

## **Housing Crisis Act Compliance for Demolitions**

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Planning Division
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## **General Information**

The Housing Crisis Act of 2019 [SB 330 (Chapter 654, Statutes of 2019) and SB 8 (Chapter 161, Statues of 2021)] set a temporary 10-year prohibition on reducing residential density when associated with the approval of a "housing development project", beginning January 1, 2020 and concluding on January 1, 2030. A "housing development project" is defined as: a residential project of one or more units; a mixed-use project with two-thirds of the floor area designated for residential use; or a transitional or supportive housing project. In addition, existing units that are defined as "protected" under the law (see below for qualifications) must be replaced with units that have an equivalent number of bedrooms, rents affordable at the same income category as the displaced tenant(s) (or if incomes are unknown, according to the proportion of lower income renter households in the jurisdiction), and displaced tenants must be provided relocation benefits. Assembly Bill No. 1218 (Chapter 754, Statutes of 2023) also prohibits the loss of protected units associated with the approval of a non-housing development project that involves the demolition of any residential unit(s), or the application of a non-housing development project, the property owner shall answer the questions below for Housing Crisis Act compliance.

Sit	e Addr	ress:	Legal Description	n:				
1)	Units	proposed for demolition: Ur	nits proposed for con	struction:				
2)	Are you proposing to redevelop the site with a "housing development project"? Yes No							
For housing development projects, reductions in density are prohibited whet "protected" and a demolition permit cannot be issued.				rohibited whether or not units are deemed				
3)	If you answer yes to any of the following questions, the unit(s) are considered "protected" and mube replaced:							
	a.			ubject to a recorded covenant ordinance, or -income households? Yes No				
	b.	Currently, or within the last 5 year households (see attachment for cur	-	nits occupied by low- or very-low income Yes No				
	If any of the units proposed for demolition meet the "protected" criteria, please provide a summary of units (i.e apartment number, size, number of bedrooms, household size, and income level of tenant) and schedule meeting with a planner to discuss replacement requirements. A demolition permit cannot be issued until a agreement is executed with the City guaranteeing the replacement of the protected units and tenant relocation benefits.							
Pro	Property Owner Certification (required):							
	clare u	nder the penalty of perjury, the facts, ect to the best of my knowledge and be	, statements and inform	y owner of the above described property. I mation presented in this document are true				
Si	ignatur	re	Date	Phone Number				

<sup>&</sup>lt;sup>1</sup> The City of Newport Beach does not have a local rent control ordinance. As such, the categories of "protected units" are limited to those stated above.

Updated 05/15/2024

## **ATTACHMENT A**

## 2024 Orange County Income Limits

If any units proposed for demolition are, or within the last 5 years, occupied by a very low- or low-income household, units are considered "protected" and require replacement. Please use the following table to determine income category of tenants occupying units. Responsibility of acquiring required information is that of property owner. The Housing and Community Development (HCD) data can be accessed at the following link: <a href="https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2024.pdf">https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2024.pdf</a>

	Income Categories Protected Unit		Income Category Non-Protected Units
Household Size	Very Low	Low	Moderate or Above
1	Up to \$55,250	\$55,251 - \$88,400	\$88,401 or Above
2	Up to \$63,100	\$63,101- \$101,000	\$101,001 or Above
3	Up to \$71,050	\$71,051 - \$113,650	\$113,651 or Above
4	Up to \$78,900	\$78,901- \$126,250	\$126,251 or Above
5	Up to \$85,250	\$85,251- \$136,350	\$136,351 or Above
6	Up to \$91,550	\$91,551 - \$146,450	\$146,451 or Above

If incomes are unknown, assume a proportion of units are "protected" in accordance to the proportion of lower-income renter households in the City. For example, for a 5-unit apartment building, assume 1 unit was occupied by a very-low income household and 1 unit was occupied by low-income households based on the proportions below. The HUD database can be accessed at the following link: <a href="https://www.huduser.gov/portal/datasets/cp.html">https://www.huduser.gov/portal/datasets/cp.html</a>

Proportion of Renter Households by Income Level - Newport Beach Comprehensive Housing Affordability Strategy (CHAS) 2016-2020					
Income Level	Renter Households	Percentage of Total Renter			
		Households			
Very Low Income	4,575	26%			
Low Income	2,575	14.6%			
Moderate Income	1,645	9.3%			
Above Moderate Income	8,845	50.1%			
Total	17,645	100%			