and homes in need of repair. These apartments generally have lower rental costs and higher rates overcrowding. The locations of these concentrations correlate directly with available data on concentrations of overcrowded households.

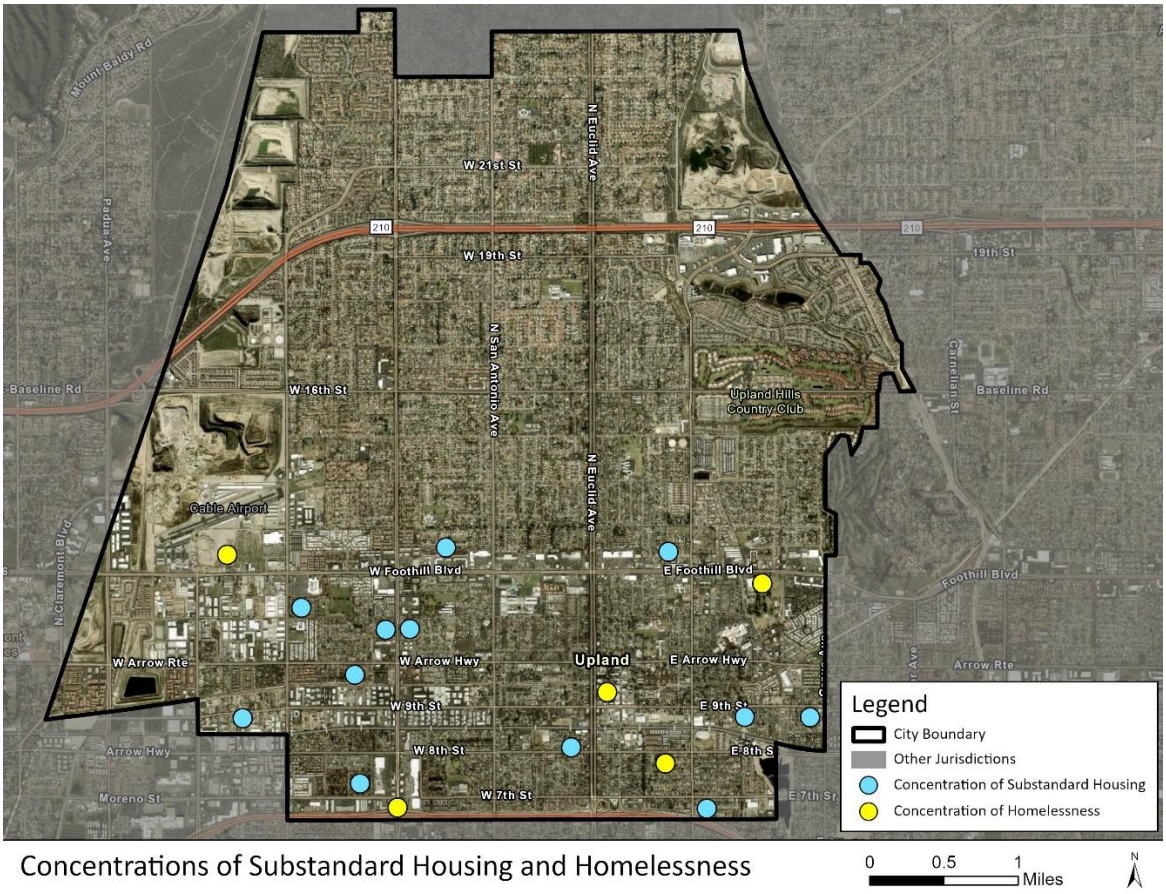
Homelessness

As shown in Figure C36, local knowledge determined that there is a higher concentration of the homeless population in downtown Upland, in the southeast area of the City. Within downtown there are no campsites,

but there are congregations of homeless people in the areas around City Hall and the Pacific Electric Trail. Additional concentrations in downtown Upland include Olivedale Park and Memorial Park.

There are homeless encampments in areas of southwest Upland. These areas include an undeveloped parcel from which the City frequently dismantles campsites, and an area in the nearby shopping centers. There is also significant camping adjacent to the freeway in the Caltrans vacant right-of-way areas.

Figure C36. Concentrations of Substandard Housing and Homelessness



Source: City of Upland

Displacement Risk

Displacement refers to any involuntary household move caused by landlord action or market changes. Displacement can be caused by rising housing costs, insufficient affordable housing opportunities, expiration of affordability covenants, evictions, housing discrimination, or the physical demolition of existing housing to make way for new development.

The Urban Displacement Project at the University of California, Berkeley, developed a map of "sensitive communities" where residents may be particularly vulnerable to displacement in the event of increased redevelopment and drastic shifts in housing cost. Sensitive communities are defined based on the following set of criteria:

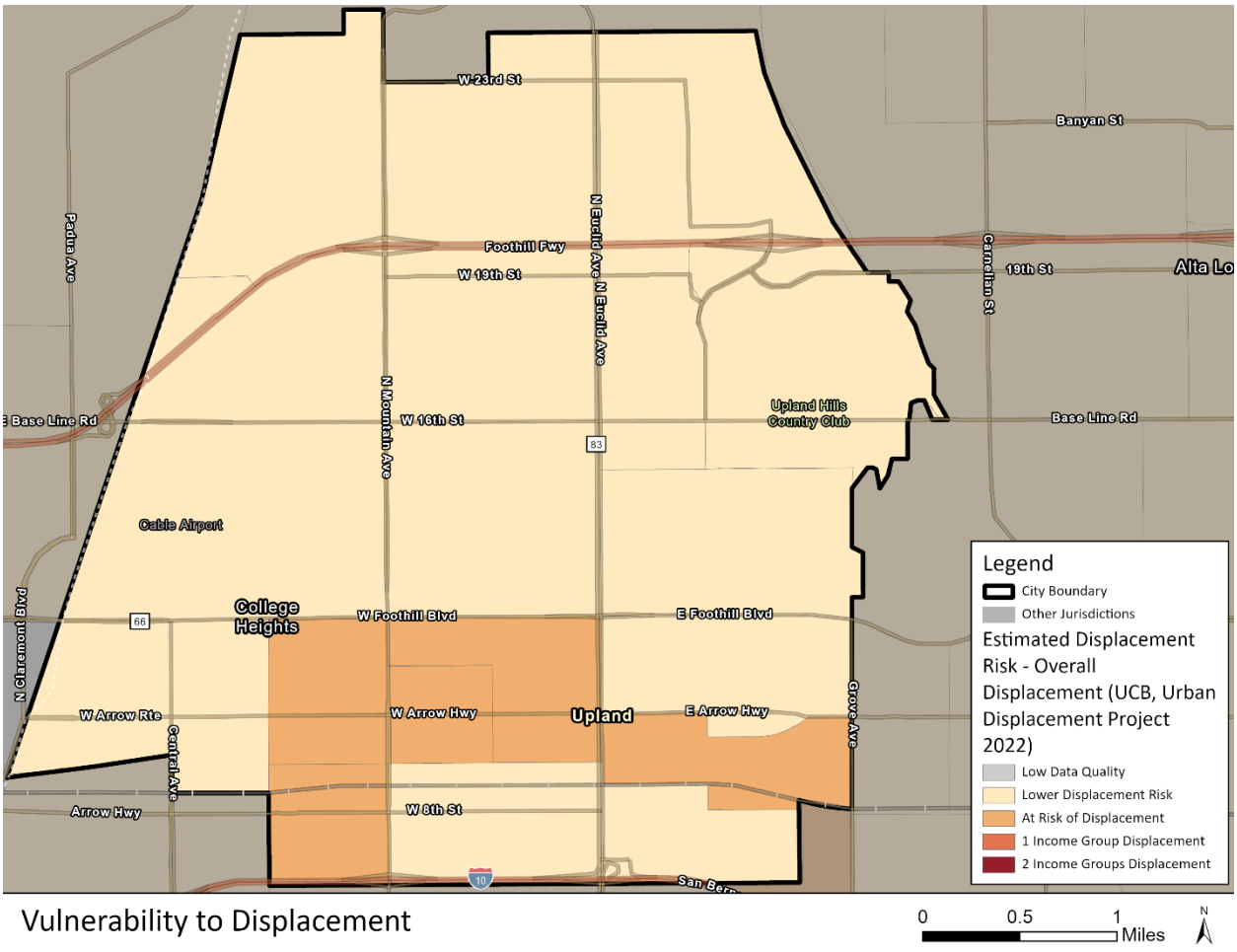
- The share of very low-income residents is above 20 percent.

- The census tract must also meet two of the following criteria:
    - The share of renters is above 40 percent.
    - The share of people of color is above 50 percent.
    - The share of very low-income households (50 percent AMI or below) that are severely rent burdened is above the county median.
    - The census tract, or areas in close proximity, have been experiencing displacement pressures. Displacement pressure is defined as:
    - The percentage change in rent in a selected census tract, divided by county median rent increases OR
    - Median rent in a selected census tract, minus median rent for all surrounding tracts, divided by median rent for all tracts in county (rent gap).

As shown in Figure C37, portions of Upland south of Foothill Boulevard are considered vulnerable to displacement. Displacement mitigation strategies include tenant protections, physical maintenance and conservation of the existing affordable housing stock, preservation of existing deed-restricted affordable units at-risk of conversion to market-rate, acquisition and rehabilitation of existing housing units, requiring the replacement of existing affordable units demolished as part of redevelopment, and facilitating construction of additional affordable housing. The Housing Plan (Chapter 5) includes programs to implement all of these strategies.

The RHNA sites are largely rezoning existing industrial or upzoning mixed-use parcels, minimizing the risk of displacement in south Upland. Additionally, any affordable residential units that are demolished must be replaced (Program 6). As noted in the site chapter, there are few areas of the City in a flood hazard or very high fire severity zone, minimizing the risk of displacement due to disaster.

Figure C37. Estimated Displacement Risk, 2022



HUD CHAS Data, 2019

Findings

Overall, renters of all races and demographics experience higher rates of housing problems, over 60 percent, while less than 30 percent of White or Black owners experience housing problems. Rates of housing problems are generally lower for owners in the City compared to the County, while rates of housing problems for renters are relatively comparable at the County and City level. Both overpayment and overcrowding are more prevalent in lower resource areas in southern Upland, where the population is generally more predominantly non-White and has lower median-incomes. The presence of the sites in these areas is not anticipated to exacerbate conditions, and allows for more housing near transit hubs and job opportunities.

Other Contributing Factor – Historic Patterns of Development

The City was incorporated in 1906 and at the time, the north side of Foothill contained citrus groves, and the south side of Foothill contained citrus groves and the downtown commercial area, citrus packing industry and the surrounding housing. This resulted in the oldest housing in Upland being primarily south of Foothill, other than more recent infill developments. The Cities first Zoning Code was adopted in 1933, which included multi-family and single-family zoning south of foothill, with the north being primarily agricultural, which further

increased housing south of Foothill. After WWII, the typical suburban development pattern began to develop in the City. South of Foothill, multi-family zones remained and expanded, while developers bought up citrus groves to develop single family residential. Suburban development first started in the south, and then, starting in the 1950's and continuing through the 1990's, developers began to buy and develop citrus groves north of Foothill, resulting in newer housing stock primarily consisting of a larger, single-family homes on lot sizes 10,000 square feet and larger. Today, the City primarily receives infill development housing projects throughout the City, but the neighborhoods north of Foothill continue to primarily consist of low to medium density single-family development, with the oldest housing stock and multi-family development in the neighborhoods south of Foothill.

Fair Housing Issues, Contributing Factors, and Meaningful Actions

The City has adopted goals and actions that specifically address the contributing factors identified in the AFFH analysis. While the City views all contributing factors as important, higher priority was given to factors that limit fair housing choice and/or negatively impact fair housing per Government Code section 65583(c)(10)(A)(iv).

Table C9 displays the identified fair housing issue, contributing factor, actions taken to address the contributing factor, and priority level for each issue. Relevant programs are referenced in the action column for each contributing factor.

Table C10 provides a detailed overview of actions included in Housing Element Programs that are aimed at affirmatively furthering fair housing. The table separates the actions by their identified fair housing issue and priority level. It summarizes the specific commitment, timeline, geographic targeting, and metric for each program.

Table C9. Contributing Factors

Fair Housing Issue	Contributing Factor	Priority	Meaningful Action
Outreach and Enforcement	▪ Staff Capacity ▪ Lack of widely publicized housing information ▪ Source of income disparity	Low	▪ Program 18: Homeless Services and Facilities ▪ Program 19: Administrative Capacity ▪ Program 21: Affirmatively Furthering Fair Housing ▪ Program 22: Housing Outreach and Information
Integration and Segregation	▪ Patterns of development ▪ Opportunities for high density housing in higher opportunity areas ▪ Availability of affordable housing options	Moderate	▪ Program 9: Accessory Dwelling Units ▪ Program 12: Homeownership Assistance ▪ Program 15: Housing Incentives ▪ Program 23: Housing Mobility
Disparities in Access to Opportunities	▪ Lack of affordable housing stock ▪ Quality of older multi-family units ▪ Patterns of development	High	▪ Program 3: Emergency Repairs for Homeowners ▪ Program 5: Multiple Family Rental Rehabilitation Program ▪ Program 9: Accessory Dwelling Units ▪ Program 12: Homeownership Assistance ▪ Program 14: Acquisition of Existing Units for Affordable Housing ▪ Program 23: Housing Mobility ▪ Program 24: Place-Based Improvements in South Upland
Disproportionate Housing Needs	▪ Lack of Variety of Housing types ▪ Lack of opportunity for high density housing ▪ Availability of affordable housing options ▪ Patterns of development and disparities between north and south Upland	High	▪ Program 3: Emergency Repairs for Homeowners ▪ Program 4: Rental Acquisition and Rehabilitation ▪ Program 5: Multiple Family Rental Rehabilitation Program ▪ Program 9: Accessory Dwelling Units ▪ Program 12: Homeownership Assistance ▪ Program 23: Housing Mobility ▪ Program 24: Place-Based Improvements in South Upland

Table C10. AFFH Actions Matrix

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Outreach and Enforcement				
Program 19: Administrative Capacity	Utilize faith-based organizations, other non-profits, San Bernardino County Housing Authority, County, and other stakeholders and create a network of community and mainstream resources. The City will develop and implement a Homeless Services Plan that addresses: • Community Outreach, Engagement, and Education Initiatives • Treatment and Permanent Supportive Housing Initiatives • Housing First/Rapid Re-housing Initiatives • Chronic Homelessness • Enforcement	Annual outreach and coordination with local non-profit organizations	N/A	Adopted and implemented Homeless Services Plan
Program 21: Affirmatively Furthering Fair Housing	• Promote fair housing practices through contract with IFHMB. Comply with all State and federal fair housing requirements when implementing housing programs or delivering housing-related services. • Continue to prepare the Analysis of Impediments to Fair Housing Choice as required under federal law; implement the recommendations to improve	Ongoing and Annual Basis	N/A	Stakeholder involvement of at least 25 households, groups, landlords, or providers, annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	fair housing as contained therein. • Monitor residential and commercial developments that may impact ridership potential for expanded fixed route service north of the 210 Freeway and if any new developments in this area have the potential to generate ridership, the City will share this information with Omnitrans for consideration in future transit planning. • To foster development of a balanced community that provides access to a diverse array of housing opportunities for all Upland residents including members of protected classes, the City will seek to expand affordable rental housing opportunities north of Foothill Boulevard by encouraging multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed use and flexible residential uses are currently allowable. (see also Program 5) • Encourage continuing stakeholder involvement in local housing issues through ongoing, proactive outreach to engage members of all socio-economic groups and recruit			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	members of underrepresented groups to participate in City meetings.			
Program 22: Housing Outreach and Information	• Disseminate fair housing outreach materials at the library, website, and counter so that residents and landlords are aware of their rights, responsibilities, and opportunities for resolving fair housing concerns. Provide information to 100 households annually. • The Upland Development Services Department and IFHMB will continue providing educational opportunities for property owners, property managers, and residents in Upland concerning the law as it pertains to reasonable accommodations and reasonable modifications. The City will contract with IFHMB to provide two workshops per year in the City, with one workshop per year serving as a general introduction to fair housing laws and possible discrimination, and one workshop each year being specifically focused on housing issues faced by persons with disabilities and the reasonable accommodation and modification processes.	Ongoing, Matched pair testing once per planning period.	N/A	Provide information to 100 households annually. Matched pair testing once per planning period.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	• The City will also contract with IFHMB at least once during the planning period to fund matched pair testing in Upland to address issues of possible discrimination based on disability as well as race, familial status, national origin, disability and other protected categories.			
New Opportunities in High Resource Areas				
Program 9: Accessory Dwelling Units	The City has seen significant increase of ADU development in recent years, and is currently averaging 45 ADUs per year. In 2021 the City received approval for a State SB 2 grant to prepare an ADU Assessment, Workbook and Website. Encouraging the development of ADUs is one of several ways to increase housing production in the City. This activity will include conducting an assessment that will be looking at ADU capacity within the City, preparation of pre-approved ADU plans to reduce the cost to property owners. This activity will provide sample floor plans, useful videos, a list of local regulations, and a cost calculator to assist homeowners in developing ADUs for low-income households. These tools will	Review of ADU production annually and additional incentives adopted within six months of any identified shortfall. One outreach event annually.	50% of ADUs in north Upland	Development of 45 ADUs annually, One outreach event annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	encourage and assist in developing ADUs in Upland. Additionally, the City participated in an ADU Education Workshop in December 2023 held by Chaffey Federal Credit Union. This workshop provided information on financing options for ADUs including Home Equity Line of Credit and Reverse Mortgages Line of Credit as well as answered questions on the process of building an ADU in Upland. As a part of outreach to encourage ADUs, the City will actively continue participation in education events with local credit unions and other partners working to develop ADUs in the area. The City will participate in at least one such outreach, workshop or ADU educational event annually. To ensure that City regulations remain consistent with State laws, the City will review ADU regulations each year and process Code amendments as necessary to incorporate any changes. The City will continue to monitor the extent of ADU production to ensure that the ordinance is being successful and that the Housing Element goals and RHNA production can be met.			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	If annual production and affordability rates do not match the estimates included in the Housing Element, the City will update the ADU strategy to ensure that the City continues to maintain adequate capacity for all income levels. In the event of an ADU shortfall that results in a net loss of units below the RHNA, the City will adopt another ADU program such as adopting fee waivers, additional promotion of ADU opportunities through outreach such as surveys and workshops, or will identify additional sites within six months of the identified shortfall.			
Program 12: Homeownership Assistance	The Housing Division provides low-interest FTHB loans, as funds are available, to help individuals and families who wish to purchase a home, but are unable to qualify and/or do not have the necessary down payment. This program is designed to help persons who would not otherwise achieve the American dream of owning their own home. A program loan is a silent second mortgage; a 0% to 3% simple interest loan (interest free after 20 years) with all payments deferred until the first occurrence of sale, refinancing,	Ongoing and Annual Basis	N/A	Continue to provide up to 2 FTHB loans annually to qualified low-income homebuyers and advertise program availability. Annually evaluate the City's funding capacity and as needed, pursue additional HOME/CalHOME funds from HCD.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	full payment of the first mortgage, or 30 years. As of 2021, the maximum assistance is 30% of the purchase price and the home price cannot exceed $669,750. Because the program is dependent on State HOME funding, and due to loss of RDA funds, it is necessary to seek additional grants to continue and expand the program.			
Program 23: Housing Mobility	The City will strive to increase opportunities and promote housing mobility, specifically, the City will strive to improve housing mobility and options north of Foothill Boulevard. To promote housing mobility in relatively higher income and lower density areas, the City will employ a variety of strategies to achieve the development of 150 units (such as ADUs, JADUs, and SB 9 units) throughout the entirety of the planning period. The City will create and implement an ADU Bonus Program. The City amend its zoning ordinance to allow more than one ADU on single family lots of a certain size or location. The program will allow additional ADUs on eligible single-family lots given that the bonus ADUs are deed restricted as affordable to lower-income	Ongoing and Annual Basis. Creation of Bonus ADU program by Q1 2025. Promotion of ADU program in 2025 and beyond. Mid-cycle review in 2026.	Goal of at least 50% of ADUs developed in North Upland.	Development of 45 ADUs annually. Creation of 20 bonus, affordable ADUs annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	households for a certain period of time (ex. 15 or 20 years). • ADU Bonus Program: Increase affordable housing opportunity north of Foothill Boulevard through allowing more than one ADU per lot on eligible single-family parcels. Goal of at least 50% of ADUs developed in North Upland. Creation of 20 bonus, affordable ADUs annually. • Encourage multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed use and flexible residential uses are currently allowable. (see Programs 5 and 6). Use of Specific Plans can incentivize higher density housing in these areas. • Develop of ADUs (Program 8). Development of 45 ADUs annually, with a geographic target of 50% of ADUs in north Upland • Rezone to allow additional housing opportunities throughout the City, including an assumed 273 lower-income units north of Foothill (Program 5) • Increase Housing Choice Voucher use in north Upland			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Housing Mobility				
Program 3: Emergency Repairs for Homeowners	The Emergency Repairs Program for Upland Homeowners Program provides a grant of up to $10,000 for emergency repairs. The grant is eligible for very-low-income homeowners of single-family homes, condominiums, and mobile homes. The grant can be increased to $12,000 for homeowners wishing to provide a dollar-for-dollar match above the $4,000 emergency grant limit. Qualifying home repairs include structural, mechanical, plumbing, electrical, and code violations, as well as weatherproofing, installation of low-flow toilets and smoke detectors, HVAC repairs, and accessibility improvements. This program works in tandem with the code enforcement program where income qualified homeowners who have housing units with code violations can be referred to seek grants to make necessary repairs. The City will promote the availability of the HOME Improvement Program through the City website, word of mouth and articles in City newsletter on a yearly basis.	Ongoing and Annual Basis	50% of assistance south of Foothill Boulevard	Provide grants to up to 25 (VL) qualified homeowners annually to address emergency repairs; disseminate information to property owners; and seek additional funding for the program to ensure its long-term viability.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 5: Multiple Family Rental Rehabilitation Program	The Multi-Family Rental Rehabilitation Program (MFRRP) is designed to assist low to moderate income (LMI) tenants (i.e., tenant's whose combined family income does not exceed 80% of the County median adjusted by family size, as promulgated by the U. S. Department of Housing and Urban Development [HUD]) by providing Upland landlords of multi-family apartments (8-units or less) with grants to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. Energy improvements will include energy star rated dual-pane vinyl windows, attic insulation, cool roofs, HVAC improvements, LED lighting, low-flow toilets and water fixtures. The amount available for rehabilitation financed under this Program will be $25,000 and will be dependent on a 50% match contribution from the property owner. As such, for every one-dollar ($1.00) of grant funds provided by the City, the property owner will be required to make a fifty-cent ($0.50) match used towards making other living condition improvements to the units.	Ongoing and Annual Basis	At least 65% of funds to areas south of Foothill Boulevard	Provide up to 5 grants annually to qualified multiple family rental properties.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 9: Accessory Dwelling Units	The City has seen significant increase of ADU development in recent years, and is currently averaging 45 ADUs per year. In 2021 the City received approval for a State SB 2 grant to prepare an ADU Assessment, Workbook and Website. Encouraging the development of ADUs is one of several ways to increase housing production in the City. This activity will include conducting an assessment that will be looking at ADU capacity within the City, preparation of pre-approved ADU plans to reduce the cost to property owners. This activity will provide sample floor plans, useful videos, a list of local regulations, and a cost calculator to assist homeowners in developing ADUs for low-income households. These tools will encourage and assist in developing ADUs in Upland. Additionally, the City participated in an ADU Education Workshop in December 2023 held by Chaffey Federal Credit Union. This workshop provided information on financing options for ADUs including Home Equity Line of Credit and Reverse Mortgages Line of Credit as well as answered	Review of ADU production annually and additional incentives adopted within six months of any identified shortfall. One outreach event annually.	50% of ADUs in north Upland	Development of 45 ADUs annually, One outreach event annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	questions on the process of building an ADU in Upland. As a part of outreach to encourage ADUs, the City will actively continue participation in education events with local credit unions and other partners working to develop ADUs in the area. The City will participate in at least one such outreach, workshop or ADU educational event annually. To ensure that City regulations remain consistent with State laws, the City will review ADU regulations each year and process Code amendments as necessary to incorporate any changes. The City will continue to monitor the extent of ADU production to ensure that the ordinance is being successful and that the Housing Element goals and RHNA production can be met. If annual production and affordability rates do not match the estimates included in the Housing Element, the City will update the ADU strategy to ensure that the City continues to maintain adequate capacity for all income levels. In the event of an ADU shortfall that results in a net loss of units below the RHNA, the City will adopt another ADU program such as adopting fee waivers,			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	additional promotion of ADU opportunities through outreach such as surveys and workshops, or will identify additional sites within six months of the identified shortfall.			
Program 12: Homeownership Assistance	The Housing Division provides low-interest FTHB loans, as funds are available, to help individuals and families who wish to purchase a home, but are unable to qualify and/or do not have the necessary down payment. This program is designed to help persons who would not otherwise achieve the American dream of owning their own home. A program loan is a silent second mortgage; a 0% to 3% simple interest loan (interest free after 20 years) with all payments deferred until the first occurrence of sale, refinancing, full payment of the first mortgage, or 30 years. As of 2021, the maximum assistance is 30% of the purchase price and the home price cannot exceed $669,750. Because the program is dependent on State HOME funding, and due to loss of RDA funds, it is necessary to seek additional grants to continue and expand the program.	Ongoing and Annual Basis	N/A	Continue to provide up to 2 FTHB loans annually to qualified low-income homebuyers and advertise program availability. Annually evaluate the City's funding capacity and as needed, pursue additional HOME/CalHOME funds from HCD.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 14: Acquisition of Existing Units for Affordable Housing	The Housing Division oversees the management of 255 City-owned dwelling units which are generally contained within three apartment complexes: Magnolia Colony, Sunset Ridge and The Village. A majority of the 255 units are designated for up to Low-Income households. Magnolia Colony was constructed in 1960 and consists of thirty-seven (37) fourplexes on individual lots. The City owns eighteen (18) of the fourplexes which were purchased in the early 2000's with Low- and Moderate-Income Housing Funds (LMIHF) and are restricted to up to Low-Income households. Seven (7) of the fourplexes are owned by a private non-profit which provides transitional housing and eleven (11) are individually owned by private parties and are market rate properties. This program entails the City to proactively acquire the remaining eleven (11) fourplexes to add to the City's affordable housing portfolio. The City is currently in escrow on one of the eleven (11) fourplexes.	Ongoing, as units are made available for purchase.	Magnolia Colony, Sunset Ridge and The Village	Pursue the acquisition of the remaining eleven (11) privately-owned fourplexes in Magnolia Colony and covenant for affordable housing up to the Low-Income level. Acquire at least one fourplex every two years. Annually evaluate the City's Housing Fund for funding capacity and pursue additional grant opportunities to augment the financial capacity to purchase the remaining eleven (11) fourplexes at Magnolia Colony.
Program 23: Housing Mobility	The City will strive to increase opportunities and promote housing mobility, specifically, the City will strive to improve	Ongoing and Annual Basis. Creation of Bonus ADU program by Q1 2025. Promotion of ADU program in	Goal of at least 50% of ADUs developed in North Upland.	Development of 45 ADUs annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	housing mobility and options north of Foothill Boulevard. To promote housing mobility in relatively higher income and lower density areas, the City will employ a variety of strategies to achieve the development of 150 units (such as ADUs, JADUs, and SB 9 units) throughout the entirety of the planning period. The City will create and implement an ADU Bonus Program. The City amend its zoning ordinance to allow more than one ADU on single family lots of a certain size or location. The program will allow additional ADUs on eligible single-family lots given that the bonus ADUs are deed restricted as affordable to lower-income households for a certain period of time (ex. 15 or 20 years). • ADU Bonus Program: Increase affordable housing opportunity north of Foothill Boulevard through allowing more than one ADU per lot on eligible single-family parcels. Goal of at least 50% of ADUs developed in North Upland. Creation of 20 bonus, affordable ADUs annually. • Encourage multi-family affordable rental housing developments as part of infill projects or as part of	2025 and beyond. Mid-cycle review in 2026.		Creation of 20 bonus, affordable ADUs annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	Specific Plans where mixed use and flexible residential uses are currently allowable. (see Programs 5 and 6). Use of Specific Plans can incentivize higher density housing in these areas. • Develop of ADUs (Program 8). Development of 45 ADUs annually, with a geographic target of 50% of ADUs in north Upland • Rezone to allow additional housing opportunities throughout the City, including an assumed 273 lower-income units north of Foothill (Program 5) • Increase Housing Choice Voucher use in north Upland			
Program 24: Place-Based Improvements in South Upland	Develop and continue programs and strategies to create place-based improvements through investments in the public right of way. The City will continue to prioritize CDBG funding in south Upland, communities south of Foothill Boulevard, and low-resource areas of the City as well as annually work with the City Council to prioritize other funding sources in these areas. This will serve to continue to improve communities through	BAAP and CRP are ongoing. CIP projects per CIP schedule. Seek grant funding annually or as available.	South Upland	Increased or equivalent participation in BAAP and CRP. CIP completion per schedule.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	neighborhood improvements such as enhanced streetscapes, multi-modal and active transportation, pedestrian safety improvements, safe routes to schools, community facilities, park improvements, and other community amenities. • Business Attraction Assistance Program (BAAP). This program provides up to $75,000 via a forgivable loan to sales tax producing businesses in locate in Downtown Upland in exchange for creating full time equivalent jobs for low to moderate income persons. Since its inception, the program has provided 15 business loans, ranging from $25,000 to $75,000. • Historic Downtown Revitalization Program (Commercial Rehabilitation Program, CRP). This program provides a grant to businesses located in downtown Upland of up to $30,000 for eligible façade improvements and an additional $15,000 for mitigation of asbestos or lead-based paint hazards. The City has provided 15 grants through this program. Eligible improvements include ADA entry improvements, exterior lighting, doors and windows,			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	façade reconfiguration, and signage. • Capital Improvements in south Upland. The City will continue to complete Capital Improvement Projects in south Upland. Recent and ongoing projects south of Foothill include o ARPA Alley Rehabilitation Phase I ($465,490, 50% of project south of Foothill) o Civic Center Paving and ADA Improvements ($247,626) o 17th Street rehabilitation ($2.6 million) o Pavement maintenance on Euclid Ave ($436,749, 60% of project south of Foothill) o Street and Alley Program from 2018-2020, ($732,414) • Multiple Family Rental Rehabilitation Program (Program 5) provides targeted funding to improve affordable existing affordable housing stock, including a target of 50% of funding going to properties south of Foothill. • The City will continue to seek grant funding for improving and encouraging			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	redevelopment in south Upland.			
Place-Based Improvements				
Program 2: HOME Improvements	The HOME Improvement Program provides loans of up to $90,000 to lower income households for repair work to single-family owner-occupied homes. Funds must be used to correct code deficiencies in the structure. Eligible improvements include electrical, plumbing, kitchen and bathroom improvements, furnace and hot water heater replacement, home painting, structural upgrading, roofing, foundation and drainage improvements, disabled access, windows, doors and frames, rodent and pest extermination and repairs, fence improvements, and energy conservation. Loans are deferred at 0% or 3% interest and are due upon sale or transfer of property, 30 years or no longer occupied as a primary residence, whichever is less. The City will promote the availability of the HOME Improvement Program through the City website, word of mouth and articles in City newsletter on a yearly basis.	Ongoing	N/A	Provide up to 4 HIP loans annually to qualified low- and moderate-income (1 VL, 3 Low) homeowners earning less than 80% of CMFI.
Program 16: Mobile Home Rent Stabilization	The City's Mobile Home Rent Ordinance is intended to	Annual	Mobile Home Parks	Continue to enforce the Mobile Home Rent Ordinance to

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	protect occupants of from unreasonable rent increases while still recognizing the need for park owners to receive a reasonable return on investment and increase rents at a rate sufficient for covering the costs of repairs, maintenance, insurance, upkeep, and amenities. Under the Mobile Home Rent Ordinance, the annual rent increase is indexed to the consumer price index. The Ordinance covers six mobile home parks: Mountain View Estates, Oasis Mobile Estates, Upland Cascade, Upland Eldorado, Upland Meadows Mobile Estates, and Upland View Terrace. The City had been updating the Rent Review ordinance in response to community concerns, but the process is on hold while the courts decide the legality of rent stabilization laws.			preserve mobile home affordability throughout the planning period consistent with State law.
Program 24: Place-Based Improvements in South Upland	Develop and continue programs and strategies to create place-based improvements through investments in the public right of way. The City will continue to prioritize CDBG funding in south Upland, communities south of Foothill Boulevard, and low-resource areas of the City as well as annually work	BAAP and CRP are ongoing. CIP projects per CIP schedule. Seek grant funding annually or as available.	South Upland	Increased or equivalent participation in BAAP and CRP. CIP completion per schedule.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	with the City Council to prioritize other funding sources in these areas. This will serve to continue to improve communities through neighborhood improvements such as enhanced streetscapes, multi-modal and active transportation, pedestrian safety improvements, safe routes to schools, community facilities, park improvements, and other community amenities. • Business Attraction Assistance Program (BAAP). This program provides up to $75,000 via a forgivable loan to sales tax producing businesses in locate in Downtown Upland in exchange for creating full time equivalent jobs for low to moderate income persons. Since its inception, the program has provided 15 business loans, ranging from $25,000 to $75,000. • Historic Downtown Revitalization Program (Commercial Rehabilitation Program, CRP). This program provides a grant to businesses located in downtown Upland of up to $30,000 for eligible façade improvements and an additional $15,000 for mitigation of asbestos or lead-based paint hazards. The City			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	has provided 15 grants through this program. Eligible improvements include ADA entry improvements, exterior lighting, doors and windows, façade reconfiguration, and signage. • Capital Improvements in south Upland. The City will continue to complete Capital Improvement Projects in south Upland. Recent and ongoing projects south of Foothill include o ARPA Alley Rehabilitation Phase I ($465,490, 50% of project south of Foothill) o Civic Center Paving and ADA Improvements ($247,626) o 17th Street rehabilitation ($2.6 million) o Pavement maintenance on Euclid Ave ($436,749, 60% of project south of Foothill) o Street and Alley Program from 2018-2020, ($732,414) • Multiple Family Rental Rehabilitation Program (Program 5) provides targeted funding to improve affordable existing affordable housing stock, including a target of 50%			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	of funding going to properties south of Foothill. • The City will continue to seek grant funding for improving and encouraging redevelopment in south Upland.			
Displacement Prevention				
Program 2: HOME Improvements	The HOME Improvement Program provides loans of up to $90,000 to lower income households for repair work to single-family owner-occupied homes. Funds must be used to correct code deficiencies in the structure. Eligible improvements include electrical, plumbing, kitchen and bathroom improvements, furnace and hot water heater replacement, home painting, structural upgrading, roofing, foundation and drainage improvements, disabled access, windows, doors and frames, rodent and pest extermination and repairs, fence improvements, and energy conservation. Loans are deferred at 0% or 3% interest and are due upon sale or transfer of property, 30 years or no longer occupied as a primary residence, whichever is less. The City will promote the availability of the HOME Improvement Program through	Ongoing	N/A	Provide up to 4 HIP loans annually to qualified low- and moderate-income (1 VL, 3 Low) homeowners earning less than 80% of CMFI.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	the City website, word of mouth and articles in City newsletter on a yearly basis.			
Program 4: Rental Acquisition and Rehabilitation	The Rental Acquisition and Rehabilitation Program (RARP) is designed to assist lower income tenants (whose combined family income does not exceed 80% of the County median income) by providing Upland landlords with loans to acquire multi-family units and rehabilitate their multi-family properties. The program offers zero interest deferred loans of up to $30,000 per dwelling unit for rehabilitation expenses. Eligible improvements include structural, roofing, insulation, plumbing, electrical, lead paint abatement, accessibility improvements, foundation work, habitability, health and safety, etc. Code violations take precedent. The minimum affordability covenant may be 5, 10, 15 and up to 55 years depending on the project, the loan amount, and the funding source used for the rehabilitation loan. The City will reach out to existing RARP participants annually to extend loans and affordability provisions to the extent funding is available.	Ongoing and Annual basis	Geographic target of 50% of assistance south of Foothill Boulevard.	Continue to provide RARP grants to up to 4 units annually to address properties with substantial rehabilitation or maintenance needs.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 5: Multiple Family Rental Rehabilitation Program	The Multi-Family Rental Rehabilitation Program (MFRRP) is designed to assist low to moderate income (LMI) tenants (i.e., tenant's whose combined family income does not exceed 80% of the County median adjusted by family size, as promulgated by the U. S. Department of Housing and Urban Development [HUD]) by providing Upland landlords of multi-family apartments (8-units or less) with grants to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. Energy improvements will include energy star rated dual-pane vinyl windows, attic insulation, cool roofs, HVAC improvements, LED lighting, low-flow toilets and water fixtures. The amount available for rehabilitation financed under this Program will be $25,000 and will be dependent on a 50% match contribution from the property owner. As such, for every one-dollar ($1.00) of grant funds provided by the City, the property owner will be required to make a fifty-cent ($0.50) match used towards making other living condition improvements to the units.	Ongoing and Annual Basis	At least 65% of funds to areas south of Foothill Boulevard	Provide up to 5 grants annually to qualified multiple family rental properties.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 14: Acquisition of Existing Units for Affordable Housing	The Housing Division oversees the management of 255 City-owned dwelling units which are generally contained within three apartment complexes: Magnolia Colony, Sunset Ridge and The Village. A majority of the 255 units are designated for up to Low-Income households. Magnolia Colony was constructed in 1960 and consists of thirty-seven (37) fourplexes on individual lots. The City owns eighteen (18) of the fourplexes which were purchased in the early 2000's with Low- and Moderate-Income Housing Funds (LMIHF) and are restricted to up to Low-Income households. Seven (7) of the fourplexes are owned by a private non-profit which provides transitional housing and eleven (11) are individually owned by private parties and are market rate properties. This program entails the City to proactively acquire the remaining eleven (11) fourplexes to add to the City's affordable housing portfolio. The City is currently in escrow on one of the eleven (11) fourplexes.	Ongoing, as units are made available for purchase.	Magnolia Colony, Sunset Ridge and The Village	Pursue the acquisition of the remaining eleven (11) privately-owned fourplexes in Magnolia Colony and covenant for affordable housing up to the Low-Income level. Acquire at least one fourplex every two years. Annually evaluate the City's Housing Fund for funding capacity and pursue additional grant opportunities to augment the financial capacity to purchase the remaining eleven (11) fourplexes at Magnolia Colony.

Appendix D Public Comments

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YIMBY LAW CALIFORNIA YIMBY

February 28, 2022

Policy Recommendations for 6th Cycle Housing Element

Dear Planning staff:

YIMBY Law submits this letter to share our policy goals and recommendations for the Policies and Programs section of your Housing Element. We appreciate the opportunity to participate in the Housing Element process.

The Policies and Programs section of the city's Housing Element must respond to data, analysis and findings presented in the Housing Needs section. We repeatedly see findings that housing prices are high, segregation exists, and there is a lack of housing for special populations, but the Policies and Programs don't respond to these findings or try to change outcomes. The overview of the city's housing environment should set the scene, and the policies and programs should explain what the city is going to do to fix it.

Our policy goals are as follows:

Affirmatively Furthering Fair Housing

1. **Prioritize rezoning in high resource, historically exclusionary neighborhoods.** Many of the highest resource neighborhoods with the best access to jobs, good schools, and other amenities have histories of exclusion which are still reflected in their zoning. Cities should rezone to allow more housing opportunities in those neighborhoods, particularly those with low Vehicle Miles Traveled, as part of their

Housing Elements.

2. **Establish a strong tenant protection ordinance so that new housing benefits everyone.** Development should not permanently displace current residents. Housing replacement programs, temporary housing vouchers, right of return, and demolition controls will create stability for renters while allowing new homes to be built for new households and to accommodate the growth associated with RHNA. In your sites inventory and rezoning programs, you should prioritize development on sites with owner-occupied housing & commercial uses over those with existing rent-controlled apartments or other rental housing with lower income residents.

3. **Support homeownership opportunities for historically excluded groups.** Homeownership continues to be a path to building financial security and inter-generational wealth, which has been systematically denied to many Americans. As a society, we need to make this right by intentionally offering opportunities to communities who have been excluded. The housing element should identify opportunities to create a variety of for-sale housing types and create programs to facilitate property ownership among excluded groups.

Site Capacity

4. **Adequately plan for density.** Ensure that a site's density will accommodate the number of homes that are projected to be built. In addition, make sure height limits, setback requirements, FAR, and other controls allow for adequate density and the ability to achieve a site's realistic capacity. Housing will not be feasible if you have a high density paired with low height limits. This density should be emphasized around jobs and transit and should go beyond the Mullin density in those areas.

5. **Provide sufficient zoned capacity to accommodate all income levels, including a minimum No Net Loss buffer of 30%.** Not every site will be developed at maximum density during the eight-year planning period. Identify an ample amount of opportunity sites and zone the sites to accommodate lower-income housing types (usually a statutory minimum of 30 dwelling units per acre) to give the city the best chance at meeting its RHNA.

6. **Use data from the 5th Cycle to calculate the likelihood of development for your 6th Cycle site inventory.** Likelihood of development is a measure of the probability of an inventory site being developed during the planning period. The median likelihood of development across the state is 25%, meaning only one of every four sites will likely be developed during the planning period for the median city. Incorporating the likelihood of development into the zoned capacity will set the city up to successfully achieve their RHNA, making the housing element less of a paper exercise and more of an actionable, functional document.

Accessory Dwelling Units

7. **Commit to an automatic mid-cycle adjustment if ADU permitting activity is lower than estimated in the housing element.** We highly recommend complying with HCD's standards of using one of its "safe harbor" methodologies to anticipate future ADU production. However, if the city is optimistic about ADU growth, then creating an automatic mid-cycle adjustment will automatically facilitate alternative housing options (i.e., a rezoning program, removing development constraints, ADU incentives, etc.) if the city falls behind the estimated ADU production.

8. **Incentivize new ADUs, including those that are rent-restricted for moderate- or lower-income households or that are prioritized for households with housing choice vouchers.** Consider offering low- or no-interest loans, forgivable loans, impact fee waivers for ADUs that are 750 square feet or larger, allowances to facilitate two-story and second-story ADU construction, etc.

Zoning

9. **Allow residential to be built in areas that are zoned for commercial use.** There are a myriad of ways to do this, but a housing overlay is one common policy. Additionally, consider eliminating new commercial space in mixed-use developments where there is not a strong demand or there is otherwise a glut of commercial space that is unused or frequently vacant.

10. **Allow flexibility in inclusionary zoning.** Cities should require different percentages for different AMI levels. Additionally, we urge cities to incentivize land

dedication to affordable developers in order for market-rate developers to meet their inclusionary requirements. Avoid getting trapped into thinking that the affordable units must be "sprinkled throughout" the market-rate units, or require the market-rate units to look exactly the same as the affordable ones. This should be balanced against not locating all of the affordable units in one place and ghettoizing neighborhoods by creating or perpetuating racially concentrated areas of poverty.

Better Entitlement Process & Reducing Barriers to Development

11. **Ensure that the city has a ministerial process for housing permitting, especially multi-family housing, and remove impact fees for deed-restricted housing.** A discretionary process for housing development creates uncertainty and adds to the cost of construction. For example, multi-family housing should not require a conditional use permit or city council approval unless the builder is asking for unique and extraordinary concessions. Right-sizing governmental constraints, entitlement processes, and impact fees will help the city successfully meet its RHNA.

12. **Reduce parking standards and eliminate parking minimums.** Minimum parking requirements are a major constraint on housing, especially for lower cost housing types. They can cost in excess of $30,000 per spot and can raise rents by as much as 17%, and eliminating them is particularly important for smaller & other spatially constrained sites. Consider adopting a parking maximum.

13. **Cap fees on all new housing.** Most construction costs are outside the City's control, but reducing impact fees can demonstrate that a city is serious about building new housing. At a minimum, cities should delay the collection of impact fees until the issuance of the certificate of occupancy to reduce financial impacts on new housing and make the units cheaper by not asking the developer to carry impact fee charges or debt throughout the construction phase.

14. **Provide local funding.** One of the largest barriers to building new affordable homes is the lack of city/county funds available to assemble sites, provide gap funding, and to pay for dedicated staff. Without new funding, especially at the local level, we will not be able to build more affordable homes. There are three

new revenue streams that should be considered: 1) **Transfer tax**, a one-time payment levied by a jurisdiction on the sale of a home, may be utilized to raise much needed revenue to fund affordable homes; 2) **Vacancy tax** may be collected on vacant land to convince landowners to sell their underutilized properties and be used to fund the construction of affordable homes; 3) **Commercial linkage** fees should be adopted or revisited for increases on new commercial developments.

We urge you to include these policies in your 6th cycle Housing Element.

Best regards,

Sonja Trauss
Executive Director
YIMBY Law
sonja@yimbylaw.org

Appendix E Divestment of Thrall Hall

Project 8 is proposed for FY28. Designs for the project would not begin until FY26. This long-range project will undergo future NEPA analyses as needed, tiering from this EA, when specific project design details are known.

Project 9. Construct new training building at CA165 March AFRC/AMSA 19(G) and divest of CA088 Thrall Hall ARC in Upland. CA165 March AFRC/AMSA 19(G) is a 48-acre site in the City of Moreno Valley in Riverside County. The property is USAR-owned and is encompassed by the March Air Reserve Base (ARB) to the north, west, and south, while much of the surrounding land is owned by the March Joint Powers Authority (JPA). The site is completely developed, and has three training buildings (Buildings 100, 101, and 1000), an AMSA/OMS (Building 103), and several storage buildings. Each of the three training buildings is a two-story concrete structure built within the last 13 years.

The proposed project would be to construct a 300-member ARC with primary facilities to include an approximately 37,700-SF training building and 2,130-SF unheated storage building on previously developed land within the CA165 March AFRC property boundary. Site activities would include land clearing, paving, general site improvements, and utility connections. The project also provides for unit storage and adequate parking space for MEP and POV. In addition, the project includes demolishing two buildings totaling 28,290 SF at CA088 Thrall Hall ARC and divesting of the property.

Located in the City of Upland in San Bernardino County on 3.8 acres, CA088 Thrall Hall ARC is an overutilized 1963 vintage facility consisting of a 24,073-SF training building and 4,217-SF vehicle maintenance shop. The facility does not meet AT/FP standards; it is encroached on all sides by surrounding development. CA088 Thrall Hall ARC is not designed to accommodate the number of units currently assigned, and it is missing training areas required to meet unit mobilization missions. Units currently assigned to Thrall Hall ARC would be reassigned to the new training facility at CA165 March AFRC upon project completion, and Thrall Hall ARC would be divested. A REC would be completed by the USAR when the property would be divested as divestment of facilities is categorically excluded from a full NEPA analysis per 32 CFR Part 651, Appendix B § II (f)(3).

If this project is not provided, the units will be forced to operate in facilities not properly configured to allow the most effective training to complete mission requirements. This will continue to have a negative impact on unit readiness and retention objectives. This project is proposed for FY28. This long-range project will undergo future NEPA analyses as needed, tiering from this EA, when specific project details are known.

Project 10. Construct a consolidated AMSA/OMS at CA002 Patton Hall ARC/AMSA 94 (Phase 2). Phase 2 of the LRC projects at CA002 Patton Hall ARC/AMSA 94 would be to construct an approximately 19,230-SF consolidated AMSA/OMS on CA002 Patton Hall ARC/AMSA 94. The project also includes constructing an approximately 7,590-SF unheated

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December 22, 2022

Michael Blay, City Manager
City of Upland
460 N. Euclid Ave
Upland, CA 91786

Dear Robert Dalquest:

RE: City of Upland's 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Upland's (City) housing element, which was adopted October 24, 2022 and received for review on October 25, 2022. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from David Kellogg, 350 Contra Costa, Greenbelt Alliance, California Renters Legal Advocacy and Education Fund (CaRLA), Scott O'Neil, Watson Ladd, Marven Normal, Dara Dadachanji, and George Grohwin pursuant to Government Code section 65585, subdivision (c).

The adopted housing element addresses some statutory requirements described in HCD's November 22, 2021 and May 23, 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.

Pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), a jurisdiction that failed to adopt a compliant housing element within one year from the statutory deadline cannot be found in 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. As this year has passed and Program 5 (Adequate Sites to Accommodate Regional Housing Needs) has not been completed, the housing element is out of compliance and will remain out of compliance until the rezoning have been completed.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and 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.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: https://www.opr.ca.gov/planning/general-plan/guidelines.html.

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 City meets housing element requirements for these and other funding sources.

We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Reid Miller, of our staff, at Reid.Miller@hcd.ca.gov.

Sincerely,

Melinda Coy
Proactive Housing Accountability Chief

Enclosure

APPENDIX
CITY OF UPLAND

The following changes are necessary to bring the City'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/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/building-blocks and includes the Government Code addressing State Housing Element Law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

While Table A1 was revised to state when a program will be continued and does now provide an analysis of the effectiveness of some programs, it must still state what was learned from implementing the programs in the previous element and state how programs will be revised in the 6th cycle element to reflect the lessons learned in 5th cycle implementation.

B. 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))*

   Enforcement and Outreach: While the element was revised to include past or current fair housing lawsuits, findings, settlements, judgements, or complaints, it must still confirm compliance with existing fair housing laws.

   Integration and Segregation: The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.

   Racial/Ethnic Areas of Concentration of Poverty (R/ECAP): The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.

   Disparities in Access to Opportunity: The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.

   Disproportionate Housing Needs and Displacement Risk: The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.

Sites Inventory: The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.

Contributing Factors to Fair Housing: The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.

Goals, Priorities, Metrics, and Milestones: The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.

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).)*

   Progress in Meeting the Regional Housing Needs Allocation (RHNA): While the element was revised on Page H-91 in a footnote under Table B-3 to state that all projects are "expected to be built within the planning period," there is no description as to when they are estimated to be completed, or why it is reasonable to believe they will be completed during the planning period. Table B-3 should be revised to state more specifically when each project is anticipated to be completed.

   Sites Inventory: While the element was revised to include current and proposed zoning for sites in Table B-8 (previously Table B-6), the element was otherwise not revised to meet the requirements outlined in HCD's May 25, 2022 review.

   Suitability of Nonvacant Sites: While the element was revised to give specific examples nonvacant sites being developed in specific zones in terms of calculating realistic capacity (pages 86-88), it was not revised to adequately complete an analysis of nonvacant sites to accommodate the regional housing need for lower-income households. As stated in HCD's prior review, the element must describe a methodology used to determine the additional development potential within the planning period, and this methodology must consider factors including the extent to which existing uses may impede additional residential development, development trends, market conditions, any existing leases or other contracts that would perpetuate the existing use 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).) For sites with residential uses, the inventory could also describe structural conditions or other circumstances and trends demonstrating the redevelopment potential to more intense residential uses. For nonresidential sites, the inventory could also describe whether the use is operating, marginal or discontinued, and the condition of the structure or could describe any expressed interest in redevelopment.

   Additionally, the element was revised on pg. H-88 to clarify that the City does rely on nonvacant sites to accommodate over fifty percent of its lower-income RHNA. However, the element must still demonstrate existing uses are not an impediment to

additional residential development and will likely discontinue in 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.

Small Sites: While the element has been revised to move individual sites smaller that half an acre to accommodate only above moderate income RHNA, there are still sites smaller than half an acre combined with other sites used to accommodate lower-income RHNA. As the inventory indicates these sites can be consolidated, it should also provide analysis demonstrating the potential for consolidation. For example, the analysis could describe the City's role or track record in facilitating small-lot consolidation, policies or incentives offered or proposed to encourage and facilitate lot consolidation, conditions rendering parcels suitable and ready for lot consolidation, or information from the owners of each aggregated site. Please see HCD's prior reviews.

Environmental Constraints: While the element has been revised to state that there is an additional cost to building in High Fire Hazard Severity Zones, but that these costs are necessary to protect public safety, it should still quantify what portion of the City's RHNA at which income levels would be affected by these additional costs to determine whether these additional costs constitute a constraint on housing development.

3. *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).)*

   Design Review: While Program 7 (Reduce Potential Constraints to Housing Development) was revised to clarify which projects will be eligible for ministerial review, the element must still describe the design review criteria and evaluation process for non-ministerial projects and analyze the overall design review process as a potential constraint on housing development.

   Fees: While Table H-10 has been revised to include fees for general plan amendments, zone changes, specific plans, and variances, it must also analyze all required fees for single family and multifamily housing development for their impact as potential constraints on hosing supply and affordability. The analysis must also identify the total amount of fees and their proportion to the development costs for both single-family and multifamily housing.

4. *Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)*

While the element was revised to provide most of the analysis requested in HCD's prior review, it must still quantify the number of permanent and seasonal farmworkers in the City (USDA agricultural census) and provide an analysis of housing needs for farmworkers in the City.

C. 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 through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

   To address the program requirements of Government Code section 65583, subdivision (c)(1-6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following:

   Program 6 (Specific Plans): The program was not revised to meet this requirement. Please see HCD's prior review.

   Program 13 (Housing Incentives): While the element was revised to provide a small list of incentives that will be offered, it must still outline lot consolidation requirements and commit to proactive outreach.

   Program 14 (Mobile Home Rent Stabilization): The program was not revised to meet this requirement. Please see HCD's prior review.

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 B2, 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 City 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:

Emergency Shelters: While the element revised Program 16 (Homeless Services and Facilities) to ensure compliance with state law in regard to emergency shelter requirements, the program should be further revised to clarify exactly which of the City's emergency shelter requirements will be revised as part of the program.

3. *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 Finding B3, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

   Definition of Family: While Program 18 (Housing for People with Disabilities or Other Special Needs) was amended to state it will either remove or revise the definition of family in the zoning code that may not be needed by December of 2022, the program should also include language that the City will take actions to "address constraints on unrelated persons and the number of persons" as part of this revision process.

4. *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 protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

   As noted in Finding B1, the element requires a complete Affirmatively Furthering Fair Housing (AFFH) analysis. Depending upon the results of that analysis, the City may need to revise or add programs.

   In addition, the element was not revised to meet the prior findings related to Program 19 nor include other metrics and milestones to address the City's obligation to AFFH. Please see HCD's prior review.

5. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this*

paragraph, "accessory dwelling units" has the same meaning as "accessory dwelling unit" as defined in paragraph (4) of subdivision (i) of Section 65852.2. (Gov. Code, § 65583, subd. (c)(7).)

The element was not revised to meet these requirements. Please see HCD's prior review.

D. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(9).)

While the element was revised to provide a more thorough description of the public participation process, it must still describe specific outreach to lower-income and special needs groups. The element must include a program or add language to an existing program to describe methods for additional public outreach efforts in the future to include lower-income and special needs households. The element must also clarify whether translation services were available.

#	Chapter	Topic	Comment (December 2022)	Prior Review (If Applicable)	Page # / Section	Response / Revisions
1	A. Review and Revision		While Table A1 was revised to state when a program will be continued and does now provide an analysis of the effectiveness of some programs, it must still state what was learned from implementing the programs in the previous element and state how programs will be revised in the 6th cycle element to reflect the lessons learned in 5th cycle implementation.		Appendix A Evaluation of the Prior Housing Element, H-81 to H-88	The element was revised to state how each program will be revised and identify 6th Cycle program locations for each 5th Cycle program identified. Programs were revised with specific goals and timelines based on a review of their effectiveness in the 5th Cycle.
2	B. Housing Needs, Resources, and Constraints	AFFH: Enforcement and Outreach	While the element was revised to include past or current fair housing lawsuits, findings, settlements, judgements or complaints, it must still confirm compliance with existing fair housing laws.		Appendix C Fair Housing Assessment, H-133 to 134	The City Attorney is unaware of any unresolved or other litigation concerning compliance. Per review from the City attorney November 29, 2023, the element was revised to confirm compliance with existing fair housing laws, including, but not limited to the following laws.
3	B. Housing Needs, Resources, and Constraints	AFFH: Integration and Segregation	The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.	The revised element provided some data on integration and segregation, but additional information and analysis is needed. The element included data across racial groups and one map displaying income by census tracts, but it must discuss and analyze this data for trends over time and patterns across census tracts. Additionally, it must evaluate patterns at a regional level, comparing the City to the region. The element must also analyze integration and segregation for persons with disabilities both locally and regionally including patterns over time, availability of services, and concentrations within or between census tracts. The element must also include an analysis of familial status including whether there are concentrations within the City and also provide a regional analysis. In addition, the element must analyze integration and segregation of income both locally and regionally as well as analyze the distinguished pattern provided in the map. Lastly, the element must integrate local data and knowledge into the analysis.	Appendix C, Fair Housing Assessment, H-135 to H-150	The element was revised to discuss and analyze data across racial groups for trends over time and patterns across census tracts. Additionally, it evaluates patterns at a regional level, comparing the City to the region. The element was also revised to include integration and segregation analysis for persons with disabilities both locally and regionally including patterns over time, availability of services, and concentrations within or between census tracts. The element was also revised to include an analysis of familial status including whether there are concentrations within the City, the presence of children in female-headed or married couple households, and also a regional analysis. In addition, the element was revised to analyze integration and segregation of median income and the low to moderate income population both locally and regionally and distinguished all integration and segregation patterns by census tract in several added maps. The element was revised to include a full fair housing analysis. This includes an analysis of Integration and Segregation, Access to Opportunities, Disproportionate Housing Needs, and R/ECAPs.This includes additional regional and local analysis regarding persons with disabilities, including patterns over time, availability of services, and concentrations within or between census tracts. The element was revised to include a local and regional analysis of familial status and income segregation. Local data and knowledge was incorporated as appropriate. Included how programs address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection. Included metrics and milestones for evaluating progress on programs, actions, and fair housing results.
4	B. Housing Needs, Resources, and Constraints	AFFH: R/ECAP	The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.	While the revised element includes information relative to R/ECAP and concentrated areas of affluence, the combined R/ECAP and areas of affluence analyses should evaluate the patterns and changes over time at a local (e.g., neighborhood to neighborhood) and regional level (e.g., city to region). This analysis will help guide goals and actions to address fair housing issues. The element should also address the effects of the nearby R/ECAP. In addition, the element must provide a geographic analysis of concentrated areas of affluence both locally and regionally.	Appendix C, Fair Housing Assessment, H-150 to H-154	The element was revised to include a full analysis of both R/ECAPs and RCAAs. There are no R/ECAPs in the City or in the nearby vicinity. There are RCAAs in the northern area of the City. The element was revised to note that Program 23 in included to increase affordable housing opportunities and expand housing mobility in north Upland and list the programs included to improve quality of life in south Upland.
5	B. Housing Needs, Resources, and Constraints	AFFH: Disparities in Access to Opportunities	The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.	The revised element provides information on the disparities in access to opportunity through the TCAC opportunity maps but must also provide a complete local and regional analysis of patterns and trends for all components. A comprehensive analysis should include the local and regional disparities of the educational, environmental, and economic scores through local, federal, and/or state data. It should also analyze persons with disabilities as well as access to transit. Please refer to page 35 of the AFFH guidebook (link: https://www.hcd.ca.gov/community- development/affh/index.shtml#guidance) for specific factors that should be considered when analyzing access to opportunities as it pertains to educational, employment, environmental, transportation, and any factors that are unique to Upland. In addition, the element should analyze any overall patterns in disparities in access to opportunity within the City.	Appendix C, Fair Housing Assessment, H-154 to H-169	The element was revised to include a full analysis of disparities in access to opportunities. This includes local and regional comparison, as well as additional TCAC maps for the composite scores, environmental opportunity, educational opportunity, economic opportunity, and access to transit services.
6	B. Housing Needs, Resources, and Constraints	AFFH: Disproportionate Housing Needs	The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.	While the revised element includes some information on all components of disproportionate housing needs (e.g., overpayment, overcrowding, substandard housing, and homelessness), analyses should evaluate the patterns and changes over time at a local (e.g., neighborhood to neighborhood) and regional level (e.g., city to region) for each of these components. The element must also provide an analysis of regional patterns and trends in relation to displacement risk. The element should include a regional analysis for overpayment as well as analyze local and regional concentrations of substandard housing. For overcrowding, the local analysis should include details on what contributes to overcrowding in certain areas of the City, how it relates to other fair housing factors, as well as a regional analysis. The analysis of persons experiencing homelessness should describe any demographics or characteristics for impacts on protected characteristics (e.g., race and disability) and access to shelter and services. Lastly, the element must analyze displacement risk both locally and regionally including displacement due to investment, disinvestment, and disaster driven displacement.	Appendix C, Fair Housing Assessment, H-169 to H-179	The element was revised to include a complete analysis of disproportionate housing needs, including additional regional and local analysis on overpayment, substandard housing, overcrowding, homelessness, and displacement risk.
7	B. Housing Needs, Resources, and Constraints	AFFH: Sites Inventory	The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.	The analysis must identify whether sites improve or exacerbate conditions and whether sites are isolated by income group. 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 affects 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 promote equitable quality of life throughout the community (e.g., anti-displacement and place-based community revitalization strategies).	Appendix C, Fair Housing Assessment, H-134 to H-179	The element was revised to include a full analysis of the sites inventory with respect to fair housing. An analysis of the sites by location and income level was added in each fair housing section. The sites, in tandem with programs, do not exacerbate conditions but improve opportunity for housing in transit oriented areas and housing mobility in northern Upland.

#	Chapter	Topic	Comment (December 2022)	Prior Review (If Applicable)	Page # / Section	Response / Revisions
8	B. Housing Needs, Resources, and Constraints	AFFH: Contributing Factors to Fair Housing	The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.	The element mentions fair housing issues and goals and priorities from the City's Analysis of Impediments. However, these issues and goals do not appear to be rooted in any analysis related to Upland and do not appear adequate to facilitate the formulation of meaningful action to Affirmatively Furthering Fair Housing (AFFH). The element should re-assess and prioritize contributing factors upon completion of analysis and make revisions as appropriate.	Appendix C, Fair Housing Assessment, H-180 to H-194	The element was revised to include identification and prioritization of contributing factors and meaningful actions. The City adopted goals and actions that specifically address the contributing factors identified in the AFFH analysis. Higher priority was given to factors that limit fair housing choice and/or negatively impact fair housing per Government Code section 65583(c)(10)(A)(iv). The AFFH identifies fair housing issues as well as related contributing factors and actions taken to address the contributing factor. Each issue is prioritized. Relevant programs are referenced in the action column for each contributing factor. Actions are categorized by their identified fair housing issue, including Outreach and Enforcement, New Opportunities in High Resource Areas, Housing Mobility, Place-Based Improvements, and Displacement Prevention.
9	B. Housing Needs, Resources, and Constraints	AFFH: Goals, Priorities, Metrics, and Milestones	The element was not revised to meet this requirement. Please see HCD's May 23, 2022 review.	The element must be revised to add or modify 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, metrics and milestones as appropriate and 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.	Appendix C, Fair Housing Assessment, H-181 to H-194	The element was revised to add and amend programs based on the outcome of the full AFFH analysis. This includes adding the following programs: - Program 5: Multiple Family Rental Rehabilitation Program - Program 14: Acquisition of Existing Units for Affordable Housing - Program 22: Housing Outreach and Information - Program 23: Housing Mobility - Program 24: Place-Based improvements in South Upland Additionally, the following programs were expanded or revised to add geographic targets and/or metrics: - Program 2: HOME Improvements - Program 3: Emergency Repairs for Homeowners -Program 4: Rental Acquisition and Rehabilitation - Program 9: Accessory Dwelling Units - Program 15: Housing Incentives
10	B. Housing Needs, Resources, and Constraints	Sites: Sites Inventory	While the element was revised to include current and proposed zoning for sites in Table B-8 (previously Table B-6), the element was otherwise not revised to meet the requirements outlined in HCD's May 25, 2022 review.	Sites Inventory: The element was revised to list parcels by various factors such as size, zoning, general plan designation and existing use. However, the description of existing use must include sufficient detail to facilitate an analysis of the potential for additional development on nonvacant sites. For example, many sites that are listed as "vacant" and candidate sites for rezoning have existing uses (e.g., Site 90 has an existing use of "well site", Site 93 has a parcel with an existing use of "storage yard", and some sites list an existing use as "flood control"), but those uses are not sufficiently described nor analyzed to demonstrate additional development potential in the planning period.' While table B5 was revised to include current and proposed zoning, table B6 must also include this information.	Table B-9, H-114 to H-125 Appendix B: Non-Vacant Sites	The Sites inventory table (Table B-9) was revised to include all the information, including current and proposed zoning for all parcels. Analysis of non-vacant sites is provided in depth in the sites section.
11	B. Housing Needs, Resources, and Constraints	Sites: Suitability of Nonvacant sites	While the element was revised to give specific examples nonvacant sites being developed in specific zones in terms of calculating realistic capacity (pages 86-88), it was not revised to adequately complete an analysis of nonvacant sites to accommodate the regional housing need for lower-income households. As stated in HCD's prior review, the element must describe a methodology used to determine the additional development potential within the planning period, and this methodology must consider factors including the extent to which existing uses may impede additional residential development, development trends, market conditions, any existing leases or other contracts that would perpetuate the existing use 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).) For sites with residential uses, the inventory could also describe structural conditions or other circumstances and trends demonstrating the redevelopment potential to more intense residential uses. For nonresidential sites, the inventory could also describe whether the use is operating, marginal or discontinued, and the condition of the structure or could describe any expressed interest in redevelopment.		Non-Vacant Sites, H-101 to H-113	The element was revised to provide additional analysis regarding the potential capacity for additional housing on nonvacant sites. This analysis reviewed non-vacant trend sites that have been recently completed, approved, or have property inquiries. This analysis provided a set of trends and established market conditions for redevelopment of non-vacant sites to residential uses. These trends included building age, LIR, and use type. The non-vacant sites were separated into 6 geographic clusters and 2 clusters based on use types. All clusters were compared directly to the 10 recent trend sites. The methodology used considered building age, use and likelihood it discontinues, similarity to recently developed sites, proximity to transit and services, and market conditions. Owner and developer interest was noted where applicable. All sites meet the characteristics based on the trends.
12	B. Housing Needs, Resources, and Constraints	Sites: Suitability of Nonvacant sites	Additionally, the element was revised on pg. H-88 to clarify that the City does rely on nonvacant sites to accommodate over fifty percent of its lower-income RHNA. However, the element must still demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in 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.		Non-Vacant Sites, H-101 to H-113	The element was revised to demonstrate that the existing uses are not an impediment to additional residential development during the planning period. This is based in part on an analysis showing redevelopment of similar uses and owner interest in redevelopment. The non-vacant sites were separated into 6 geographic clusters and 2 clusters based on use types. All clusters were compared directly to the recent trends. The methodology used considered building age, use and likelihood it discontinues, similarity to recently developed sites, proximity to transit and services, and market conditions. Owner and developer interest was noted where applicable. All sites meet the characteristics based on the trends.
13	B. Housing Needs, Resources, and Constraints	Sites: Small Sites	While the element has been revised to move individual sites smaller that half an acre to accommodate only above moderate income RHNA, there are still sites smaller than half an acre combined with other sites used to accommodate lower-income RHNA. As the inventory indicates these sites can be consolidated, it should also provide analysis demonstrating the potential for consolidation. For example, the analysis could describe the City's role or track record in facilitating small-lot consolidation, policies or incentives offered or proposed to encourage and facilitate lot consolidation, conditions rendering parcels suitable and ready for lot consolidation, or information from the owners of each aggregated site. Please see HCD's prior reviews		Appendix B, H-94 to H-95	The element was revised to include the analysis of small sites. All sites used to satisfy the lower income RHNA are larger than 0.5 acres with the exception of two groups of parcels. The groups of parcels, consisting of 11 and 4 parcels that have parcels smaller than 0.5 acres are vacant and are functionally developable as one parcel.Together the groups of parcels are 5.35 and 1.63 total acres, respectively. Analysis and details were added to show they are still appropriate for development of lower-income units. Additionally, five examples of lot consolidation were added to demonstrate the City's track record in facilitation small-lot consolidation.

#	Chapter	Topic	Comment (December 2022)	Prior Review (If Applicable)	Page # / Section	Response / Revisions
14	B. Housing Needs, Resources, and Constraints	Sites: Environmental Constraints	While the element has been revised to state that there is an additional cost to building in High Fire Hazard Severity Zones, but that these costs are necessary to protect public safety, it should still quantify what portion of the City's RHNA at which income levels would be affected by these additional costs to determine whether these additional costs constitute a constraint on housing development.		Environmental Hazards and Availability of Infrastructure, H-95 to H-96	Added detail regarding number of units (216 moderate income units and three pending projects) within the high fire hazards severity zone as well as high level analysis that the location of sites in High Fire Hazard severity zones does not result in a constraint.
15	B. Housing Needs, Resources, and Constraints	Constraints: Design Review	While Program 7 (Reduce Potential Constraints to Housing Development) was revised to clarify which projects will be eligible for ministerial review, the element must still describe the design review criteria and evaluation process for non-ministerial projects and analyze the overall design review process as a potential constraint on housing development.		Design review Process, H-51 to H-54	An analysis of the process for non-ministerial process and overall design review was added. It is explained why the process is not a constraint. As part of development review plan process the City provides design feedback to applicants administratively and uses the Residential Design Guidelines as guidance during the review process. The director or designee will review the project as part of the overall development review process and solicits technical advice from other departments as appropriate before making recommendations to the Planning Commission. No separate fees are charged for design review and there is not design review board or review committee. Coupled City staff receive comments from multiple departments and work with applicant to address all comments comprehensively.
16	B. Housing Needs, Resources, and Constraints	Constraints: Fees	While Table H-10 has been revised to include fees for general plan amendments, zone changes, specific plans, and variances, it must also analyze all required fees for single family and multifamily housing development for their impact as potential constraints on hosing supply and affordability. The analysis must also identify the total amount of fees and their proportion to the development costs for both single-family and multifamily housing.		Constraints Analysis, Development Fees, H-33 to H-34	Revised Table H-10 to include total amount of fees and their proportion to the development costs for both single-family and multifamily housing as well as additional related analysis.
17	B. Housing Needs, Resources, and Constraints	Needs: Farmworkers	While the element was revised to provide most of the analysis requested in HCD's prior review, it must still quantify the number of permanent and seasonal farmworkers in the City (USDA agricultural census) and provide an analysis of housing needs for farmworkers in the City.		Special Housing Needs - Farmworkers, H-27	The element was revised to state the following: "According to the USDA Census on agriculture population there are 2,246 farmworkers residing in San Bernardino County. As a consequence of the small population and rapidly declining agricultural production, no statistical need for housing has been identified for farmworkers."
18	C. Programs	Program 6	To address the program requirements of Government Code section 65583, subdivision (c)(1-6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following: Program 6: The program was not revised to meet this requirement. Please see HCD's prior review.	Program 6 (Specific Plans): While the timeframe was changed in the objective, the overall program timeframe should include a specific timeline	Programs, H-63- H-79	Programs were revised to include specific timelines, objectives, and identifications, including the following: - Program 22: Housing Education and Outreach includes objectives for two workshops annually, outreach to 100 households annually, and testing once in the planning period. - Program 15 was amended to include specific outreach and incentives for lot consolidation. - Program 9: Accessory Dwelling Units: was revised to include a goal of 45 ADUs annually and update ADU strategies within 6 months of an identified net loss. - Programs 22, 23, and 24 were added. These programs include additional outreach efforts, increase housing mobility in higher resource areas, and place-based improvements in south Upland. - Program 7 was updated to note the timeline of annual outreach to developers and monitoring developments as applications are received. - Programs 5 and 14 were added in increase affordable housing stock and quality. Additionally, the following programs were expanded or revised to add geographic targets and/or metrics: - Program 2: HOME Improvements - Program 3: Emergency Repairs for Homeowners -Program 4: Rental Acquisition and Rehabilitation - Program 9: Accessory Dwelling Units - Program 15: Housing Incentives
19	C. Programs	Program 13	Program 13 (Housing Incentives): While the element was revised to provide a small list of incentives that will be offered, it must still outline lot consolidation requirements and commit to proactive outreach.	Program 13 (Housing Incentives): While the program was revised to provide a specific timeframe, it must outline the lot consolidation requirements. In addition, it must commit to proactive outreach and list incentives that the City will implement.	Program 15, H-73	Program 15 (formely 13) was revised to include proactive outreach for lot consolidation and to outline lot merger requirements. The current lot consolidation process consists of completing the Lot Merger application. It is a ministerial process. The City will provide a number of incentives for the consolidation of small lots including: - Expedite processing of lot consolidation. - Provide fee waivers for lot consolidation projects that have affordable units or housing for special needs households . - Proactive outreach to developers and applicants regarding opportunities for lot consolidation. The City will outreach to developers on an annual basis regarding opportunities for development in the City. - Assisting developers in identification of parcels with lot consolidation potential.. - Provide technical assistance with the lot consolidation process. - Continue to utilize a ministerial process for lot mergers.
20	C. Programs	Program 14	Program 14 (Mobile Home Rent Stabilization): The program was not revised to meet this requirement. Please see HCD's prior review.	Program 14 (Mobile Home Rent Stabilization): The program is currently listed as dependent on litigation. The program must clarify the timeframe and include back-up implementation actions to take with a set timeframe depending on the litigation results.	Program 16, H-74	The element was revised to provide an update on ongoing litigation regarding mobile home rent stabilization and an updated timeline now that staff can implement the ordinance.
21	C. Programs	Programs	As noted in Finding B2, 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 City 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:		n/a	The sites inventory was revised to include a complete site analysis. Program 5 was revised to identify the specific acreages of rezoning efforts and include a figure showing rezones.

#	Chapter	Topic	Comment (December 2022)	Prior Review (If Applicable)	Page # / Section	Response / Revisions
22	C. Programs	Emergency Shelters	While the element revised Program 16 (Homeless Services and Facilities) to ensure compliance with state law in regard to emergency shelter requirements, the program should be further revised to clarify exactly which of the City's emergency shelter requirements will be revised as part of the program.		Program 18, H-74 - H-75	The element was revised to state: "Key development standards that would be revised include separation/distance requirements, parking requirements, waiting and intake area requirements, and operational requirements."
23	C. Programs	Constraints	As noted in Finding B3, the element requires a complete analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.		n/a	The element was revised to address all comments regarding governmental constraints and now contains a complete analysis of potential government constraints.
24	C. Programs	Definition of Family	While Program 18 (Housing for People with Disabilities or Other Special Needs) was amended to state it will either remove or revise the definition of family in the zoning code that may not be needed by December of 2022, the program should also include language that the City will take actions to "address constraints on unrelated persons and the number of persons" as part of this revision process.		Program 20, H-75 to H-76	Program 20 was revised to remove the definition of "single housekeeping unit" that required a single lease to ensure there are no constraints on unrelated persons and the number of persons within the definition of family.
25	C. Programs	AFFH	As noted in Finding B1, the element requires a complete Affirmatively Furthering Fair Housing (AFFH) analysis. Depending upon the results of that analysis, the City may need to revise or add programs. In addition, the element was not revised to meet the prior findings related to Program 19 nor include other metrics and milestones to address the City's obligation to AFFH. Please see HCD's prior review.	In addition, currently the element only addresses AFFH in Program 19. The element should revise other program actions to address the City's obligation to AFFH including how programs address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection. The programs must also include metrics and milestones for evaluating progress on programs, actions, and fair housing results.	n/a	The element was revised to include a complete AFFH analysis. This includes an analysis of Integration and Segregation, Access to Opportunities, Disproportionate Housing Needs, and R/ECAPs. Included how programs address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection. Included metrics and milestones for evaluating progress on programs, actions, and fair housing results. Additionally, Programs 20, 21, and 22 were added. These programs include additional outreach efforts, increase housing mobility in higher resource areas, and place-based improvements in south Upland.
26	C. Programs	ADUs	The element was not revised to meet these requirements. Please see HCD's prior review.	While Program 8 (Accessory Dwelling Units) was revised to add general language regarding incentives and strategies for accessory dwelling units (ADUs), the element must describe incentives and strategies that will be provided if ADU production goals (both number and affordability) are not met. In addition, the program must include specific timing to implement the additional incentives and strategies if needed. The program must include a description of activities and incentives to encourage ADU construction and affordability.	Program 9, H-69 to H-70	Program 9 was revised to add the following: If annual production and affordability rates do not match the estimates included in the Housing Element, the City will update the ADU strategy to ensure that the City continues to maintain adequate capacity for all income levels. In the event of an ADU shortfall that results in a net loss of units below the RHNA, the City will adopt another ADU program or identify additional sites within six months. Additional efforts to develop lower-income ADUs were added and specific objectives, timing, and geographic targeting were incuded.
27	D. Public Participation	Public Participation	While the element was revised to provide a more thorough description of the public participation process, it must still describe specific outreach to lower-income and special needs groups. The element must include a program or add language to an existing program to describe methods for additional public outreach efforts in the future to include lower-income and special needs households. The element must also clarify whether translation services were available.		Public Outreach, H-2 to H-10 Program 22: Public Outreach and Information, H-76 to H-77	The element was revised to state how outreach efforts were conducted to ensure all economic segments of the community were engaged in the Housing Element Update process, direct mail notice was sent out to stakeholders who represent lower-income and special needs groups. The stakeholders represent a variety of special needs groups active in the City. Additional outreach was conducted during January and early February focusing on lower-moderate income households and special needs groups. The outreach was summarized and changes to programs based on outreach results were noted. In addition to public workshops and hearings, the City also directly contacted housing advocates, housing service providers, and community organizations who serve the interests of lower-income households and special needs groups to solicit comments on housing needs, barriers to fair and affordable housing, and opportunities for development. Translation services were available for all meetings upon request. Clarified that translation services were available for all meetings upon request. Program 20: Public Education and Outreach includes outreach to 100 households annually, and matched pair testing once in the planning period.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
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April 12, 2024

Robert Dalquest, Director
Development Services Department
City of Upland
460 N. Euclid Ave
Upland, CA 91786

Dear Robert Dalquest:

RE: City of Upland's 6th Cycle (2021-2029) Revised Draft Housing Element

Thank you for submitting the City of Upland's (City) draft housing element received for review on February 13, 2024. 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 draft element addresses many statutory requirements; however, revisions will be necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq). The following describes the revisions needed to comply with State Housing Element Law.

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 revised draft element provides a general local and regional analysis for each element of the integration and segregation analysis, it must still provide a detailed regional analysis that includes neighboring jurisdictions (other than San Bernardino County), and a clearer analysis of how patterns and trends have changed over time.

   Racial/Ethnic Areas of Concentration of Poverty (R/ECAP): While the revised draft element provides a general local and regional analysis, it must still provide a detailed regional analysis that includes neighboring jurisdictions (other than San Bernardino County), and a specific analysis of how patterns and trends have changed over time.

   Disproportionate Housing Needs and Displacement Risk: While the draft element was revised to add additional useful analysis, it was not sufficiently revised to completely

address this finding. Specifically, the element must still provide a regional analysis of overpayment, a local analysis of substandard housing that includes any known concentrations of substandard housing within the City, a local analysis and contributing factors to overcrowding, and a local analysis of persons experiencing homelessness for any demographics or characteristics and impacts on protected characteristics.

Programs: As noted above, the element requires a complete Affirmatively Furthering Fair Housing (AFFH) analysis. Depending upon the results of that analysis, the City may need to revise or add programs.

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).)*

   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.

   Suitability of Nonvacant Sites: While the element was revised to provide a more thorough and detailed analysis and lists some recent projects in Table B-8, characteristics of these project sites should be more clearly linked to the criteria provided on Page H-105, and to the sites in the inventory in order to demonstrate that selected sites will develop at a similar capacity, and that similar existing uses have not posed constraints on past projects. Additionally, the criteria on page H-105 listed as "Similar Types of Non-Vacant Uses" should be further explained and linked to sites in the inventory based on enumerated similar uses.

   In addition, the element states that some sites have an existing use of "public parking lot." The element should identify if there are any lease agreements or other regulatory agreements that would inhibit the development of housing on these lots during the planning period.

   As noted in the housing element, the housing element relies upon nonvacant sites to accommodate more than 50 percent of the Regional Housing Needs Allocation (RHNA) for lower-income households. For your information, the housing element must demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in 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.

Finally, the element identifies sites with existing residential uses. Absent a replacement housing policy, these sites are not adequate sites to accommodate lower-income households. The replacement housing policy has the same requirements as set forth in Government Code section 65915, subdivision (c), paragraph (3).

Publicly-Owned Sites: The element identified City-Owned sites to accommodate a portion of the RHNA. The element should include a program with numerical objectives that ensures compliance with the Surplus Land Act, provides incentives and actions along with a schedule to facilitate development of City-Owned sites. Actions should include outreach with developers, issuing requests for proposals, incentives, fee waivers, priority processing and financial assistance.

Programs: Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

Program 6 (Adequate Sites to Accommodate Regional Housing Needs): While this program has been revised to add more specificity as to the rezoning actions that will be taken, it must provide a timeline as to when these rezoning actions will be completed. The program must commit to acreage, allowable densities and anticipated units that will be rezoned to accommodate the City's shortfall. Please note, the element cannot be found in full compliance until these actions have been completed and submitted to HCD for review and approval.

3. *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. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Government Code section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7). (Gov. Code, § 65583, subd. (a)(5).)*

   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.

   Design Review: While the draft element was revised to describe the evaluation process for certain projects in the City, it must still describe the design review criteria for non-ministerial projects and analyze the overall design review process as a potential constraint on housing development.

Programs: Depending upon the results of a complete analysis of potential governmental constraints, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

Pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), a jurisdiction that failed to adopt a compliant housing element within one year from the statutory deadline cannot be found in 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. As this year has passed and Programs 6 (Adequate Sites to Accommodate Regional Housing Needs) has not been completed, the housing element is out of compliance and will remain out of compliance until the rezoning have been completed.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and 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 Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City meets housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: https://www.opr.ca.gov/planning/general-plan/guidelines.html.

HCD appreciates the City's housing element team during the course of our review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Reid Miller, of our staff, at Reid.Miller@cd.ca.gov.

Sincerely,



Melinda Coy
Proactive Housing Accountability Chief

Upland Housing Element Update
May 2024 (5th) Draft
Response to April 12, 2024 HCD Letter Comments

#	Chapter	Topic	HCD Comment (4-12-24 Letter)	Page # / Section	Response / Revisions
1	AFFH	Integration and Segregation	While the revised draft element provides a general local and regional analysis for each element of the integration and segregation analysis, it must still provide a detailed regional analysis that includes neighboring jurisdictions (other than San Bernardino County), and a clearer analysis of how patterns and trends have changed over time.	H-151/Race and Ethnicity H-156/Income H-162/Familial Status H-165/Persons with Disabilities	Provided a detailed regional analysis that includes neighboring jurisdictions including the Cities of Pomona, Ontario, San Bernardino, and La Verne. Noted nearby areas of concentration and compared the demographics in Upland to nearby jurisdictions. Analyzed of how patterns and trends have changed over time in Upland and regionwide.
2	AFFH	Racial/Ethnic Areas of Concentration of Poverty (R/ECAP)	While the revised draft element provides a general local and regional analysis, it must still provide a detailed regional analysis that includes neighboring jurisdictions (other than San Bernardino County), and a specific analysis of how patterns and trends have changed over time.	H-168/ Racially/Ethnically Concentrated Areas of Poverty	In addition to existing analysis noting that there are no R/ECAPs in Upland, the draft was revised to include regional analysis that includes neighboring jurisdictions in San Bernardino County and Riverside County. Analyzed trends in median income and racial demographics with the presence of a R/ECAP regionwide, including in the nearby cities of Ontario and San Bernardino. Analyzed how patterns and trends have changed over time in the City and regionwide in neighboring jurisdictions.
3	AFFH	Disproportionate Housing Needs and Displacement Risk	While the draft element was revised to add additional useful analysis, it was not sufficiently revised to completely address this finding. Specifically, the element must still provide a regional analysis of overpayment, a local analysis of substandard housing that includes any known concentrations of substandard housing within the City, a local analysis and contributing factors to overcrowding, and a local analysis of persons experiencing homelessness for any demographics or characteristics and impacts on protected characteristics.	H-191/Cost Burden (Overpayment) H-193/Overcrowding H-196/Homelessness	Provided a regional analysis of overpayment, including trends over time and trends in both San Bernardino County and nearby jurisdictions in Riverside County. Added a map and local analysis of areas of known concentrations of substandard housing within the City based on data from local officials. Included an analysis of contributing factors to overcrowding, and noted programs encouraging ADU production to address the need for more affordable housing stock and large households. Added a map and local analysis of persons experiencing homelessness including demographic data on age, disability, gender, and race, and compared these characteristics with the overall population in the City. Linked the geographic targeting in programs for housing assistance with the areas experiencing higher rates of substandard housing.
4	AFFH	Programs	As noted above, the element requires a complete Affirmatively Furthering Fair Housing (AFFH) analysis. Depending upon the results of that analysis, the City may need to revise or add programs.	N/A	The element was revised to include a full AFFH analysis.

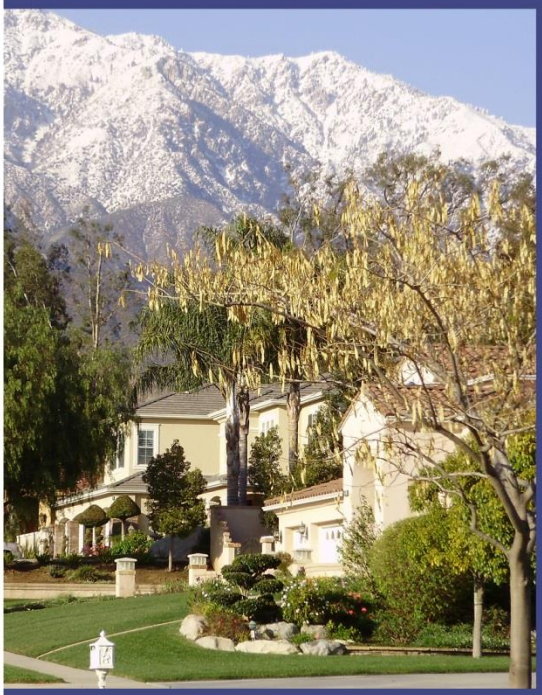
Upland Housing Element Update
May 2024 (5th) Draft
Response to April 12, 2024 HCD Letter Comments

#	Chapter	Topic	HCD Comment (4-12-24 Letter)	Page # / Section	Response / Revisions
5.1	Sites and Resources	Suitability of Nonvacant Sites	While the element was revised to provide a more thorough and detailed analysis and lists some recent projects in Table B-8, characteristics of these project sites should be more clearly linked to the criteria provided on Page H-105, and to the sites in the inventory in order to demonstrate that selected sites will develop at a similar capacity, and that similar existing uses have not posed constraints on past projects. Additionally, the criteria on page H-105 listed as “Similar Types of Non-Vacant Uses” should be further explained and linked to sites in the inventory based on enumerated similar uses.	H-107 - H-129/Non-Vacant Sites	The element was revised to include the evaluation of each non-vacant site against each of the five criteria. Table B9 was added to show that every site meets at least three of the five criteria shown. The "Similar Types of Non-Vacant Uses" was expanded on to describe the uses that have been recently developed and link them to the non-vacant sites. The description of the five criteria was expanded to provide a full rationale for each threshold. An evaluation of each of the 292 non-vacant sites has been provided in Table B9. Each site is evaluated against the five criteria from recently developed sites. All 292 of the sites meet a majority, at least three of the five, criteria. 270 sites meet at least four of the five criteria. 110 of the sites meet all five of the five criteria.
5.2	Sites and Resources	Suitability of Nonvacant Sites	In addition, the element states that some sites have an existing use of “public parking lot.” The element should identify if there are any lease agreements or other regulatory agreements that would inhibit the development of housing on these lots during the planning period.	H-113/Non-Vacant Site Descriptions	Clarified that there are no lease or other regulatory agreements on the 18 public parking lots. Added information on the City's plans to surplus the land after the construction of a downtown parking lot with the intent to develop affordable housing.
5.3	Sites and Resources	Suitability of Nonvacant Sites	As noted in the housing element, the housing element relies upon nonvacant sites to accommodate more than 50 percent of the Regional Housing Needs Allocation (RHNA) for lower-income households. For your information, the housing element must demonstrate existing uses are not an impediment to additional residential development and will likely discontinue in 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.	N/A	The City is planning on re-adopting the Housing Element. A finding will be included in the adoption resolution state that based on substantial evidence, the existing uses will be not impeded additional residential development.
5.4	Sites and Resources	Suitability of Nonvacant Sites	Finally, the element identifies sites with existing residential uses. Absent a replacement housing policy, these sites are not adequate sites to accommodate lower-income households. The replacement housing policy has the same requirements as set forth in Government Code section 65915, subdivision (c), paragraph (3).	H-67-70/Program 6	Program 6 was revised to include a replacement policy for sites with residential uses projected to accommodate lower-income households.

Upland Housing Element Update
May 2024 (5th) Draft
Response to April 12, 2024 HCD Letter Comments

#	Chapter	Topic	HCD Comment (4-12-24 Letter)	Page # / Section	Response / Revisions
6	Sites and Resources	Publicly-Owned Sites	The element identified City-Owned sites to accommodate a portion of the RHNA. The element should include a program with numerical objectives that ensures compliance with the Surplus Land Act, provides incentives and actions along with a schedule to facilitate development of City-Owned sites. Actions should include outreach with developers, issuing requests for proposals, incentives, fee waivers, priority processing and financial assistance.	H-67 - 70/Program 6	Program 6 was amended to include a portion on the 18 City-owned public parking lots. The parcels will be declared surplus during the planning period with the intent to develop at least 96 lower and moderate income units, as identified in the housing element. The City will provide outreach with developers and incentives as possible to develop the site. An estimated timeline was added.
7	Programs	Programs	Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.	N/A	The element was revised to include a full sites inventory analysis. An analysis of criteria was provided for each non-vacant site and additional narrative was provided for each non-vacant site characteristic. Program 6 was revised to include a replacement policy and clearly identify the timeline, acreages, allowable densities, and anticipated units of the rezoning program. Compliance with the surplus lands act for publicly owned sites was also added to Program 6.
8	Programs	Program 6 (Adequate Sites to Accommodate Regional Housing Needs)	While this program has been revised to add more specificity as to the rezoning actions that will be taken, it must provide a timeline as to when these rezoning actions will be completed. The program must commit to acreage, allowable densities and anticipated units that will be rezoned to accommodate the City's shortfall. Please note, the element cannot be found in full compliance until these actions have been completed and submitted to HCD for review and approval.	H-67 - 70/Program 6	Program 6 was revised to include the number of units projected in each rezone area and anticipated timeline for completing rezoning. The timeline is as provided to HCD in December 2023.
9	Constraints	Design Review	While the draft element was revised to describe the evaluation process for certain projects in the City, it must still describe the design review criteria for non-ministerial projects and analyze the overall design review process as a potential constraint on housing development.	H-52 - H-54/Design Review Process	The element was revised to clarify that the review process for ministerial and non-ministerial projects are similar, and the described process is applicable to non-ministerial projects as well. The process does not add time to the review, and projects are typically approved in one hearing. No projects have been rejected due to the design review process. Additionally, Program 8 includes a commitment to remove the AUP/CUP requirements on residential development and establish objectives standards for projects that are eligible for ministerial review.
10	Programs	Programs	Depending upon the results of a complete analysis of potential governmental constraints, the City may need to revise or add programs and address and remove or mitigate any identified constraints.	N/A	The element was revised to include a full analysis of potential governmental constraints.

CITY OF UPLAND









City of Upland
Housing Element

Revised February 2024 and May 2024

City Council Resolution No. 6697

Contents

1. Introduction....H-1
Background....H-1
Related Plans....H-1
Public Outreach....H-2
2. Housing Needs....H-11
Demographic Trends....H-11
Housing Characteristics....H-14
Special Housing Needs....H-22
Affordable Housing at Risk of Conversion....H-29
2021-2029 Housing Needs....H-31
3. Constraints Analysis....H-32
Market Constraints....H-32
Land Use Controls....H-34
Permitting Process....H-49
Environmental and Infrastructure Constraints....H-56
4. Housing Resources....H-59
Land to Accommodate New Housing Needs....H-59
Financial and Administrative Resources....H-59
5. Housing Plan....H-62
Goals and Policies....H-62
Housing Programs....H-64

Tables

Table H-1 Public Comment Summary....H-5
Table H-2 Affordable Housing Costs – San Bernardino County....H-18
Table H-3 Overpayment by Income Category – Upland....H-21
Table H-4 Extremely-Low-Income Housing Needs – Upland....H-22
Table H-5 Elderly Households by Income and Tenure – Upland....H-22
Table H-6 Disabilities by Employment Status – Upland....H-25
Table H-7 Developmental Disabilities – Upland....H-25
Table H-8 Publicly Assisted Lower Income Rental Units in Upland....H-29
Table H-9 Upland Regional Housing Needs Allocation, 2021–2029....H-31
Table H-10 Development Fees, City of Upland....H-33
Table H-11 Development Impact Fees, City of Upland....H-33
Table H-12 Fee Comparison for Single-Family and Multifamily Development....H-34
Table H-13 Land Use Designations Allowing Housing....H-35
Table H-14 Specific Plans Allowing Housing....H-35
Table H-15 Permitted Uses in Zones Allowing Residential Uses....H-36
Table H-16 Permitted Uses in Mixed Use Zones....H-38
Table H-17 Residential Development Standards....H-44
Table H-18 Residential Parking Standards....H-45
Table H-19 Multiple-Family Parking Standards....H-46
Table H-20 Permit Process and Time Frame for Housing Projects....H-50
Table H-21 Housing Element Quantified Objectives....H-82

Figures

Figure H-1 Population Growth 2000-2020 – Upland vs. SCAG Region....H-11
Figure H-2 Population by Age and Gender – Upland....H-12
Figure H-3 Household Size by Tenure - Upland....H-12

Figure H-4 Employment by Industry - Upland H-13
Figure H-5 Employment by Occupation - Upland H-13
Figure H-6 Housing Units by Type – Upland vs. SCAG Region H-14
Figure H-7 Housing Tenure – Upland vs. SCAG Region H-15
Figure H-8 Housing Tenure by Age – Upland H-15
Figure H-9 Vacant Units by Type – Upland vs. SCAG Region H-16
Figure H-10 Age of Housing Stock – Upland vs. SCAG Region H-17
Figure H-11 Median Sale Price for Existing Homes – Upland vs. SCAG Region H-18
Figure H-12 Monthly Owner Cost for Mortgage Holders – Upland vs. SCAG Region H-19
Figure H-13 Percentage of Income Spent on Rent – Upland H-19
Figure H-14 Rental Cost by Income Category – Upland H-20
Figure H-15 Overcrowding by Tenure – Upland vs. SCAG Region H-20
Figure H-16 Disabilities by Type – Upland H-24
Figure H-17 Disabilities by Type for Seniors 65+ – Upland H-24
Figure H-18 Female Headed Households – Upland H-26
Figure H-19 Female Headed Households by Poverty Status – Upland H-27
Figure H-20 Agricultural Employment – Upland H-28
Figure H-21 Very High Fire Hazard Severity Zone - Upland H-58
Figure H-22 Rezone and Upzone Areas H-68

Appendices

Appendix A Evaluation of the Prior Housing Element
Appendix B Sites Inventory
Appendix C Fair Housing Assessment
Appendix D Public Comments
Appendix E Divestment of Thrall Hall

1. INTRODUCTION

Background

The State of California recognizes that an adequate supply of affordable housing for all income levels is a fundamental need for all communities. To achieve that goal, it is critical that all local governments share in the responsibility of implementing solutions to address local and regional housing needs. To that end, all California local governments are required to prepare a Housing Element that specifies how the community will plan for its housing needs.

The detailed statutory requirements for Housing Elements are codified in the California Government Code (§§65580–65589). The Housing Element must contain an identification and analysis of its existing and projected housing needs; an analysis of governmental and nongovernmental constraints to meeting those needs; and goals, policies, programs and objectives to further the development, improvement, and preservation of housing.

This Housing Element includes the following six sections:

- *Chapter 1, Introduction* provides an introduction to the statutory authority and requirements for the Housing Element, related planning efforts, and a description of the public outreach process.
- *Chapter 2, Community Profile* provides an analysis of demographic and housing characteristics; current and future housing needs; and analysis of fair housing issues.
- *Chapter 3, Constraints Analysis* provides an analysis of the governmental and nongovernmental constraints that affect the development, maintenance, and improvement of housing for all income groups.
- *Chapter 4, Housing Resources* provides an analysis of the available land for housing, as well as the financial resources and administrative capacity to manage housing programs.
- *Chapter 5, Program Evaluation* provides a review of the City's accomplishments relative to the programs and objectives established in the prior Housing Element.
- *Chapter 6, Housing Plan* establishes goals, policies, and implementation programs to address the development, improvement, and conservation of housing to address housing needs in Upland for the next 8 years.

Related Plans

This Housing Element is related to several other local planning efforts, some of which are mandated by the State of California or the federal government. The most important of these related plans and programs are summarized below.

- **General Plan Consistency.** The Housing Element is a component of the City's General Plan and must be consistent with other General Plan elements. The sites identified in this Housing Element for future housing development are correlated with the Land Use Plan shown in the Land Use Element. The City will maintain consistency between General Plan elements by ensuring that any proposed changes in this Housing Element that would result in an inconsistency with another element will be reconciled through amendments to other elements. As an example, a Housing Element program calling for changes to land

use designations to create additional capacity for future housing development would be implemented through amendments to the Land Use Element.

- **Water and Sewer Services.** The Water Division of the Public Works Department, San Antonio Water Company, West End Consolidated Water Company, and Water District of Southern California provide water to Upland residents. The Inland Empire Utilities Agency (IEUA) and the City provide wastewater services in Upland. In accordance with State law, the City provides a copy of its Housing Element to each water and wastewater service agency. These agencies are required to establish a priority system for water and sewer services to housing projects serving lower-income households in accordance with Section 65589.7 of the Government Code.

- **City of Upland Consolidated Plan.** The City of Upland is an entitlement jurisdiction and receives housing and community development funds directly from the federal government. Upland's Consolidated Plan was last revised for the 2021–2024 period. The housing, community development, and economic needs identified in the Consolidated Plan have been evaluated as part of the 2021 Housing Element update process to ensure that these efforts work together to address the community's needs. The Housing Element also reflects the public housing agency plan prepared by the San Bernardino County Housing Authority.

Public Outreach

The Housing Element Update process provided numerous opportunities for Upland residents and other stakeholders to be involved in shaping the City's housing policies and programs. From the outset, diligent efforts were made to involve all economic segments of the community and persons with special needs in the development of the housing element. A list of community stakeholders was compiled based upon City knowledge and previous projects including the Upland Consolidated Plan, and direct mail notice was sent to all parties inviting them to participate. To ensure all economic segments of the community were engaged in the Housing Element Update process, direct mail notice was sent out to 35 stakeholders, including specifically those who represent lower-income and special needs groups; the list is provided below. The stakeholders represent a variety of special needs groups active in the City and larger region. Additionally, further public outreach was conducted in January and February 2024, specifically targeting groups who ae comprised of and represent lower-moderate income populations and special needs populations.

In addition to public workshops and hearings, the City also directly contacted housing advocates, housing service providers, and community organizations who serve the interests of lower-income households and special needs groups to solicit comments on housing needs, barriers to fair and affordable housing, and opportunities for development. Translation services were available for all meetings upon request.

As an entitlement city, Upland also conducts an extensive public outreach process every four years as part of the Consolidated Plan process. The City is including Program 22 to provide for additional public outreach efforts in the future. The program includes the following, specific outreach efforts:

- Disseminate fair housing outreach materials at the library, website, and counter so that residents and landlords are aware of their rights, responsibilities, and opportunities for resolving fair housing concerns. Provide information to 100 households annually.

- The Upland Development Services Department and Inland Fair Housing and Mediation Board (IFHMB) will continue providing educational opportunities for property owners, property managers, and residents in Upland concerning the law as it pertains to reasonable accommodations and

reasonable modifications. The City will contract with IFHMB to provide two workshops per year in the City, with one workshop per year serving as a general introduction to fair housing laws and possible discrimination, and one workshop each year being specifically focused on housing issues faced by persons with disabilities and the reasonable accommodation and modification processes.

- The City will also contract with IFHMB at least once during the planning period to fund matched pair testing in Upland to address issues of possible discrimination based on disability as well as race, familial status, national origin, disability and other protected categories.

The following is a summary of the outreach activities that were held over the course of the Housing Element update. Table H-1 below provides a summary of public comments received during preparation of the Housing Element and how those comments are addressed in the Housing Element. Written correspondence received during the course of the Housing Element update is provided in Appendix D. Copies of HCD's review letters and summaries of the City's revisions to the Housing Element in response to HCD comments are also available as part of the Planning Commission and City Council meeting materials posted on the City's Housing Element website (https://www.uplandca.gov/2021-2029-housing-element-update).

- **Housing Element Interest List**. At the beginning of the Housing Element update process the City compiled a list of agencies, organizations and other stakeholders with expertise in housing issues, particularly those that provide or advocate for lower-income households and persons with special needs. The City distributed notices of public meetings to these parties by direct mail or email prior to each meeting.
- **Housing Element Website.** At the beginning of the update process a web page was created on the City's website where background information, meeting notices, draft documents, and other relevant materials regarding the Housing Element update were posted. The website was updated throughout the course of the project.
- **Frequently Asked Questions.** The City prepared an FAQ containing background information regarding Housing Element requirements, including the RHNA process and assessment of housing needs, which was posted on the Housing Element web page.
- **Public Workshops**. The City held two public workshops with the City Council and Planning Commission in February and June 2021 prior to the preparation of the draft Housing Element to provide decision-makers and interested stakeholders with background information on Housing Element requirements and to solicit comments regarding housing needs and policy options. Public comments were considered in the preparation of the draft Housing Element, which was posted for public review on September 16, 2021.
- **Joint Study Session**. After preparing the draft Housing Element and prior to submitting the draft to the Department of Housing and Community Development (HCD), a joint study session was held on September 23, 2021 with the Planning Commission and City Council to review the draft Housing Element and its goals, policies, and implementation programs. Stakeholders on the Housing Element interest list were invited to attend and offer comments on the draft Housing Element. The draft Housing Element was then revised to incorporate comments received at this meeting.

  Comments on the draft Housing Element focused on housing affordability and the challenges faced by local governments in addressing those needs. Specific comments included the following:

  ✓ The elimination of the redevelopment agency has diminished the City's ability to address housing problems

- ✓ ADUs provide opportunities for affordable housing but also bring challenges such as adequate parking
- ✓ More housing also increases the City's cost of providing adequate services such as infrastructure and public safety

- **HCD Review**. The draft Housing Element was submitted to HCD for review on September 24, 2021. On November 22, 2021 HCD issued a letter finding that the draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law.

- **Planning Commission Review**. After receiving HCD's November 22, 2021 review, a revised draft Housing Element was prepared addressing HCD's comments. The revised draft Housing Element was posted for public review on March 16, 2022 and a public meeting was held by the Planning Commission on March 23, 2022 to review HCD comments, other public comments and the revised draft Housing Element. An agenda and invitation to attend the meeting was sent to all parties on the Housing Element interest list. Comments offered at the meeting included whether changes to parking requirements would result in adequate parking for new housing developments. A letter dated February 28, 2022 was also submitted by YIMBY Law (see Appendix D).

- **HCD Review #2**. Following the March 23, 2022 Planning Commission meeting the revised draft Housing Element was submitted to HCD for review on March 24, 2022. On May 23, 2022 HCD issued a letter finding that the draft element addresses some statutory requirements described in HCD's November 22, 2021 review; however, additional revisions are necessary to fully comply with State Housing Element Law.

- **Planning Commission Public Hearing**. After receiving HCD's May 23, 2022 comments a revised draft Housing Element was prepared addressing HCD's comments. The revised draft Housing Element was posted for public review on September 29, 2022 and on October 5, 2022 the Planning Commission conducted a public hearing to review the revised draft Housing Element. At the conclusion of the hearing the Planning Commission adopted a recommendation for City Council approval of the Housing Element. In addition to the formal public hearing notice, direct notice of the hearing was provided to all parties on the Housing Element stakeholder list.

- **City Council Public Hearing**. On October 24, 2022 the City Council conducted a public hearing to review the revised draft Housing Element. At the conclusion of the hearing the City Council adopted a resolution approving the revised draft Housing Element.

- **Targeted Stakeholder Outreach.** During the month of January and early February, 2024, the City conducted additional, targeted stakeholder outreach focusing on low-moderate income and special needs populations. The City conducted five additional stakeholder interviews with groups who include and represent low-moderate income and special needs populations in Upland. Target populations include extremely low-income persons, those in transitional housing, those in senior housing, mobile home communities, fair housing services, homeowner wraparound services, and disability services. Interviewees stressed the high cost of construction, importance of housing choices, need for education on fair housing and housing resources, homeownership and repair programs, and importance of ADUs, including educating homeowners on ADU development. The City has included and modified a number of programs in the Housing Element based in part on this feedback. The feedback and where it is addressed in Housing Element Programs is as follows:

  - Increased housing mobility and housing options (Program 6, Program 23)

- Importance of education, especially regarding fair housing and tenant's rights (Program 21, Program 22)
- Importance and opportunity for ADUs (Program 9, Program 23)
- Need for additional low-income housing (Program 6, Program 14, Program 15, Program 20)
- Home Repair and Assistance Programs (Program 2, Program 3, Program 5)

The revised Housing Element was published for a full seven day public review from February 5th to February 12th, 2024. No public comments were received.

Chapter 5, the Housing Plan, describes the City's goals, policies and specific program actions over the next 8 years to address issues raised during the public outreach process (see also **Table H-1**).

Table H-1 Public Comment Summary

Comment	Response
There is a limited amount of vacant land remaining for housing development in Upland. The RHNA goals assigned to the city are far higher than in the past. How can the city achieve these goals?	The availability of vacant land suitable for housing development is a significant problem in most cities in Southern California, particularly those that are near major employment centers. Over the past several decades, most of the vacant properties in the urban areas without major development constraints such as steep slopes, floodplains, or wildland fire hazards have already been developed. Therefore, a large component of new housing development is occurring through redevelopment of previously developed properties that are economically or physically underutilized. Appendix B of the Housing Element identifies underutilized properties that are suitable for redevelopment and the following programs encourage the redevelopment of those properties for housing or mixed use: Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
Accessory dwelling units (ADUs) can provide additional housing opportunities.	ADUs are an important strategy for meeting housing needs, especially for single persons and small households. The City encourages production of ADUs through a variety of methods as described in Program 9: Accessory Dwelling Units.
Past underproduction of housing has resulted in higher prices and rents that make it difficult for younger persons to live in the community. A market-based solution is needed to provide more housing.	Many factors contribute to high housing cost, and the problem is not unique to California. While cities play an important role in housing production, there are also many factors that are beyond the City's control, such as housing speculators and investors, State environmental regulations, private business decisions, the cost of labor and materials, federal economic policies, interest rates, etc. The following programs are intended to facilitate housing production in all areas of Upland: Program 6: Adequate Sites to Accommodate Regional Housing Needs, Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units;

Comment	Response
	Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
How will the City pay for the additional cost of providing public services to new housing?	California cities face major fiscal challenges in providing public services. After the passage of Proposition 13 in 1978 and its limitation on local governments' property tax revenues, local governments have faced increased difficulty in providing and financing appropriate public services and facilities to serve residents. One of the main consequences of Proposition 13 has been the shift in funding of new infrastructure from general tax revenues to development impact fees and improvement requirements on developers, which has contributed to increased housing costs. The Housing Element addresses this issue by encouraging efficient housing development patterns and provision of infrastructure as described in Program 6: Adequate Sites to Accommodate Regional Housing Needs, Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 10: Water Priority System, Program 11: Neighborhood Improvements; and Program 15: Housing Incentives.
Prioritize rezoning in high resource, historically exclusionary neighborhoods. Many of the highest resource neighborhoods with the best access to jobs, good schools, and other amenities have histories of exclusion which are still reflected in their zoning. Cities should rezone to allow more housing opportunities in those neighborhoods, particularly those with low Vehicle Miles Traveled, as part of their Housing Elements.	It is important to recognize that the residential areas of the city are nearly built-out, and State laws already facilitate more housing opportunities in existing residential areas through ADUs and SB 9 lot splits. Redevelopment in residential areas also could lead to displacement of existing occupants. Commercial and industrial areas have the greatest opportunity for additional housing. The following programs are intended to facilitate housing production in all areas of Upland: Program 6: Adequate Sites to Accommodate Regional Housing Needs, Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
Establish a strong tenant protection ordinance so that new housing benefits everyone. Development should not permanently displace current residents. Housing replacement programs, temporary housing vouchers, right of return, and demolition controls will create stability for renters while allowing new homes to be built for new households and to accommodate the growth associated with RHNA. In your sites inventory and rezoning programs, you should prioritize development on sites with owner-occupied housing & commercial uses over those with existing rent-controlled apartments or other rental housing with lower income residents.	Strong tenant protections are already provided under State and Federal law. The City helps to facilitate tenant protection through partnerships with fair housing organizations and enforcement of existing laws. The following programs address this comment: Program 2: HOME Improvement; Program 4: Rental Acquisition and Rehabilitation; Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 13: Rental Housing Assistance; Program 15: Housing Incentives; Program 16: Mobile Home Rent Stabilization; Program 17: Affordable Housing at Risk of Conversion to Market Rate; Program 19, Administrative Capacity; Program 20: Housing for People with Disabilities or other Special Needs; Program 21: Affirmatively Furthering Fair Housing.
Support homeownership opportunities for historically excluded groups. Homeownership continues to be a path to building financial security and inter-generational wealth,	The City helps to facilitate homeownership for all segments of the community through the following programs: Program 2: HOME Improvement; Program 3: Emergency Repairs for

Comment	Response
which has been systematically denied to many Americans. As a society, we need to make this right by intentionally offering opportunities to communities who have been excluded. The housing element should identify opportunities to create a variety of for-sale housing types and create programs to facilitate property ownership among excluded groups.	Homeowners, Program 4: Rental Acquisition and Rehabilitation; Program 6: Adequate Sites to Accommodate Regional Housing Needs, Program 12: Homeownership Assistance, Program 15: Housing Incentives; Program 17: Affordable Housing at Risk of Conversion to Market Rate; Program 19: Administrative Capacity; Program 21: Affirmatively Furthering Fair Housing.
Adequately plan for density. Ensure that a site's density will accommodate the number of homes that are projected to be built. In addition, make sure height limits, setback requirements, FAR, and other controls allow for adequate density and the ability to achieve a site's realistic capacity. Housing will not be feasible if you have a high density paired with low height limits. This density should be emphasized around jobs and transit and should go beyond the Mullin density in those areas.	The following programs are intended to facilitate housing production at appropriate densities in Upland Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 15 Housing Incentives.
Provide sufficient zoned capacity to accommodate all income levels, including a minimum No Net Loss buffer of 30%. Not every site will be developed at maximum density during the eight-year planning period. Identify an ample amount of opportunity sites and zone the sites to accommodate lower-income housing types (usually a statutory minimum of 30 dwelling units per acre) to give the city the best chance at meeting its RHNA.	The Housing Plan identifies sites and zoning strategies to accommodate all income levels as assigned through the RHNA. State law (Government Code 65583.2(h)) requires zoning to accommodate 100% (not 130%) of the RHNA allocation for lower-income households. The following programs are intended to facilitate housing production at appropriate densities in Upland Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 15 Housing Incentives.
Use data from the 5th Cycle to calculate the likelihood of development for your 6th Cycle site inventory Likelihood of development is a measure of the probability of an inventory site being developed during the planning period. The median likelihood of development across the state is 25%, meaning only one of every four sites will likely be developed during the planning period for the median city. Incorporating the likelihood of development into the zoned capacity will set the city up to successfully achieve their RHNA, making the housing element less of a paper exercise and more of an actionable, functional document.	Calculating the likelihood of development on the basis of development during the previous housing cycle is not a valid methodology for estimating current potential for development due to significant changes in market conditions over the past decade. The "Great Recession" that began in 2007-08 resulted in a near-catastrophic collapse in property values and housing construction, particularly in the Inland Empire. The RHNA is a planning goal, and cities are required to identify adequate sites that could accommodate the RHNA allocation. State law recognizes that cities do not have control over many aspects of the development process, and therefore achieving the RHNA is not a legal mandate. Many strategies have been suggested that the State Legislature could adopt to stimulate housing production, such as CEQA reform and real estate tax policy, but it has declined to do so. To address this comment, the following programs identify actions the City intends to take to facilitate additional housing development: Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
Commit to an automatic mid-cycle adjustment if ADU permitting activity is lower than estimated in the housing	The Housing Element utilizes HCD "safe harbor" methodology in estimating future potential for ADU

Comment	Response
element. We highly recommend complying with HCD's standards of using one of its "safe harbor" methodologies to anticipate future ADU production. However, if the city is optimistic about ADU growth, then creating an automatic mid-cycle adjustment will automatically facilitate alternative housing options (i.e., a rezoning program, removing development constraints, ADU incentives, etc.) if the city falls behind the estimated ADU production.	production. This comment is addressed in Program 9: Accessory Dwelling Units, which includes a mid-cycle review and adjustment.
Incentivize new ADUs, including those that are rent-restricted for moderate or lower-income households or that are prioritized for households with housing choice vouchers. Consider offering low- or no-interest loans, forgivable loans, impact fee waivers for ADUs that are 750 square feet or larger, allowances to facilitate two-story and second story ADU construction, etc.	It should be noted that ADU regulations beyond those authorized in State law is prohibited. Also, after the State's dissolution of redevelopment agencies a significant source of City funding for housing was eliminated. Many worthwhile housing activities now compete for scarce public subsidies such as CDBG and HOME funds. This comment is also addressed in Program 9: Accessory Dwelling Units.
Allow residential to be built in areas that are zoned for commercial use. There are a myriad of ways to do this, but a housing overlay is one common policy. Additionally, consider eliminating new commercial space in mixed-use developments where there is not a strong demand or there is otherwise a glut of commercial space that is unused or frequently vacant.	The following programs are intended to facilitate housing production in areas currently zoned for commercial use: Program 6: Adequate Sites to Accommodate Regional Housing Needs; Program 7: Specific Plans; Program 8: Reduce Potential Constraints to Housing Development; Program 9: Accessory Dwelling Units; Program 11: Neighborhood Improvements; Program 15: Housing Incentives.
Allow flexibility in inclusionary zoning. Cities should require different percentages for different AMI levels. Additionally, we urge cities to incentivize land dedication to affordable developers in order for market-rate developers to meet their inclusionary requirements. Avoid getting trapped into thinking that the affordable units must be "sprinkled throughout" the market-rate units, or require the market-rate units to look exactly the same as the affordable ones. This should be balanced against not locating all of the affordable units in one place and ghettoizing neighborhoods by creating or perpetuating racially concentrated areas of poverty.	"Inclusionary housing" refers to a requirement that a portion of new housing is made available at affordable rents or prices. There are valid arguments among experts for and against such policies, and each city must evaluate whether inclusionary requirements are appropriate. There are currently no inclusionary requirements in Upland, and inclusionary housing is not a requirement of State housing law.
Ensure that the city has a ministerial process for housing permitting, especially multi-family housing, and remove impact fees for deed-restricted housing. A discretionary process for housing development creates uncertainty and adds to the cost of construction. For example, multi-family housing should not require a conditional use permit or city council approval unless the builder is asking for unique and extraordinary concessions. Right-sizing governmental constraints, entitlement processes, and impact fees will help the city successfully meet its RHNA.	This comment is addressed in Program 8: Reduce Potential Constraints to Housing Development. With regard to impact fees, the elimination of such fees for affordable housing would need to be backfilled from another source or there would be insufficient funds to provide the public facilities paid for by impact fees. There are limited sources of funding that could be used to offset that loss.
Reduce parking standards and eliminate parking minimums. Minimum parking requirements are a major constraint on housing, especially for lower cost housing types. They can cost in excess of $30,000 per spot and can raise rents by as much as 17%, and eliminating them is particularly important for smaller & other spatially constrained sites. Consider adopting a parking maximum.	This comment is addressed in Program 8: Reduce Potential Constraints to Housing Development.

Comment	Response
Cap fees on all new housing. Most construction costs are outside the City's control, but reducing impact fees can demonstrate that a city is serious about building new housing. At a minimum, cities should delay the collection of impact fees until the issuance of the certificate of occupancy to reduce financial impacts on new housing and make the units cheaper by not asking the developer to carry impact fee charges or debt throughout the construction phase.	The City is serious about facilitating the construction of new housing. However, this comment disregards the fact that impact fees are determined by the cost of providing public services and facilities, and cannot be reduced without rendering the services financially infeasible.
Provide local funding. One of the largest barriers to building new affordable homes is the lack of city/county funds available to assemble sites, provide gap funding, and to pay for dedicated staff. Without new funding, especially at the local level, we will not be able to build more affordable homes. There are three new revenue streams that should be considered: 1) Transfer tax, a one-time payment levied by a jurisdiction on the sale of a home, may be utilized to raise much needed revenue to fund affordable homes; 2) Vacancy tax may be collected on vacant land to convince landowners to sell their underutilized properties and be used to fund the construction of affordable homes; 3) Commercial linkage fees should be adopted or revisited for increases on new commercial developments.	This comment correctly notes that public funding is a major limiting factor on affordable housing development. However, increased taxes on real estate is not a universally accepted strategy for raising additional funding. A statewide real estate transfer tax of $1.10 per $1,000 is assessed on transactions. In addition, SB 2 of 2017 (the Building Homes and Job Act) requires County Recorders to charge an additional $75 fee at the time of recording every real estate instrument, paper, or notice, except those expressly exempted from payment of recording fees, per each transaction per parcel of real property, not to exceed $225 per single transaction. Funds raised by this fee are used to support affordable housing.

Upland Housing Element Stakeholders

Pacific Lifeline
315 N. San Antonio Avenue
Upland, CA 91786

Foothill Family Shelter
1501 W. 9th Street, Suite D
Upland, CA 91786

Inland Regional Center
1365 S. Waterman Avenue
San Bernardino, CA 92408

San Bernardino County Housing Authority
1200 N. Campus Avenue
Upland, CA 91786

Inland Valley Hope Partners
1753 N. Park Avenue
Pomona, CA 91786

Inland Valley Recovery Services
1260 E. Arrow Hwy
Upland, CA 91786

Time for Change Foundation
2164 N. Mountain View Ave
San Bernardino, CA 92405
info@timeforchangefoundation.org

Linc Housing
3590 Elm Avenue.
Long Beach, CA 90807

National CORE
9421 Haven Avenue
Rancho Cucamonga, CA 91730

Inland Fair Housing and Mediation Board
1500 South Haven Avenue, Suite 100
Ontario, CA 91761

Neighborhood Partnership Housing Services
9551 Pittsburgh Avenue
Rancho Cucamonga, CA 91730

Neighborhood Housing Services of The Inland Empire
1845 Business Center Drive South, Suite 120
San Bernardino, CA 92408

Building Industry Association
3891 11th Street

Riverside, CA 92501

Apartment Association Greater Inland Empire
8250 White Oak Avenue, Suite 00
Rancho Cucamonga, CA 91730

County of San Bernardino Economic Development Agency
385 N. Arrowhead Avenue
San Bernardino, CA 92455

Lewis Land Developers
1156 N. Mountain Avenue
Upland, CA 91786

KB Homes
36310 Inland Valley Drive
Wildomar, CA 92595

Lennar Homes
980 Montecito Drive, Suite 302
Corona, CA 92879

RC Homes, Inc.
Ridge Crest Real Estate, LLC
550 N. Larchmont Blvd., Suite 201
Los Angeles, CA 90004

GFR Homes
434 N. 2nd Avenue
Upland, CA 91786

Williams Homes
21080 Centre Pointe Pkwy.
Santa Clarita, CA 91350

Diversified Pacific
10621 Civic Center Drive
Rancho Cucamonga, CA 91730

Taylor Morrison
4695 MacArthur Court
8th Floor
Newport Beach, CA 92660
dhahn@habitatsb.org

Century Communities
4695 MacArthur Court, Suite #350
Newport Beach, CA 92660

Frontier Communities
2151 E. Convention Center Way
Suite 114
Ontario, CA 91764

San Bernardino Association of Governments
1170 W. 3rd Street, Suite 140
San Bernardino, CA 92410

Upland Chamber of Commerce
215 N. 2nd Ave Suite D
Upland, CA 91786

OmniTrans
1700 W. Fifth Street
San Bernardino, CA 92411

Community Action Partnership of San Bernardino County
696 S. Tippecanoe Avenue
San Bernardino, CA 92408

Upland Unified School District
390 N. Euclid Avenue
Upland, CA 91786

Habitat for Humanity California
2200 Ritchey Street
Santa Ana, CA 92705

Pomona Valley Habitat for Humanity
2111 Bonita Ave
La Verne, CA 91750-4927
ed@habitatpv.org

San Bernardino Area Habitat for Humanity
25948 Business Center Dr
Redlands, CA 92374

Southern California Association of Non-Profit Housing
340 E. 2nd Street, Suite 406
Los Angeles, CA 90012

Jamboree Housing Corporation
17701 Cowan Suite 200
Irvine, CA 92614

2. HOUSING NEEDS

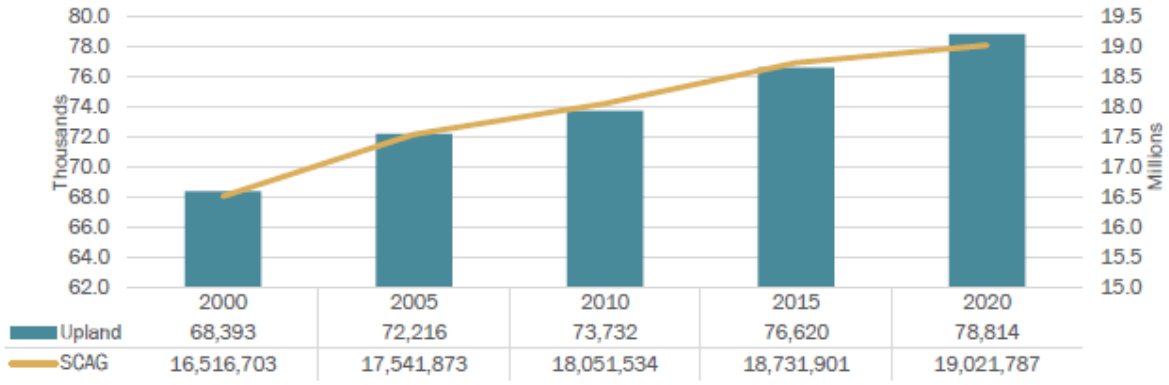
This chapter provides an overview of Upland's demographic, economic, housing, and special needs characteristics and trends and identifies issues that affect the city's existing and future housing needs.

Demographic Trends

Population Growth

Upland had an estimated 2020 total population of 78,814 including 682 living in group quarters according to the California Department of Finance. **Figure H-1** shows population growth trends in Upland from 2000 to 2020. Over this period Upland's annual growth rate of 0.7% was the same as the region as a whole.

Figure H-1 Population Growth 2000-2020 – Upland vs. SCAG Region



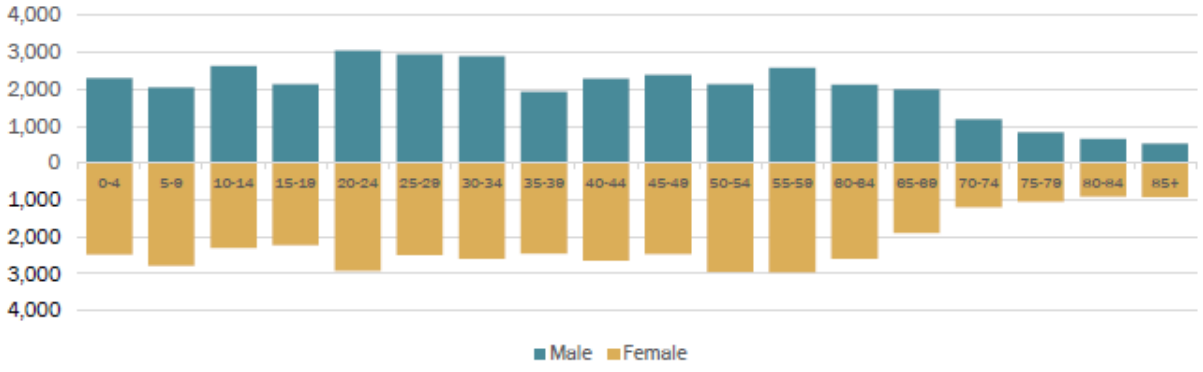
CA DOF E-5 Population and Housing Unit Estimates

Population Age and Gender

Different age groups have different housing needs based on lifestyles, family types, income levels, and housing preference. Typically, younger households seek affordable rental housing opportunities as they begin their careers. As adults spend more time in the workforce and form families, they may seek larger homes and opportunities to build equity through home ownership. Seniors may eventually choose to trade down larger homes that once accommodated children to smaller and more affordable homes.

The population of Upland is 48% male and 52% female. The share of the population of Upland that is under 18 years of age is approximately 22%, which is slightly lower than the regional share of 23%. Upland's seniors (65 and above) make up about 15% of the population compared to 13% for the regional as a whole (**Figure H-2**).

Figure H-2 Population by Age and Gender – Upland

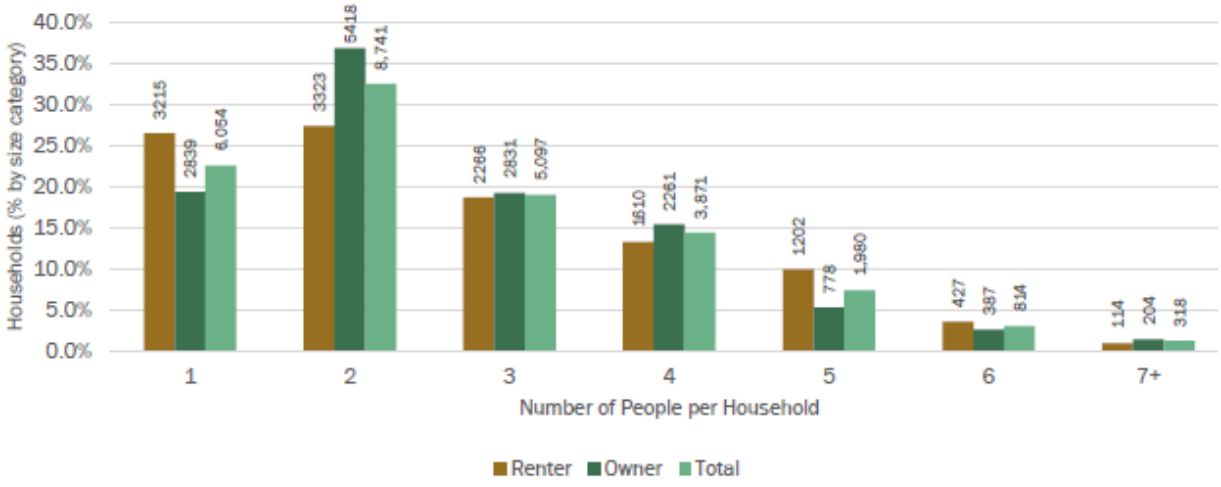


American Community Survey 2014-2018 5-year estimates

Household Size

Figure H-3 illustrates the range of household sizes in Upland for homeowners, renters, and overall. The most commonly occurring household size is of two people (33%) and the second-most commonly occurring household is of one person (23%). Upland has a similar share of single-person households as the SCAG region overall (23%) and a smaller share of large households with 7+ persons than the SCAG region overall (1% vs. 3%).

Figure H-3 Household Size by Tenure - Upland

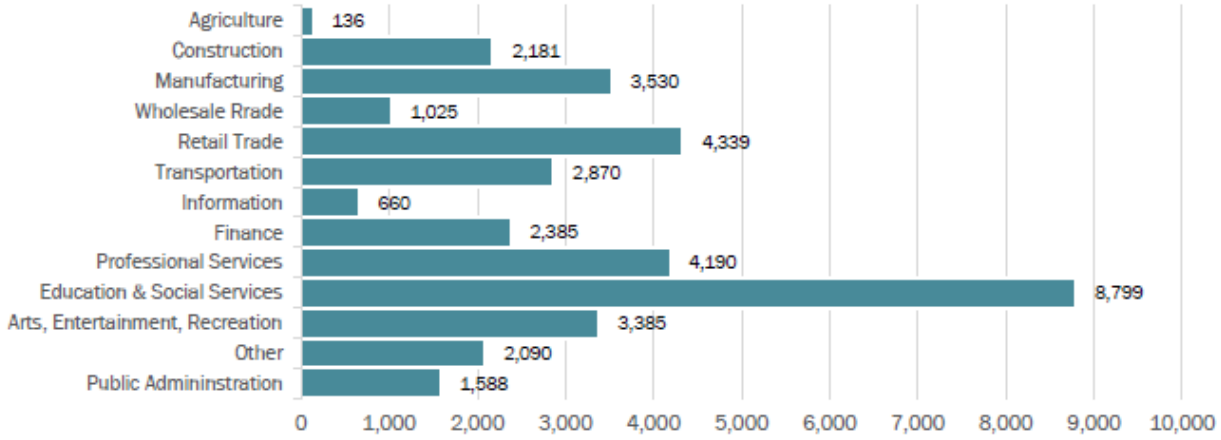


American Community Survey 2014-2018 5-year estimates.

Employment Characteristics

According to recent Census estimates, Upland has 37,178 workers living within its borders who work across 13 major industrial sectors. **Figure H-4** shows that most prevalent industry for Upland residents is Education & Social Services with approximately 24% of the total while the second most prevalent industry is Retail trade with 12% of employed residents. The largest employers in Upland are San Antonio Community Hospital, Upland Unified School District, Home Depot and Upland Rehabilitation and Care Center.

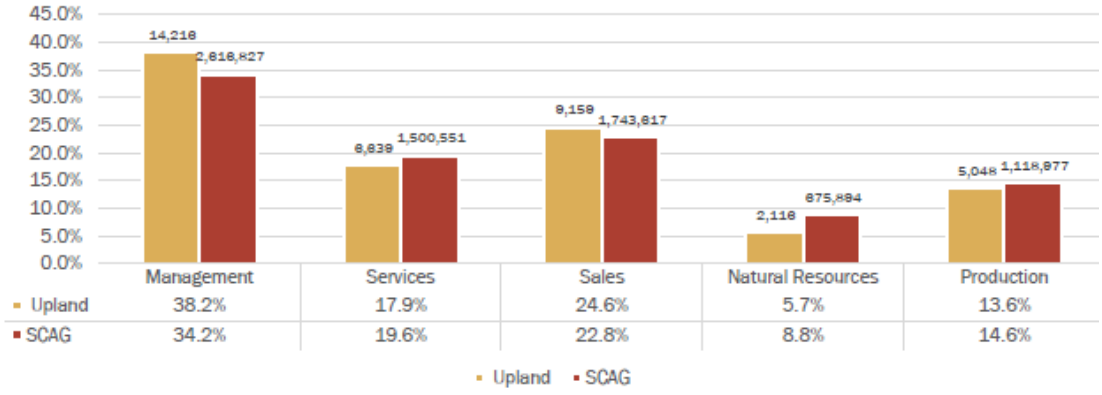
Figure H-4 Employment by Industry - Upland



American Community Survey 2014-2018 5-year estimates using groupings of 2-digit NAICS codes.

As shown in **Figure H-5**, the most prevalent occupational category in Upland is Management, in which about 38% of employees work. The second-most prevalent type of work is in Sales, which employs about 25% of residents.

Figure H-5 Employment by Occupation - Upland

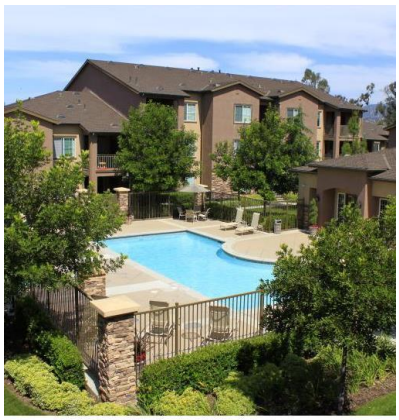


American Community Survey 2014-2018 5-year estimates using groupings of SOC codes.

Housing Characteristics

This section describes housing characteristics and trends including housing type, tenure (owner vs. renter), vacancy, age and condition, housing prices and rents, and homeownership rates.

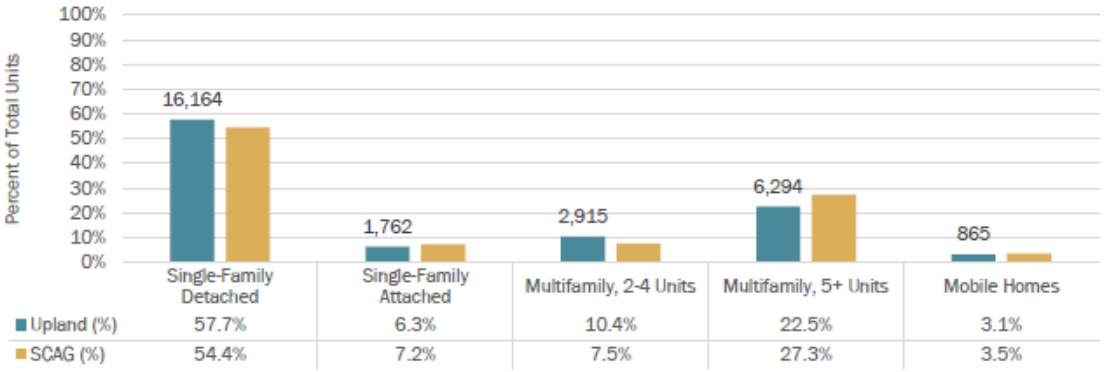
Housing Type



A range in housing types and prices allows residents of all ages and incomes the opportunity to find adequate housing in Upland. As shown in **Figure H-6**, the most prevalent housing type in Upland is single-family detached homes. According to recent Department of Finance estimates, the share of all single-family housing units in Upland is approximately 64%, which is higher than the 62% share for the SCAG region as a whole. The estimated vacancy rate is 2.8% and the average household size (as expressed by the population to housing unit ratio) is approximately 2.9.

Looking forward, the City of Upland anticipates continued residential growth in several focus areas and specific plan areas such as the Foothill Boulevard corridor, College Heights, and Downtown.

Figure H-6 Housing Units by Type – Upland vs. SCAG Region

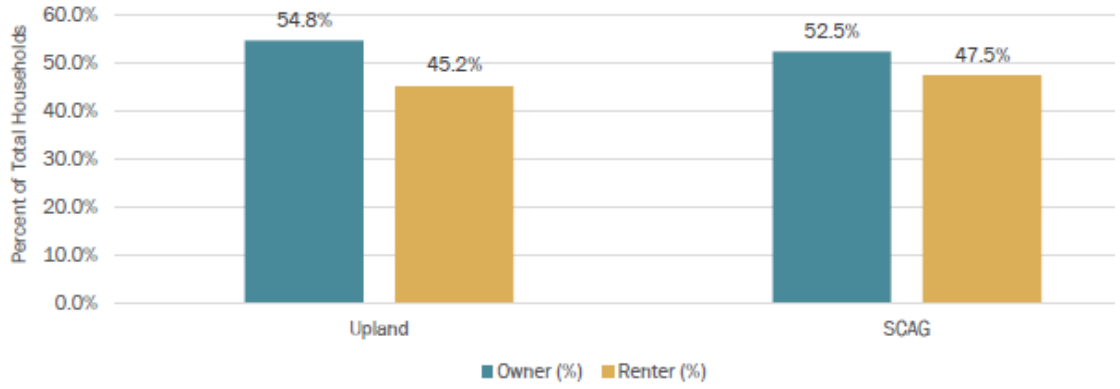


CA DOF E-5 Population and Housing Unit Estimates

Housing Tenure

Tenure refers to whether a household owns or rents a home. Ample homeownership and rental opportunities allow people of all incomes and household sizes to choose the type of housing and location best suited to their needs and preferences. Vacancy rates, in combination with housing tenure, also affect the prices and rents charged for housing. Recent Census data estimated that Upland's housing stock consists of 26,875 total units, 14,718 of which are owner-occupied and 12,157 of which are renter-occupied (**Figure H-7**). The home ownership rate in Upland is slightly higher than in the SCAG region overall.

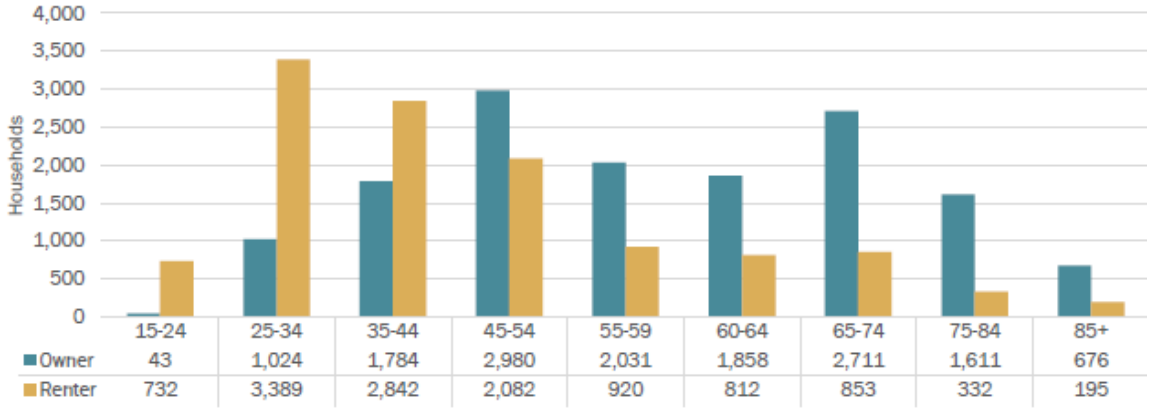
Figure H-7 Housing Tenure – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

Figure H-8 shows recent Census estimated of housing tenure for different age groups. As may be expected, younger residents are more likely to be renters while those over age 45 are more often homeowners.

Figure H-8 Housing Tenure by Age – Upland



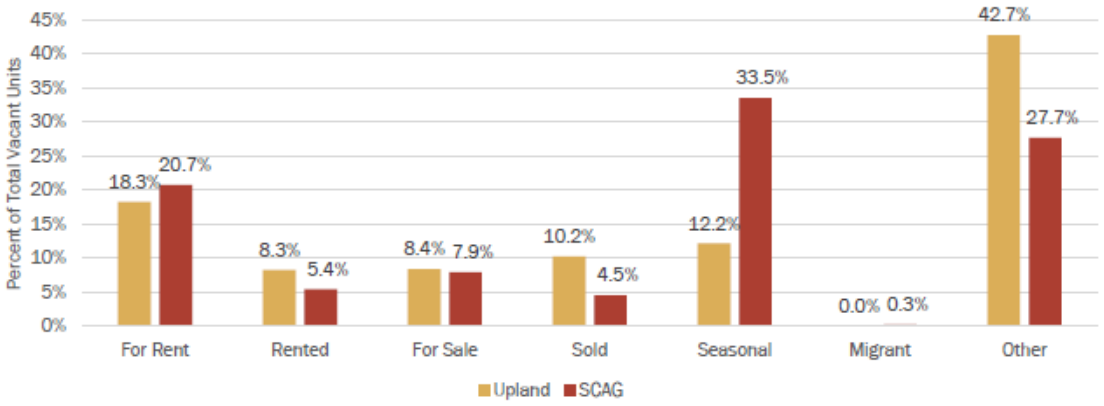
American Community Survey 2014-2018 5-year estimates.

Vacancy Rates

Housing vacancies are one measure of how well the supply of housing matches the demand. Typically, housing vacancy rates of 5% for apartments and 1% to 2% for owner-occupied homes are considered to be a healthy housing market with enough vacancies to provide consumers with sufficient choices for different types of housing products, and that developers have a financial incentive to continue building housing. Higher vacancy rates may lead to price depreciation while lower vacancy rates indicate a tight market and generally cause housing rents and prices to increase.

According to recent Census estimates, Upland's overall vacancy rate is approximately 2.8%. The various categories of vacant units for Upland and the entire SCAG region are shown in **Figure H-9**. In Upland the highest number of reported vacant units was "other" while "seasonal" vacant units were most common throughout the region. The estimated vacancy rate in 2019 was 0% for owner-occupied units and 5.7% for rental units.

Figure H-9 Vacant Units by Type – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

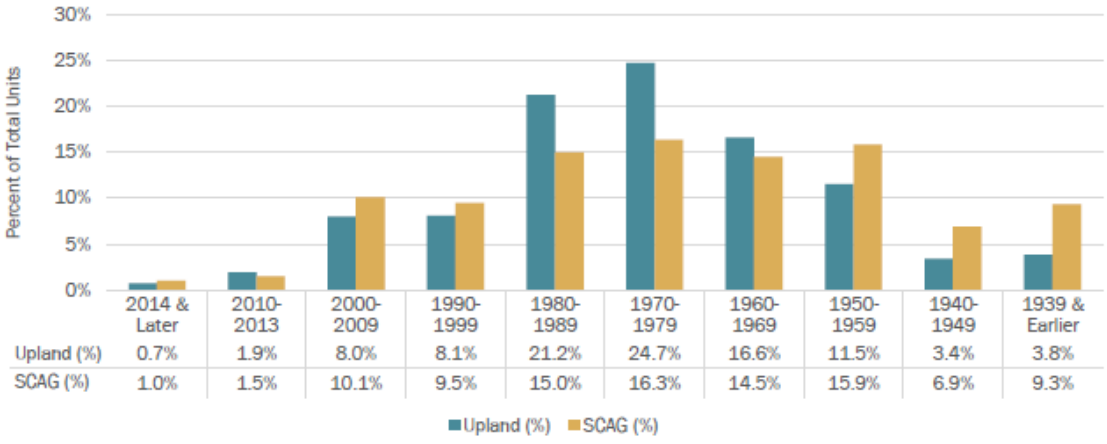
Housing Age and Condition

Well-maintained housing is important for maintaining property values and neighborhood stability. However, the majority of homes in Upland are over 50 years old, indicating a need for ongoing maintenance and rehabilitation such as roof repair, painting, landscaping, and exterior finishes. Homes between 30 and 50 years typically require more significant maintenance and even renovation. Generally, homes built 50 or more years ago (unless well maintained) are more likely to require substantial repairs or need renovation.

Another concern related to the age of housing is That homes built prior to 1978 typically contain lead-based paint, which can cause hazardous health conditions for children (specifically, developmental delays). Health hazards occur when the paint chips and is inhaled by residents, particularly children. Since 1978, the federal government has banned the use of lead-based paint.

Figure H-10 shows the age of Upland's housing stock. City staff estimates that approximately 70-80% of housing units (approximately 21,000 units) may be in need of minor repair while one-third (approximately 9,000 units) may require more substantial rehabilitation. Most of the homes in need of repair are located in the older southern portions of the city, while the majority of newer housing is located in the northern area. The City's code enforcement activities are primarily based on complaints. When violations are noted, City staff directs residents to programs that may be available to assist lower-income residents with needed repairs.

Figure H-10 Age of Housing Stock – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

Housing Cost and Affordability

Housing Affordability Criteria

State law establishes five income categories for purposes of housing programs based on the area (i.e., County) median income (AMI): extremely low (30% or less of AMI), very-low (31-50% of AMI), low (51-80% of AMI), moderate (81-120% of AMI) and above moderate (over 120% of AMI). Housing affordability is based on the relationship between household income and housing expenses. According to HUD and the California Department of Housing and Community Development, housing is considered "affordable" if the monthly payment is no more than 30% of a household's gross income. In some areas, these income limits may be increased to adjust for high housing costs.

Table H-2 shows affordable rent levels and estimated affordable purchase prices for housing in San Bernardino County by income category for on a 4-person family. Based on 2022 State standards, the maximum affordable monthly rent for extremely-low-income households is $694, while the maximum affordable rent for very-low-income households is $1,100. The maximum affordable rent for low-income households is $1,760, while the maximum for moderate-income households is $2,623.

Affordable purchase prices are more difficult to determine due to variations in conditions such as mortgage interest rates and qualifying procedures, down payments, special tax assessments, homeowner association fees, and property insurance rates. With this caveat, the maximum home purchase prices by income category shown in **Table H-2** have been estimated based on typical current conditions.

Table H-2 Affordable Housing Costs – San Bernardino County

Income Category	Maximum Income	Affordable Rent	Affordable Price (est.)
Extremely low	$27,750	$694	*
Very low	$44,000	$1,100	*
Low	$70,400	$1,760	*
Moderate	$104,900	$2,623	$400,000
Above moderate	Over $104,900	Over $2,623	Over $400,000

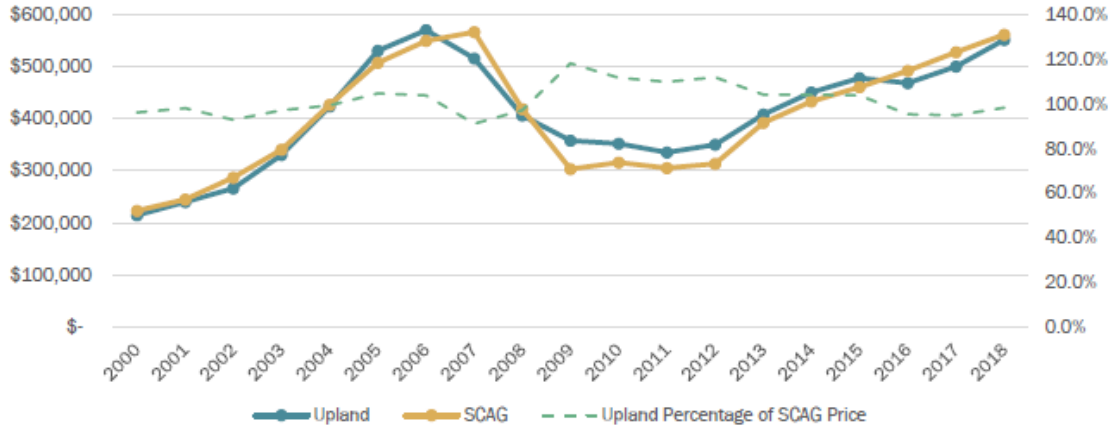
Assumptions:
- Based on a family of 4 and 2022 State income limits
- 30% of gross income for rent or principal, interest, taxes & insurance plus utility allowance
- 10% down payment, 5.5% interest, 1.25% taxes & insurance, $300 HOA dues

* For-sale affordable housing is typically at the moderate-income level
Source: Cal. HCD; JHD Planning LLC

For-Sale Housing Cost

Between 2000 and 2018, median home sales prices in Upland increased 157% while prices in the SCAG region increased 151%. 2018 median home sales prices in Upland were $551,000 and the highest experienced since 2000 was $569,500 in 2006. Prices in Upland have ranged from a low of 91% of the SCAG region median in 2007 and a high of 118% in 2009 (**Figure H-11**).

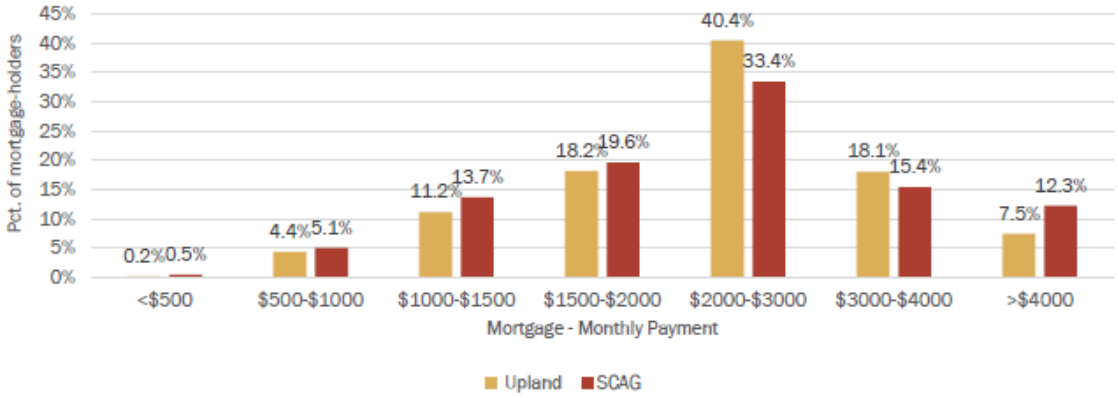
Figure H-11 Median Sale Price for Existing Homes – Upland vs. SCAG Region



SCAG Local Profiles, Core Logic/Data Quick. SCAG median home sales price calculated as household-weighted average of county medians.

Recent data for monthly homeowner housing costs are shown in **Figure H-12**. The most common amount paid is $2,000 to $3,000 in Upland and in the SCAG region as a whole.

Figure H-12 Monthly Owner Cost for Mortgage Holders – Upland vs. SCAG Region

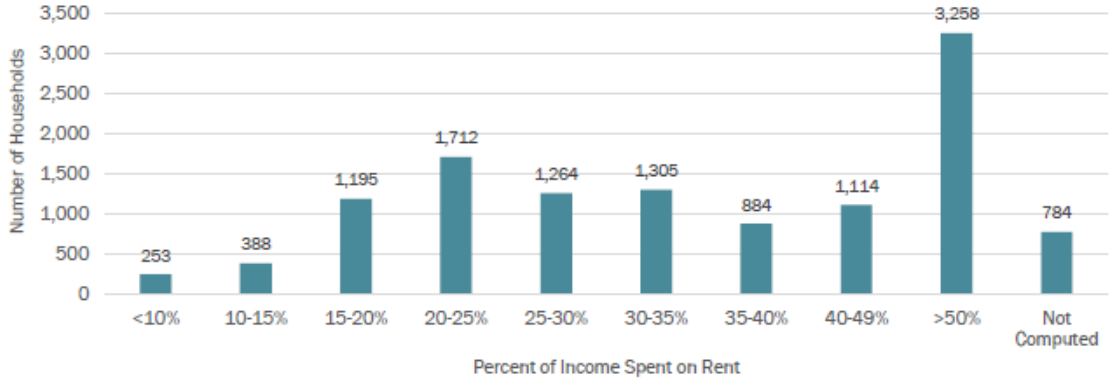


American Community Survey 2014-2018 5-year estimates.

Rental Housing Cost

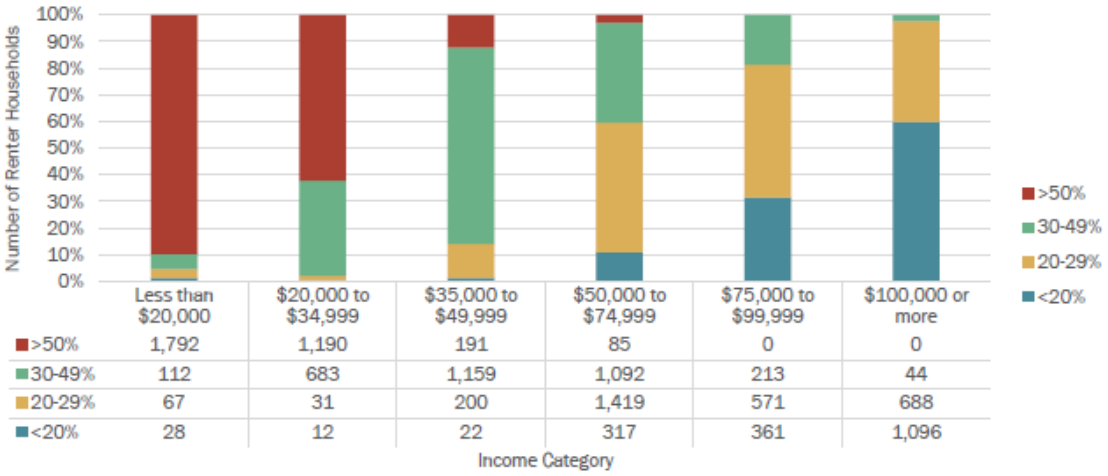
Across Upland's 12,157 renter households, about 54% spend 30% or more of gross income on housing cost, compared to 55% in the SCAG region. About 27% of Upland renters spend 50% or more of gross income on housing cost, compared to 29% in the SCAG region (**Figure H-13**). According to 2019 Census estimates the median rent in Upland was $1,600 per month. An August 2022 internet survey of apartments offered for rent found typical rents for 2-bedroom units in Upland ranging from $1,845 to $2,840 per month.

Figure H-13 Percentage of Income Spent on Rent – Upland



As illustrated in **Figure H-14**, lower-income households typically pay a higher proportion of their incomes for rent.

Figure H-14 Rental Cost by Income Category – Upland



	Less than $20,000	$20,000 to $34,999	$35,000 to $49,999	$50,000 to $74,999	$75,000 to $99,999	$100,000 or more
>50%	1,792	1,190	191	85	0	0
30-49%	112	683	1,159	1,092	213	44
20-29%	67	31	200	1,419	571	688
<20%	28	12	22	317	361	1,096

American Community Survey 2014-2018 5-year estimates.

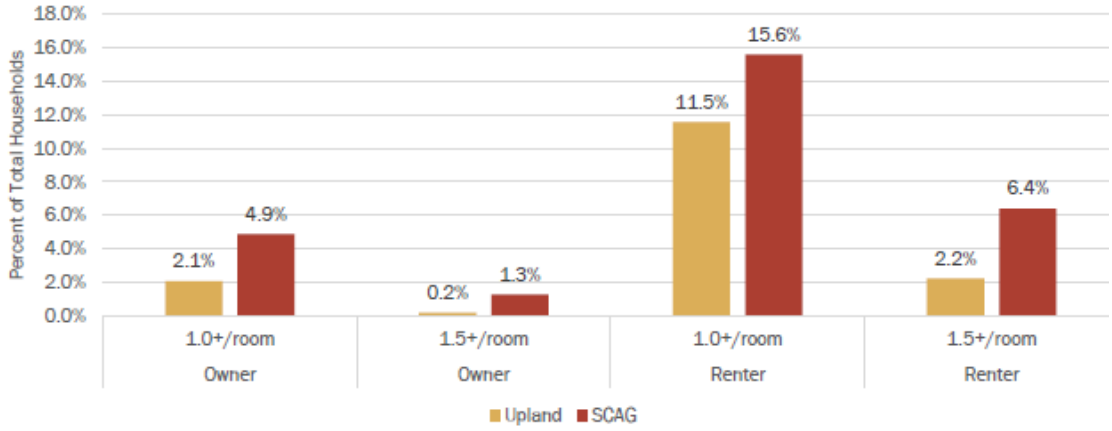
Housing Problems

Housing problems refer to overpayment, overcrowding, and the difficulties faced by extremely-low-income households.

Overcrowding

Overcrowding is often closely related to household income and the cost of housing. The U.S. Census Bureau considers a household to be overcrowded when there is more than one person per room, excluding bathrooms and kitchens, with severe overcrowding when there are more than 1.5 residents per room. Overcrowded households are usually a reflection of a shortage of affordable housing. **Figure H-15** shows recent Census estimates of the prevalence of overcrowding in Upland compared to the SCAG region as a whole. Among renters, approximately 11.5% of Upland renter households reported more than 1.0 person per room while an additional 2.2% reported more than 1.5 persons per room. These rates are substantially lower than for the region as a whole. Rates of overcrowding were significantly lower for owner households.

Figure H-15 Overcrowding by Tenure – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

Overpayment

According to State housing policy, overpaying occurs when housing costs exceed 30% of gross household income. **Table H-3** displays recent HUD estimates for overpayment by tenure and income category, and shows that overpayment is closely related to income, with lower-income households far more likely to be cost-burdened than those in higher income categories.

Although homeowners enjoy income and property tax deductions and other benefits that help to compensate for high housing costs, homeowners paying a higher percentage toward a mortgage may need to defer maintenance or repairs due to limited funds, which can lead to deterioration. For renters, severe cost burden can require families to double up resulting in overcrowding and related problems.

Table H-3 Overpayment by Income Category – Upland

Income by Cost Burden (Renters only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income less-than or= 30% HAMFI	1,475	1,415	1,960
Household Income >30% to less-than or= 50% HAMFI	1,415	1,125	1,585
Household Income >50% to less-than or= 80% HAMFI	1,695	500	2,000
Household Income >80% to less-than or= 100% HAMFI	840	55	1,385
Household Income >100% HAMFI	840	55	5,230
Total	6,265	3,150	12,155
Income by Cost Burden (Owners only)	**Cost burden > 30%**	**Cost burden > 50%**	**Total**
Household Income less-than or= 30% HAMFI	535	475	755
Household Income >30% to less-than or= 50% HAMFI	415	365	645
Household Income >50% to less-than or= 80% HAMFI	700	425	1,265
Household Income >80% to less-than or= 100% HAMFI	520	170	1,010
Household Income >100% HAMFI	2,155	265	11,045
Total	4,325	1,700	14,720

Source: HUD CHAS, 2014-2018
HAMFI = Housing Urban Development Area Median Family Income

Extremely-Low-Income Households

Housing the extremely-low-income (ELI) population (below 30% of area median income) can be especially challenging. Recent HUD data (**Table H-4**) provides a breakdown of extremely-low-income households by race/ethnicity and tenure. ELI households often experience overcrowding, overpayment and other difficulties.

Table H-4 Extremely-Low-Income Housing Needs – Upland

	Total Households	Households below 30% HAMFI	Share below 30% HAMFI
White, non-Hispanic	13,795	1,205	8.7%
Black, non-Hispanic	1,869	480	25.7%
Asian and other, non-Hispanic	2,658	410	15.4%
Hispanic	8,805	1,255	14.3%
Total	27,127	3,350	12.3%
Renter-occupied	12,325	2,625	21.3%
Owner-occupied	14,830	730	4.9%
Total	27,155	3,355	12.4%

Source: HUD CHAS, 2012-2016
HAMFI = Housing Urban Development Area Median Family Income

Special Housing Needs

This section contains a discussion of the housing needs of special needs groups who reside in Upland. Special needs households include seniors, large families, single-parent households, people who are homeless, farmworkers and people with disabilities.

Senior Citizens

Seniors are defined as persons 65 years or older, although for some housing purposes the age may be as low as 55 years. Federal housing data define a household type as 'elderly family' if it consists of two persons with either or both age 62 or over. As shown in **Table H-5**, of Upland's 6,495 such households, approximately 11% earn less than 30% of median income, (compared to 24% in the SCAG region), and 23% earn less than 50% of the surrounding area income (compared to 31% in the SCAG region).

Table H-5 Elderly Households by Income and Tenure – Upland

Income Category, Relative to Surrounding Areas	Owner	Renter	Total	Percent of Total Elderly Households
< 30% HAMFI	355	375	730	11.2%
30-50% HAMFI	430	320	750	11.5%
50-80% HAMFI	785	255	1,040	16.0%
80-100% HAMFI	470	185	655	10.1%
> 100% HAMFI	3,015	305	3,320	51.1%
Total Households	5,055	1,440	6,495	

Providing appropriate housing for seniors has become an increasingly important issue for many communities. In past years, the baby boomer generation provided the impetus and majority of demand for single-family housing. However, as this group ages and approaches retirement or elderly years, many communities will see an increased demand for all types of senior housing, from smaller condominiums to independent age-restricted housing to assisted residential settings for those requiring more supportive services.

In addition to housing, an appropriate mix of affordable support services provided locally can benefit seniors living in Upland. Support services are essential in facilitating the ability of seniors to live as independently as possible without having to change their residences. Services can include transportation, health care, home maintenance assistance, and low-cost loans or grants to rehabilitate homes.

The City uses its CDBG funds, and implements the Emergency Repair Program (ERP), which provides a grant up to $15,000 to make emergency repairs and/or code violations corrections. Many of the ERP grants that the City processes are for low-income seniors living in mobile home parks and help to address safety and emergency repairs that they cannot afford. The City also uses its Home Improvement Program (HIP) funds from CalHOME and HOME which provides a deferred low or no interest loans (silent seconds) of up to $90,000 which allows low-income seniors the ability to address life/safety repairs, or upgrades to their home due to a lack of ongoing maintenance.

The City also supports the housing needs of seniors through reasonable accommodation for persons with disabilities as well as programs including Program 9: Accessory Dwelling Units, Program 13: Rental Housing Assistance and Program 16: Mobile Home Rent Stabilization.

In addition to these housing programs, the City's Gibson Senior Center[1] serves over 3,500 seniors each month with a lunch program and over 40 classes and activities taking place weekly, with over half of those being free.



The Gibson Center also hosts free monthly health lectures with community doctors, free non-invasive medical screenings, free AARP Tax-Aide, AARP 55 Alive Driver Safety courses, a free Fall flu shot clinic and wellness faire, non-biased medical insurance counseling, and a multitude of services at little to no cost to seniors.

Persons with Disabilities

Physical, mental, and/or developmental disabilities are impairments that substantially limit life activities and make it difficult to care for oneself. Because of that, persons with disabilities have special housing needs. Many disabled persons live on fixed incomes, thus limiting their ability to afford housing. Persons with a disability may also have limited housing choices (e.g., single-story homes or projects with elevators). Someone with a visual impairment may require a home that allows service animals.

Recent Census estimates reported that the most prevalent types of disabilities for Upland residents were ambulatory and independent living disabilities (**Figure H-16**). Of those aged 65 and over, ambulatory difficulties were the most common type of disability, with approximately 25% of Upland seniors affected (**Figure H-17**). As seen in **Table H-6**, over one-third of those with a disability in Upland were employed. Housing opportunities for persons with disabilities can be maximized through housing assistance programs and universal design features such as widened doorways, ramps, lowered countertops, single-level units and ground floor units.

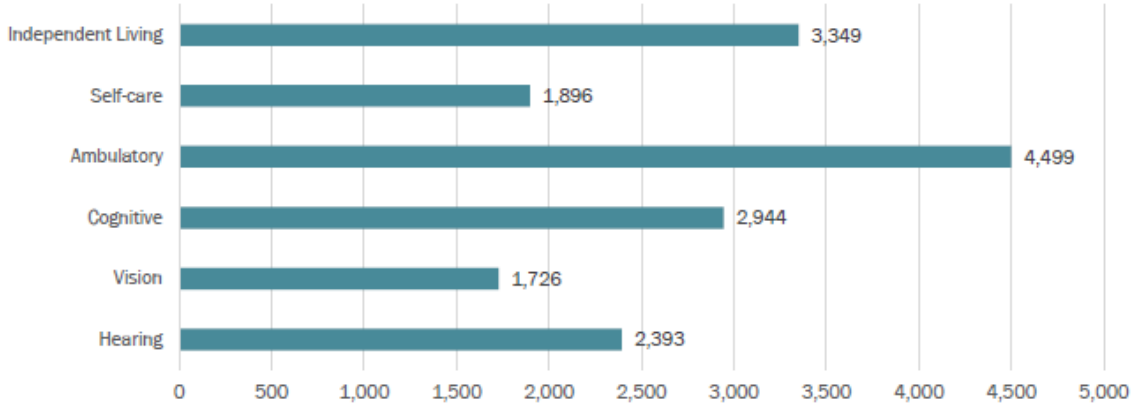
The Housing Plan addresses the housing needs of persons with disabilities through Program 2: HOME Improvement, Program 3: Emergency Repairs for Homeowners, Program 9: Accessory Dwelling Units, Program 13: Rental Housing Assistance, Program 16: Mobile Home Rent Stabilization, Program 17: Affordable

[1] https://www.uplandca.gov/gibson-senior-center

Housing at Risk of Conversion to Market Rate, Program 18: Homeless Services and Facilities, Program 20: Housing for People with Disabilities or other Special Needs, and Program 21: Affirmatively Furthering Fair Housing.

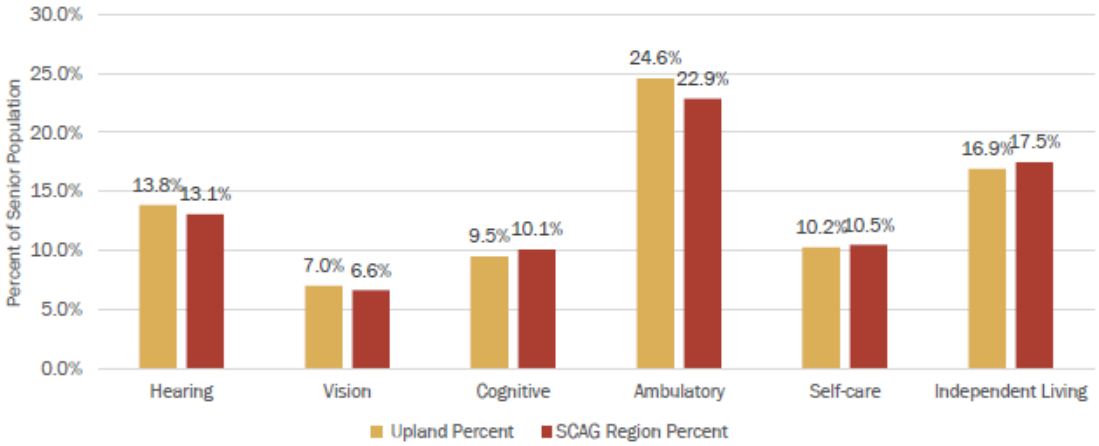
The Emergency Repair Program (ERP), which is funded with the City's share of CDBG, provides a grant up to $15,000 to make emergency repairs and/or code violations corrections, but also includes addressing Americans with Disabilities Act (ADA) such as ramps, widening doorways, and any other improvements necessary to comply with ADA improvements for disabled persons who are on fixed incomes and make up to 80% of the Area Median Income.

Figure H-16 Disabilities by Type – Upland



American Community Survey 2014-2018 5-year estimates.

Figure H-17 Disabilities by Type for Seniors 65+ – Upland



American Community Survey 2014-2018 5-year estimates.

Table H-6 Disabilities by Employment Status – Upland

	With a Disability	Percent of Total	No Disability	Percent of Total
Employed	1,488	37%	33,258	76%
Unemployed	262	7%	1,893	4%
Not in Labor Force	2,222	56%	8,880	20%
Total	3,972		44,031	

Source: American Community Survey, 2014-2018 5-year estimates

Developmental Disabilities

State law defines "Developmental disability" to mean a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include mental retardation, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but shall not include other handicapping conditions that are solely physical in nature.

The California Department of Developmental Services (DDS) provides community services to persons with developmental disables and their families through a system of regional centers. In San Bernardino County, the Inland Regional Center (IRC) is the local service provider for the State Department of Developmental Services. The center provides access to a variety of resources such as educational, employment, health, and housing to persons with developmental disabilities. The IRC coordinates housing programs with In-Home Supportive Services (through the County Department of Aging and Adult Services) and family support services such as respite, for persons living at home with the family. Respite services may include a behavior modification specialist and educational services. The IRC also provides transportation vouchers. Recent DDS data for persons in Upland is provided in **Table H-7**.

Many persons with developmental disabilities may live independently with minimal supervision. Others may live in a group facility with some supervision, while more severe conditions may require institutional living with regular supervision.

Table H-7 Developmental Disabilities – Upland

By Residence	
Home of parent/family/guardian	455
Independent/supported living	31
Community care facility	30
Intermediate care facility	85
Foster/family home	19
Other	5
By Age	
0-17 years	625
18+ years	297
Total	1,547

California DDS consumer count by California ZIP code, age group, and residence type for the end of June 2019. Data available in 161/197 SCAG jurisdictions

Upland has a variety of services available for people with disabilities. Centerbest Neurofeedback Centers for Success, Scheu Family YMCA, OPARC, and Easter Seals Child Development Center provide programs to

enhance the independent living skills for those with a disability. Services may include advocacy, counseling, employment assistance, housing referrals, and transportation to medical appointments.

Large Families

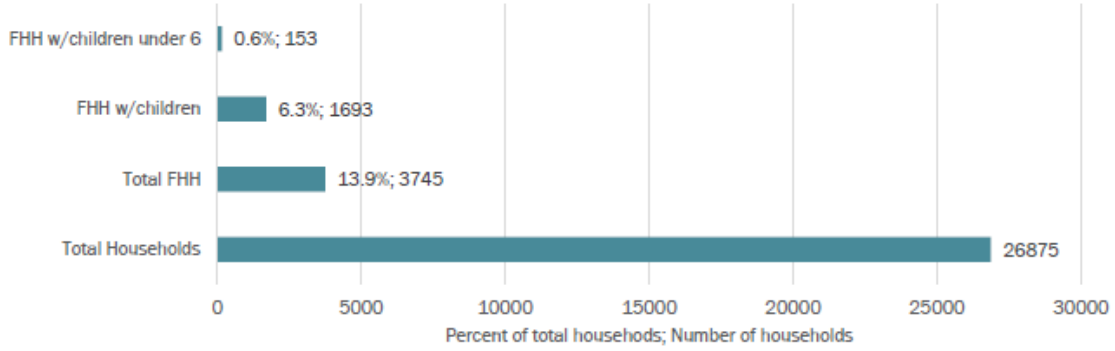
Household size is an indicator of need for large units. Large households are defined as those with five or more members. Among both owners and renters, more than half of all households have only one or two members. According to recent Census estimates, about 12% of all households in Upland had five or more members. Families with five or more persons require larger units with three or more bedrooms in order to avoid overcrowding.

The Housing Plan addresses the needs of large families, particularly those with lower incomes, through Program 2: HOME Improvement, Program 3: Emergency Repairs for Homeowners, Program 13: Rental Housing Assistance, Program 16: Mobile Home Rent Stabilization, Program 17: Affordable Housing at Risk of Conversion to Market Rate and Program 21: Affirmatively Furthering Fair Housing. The City's Home Improvement Program (HIP) provides a deferred low or no interest loans (silent seconds) of up to $90,000 to low-income households with incomes up to 80% of the Area Median Income for owner-occupied homes. The City uses its CalHOME and HOME funds for this program. The HIP would enable large family household to expand the number of bedrooms to help address overcrowding.

Female-Headed Households

Female headed households typically have greater housing needs than other households due to their limited income and higher expenses. According to recent Census Bureau estimates (**Figure H-18**), approximately 14% of Upland households are female-headed (compared to 14% in the SCAG region), 6% are female-headed and with children (compared to 7% in the SCAG region), and 0.6% are female-headed and with children under 6 (compared to 1% in the SCAG region).

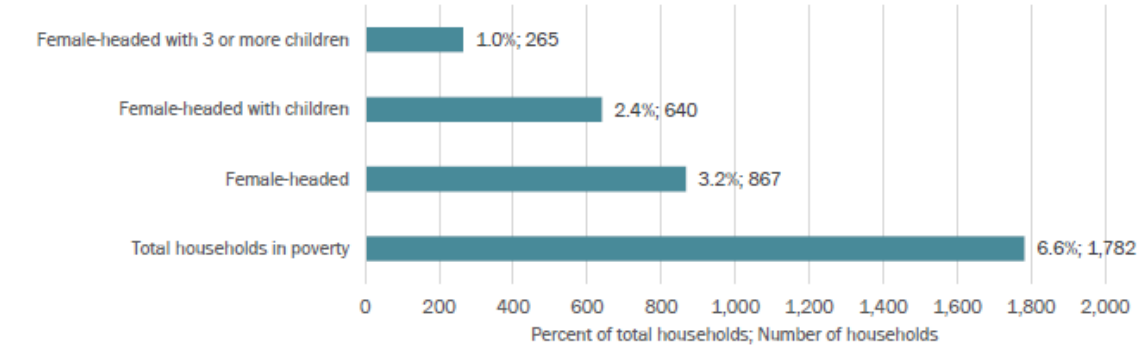
Figure H-18 Female Headed Households – Upland



American Community Survey 2014-2018 5-year estimates.

It is estimated that about 7% percent of Upland's households are experiencing poverty, compared to 8% of all households in the SCAG region. Nearly half of Upland households below the poverty line were female-headed households (**Figure H-19**).

Figure H-19 Female Headed Households by Poverty Status – Upland



American Community Survey 2014-2018 5-year estimates.

The Housing Plan addresses the needs of female headed households, particularly those with lower incomes, through Program 2: HOME Improvement, Program 3: Emergency Repairs for Homeowners, Program 13: Rental Housing Assistance, Program 16: Mobile Home Rent Stabilization, Program 17: Affordable Housing at Risk of Conversion to Market Rate and Program 21: Affirmatively Furthering Fair Housing.

Farmworkers

Unlike most areas of the Southern California metropolitan area, agriculture is still a significant component of the economy in San Bernardino County; however, over the past several decades agriculture has diminished in importance in Upland and adjacent areas. Recent Census estimates for agricultural employment in Upland published by SCAG in its HCD pre-approved data set (**Figure H-20**) shows that there were only about 24 full-time year-round jobs in the farming/fishing/forestry occupations. According to the USDA Census on agriculture population there are 2,246 farmworkers residing in San Bernardino County. As a consequence of the small population and rapidly declining agricultural production, no statistical need for housing has been identified for farmworkers. Farmworker housing needs can be met with the City's programs for lower-income housing populations.

Program 20 is included in the Housing Plan to ensure compliance with the Employee Housing Act, and other programs intended to assist lower-income persons and households would also serve any agricultural workers who may live in Upland.

Figure H-20 Agricultural Employment – Upland

Farmworkers by Occupation:

Upland	Percent of total Upland workers:	SCAG Total	
26	0.07%	57,741	Total jobs: Farming, fishing, and forestry occupations
24	0.10%	31,521	Full-time, year-round jobs: Farming, fishing, and forestry occupations

Employment in the Agricultural Industry:

Upland	Percent of total Upland workers:	SCAG Total	
110	0.30%	73,778	Total in agriculture, forestry, fishing, and hunting
134	0.53%	44,979	Full-time, year-round in agriculture, forestry, fishing, and hunting

American Community Survey 2014-2018 5-year estimates using groupings of NAICS and SOC codes.

Homelessness

Homeless persons are defined as those who lack a fixed and adequate residence. Homelessness is a pressing issue for many communities, and the varied dimensions involved have implications for housing programs. People who are homeless may be chronically homeless (perhaps due to substance abuse) or situationally homeless resulting from job loss, family strife, incarceration, or violence. Homeless people face critical housing challenges due to their very low incomes and other problems.

Counting the homeless population is problematic due to its transient nature. According to the 2020 San Bernardino County Homeless Count and Subpopulation Survey Report[2] there were 44 unsheltered and no sheltered homeless persons in Upland at the time of the survey.

Housing accommodations for homeless people include emergency shelters, navigation centers, transitional housing, and permanent supportive housing. The City helps to support the establishment and operation of these types of facilities by ensuring that City regulations are consistent with current law (see Program 20: Housing for People with Disabilities or other Special Needs). Facilities serving the homeless in Upland are briefly summarized below.

- **Foothill Family Shelter**. Foothill Family Shelter is the primary facility serving Upland's homeless. This facility provides emergency shelter, transitional housing, and permanent housing in one center for homeless individuals and families. It includes 75 emergency beds, 7 short-term apartments for homeless families with children, 12 transitional housing apartments, and 8 apartments for affordable permanent housing.
- **Pacific Lifeline Ministry**. Pacific Lifeline Ministry in Upland is a faith-based ministry that empowers women and children facing chronic homelessness to achieve personal and social stability. Pacific Lifeline provides 28 beds for women and their young children at a transitional shelter in Upland. As part of the

[2] https://wp.sbcounty.gov/dbh/sbchp/wp-content/uploads/sites/2/2020/04/2020-SBC-Homeless-Count-Report.pdf

transitional housing, Pacific Lifeline provides services that include case management, individual group and family therapy, tutoring and counseling services, clothes, food, and limited housing services.

- **Substance abuse**. Inland Valley Recovery Services provides a number of programs for the Upland community. The Women and Children Program/Staying Sober provides a support base for recovering parents to restore relationships with children. IVRS also offers residential treatment in a 75-bed treatment center in Upland.

- **Service agencies**. Inland Valley Hope Partners provides emergency assistance with food, utilities, and educational classes. Other groups, such as OUR Homeless, links local ministries to community service providers and other congregations implementing solutions to ending homelessness on the west end of San Bernardino County.

- **Housing Authority**. The County Housing Authority (HACSB) has jurisdiction over a number of housing voucher programs, including those for homeless people. The Upland Housing Authority entered into a memorandum of understanding (MOU) with the San Bernardino County Housing Authority (HACSB) to administer housing assistance contracts with landlords in the City of Upland for applicants/participants of HACSB special purpose homeless voucher programs (Housing Opportunities for Persons with AIDS, Shelter Plus Care, Veterans Affairs Supportive Housing).

Affordable Housing at Risk of Conversion

Affordable housing that has received public subsidies in return for long-term affordability covenants represents a significant component of the City of Upland's affordable housing inventory. Assisted lower-income rental units that could convert to market rate due to the expiration of covenants or prepayment of mortgage are considered to be "at-risk" of conversion. **Table H-8** summarizes publicly assisted affordable projects in Upland and identifies those that are at risk of conversion during the 2021-2031 period.

Table H-8 Publicly Assisted Lower Income Rental Units in Upland

Project	Project Characteristics					
	Target Group	Total Units	Affordable Units	Unit Size	Project Funding	Expiration Date of Covenants
Richland Apts.	Family	33	8 LI	2 BR	HOME	2022
Sycamore Terrace	Senior	100	100 VLI	1 BR	LIHTC, HUD	2069
Northwoods	Family	324	64 LI	2 BR	MRB	2024
Arbor Park	Family	260	104 LI	2 BR	MRB	2028
Sunset Ridge[1]	Family	108	16 VLI	1 & 2 BR	MRB, RDA	2037
Village Apts [1]	Family	72	20 VLI	1 & 2 BR	MRB, RDA	2037
Alpine Woods	Family	137	136 LI	1 & 2 BR	LIHTC	2053
Magnolia Colony[1]	Family	40	18 VL; 18 LI 36 Moderate	2 & 3 BR	HOME, RDA	2058
Coy D. Estes	Senior	130	110 LI 20 Moderate	1 & 2 BR	LIHTC, HUD, CalHFA	2051
Los Olivos	Family	97	97 VLI	2 BR	Public Housing	Permanent
9th Street Terrace	Family	24	24 VLI	1 & 2 BR	Section 8	Permanent
FFS	Family	20	13VL; 7 LI	2 BR	RDA	2058

Source: CHPC and City of Upland, 2021

VLI: Very low income
LI: Low income
HUD2: Dept. of Housing and Urban Development
HOME: Federal Home Investment Partnership Funds
MRB: Mortgage Revenue Bonds
LIHTC: Low Income Housing Tax Credit
RDA: Upland Redevelopment Agency
Section 8: Federal Housing Voucher program
[1]Projects owned by the City of Upland

At-Risk Status

Three developments with 176 lower-income units are at risk of converting to market rate during the 2021 to 2031 period.

Preservation and Replacement Alternatives

Options for preserving or replacing at-risk units are described below. The cost to preserve affordable multiple-family housing depends on market rents, availability of funding sources, and the administrative capacity of housing organizations.

Project Acquisition

The estimated market value of the 176 at-risk units is approximately $48 million. The actual property values will change over time based on market conditions, property conditions, and other factors.

Purchase of Affordability Covenants

As an alternative to project acquisition, the affordability of at-risk projects could be extended through the purchase of affordability covenants. Based on current market conditions, the estimated cost of purchasing affordability covenants ranges from $400,000 to $725,000 per unit, or a total cost of approximately $70.4 to $127.6 million.

Rental Subsidies

The third option for preserving affordable units is to provide rental assistance. Rent subsidies could be structured similar to the Section 8 program, where HUD pays the difference between what tenants can afford (defined as 30% of household income) and HUD's estimates of the fair market rent. The feasibility of this alternative is highly dependent upon the availability of reliable funding sources necessary to make rent subsidies and the willingness of property owners to participate in the program. The cost of subsidizing rents at 176 at-risk units is estimated to be $8.8 million per year.

Construction of Replacement Units

The construction of new low-income housing units is a costly means of replacing the at-risk units should they be converted to market-rate units. The cost of developing housing depends upon a variety of factors, including density, unit size, location, land costs, and type of construction. Assuming an average construction cost of $310,000 per unit (including the cost of land), the total cost of developing 176 new low-income units is estimated to be approximately $54.6 million.

Qualified Entities

Entities having the capacity to acquire and/or manage affordable housing projects in Upland include the San Bernardino County Housing Authority, National CORE, Abode, A Community of Friends, Jamboree Housing Corporation and many others posted on HCD's *Public Lands for Affordable Housing Development* web page.[3]

[3] https://www.hcd.ca.gov/community-development/public-lands-for-affordable-housing-development.shtml

Funding Sources

Potential funding sources that may be used to preserve affordable housing include Low Income Housing Tax Credits (LIHTC), Federal CDBG and HOME funds, CalHOME and other State affordable housing programs, and the City's Housing Fund.

2021-2029 Housing Needs

California law requires local governments to facilitate and encourage the production of housing to accommodate population and employment growth. To assist in that effort, the Southern California Association of Governments (SCAG) prepares housing planning goals for each city as part of the RHNA pursuant to criteria established State law, including household growth, existing needs such as overpayment and overcrowding, proximity to transportation, replacement of housing units expected to be lost, and vacancy rates. The total housing need is distributed among income categories as shown in **Table H-9**. SCAG's detailed methodology used in preparing the RHNA is posted at https://scag.ca.gov/rhna.

Table H-9 Upland Regional Housing Needs Allocation, 2021–2029

Income Category	Definition	RHNA Allocation	
		Number of Units	Percentage
Extremely Low*	30% or less of MFI	792	14%
Very Low*	31–50% of MFI	792	14%
Low	51–80% of MFI	959	17%
Moderate	81–120% of MFI	1,013	18%
Above Moderate	above 120% of MFI	2,130	37%
Total		**5,686**	**100%**

Source: Southern California Association of Governments, 3/4/2021.
Note: Extremely-low-income units are estimated as half of the very-low-income need, pursuant to Government Code Sec. 65583(a)(1).

The City's strategy for accommodating future housing needs is discussed in Section 4.

3. CONSTRAINTS ANALYSIS

This chapter contains an analysis of potential and actual market, governmental, and environmental constraints to the production, maintenance, and improvement of housing for persons of all income levels, including persons with disabilities.

Market Constraints

In recent years, communities have seen a decline in the number of new housing units built due to a variety of factors including limited supply of buildable land, labor shortages, the rising cost of materials, and the business strategies of developers and homebuilders. This section analyzes the impact of market factors on the development of new and affordable housing. Cities have little control over many of these factors.

Development Cost

Development cost is a major constraint that affects the feasibility of building housing. Land costs include the cost of raw land and site improvements (e.g., grading and installation of infrastructure). If an existing use is on the parcel, the developer must also factor in the cost of demolition and site cleanup. Other factors affecting land cost include the decline in availability of buildable sites without major site constraints such as environmental hazards and sensitive habitat areas.

Upland is a nearly built-out community. As the remaining supply of buildable vacant land is exhausted, development will shift to underutilized properties where higher-value uses will support the additional cost of redevelopment. Based on recent property sales, the typical cost of land in Upland is estimated to be approximately $14 to $16 per square foot for single-family property and $28 to $30 per square foot for multi-family property.

Housing construction constitutes a substantial portion of construction costs. The typical cost of new housing construction can range from $150 to $200 per square foot but can be much higher for luxury homes or developments on difficult sites such as slopes.

Access to Financing

Changes in construction lending practices for housing projects have had a significant impact on the financial feasibility of new construction. In past decades, housing developers could receive construction loans for 100% or more of a project's estimated future value. Following the housing market crash of the early 1990s, financial institutions tightened regulations for approving construction loans. After the boom period of the early to mid-2000s, this cycle repeated itself during the late 2000s. Loan underwriting has grown more conservative, with higher equity requirements and smaller "phases" of large development projects.

Upland is similar to most other California communities with regard to private sector homebuyer financing programs. For those homebuyers with good credit who can qualify, interest rates are currently at historic lows, which improves housing affordability. If grant funding allows, the City also assists homebuyers in financing home purchases through low-interest loans (see Program 12 in Section 5 - Housing Plan).

Development Fees

The City of Upland, like other California communities, charges fees to cover the cost of processing development applications and also charges development impact fees to finance the construction of adequate public facilities, water and sanitation treatment, and other infrastructure needed to support new residential developments. These fees are updated periodically and are based on the City's cost in processing applications, pursuant to the requirements of State law. Development impact fees are assessed through a pro-rata share system, based on the magnitude of the project's impact. **Table H-10** shows the typical fees charged for residential developments.

The City of Upland provides a fee schedule for development impact fees. Impact fees are updated each fiscal year and were last updated on October 16, 2023. Development impact fees add to the cost of residential development; however, they can be a cost-effective mechanism for financing the new infrastructure (e.g., water, sewer, roads) required to support new development. The fees allow for the consolidation of infrastructure projects when it is more cost-effective to do so and, by law, must be linked to the actual impact of the specific project.

Table H-10 Development Fees, City of Upland

Fee Category	Fee Amount
Planning Fees	
Site Plan: Project Review	$4,680
Design Review - Administrative Determination / Minor	$800
Design Review - Architectural Plans	$1,310
Administrative Use Permit - New Development	$8,580 (Deposit)
Administrative Use Permit - Complex	$3,630
Administrative Use Permit - Minor	$810
Conditional Use Permit	$4,860
Tentative Tract Map	$8,770 plus $25 per lot
Tentative Parcel Map	$7,180
Tentative Parcel Map - SB 9 Urban Lot Split	$1,420
General Plan amendment	$ 6,340
Specific plan	$10,230
Variance – General (First Request)	$4,830
Variance – Zone Change	$6,620
Building Permit Fees	$4,911– $23,297
CEQA Review	
Environmental Exemption	$870
Negative Declaration	$3,290
Environmental Impact Report	$10,000 (Initial Deposit)

Source: City of Upland, 2023

The City of Upland imposes a number of development impact fees, including for parks, sewer connection, drainage, police, water, and general government. Typically, and in the case of Upland, fees per unit for high-density residential are lower than fees per unit for low density residential.

Table H-11 Development Impact Fees, City of Upland

Development Impact Fees (per unit)[1]	Single Family	Multi-family
General government	$993	$853
Parks	$10,700	$9,182
Water	$3,768	$2,900

Police	$902	$774
Drainage	$2,856	$2,315
City Sewer Connection	$5,978	$918
Total Impact Fees	**$25,197**	**$16,942**

Notes:
1. Based on a total development cost of $750,000 for single-family and $500,000 for multi-family

Since some fees are based on project valuation and some are charged on per unit or per square foot basis, it is difficult to generalize the total fees which apply to residential projects. Therefore, Table H-12 provides a comparison of the applicable fees for a single family development (0 - 1,500 Sq. Ft.) and a multifamily development project (73,000 sq. ft. with 87 units). These assumptions were established as an average from several recent developments (see Table B6). Fees may represent a barrier to the construction of housing as they increase the minimum cost of development for a dwelling unit and may be passed onto the purchaser or renter. However, the City's fees are not excessive and do not constitute unreasonable constraints on the production of multifamily housing.

Table H-12 Fee Comparison for Single-Family and Multifamily Development

	Single Family (1,500 sq. ft. home in new residential area)	Multifamily (87-unit multi-family complex)
Total Square Footage	1,500	73,000 (average 840 sq. ft. per unit)
Construction Cost per Square Foot	$200	$150
Total Construction Costs	$300,000	$10,950,000 ($126,000 per unit)
Land Costs (vacant land)	$56,000 (3,500 sq. ft. lot)	$1,400,000 ($16,091 per unit)
Estimated Fees per unit:		
Building	$4,911	$297 per unit
Planning	$4,680 (Site Plan: Project review only)	$13,260 (Site Plan and Administrative use Permit)
Public Works (grading, public and private improvement)	$16,432	$188 per unit
Impact Fees	$25,197	$16,942 per unit
Total Fees/Unit	**$51,220**	**$30,687**
Fees as a % of Total Costs	**12.5%**	**17.8%**
Total Costs	$407,220	$15,019,769
Development Cost per Unit	**$407,220**	**$172,778**

Notes:
1. Based on an average square footage of approved single family and multifamily development projects.

Land Use Controls

This section describes the City's land use and development regulations that affect the location, density, and types of permitted residential land uses in Upland. This section also sets the foundation for identifying sites for housing in the land inventory.

General Plan Land Use

Each city and county in California must prepare a comprehensive, long-term general plan to guide its future. The land use element of the general plan establishes the basic land uses and density of development within the various areas of the city. Under State law, the general plan elements must be internally consistent, and zoning must be consistent with the general plan. Thus, the land use plan must provide suitable locations and densities to implement the policies of the housing element.

Upland's General Plan is the blueprint for the growth and development of the community. The General Plan was comprehensively updated in 2015 and provides six residential land use designations tailored to different locations in the city. To encourage additional housing opportunities in focused areas of the community, the General Plan Land Use Element also allows stand-alone high-density residential uses and mixed uses in two mixed-use designations—the Business/Residential Mixed-Use and Commercial/Residential Mixed-Use land use districts.

Table H-13 describes the primary General Plan land use designations allowing housing, the intensity and density of uses allowed, and primary residential uses.

Table H-13 Land Use Designations Allowing Housing

General Plan Designation	Permitted Density	Primary Residential Use Allowed
Single-Family Low	0–4 units per acre	Single-family detached units
Single-Family Medium	4–10 units per acre	Single-family detached units
Mobile Home	8–14 units per acre	Mobile home parks
Multi-Family Low	10–20 units per acre	Multi-family units (i.e., duplexes, triplexes, townhomes)
Multi-Family Medium	20–30 units per acre	Multi-family units (i.e., stacked flats, etc.)
Multi-Family High	30–40 units per acre	Multi-family attached units (i.e., stacked flats)
Business/Residential Mixed-Use	20 units max	Areas in which business and/or light industrial uses are compatible with multi-family or single-family residential
Commercial/Residential Mixed-Use	20 units max	Combination of retail, service commercial and medium-density multi-family residential

Source: City of Upland General Plan, 2021.

Specific Plans

The City of Upland has adopted several specific plans that offer a range of housing types, densities, and mix of uses. The City anticipates that much of its new residential growth will occur in these Specific Plan areas. The Specific Plans with sites identified in Appendix B to accommodate new housing needs during the planning period are summarized in **Table H-14**.

Table H-14 Specific Plans Allowing Housing

Specific Plan	Purpose
Historic Downtown Upland	The Historic Downtown Upland Specific Plan promotes the development of housing, work places, shops, entertainment, schools, parks, and civic facilities within easy walking distance. The plan encourages multi-family, single-family, second dwellings, live/work, mixed-use, senior housing, etc.
Colonies at San Antonio	Establishes a clearly recognizable mixed-use community. The specific plan is developed with 1,050 residential units, 115 acres of commercial, and 71 acres of recreational/community uses. A key feature is a 23.5-acre retention basin surrounded by a greenbelt. Only one residential site remains in the specific plan.

Specific Plan	Purpose
The Enclave	Located within the "College Heights" redevelopment area, the Enclave Specific Plan consists of approximately 19.04 gross acres along Foothill Boulevard. The Specific Plan allows up to 350 single-family attached and/or detached homes within a master planned with multiple recreation opportunities.

These specific plan areas and focus areas are discussed in Chapter 4, Housing Resources in relation to strategies for addressing the City's regional housing needs.

Residential Uses by Zone

All cities are required to facilitate and encourage a range of housing types for all economic segments of the community, as well as housing to address the needs of seniors, families, those with disabilities, farmworkers, and the homeless. Zoning districts that allow residential uses are listed below and in **Table H-15**.

- RS – Residential Single-Family Low Zones
- RS-MH – Single-Family Mobile Home
- RM – Residential Multi-Family Zones (RM-10, RM-20, RM-30)
- C/R-MU – Commercial Residential Mixed-Use
- B/R-MU – Business Residential Mixed-Use
- C/O MU – Commercial Office Mixed-Use
- C/I MU – Commercial Industrial Mixed-Use

Table H-15 Permitted Uses in Zones Allowing Residential Uses

Type of Unit	Zones Allowing Residential Uses						
	RS Zones	RS-MH	RM10 RM20 RM30	C/R MU	B/R MU	C/O MU	C/I MU
Residential							
+ Single-Family Detached	P	P			P		
+ Single-Family Attached			P	P	P		
+ Multi-Family Residential			AUP*	CUP	AUP*		CUP
+ Mobile Home Park		P					
+ Live/Work				AUP	AUP	CUP	CUP
+ Accessory Dwelling Units	P		P		P		
Special Needs							
+ Assisted Living/Convalescent			CUP	CUP	CUP	CUP	
+ Residential Care (6 or fewer)	P	P	P				
+ Residential Care (7 or more)			CUP		CUP		
+ Senior Housing			P	AUP	P	CUP	CUP
+ Single-Room Occupancy				CUP		CUP	CUP
+ Emergency Shelter			CUP	CUP	CUP	CUP	CUP
+ Supportive and Transitional Housing (6 or fewer)	P	P	P	CUP	CUP		
+ Supportive and Transitional Housing (7 or more)			CUP	CUP	CUP		

Source: Upland Zoning Code, 2021
* CUP if the density is over 15 units/acre
P = permitted
AUP = administrative use permit
CUP = conditional use permit

Single-Family Housing

Single-family housing is permitted by-right in the single-family residential zones and also the Business/Residential Mixed-Use zone. The RS-MH is intended to protect areas for mobile homes and manufactured housing.

Accessory Dwelling Units

Accessory dwelling units (ADUs) offer affordable housing opportunities for lower-income households such as seniors, caregivers, household employees and college students. The City's ADU regulations (Municipal Code Chapter 17.37) were updated in 2021 to incorporate the current provisions of State law. ADUs are allowed by-right in all residential zones and in the B/R MU zone. To ensure that City regulations continue to encourage ADU production, Program 8 in the Housing Plan includes annual review of State ADU law and amendments to City regulations as necessary.

Mobile Home Parks

Mobile and manufactured homes provide affordable housing options for many Upland families. The city presently has approximately 865 mobile homes situated in 6 mobile home parks, one of which is age-restricted for seniors and the other five parks are not restricted. Upland's mobile homes are relatively inexpensive, and most parks are fully occupied. The City implements a rent stabilization program for mobile home parks, helping to maintain the affordability for residents.

Manufactured Housing

According to the National Manufactured Home Construction and Safety Act of 1974, a manufactured home built and certified after June 15, 1976, and constructed on a permanent foundation may be located in any residential zone where a conventional single-family detached unit is permitted subject to the same restrictions on density and to the same property development regulations, provided it has received approval of the Architectural Review Board and receives a Certificate of Compatibility. The City complies with this act and permits manufactured homes constructed on a permanent foundation in all residential zones where single-family homes are permitted.

Multi-Family Housing

Multiple-family development (apartments and condominiums) are currently permitted with an administrative use permit (AUP) or conditional use permit (CUP) in the RM multi-family residential zones and B/R mixed-use zone. Multi-family development is also conditionally permitted in the C/R MU and C/I MU zones as part of a mixed-use development that provides a minimum of 0.25 floor area ratio of nonresidential development. The minimum densities in the RM and MU zones are intended to facilitate higher-density multi-family residential. RM zones do not require a minimum parcel area or maximum lot coverage. To reduce potential constraints to multi-family development, Program 7 in the Housing Plan includes a Code amendment to eliminate the administrative use permit/conditional use permit requirement for multi-family housing in multi-family zones.

In the Downtown, multi-family residential uses are permitted by right in all districts, with the exception of the Pleasant View District, which is a single-family historic neighborhood. Given that Downtown is also the commercial heart of Upland, multi-family residential is only permitted on upper floors in Old Town and the

Historic Core except within the 1st Avenue Overlay of the Old Town District, where multi-family is permitted on the ground floor. Each multi-family project requires minimum lot dimensions, setbacks, floor area, and outdoor living space, and maximum lot coverage, development intensities, and height.

Mixed-Use Residential and Live-Work

Mixed-use projects combine nonresidential and residential uses on the same site. Mixed-use development can help reduce the effects of housing cost burden by increasing density and offering opportunities for reduced vehicular trips by walking, bicycling, or taking public transportation. The City has created four mixed-use zones to provide flexibility and facilitate mixed-use developments. In Downtown, mixed-use developments are permitted by-right in all districts with the exception of single-family residential-only districts. **Table H-16** summarizes allowable uses in the three mixed-use zones that allow residential use.

Table H-16 Permitted Uses in Mixed Use Zones

Zone	100% Residential?	Limitations
B/R Mixed Use	Yes	0.5 max. non-residential FAR
C/R Mixed Use	Yes (CUP)	1.0 max. non-residential FAR
C/I Mixed Use	Yes	0.25-1.0. non-residential FAR

Stand-alone residential developments are permitted in all three mixed-use zones. While the development standards in these zones allow 100% non-residential development, non-residential FAR limits create a significant financial incentive to include a residential component and fully utilize the allowable development for each site. Recent development trends within these zones in recent years have included a variety of residential projects, including a 6-unit apartment complex, a 203-unit apartment complex, a 78-unit Live-Work development, and a 37-unit residential condominium development. This development trend indicates that residential development is viable and actively sought after by developers within the mixed-use zones, as evident by the addition of 324 new housing units to the City's housing stock. Please see Appendix B for additional information regarding development trends in mixed-use zones.

A live-work unit is an integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity. Live-work is permitted with an administrative use permit in the C/R MU and B/R MU zones and conditionally permitted in the C/O MU and C/I MU zones. In the Historic Downtown Specific Plan area, live-work units are permitted by-right in five of the nine districts provided the residential portion is on the upper floors.

Single Room Occupancy

Single Room Occupancy (SRO) units are one-room units intended for occupancy by a single individual. They are distinct from a studio or efficiency unit, in that a studio is a one-room unit with a kitchen and bathroom. Although SRO units are not required to have a kitchen or bathroom, many SROs have one or the other. SROs are conditionally permitted in the C/R MU, C/O MU and C/I MU zones.

Senior Housing

Senior housing is permitted by-right in the RM zone and permitted through an administrative use permit in the C/R/MU and B/R MU zones. Senior housing is also conditionally permitted in the C/O MU and C/I MU zones. In Downtown, senior housing is permitted by-right in most districts. Senior housing developments are

required to provide amenities, services, and facilities to ensure the comfort, health, and recreation of elderly persons, including health and transportation services. Eligible senior housing developments can receive a density bonus pursuant to State law. In addition, reduced parking standards may be granted.

Housing for Persons with Disabilities

Persons with disabilities often require special consideration to accommodate their housing needs. City standards and procedures for addressing these needs are described below.

Residential Care Facilities

In accordance with State law, residential care facilities that serve six or fewer persons are permitted by-right in all residential zones. Larger residential care facilities and assisted living/convalescent facilities are allowed by CUP in the RM, C/R MU and B/R MU zones. Program 20 includes an amendment to the Zoning Ordinance to ensure that small residential care facilities are allowed subject to the same standards as apply to residential uses of the same type in the same zone, including mixed-use zones, and to ensure that regulations do not pose an unreasonable constraint to large residential care facilities.

Emergency Shelters and Low Barrier Navigation Centers

"Emergency shelter" means housing with minimal supportive services for the homeless, with occupancy limited to six months or less by a homeless person. The Zoning Ordinance allows emergency shelters by-right in the Light Industrial and General Industrial zones and also in the RM and MU zones with approval of a CUP. Development standards for emergency shelters include the following:

- The applicant or operator shall submit a Management and Operation Plan for the emergency shelter for review and approval by the reviewing authority in consultation with the chief of police, as part of the application review process, prior to issuance of permits. The Operation Plan shall be based on Best Practices and include, but not be limited to:
    1. A security plan;
    2. List of services;
    3. Staff training;
    4. Client transport;
    5. Ratio of staff to clients;
    6. Client eligibility and intake and check out process;
    7. Hours of operation;
    8. Refuse collection;
    9. Separation of sleeping areas and restrooms by gender and for families;
    10. Bed bug prevention;
    11. Enforcement of rules and procedures for disruptive clients; and
    12. An outreach plan.

  The Operation Plan shall remain active throughout the life of the facility. The City may inspect the facility at any time for compliance with the facility's Operation Plan and other applicable laws and standards.
- Inability to Pay. No individual or household may be denied emergency shelter because of an inability to pay.

- Separation Criteria. An emergency shelter shall not be located within 300 feet of another emergency shelter, as measured from the closest property line. An emergency shelter shall be located within ½ mile of a transit stop. Emergency shelters shall be located at least 500 feet from any child care center or kindergarten through 12th grade curriculum school, as measured from the closest property line. An exception to this separation requirement may be granted if significant physical features act as barriers from said sensitive uses.
- Abutting Residential. When abutting a residential use or residentially-zoned property, all areas for shelter activities and uses, including, but not limited to, waiting and intake, personal storage, facility storage, and recreation, shall be located indoors.
- Occupancy. The number of beds shall be limited to 30. Any emergency shelter requesting more than 30 beds shall require a Conditional Use Permit, and shall find that:
    1. A larger shelter facility will help meet the City's goals pertaining to emergency housing of the homeless;
    2. The circumstances of the subject property make the larger facility appropriate; and
    3. Design features will minimize impacts of the surrounding area.
- Parking. One (1) vehicle parking space shall be provided per five (5) beds. A covered and secured area for bicycle parking shall be provided for use by staff and clients, commensurate with demonstrated need.
- Waiting and Intake Area. A client waiting and intake area shall be provided and contain a minimum of ten (10) square feet per bed provided at the facility. The client waiting and intake area shall be screened from the public right-of-way, and shall be sufficient in size to accommodate all persons waiting to enter the facility.
- On-Site Management. On-site management shall be provided during the hours that the emergency shelter is in operation and at least one hour prior to and one hour after operation hours.
- Support Services. Emergency shelters shall allocate sufficient areas on site, outside of any required landscape areas, to provide the following minimal support services:
    1. Food preparation and dining areas;
    2. Laundry facilities;
    3. Restrooms and showers;
    4. Areas to secure and store client belongings;
    5. Indoor and outdoor recreational facilities and/or open space; and
    6. A private area for providing referral services to assist shelter clients in entering programs aimed at obtaining permanent shelter and income. Referral services refers to the initial assessment of a homeless client to identify the areas in which assistance is needed, and connecting clients with appropriate off-site programs and services depending on their need.
- Length of Stay. The length of stay for each individual at any emergency shelter shall not exceed ninety (90) days within a twelve (12) month period, but extensions up to a total stay of six (6) months within a twelve (12) month period may be provided if no alternative housing is available; days of stay need not be consecutive.
- Lighting. Lighting shall be provided in all exterior areas, including pathways, parking areas, courtyards, rear yard areas, and spaces between structures, and shall be directed in a manner that does not cast light onto neighboring properties.
- Trash Enclosure and Loading Zone. Each facility shall have a trash enclosure and loading zone. The trash enclosure shall be completely enclosed with masonry walls not less than five (5) feet high with a

solid-gated opening, and be large enough to accommodate a standard-sized trash bin adequate for use on the parcel. The trash enclosure shall be accessible to refuse collection vehicles.

- Security Plan. Security shall be provided during the hours that the emergency shelter is in operation. Security plans shall be submitted to City staff for review and approval prior to issuance of an occupancy permit. Security plans shall be resubmitted to City staff on an annual basis.
- Noise Abatement. For the purposes of noise abatement in residential zoning districts, organized outdoor activities may only be conducted between the hours of 8:00 a.m. and 10:00 p.m., and no client shall arrive to the emergency shelter after 10:00 p.m.
- Applicable Laws. The facility shall comply with all other laws, rules and regulations that apply, including Building and Fire codes. In addition, the facility is to be consistent with the Cable Airport Land Use Compatibility Plan policies and standards, particularly as it relates to protecting sensitive uses from airport related noise levels.

The Industrial Zone is a suitable location for emergency shelter facilities. The City has approximately 300 parcels zoned industrial. Approximately 25 parcels (38 acres) are significantly underutilized, and 8 parcels (23 acres) are vacant. The industrial zones are located along several public transportation routes and near the Montclair Transportation Center for convenient access. Parcels are also near commercial/professional office areas where homeless persons can access supportive services. These parcels are therefore suitable for emergency shelters.

The amount of land needed to accommodate emergency shelters depends on the number of individuals and families to be housed and the product built. Based upon the most recent homeless count of 44 unsheltered people in Upland and an emergency shelter size of 150 square feet per person, less than one acre would be sufficient to accommodate a shelter. With the potential 23 acres of industrially zoned vacant land and 38 acres of underutilized industrial land that could be adaptively reused for emergency shelters, the City has more than ample sites to accommodate the City's projected need for emergency shelters.

To ensure compliance with State law, Program 20 is included to review current development standards for emergency shelters and process a Code amendment to ensure that permit processing, development, and management standards for emergency shelters are objective and encourage and facilitate the development of, or conversion to, emergency shelters, and are subject to the same development and management standards applicable to residential or commercial development within the same zone except for those standards prescribed by Government Code section 65583 (a)(4)(A).

AB 139 (2019) revised State law regarding parking standards for emergency shelters. To ensure that City development standards and procedures continue to provide adequate sites for emergency shelters, Program 16 includes a Zoning Code amendment to revise parking requirements for emergency shelters consistent with current law.

In 2019 the State Legislature adopted AB 101 establishing requirements related to local regulation of low barrier navigation centers, which are defined as "Housing first, low-barrier, service-enriched shelters focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing." *Low Barrier* means best practices to reduce barriers to entry, and may include, but is not limited to:

(1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth
(2) Accommodation of residents' pets
(3) The storage of possessions
(4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms

Low barrier navigation centers meeting specified standards must be allowed by-right in areas zoned for mixed use and in nonresidential zones permitting multi-family uses. Chapter V includes Program 1d to address this requirement.

Transitional and Supportive Housing

California Government Code §65582(j) defines *transitional housing* as buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Supportive housing is defined as housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. *Target population* means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. "Supportive services" include, but are not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

Program 20 in the Housing Plan includes a commitment to review current City regulations regarding transitional and supportive housing and amend regulations as necessary consistent with current law.

Agricultural Employee Housing

Under the Employee Housing Act (Health and Safety Code, § 17000 et seq.) employee housing for six or fewer employees must be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone, and employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone. Program 20 is included in the Housing Plan to ensure that City regulations are consistent with these requirements.

Definition of "Family"

The Zoning Code defines *Family* as "one or more persons living together as a single housekeeping unit in a dwelling unit." There are no constraints on unrelated persons or number of persons in the definition.

Single Housekeeping Unit is defined as the functional equivalent of a traditional family, whose members are an interactive group of persons jointly occupying a single dwelling unit, including the joint use of and responsibility for common areas, and sharing household activities and responsibilities (e.g., meals, chores, household maintenance, expenses, etc.) and where, if the unit is rented, all adult residents have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises, and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager. This definition may cause a constraint on those living together under separate leases.

The City will remove the definition of single housekeeping unit as a part of Program 20 so that the definition of family is inclusive and compliant with all fair housing laws.

Reasonable Accommodation

State and federal fair housing law require cities to make reasonable accommodations to address the special needs of persons with disabilities when applying standards of the Municipal Code and other land use regulations to ensure equal opportunity to use and enjoy a dwelling. State and federal guidelines recommend establishing a process of reasonable accommodation to grant changes in land use, building practices, or permitting processes to allow a disabled person equal access to housing. The process should not be discretionary or achieved through a variance. Program 20 is included in the Housing Plan to establish written procedures for processing requests for reasonable accommodation.

Inclusionary Requirements

There are no inclusionary requirements in the City.

Short-term Rental Requirements

Municipal Code Chapter 17.23.1 establishes regulations for short-term rental of a dwelling unit (i.e., 30 consecutive days or less) including requirements for an administrative use permit, business license and transient occupancy registration certificate. Short-term rentals are conditionally permitted in all residential zones with the exception of RS-MH (Single Family Mobile Home).

Growth Controls

No growth controls have been adopted in Upland.

Residential Development Standards

Residential development standards are designed to promote a sustainable livable environment, with adequate space for recreation, height restrictions and setbacks to ensure privacy from adjacent homes, and minimum unit sizes to ensure adequate living areas for families. These standards are carefully devised to result in quality housing, while not placing an undue burden on residential developers to building housing in the community.

Table H-17 lists residential development standards for housing in Upland. These standards become increasingly flexible depending on the proximity to employment areas, transportation corridors, or Downtown. As shown below, more rural areas (RS zones) have the largest minimum lot sizes and lowest lot coverage standards—reflective of historical land use patterns and topography. RM zones have less restrictive lot coverage

and greater building heights and density to facilitate multi-family housing. The Downtown has the smallest minimum lot sizes, greatest density, and allow the tallest buildings.

Table H-17 Residential Development Standards

Zoning District	Density (du/ac)	Maximum Building Height	Setbacks			Lot Coverage Regulations	
			Front	Side	Rear	Lot Coverage	Minimum Lot Size
RS	1 du/lot	35'	20-40'	5–10'	20'	35–50%	4,000-20,000 SF
RS-MH	8–14	16'	25'	5'	5'	60%	10 acres
RM-10	5-10	40'	20'	5'	15'	--	--
RM-20	10-20	40'	20'	5'	15'	--	--
RM-30	15-30	40'	20'	5'	15'	--	--
C/R MU	15-20	40'	5'	5–10'	10'	--	20,000 SF
B/R MU	10–20	40'	5'	5'	10'	45% for single-family	4,000 SF
C/O MU	10–20	40'	5'	5'	10'	--	20,000 SF
C/I MU	15–20	40'	5'	5'	10'	--	20,000 SF
HDU SP	0–55	30'–55'	0-25'	0-25'	0-20'	35%–100%	-
Enclave SP	12-20	45'	8-10'	3-10'	-	-	-

Source: Upland Zoning Code, 2021
Notes:
Residential development standards may different slightly in the respective specific plan areas.
Under certain circumstances (e.g., corner lot, adjacent to major highway) setbacks may be increased.

Unit Size Requirements

Upland's development standards require a minimum floor area ranging from 1,000 to 2,000 square feet for single-family homes in RS zones. Given the wide range of RS Zones (due to topography and lot sizes), the minimum floor area increases progressively with the minimum lot size. For multiple-family residential uses, the Zoning Code requires a minimum of 600 square feet for studio and one-bedroom apartments, and an additional 200 square feet for two or more bedrooms. Senior units are allowed up to a 20% reduction in minimum unit sizes.

Open Space Requirements

Given the higher densities in multiple-family housing, such projects must include a minimum of 100 square feet of private open space per unit and on average 250 square feet of common open space per residential unit. These minimum open space requirements are not considered a constraint to the development of housing; they are intended to provide a desired level of privacy and recreational opportunities for residents of multiple-family housing.

Density Standards and Density Bonus

Upland's Zoning Code provides significant flexibility in the density of residential products—reflective of the topography, location, and type of development. Multiple-family housing projects are allowed at 10 to 55 dwelling units per acre depending on location. For instance, corridor housing is typically permitted at up to 20 units per acre, stand-alone residential in a multiple-family district at up to 30 units per acre, and up to 55 units per acre in the Downtown Specific Plan. As discussed later, these density standards have been successful in facilitating ownership and rental housing at a variety of densities and affordability levels.

As required by State law (Government Code Sec. 65915 et seq.) Chapter 17.17 of the Municipal Code establishes standards and procedures for granting a density bonus or other incentives when a development provides affordable or senior housing. State density bonus law has been amended since the current City ordinance was adopted, and Program 15 in the Housing Plan includes a provision to update the City's density bonus regulations consistent with State law.

Height Limitations

The Zoning Code allows for a range in maximum building heights tailored to different neighborhoods and housing types. For instance, lower-density residential zones with single-family homes generally allow structures of one to two stories. Multiple-family residential zones allow structures of 40 feet and accommodate three or more stories. In the Historic Downtown, where higher residential densities are desired, the Historic Downtown Upland Specific Plan allows up to 55 feet in certain areas to accommodate higher residential densities and commercial intensities. These height allowances are comparable to other communities in the Inland Empire.

Parking Standards

Adequate parking is an important component of well-designed residential development, contributing to the value of a project, the safety of residents, its appearance, and the livability of the project. Upland's residential parking regulations are intended to promote efficient land use, reduce street congestion and traffic hazards, promote vehicular and pedestrian safety, and improve the ability to secure financing for a new residential project.

Upland's residential parking requirements offer reduced standards for smaller units and in areas near high-quality transit. **Table H-18** provides a summary of parking requirements.

Table H-18 Residential Parking Standards

Types of Residential Development	Parking Requirements
Conventional Housing	
Single-Family	2 spaces within a garage
Manufactured Housing	Same as single-family units, except can be in a carport
Accessory Dwelling Units	1 space in addition to that required for a single-family unit (Unless parking is waived in accordance with State law
Duplex	2 per unit
Multiple-Family	Studio and 1-bedroom units: 1 for each unit in a garage 2-bedroom: 2 for each unit in a garage 3 or more bedrooms: 2.5 for each unit, including 2 in garage Guest parking: 3-50 units: 1 per 4 units; 51-100 units: 1 per 5 units; 100 + units: 1 per 6 units
Mobile Home Parks	2 for each mobile home (tandem parking allowed in an attached carport); plus 1 guest space for every 5 mobile homes [senior mobile-home parks are allowed parking concessions per Chapter 17.17 (Density Bonus Program)]
Senior Housing	1 space for each unit with half the spaces covered, plus 1 guest parking space for each 10 units
Boarding houses	1 per two beds

Types of Residential Development	Parking Requirements
Special Needs	
Elderly & Long-term Care	1 space for each 3 beds the facility is licensed to provide
Assisted Living	1 space for each 3 beds the facility is licensed to provide
Residential Care Facilities[1]	--Small (6 or fewer) - 2 within a garage --Large (7 or more) - 2 within a garage; plus 1 per 300 sq. ft. of office and other non-residential areas 2 spaces, plus 1 per employee onsite at any given time 2 spaces, plus 1 per employee onsite at any given time
Emergency Shelters	1 per 300 square feet of habitable floor area, or sufficient to serve the parking demand determined in a parking study
Supportive & Transitional Housing – small (6 or fewer in a dwelling unit)	2 per dwelling
Supportive & Transitional Housing – large (7 or more in a dwelling unit)	1 per 3 beds plus 1 per 300 sq. ft. of office and other non-residential areas
Single-Room Occupancy	1 space per unit plus 1 guest space for every 3 units

Source: City of Upland Zoning Code, 2021
Notes:
1. See Program 20 to modify parking requirements for small residential care facilities consistent with State law

The Upland Zoning Code sets forth flexible standards for multiple-family residential parking that vary by the location and proposed residential use (**Table H-19**). Whereas all areas of the community have the same parking space requirement for studio units, the number of required parking spaces increases gradually for one- and two-bedroom units.

Table H-19 Multiple-Family Parking Standards

Housing Characteristics	Location of Development		
	Mixed Use Districts	Historic Downtown	Outside Downtown
Type of Development Allowed	Mixed Use Projects	Residential and Mixed Uses	Residential Only
Unit Size			
Studio	1	1	1
1-bedroom	1	1	1
2-bedroom	1.5	2	2
Garage Required	None	Required	Required

Note: Guest parking is also required, which ranges between ¼ space per unit to ½ space per unit and may be uncovered.
Source: City of Upland, 2021

Recent multiple-family projects demonstrate that parking requirements have not been a significant constraint to housing production. Modifications to parking requirements are allowed in the following circumstances:

- **Density bonus projects**–reductions in parking spaces for projects that meet density bonus requirements
- **Senior housing projects**–a 50% reduction in required spaces with covered garages
- **Transit oriented districts**– a 20% reduction in parking space requirements for projects within ¼ mile of a transit station
- **Shared parking**–eligible projects can receive reductions in parking for qualifying mixed-use developments
- **Downtown Specific Plan**. This area allows developers to propose studio or one-bedroom units with only 1.0 parking space per unit and less floor area. This is also allowed for senior units.

- **Minor Variation**. The City Development Services Director has the authority to grant a minor adjustment over the counter (defined as 10% variation) to virtually every physical development standard.

Although apartments outside the Downtown and mixed-use corridors are feasible and built at current parking and garage requirement standards, there are situations where flexibility in garage requirements may be appropriate. Therefore, the Housing Incentives Program includes a statement to amend the Zoning Code to allow half covered/ uncovered spaces for studio and 1-bedroom units in projects outside the Downtown and corridors provided the project qualifies for a density bonus or is deed-restricted as affordable.

In summary, the City's residential development standards, either individually or cumulatively, have not deterred either the production of condominiums or apartments. Adequate provisions are also in place to allow modifications to the residential development standards based on the location, affordability, and type of residential project. Because of these factors, the City's Zoning Code residential development requirements are not a significant constraint to the development of housing. However, to minimize constraints on housing cost, an amendment to multi-family development standards will be processed to eliminate garage parking requirements (Program 8).

Building Codes and Enforcement

The City has adopted the current (2019) Building Codes (Title 15 of the Municipal Code) with minor modifications to address local conditions. Because of the local topography and fire hazards, all newly constructed buildings of any occupancy group when the gross floor area is equal to or exceeds 5,000 square feet are required to have automatic fire sprinklers.

The City's Building Division provides reasonable controls for construction and occupancy of buildings and structures throughout the city through the enforcement of all building-related ordinances. This division serves and protects the public with plan checking services, the issuance of permits, the keeping of building-related records, and building inspections. The division further provides information to its customers through records research, provision of informational handouts, and development consultation through all phases of a project from concept to completion.

In addition to building codes mentioned above, the City has also adopted a variety of property maintenance codes for the protection of property values and the general welfare of the community. These are in the Public Peace and Welfare Code, which addresses graffiti and unnecessary noise; the Health and Safety Code, which addresses public nuisances as well as other occupancy requirements; and the Uniform Code for the Abatement of Dangerous Buildings.

The City's Code Enforcement Division is tasked with the responsibility of protecting property values and eliminating blight through the use of the City's Municipal Code.

Offsite and Infrastructure Requirements

After the passage of Proposition 13 and its limitation on local governments' property tax revenues, local governments have faced increased difficulty in providing and financing appropriate public services and facilities to serve residents. In fact, one of the main consequences of Proposition 13 has been the shift in funding of new infrastructure from general tax revenues to development impact fees and improvement requirements on developers.

In order to ensure public health and safety, the City also requires developers to provide onsite and offsite improvements necessary to serve proposed residential projects. Requirements for on- and offsite improvements vary depending on the existing improvements, as well as the size and nature of the proposed development, but the requirements are standard and do not exceed the City's authority under State law.

In areas where existing infrastructure is not adequate, the City requires the following improvements:

- **Drainage:** Including curbs and gutters, storm drains, and culverts in accordance with acceptable standards. These requirements are standard among urban communities in California.
- **Sidewalks and trees:** Including sidewalks—of a width and quality suitable for the local neighborhood use—and parkway trees. Dimensions generally 12 feet on either side of the road, which includes 5 feet of sidewalks.
- **Streets:** Pavement of a width and quality suitable for local traffic. Specifications include 60' right-of-way for residential streets and 66' right-of-way for collectors. All other streets are already in place. Streets within PUDs and specific plans are typically narrower than the requirements for public streets.
- **Water and sewer:** Adequate domestic water supply, including the relocation or replacement of water mains, irrigation lines and appurtenances and appropriate sanitary sewer facilities and connections for each lot.

Energy Conservation

In 2006, the State Legislature adopted the Global Warming Solutions Act, which created the first comprehensive, state regulatory program to reduce GHG emissions to 80% below 1990 levels by 2050. Through both SB 375 and AB32, promoting energy conservation has become a consistent theme in regulations, green building practices, and business operations. Cities across California have become increasingly involved in promoting resource conservation to make their community more environmentally sustainable.

The City of Upland encourages resource conservation as follows.

- **Building codes**. The California Green Building Code (CALGreen) is designed to help California achieve GHG reduction goals through the planning, design, operation, construction, use, and occupancy of every new building, and to additions and alterations to nonresidential buildings. CALGreen includes mandatory provisions to reduce water use, improve indoor air quality, divert construction waste from landfills, and inspect energy systems for nonresidential buildings.

- **Neighborhood design.** Neighborhood design and site planning can reduce energy consumption. Sizing and configuring lots to maximize a building's solar orientation facilitates optimal use of passive heating and cooling techniques. Placing housing near jobs, services, and other amenities reduces energy consumption for transportation. Other design strategies with beneficial energy implications include installing broad-canopied trees for shade and clustering development to reduce auto use. The Zoning Code and Historic Downtown Specific Plan both promote sustainable development patterns to promote energy conservation.

- **Green standards**. The building industry offers programs to improve the energy efficiency and sustainability of housing. The BIA sponsors a voluntary program called Green Builder. The U.S. Green Building Council (USGBC) sponsors a building certification program called Leadership in Energy and

Environmental Design (LEED). The USGBC reviews projects for conformance based on efficiency, sustainability, materials quality, and design factors, and issues certifications based on the points achieved for sustainable practices. The Kohl's at the Colonies and the Wells Fargo building are recent projects that received LEED Silver certification.

- **Retrofits of residential buildings.** Older residential buildings built before energy conservation standards provide the greatest opportunity to make a measurable difference in energy usage. To that end, the City's Housing Improvement Program provides residential rehabilitation loans that can be used to purchase more energy-efficient upgrades to windows, insulation, and other home items. Moreover, local utility companies also offer a wide range of incentive programs to trade in energy-inefficient appliances and receive a rebate to purchase energy-efficient models.

Permitting Process

The City of Upland has the responsibility to ensure that residential developments are of lasting quality, that housing opportunities are available, and that the public health and welfare are maintained. To that end, the Upland Municipal Code establishes standard procedures for processing applications for the development, maintenance, and improvement of housing. These processes are described in the following section.

Requests to Develop at Lower Densities

The decision on what residential densities to build to are largely market-driven as private developers strive to produce the most marketable housing. The General Plan establishes minimum densities for each of the multi-family and mixed-use residential categories and development in Upland generally falls at 75% of the maximum allowable density or above. In addition, City staff and decisionmakers, increasingly aware of the need to increase housing choice within the City, encourage applicants to propose development near the upper limits of the allowable density range.

Permit Requirements by Residential Project Type

Chapters 17.43 and 17.44 of the Zoning Ordinance establish development review procedures that balance the need for efficient and timely processing, while also recognizing that the final product should reflect quality workmanship and design.

Once a development application is deemed complete, the case planner reviews the project for conformance with applicable development codes, land use regulations, architectural drawings, site design, landscaping plan, design standards, and other requirements. The City provides an application and checklist that can be used to ensure that all relevant requirements and materials are submitted to the City. This ensures a timely submittal so that the project can proceed to the next step. Project review generally requires approximately one month to complete, assuming a well-prepared application.

Permit requirements are briefly described below and in **Table H-20**.

- **Single-family residential.** Single-family dwellings are reviewed through plan check by the Development Services Director or designee. Total time to process permits for new single-family dwellings is typically 30 to 60 days. This assumes that the project is proposed in a zone that allows the use by-right and that the project meets the minimum development and site standards in the municipal code. No specific findings or public hearing is required.

- **Multiple-family residential**. Multi-family projects have three levels of review, depending on the zone in which the project is located and the associated permit required (i.e., P, AUP, CUP). Projects permitted by-right or an administrative use permit are reviewed by the Development Services Director or designee. For AUPs, the director may solicit technical expertise and/or convene staff from affected departments in the review of projects. If an AUP or CUP is required, the findings for approval are as described below. Total time to process AUP permits is typically 30 to 90 days. For multi-family projects requiring a CUP, the Development Services Director or his/her designee performs the initial screening and makes a recommendation to the Planning Commission for final action on the application. Required findings for approval are as described below. Total time to process a CUP for a new project is typically 3 to 6 months.

Although the current AUP and CUP requirements for multi-family development do not appear to have been an unreasonable constraint to development in the past, Program 8 is included in the Housing Plan to eliminate use permit requirements for conforming multi-family developments, thereby minimizing permit processing time and improving development certainty.

Table H-20 Permit Process and Time Frame for Housing Projects

Criteria	Application Review		
	Single-family	Multi-family (AUP)	Multi-family (CUP)
Application Completeness	1 month	1 month	1 month
Project Review Committee	1 month to review project design	1 month to review project design	1 month to review project design
Decision-maker Regarding Project	Development Services Director	Development Services Director	Planning Commission
Planning Commission Public Hearing	N/A unless project appealed	N/A unless project appealed	3 months
City Council Public Hearing	N/A	None unless appealed	None unless appealed
Environmental Review and Clearance	In accordance with CEQA requirements		
Plan Check	60 days	60 days	60 days
Total Time from Start to Building Permit	30–60 days	4–6 months	4-6 months (up to 9 with EIR)

Source: City of Upland, 2021

Environmental Review

Environmental clearance is required by the California Environmental Quality Act (CEQA). CEQA is quite prescriptive regarding the most appropriate form of clearance and the timelines for noticing, circulation, and public review. The vast majority of projects will qualify as infill and are exempt from CEQA, or the projects can be cleared through a Negative Declaration or Mitigated Negative Declaration. The time frames for this step vary widely and can typically take about 90 days. This step is often taken concurrent with permit processing. However, if an EIR is required, it may add six months or more to the project schedule.

Public Review

Projects that are permitted by-right or through an AUP are not required to be noticed to the public or subject to a public hearing. Projects over 15 du/ac currently require a CUP due to the possibility for unintended impacts on surrounding homes and neighborhoods require a public hearing before a decision can made. Hearings must be scheduled within 45 days of the filing of the application. Notices are mailed to affected local agencies and landowners within 300 feet of the proposed project so that the public can attend or submit comments on the proposed project. The entire process takes approximately three months unless an appeal is filed, which would add approximately 3.5 months.

Once prior stages are complete, the application for residential development moves forward to the building permit stage. The time from entitlement approval to submittal of a building permit application can vary widely depending on the type and size of the project and other issues beyond the City's control, such as project financing or real estate market factors. The process is relatively straightforward and requires filing an application, paying required fees, and commencing work. Overall, the time frame for obtaining permission to build residential projects in Upland is relatively short and therefore not considered an undue constraint for the vast majority of developers proposing projects in Upland. However, in order to minimize permit processing time and improve development certainty Program 8 is included in the Housing Plan to eliminate use permit requirements for multi-family development. **Table H-20** summarizes current time frames for project review in Upland.

Residential Design Standards and Guidelines

Section 17.04.050 of the Zoning Ordinance establishes residential design standards and guidelines for single- and multi-family developments, which provide an added level of definition for the intended character within single and multi-family developments and establish minimum criteria for achieving a high-quality design expression in site and building design while allowing reasonable flexibility in the implementation of developments in the residential zones. As part of development review plan process the City provides design feedback to applicants administratively and uses the Residential Design Guidelines as guidance during the review process. The design review process is described in detail below. The director or designee will review the project as part of the overall development review process and solicits technical advice from other departments as appropriate before making recommendations to the Planning Commission. No separate fees are charged for design review and there is no design review board or review committee. Coupled City staff receive comments from multiple departments and work with applicant to address all comments comprehensively.

Some of the more pertinent requirements are:

- **Neighborhood context.** Single- and multi-family developments shall be compatible and coordinated with adjacent properties in terms of height, massing, setback, and design character. New development shall contribute to the visual quality and cohesiveness of its setting.
- **Site design**. Single-family developments shall vary the front yard setbacks from unit to unit to avoid long repetitious development patterns. Garages shall also be set back to not dominate the front façade of the residence. For multi-family developments, buildings shall be located as close as possible to the front setback line. Where buildings are set back, enhanced landscaping shall be provided within the setback.
- **Building design**. Single-family homes shall avoid large, box-like structures by employing techniques such as recessed porches, bay windows, dormers, varying planes or setbacks, and varying roof forms. The design should minimize views of garages. For multi-family projects, building massing shall be varied through techniques such as recessed porches, bay windows, dormers, varying planes or setbacks, and varying roof forms. Large masses shall be broken down to give individuality to units to be legible as individual residences or small groups of units.
- **Architectural Style**. Building design should not be limited to any particular style, be compatible with surrounding residential development, and multi-family residential should have varied design elements.
- **Private and Outdoor living space.** In multi-family projects, private open space shall be at the same level as and immediately accessible from within the unit. Outdoor living space for the shared use of

residents should include lawns, courtyards, community gardens, roof gardens, pools, and play areas. Shared spaces should be accessible to all residents, provide seating areas, be lighted, relatively flat and usable, and designed to encourage social activity. When included, such public space should be provided where high levels of pedestrian and/or community activity can be expected.

Design Review Process

The design review process is the same for ministerial and non-ministerial projects, excepting a public hearing requirement for non-ministerial projects. The set of design review standards are the same for ministerial and non-ministerial review. A review of recent projects found that no projects have been denied on the basis of the design review guidelines. Furthermore Program 8 is included to eliminate use permit requirements for conforming multi-family developments as well as adopt a set of purely objective development standards. This will further expedite the permitting process.

Residential construction involving individual single-family homes on an existing lot, mobile homes, and two units are approved at a staff level (ministerial review). Multiple family projects with three-units or more are approved by staff with an administrative use permit, except multiple family projects that are for-sale, such as townhomes and condominiums, which require a Tentative Tract Map and must be approved by the Planning Commission. These projects require a non-ministerial level review.

All projects are evaluated relative to zoning and building code standards and receive approvals within two to four weeks of application. The City's plan check policy is to complete first submittal plan checks within 30 business days and resubmittal plan checks within 10 business days.

The City offers a "Preliminary Review" service where plans may be submitted for review and comment by all relevant City departments prior to formal application. This provides the customer with a quick due diligence process to obtain City comments and requirements. Alternatively, City staff will meet with customers and developers at their request if they want to individually speak with representatives from Planning, Building & Safety, Public Works, and Engineering to receive guidance and obtain standards for development.

The design review process below is applicable for non-ministerial projects. Residential construction involving tracts and larger multi-family projects utilize the following processing schedule.

For projects not requiring legislative actions the entitlement process can take as little as 100 calendar days (approximately) if a CEQA Initial Study is not required under the California Environmental Quality Act. Steps are:

(1) Submission of complete application,

(2) Development Review (Technical Review Committee) (40 days),

(3) Planning Commission (45 days).

During this formal application phase, the applicant submits eight (8) sets of plans, appropriate application forms and all required fees. Completeness review by Planning staff and committee review by the Technical Review Committee occurs within the first 40 days following a complete application submittal. The applicant then provides additional information and prepares plan revisions (if needed) based on the Technical Review Committee comments/corrections. Conditions of approval are prepared, and any final issues are addressed

before the project moves on to Planning Commission review. A public hearing before the Planning Commission is only required if the project includes a Tentative Tract Map.

The Planning Commission's review or public hearing, proposed projects must be included on an agenda in advance. Staff prepares and presents reports on each project. The applicant and members of the public have the opportunity to comment. As for multi-family development (3 or more attached units), the Zoning Ordinance allows projects of 15 du/ac or less to be approved by the Development Services Director with an administrative use permit. In this case, there is not a requirement for a public hearing, including for non-ministerial projects. The Development Services Director on a case-by-case basis may choose to refer any administrative use permit application to the Planning Commission for review and approval. The multi-family projects that are generally referred are those that require a CEQA Initial Study. For multiple family projects that are for-sale, such as townhomes or condominiums, a Tentative Tract Map is required and must be approved by the Planning Commission.

If the project is subject to CEQA, then an Initial Study must be prepared by the City's environmental consultant(s) and typically requires an additional 90 to 120 days including a 20-day public comment period on the environmental document (e.g., a Mitigated Negative Declaration). Consideration of the project's environmental document is part of a public hearing on the entire project and has not been a factor in inhibiting affordable housing in the past.

For non-ministerial projects (General Plan Amendment, Zone Change, Development Agreement, etc.) processing takes approximately 120 calendar days, plus any CEQA environmental review processing requirements. The steps are the same as above plus No. 4 City Council (40 days).

- Once the entitlements are granted developers prepare the final engineering and complete the final map (as well as finalized home designs), which is the same process as other communities.

- During the same time as the above final map process, the developer and his engineer and architect prepare the development plans for plan check review submittal. The plan check review timelines are mentioned in the first paragraph above.

- Note: With implementation of SB 330 provisions through at least January 1, 2025, the evaluation and approval of multifamily residential dwelling units now occur simultaneous with the individual project's DPR and/or AUP entitlement process.

The development review process is not different for residential projects included as part of a mixed-use project.

The City of Upland's permit processing times are in line and/or faster than other communities in the area. Upland's development review process does not represent a constraint that is significant, although additional staff resources would enable staff to process projects more quickly. Since 2016, the City has retained contract staff to supplement City staff to maintain efficient entitlement processing, and also makes use of contractors for planning entitlements and building & Safety plan check. Regulations to include additional environmental assessment, requirements of SB 18 and/or AB 52, and water quality management plan requirements (all federal, state, and regional requirements), etc. have added to the processing time and cost of development in all cities, not just in Upland. These additional requirements are not generally reflected in the timelines above because this information and requirements are required at time of application submittal and determination of completeness.

Developers may face delays in obtaining building permits after entitlements due to the need to create more detailed plan sets after entitlement approval. Plans for land use entitlement are often conceptual. After entitlement approval applicants will prepare detailed construction plan sets for building permit review. Those plans on average take one or more months to prepare and submit for plan check review. Most discretionary applications are generally ready to proceed to plan check within a short period of time upon Planning Commission and/or City Council review. However, the City accepts plan checks "at risk" and some developers take advantage of this option to expedite the permitting process. This process allows the developer to submit their project for plan check review prior to entitlement approval. The plan check is "at risk" as the project may be modified prior to entitlement, but the ability to initiate the plan check process early can result in developers obtaining building permits shortly after the conclusion of the entitlement and/or an appeal period.

Detailed plan sets for building permit issuance is universal across the State and Upland's implementation of the California Building Code does not result in a burden or constraint beyond that experienced in other jurisdictions. Because the City allows for conceptual plans during the entitlement process developers can reserve funds and limit risk by initiating detailed construction plans after entitlement approval. Developers who do not wish to wait and are accepting of risk are permitted to submit detailed plans at-risk to reduce time between approval and permit. Ultimately, the amount of time between approval and permit application is at the discretion of the developer and does not constitute a constraint or hinderance on meeting the RHNA.

A review of recent projects found that no projects have been denied on the basis of the design review guidelines. Furthermore Program 8 is included to eliminate use permit requirements for conforming multi-family developments as well as adopt a set of purely objective development standards. This will further expedite the permitting process.

In 2014, the City streamlined its design review process by repealing provisions requiring separate review by a Design Review Board. The director or designee will review the project as part of the overall development review process and solicits technical advice from other departments as appropriate before making recommendations to the Planning Commission. No separate fees are charged for design review as well. Coupled with user-friendly design guidelines, projects can be approved in a timely manner. Note that the set of design guidelines are the same for ministerial and non-ministerial review. A review of recent projects found that no projects have been denied on the basis of the design review guidelines. The design review process for both ministerial and non-ministerial process does not add time to the permitting process, as documented in the timelines above. The City works with applicants throughout the permitting process to ensure that design guidelines do not serve as a constraint to the development process, both in cost and time. Therefore, design review is not considered a potential constraint to residential development.

In order to minimize potential constraints, Program 8 includes a commitment to establish objective development and design standards for qualifying residential projects as well as remove the use permit requirements for conforming multi-family developments. This program will serve to expedite the permitting process for multi-family developments.

Development Plan Review

Development Plan review is required for all new construction prior to issuance of a building permit. The Development Services Director or designee is the approving authority on all development plan review applications unless the Director refers the application to the Planning Commission. No public hearing is required for Director approval.

Required findings for approval are as follows:

1. The design and layout of the proposed project will not interfere with the use and enjoyment of existing and future neighboring properties and structures.

2. The proposed architectural design makes use of appropriate materials, texture, and color, and will remain aesthetically appealing and appropriately maintained.

3. The proposed landscaping design, including color, location, size, texture, type, and coverage of plant materials, as well as provisions for irrigation, maintenance, and protection of landscaping elements, will complement structures and provide an attractive environment.

4. The proposed design will not be materially detrimental to the public health, safety, or welfare, or be injurious to the property or improvements in the vicinity of the proposed project.

Use Permit/Administrative Use Permit

Historically, the Upland Development Code required developers of multiple-family projects to secure a conditional use permit prior to project approval. In 2015 the Development Code was reconfigured to provide more clear guidance for developers, City staff, policy makers, and residents. The Code now only requires an administrative use permit for projects with a density of 15 du/ac or less. The purpose is to provide an appropriate review of land uses and their associated operational characteristics in a particular zoning district, whose effects on a site and surroundings cannot be determined before being proposed for a specific site.

An application for an administrative use permit shall be filed and reviewed in compliance with Chapter 17.42 of the Code. The application shall include the information and materials specified in the Development Services Department handout for an administrative use permit application, together with all required application fees. It is the responsibility of the applicant to provide evidence in support of the required findings.

The Development Services Director or designee shall approve, conditionally approve, or deny administrative use permit applications upon the recommendations of technical staff. However, in certain cases, the Development Services Director or designee may choose to refer any administrative use permit application to the Planning Commission for review and final decision. Unlike most discretionary approvals, no public notice and hearing is required for an administrative use permit application.

The decision-making authority may approve an application for an administrative use permit only if the proposed project complies with applicable standards in the zoning code, other City ordinances, the General Plan, and any other applicable community or specific plans, and as supported by all of the following findings:

- The location, size, design, and operating characteristics of the proposed use will be compatible with the existing and future land uses in the vicinity of the subject property.
- The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.
- The proposed use will not be detrimental to the public health, safety, and welfare of the persons residing or working in the neighborhood of the proposed use.

The administrative use permit is not considered to be a constraint. Indeed, prior to the update, the City conditionally permitted six apartment and condominium projects, providing nearly a thousand affordable housing units. The AUP is intended to streamline the development review process and avoid unnecessary and additional reviews of projects that meet all the applicable standards in the City's general plan and municipal codes. However, to further reduce potential constraints and improve development certainty, Program 8 is included in the Housing Plan to eliminate use permit requirements for conforming multi-family developments.

Environmental and Infrastructure Constraints

This section analyzes potential environmental conditions and infrastructure availability that could limit housing development during the 2021-2029 planning period.

Environmental Hazards

Potential environmental issues that could constrain development include wildland fire hazards, flood hazard zones and geological conditions.

- **Wildland Fire Hazards**. A small portion of the city is located within the Very High Fire Hazard Severity Zone as designated by Cal Fire (**Figure H-21**). These areas are along the City's western edge and northeast area and do not contain a substantial portion of the City's potential sites for future housing. Housing developments that may be located within fire hazard zones must comply with certain regulations designed to mitigate risk from wildland fires, which could increase development costs, although these requirements would not prevent the City from accommodating its share of regional housing needs. There are four sites that have a capacity of 216 moderate income units that fall within the Very High Fire Hazard Severity Zones as well as three pending projects, therefore, the location of the RHNA sites within the Fire Hazard Severity Zone would not preclude or impact the development of these sites.
- **Flood Hazard Zones**. Upland is located on the southerly side of the San Gabriel Mountains and small areas of the city are within washes that include designated flood hazard zones. None of the sites identified to accommodate the City's housing needs for the planning period are with these flood hazard areas.
- **Geological Conditions**. A mapped Alquist-Priolo fault zone crosses the northern portion of the city. In such areas, housing developments must comply with certain regulations designed to mitigate risk from earthquakes and other geological hazards, which could increase development costs, although these requirements would not prevent the City from accommodating its share of regional housing needs.

Water Availability

The 2015 General Plan Update EIR analyzed water needs for the entire City. That analysis concluded that water supply is projected to be sufficient to accommodate housing needs through 2035.

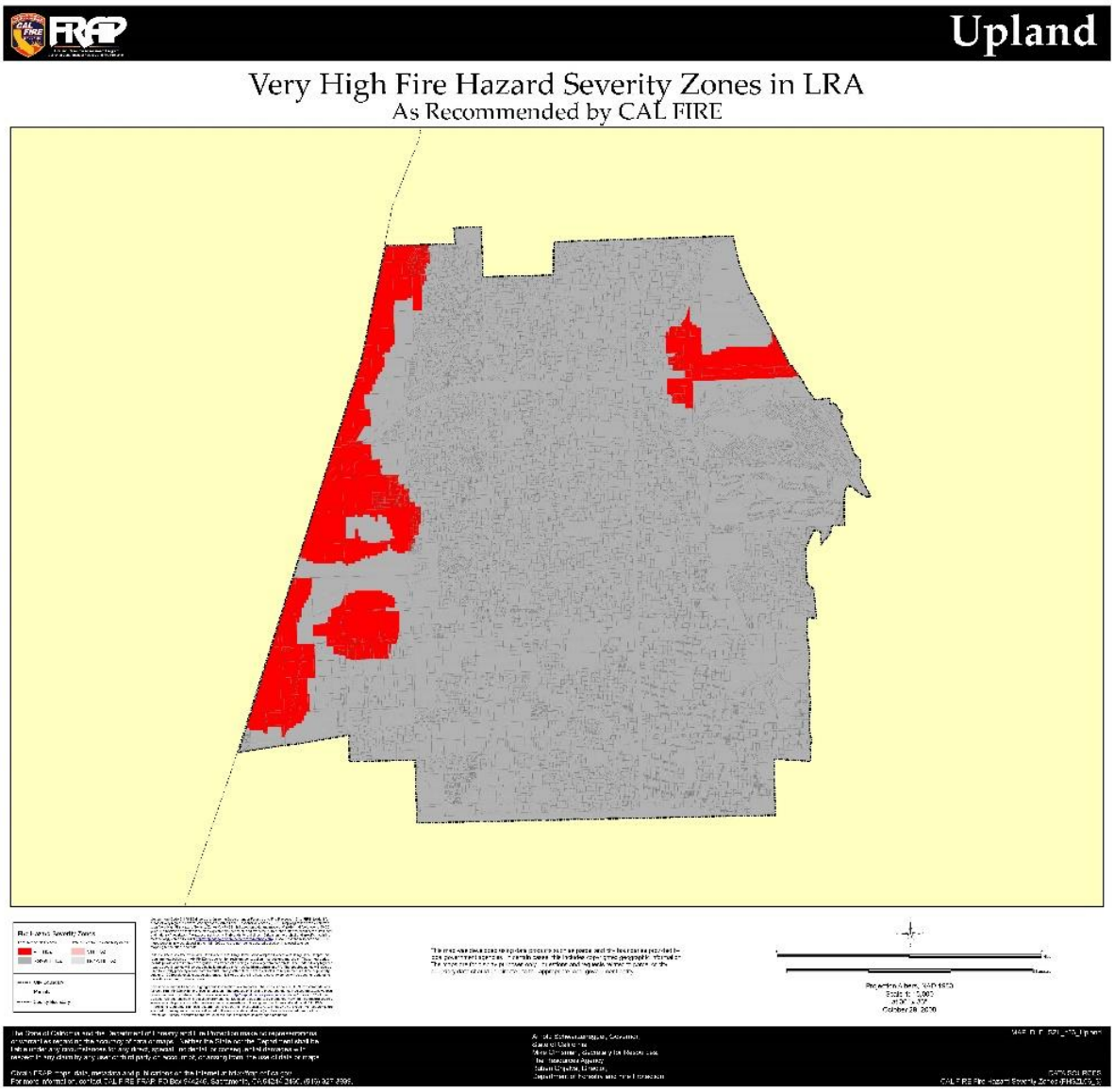
Sewer Availability

The capacity of sewer lines and treatment facilities is projected to be sufficient to accommodate the City's housing needs through 2029.

Dry Utilities

Dry utilities such as electric, telephone, cable and internet are provided by private companies and are expanded to meet demand as development occurs and are not a significant constraint to housing development during the 2021-2029 planning period.

Figure H-21 Very High Fire Hazard Severity Zone - Upland



4. HOUSING RESOURCES

This chapter describes the land, financial, and administrative resources available to assist Upland in addressing its housing needs.

Land to Accommodate New Housing Needs

To facilitate new housing production and address the community's housing needs, cities must ensure that sufficient land with appropriate zoning is available to accommodate the amount of additional housing need as determined through the Regional Housing Needs Assessment (RHNA). The City's land use plans and development regulations are discussed in Section 3 – Constraints. A detailed analysis of how the RHNA allocation for the 2021-2029 planning period can be accommodated is provided in Appendix B, including a parcel-specific inventory of potential housing sites.

Financial and Administrative Resources

Upland has access to local, state, and federal financial administrative resources to fund the construction, improvement, and maintenance of housing or the administration of programs. Some of the primary funding sources and organizations are described below.

Financial Resources

Financial resources to provide housing assistance are summarized below.

- **Community development block grants.** CDBG is the largest federal housing-related program for affordable housing. Cities with populations of over 50,000 receive CDBG funds directly from HUD, while smaller cities usually use County-administered CDBG funds. HUD makes allocations based on a formula that takes population, poverty, and housing distress into account. CDBG funds are used for eligible activities aimed at reducing costs for private development (helping fund site acquisition, improvement, and other soft costs); housing acquisition and rehabilitation through short and long-term loans, grants or loan guarantees; direct payment of rent or mortgage and housing counseling services; and fair housing activities. Upland receives $675,000 annually in CDBG funds.

- **State and Federal HOME.** HOME is a formula-based grant that must be spent for the acquisition, construction, and rehabilitation of affordable rental and home ownership. HOME requires local governments to provide matching funds, though the matching ratio depends on the specific uses to which HOME funds are to be put. Upland does not qualify for entitlement HOME funds but rather applies to the State HCD for them. In addition, the City also periodically applies to the state for CalHome funds to support its affordable housing programs. The City uses State HOME and CalHome program income funds to support its First Time Homebuyers and HOME Improvement Programs. Before Upland can apply for additional HOME dollars, staff must expend the $1.25 million of program income the City has on hand. CalHome funds for these programs are no longer available from the State. However, the City has $550,000 of reuse funds available for the same programs.

- **Rental housing choice vouchers (formerly Section 8).** The federal housing choice voucher program is rental assistance provided to lower income households that allows a household to afford to rent a unit. The voucher amount equals the difference between what a household can afford to pay (up to 30% of monthly

income) and the fair market rent. The vouchers are typically granted to individuals who can use the voucher at any apartment project where the property owner accepts the voucher. Although this long-standing federal assistance program is not expected to increase in size, it remains an important affordable housing program. The housing choice voucher program in Upland is administered by the Housing Authority of San Bernardino County, which receives approximately $6.2 million annually to administer the housing voucher program.

- **Tax exempt multi-family revenue bonds**. The construction, acquisition, and rehabilitation of multi-family rental housing developments can be funded by tax exempt bonds which provide a lower interest rate than is available through conventional financing. Projects financed through these bonds are required to set aside 20% of the units for occupancy by very-low-income households or 40% of the units to be set aside for households at 60% of the area median income. Tax exempt bonds for multi-family housing may also be issued to refinance existing tax-exempt debts, which are referred to as a refunding bond issue. The City has several bond-funded affordable housing projects in the community.

- **Housing fund**. Upland owns three multiple-family housing projects funded through mortgage revenue bonds and former redevelopment funds. Due to the low cost of bond refinancing completed in 2007, these apartment projects provide net positive revenues after all operating and long-term expenses on the apartment projects are paid. These projects include Sunset Ridge, Village Apartments, and Magnolia Colony, which provide approximately $2.4 million net annually. The funding is used to support monitoring, implementation and preservation of existing affordable housing units. Although these projects provide a sizable amount for operating the City's housing programs, the long-term viability of this source is uncertain.

- **Enforceable obligations**. The City of Upland historically set aside $1.26 million in redevelopment tax increment financing to provide funding for the Coy D. Estes senior project. Upon dissolution of the Redevelopment Agency, the City petitioned that these funds should be deemed to be an enforceable obligation. The Department of Finance concurred, and the RDA tax increment funds were granted for this project. It is important to note that these are one-time funds and cannot be used for purposes other than the Coy D. Estes project. Upon the use of funds, the City will not have additional redevelopment tax increment funds that can be used to fund the development of new affordable housing.

Administrative Resources

The following agencies and organizations assist the City of Upland in implementing a variety of housing programs and activities.

- **Upland Development Services**. The Development Services Department facilitates the orderly physical and economic development of the City. Following closure of RDA, the department assumed their responsibilities. The Development Services Department administers advance planning, current planning, building permitting, and building inspection programs in compliance with local, state, and federal requirements. The Building Division provides reasonable controls for construction, occupancy, and maintenance of buildings and structures throughout the community. The department also implements programs that promote economic and housing development projects, emphasizing those that produce jobs, build infrastructure, expand the City's tax base, and/or provide housing.

- **Nonprofit Housing Developers**. The City of Upland works with nonprofit partners to assist in administering programs or furthering housing goals. The City has partnered with Upland Community Housing to develop 72 affordable assisted living units for the elderly in Downtown and to develop the 131-

unit Coy D. Estes Senior Apartments project. The City works with the Foothill Family Shelter to provide emergency shelter, transitional housing, and services to homeless residents. The City also assisted the shelter with the acquisition and rehabilitation of 44 units of permanent affordable housing in the Magnolia Colony project. Nonprofit affordable housing developers are a key asset for any community.

- **San Bernardino County Housing Authority.** The San Bernardino County Housing Authority is responsible for management of a public housing development of 97 units and administration of the City's rental assistance program (Section 8 Housing Choice Vouchers). This program encompasses more than 619 housing choice vouchers at an annual value of $6.2 million. The housing authority also manages the Public Housing Modernization Program. Coupled with the City's publicly assisted multiple-family projects, these two efforts are the largest providers of affordable housing for residents. Given the demise of redevelopment, many cities are considering options for enhancing cooperation with housing authorities for implementing or managing affordable housing programs for residents.

5. HOUSING PLAN

This chapter describes the goals, policies, programs and objectives to address the City's housing needs for the 2021-2029 planning period. The Plan addresses the issues of new housing production, rehabilitation, conservation, and assistance for current and future Upland residents.

Goals and Policies

The three goals around which the Housing Plan is organized are:

- **Goal 1: Upland's Neighborhoods.** Strong and healthy neighborhoods with well-maintained housing, ample public services, open space, and infrastructure that provide a quality place to live.
- **Goal 2: Upland's Housing Supply.** A diverse supply of housing that is designed, built, and located in a manner that is consistent with the City's land use, zoning, circulation, and open space goals.
- **Goal 3: Housing Assistance.** Opportunities for lower- and moderate- income residents and households with special needs to rent, purchase, or maintain adequate housing in the community.

Issue #1: Housing and Neighborhood Quality

Upland residents are drawn to the community for its quality housing and the unique character of neighborhoods. Upland offers a blend of neighborhoods, ranging from traditional to more urban living experiences. Whether it is the hillside ambience of northern Upland, traditional neighborhoods of central Upland, or a more historic neighborhood setting in the Historic Downtown area, each neighborhood offers a unique lifestyle for residents. Strengthening and creating quality neighborhoods while preserving and promoting community character are essential priorities for the community. The following goal and policies further the livability of Upland's neighborhoods.

Goal HE-1	Strong and healthy neighborhoods with well-maintained housing, ample public services, open space, and infrastructure that provide a quality place to live.

Policy HE-1.1 **Housing Quality.** Promote the repair, improvement, and rehabilitation of single-family housing, multiple-family housing, and mobile homes to enhance the quality of life and improve and maintain property values.

Policy HE-1.2 **Historic Character.** Support the maintenance and preservation of the City's historic districts, historic homes, buffers, and other neighborhood features of local significance that lend identity to the community.

Policy HE-1.3 **Neighborhood Improvement**. Encourage maintenance, and upgrading of neighborhoods through property maintenance codes, graffiti abatement, high quality infill housing, and replacement of deteriorated infrastructure.

Policy HE-1.4 **Neighborhood Amenities.** Maintain a variety of distinctive amenities in Upland (landscape, trees, urban design, parks, etc.) that provide and enhance the beauty, identity, and form of the City's districts and residential neighborhoods.

Policy HE-1.5 **Neighborhood Preservation**. Maintain lower-density residential designations in established low-density residential areas, unless conversion to another use is encouraged by the General Plan land use plan and policies.

Issue #2: Housing Opportunities

Upland is committed to addressing the housing needs of its residents and meeting its State-mandated responsibilities. Addressing these needs requires a multifaceted strategy. Housing needs and preferences differ for families, young and working-age adults, college students, seniors, and other groups. Therefore, the City's housing strategy includes facilitating a wide range of quality housing products—including single-family homes, townhomes, apartments, and mixed-use residential developments where appropriate.

The City is strategically accommodating growth to address several objectives. These include preserving residential neighborhoods, supporting economic development, and managing traffic and safety concerns. Adopted specific plans propose residential and mixed-use developments while incentives are in place to revitalize corridors and other neighborhood areas of Upland. The following goal and policies further these objectives.

Goal HE-2 A diverse supply of housing that is designed, built, and located in a manner that is consistent with land use, zoning, circulation, and open space goals of the City.

Policy HE-2.1 **Housing Growth**. Direct new housing growth into strategic locations that strengthen the City's economy, maximize existing and planned infrastructure, and foster the use and development of transit and multimodal transportation. These areas include Historic Downtown, Foothill Boulevard, Southeast Quadrant, and College Heights.

Policy HE-2.2 **Housing Diversity:** Provide high-quality housing in a range of types, densities, and unit sizes that meet the housing needs of residents of all income levels and household types. This includes single- and multiple-family housing, senior developments, mixed-use projects, and transit-oriented developments.

Policy HE-2.3 **Housing Design**. Require adherence to design standards with respect to site planning, materials and colors, building treatments, landscaping, open space, parking, and environmentally sustainable design practices that adhere to standards set in general plan and design guidelines.

Policy HE-2.4: **Housing Incentives**. Facilitate the development of a mix of prices, types, and affordability of housing products through the implementation of flexible standards, efficient permitting process, and other assistance.

Policy HE-2.5: **Natural Environment**. In meeting housing needs, preserve important natural features of Upland's environment, including hillsides and viewsheds, historic resources, habitat, landscaped amenities, and other distinctive features.

Issue #3: Housing Assistance

Upland residents exhibit a diversity of housing needs. Some Upland residents wish to purchase a new home, while others may wish to downsize to housing that is age-appropriate, such as senior housing. Younger residents may be seeking their first independent apartment. Within its resource limitations, Upland seeks to improve the

ability of residents to secure and maintain adequate housing. The following goal and policies serve as a guide in providing housing assistance.

Goal HE-3 Opportunities for lower- and moderate-income residents and households with special needs to rent, purchase, or maintain adequate housing in the community.

Policy HE-3.1 **Rental Assistance.** Continue to support the San Bernardino County Housing Authority's efforts to provide rental assistance for individuals and families earning lower incomes and the modernization and maintenance of existing affordable housing.

Policy HE-3.2 **Homebuyer Assistance.** Support and increase opportunities for residents and Upland employees to achieve homeownership through the provision of financial or regulatory assistance where feasible.

Policy HE-3.3 **Special Needs.** Address the special housing needs of seniors, families with children, disabled people, homeless people, and others with special needs through proactive strategies aimed at housing production and assistance.

Policy HE-3.4 **Collaborative Partners.** Work collaboratively with nonprofit, for-profit, and faith-based organizations in the community to address the housing and supportive services of residents and those with special housing needs.

Policy HE-3.5 **Affordable Housing Preservation.** Support the maintenance, rehabilitation, and continued long-term preservation of publicly subsidized rental housing affordable to lower-income and special needs households.

Policy HE-3.6 **Mobile Homes.** Preserve the long-term affordability, condition, quality, and viability of mobile home parks in the community through rent stabilization and proactive maintenance and repair of units.

Policy HE-3.7 **Fair Housing.** Promote equal and fair housing opportunities for residents from all walks of life to allow for adequate choice to purchase or rent a home or live in a neighborhood that is best suited to their individual needs.

Housing Programs

Programs for Housing and Neighborhood Quality

Program 1. Code Enforcement

The Code Enforcement program is intended to ensure compliance with municipal codes to maintain the value and safety of property and structures. The program addresses hazardous vegetation, substandard buildings, accumulation of debris and vehicles, yard sales, graffiti, stormwater drainage, green pools, construction without a permit, land use violations, and various other health and safety codes. The City's code enforcement officers work with residents and the business community to remedy code violations in a timely manner. The code enforcement program also includes graffiti removal. This program is essential to maintaining and improving the safety, livability, and value of properties in the City of Upland.

Objective(s):

- Continue to implement code enforcement activities throughout the planning period to ensure full compliance with City ordinances. Inspect up to 4,300 units annually.
- Develop abatement process by October 2024 for buildings where the property owner does not remedy substandard housing conditions; utilize the Administrative Citations Ordinance to obtain code compliance.
- Refer property owners to assistance programs (e.g., Program 2)

Responsible Agency: City Housing Division
Funding Source(s): CDBG Funds; General Funds
Time Frame: Ongoing

Program 2. HOME Improvement

The HOME Improvement Program provides loans of up to $90,000 to lower income households for repair work to single-family owner-occupied homes. Funds must be used to correct code deficiencies in the structure. Eligible improvements include electrical, plumbing, kitchen and bathroom improvements, furnace and hot water heater replacement, home painting, structural upgrading, roofing, foundation and drainage improvements, disabled access, windows, doors and frames, rodent and pest extermination and repairs, fence improvements, and energy conservation. Loans are deferred at 0% or 3% interest and are due upon sale or transfer of property, 30 years or no longer occupied as a primary residence, whichever is less. The City will promote the availability of the HOME Improvement Program through the City website, word of mouth and articles in City newsletter on a yearly basis.

Objective(s):

- Provide up to 4 HIP loans annually to qualified low- and moderate-income (1 VL, 3 Low) homeowners earning less than 80% of CMFI.

- Annual outreach to developers

Responsible Agency: City Housing Division
Funding Source(s): CalHome; HOME; Housing Rent Revenues
Time Frame: Ongoing; annual promotion in the City newsletter
Geographic Target: At least 50% of assistance to households south of Foothill Boulevard.

Program 3. Emergency Repairs for Homeowners

The Emergency Repairs Program for Upland Homeowners Program provides a grant of up to $10,000 for emergency repairs. The grant is eligible for very-low-income homeowners of single-family homes, condominiums, and mobile homes. The grant can be increased to $12,000 for homeowners wishing to provide a dollar-for-dollar match above the $4,000 emergency grant limit. Qualifying home repairs include structural, mechanical, plumbing, electrical, and code violations, as well as weather-proofing, installation of low-flow toilets and smoke detectors, HVAC repairs, and accessibility improvements. This program works in tandem with the code enforcement program where income qualified homeowners who have housing units with code violations can be referred to seek grants to make necessary repairs. The City will promote the availability of the HOME Improvement Program through the City website, word of mouth and articles in City newsletter on a yearly basis.

Objective(s):

- Provide grants to up to 25 (VL) qualified homeowners annually to address emergency repairs; disseminate information to property owners; and seek additional funding for the program to ensure its long-term viability. Geographic target of 50% of assistance south of Foothill Boulevard.

- Annual outreach to developers

Responsible Agency: City Housing Division
Funding Source(s): CDBG Funds; Housing Rent Revenues
Time Frame: Ongoing and Annual Basis
Geographic Target: At least 50% of assistance to households south of Foothill Boulevard.

Program 4. Rental Acquisition and Rehabilitation

The Rental Acquisition and Rehabilitation Program (RARP) is designed to assist lower income tenants (whose combined family income does not exceed 80% of the County median income) by providing Upland landlords with loans to acquire multi-family units and rehabilitate their multi-family properties. The program offers zero interest deferred loans of up to $30,000 per dwelling unit for rehabilitation expenses. Eligible improvements include structural, roofing, insulation, plumbing, electrical, lead paint abatement, accessibility improvements, foundation work, habitability, health and safety, etc. Code violations take precedent. The minimum affordability covenant may be 5, 10, 15 and up to 55 years depending on the project, the loan amount, and the funding source used for the rehabilitation loan. The City will reach out to existing RARP participants annually to extend loans and affordability provisions to the extent funding is available.

Objective(s):

- Continue to provide RARP grants to up to 4 units annually to address properties with substantial rehabilitation or maintenance needs. Geographic target of 50% of assistance south of Foothill Boulevard.

- Work to pursue and purchase properties defaulting on local taxes to remove substandard housing.

Responsible Agency: City Housing Division
Funding Source(s): Home Funds; Housing Rent Revenues
Time Frame: Ongoing and Annual Basis
Geographic Target: At least 50% of assistance to households south of Foothill Boulevard.

Program 5. Multi-Family Rental Rehabilitation Program

The Multi-Family Rental Rehabilitation Program (MFRRP) is designed to assist low to moderate income (LMI) tenants (i.e., tenant's whose combined family income does not exceed 80% of the County median adjusted by family size, as promulgated by the U. S. Department of Housing and Urban Development [HUD]) by providing Upland landlords of multi-family apartments (8-units or less) with grants to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. Energy improvements will include energy star rated dual-pane vinyl windows, attic insulation, cool roofs, HVAC improvements, LED lighting, low-flow toilets and water fixtures. The amount available for rehabilitation financed under this Program will be $25,000 and will be dependent on a 50% match contribution from the property owner. As such, for every one-dollar ($1.00) of grant funds provided by the City, the property owner will be required to make a fifty-cent ($0.50) match used towards making other living condition improvements to the units.

Objective(s):

- Provide up to 5 grants annually to qualified multiple family rental properties.
- Increase affordable housing stock by requiring affordable covenants to be recorded on each property receiving the grant.

Responsible Agency: City Housing Division
Funding Source(s): Housing Fund balance, and Housing rental revenues
Geographic Target: At least 65% of funds to areas south of Foothill Boulevard
Time Frame: Ongoing and Annual Basis

Programs to Improve Housing Opportunities

Program 6. Adequate Sites to Accommodate Regional Housing Needs

The sites analysis presented in Appendix B indicates that relatively little vacant land suitable for residential development remains in Upland; therefore, most future residential development – especially higher-density housing to facilitate affordable housing – will occur on properties that have previously been used for non-residential purposes but are now underutilized and ripe for residential redevelopment.

The Regional Housing Needs Assessment (RHNA) for the 2021-2029 planning period assigned Upland a new housing need of 5,686 units, of which 2,543 (45%) are in the lower-income categories. To address the current shortfall in capacity for potential housing development the City will process zoning amendments to fully accommodate the City's remaining housing need. Rezoned sites will comply with the requirements of Government Code §65583.2(h) and (i).

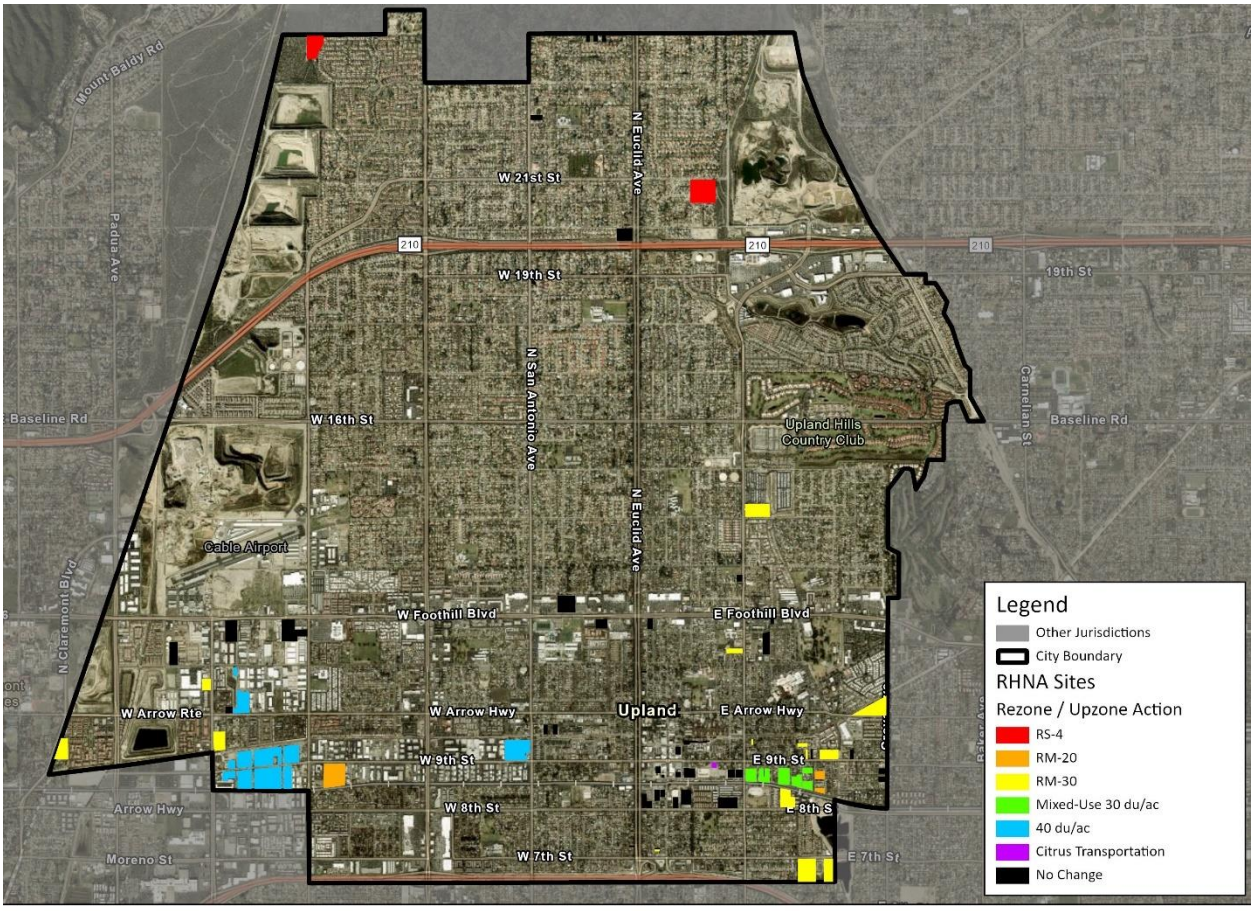
- Permit owner-occupied and rental multifamily uses by-right for developments in which 20 percent or more of the units are affordable to lower income households. By-right means local government review must not require a CUP, planned unit development permit, or other discretionary review or approval.
- Accommodate a minimum of 16 units per site;
- Require a minimum density of 20 units per acre; and
- At least 50 percent of the lower-income need must be accommodated on sites designated for residential use only or on sites zoned for mixed uses that accommodate all of the very low and low-income housing need, if those sites:
    - Allow 100 percent residential use, and
    - Require residential use occupy 50 percent of the total floor area of a mixed-use project.

The rezone program will consist of the following, as shown in Figure H-22:

- Rezone or upzone 132 parcels totaling 63.8 acres to allow residential uses from 20 to 40 du/acre (including parcels to be in the Transit Overlay Zone) (projected for 544 very low, 376 low, 414 moderate, and 385 above moderate, totaling 1,719 units).
- Rezone one 0.48 acre-parcel to the Citrus Transportation District, allowing up to 55 du/acre (projected for 11 moderate and 10 above moderate units, totaling 21 units).
- Rezone or upzone 42 parcels totaling 12.21 acres to allow mixed-use residential up to 30 du/acre (projected for 46 very low, 30 low, 64 moderate, and 49 above moderate units, totaling 189 units).

- Rezone or upzone 8 parcels totaling 10.66 acres to RM-20 (projected for 163 very low, 109 low, 18 moderate, and 16 above moderate units, totaling 306 units).
- Rezone or upzone 60 parcels totaling 41.14 acres to RM-30, allowing residential densities from 20-30 du/acre (projected for 487 very low, 327 low, 131 moderate, and 116 above moderate, totaling 1,061 units).
- Rezone two parcels totaling 15.5 acres to RS-4, allowing densities up to 10 units per acre (projected for 85 moderate and 84 above moderate units, totaling 169 units).

Figure H-22 Rezone and Upzone Areas



To address AFFH goals (see Appendix C) and improve access to a diverse array of housing opportunities for all Upland residents including members of protected classes, the City will seek to expand affordable rental housing opportunities north of Foothill Boulevard by encouraging multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed-use and flexible residential uses are allowed. (see also Program 23)

Reused Sites: The adequate sites rezoning program will include a provision that on any non-vacant sites identified in Appendix B that were listed in a previous Housing Element sites inventory, or vacant sites that were listed in two previous consecutive inventories, residential development will be allowed by-right when a

housing project provides at least 20 percent of the units affordable to lower-income households in compliance with Government Code Sec. 65583.2(c),

Replacement Policy: Development on any site listed in Appendix B that proposes to demolish existing housing units shall be subject to a policy requiring the replacement of affordable units as a condition of any development on the site pursuant to Government Code Sec. 65583.2(g)(3). RHNA sites with existing residential uses will be subject to a replacement housing policy. The replacement housing policy will comply with all provisions of Government Code section 65915, subdivision (c) (3).

To facilitate housing development, zoning regulations, development standards and fees will continue to be posted on the City website and updated annually, and the City will establish written procedures for streamlined review consistent with Government Code Section 65913.4 (SB 35) by December 2024.

The City will continue to facilitate development and monitor approvals of all pending projects that are used to meet the RHNA. Currently, City staff coordinates with applicants, supports and assists with funding applications, and expedites approvals of projects as possible. The City will continue to provide technical assistance to ensure that projects counted towards the RHNA are built during the planning period. The City will monitor the status of these projects, including units and income levels.

The City will conduct a mid-cycle review of units built and capacity to meet the RHNA in 2026. If the entitled projects are not anticipated to be completed during the 6th Cycle at this time, the City will identify additional sites and/or programs, such as upzoning or rezoning of additional parcels, to adequately meet the RHNA. The City will identify sites or initiate any necessary programs within six months of the identified net loss.

City-Owned Sites:

There are 18 City-owned parcels in the sites inventory with a projected capacity 96 lower and moderate income units. They are all public parking lots. The City will declare these sites surplus with the intent to develop housing. The sites will be developed in compliance with the Surplus Land Act. The City will issue a request for proposal after the development of a downtown parking garage. The City will outreach with developers by Q3 2025 for the development of the site. To ensure the development of the sites, the City will monitor developer interest and status of the development of the parking garage as well as incentivize the development of the sites, once they are declared surplus. Actions to develop the sites may include, but are not limited to priority processing, flexibility in development standards, and financial assistance as possible.

The parking structure design will be approved in the first quarter of 2025. Construction will be completed toward the end of 2026. Development of the 18 parcels in the RHNA inventory will follow.

Objectives:

- Process amendments to the General Plan and zoning regulations to make adequate sites available to accommodate the City's RHNA allocation for the 2021-2029 planning period. The following outlines the rezone program:
- Rezone or upzone 132 parcels totaling 63.8 acres to allow residential uses from 20 to 40 du/acre (including parcels to be in the Transit Overlay Zone) (projected for 544 very low, 376 low, 414 moderate, and 385 above moderate, totaling 1,719 units).
- Rezone one 0.48 acre-parcel to the Citrus Transportation District, allowing up to 55 du/acre (projected for 11 moderate and 10 above moderate units, totaling 21 units).

- Rezone or upzone 42 parcels totaling 12.21 acres to allow mixed-use residential up to 30 du/acre (projected for 46 very low, 30 low, 64 moderate, and 49 above moderate units, totaling 189 units)
- Rezone or upzone 8 parcels totaling 10.66 acres to RM-20 (projected for 163 very low, 109 low, 18 moderate, and 16 above moderate units, totaling 306 units).
- Rezone or upzone 60 parcels totaling 41.14 acres to RM-30, allowing residential densities from 20-30 du/acre (projected for 487 very low, 327 low, 131 moderate, and 116 above moderate, totaling 1,061 units).
- Rezone two parcels totaling 15.5 acres to RS-4, allowing densities up to 10 units per acre (projected for 85 moderate and 84 above moderate units, totaling 169 units).
- Seek to expand affordable rental housing opportunities north of Foothill Boulevard by encouraging multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed-use and flexible residential uses are currently allowed and will be allowed through rezoning.
- Post zoning, development standards and fees on the City website annually throughout the planning period
- Establish procedures for streamlined permit review by October 2024
- Monitor progress annually through Annual Progress Reports
- No net loss of units below the RHNA.
- Development of 96 units on 18 city-owned parking lots within the planning period.

Responsible Agency: City Planning Division
Funding Source(s): State grants; General Fund
Time Frame(s): General Plan and zoning amendments by Q2 2025 begin zoning process in May 2024, CEQA process 2024, hearings in early 2025; annual progress reports and website updates. Mid-cycle review by Q2 2026. Completion of 96 units on 18 city-owned parking lots by end of planning period, reach out to developers by Q3 2025.

Program 7. Specific Plans

Upland has developed specific plans to guide development of key areas in the community according to smart growth principles. These include the creation and restoration of diverse, walkable, compact, vibrant, mixed-use communities composed of the same program components as conventional development, but assembled in a more integrated fashion. These contain housing, workplaces, shops, entertainment, schools, parks, and civic facilities essential to the daily lives of the residents, all within easy walking distance. The intent is to design complete neighborhoods that are coherent, visually attractive, and integrated. Specific plans with remaining development capacity include the Enclave, Villa Serena and Sycamore Hills.

The Historic Downtown Upland Specific Plan was adopted in 2012. This specific plan covers the City's historic core and contains a transit station, civic center, parks, schools, housing, and commercial uses. The specific plan denotes nine districts, each with a defined purpose and mix of land uses. To facilitate the production of multiple-family housing, especially affordable housing, the Plan allows for more than 1,000 new housing units, with multiple-family and mixed uses allowed by-right at densities of up to 55 units per acre. The City is working with developers to build affordable senior housing, townhomes, and mixed-use projects. The City will outreach annually to developers, including affordable housing developers, to advertise and discuss opportunities for housing development in the City, including in specific plan areas. This could be done through a roundtable,

virtual meetings, or other outreach efforts. The City will continue to manage the implementation of this plan, which includes strategies and priorities to increase housing opportunities within the district.

Objective(s):

- Continue to implement specific plans throughout the planning period to facilitate the development of high-quality infill residential development in Upland.
- Process amendments needed to encourage the production of housing for all income levels, in particular for lower- and moderate-income households concurrent with zoning amendments described in Program 6.

Responsible Agency: City Planning Division
Funding Source(s): General Funds
Time Frame(s): Ongoing implementation of plan. Track developments as applications are received. Outreach to developers annually.

Program 8. Reduce Potential Constraints to Housing Development

Housing cost is affected by the time required for review and approval as well as the perception of development approval certainty. While the development review process in Upland is not considered to create unreasonable constraints to new housing, the City will process an amendment to the Zoning Ordinance to eliminate use permit (AUP or CUP) requirements on residential development and establish objective development and design standards for projects that are eligible for ministerial review. In addition, the garage requirement will be eliminated for multi-family development.

Objective(s):

- Reduce the time and cost of development
- Process a Code amendment by December 2024.

Responsible Agency: City Planning Division
Funding Source(s): General Funds
Time Frame(s): Code amendment by December 2024

Program 9. Accessory Dwelling Units

The Upland Municipal Code allows accessory dwelling units (ADUs) in all residential zones. ADUs provide additional income for the homeowner, while also providing affordable housing opportunities for family members, students, caretakers, seniors, and other individuals seeking housing in Upland. The City has seen significant increase of ADU development in recent years, and is currently averaging 45 ADUs per year.

In 2021 the City received approval for a State SB 2 grant to prepare an ADU Assessment, Workbook and Website. Encouraging the development of ADUs is one of several ways to increase housing production in the City. This activity will include conducting an assessment that will be looking at ADU capacity within the City, preparation of pre-approved ADU plans to reduce the cost to property owners. This activity will provide sample floor plans, useful videos, a list of local regulations, and a cost calculator to assist homeowners in developing ADUs for low-income households. These tools will encourage and assist in developing ADUs in Upland.

Additionally, the City participated in an ADU Education Workshop in December 2023 held by Chaffey Federal Credit Union. This workshop provided information on financing options for ADUs including Home Equity Line of Credit and Reverse Mortgages Line of Credit as well as answered questions on the process of building

an ADU in Upland. As a part of outreach to encourage ADUs, the City will actively continue participation in education events with local credit unions and other partners working to develop ADUs in the area. The City will participate in at least one such outreach, workshop or ADU educational event annually.

To ensure that City regulations remain consistent with State laws, the City will review ADU regulations each year and process Code amendments as necessary to incorporate any changes. The City will continue to monitor the extent of ADU production to ensure that the ordinance is being successful and that the Housing Element goals and RHNA production can be met.

If annual production and affordability rates do not match the estimates included in the Housing Element, the City will update the ADU strategy to ensure that the City continues to maintain adequate capacity for all income levels. In the event of an ADU shortfall that results in a net loss of units below the RHNA, the City will adopt another ADU program such as adopting fee waivers, seek state grant funding to incentivize ADU production to reimburse pre-development costs, additional promotion of ADU opportunities through outreach such as surveys and workshops, or will identify additional sites within six months of the identified shortfall.

Objective(s):

- Encourage ADU production through preparation of an ADU assessment, workbook and website with pre-approved plans. The efforts are intended to help encourage ADU construction and affordability.
- Review State ADU law annually and process amendments to local regulations as necessary to ensure conformance with current law.
- Track the number of ADUs produced annually by type and residential covenants issued during the planning period. The City will review ADU production annually and if permits fall short of projections, additional incentives and strategies will be identified to further encourage ADU construction within six months.
- Development of 45 ADUs annually, with a geographic target of 50% of ADUs in north Upland.
- Continue outreach with local credit unions and ADU partners, with participation in at least one outreach event annually.

Responsible Agency: City Planning Division
Funding Source(s): General Funds
Geographic Target: At least 50% of affordable ADUs north of Foothill Boulevard
Time Frame: Code amendment by December 2024 and as necessary thereafter on an annual basis. Review of ADU production annually and additional incentives adopted within six months of any identified shortfall.

Program 10. Water Priority System

The City Public Works Department, San Antonio Water Company, West End Consolidated Water Company, and MWD provide water to Upland residents. The Inland Empire Utilities Agency (IEUA) provides sewer services. Senate Bill 1087 (2005) requires all local governments to transmit a copy of the Housing Element to water and sewer service providers that serve their community. It also requires water and sewer providers to have a policy that gives priority for service allocations to proposed projects with housing units affordable to lower-income households if a shortfall in supply occurs. Because the City is a majority owner in two water utilities (except for MWD), the City will actively encourage these entities to draft and adopt a water priority system. The City will also notify IEUA of their responsibility under state law upon adoption of the Housing Element.

Objective(s):

- Notify water and sewer providers of requirements for a water and sewer priority system by December 2022.

Responsible Agency: Public Works Department
Funding Source(s): General Funds
Time Frame: December 2022 and Ongoing

Program 11. Neighborhood Improvements

Having adequate public facilities is essential for a complete community. These services provide a high quality of life for residents and workforce, improve property values, and increase City revenues that are available to fund and expand City services. This includes the improvement and maintenance of libraries, sewer system, school services, drainage and water system, police and fire, parks and recreational facilities, private recreation facilities required for new residential development, and other services. The City prepares a capital improvement program on an annual basis to identify and prioritize the improvements needed. Certain services are tied more directly to specific plan areas, others to private developments, and others to the entire community. The City of Upland will review neighborhood improvement needs on an annual basis and continue to make such infrastructure and service improvements that further the vision of the City Council through the annual budget process.

Objective(s):

- Continue monitoring, planning, and programming for public improvements that serve the community on an annual basis.

Responsible Agency: City Planning Division, Public Works
Funding Source(s): General Funds, Measure I, CDBG
Time Frame: Annual review and budgeting

Programs for Housing Assistance

Program 12. Homeownership Assistance

The Housing Division provides low-interest FTHB loans, as funds are available, to help individuals and families who wish to purchase a home, but are unable to qualify and/or do not have the necessary down payment. This program is designed to help persons who would not otherwise achieve the American dream of owning their own home. A program loan is a silent second mortgage; a 0% to 3% simple interest loan (interest free after 20 years) with all payments deferred until the first occurrence of sale, refinancing, full payment of the first mortgage, or 30 years. As of 2021, the maximum assistance is 30% of the purchase price and the home price cannot exceed $669,750. Because the program is dependent on State HOME funding, and due to loss of RDA funds, it is necessary to seek additional grants to continue and expand the program.

Objective(s):

- Continue to provide up to 2 FTHB loans annually to qualified low-income homebuyers and advertise program availability.
- Annually evaluate the City's funding capacity and as needed, pursue additional HOME/CalHOME funds from HCD.

Responsible Agency: City Housing Division
Funding Source(s): HOME, CalHOME, and Housing rental revenues
Time Frame: Ongoing and Annual Basis

Program 13. Rental Housing Assistance

The Housing Authority of San Bernardino County is responsible for implementing the Section 8 rental assistance program. Under this program, the Housing Authority extends rental subsidies to very-low-income households who spend more than 30% of their gross income on housing. Rental assistance not only addresses housing affordability but also overcrowding, by allowing families that "double up" to afford their own unit. The San Bernardino County Housing Authority is also responsible for managing public housing in Upland, the public housing modernization program, and partnering with the City on various affordable housing programs and outreach.

Objective(s):

- Continue to participate in the federal housing choice voucher program and family self-sufficiency program.

Responsible Agency: San Bernardino County Housing Authority
Funding Source(s): HUD housing choice vouchers
Time Frame: Ongoing

Program 14. Acquisition of Existing Units for Affordable Housing

The Housing Division oversees the management of 255 City-owned dwelling units which are generally contained within three apartment complexes: Magnolia Colony, Sunset Ridge and The Village. A majority of the 255 units are designated for up to Low-Income households. Magnolia Colony was constructed in 1960 and consists of thirty-seven (37) fourplexes on individual lots. The City owns eighteen (18) of the fourplexes which were purchased in the early 2000's with Low- and Moderate-Income Housing Funds (LMIHF) and are restricted to up to Low-Income households. Seven (7) of the fourplexes are owned by a private non-profit which provides transitional housing and eleven (11) are individually owned by private parties and are market rate properties. This program entails the City to proactively acquire the remaining eleven (11) fourplexes to add to the City's affordable housing portfolio. The City is currently in escrow on one of the eleven (11) fourplexes.

Objective(s):

- Pursue the acquisition of the remaining eleven (11) privately-owned fourplexes in Magnolia Colony and covenant for affordable housing up to the Low-Income level. Acquire at least one fourplex every two years.
- Annually evaluate the City's Housing Fund for funding capacity and pursue additional grant opportunities to augment the financial capacity to purchase the remaining eleven (11) fourplexes at Magnolia Colony.

Responsible Agency: City Housing Division
Funding Source(s): Housing Fund balance, Housing rental revenues, and Affordable Housing Grants
Geographic Target: Existing fourplexes in Magnolia Colony, Sunset Ridge, and The Village
Time Frame: Ongoing and Annual Basis, as fourplexes are available for purchase

Program 15. Housing Incentives

Upland implements a toolkit of incentives to facilitate the construction of affordable and market rate housing. These include a density bonus ordinance, a minor modification and variance process, lot consolidation efforts, etc. Lot consolidation is encouraged when developers initially approach the City with preliminary applications and will be facilitated through expedited processing and fee waivers when affordable units are provided. The density bonus ordinance (Municipal Code Chapter 17.17) allows the development of additional units and the provision of regulatory/financial incentives for projects providing affordable units. Both the minor modification and variance processes facilitate infill development. Financial assistance may also be provided subject to availability.

The current lot consolidation process consists of completing the Lot Merger application. The application is a simple, ministerial process and consists of submitting four sets of plans, two copies of the legal description of the lots, two copies of the title report, and a notarized letter from the lender and property owner, if applicable.

The City will provide a number of incentives for the consolidation of small lots including:

- Expedite processing of lot consolidation so that it is completed within 30 days.
- Provide fee waivers for lot consolidation projects that have affordable units or housing for special needs households.
- Proactive outreach to developers and applicants regarding opportunities for lot consolidation. The City will outreach to developers on an annual basis regarding opportunities for development in the City.
- Assisting developers in identification of parcels with lot consolidation potential.
- Provide technical assistance with the lot consolidation process.
- Continue to utilize a ministerial process for lot mergers.

Objective(s):

- Update the Density Bonus Ordinance by October 2025
- Continue to permit and encourage density bonuses, lot consolidations, and other means to build market-rate and affordable housing. Advertise the availability of incentives at the planning public counter and through the development review process.
- Facilitation of development on small lots.

Responsible Agency: City Planning Division
Funding Source(s): General Funds
Time Frame: Code amendment by October 2022; Ongoing; Outreach to developers annually.

Program 16. Mobile Home Rent Stabilization

The City's Mobile Home Rent Ordinance is intended to protect occupants of from unreasonable rent increases while still recognizing the need for park owners to receive a reasonable return on investment and increase rents at a rate sufficient for covering the costs of repairs, maintenance, insurance, upkeep, and amenities. Under the Mobile Home Rent Ordinance, the annual rent increase is indexed to the consumer price index. The Ordinance covers six mobile home parks: Mountain View Estates, Oasis Mobile Estates, Upland Cascade, Upland Eldorado, Upland Meadows Mobile Estates, and Upland View Terrace. The City had been looking to update the Rent Review ordinance , but due to pending court cases regarding the constitutionality of Rent Stabilization

laws, the process was placed on hold pending the outcome from the courts. Staff has been given the go ahead to begin implementing the existing ordinance and review the ordinance for any updates to current State laws.

Objective(s):

- Continue to enforce the Mobile Home Rent Ordinance to preserve mobile home affordability throughout the planning period consistent with State law.

Responsible Agency: City Housing Division
Funding Sources: General funds
Geographic Target: Mobile Home Parks
Time Frame: Ordinance review and updates by Q2 2026; Ongoing

Program 17. Affordable Housing at Risk of Conversion to Market Rate

The City periodically monitors its affordable housing projects to determine properties at risk of conversion. A total of 176 lower-income rental units are at risk of conversion by 2031. In 2022 and each year thereafter City staff will contact property owners to discuss options for extending affordability covenants for units at risk of conversion and will also notify qualified entities if a project is proposed for conversion. Notification will incorporate State preservation notice law (Government Code section 65863,10, 65863.11, and 65863.13) to inform the property owners of their responsibilities to tenants beginning three years before the property's potential conversion to market-rate.

Objective(s):

- Monitor publicly assisted low-income rental units at risk of conversion; support efforts to preserve the units through grants, tax credits, bonds, and transfer of ownership to entities willing to keep the units affordable.
- Inform tenants and property owners of their rights and responsibilities to provide adequate notice and other procedures if an affordable project is proposed for conversion to market rate housing.

Responsible Agency: City Housing Division
Funding Source(s): General Fund, Housing Rent Revenue Fund
Time Frame: Annual review and outreach

Program 18. Homeless Services and Facilities

The City of Upland seeks to proactively address the needs of the homeless population by encouraging production of emergency shelters, transitional housing, supportive housing, and single-room-occupancy units. Transitional housing and supportive housing must be permitted 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 (Gov. Code, § 65583(a)(5)). In 2018 AB 2162 amended State law to require that supportive housing also be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed housing development meets specified criteria. Regulations and management standards for emergency shelters must be objective and encourage and facilitate the development of, or conversion to, emergency shelters, and are subject to the same development and management standards applicable to residential or commercial development within the same zone except for those standards prescribed by Government Code section 65583 (a)(4)(A). Key development standards that would be revised include separation/distance requirements, parking requirements, waiting and intake area requirements, and operational requirements. AB 139 (2019) modified the allowable parking standards for emergency shelters. AB 101 (2019) added the requirement that *low barrier navigation centers* meeting specified

standards be allowed by-right in areas zoned for mixed use and in non-residential zones permitting multi-family uses pursuant to Government Code §65660 et seq. The City will review current development standards for these facilities and process a Code amendment to ensure that regulations regarding emergency shelters, transitional housing, supportive housing and low barrier navigation centers are consistent with State law.

Objective(s):

- Amend City regulations regarding emergency shelters, transitional housing, supportive housing and low barrier navigation centers consistent with State law.

Responsible Agency: Development Services Department,
Funding Sources: General Fund, Housing Rent Revenue Fund
Time Frame: Code amendment by December 2025

Program 19. Administrative Capacity

The dissolution of redevelopment agencies and loss of funding has required many cities to look for ways to activate the nonprofit sector and seek to collaborate and leverage resources to address community needs. The City has many active nonprofit organizations to address local needs. As the City continues to realign resources, augmenting its administrative capacity is a key concern. The City will leverage available resources through annual outreach and coordination with local non-profit organizations to maximize the benefits to lower-income households and persons with special needs.

Objective(s):

Utilize faith-based organizations, other non-profits, San Bernardino County Housing Authority, County, and other stakeholders and create a network of community and mainstream resources. The City will develop and implement a Homeless Services Plan that addresses:

- Community Outreach, Engagement, and Education Initiatives
- Treatment and Permanent Supportive Housing Initiatives
- Housing First/Rapid Re-housing Initiatives
- Chronic Homelessness
- Enforcement

Responsible Agency: Police Department
Funding Sources: General Fund, PLHA, CDBG and Housing Fund
Time Frame: Annual outreach and coordination with local non-profit organizations

Program 20. Housing for People with Disabilities or other Special Needs

The City of Upland encourages the provision of housing to serve the needs of persons with disabilities or other special needs, including residential care facilities, senior housing, transitional housing and supportive housing, and employee housing. The City will monitor changes to State law and process amendments to the Municipal Code annually as necessary to ensure that City regulations are consistent with State requirements. The City of Upland also has many organizations that serve persons with disabilities, including those with developmental disabilities. This includes OPARC Center, Easter Seals Development Center, Salem Christian Homes, and other organizations.

Objective(s):

- Monitor changes in State law and process amendments annually to the Municipal Code as necessary to ensure that City regulations are consistent with State requirements. Support agencies in seeking funding, as available, for the provision of housing and services for people with disabilities, including developmental disabilities. Reach out to potential developers or service agencies as part of the annual Action Plan solicitation for CDBG.
- Create reasonable accommodation process and procedure by December 2025 to allow flexibility in land use, building, and development standards to accommodate people with disabilities.
- Amend use standards and parking regulations for small residential care facilities by December 2025 to be the same as for other residential uses of the same type in the same zone consistent with State law.
- Review and amend regulations and parking standards for large (7+) residential care facilities by December 2023 to replace or modify the CUP requirement to provide greater objectivity and development certainty for residential care facilities serving 7 or more persons in all residential zones.
- Remove the definition of "single housekeeping unit".
- Amend regulations for employee housing consistent with the Employee Housing Act by December 2023.
- Assist in the development of housing for persons with special needs, including 792 extremely-low-income households, throughout the planning period through priority processing, granting fee waivers or deferrals, modified development standards, concessions and incentives for housing developments that include units affordable to extremely-low-income households; assisting and supporting funding applications; and annual outreach and coordination with affordable housing developers.

Responsible Agency: City Housing Division; Development Services Department
Funding Sources: General fund
Time Frame: Code amendments by December 2025; Annual monitoring, outreach and coordination

Program 21. Affirmatively Furthering Fair Housing

Upland implements programs to promote fair housing opportunities for all persons, regardless of protected status. As an entitlement jurisdiction, Upland prepares an Analysis of Impediments to Fair Housing Choice (AI) to periodically identify constraints or obstacles to fair housing opportunity. The City also contracts with the Inland Fair Housing and Mediation Board (IHFMB) to provide fair housing services that affirmatively further fair housing. Services include landlord and tenant education, community outreach and advocacy, and enforcement of fair housing laws. IFHMB also implements the policies and recommendations, where applicable, articulated in Upland's AI.

Objective(s):

- Promote fair housing practices through contract with IFHMB. Comply with all State and federal fair housing requirements when implementing housing programs or delivering housing-related services.
- Continue to prepare the Analysis of Impediments to Fair Housing Choice as required under federal law; implement the recommendations to improve fair housing as contained therein.
- Monitor residential and commercial developments that may impact ridership potential for expanded fixed route service north of the 210 Freeway and if any new developments in this area have the potential to generate ridership, the City will share this information with Omnitrans for consideration in future transit planning.

- To foster development of a balanced community that provides access to a diverse array of housing opportunities for all Upland residents including members of protected classes, the City will seek to expand affordable rental housing opportunities north of Foothill Boulevard by encouraging multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed use and flexible residential uses are currently allowable. (see also Program 7)
- Encourage continuing stakeholder involvement in local housing issues through ongoing, proactive outreach to engage members of all socio-economic groups and recruit members of underrepresented groups to participate in City meetings.

Responsible Agency: City and Inland Fair Housing and Mediation Board
Funding Sources: CDBG Funds
Time Frame: Ongoing and Annual Basis

Program 22. Housing Outreach and Information

The City shall provide information about housing assistance, fair housing, housing resources, and housing programs through a wide variety of outreach methods.

Objective(s):

- Disseminate fair housing outreach materials at the library, website, and counter so that residents and landlords are aware of their rights, responsibilities, and opportunities for resolving fair housing concerns. **Provide information to 100 households annually.**
- The Upland Development Services Department and IFHMB will continue providing educational opportunities for property owners, property managers, and residents in Upland concerning the law as it pertains to reasonable accommodations and reasonable modifications. The City will contract with IFHMB to provide two workshops per year in the City, with one workshop per year serving as a general introduction to fair housing laws and possible discrimination, and one workshop each year being specifically focused on housing issues faced by persons with disabilities and the reasonable accommodation and modification processes.
- The City will also contract with IFHMB at least once during the planning period to fund matched pair testing in Upland to address issues of possible discrimination based on disability as well as race, familial status, national origin, disability and other protected categories.

Responsible Agency: City and Inland Fair Housing and Mediation Board
Funding Sources: General fund
Time Frame: Ongoing and Annual Basis. Two workshops per year. Matched pair testing once in the planning period.

Program 23. Housing Mobility

The City will strive to increase opportunities and promote housing mobility, specifically, the City will strive to improve housing mobility and options north of Foothill Boulevard. To promote housing mobility in relatively higher income and lower density areas, the City will employ a variety of strategies to achieve the development of 150 units (such as ADUs, JADUs, and SB 9 units) throughout the entirety of the planning period.

The City will create and implement an ADU Bonus Program. The City amend its zoning ordinance to allow one additional ADU, beyond state law, on lots in the RS-10, RS-15, and RS-20 zones with a single family home that are larger than 15,000 square feet. The program will allow additional one additional ADU on eligible single-

family lots given that the bonus ADUs are deed restricted as affordable to lower-income households for a certain, shortened period of time (ex. 10 years). The program is applicable to an estimated 1,940 lots.

Objective(s):

- **ADU Bonus Program:** Increase affordable housing opportunity north of Foothill Boulevard through allowing more than one ADU per lot on eligible single-family parcels. Goal of at least 50% of ADUs developed in north Upland. Creation of 20 bonus, affordable ADUs annually once program is in place.
- Encourage multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed use and flexible residential uses are currently allowable. (see Programs 5 and 6). Use of Specific Plans can incentivize higher density housing in these areas.
- Develop of ADUs (Program 9). Development of 45 ADUs annually, with a geographic target of 50% of ADUs in north Upland
- Rezone to allow additional housing opportunities throughout the City, including an assumed 273 lower-income units north of Foothill (Program 6)
- Increase Housing Choice Voucher use in north Upland

As part of these efforts, the City will conduct a mid-cycle evaluation in 2026 to review the effectiveness of the above strategies and consider additional programs as necessary, including but not limited to higher density opportunities on religious, institutional and quasi-institutional lands, missing middle zoning in addition to SB 9 such as adaptive reuse, acquiring and adding affordability to existing structures, and upzoning.

Responsible Agency: City Housing Division; Development Services Department
Funding Sources: General fund, CDBG Funds
Time Frame: Ongoing and Annual Basis. Creation of Bonus ADU program by Q1 2025. Promotion of ADU program in 2025 and beyond. Mid-cycle review in 2026.
Geographic Target: Comparatively higher income and resource areas of the City, including the RCAA area in northern Upland.

Program 24. Place-Based Improvements in South Upland

Develop and continue programs and strategies to create place-based improvements through investments in the public right of way. The City will continue to prioritize CDBG funding in south Upland, communities south of Foothill Boulevard, and low-resource areas of the City as well as annually work with the City Council to prioritize other funding sources in these areas. This will serve to continue to improve communities through neighborhood improvements such as enhanced streetscapes, multi-modal and active transportation, pedestrian safety improvements, safe routes to schools, community facilities, park improvements, and other community amenities.

Objective(s):

- Business Attraction Assistance Program (BAAP). This program provides up to $75,000 via a forgivable loan to sales tax producing businesses in locate in Downtown Upland in exchange for creating full time equivalent jobs for low to moderate income persons. Since its inception, the program has provided 15 business loans, ranging from $25,000 to $75,000.
- Historic Downtown Revitalization Program (Commercial Rehabilitation Program, CRP). This program provides a grant to businesses located in downtown Upland of up to $30,000 for eligible façade improvements and an additional $15,000 for mitigation of asbestos or lead-based paint hazards. The

City has provided 15 grants through this program. Eligible improvements include ADA entry improvements, exterior lighting, doors and windows, façade reconfiguration, and signage.

- Capital Improvements in south Upland. The City will continue to complete Capital Improvement Projects in south Upland. Recent and ongoing projects south of Foothill include
  - ARPA Alley Rehabilitation Phase I ($465,490, 50% of project south of Foothill)
  - Civic Center Paving and ADA Improvements ($247,626)Pavement maintenance on Euclid Ave ($436,749, 60% of project south of Foothill)
  - Street and Alley Program from 2018-2020, ($732,414)
  - Complete rehabilitation (street, sidewalk, curb, gutter, ADA, pedestrian improvements, water and sewer infrastructure) of Arrow Highway ($11,490,592).
- Multiple Family Rental Rehabilitation Program (Program 5) provides targeted funding to improve affordable existing affordable housing stock, including a target of 50% of funding going to properties south of Foothill.
- The City will continue to seek grant funding for improving and encouraging redevelopment in south Upland.

Responsible Agency: City Housing Division; Development Services Department
Funding Sources: General fund, CDBG Funds, CIP, Housing Fund balance, Housing rental revenues
Time Frame: BAAP and CRP are ongoing. CIP projects per CIP schedule. Seek grant funding annually or as available.
Geographic Target: Southern Upland, and areas with comparatively lower income and resources.

Quantified Objectives

Subject to availability of funding, **Table H-21** summarizes the City's quantified objectives for the 2021-2029 planning period.

Table H-21 Housing Element Quantified Objectives

Housing Program Area	Households Assisted by Income Level				
	Ext. Low	Very Low	Low	Moderate	Above Mod
New Construction[1]	792	792	959	1,013	2,130
Housing Rehabilitation[2]	50	100	89	-	N/A
Housing Preservation[3]	-	-	176	-	N/A
Rental Assistance[4]	416	165	29	N/A	N/A
Homebuyer Assistance[5]	-	-	10	-	N/A
Mobile Home Rent Stabilization[6]	806				N/A
Code Enforcement Case Resolution[7]	20,000				N/A

Source: City of Upland, 2021.

Note: Quantified objectives dependent on continued funding.

[1] Housing construction goals refer to the provision of sites to address the 2021–2029 RHNA allocation.

[2] Housing rehabilitation goals include the Housing Improvement, Emergency Repairs for Homeowners, and Rental Acquisition and Rehabilitation programs.

[3] Housing preservation goals refer to the preservation of publicly subsidized units at risk of conversion to market rate.

[4] Rental assistance goals refers to the annual number of housing choice vouchers issued by the San Bernardino County Housing Authority.

[5] Homeownership goals refer to the City's homeownership assistance program.

[6] Mobile home rent stabilization goals refer to all units under the program, regardless of income level.

[7] Code enforcement refers to units inspected citywide and in focus areas.

Appendix A Evaluation of the Prior Housing Element

Section 65588(a) of the Government Code requires that jurisdictions evaluate the effectiveness of the previous Housing Element; the appropriateness of goals, objectives, and policies; and the progress in implementing programs for the previous planning period.

Table A1 summarizes the City's accomplishments in implementing the programs for the previous planning period. In addition, a cumulative evaluation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female headed households, farmworkers and persons experiencing homelessness) is described below.

The City of Upland implemented various programs as part of its previous cycle of the Housing Element in an effort to maintain its existing housing stock, conserve and improve existing affordable housing, increase housing production, provide assistance to households in need, create equal opportunity to housing, and comply with State law and code amendments.

A number of the City's programs addressed the housing needs of special needs populations during the previous cycle. Special needs populations include seniors, large families, single-parent households, people who are homeless, and people with disabilities. The City addressed the housing needs of special populations through the following programs:

- The Emergency Repair Program (ERP) - provides a grant for emergency repairs to single-family homes, condominiums, and mobile homes of very-low-income families. The grant is available to income eligible homeowners who live within Upland's city limits. Funding for this program is provided by Community Development Block Grant (CDBG) and/or local City funds and grants up to $ 15,000 are available for emergency repairs and/or code violations corrections on a first come, first served basis subject to type of emergency and annual appropriation caps.
- First Time Home Buyer Program – The Housing Division of the Development Services Department provides low-interest loans for First Time Home Buyers (FTHB) through HOME and Cal HOME funds. When funds are available, this program helps individuals and families to purchase a home if they are unable to qualify and/or raise the necessary down payment without financial assistance. This program is designed to help persons who would not otherwise achieve the American Dream of owning their own home. Loan are structured as a second mortgage at 3% simple interest- with all payments deferred until the first occurrence of sale, refinancing, or full payment of the first mortgage.
- The Home Improvement Program is funded by HOME and CalHOME funds and provides 30-year deferred, zero or 3% interest loan up to $90,000 for qualifying repairs. This program targets lower-income homeowners who cannot secure conventional funding for repairs.
- Affordable Housing – There are currently 10 affordable rental housing complexes in the City that offer a total of 732 affordable units at the following sites: Coy D. Estes Senior Housing, Los Olivos Housing Authority of the County of San Bernardino, The Village Apartments, Sunset Ridge Apartments, Magnolia Colony Apartments, Northwoods Apartments, Arbor Park Apartments, Alpine Woods, Mountain Springs Apartments and Ninth Street Terrace Apartments.

- Families and Individuals in Need of Emergency Shelter / Homelessness – The City of Upland is actively engaged in supporting residents experiencing homelessness by providing direct Outreach Services through the U-HOPE program implemented by the Upland Police Department. Homelessness occurs for a variety of reasons and requires different resources and services for each homeless individual, serving the needs of this population is complex. The City aims to provide a system that coordinates and focuses resources to those most in need and least able to advocate for themselves. People experiencing homelessness in Upland can be connected to Emergency Shelters, Substance Abuse Programs, and the County Coordinated Entry System (2-1-1). Available services include clothing, food, childcare, health care, government resources, transportation, local libraries and afterschool programs, donation information and volunteer information. Service locations include the following:

Abundant Living Family Church
Hours: Tuesday & Thursday, 4 p.m.-7 p.m. Saturday 10 a.m.-1 p.m.
9269 Uticia Ave. #125 Rancho Cucamonga, CA 91730
(909) 987-7110

Citylink—Food Bank Only
Hours: Tuesday and Thursdays 2: p.m. - 6 p.m.
16779 Spring St. Fontana, CA
(909) 803-1059

Foothill Family Shelter
Hours: Tuesday-Friday, 9:00a.m.-5 p.m.
1501 W. 9th Street, Ste D Upland, CA 91786
(909) 920-0453

St. Joseph's Church—Food Bank His Hands Ministry (Upland only)
Hours: Monday-Thursday, 9 a.m.-11 a.m. Saturday 7:00 a.m. - 2 p.m.
937 N. Campus Ave. Upland, CA 91786
(909) 981-8110

Salvation Army
Hours: Monday-Friday, 9 a.m.-10:30 a.m.
412 S. Euclid Ave., #408 Ontario, CA 91762
Food Bank (909) 986-6748 Shelter (909) 888-4880

GAP—Food Bank
Thursdays only 4 p.m. - 6 p.m.
8768 Helms Ave Rancho Cucamonga, CA 91730
(909) 945-1020

Para Los Niños
Family Services Hours: Tuesday-Friday, 9 a.m.-1 p.m.
1205 N. Baker Ave
Ontario, CA 91764
(213) 413-1466

Inland Valley Hope Partners
Hours: Monday-Thursday, 8:00 a.m.-6 p.m.
1753 Park Avenue.
Ontario, CA 91762
(909) 622-3806

Table A1. Program Accomplishments, 2013–2021 Housing Element

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
Code Enforcement	Ensure compliance with municipal codes and maintain value and safety of property and structures.	Ongoing	The City has continued to provide code enforcement services. This program is successful and should be continued. Modify to include clear objectives on number of inspected units per year and timeframe for the abatement process.	Program 1
Home Improvement	Provide Home Improvement loans to qualified low and moderate income homeowners earning less than the 80% Area median Income.	Ongoing	Due to the decrease of the State after rehabilitation value limits to $285,000 and the long-awaited approval to increase said value limits, staff has struggled to provide assistance to any potential qualified applicants. This program should be continued. Modify to include clear objectives on number of HIP loans provided per year.	Program 2
Emergency Repair Program	Provide grants to qualified homeowners to address emergency repairs.	Ongoing	This program continued to provide grants to qualified homeowners to address emergency repairs. During 2014-2020 92 households were assisted through the Emergency Repair Program. This program helps to avoid deterioration and should be continued. Modify to include clear objectives on number of grants provided for homeowners per year.	Program 3
Rental Acquisition and Rehabilitation	Continue to provide grants to address properties with substantial rehabilitation or maintenance needs.	Ongoing	No units were assisted during 2014-2020 due to dissolution of the Redevelopment Agency. This program helps to avoid deterioration and should be continued if funding is available. Modify to include clear objectives on number of RARP grants provided per year.	Program 4
Historic Preservation	Continue to support the preservation of historic properties through a variety of planning, zoning, rehabilitation, and other incentives.	Discontinued	The Historic Home Rehabilitation Program has been defunded, however, if there is an opportunity to preserve a Historic Home for affordability purposes, the city will assist in that activity.	N/A
Five Star Rental Recognition	The objective is to continue this program and disseminate information to landlords to encourage their participation in the Five Star Rental Recognition Program.	Discontinued	This program was discontinued in 2016.	N/A
Specific Plans	Continue to implement remaining specific plans to facilitate the development of high quality infill residential development in Upland.	Ongoing	The City continued to implement the remaining specific plans in order to facilitate the development of high quality infill residential development in Upland. This program is an important strategy for effective land use planning and should be continued. Modify to include clear objectives to process specific plan amendments to encourage the production of housing for all income levels, in particular for lower- and	Program 7

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
			moderate-income households concurrent with zoning amendments described in Program 6.	
Historic Downtown Specific Plan	Continue to implement the Historic Downtown Specific Plan to facilitate the development of high quality infill residential development in Upland.	Ongoing	The City continued to implement the Downtown specific plan. This program is an important strategy for effective land use planning and should be continued. Modify to include clear objectives to facilitate the production of multi-family housing at 55 units per acre in the Historic Downtown Specific Plan.	Program 7
Secondary Units	The City will continue to support the production of second units and guest quarters that meet the requirements in the municipal code.	Ongoing	The City continued to support the production of accessory units and in 2021 the ADU Ordinance was updated consistent with State law. This program is an important component of the City's overall housing strategy and should be continued. Modify to include clear objectives on number of ADUs developed per year.	Program 9
Green Valley Initiative	Participate in the Green Valley Initiative's regional meetings and outreach efforts to promote a healthy economic and environmental future. Continue implementation of the City's other green initiatives, including waste management, water conservation and use, and CalGreen programs.	Ongoing	The City continued to participate in this collaborative effort. As of 2021 the City participates in 4 open PACE programs. This program supports energy conservation and should be continued.	N/A
Water Priority System	Encourage water and sewer providers to have a water and sewer priority system in place in compliance with state housing law.	Ongoing	The City actively participated in the establishment of a water and sewer priority system. This program supports infrastructure for new housing and should be continued. Modify to include clear objectives on program time frame.	Program 10
Neighborhood Improvements	Continue monitoring, planning, and programming for public improvements that serve the community.	Ongoing	The City continued to make such infrastructure and service improvements to further the vision of the City Council. This program supports infrastructure for new housing and should be continued.	Program 11
Homeownership Assistance	Continue to provide up to 2 FTHB loans annually to qualified low income homeowners and advertise program availability. Annually evaluate the City's funding capacity and as needed pursue additional HOME / CAL HOME funds.	Ongoing	During 2014-2020 there were 2 FTHB loans granted. This program supports home ownership for low-income households and should be continued. Modify to include clear objectives on number of FTHB loans provided per year as well as a commitment to evaluate the City's funding capacity annually.	Program 12
Rental Housing Assistance	Continue to participate in the federal	Ongoing	According to the Housing Authority of the County of San	Program 12

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
	housing choice voucher program and family self-sufficiency program allocating.		Bernardino, the Upland Housing Authority served vouchers to 619 families. This program supports rental housing affordability and should be continued. Modify to include clear objectives on the time frame and continuance of program.	
Housing Incentives	Continue to permit and encourage density bonuses, lot consolidations, and other means to build market rate and affordable housing. Amend the Zoning Code to allow half covered/ uncovered spaces for studio and 1-bedroom units in projects outside the downtown and mixed use corridors provided the project qualifies for a density bonus or is deed restricted as affordable. Advertise the availability of incentives at the planning public counter and through the development review process.	Ongoing	The Development Code Update was adopted on September 28, 2015. The update provided modifications to the Development Code that were recommended in the Housing Element. These included providing for residential care facilities (7 or fewer) by right in all residential zones. New provisions were also provided for Supportive and Transitional Housing, Emergency Shelters, Child Care/Day Care, SROs, and efficiency units. This program supports production of new housing, including affordable units, and should be continued. Modify to include clear objectives on the time frame for the Density Bonus code amendments to be completed.	Program 15
Mobile Home Rent Stabilization	Continue to enforce the Mobile Home Rent Ordinance; complete review and revisions to the Rent Ordinance after the courts complete proceedings on the legality of rent stabilization	Ongoing	The City was advised to place a hold on proposed revisions to the existing ordinance pending litigation challenging the constitutionality of Rent Stabilization law until the outcome of court proceedings Modify to include a clear timeline.	Program 16
Housing at Risk of Conversion	Monitor publicly assisted multiple units at risk of conversion; support efforts to preserve the units through grants, tax credits, bonds, and transfer of ownership to entities willing to keep the units affordable. Inform tenants and property owners of their rights and responsibilities to provide adequate notice and other procedures if an affordable project is proposed for conversion to market rate housing.	Ongoing	The City continued to monitor affordable housing projects to determine properties at risk for conversion. This program is an important strategy for preserving existing affordable housing and should be continued. Modify to include clear objectives on commitments regarding the annual monitoring and outreach of affordable housing projects.	Program 17
Low Income Housing Assistance	Offer expedited permit processing, contact developers annually about potential sites, and support applications of developers to build affordable	Ongoing	This program is duplicative and should be combined with other programs that have similar purposes.	Program 15

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
	housing that targets extremely low income households in Upland. Assist in the development of housing for lower-income households by outreaching to affordable housing developers, exploring available funding options, and supporting grant applications for housing.			
Homeless Services	Define shelters, transitional housing, and permanent supportive housing consistent with state law, permit shelters with a ministerial permit in the Industrial zone; and establish objective standards as allowed by state law. In all zones allowing residential uses, permit transitional and supportive housing as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.	Ongoing	The City continued to provide funding support to agencies that serve the homeless and at- risk homeless through the CDBG Program process and the City's Housing Fund. In 2013, a Homeless Shelter Stakeholders Group was formed to assist the implementation of this goal. The Development Code Update was adopted in the summer of 2015. In December 2019, the City hired a Homeless Coordinator to conduct and assist with homeless prevention activities. During CY2020, the City applied for and received a new affordable housing grant from the State that will provide funding to the Homeless Prevention Program for the next 3 years. Also, during CY2020, the City applied and received CARES CV1 and CV3 to provide additional funds to assist homeless prevention activity. This program is an important strategy for addressing the special needs of the homeless and should be continued. Modify to include clear objectives and time frame to amend City regulations regarding emergency shelters, transitional housing, supportive housing and low barrier navigation centers consistent with State law.	Program 18
Administrative Capacity	Utilize the Service Council to coordinate the City, faith-based organizations, other non-profits, Upland Housing Authority, County, and other stakeholders and create a network of community and mainstream resources. The Service Council will develop and implement a Homeless Services Plan that addresses: -Community Outreach, Engagement, and Education Initiatives -Treatment and Permanent Supportive	Ongoing	The City has continued to work with the various organizations in San Bernardino County to create a Homeless Service Plan. The stakeholders team is comprised of individuals and organizations that have a desire to help the community and seek a positive change in the city, specifically, as it relates to those affected by homelessness. The team meets monthly in order to maintain an active effort to address the homeless issues. In December 2019, the City hired a Homeless Coordinator to assist with all homeless activities. During CY2020, the City applied for the Permanent Local Housing Allocation to assist the Homeless Coordinator with additional	Program 19

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
	Housing Initiatives -Housing First/Rapid Re-housing initiatives - Chronic Homelessness -Enforcement		funds for the City's Homeless Prevention Program. Also, during CY2020, the City applied and received CARES CV1 and CV3 to provide additional funds to assist homeless prevention activity. This program is an important strategy for leveraging housing resources and should be continued. Modify to include clear objectives of the Homeless Services Plan and the City's outreach and coordination responsibilities.	
Housing for People with Disabilities	Amend the Zoning Code to define and allow residential care facilities serving six or fewer residents as a by-right use in all residential zones; remove or amend the definition of a family in the Zoning Code. Permit larger facilities with a CUP in two additional mixed-use zones. Support agencies in seeking funding, as available, for the provision of housing and services for people with disabilities, including developmental disabilities. Reach out to potential developers or service agencies as part of the annual Action Plan solicitation for CDBG. Create reasonable accommodation process and procedure as part of the Zoning Code Update to a low flexibility in land use, building, and development standards to accommodate people with disabilities.	2015	The Development Code Update was adopted on September 28, 2015. The update provided modifications to the Development Code that were recommended in the Housing Element. These included providing for residential care facilities by right in all residential zones (for those serving 6 or fewer residents), Supportive and Transitional Housing, Second Dwelling Units, Emergency Housing and Single Room Occupancy (SRO) in Mixed Use Zones and Efficiency Units. This program is an important strategy for addressing the special housing of persons with disabilities and should be continued. Modify to include clear objectives and time frame of the code amendments as well as the City's commitment to annually monitor State law, conduct outreach, and coordination with affordable housing developers.	Program 20
Fair Housing	Promote fair housing practices through contract with IFHMB. Comply with all state and federal fair housing requirements when implementing housing programs or delivering housing-related services. Continue to prepare the Analysis of Impediments to Fair Housing Choice as required under federal law; implement the recommendations to	Ongoing	The City continues to promote fair housing practices and provide educational information to the public. This program is an important strategy for affirmatively furthering fair housing and should be continued. Modify to include clear objectives.	Program 21

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation	6th Cycle Program Location
	improve fair housing as contained therein. Disseminate fair housing outreach materials at the library, website, and counter so that residents and landlords are aware of their rights, responsibilities, and opportunities for resolving fair housing concerns.			

Appendix B Sites Inventory

This appendix contains a parcel-specific inventory of potential sites that are suitable for housing development during the 2021-2029 planning period. Table B2 lists approved projects expected to be built during the planning period while Table B3 lists vacant sites zoned for residential development.

Housing Allocation

California General Plan law requires that a community plan for an adequate number of sites to allow for and facilitate production of its share of the regional housing need. Each jurisdiction must identify "adequate sites" to determine whether that jurisdiction has sufficient land to accommodate its share of regional housing needs for each income level. As defined under California Government Code Section 655839(c)(1), adequate sites are those with appropriate zoning and development standards, and with services and facilities to encourage and provide for the development of a variety of housing for all income levels. As shown in the table below, the RHNA for the 2021-2029 (6th Cycle) planning period is 5,686 units. Broken down by income level, the allocation is 1,584 very low-, 959 low-, 1,013 moderate-, and 2,130 above-moderate units.

Table B1. RHNA Allocation

	Very Low	Low	Moderate	Above Moderate	Total
RHNA	1,584	959	1,013	2,130	5,686

No Net Loss Buffer

Recent changes to State law, including Senate Bill 166, require cities to continually maintain adequate capacity in their sites inventories to meet their RHNA for all income levels. In the event that a site is developed below the density or at a different income than projected in the Housing Element, the City must have adequate sites available to accommodate the remaining balance of the RHNA. If the City does not have any additional capacity within the existing zoning it must identify and rezone for new sites that can accommodate the remaining need. For these reasons, the City is including an additional buffer of 15 percent above the unmet RHNA in each category. Table B-2 below identifies the total target capacity based on the RHNA plus 15 percent of any unmet RHNA. As shown, the pipeline projects (Row B) and projected ADUs (Row C) are subtracted from the RHNA (Row A) to determine the unmet RHNA (Row D). The unmet RHNA is then multiplied by 15 percent (Row E). Row F sums the RHNA (Row A) and the 15 percent of the unmet RHNA (Row E) to show the total target sites capacity.

Table B2. Target Sites Capacity (15% No Net Loss Buffer of Unmet RHNA)

	Type	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
A	RHNA	1,584	959	1,013	2,130	5,686

	Type	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
B	Completed, Approved, and Proposed Projects	240	19	-	1,331	1,590
C	ADUs	82	125	125	28	360
D	Unmet RHNA (A-B-C)	1,262	815	888	771	3,736
E	Target Buffer (15% of Unmet RHNA)	190	123	134	116	563
F	Unmet RHNA + Target Buffer (D+E)	1,452	940	1,022	885	4,299

To facilitate new housing production and address the community's housing needs, cities must ensure that sufficient land with appropriate zoning is available to accommodate the amount of additional housing need as determined through the Regional Housing Needs Assessment (RHNA). The City's land use plans and development regulations are discussed in Section 3 – Constraints. This section describes how the RHNA allocation for the 2021-2029 planning period will be accommodated, as summarized in Table B3 below. The City is relying on a combination of completed, approved, and proposed projects, ADUs, vacant, and non-vacant sites to meet the RHNA.

Table B3. Ability to Meet the RHNA

	Type	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
A	**RHNA Assessment**	1,584	959	1,013	2,130	5,686
B	Completed, Approved, and Proposed Projects	240	19	-	1,331	1,590
C	ADUs	82	125	125	28	360
D	Unmet RHNA *(A - B - C)*	1,262	815	888	771	3,736
E	Vacant Opportunity Site Capacity	199	133	135	133	600
F	Non-Vacant Opportunity Site Capacity	1,312	858	935	822	3,927
G	Opportunity Site Capacity *(E + F)*	1,511	991	1,070	955	4,527
H	**Total Capacity** *(B + C + G)*	1,833	1,135	1,195	2,314	6,477
J	Surplus of units beyond RHNA + buffer	59	53	48	68	228

Realistic Capacity

State law requires that a jurisdiction project realistic estimates for housing capacity on its RHNA sites. The realistic capacity of sites may be calculated using recent project history, a minimum density, or other methods. As a majority of growth is expected to take the form of multifamily housing, recently constructed multifamily projects were reviewed to understand and establish historical trends for multifamily housing development in the City. The realistic capacity calculation also takes into account recent inquiries and permits for uses in zones that allow mixed-use or stand-alone commercial uses.

Upland is a mature community with only a small amount of vacant land suitable for housing development. Potential sites for housing development include sites zoned exclusively for residential use as well as sites where zoning allows either residential or non-residential development. The realistic potential for housing on residentially-zoned sites has been estimated based on densities of recently approved multi-family and condo projects. Project densities on sites allowing only residential use have ranged from 61% to 108% of the allowable maximum.

Potential Development on Sites Zones for Non-Residential or Mixed Use. In recent years several projects have been developed with a residential component despite non-residential also being allowed in the zoning district. One example is a 78-unit live-work project located at the corner of Central Avenue and 11th Street. Each unit is 3 stories with the upper two stories used as living space while the first story includes parking and a work area. At the time it was approved, this project was located in the Highway Commercial zone; however, the property has since been rezoned to Commercial Industrial Mixed Use (C/I-MU) consistent with the new General Plan. This zoning district is intended to accommodate a variety of industrial, regional retail, and support commercial activities to satisfy a range of shopping needs for residents and maximize the potential for job generation. This zone is situated at an important gateway to the City at the west end of Foothill Boulevard and along portions of Central and Benson avenues. Development in this zone is intended to include pedestrian-friendly sidewalks and landscaping to facilitate the transformation of this area into an attractive, welcoming gateway into Upland. This zone supports residential uses in the form of live/work developments. The maximum permitted non-residential FAR is 1.0, which facilitates residential development.

Another example of a successful residential project within the Commercial Residential Mixed-Use Zone (C/R-MU) is GFR Homes, a 37-unit townhome style condominium development. The C/R-MU Zone is intended to support the development of compact, walkable, and pedestrian-oriented districts with a combination of retail, local-serving commercial and medium-density multi-family developments. The preference for land uses consists of integrated, vertical mixed uses that facilitate an active street front by bringing buildings and building entrances to the street edge and providing pedestrian-friendly sidewalks, trees, landscaping and public plazas. The maximum permitted non-residential FAR is 1.0 with a maximum permitted residential density of 20 dwelling units per net acre, exclusive of City and state density bonuses. This zone provides opportunities for a mix of medium- to large-scale integrated mixed-use developments while ensuring a sensitive scaled transition to adjacent buildings and uses.

A recent 6-unit apartment development on San Antonio Avenue is located within the Business Residential Mixed-Use Zone (B/R-MU). This zoning district is intended for areas in which business and/or light industrial uses are compatible with residential or live/work units. The B/R-MU Zone provides an environment where residents can enjoy the convenience of living and working in close proximity. The intended development pattern consists of horizontal mixed uses that provide adequate buffering and transitions between residential and non-residential land uses. This zone supports residential units adjacent to non-residential uses such as: light

manufacturing, assembly and offices. The maximum permitted non-residential FAR is 0.5 with a maximum permitted residential density of 20 dwelling units per acre. This zone provides opportunities for preservation of small- to medium-scale development and an authentic mix of building typologies and uses. The site was developed with 6 units (15 units/acre) with the retention of an existing single-family home.

In 2018 the Planning Commission approved a 203-unit apartment complex on a 4.5-acre site (46.9 dwelling units per acre) within the Colonies Specific Plan, Planning Area 4, which is a Mixed-Use Zone. The purpose of the mixed-use designation is to encourage development of higher-density housing with neighborhood commercial and restaurant uses.

Table B4 summarizes densities of recent residential developments in zones allowing commercial or mixed-use. For housing developments on sites where non-residential and mixed uses are allowed, densities of approved projects have ranged from 67% to 93% of the allowable maximum.

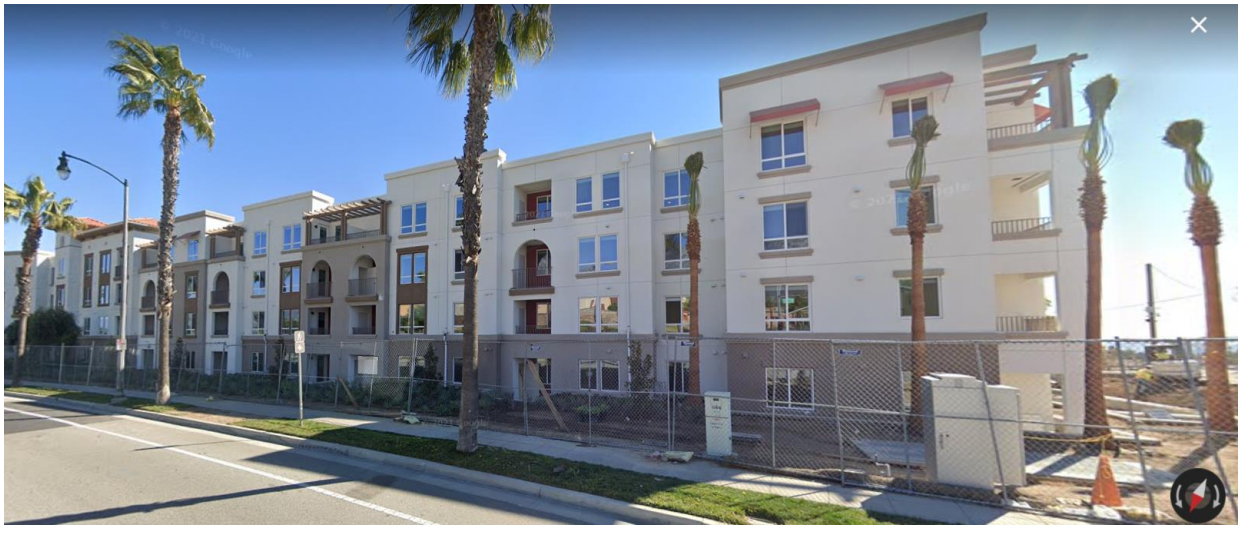
Table B4. Residential Developments in Mixed Use and Non-Residential Zones

Project	Project Type	Zoning District	Non-residential uses allowed?	Allowable Density (du/ac)	Project Density (% of max)	# of units
6 Unit Apartments (San Antonio)	Apartments	B/R-MU	Yes	20	15 (75%)	6
Alta Apartments	Apartments	PA-4 of Colonies SP	Yes	62	46.9 (76%)	203
11th & Central Mixed Use	Live-Work	C/I-MU	Yes	20	17.5 (88%)	78
Mt. Fuji (GFR)	Condominiums	C/R-MU	Yes	20	14.4 (72%)	37

Source: City of Upland, 9/2022

Other approved projects and property owner inquiries indicate strong interest high-density multi-family residential development in Upland. Examples include the following:

- This 4-story condominium development was approved at a density of 45 units/acre in The Colonies Planning Area 4. The zoning for this site is Specific Plan/Mixed Use, which allowed mixed-use or commercial development.



- Immediately adjacent to the 4-story condominium development in The Colonies Planning Area 4 is this approved 7-story apartment project at a density of 47 units/acre. The zoning for this site is Specific Plan/Mixed Use, which allowed mixed-use or commercial development.



- A 4-story 111-unit apartment project was approved at a density of 48 units/acre in the Historic Downtown Upland Specific Plan near the Metrolink Station. The site was created through the consolidation of 9 separate parcels totaling 2.3 acres. The project density is 88% of the maximum 55 units/acre allowed in this district. Zoning allowed commercial use on this site.

- A 32-unit attached townhome development within four 3-story buildings was approved at a density of 32 units/acre in the Historic Downtown Upland Specific Plan near the Metrolink Station. The site involves the consolidation of 6 separate parcels totaling approximately 1 acre.

- The City has received 2 applications for affordable and permanent supportive housing developments at a density of approximately 70 units/acre in the Historic Downtown Upland Specific Plan.

- Preliminary discussions regarding a 4-story 141-unit apartment project at a density of 55 units/acre (100% of maximum) in the Historic Downtown Upland Specific Plan. The property is currently occupied with older commercial buildings.

- Preliminary discussions regarding a 199-unit expansion of a senior apartment project at a density of 32 units/acre.

Based on these development trends, the realistic capacity of sites zoned for residential use only (i.e., where non-residential or mixed uses are not allowed) was conservatively estimated as 80% of the allowable density, while the capacity of sites permitting non-residential use was estimated at only 50% of the allowable density.

A parcel-specific list of vacant sites with potential for housing development is provided in Table B10. Potential new housing units on vacant sites are assigned to income categories based on allowable density and parcel size. Sites allowing a density of less than 15 units/acre are assigned to the above-moderate income category, while sites allowing a density of 15 to 29 units/acre are assigned to either the moderate or above-moderate income category. Sites that are at least ½ acre in size and where a density of 30+ units/acre is allowed may be assigned to any income category based on the "default density" specified in State law. Small sites less than ½ acre are assigned to either the moderate or above-moderate category.

Potential Development on Underutilized Sites

As with most of the older cities of Southern California where little vacant land remains, a significant portion of new residential development in Upland is expected to occur on underutilized non-vacant properties where additional housing units can be built or the existing uses can be replaced with higher-value development. In 2015, the City updated its General Plan and Municipal Code to incorporate mixed-use zones that allow additional opportunity for residential development in commercial areas. The purposes of the Mixed-Use zones are to:

1. Foster developments that provide a mix of related land uses close to one another, either within a single building, on the same parcel, or on adjacent parcels, in order to reduce reliance on the automobile, create pedestrian-oriented environments, and support social interaction by allowing residents to work or shop within walking distance to where they live;

2. Promote infill development, intensification, and reuse of currently underused sites consistent with the General Plan;

3. Establish design standards that improve the visual quality of development and create unified, distinctive, and attractive mixed-use corridors and centers;

4. Provide appropriate buffers and transition standards between commercial, industrial and residential uses to preserve non-residential and mixed-use feasibility and residential quality; and

5. Provide incentives for mixed-use (horizontal and vertical) development along main corridors and nodes to promote varied uses within a pedestrian-oriented environment.

To estimate the realistic capacity of development on non-vacant sites the City evaluated recent development trends including project applications and interest from local developers (Table B8). Although the zoning on several of these sites also allows non-residential uses, all of these projects are 100% residential at densities ranging up to 55 units/acre.

Size

No sites larger than 10 acres are included in the inventory of lower-income sites.

Sites Smaller than 0.5 acres. Pursuant to Government Code 65583.2(c) sites smaller than 0.5 acre are assigned to the moderate- or above-moderate categories, with the exception of two groups of contiguous parcels. For both groups of parcels, the total acreage of each group of sites is over 0.5 acres, and they are functionally developable as one parcel.

For parcel group one, all of the parcels have the same owner, are currently vacant, and are contiguous in a normal, rectangular shape. Parcel group two is much larger and contains 13 parcels in a contiguous, rectangular block. Two parcels are larger than 0.5 acres, nine parcels are each 0.4 acres, and two parcels are 0.2 acres. Of the thirteen parcels, seven have a singular owner (3.33 acres). Two parcels are owned by a singular owner (0.81 acres), and the other four parcels have separate owners. The group of 13 parcels could be developed as a singular or multiple projects, and the size of the parcels will not preclude their development.

To assist in lot consolidation, the City is included Program 15, which includes expedited process, fee waivers for lot consolidation projects for affordable or special needs households, proactive outreach regarding lot consolidation opportunities, and technical assistance with lot consolidation.

Table B5. Small Sites

ID	APNs	Total Acreage	# of Owners	# of Parcels	Assumed Capacity
1	104660105, 104660112, 104660113, 104660114, 104660101, 104660102, 104660103, 104660104, 104660106, 104660107, 104660115	1.63	One	11	60
2	104633313, 104633308, 104633307, 104633306, 104633309, 104633305, 104633310, 104633304, 104633301, 104633311, 104633303, 104633312, 104633302	5.35	Six	13	133

Additionally, the City has seen a trend of interest in residential development on small lots that are consolidated. There have been multiple, recent projects where a singular owner purchased multiple, contiguous parcels for the purpose of developing multifamily residential uses. This includes both vacant and non-vacant lots and lots with one and multiple owners. This also includes both market rate and affordable housing. Recent inquiries and applications include the following:

- An application for the development of 19 multi-family units, including 2 affordable units, on 0.64 total acres, and the consolidation of 3 lots with two separate owners.
- Consolidation of four lots, including one lot smaller than 0.5 acres, for development of residential units on 5.86 total acres
- Interest on consolidating twelve parcels totaling 1.96 acres for the development of approximately 61 units.
- Five separate owners of nine contiguous properties totaling 3 acres are seeking to sell the land to a single developer for multi-family residential development.
- Consolidation of four, non-vacant lots all smaller than 0.5 acres into one for the development of 84 multi-family units, including 12 affordable units. Uses on these lots include a contractor office and storage and are similar to the uses in parcel cluster 3. The parcels total 1.37 acres. These small sites were formerly on the RHNA sites inventory list and are now a pending project.

The RHNA sites inventory also includes 18 City-owned parcels in the RHNA inventory, totaling 2.94 acres. The lots are all smaller than 0.5 acres; however, they are in clusters that can be consolidated and all owned by the City. The City is planning on declaring the parcels surplus with the intent of developing affordable housing on them during the planning period. Parcels that are adjacent to each other are already functioning as one use.

Each lot has several parcels that can be consolidated and considered as one site for the purposes of the RHNA and thus are appropriate for lower-income housing. There is a total of 96 units (44 lower, 52 moderate) projected on the parking lots for the purposes of meeting the RHNA. Each parking lot is larger than 0.5 acres after consolidation with the exception of Lots E and F. All lots are entirely contiguous. Program 6 details the timeline and goals for the development of the City-owned parking lots.

- Parking Lot A: A 0.6-acre site consisting of three parcels total
- Parking Lot B: A 0.52-acre site consisting of two parcels
- Parking Lot C: A 0.56-acre site consisting of three parcels
- Parking Lot D: A 0.75-acre site consisting of nine parcels
- Parking Lot E: A 0.33-acre site consisting of two parcels.
- Parking Lot F: A 0.17-acre parcel that is diagonal from Lot C, and may be consolidated with Lot C for the purposes of development.

Environmental Hazards and Availability of Infrastructure

As part of the sites analysis process the City reviewed environmental hazards and the availability of infrastructure to determine whether these issues could prevent the City from achieving the assigned housing need.

Environmental Hazards

None of the potential housing sites identified for the Regional Housing Needs Allocation are known to have environmental constraints that would preclude the development of housing. As reflected in each of the individual specific plan EIRs, none of the sites is on a fault, in an Alquist-Priolo zone, or in a 100-year flood plain. None of the sites is located on prime farmland or currently used for agricultural purposes. Several sites may be located on ground suitable for mining, but the sites are no longer used for active mining. Seismic and fire hazards require various mitigation features in residential construction to protect public safety, and are incorporated into the building code. These code requirements add to the cost of housing but are necessary to protect public safety. There are four sites that have a capacity of 216 moderate income units that fall within the Very High Fire Hazard Severity Zones as well as three pending projects, therefore, the location of the RHNA sites within the Fire Hazard Severity Zone would not preclude or impact the development of these sites.

Water Availability

The 2015 General Plan Update EIR projects water needs for the whole City (including development in the four specific plan areas with the housing inventory sites). In 2030, the City will need 23,141 acre-feet per year of water, according to the 2020 Upland Urban Water Management Plan. The dry-year scenario projects a supply of 24,662 AFY in 2030 and 25,689 AFY in 2035. Based on that analysis, the City is expected to have enough water to serve projected housing needs during the planning period.

Sewer Availability

The 2015 General Plan Update EIR analyzed the capacity of sewer lines and treatment facilities based on residential and non-residential build-out estimates would only require additional sewerage flow of 1.32 mgd over existing conditions or an annual increase of approximately 0.066 mgd per year over 20 years. The EIR concluded that no significant impact to sewer facilities associate with General Plan build-out is anticipated, as demands on the local sewer system can be mitigated. The EIR indicated a need to upgrade certain local lateral sewer lines on a case-by-case basis, but no costly force mains, main trunk lines, or similar infrastructure are necessary. Upgrades to laterals are financed through the payment of sewer impact fees, which is common for any new apartment project.

Dry Utilities

Dry utilities such as electric, telephone, cable and internet are provided by private companies and are expanded to meet demand as development occurs. No known limitations on these services would preclude development of the sites listed in the inventory (Appendix B) during the 2021-2029 planning period.

Ability to Meet the RHNA

Approved Projects

Per the HCD Sites Inventory Guidebook, the City may credit sites that have been proposed, approved, or given a certificate of occupancy since the beginning of the RHNA projection period.[4] The City is including 1,590 units towards the RHNA, 240 very low income units, 19 low income units, and 1,331 above moderate income units. New housing units approved and expected to be completed during the RHNA period are credited toward the City's new housing need based on the estimated income category of these units as shown in Table B6. The City works closely with applicants, owners, and developers to monitor progress and updates on pending projects. In October 2023, staff contacted each applicant to discuss progress and ensure that each project would be completed during the planning period; all projects are anticipated to be completed during the planning period. A status update for each project is provided in Table B6.

All units are anticipated to be completed in the planning period. The City will monitor the actual units constructed and income/affordability when the projects are developed. If the projects are not developed or are developed with fewer RHNA units than anticipated, the City will identify additional RHNA sites needed to make up the loss (see Program 6)

There are 259 lower-income units counted towards the RHNA. The units are listed below. All units will all be deed restricted to maintain their affordability.

- Twelve lower income units in an 84-unit proposed project utilizing state density bonus law. The project developer is utilizing a density bonus to achieve the desired density of 60 du/ac, and to overcome some development standards. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for 55 years.

[4] HCD Sites Inventory Guidebook https://www.hcd.ca.gov/community-development/housing-element/docs/sites_inventory_memo_final06102020.pdf

- Four very-low income units in a 24-units project. The project developer is utilizing a density bonus to achieve the desired density of 25 du/ac. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

- Five very-low income units as a part of a 32-unit project. Five very-low income, for sale, units as a part of a 32-unit project. The project site was owned by the City of Upland and was declared surplus property in 2022. The property was subsequently sold to a developer with the requirement that 15% of the project units (5 total) be affordable.

- Ninety-three very low income units on SANBAG owned property. The project developer is utilizing a density bonus to achieve the desired density of 82 du/ac. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

- Eighty-one very low income units developed on SANBAG owned property. The project developer is utilizing a density bonus to achieve the desired density of 69 du/acre. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

- Sixty-two very low income units as a part of a 251-unit project. The project developer is utilizing a density bonus to achieve the desired density of 43 du/ac. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

- Two low income units as a part of a 19-unit density bonus project. The project developer is utilizing a density bonus to achieve the desired density of 23 du/ac. This results in a density bonus agreement, conditions of approval and deed restriction to ensure the units remain at the affordable level for at least 55 years.

Table B6. Approved Projects

Project	Product Type	Zoning District	Non-residential allowed?	Vacant or Non-vacant Site?	Allowable Density (du/ac)	Project Density (% of max)	Lower	Moderate	Above Moderate	Total Units	Status
ATI Packing House Apts	Apartments	Historic Downtown Upland SP (Citrus Trans. District)	Yes	Vacant	55	51.4 (93%)			111	111	Currently project is in building plan check, Development Services Staff waiting on resubmittal.
Sage At 9th Phase 2	Townhomes	RM-20	No	Vacant	20	16.4 (82%)			26	26	Project Completed 1.29.24
Sage At 9th Phase 1	Townhomes	RM-20	No	Vacant	20	15.2 (76%)			28	28	Completed September 2021.
Enclave SP	76 Townhomes 116 SFR	Enclave Specific Plan	No	Vacant	20	12.2 (61%)			192	192	Completion anticipated in 4th quarter, 2023.
Mesa Court Apts	Apartments	RM-30	No	Vacant	30	21.6 (72%)			54	54	This project is currently in Plan Check, with some permits approved, including numerous building permits, parcel map and grading plans as of 2022. Applicant intends to start construction in late 2024 or early 2025. Email Received from applicant with anticipated timeline.
7th Street Apts (KIVA)	Apartments	RM-20	No	Vacant	20	20.1 (108%)			64	64	1st quarter, 2025. Project Currently in Plan Check. Applicant currently preparing resubmittal plans and working to complete a site clean-up plan with DTSE. Applicant intends to start construction 1st quarter 2025. Applicant provided email with timeline.
San Antonio Apts (Mario Sosa)	Apartments	B-R/MU	Yes	Non-Vacant	20	13.3 (67%)			6	6	Completed August 2022.
Sycamore Hills PA3	83 Townhomes 93 SFR	Park View Specific Plan (Planning Area 3)	No	Vacant (Under Construction)	13.4	10.6 (79%)			176	176	All units completed by February 2022.
Crestwood Homes	SFD	RS-20	No	Vacant	0-4	N/A			4	4	Completed December to November 2021.
Individual SFD	SFR+ADU+JADU	Various	No			N/A			3	3	Plans Under Review. Staff expects to issue permits towards the end of 2023, early 2024.
Individual SFD	SFR+ADU	Various	No			N/A			2	2	Plans in plan check. Staff expects applicants to pull permits in 1st Q 2024.
Villa Serena	SFR	Villa Serena SP	No	Vacant		10.6			65	65	Entitlements are expected to be approved 4th Quarter of 2024, with construction starting shortly after. Many of the plans have been reviewed and are ready for approval, including the grading plans, utility plans, and construction is expected to begin within 6 months after entitlement approval. Applicant timeline received.

Project	Product Type	Zoning District	Non-residential allowed?	Vacant or Non-vacant Site?	Allowable Density (du/ac)	Project Density (% of max)	Lower	Moderate	Above Moderate	Total Units	Status
Colonies PA4	Condo	Colonies SP (PA 4-Mixed Use Zone)	Yes	Vacant	62	46.9 (76%)			60	60	Applicant contacted Development Services Director. Application anticipates construction starting in 2025, and completion in 2026 or 2027.
Alta Apts	Apartments	Colonies SP (PA 4-Mixed Use Zone)	Yes	Vacant	62	46.9 (76%)			106	106	Completed August 2021.
A Street Apts	Apartments	RM-20	No	Vacant	20	20.0 (100%)			4	4	4th quarter, 2024. Permits are nearly ready for Issuance. Plans have been reviewed, and Building staff is waiting for minor corrections.
Colonies - Watt	Townhome	Colonies SP	No	Vacant	24	15.7 (65%)			12	12	Completed Aug-Sep 2021.
Individual SFD	SFD	Various	Yes	Vacant	0-4	N/A			2	2	Completed. July 2022.
11th Ave Apts	Apartments	RM-20	No	Vacant	20	14.6 (73%)				6	Under Construction. Anticipated completion July 2024.
Lennar Remainder Units	SFR	Upland Crossing	No	Non-vacant	12-20	15				12	Completed August 2021.
Individual SFD	SFR	RS-7.5	No	Non-Vacant	4 – 10				1	1	Completed April 2023
SBCTA Property	MFR	Citrus Transportation	Yes	Non-Vacant	55	69 (127%)	93			93	3rd quarter, 2025. staff is currently reviewing entitlements, which are expected to be approved by the end of 2023, or 1st quarter 2024. Applicant anticipates starting construction in Q1 2025, and completion in Q3 2026. applicant provided email for timeline.
SBCTA Property 2	MFR	Citrus Transportation	Yes	Non-Vacant	55	70 (127%)	81			81	3rd quarter, 2025. staff is currently reviewing entitlements, which are expected to be approved by the end of 2023, or 1st quarter 2024. Applicant anticipates starting construction in Q1 2025, and completion in Q3 2026. applicant provided email for timeline.
104659108 104659109 104659110 104659111 104659112 104659113	Townhomes	Old Town1st Street Overlay	Yes	Non-Vacant	55	32 (58%)	5		27	32	The Planning Commission approved entitlements on October 25, 2023. Applicant intends to start construction in June 2024, and complete the project within 18 months, completing the project in Q4 2025.
104634102	Apartments	RM-20	No	Non-Vacant	20	24 (141%)	4		20	24	3rd Quarter, 2025.

Project	Product Type	Zoning District	Non-residential allowed?	Vacant or Non-vacant Site?	Allowable Density (du/ac)	Project Density (% of max)	Lower	Moderate	Above Moderate	Total Units	Status
104643325	Townhomes	Multi-Family Senior Housing	No	Vacant	25	17 (66%)			8	8	1st Quarter, 2026. Staff is in discussions to sell the property to Crestwood Communities for the development of 8 units. The PSA is currently being prepared.
100718101 104632143 100718102 100718103 100718104	Apartments	PB	Yes	Vacant	40*	42	62		189	251	2nd Quarter, 2027. Staff will be making Zone changes in 2025 as required by the Housing Element which will allow for this project. The applicant is expected to submit for entitlements in 2024, with approval in 2025. This results in a reasonable construction time of 1.5 to 2 years.
104648114	SFR	LI	Yes	Non-Vacant	15	13 (87%)				64	4th quarter, 2024. Staff has issued permits for the project and construction has begun as of October 2023. Applicant anticipates completing the project within 1 to 1.5 years
100746121 100746122 100746112	MFR	B/R-MU	Yes	Non-vacant	40**	29 (72%)	2		17	19	Staff has received an application on 10/25/23 for the development of 19 multi-family units, and the consolidation of 3 lots.
100743106 100743110 100743109 100743108	MFR, Affordable Housing	B/R-MU	Yes	Non-vacant	40**	61 (153%)	12		72	84	Single property owner has merged all four lots, and has provided preliminary plans for an 84-unit project including approximately 12 affordable units. Application received 11/20/23.
						Totals	**257**	**-**	**1,333**	**1,590**	

Source: City of Upland, 12/18/2023

* City to create new RM-40 Residential Multi-Family High zone on this site and others.

**B/R-MU parcels in this area will be subject to a high density transit overlay, allowing densities up to 40 du/acre

Accessory Dwelling Units

Under State law, two accessory dwelling units (ADUs) – one ADU and one "junior ADU" – may be permitted on most single-family residential lots. ADUs represent a significant source of new affordable housing that can be created within the fabric of existing residential neighborhoods.

In December 2020, SCAG published a study of ADU affordability in Southern California[5] and concluded that a significant portion of ADUs built recently have been affordable to low- and moderate-income households. SCAG determined that the following affordability assumptions are appropriate for San Bernardino County:

Table B7. ADU Income Distribution

Very Low	Low	Moderate	Above Moderate
23%	35%	35%	8%

Source: SCAG 2020

ADU permits have steadily increased during the 2018-2021 period in Upland as follows:

- 2018: none
- 2019: 14 units
- 2020: 41 units
- 2021: 71 units
- 2022: 95 units
- 2023 (through December): 48 units

This 6-year trend shows that interest in ADU construction has increased significantly as homeowners have become familiar with the new regulations and the options provided for ADUs. Based on this trend and SCAG's analysis, it is assumed that an average of 45 ADUs per year (total of 360 during the 8-year planning period) will be produced in the income categories shown in Table B7 above.

Vacant Sites

As part of the sites inventory analysis, vacant residential land was identified throughout the City. A portion of the RHNA will be met on vacant land that is zoned for residential use. Per HCD's Housing Element Sites Inventory Guidebook, a vacant site is one "without any houses, offices, buildings, or other significant improvements […] or structures on a property that are permanent and add significantly to the value of the property."

The estimated capacity of vacant sites is based on the densities allowed in the City's General Plan and zoning regulations and have been adjusted to account for development that may be proposed at lower than the maximum allowable densities based on market conditions. As noted above, the potential yield is assumed to be 80% of the allowable density for residential zones and 50% of the maximum density for mixed-use zones. These assumed densities are intended to portray the typical density of residential development, accounting for development standards such as lot coverage requirements, parking, setbacks, open space, infrastructure, and public facilities.

The City is including 600 total units on vacant sites, 199 very low, 133 low, 135 moderate, and 133 above moderate income units.

[5] https://scag.ca.gov/sites/main/files/file-attachments/adu_affordability_analysis_120120v2.pdf?1606868527

Non-Vacant Sites

Pursuant to Government Code Sec. 65583.2(g)(2) when a city is relying on non-vacant sites to accommodate 50% or more of its lower-income housing need, the methodology used to determine additional development potential shall demonstrate that the existing use does not constitute an impediment to additional residential development during the period covered by the housing element. An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period. The City is relying on non-vacant sites to meet 1,745 of the 2,543 lower-income RHNA units (68%).

The current capacity for additional housing based on current zoning is insufficient to accommodate the RHNA allocation in all income categories. As required by Government Code Sec. 65583(c)(1) candidate sites have been identified for either "upzoning" (i.e., increasing the allowable density of residential uses) or "rezoning" (i.e., changing the zoning designation from a non-residential designation to a residential or mixed-use designation).

The additional potential capacity of these sites is estimated at 80% of allowable density for sites proposed for residential zoning and 50% of allowable density for sites proposed for mixed-use zoning.

The following analysis of non-vacant sites compares the sites directly to recent development trends in the City, illustrating that, based on substantial evidence, the existing uses of the sites do not impede additional residential development on these sites.

Non-Vacant Trend Sites

To understand development trends and aid in the non-vacant site selection process, recently developed sites, pipeline projects, and sites with developer/property owner interest in residential development were reviewed. Ten recent projects were reviewed. Table B8 provides a summary of these sites, including their zoning, year built, previous use, floor area ratio, and land-improvement ratio. These ten non-vacant trend sites concretely demonstrate that there is a market for housing in Upland, illustrate the market trends and site characteristics of recent residential projects in Upland, and provide examples upon which to compare the non-vacant sites in the RHNA inventory.

A review of these non-vacant trend sites shows a set of characteristics that the sites have in common. Understanding the commonalities between recently developed sites helps establish a set of characteristics that can be used to establish thresholds for the non-vacant sites in the inventory. The recently developed sites share the following characteristics:

- A building age over 40 years old.
- A wide range of LIRs, from 0.34 to 50.
- Similar non-vacant uses among projects. Most of the trend sites included similar residential, and light industrial uses. Uses include parking lots, residential, both single and multi-family, and commercial buildings. Light industrial uses include boat repair, industrial buildings, warehouses, contractor storage, and lumberyards.

Table B8. Development Trends on Underutilized Sites

#	Project/Address (APN)	Project Type	No. of Units	Density	Zoning	Previous Use				Current Status
						Year Built	FAR	LIR	Description	
1	401 A Street (0146-582-13 to 20)	Apartments	111	48.3	Citrus Transportation District, Historic Downtown Upland SP	1960s	0.00	N/A	Parking Lot	Approved Entitlement
2	708 Mesa Court (1046-102-13)	Apartments	60	15.8	RM-30	1961-1963	0.23	0.51	Apartments (6 units demolished)	Approved Construction Plans
3	1332, 1336, and 1344 E. 9th Street (1046-501-07, 08, 09)	Townhomes	26	16.4	RM-20	1940 -1978	0.25	1.59	Three SFRs, Boat Repair Facility	Completed
4	1252 .E 7th Street (1047-181-02)	Apartments	66	20.8	RM-20	1969	0.15	50	Industrial Building	Approved Entitlement
5	1400 E. Arrow Rte (1046-481-14)	Condominiums	64	13.1	Proposed Zone Change from Light Industrial to SP	1956	0.11	0.34	Lumber Yard	Applications under review
6	167 S. Sultana Avenue (1046-604-03 to 08)	Apartments	141	54.9	Citrus Transportation District, Historic Downtown Upland SP	1947-1957	0.32	31.5	2 Industrial Warehouses and Residential (Fourplex, Duplex, and two SFRs)	Preliminary Review
7	105 N. 1st Street	Apartments with 5 Low Income Units	32	29.3	Old Town District (1st Avenue Overlay), Historic Downtown Upland SP	1908	0.05	City-owned	Commercial Building	Approved Entitlement
8	SANBAG Affordable Housing	Affordable Housing	174	69	Citrus Transportation District, Historic Downtown Upland SP	1948-1959	N/A	N/A	Former lumber and hardware store and former smudge pot factory; industrial buildings removed between 2012-2014 and 2018-2020.	Under Review
9	104634102/ 649 W. Vernon Drive	Apartments	24	50	RM-20	1940s	0.04	0.54	Single family residential and related structures	Under Review
10	1910 Huntington Drive	Apartments, Affordable Housing	84	1.37	B/R-MU	1940s	0.06	0.99	Industrial structure and storage yard	Under Review

Non-Vacant Site Selection Criteria

The City's assumptions regarding the income categories and realistic capacity for underutilized sites are the same as for vacant sites described above. Most of these underutilized properties are in the Downtown or the Focus Areas identified in the General Plan Land Use Element and discussed previously in Section 3 - Constraints. As land and housing values have increased and the supply of buildable vacant land has been nearly exhausted, redevelopment of these areas has become financially feasible.

Based on the trends of redevelopment of non-vacant sites in Upland outlined above, a set of criteria was used for evaluating the redevelopment potential of sites and selecting RHNA sites. Criteria include building age, LIR, and a similar type of non-vacant use. Note that not every trend site meets all characteristics identified, but that all sites included are appropriate for redevelopment. All sites have similar uses to recent projects that were developed in the City, and can be directly compared to these trends.

In addition to the trends identified from the ten non-vacant site examples, other considerations were made in selecting the RHNA sites, as follows:

- Residential development interest expressed by property owners or developers.
- Site conditions indicating a property is suitable for development or redevelopment during the planning period, such as vacant buildings, for sale/for lease signs, low land-to-improvement (LIR) value ratio, buildings more than 40 years old, signs of deferred maintenance or deterioration, or low site utilization (i.e., current building floor area compared to market potential).
- Proximity to public transportation, employment and educational opportunities, and urban services such as shopping, medical facilities and parks. The City considered if a site was within ½ mile of a high quality transit stop.
- No incompatible uses or adverse development conditions such as high noise levels, heavy truck traffic, sensitive biological habitat, flood hazards or wildland fire hazards .
- The City has reviewed the properties and is not aware of any leases on underutilized sites that would prevent housing development during the planning period.

The following section provides further detail on each of the non-vacant sites identified in the inventory. The non-vacant sites were selected based on their existing uses, capacity for residential redevelopment, and their high potential for short-term redevelopment. The non-vacant sites are described in geographic clusters; however, all of the clusters have the same set of similar uses, single family residential, light industrial including automotive, storage, and contractor uses, and limited office uses. Each of the clusters of sites have at least four of the five characteristics on aggregate that suggest suitability and favorable conditions for redevelopment within the planning period.

An evaluation of each of the 291 non-vacant sites is provided in Table B9. Each site is evaluated against the five criteria listed below. All 291 of the sites meet a majority, at least three of the five, criteria. 270 sites meet at least four of the five criteria. 110 of the sites meet all five of the five criteria. The table shows the value for each of the criteria and if the site meets the threshold the cell has been filled in green.

The criteria used to illustrate the strong redevelopment potential for the non-vacant sites are as follows:

A. **Significantly Underdeveloped.** (LIR > 0.44). Land-improvement ratios were calculated and considered in site selection. Typically, a newly improved site will have a ratio of well under 0.2, or where the improvements are valued at five times the value of the land. For the identified clusters of sites, the average LIR is greater than 0.44. This threshold is based on a review of the ten trend sites. The trends sites had a wide range LIRs from 0.34 to 50. Four of the ten sites had LIRs under 1. Of the 291 non-vacant sites, 243 of them have an LIR greater than 0.44.

B. **Building Age.** The majority of structures are older than 40 years. This threshold was determined by reviewing the ten trend sites. All of the trend sites had structures that were at least 40 years old.

C. **Similar Types of Non-Vacant Uses.** The non-vacant sites existing uses are similar to those in the identified trend sites. Trend sites had a wide variety of residential, industrial, and commercial uses. Some sites included a mix of uses on a single site. Four of the ten sites included residential uses included single and multi-family uses. Six of the ten trends sites included an industrial use, such as lumber yards, boat repair facilities, a smudge pot factory, and industrial yards. Two sites had commercial uses, including a hardware store. One former use was a parking lot. Sites in the inventory were reviewed for their existing use. A similar use to trend sites includes residential (single or 2-3 units), industrial uses (storage yards, automotive or boating facilities), commercial, and parking lots. In Table B9, the currently use of the parcel is shown. The general category is given and more specific use follows. If a site has a use of "Other" is it not considered to be similar to the trend sites; there are only two sites that have this use. One is the National Guard Center that the federal government has noticed will be disposed (described in detail below). The other is landscaping, and has no buildings. If it is a similar use to the trend sites, it is shown in green. Of the 291 sites, 289 of the sites have similar uses to the trend sites. Many of the trend sites are redevelopment in areas that are identified in the sites inventory (as seen in the geographic clusters outlined below) and as such, have similar uses.

D. **Adjacent to Services**. Sites were reviewed for their location within one mile of services such as daycares, grocery stores, medical centers, and schools. If a site is within one mile of any of these services, it is shown as green in Table B9. All of the non-vacant sites are within one mile of at least two of the listed services (daycares, stores, medical centers, schools).

E. **Within ½ Mile of High Quality Transit.** The analysis identifies whether a site is within ½ mile of a Metrolink Station. There are two Metrolink Stations that are either in or within ½ mile of Upland. The Montclair Transcenter (Metrolink station) is just to the southwest of the City. Two of the clusters, the Western Cluster and Mixed-Use Cluster, have sites that are within ½ mile of the Montclair Transcenter. The Upland Metrolink station is located in the Historic Downtown Specific Plan Area. Sites in the Historic Downtown Specific Plan and East of Downtown clusters have sites that are within ½ mile of the Metrolink Station. A total of 148 of the sites are located within ½ mile of either of the Metrolink Stations.

SITE CLUSTER	A (LIR)	B (Age)	C (Use)	D (Services)	E (Transit)
Western Cluster	✓	✓	✓	✓	✓*
Mix-Use Cluster	✓	✓	✓	✓	✓
San Antonio and 9th	✓	✓	✓	✓	
Historic Downtown Specific Plan	✓	✓	✓	✓	✓
East of Downtown	✓	✓	✓	✓	✓*

SITE CLUSTER	A (LIR)	B (Age)	C (Use)	D (Services)	E (Transit)
Other: Single Family	✓	✓	✓	✓	
Other: Light Industrial and Commercial	✓	✓	✓	✓	✓*

*Some but not all of the parcels are within ½ mile of a Metrolink Station.

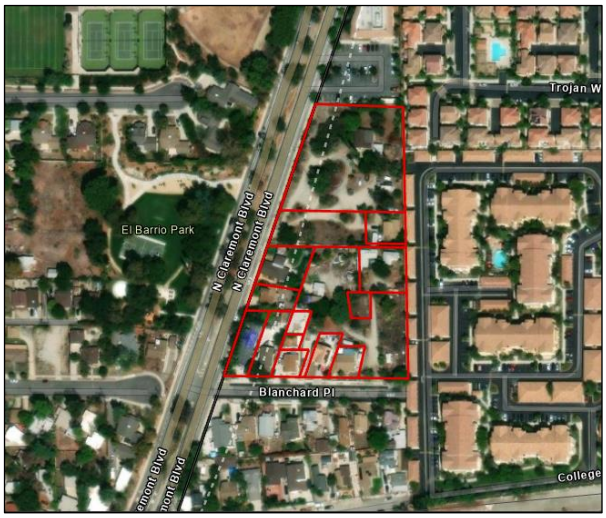
Interest in Development on RHNA Sites

In addition to the similarities to recent projects as noted above, the City has received interest in developing on a number of sites included in the RHNA inventory. This further demonstrates the feasibility of the sites in the RHNA inventory. This includes the following:

- Staff has received an application on 10/25/23 for the development of 19 multi-family units on 0.64 acres, and the consolidation of 3 vacant lots previously include in the sites inventory.
- Staff has met with one potential developer who has made an offer on a RHNA site that is for sale, and is aiming to purchase three adjacent RHNA sites to consolidate the lots for a multi-family residential project. Three parcels are vacant and the fourth is currently used for commercial fueling.
- Staff have met with owners of two adjacent sites regarding the development of senior housing on two sites totaling 5.6 acres. The site is currently a plant nursery. The owners have expressed support for 40 du/ac on the site to staff in meetings and at public hearings.
- Interest on consolidating twelve parcels totaling 1.96 acres for the development of approximately 61 units.
- Five separate owners of nine contiguous properties totaling 3 acres are seeking to sell the land to a single developer for multi-family residential development. Staff has received support for increased density on the parcels. The land currently has industrial uses including a termite company, contractor's yard, and automotive uses.
- Consolidation of four, non-vacant lots all smaller than 0.5 acres into one for the development of 84 multi-family units, including 12 affordable units. Uses on these lots include a contractor office and storage and are similar to the uses in parcel cluster 3. The parcels total 1.37 acres and were previously included in the RHNA inventory.
- Request from a property owner to include their 2.86 acre site in the inventory and rezone to allow high density so that multi-family housing can be developed on the site.

Non-Vacant Site Descriptions

Western Cluster



The western cluster consists of 15 contiguous parcels, 13 of which are non-vacant. The City is upzoning the 3.64 acre cluster of parcels to have a maximum density of 30 units per acre. The cluster has a projected realistic capacity for 89 total units, including 11 on the vacant parcels. The non-vacant parcels are single-family parcels. The capacity is a mixture of income levels including 43 lower-income units, 25 moderate units, and 21 above moderate units. The sites could be developed together or individually. The single-family homes were built prior to 1938. Upzoning this aging single-family housing stock provide increased opportunity for housing adjacent to the College Campus that could be utilized by faculty and staff. The cluster is adjacent to El Barrio Park and are approximately ½ mile from the Claremont McKenna College Campus. The land improvement ratio for the non-vacant parcels averages 0.46, indicating the land is considerably underdeveloped. The non-vacant uses of single-family homes are similar to the follow recent projects:

- A project currently in plan check that demolished six existing units to develop 60 units.
- Developed 26 townhomes on a site that included three single family residences and a boat repair facility.

Developed 141 apartments on a site that included a fourplex, duplex, and two single family residences.

Mixed-Use Cluster



The mixed-use cluster incudes 101 total parcels, 9 of which are vacant and 92 of which are non-vacant. The capacity for the vacant sites is 29 lower, 30 moderate, and 27 above moderate income units. The assumed realistic capacity for the non-vacant sites is 552 lower income, 331 moderate, and 312 above moderate units. The mixed-use cluster includes 93 parcels (36.6 acres) zoned B/R-MU, which will be upzoned to allow at least 40 du/acre and 8 parcels zoned C/R-MU (3.3 acres north of Huntington Drive) which will be upzoned to allow up to 30 du/acre. This area consists of many small parcels with the potential for consolidation and potential to create larger scale development. Although many of the recent development projects include consolidation of multiple parcels and existing uses, the City is including Program 15 to encourage and facilitate the consolidation of lots and development of residential and mixed-uses on these consolidated, smaller parcels.

There are residential uses on 57 of the parcels, including 56 single family homes and one parcel with three unit residential, which have an average LIR of 0.77. The other 39 parcels consist of a mix of light industrial and office uses and have an average LIR of 2.0. These LIR demonstrate a significant underdevelopment and strong incentive and opportunity for redevelopment.

Light industrial uses consist of three parcels with auto-oriented uses, seven parcels with contractor offices, 22 parcels with storage uses, one garage, three industrial buildings, and three offices. The existing uses are generally low intensity with significant opportunity for redevelopment of higher intensity uses. The City has received interest and inquiries in developing high density residential uses on a number of these sites. Additionally, the cluster is approximately 0.5 miles from the Montclair Transcenter and Metrolink station providing access to transportation. The majority of the buildings were constructed between 1948 and 1985.

This area of the City was annexed in the early 2000s. There are a number of existing, non-conforming uses including junkyards and contractor storage yards. This area will be subject to the new transit overlay district which will continue to allow mixed uses and encourage redevelopment of the area. The City has received two recent applications for the development of housing in this area, that are noted in crosshatch on the aerial above. The two projects care:

- Application received in November for an 84-unit project including approximately 12 affordable units on a four parcels that included a light industrial structure and contractor yard.

- An application for the development of 19 multi-family units on 0.64 total acres, and the consolidation of 3 lots with two separate owners. The lots are currently used for industrial storage.

The uses and potential in the mixed-use cluster are similar to recent projects in the City, including:

- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- A project currently in plan check that demolished six existing units to develop 60 units.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Developed 141 apartments on a site that included a fourplex, duplex, and two single family residences as well as two industrial warehouses.
- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building
- A developer inquiry for 29 units on a site that contains a commercial building

San Antonio and 9th



The San Antonio and 9th cluster consists of 25 parcels in the B/R-MU zone, comprising 8.98 acres. They will be upzoned to allow density up to 40 du/acre. Two of the parcels are vacant and have an assumed realistic capacity of 13 lower income units each. The 23 non-vacant parcels have a capacity for 145 lower, 56 moderate and 59 above moderate units. Uses in this cluster are a mix of light industrial and residential and include six contractor offices and related office uses, 14 single family residential units, and three storage yards. The average LIR in the cluster is a strong 0.74.

The City has seen interest in residential development in this area, and there is a recently completed project that developed 6 units on the corner of N. San Antonio and 9th, not included in the RHNA. Redevelopment of the area could be pursued individually on each lot or on a larger scale basis. Seven of these parcels have the same owner. The buildings are older, and were constructed largely between 1949 and 1985. It is within one mile of Upland High School and Baldy Dog Park.

The uses and potential in the mixed-use cluster are similar to recent projects in the City, including:

- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building
- A developer inquiry for 29 units on a site that contains a commercial building
- A project currently in plan check that demolished six existing units to develop 60 units.
- Developed 26 townhomes on a site that included three single family residences and a boat repair facility.
- Developed 141 apartments on a site that included a fourplex, duplex, and two single family residences.
- Application received in November for an 84-unit project including approximately 12 affordable units on a four parcels that included a light industrial structure and contractor yard.
- An application for the development of 19 multi-family units on 0.64 total acres, and the consolidation of 3 lots with two separate owners. The lots are currently used for industrial storage.

Historic Downtown Specific Plan

The cluster of sites in the Historic Downtown Specific Plan zone consists of 64 total parcels (18.9 acres), 14 of which are vacant and 50 of which are non-vacant. The projected realistic capacity for the 16 vacant parcels is 53 lower, 16 moderate, and 13 above moderate income units for a total of 89 units. The realistic capacity for the 50 non-vacant parcels is 303 lower, 180 moderate and 118 above moderate income units, for a total of 601 units. These parcels will not be rezoned or upzoned, with the exception of one parcel that will be rezoned to the Citrus Transportation District.



The 50 non-vacant parcels have a variety of existing uses, including 15 with existing residential. There are 17 parcels with warehouse, automotive, commercial, and industrial uses, including four parcels that have vacant industrial uses. The parcels have an average LIR of 9.5. The Downtown parcels also have direct access to the Metrolink Station.

The remaining 18 parcels included are public parking lots. The City is planning on acquiring funding to create a parking structure downtown that will make the existing surface parking lots available for redevelopment. As of May 2024, the City had sent out a Request for Proposals and received three proposals from parking structure consultants, and is currently in the process of selecting a firm to design the parking structure and preliminary engineering. The contract is tentatively scheduled to be approved by the City Council in June 2024. The City also is currently seeking funding and has contracted with two lobbyists in Washington DC, with one of their priorities being to seek federal funding for the parking structure. In addition, staff is pursuing a public/private partnership with two potential developers that would entail developing several parking lots in conjunction with assisting in the funding to develop a parking structure. The City is receiving $1.6 million from the San Bernardino County Transit Authority from their sale of two surplus parcels along the Metrolink right-of-way in Upland which is currently planned for Upland's Parking Structure construction. Once the parking structure is designed and built, the remaining parking lots will be redeveloped. The City plans to declare the 18 parcels surplus land with the intent to develop housing on them. This is anticipated to be completed during the planning period. The location where the parking structure is to be located is not included in the RHNA. The remaining parking lots that will be redeveloped are included in the sites inventory. There are no lease agreements or other regulatory agreements that would inhibit the development of housing on these lots during the planning period. The Parking Structure design will be approved in the first quarter of 2025. Construction would be completed toward the end of 2026. Development of the 18 parcels in the RHNA inventory will follow.

The City is seeing increasing development in the Historic Downtown area and has included the parcels that are most likely develop in the short term. The recent development includes a number of affordable or mixed-income projects. The development trends in the Historic Downtown support the conversion of these non-vacant uses and increased redevelopment. Note that there is additional capacity in the Historic Downtown Zone that is not included to meet the RHNA. As shown in the aerial image, there are multiple recent, pending, and approved projects in the Historic Downtown, depicted with crosshatches. These projects include:

- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- A project currently in plan check that demolished six existing units to develop 60 units.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Development of 141 apartments on a site that included a fourplex, duplex, and two single family residences.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building
- Application received in November for an 84-unit project including approximately 12 affordable units on a four parcels that included a light industrial structure and contractor yard.
- An application for the development of 19 multi-family units on 0.64 total acres, and the consolidation of 3 lots with two separate owners. The lots are currently used for industrial storage.

East of Downtown

The cluster of sites that are east of downtown include 67 total parcels (23.2 acres), three vacant and 64 non-vacant sites. The are two moderate and one above moderate units on vacant parcels. The non-vacant parcels include 347 lower, 126 moderate, and 105 above moderate income units. The sites currently allow densities up to 20 units per acre and will be rezoned or upzoned to allow 30 du/acre. The sites east of downtown are generally included as groups of developable blocks or parcels.



Current uses include 29 parcels with existing single family or two-units. Existing non-residential uses include four parcels with automotive uses, 23 contractors or other types of storage yards or contractor offices, five light industrial or industrial buildings and one office.

The average LIR for the non-vacant parcels is 1.2. The majority of sites have access to a grocery store within ½ mile, as well as access to the downtown Metrolink station. The majority of the structures are over 40 years old. Each of these characteristics individually and collectively demonstrate the feasibility and potential for redevelopment in the planning period.

These uses and projects are similar to inquiries and recently developed projects including:

- A project directly adjacent to a RHNA site east of downtown developing six units on a vacant parcel.

- Development of 64 units on a construction yard that included multiple industrial buildings, storage, and active industrial uses.
- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- A project currently in plan check that demolished six existing units to develop 60 units.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Development of 141 apartments on a site that included a fourplex, duplex, and two single family residences.
- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building
- Application received in November for an 84-unit project including approximately 12 affordable units on a four parcels that included a light industrial structure and contractor yard.

- An application for the development of 19 multi-family units on 0.64 total acres, and the consolidation of 3 lots with two separate owners. The lots are currently used for industrial storage.

Other Non-Vacant Sites

The remainder of the non-vacant parcels are not in a geographic cluster. They consist of 49 parcels spread throughout the City. The 49 parcels have realistic capacity for 981 lower, 213 moderate and 213 above moderate units, for a total of 1,709 total units. They can be divided into two main use types, single family residential and light industrial uses. Any parcels that do not fit into one of these two typologies is described on its own below.

Other: Single Family

There are eleven other single family residential parcels being included in the inventory, with a total assumed capacity of 191 units, 21 lower 81 moderate, and 90 above moderate. The average LIR for the parcels is 1.5, indicating high land value and potential for redevelopment and more intensive use. A large portion, 109, of the units come from one site that is a 10 acre single family parcel. One other large single family lot is included in the inventory for 10 additional above moderate units. These two large parcels are in existing , developed communities. The majority of the structures are over 40 years old.

The remaining nine single family units are in areas with mixed residential and industrial uses that are strong candidates for redevelopment. These are spread throughout the City. The parcels all have increased, unused capacity for net new units and redevelopment on the whole, or a portion of, the site.

Examples of recent redevelopment of single family parcels include:

- A project currently in plan check that demolished six existing units to develop 60 units.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Development of 141 apartments on a site that included a fourplex, duplex, and two single family residences.

Other: Light Industrial and Commercial Uses

The remaining 35 parcels have largely industrial or commercial uses. This includes three parcels with automotive uses, seven parcels that are single-story commercial and their associated parking lots, eleven parcels that are contractors yard and storage, seven parcels that are light industrial uses, three parcels that are plant nursery and associated nursery retail, two parcels that are a vacant restraint, and two parcels that are offices. The majority of the structures are over 40 years old.

Note that these uses are similar to those in the geographic clusters, largely a mix of light industrial, storage, and some commercial buildings. They have realistic capacity for 774 lower, 128 moderate and 121 above moderate income units. The average LIR of the sites is 9.2, indicating significant underutilization and potential for redevelopment.

These sites were selected not only for their increased potential and capacity, but also for their similarity in to recently developed projects, including:

- Development of 174 affordable units on three parcels owned by SANBAG. This site had former industrial uses, including a smudge pot factory. One building was removed between 2012 and 2014 and the other between 2018 and 2020.
- Development of 64 units on a construction yard that included multiple industrial buildings, storage, and active industrial uses.
- Development of 32 units, including 5 low-income units, on six small parcels totaling 1 acre. Five of the parcels are vacant and one contains a commercial building.
- Development of 26 townhomes on a site that included three single family residences and a boat repair facility.
- Development of 141 apartments on a site that included a fourplex, duplex, and two single family residences as well as two industrial warehouses.
- Development of 111 units on a paved parking and portion of a lot with an industrial warehouse.
- Development of 66 apartments on a parcel that contained and industrial building.

Other: Federally Owned Property



One property included is currently owned by federal government and is currently a United States Army Reserve Center. However, the City has received notice that the United Stated Federal Government plans to dispose of the property in 2028; the intent to dispose of the property is provided in Appendix E. Thrall Hall ARC is an overutilized 1963 vintage facility consisting of a 24,073-square foot training building and 4,217-square foot vehicle maintenance shop. The 3.8-acre property will be upzoned to allow housing up to 30 du/acre, and the City anticipates housing to be developed on the Site during the planning period once the current use is discontinued. The City has spoken with developers regarding interest to redevelop the property to multi-family housing.

The realistic capacity for the site is 86 lower income units. Since the parcel is currently federally owned, there is no assessed value for it. There is currently housing being developed on the parcel directly adjacent to the property, showing market demand in the area.

Other: San Bernardino Housing Authority Property



The San Bernardino Housing Authority owns two properties, 10.21 acres and 2.39 acres, in the City. There is currently 98 lower density affordable housing units on the site, Los Olivos. The housing is older stock and was constructed in the 1950s. There is capacity for considerably more affordable housing on the properties. The City has been in contact with the San Bernardino Housing authority regarding the redevelopment of these sites with higher density low income housing. The City is upzoning the parcels to allow density up to 40 du/acre.

The San Bernardino Housing Authority has redeveloped two other low density housing properties in Redlands and San Bernardino that were nearly identical to the site in Uplands. The former Lugonia Public Housing site was redeveloped from 115 units to a total of 238 units, for an increase of 113 units. Similarly in San Bernardino, the former Waterman Gardens was redeveloped to increase from 270 units to 411 units, an increase of 141 total units. There is the potential for a similar project on these parcels.

The realistic capacity for the site is 100 net additional new lower income units, though there is actual capacity for over 400 net new units.

Table B9. Non-Vacant Site Evaluation

Key:	Meets the threshold for the criteria determined by trend projects	Does not meet the threshold for the criteria determined by trend projects

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104645108	Industrial (Contractors Yard)	0.21	1938	Yes - medical center, school, grocery store	Yes
104646104	Industrial - Automotive (Auto Trim)	0.87	1948	Yes - medical center, school, grocery store	No
104646105	Industrial (Contractors Yard)	2.23	2002	Yes - medical center, school, grocery store	No
104646107	Industrial (Contractors Yard)	2.78	1948	Yes - medical center, school, grocery store	No
104646109	Industrial (Contractors Yard)	0.25	1959	Yes - medical center, school, grocery store	No
104646110	Industrial (paved)	N/A	1959	Yes - medical center, school, grocery store	No
104646111	Industrial (Small building - Termite Company)	0.82	1959	Yes - medical center, school, grocery store	No
104646112	Industrial (Contractors Yard)	0.53	1959	Yes - medical center, school, grocery store	No
104646113	Industrial (Contractors Yard)	N/A	N/A - no structure	Yes - medical center, school, grocery store	No
104646206	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104646209	Industrial (Contractor office/yard)	0.52	1938	Yes - medical center, school, grocery store	No
100706108	Commercial (Vacant building)	67.88	1948	Yes - medical center, school, grocery store	No
100706123	Commercial (Vacant building)	25.88	N/A - no structure	Yes - medical center, school, grocery store	No
100709107	Industrial Building/yard	0.90	1978	Yes - medical center, school, grocery store	No
100709108	Industrial - Automotive (Car Rental/Vacant)	9.00	1964	Yes - medical center, school, grocery store	No
100709109	Industrial (Paved lot)	N/A	N/A - no structure	Yes - medical center, school, grocery store	No
100736215	Residential - one unit	0.37	1938	Yes - school, grocery store, medical center	Yes
100736214	Residential - one unit	0.54	2005	Yes - school, grocery store, medical center	Yes
100736205	Residential - one unit	0.14	1948	Yes - school, grocery store, medical center	Yes
100736207	Residential - one unit	1.10	1959	Yes - school, grocery store, medical center	Yes
100736203	Residential - one unit	0.53	1948	Yes - school, grocery store, medical center	Yes
100736201	Residential - one unit	0.27	1938	Yes - school, grocery store, medical center	Yes
100736213	Residential - one unit	0.44	1938	Yes - school, grocery store, medical center	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100736210	Residential - one unit	N/A	N/A - no structure	Yes - school, grocery store, medical center	Yes
100736212	Residential - one unit	0.56	1938	Yes - school, grocery store, medical center	Yes
100736211	Residential - one unit	0.54	1997	Yes - school, grocery store, medical center	Yes
100736209	Residential - one unit	0.34	1959	Yes - school, grocery store, medical center	Yes
100736206	Residential - one unit	0.19	1972	Yes - school, grocery store, medical center	Yes
100736204	Residential - one unit	0.54	1972	Yes - school, grocery store, medical center	Yes
104646217	Residential - two units	1.00	1938	Yes - medical center, school, grocery store	No
104652104	Industrial	1.94	1978	Yes - medical center, school, grocery store	No
104653101	Residential - one unit	0.55	1959	Yes - medical center, school, grocery store	No
104653102	Residential - one unit	0.54	1938	Yes - medical center, school, grocery store	No
104653107	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104653108	Residential - two units	0.51	1959	Yes - medical center, school, grocery store	No
104653109	Residential - one unit	0.89	1959	Yes - medical center, school, grocery store	No
104654118	Industrial (Contractor Storage Yard)	0.98	1959	Yes - medical center, school, grocery store	No
104654119	Industrial (Contractor Storage Yard)	0.12	1959	Yes - medical center, school, grocery store	No
104654120	Industrial (Contractor Storage Yard)	0.71	1959	Yes - medical center, school, grocery store	No
104654121	Industrial (Contractor Storage Yard)	0.71	1948	Yes - medical center, school, grocery store	No
104654122	Industrial (Contractor Storage Yard)	2.13	1978	Yes - medical center, school, grocery store	No
104654201	Industrial (Storage Yard/building)	0.49	1980	Yes - medical center, school, grocery store	No
104654202	Residential - one unit	0.27	1959	Yes - medical center, school, grocery store	No
104654204	Industrial (Storage Yard)	7.67	1959	Yes - medical center, school, grocery store	No
104654206	Residential and Industrial (one unit and storage yard)	1.00	1959	Yes - medical center, school, grocery store	No
104654226	Residential - one unit	0.61	1938	Yes - medical center, school, grocery store	No
104654228	Industrial (Storage Yard/building)	0.56	1959	Yes - medical center, school, grocery store	No
104654229	Residential - one unit	0.54	1938	Yes - medical center, school, grocery store	No
104654230	Industrial (Storage Yard/building)	N/A	N/A - no structure	Yes - medical center, school, grocery store	No

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104654238	Residential - one unit	0.43	1980	Yes - medical center, school, grocery store	No
104654239	Industrial (Storage Yard/building)	0.54	1959	Yes - medical center, school, grocery store	No
104654240	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104654241	Industrial (Storage Yard/building)	0.38	1959	Yes - medical center, school, grocery store	No
104654242	Residential - one unit	0.18	1978	Yes - medical center, school, grocery store	No
104654243	Residential - one unit	0.85	1948	Yes - medical center, school, grocery store	No
104654244	Residential - one unit	0.55	1959	Yes - medical center, school, grocery store	No
104654245	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104654246	Industrial (Storage Yard)	0.57	1959	Yes - medical center, school, grocery store	No
104655101	Industrial (Storage)	0.69	1948	Yes - medical center, school, grocery store	No
104655102	Industrial (Storage)	0.88	1948	Yes - medical center, school, grocery store	No
104655103	Industrial (Office)	N/A	1966	Yes - medical center, school, grocery store	No
104655106	Residential - one unit	2.00	1938	Yes - medical center, school, grocery store	No
104655107	Residential - one unit	0.23	1966	Yes - medical center, school, grocery store	No
104655108	Industrial (Tow Yard)	5.67	2002	Yes - medical center, school, grocery store	No
104655141	Industrial (Storage)	0.53	1978	Yes - medical center, school, grocery store	No
104656318	Industrial Building	N/A	1985	Yes - medical center, school, grocery store	Yes
104656319	Industrial	0.25	1985	Yes - medical center, school, grocery store	Yes
104656401	Industrial - Automotive (Auto Body Shop)	0.15	1980	Yes - medical center, school, grocery store	Yes
100709116	Industrial Building/yard	0.75	1978	Yes - medical center, school, grocery store	No
100728115	Industrial (Storage)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
100728117	Industrial (Storage)	1.25	1959	Yes - grocery store, medical center, school	Yes
100728118	Industrial (Storage)	4.74	1959	Yes - grocery store, medical center, school	Yes
100728119	Industrial (Storage)	0.60	1959	Yes - grocery store, medical center, school	Yes
100743111	Industrial (Contractor yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100743112	Residential - one unit	6.16	1938	Yes - grocery store, elementary school, medical center	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100743201	Industrial (Storage Yard)	N/A	1959	Yes - grocery store, elementary school, medical center	Yes
100743202	Industrial (Storage Yard)	N/A	1938	Yes - grocery store, elementary school, medical center	Yes
100743203	Residential and Industrial (one unit and storage yard)	1.21	1938	Yes - grocery store, elementary school, medical center	Yes
104633322	Residential - one unit	0.62	1959	Yes - grocery store, medical center, school	No
104633323	Residential - one unit	0.21	1959	Yes - grocery store, medical center, school	No
104633319	Residential - one unit	0.53	1938	Yes - grocery store, medical center, school	No
104633324	Residential - one unit	0.55	1959	Yes - grocery store, medical center, school	No
104633325	Residential - one unit	0.55	1959	Yes - grocery store, medical center, school	No
104633326	Residential - one unit	0.54	1959	Yes - grocery store, medical center, school	No
104633318	Residential - one unit	0.80	1959	Yes - grocery store, medical center, school	No
104633317	Residential and Industrial (one unit and contractor yard)	0.54	1959	Yes - grocery store, medical center, school	No
104633313	Industrial (Paved)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633308	Residential - one unit	0.48	1959	Yes - grocery store, medical center, school	No
104633307	Residential - one unit	0.33	1959	Yes - grocery store, medical center, school	No
104633306	Residential - one unit	0.54	1959	Yes - grocery store, medical center, school	No
104633309	Residential - one unit	0.53	1959	Yes - grocery store, medical center, school	No
104633304	Industrial (Storage Yard/building)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633301	Industrial (Vacant/Storage Yard)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633327	Industrial (Contractor office/yard)	0.72	1964	Yes - grocery store, medical center, school	No
104633329	Industrial (Office)	0.43	1964	Yes - grocery store, medical center, school	No
104633316	Industrial (Storage Yard/building)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633331	Residential and Industrial (one unit and industrial office use)	0.67	1964	Yes - grocery store, medical center, school	No
104633311	Residential - one unit	0.48	1948	Yes - grocery store, medical center, school	No
104633303	Industrial (Contractor yard)	1.10	1972	Yes - grocery store, medical center, school	No
104633312	Industrial (Contractor yard)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104633302	Industrial (Contractor yard)	3.67	N/A - no structure	Yes - grocery store, medical center, school	No

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104656402	Industrial - Automotive (Auto Body Shop)	N/A	1980	Yes - medical center, school, grocery store	Yes
104656403	Industrial - Automotive (Auto Body Shop)	N/A	1980	Yes - medical center, school, grocery store	Yes
104656404	Residential - one unit	0.54	1938	Yes - medical center, school, grocery store	Yes
104656405	Residential - one unit	0.53	1948	Yes - medical center, school, grocery store	Yes
104656406	Residential - one unit	N/A	1994	Yes - medical center, school, grocery store	Yes
100728122	Industrial	0.48	1948	Yes - grocery store, medical center, school	Yes
100728123	Residential - one unit	1.38	1938	Yes - grocery store, medical center, school	Yes
100728132	Industrial (Storage)	N/A	N/A - no structure	Yes - grocery store, medical center, school	Yes
100728133	Industrial (Storage)	1.49	1938	Yes - grocery store, medical center, school	Yes
100728134	Industrial (Storage)	1.42	1978	Yes - grocery store, medical center, school	No
100728144	Industrial	N/A	1948	Yes - grocery store, medical center, school	Yes
100728145	Industrial	N/A	1948	Yes - grocery store, medical center, school	Yes
100728146	Industrial	0.31	1948	Yes - grocery store, medical center, school	Yes
100729108	Industrial - Automotive (Auto Sales)	0.56	1995	Yes - grocery store, medical center, school	No
100730109	Residential - two units	2.66	1959	Yes - grocery store, medical center, school	Yes
100730110	Industrial (Office)	1.00	1959	Yes - grocery store, medical center, school	Yes
100730111	Commercial (Plant Retail)	1.11	1959	Yes - grocery store, medical center, school	Yes
100760101	Industrial (Contractors Yard)	4.84	1964	Yes - medical center, grocery store, school	No
100762105	Industrial (Contractors Yard)	50.00	1959	Yes - medical center, grocery store, school	No
100762106	Industrial (Contractors Yard)	49.00	1959	Yes - medical center, grocery store, school	No
104349102	Residential - one unit and horse facility	7.10	1966	Yes - grocery store, school	No
104405104	Residential - one unit	0.64	1938	Yes - grocery store, school	No
104518102	Commercial (Plant Nursery)	N/A	1994	Yes - grocery store, medical center, school	No
104658207	Industrial - Automotive (Auto Repair)	0.50	1959	Yes - medical center, school, grocery store	Yes
104656407	Residential - one unit	0.62	1938	Yes - medical center, school, grocery store	Yes
104656408	Residential - one unit	0.29	1938	Yes - medical center, school, grocery store	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104656415	Residential - one unit	0.56	1959	Yes - medical center, school, grocery store	Yes
104656417	Residential - one unit	0.52	1959	Yes - medical center, school, grocery store	Yes
104656418	Residential - one unit	0.54	1948	Yes - medical center, school, grocery store	Yes
104656419	Residential - one unit	0.39	1948	Yes - medical center, school, grocery store	Yes
104656424	Industrial Building	0.09	1978	Yes - medical center, school, grocery store	Yes
104656425	Industrial Building	0.47	1978	Yes - medical center, school, grocery store	Yes
100743204	Residential and Industrial (one unit and storage yard)	0.62	1938	Yes - grocery store, elementary school, medical center	Yes
100743206	Residential and Industrial (one unit and storage yard)	0.54	1978	Yes - grocery store, elementary school, medical center	yes
100743209	Residential - one unit	0.29	1978	Yes - grocery store, elementary school, medical center	Yes
100743210	Residential - one unit	N/A	1978	Yes - grocery store, elementary school, medical center	Yes
100743211	Industrial (Contractor yard)	2.67	1964	Yes - grocery store, elementary school, medical center	Yes
100743212	Residential - one unit	0.43	1948	Yes - grocery store, elementary school, medical center	Yes
100743213	Residential - one unit	0.56	1985	Yes - grocery store, elementary school, medical center	Yes
100743214	Residential - one unit	0.54	1978	Yes - grocery store, elementary school, medical center	Yes
100744102	Residential - one unit	1.67	1938	Yes - grocery store, elementary school, medical center	Yes
100744103	Residential - one unit	1.33	1938	Yes - grocery store, elementary school, medical center	Yes
100744114	Residential - one unit	0.47	1948	Yes - grocery store, elementary school, medical center	Yes
100744115	Residential - one unit	0.53	1938	Yes - grocery store, elementary school, medical center	Yes
100744117	Residential - one unit	0.20	1948	Yes - grocery store, elementary school, medical center	Yes
100746101	Industrial (Contractors Yard)	N/A	1948	Yes - grocery store, elementary school, medical center	Yes
100746102	Industrial (Contractors Yard)	N/A	1948	Yes - grocery store, elementary school, medical center	Yes
100746106	Industrial (Storage Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100746107	Residential - one unit	4.68	1959	Yes - grocery store, elementary school, medical center	No
100746108	Residential and Industrial (one unit and storage yard)	0.54	1972	Yes - grocery store, elementary school, medical center	No
100746109	Residential and Industrial (one unit and storage yard)	0.62	1948	Yes - grocery store, elementary school, medical center	No
100746110	Residential and Industrial (one unit and storage yard)	0.54	1948	Yes - grocery store, elementary school, medical center	No

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100746111	Residential - one unit	0.31	1948	Yes - grocery store, elementary school, medical center	No
100746113	Industrial (Storage Yard)	8.01	N/A - no structure	Yes - grocery store, elementary school, medical center	No
100746115	Industrial (Storage Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100746116	Residential - one unit	1.00	1972	Yes - grocery store, elementary school, medical center	Yes
100746119	Industrial (Contractors Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100746123	Residential - one unit	0.08	1959	Yes - grocery store, elementary school, medical center	Yes
100746126	Residential - one unit	0.29	1948	Yes - grocery store, elementary school, medical center	Yes
100746127	Residential - one unit	0.27	1972	Yes - grocery store, elementary school, medical center	Yes
100746128	Residential - one unit	0.13	1959	Yes - grocery store, elementary school, medical center	Yes
100746130	Industrial (Contractors Yard)	0.53	1972	Yes - grocery store, elementary school, medical center	Yes
100746131	Residential - one unit	0.55	1972	Yes - grocery store, elementary school, medical center	Yes
100746132	Residential and Industrial (one unit and storage yard)	0.26	1948	Yes - grocery store, elementary school, medical center	yes
100746133	Residential and Industrial (one unit and storage yard)	0.48	1959	Yes - grocery store, elementary school, medical center	No
100746201	Residential - one unit	0.53	1964	Yes - grocery store, elementary school, medical center	No
100746203	Industrial (Contractor office/yard)	0.89	1938	Yes - grocery store, elementary school, medical center	No
100746204	Industrial (Tow Yard)	0.45	1948	Yes - grocery store, elementary school, medical center	No
100746214	Residential and Industrial (one unit and storage yard)	0.54	1948	Yes - grocery store, elementary school, medical center	No
100746215	Residential - one unit	0.54	1964	Yes - grocery store, elementary school, medical center	No
100746216	Residential - one unit	0.32	1972	Yes - grocery store, elementary school, medical center	No
100746217	Residential - one unit	0.40	1978	Yes - grocery store, elementary school, medical center	No
100746218	Residential - one unit	0.54	1978	Yes - grocery store, elementary school, medical center	No
100746220	Industrial (Office/Landscaper storage yard)	1.25	1964	Yes - grocery store, elementary school, medical center	No
100764201	Residential - one unit	0.53	1948	Yes - grocery store, elementary school, medical center	Yes
100764202	Residential and Industrial (one unit and storage yard)	1.25	1938	Yes - grocery store, elementary school, medical center	yes
100764203	Industrial (Storage Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	Yes
100764204	Residential - one unit	0.86	1938	Yes - grocery store, elementary school, medical center	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100764205	Residential and Industrial (one unit and storage yard)	0.54	1948	Yes - grocery store, elementary school, medical center	No
100764206	Residential and Industrial (one unit and storage yard)	1.78	1948	Yes - grocery store, elementary school, medical center	No
100764207	Residential and Industrial (one unit and storage yard)	0.53	1948	Yes - grocery store, elementary school, medical center	No
100764209	Industrial - Automotive (Auto Body Shop)	2.18	1948	Yes - grocery store, elementary school, medical center	No
100764211	Industrial (Contractor office/yard)	4.77	1959	Yes - grocery store, elementary school, medical center	No
100764212	Industrial (Contractor office/yard)	0.54	1948	Yes - grocery store, elementary school, medical center	No
100764213	Residential - one unit	0.54	1948	Yes - grocery store, elementary school, medical center	No
100764214	Industrial (Storage Yard)	N/A	N/A - no structure	Yes - grocery store, elementary school, medical center	No
100764215	Residential and Industrial (one unit and storage yard)	0.94	1959	Yes - grocery store, elementary school, medical center	No
100764218	Residential and Industrial (one unit and storage yard)	1.88	1959	Yes - grocery store, elementary school, medical center	No
100764219	Industrial (Building)	0.09	1959	Yes - grocery store, elementary school, medical center	No
100764301	Residential - one unit	0.64	1959	Yes - grocery store, elementary school, medical center	No
100764302	Residential and Industrial (one unit and storage yard)	1.09	1959	Yes - grocery store, elementary school, medical center	No
100764303	Industrial Building	0.60	1972	Yes - grocery store, elementary school, medical center	No
100764304	Residential and Industrial (one unit and industrial building)	2.73	1959	Yes - grocery store, elementary school, medical center	No
100764305	Industrial (Building)	0.83	1964	Yes - grocery store, elementary school, medical center	No
100764308	Residential and Industrial (one unit and industrial building)	2.67	1938	Yes - grocery store, elementary school, medical center	No
100764310	Residential and Industrial (one unit and storage yard)	1.31	1959	Yes - grocery store, elementary school, medical center	No
100764325	Residential and Industrial (one unit and contractor yard)	1.36	1959	Yes - grocery store, elementary school, medical center	No
100765201	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	No
100765202	Industrial (Contractor office/yard)	0.42	1938	Yes - grocery store, elementary school, medical center	No
100765304	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	No
100765305	Industrial (Office)	6.03	1938	Yes - grocery store, elementary school, medical center	Yes
100765306	Industrial (Office)	0.54	1938	Yes - grocery store, elementary school, medical center	yes
100765307	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	Yes
100765308	Residential - thee units	0.12	1959	Yes - grocery store, elementary school, medical center	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
100765401	Industrial (Contractor office/yard)	1.94	1959	Yes - grocery store, elementary school, medical center	Yes
100765402	Residential - one unit	0.54	1964	Yes - grocery store, elementary school, medical center	Yes
100765403	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	yes
100765404	Residential - one unit	0.14	1959	Yes - grocery store, elementary school, medical center	Yes
100765405	Residential - one unit	0.54	1938	Yes - grocery store, elementary school, medical center	Yes
100765501	Industrial (Tow Yard)	2.33	1978	Yes - grocery store, elementary school, medical center	Yes
100765502	Residential and Industrial (one unit and storage yard)	0.56	1938	Yes - grocery store, elementary school, medical center	Yes
100765503	Industrial - Automotive (Auto Storage)	0.35	1938	Yes - grocery store, elementary school, medical center	Yes
100765504	Industrial - Automotive (Auto Repair)	1.35	1948	Yes - grocery store, elementary school, medical center	Yes
100765505	Residential and Industrial (one unit and storage yard)	0.54	1959	Yes - grocery store, elementary school, medical center	Yes
100765506	Residential and Industrial (one unit and storage yard)	0.82	1959	Yes - grocery store, elementary school, medical center	Yes
100765507	Residential - one unit	0.47	1959	Yes - grocery store, elementary school, medical center	Yes
100765508	Residential - one unit	0.54	1959	Yes - grocery store, elementary school, medical center	Yes
100765509	Industrial (Contractor office/yard)	0.09	1948	Yes - grocery store, elementary school, medical center	Yes
100765510	Industrial (Storage Yard)	6.87	1959	Yes - grocery store, elementary school, medical center	Yes
104638309	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104638310	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104625301	Industrial - Automotive (Auto Repair)	0.43	1959	Yes - medical center, school, grocery store	Yes
104625315	Industrial - Automotive (Auto Repair)	1.08	1959	Yes - medical center, school, grocery store	Yes
104641154	Other (Landscaping/City to acquire parcel and pursue housing on)	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640312	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640313	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640314	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640315	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640316	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104640317	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104640318	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104656201	Industrial	N/A	1966	Yes - medical center, school, grocery store	Yes
104656203	Industrial	N/A	1966	Yes - medical center, school, grocery store	Yes
104656202	Industrial	N/A	1966	Yes - medical center, school, grocery store	Yes
104656204	Industrial	1.00	1966	Yes - medical center, school, grocery store	Yes
104656212	Industrial	0.38	1966	Yes - medical center, school, grocery store	Yes
104656213	Industrial	0.51	1966	Yes - medical center, school, grocery store	Yes
104658101	Industrial (Warehouse)	0.29	1938	Yes - medical center, school, grocery store	Yes
104659324	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659318	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659224	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659204	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659205	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104659206	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104660207	Industrial (Vacant lumber yard and parking)	33.60	1959	Yes - medical center, school, grocery store	Yes
104660208	Industrial (Vacant lumber yard and parking)	17.62	1959	Yes - medical center, school, grocery store	Yes
104660209	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104660210	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104660211	Parking Lot	N/A	N/A - no structure	Yes - medical center, school, grocery store	Yes
104660308	Residential - one unit	1.50	1938	Yes - medical center, school, grocery store	Yes
104660307	Residential - one unit	N/A	1938	Yes - medical center, school, grocery store	Yes
104660310	Residential - one unit	1.71	1938	Yes - medical center, school, grocery store	Yes
104660311	Commercial (Fueling)	0.36	1938	Yes - medical center, school, grocery store	Yes
104660309	Residential - one unit	0.37	1938	Yes - medical center, school, grocery store	Yes
104660408	Industrial (vacant)	31.50	1978	Yes - medical center, school, grocery store	Yes

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104660403	Residential - one unit	31.50	1948	Yes - medical center, school, grocery store	Yes
104660404	Residential - one unit	31.50	1948	Yes - medical center, school, grocery store	Yes
104660405	Residential (Multi-family)	31.50	1959	Yes - medical center, school, grocery store	Yes
104660406	Industrial (vacant)	31.50	1959	Yes - medical center, school, grocery store	Yes
104660407	Industrial	31.50	1959	Yes - medical center, school, grocery store	Yes
104657106	Residential - one unit and storage yard	1.39	1959	Yes - medical center, school, grocery store	Yes
104657107	Residential - one unit	0.35	1948	Yes - medical center, school, grocery store	Yes
104657108	Residential - 4 units	0.54	1948	Yes - medical center, school, grocery store	Yes
104657109	Residential - 4 units	0.81	1959	Yes - medical center, school, grocery store	Yes
104657110	Residential - 4 units	1.14	1959	Yes - medical center, school, grocery store	Yes
104657111	Residential - one unit	0.33	1948	Yes - medical center, school, grocery store	Yes
104657113	Residential - one unit	0.54	1948	Yes - medical center, school, grocery store	Yes
104657112	Residential - one unit	2.00	1959	Yes - medical center, school, grocery store	Yes
104518103	Commercial (Plant Nursery)	3.44	1994	Yes - grocery store, medical center, school	No
104550101	Residential (Housing Authority)	N/A	1948	Yes - grocery store, medical center, school	No
104551123	Residential (Housing Authority)	N/A	1948	Yes - grocery store, medical center, school	No
104553214	Residential - one unit	0.87	1938	Yes - grocery store, medical center, school	No
104558137	Industrial - Automotive (Auto Sales)	0.99	1966	Yes - medical center, school, grocery store	No
104605117	Industrial (Office)	N/A	1959	Yes - medical center, school, grocery store	No
104606183	Commercial (building and parking)	1.08	1980	Yes - grocery store, medical center, school	No
104606184	Commercial (parking)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104606187	Commercial (building and parking)	0.51	1959	Yes - grocery store, medical center, school	No
104606188	Commercial (parking)	N/A	N/A - no structure	Yes - grocery store, medical center, school	No
104609123	Residential - one unit	0.50	1938	Yes - grocery store, medical center, school	No
104609124	Residential - one unit	0.52	1948	Yes - grocery store, medical center, school	No
104617103	Commercial (Fueling)	0.29	1959	Yes - grocery store, medical center, school	No

APN	Use	LIR	Year Built	Adjacent to Services (1 mile)	Within 1/2 Mile of High Quality Transit
104634101	Residential - one unit	0.57	1938	Yes - medical center, school, grocery store	No
104634103	Residential - one unit	0.54	1959	Yes - medical center, school, grocery store	No
104649310	Residential - one unit	0.45	1959	Yes - medical center, school, grocery store	No
104650128	Residential - one unit	N/A	1948	Yes - grocery store, medical center, school	No
104650159	Commercial	0.72	1959	Yes - grocery store, medical center, school	No
104656430	Residential - one unit	0.15	1959	Yes - medical center, school, grocery store	Yes
104650160	Industrial (Contractors Yard)	N/A	1959	Yes - grocery store, medical center, school	No
104718103	Other - National Guard Center	N/A	1966	Yes - grocery store, medical center, school	No
104718107	Industrial Building	0.55	1959	Yes - medical center, school, grocery store	No

Table B10. Site Inventory

APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
104646112	1315 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.56		Contractors Yard	20	30	30	Lower	8	6	0	0	14	Yes	No	No	No
104646113	0 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.14		Contractors Yard	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104646104	1307 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.29		Auto Trim	20	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104646105	1301 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.33		Contractors Yard	20	30	30	Mixed	0	0	4	4	8	Yes	No	No	No
104646107	1293 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.29		Contractors Yard	20	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104645108	756 E WASHINGTON BLVD	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.28		Contractors Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104646109	1279 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.55		Contractors Yard	20	30	30	Lower	8	6	0	0	14	Yes	No	No	No
104646110	1253 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.29		Termite Company	20	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104646111	1213 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.29		Termite Company	20	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104646217	298 N 11TH AVE	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.6		2-units	20	30	30	Lower	8	6	0	0	14	Yes	No	No	No
104646108	1179 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.34		Contractor office/yard	20	30	30	Mixed	0	0	4	4	8	Yes	No	No	No
104646209	1179 E 9TH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.35		Contractor office/yard	20	30	30	Mixed	0	0	5	4	9	Yes	No	No	No
104617101	1320 SAN BERNARDINO RD	Vacant	Upzone	MFR-L	RM-20	RM-30	1.88		Vacant	20	40	40	Lower	36	24	0	0	60	Yes	No	No	No
104617107	147 E ARROW	Vacant	Upzone	MFR-L	RM-20	RM-30	0.21		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104617102	1471 E ARROW	Vacant	Upzone	MFR-L	RM-20	RM-30	1.2		Vacant	20	40	40	Lower	23	15	0	0	38	Yes	No	No	No
104617103	1401 ARROW HWY	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	2.57		Commercial Fueling	20	30	30	Lower	37	25	0	0	62	Yes	No	No	No
104609124	847 N CAMPUS AVE	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.21		1 SFR	20	30	30	Mixed	0	0	3	2	5	Yes	No	No	No
104609123	855 N CAMPUS AVE	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	0.22		1 SFR	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104609122	N CAMPUS AVE, WEST OF 847 AND 851	Vacant	Upzone	MFR-L	RM-20	RM-30	0.85		Vacant	20	30	30	Lower	13	8	0	0	21	Yes	No	No	No
104551123	N CAMPUS AVE and E 13th STREET	Non-Vacant	Upzone	MFR-L	RM-1	40 du ac	2.38		Housing Authority	10	40	40	Lower	18	12	0	0	30	Yes	No	No	No
104550101	N CAMPUS AVE and WEST ST.	Non-Vacant	Upzone	MFR-L	RM-1	40 du ac	10.21		Housing Authority	10	40	40	Lower	42	28		0	70	Yes	No	No	No
100736215	2571 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.1		SFR	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
100736214	2579 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.11		SFR	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
100736208	2587 BLANCHARD PL	Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.06		Vacant	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
100736205	2561 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.23		SFR/Vacant	4-10 DU	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
100736207	2585 E BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.69		SFR/Vacant	4-10 DU	30	30	Lower	10	7	0	0	17	Yes	No	No	No
100736203	300 CLAREMONT BLVD	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.14		SFR/Vacant	4-10 DU	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
100736202	NORTH of 290 N CLAREMONET BLVD	Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.37		Vacant	4-10 DU	30	30	Mixed	0	0	5	4	9	Yes	No	No	No
100736201	350 CLAREMONT BLVD	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	1.09		SFR/Vacant	4-10 DU	30	30	Lower	16	10	0	0	26	Yes	No	No	No
100736213	2581 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.08		SFR	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No

APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
100736210	NORTH of 2581 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.03		SFR	4-10 DU	30	30	Mixed	0	0	1	0	1	Yes	No	No	No
100736212	2595 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.17		SFR	4-10 DU	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
100736211	2597 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.17		SFR	4-10 DU	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
100736209	2583 BLANCHARD PL	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.05		SFR	4-10 DU	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
100736206	270 CLAREMONT BLVD	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.13		SFR	4-10 DU	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
100736204	290 N CLAREMONT BLVD	Non-Vacant	Upzone	SFR-M	RS-7.5	RM-30	0.22		SFR	4-10 DU	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104656318	141 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.6		Industrial Building	20	30	30	Lower	5	4	0	0	9	Yes	No	No	No
104656401	114 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.18		Auto Body Shop	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104656403	114 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		Auto Body Shop	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656402	114 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		Auto Body Shop	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656425	0 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.25		Industrial Building	20	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
104656424	101 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.29		Industrial Building	20	30	30	Mixed	0	0	3	2	5	Yes	No	No	No
104656419	135 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656404	128 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656405	138 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656418	139 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656429	153 N 9th Ave	Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.01		Vacant	20	30	30	Mixed	0	0	0	0	0	Yes	No	No	No
104656417	153 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656406	0 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656407	156 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656430	159 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656415	165 N 9TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656408	164 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104656319	145 N 8TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	1.75		Industrial	20	30	30	Lower	16	11	0	0	27	Yes	No	No	No
104654122	145 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	1.05		Contractor Storage Yard	20	30	30	Lower	10	6	0	0	16	Yes	No	No	No
104654121	147 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	1.07		Contractor Storage Yard	20	30	30	Lower	10	6	0	0	16	Yes	No	No	No
104654120	153 N TENTH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.36		Contractor Storage Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654119	159 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.36		Contractor Storage Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654118	167 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.36		Contractor Storage Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654201	1091 E A ST	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.34		Storage Yard/building	20	30	30	Mixed	0	0	3	2	5	Yes	No	No	No

APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
104654202	106 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.2		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654204	112 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.38		Storage Yard	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654246	112 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.3		Storage Yard	20	30	30	Mixed	0	0	3	2	5	Yes	No	No	No
104654208	142 N 10TH AVE	Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.15		Vacant	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654206	136 N 10TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.5		SFR/Storage Yard	20	30	30	Lower	5	3	0	0	8	Yes	No	No	No
104654243	109 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.26		SFR	20	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
104654242	119 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.14		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104654244	1127 E A ST	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.15		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654245	1117 E A ST	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.13		SFR	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104654241	125 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.15		Storage Yard/building	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654238	127 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.21		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654240	123 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.16		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654239	127 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.18		Storage Yard/building	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654229	169 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.38		SFR	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104654226	177 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.17		SFR	20	30	30	Mixed	0	0	2	1	3	Yes	No	No	No
104654228	165 N 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.13		Storage Yard/building	20	30	30	Mixed	0	0	1	1	2	Yes	No	No	No
104654230	165 12TH AVE	Non-Vacant	Upzone	B/R-MU	B/R-MU	Mixed - Use 30	0.31		Storage Yard	20	30	30	Mixed	0	0	3	0	3	Yes	No	No	No
104718103	1284 E SEVENTH ST	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	3.6		National Guard Center	20	30	30	Lower	52	34	0	0	86	Yes	No	No	No
104718107	420 S 11TH AVE	Non-Vacant	Upzone	MFR-L	RM-20	RM-30	4.48		Industrial Building	20	30	30	Lower	64	43	0	0	107	Yes	No	No	No
104718108	420 S 11TH AVE	Vacant	Upzone	MFR-L	RM-20	RM-30	2.57		Vacant	20	30	30	Lower	37	25	0	0	62	Yes	No	No	No
104349102	502 E TWENTYFIRST ST	Non-Vacant	Upzone	SFR-L	RS-20	RS-7.5	10		1 SFR/Horse Facility	0-4	10	10	Mixed	0	0	55	54	109	Yes	No	No	No
100402104	0 24TH ST	Vacant	Upzone	SFR-L	RS-15	RS-7.5	5.5		Vacant	0-4	10	10	Mixed	0	0	30	30	60	Yes	No	No	No
104518103	1420 N CAMPUS AVE	Non-Vacant	Rezone	P-OS	PB-L	RM-30	5.4		Nursery	NA	40	40	Lower	104	69	0	0	173	Yes	No	No	No
104518102	1420 N CAMPUS AVE	Non-Vacant	Rezone	P-OS	PB-L	RM-30	0.23		Nursery/ Easement	NA	40	40	Mixed	0	0	4	3	7	Yes	No	No	No
100744104	378 N CENTRAL AVE	Vacant	Rezone	C/R-MU	C/R-MU	RM-30	0.45		Vacant	20	30	30	Mixed	0	0	6	5	11	Yes	No	No	No
100744116	391 DRAKE AVE	Vacant	Rezone	0	C/R-MU	RM-30	0.27		Vacant	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
100744115	361 N DRAKE AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.27		SFR	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
100744114	367 DRAKE AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.22		SFR	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
100744117	377 DRAKE AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.36		SFR	20	30	30	Mixed	0	0	5	4	9	Yes	No	No	No
100744101	318 N CENTRAL AVE	Vacant	Rezone	0	C/R-MU	RM-30	1.2		Vacant	20	30	30	Lower	17	12	0	0	29	Yes	No	No	No
100744102	360 N CENTRAL AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.27		Storage	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No

APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
100744103	368 N CENTRAL AVE	Non-Vacant	Rezone	0	C/R-MU	RM-30	0.27		Storage	20	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104633322	811 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633323	823 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633319	239 N SAN ANTONIO AVE	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633324	831 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633325	845 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633326	855 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633318	822 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633317	842 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR/Contractor Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633313	842 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.64		Driveway	20	40	40	Lower	13	8	0	0	21	Yes	No	No	No
104633308	261 N SAN ANTONIO AVE	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633307	277 N SAN ANTONIO AVE	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633306	309 N SAN ANTONIO AVE	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633309	827 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633305	0 SAN ANTONIO PL	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		Vacant	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633310	843 SAN ANTONIO PL	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Vacant	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633304	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Storage Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633301	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.64		Vacant/Storage Yard	20	40	40	Lower	13	8	0	0	21	Yes	No	No	No
104633327	869 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Contractor office/Storage yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633329	887 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Office	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
104633316	869 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Storage Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633331	891 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.61		SFR/Business Use	20	40	40	Lower	11	8	0	0	19	Yes	No	No	No
104633311	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633303	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Contractor storage yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633312	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Contractor storage yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104633302	869 SAN ANTONIO PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		Contractor storage yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
104653101	102 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.21		SFR	4-10 DU	20	20	Mixed	0	0	2	1	3	Yes	No	No	No
104653102	106 N 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.55		SFR/Vacant	4-10 DU	20	20	Mixed	0	0	5	4	9	Yes	No	No	No
104653107	144 N 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.5		SFR/Vacant	4-10 DU	20	20	Mixed	0	0	4	4	8	Yes	No	No	No
104653108	152 N 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.5		2 SFR	4-10 DU	20	20	Mixed	0	0	4	4	8	Yes	No	No	No
104653109	168 12TH AVE	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-20	0.41		SFR/Vacant	4-10 DU	20	20	Mixed	0	0	3	3	6	Yes	No	No	No

APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
104707205	370 S 1ST AVE	Vacant	Rezone	OP	OP	RM-30	0.16		Vacant	NA	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
100730108	735 N CENTRAL AVE	Vacant	Rezone	C/I-MU	C/I-MU	RM-30	0.4		Vacant	20	30	30	Mixed	0	0	5	5	10	Yes	No	No	No
100730109	705 N CENTRAL AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	RM-30	0.42		2 SFR	20	30	30	Mixed	0	0	5	5	10	Yes	No	No	No
100730110	665 N CENTRAL AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	RM-30	0.42		Office	20	30	30	Mixed	0	0	5	5	10	Yes	No	No	No
100730111	653 N CENTRAL AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	RM-30	0.56		Plant Retail	20	30	30	Lower	8	6	0	0	14	Yes	No	No	No
100762105	1540 W 9TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-20	1.94		Contractor Yard	NA	40	40	Lower	37	25	0	0	62	Yes	No	No	No
100762106	1526 W 9TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-20	1.9		Contractor Yard	NA	40	40	Lower	37	24	0	0	61	Yes	No	No	No
100760101	1500 W 9TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-20	4.65		Contractor Yard	NA	40	40	Lower	89	60	0	0	149	Yes	No	No	No
100729108	1920 W 11TH ST	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.55		Auto Sales	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100728122	1915 W ARROW AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.17		Industrial	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100728146	1905 W ARROW RTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.11		Industrial	20	40	40	Mixed	0	0	2	1	3	Yes	No	No	No
100728144	1915 W ARROW AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.02		Industrial	20	40	40	Mixed	0	0	1	0	1	Yes	No	No	No
100728145	1915 W ARROW AVE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.03		Industrial	20	40	40	Mixed	0	0	1	0	1	Yes	No	No	No
100728118	1884 WOODLAWN ST	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	1.56		Storage	20	40	40	Lower	30	20	0	0	50	Yes	No	No	No
100728115	1882 WOODLAWN ST	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.56		Storage	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100728119	1859 W ARROW RTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.2		Storage	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100728117	1853 W ARROW RTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.2		Storage	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100728132	1851 W ARROW ROUTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.41		Storage	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100728134	1846 WOODLAWN ST	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	1.06		Storage	20	40	40	Lower	20	14	0	0	34	Yes	No	No	No
100728133	1845 W ARROW RTE	Non-Vacant	Rezone	C/I-MU	C/I-MU	40 du/ac	0.8		Storage	20	40	40	Lower	16	10	0	0	26	Yes	No	No	No
104658207	530 E 9TH ST	Non-Vacant	Rezone	SP	Pleasant View	Citrus Transp.	0.48		Auto Repair	4-10 du	55	55	Mixed	0	0	11	10	21	Yes	No	No	No
104655108	997 E 8TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-30	1.62		Tow Yard	0	30	30	Lower	23	16	0	0	39	Yes	No	No	No
104655102	119 GILMORE DR	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.26		Storage	0	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104655101	124 GILMORE DR	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.3		Storage	0	30	30	Mixed	0	0	4	3	7	Yes	No	No	No
104655107	1041 E 8TH ST	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-30	0.15		SFR	4-10 DU	30	30	Mixed	0	0	2	2	4	Yes	No	No	No
104655106	1017 E 8TH ST	Non-Vacant	Rezone	SFR-M	RS-7.5	RM-30	0.26		SFR	4-10 DU	30	30	Mixed	0	0	3	3	6	Yes	No	No	No
104655141	1019 E 8TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.34		Storage	0	30	30	Mixed	0	0	4	4	8	Yes	No	No	No
104655103	1059 E 8TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.67		Office	0	30	30	Lower	10	6	0	0	16	Yes	No	No	No
104652104	1059 E 8TH ST	Non-Vacant	Rezone	LI-BP	LI	RM-30	0.9		Light Industrial	0	30	30	Lower	13	9	0	0	22	Yes	No	No	No
100746130	1813 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.15		Contractor Yard (Tree Service)	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100746119	0 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.21		Contractor Yard (Tree Service)	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No

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100746102	1813 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.38		Contractor Yard (Tree Service)	20	40	40	Mixed	0	0	6	6	12	Yes	No	No	No
100746131	1823 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100765401	1845 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Contractor office/yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100765402	1861 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.29		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765403	1871 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765404	1885 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.37		SFR	20	40	40	Mixed	0	0	6	6	12	Yes	No	No	No
100765405	1893 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.34		SFR	20	40	40	Mixed	0	0	6	5	11	Yes	No	No	No
100765201	1915 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.32		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765202	1937 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.38		Contractor office/yard	20	40	40	Mixed	0	0	6	6	12	Yes	No	No	No
100743211	0 N LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.07		Contractor storage yard	20	40	40	Mixed	0	0	1	1	2	Yes	No	No	No
100746101	202 N LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.58		Contractor Yard (Tree Service)	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100743214	1822 W HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743210	1861 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.15		Garage	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100743209	203 N LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.26		SFR	20	40	40	Mixed	0	0	4	4	8	Yes	No	No	No
100743206	229 N LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.51		SFR/Storage Yard	20	40	40	Lower	10	6	0	0	16	Yes	No	No	No
100743208	1871 W 9TH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.18		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743213	1850 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.15		SFR	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100743212	1860 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.15		SFR	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100743207	1885 W 9TH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.18		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743201	0 N VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743202	230 N VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.23		Storage Yard	20	40	40	Mixed	0	0	4	3	7	Yes	No	No	No
100743203	230 VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.24		SFR/Storage Yard	20	40	40	Mixed	0	0	4	4	8	Yes	No	No	No
100743204	280 VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.48		SFR/Storage Yard	20	40	40	Mixed	0	0	8	7	15	Yes	No	No	No
100743112	1915 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Storage	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100743111	N VISTA PL, SOUTH OF HUNTINGTON DR.	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.16		Contractor storage yard	20	40	40	Mixed	0	0	3	2	5	Yes	No	No	No
100746220	1663 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.93		Office/Landscaper storage yard	20	40	40	Lower	18	12	0	0	30	Yes	No	No	No
100746126	1775 W NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.08		SFR	20	40	40	Mixed	0	0	1	1	2	Yes	No	No	No
100746127	1791 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.09		SFR	20	40	40	Mixed	0	0	2	1	3	Yes	No	No	No
100746128	1795 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.09		SFR	20	40	40	Mixed	0	0	2	1	3	Yes	No	No	No
100746214	1693 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.56		SFR/Storage Yard	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100746215	244 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No

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100746216	256 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746217	270 N SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746120	0 W NINTH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.09		Vacant	20	40	40	Mixed	0	0	2	1	3	Yes	No	No	No
100746111	1703 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.41		SFR - Mixed Use	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100746110	257 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.27		SFR/Storage Yard	20	40	40	Mixed	0	0	5	4	9	Yes	No	No	No
100746109	275 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.32		SFR/Storage Yard	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100746108	297 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.59		SFR/Storage Yard	20	40	40	Lower	11	8	0	0	19	Yes	No	No	No
100746201	282 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.17		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746123	1751 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		SFR	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100746133	0 W 9TH ST, EAST OF 1775	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.46		SFR/Storage Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100746113	1751 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746115	1775 NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746107	1760 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.89		SFR	20	40	40	Lower	17	12	0	0	29	Yes	No	No	No
100746106	0 HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.42		Storage Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100746116	1791 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746117	1795 W 9TH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100746132	0 W 9TH ST EAST OF 1813	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.76		SFR/Storage Yard	20	40	40	Lower	14	10	0	0	24	Yes	No	No	No
100746105	0 W HUNTINGTON DR	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		Vacant	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100746204	1638 W HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	1.2		Tow Yard	20	40	40	Lower	23	15	0	0	38	Yes	No	No	No
100746203	1659 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	1.1		Contractor office/yard	20	40	40	Lower	21	14	0	0	35	Yes	No	No	No
100746218	1670 W HUNTINGTON DR	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.22		SFR	20	40	40	Mixed	0	0	4	3	7	Yes	No	No	No
100765305	1948 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.46		Office	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100765304	1956 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.45		SFR	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100764202	108 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.81		SFR/Storage Yard	20	40	40	Lower	16	10	0	0	26	Yes	No	No	No
100764203	112 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100764201	102 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.19		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100765509	105 LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.29		Contractor office/yard	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765510	101 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	1.24		Storage Yard	20	40	40	Lower	24	16	0	0	40	Yes	No	No	No
100764204	1822 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.6		SFR	20	40	40	Lower	11	8	0	0	19	Yes	No	No	No
100765508	63 S LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.29		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765507	61 LOMA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.18		SFR	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No

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100765506	1860 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.45		SFR/Storage Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100765505	1870 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.43		SFR/Storage Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100765501	34 N VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.64		Tow Yard	20	40	40	Lower	13	8	0	0	21	Yes	No	No	No
100765502	28 N VISTA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.39		SFR/Storage Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100765504	1890 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.36		Auto Repair	20	40	40	Mixed	0	0	6	5	11	Yes	No	No	No
100765503	1894 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.49		Auto Body/Paint	20	40	40	Mixed	0	0	8	8	16	Yes	No	No	No
100765308	1916 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		3 Residential Units	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765307	1924 W NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100765306	1934 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		Office	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764310	1678 W NINTH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.69		SFR/Storage Yard	20	40	40	Lower	13	9	0	0	22	Yes	No	No	No
100764301	8793 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		SFR	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764302	108 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		SFR/Storage Yard	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764303	206 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		Industrial Building	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764304	202 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		SFR/Industrial building	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764219	203 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	2.74		Industrial Park	20	40	40	Lower	53	35	0	0	88	Yes	No	No	No
100764305	140 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.3		Industrial Building	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764325	120 SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.44		SFR/Contractor Yard	20	40	40	Mixed	0	0	7	7	14	Yes	No	No	No
100764309	0 W NINTH ST	Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.21		Vacant	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100764308	1698 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.31		SFR/Industrial building	20	40	40	Mixed	0	0	5	5	10	Yes	No	No	No
100764215	143 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.2		SFR/Auto Storage	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100764214	0 S SIERRA PL	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.18		Storage Yard	20	40	40	Mixed	0	0	3	3	6	Yes	No	No	No
100764212	1726 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.63		Contractor office/Storage yard	20	40	40	Lower	12	8	0	0	20	Yes	No	No	No
100764211	1736 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.57		Contractor office/Storage yard	20	40	40	Lower	11	7	0	0	18	Yes	No	No	No
100764213	1718 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.24		SFR	20	40	40	Mixed	0	0	4	4	8	Yes	No	No	No
100764209	1752 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.59		Auto Storage Yard	20	40	40	Lower	11	8	0	0	19	Yes	No	No	No
100764218	1770 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.75		SFR/Auto Storage	20	40	40	Lower	14	10	0	0	24	Yes	No	No	No
100764207	1784 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.4		SFR/Storage Yard	20	40	40	Mixed	0	0	7	6	13	Yes	No	No	No
100764206	1794 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.49		SFR/Storage Yard	20	40	40	Mixed	0	0	8	8	16	Yes	No	No	No
100764205	1806 W 9TH ST	Non-Vacant	Rezone	B/R-MU	B/R-MU	40 du/ac	0.47		SFR/Storage Yard	20	40	40	Mixed	0	0	8	7	15	Yes	No	No	No
104638309	SOUTHWEST CORNER OF E ARROW HWY AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Arrow Hwy		0.13	Lot E	public parking lot	15	N/A	15	Mixed	1	0	1	0	2	Yes	Yes	Yes	Yes

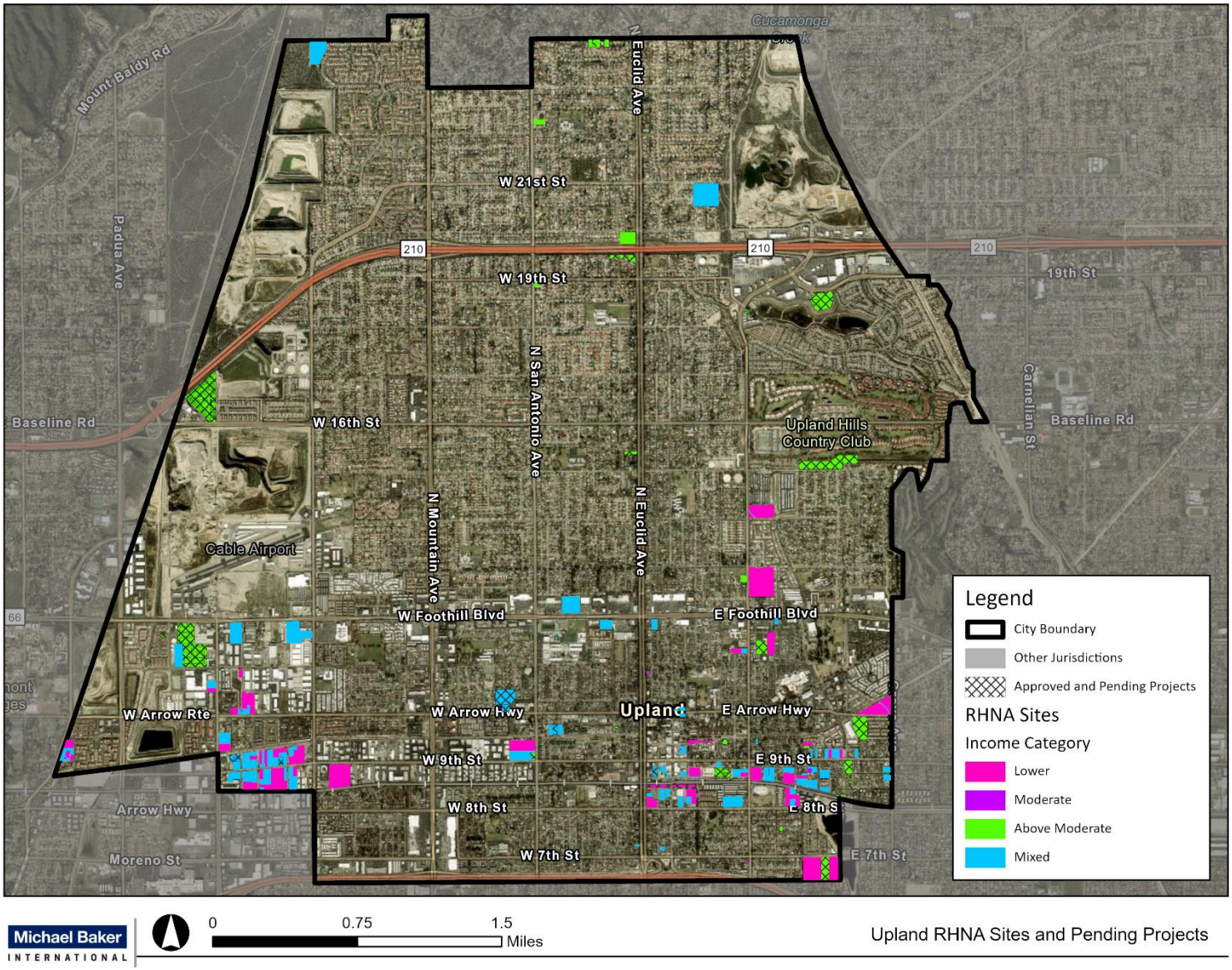
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104638310	SOUTHWEST CORNER OF E ARROW HWY AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Arrow Hwy		0.21	Lot E	public parking lot	15	N/A	15	Mixed	1	0	1	0	2	Yes	Yes	Yes	Yes
104625301	231 E ARROW HWY	Non-Vacant	Existing Zoning	SP	Arrow Hwy		0.17		Auto Repair	15	N/A	15	Mixed	0	0	1	1	2	Yes	No	Yes	Yes
104625315	523 3RD AVE	Non-Vacant	Existing Zoning	SP	Arrow Hwy		0.34		Auto Repair	15	N/A	15	Mixed	0	0	2	2	4	Yes	No	Yes	Yes
104641154	WASHINGTON BLVD AND C STREET	Non-Vacant	Existing Zoning	SP	Multi-family Senior Housing		1.03		landscaping	25	N/A	40	Lower	43	29	0	0	72	Yes	No	No	No
104640312	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.05	Lot D	public parking lot	35	N/A	35	Mixed	1	0	1	0	2	Yes	Yes	Yes	Yes
104640313	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.17	Lot D	public parking lot	35	N/A	35	Mixed	2	0	3	0	5	Yes	Yes	Yes	Yes
104640314	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.03	Lot D	public parking lot	35	N/A	35	Mixed	0	0	1	0	1	Yes	Yes	Yes	Yes
104640315	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.12	Lot D	public parking lot	35	N/A	35	Mixed	1	0	2	0	3	Yes	Yes	Yes	Yes
104640316	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.12	Lot D	public parking lot	35	N/A	35	Mixed	1	0	2	0	3	Yes	Yes	Yes	Yes
104640317	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.12	Lot D	public parking lot	35	N/A	35	Mixed	1	0	2	0	3	Yes	Yes	Yes	Yes
104640318	SOUTHWEST CORNER OF C ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.14	Lot D	public parking lot	35	N/A	35	Mixed	2	0	2	0	4	Yes	Yes	Yes	Yes
104656201	100 N 6TH AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.23		Industrial	55	N/A	55	Mixed	0	0	5	5	10	Yes	No	No	Yes
104656203	100 N 6TH AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.23		Industrial	55	N/A	55	Mixed	0	0	5	5	10	Yes	No	No	Yes
104656202	100 N 6TH AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.23		Industrial	55	N/A	55	Mixed	0	0	5	5	10	Yes	No	No	Yes
104656204	142 N SIXTH AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.28		Industrial	55	N/A	55	Mixed	0	0	6	6	12	Yes	No	No	Yes
104656212	153 N CAMPUS AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.46		Industrial	55	N/A	55	Mixed	0	0	10	10	20	Yes	No	No	No
104656213	125 N CAMPUS AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.51		Industrial	55	N/A	55	Lower	13	9	0	0	22	Yes	No	No	No
104658101	110 N 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		1.81		Warehouse	55	N/A	55	Lower	48	32	0	0	80	Yes	No	Yes	Yes
104658108	110 N 3RD AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.11		Vacant	55	N/A	55	Mixed	0	0	3	2	5	Yes	No	No	No
104659324	NORTHWEST CORNER OF A ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.16	Lot B	public parking lot	35	N/A	35	Mixed	2	0	3	0	5	Yes	Yes	Yes	Yes
104659318	NORTHWEST CORNER OF A ST AND N 3RD AVE	Non-Vacant	Existing Zoning	SP	Old Town		0.36	Lot B	public parking lot	35	N/A	35	Mixed	5	0	5	0	10	Yes	Yes	Yes	Yes
104659224	NORTH OF A ST AND WEST OF N 2ND AVE	Non-Vacant	Existing Zoning	SP	Old Town/ Historic Core		0.17		public parking lot	25	N/A	25	Mixed	1	0	2	0	3	Yes	Yes	Yes	Yes
104659204	N 1ST STREET BETWEEN A ST AND E 9TH ST	Non-Vacant	Existing Zoning	SP	Old Town/1st St. Overlay		0.14	Lot C	public parking lot	55	N/A	55	Mixed	3	0	3	0	6	Yes	Yes	Yes	Yes
104659205	N 1ST STREET BETWEEN A ST AND E 9TH ST	Non-Vacant	Existing Zoning	SP	Old Town/1st St. Overlay		0.21	Lot C	public parking lot	55	N/A	55	Mixed	5	0	5	0	10	Yes	Yes	Yes	Yes
104659206	N 1ST STREET BETWEEN A ST AND E 9TH ST	Non-Vacant	Existing Zoning	SP	Old Town/1st St. Overlay		0.21	Lot C	public parking lot	55	N/A	55	Mixed	5	0	5	0	10	Yes	Yes	Yes	Yes
104660105	178 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.17		vacant	40	N/A	40	Lower	4	2	0	0	6	Yes	No	Yes	Yes
104660112	179 S 1ST AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.17		vacant	55	N/A	55	Lower	4	3	0	0	7	Yes	No	No	No
104660113	185 S 1ST AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.17		vacant	55	N/A	55	Lower	4	3	0	0	7	Yes	No	No	No
104660114	89 8TH ST	Vacant	Existing Zoning	SP	Citrus Transp.		0.33		vacant	55	N/A	55	Lower	8	6	0	0	14	Yes	No	No	No
104660101	0 EIGHTH ST	Vacant	Existing Zoning	SP	Euclid		0.03		vacant	40	N/A	40	Lower	1	0	0	0	1	Yes	No	Yes	No

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104660102	196 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.11		vacant	40	N/A	40	Lower	2	1	0	0	3	Yes	No	No	No
104660103	188 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.05		vacant	40	N/A	40	Lower	1	1	0	0	2	Yes	No	No	No
104660104	188 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.11		vacant	40	N/A	40	Lower	2	1	0	0	3	Yes	No	No	No
104660106	178 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.15		vacant	40	N/A	40	Lower	3	2	0	0	5	Yes	No	No	No
104660107	170 S EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.17		vacant	40	N/A	40	Lower	4	2	0	0	6	Yes	No	No	No
104660115	188 EUCLID AVE	Vacant	Existing Zoning	SP	Euclid		0.17		vacant	40	N/A	40	Lower	4	2	0	0	6	Yes	No	No	No
104660108	150 EUCLID	Vacant	Existing Zoning	SP	Euclid		0.33		vacant	40	N/A	40	Mixed	0	0	5	5	10	Yes	No	Yes	No
104660207	166 S FIRST AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.32		Vacant lumber yard and parking with single owner	55	N/A	55	Mixed	0	0	7	7	14	Yes	No	Yes	Yes
104660208	140 S 1ST AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.32		Vacant lumber yard and parking with single owner	55	N/A	55	Mixed	0	0	7	7	14	Yes	No	Yes	Yes
104660206	172 S 1ST AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.16		Vacant	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660205	172 S 1ST AVE	Vacant	Existing Zoning	SP	Citrus Transp.		0.16		Vacant	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660209	140 E 2ND ST	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.11	Lot A	public parking lot	55	N/A	55	Mixed	2	0	3	0	5	Yes	Yes	Yes	Yes
104660210	140 E 2ND ST	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.12	Lot A	public parking lot	55	N/A	55	Mixed	3	0	3	0	6	Yes	Yes	Yes	Yes
104660211	140 E 2ND ST	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.37	Lot A	public parking lot	55	N/A	55	Mixed	8	0	8	0	16	Yes	Yes	Yes	Yes
104660308	283 E 8TH ST	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.11		SFR	55	N/A	55	Mixed	0	0	3	2	5	Yes	No	Yes	Yes
104660307	0 THIRD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		single-family residential	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660310	183 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		single-family residential	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	Yes	Yes
104660311	167 S THIRD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transportation		0.49		Commercial Building	55	N/A	55	Mixed	0	0	11	11	22	Yes	No	No	No
104660309	251 E 8TH ST	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.05		single-family residential	55	N/A	55	Mixed	0	0	1	1	2	Yes	No	No	No
104660408	167 S SULTANA AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		1.29		vacant industrial	55	N/A	55	Lower	34	23	0	0	57	Yes	No	Yes	Yes
104660403	184 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		single-family residential	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660404	176 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		single-family residential	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660405	170 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		Multi-family	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660406	164 S 3RD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.16		vacant industrial	55	N/A	55	Mixed	0	0	4	3	7	Yes	No	No	No
104660407	140 S THIRD AVE	Non-Vacant	Existing Zoning	SP	Citrus Transp.		0.64		Industrial	55	N/A	55	Lower	17	11	0	0	28	Yes	No	No	No
104657106	669 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.81		1 SFR/Storage Yard	20	N/A	20	Mixed	0	0	7	6	13	Yes	No	No	No
104657107	659 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.21		SFR	20	N/A	20	Mixed	0	0	2	1	3	Yes	No	No	No
104657108	649 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.65		4 units	20	N/A	20	Mixed	0	0	5	5	10	Yes	No	No	No
104657109	635 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.51		4 units	20	N/A	20	Mixed	0	0	4	4	8	Yes	No	No	No
104657110	623 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.51		4 units	20	N/A	20	Mixed	0	0	4	4	8	Yes	No	No	No

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104657111	613 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.51		SFR	20	N/A	20	Mixed	0	0	4	4	8	Yes	No	No	No
104657113	599 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.17		SFR	20	N/A	20	Mixed	0	0	1	1	2	Yes	No	No	No
104657112	605 E 8TH ST	Non-Vacant	Existing Zoning	HDUSP	Olivedale		0.41		SFR	20	N/A	20	Mixed	0	0	3	3	6	Yes	No	No	No
104610214	867 E 11TH ST	Vacant	Existing Zoning	MFR-L	RM-30		1.5		Vacant	30	N/A	30	Lower	22	14	0	0	36	Yes	No	No	No
104650160	85 N GROVE ST	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.37		Contractor Yard	20	N/A	20	Mixed	0	0	2	2	4	Yes	No	No	No
104650159	1472 BOWEN ST	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.37		Commercial	20	N/A	20	Mixed	0	0	2	2	4	Yes	No	No	No
104650128	111 N GROVE AVE	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.7		1 SFR	20	N/A	20	Mixed	0	0	4	3	7	Yes	No	No	No
104405104	1997 N EUCLID AVE	Non-Vacant	Existing Zoning	SFR-L	RS-20		3.22		SFR	0-4	N/A	4	Above Moderate	0	0	0	10	10	Yes	No	No	No
104325122	2224 N SAN ANTONIO AVE	Vacant	Existing Zoning	SFR-L	RS-20		1		Vacant	1	N/A	1	Above Moderate	0	0	0	2	2	Yes	No	No	No
100706108	1816 FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		3.74		Restaurant/Vacant (Buffalo Inn)	20	N/A	20	Mixed	0	0	19	19	38	Yes	No	No	No
100706123	1812 FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		0.83		Restaurant/Vacant (Buffalo Inn)	20	N/A	20	Mixed	0	0	5	4	9	Yes	No	No	No
100704107	2085 W ELEVENTH ST	Vacant	Existing Zoning	Enclave	Specific Plan		3.39		Vacant	20	N/A	20	Mixed	0	0	27	27	54	Yes	No	No	No
100709108	1690 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		1.82		Car Rental/Vacant	20	N/A	20	Mixed	0	0	9	9	18	Yes	No	No	No
100709109	0 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		0.92		Commercial Building/Abandoned SFR/vacant	20	N/A	20	Mixed	0	0	5	4	9	Yes	No	No	No
100709110	1656 W FOOTHILL	Vacant	Existing Zoning	C/I-MU	C/I-MU		0.95		vacant	20	N/A	20	Mixed	0	0	5	5	10	Yes	No	No	No
100709116	939 N BENSON AVE	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		1.76		Industrial Building/yard	20	N/A	20	Mixed	0	0	9	9	18	Yes	No	No	No
100709107	1700 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/I-MU	C/I-MU		1.35		Industrial Building/yard	20	N/A	20	Mixed	0	0	7	7	14	Yes	No	No	No
104707206	370 S 1ST AVE	Vacant	Existing Zoning	SFR-M	RS-7.5		0.16		Vacant	4-10 du	N/A	10	Mixed	0	0	1	1	2	Yes	No	No	No
104627105	0 N EUCLID AVE	Vacant	Existing Zoning	SFR-M	RS-7.5		0.14		Vacant	4-10 du	N/A	10	Mixed	0	0	1	0	1	Yes	No	No	No
104606184	0 E FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.21		Commercial/parking	20	N/A	20	Mixed	0	0	1	1	2	Yes	No	No	No
104606188	0 FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.2		Commercial/parking	20	N/A	20	Mixed	0	0	1	1	2	Yes	No	No	No
104606183	80 E FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.41		Commercial/parking	20	N/A	20	Mixed	0	0	2	2	4	Yes	No	No	No
104606187	60 E FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		0.15		Commercial/parking	20	N/A	20	Mixed	0	0	1	1	2	Yes	No	No	No
104611101	920 E FOOTHILL BLVD	Vacant	Existing Zoning	C/O-MU	C/O-MU		0.38		Vacant	20	N/A	20	Mixed	0	0	2	2	4	Yes	No	No	No
104303234	0 W 24TH ST	Vacant	Existing Zoning	SFR-L	RS-20		0.55		Vacant	0-4 du/ac	N/A	4	Above Moderate	0	0	0	2	2	Yes	No	No	No
104303230	0 W 24TH ST	Vacant	Existing Zoning	SFR-L	RS-20		0.51		Vacant	0-4 du/ac	N/A	4	Above Moderate	0	0	0	2	2	Yes	No	No	No
104303232	0 W 24TH ST	Vacant	Existing Zoning	SFR-L	RS-20		0.51		Vacant	0-4 du/ac	N/A	4	Above Moderate	0	0	0	2	2	Yes	No	No	No
104403219	1887 LIVEOAK WAY	Vacant	Existing Zoning	SFR-L	RS-15		0.35		Vacant	0-4 du/ac	N/A	4	Above Moderate	0	0	0	1	1	Yes	No	No	No
100728123	1931 W ARROW	Non-Vacant	Existing Zoning	MFR-M	RM-30		0.85		1SFR	30	N/A	30	Lower	13	8	0	0	21	Yes	No	No	No
104722125	0 N CAMPUS AVE	Vacant	Existing Zoning	SFR-M	RS-7.5		0.07		Vacant	4-10 du/ac	N/A	10	Mixed	0	0	1	0	1	Yes	Yes	No	No

APN	Address	Vacant/ Non-Vacant	Type	General Plan	Zoning District	Rezone/ Upzone To?	Acres	Consolidate	Existing Use	Current Max Density	Rezone Max Density	Assumed Max Density	Income Category	Very Low	Low	Moderate	Above Moderate	Total Units	Infrastructure	Publicly Owned?	4th Cycle	5th Cycle
104704107	0 EUCLID AVE	Vacant	Existing Zoning	SFR-M	RS-7.5		0.17		Vacant	4-10 du/ac	N/A	10	Mixed	0	0	1	1	2	Yes	No	No	No
104558137	555 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		5.21		Auto Dealership	20	N/A	20	Mixed	0	0	26	26	52	Yes	No	No	No
104553214	689 E PINE ST	Non-Vacant	Existing Zoning	SFR-M	4-10 DU		0.64		1 SFR	1	N/A	1	Above Moderate	0	0	0	1	1	Yes	No	No	No
104605117	234 W FOOTHILL BLVD	Non-Vacant	Existing Zoning	C/R-MU	C/R-MU		1.94		Office	20	N/A	20	Mixed	0	0	10	10	20	Yes	No	No	No
104646206	1221 E 9TH ST	Non-Vacant	Existing Zoning	RM-20	RM-20		0.31		SFR	20	N/A	20	Mixed	0	0	3	2	5	Yes	No	No	No
104634103	689 W VERNON DR	Non-Vacant	Existing Zoning	MFR-L	RM-20		0.66		SFR	20	N/A	20	Mixed	0	0	5	5	10	Yes	No	No	No
104634101	619 W VERNON DR	Non-Vacant	Existing Zoning	MFR-L	RM-20		0.85		SFR	20	N/A	20	Mixed	0	0	7	7	14	Yes	No	No	No
104649310	1371 E 9TH ST	Non-Vacant	Existing Zoning	MFR-L	RM-20		0.29		SFR	20	N/A	20	Mixed	0	0	3	2	5	Yes	No	No	No
104649311	1369 E 9TH ST	Vacant	Existing Zoning	MFR-L	RM-20		0.29		Vacant	20	N/A	20	Mixed	0	0	3	2	5	Yes	No	No	No

Figure B1. Site Map



Appendix C Fair Housing Assessment

Assembly Bill (AB) 686 requires a jurisdiction's Housing Element to provide an analysis of barriers that restrict access to opportunity and a commitment to specific meaningful actions and how the identified Regional Housing Needs Allocation (RHNA) sites affirmatively further fair housing. AB 686 requires jurisdictions to identify meaningful goals to address the impacts of systemic issues such as residential segregation, housing cost burden, and unequal educational or employment opportunities to the extent these issues create and/or perpetuate discrimination against protected segments of the population. In addition, AB 686:

- Requires jurisdictions and public housing authorities to administer their programs and activities related to housing and community development in a way that affirmatively furthers fair housing;
- Prohibits the state, cities, counties, and public housing authorities from taking actions materially inconsistent with their Affirmatively Furthering Fair Housing (AFFH) obligation;
- Adds an AFFH analysis to the Housing Element (an existing planning process that California cities and counties must complete) for plans that are due beginning in 2021; and
- Includes in the Housing Element's AFFH analysis a required examination of issues such as segregation and resident displacement, as well as the required identification of fair housing goals.

The bill added an assessment of fair housing to the Housing Element which includes the following components:

- A summary of fair housing issues and assessment of the City's fair housing enforcement and outreach capacity;
- An analysis of segregation patterns and disparities in access to opportunities,
- An assessment of contributing factors, and
- An identification of fair housing goals and actions.

Outreach

As discussed in the Public Participation section, early in the Housing Element update process the City developed a list of stakeholders with local expertise in housing issues, including fair housing. The stakeholder list included local service providers, affordable housing developers, and fair housing organizations in an effort to include the interests of lower-income residents and persons with special needs in the community.

Over the course of the Housing Element update process the City conducted a series of public meetings. Public notice of each meeting was posted on the City's dedicated Housing Element website and was also sent directly to persons and organizations on the stakeholder list. Public meetings were held both online and in person to encourage those with mobility difficulties to participate. Agendas and other information for each meeting was posted on the City website to allow interested stakeholders to access to this information throughout the process. Interested persons were also encouraged to provide input or ask questions via telephone or email.

In addition to public workshops and hearings, the City also directly contacted housing advocates, housing service providers, and community organizations who serve the interests of lower-income households and special needs groups to solicit comments on housing needs, barriers to fair and affordable housing, and opportunities for development. Translation services were available for all meetings upon request.

To encourage continuing stakeholder involvement in local housing issues throughout the planning period, Program 21 and Program 22 include a commitment to conduct ongoing, proactive outreach to engage members of all socio-economic groups and recruit members of underrepresented groups to participate in City meetings.

During the month of January and early February, 2024, the City conducted additional, targeted stakeholder outreach focusing on low-moderate income and special needs populations. The City conducted five additional stakeholder interviews with groups who include and represent low-moderate income and special needs populations in Upland. Target populations include extremely low-income persons, those in transitional housing, those in senior housing, mobile home communities, fair housing services, homeowner wraparound services, and disability services. .Interviewees stressed the high cost of construction, importance of housing choices, need for education on fair housing and housing resources, homeownership and repair programs, and importance of ADUs, including educating homeowners on ADU development. The City has included and modified a number of programs in the Housing Element based in part on this feedback. The feedback and where it is addressed in Housing Element Programs is as follows:

- Increased housing mobility and housing options (Program 6, Program 23)
- Importance of education, especially regarding fair housing and tenant's rights (Program 21, Program 22)
- Importance and opportunity for ADUs (Program 9, Program 23)
- Need for additional low-income housing (Program 6, Program 14, Program 15, Program 20)
- Home Repair and Assistance Programs (Program 2, Program 3, Program 5)

Fair Housing Assessment

This section provides an assessment of fair housing issues in Upland including fair housing enforcement and outreach capacity, patterns of integration and segregation, racial or ethnic patterns of concentration, disparities in access to opportunities, and disproportionate housing needs, including displacement risk.

City Overview

Upland is in the Riverside-San Bernardino-Ontario Metropolitan Statistical Area. The City is located in the southwest corner of San Bernardino County adjacent to Los Angeles County. The City encompasses approximately 15.6 square miles and has no external sphere of influence.

Much of the fair housing analysis is based upon census data provided at the census tract level. Upland has a total of 18 census tracts. Figure C1 displays the census tracts in the City and the RHNA sites within those census tracts; however, some of the census tracts are not solely in Upland and have portions in neighboring jurisdictions. As a result, demographic information for these census tracts reflects neighboring communities, as well as Upland.

Most of the census tracts in Upland contain housing, with the majority of the City being zoned for single-family neighborhoods. 17 of the 18 census tracts that intersect Upland have the majority of their area located inside City limits. Of the 17 tracts mostly in the City, these tracts vary in demographic makeup, with tracts on average having lower incomes and more predominant non-White populations in southern Upland, and tracts in northern Upland have higher incomes and a more predominant White population. While there is much variation in the tracts

surrounding the City, the majority of the surrounding areas follow the opportunity trends in Upland to the north and south. There is significant variation in resource categories within the City, with the northern areas of the City being of highest resource, areas in the central city being high resource and moderate resource, and areas in the south being low resource. This is a relative ranking based on composites of environmental, economic, and education scores.

The Affirmatively Furthering Fair Housing (AFFH) section also considers the effects that the selected RHNA sites may have on fair housing. Selected RHNA sites and entitled projects are relatively distributed throughout the City.

Figure C1. Census Tracts and RHNA Sites

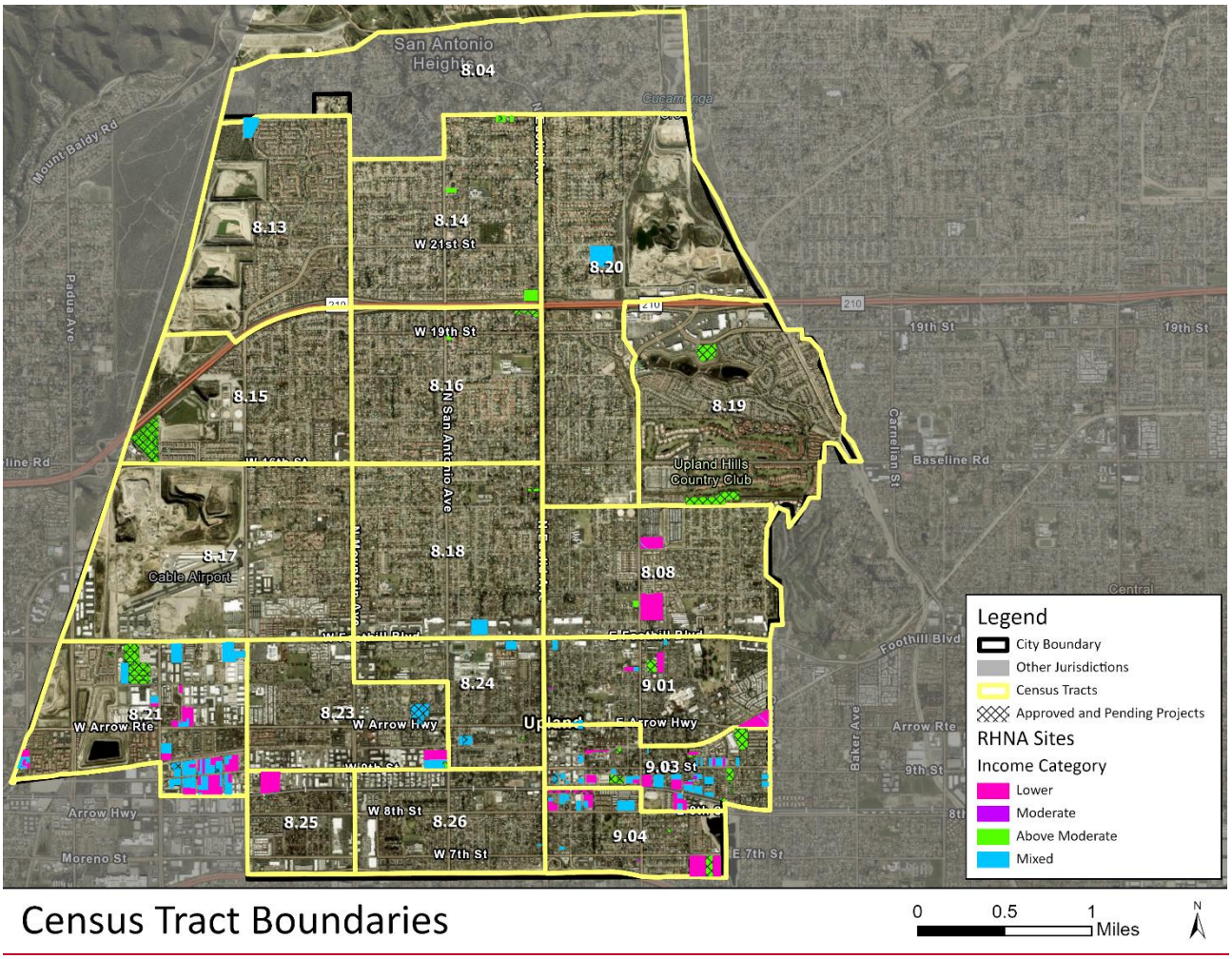


Table C2. Comparison of Fair Housing with Respect to Location

Tract	Low	Mod.	Above Mod.	RHNA Units	Total HH	Total Pop.	TCAC Composite Category	Median Income	% with Disability	% of Children in FHH	CES Percentile	% Non-White	R/ECAP Present
Census Tracts Mostly Inside Upland													
9.03	374	232	469	1,075	17.6%	1,412	1,794	Moderate Resource	$57,826	12.5%	14.9%	77.2	76.6%	No
8.21	791	507	768	2,066	33.8%	1,976	2,084	Moderate Resource	$74,977	9.9%	29.3%	71.3	59.3%	No
9.01	217	20	72	309	5.1%	1,948	1,699	Moderate Resource	$62,939	14.6%	18.5%	73.0	64.7%	No
8.14	0	0	21	21	0.3%	1,248	824	Highest Resource	$ 147,813	11.6%	8.9%	14.3	36.9%	No
8.24	4	22	44	70	1.1%	1,866	1,059	Low Resource	$64,492	11.3%	15.0%	81.1	41.3%	No
8.08	273	4	4	281	4.6%	1,840	1,333	Moderate Resource	$85,583	15.2%	14.1%	67.4	61.2%	No
8.25	272	0	0	272	4.4%	1,562	2,387	Low Resource	$56,649	6.8%	8.6%	81.8	77.8%	No
9.04	574	114	167	855	14.0%	1,332	2,603	Low Resource	$68,592	9.5%	18.5%	85.4	72.2%	No
8.26	0	1	1	2	0.0%	1,445	1,309	Low Resource	$74,306	11.0%	14.4%	83.5	50.5%	No
8.2	0	55	54	109	1.8%	1,210	1,682	Highest Resource	$ 138,846	11.0%	0.0%	15.7	38.0%	No
8.19	0	0	243	243	4.0%	2,085	2,281	High Resource	$ 140,893	9.9%	4.0%	36.6	48.7%	No
8.13	0	30	30	60	1.0%	1,163	1,798	Highest Resource	$91,250	12.8%	19.7%	12.3	40.3%	No
8.17	0	0	0	0	0.0%	1,367	1,391	Moderate Resource	$78,750	15.3%	8.2%	56.8	54.5%	No
8.15	0	0	176	176	2.9%	1,164	1,729	Highest Resource	$ 140,000	10.2%	8.9%	15.0	51.0%	No
8.16	0	0	5	5	0.1%	1,479	989	Highest Resource	$ 122,096	10.4%	19.2%	10.3	39.9%	No
8.23	212	59	249	520	8.5%	2,404	1,627	Moderate Resource	$64,774	13.7%	21.7%	75.6	65.9%	No
8.18	0	26	27	53	0.9%	1,885	1,159	High Resource	$99,913	14.5%	4.1%	52.7	40.4%	No
Census Tracts Mostly Outside Upland													
8.04	0	0	0	0	0.0%	1,062	2,144	Highest Resource	$ 141,190	11.1%	9.8%	8.3	35.9%	No

Fair Housing Enforcement and Outreach Capacity

The City of Upland has contracted with Inland Fair Housing and Mediation Board (IFHMB) to provide fair housing and related services to residents. Established in 1980, IFHMB is a nonprofit, public benefit corporation that provides information about fair housing rights under the law, comprehensive housing counseling services, mediation services for the resolution of disputes, and information concerning shared housing opportunities and needs among senior citizens. IFHMB serves as an intermediary to resolve issues related to housing discrimination, homeownership and housing sustainability, rental complaints, and disputes in court, with the goal of empowering individuals and enriching the communities they serve. IFHMB provides services to over 40,000 individuals annually throughout County of San Bernardino representing a multiplicity of racial, ethnic, age, and income groups.

Funded primarily with Community Development Block Grant (CDBG) funds, IFHMB provides programs and services focused on eliminating housing discrimination, general housing assistance, and education and outreach activities to residents in the County of San Bernardino as well as residents in the City of Indio and Cathedral City in Riverside County, the City of Pomona in Los Angeles County, and the City of El Centro in Imperial County. The comprehensive Fair Housing Programs includes:

- Community-Based Mediation: IFHMB provides trained mediators to provide education and information regarding rights and responsibilities under the California Landlord-Tenant laws and help to resolve conflicts between landlords and tenants (including mobile homes). IFHMB contracts with San Bernardino County to provide mediation in small claims and unlawful detainer lawsuits in County courts.

- Education/Outreach: IFHMB provides education and outreach services to landlords and tenants, Realtors, newspapers, service organizations, schools, persons with Limited English Proficiency, and others interested in learning about fair housing laws. IFHMB also provides HUD-certified counseling to homeowners who are delinquent on FHA loans or seniors interested in reverse equity mortgage loan programs. Fair housing workshops and newsletters are also provided on a quarterly basis.

- Senior Services: IFHMB actively and successfully mediates conflicts between seniors and Social Security, Medi-Cal, utility companies, collection agencies, neighbors, and others. IFHMB also provides a Care Referral Service, offers help in filing for HEAP and Homeowner/Renter Assistance, and maintains a list of senior housing and care homes.

- Alternative Dispute Resolution: The California Dispute Resolution Programs Act of 1986 provides the authority for mediation in the court system. Inland Fair Housing and Mediation Board has a contract with the County of San Bernardino to provide mediation in civil, family, probate, small claims, and unlawful detainer lawsuits in all of the courts in San Bernardino County.

- Mobile Home Mediation: IFHMBs mediators are trained to handle the specialized problems based on the Mobile Home Residency Law (MRL) that reflects the dual ownership and unique life style of mobile home communities. They provide education and information to residents and parks about the MRL, as well as provide information to both sides when fair housing issues are presented, and when requested serve as neutral third parties to facilitate resolution of conflicts.

IFHMB responds to discrimination inquiries and complaints in an expedient manner, relying on over 30 years of experience in the industry. Determining whether a client is inquiring regarding a fair housing discrimination problem or a non-discrimination landlord/tenant or other problem can be difficult. Often what may appear at first to be a simple landlord/tenant dispute turns out to be a situation where a landlord has violated one or more fair housing laws. While many of the cases IFHMB are presented with no longer involve a discriminatory policy, such as "No Hispanics need apply," many cases involve a discriminatory application of a facially neutral policy, such as different eviction timelines for minorities.

IFHMB investigates allegations of discrimination based on a person's status as a member of one of the State or Federal protected categories, which include: Race, Color, Religion, National Origin, Sex, Familial Status, Disability, Marital Status, Sexual Orientation, Ancestry, Age, Source of Income, and Arbitrary Characteristics. Race, Color, Religion, National Origin, Sex, Familial Status, and Disability are the categories protected by the federal Fair Housing Act. The State of California provides protection from discrimination based on all seven of the federal protected categories and has added Marital Status, Sexual Orientation, Ancestry, Age, Source of Income and Arbitrary Characteristics as additional protected classes under state law.

Once a fair housing complaint is received, IFHMB educates the complainant of their rights and responsibilities under the state and federal fair housing laws. Further investigation may then be conducted depending on the nature of the complaint and the suitability of the complaint to investigation.

IFHMB uses government-regulated testing methodologies to enforce, support, and conduct fair housing investigations. A housing discrimination complaint can be investigated through testing, the gathering of witness statements, and through research surveys. Based on the details provided by the complainant, IFHMB will either investigate the complaint or advise the complainant of their other options, which include: conciliation, filing a complaint with the Department of Housing and Urban Development (HUD) or with California's Department of Fair Employment and Housing (DFEH), hiring a private attorney, or possibly, a referral to such an attorney, or filing a complaint with the Department of Justice (DOJ).

During the five-year period studied, there were 138 discrimination inquiries made to IFHMB by Upland residents, with the primary basis for the inquiry as follows:

Basis	Number
Age	1
Ancestry	0
Arbitrary	7
Color	0
Disability	92
Familial Status	8
Marital Status	0
National Origin	6
Race	13
Religion	1
Sex	8
Sexual Orientation	1
Source of Income	1
Total:	138

Review of the data shows that disability is, far and away, the most common category for allegations of discrimination. No other protected category accounts for 10 percent of the total number of discrimination complaints, while disability represents a full two-thirds of all discrimination complaints. Race (9 percent) is the second most common basis for alleged discrimination, with sex and familial status tied for third with 6 percent of all discrimination complaints coming from the City of Upland over the last five years.

This data becomes more enlightening when compared to the data reported in 2013 in the City of Upland's prior Analysis of Impediments to Fair Housing Choice. For Fiscal Years 2007-2008 through 2011-2012, there were 141 fair housing discrimination complaints during that period. While the total number of discrimination complaints has stayed relatively the same, the nature of those complaints is what is worthy of consideration.

Over that time frame, discrimination based on disability went from 48 percent of all complaints made to IFHMB in the five-year period ending FY 2011-12 to 67 percent of all complaints made to IFHMB in the five-year period ending FY 2017-18. Conversely, allegations of discrimination based on race dropped from 21 percent of all complaints made to IFHMB in the five-year period ending FY 2011-12 to 9 percent of all claims made to IFHMB in the five-year period ending FY 2017-18. No other protected categories saw large shifts in their percentage of the total number of complaints IFHMB has received in the most recent five-year period versus the prior period.

One possible reason for this shift in the nature of discrimination complaints that IFHMB is receiving could be an aging population in the City of Upland. As one member of the community pointed out at one of the community meetings, the neighborhood in which she lived is predominately made up of longer-term residents, many of whom are the first and only owner of the home they live in. As more and more residents of the City of Upland "age in place," the needs of persons with disabilities will become more pressing.

The Office of Fair Housing and Employment (OFHE) is the federal agency responsible for investigating housing discrimination complaints filed with HUD. HUD annually compiles data on housing discrimination complaints from OFHE and Federal Housing Assistance Programs (FHAP) which are state and local government agencies that enforce fair housing laws. The annual report identifies the types of complaints, any fair housing impediments, OFHE's progress in addressing the complaints, and HUD's efforts to promote equal housing choice.

The most recent OFHE report, FHEO Annual Report FY 2017 found a similar percentage of complaints were made based on disability across the nation as was reported in the City of Upland. 59.4 percent of all discrimination complaints made to HUD during the last fiscal year were based on the protected category of disability. Race was second nationally, just as it was in the City of Upland, but the percentage of total complaints was higher nationally than in the City of Upland, 26 percent versus 9 percent respectively.

The Constraints section of this Housing Element describes ways that the City works to address potential impediments to fair housing choice. As noted in Program 21 of the Housing Plan, the City intends to continue to contract with the IFHMB or another comparable and qualified service provider to implement fair housing goals.

The City Attorney has indicated that as of November 29, 2023, and after due inquiry with City staff who would have relevant knowledge and information, the City Attorney is not aware of any violation by the City of Upland or its related public entities of any of the civil rights and fair housing laws set forth below, and the City Attorney is unaware of any unresolved or other litigation concerning compliance.

- California Fair Employment and Housing Act (FEHA) (Part 2.8 (commencing with section 12900) of Division 3 of Title 2);
- California Government Code sections 8899.50, 65008, and 11135;
- Civil Code section 51 (the Unruh Civil Rights Act); and
- FEHA regulations in California Code of Regulations, title 2, sections 12005-12271
- Density Bonus Law (Gov. Code, § 65915.)
- Housing Accountability Act (Gov. Code, § 65589.5.)
- No-Net-Loss Law (Gov. Code, § 65863)Density Bonus Law
- Least Cost Zoning Law (Gov. Code, § 65913.1)
- Excessive subdivision standards (Gov. Code, § 65913.2.)
- Limits on growth controls (Gov. Code, § 65302.8.)
- Housing Element Law (Gov. Code, § 65583, esp. subds. (c)(5), (c)(10).)

Patterns of Integration and Segregation

Race and Ethnicity

Figure C3 shows the racial and ethnic majority by census tract in the City of Upland. As illustrated, the southern areas of the City have a slim (<10%) to sizeable (10-50%) Hispanic majority, while the majority of the City has a slim (<10%) to predominant (>50%) White majority. These trends extend beyond the City boundaries. The tracts with Hispanic majorities have a larger low- to moderate- income population and less positive TCAC scores than the majority White tracts.

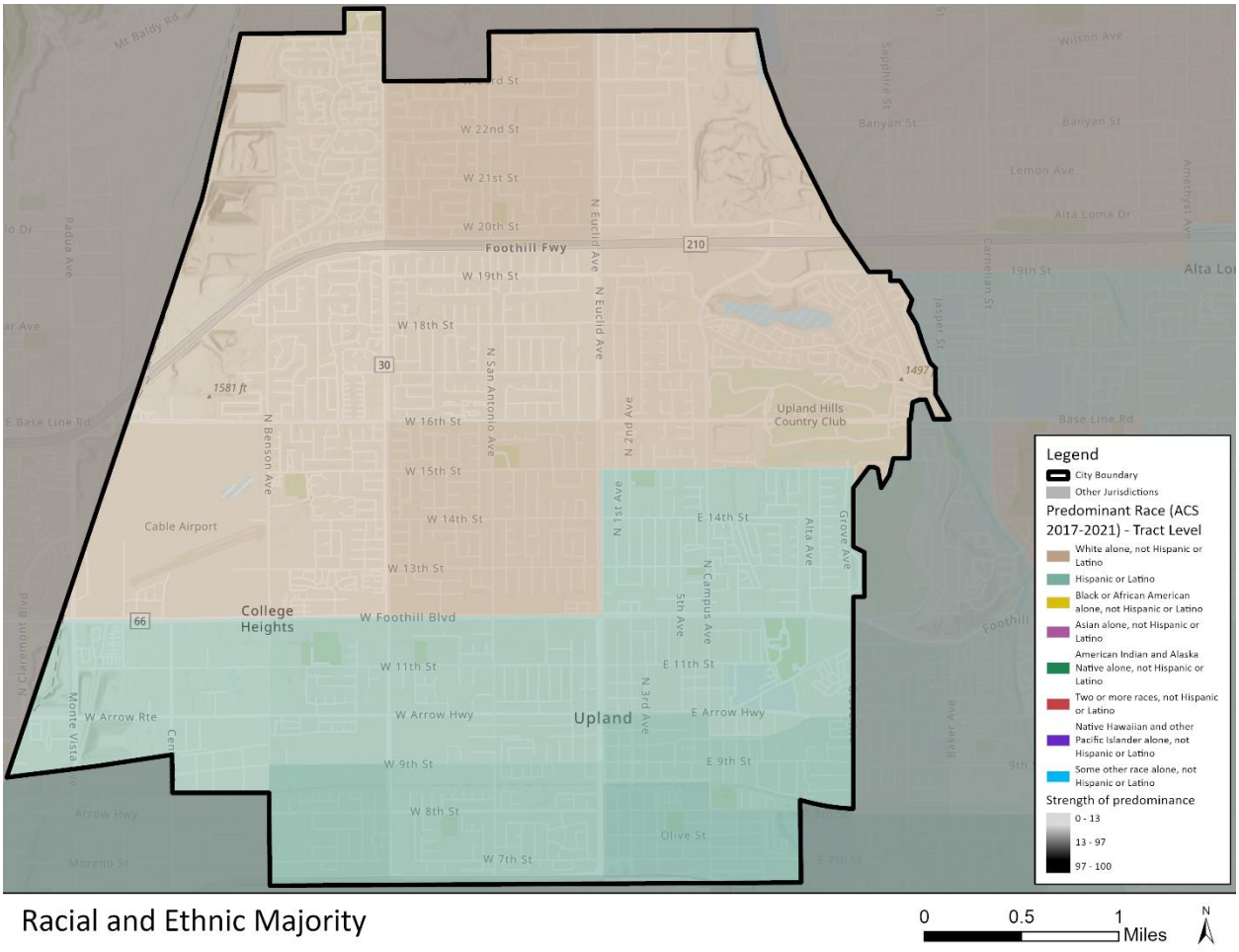
These trends continue beyond the City limits. Upland has comparable racial trends to the County as a whole. Regionally, there is a common correlation between wealth and race, which may help explain the racial/income concentrations in the City. The City has a smaller Hispanic population (43.5 percent) in comparison to the County (54.6 percent). Upland, however, has a larger Asian/Asian Pacific Islander (API) population (9.2 percent) to the County (7.6 percent), and a significantly larger non-Hispanic White population (32.6 percent) compared to the County (26.6 percent).

As seen in Figure C4, the percentage of non-white population in Upland is highest in the southern portion of the City and is similar to the adjacent areas in Montclair and Ontario, while the northern portion of the City has a lower non-white proportion similar to the adjacent areas of Claremont and Rancho Cucamonga.

The northern portion of Upland abuts the San Gabriel Mountains foothills which contains substantial open space and very few households. The census tract data in this part of Upland may be affected by these factors. The northern portion of Upland is classified with a White majority, and this demographic data remains the same extending north of the City to unincorporated San Antonio Heights and the foothills. Southern Upland as well as a majority of the cities south of Upland have a Hispanic majority, including the City of Ontario which has a significantly more predominant Hispanic majority. Beyond the southern areas of San Bernardino County, there are a few areas in neighboring jurisdictions with Asian majority populations, including in the Cities of Eastvale and Chino Hills.

The trends in and around Upland have remained similar over time. However, some tracts further to the South which now have more predominant Asian populations were previously predominantly Hispanic or White. Upland has had a predominant White population in northern areas, and predominant Hispanic population in southern areas at least since census data available in 2010. As of 2021 ACS data, the Hispanic population in the south is becoming more predominant, and there are some areas in central/eastern Upland that are becoming more predominantly Hispanic over time.

Figure C2. Racial and Ethnic Majority (2010)



Source: HCD AFFH Data Viewer

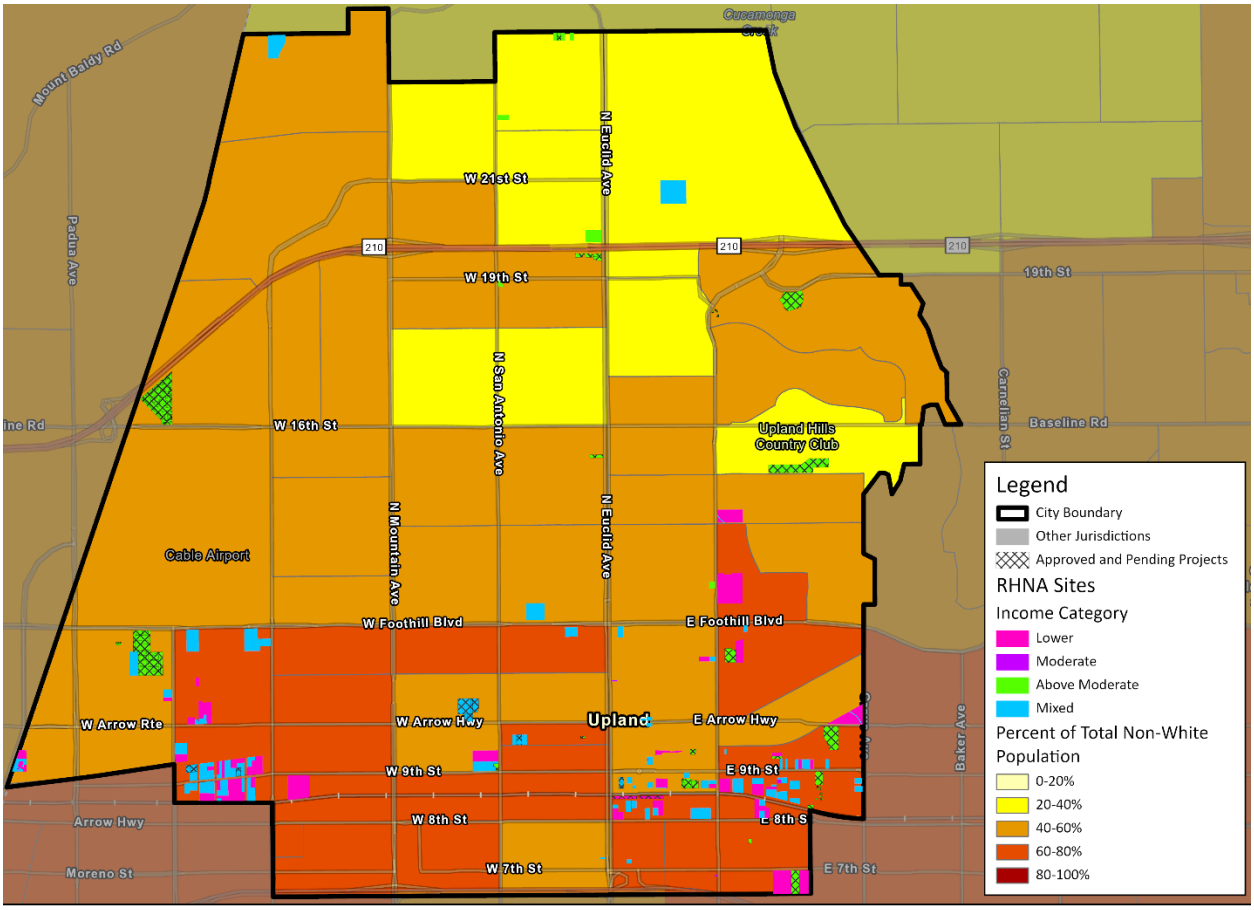
As shown in Figure C4, there is significant variation in the levels of concentration of the non-White population throughout the City. The southern areas of the City have a higher concentration of the non-White population. The tracts with a larger non-White population also generally have a larger low- to moderate- income population and less positive TCAC scores than the more northern areas of the City.

As of 2021, 67.4 percent of the City was non-White, while 73.4 percent of the County was non-White, indicating that the overall distribution of the non-White population is lower in the City than in the region as a whole.

Figure C4 compares the RHNA units with the percentage of the population that is non-White. About 40 percent of the RHNA units are located in areas of the City where 40 to 60 percent of the population is non-White. There are very few sites in areas with relatively very high or relatively very low concentrations of the non-White population. This is a reflection of the trends within the City as a whole, as most of Upland's block groups are 20 to 60 percent non-White.

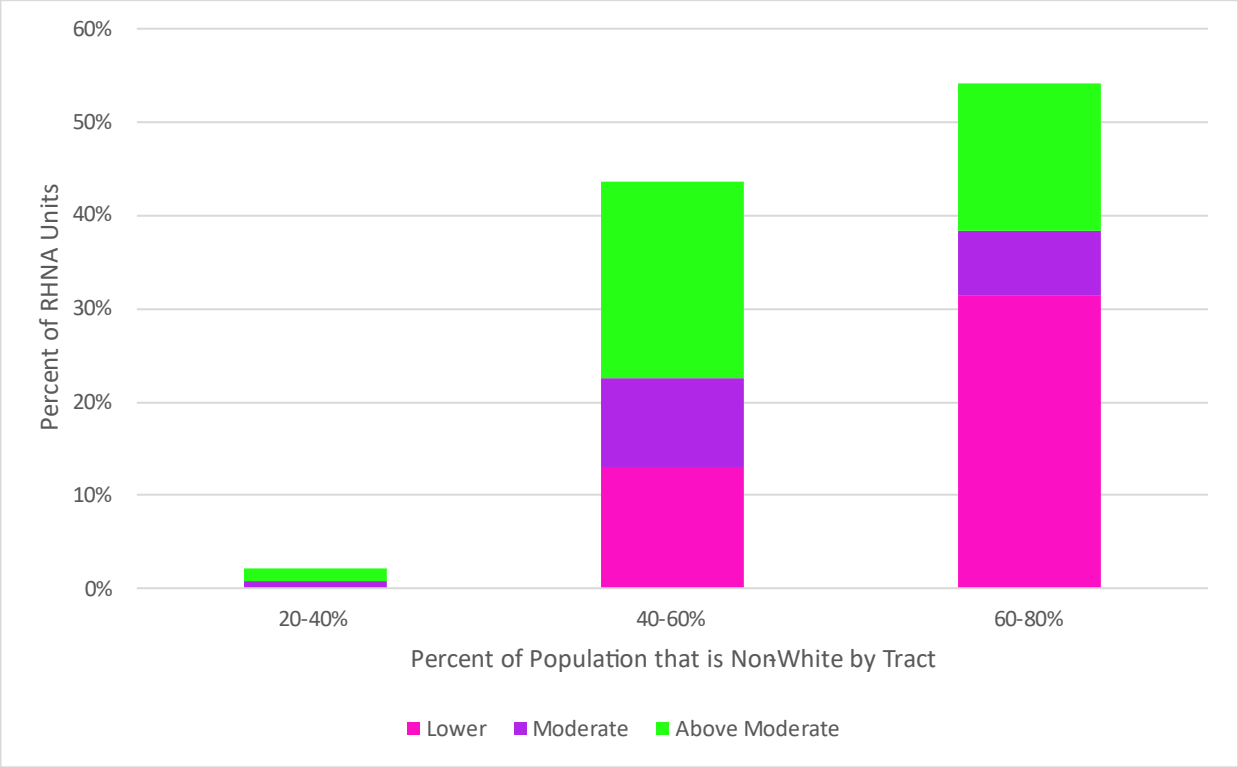
The City's RHNA strategy reflects the overall composition of Upland, and is not expected to negatively exacerbate segregation conditions related to race or ethnicity.

Figure C3. Percentage of the Population that is Non-White (2010 and 2018)



Source: HCD AFFH Data Viewer

Figure C4. Percent Non-White Comparison of RHNA Units



Dissimilarity Index – Race and Ethnicity

Segregation is defined by the census as the spatial distributions of different groups among units in a metropolitan area. Segregation can be quantified by using the dissimilarity index. The dissimilarity index measures the distribution of two groups in a city and assigns a score between 1 and 100. The level of segregation is determined by assessing what percentage of residents of a census block would have to move for each block to have the exact same population of said group. A score of zero (0) reflects a fully integrated environment; a score of 100 (or 100%) reflects full segregation. Therefore, a higher dissimilarity index indicates higher concentrations of the indicated ethnic groups in areas of the City, when compared to the White population distribution. A lower dissimilarity index implies higher integration, and a more even distribution of each ethnicity when compared to the White population. The formula for this calculation is provided by the HCD AFFH Guidance Document.

The categories for the dissimilarity index on a scale of 1-100 are as follows:

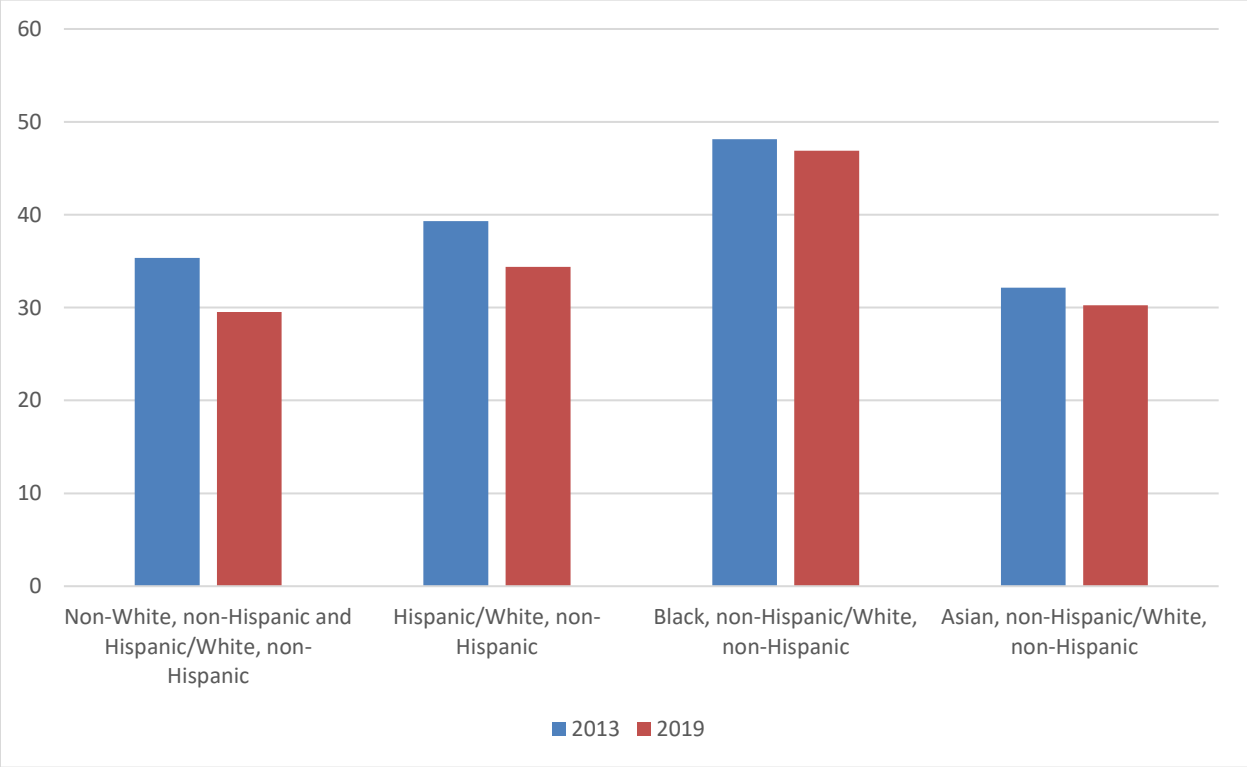
- <30: Low Segregation
- 30 – 60: Moderate Segregation
- >60: High Segregation

Ethnic and racial composition of an area is useful in analyzing housing demand and related fair housing concerns, as these factors illustrate the relationship with other characteristics such as household size, locational preferences, and mobility.

Figure C5 provides the dissimilarity index values in Upland, indicating the level of segregation between White residents and residents who are non-White, Black, Hispanic, or Asian/Pacific Islander. In 2019, there was low segregation between the Non-White and White populations, and moderate segregation between the Hispanic and White, Black and White, and Asian and White populations. A low dissimilarity index of 29.53 in the figure below means that 29.53 percent of Upland's Non-White or White residents would need to move to a different census block to create balanced integration between Non-White and White residents. Levels of segregation have reduced slightly since 2013.

The County has moderate levels of segregation across all racial and ethnic comparisons, indicating that segregation is more prevalent regionally than in the City of Upland.

Figure C5. Racial/Ethnic Dissimilarity Index (2013-2019)



Source: HUD AFFH Database, 2020

Income

The dissimilarity index can also be used to calculate income segregation, using the same scale as above. In the City of Upland, the dissimilarity index for income is 46.4, which indicates moderate segregation. In San Bernardino County as a whole, the dissimilarity index for income is 21.7, which is low income segregation. The patterns of development have led to northern Upland containing newer, more expensive housing stock, which has led to a discrepancy in incomes between north and south Upland. This may explain why the dissimilarity index in Upland is significantly higher than countywide,

Identifying low to moderate income (LMI) geographies and individuals is important to overcome patterns of segregation. HUD defines an LMI area as a Census tract or block group where over 51 percent of the households are LMI (based on HUD income definition of up to 80 percent of the area median income (AMI).

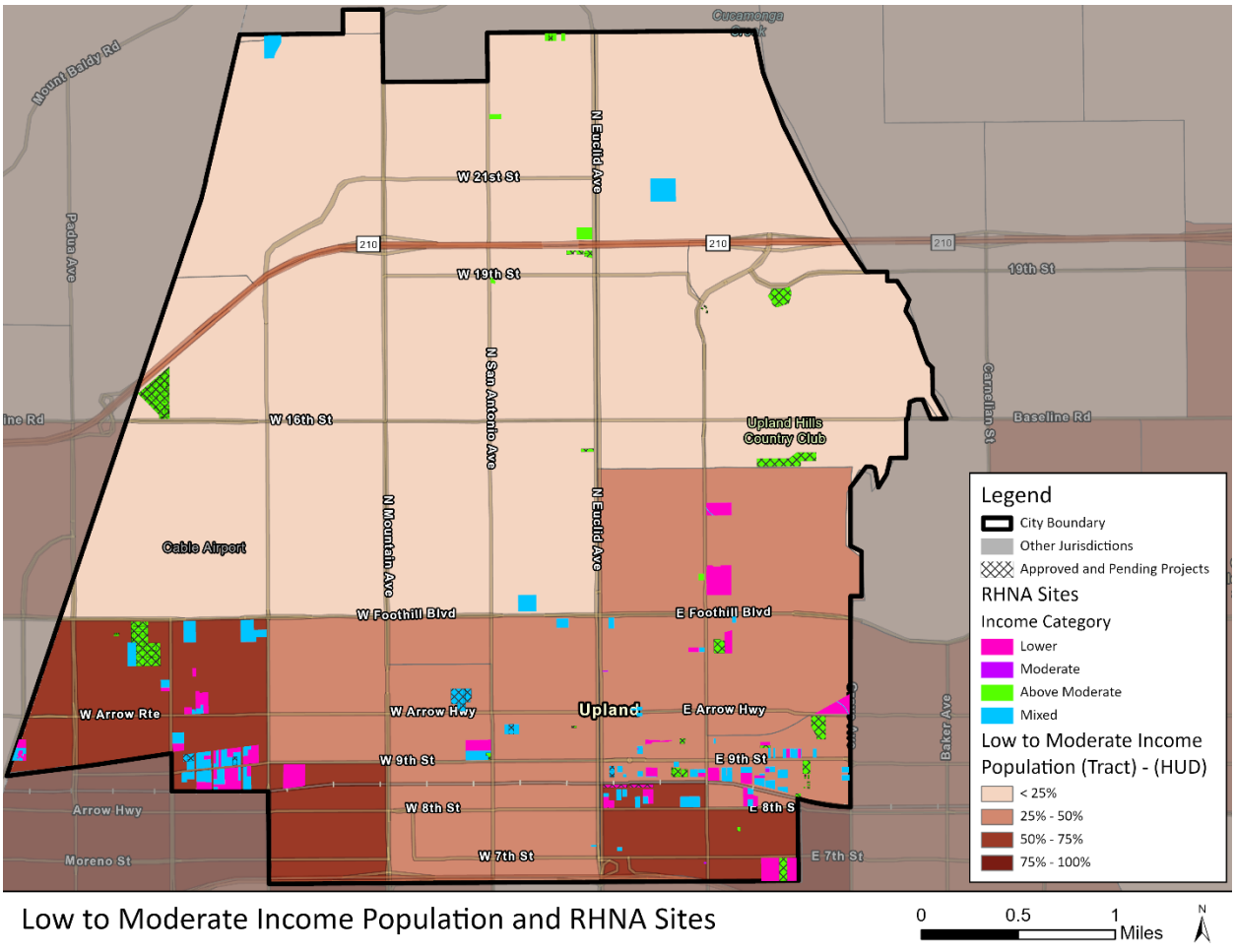
Figure C6 and Figure C7 show the distribution of RHNA units by low to moderate income population. As shown in Figure C3, the area with the largest low to moderate income population is also the area with a Hispanic majority, and the overall largest non-White population. Compared to the region, Upland has a higher median income and a higher income disparity.

Figure C7 shows the percentage of RHNA units compared to the percent of each block group that is in the low- to moderate-income category. The sites are distributed throughout the various concentrations of the low to moderate income population, with the intention of creating opportunity for low to moderate income residents in higher income areas, and provide new housing opportunities in existing low to moderate income neighborhoods without displacing current residents.

Due to the lack of households, the areas to the north of Upland have been consistently labelled as having lower income households on average. There has been very little median income variation in Upland and in the surrounding cities since 2010. From 2010 to 2021, Ontario remained in the lowest median income range in proximity to Upland. The income distribution in Upland is consistent with surrounding cities, with the exception of Ontario.

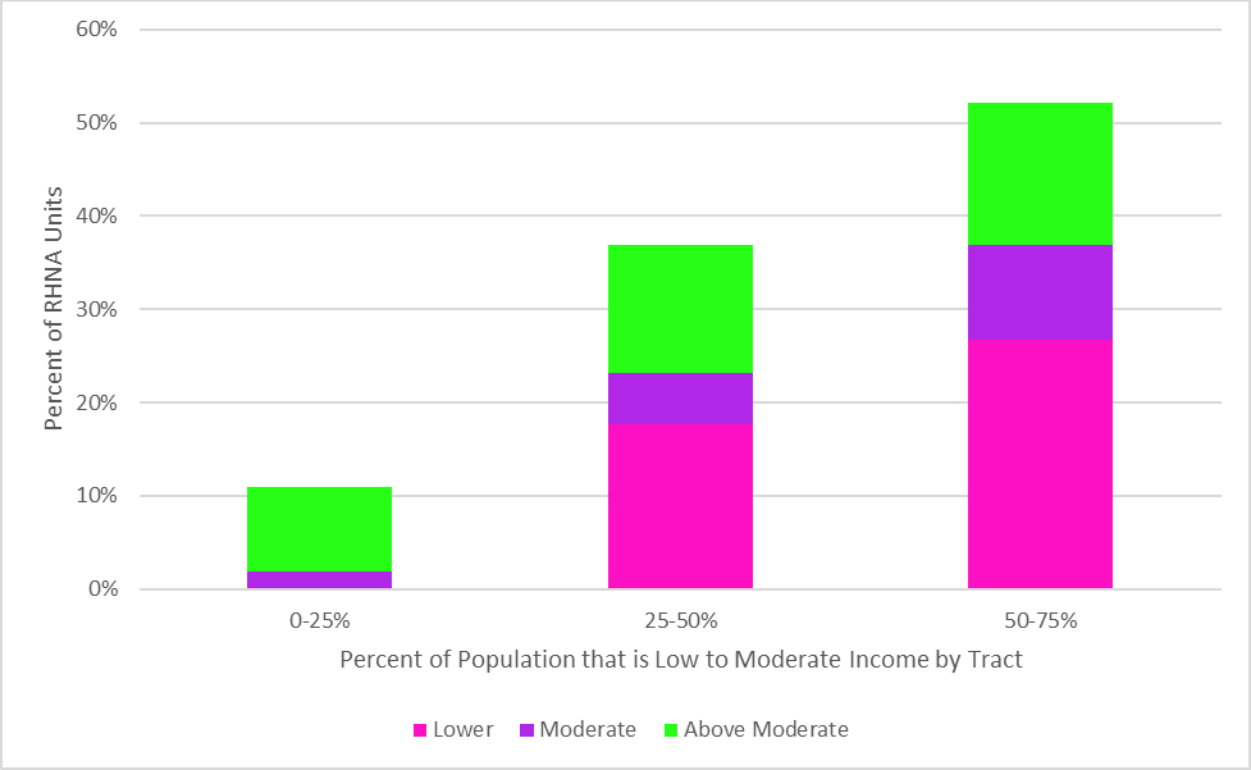
About 35 percent of units, fall in areas where 25 to 50 percent of the population is Low to Moderate income.

Figure C6. Low to Moderate Income Population and RHNA Sites (2021)



Source: HCD AFFH Data Viewer

Figure C7. Percent Low-Moderate Income Comparison of RHNA Units



Income is an important aspect in understanding patterns of segregation. Figure C8 shows that median incomes in Upland are lowest in the southern portions of the city. Lower incomes also appear to correlate with housing problems such as overcrowding and overpayment.

To address the housing challenges faced by Upland's lower-income residents, the Housing Plan includes several programs that provide financial assistance, encourage construction of new affordable housing, and address issues of discrimination.

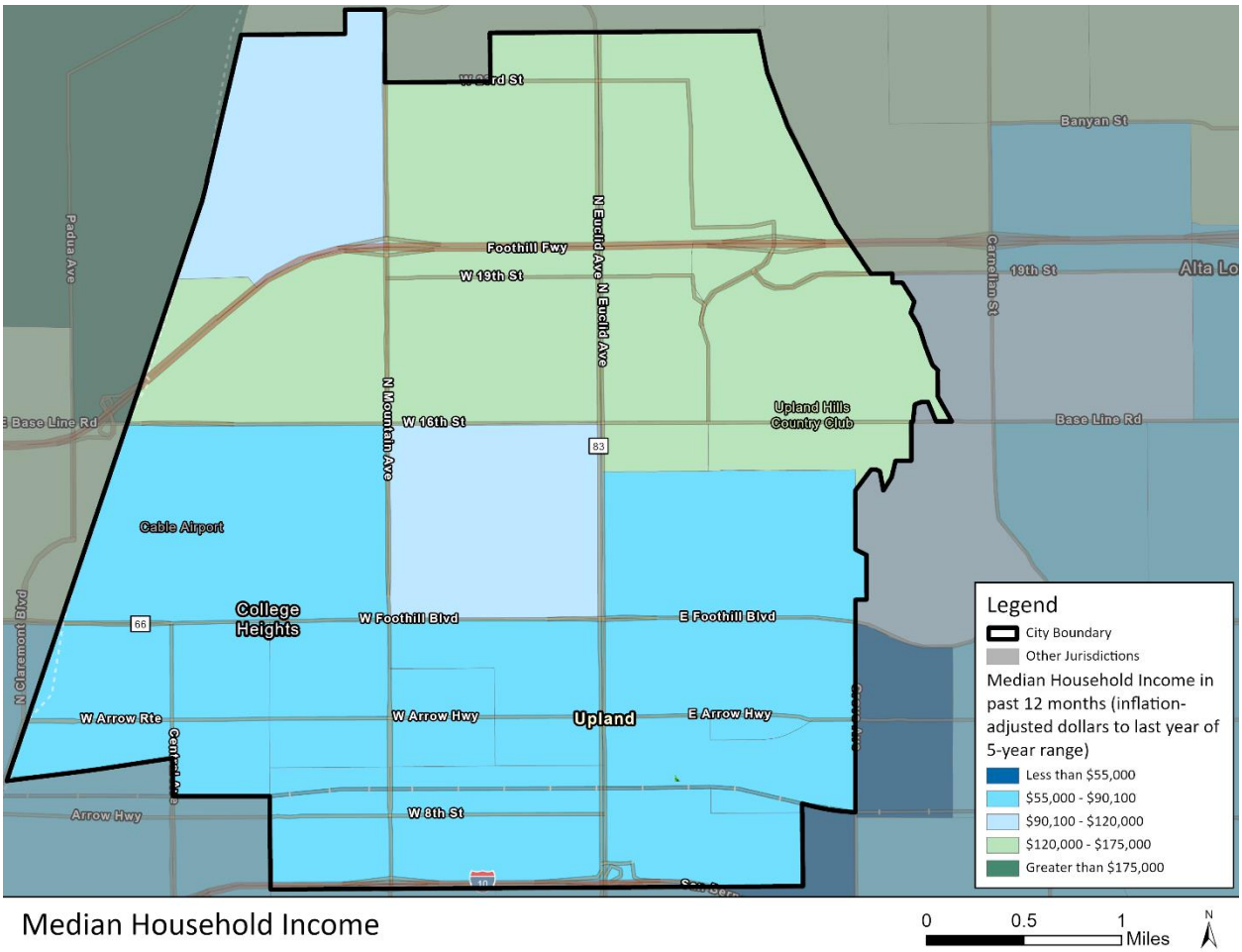
Table C3 compares the median household incomes of White/non-Hispanic residents in Upland and San Bernardino County as a whole to the median incomes for the total population of the city and county. This table shows that in Upland, the median income for non-Hispanic White households is about 29% higher than for the city's population as a whole. Countywide, the median income for non-Hispanic White households is about 13% higher than for the population as a whole. These data suggest that there is more racial concentration of affluence in Upland that in San Bernardino County as a whole.

Table C3. Median Household Income by Race – Upland and San Bernardino County

Median Household Income	Upland	San Bernardino County
White Alone (not Hispanic)	$93,808	$71,910
All Households	$72,782	$63,362

Source: U.S. Census ACS 2015-2019
B19013 (all)
B19013H (white alone, not Hispanic)

Figure C8. Median Household Income



Source: HCD AFFH Data Viewer

Poverty is defined by incomes falling below the annually defined thresholds for family size by the US Census. Poverty status by tract in Upland is shown in Figure C9. Consistent with the aggregation of LMI areas, tracts with more predominant populations below the poverty level are located in the southern areas of the City, where there is a more predominant non-White population. Since the 2010-2014 ACS, the population of persons experiencing poverty has decreased throughout the City, specifically in the southern portion of the City. In 2014, tracts in the central-southern areas of the City had rates of poverty over 30 percent. In 2019, this region has rates of poverty under 20 percent.

The 2015–2019 map shows lower levels of poverty Citywide and increased geographic parity. The 2015–2019 map also shows that pending projects and proposed Opportunity sites are spread throughout the City with more sites in areas without concentrations of poverty.

Figure C9. Poverty Status (2010-2014 and 2017-2021)

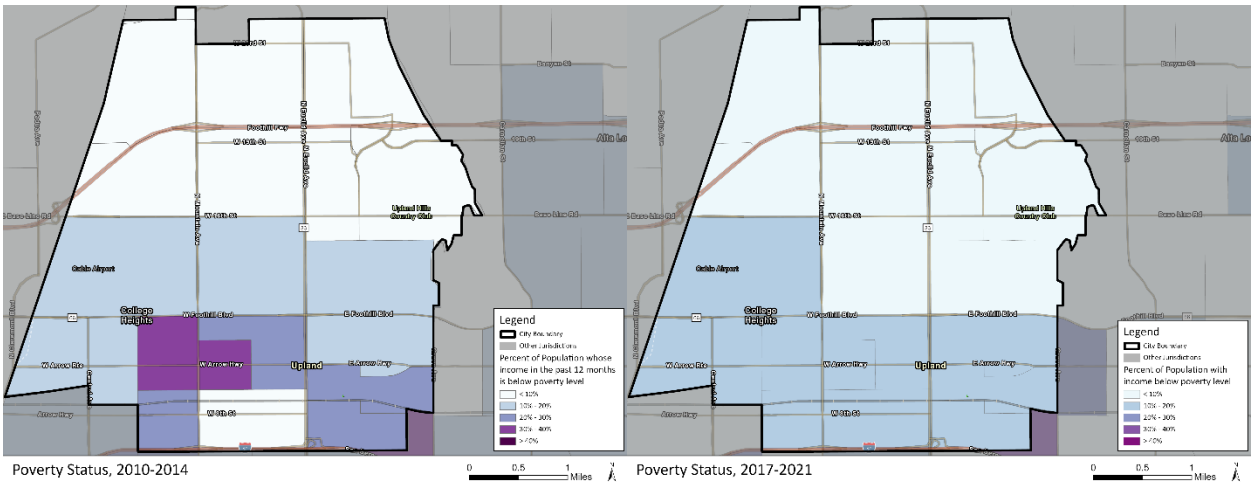
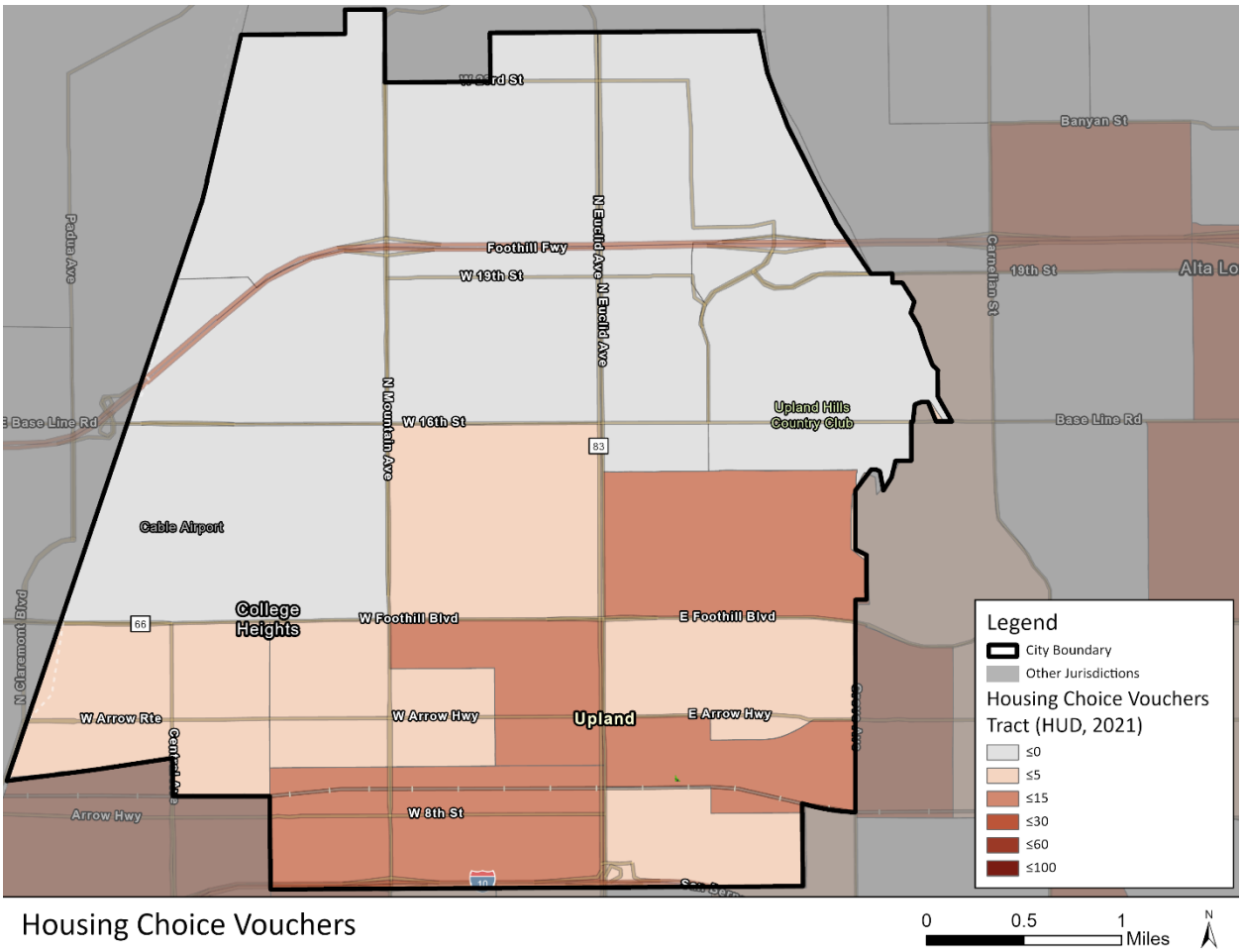


Figure C10 shows housing choice voucher (HCV) recipients by tract in the City. The HCV program is a 100 percent federally funded rental subsidy for low-income households living in privately owned rental units. HCV recipients are most concentrated in the southern area of the City. The federal housing choice voucher program is rental assistance provided to lower income households that allows a household to afford to rent a unit. The voucher amount equals the difference between what a household can afford to pay (up to 30% of monthly income) and the fair market rent. The vouchers are typically granted to individuals who can use the voucher at any apartment project where the property owner accepts the voucher. Although this long-standing federal assistance program is not expected to increase in size, it remains an important affordable housing program. The housing choice voucher program in Upland is administered by the Housing Authority of San Bernardino County, which receives approximately $6.2 million annually to administer the housing voucher program.

The San Bernardino County Housing Authority is responsible for management of a public housing development of 97 units and administration of the City's rental assistance program (Section 8 Housing Choice Vouchers). This program encompasses more than 619 housing choice vouchers at an annual value of $6.2 million. The housing authority also manages the Public Housing Modernization Program. Coupled with the City's publicly assisted multiple-family projects, these two efforts are the largest providers of affordable housing for residents. Given the demise of redevelopment, many cities are considering options for enhancing cooperation with housing authorities for implementing or managing affordable housing programs for residents.

Figure C10. Housing Choice Voucher Recipients by Tract



Source: HCD AFFH Data Viewer

Familial Status

Under the Fair Housing Act, housing providers may not discriminate because of familial status. Familial status covers the following: the presence of children under the age of 18, pregnant persons, and any person in the process of securing legal custody of a minor child (including adoptive or foster parents). Examples of familial status discrimination include refusing to rent to families with children, evicting families once a child joins the family (e.g., through birth, adoption, or custody), or requiring families with children to live on specific floors or in specific buildings or areas. Single-parent households are also protected by fair housing law.

Familial status refers to the presence of children under the age of 18, whether the child is biologically related to the head of household, and the martial status of the head of households. Families with children may face housing discrimination by landlords who fear that children will cause property damage. Some landlords may have cultural biases against children of the opposite sex sharing a bedroom. Differential treatments such as limiting the number of children in a complex or confining children to a specific location are also fair housing concerns.

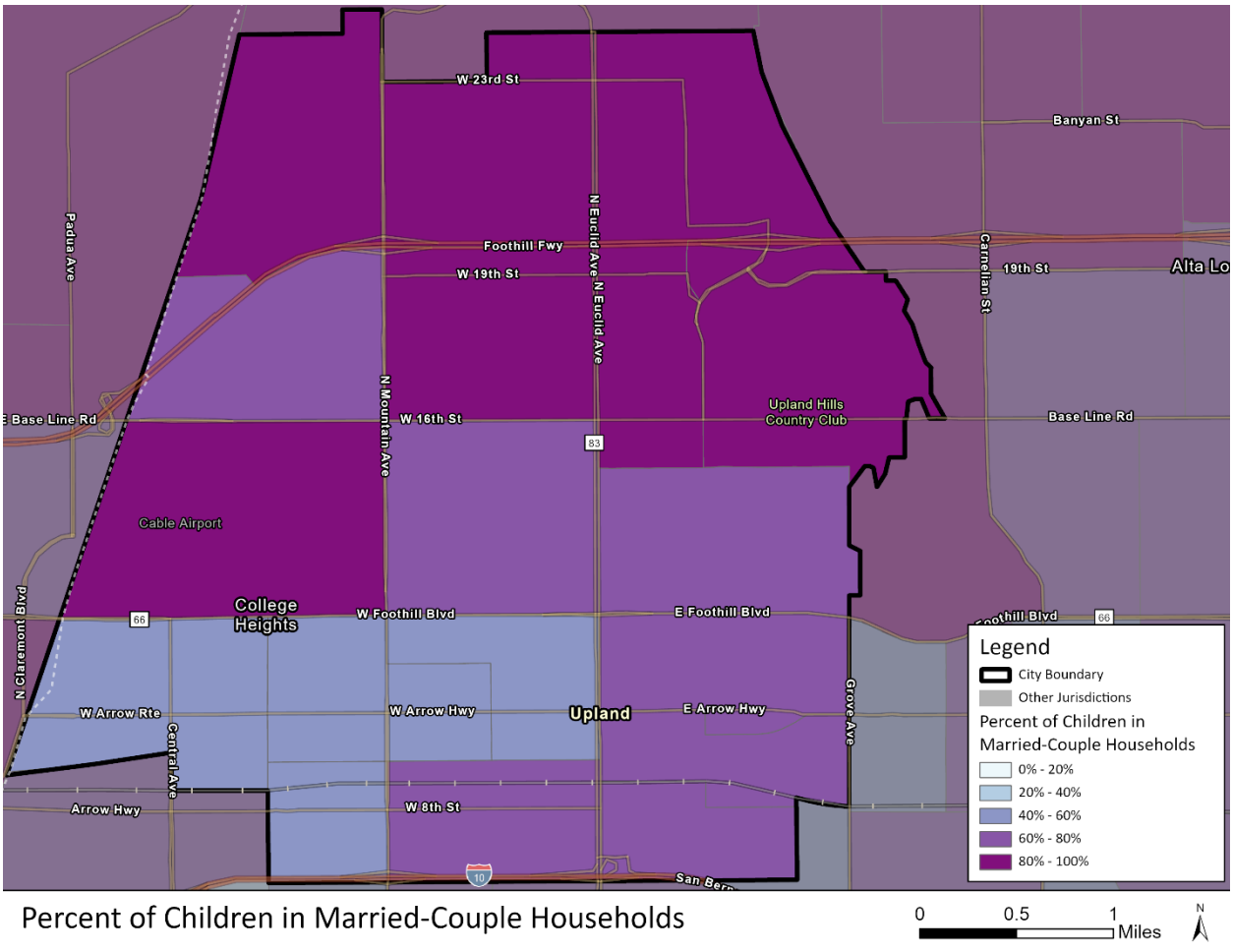
Single-parent households are also protected by fair housing law. Female-headed households with children require special consideration and assistance because of their greater need for affordable housing and accessible

day care, health care, and other supportive services. As discussed in the Housing Needs Assessment, 13.9% of Upland households are female-headed, 6.3% are female-headed and with children, and 0.6% are female-headed and with children under 6. Figure C11 shows the percentage of children living in married couple households in Upland.

In Upland, the City has had a decrease in female-headed households, and an increase in married-couple households from 2015 to 2021. In the adjacent neighborhoods outside of Upland, the familial demographics of nearby tracts have remained very similar over the same time period. The most notable discrepancies include a significant decrease in female-headed households in Pomona, and increase in La Verne. With the exception of these notable tracts, Upland's demographics are consistent with surrounding tracts and jurisdictions.

As shown in Figure C11 the tracts with the highest concentrations of children living in married-couple households are primarily in northern Upland, which correlates with areas with higher concentrations of the low to moderate income population and non-White population. In Upland, 71.6 percent of households are married-couple households with children present, compared to 67.9 percent countywide. RHNA pending and opportunity sites are distributed throughout the City and are not expected to impact fair housing concerns based on familial status.

Figure C11. Percentage of Children in Married Couple Households (2015 - 2019)

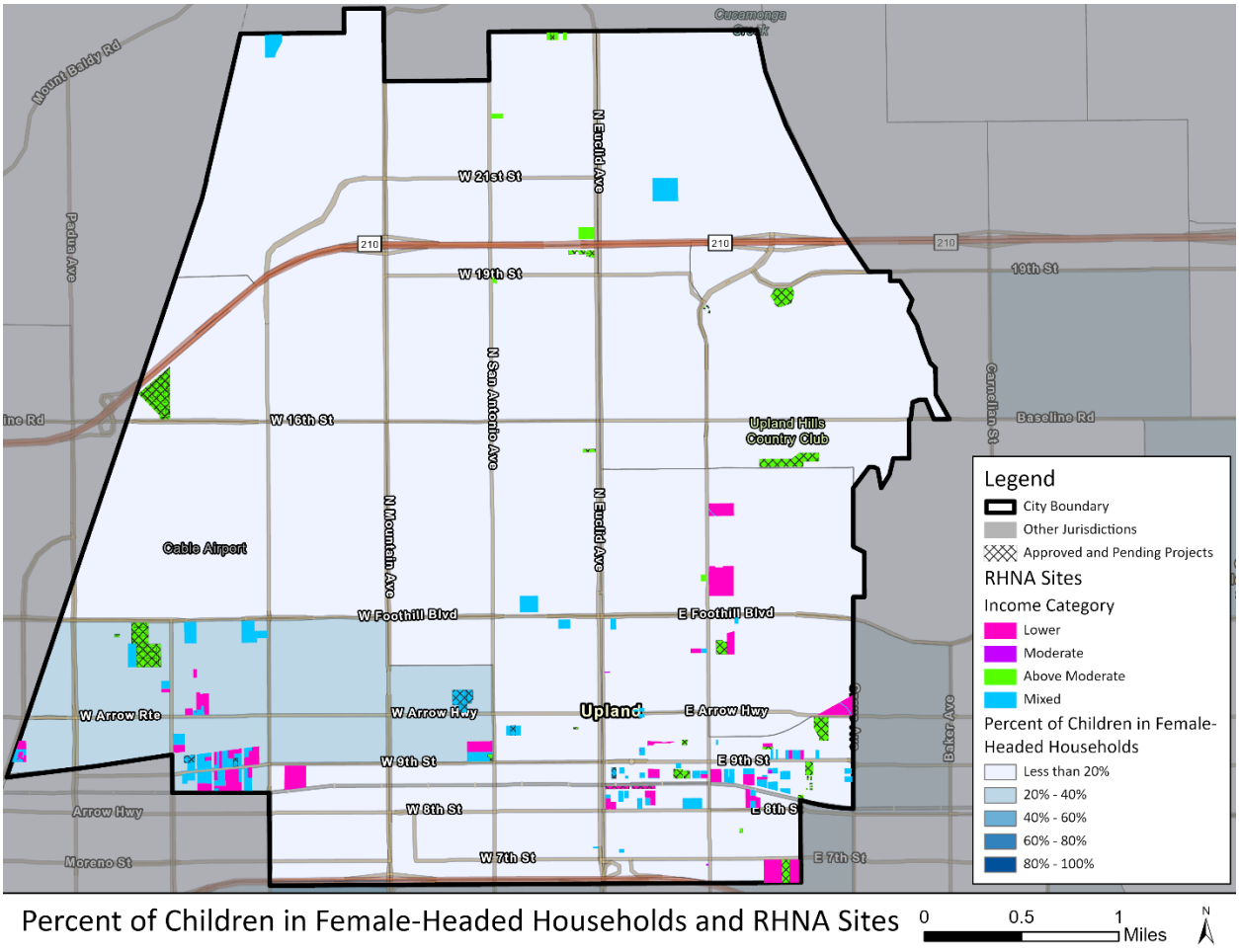


Source: HCD AFFH Data Viewer

Consistent with Figure C11, Figure C12 illustrates that more children in the southwestern area of Upland live in single-parent female-headed households compared to the rest of the City. In 2020, 17.5 percent of the total households in Upland were female-headed households, which is similar to the County, at 23.6 percent.

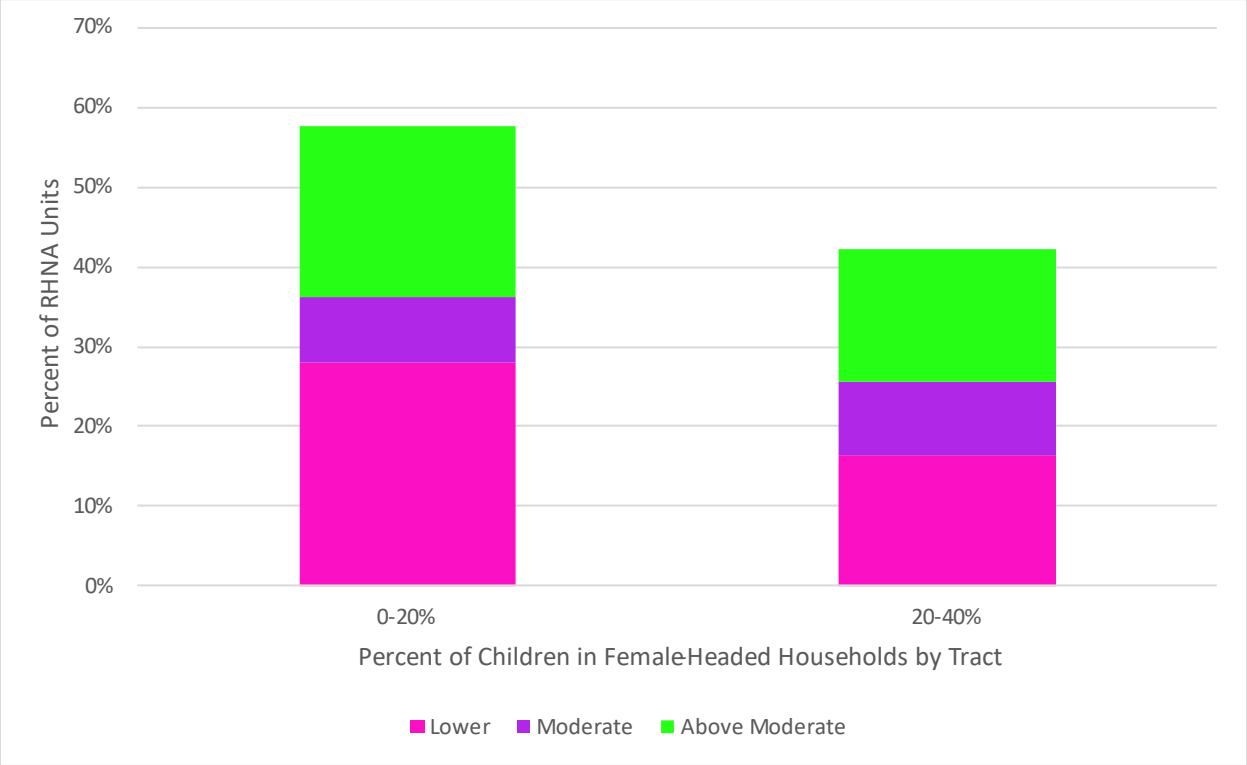
As shown in Figure C13, RHNA sites are distributed throughout the City, without concentration in areas with high levels of female-headed households, and are not expected to impact fair housing concerns based on familial status. For example, about 60percent of RHNA units are located in tracts where 0-20 percent of children are living in female-headed households with no spouse.

Figure C12. Percent of Children in Female-Headed Households and RHNA Sites by Tract (2015-2019)



Source: HCD AFFH Data Viewer

Figure C13. Female Headed Households Comparison of RHNA Units



Persons with Disabilities

The US Census Bureau provides information on the number of persons with disabilities of varying types and degrees. According to the US Census Bureau, a person is considered to have a disability if they have difficulty performing certain functions or difficulty with certain social roles. Affordability of appropriate housing and access, both within the home and to/from the home site, are the primary challenges for persons with disabilities. Access often requires specially designed dwelling units. Additionally, housing locations near public facilities and public transit are important for these special needs group. The 2021 American Community Survey estimates that 10.3 percent of Upland and 11.4 percent of San Bernardino County has a disability.

The types of disabilities included in the Census are:

- Hearing difficulty: deaf or has serious difficulty hearing
- Vision difficulty: blind or has serious difficulty seeing even with glasses
- Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions
- Ambulatory difficulty: has serious difficulty walking or climbing stairs
- Self-care difficulty: has difficulty dressing or bathing
- Independent living difficulty: has difficulty doing errands alone, such as visiting a doctor's office or shopping

As shown on Figure C13 the proportion of Upland residents with a disability is similar to adjacent cities and is less than 20% of the population in all areas. There appears to be no significant geographic difference in disability rates.

Additional data regarding the number of people with disabilities by disability type in Upland is provided in Figure H-16 in Chapter 2: Housing Needs. Some individuals may experience more than one type of disability, and some disability types are not recorded for children below a certain age. The California Department of Developmental Services (DDS) estimates that there are approximately 1,547 persons with developmental disabilities within the City of Upland.

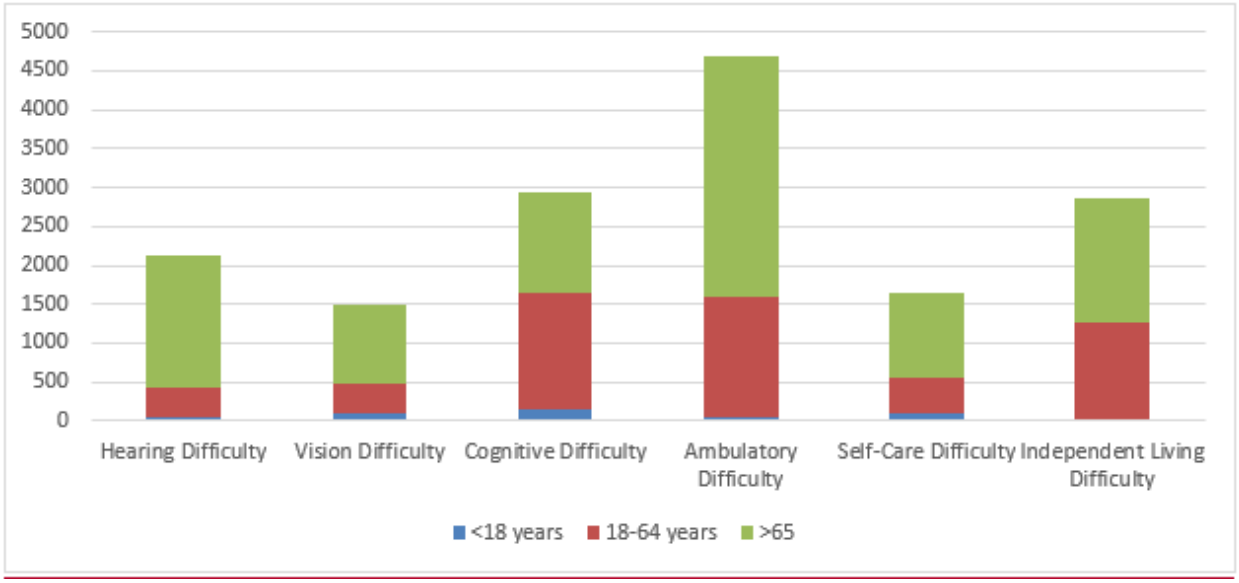
The housing needs of persons with disabilities vary, but generally include accessible and affordable housing, and access to supportive services. More severely disabled individuals may require a group living environment where supervision is provided, and the most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. The City of Upland facilitates housing for persons with disabilities through its Reasonable Accommodation procedures and regulations to encourage production of supportive housing.

Figure C14 shows an estimate of the number of Upland residents with disabilities by type of disability and age group. The most prevalent types of disability are hearing and vision difficulties, although the population with each disability type is rather comparable. Note that individuals may have more than one type of disability.

Ambulatory issues are the highest reported disability countywide. A large population with walking difficulty creates a need for single-story housing, elevators, transit access, wheelchair access, larger homes for live-in help, and proximity to health facilities. For many in need of live-in help or living assistance, accessory dwelling units (ADUs) may serve as a caregiver unit. The City is including Program 9 to continue to encourage and incentivize the development of ADUs, especially affordable ADUs, in the City. Furthermore, Program 23 is included to increase affordable housing stock in the northern parts of the City by allowing additional ADUs per lot given that they are subject to an affordability covenant for a certain period of time. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA.

The percent of the population with a disability is relatively similar throughout the region as a whole. There is not a strong correlation or pattern with other fair housing topics in the jurisdictions near Upland. In 2019, the nearest tracts with any level of notable concentration of the disabled population were in the cities of Walnut and Jurupa Valley. Over time, these concentrations have dissipated, and there is only one slightly higher concentration of the disabled population, 15 miles east of Upland near Fontana. There is a medical center in this tract, which may contribute to the higher population percentage.

Figure C14. Disability Characteristics by Age Group, Upland (2021)

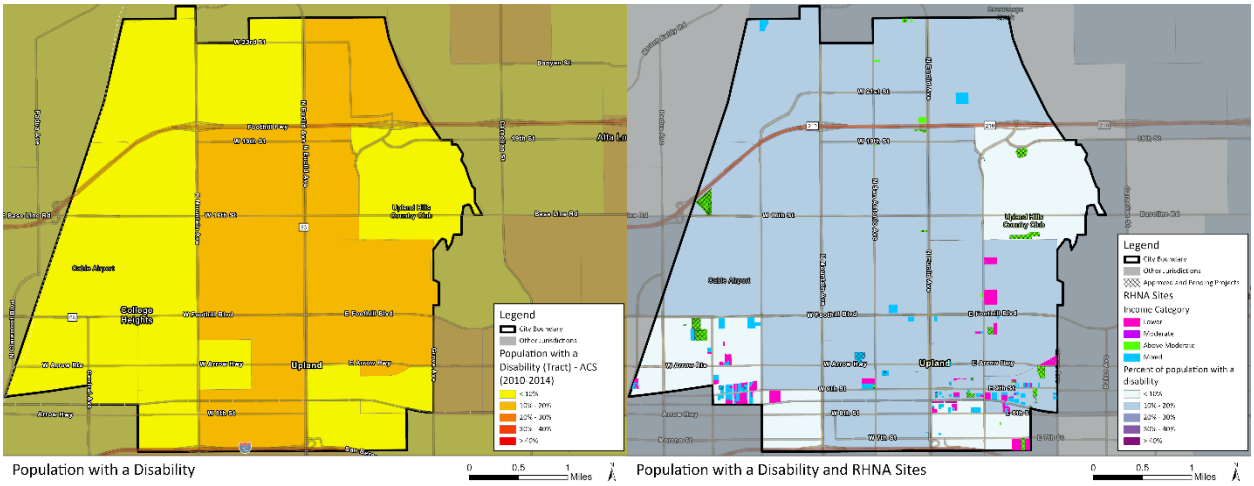


Source: US Census Bureau, ACS16-19 (5-year Estimates), Table C18108

Figure C15 shows the population of persons with disabilities by tract in the City. There is no clear correlation to the current areas with higher concentrations of the population with a disability and other demographic distributions. Health care facilities are distributed throughout the City, with a slight concentration I the southern areas of Upland.

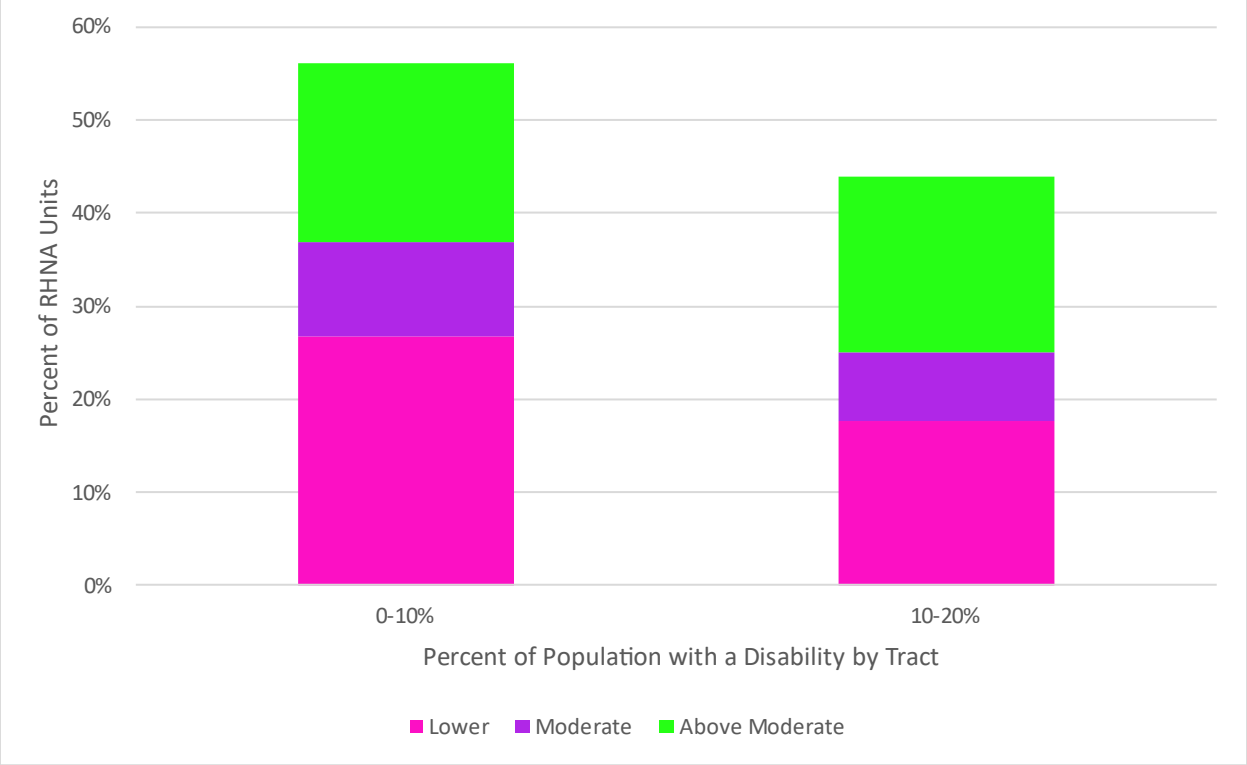
Figure C15 and Figure C16 also show pending projects and proposed RHNA Opportunity sites with population of persons with disabilities by tract in the City. As shown in Figure C15, the RHNA sites are mostly distributed in the areas where 10 and 20 percent of the population experiences a disability, which covers a majority of the City. For example, about 55 percent of the RHNA units are located in the area where 10-20 percent of the population has a disability. As such, the sites are not expected to cause fair housing concerns as they relate to residents with a disability.

Figure C15. Population of Persons with Disability by Tract (2015-2019 and 2017-2021)



Source: HCD AFFH Data Viewer

Figure C16. Population with a Disability Comparison of RHNA Units



Findings

Overall, the City of Upland has higher concentrations of non-White and low- to moderate-income residents in the southern part of the City. This area is also where housing choice voucher use primarily occurs. Some tracts in this area saw a reduction over time in households under the federal poverty level, from >30 percent in 2010-2014 to <20 percent in 2015-2019, while other tracts remained unchanged. The selected RHNA sites are not anticipated to cause displacement or worsen patterns of segregation.

The City's RHNA strategy reflects the overall composition of Upland, and is not expected to negatively exacerbate conditions of segregation.

Racially/Ethnically Concentrated Areas

Racially/Ethnically Concentrated Areas of Poverty

According to HUD, a racially or ethnically concentrated area of poverty (R/ECAP) is an area in which 50 percent or more of the population identifies as non-White and 40 percent or more of residents are living in poverty. As shown in Figure C17, there are no designated R/ECAP areas in Upland. The nearest R/ECAP areas are in the City of Ontario approximately 1 mile to the south of Upland; the presence of a R/ECAP in the neighboring jurisdiction does not appear to have any effect on Upland. Additionally, as noted above, the City has multiple efforts to increase the quality of housing stock and broader quality of life in south Upland.

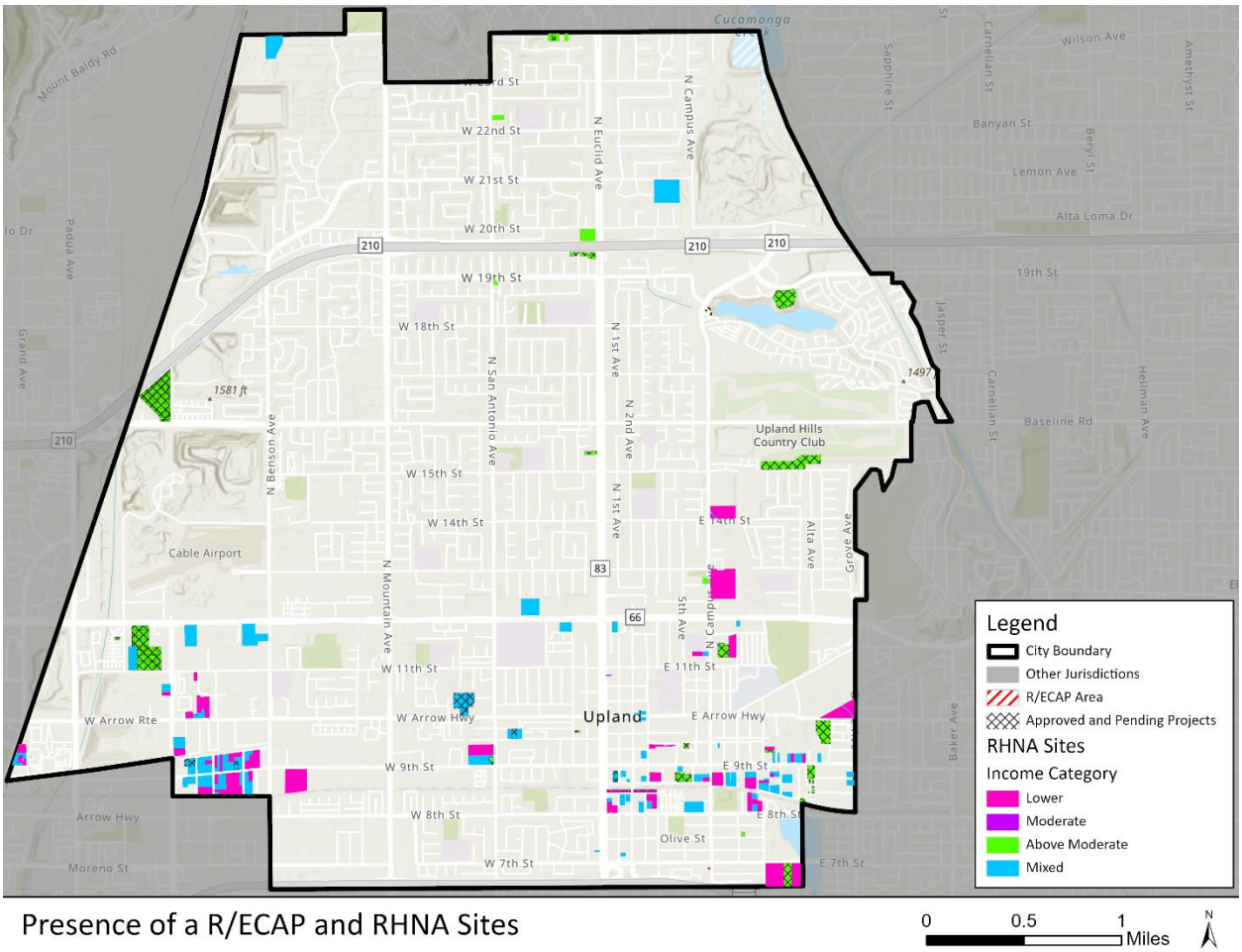
Other nearby R/ECAPs are in the Cities of Riverside, San Bernardino, and Los Angeles, all of which are over 20 miles from Upland. The northern portion of Upland abuts the Angeles National Forest foothills which contains substantial open space, and therefore no R/ECAPs due to the lack of residents. While Ontario contains a R/ECAP, south of Upland, the majority of the area south of Upland is higher opportunity. Regionally, the presence of a R/ECAP correlates with lower median incomes, a larger non-white population, and lower opportunity- areas.

Due to the lack of households, the areas to the north of Upland have been consistently labelled with low median incomes for several years. There has been very little median income variation in Upland and in surrounding cities since 2010. From 2010 to 2021, Ontario remained in the lowest median income range, and is consistently the closest R/ECAP to Upland. The income distribution in Upland is consistent with surrounding cities, with the exception of Ontario, where the R/ECAP is located.

The area surrounding Upland has had a decrease in the non-White population over time. The majority of the tracts in Riverside County, to the south of Upland, have decreased from the 80-100% non-White category to the 60-80% non-White category. This is consistent with several tracks in San Bernardino County to the east and west of the City. In southern Upland, there has been a slight decrease in the non-White population overtime, while the north has been relatively consistent. The areas that maintained a high non-White population near Upland include the cities of Ontario and San Bernardino, which include the nearest R/ECAPs to the City.

The City is encouraging affordable housing stock and housing mobility in the northern part of the City, in order to create more opportunity for lower income housing further from the nearby R/ECAP in Ontario. Once the program is in place, the City is aiming for the creation of 20 bonus, affordable ADUs annually. The City is also upzoning parcels in north Upland through Program 6.

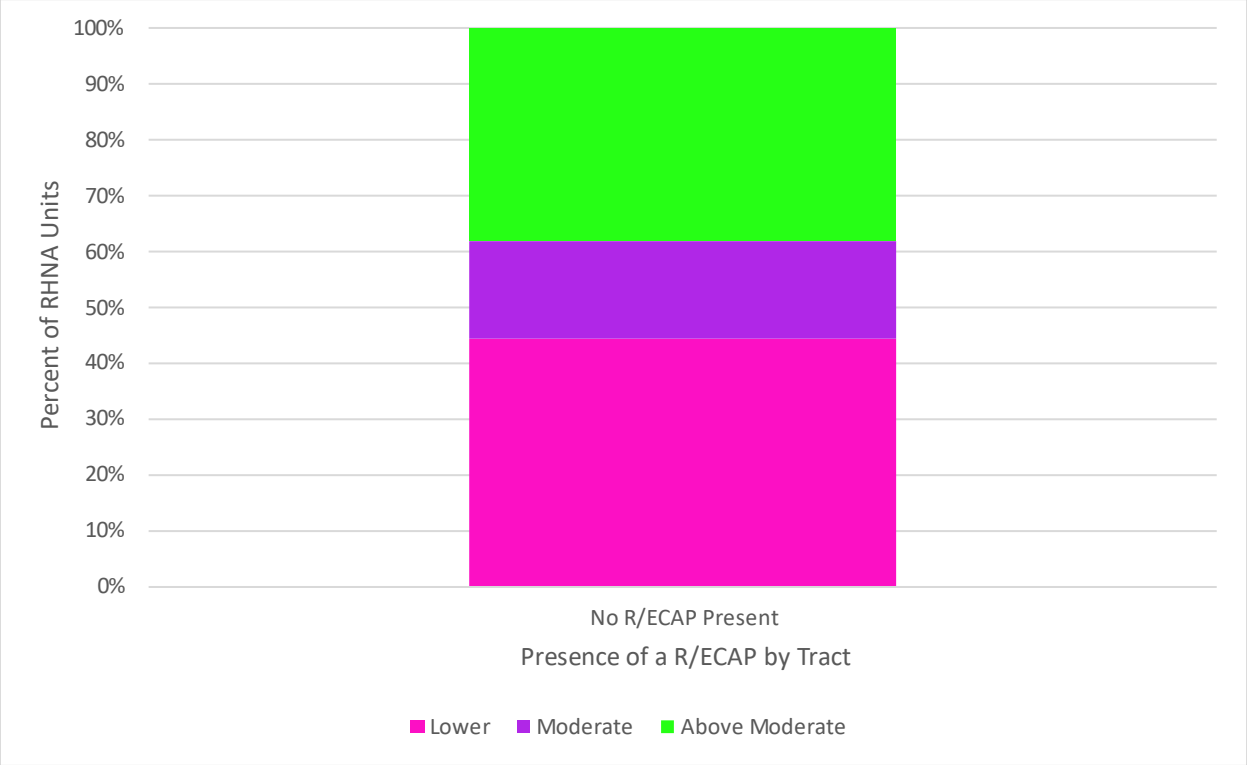
Figure C17. Racially/Ethnically Concentrated Areas of Poverty – Upland



Presence of a R/ECAP and RHNA Sites

Source: HCD AFFH Data Viewer

Figure C18. Presenceof a R/ECAP Comparison of RHNA Units

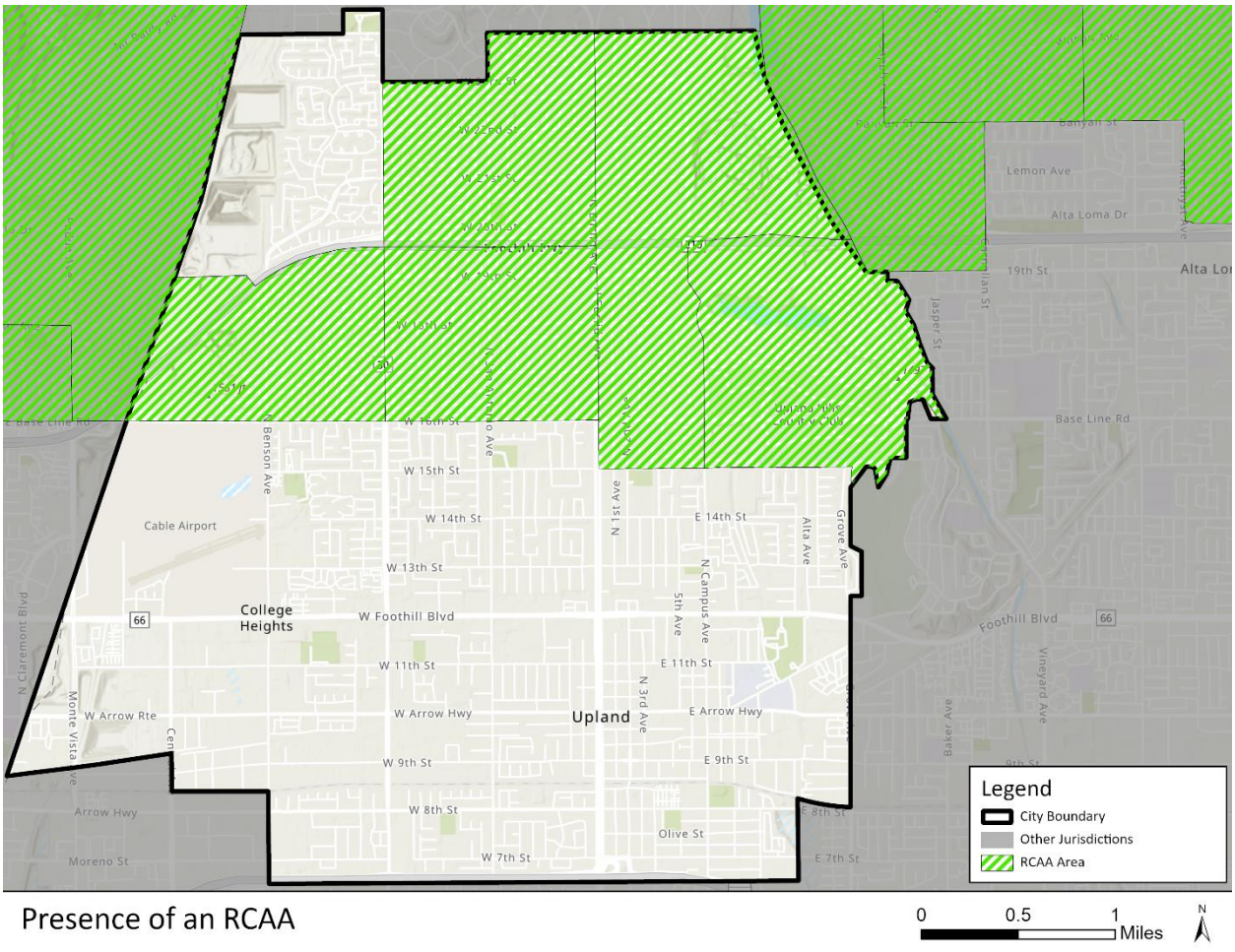


Racially/Concentrated Areas of Affluence

According to the Housing and Community Development AFFH Guidance Memo, "segregation is a continuum, with polarity between race, poverty, and affluence, which can be a direct product of the same policies and practices." Therefore, both sides of the continuum must be examined. A large portion of the northern area of the City is identified as an RCAA, with the exception of the northwest corner.

The City is encouraging increased housing opportunity in north Upland through Program 23, which aims to increase affordable housing stock in the highest resource and income areas of the City. The program allows an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. The program is applicable to an estimated 1,940 lots, primarily located in the RCAA area. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA. Once the program is in place, the City is aiming for the creation of 20 bonus, affordable ADUs annually. The City is also upzoning parcels in north Upland through Program 6.

Figure C19. Racially Concentrated Areas of Affluence



Source: HCD AFFH Data Viewer

Findings

The City is also working to improve the quality of housing and broader quality of life in lower resource areas through the following ways:

- **Program 24: Place-Based Improvements in South Upland** includes a variety of methods to improve quality of life in south Upland (lower resource areas of the City). The program includes the ongoing Business Attraction Assistance Program, Historic Downtown Revitalization Program, and Capital Improvement projects in lower resource areas. The program also commits the City to continue to seek grant funding for further improvements to south Upland.

- **Program 3: Emergency Repairs for Homeowners** provides a grant of up to $10,000 for emergency repairs. There is a geographic target of 50% of assistance in south Upland for this program.

- **Program 4: Rental Acquisition and Rehabilitations** assists lower income tenants by providing Upland landlords with loans to acquire multi-family units and rehabilitate their multi-family properties.

Properties are then subject to an affordability covenant. There is a geographic target of 50% of assistance in south Upland for this program.

- **Program 5: Multi-Family Rental Rehabilitation Program** provides Upland property owners of multi-family apartments (8-units or less) with grants up to $25,000 to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. There is a geographic target of 65% of assistance in south Upland for this program.

Disparities in Access to Opportunity

Overview

California housing law requires cities to analyze disparities in access to opportunity as part of the fair housing assessment. The California Tax Allocation Committee (TCAC) and the California Department of Housing and Community Development (HCD) have developed maps showing access to various types of opportunities such as education, economic, transportation, and environmental indicators.

California Tax Credit Allocation Committee (TCAC)

One tool that can be used to analyze disparities in access to opportunities is the California Tax Credit Allocation Committee's (TCAC) Opportunity Area scores. These were prepared by a task force commissioned by the TCAC and HCD to identify areas statewide whose economic, educational, and environmental characteristics support positive outcomes for low-income families. The map is updated annually. Opportunity maps are made for three domains: economic, environmental, and education. Each map uses categorical indicators to determine its individual score. A composite score and resource designation combining all three designations is then assigned to each block group.

To determine the final resource category, the top 20 percent of overall scores in a county are labeled as highest resource and the next 20 percent of scores are labeled as High Resource. Then, any area that is considered segregated and that has at least 30 percent of the population living below the federal poverty line is labeled as an area of High Segregation and Poverty. Any remaining uncategorized areas in the County are evenly divided between Moderate Resource and Low Resource areas. The rationale and metric for each indicator is described in more detail in current guidance documents for the California TCAC. Additional information regarding these indicators in Upland are provided on the following pages.

Educational Opportunity

Education indicators include math and reading proficiencies of fourth graders, high school graduation rates, and the student poverty rate. The Upland Unified School District is the district that serves the entirety of the City and consists of 9 elementary schools, 2 junior high schools, and 2 high schools.

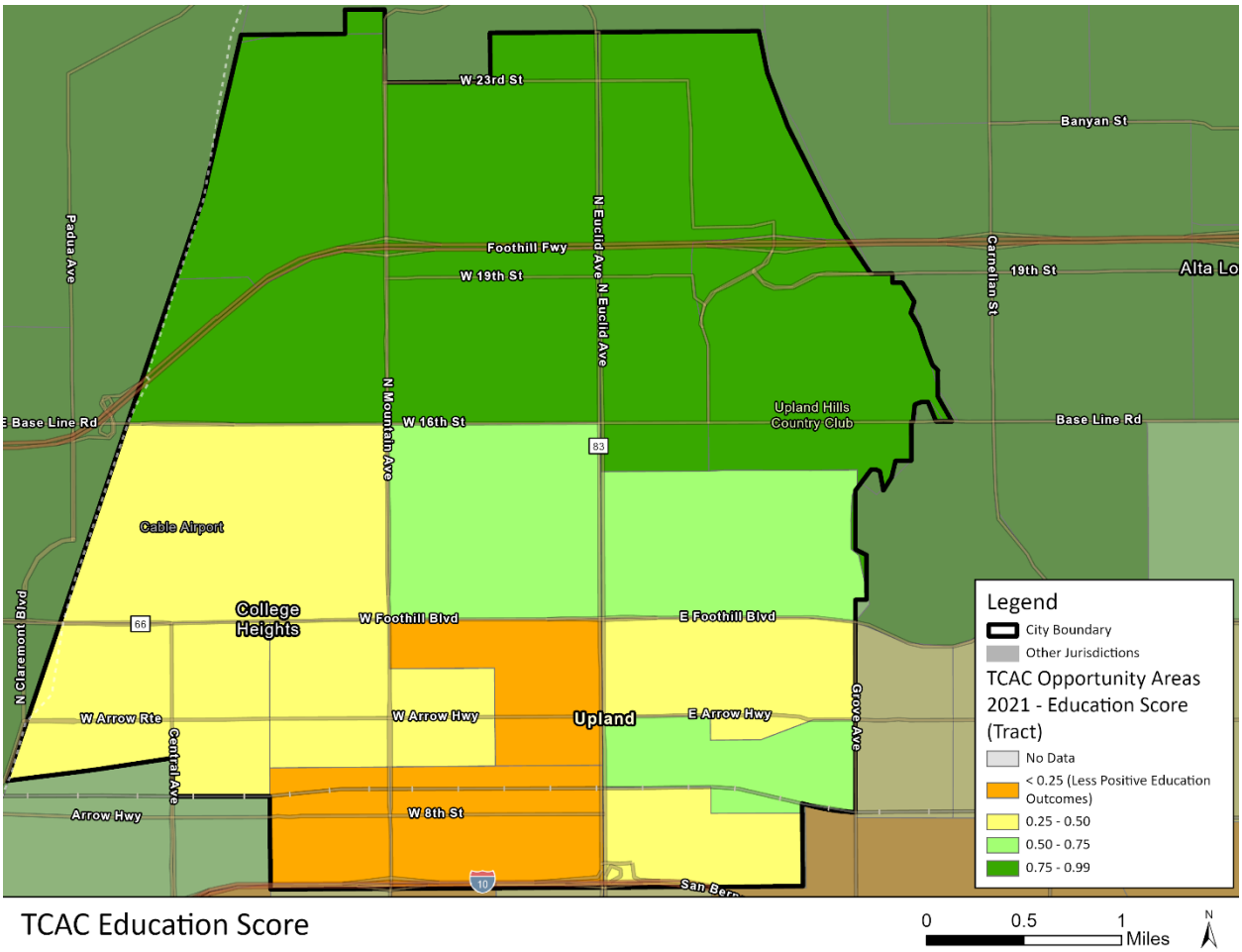
Greatschools.org is a nonprofit organization that rates schools across the country. The Great Schools Summary Rating calculation is based on four ratings: the Student Progress Rating or Academic Progress Rating, College Readiness Rating, Equity Rating, and Test Score Rating. Ratings at the lower end of the scale (1-4) signal that the school is "below average," 5-6 is "average," and 7-10 is "above average."

The schools in Upland range are primarily above average, with most scores being between 7 and 9. The scores do not show a clear pattern correlating with fair housing trends.

As shown in Figure C20, tracts in Upland have high variation in education opportunity resource scores within the City, with less positive scores in the southern areas, moderate scores in the central areas, and high scores in the areas in the northern areas of the City. Additionally, the areas with higher poverty rates in the City have a negative effect on TCAC educational scores, as poverty rates are included in this calculation.

Educational opportunity scores for Upland are shown in Figure C20. As shown in this map, TCAC educational opportunity scores are highest in the northern areas of the city and lowest in the south-central portion of the city.

Figure C20. TCAC Opportunity Areas - Education by Tract (2021)

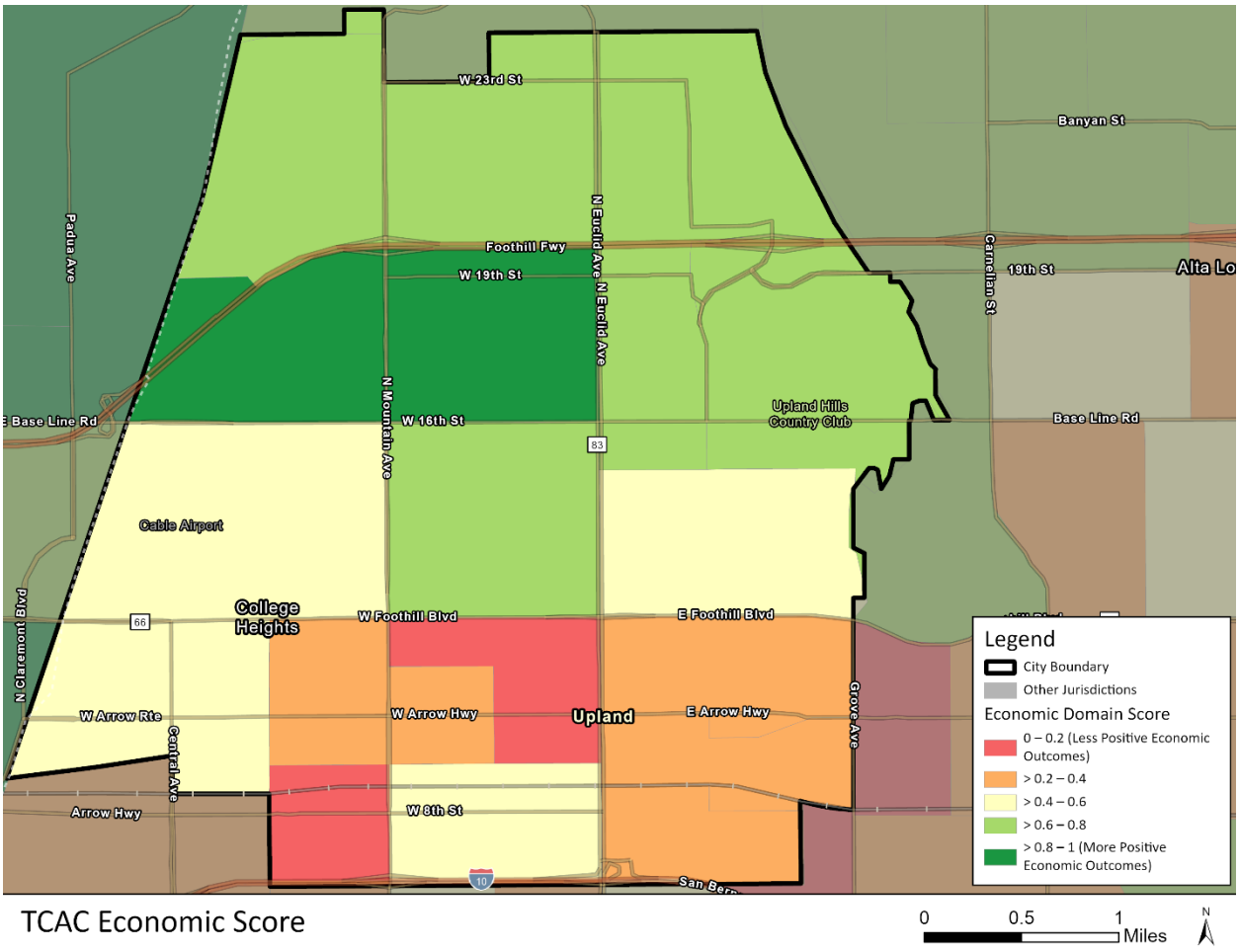


Source: HCD AFFH Data Viewer

Economic Opportunity

Economic indicators include poverty, adult education, employment, job proximity, and median home value. TCAC economic scores for the City by tract are presented in Figure C21. The northern areas of the City, where TCAC economic scores are the highest, have the lowest poverty rates and percentage of LMI households. The neighborhoods in the northwestern area of the City with slightly lower economic opportunity have a more predominant Hispanic or non-White population. However, the entire City has generally positive economic opportunity scores. Figure C21 shows economic opportunity areas in Upland as determined by TCAC. As seen in this map, the majority of the city is identified as having high economic opportunity scores.

Figure C21. TCAC Opportunity Areas - Economic Score by Tract (2021)



Source: HCD AFFH Data Viewer

Environmental Opportunity

According to HUD, "The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level." The Index combines standardized EPA estimates of air quality carcinogenic, respiratory and neurological hazards with indexing census tracts.

Values are inverted and then percentile ranked nationally. Values range from 0 to 100: the higher the index value, the less exposure to toxins harmful to human health; or, put differently, the higher the value, the better the environmental quality of a neighborhood, where a neighborhood is a census tract.

The EPA standardizes its estimates of air quality hazards using the National Air Toxics Assessment (NATA), which is EPA's ongoing review of air toxics in the United States. EPA developed NATA as a screening tool for state, local and tribal air agencies. NATA's results help these local agencies identify which pollutants, emission sources and places they may wish to study further to better understand any possible risks to public health from air toxics. EPA suggests that local communities use NATA to "prioritize pollutants and emission source types; identify places of interest for further study; get a starting point for local assessments; focus community efforts; inform monitoring programs." According to EPA, communities have found that using NATA helps "inform and empower citizens to make local decisions about their community's health. Local projects often improve air quality faster than federal regulations alone."

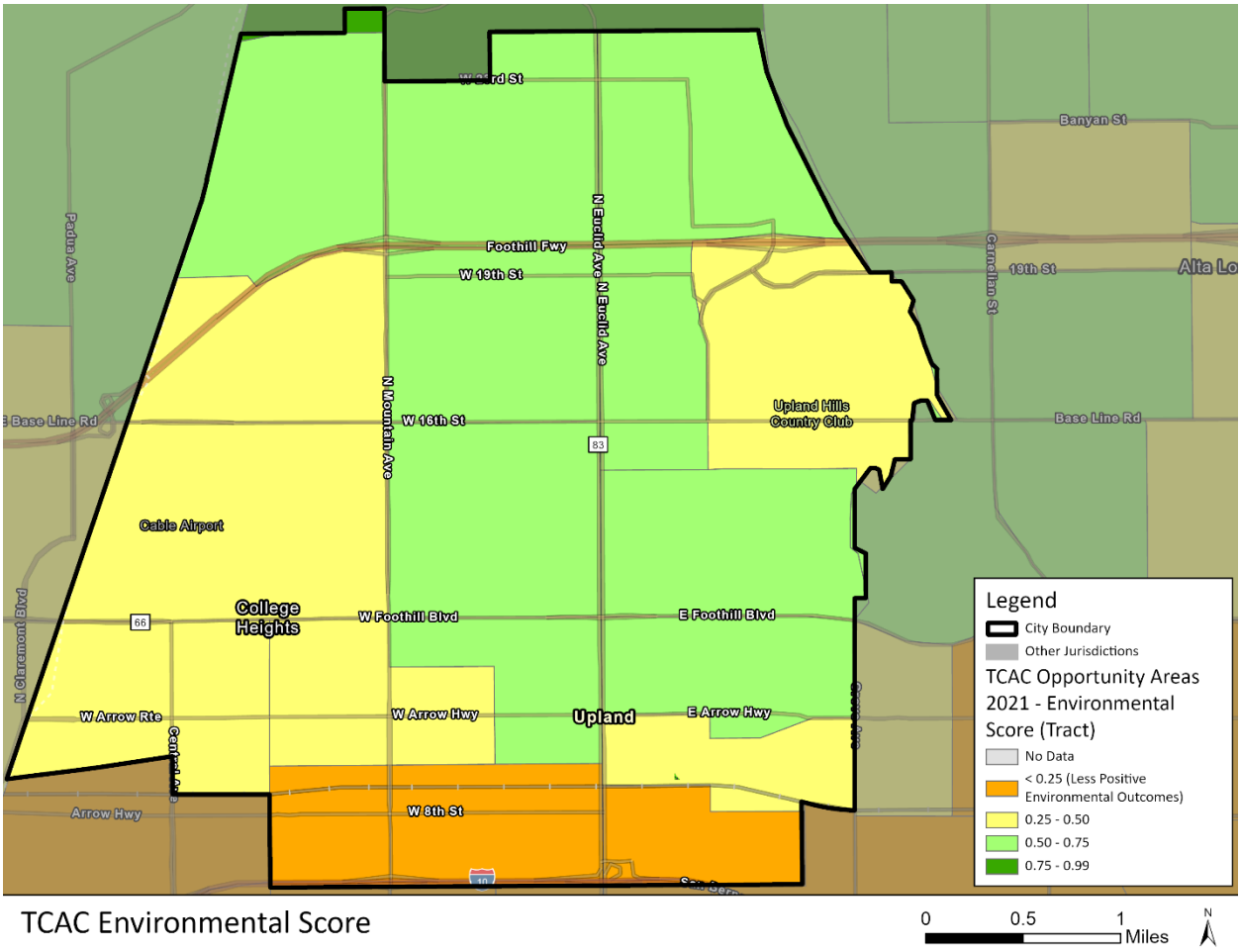
Although EPA characterizes NATA results as "a snapshot of outdoor air quality with respect to emissions of air toxics," it nonetheless suggests long-term risks to human health if air toxics emissions are steady over time, including estimates of the cancer risks from breathing air toxics over many years. It also estimates non-cancer health effects for some pollutants, including diesel particulate matter (PM). It is important to note that NATA only includes outdoor sources of pollutants, and its estimates of risk "assume a person breathes these emissions each year over a lifetime (or approximately 70 years). NATA only considers health effects from breathing these air toxics. It ignores indoor hazards, contacting or ingesting toxics, and any other ways people might be exposed." (http://www.epa.gov/national-airtoxics-assessment/nata-overviewepa.gov)

The Upland AI[6] analyzed Environmental Health Index values for various groups within Upland and within the region at large. Across every category, including those results reported for communities below the federal poverty level, Upland scores are significantly lower than those for the region. These lower scores are an indication of significantly greater exposure to cancer risks for City residents and of the potential for elevated non-cancer health effects from pollutants such as diesel particulate matter.

While Whites in Upland score the highest on the Index, at 35.55, their score is 35.92 percent lower than the score for Whites in the region, at 55.48. For Blacks the differential is -37.68 percent (27.56 vs. 44.22); For Hispanics, -33.15 percent (28.33 vs. 42.38). For Asians, the score within the jurisdiction is 17.07 percent lower than that for the region (35.07 vs. 42.29), and Native Americans within the City score 45.70 percent lower (30.54 vs. 56.24). For communities living under the federal poverty level, the jurisdiction compares similarly unfavorably to the region: 32.37 vs. 56.84 for Whites; 20.44 vs. 44.86 for Blacks; 24.12 vs. 42.23 for Hispanics; 31.99 vs. 39.74 for Asians; and 25.67 vs. 50.63 for Native Americans. The lowest scoring census tracts in Upland are located south of Foothill Boulevard and nearer in proximity to Interstate 10, the rail line, industrial uses and Ontario International Airport.

[6] City of Upland, Analysis of Impediments to Fair Housing Choice 2019-2023, p. II-37

Figure C22. TCAC Opportunity Areas - Environmental Score by Tract (2021)



Source: HCD AFFH Data Viewer

TCAC Composite Score

The TCAC composite score for the City is shown in Figure C23. There is variation in resource category designations, with the northern part of the City generally having higher resource designations than the southern portions, following the pattern seen throughout the City.

Program 23 is included to increase affordable housing stock in the highest resource areas of the City by allowing an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA.

Figure C24 shows the RHNA units by TCAC opportunity category. Approximately 70 percent of units are in the moderate resource category. These are areas that have the best proximity to the Metrolink transit stops and highest job proximity.

The City is also working to improve the quality of housing and broader quality of life in lower resource areas through the following ways:

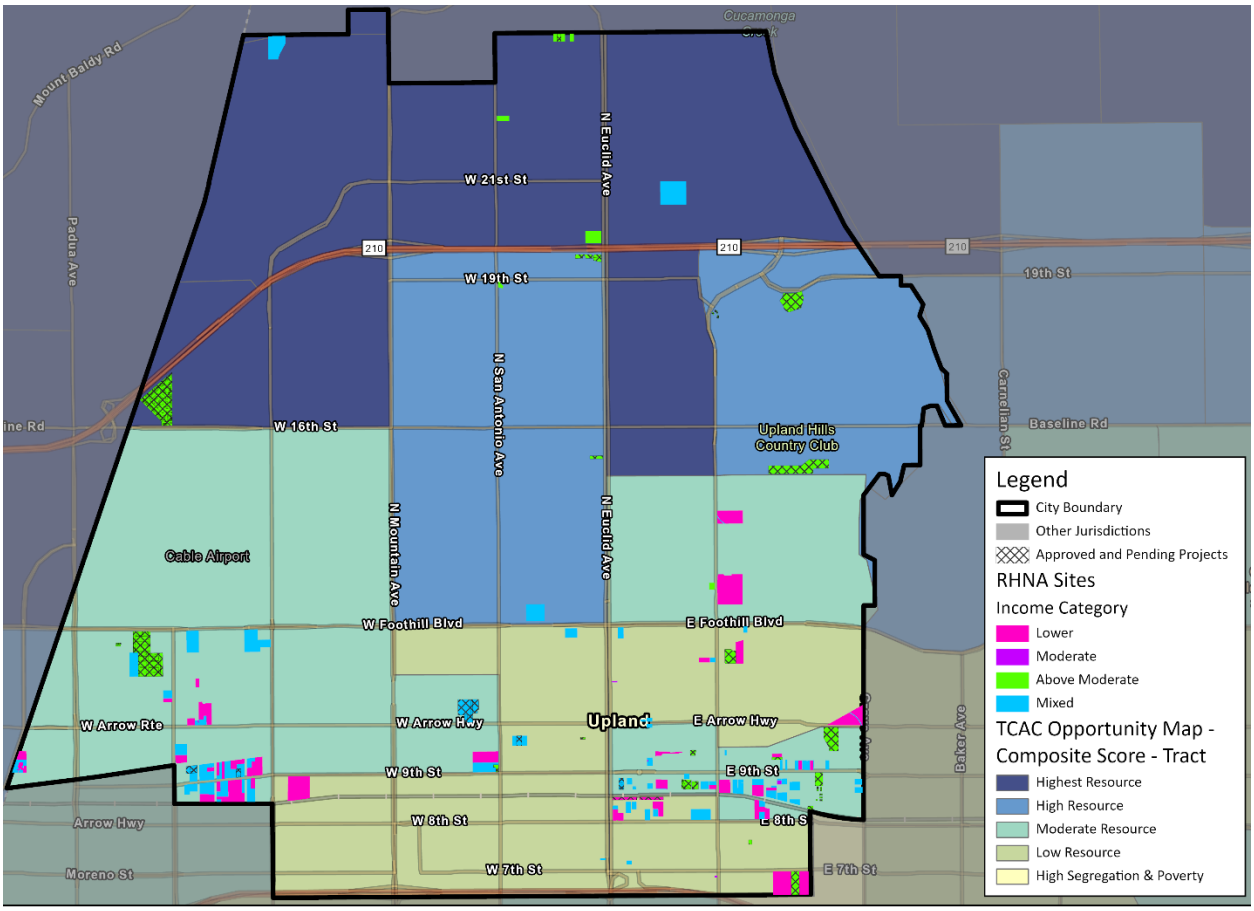
- **Program 24: Place-Based Improvements in South Upland** includes a variety of methods to improve quality of life in south Upland (lower resource areas of the City). The program includes the ongoing Business Attraction Assistance Program, Historic Downtown Revitalization Program, and Capital Improvement projects in lower resource areas. The program also commits the City to continue to seek grant funding for further improvements to south Upland.

- **Program 3: Emergency Repairs for Homeowners** provides a grant of up to $10,000 for emergency repairs. There is a geographic target of 50% of assistance in south Upland for this program.

- **Program 4: Rental Acquisition and Rehabilitations** assists lower income tenants by providing Upland landlords with loans to acquire multi-family units and rehabilitate their multi-family properties. Properties are then subject to an affordability covenant. There is a geographic target of 50% of assistance in south Upland for this program.

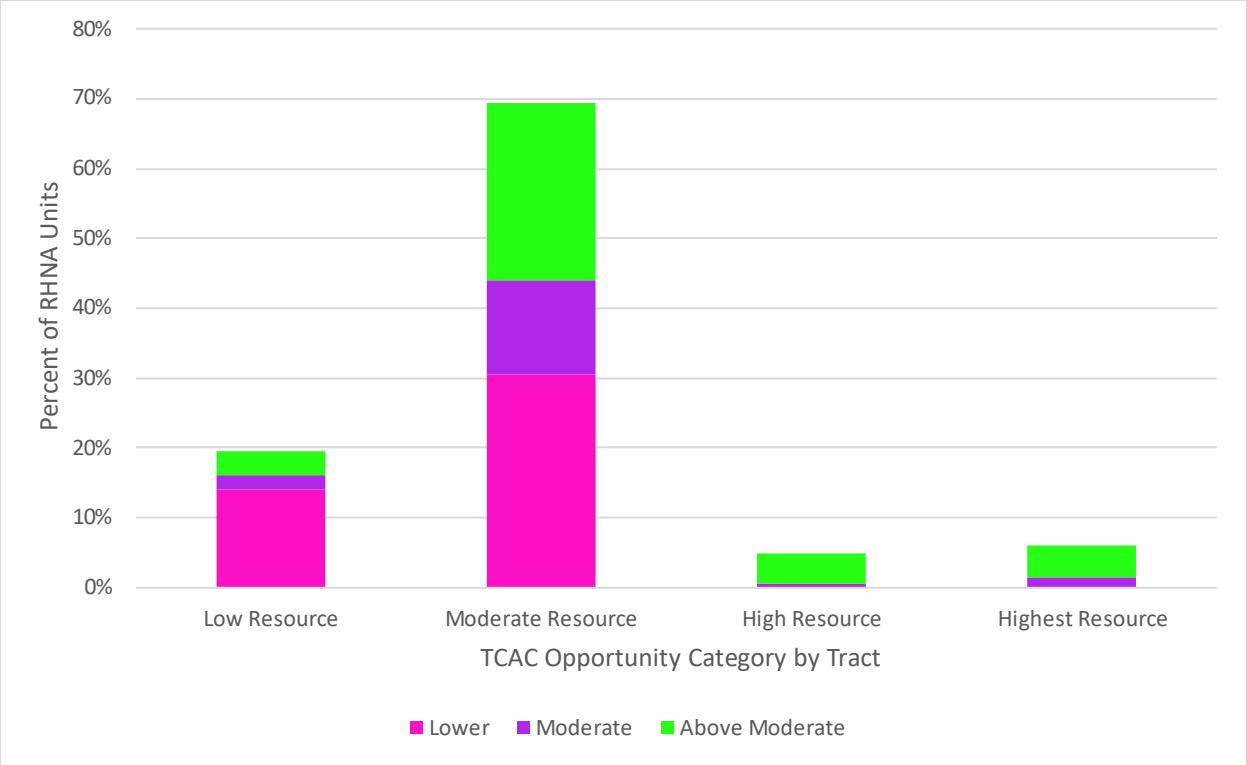
- **Program 5: Multi-Family Rental Rehabilitation Program** provides Upland property owners of multi-family apartments (8-units or less) with grants up to $25,000 to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. There is a geographic target of 65% of assistance in south Upland for this program.

Figure C23. TCAC Opportunity Areas Composite Score by Tract (2022)



Source: HCD AFFH Data Viewer

Figure C24. Distribution of RHNA Units by TCAC Category

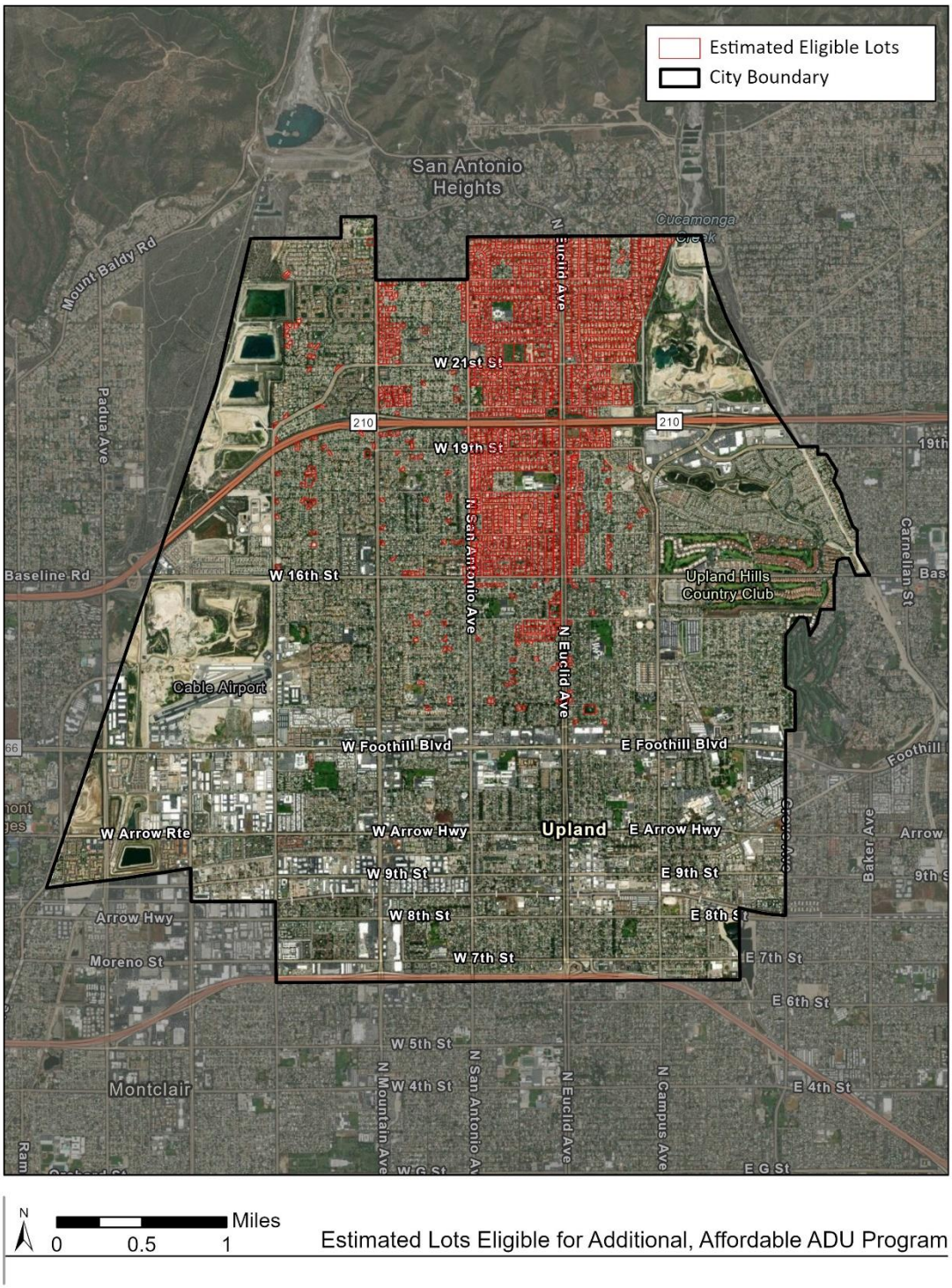


Housing Mobility ADU Program

The City is encouraging increased housing opportunity in north Upland through Program 23, which aims to increase affordable housing stock in the highest resource and income areas of the City. The program allows an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. The program is applicable to an estimated 1,940 lots.

Figure C25 shows the estimated eligible lots for the additional, affordable ADU program; the lots are primarily located in the northern and central portions of the City. The majority of eligible lots are located in the RCAA area, which correlates with areas that are comparatively higher resource and higher income. This will increase affordable housing stock and opportunity as well as increase housing mobility in the northern part of the City beyond the RHNA. Once the program is in place, the City is aiming for the creation of 20 bonus, affordable ADUs annually.

Figure C25. Lots Eligible for Additonal ADU



CalEnviroScreen 4.0

CES 4.0 is a tool that identifies communities in California that are disproportionately burdened by pollutants. Factors used to identify communities include ozone, particulate matter, drinking water contaminants, pesticide

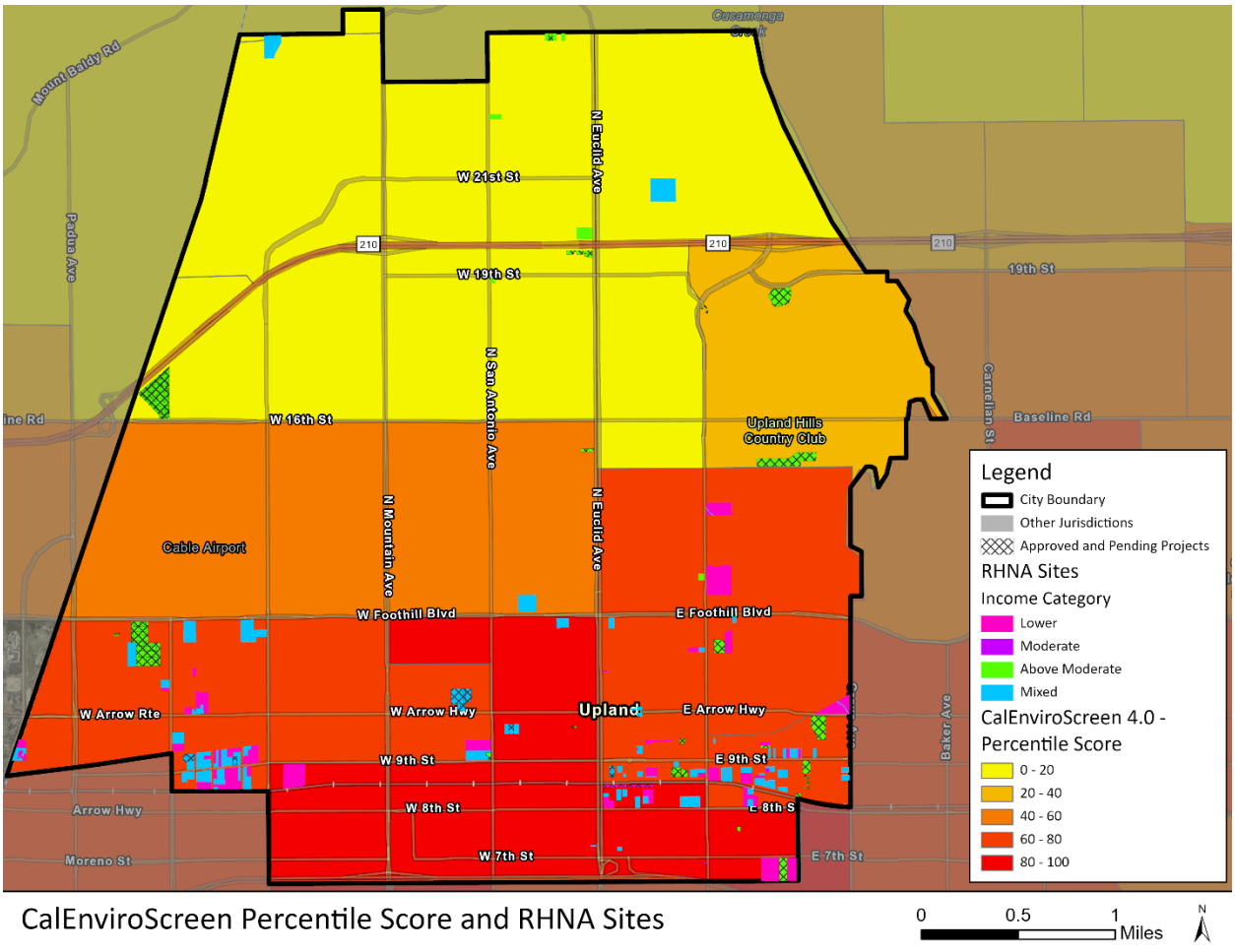
use, lead, diesel particulates, asthma rates, and linguistic isolation. A higher score indicates a higher effect of pollutants for the area.

The California Office of Environmental Health Hazard Assessment (OEHHA) compiles data to help identify California communities that are disproportionately burdened by multiple sources of pollution. In addition to environmental factors (pollutant exposures, groundwater threats, toxic sites, and hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma and low birth weight infants), CalEnviroScreen also takes into consideration socioeconomic factors. These factors include education attainment, linguistic isolation, poverty, and unemployment.

Figure C26 shows the RHNA sites and CES scores and Figure C27 displays the RHNA units by income in each CES percentile group. The majority of RHNA sites are in the 60 – 80 percentile group. These are also the transit-oriented areas where the City is seeing housing growth, high density housing, and increased opportunity and investment.

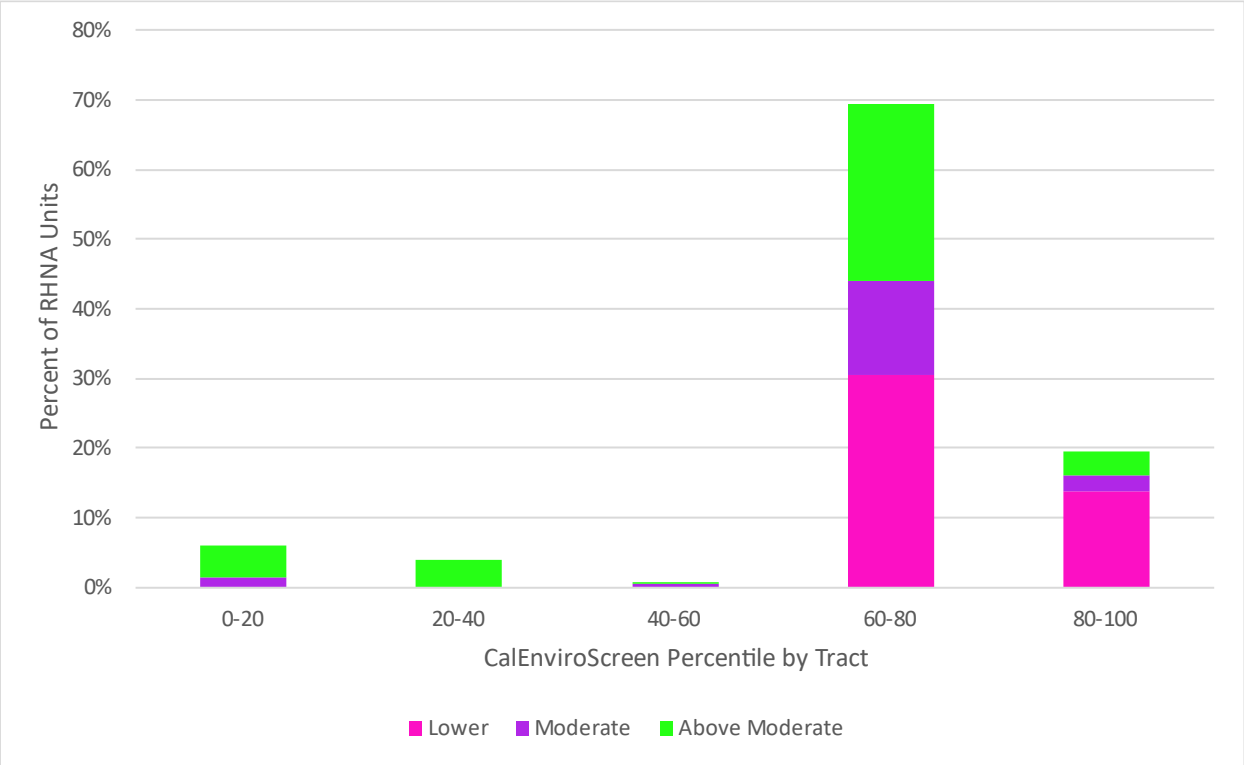
Program 23 is included to increase affordable housing stock in the northern parts of the City by allowing additional ADUs per lot given that they are subject to an affordability covenant for a shortened period of time. The program allows an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. The program is applicable to an estimated 1,940 lots, primarily located in the RCAA area. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA.

Figure C26. CES 4.0 Score



Source: HCD AFFH Data Viewer

Figure C27. Distribution of RHNA Units by CalEnviroScreen 4.0 Percentile Score



Access to Opportunities Regional Comparison

HUD has developed a series of indices for fair housing analysis to assist cities in identifying disparities in access to opportunity. The following indicators are scored on a scale from zero to 100.[7]

- **Low Poverty Index**: The low poverty index captures poverty at the census tract level. The higher the score, the less exposure to poverty.
- **School Proficiency Index**: The school proficiency index uses the performance of fourth-grade students on state exams to describe which areas have higher and lower performing schools. The higher the score, the higher the school system quality.
- **Labor Market Index**: The labor market index measures the relative intensity of labor market engagement and human capital. The index is calculated using employment levels, labor force participation, and education attainment. The higher the score, the higher the labor market participation in a neighborhood.
- **Transit Index**: The transit index is based on estimates of transit trips taken by a three-person, single-parent family with income at 50 percent of the median income for renters for the region. The higher the index, the more likely that the residents use public transit.
- **Low Transportation Cost Index**: The low transportation cost index is calculated based on estimates for a three-person, single-parent family with income at 50 percent of the median income for renters for the region. More specifically, this index considers transportation costs as a percentage of income for this household type. The higher the index, the lower the cost of transportation.

[7] HUD Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation

- **Jobs Proximity Index**: The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a region. Larger employment centers are more heavily weighted. The higher the index, the better access to employment opportunities.
- **Environmental Health Index**: The environmental health index summarizes potential exposure to a variety of toxins that are harmful to human health. The higher the index, the less exposure to toxins.

Table C4 compares the HUD opportunity indicators between upland and the Riverside-San Bernardino-Ontario Region broken down by race and ethnicity. Compared to the region, Upland scores much higher in the proximity to jobs index, and higher scores in transit index, and labor market index. The scores in the school proficiency index and low poverty index are roughly equivalent. However, Upland has lower environmental health index scores, indicating a higher exposure to toxins.

Table C4. Opportunity Indicators

(Upland, CA CDBG) Jurisdiction	Low Poverty Index	School Proficiency Index	Labor Market Index	Transit Index	Low Transportation Cost Index	Jobs Proximity Index	Environmental Health Index
Upland							
White, Non-Hispanic	58.56	50.74	58.24	67.65	48.70	66.35	33.90
Black, Non-Hispanic	41.79	36.11	47.58	71.93	59.38	73.85	29.84
Hispanic	42.32	37.26	47.57	71.61	57.97	71.33	30.77
Asian or Pacific Islander, Non-Hispanic	57.21	49.08	56.89	68.80	51.34	67.53	33.35
Native American, Non-Hispanic	46.89	40.52	49.60	70.61	55.76	69.85	31.80
Riverside-San Bernardino-Ontario, CA Region							
White, Non-Hispanic	50.83	46.43	33.94	48.57	42.13	45.92	48.02
Black, Non-Hispanic	41.38	35.44	26.46	53.65	45.13	45.67	38.89
Hispanic	36.39	33.26	24.37	55.76	46.31	46.90	37.84
Asian or Pacific Islander, Non-Hispanic	58.83	51.51	42.31	55.92	42.65	53.56	35.12
Native American, Non-Hispanic	39.48	35.90	24.58	47.70	43.26	43.36	49.90

Source: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA

Transportation Opportunities

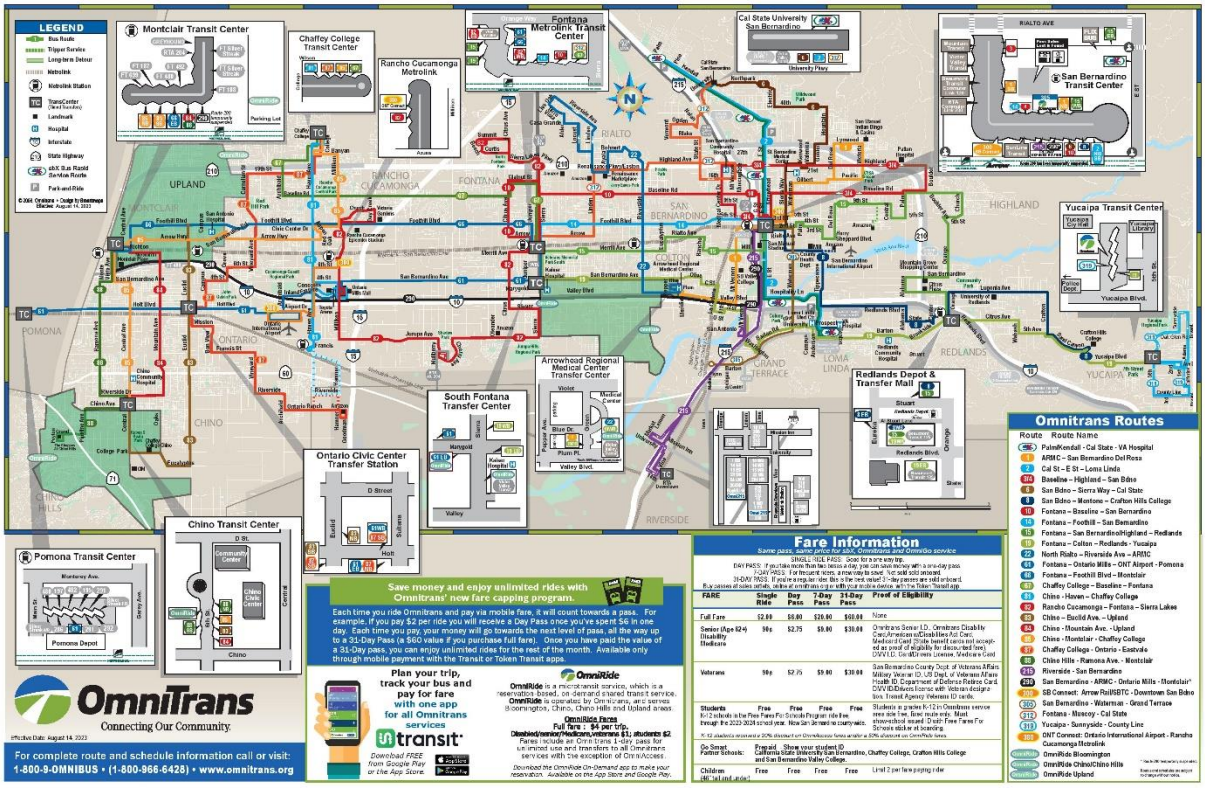
According to the City's AI, Upland residents enjoy superior access to transportation infrastructure, which includes the Burlington Northern/Santa Fe Railroad and the Upland Metrolink Station; the location of both a local airport (Cable Airport) and an International airport (Ontario Airport); and the traversing of the two major freeways through its boundaries (Interstates 10 and 210).

OmniTrans buses run throughout the San Bernardino Valley connecting the cities of Chino, Chino Hills, Colton, Fontana, Grand Terrace, Highland, Loma Linda, Montclair, Ontario, Redlands, Rialto, San Bernardino, Upland, Rancho Cucamonga, and Yucaipa, and unincorporated communities including Mentone and Muscoy. Bus services to Upland include Routes 83, 84, and 85. Route 85 provides services between the Chino Transit Center, Montclair, and Chino Civic Center.

Additionally, the Montclair Metrolink station is just west of the City boundary, at the southern side of the City. Portions of the City are within ½ mile of the station, and are served by the Metrolink. As a part of the rezoning efforts included in Program 6, the City is creating a Transit Overlay Zone to allow for high density housing, from 20 – 40 du/acre in the vicinity of the Montclair Metrolink Station. There is also a Metrolink Station downtown, and surrounding areas in the Citrus Transportation District allow housing up to 55 du/acre. The City has prioritized rezoning efforts in areas that are in the vicinity of high quality transit.

The Pacific Electric trail runs east-west through the City and provides transportation access for cyclists and pedestrians.

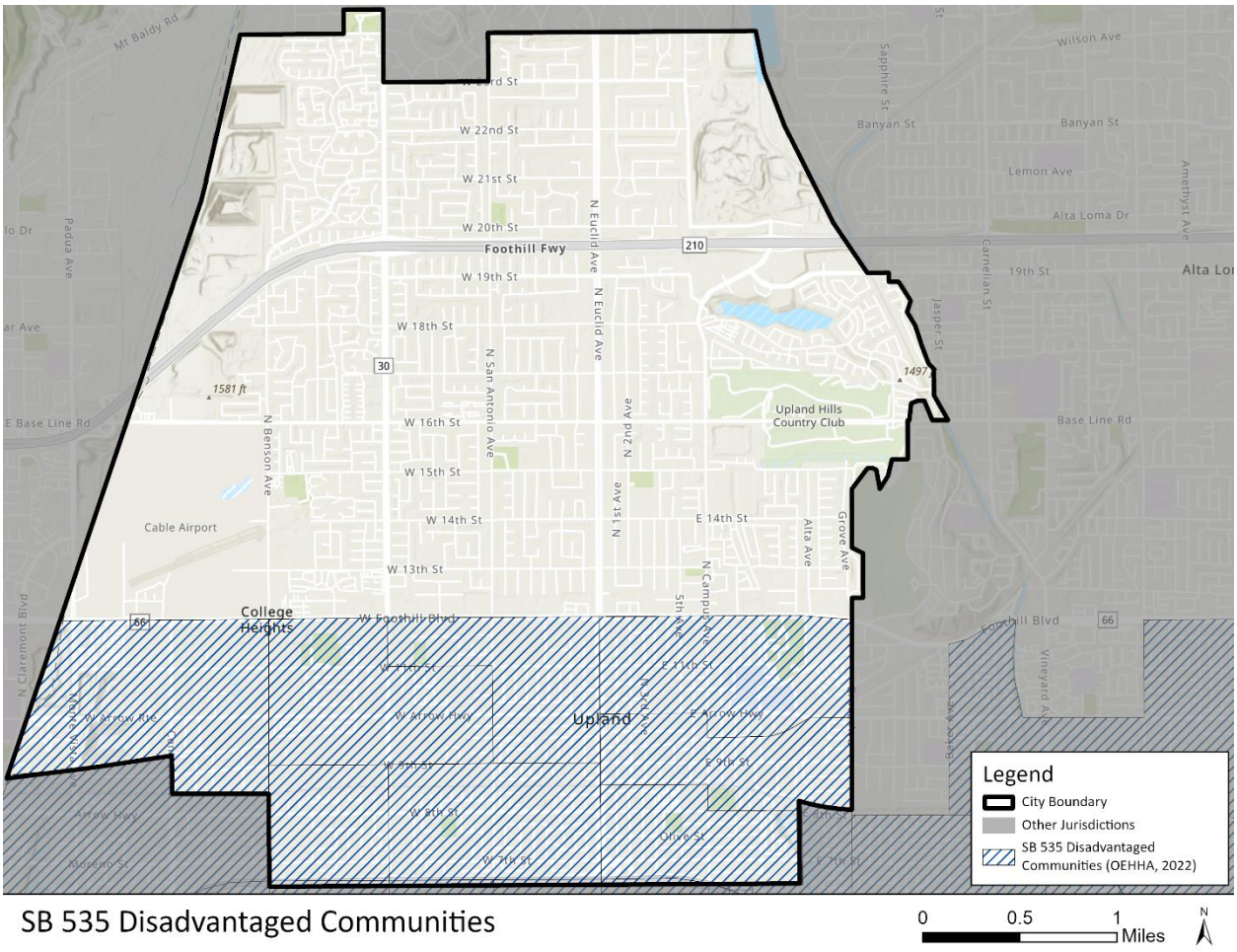
Figure C28. Transit Routes



Disadvantaged Communities

Senate Bill 1000 (SB 1000) requires cities with designated disadvantaged communities to include environmental justice goals and policies in the General Plan. Per SB 1000, the California EPA uses CalEnviroScreen, a mapping tool to identify disadvantaged communities. CalEnviroScreen examines various indicators to characterize pollution and socioeconomic factors. As seen in Figure C29 below, the southern portion of the city is classified as a disadvantaged community.

Figure C29. Disadvantaged Communities – Upland



Source: HCD AFFH Data Viewer

Findings

Compared to the region as a whole, Upland has better access to transit, job proximity, and scores higher in the labor market index. The scores in the school proficiency index and low poverty index are roughly equivalent.to the region as a whole; however, Upland has lower environmental health index scores, indicating a higher exposure to toxins.

Within the City, the southern areas of the City have better access to jobs and transit, while the northern areas of the City have more positive environmental scores. The City is encouraging additional housing in both regions

of the City through different means. Program 23 is included to increase affordable housing stock in the highest resource areas of the City by allowing additional ADUs per lot given that they are subject to an affordability covenant for a certain period of time. The program allows an additional, bonus ADU on lots in the RS-10, RS-15, and RS-20 zones that are larger than 15,000 square feet, given that the ADU is subject to shortened affordability covenant. The program is applicable to an estimated 1,940 lots, primarily located in the RCAA area. This will increase affordable housing stock and opportunity and increase housing mobility in the northern part of the City beyond the RHNA.

The City is also working to improve the quality of housing and broader quality of life in lower resource areas through multiple programs including Program 24, Program 3, Program 4, and Program 5.

The distribution of RHNA sites in these areas is not anticipated to exacerbate conditions, and allows for more housing near transit hubs and job opportunities.

Disproportionate Housing Needs and Displacement Risk

The AFFH Rule Guidebook (24 C.F.R. § 5.152) defines "disproportionate housing needs" as "a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing needs when compared to the proportion of a member of any other relevant groups or the total population experiencing the category of housing need in the applicable geographic area." The analysis is completed by assessing cost burden, severe cost burden, overcrowding, and substandard housing. In addition, this analysis examines homelessness and displacement risk.

Substandard Housing

The AFFH Rule Guidebook defines disproportionate housing needs as a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing needs when compared to the proportion of a member of any other relevant groups or the total population experiencing the category of housing need in the applicable geographic area (Code of Federal Regulations). The analysis is completed by assessing cost burden, overcrowding, and substandard housing. The Comprehensive Housing Affordability Strategy (CHAS) developed by the Census for HUD provides detailed information on housing needs by income level for different types of households in San Bernardino County.

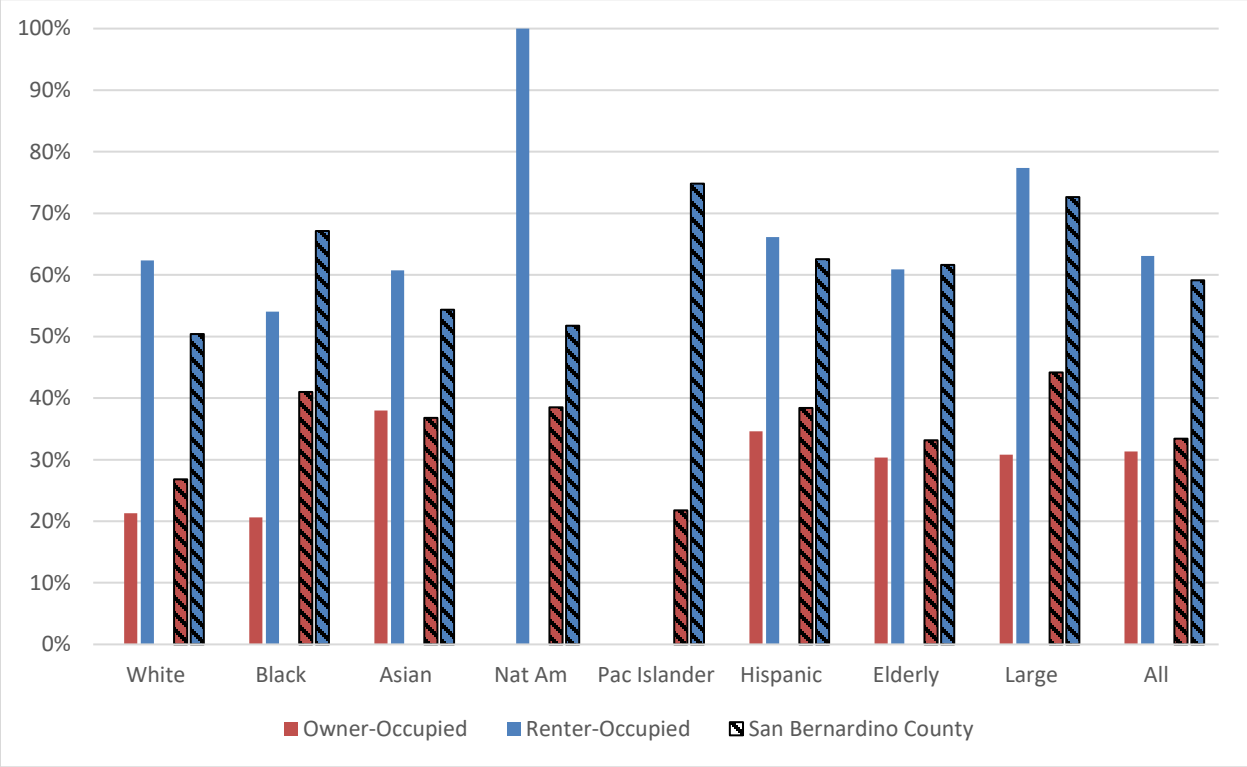
Disproportionate housing needs are determined by finding trends in housing problems in the population by race, household size, or household age. A housing unit is considered substandard or having a housing problem if it has one or more of the following housing conditions:

- Housing unit lacks complete kitchen facilities
- Housing unit lacks complete plumbing facilities
- Household is cost burdened
- Housing unit is overcrowded

Large and elderly households are often more likely to experience housing problems. A large household is a household with three or more children, but is also often calculated as a household with five or more people. An elderly household is calculated as any household with a person over 62 years of age.

Renters of all races and demographics experience high rates of housing problems, over 60 percent, while less than 30 percent of White or Black owners experience housing problems. Rates of housing problems are generally lower for owners in the City compared to the County, while rates of housing problems for renters are relatively comparable at the County and City level.

Figure C30. Housing Problems by Tenure and Race/Elderly/Housing Size



Source: HUD CHAS Data, 2019

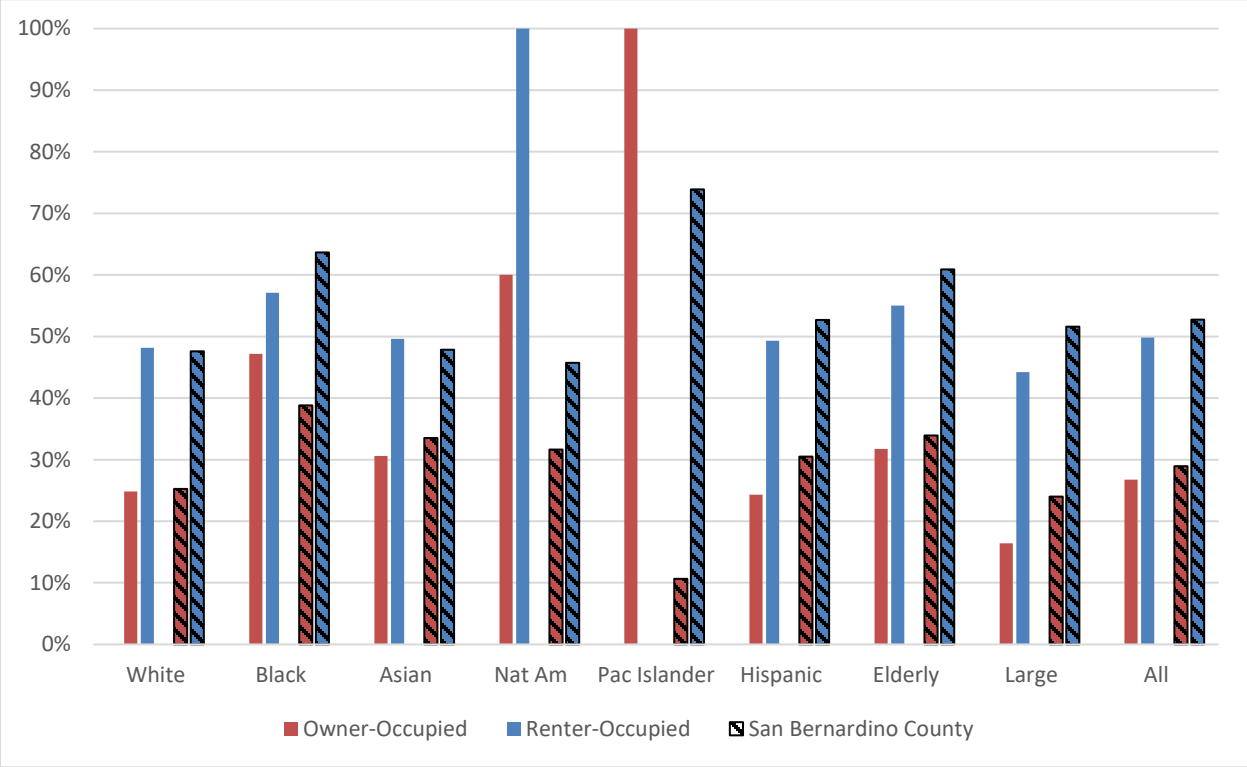
Cost Burden (Overpayment)

A household is considered cost-burdened if it spends more than 30 percent of its income in housing costs, including utilities. Reducing housing cost burden can also help foster more inclusive communities and increase access to opportunities for persons of color, persons with disabilities, and other protected classes.

Overpayment is a problem for many Upland residents, particularly for lower-income households. According to recent HUD estimates (Table C5) approximately 6,265 renter households (52% of all renters) and 4,325 owner households (29% of all owners) were paying more than 30% of income for housing. The highest rates of overpayment occur among very-low-income and extremely-low-income households. The impact of housing overpayment on lower income households is particularly significant for special needs populations – seniors, persons with disabilities, and female-headed households with children.

Cost burden is when a household spends more than 30 percent of its monthly income on housing costs such as rent, mortgage, or utilities. Large households have more costs to support more people, and may experience cost burden or a lack of excess funds to amend housing problems. Elderly households may be on a fixed income, which affects excess funds necessary for maintenance in an older home bought before retirement.

Figure C31. Cost Burden by Tenure and Race/Elderly/Housing Size



Source: HUD CHAS Data, 2019

Table C5. Cost Burden by Tenure and Income Category - Upland

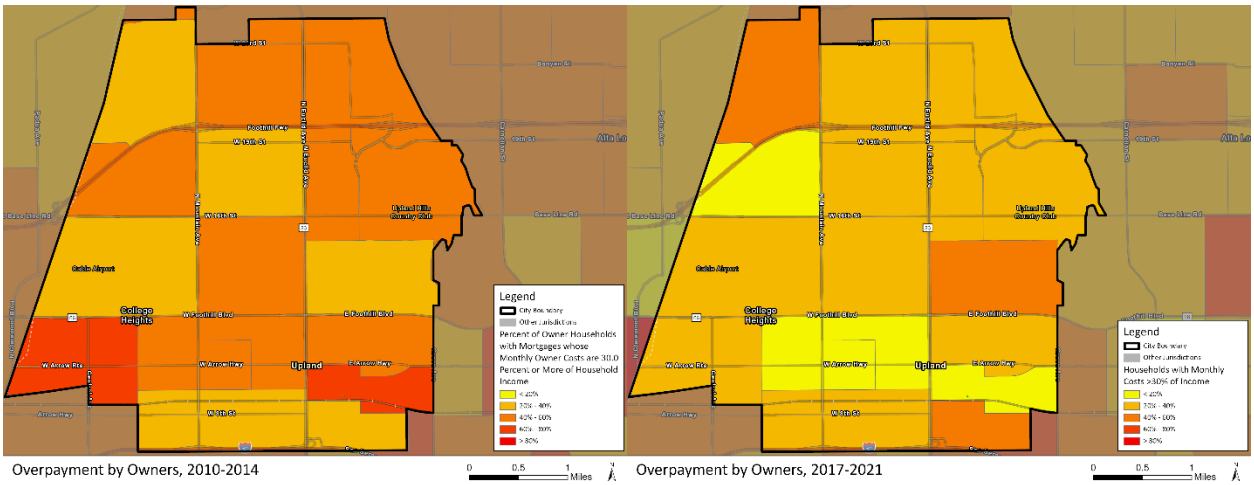
Income by Cost Burden (Renters only)	Cost burden > 30%	Cost burden > 50%	Total
Household Income less-than or= 30% HAMFI	1,475	1,415	1,960
Household Income >30% to less-than or= 50% HAMFI	1,415	1,125	1,585
Household Income >50% to less-than or= 80% HAMFI	1,695	500	2,000
Household Income >80% to less-than or= 100% HAMFI	840	55	1,385
Household Income >100% HAMFI	840	55	5,230
Total	6,265	3,150	12,155
Income by Cost Burden (Owners only)	**Cost burden > 30%**	**Cost burden > 50%**	**Total**
Household Income less-than or= 30% HAMFI	535	475	755
Household Income >30% to less-than or= 50% HAMFI	415	365	645
Household Income >50% to less-than or= 80% HAMFI	700	425	1,265
Household Income >80% to less-than or= 100% HAMFI	520	170	1,010
Household Income >100% HAMFI	2,155	265	11,045
Total	4,325	1,700	14,720

As shown in Figure C33, overpayment among renters is most prevalent in the southern portions of the city. Overpayment among Upland homeowners is highest in the central and southern portions of the city (Figure

C32). The problems of overpayment are addressed in the Housing Plan through efforts to facilitate production and preservation of affordable housing.

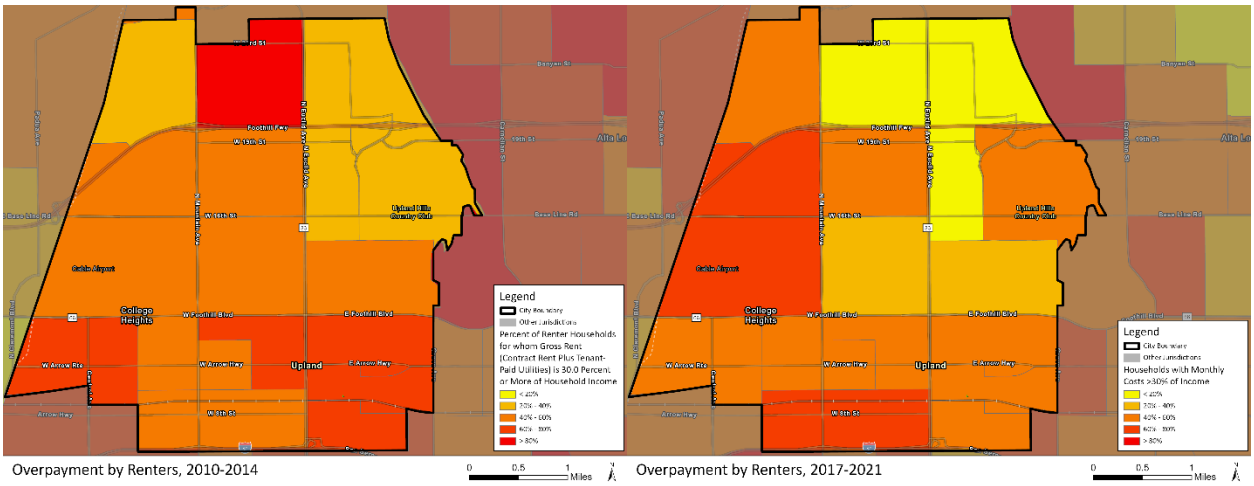
Overpayment is prevalent regionwide, most notably in the cities of Ontario and San Bernardino. These are also areas with more prevalent non-White populations and households with lower median-incomes. Additionally, these cities also have a R/ECAP present. Overpayment in the surrounding region, including other jurisdictions in San Bernardino County, as well as Riverside County, has shifted in concentration from southwest to east over time within the jurisdictions. This trend regionwide is consistent with the patterns in Upland, as trends of overpayment seen previously in tracts southwest of the City boundary are now apparent in Upland, and within City limits areas of concentration have moved from southwestern tracts are now are seen in tracts to the east. Overpayment in the City has overall decreased since 2010, but overpayment in the eastern neighborhoods of the City has increased.

Figure C32. Overpayment by Owners (2010-2014 and 2017-2021)



Source: HCD AFFH Data Viewer

Figure C33. Overpayment by Renters (2010-2014 and 2017-2021)



Source: HCD AFFH Data Viewer

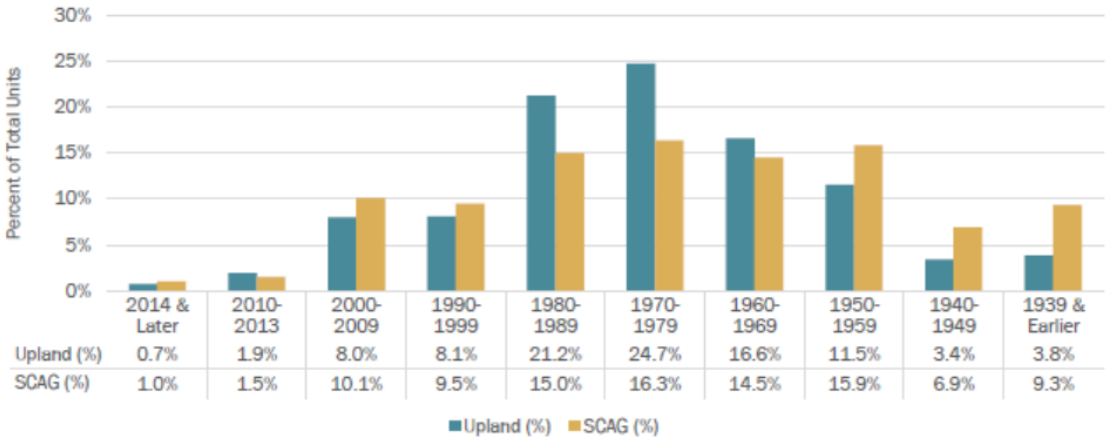
Substandard Housing

The age of a housing unit is often an indicator of housing conditions. Housing units without proper maintenance can deteriorate over time. Housing units built before 1970 are the most likely to need rehabilitation and to have lead-based paint in deteriorated condition. Lead-based paint becomes hazardous to children under age six and to pregnant women when it peels off walls or is pulverized by windows and doors opening and closing.

Housing over 50 years old is considered aged and is more likely to exhibit a need for major repairs. Additionally, older units may not be built to current building standards for fire and earthquake safety.

The age of housing units in Upland compared to the SCAG region as a whole is shown in Figure C34. Approximately 60% of Upland's housing units were constructed prior to 1980 and are now more than 40 years old. These findings suggest that there may be a substantial need for maintenance and rehabilitation, including remediation of lead-based paint. Based upon field observations of City building inspectors and code enforcement staff, it is estimated there may be 9,000 housing units currently in the City that are in need of substantial rehabilitation. Housing programs to assist lower-income households with needed repairs are described in Chapter 4.

Figure C34. : Age of Housing Units – Upland vs. SCAG Region



American Community Survey 2014-2018 5-year estimates.

Overcrowding

"Overcrowding" is defined as a housing unit occupied by more than 1.01 persons per room (excluding kitchens, porches, and hallways). A unit with more than 1.51 occupants per room is considered "severely overcrowded." The incidence of overcrowded housing is a general measure of whether there is an available supply of adequately sized housing units. Overcrowding is also related to overpayment, because households may not be able to afford a large enough home to accommodate their needs. Overcrowding can lead to a variety of other problems such as lower educational performance among children, psychological stress and adverse health impacts.

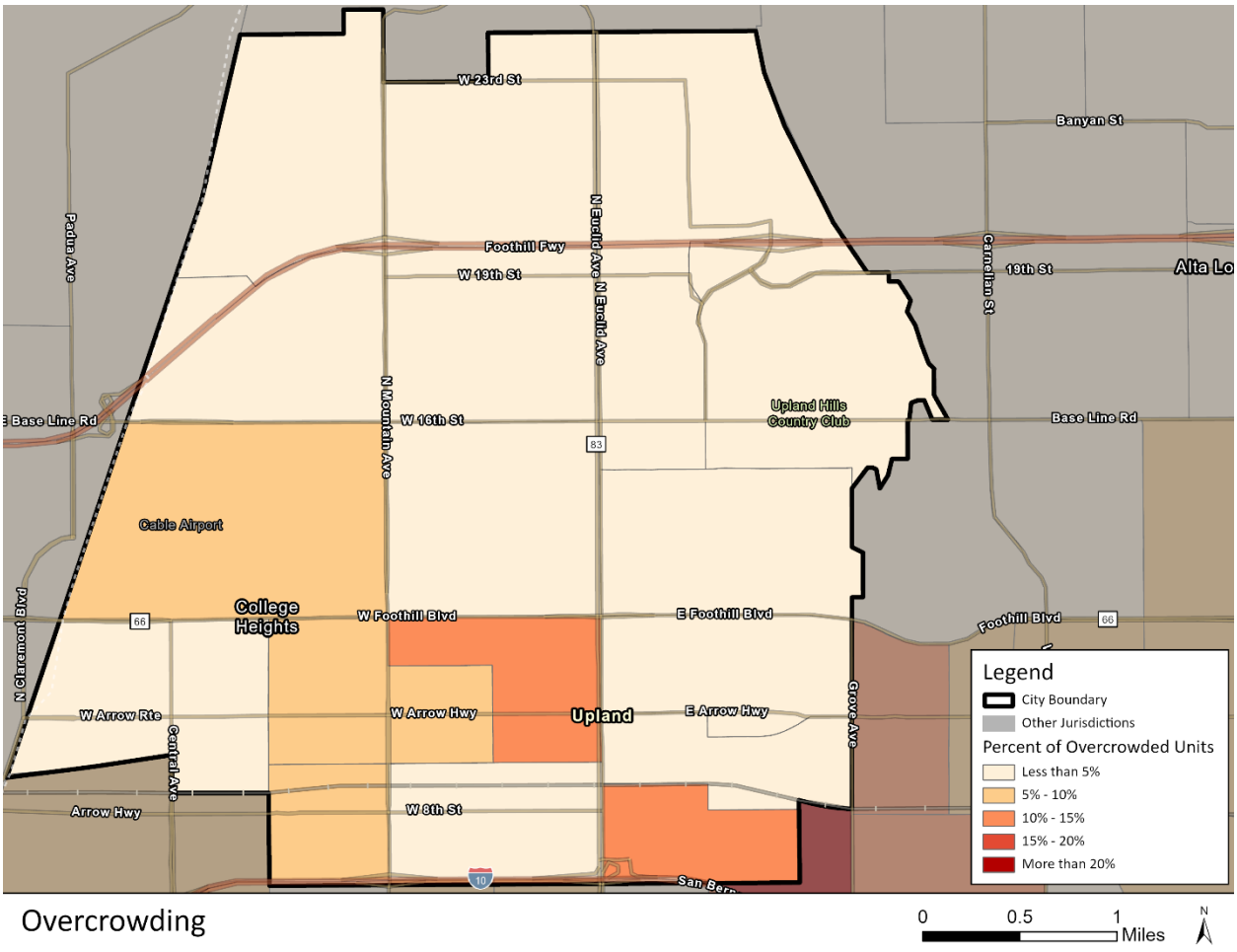
Overcrowding can affect public facilities and services, reduce the quality of the physical environment, and create conditions that contribute to the deterioration of the housing stock. Additionally, overcrowding can indicate that a community does not have an adequate supply of affordable housing and/or variety of suitable housing units to meet the needs of the community.

Program 23 is included to increase the affordable housing stock in the highest resource areas of the City by allowing additional ADUs per lot on approximately 1,940 lots, given that they are subject to an affordability covenant for a certain period of time. This will increase the affordable housing stock, so households with multiple families living together to save money may have more housing opportunities. ADUs can also provide additional rooms to aid in alleviating overcrowding.

In Upland, the highest rates of overcrowding occur in the southern portion of the city (Figure C35), which are also the areas with higher percentages of minority residents.

The problems of overcrowding are addressed in the Housing Plan through efforts to facilitate production and preservation of affordable housing and also through financial assistance such as Section 8 vouchers.

Figure C35. Overcrowded Households by Tract (2017-2021)



Source: HCD AFFH Data Viewer

Homelessness

Persons threatened with homelessness are often those with incomes at 30% of area median income or below who are paying more than 30% of their income for rent. Homeless persons are defined as those who lack a fixed and adequate residence. Homelessness is a pressing issue for many communities, and the varied dimensions involved have implications for housing programs. People who are homeless may be chronically homeless (perhaps due to substance abuse) or situationally homeless resulting from job loss, family strife, incarceration, or violence. Homeless people face critical housing challenges due to their very low incomes and other problems.

Counting the homeless population is problematic due to its transient nature. According to the 2020 San Bernardino County Homeless Count and Subpopulation Survey Report[8] there were 44 unsheltered and no sheltered homeless persons in Upland at the time of the survey.

[8] https://wp.sbcounty.gov/dbh/sbchp/wp-content/uploads/sites/2/2020/04/2020-SBC-Homeless-Count-Report.pdf

Housing accommodations for homeless people include emergency shelters, navigation centers, transitional housing, and permanent supportive housing. The City helps to support the establishment and operation of these types of facilities by ensuring that City regulations are consistent with current law (see Program 20: Housing for People with Disabilities or other Special Needs). Facilities serving the homeless in Upland are briefly summarized below.

- **Foothill Family Shelter**. Foothill Family Shelter is the primary facility serving Upland's homeless. This facility provides emergency shelter, transitional housing, and permanent housing in one center for homeless individuals and families. It includes 75 emergency beds, 7 short-term apartments for homeless families with children, 12 transitional housing apartments, and 8 apartments for affordable permanent housing.

- **Pacific Lifeline Ministry**. Pacific Lifeline Ministry in Upland is a faith-based ministry that empowers women and children facing chronic homelessness to achieve personal and social stability. Pacific Lifeline provides 28 beds for women and their young children at a transitional shelter in Upland. As part of the transitional housing, Pacific Lifeline provides services that include case management, individual group and family therapy, tutoring and counseling services, clothes, food, and limited housing services.

- **Substance abuse**. Inland Valley Recovery Services provides a number of programs for the Upland community. The Women and Children Program/Staying Sober provides a support base for recovering parents to restore relationships with children. IVRS also offers residential treatment in a 75-bed treatment center in Upland.

- **Service agencies**. Inland Valley Hope Partners provides emergency assistance with food, utilities, and educational classes. Other groups, such as OUR Homeless, links local ministries to community service providers and other congregations implementing solutions to ending homelessness on the west end of San Bernardino County.

- **Housing Authority**. The County Housing Authority (HACSB) has jurisdiction over a number of housing voucher programs, including those for homeless people. The Upland Housing Authority entered into a memorandum of understanding (MOU) with the San Bernardino County Housing Authority (HACSB) to administer housing assistance contracts with landlords in the City of Upland for applicants/participants of HACSB special purpose homeless voucher programs (Housing Opportunities for Persons with AIDS, Shelter Plus Care, Veterans Affairs Supportive Housing).

Table C6. Homeless Population by Jurisdiction

Jurisdiction	2018	2020	2022
Upland	125	44	89
Grand Terrace	1	5	1
Bloomington	7	19	11
Chino	28	31	23
Chino Hills	6	2	4
Colton	42	136	199
Crestline	18	22	13
Fontana	72	116	156
Highland	49	78	82

Jurisdiction	2018	2020	2022
Loma Linda	46	51	9
Montclair	8	54	37
Ontario	90	102	193
Rancho Cucamonga	64	54	47
Redlands	143	186	184
San Bernardino	646	1,056	1,350
County Total	2,118	3,125	3,333

Source: San Bernardino County Analysis of Impediments to Fair Housing Choice. 2020.

Table C7 shows the unsheltered homeless population in Upland by age demographics. Homelessness in Upland is most prevalent in those ages 25 to 54. However, since the homeless population in 2023 that provided data is relatively small, the age distribution is pretty even and low across age levels. In addition to age data, surveys also indicated that almost 90 percent of the homeless population in Upland is male. Additionally, nearly 20 percent have a mental disability or disorder, and almost 40 percent have a physical disability, which limits the ability to live independently.

Table C7. Homeless Population in Upland by Age

Age	Number	Percent
18 to 24	0	0%
25 to 34	5	31.3%
35 to 44	3	18.8%
45 to 54	4	25.0%
55 to 64	2	12.5%
65+	2	12.5%

Source: San Bernardino County Point in Time Count. 2023.

Table C8 includes data on the homeless population in Upland by race demographics. The most prevalent races in Upland that are experiencing homelessness are the White and Black populations. While the white population is most prevalent overall in Upland's population, there is a relatively small Black population in the City. This indicates that there is a disproportionately large portion of the homeless population that is Black.

Table C8. Homeless Population in Upland by Race

Race	Number	Percent
American Indian, Alaska Native, or Indigenous	0	0%
Asian or Asian American	0	0%
Black, African American, or African	2	12.5%
Native Hawaiian or Pacific Islander	0	0%
White	11	68.8%
Multiple Races	3	18.8%

Source: San Bernardino County Point in Time Count. 2023.

Geographic Concentrations of Substandard Housing and Homelessness

To understand the trends of substandard housing and homelessness, the City conducted a geographic review of the concentrations of substandard housing and homelessness in the City. Figure C36 displays the concentrations of both substandard housing and homelessness in Upland. Generally, both are concentrated more in the southern portion of the City. The City is including programs in the Housing Element with geographic targeting to areas in south Upland address these needs. Specifically, this includes:

- Program 2. HOME Improvement provides loans of up to $90,000 to lower income households for repair work to single-family owner-occupied homes. Funds must be used to correct code deficiencies in the structure. Eligible improvements include electrical, plumbing, kitchen and bathroom improvements, furnace and hot water heater replacement, home painting, structural upgrading, roofing, foundation and drainage improvements, disabled access, windows, doors and frames, rodent and pest extermination and repairs, fence improvements, and energy conservation. This program is targeted for 50% of assistance to households south of Foothill Boulevard.

- Program 3. Emergency Repairs for Homeowners targets 50% of assistance to households south of Foothill Boulevard. The program provides a grant of up to $10,000 for emergency repairs to very-low income households.

- Program 4. Rental Acquisition and Rehabilitation includes a target of 50% of assistance to households south of Foothill Boulevard. This program provides a zero interest loan of up to $30,000 for lower-income tenants for improvements such as structural, roofing, insulation, plumbing, electrical, lead paint abatement, accessibility improvements, foundation work, habitability, and health and safety hazards.

- Program 5. Multi-Family Rental Rehabilitation Program includes a targeting of 65% of funds to areas south of Foothill Boulevard to improve existing affordable housing stock. The program provides up to $25,000 for housing rehabilitation.

- Program 24. Place-Based Improvements in south Upland includes a number of efforts to improve south Upland. This includes a Business Attraction Assistance Program, Historic Downtown Revitalization Program, and over $13 million in Capital Improvements such as ADA improvements, street and alley improvements, and complete street rehabilitation.

Substandard Housing

Local windshield surveys and review noted that substandard housing is most prevalent in areas with older housing stock and lower median incomes. These households commonly experience overcrowding and substandard conditions at a higher rate regionwide and in Upland. Concentrations of substandard housing are shown in blue in Figure C36. Generally, these areas include older, smaller apartments and homes in need of repair. These apartments generally have lower rental costs and higher rates overcrowding. The locations of these concentrations correlate directly with available data on concentrations of overcrowded households.

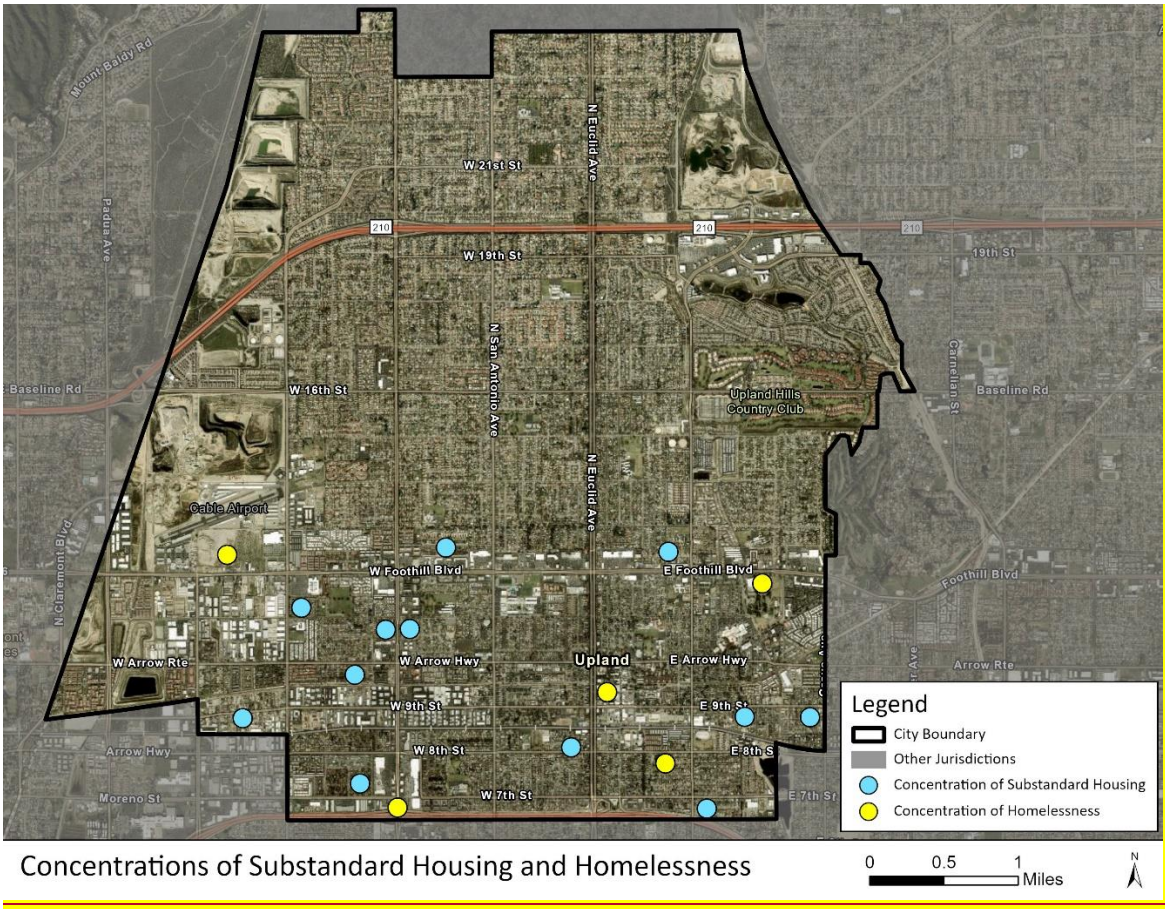
Homelessness

As shown in Figure C36, local knowledge determined that there is a higher concentration of the homeless population in downtown Upland, in the southeast area of the City. Within downtown there are no campsites,

but there are congregations of homeless people in the areas around City Hall and the Pacific Electric Trail. Additional concentrations in downtown Upland include Olivedale Park and Memorial Park.

There are homeless encampments in areas of southwest Upland. These areas include an undeveloped parcel from which the City frequently dismantles campsites, and an area in the nearby shopping centers. There is also significant camping adjacent to the freeway in the Caltrans vacant right-of-way areas.

Figure C36. Concentrations of Substandard Housing and Homelessness



Source: City of Upland

Displacement Risk

Displacement refers to any involuntary household move caused by landlord action or market changes. Displacement can be caused by rising housing costs, insufficient affordable housing opportunities, expiration of affordability covenants, evictions, housing discrimination, or the physical demolition of existing housing to make way for new development.

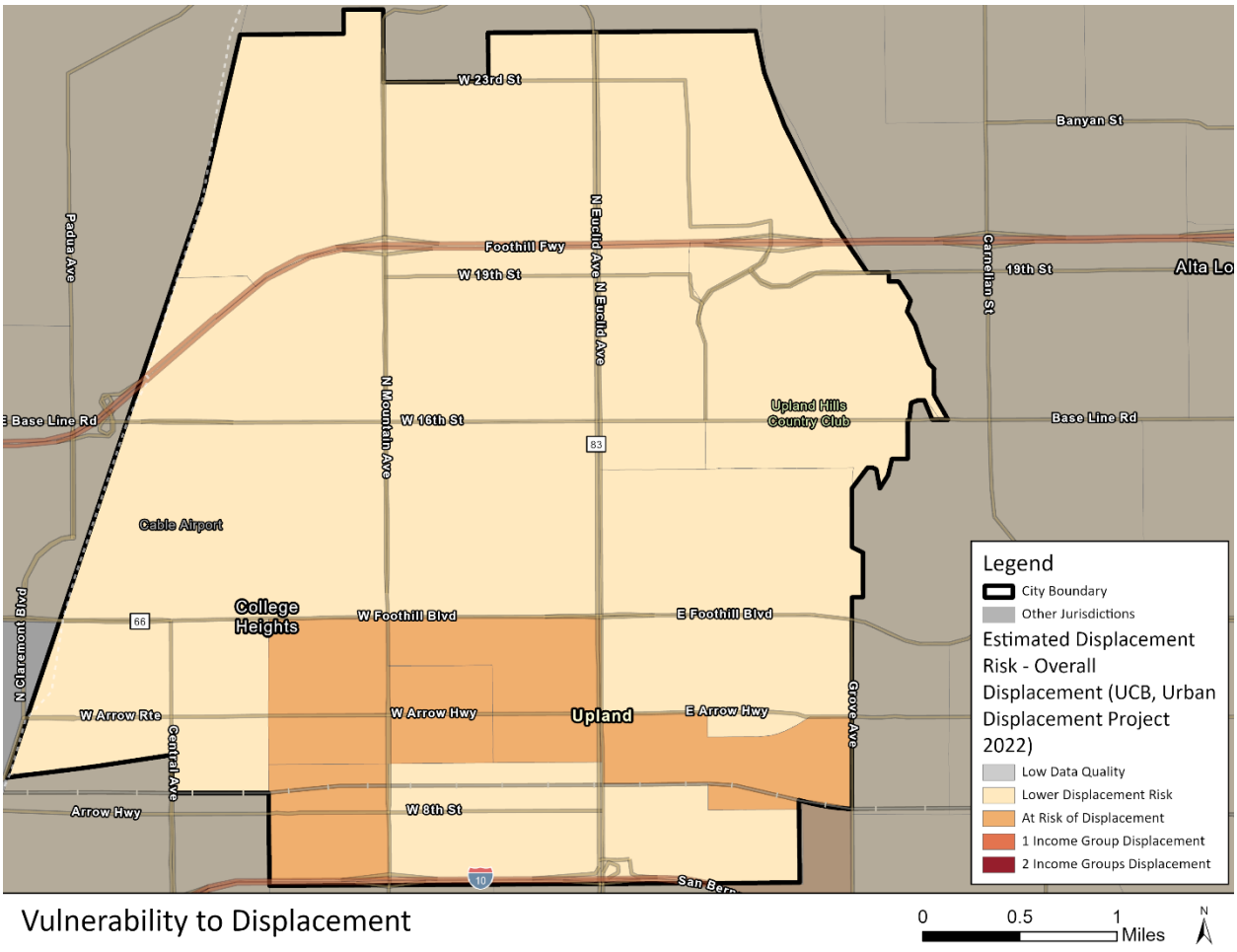
The Urban Displacement Project at the University of California, Berkeley, developed a map of "sensitive communities" where residents may be particularly vulnerable to displacement in the event of increased redevelopment and drastic shifts in housing cost. Sensitive communities are defined based on the following set of criteria:

- The share of very low-income residents is above 20 percent.
- The census tract must also meet two of the following criteria:
    - The share of renters is above 40 percent.
    - The share of people of color is above 50 percent.
    - The share of very low-income households (50 percent AMI or below) that are severely rent burdened is above the county median.
    - The census tract, or areas in close proximity, have been experiencing displacement pressures. Displacement pressure is defined as:
    - The percentage change in rent in a selected census tract, divided by county median rent increases OR
    - Median rent in a selected census tract, minus median rent for all surrounding tracts, divided by median rent for all tracts in county (rent gap).

As shown in Figure C37, portions of Upland south of Foothill Boulevard are considered vulnerable to displacement. Displacement mitigation strategies include tenant protections, physical maintenance and conservation of the existing affordable housing stock, preservation of existing deed-restricted affordable units at-risk of conversion to market-rate, acquisition and rehabilitation of existing housing units, requiring the replacement of existing affordable units demolished as part of redevelopment, and facilitating construction of additional affordable housing. The Housing Plan (Chapter 5) includes programs to implement all of these strategies.

The RHNA sites are largely rezoning existing industrial or upzoning mixed-use parcels, minimizing the risk of displacement in south Upland. Additionally, any affordable residential units that are demolished must be replaced (Program 6). As noted in the site chapter, there are few areas of the City in a flood hazard or very high fire severity zone, minimizing the risk of displacement due to disaster.

Figure C37. Estimated Displacement Risk, 2022



HUD CHAS Data, 2019

Findings

Overall, renters of all races and demographics experience higher rates of housing problems, over 60 percent, while less than 30 percent of White or Black owners experience housing problems. Rates of housing problems are generally lower for owners in the City compared to the County, while rates of housing problems for renters are relatively comparable at the County and City level. Both overpayment and overcrowding are more prevalent in lower resource areas in southern Upland, where the population is generally more predominantly non-White and has lower median-incomes. The presence of the sites in these areas is not anticipated to exacerbate conditions, and allows for more housing near transit hubs and job opportunities.

Other Contributing Factor – Historic Patterns of Development

The City was incorporated in 1906 and at the time, the north side of Foothill contained citrus groves, and the south side of Foothill contained citrus groves and the downtown commercial area, citrus packing industry and the surrounding housing. This resulted in the oldest housing in Upland being primarily south of Foothill, other than more recent infill developments. The Cities first Zoning Code was adopted in 1933, which included multi-family and single-family zoning south of foothill, with the north being primarily agricultural, which further

increased housing south of Foothill. After WWII, the typical suburban development pattern began to develop in the City. South of Foothill, multi-family zones remained and expanded, while developers bought up citrus groves to develop single family residential. Suburban development first started in the south, and then, starting in the 1950's and continuing through the 1990's, developers began to buy and develop citrus groves north of Foothill, resulting in newer housing stock primarily consisting of a larger, single-family homes on lot sizes 10,000 square feet and larger. Today, the City primarily receives infill development housing projects throughout the City, but the neighborhoods north of Foothill continue to primarily consist of low to medium density single-family development, with the oldest housing stock and multi-family development in the neighborhoods south of Foothill.

Fair Housing Issues, Contributing Factors, and Meaningful Actions

The City has adopted goals and actions that specifically address the contributing factors identified in the AFFH analysis. While the City views all contributing factors as important, higher priority was given to factors that limit fair housing choice and/or negatively impact fair housing per Government Code section 65583(c)(10)(A)(iv).

Table C9 displays the identified fair housing issue, contributing factor, actions taken to address the contributing factor, and priority level for each issue. Relevant programs are referenced in the action column for each contributing factor.

Table C10 provides a detailed overview of actions included in Housing Element Programs that are aimed at affirmatively furthering fair housing. The table separates the actions by their identified fair housing issue and priority level. It summarizes the specific commitment, timeline, geographic targeting, and metric for each program.

Table C9. Contributing Factors

Fair Housing Issue	Contributing Factor	Priority	Meaningful Action
Outreach and Enforcement	▪ Staff Capacity ▪ Lack of widely publicized housing information ▪ Source of income disparity	Low	▪ Program 18: Homeless Services and Facilities ▪ Program 19: Administrative Capacity ▪ Program 21: Affirmatively Furthering Fair Housing ▪ Program 22: Housing Outreach and Information
Integration and Segregation	▪ Patterns of development ▪ Opportunities for high density housing in higher opportunity areas ▪ Availability of affordable housing options	Moderate	▪ Program 9: Accessory Dwelling Units ▪ Program 12: Homeownership Assistance ▪ Program 15: Housing Incentives ▪ Program 23: Housing Mobility
Disparities in Access to Opportunities	▪ Lack of affordable housing stock ▪ Quality of older multi-family units ▪ Patterns of development	High	▪ Program 3: Emergency Repairs for Homeowners ▪ Program 5: Multiple Family Rental Rehabilitation Program ▪ Program 9: Accessory Dwelling Units ▪ Program 12: Homeownership Assistance ▪ Program 14: Acquisition of Existing Units for Affordable Housing ▪ Program 23: Housing Mobility ▪ Program 24: Place-Based Improvements in South Upland
Disproportionate Housing Needs	▪ Lack of Variety of Housing types ▪ Lack of opportunity for high density housing ▪ Availability of affordable housing options ▪ Patterns of development and disparities between north and south Upland	High	▪ Program 3: Emergency Repairs for Homeowners ▪ Program 4: Rental Acquisition and Rehabilitation ▪ Program 5: Multiple Family Rental Rehabilitation Program ▪ Program 9: Accessory Dwelling Units ▪ Program 12: Homeownership Assistance ▪ Program 23: Housing Mobility ▪ Program 24: Place-Based Improvements in South Upland

Table C10. AFFH Actions Matrix

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Outreach and Enforcement				
Program 19: Administrative Capacity	Utilize faith-based organizations, other non-profits, San Bernardino County Housing Authority, County, and other stakeholders and create a network of community and mainstream resources. The City will develop and implement a Homeless Services Plan that addresses: • Community Outreach, Engagement, and Education Initiatives • Treatment and Permanent Supportive Housing Initiatives • Housing First/Rapid Re-housing Initiatives • Chronic Homelessness • Enforcement	Annual outreach and coordination with local non-profit organizations	N/A	Adopted and implemented Homeless Services Plan
Program 21: Affirmatively Furthering Fair Housing	• Promote fair housing practices through contract with IFHMB. Comply with all State and federal fair housing requirements when implementing housing programs or delivering housing-related services. • Continue to prepare the Analysis of Impediments to Fair Housing Choice as required under federal law; implement the recommendations to improve	Ongoing and Annual Basis	N/A	Stakeholder involvement of at least 25 households, groups, landlords, or providers, annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	fair housing as contained therein. • Monitor residential and commercial developments that may impact ridership potential for expanded fixed route service north of the 210 Freeway and if any new developments in this area have the potential to generate ridership, the City will share this information with Omnitrans for consideration in future transit planning. • To foster development of a balanced community that provides access to a diverse array of housing opportunities for all Upland residents including members of protected classes, the City will seek to expand affordable rental housing opportunities north of Foothill Boulevard by encouraging multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed use and flexible residential uses are currently allowable. (see also Program 5) • Encourage continuing stakeholder involvement in local housing issues through ongoing, proactive outreach to engage members of all socio-economic groups and recruit			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	members of underrepresented groups to participate in City meetings.			
Program 22: Housing Outreach and Information	• Disseminate fair housing outreach materials at the library, website, and counter so that residents and landlords are aware of their rights, responsibilities, and opportunities for resolving fair housing concerns. Provide information to 100 households annually. • The Upland Development Services Department and IFHMB will continue providing educational opportunities for property owners, property managers, and residents in Upland concerning the law as it pertains to reasonable accommodations and reasonable modifications. The City will contract with IFHMB to provide two workshops per year in the City, with one workshop per year serving as a general introduction to fair housing laws and possible discrimination, and one workshop each year being specifically focused on housing issues faced by persons with disabilities and the reasonable accommodation and modification processes.	Ongoing, Matched pair testing once per planning period.	N/A	Provide information to 100 households annually. Matched pair testing once per planning period.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	• The City will also contract with IFHMB at least once during the planning period to fund matched pair testing in Upland to address issues of possible discrimination based on disability as well as race, familial status, national origin, disability and other protected categories.			
New Opportunities in High Resource Areas				
Program 9: Accessory Dwelling Units	The City has seen significant increase of ADU development in recent years, and is currently averaging 45 ADUs per year. In 2021 the City received approval for a State SB 2 grant to prepare an ADU Assessment, Workbook and Website. Encouraging the development of ADUs is one of several ways to increase housing production in the City. This activity will include conducting an assessment that will be looking at ADU capacity within the City, preparation of pre-approved ADU plans to reduce the cost to property owners. This activity will provide sample floor plans, useful videos, a list of local regulations, and a cost calculator to assist homeowners in developing ADUs for low-income households. These tools will	Review of ADU production annually and additional incentives adopted within six months of any identified shortfall. One outreach event annually.	50% of ADUs in north Upland	Development of 45 ADUs annually, One outreach event annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	encourage and assist in developing ADUs in Upland. Additionally, the City participated in an ADU Education Workshop in December 2023 held by Chaffey Federal Credit Union. This workshop provided information on financing options for ADUs including Home Equity Line of Credit and Reverse Mortgages Line of Credit as well as answered questions on the process of building an ADU in Upland. As a part of outreach to encourage ADUs, the City will actively continue participation in education events with local credit unions and other partners working to develop ADUs in the area. The City will participate in at least one such outreach, workshop or ADU educational event annually. To ensure that City regulations remain consistent with State laws, the City will review ADU regulations each year and process Code amendments as necessary to incorporate any changes. The City will continue to monitor the extent of ADU production to ensure that the ordinance is being successful and that the Housing Element goals and RHNA production can be met.			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	If annual production and affordability rates do not match the estimates included in the Housing Element, the City will update the ADU strategy to ensure that the City continues to maintain adequate capacity for all income levels. In the event of an ADU shortfall that results in a net loss of units below the RHNA, the City will adopt another ADU program such as adopting fee waivers, additional promotion of ADU opportunities through outreach such as surveys and workshops, or will identify additional sites within six months of the identified shortfall.			
Program 12: Homeownership Assistance	The Housing Division provides low-interest FTHB loans, as funds are available, to help individuals and families who wish to purchase a home, but are unable to qualify and/or do not have the necessary down payment. This program is designed to help persons who would not otherwise achieve the American dream of owning their own home. A program loan is a silent second mortgage; a 0% to 3% simple interest loan (interest free after 20 years) with all payments deferred until the first occurrence of sale, refinancing,	Ongoing and Annual Basis	N/A	Continue to provide up to 2 FTHB loans annually to qualified low-income homebuyers and advertise program availability. Annually evaluate the City's funding capacity and as needed, pursue additional HOME/CalHOME funds from HCD.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	full payment of the first mortgage, or 30 years. As of 2021, the maximum assistance is 30% of the purchase price and the home price cannot exceed $669,750. Because the program is dependent on State HOME funding, and due to loss of RDA funds, it is necessary to seek additional grants to continue and expand the program.			
Program 23: Housing Mobility	The City will strive to increase opportunities and promote housing mobility, specifically, the City will strive to improve housing mobility and options north of Foothill Boulevard. To promote housing mobility in relatively higher income and lower density areas, the City will employ a variety of strategies to achieve the development of 150 units (such as ADUs, JADUs, and SB 9 units) throughout the entirety of the planning period. The City will create and implement an ADU Bonus Program. The City amend its zoning ordinance to allow more than one ADU on single family lots of a certain size or location. The program will allow additional ADUs on eligible single-family lots given that the bonus ADUs are deed restricted as affordable to lower-income	Ongoing and Annual Basis. Creation of Bonus ADU program by Q1 2025. Promotion of ADU program in 2025 and beyond. Mid-cycle review in 2026.	Goal of at least 50% of ADUs developed in North Upland.	Development of 45 ADUs annually. Creation of 20 bonus, affordable ADUs annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	households for a certain period of time (ex. 15 or 20 years). • ADU Bonus Program: Increase affordable housing opportunity north of Foothill Boulevard through allowing more than one ADU per lot on eligible single-family parcels. Goal of at least 50% of ADUs developed in North Upland. Creation of 20 bonus, affordable ADUs annually. • Encourage multi-family affordable rental housing developments as part of infill projects or as part of Specific Plans where mixed use and flexible residential uses are currently allowable. (see Programs 5 and 6). Use of Specific Plans can incentivize higher density housing in these areas. • Develop of ADUs (Program 8). Development of 45 ADUs annually, with a geographic target of 50% of ADUs in north Upland • Rezone to allow additional housing opportunities throughout the City, including an assumed 273 lower-income units north of Foothill (Program 5) • Increase Housing Choice Voucher use in north Upland			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Housing Mobility				
Program 3: Emergency Repairs for Homeowners	The Emergency Repairs Program for Upland Homeowners Program provides a grant of up to $10,000 for emergency repairs. The grant is eligible for very-low-income homeowners of single-family homes, condominiums, and mobile homes. The grant can be increased to $12,000 for homeowners wishing to provide a dollar-for-dollar match above the $4,000 emergency grant limit. Qualifying home repairs include structural, mechanical, plumbing, electrical, and code violations, as well as weatherproofing, installation of low-flow toilets and smoke detectors, HVAC repairs, and accessibility improvements. This program works in tandem with the code enforcement program where income qualified homeowners who have housing units with code violations can be referred to seek grants to make necessary repairs. The City will promote the availability of the HOME Improvement Program through the City website, word of mouth and articles in City newsletter on a yearly basis.	Ongoing and Annual Basis	50% of assistance south of Foothill Boulevard	Provide grants to up to 25 (VL) qualified homeowners annually to address emergency repairs; disseminate information to property owners; and seek additional funding for the program to ensure its long-term viability.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 5: Multiple Family Rental Rehabilitation Program	The Multi-Family Rental Rehabilitation Program (MFRRP) is designed to assist low to moderate income (LMI) tenants (i.e., tenant's whose combined family income does not exceed 80% of the County median adjusted by family size, as promulgated by the U. S. Department of Housing and Urban Development [HUD]) by providing Upland landlords of multi-family apartments (8-units or less) with grants to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. Energy improvements will include energy star rated dual-pane vinyl windows, attic insulation, cool roofs, HVAC improvements, LED lighting, low-flow toilets and water fixtures. The amount available for rehabilitation financed under this Program will be $25,000 and will be dependent on a 50% match contribution from the property owner. As such, for every one-dollar ($1.00) of grant funds provided by the City, the property owner will be required to make a fifty-cent ($0.50) match used towards making other living condition improvements to the units.	Ongoing and Annual Basis	At least 65% of funds to areas south of Foothill Boulevard	Provide up to 5 grants annually to qualified multiple family rental properties.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 9: Accessory Dwelling Units	The City has seen significant increase of ADU development in recent years, and is currently averaging 45 ADUs per year. In 2021 the City received approval for a State SB 2 grant to prepare an ADU Assessment, Workbook and Website. Encouraging the development of ADUs is one of several ways to increase housing production in the City. This activity will include conducting an assessment that will be looking at ADU capacity within the City, preparation of pre-approved ADU plans to reduce the cost to property owners. This activity will provide sample floor plans, useful videos, a list of local regulations, and a cost calculator to assist homeowners in developing ADUs for low-income households. These tools will encourage and assist in developing ADUs in Upland. Additionally, the City participated in an ADU Education Workshop in December 2023 held by Chaffey Federal Credit Union. This workshop provided information on financing options for ADUs including Home Equity Line of Credit and Reverse Mortgages Line of Credit as well as answered	Review of ADU production annually and additional incentives adopted within six months of any identified shortfall. One outreach event annually.	50% of ADUs in north Upland	Development of 45 ADUs annually, One outreach event annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	questions on the process of building an ADU in Upland. As a part of outreach to encourage ADUs, the City will actively continue participation in education events with local credit unions and other partners working to develop ADUs in the area. The City will participate in at least one such outreach, workshop or ADU educational event annually. To ensure that City regulations remain consistent with State laws, the City will review ADU regulations each year and process Code amendments as necessary to incorporate any changes. The City will continue to monitor the extent of ADU production to ensure that the ordinance is being successful and that the Housing Element goals and RHNA production can be met. If annual production and affordability rates do not match the estimates included in the Housing Element, the City will update the ADU strategy to ensure that the City continues to maintain adequate capacity for all income levels. In the event of an ADU shortfall that results in a net loss of units below the RHNA, the City will adopt another ADU program such as adopting fee waivers,			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	additional promotion of ADU opportunities through outreach such as surveys and workshops, or will identify additional sites within six months of the identified shortfall.			
Program 12: Homeownership Assistance	The Housing Division provides low-interest FTHB loans, as funds are available, to help individuals and families who wish to purchase a home, but are unable to qualify and/or do not have the necessary down payment. This program is designed to help persons who would not otherwise achieve the American dream of owning their own home. A program loan is a silent second mortgage; a 0% to 3% simple interest loan (interest free after 20 years) with all payments deferred until the first occurrence of sale, refinancing, full payment of the first mortgage, or 30 years. As of 2021, the maximum assistance is 30% of the purchase price and the home price cannot exceed $669,750. Because the program is dependent on State HOME funding, and due to loss of RDA funds, it is necessary to seek additional grants to continue and expand the program.	Ongoing and Annual Basis	N/A	Continue to provide up to 2 FTHB loans annually to qualified low-income homebuyers and advertise program availability. Annually evaluate the City's funding capacity and as needed, pursue additional HOME/CalHOME funds from HCD.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 14: Acquisition of Existing Units for Affordable Housing	The Housing Division oversees the management of 255 City-owned dwelling units which are generally contained within three apartment complexes: Magnolia Colony, Sunset Ridge and The Village. A majority of the 255 units are designated for up to Low-Income households. Magnolia Colony was constructed in 1960 and consists of thirty-seven (37) fourplexes on individual lots. The City owns eighteen (18) of the fourplexes which were purchased in the early 2000's with Low- and Moderate-Income Housing Funds (LMIHF) and are restricted to up to Low-Income households. Seven (7) of the fourplexes are owned by a private non-profit which provides transitional housing and eleven (11) are individually owned by private parties and are market rate properties. This program entails the City to proactively acquire the remaining eleven (11) fourplexes to add to the City's affordable housing portfolio. The City is currently in escrow on one of the eleven (11) fourplexes.	Ongoing, as units are made available for purchase.	Magnolia Colony, Sunset Ridge and The Village	Pursue the acquisition of the remaining eleven (11) privately-owned fourplexes in Magnolia Colony and covenant for affordable housing up to the Low-Income level. Acquire at least one fourplex every two years. Annually evaluate the City's Housing Fund for funding capacity and pursue additional grant opportunities to augment the financial capacity to purchase the remaining eleven (11) fourplexes at Magnolia Colony.
Program 23: Housing Mobility	The City will strive to increase opportunities and promote housing mobility, specifically, the City will strive to improve	Ongoing and Annual Basis. Creation of Bonus ADU program by Q1 2025. Promotion of ADU program in	Goal of at least 50% of ADUs developed in North Upland.	Development of 45 ADUs annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	housing mobility and options north of Foothill Boulevard. To promote housing mobility in relatively higher income and lower density areas, the City will employ a variety of strategies to achieve the development of 150 units (such as ADUs, JADUs, and SB 9 units) throughout the entirety of the planning period. The City will create and implement an ADU Bonus Program. The City amend its zoning ordinance to allow more than one ADU on single family lots of a certain size or location. The program will allow additional ADUs on eligible single-family lots given that the bonus ADUs are deed restricted as affordable to lower-income households for a certain period of time (ex. 15 or 20 years). • ADU Bonus Program: Increase affordable housing opportunity north of Foothill Boulevard through allowing more than one ADU per lot on eligible single-family parcels. Goal of at least 50% of ADUs developed in North Upland. Creation of 20 bonus, affordable ADUs annually. • Encourage multi-family affordable rental housing developments as part of infill projects or as part of	2025 and beyond. Mid-cycle review in 2026.		Creation of 20 bonus, affordable ADUs annually.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	Specific Plans where mixed use and flexible residential uses are currently allowable. (see Programs 5 and 6). Use of Specific Plans can incentivize higher density housing in these areas. • Develop of ADUs (Program 8). Development of 45 ADUs annually, with a geographic target of 50% of ADUs in north Upland • Rezone to allow additional housing opportunities throughout the City, including an assumed 273 lower-income units north of Foothill (Program 5) • Increase Housing Choice Voucher use in north Upland			
Program 24: Place-Based Improvements in South Upland	Develop and continue programs and strategies to create place-based improvements through investments in the public right of way. The City will continue to prioritize CDBG funding in south Upland, communities south of Foothill Boulevard, and low-resource areas of the City as well as annually work with the City Council to prioritize other funding sources in these areas. This will serve to continue to improve communities through	BAAP and CRP are ongoing. CIP projects per CIP schedule. Seek grant funding annually or as available.	South Upland	Increased or equivalent participation in BAAP and CRP. CIP completion per schedule.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	neighborhood improvements such as enhanced streetscapes, multi-modal and active transportation, pedestrian safety improvements, safe routes to schools, community facilities, park improvements, and other community amenities. • Business Attraction Assistance Program (BAAP). This program provides up to $75,000 via a forgivable loan to sales tax producing businesses in locate in Downtown Upland in exchange for creating full time equivalent jobs for low to moderate income persons. Since its inception, the program has provided 15 business loans, ranging from $25,000 to $75,000. • Historic Downtown Revitalization Program (Commercial Rehabilitation Program, CRP). This program provides a grant to businesses located in downtown Upland of up to $30,000 for eligible façade improvements and an additional $15,000 for mitigation of asbestos or lead-based paint hazards. The City has provided 15 grants through this program. Eligible improvements include ADA entry improvements, exterior lighting, doors and windows,			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	façade reconfiguration, and signage. • Capital Improvements in south Upland. The City will continue to complete Capital Improvement Projects in south Upland. Recent and ongoing projects south of Foothill include o ARPA Alley Rehabilitation Phase I ($465,490, 50% of project south of Foothill) o Civic Center Paving and ADA Improvements ($247,626) o 17th Street rehabilitation ($2.6 million) o Pavement maintenance on Euclid Ave ($436,749, 60% of project south of Foothill) o Street and Alley Program from 2018-2020, ($732,414) • Multiple Family Rental Rehabilitation Program (Program 5) provides targeted funding to improve affordable existing affordable housing stock, including a target of 50% of funding going to properties south of Foothill. • The City will continue to seek grant funding for improving and encouraging			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	redevelopment in south Upland.			
Place-Based Improvements				
Program 2: HOME Improvements	The HOME Improvement Program provides loans of up to $90,000 to lower income households for repair work to single-family owner-occupied homes. Funds must be used to correct code deficiencies in the structure. Eligible improvements include electrical, plumbing, kitchen and bathroom improvements, furnace and hot water heater replacement, home painting, structural upgrading, roofing, foundation and drainage improvements, disabled access, windows, doors and frames, rodent and pest extermination and repairs, fence improvements, and energy conservation. Loans are deferred at 0% or 3% interest and are due upon sale or transfer of property, 30 years or no longer occupied as a primary residence, whichever is less. The City will promote the availability of the HOME Improvement Program through the City website, word of mouth and articles in City newsletter on a yearly basis.	Ongoing	N/A	Provide up to 4 HIP loans annually to qualified low- and moderate-income (1 VL, 3 Low) homeowners earning less than 80% of CMFI.
Program 16: Mobile Home Rent Stabilization	The City's Mobile Home Rent Ordinance is intended to	Annual	Mobile Home Parks	Continue to enforce the Mobile Home Rent Ordinance to

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	protect occupants of from unreasonable rent increases while still recognizing the need for park owners to receive a reasonable return on investment and increase rents at a rate sufficient for covering the costs of repairs, maintenance, insurance, upkeep, and amenities. Under the Mobile Home Rent Ordinance, the annual rent increase is indexed to the consumer price index. The Ordinance covers six mobile home parks: Mountain View Estates, Oasis Mobile Estates, Upland Cascade, Upland Eldorado, Upland Meadows Mobile Estates, and Upland View Terrace. The City had been updating the Rent Review ordinance in response to community concerns, but the process is on hold while the courts decide the legality of rent stabilization laws.			preserve mobile home affordability throughout the planning period consistent with State law.
Program 24: Place-Based Improvements in South Upland	Develop and continue programs and strategies to create place-based improvements through investments in the public right of way. The City will continue to prioritize CDBG funding in south Upland, communities south of Foothill Boulevard, and low-resource areas of the City as well as annually work	BAAP and CRP are ongoing. CIP projects per CIP schedule. Seek grant funding annually or as available.	South Upland	Increased or equivalent participation in BAAP and CRP. CIP completion per schedule.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	with the City Council to prioritize other funding sources in these areas. This will serve to continue to improve communities through neighborhood improvements such as enhanced streetscapes, multi-modal and active transportation, pedestrian safety improvements, safe routes to schools, community facilities, park improvements, and other community amenities. • Business Attraction Assistance Program (BAAP). This program provides up to $75,000 via a forgivable loan to sales tax producing businesses in locate in Downtown Upland in exchange for creating full time equivalent jobs for low to moderate income persons. Since its inception, the program has provided 15 business loans, ranging from $25,000 to $75,000. • Historic Downtown Revitalization Program (Commercial Rehabilitation Program, CRP). This program provides a grant to businesses located in downtown Upland of up to $30,000 for eligible façade improvements and an additional $15,000 for mitigation of asbestos or lead-based paint hazards. The City			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	has provided 15 grants through this program. Eligible improvements include ADA entry improvements, exterior lighting, doors and windows, façade reconfiguration, and signage. • Capital Improvements in south Upland. The City will continue to complete Capital Improvement Projects in south Upland. Recent and ongoing projects south of Foothill include o ARPA Alley Rehabilitation Phase I ($465,490, 50% of project south of Foothill) o Civic Center Paving and ADA Improvements ($247,626) o 17th Street rehabilitation ($2.6 million) o Pavement maintenance on Euclid Ave ($436,749, 60% of project south of Foothill) o Street and Alley Program from 2018-2020, ($732,414) • Multiple Family Rental Rehabilitation Program (Program 5) provides targeted funding to improve affordable existing affordable housing stock, including a target of 50%			

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	of funding going to properties south of Foothill. • The City will continue to seek grant funding for improving and encouraging redevelopment in south Upland.			
Displacement Prevention				
Program 2: HOME Improvements	The HOME Improvement Program provides loans of up to $90,000 to lower income households for repair work to single-family owner-occupied homes. Funds must be used to correct code deficiencies in the structure. Eligible improvements include electrical, plumbing, kitchen and bathroom improvements, furnace and hot water heater replacement, home painting, structural upgrading, roofing, foundation and drainage improvements, disabled access, windows, doors and frames, rodent and pest extermination and repairs, fence improvements, and energy conservation. Loans are deferred at 0% or 3% interest and are due upon sale or transfer of property, 30 years or no longer occupied as a primary residence, whichever is less. The City will promote the availability of the HOME Improvement Program through	Ongoing	N/A	Provide up to 4 HIP loans annually to qualified low- and moderate-income (1 VL, 3 Low) homeowners earning less than 80% of CMFI.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
	the City website, word of mouth and articles in City newsletter on a yearly basis.			
Program 4: Rental Acquisition and Rehabilitation	The Rental Acquisition and Rehabilitation Program (RARP) is designed to assist lower income tenants (whose combined family income does not exceed 80% of the County median income) by providing Upland landlords with loans to acquire multi-family units and rehabilitate their multi-family properties. The program offers zero interest deferred loans of up to $30,000 per dwelling unit for rehabilitation expenses. Eligible improvements include structural, roofing, insulation, plumbing, electrical, lead paint abatement, accessibility improvements, foundation work, habitability, health and safety, etc. Code violations take precedent. The minimum affordability covenant may be 5, 10, 15 and up to 55 years depending on the project, the loan amount, and the funding source used for the rehabilitation loan. The City will reach out to existing RARP participants annually to extend loans and affordability provisions to the extent funding is available.	Ongoing and Annual basis	Geographic target of 50% of assistance south of Foothill Boulevard.	Continue to provide RARP grants to up to 4 units annually to address properties with substantial rehabilitation or maintenance needs.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 5: Multiple Family Rental Rehabilitation Program	The Multi-Family Rental Rehabilitation Program (MFRRP) is designed to assist low to moderate income (LMI) tenants (i.e., tenant's whose combined family income does not exceed 80% of the County median adjusted by family size, as promulgated by the U. S. Department of Housing and Urban Development [HUD]) by providing Upland landlords of multi-family apartments (8-units or less) with grants to make energy efficiency improvements to units occupied by LMI tenants in the City of Upland. Energy improvements will include energy star rated dual-pane vinyl windows, attic insulation, cool roofs, HVAC improvements, LED lighting, low-flow toilets and water fixtures. The amount available for rehabilitation financed under this Program will be $25,000 and will be dependent on a 50% match contribution from the property owner. As such, for every one-dollar ($1.00) of grant funds provided by the City, the property owner will be required to make a fifty-cent ($0.50) match used towards making other living condition improvements to the units.	Ongoing and Annual Basis	At least 65% of funds to areas south of Foothill Boulevard	Provide up to 5 grants annually to qualified multiple family rental properties.

Program	Specific Commitment	Timeline	Geographic Targeting	2021 – 2029 Metric
Program 14: Acquisition of Existing Units for Affordable Housing	The Housing Division oversees the management of 255 City-owned dwelling units which are generally contained within three apartment complexes: Magnolia Colony, Sunset Ridge and The Village. A majority of the 255 units are designated for up to Low-Income households. Magnolia Colony was constructed in 1960 and consists of thirty-seven (37) fourplexes on individual lots. The City owns eighteen (18) of the fourplexes which were purchased in the early 2000's with Low- and Moderate-Income Housing Funds (LMIHF) and are restricted to up to Low-Income households. Seven (7) of the fourplexes are owned by a private non-profit which provides transitional housing and eleven (11) are individually owned by private parties and are market rate properties. This program entails the City to proactively acquire the remaining eleven (11) fourplexes to add to the City's affordable housing portfolio. The City is currently in escrow on one of the eleven (11) fourplexes.	Ongoing, as units are made available for purchase.	Magnolia Colony, Sunset Ridge and The Village	Pursue the acquisition of the remaining eleven (11) privately-owned fourplexes in Magnolia Colony and covenant for affordable housing up to the Low-Income level. Acquire at least one fourplex every two years. Annually evaluate the City's Housing Fund for funding capacity and pursue additional grant opportunities to augment the financial capacity to purchase the remaining eleven (11) fourplexes at Magnolia Colony.

Appendix D Public Comments

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YIMBY LAW CALIFORNIA YIMBY

February 28, 2022

Policy Recommendations for 6th Cycle Housing Element

Dear Planning staff:

YIMBY Law submits this letter to share our policy goals and recommendations for the Policies and Programs section of your Housing Element. We appreciate the opportunity to participate in the Housing Element process.

The Policies and Programs section of the city's Housing Element must respond to data, analysis and findings presented in the Housing Needs section. We repeatedly see findings that housing prices are high, segregation exists, and there is a lack of housing for special populations, but the Policies and Programs don't respond to these findings or try to change outcomes. The overview of the city's housing environment should set the scene, and the policies and programs should explain what the city is going to do to fix it.

Our policy goals are as follows:

Affirmatively Furthering Fair Housing

1. **Prioritize rezoning in high resource, historically exclusionary neighborhoods.** Many of the highest resource neighborhoods with the best access to jobs, good schools, and other amenities have histories of exclusion which are still reflected in their zoning. Cities should rezone to allow more housing opportunities in those neighborhoods, particularly those with low Vehicle Miles Traveled, as part of their

Housing Elements.

2. **Establish a strong tenant protection ordinance so that new housing benefits everyone.** Development should not permanently displace current residents. Housing replacement programs, temporary housing vouchers, right of return, and demolition controls will create stability for renters while allowing new homes to be built for new households and to accommodate the growth associated with RHNA. In your sites inventory and rezoning programs, you should prioritize development on sites with owner-occupied housing & commercial uses over those with existing rent-controlled apartments or other rental housing with lower income residents.

3. **Support homeownership opportunities for historically excluded groups.** Homeownership continues to be a path to building financial security and inter-generational wealth, which has been systematically denied to many Americans. As a society, we need to make this right by intentionally offering opportunities to communities who have been excluded. The housing element should identify opportunities to create a variety of for-sale housing types and create programs to facilitate property ownership among excluded groups.

Site Capacity

4. **Adequately plan for density.** Ensure that a site's density will accommodate the number of homes that are projected to be built. In addition, make sure height limits, setback requirements, FAR, and other controls allow for adequate density and the ability to achieve a site's realistic capacity. Housing will not be feasible if you have a high density paired with low height limits. This density should be emphasized around jobs and transit and should go beyond the Mullin density in those areas.

5. **Provide sufficient zoned capacity to accommodate all income levels, including a minimum No Net Loss buffer of 30%.** Not every site will be developed at maximum density during the eight-year planning period. Identify an ample amount of opportunity sites and zone the sites to accommodate lower-income housing types (usually a statutory minimum of 30 dwelling units per acre) to give the city the best chance at meeting its RHNA.

6. **Use data from the 5th Cycle to calculate the likelihood of development for your 6th Cycle site inventory.** Likelihood of development is a measure of the probability of an inventory site being developed during the planning period. The median likelihood of development across the state is 25%, meaning only one of every four sites will likely be developed during the planning period for the median city. Incorporating the likelihood of development into the zoned capacity will set the city up to successfully achieve their RHNA, making the housing element less of a paper exercise and more of an actionable, functional document.

Accessory Dwelling Units

7. **Commit to an automatic mid-cycle adjustment if ADU permitting activity is lower than estimated in the housing element.** We highly recommend complying with HCD's standards of using one of its "safe harbor" methodologies to anticipate future ADU production. However, if the city is optimistic about ADU growth, then creating an automatic mid-cycle adjustment will automatically facilitate alternative housing options (i.e., a rezoning program, removing development constraints, ADU incentives, etc.) if the city falls behind the estimated ADU production.

8. **Incentivize new ADUs, including those that are rent-restricted for moderate- or lower-income households or that are prioritized for households with housing choice vouchers.** Consider offering low- or no-interest loans, forgivable loans, impact fee waivers for ADUs that are 750 square feet or larger, allowances to facilitate two-story and second-story ADU construction, etc.

Zoning

9. **Allow residential to be built in areas that are zoned for commercial use.** There are a myriad of ways to do this, but a housing overlay is one common policy. Additionally, consider eliminating new commercial space in mixed-use developments where there is not a strong demand or there is otherwise a glut of commercial space that is unused or frequently vacant.

10. **Allow flexibility in inclusionary zoning.** Cities should require different percentages for different AMI levels. Additionally, we urge cities to incentivize land

dedication to affordable developers in order for market-rate developers to meet their inclusionary requirements. Avoid getting trapped into thinking that the affordable units must be "sprinkled throughout" the market-rate units, or require the market-rate units to look exactly the same as the affordable ones. This should be balanced against not locating all of the affordable units in one place and ghettoizing neighborhoods by creating or perpetuating racially concentrated areas of poverty.

Better Entitlement Process & Reducing Barriers to Development

11. **Ensure that the city has a ministerial process for housing permitting, especially multi-family housing, and remove impact fees for deed-restricted housing.** A discretionary process for housing development creates uncertainty and adds to the cost of construction. For example, multi-family housing should not require a conditional use permit or city council approval unless the builder is asking for unique and extraordinary concessions. Right-sizing governmental constraints, entitlement processes, and impact fees will help the city successfully meet its RHNA.

12. **Reduce parking standards and eliminate parking minimums.** Minimum parking requirements are a major constraint on housing, especially for lower cost housing types. They can cost in excess of $30,000 per spot and can raise rents by as much as 17%, and eliminating them is particularly important for smaller & other spatially constrained sites. Consider adopting a parking maximum.

13. **Cap fees on all new housing.** Most construction costs are outside the City's control, but reducing impact fees can demonstrate that a city is serious about building new housing. At a minimum, cities should delay the collection of impact fees until the issuance of the certificate of occupancy to reduce financial impacts on new housing and make the units cheaper by not asking the developer to carry impact fee charges or debt throughout the construction phase.

14. **Provide local funding.** One of the largest barriers to building new affordable homes is the lack of city/county funds available to assemble sites, provide gap funding, and to pay for dedicated staff. Without new funding, especially at the local level, we will not be able to build more affordable homes. There are three

new revenue streams that should be considered: 1) **Transfer tax**, a one-time payment levied by a jurisdiction on the sale of a home, may be utilized to raise much needed revenue to fund affordable homes; 2) **Vacancy tax** may be collected on vacant land to convince landowners to sell their underutilized properties and be used to fund the construction of affordable homes; 3) **Commercial linkage** fees should be adopted or revisited for increases on new commercial developments.

We urge you to include these policies in your 6th cycle Housing Element.

Best regards,

Sonja Trauss
Executive Director
YIMBY Law
sonja@yimbylaw.org

Appendix E Divestment of Thrall Hall

Project 8 is proposed for FY28. Designs for the project would not begin until FY26. This long-range project will undergo future NEPA analyses as needed, tiering from this EA, when specific project design details are known.

Project 9. Construct new training building at CA165 March AFRC/AMSA 19(G) and divest of CA088 Thrall Hall ARC in Upland. CA165 March AFRC/AMSA 19(G) is a 48-acre site in the City of Moreno Valley in Riverside County. The property is USAR-owned and is encompassed by the March Air Reserve Base (ARB) to the north, west, and south, while much of the surrounding land is owned by the March Joint Powers Authority (JPA). The site is completely developed, and has three training buildings (Buildings 100, 101, and 1000), an AMSA/OMS (Building 103), and several storage buildings. Each of the three training buildings is a two-story concrete structure built within the last 13 years.

The proposed project would be to construct a 300-member ARC with primary facilities to include an approximately 37,700-SF training building and 2,130-SF unheated storage building on previously developed land within the CA165 March AFRC property boundary. Site activities would include land clearing, paving, general site improvements, and utility connections. The project also provides for unit storage and adequate parking space for MEP and POV. In addition, the project includes demolishing two buildings totaling 28,290 SF at CA088 Thrall Hall ARC and divesting of the property.

Located in the City of Upland in San Bernardino County on 3.8 acres, CA088 Thrall Hall ARC is an overutilized 1963 vintage facility consisting of a 24,073-SF training building and 4,217-SF vehicle maintenance shop. The facility does not meet AT/FP standards; it is encroached on all sides by surrounding development. CA088 Thrall Hall ARC is not designed to accommodate the number of units currently assigned, and it is missing training areas required to meet unit mobilization missions. Units currently assigned to Thrall Hall ARC would be reassigned to the new training facility at CA165 March AFRC upon project completion, and Thrall Hall ARC would be divested. A REC would be completed by the USAR when the property would be divested as divestment of facilities is categorically excluded from a full NEPA analysis per 32 CFR Part 651, Appendix B § II (f)(3).

If this project is not provided, the units will be forced to operate in facilities not properly configured to allow the most effective training to complete mission requirements. This will continue to have a negative impact on unit readiness and retention objectives. This project is proposed for FY28. This long-range project will undergo future NEPA analyses as needed, tiering from this EA, when specific project details are known.

Project 10. Construct a consolidated AMSA/OMS at CA002 Patton Hall ARC/AMSA 94 (Phase 2). Phase 2 of the LRC projects at CA002 Patton Hall ARC/AMSA 94 would be to construct an approximately 19,230-SF consolidated AMSA/OMS on CA002 Patton Hall ARC/AMSA 94. The project also includes constructing an approximately 7,590-SF unheated

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June 17, 2024

Robert Dalquest, Director
Development Services Department
City of Upland
460 N. Euclid Ave
Upland, CA 91786

Dear Robert Dalquest:

RE: City of Upland's 6th Cycle (2021-2029) Subsequent Draft Housing Element

Thank you for submitting the City of Upland's (City) revised draft housing element received for review on May 20, 2024. 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 most of the statutory requirements described in HCD's April 12, 2024 review. However, the housing element cannot be found in substantial compliance until the City has completed necessary rezones to address the shortfall of sites to accommodate the Regional Housing Needs Allocation (RHNA) pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021). The housing element will comply with State Housing Element Law (Article 10.6 of the Gov. Code) when it is adopted along with necessary rezones, and submitted to and approved by HCD, in accordance with Government Code section 65585, subdivision (g).

Pursuant to AB 1398, a jurisdiction that failed to adopt a compliant housing element within one year from the statutory deadline cannot be found in 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. As this year has passed and required rezoning actions in Program 6 (Adequate Sites to Accommodate Regional Housing Needs) have not been completed, the housing element is out of compliance and will remain out of compliance until the rezoning have been completed. Once the City completes the rezone, a copy of the resolution or ordinance should be transmitted to HCD. HCD will review the documentation and issue correspondence identifying the updated status of the City housing element compliance.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City 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 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 City meets housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: https://www.opr.ca.gov/planning/general-plan/guidelines.html.

HCD appreciates the hard work and dedication the City's housing element team provided, in preparation of the City's housing element and looks forward to receiving the City's adopted housing element. If you have any questions or need additional technical assistance, please contact Reid Miller, of our staff, at Reid.Miller@hcd.ca.gov.

Sincerely,



Melinda Coy
Proactive Housing Accountability Chief

RESOLUTION NO. 5012

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF UPLAND, CALIFORNIA RECOMMENDING THE CITY COUNCIL FIND GENERAL PLAN AMENDMENT NO. GPA-24-0002 EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTIONS 15061(B)(3), 15162(A), AND 15283 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES AND APPROVE GENERAL PLAN AMENDMENT NO. GPA-24-0002 FOR THE 2021-2029 HOUSING ELEMENT UPDATE

Intent of the Parties and Findings

WHEREAS, local governments are authorized by Government Code section 65350 et seq. to prepare, adopt and amend general plans; and

WHEREAS, Government Code Section 65580 et seq. requires cities to update their Housing Elements on a regular basis; and

WHEREAS, a comprehensive update to the Housing Element of the Upland General Plan for the 2021-2029 planning period has been initiated and prepared by the City of Upland; and

WHEREAS, the staff report and supporting materials accompanying this resolution are found to be true, are adopted as Facts and Findings, and are incorporated by reference in this resolution; and

WHEREAS, the California Department of Housing and Community Development ("HCD") issued letters finding that the draft 2021-2029 Housing Element was not in compliance with state law and provided additional comments on November 22, 2021, May 23, 2022 and December 22, 2022, and February 13, 2024; and

WHEREAS, pursuant to State Law, a revised draft 2021-2029 Housing Element was prepared to address all comments received from HCD and statutory requirements to comply with State Housing Element Law and was submitted to HCD for review on May 20, 2024; and

WHEREAS, on June 17, 2024, HCD issued a letter finding that the draft 2021-2029 Housing Element is conditionally compliant and will be in full compliance with state law upon readoption and completion of the proposed rezonings; and

WHEREAS, based on the factors and substantial evidence described in Appendix B (Sites Inventory) of the Housing Element, incorporated herein by reference, the existing uses on underutilized sites identified to accommodate the lower-income RHNA allocation are likely to be discontinued during the planning period and therefore do not constitute an impediment to additional residential development during the period covered by the Housing Element; and

WHEREAS, this General Plan amendment is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to State CEQA Regulation §15061(b)(3) (14 Cal. Code Regs. § 15061(b)(3)), the common sense exemption covering activities with no possibility of having a significant effect on the environment; and

WHEREAS, during the preparation of the 2021-2029 Housing Element update, the City of Upland conducted public meetings on February 25, 2021, June 22, 2021, September 23, 2021, March 23, 2022 and October 5, 2022 during which all interested persons were invited to offer testimony concerning the Housing Element; and

WHEREAS, during February 2024 additional outreach was conducted targeting lower-income and special needs households and service providers; and

WHEREAS, the City of Upland Planning Division on August 8, 2024, posted two (2) true and correct copies of the legal notice at the Upland City Hall Bulletin Board and at the Upland Public Library, and posted on the City's website in accordance with the Upland Municipal Code Section 17.46.020; and

WHEREAS, the City of Upland Planning Division on August 7, 2024, mailed copies of the legal notice to effected property owners included in the Sites Inventory; and

WHEREAS, the City of Upland Planning Division on August 8, 2024, published a legal notice in the Inland Valley Daily Bulletin, a local paper of general circulation, indicating the date and time of the public hearing in compliance with state law concerning the Project; and

WHEREAS, Upland Municipal Code Section 17.49.050 requires that the City Council take action on General Plan Amendments, and UMC Section 17.49.040 requires that the Planning Commission make a recommendation to the City Council on such amendments; and

WHEREAS, the City of Upland Planning Commission conducted a duly noticed public hearing on August 21, 2024, at which time it solicited public testimony concerning the Housing Element update, and considered the CEQA determination for the proposed project; and

NOW, THEREFORE, the Planning Commission hereby finds, determines, and resolves and recommends as follows:

Section 1. FINDINGS. The Planning Commission hereby makes the following findings and determinations in connection with the approval of the Project:

A. The above Recitals are true and correct and are incorporated herein by this reference.

B. Pursuant to Upland Municipal Code Section 17.49.040, which requires that the Planning Commission forward a written recommendation, and reasons for the

recommendation, to the City Council concerning a proposed General Plan amendment, the Planning Commission hereby makes the following required findings pursuant to Upland Municipal Code Section 17.49.060:

1. Finding: The proposed General Plan Amendment is in the public interest.

   Evidence: The proposed General Plan Amendment is in the public interest because the Housing Element includes policies and programs to facilitate the provision of housing opportunities for all economic segments of the community, including persons with special needs.

2. Finding: The proposed General Plan Amendment is consistent and compatible with the rest of the General Plan.

   Evidence: The 2021-2029 Housing Element identifies land use policies to accommodate the City's assigned share of regional housing needs as required by State law and includes programs to ensure consistency between the Land Use Element and the Housing Element.

3. Finding: The potential effects of the proposed General Plan Amendment have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare.

   Evidence: The proposed Housing Element Amendment furthers the public health, safety, and welfare by facilitating the production of housing to address the needs of all Upland residents, including those of all ages, incomes, household sizes and persons with disabilities.

4. Finding: The proposed General Plan Amendment has been processed in accordance with the applicable provisions of the California Government Code and CEQA.

   Evidence: The proposed General Plan Amendment has been processed in accordance with the applicable provisions of the California Government Code, including Government Code §65352.3 which regulates tribal consultation requirements for General Plan Amendments and Government Code §65358 which regulates amendments to General Plans. The project is exempt from review under the California Environmental Quality Act ("CEQA") (California Public Resources Code Section 21000, et seq.), pursuant to State CEQA Regulation §15061(b)(3), because the Housing Element would not approve any development project or other physical change to the environment.

Section 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). The Project is exempt from the CEQA Guidelines 14 Cal. Code. Regs Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the Project may have a significant effect on the environment. The Project is further exempt pursuant to 14 Cal. Code. Regs Section 15162(a) of the CEQA Guidelines. Further, to the extent the Regional Housing Needs determinations are made, the Project is further exempt from

the CEQA Guidelines 14 Cal. Code. Regs Section 15283, which provides, "CEQA does not apply to regional housing needs determinations made by the Department of Housing and Community Development, a council of governments, or a city or county pursuant to Section 65584 of the Government Code."

Section 3. DETERMINATION. The Planning Commission recommends that the City Council approve General Plan Amendment No. GPA-24-0002, a comprehensive update to the Housing Element for the 2021-2029 planning period as shown in Exhibit A, attached hereto, and incorporated herein by reference.

Section 4. SEVERABILITY. If any section, subsection, subdivision, sentence, or clause or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The Planning Commission hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

Section 5. CERTIFICATION. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this Resolution, and shall cause this Resolution and their certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Section 6. EFFECTIVE DATE. This Resolution shall become effective ten (10) days after its passage and adoption unless appealed prior to that time.

PASSED, APPROVED and ADOPTED this 21st day of August, 2024.

Robin Aspinall

Robin Aspinall, CHAIR

Exhibit A: Housing Element for the 2021-2029 (240 pages)

ATTEST:

Robert D. Dalquest, SECRETARY

I HEREBY CERTIFY that the foregoing Resolution was duly and regularly passed and adopted by the Planning Commission of the City of Upland at a special adjourned meeting thereof held on the 21st day of August, 2024 by the following vote:

AYES: Chair Aspinall, Commissioners Andrews, Borger, Caldwell, Johnson, and Marroquin

NAYS: none

ABSENT: Vice Chair Staton

ABSTAIN: none

Robert D. Dalquest, SECRETARY

Staff Report

CITY OF UPLAND
"The City of Gracious Living"

DATE: September 23, 2024
TO: MAYOR AND CITY COUNCIL
FROM: MICHAEL BLAY, CITY MANAGER
PREPARED BY: KERI JOHNSON, CITY CLERK
SUBJECT: CONSIDERATION OF A RESOLUTION ESTABLISHING A MEASURE N CITIZENS' OVERSIGHT COMMITTEE

RECOMMENDED ACTION:
It is recommended that the City Council consider adopting a Resolution establishing a Measure N Citizens' Oversight Committee and adopting operational guidelines for said committee.

GOAL STATEMENT
The proposed action supports the City's goal of transparency and fiscal responsibility.

BACKGROUND
For over three decades the City of Upland has taken many actions aimed at maintaining the General Fund and the services for residents that it provides. While Upland residents enjoy the local quality of life our community provides, the City's bedroom community status keeps it at a financial deficit compared with other neighboring cities who have more robust commercial development.

The financial impacts to the City have changed over the years, but one common thread exists – continued actions of the State that have reduced and limited City revenues. The Upland 2001 Financial Workout Plan identified the State's reallocation of property tax revenue to the Educational Relief Augmentation Fund as costing Upland $16 million in the 1990's. The Upland 2013 Fiscal Condition Report was written on the heels of the State taking away the City's Redevelopment Agency and, thereby millions of dollars in annual redevelopment funding. The City continues to deal with a long list of unfunded mandates from the State, most notably recent requirements for additional tracking and reporting in the Police Department.

Current challenges to the City budget include inflationary pressures and increased costs of repairing streets and facilities due to deferred maintenance. Those challenges, combined with employee staffing and compensation issues, causing higher turnover of employees and the lost benefit of the institutional knowledge and training dollars that were invested in them.

Beginning in the 1990's, prior City Councils have proactively "kept their financial house in order" by reducing spending to levels consistent with revenue projections. Many City services have been outsourced, major cuts have been made, and employee concessions have been repeatedly requested. While that methodology has allowed the City to maintain its current finances, it has not allowed Upland to make sufficient investments in the areas our residents have expressed a strong desire: Maintaining local streets and alleys and repairing potholes, providing quick responses to 9-1-1 emergencies, and addressing homelessness.

On August 9, 2024, the City Council adopted Resolutions placing a transactions and use (sales) tax measure on the November ballot.

On August 29, 2024, the City Council unanimously approved the current ballot language.

On September 9, 2024 the City Council unanimously adopted Resolution No. 6798 expressing their intent to prioritize spending of transactions and use (sales) tax (TUT) revenue for infrastructure and public safety purposes.

ISSUES AND ANALYSIS
The City is committed to fiscal responsibility and transparency. The formation of a Citizens' Oversight Committee is another step in ensuring that funds from the additional sales tax revenue are judiciously allocated to infrastructure and public safety. This committee, composed of community members, would serve as a watchdog, reviewing budgetary decisions and prioritizing expenditures that directly impact the well-being of residents.

By providing an additional platform for public input and scrutiny, the committee would foster greater accountability among decision-makers, ensuring that essential projects such as road repairs and emergency services receive the attention and resources they need. This proactive approach enhances trust between local government and the community.

The current procedure for appointing members to City advisory committees involves each City Council Member submitting their nominations to the City Clerk, who then presents them for ratification at a Council meeting. This method ensures that the committee reflects input from every Council Member, promoting a balanced representation. While this approach is outlined in the drafted guidelines, the Council is welcome to explore and discuss alternative appointment processes if preferred.

Members of this committee would be required to submit an annual Form 700 Statement of Economic Interests and attend an ethics training course to educate them on the ethical standards required of any individual in local government.

ENVIRONMENTAL DETERMINATION
The proposed action is not subject to the California Environmental Quality Act (CEQA). Section 15378 of the CEQA Guidelines defines a project subject to CEQA. The proposed action is not included within the definition of a "project" and thus is exempt.

FISCAL IMPACTS
There is no fiscal impact associated with this action.

ALTERNATIVES
Provide alternative direction to staff.

CEQA: Not a Project.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UPLAND CALIFORNIA, ESTABLISHING THE MEASURE N CITIZENS' OVERSIGHT COMMITTEE AND ADOPTING OPERATIONAL GUIDELINES FOR SAID COMMITTEE

WHEREAS, the City Council of the City of Upland ("City") is authorized to levy a Transactions and Use (Sales) Tax (TUT) for general purposes pursuant to California Revenue and Taxation Code section 7285.9, subject to approval by a majority vote of the electorate pursuant to Article XIIIC, Section 2 of the California Constitution ("Proposition 218"); and

WHEREAS, pursuant to California Elections Code Section 9222, the City Council has authority to place local measures on the ballot to be considered at a Municipal Election; and

WHEREAS, based upon the above, on August 9, 2024, the City Council of the City of Upland called a General Municipal Election to be held on November 5, 2024, for the purpose of submitting to the voters the question of whether to adopt an ordinance adding Chapter 3.06 to the Upland Municipal Code, which would enact a one percent (1%) TUT until it is ended by voters; and

WHEREAS, the TUT measure will be identified on the November 5, 2024 ballot as Measure N; and

WHEREAS, pursuant to the proposed measure/ordinance, Measure N is a general tax enacted solely to raise revenue for the general governmental use of the City and all of the proceeds from the tax shall be placed in the City's general fund and used for the usual current expenses of the City; and

WHEREAS, in the event that Measure N passes at the November 5, 2024 General Municipal Election, the City Council desires to establish the "Measure N Citizens' Oversight Committee", whose purpose shall be to review and report on the revenues and expenditures of Measure N funds, and such other duties as prescribed by the City Council; and

WHEREAS, the City Council further desires to establish the guidelines that will govern the purpose, duties, appointment, and membership requirements for the Measure N Citizens' Oversight Committee.

NOW, THEREFORE, the City Council of the City of Upland hereby finds, determines and resolves as follows:

Section 1. Findings. The City Council finds that all of the preceding recitals are true and correct.

Section 2. Establishment of Measure N Citizen Oversight Committee and Operational Guidelines. Contingent upon the passage of Measure N at the November 5, 2024 General Municipal Election, the City Council hereby establishes the "Measure N Citizens' Oversight Committee" and adopts the Operational Guidelines, attached

hereto as Exhibit "A," which are incorporated herein by this reference, to govern the purpose, duties, appointment, and membership requirements for the Measure N Citizen Oversight Committee.

Section 3. Resolution Has No Further Effect if Measure N Does Not Pass. In the event that Measure N does not pass by a majority vote of the electorate at the November 5, 2024 General Municipal Election, the "Measure N Citizens' Oversight Committee" shall not be established and this Resolution shall be void and of no further effect.

Section 4. Compliance with California Environmental Quality Act. The City Council finds that this Resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Further, if the activity is deemed a project this City Council finds that this Resolution is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

Section 5. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Section 6. Severability. If any section, subsection, subdivision, sentence, or clause or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases are declared unconstitutional, invalid, or ineffective.

Section 7. Effective Date. This Resolution shall become effective immediately.

PASSED, APPROVED AND ADOPTED this 23rd day of September, 2024.

_____
Bill Velto, Mayor

I, Keri Johnson, City Clerk of the City of Upland, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 23rd day of September, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

ATTEST:_____
Keri Johnson, City Clerk

EXHIBIT A

CITY OF UPLAND
MEASURE N CITIZENS' OVERSIGHT COMMITTEE
OPERATIONAL GUIDELINES

Section 1. Committee Purpose

On November 5, 2024, Upland Voters approved, by a majority vote, the City of Upland 1% Sales Tax for General City Services, a general one percent (1%) transactions and use (sales) tax - Measure N.

By City Council Resolution No. _____, the City Council established this Committee to review and report on the revenues and expenditures of Measure N funds, and to perform such other duties as may be prescribed by the City Council. These Guidelines are intended to implement the oversight provisions of Resolution No.____ _____.

The Measure N Citizens' Oversight Committee will convene at least biannually to review and report to the public and the City Council on the revenue and expenditures generated by Measure N. The Committee shall confine itself specifically to its obligations regarding Measure N funds. All revenue from other sources falls outside the scope of the Committee's review.

Section 2. Composition, Eligibility and Term of Membership.

A. The Committee shall consist of five (5) members appointed by the Council.

B. Eligibility to serve on the Committee shall be limited to Upland residents and, to the extent applicable, Chapter 2.16 of the Upland Municipal Code.

C. The term of each Committee member shall coincide with the holding of office by the nominating member of the City Council. No member of the Committee shall serve as such Committee member for more than two consecutive four-year terms without the approval of the council by a four-fifths vote.

D. Members of the Committee shall submit an annual statement of financial disclosure in compliance with the Political Reform Act, Government Code §§81000 *et seq.*

Section 3. Selection and Appointment Process.

A. The City Clerk shall maintain a roster of individuals who expressed interest in serving on the Committee and who have completed an application form. Any application filed shall be valid for a period of three (3) years. Incumbent Committee Members shall submit an application prior to the end of their term if they would like to be considered for reappointment.

B. Members of the City Council will review the list of applicants and submit a nominee for appointment. Councilmembers will give consideration to candidates who reside in their respective district. If a Councilmember cannot find a suitable candidate to nominate from the Councilmember's respective district, the Councilmember may nominate a candidate from a different district at that Councilmember's discretion.

C. Eligibility to serve on the Committee shall be limited to Upland residents not currently appointed to any City Committee, Board, or Commission.

D. The City Council will appoint members based on an application and as otherwise required by Section 2.16.020 of the Upland Municipal Code.

E. Each member of the City Council shall submit their nomination from the list of qualified candidates to the City Clerk for consideration at a Council meeting.

Section 4. Citizen Oversight Committee Procedures.

1. The member appointed by the Mayor to the Committee shall serve as the Chairperson. In the absence of the Chairperson, the Committee will appoint a Vice Chairperson to preside over the meeting;
2. A simple majority of the Committee shall constitute a quorum and a simple majority of the quorum may decide business of the Committee;
3. The Committee shall meet at such times as the Assistant City Manager deems appropriate in order to fulfill the duties of the Committee, but not less than biannually;
4. Committee Members may be removed by the City Council as provided in section 2.16.030 of the Upland Municipal Code;
5. Committee Members shall comply with the attendance requirements of Section 2.16.050 of the Upland Municipal Code.
6. All Committee meetings will be held in compliance with the Ralph M. Brown Act, Government Code §§54950 *et seq.*

Section 5. Duties of the Citizen Oversight Committee.

The Citizen Oversight Committee shall act in an oversight capacity to review revenues and expenditures generated by Measure N - a general one percent (1%) transactions and use (sales) tax approved by a majority of Upland voters at the November 5, 2024 General Municipal Election. The Committee's specific duties are to report to the City Council semi-annually on the following:

- The revenue receipts and expenditures of Measure N funds;
- The status and performance of programs and services funded wholly or in part with Measure N funds.