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DATE: Nov. 19, 2025

TO: Paul McDougall, Manager, Division of Housing Policy Development  
California Dept. of Housing & Community Development

FROM: BIA|Bay Area East Bay Governmental Affairs Executive  
Director Lisa Vorderbrueggen

CC: Brentwood Community Development Director Alexis Morris

RE: Brentwood Inclusionary Increase to 18 Percent

Dear Mr. McDougall:

BIA|Bay Area respectfully requests that HCD reevaluate Brentwood's state-certified 2023-2032 (April 12, 2024) Housing Element (HE) on the grounds that the city is preparing to impose a significant new governmental constraint on housing production.

On Nov. 12, 2025, the [Brentwood City Council adopted on a first reading](#) an increase from 13 percent to 18 percent in its inclusionary mandate on all new residential development. The second reading is scheduled for public hearing on Dec. 9, 2025.

The city failed to disclose in its housing element plans to increase the inclusionary percentage despite a city council directive on March 12, 2024 – a month prior to the date HCD certified Brentwood's Housing Element – asking staff to prepare a “future agenda item to discuss options related to increasing the Affordable Housing Ordinance's 13 percent affordable housing obligation.” (Page 2, Staff Report dated May 27, 2025.)

Instead, the city concluded with no reference to a potential increase in the requirements that its existing affordable housing program did not constrain housing production:

*Due to concessions and construction incentives offered to developers, it has been determined that the Affordable Housing Program does not pose a constraint to the development or cost of housing in Brentwood. (Page 3-28)*

An increase to 18 percent will absolutely pose a constraint to the development and cost of housing in Brentwood. If adopted, the rate would exceed inclusionary percentages found in nearly every other jurisdiction in the Bay Area. It would also come at a time when cities in some of the Bay Area's most expensive real estate markets are reducing inclusionary levels and impact fees to stimulate lagging home construction. Among the examples are:

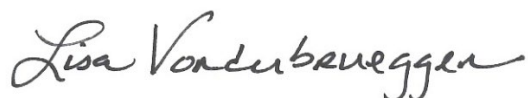
- Oakland – Temporarily eliminated the affordable housing impact fee in specific zones through 2028.
- Redwood City – Temporarily reduced its affordable housing requirements for pipeline projects.
- San Francisco – Temporarily reduced inclusionary percentages to 12 percent for onsite affordable units and 16 percent for off-site units or in-lieu fees, down from previous rates of 22-24 percent and 30-33 percent respectively. The city also temporarily reduced certain impact fees for projects that meet construction deadlines.
- San Jose – Adopted a Multifamily Housing Incentive Program that reduced the affordable housing in-lieu fee for certain high-density multifamily developments.
- Sonoma County – Adopted a temporary development impact fee reduction program that waives impact fees for affordable housing projects in unincorporated areas. Effective on Feb. 1, 2025, the program is designed to incentivize the construction of affordable housing by eliminating fees for roads and parks.

In light of Brentwood's pending substantial increase in its inclusionary housing mandate, it is imperative that HCD take decisive action to safeguard housing production in the region. Approving this change without proper review would set a concerning precedent, especially as neighboring jurisdictions are actively reducing barriers to homebuilding to address critical housing shortages.

We strongly urge HCD to require Brentwood to amend its housing element, ensuring transparency and alignment with proven strategies that foster — not hinder — affordable housing development. The future of Brentwood's housing market, and the broader Bay Area's ability to meet its housing goals, depends on a thorough and timely response.

Please let us know if you require additional information or would like to discuss this matter further.

Sincerely yours,



Lisa A. Vorderbrueggen  
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LINKS:

Brentwood City Council Agenda Packet, Nov. 12, 2025: <https://pub-brentwood.escribemeetings.com/Meeting.aspx?Id=7af7c7f3-420c-4aac-9e70-754e8340ee11&Agenda=Agenda&lang=English&Item=40&Tab=attachments>

Brentwood 2023-2031 Housing Element:  
<https://www.brentwoodca.gov/home/showpublisheddocument/8927/638485171206900000>