Chapter 13.1 Introduction

Background and Purpose

The City of Santa Clara continues to be a desirable place to live and in recent years the City has adopted new policies and provided funding to achieve more affordable housing opportunities in the community, as well as preparing long range plans to add new high-density, amenity rich neighborhoods that provide a variety of affordability options.

The historic agricultural nature of Santa Clara was forever changed with the invention of the semiconductor chip in the 1950's. Since then, the growth of the technology industry has fueled job growth and propelled Santa Clara to the current population of about 127,000 residents.[1] Santa Clara's population is expected to grow by about 26 percent to 159,500 by 2040. The composition of the housing stock in Santa Clara has shifted, with more multi-family units being built than single family homes. This trend likely reflects the limited availability of land for development, the high cost of homeownership, and the growing number of young adults moving to this job rich area.

Demand for home ownership continues to exceed the supply and prices are increasingly out of reach even for moderate income households. As of 2019, 43 percent of homes were owner households and 57 percent were renter households, reflective of the high cost of home ownership in the area. Housing supply in general is tight with the vacancy rate of renter occupied homes only at 4.8 percent and owner homes at less than one percent.

The City's motto, the "Center of What's Possible", conveys the City's can-do commitment to addressing housing challenges and ensuring a high quality of life for current and future residents. In response to the daunting local and regional housing supply challenges, the City has been active in increasing housing access and choice, and removing barriers to development, as well as streamlining the development process to facilitate housing development. Additionally, the City is nearing completion of a comprehensive Zoning Code update which will further streamline processes with the inclusion of objective standards and new zoning districts that better align with the City's General Plan. In 2018, the City began implementing an affordable housing ordinance with inclusionary requirements for new housing development. The ordinance also includes a commercial linkage fee so that office, R&D, and data centers contribute fees to support affordable

[1] Census.gov

housing development. Since the fall of 2021, the linkage fee has generated over $5.6 million, and those funds will be used to address affordable housing needs in the City.

The City has also partnered with affordable housing developers providing gap financing and is working expeditiously to facilitate entitlements and building permits for construction, meeting tight financing deadlines and requirements. Infill areas of the City such as El Camino Real, Stevens Creek Boulevard, Winchester Boulevard, and Homestead Road with strong access to transit, retail, schools, and services are the sites of several new affordable, supportive, and transitional housing projects under construction which have benefited from new State laws that streamline processes and, in many cases, have also been financially supported by the City. New neighborhoods in the long-range planning areas of Lawrence Station, Tasman East, Patrick Henry Drive, Freedom Circle, and Downtown will have access to high quality transit, parks, community center(s), schools, and entertainment.

Through this updated Housing Element, the City puts forth strengthened housing goals, policies and actions that will support housing opportunities for new residents and existing residents facing displacement pressures so that Santa Clara can continue to be a vital and diverse city in the heart of the Silicon Valley.

Regulatory Framework

The Housing Element is one of the required components of a General Plan and must be consistent with all other elements of the General Plan. It identifies ways in which the housing needs of existing and future residents can be met. State law describes in great detail the necessary contents of the Housing Element: 1) identifying housing needs; 2) affirmatively furthering and assessing fair housing; 3) analyzing constraints to housing production; 4) examining past accomplishments from prior housing element planning efforts; 5) understanding how past planning practices may have excluded groups of people from housing opportunities; 6) documenting how the public has been engaged in the planning process; and 7) assessing and describing how land and financial resources will be marshalled to meet all housing needs. This Housing Element responds to those requirements and responds specifically to conditions and policy directives unique to Santa Clara.

The California Legislature has identified the attainment of a decent home and suitable living environment for every Californian as the State's main housing goal. Recognizing the important part that local planning programs play in pursuit of this goal, the Legislature has mandated that all cities and counties prepare a Housing Element as part of their comprehensive General Plans.

Section 65581 of the California Government Code reflects the legislative intent for mandating that each city and county prepare a Housing Element:

1. To ensure that counties and cities recognize their responsibilities in contributing to the attainment of the State housing goal.

2. To ensure that counties and cities will prepare and implement Housing Elements which, along with federal and State programs, will move toward attainment of the State housing goal.
3. To recognize that each locality is best capable of determining what efforts are required by it to contribute to the attainment of the State housing goal, provided such a determination is compatible with the State housing goal and regional housing needs.
4. To ensure that each local government cooperates with other local governments to address regional housing needs.

Scope and Content of the Housing Element

The 2023-2031 City of Santa Clara Housing Element has been prepared to meet the intent and requirements of State law and is intended to be integrated into the City's 2010-2035 General Plan. The Housing Element covers the planning period that begins January 31, 2023, and ends January 31, 2031, focusing on ways to promote residential infill development, given land supply and cost constraints. The intent of this Element is to plan for an adequate variety of safe, appropriate, and well-built housing for all residents of Santa Clara.

To comply with State Housing Element Law the he Housing Element consists of:

- An overview of the housing element and its relation to other elements in the General Plan
- A review and assessment of the 2015-2023 Housing Element
- A summary of the housing needs assessment
- An assessment of Fair Housing
- An analysis of special housing needs
- A review of constraints to housing development
- An analysis of at-risk housing
- A sites analysis of land parcels suitable for housing
- Goals, policies, and actions that support the Housing Element

Acronyms

This element includes use of many acronyms to identify agencies, housing programs, funding sources, and planning terms. Commonly used acronyms are:

ABAG/MTC – Association of Bay Area Governments/Metropolitan Transportation Commission

ADU – Accessory Dwelling Unit

AFFH - Affirmatively Furthering Fair Housing

AI - Analysis of Impediments to Fair Housing

ACS - American Community Survey

AMI – Area Median Income

APR – Annual Progress Report

BMP – Below Market Purchase Program

BMR – Below Market Rental Program

CDBG – Community Development Block Grant

CEQA – California Environmental Quality Act

CHAS – Comprehensive Housing Affordability Strategy

CHDO – Community Housing Development Organization

COPA – Community Opportunity Purchase Act

DOF – State of California Department of Finance

HCD – State of California Department of Housing and Community Development

HOME – HOME Investment Partnership Program

HOME-ARP – HOME American Rescue Plan

HPS – Homelessness Prevention System

HUD – Federal Department of Housing and Urban Development

HVAC – Heating Ventilation and Air Conditioning

LIHTC – Low-Income Housing Tax Credit

LMI – Low to Moderate Income

MCC – Mortgage Credit Certificate

MFI – Median Family Income

MRB – Mortgage Revenue Bonds

NCIP – Neighborhood Conservation and Improvement Program

NOAH – Naturally Occurring Affordable Housing

NOFA – Notice of Funding Availability

PHLA – Permanent Local Housing Allocation

RHNA – Regional Housing Needs Allocation

SRO – Single Room Occupancy

SVP – Silicon Valley Power

TBRA – Tenant Based Rental Assistance

TCAC – California Tax Credit Allocation Committee

TOD – Transit-Oriented Development

Relationship to Other General Plan Elements

Since statutory requirements addressed in this Element overlap with other General Plan components, such as Land Use, Transportation, Environmental Quality, and Public Facilities and Services, it is necessary to look at the 2010-2035 General Plan in its entirety for an understanding of the relationship between the Housing Element and these topic areas. This Element meets the minimum standards required by State law for a housing element. Related housing issues can be found elsewhere in the General Plan. This Element is intended to be consistent with the 2010-2035 General Plan, adopted in 2010.

Public Participation

The Housing Element must reflect the values and preferences of the community; therefore, public participation in the planning process is critical to ensuring this Housing Element represents community voices. Government Code Section 65583(c)(9) states: "Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort."

At its core, a Housing Element is an opportunity to have a community conversation about how to address local housing challenges, establish goals, develop policies, and find solutions. As such, the public engagement process for Santa Clara utilized several channels to solicit input from a variety of stakeholders. Key comments gathered from the engagement process are summarized in Appendix A: Community Outreach and a list of general outreach efforts are listed below:

- Community Meetings
- Stakeholders Meetings, Questionnaires, and Interviews
- Digital Surveys: English, Spanish, Vietnamese, Chinese (Simple)
- Community Events
- Community Pop-ups
- Tenant Listening Sessions
- Planning Commission and Community Council Meetings

At a high level, the community engagement was utilized to balance and align community input with State Housing Law requirements. With, consistent themes of affordability, housing type and tenure, housing choice, tenant protections, and homelessness the outreach process informed the Housing Plan actions, polices, and actions, and confirmed or highlighted trends identified by the demographic analysis.

The City of Santa Clara asked for the public's comments on the Housing Element Draft via its website, list-serv, social media, printed/mailed newsletter (Inside Santa Clara), e-newsletter (City Hall News) and public meetings. The comments were collected via Konveio, a public comment platform for document review and via email. The City continued to engage in community outreach during the 60-day review period of the Housing Element Draft by HCD. The input collected is included in Appendix A. Public comment and formal letters continued to be addressed after the City received comments on the Housing Element Draft from HCD. Specifically, outreach informed revisions to the Housing Element as follows:

- Respondents to outreach and commentors were concerned that the designated levels of affordability in the city's existing inclusionary ordinance are above market rate and increasingly not affordable for many residents. ~~The~~ Action #2 in Chapter 13.2~~Housing Element includes a planned effort to~~calls for an update to the inclusionary ordinance to ~~increase a greater number of units in the~~achieve deeper levels of affordability ~~categories~~ and to redefine the City's moderate affordability category to reflect a below market rate ~~lower~~ income range.
- In response to Housing Choices call to expand deeply affordable housing choices, the City updated Action #1 in Chapter 13.2 to include a goal to increase the stock of extremely low and very low income rental housing designated for people with developmental disabilities by 35%. Also proposed are criteria that would prioritize City ~~including in the City's Notice of Funding Availability specifications criteria that would prioritize City~~ funding of Extremely Low Income and Very Low Income units.
- In response to comments received by stakeholders, the City updated Action #1 in Chapter 13.2 to include a goal to increase the stock of three and four bedroom rental units for large households by 20%.
- In response to input from SV @ Home regarding ongoing stakeholder outreach, the city added an objective to conduct in person outreach once per year in low and moderate resources neighborhoods to educate residents about a variety of topics including upcoming housing opportunities, fair housing resources and more.
- In response to comments received from TransForm to reduce parking, the City added an objective under Action 3 to apply reduced parking requirements for transit-rich

environments from the Zoning Code update to proposed long range plans such as El Camino Real Specific Plan and Santa Clara Station Area Plan.

- In response to comments from Dana Hooper at Life Services Alternatives (a housing provider for persons with developmental disabilities), the City added objectives in Action #1 and #4 to proactively market future construction and renovation program opportunities to residential care facility operators.
- Residents of affordable and special needs housing shared at listening sessions that they have been particularly affected by heat waves and wildfire smoke. In response to comments raised by residents at Riverwood Grove Apartments, the City added an action to outreach to potential housing providers who may need capital funding assistance to make HVAC improvements for sensitive populations living without air conditioning.
- In response to input on housing development, the City added an objective under Action 9 to update the zoning ordinance to grant the Director of Community Development authority to allow up to two one-year permit extensions administratively.
- ~~Also proposed is including in the City's Notice of Funding Availability specifications criteria that would prioritize City funding of Extremely Low Income and Very Low Income units.~~
- Consistent feedback was received through all outlets and demographics of respondents highlighting the need to better address homelessness. The City's newly created Homelessness Task Force comprised of service providers, advocates, and individuals with lived experience of being unhoused have provided recommendations. Some of these programs are already active or continuing, while others will be ~~that are being pursued through the creation of a Homelessness Response Plan with implementat~~implemented in ~~ion actions that will be adopted in early 2023.~~ 2024 and 2025.
- SV @ Home~~Commentors~~ provided feedback on the need for more displacement prevention. ~~The~~ Action 13 Chapter 13.2 ~~Housing Plan~~ includes the City Council's future consideration of new policies and programs that would require no net loss of income restricted units during construction or rehabilitation of existing housing; replacement of existing affordable housing units at the same or lower affordability levels; landlord and City notification and information for tenants affected by efforts that would cause relocation; require developers to provide relocation benefits beyond State requirements.
- SV @ Home commented that the City should do more to educate tenants and landlords about their rights under new state laws. In response the City added objectives under Action 16 to propose an ordinance that requires landlords to include a City approved informational brochure with each lease signing, to improve the City's webpage, and to do targeted outreach twice yearly.
- In response to comments from the Housing Action Coalition about site selection, the City significantly revised the Housing Resources chapter.

- ~~Residents of affordable and special needs housing shared at listening sessions that they have been particularly affected by heat waves and wildfire smoke. As part of the City's CDBG program, the City will promote a Notice of Funding Availability process for installation of HVAC improvements for sensitive populations.~~

A summary of community engagement meetings and survey data are included in Appendix A: Community Outreach.

Public Review Draft and HCD Draft Housing Element

The Draft Housing Element was posted on the City's website on July 1, 2022. From July 1, 2022 through August 1, 2022, the draft Housing Element was advertised for public review by emails to the City's Housing Element Update email list (944 subscribers as of 8/9/2022), City's Planning Developer Stakeholder list (110 subscribers as of 8/9/2022), Housing non-profit agencies and developers list (282), and emails to the Planning Commission and City Council. An online comment form was available for the public to provide feedback on the Draft Element. During this time, 24 public comments were received, as well as formal comment letters from Housing Choices, SV@Home, Partnership for the Bay's Future, Carpenters Local 425, Anne Paulson, Life Services Alternatives, TransForm, and Housing Action Coalition. A summary of public comments and the formal comment letters are included in Appendix A: Community Outreach. In response to these comments, the Housing Element was reviewed, and edits were made incorporating public comments including, but not limited to:

- additions and clarifications to the Housing Plan,
- additions and clarifications to the Affirmatively Furthering Fair Housing analysis and clarifications on the Housing Resources calculations
- edits to the Housing Resources parcel inventory
- and other minor edits and clarifications that were less substantive but were provided for readability.

The draft Housing Element was then submitted to HCD on August 22, 2022 for a 90-day review and formal comment. The draft Housing Element remained available on the City's website for additional public review and comment during the HCD review period. During the HCD review period the jurisdiction conducted additional public outreach and received additional public comment that was again incorporated into the draft Housing Element. And, upon receipt of the formal HCD comment letter the draft Housing Element was edited to address the findings specified in the letter and posted for public comment.

The Housing Element was revised in response to these comments and the public was invited to attend and comment on the Housing Element at hearings held before the Planning Commission

and the City Council in January 2023. The revised Draft Housing Element was available on the website and at City Hall prior to each hearing.

On January 31, 2023, the City Council adopted Santa Clara's 2023-2031 (6th Cycle) Housing Element and submitted to HCD for their 60-day review. The City received a formal findings/comment letter on March 28, 2023 identifying additional revisions needed to comply with State Housing Element law.

The Adopted Housing Element was revised to address HCDs comments and noticed public hearings were held before the Planning Commission and City Council in June 2023. Emails were sent to the City's Housing Element Update topic subscribers (1,899 as of 5/30/2023) providing updates on the hearing schedule and the availability of draft revisions to the Adopted Housing Element and supporting materials on the website and through the Planning Commission and City Council agendas.

On September 29, 2023 HCD provided preliminary feedback and requested minor revisions to the June 27, 2023 re-adopted Housing Element. The City posted draft revisions on October 5, 2023 and sent emails to the City's 2,289 Housing Element Update topic subscribers. The draft revisions were shared with HCD on October 13, 2023 and HCD provided a formal findings/comment letter on October 20, 2023.

From November 2023 through February 2024, the City met with HCD five times to discuss their October 20, 2023 formal comments on the City's re-adopted Housing Element and on their subsequent informal comments on several preliminary draft revisions to the Housing Element.

On March 1, 2024 the City posted draft revisions to the Housing Element and sent emails to the City's 2,663 Housing Element Update topic subscribers letting them know the draft revisions were available for review.

General Plan Consistency

All properties and land uses in the City are governed by the City's General Plan. The General Plan describes the long-term goals for the City's future and guides daily decision-making. The time frame of the General Plan is 2010-2035. The Plan contains the City's official policies on land use and community design, transportation, housing, environmental resources, and health and safety.

The Housing Element is part of the General Plan but operates on a state mandated schedule. The time frame for the Housing Element is 2023-2031, therefore it has been prepared to maintain internal consistency with the current 2035 General Plan as required by State law. Specifically, the sites inventory reflects the capacity under the land use designations of the 2035 General Plan, as amended. Internal consistency will be evaluated and maintained as part of the City's annual

progress report (APR) pursuant to Government Code section 65400 and as general plan amendments occur.

The 6th-cycle Housing Element provides an opportunity to update the goals, policies, and actions identified in the 5th-cycle Housing Element (2015-2023), and with the increased focus on Affirmatively Furthering Fair Housing (AFFH), which has heavily influenced the document, will provide a framework for how the City evaluates future General Plan amendments and the next comprehensive General Plan update.

13.1

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Chapter 13.2
Housing Plan

The goals, policies, and actions delineated in this chapter serve to support the City's vision of providing decent housing and a suitable living environment for every resident.

Goals and Policies

The Housing Plan identifies the City's goals for neighborhood conservation, housing production, housing support, and housing opportunities. The goals are supported by policies which are implemented through a series of actions.

Goal A Create and maintain high-quality, livable, and diverse housing stock within the City of Santa Clara.

Policy A-1: Maintain and improve the quality of residential housing stock, address housing deficiencies and prevent future blight through the encouragement of ongoing maintenance, rehabilitation, and conservation of existing housing stock.

Policy A-2: Provide residential code enforcement for conformance with City Code and Zoning Ordinance regulations.

Policy A-3: Utilize objective design standards to streamline the housing development process.

Policy A-4: Seek collaborative efforts with regional entities and utility service providers to subsidize and incentivize residential energy and water conservation.

Policy A-5: Proactively plan for sufficient housing capacity through infill development that is compatible with existing neighborhoods and through the preparation of neighborhood plans that will support the development of new, complete neighborhoods.

Policy A-6: Engage with developers regarding the benefits of hiring local labor, hiring from or contributing to apprenticeship programs, increasing resources for labor compliance, and providing living wages.

Goal B Designate suitable vacant or underutilized sites for new residential development.

Policy B-1: Identify potential sites for affordable housing units in areas of "high opportunity" as defined by the state.

Policy B-2: Encourage the building of high-density housing on appropriate vacant or underutilized sites.

Policy B-3: Identify and facilitate the award of local, regional, state, and federal funding sources to support housing development, housing infrastructure, and amenities.

Policy B-4: Identify and potentially designate surplus land that can accommodate low, very-low, and extremely low-income residential development.

Policy B-5: Encourage high density residential development utilizing the City's higher density and mixed-use residential designations in proximity to transit and other residential services.

Goal C Increase special needs housing opportunities for persons of all economic levels.

Policy C-1: The City shall collaborate with services agencies and community-based organizations to prioritize loans and grants toward housing for seniors, persons with disabilities, persons with mental illness, large families with children, female-headed households, victims of domestic violence, and people who are experiencing homelessness.

Policy C-2: Improve proximity and connections between special needs housing and high-quality transit stops, job centers, educational institutions, day care, open space, community services, and healthy food options.

Policy C-3: Participate in local, regional, State, and federal programs and efforts that support affordable, transitional, supportive, and permanent housing and address the needs of disadvantaged populations and those experiencing homelessness.

Policy C-4: Ensure compliance with all State and federal regulations relating to housing opportunities and the prevention of discrimination based on religion, gender, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or mental or physical disability and any other protected classes under federal and State law.

Goal D Promote a variety of housing types, tenure, and location, including higher density where possible, especially for lower and moderate income and special needs households.

Policy D-1: Continue to identify and apply for funding that supports the development of housing for extremely-low and very low-income residents and special needs households.

Policy D-2: Continue to utilize General Plan land use and zoning updates to provide increased opportunity and flexibility in providing a variety of housing types and tenure.

Policy D-3: Periodically review the City's ordinances, policies, and procedures and make changes to reduce or remove constraints to housing development.

Policy D-4: Promote the use of density bonuses and development incentives to facilitate a variety of housing types and tenure.

Policy D-5: Encourage the construction of accessory and junior accessory dwelling units through outreach, education, and links to regional technical assistance.

Goal E Affirmatively further fair housing by increasing access to opportunity, reducing displacement impacts, reducing cost burden, targeting outreach to lower income residents, and rehabilitating substandard living conditions.

Policy E-1: Improve access to opportunity by working to improve the quality of life for residents of lower income communities, as well as supporting residents' mobility and access to 'high resource' neighborhoods.

Policy E-2: Work to reduce displacement of lower income residents from Santa Clara and to reduce the impact of relocation on low-income households.

Policy E-3: Conduct proactive outreach in areas of the City with less access to opportunity, to build awareness of services including fair housing complaint investigation, landlord tenant mediation, eviction and homelessness prevention counseling, and opportunities to apply for new affordable housing through the HouseKeys application portal.

Policy E-4. Conduct regular outreach, education, and affirmative marketing with community partners that have access to populations experiencing disproportionate housing problems and encourage early participation from a diverse set of residents and other stakeholders in the development of long-range plans and the review of new development proposals.

Policy E-5: Increase public participation by translating public outreach documents (e.g., flyers, surveys) as part of the public participation process and when marketing the City's affordable housing lotteries.

Policy E-6: Continue to provide, when appropriate and feasible, options for either virtual, in-person, or hybrid community meetings to allow for broader community participation.

Implementing Actions

Each Goal outlined in the Housing Plan is supported by one or more policies, which are often implemented by specific actions. Many of the identified actions below will implement multiple policies and goals. Some policies offer direction to Staff and appointed/elected officials in making decisions related to the provision of housing but are not implemented through specific housing programs.

Objectives for each action are either categorized as "Discrete" (objective to be completed during the timeframe of the Housing Element) or "Ongoing" (objective that happens throughout the timeframe of the Housing Element).

Action 1: Provision of a Variety of Housing Types

The City of Santa Clara supports and encourages the development of a variety of housing types to rent and to own in a variety of locations to maintain social and economic diversity in the community. During the Housing Element planning period, the City will promote the development of accessory units, affordable one- and two-story additions to single-family homes, and other lower income housing alternatives.

Funding Source: Departmental Budget

Responsible Agency: Planning Division and Housing and Community Services Division

Discrete Objectives:

a. By ~~November~~ December 2023, adopt the comprehensive Zoning Ordinance update with revised provisions to allow a variety of housing types through a by-right approval process without discretionary action using objective standards, including:
   - Single-room occupancy units (SROs) (pursuant to HSC 17021.5)
   - Employee housing (pursuant to HSC 17021.5)
   - Emergency shelters (pursuant to GC 65583(a)(4))
   - Low barrier navigation centers (pursuant to GC 65660)
   - Permanent supportive housing (pursuant to GC 65651)
   - Residential care facilities (pursuant to GC 65583(c)(3))

b. As a part of the Zoning Ordinance Update, acknowledge group homes (residential care facilities) for 7 or more residents and separately enumerate residential care facility uses with 6 or fewer residents. Residential Care Facilities with 6 or fewer residents will be permitted in all residential zones similar to other residential uses of the same type in the same zone.

~~b.~~c. By January 2025, update Zoning Ordinance requirements related to residential care facilities with 7 or more residents to allow these uses in all residential zones, if necessary, and modify the permitting process to permit these uses with objectivity to facilitate approval certainty similar to other uses of the same type in the same zone.

~~c.~~d. As a part of the Zoning Ordinance Update, incorporate changes to state Accessory Dwelling Unit (ADU) law and incentivize the creation of ADUs by removing parking requirements and providing more flexible height standards.

~~d.~~e. By January 1, 2024, the City of Santa Clara Building Division will:

1. Compile and post on the Building Division page a list of information needed to approve a post entitlement phase permit
2. Post on the Building Division page an example of a complete approved application and an example of a complete set of post entitlement phase permits for at least 5 types of housing development projects: ADU, duplex, multifamily, mixed use, and townhome.

f. By December 2024, review and adopt revisions to the City's Reasonable Accommodation process to ensure consistency with State and federal fair housing requirements.

~~e.~~g. By 2026, or as funds become available, through the provision of a notice of funding availability (NOFA), prioritize loans for the development of extremely low and very low-income housing alternatives, such as single-room occupancy (SRO) units, senior housing, family housing, housing for persons with disabilities (including developmental disabilities), licensed residential care homes, etc. (This responds to community feedback that 80-120% AMI housing is no longer affordable enough for many residents in Santa Clara).

~~f.~~h. By 2030 increase the stock of:

- Extremely low and very low income rental housing designed for persons with developmental disabilities by 35% from 56 in 2023 to 76.
- Extremely low and very low income rental housing for elderly persons by 20% from 736 in 2023 to 884.
- Income restricted three and four bedroom affordable rental housing units to serve large households in Santa Clara by 20% from 107 units in 2023 to 129 units.

~~g.~~i. By 2030, increase access to interim housing units, rapid rehousing, and emergency shelter beds by 30% from 453 in 2023 to 589.

~~h.~~j. By the end of 2026, reassess demand for urban farmworker housing (current and retired workers) and gauge the interest and feasibility among developers to utilize the Joe Serna Jr. Farmworker Housing Grant Program when funds become available.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

~~i.~~k. Explore regional and state funding sources to build more housing opportunities for persons with disabilities and for extremely low-income households.

~~j.~~l. Report on the production of ADUs through the City's Annual Progress Report (APR). If the pace of ADU production falls below the level necessary to achieve 392 ADUs during the 2023-2031 planning period (approximately 49 ADUs/year), within six months of acceptance of the APR, present a plan to City Council to remove barriers and/or further incentivize ADU production (e.g., through additional Zoning changes).

m. Continue participating in the development and implementation of the Santa Clara County Planning Collaborative ADU Program, which will include a central online resource for making it easier to build ADUs, including an ADU Guidebook, gallery of ADU plans, examples/stories of real ADUs that have been built, and an ADU cost calculator.

n. Increase Housing Choices and Affordability in Areas of Opportunity:

1. In addition to monitoring and reporting on overall production of ADUs, monitor distribution of ADUs into HCD/TCAC Opportunity Areas (i.e. Highest, High, Moderate, Low) and ensure that at least 70% of the City's annual ADU production goal (70% of 49 ADUs/year = 34 ADUs) occurs within Highest and High Opportunity Areas within the northern and southern parts of the City. If less than 34 ADUs are approved within Highest and High Opportunity Areas in a given year, develop and present to City Council, as part of that year's APR, options to further promote ADU development within those higher income, higher resourced, and typically lower density areas.

2. Monitor the number of lot splits and units created through implementation of the City's SB 9 ordinances with a goal of approving four (4) SB 9 units per year in targeted areas within the northern and southern parts of the City. If less than four (4) SB 9 units per year are achieved, conduct targeted outreach to single-family property owners in higher income, higher resource, lower density neighborhoods to promote SB 9 lot splits/units.

3. Religious/Faith-Based Sites:

i. By the end of 2026, create an informational packet and conduct biennial outreach to religious/faith-based institutions in high and highest opportunity areas in Santa Clara to educate them about recent state law changes (e.g., SB 4 (2023)) to facilitate affordable housing development on land owned by religious

institutions. The City will also connect interested landowners with experienced nonprofit affordable housing developers.

ii. Through activities such as additional outreach and contact with affordable housing developers, supporting funding applications, providing technical assistance, and granting incentives such as finding funding sources to reduce permit fees for applicants and reducing development standards, facilitate at least 50 units proposed on religious/faith-based sites in higher income, higher resourced, and lower density neighborhoods within the northern and southern parts of the City by 2028.

4. Support shared housing for persons with developmental disabilities in higher income, higher resourced, and lower density neighborhoods within the northern and southern parts of the City. See Action 18.

5. Continue to support adaptive reuse of hotels/motels along transit corridors in proximity to services (e.g., El Camino Real) that facilitate affordable unit and supportive housing production.

~~1.~~6. By summer 2024 adopt a General Plan Text Amendment to increase the density limit for Very Low Density Residential parcels from up to 10 du/ac to 14 du/ac. These lower density residential parcels are generally located in higher income and higher resourced parts of the City.

Relevant Policies: Policy A-3, Policy B-1, Policy B-3, Policy C-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1, Policy D-2, Policy D-3, Policy D-4, Policy D-5

Action 2: Affordable Housing Ordinance

The City's Affordable Housing Ordinance requires developers of residential developments of 10 or more units to provide the following:

- Rental projects - 15% of rental units must be affordable to renters of extremely low, very low, low, and moderate income households, as long as the distribution of affordable units averages to a maximum of 100% of AMI.
- For sale/ownership projects - 15% of units must be affordable to extremely low, very low, low, and moderate income households, as long as the distribution of affordable units averages to a maximum of 100% of AMI.

The Affordable Housing Ordinance has two components: Below Market Rental (BMR) program and Below Market Purchase (BMP) program. The City offers BMR and BMP units to income-

qualified households. This program is an important tool for providing very low, low and moderate income housing opportunities.

Funding Source: Inclusionary Housing

Responsible Agency: Housing and Community Services Division

Discrete Objectives:

a. By the beginning of 2026~~middle of 2025~~:

1. Update the citywide affordable housing ordinance to comply with the MTC Transit Oriented Communities Policy and recent feasibility studies and area plan approvals for the Patrick Henry Drive Specific Plan and the Freedom Circle Focus Area that support deeper affordability requirements (5% very low income, 5% low income, and 5% moderate income or deeper affordability) for inclusionary rental and ownership projects. Complying with the proposed affordability requirements would entitle developers to use the Density Bonus provisions of state law.

2. Assess the feasibility of updating the ordinance's definition of "moderate income" units from 120% AMI to 100% AMI to further distinguish the difference between "moderate income" and market rents. This responds to stakeholder feedback that 120% AMI is not affordable for many residents and in some cases exceeds market rents.

3. Conduct community outreach to present and receive feedback on the feasibility study and bring the study and summary of community feedback to City Council, with proposed revisions to the ordinance if necessary.

4. Determine the feasibility and marketability of changes to the BMP program that would keep new BMP homes affordable, or deed restricted, for 20-30 years instead of just five years. Such changes could also make the City's BMP program compatible with the County's new Below Market Rate Partnership program which aims to assist low and very low-income first-time homebuyers. This responds to stakeholder feedback that homeownership is desired but increasingly less attainable in Santa Clara.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

b. Monitor and report the effectiveness of the Affordable Housing Ordinance in expanding affordable housing choices through the City's Annual Progress Report to HCD.

c. Conduct in-person outreach once per year in low and moderate resource areas of the City to educate residents on how to use local and regional housing lottery systems and fair housing resources.

Relevant Policies: Policy B-1, Policy B-2, Policy B-3, Policy C-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1, Policy D-4

Action 3: Affordable Housing Incentives and Facilitation

For-profit and nonprofit developers play a significant role in providing affordable housing in Santa Clara. The City will proactively encourage and facilitate the development efforts of developers and organizations for the construction of affordable housing for lower income households, particularly those with special needs including seniors, large households, extremely low-—income households, households with persons who have disabilities (including developmental disabilities), and licensed residential care homes.

Funding Source: CDBG; HOME; General Fund

Responsible Agency: Planning Division and Housing and Community Services Division

Discrete Objectives:

a. By June 2023, create and post an SB 35 checklist and written procedures for processing SB 35 applications.

b. Prior to the end of 20254, the City will conduct public outreach and issue a request for proposals to develop mixed income or 100% affordable housing on the vacant former site of the King's Highway Motel on El Camino Real.

c. Apply reduced parking requirements for transit-rich environments (at least 50% of the area is within ½ mile of any of the following: an existing rail station; a bus stop with peak service frequency of 15 minutes or less; a planned rail station in the most recently adopted fiscally-constrained Regional Transportation Plan) from the Zoning Ordinance Update to proposed long-range plans, including the El Camino Real Specific Plan and the Santa Clara Station Area Plan, which will positively impact housing, transportation and other plan goals.

d. As a part of the Zoning Ordinance Update, reduce residential parking requirements outside of transit-rich environments by reducing the amount of parking required for studio and one-bedroom apartments in multi-family zones.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

~~b.~~e. Encourage and assist in efforts to combine public and private funds in joint housing ventures that maximize affordability.

f. As appropriate, support and/or partner with housing developers in the application for affordable housing funding, such as providing technical data, assistance in identifying available and appropriate sites~~., and~~

~~c.~~g. To ~~expedit~~~~eing~~ review and processing of 100% affordable housing projects, meet with affordable housing applicants to coordinate regularly on timing of tax credit and other public and/or private funding applications.

~~Apply reduced parking requirements for transit rich environments from the Zoning Ordinance Update to proposed long range plans, including the El Camino Real Specific Plan and the Santa Clara Station Area Plan, which will positively impact housing, transportation and other plan goals.~~

~~As a part of the Zoning Ordinance Update, reduce residential parking requirements outside of transit rich environments by reducing the amount of parking required for studio and one bedroom apartments in multi family zones.~~

~~d.~~h. As appropriate, collaborate with neighboring jurisdictions to pursue funding opportunities for affordable housing programs.

~~e.~~i. Utilize CDBG ~~, and~~ HOME or other local ~~funds~~ in conjunction with other cities' funds to construct or rehabilitate shelters, public service facilities, and to provide housing services at least once during the Housing Element cycle.

~~f.~~j. Review best practices once per year with regional working groups to identify appropriate incentives and policies to support affordable housing development in the City including fee deferral, reduction, or waivers.

Relevant Policies: Policy B-1, Policy B-2, Policy B-3, Policy B-4, Policy B-5, Policy C-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1, Policy D-2, Policy D-3, Policy D-4, Policy D-5

Action 4: Maintenance of Housing Stock

Since 1976, the City of Santa Clara has assisted more than 1,000 homeowners to rehabilitate and increase the value of their homes through the Neighborhood Conservation and Improvement Program (NCIP). Under the direction of the City of Santa Clara Housing and Community Services Division and in partnership with Rebuilding Together Silicon Valley, NCIP offers technical and financial assistance to qualified homeowners. The program is designed for citywide households with gross incomes at or below 80 percent of County median income. Various types of minor and major repairs may be addressed, including accessibility improvements, re-roofing, plumbing, heating/cooling, electrical, termite damage, foundation, and weatherization. The costs for home repairs are covered through a grant or a loan depending on the size of the project.

The Multi-Family Affordable Energy Efficiency program allows for the City's special revenue funds in partnership with Silicon Valley Power (SVP) to pay for energy consultants to recommend and create a scope of work for specific SVP project rebates. The program also allows for the City to provide assistance for the cost of installation and facilitates the grant administration process.

Funding Source: CDBG, HOME / Special Revenue Funds (in partnership with SVP)

Responsible Agency: Housing and Community Services Division

Discrete Objectives:

a. By the end of 2024, conduct outreach to single-family home residential care facilities that serve protected classes including persons with disabilities to determine interest in and the feasibility of including these properties in future CDBG/HOME Notices of Funding Availability to address rehabilitation and emergency repairs in these facilities. (This objective responds to feedback from Life Services Alternatives)

b. By fall 2025, market future CDBG capital NOFAs to residential care facilities for repair and renovation work to begin in summer 2026. The NOFA shall include extra points for projects that serve persons with disabilities and/or extremely low income households.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

c. Assist approximately 200 low, very low, and extremely low-~~-~~income homeowners with rehabilitation, installation of accessibility improvements, and emergency repair assistance through loans and grants from the Neighborhood Conservation and Improvement Program (NCIP) ~~loans and grants~~ during the Housing Element planning period.

d. Continue to conduct inspections of homes on a request and complaint basis, providing referrals to the NCIP and assistance where possible to correct identified issues and problems in both primary and secondary dwelling units.

e. Through the CDBG program, to address rising average temperatures, promote NOFA process for installation of HVAC improvements for sensitive populations, including seniors in multifamily housing. (This response to feedback from seniors that live in apartments that do not have air conditioning).

Relevant Policies: Policy A-1

Action 5: Preservation of Assisted Rental Housing & NOAH

To meet the housing needs of persons of all economic groups, the City is committed to guarding against the loss of housing units reserved for lower income households. Four assisted rental projects, with a total of 45 units in Santa Clara are identified to be at potential, albeit very low, risk of conversion to market rate use between June 2028 and October 2031. In addition, the City will monitor the status of naturally occurring affordable housing (NOAH)

Funding Source: Departmental Budget

Responsible Agency: Housing and Community Services Division

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

The following objectives support the City's goal of conserving 93 housing units, including 87 affordable units (44 in higher income, higher resourced, and lower density neighborhoods).

a. Continue to assist property owners of income restricted housing to make periodic capital improvements to their property, to improve energy efficiency and to extend affordability.

b. Continue to monitor and analyze inventory of income restricted projects/units that may be at-risk of losing affordability controls and maintain contact every four years with the property owners regarding long-term plans for their projects.

c. Maintain contact with public and nonprofit agencies (qualified entities) every two years, such as the Sobrato Family Foundation, BRIDGE Housing, and MidPen Housing that have expressed interest in purchasing, managing, or financing the acquisition of at-risk units.

d. Explore new funding sources that can be used for preservation from the Bay Area Housing Finance Authority (BAHFA) and other state sources by attending at least two related meetings or webinars per year.

e. Work with owners of at-risk income restricted housing to restructure City loans in exchange for extended affordability restrictions when appropriate.

f. When an at-risk project is identified, ~~ork with tenants of at-risk units, providing~~provide ~~tenants them~~ work with the property owner to provide tenants with information regarding tenant rights and conversion procedures, including the property owner requirement to provide a minimum 12-month notice of intent if they choose to opt out of low-income use restrictions.

g. By the end of 2024, develop a list of naturally occurring affordable housing (NOAH) locations and meet with at least three ~~interested~~ property owners to facilitate possible connections between sellers, affordable housing developers, and funding sources.

h. In 2025, 2027, and 2029, monitor the risk of conversion of naturally occurring affordable housing (NOAH) by contacting owners of the three highest risk properties to determine their intentions and continue to coordinate with qualified entities regarding the conversion of NOAH to income-restricted affordable housing.

Relevant Policies: Policy A-1, Policy A-2, Policy A-4, Policy B-1, Policy B-4, Policy C-4, Policy D-1, Policy D-2, Policy D-3, Policy D-4, Policy D-5

Action 6: Acquisition of Multi-Family Housing

As a strategy to expand the City's affordable housing inventory, Santa Clara will continue to explore opportunities for the acquisition/rehabilitation of multi-family housing. As funding permits, the City will work with nonprofit organizations to acquire and rehabilitate deteriorating and distressed properties and convert them into affordable rental housing for lower income households, including those with special needs.

Funding Source: CDBG; HOME

Responsible Agency: Housing and Community Services Division

Discrete Objectives:

a. By the end of 2025~~ar~~, present to the City Council the findings from an analysis of the need/benefit and resources required to implement a Community Opportunity Purchase Act (COPA) program in the City of Santa Clara. A COPA program gives a qualified nonprofit buyer the right to make a first offer on a residential property that is for sale covered by the program.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

b. Create a database of naturally occurring affordable housing and annually monitor property sales and/or permit applications to identify conversion trends early.

c. Explore funding sources available at the regional, state, and federal levels to support affordable housing developers with acquisition/rehabilitation opportunities.

d. Work with nonprofit entities to acquire ~~properties~~ and/or rehabilitate at least one existing multi-family structure~~s~~ to be maintained as or converted into affordable rental housing. Prioritize assistance for housing that is within one half mile of rail transit stations or that is in a high or highest opportunity area according to TCAC.

Relevant Policies: Policy B-1, Policy C-1, Policy C-2, Policy C-3, Policy D-1

Action 7: Code Enforcement Program

Code enforcement is essential to ensuring housing conservation and rehabilitation. The City maintains a strong housing inspection and code enforcement program to ensure adequate maintenance of the housing stock and quality of residential neighborhoods. In an average year, the City receives several thousand complaints related to possible code enforcement violations. In many cases, the responsible party for the code violation is given the opportunity to voluntarily correct the situation and comply with current codes without a penalty.

Funding Source: CDBG, General Fund

Responsible Agency: Planning Division, Building Inspection, Police Department

Discrete Objectives:

a. By the second half of 2025 establish pilot multi-family residential housing inspection and educational programs that are self-funded through fees with a focus on census block groups with high concentrations of persons with disabilities, disproportionate housing needs, and overcrowding.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

b. Proactively and systematically respond to housing code violations.

c. Provide special attention to maintaining the stability of residential neighborhoods through development and enforcement of minimum standards of allowed use of the City's streets, as well as maintenance of front and other yard areas visible from the public right-of-way.

~~c.~~d. Starting in 2025 conduct annual outreach and marketing to residential property owners, landlords, and tenants regarding their rights, responsibilities, and resources available for maintaining the habitability and safety of their properties.

Relevant Policies: Policy A-1, Policy A-2, Policy A-3

Action 8: Neighborhood Relations Programs

Since 1990, the Neighborhood-University Relations Committee (NURC) (formerly Student Housing Committee) has been responsible for reviewing student housing issues. NURC meets regularly to facilitate on-going communication and problem solving among City officials, neighborhoods, property owners and Santa Clara University (SCU) officials and students. Santa Clara University has established a Residency Requirement for Freshman and Sophomore students, with some exceptions, to live on campus. In 2022, the City convened an ad hoc Homelessness Task Force which will be replaced in 2023 with a permanent Housing Commission. The new commission will advise on the use of the City's federal CDBG and HOME funds, and on the City's homelessness response efforts.

Funding Source: General Fund

Responsible Agency: Housing and Community Services Division

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

a. Starting in late 2024~~3~~, utilize the newly formed Housing Commission or a community meeting outreach format, to advise on CDBG and HOME grant administration for capital projects and community services, and on the City's homelessness response efforts. The City will convene at least three public meetings per year.

b. Improve the maintenance of student-occupied homes and behavior of the occupants via owner outreach at the beginning of each school year to minimize impacts on neighborhoods surrounding SCU.

c. Enhance code enforcement with weekly patrols ~~and~~in coordination with special police patrols, as needed, to address ~~the~~ problems in the SCU area.

~~c.~~ Continue to hold meetings three times per year with student tenants, landlords, SCU, residents, and the City to allow opportunities for stakeholders to discuss neighborhood issues and concerns.

d. ~~Continue to work with neighbors (residents, businesses, and institutions such as Santa Clara University) to ensure that development is compatible with existing neighborhoods and that neighbors are satisfied with the design, density, and parking requirements of projects.~~

Relevant Policies: Policy A-1, Policy A-2, Policy A-3, Policy C-4, Policy E-2, Policy E-3

Action 9: Zoning Ordinance

The City is currently undertaking a comprehensive update to its Zoning Ordinance to reflect the current goals and policies of the 2010-2035 General Plan. As part of this update, the City will revise its provisions for parking, including reduced parking requirements and unbundled parking for multi-family uses in transit-rich environments (at least 50% of the area is within ½ mile of any of the following: an existing rail station; a bus stop with peak service frequency of 15 minutes or less; a planned rail station in the most recently adopted fiscally-constrained Regional Transportation Plan). The Zoning Ordinance Update will also include provisions for a variety of housing types, including low-barrier navigation centers, residential care facilities, employee housing, and SRO housing. The update is expected to be completed in November 2023. The comprehensive Zoning update is intended to bring consistency between the Zoning Ordinance and the General Plan, implementing the General Plan goals by facilitating mixed use development and higher density residential development, protecting existing neighborhoods, and incentivizing redevelopment with appropriate development standards and streamlined procedures.

Funding Source: General Fund

Responsible Agency: Planning Division

Discrete Objectives:

a. Complete the comprehensive update to the Zoning Ordinance by ~~November~~ December 2023. The Zoning Code will include provisions that:

   1. Provide for by-right approval of a variety of housing types (see Action 1)

   2. Emergency Shelters (pursuant to GC 65583(a)(4):

      a. Allow emergency shelters by right without discretionary action in the R-3 ~~and~~, R-4, and R-5 Residential districts, the C-C and C-R Commercial districts, and the MU-VHD Mixed Use district.

      b. Allow emergency shelters in the LI Light Industrial and PQP Public/Quasi-Public districts with the issuance of a Minor Use Permit (MUP). MUPs are administratively reviewed by the Director of Planning.

      c. Include appropriate development standards, including parking.

      d. Ensure sufficient capacity near transportation and services:

i. Average parcel sizes in the R3 and R4 districts are 0.25 acres. Approximately 59% (2,436/4,133) of the structures built in the R3 and R4 districts are 40 years or older, indicating that new uses such as emergency shelters are potentially viable. A total of 76% of the structures within the R3 and R4 districts are within a half-mile of transit with 15-minute headways, and 98% of R3 and R4 parcels are within a half-mile of mixed-use or commercial parcels. ~~A, and allow emergency shelters in the LI Light Industrial and PQP Public/Quasi Public districts with the issuance of a Minor Use Permit.~~

e. Spring 2024, adopt Zoning Ordinance Amendment to:

i. Revise definition of emergency shelter to include other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care.

~~i.~~ii. Revise Emergency Shelters, Development and Operational Standards section to remove separation of uses standard.

~~2.~~3. Further reduce use of Planned Developments (PDs) by including new high-density residential and mixed-use zoning districts that conform to the General Plan and by allowing by-right approvals that meet objective development standards

~~3.~~4. ~~To Comply~~Spring 2024, adopt Zoning Ordinance Amendment with a provision that states, for all sites subject to the reuse provisions of ~~with~~ AB 1397 (2017): ~~,~~ 1) all nonvacant sites included in ~~a~~ the prior Housing Element (5th Cycle), and 2) all vacant sites included in ~~two or more consecutive planning periods planning periods~~both the 5th and 4th Cycle Housing Elements, the City shall ~~be permitted~~allow use by right for housing development pursuant to Government Code 65583.2(i), when ~~in which at least~~ 20 percent or more of the units are affordable to lower income households~~, meeting the requirements of State housing law (Gov Code Section 65583.2(c))~~.

~~4.~~5. Allow by-right expansion of single-family homes built with non-conforming side setbacks and/or one-car garages

~~5.~~6. Bring the City into compliance with State Density Bonus Law (SDBL), including recently adopted legislation that goes into effect in 2023.

~~6.~~7. Revamp residential parking requirements, including unbundling and make appropriate reductions in parking requirements according to housing type (i.e., reduced parking requirements for units for people with developmental and other disabilities) and reducing residential parking requirements outside of transit-rich

environments by reducing the amount of parking required for studio and one-bedroom apartments in multi-family zones.

~~7.~~8. Apply adopted zoning designations (spring 2024) to the City's Zoning map, consistent with the City's General Plan, which will add additional housing sites totaling 1,~~242~~ 039 units of capacity to the El Camino Real corridor.

9. Include the ability for the Director of Community Development to allow up to two (2) one-year permit extensions administratively.

10. Remove coverage maximums in the R3 and R4 districts and increase coverage maximums from 45% to 60% in the R2 district.

~~8.~~11. In addition to exempting ADUs/JADUs from providing parking, do not require replacement parking for JADUs that convert a garage space/s for the primary dwelling.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

b. Monitor the Zoning Ordinance, including land use controls (e.g., setbacks, height, lot coverage, etc.), for any potential constraints to the development of housing, particularly housing for persons with special needs (including those with developmental disabilities), and amend the Zoning Ordinance to address those constraints.

Relevant Policies: Policy B-2, Policy B-4, Policy B-5, Policy C-2, Policy D-2, Policy D-3, Policy D-4, Policy D-5

Action 10: Adequate Sites Inventory

The City is committed to ensuring that adequate sites at appropriate densities remain available during the planning period, as required by law. The residential sites analysis completed for the 2023-2031 Housing Element indicates the City can accommodate its RHNA of 11,632 units, including 2,872 very low income units, 1,653 low income units, 1,981 moderate income units, and 5,126 above moderate income units.

Funding Source: Departmental Budget

Responsible Agency: Planning Division

Discrete Objectives:

a. To supplement the City's housing sites inventory and to prepare for the 7th Housing Element cycle:

1. By the end of 2025, to encourage transit-based development, complete the Santa Clara Station Area Plan.

2. By the end of 2025, to encourage mixed-use development, complete the El Camino Real Specific Plan.

~~**Ongoing Objectives** (on an annual basis, unless otherwise noted):~~

b. Provide the City Council with a mid-term evaluation of the City's progress toward the RHNA with the City's 2027 APR, including progress toward completion in the planning period for pipeline projects and, within six months of the mid-term evaluation, present to City Council revisions to the Housing Element Sites Inventory to include additional sites, as needed, to ensure sufficient capacity to meet the City's RHNA at all income levels.

Ongoing Objectives (on an annual basis, unless otherwise noted):

~~b.~~c. Monitor the status of approved and proposed projects on the Housing Sites Inventory. Include a table with 6th Cycle APRs that describes the status of projects listed in Table 13.6-2 Pending and Approved Projects.

~~c.~~d. As a part of monitoring the status of approved projects, when an entitlement is nearing expiration, proactively notify applicants to apply for extension.

~~d.~~e. In the event that proposed projects are not approved within two years of HCD certification of the Housing Element, rework the Housing Element Sites Inventory to include additional sites, as needed, to ensure sufficient capacity to meet the City's RHNA at all income levels.

~~e.~~f. Maintain an inventory of housing sites appropriate for a range of income levels and housing types, including supportive housing for persons with disabilities and developmental disabilities.

~~f.~~g. Provide information and technical assistance on Federal and State funding sources or referrals to appropriate agencies.

~~g.~~h. Monitor and report on the dispersion of affordable units throughout the City.

~~h.~~i. Review housing sites inventory at time of development proposal to determine consistency with proposed density and assumed density in the Housing Element.

~~i.~~j. Maintain a no net loss of units identified in the sites inventory of this Housing Element. If the assumed density is not entitled, a finding must be made that the displaced units can be redistributed to other opportunity sites.

Relevant Policies: Policy B-1, Policy B-2, Policy B-3, Policy B-4, Policy C-2, Policy D-1, Policy D-2, Policy D-3, Policy D-4, Policy D-5

Action 11: Impact Fees

The City charges various impact fees to provide essential services and facilities to serve new development. The City will conduct an impact fee study to compare the City's fees with surrounding and similar jurisdictions.

Funding Source: Departmental Budget

Responsible Agency: Planning Division

Discrete Objectives:

a. By the end of 2025 conduct and present the results of an impact fee study to the City Council to assess if impact fees are constraining development or providing a competitive edge for the City. If City fees deviate significantly from those charged by comparable communities for either market rate or affordable developments, take actions by July 2026 to adjust fees as appropriate.

b. By the beginning of 2029 conduct and present the results of an impact fee study to the City Council to assess if impact fees are constraining development or providing a competitive edge for the City. If City fees deviate significantly from those charged by comparable communities for either market rate or affordable developments, take actions by July 2031 to adjust fees as appropriate.

Relevant Policies: Policy B-2, Policy B-3, Policy B-5, Policy C-3, Policy D-1

Action 12: Affordable Housing Funding

The City will continue to explore gaining access to additional resources that provide a steady funding stream for affordable housing. These may include, funding from the Bay Area Housing Finance Authority, County, State, federal, housing or land trust funds, and private sector support, partnerships, or philanthropy.

Funding Source: Departmental Budget Planning

Responsible Agency: Planning Division and Housing and Community Services Division

Discrete Objectives:

a. By the end of 2025, staff will organize a City Council study session to explore new sources of funding for the development of extremely low income and very low-income affordable housing including strategies to compete for and leverage federal, state, county and philanthropic funds, financial contributions from large employers, local revenue measures and other funding sources. This supports the City's goal for the production of at least 2,872 extremely low and very low income units within the timeframe of this Housing Element.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

b. Annually, staff will evaluate Notices of Funding Availability (NOFAs) from State, federal, and regional programs and evaluate staff capacity to ~~and~~ pursue funding applications as appropriate. At a minimum the City will explore applying for the HCD Local Housing Trust Fund (LHTF) program.

Relevant Policies: Policy B-3, Policy C-1, Policy C-3, Policy D-1

Action 13: Residential Displacement

Development in the City has primarily occurred as the recycling of existing marginal commercial and industrial uses into higher density multi-family housing. As such, the City has not yet experienced direct displacement of lower income households due to new development. As redevelopment of existing uses continues, the City will evaluate potential displacement of residents, and develop and adopt measures, as appropriate, to address the risk of direct or indirect displacement of those existing residents. The City will monitor such measures bi-annually for effectiveness and make necessary adjustments.

Funding Source: Departmental Budget

Responsible Agency: Planning Division

Discrete Objectives:

a. By the end of 2025 analyze the feasibility of setting a rent deposit limit and present findings from that analysis to the Housing Commission and City Council.

b. Within one year of Housing Element adoption, evaluate and provide recommendations to City Council on new programs and policies that prevent displacement and/or facilitate soft landings when relocation is unavoidable. This evaluation will include the following policy areas at a minimum:

    1. Requiring no net loss of income-restricted residential units during the construction of new housing or rehabilitation of existing housing.

2. Requiring the replacement of existing affordable units at the same or lower income level as a condition of development.

3. Requiring landlords to notify tenants and the City at least one year in advance of redevelopment and/or potential conversion to market rate housing. Provide information regarding tenant rights and conversion procedures.

4. Require developers and property owners of existing rental buildings to provide relocation benefits beyond those required by the state when a residential building is redeveloped and when existing tenants are evicted for no cause or no fault.

5. Policies, programs and procedures that help minimize the risk of displacement caused by substandard conditions including through local code enforcement activities.

c. Within two years of Housing Element adoption, adopt programs and policies to address displacement with bi-annual monitoring and reporting of effectiveness.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

d. Continue to fund at least one tenant and landlord resources and dispute resolution service contract~~s~~ annually.

e. Continue to fund the regional Homelessness Prevention System (HPS) lead by Destination Home which provides emergency rent and deposit assistance and housing counseling services.

f. Continue to market new below market rate rental (BMR) and ownership (BMP) opportunities broadly, and especially to residents living in lower income areas of the City. The City will host and/or present information in at least two in-person events per year in locations that are convenient to underserved residents.

Relevant Policies: Policy B-1, Policy B-2, Policy B-3, Policy B-4, Policy B-5, Policy C-1, Policy C-3, Policy D-2, Policy D-3, Policy D-4, Policy D-5

Action 14: Housing Choice Voucher Program

The Section 8 Housing Choice Voucher Program extends rental subsidies to very low income households, as well as elderly and disabled persons. The subsidy represents the difference between 30 percent of the monthly income and the allowable rent determinedby the Section 8 program. Vouchers permit tenants to locate their own housing and rent units beyond the federally determined fair market rent in an area. The City's role in this action will be to advocate for more Housing Choice Vouchers for Santa Clara residents.

Funding Source: Section 8

Responsible Agency: Housing Authority of the County of Santa Clara Continue to participate in and promote the Housing Choice Voucher Program.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

a. ~~Advocate~~ Meet at least once per year with staff from the County, the County's Housing Authority and other agencies to advocate for additional project and person-based vouchers for seniors and other special needs groups on fixed incomes in Santa Clara through partnerships with the affordable housing developers, Santa Clara County Housing Authority, and the County's Office of Supportive Housing. This responds to stakeholder feedback that seniors and households on fixed incomes cannot afford rent increases that are based on escalating HCD Income Limits.

b. Annually assist the Housing Authority with the promotion of incentives that encourage landlords to accept Housing Choice Vouchers to ensure that voucher holders can find housing and avoid displacement or homelessness. The City will work with the Housing Authority to coordinate on one social media campaign per year and to host one educational workshop for single family and multifamily landlords to expand locations of participating voucher properties.

~~b.~~c. Develop and include a Fair Housing Factsheet to include in the City's ADU and SB 9 application packets. These sheets would encourage homeowners to seek out tenants with housing choice vouchers by educating them about the process, addressing common concerns, promoting incentives offered by the Housing Authority, and informing landlords that it is illegal to discriminate against tenants with vouchers.

~~c.~~d. Continue to refer households in need to the Housing Authority's Housing Choice Voucher Application Portal.

Relevant Policies: Policy B-3, Policy C-1, Policy C-3, Policy D-1

Action 15: Homeownership for First-Time Buyers

The City continues to create affordable ownership units through its Inclusionary Housing Policy. HouseKeys partners with Santa Clara staff to offer the units created through the Inclusionary Housing - Below Market Purchase (BMP) program to income-qualified households. The intent of the BMP program is to offer low and moderate income homebuyers an opportunity to purchase a home they would not ordinarily be able to afford. If a BMP homeowner wishes to sell the home between 6-20 years after purchase, they must pay back the City's remaining note value and a share of the equity increase.

Other resources for affordable homeownership are also available to Santa Clara residents. These include the Housing Trust Silicon Valley, Mortgage Credit Certificates, Habitat for Humanity, and Santa Clara County's Office of Supportive Housing.

The Housing Trust Silicon Valley Empower Homebuyers SCC program provides loans to low- and moderate-income homebuyers in Silicon Valley in the form of low-interest, second mortgages and down-payment assistance. Santa Clara residents are eligible for two types of assistance offered by the Housing Trust, mortgage assistance and gap assistance.

The Mortgage Credit Certificate Program (MCC), administered by the County of Santa Clara Office of Affordable Housing, provides financial assistance to first-time homebuyers. The Santa Clara County MCC tax credit reduces the federal income taxes of qualified borrowers purchasing qualified homes, thus having the effect of a mortgage subsidy. The current tax credit rate is up to 15 percent of the interest paid to the lender on the first loan.

Habitat for Humanity East Bay/Silicon Valley provides ownership opportunities for first-time homebuyers via a sweat equity and savings plan programs. Households, friends, and family contribute 250-500 hours of sweat equity into the construction of their homes.

Santa Clara County's Measure A also sets aside funds to assist first time homebuyers. In 2023, the County will roll out new programs that help low income households attain home ownership.

Additionally, SB 9, signed into law in September of 2021 and effective January 1, 2022, allows property owners within single-family residential zones to build two units and/or to subdivide an existing lot into two parcels, for a total of four units that can each be sold as separate units, can help enable affordable home ownership for first time buyers.

Funding Source: Inclusionary Housing

Responsible Agency: Housing and Community Services Division and HouseKeys

Discrete Objectives:

a. By the end of 2025~~4~~, present to the City Council proposed changes to the BMP program to keep homes affordable for longer than 5 years by requiring resale to income eligible homeowners in the program. This change could also make Santa Clara's BMP program compatible with Santa Clara County subsidies that are intended to make homeownership attainable for low and very low-income households. If approved, implement the change by December 2026~~5~~.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

b. Continue to promote homeownership for first time buyers through units that are income restricted and marketed under the City's inclusionary ordinance. The City will

share resources in at least two in-person events per year and will coordinate at least one social media campaign per year focused on first time homeownership resources.

c. Encourage program participation for all levels of household income that meet eligibility criteria.

d. Continue to promote homebuyer assistance programs through the Housing Trust Silicon Valley, County of Santa Clara, Habitat for Humanity, and the County's Office of Supportive Housing (Measure A). The City will share resources in at least two in-person events per year and will coordinate at least one social media campaign per year focused on first time homeownership resources.

Relevant Policies: Policy B-3, Policy C-1, Policy D-1

Action 16: Fair Housing Program

The City contracts with a qualified fair housing services provider to provide fair housing services to its residents. Currently, the City utilizes Project Sentinel, a nonprofit agency that provides information and dispute resolution services to tenants, landlords, and roommates. Since 2009, Project Sentinel has assisted over 1,000 Santa Clara households and landlords to resolve disputes through counseling, conciliation, and mediation.

Funding Source: CDBG

Responsible Agency: Housing and Community Services Division

Discrete Objectives:

~~a.~~ By the end of 2025, bring forward a proposal for City Council consideration to write an ordinance that requires landlords to provide a City approved multilingual brochure to all tenants with every lease signing that summarizes landlord and tenant rights under state law. If the ordinance is approved, conduct a series of educational workshops with local landlords and tenants.

~~b.~~a. ~~By 2027, Market the Silicon Valley Hopper ride share service Citywide in Central and North Santa Clara once it becomes available. This service will help connect lower income residents to major employment centers, VTA Light Rail, Caltrain and the future BART station.~~

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

~~c.~~b. Continue to refer tenant-landlord complaints to an agency offering meditation, within five (5) business days of receiving the complaint.

~~d.~~c. Provide referral services and promotional support to link those experiencing discrimination in housing with public or private groups who handle complaints against discrimination.

~~e.~~d. Seek state and federal enforcement of fair housing laws and continue to cooperate with local agencies investigating claims of discrimination in lending practices and predatory lending.

~~f.~~e. Work with Project Sentinel and other nonprofit organizations to improve the City's webpage to include more landlord/tenant rights resources, rights regarding reasonable accommodation, and contact information in a format that is easily translatable using a web browser. Meet with Project Sentinel at least once per year to discuss new resources or collateral to share at City Hall and/or to include on the City's webpage.

~~g.~~f. Partner with nonprofit organizations and hold in-person open house events and meetings at least twice per year to distribute fair housing information, resources about how to apply for affordable housing, distribute multilingual collateral (Spanish, Chinese, and Vietnamese) about landlord tenant rights under state law, rights regarding reasonable accommodation, and other forms of assistance and housing services.

~~h.~~g. Refer disputes between property owners to the County Human Relations Commission's Dispute Officer within five (5) business days of the City being informed of the dispute.

Relevant Policies: Policy B-3, Policy C-1, Policy C-4, Policy D-1

Action 17: Homeless Services

In 2022 the City convened a six-month Homelessness Taskforce. The Taskforce included stakeholders with a range of perspectives and experience to help identify priorities and provide recommendations related to the development of a local plan to reduce homelessness and its impacts. Additionally, the City's Police Department conducts outreach through the Community Response Team and the Housing and Community Services Division administers grants to several local agencies that offer services to the homeless. The following agencies have received funding from the City:

- WeHope Dignity on Wheels Mobile Shower and Laundry Service
- Santa Clara County Homelessness Prevention System (HPS)
- Santa Clara County case management for permanent supportive housing clients
- Next Door Solutions to Domestic Violence
- Emergency Housing Consortium
- St. Justin Community Ministry
- Bill Wilson Center
- Abode Services
- Community Technology Alliance
- InnVision

Funding Source: CDBG, HOME, HOME ARP, PHLA

Responsible Agency: Housing and Community Services Division

Discrete Objectives:

a. Adopt and begin implementation the City's Homelessness Response Plan by ~~fall~~ spring 2024~~3~~. The Plan identifies the following priority areas:

1. Conduct proactive street outreach with the goal of assessing people for supportive housing
2. Address basic needs of people living outside, including shelter, health, and hygiene
3. Build community understanding of the causes, needs, and experience of homelessness
4. Reduce the impacts of unsheltered homelessness throughout the community

5. Create broad based support for interim and permanent supportive housing as well as Extremely Low Income (ELI) housing development across the City
6. Prevent homelessness for at-risk City residents

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

b. Continue to provide street outreach through the Police Department's Community Response Team and additional proactive strategies to ensure that people experiencing homelessness in the City are assessed as part of the Coordinated Entry System and connected to other services.

c. Continue to invest HOME funds into the City's Tenant Based Rental Assistance (TBRA) program to serve at least 15 clients per year.

d. Continue to invest in the regional Homelessness Prevention System to provide emergency rent assistance, deposit assistance, and case management services for at least ~~fifteen~~15 households at any given time.

e. Target services to vulnerable populations, including at-risk youth, seniors, and persons with disabilities and unhoused families with children.

Relevant Policies: Policy B-3, Policy C-3, Policy D-1

Action 18: Shared Housing

Shared housing can be an affordable alternative for lower income seniors, disabled, and special needs residents when sufficient support and property management services are included. The City can support this housing type through acquisition and rehabilitation subsidies.

Funding Source: Departmental Budget, CDBG

Responsible Agency: Housing and Community Services Division

Discrete Objectives:

The following objectives support the City's goal of helping nonprofit developers acquire and/or rehabilitate at least eight shared housing units with long term management in higher income, higher resourced, and lower density neighborhoods withing the planning period.

a. In 2024, evaluate the need for shared housing services as part of the 2025-2030 HUD Consolidated Planning process.

b. By 2025 explore ways to improve City staff capacity to help seniors and other special needs groups navigate the housing market and to access subsidized housing. (This objective was added in response to feedback from seniors, senior care providers, and Project Sentinel)

c. By 2026 explore ways to increase access to service enhanced senior housing with rents capped at 30 percent of income versus based on median income limits. Present findings to the Senior Commission and City Council. (This objective was added in response to feedback from seniors).

d. By 2028, set aside $2,000,000 from the City's affordable housing capital fund for low interest loans to help nonprofit developers acquire and/or rehabilitate four (4) or more single family homes for conversion into affordable residential care facilities for persons with developmental disabilities in higher resource, higher income, lower density neighborhoods within the northern and southern parts of the City. ~~Additional points will be awarded in the request for proposals for homes located in moderate, high and highest opportunity census tracts.~~ This relates to Action 1 and could increase housing for persons with developmental disabilities by 35%.

~~c.~~ By 2026, explore partnering with a nonprofit organization, such as HIP Housing, that specializes in home sharing services (e.g., interviewing/screening applicants, follow-up support), to efficiently connect home seekers with home providers and to ensure the long-term success of the program~~.~~

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

~~d.~~e. Continue to support the creation of new shared housing for lower income persons with developmental disabilities by including acquisition or rehabilitation as a category in a notice of funding availability for affordable housing prior to 2026 (This objective was revised to reflect community feedback that home sharing can work well for persons with developmental disabilities, but not as well for elderly residents).

Relevant Policies: Policy B-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1, Policy D-2

Action 19: Tasman East Specific Plan Amendment

The Tasman East Specific Plan, adopted in 2018, has approved and proposed projects totaling 4,~~438~~ 366 units, nearly the adopted capacity of 4,500 units. With approximately 10 acres of land zoned and still available for residential redevelopment, the City can help to facilitate the development of additional residential units by amending the Specific Plan and creating environmental clearance for those units.

Funding Source: Departmental Budget, SB2 grant

Responsible Agency: Planning Division

Discrete Objectives:

a. By ~~the end of 2023~~April 2024, adopt a Specific Plan amendment and associated environmental clearance allowing an additional 1,500 dwelling units in the Tasman East plan area. The amendment will include an update to the Tasman East Infrastructure Fee, to ensure that costs are shared equitably between developers.

Relevant Policies: Policy B-1, Policy B-2, Policy B-3, Policy B-4, Policy C-2, Policy D-1, Policy D-2, Policy D-3, Policy D-4, Policy D-5

Action 20: Water and Sewer Affordable Housing Service Provisions

Government Code, § 65589.7 requires Cities to have specific procedures to grant priority for water and sewer service to developments with units affordable to lower-income households.

Funding Source: Departmental Budget

Responsible Agency: Water and Sewer Department

Discrete Objectives:

a. Within six months of certification of the Housing Element, adopt procedures to grant priority for water and sewer service to developments with units affordable to lower-income households, per Government Code, § 65589.

Relevant Policies: Policy D-2, Policy D-3

Action 21: Place-Based Programs

Place-based strategies improve housing choice by bringing new amenities and opportunities to underserved neighborhoods. Place-based strategies can include proactive outreach and education in underserved neighborhoods, improved access to services and programs, and new capital projects.

In addition to enhancing housing mobility strategies and encouraging development of new affordable housing in high resource areas, the City of Santa Clara is committed to implementing actions to improve upon existing place-based strategies to encourage community conservation and revitalization in areas of lower opportunity. These place-based strategies include investments in infrastructure improvements, transportation, parks, library facilities, and other community amenities targeted to areas with lower resources, lower incomes, and higher concentrations of poverty.

Funding Source: State Library Fund, State Transit and Intercity Rail Program, City funds, CDBG funds

Responsible Agencies: Library, Public Works, Parks & Recreation, Community Development

Discrete Objectives:

a. By the end of November 2023, the City's Library will apply for a grant from the California State Library to fund two pop-up events at Montague Park in north Santa Clara. These events will be marketed to the surrounding neighborhood which includes a concentration of lower income rental housing and a high rate of foreign-born households. If funded, the pop-ups will bring the City's bookmobile, resource partners, activities such as live performances, as well as information and workshops offered by Mission College, Second Harvest of Silicon Valley and various nonprofit service providers. The event is intended to invite residents from this isolated and under resourced neighborhood to the Northside Library and Montague Park. Each pop-up event will likely attract 200 people. Weekly bookmobile stops are estimated to serve 40-50 patrons per visit. If the grant is funded, the project will begin by Spring 2024 with regularly scheduled bookmobile stops in early 2024 to this neighborhood.

b. By January 2027, the City's Department of Public Works is planning to complete construction of approximately 36 curb ramps, 12 curb bulb-outs, 2 new traffic signals, 2 new Pedestrian Hybrid Beacons, 2 new Rectangular Rapid Flashing Beacons, upgrade 2 existing traffic signals, install 10 streetlights, and install over 5,000 ft of Class II & III bike facilities at various locations along Cabrillo Ave, Lafayette St, Monroe St, Royal Dr, Scott Blvd, and Warburton Ave in Central Santa Clara to enhance safety and mobility.

This area overlaps with an MTC Equity Priority Community and is considered a Low Opportunity Area by TCAC.

c. In 2024, market the Phase 1 (southern part of Santa Clara only) of the City's affordable on-demand rideshare service (also known as SV Hopper) as a viable transportation option for lower income residents to connect to nearby employment, retail services, and transit connections to Caltrain and the future BART Station. In mid-2026, during the planned Phase II of the SV Hopper program citywide, expand marketing of the Silicon Valley Hopper program citywide in Central and North Santa Clara. Phase II will provide service to other major employment centers in the northern part of Santa Clara as well as VTA Light Rail.

d. By fall 2027, the City's Parks and Recreation Department will complete community wide and targeted outreach as part of the City's Parks and Recreation Master Plan process. Community wide outreach will reach approximately 500 total residents. Targeted outreach to approximately 100 residents will focus on reaching specific communities, including but not limited to youth and Spanish speaking households, that are not well-represented in public decision-making. This plan will identify opportunities to expand access to quality parks, recreation facilities, programs, and services in low income and under resourced neighborhoods.

e. By fall ~~2028~~2026, the City's Community Development Department will develop a CDBG Notice of Funding Availability that awards additional points to place-based capital improvements that improve access to opportunities in HUD designated low-income and distressed areas of the City.

Ongoing Objectives (on an annual basis, unless otherwise noted)**:**

f. Beginning in 2025, annually explore and apply for grants ~~,~~ such as OBAG, AHSC, and ~~identify~~ CDBG funding ~~allocation every two years explore opportunities to use CDBG dollars for capital projects~~ that support ~~a goal of funding~~ 1-2 place-based improvement projects per year in lower resourced areas and relatively lower income areas with higher concentrations of poverty.

g. As noted in Action 14, annually assist the Housing Authority with the promotion of incentives that encourage landlords to accept Housing Choice Vouchers through a social media campaign and by hosting one educational workshop for single family and multifamily landlords.

h. As noted in Action 14, develop a Fair Housing Factsheet to include in the City's ADU and SB 9 application packets. These sheets would encourage homeowners to seek out tenants with housing choice vouchers by educating them about the process, addressing

common concerns, promoting incentives offered by the Housing Authority, and informing landlords that it is illegal to discriminate against tenants with vouchers.

~~a.~~ As noted in Action 4, continue to offer grants for the installation of ramps, grab bars and other accessibility improvements through the City's long running Neighborhood Conservation and Improvement Program (NCIP). This program allows low-income homeowners with mobility challenges to continue living in the City's lower-density neighborhoods.

Relevant Policies: Policy C-2, Policy C-4, Policy E-1

Quantified Objectives

Table 13.2-1 summarizes the City of Santa Clara's quantified housing objectives for the 2023-2031 Housing Element planning period.

Table 13.2-1: Quantified Objectives

	Income Level					
	Extremely Low	*Very Low*	*Low*	*Moderate*	*Above Moderate*	*Total*
Units to be Constructed[1]	1,436	1,436	1,653	1,981	5,126	**11,632**
Units to be Rehabilitated[2]	300				-60	~~300~~360
Units to be Conserved[3]	75			-12	-6	~~75~~93

Source(s): City of Santa Clara, 2022

Notes:

1. Corresponds to RHNA units that potentially could be constructed using public and/or private sources over the planning period, given local land resources, constraints, and programs.
2. Number of existing income-restricted and unrestricted affordable units expected to be rehabilitated during the planning period.
3. Includes preservation of the 45 existing at-risk affordable housing units throughout the planning period (see Table 13.4-15) and additional affordable units that don't have expiring affordability restrictions but are showing signs of potential financial distress.

* *The quantified objectives for units to be rehabilitated and units to be conserved are supported by the following Actions in the Housing Plan: Action 3 Affordable Housing Incentives and Facilitation; Action 4 Maintenance of Housing Stock; Action 5 Preservation of Assisted Rental Housing; Action 6 Acquisition of Multi-Family Housing; Action 7 Code Enforcement Program; Action 8 Neighborhood Relations Program.*

Beyond the RHNA - Promoting Housing Mobility, Choices and Affordability

Beyond achieving the City's RHNA obligations (i.e. total number of units in each affordability category), many of the objectives under the City's Housing Plan Actions 1, 3, 5, 6, 7, 8, 12, 13, 14, 15, 16, 17 and 21, promote housing mobility and increased housing choices and affordability.

For the 2023-2031 Housing Element planning period, of the quantified objective total number of affordable units, the following are quantified metrics for affordable housing development specifically within the City's higher income, higher resourced, and lower density neighborhoods:

- 650 units Constructed (325 units by 2028)
- 150 units Rehabilitated (75 units by 2028)
- 44 units Conserved (22 units by 2028)

As part of the goal of constructing 650 units, rehabilitating 150 units, and conserving 44 units for affordable housing development within the City's higher income, higher resourced, and lower density neighborhoods, the City seeks to assist at least 125 individuals through actions that facilitate affordable housing development on religious/faith-based sites, adaptive reuse of hotels/motels along transit corridors in proximity to services for affordable or interim housing, affordable home sharing, increasing the density limit for Very Low Density Residential parcels from up to 10 du/ac to 14 du/ac, and through additional naturally occurring affordable units on single-family zoned properties (e.g., ADUs and SB 9 projects).

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Chapter 13.3
Affirmatively Furthering Fair Housing

Introduction and Overview of AB 686

In January 2017, Assembly Bill 686 (AB 686) introduced an obligation to affirmatively further fair housing (AFFH) into California state law. AB 686 defined "affirmatively further fair housing" to mean "taking meaningful actions, in addition to combat discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity" for persons of color, persons with disabilities, and other protected classes.

AB 686 requires that all housing elements prepared on or after January 1, 2021, assess fair housing. An assessment of fair housing must consider the elements and factors that cause, increase, contribute to, maintain, or perpetuate segregation, racially or ethnically concentrated areas of poverty, significant disparities in access to opportunity, and disproportionate housing needs.

This chapter will first identify conclusions drawn from the local knowledge summarized in Appendix A and from Chapter 13.4 Housing Needs Assessment. Next the analysis will assess fair housing issues using data and maps and analysis of the Housing Element site inventory. The chapter concludes with a prioritized list of contributing factors based on the above conclusions. Each contributing factor is thoroughly addressed by the Goals, Policies, and Actions of the Housing Plan in Chapter 13.2.

Local Knowledge:

Appendix A details the extensive outreach process that was conducted for this Housing Element and the feedback that was gathered. The following summarizes key themes that were noted from this local input:

- There is a clear need to build more extremely low and very low-income housing particularly for seniors, people with developmental disabilities, low wage workers, and large families to reduce housing cost burden, overcrowding, displacement, and to prevent homelessness.
- There is a need for more senior housing options that are based on actual incomes not Area Median Income.
- There is concern around rent gouging and high deposits which can lead to displacement.
- There is a need to monitor naturally occurring affordable housing and deed restricted housing that is at-risk of conversion or redevelopment.
- There is a need to prevent and reduce homelessness and its impacts in Santa Clara.
- Residents with disabilities are having trouble getting reasonable accommodations from housing providers, there is a need for more licensed care facilities, and there is a need for more housing choices in new affordable housing for persons with disabilities.
- There is a need to increase first-time homeowner opportunities and to provide more workforce housing for teachers, emergency responders, and nonprofit workers.
- Seniors and others with limited access to the internet need more assistance with searching and applying for affordable housing opportunities.
- There is a need to improve outreach about affordable housing opportunities for Hispanic/Latino, Chinese, Vietnamese, Filipino and possibly other residents who have limited English proficiency.
- There is a need for ongoing education on tenant and landlord rights given recent changes to state law.
- Access to clean air is a concern for residents living near freeways and expressways and in affordable housing without air conditioning given the increase in extreme heat and wildfire pollution.

Chapter 13.4 includes a housing needs analysis. The following summarizes key themes that were noted in that chapter:

- Since 2010, the percentage of Santa Clara's population that is White (Non-Hispanic/Latino) decreased by 4%, Hispanic/Latino decreased by 2% and Asian/Pacific Islander increased by 6%.
- Santa Clara's population is younger and higher income compared with the County
- Rents and home prices are higher in Santa Clara compared with the County

- Vacancy rates in Santa Clara are lower compared with the County, especially for larger housing units
- Santa Clara has a 1% higher rate of overcrowding compared with the County.
- Large households, Female Headed Households, and Elderly (65+ years) are three of the largest special needs groups in Santa Clara.
- Female-headed households in Santa Clara live in poverty at a much higher rate than all households living in poverty.
- The most common type of disability in Santa Clara was ambulatory followed by difficulty living independently.
- The number of residents with developmental disabilities age 62 and older is growing Countywide. As older adults live longer and as licensed care facilities close, there will be fewer care options for such adults unless new housing options are developed.
- There are insufficient shelter and transitional housing options for unhoused residents in Santa Clara and unsheltered homelessness has increased since 2019.
- Overcrowding affects renter households more.

Assessment of Fair Housing

The analysis must address patterns at a regional and local level and trends in patterns over time. This analysis compares the locality at a county level for the purposes of promoting more inclusive communities.

Sources of Information

- U.S. Department of Housing and Urban Development (HUD) Comprehensive Housing Affordability Strategy (CHAS) reports
- U.S. Census Bureau's Decennial Census (referred to as "Census") and American Community Survey (ACS)
- HCD's AFFH Data Viewer
- Local Knowledge

In addition, HCD has developed a statewide AFFH Data Viewer. The AFFH Data Viewer consists of map data layers from various data sources and provides options for addressing each of the components within the full scope of the assessment of fair housing. The data source and time frame used in the AFFH mapping tools may differ from the ACS data. While some data comparisons may have different time frames (often different by one year), the differences do not affect the identification of possible trends.

Fair Housing and Housing Resources

In addition to updating the Housing Element of the City of Santa Clara's General Plan, the jurisdiction has been participating in the regional Fair Housing Assessment being prepared for

the U.S. Department of Housing and Urban Development (HUD). The process has provided an initial framework for the local analysis of fair housing within the City and has been informed by additional demographic research and local knowledge that has supported the City's Housing Plan Goals, Policies, and Actions. Starting in the 5th cycle, the City has utilized "specific plans" as an effective means addressing housing needs within the context of fair housing, as the "specific plan" process is a public process utilizing community engagement, the City's Affordable Housing Ordinance, and increased densities to provide housing for a variety of income levels. "Specific plans" also allow for more complete communities that integrate market rate and affordable housing with park space and other amenities.

Additionally, based upon the AFFH analysis provided in this chapter, the process can be further enhanced by the application of this fair housing lens in the development of the City's Housing Plan to increase monitoring and enforcement, increased and deeper community outreach and engagement, additional attention to protected classes, and being proactive in addressing the root causes of housing disparity before they occur or become further entrenched. In light of the increased housing activity, the City has not experienced displacement as the "specific plan" areas are transitioning into mixed-use housing developments and not redeveloping existing housing stock. Nonetheless, the City has identified displacement as an issue to monitor and develop specific actions and policies in the Housing Plan, as part of the five focus areas previously mentioned in this chapter.

Even though the City relies heavily upon "specific plan" parcels to meet it's RHNA, additional housing development is not exclusive to the parcels identified in the Housing Element. Additionally, engagement with the community on additional specific plan areas will continue as we prepare the jurisdiction for the 7th cycle Housing Element as the parcels identified in the Housing Element for housing development are located in or near Moderate to High Resources Areas, and not in areas of concentrated poverty. Further, the investment in and around "specific plan" areas and additional amenities in the Northern portion of the jurisdiction has resulted in a change from moderate to high resource. Additionally, the Northern portion of the jurisdiction contains approximately 74% of the units in the City's Sites Inventory. While most of these project areas are primarily in the Northern portion of the jurisdiction, housing development has taken place, and will continue to take place, throughout the jurisdiction. This is more evident in the distribution of permitted ADUs in the City, and general interest in the El Camino Real corridor, where the City is in the process of re-evaluating the proposed specific plan for that portion of the community.

Fair Housing Enforcement, Education and Outreach

Fair housing enforcement and outreach capacity refers to the ability of a locality and fair housing entities to disseminate information related to fair housing laws and rights and provide outreach and education to community members. Enforcement and outreach capacity also includes the ability to address compliance with fair housing laws, such as investigating complaints, obtaining remedies, and engaging in fair housing testing. The Fair Employment and Housing Act and the Unruh Civil Rights Act are the primary California fair housing laws. California state law extends anti-discrimination protections in housing to several classes that are not covered by the federal Fair Housing Act (FHA) of 1968, including prohibiting discrimination on the basis of sexual orientation. Table 13.3-1 below describes the Fair Housing service providers in Santa Clara County and the City of Santa Clara, including local housing, social, and legal services.

Table 13.3-1: Fair Housing Providers in Santa Clara County and Santa Clara

Provider	*Services*
Project Sentinel	Provides education and counseling to community members and housing providers about fair housing law. Investigates complaints and provides advocacy for those experiencing housing discrimination.
Bay Area Legal Aid	Largest civil legal aid provider serving seven Bay Area counties. Has a focus area in housing preservation and a homelessness task force to provide legal services and advocacy for those in need.
Law Foundation of Silicon Valley	Provides free legal advice and representation on housing matters to low-income families and individuals in Santa Clara County.
Senior Adults Legal Assistance	Non-profit elder law office supporting residents 60 years and older in Santa Clara County to live safely and independently. Attorneys provide legal services from advice and referrals to legal representation.
Asian Law Alliance	A non-profit providing equal access to the justice system for Asian and Pacific-Islander low-income populations in Silicon Valley. Providing legal counseling and language assistance for individuals seeking housing.

Source(s): City of Santa Clara, 2022

California's Department of Fair Employment and Housing (DFEH) has statutory mandates to protect the people of California from discrimination pursuant to the California Fair Employment and Housing Act (FEHA), Ralph Civil Rights Act, and Unruh Civil Rights Act (with regards to housing).

The FEHA prohibits discrimination and harassment on the basis of race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), gender, gender identity, gender expression, sexual orientation, marital status, military or veteran status, national origin, ancestry, familial status, source of income, disability, and genetic information, or because another person perceives the tenant or applicant to have one or more of these characteristics.

The Ralph Civil Rights Act (Civ. Code, § 51.7) guarantees the right of all persons within California to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of political affiliation, or on account of sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, immigration status, or position in a labor dispute, or because another person perceives them to have one or more of these characteristics.

The Unruh Civil Rights Act (Civ. Code, § 51) prohibits business establishments in California from discriminating in the provision of services, accommodations, advantages, facilities and privileges to clients, patrons and customers because of their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status.

Table 13.3-2: Number of DFEH Housing Complaints in Santa Clara County (2020)

Year	*Housing*	*Unruh Civil Rights Act*
2015	73	8
2016	52	7
2017	33	22
2018	28	14
2019	28	14
2020	33	10

Source(s): https://www.dfeh.ca.gov/LegalRecords/?content=reports#reportsBody

Table 13.3-3 summarizes fair housing cases filed by the federal Office of Fair Housing and Equal Opportunity Housing in Santa Clara County. The table indicates that discrimination cases based on disability were by far the most common followed by race, and familial status (households with at least one child under 18).

Table 13.3-3: Number of FHEO Filed Cases by Protected Class in Santa Clara County (2015–2020)

Year	*Number of Filed Cases*	*Disability*	*Race*	*National Origin*	*Sex*	*Familial Status*
2015	53	26	20	6	6	8
2016	40	22	3	7	1	11
2017	31	16	4	3	4	7
2018	36	21	5	6	4	3
2019	38	23	7	1	2	7
2020	16	7	7	2	2	2
Total	**214**	**115**	**46**	**25**	**19**	**38**
Percentage of Total Filed Cases *Note that cases may be filed on more than one basis.		53.7%	21.5%	11.6%	8.8%	17.7%

Source(s): Data.Gov - Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity (FHEO) Filed Cases, https://catalog.data.gov/dataset/fheo-filed-cases

The City funds fair housing education, investigation, enforcement, and outreach annually. In program year 2020, the area non-profit Project Sentinel received $20,000 of local funds for the provision of fair housing services. Project Sentinel provides comprehensive fair housing services including investigation, counseling, referral, and education designed to reduce the incidence of illegal discrimination in housing. In program year 2020, the agency assisted 31 individuals and conducted landlord/tenant mediation assisting 336 households, along with outreach activities to residents, service providers, and housing providers through education and information sessions on fair housing law and Project Sentinel's services.

Services that were not provided include (2.) Case tested by phone; (4.) Case referred to HUD and (8.) Case accepted for full representation. The most common action(s) taken/services provided are providing clients with counseling, followed by sending testers for investigation, and conciliation with landlords. Regardless of actions taken or services provided, almost 45% of cases are found to have insufficient evidence. Only about 12% of all cases resulted in successful mediation.

The City of Santa Clara complies with all State and federal fair housing laws and regulations and is not aware of any fair housing findings, lawsuits, enforcement actions, settlements, or judgements.

Fair Housing Testing

Fair housing testing is a randomized audit of property owners' compliance with local, state, and federal fair housing laws. Initiated by the Department of Justice's Civil Rights Division in 1991, fair housing testing involves the use of an individual or individuals who pose as prospective

renters for the purpose of determining whether a landlord is complying with local, state, and federal fair housing laws.

California Department of Fair Employment and Housing (DFEH)

Residents may submit complaints to the DFEH, which is the statewide agency that enforces fair housing laws. The DFEH will investigate and determine whether or not the complainant has a right to sue. In 2018, DFEH received over 600 complaints from residents of Santa Clara County.

Assessment of Fair Housing Issues

The following analysis will use data and maps to analyze patterns of segregation, racial or ethnic concentrations of poverty, disparities in access to opportunity, and disproportionate housing needs. The City's land use and development patterns have created three distinct areas to help focus this discussion. These areas will be referenced throughout the assessment:

> **Northern Santa Clara**: Highway 237 south to Highway 101: Northern Santa Clara is a mix of industrial, office, residential, and has several large specific plan areas where new residential and mixed-use neighborhoods are beginning to take shape as industrial areas are converted.
>
> **Central Santa Clara**: Highway 101 south to the Union Pacific railroad tracks. Central Santa Clara has been historically industrial with very few residential areas. Three large, mostly market-rate, residential projects have recently been approved in this area: Lawrence Station Area Plan, Santa Clara Square, and Gateway Crossings. In addition to these, a small pocket of older single family, duplex, and apartments is located north of the railroad tracks on the west side of Lafayette Street.
>
> **Southern Santa Clara**: Union Pacific railroad tracks south to Stevens Creek Boulevard. The southern part of Santa Clara historically has been composed of older single-family neighborhoods, Santa Clara University, and the El Camino Real and Steven's Creek commercial corridors.

Race/Ethnicity

Segregation is defined as the separation or isolation of a race/ethnic group, national origin group, individuals with disabilities, or other social group by enforced or voluntary residence in a restricted area, by barriers to social connection or dealings between persons or groups, by separate educational facilities, or by other discriminatory means.

To measure segregation in a given jurisdiction, the US Department of Housing and Urban Development (HUD) provides racial or ethnic dissimilarity trends. Dissimilarity indices are used to measure the evenness with which two groups (frequently defined on racial or ethnic characteristics) are distributed across geographic units, such as block groups within a

community. The index ranges from 0 to 100, with 0 meaning no segregation and 100 indicating complete segregation between the two groups. The index score can be understood as the percentage of one of the two groups that would need to move to produce an even distribution of racial/ethnic groups within the specified area. For example, if an index score is above 60, 60 percent of people in the specified area would need to move to eliminate segregation.

The following shows how HUD views various levels of the index:

- <40: Low Segregation
- 40-54: Moderate Segregation
- >55: High Segregation

Ethnic and racial composition of a region is useful in analyzing housing demand and any related fair housing concerns as it tends to demonstrate a relationship with other characteristics such as household size, locational preferences, and mobility. Prior studies have identified socioeconomic status, generational care needs, and cultural preferences as factors associated with "doubling up"—households with extended family members and non-kin. These factors have also been associated with ethnicity and race. Other studies have also found that minorities tend to congregate in metropolitan areas, though their mobility trend predictions are complicated by economic status (minorities moving to the suburbs when they achieve middle class) or immigration status (recent immigrants tend to stay in metro areas/ports of entry).

Regional Trends

Santa Clara County is a large, diverse jurisdiction where people of color represent a majority of the population. As of the 2019 census, 36 percent of residents were Asian, 31.5 percent of residents with non-Hispanic White, followed by Hispanic or Latino residents at 25 percent. The complete racial breakdown for the County can be seen in Table 13.3-5.

While overall rates of segregation in the County are moderate, rates have been growing since the 1990s. The most segregated group has consistently been Hispanic residents with an index score of 48.57 in 2010, up from 44.97 in 1990. The next most segregated group is Black residents with a 2010 index score of 47.67 up from 43.86 in 1990. This is followed by Asian residents with a 2010 index score of 30.21 up from 25.33 in 1990. Overall, in 2010, non-white and white residents had an index score of 31.5 which is considered low segregation, although this is up from 1990 when the score was 28.67.

Figure 13.3-1 geographically displays the percentage of the non-White population in the County. The higher percentage of non-White populations are concentrated around San Jose, Milpitas, Santa Clara, and Cupertino. In these areas, the non-White population percentage is as high as 61 to 80 percent. The largest racial group in the County is made up of Asian residents (36 percent), followed by White, non-Hispanic residents (31.5 percent), and Hispanic or Latino residents (25 percent).

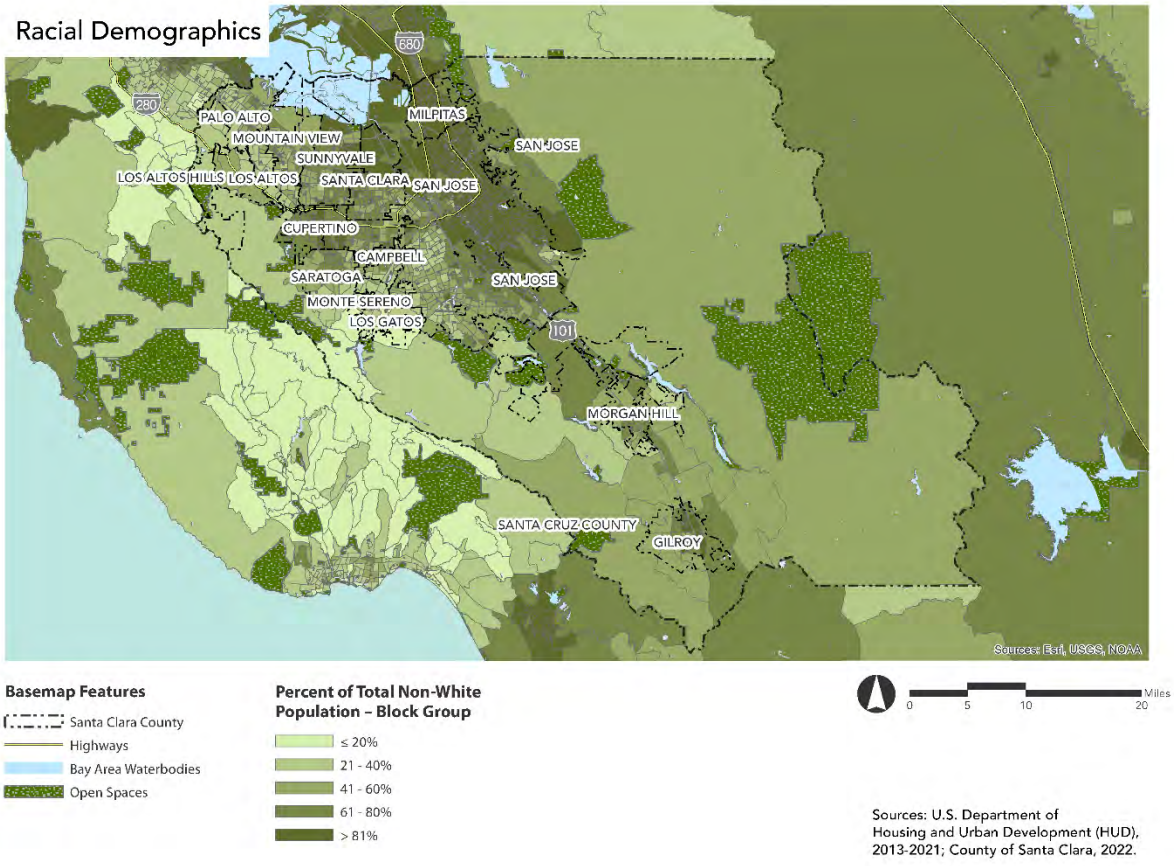
Table 13.3-4: Racial/Ethnic Dissimilarity Trends (1990–2020)

Dissimilarity Index	*Santa Clara County*			
	1990 Trend	*2000 Trend*	*2010 Trend*	*Current (2020 Census Block Group)*
Non-White/White	28.67	28.49	27.28	31.50
Black/White	43.86	41.59	41.88	47.67
Hispanic/White	44.97	46.52	46.26	48.57
Asian or Pacific Islander/White	25.33	26.68	25.6	30.21

Source(s): HUD's Affirmatively Furthering Fair Housing Tool (AFFH-T), Table 13.3-5 – Racial/Ethnic Dissimilarity Trends, Data version: AFFHT006, released July 10th, 2020.

Note: Table 13.3-4 presents Decennial Census values for 1990, 2000, 2010, all calculated by HUD using census tracts as the area of measurement. The "current" figure is calculated using block groups from the 2010 Decennial Census, because block groups can measure segregation at a finer grain than census tracts due to their smaller geographies. See https://www.hud.gov/program_offices/fair_housing_equal_opp/affh for more information.

FIGURE 13.3-1: REGIONAL RACIAL DEMOGRAPHICS (2021)



Local Trends

The demographics of Santa Clara are somewhat reflective of the County as a whole. The largest racial group in Santa Clara is Asian, Non-Hispanic at 43 percent which is also the largest racial group in the County. White, Non-Hispanic residents make up the second largest group in both the City and County at 31.5 percent. The largest difference in racial group between Santa Clara and the County is with Hispanic residents. In the County, Hispanic residents make up 25 percent of the population, while in the City they make up 17.3 percent.

Table 13.3-5: Racial Composition Santa Clara County and Santa Clara (2019)

	Santa Clara County	*Santa Clara*
White, non-Hispanic	31.5%	31.5%
Black or African American, non-Hispanic	2.3%	3%
American Indian and Alaska Native, non-Hispanic	0.2%	0.1%
Asian, non-Hispanic	36%	43%

Table 13.3-5: Racial Composition Santa Clara County and Santa Clara (2019)

	Santa Clara County	*Santa Clara*
Native Hawaiian and Other Pacific Islander, non-Hispanic	0.3%	0.6%
Some other race, non-Hispanic	0.2%	0.2%
Two or more races, non-Hispanic	3.5%	4%
Hispanic or Latino	25%	17.3%

Source(s): American Community Survey, 2015-2019

Table 13.3-6 below provides the dissimilarity index values indicating the level of segregation in Santa Clara between white residents and residents who are Black, Hispanic, or Asian/Pacific Islander. The table also provides the dissimilarity index between white residents and all residents of color in the City, and all dissimilarity index values are shown across three time periods (2000, 2010, and 2020).

In the City of Santa Clara racial and ethnic integration trends are less segregated than County trends in 2020. The highest segregation in the City is between Asian or Pacific Islander and white residents. Santa Clara's Asian or Pacific Islander / white dissimilarity index means that 22.8% of Asian (or white) residents would need to move to a different neighborhood to create perfect integration between Asian or Pacific Islander residents and white residents.

For context and comparison, the Santa Clara County column provides the dissimilarity index values for these racial group pairings in 2020.

Table 13.3-6: Racial/Ethnic Dissimilarity Trends within Santa Clara

	Santa Clara County	*Santa Clara*		
Dissimilarity Index	*2020*	*2000*	*2010*	*2020*
Non-White/White	31.5	22.9	23.7	18.9
Black/White	47.67	19.9	21.0	22.3
Hispanic/White	48.57	21.2	21.1	17.7
Asian or Pacific Islander/White	30.21	27.6	28.6	22.8

Source(s): IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, Census 2010, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

Note: If a number is marked with an asterisk (*), it indicates that the index is based on a racial group making up less than 5 percent of the jurisdiction population, leading to unreliable numbers.

Within Santa Clara there are some notable geographic differences in racial demographics. The northern and central areas of Santa Clara have a non-white population between 61 to 80 percent.

In the northern part of the city there are a few tracts where this percentage drops to 41 to 60 percent. The southern part of the city has a patchwork pattern of tracts with non-White groups between 21 to 40 percent and 41 to 60 percent. There are a few tracts where this percentage goes as low as 20 percent and below, or as high as 61 to 80 percent, but these are just small pockets.

Figure 13.3-2 further indicates that the southern portion of the City has a lower percentage of non-white residents than the central and northern areas. Figure 13.3-3 shows more detail on how specific racial and ethnic groups are concentrated in Santa Clara. This map shows that residents that identify as Asian alone (not Hispanic/Latino) are the predominant group through most of northern, central, and southern Santa Clara with the exception of south east Santa Clara which is predominantly white alone (not Hispanic/Latino).

Central Santa Clara, has a mix of mostly Asian/Pacific Islander, White, and Hispanic/Latino residents. Upon closer analysis, census tract 5052.02 has a disproportionate number of Hispanic/Latino residents (25% Hispanic/Latino residents compared to the citywide proportion of only 17%). The area is 38.6% Asian/Pacific Islander but the citywide proportion for those groups combined is 44%. This suggests a need to conduct outreach in Spanish as well as other languages.

FIGURE 13.3-2: RACIAL DEMOGRAPHICS OF SANTA CLARA (2021)

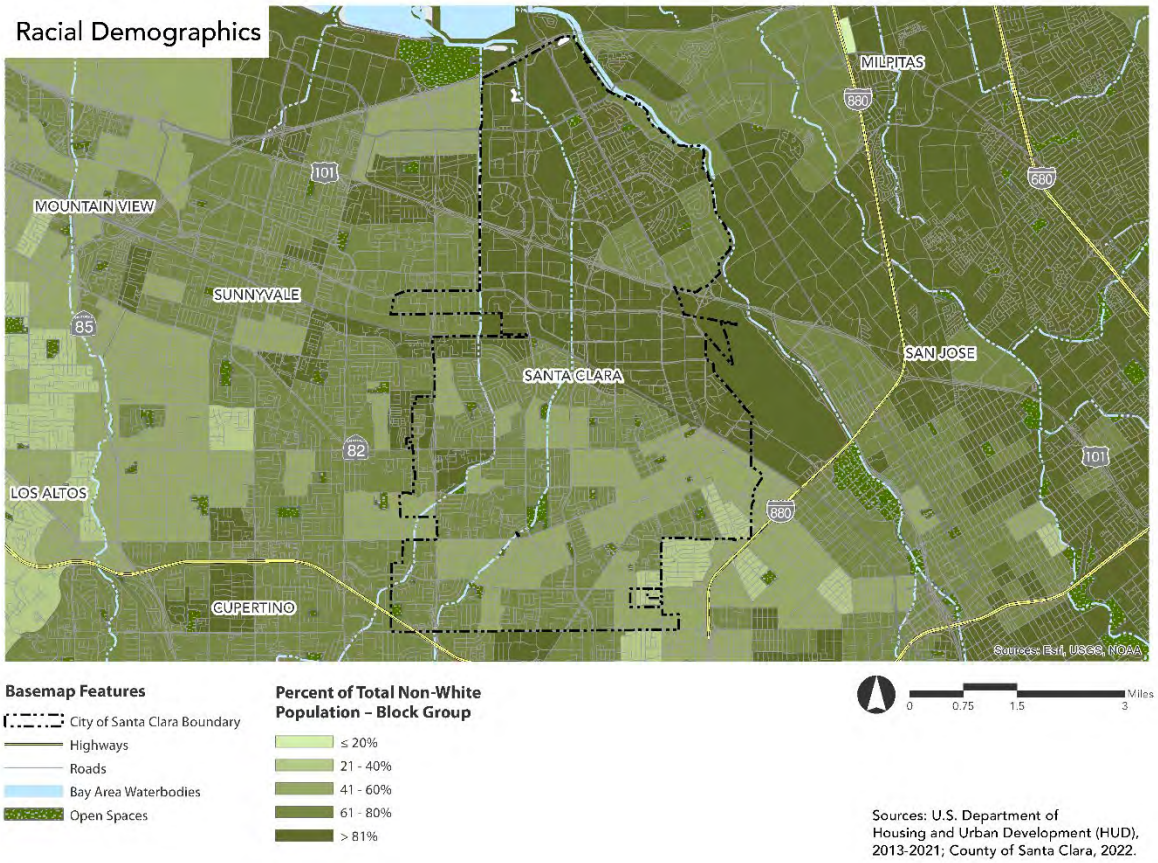
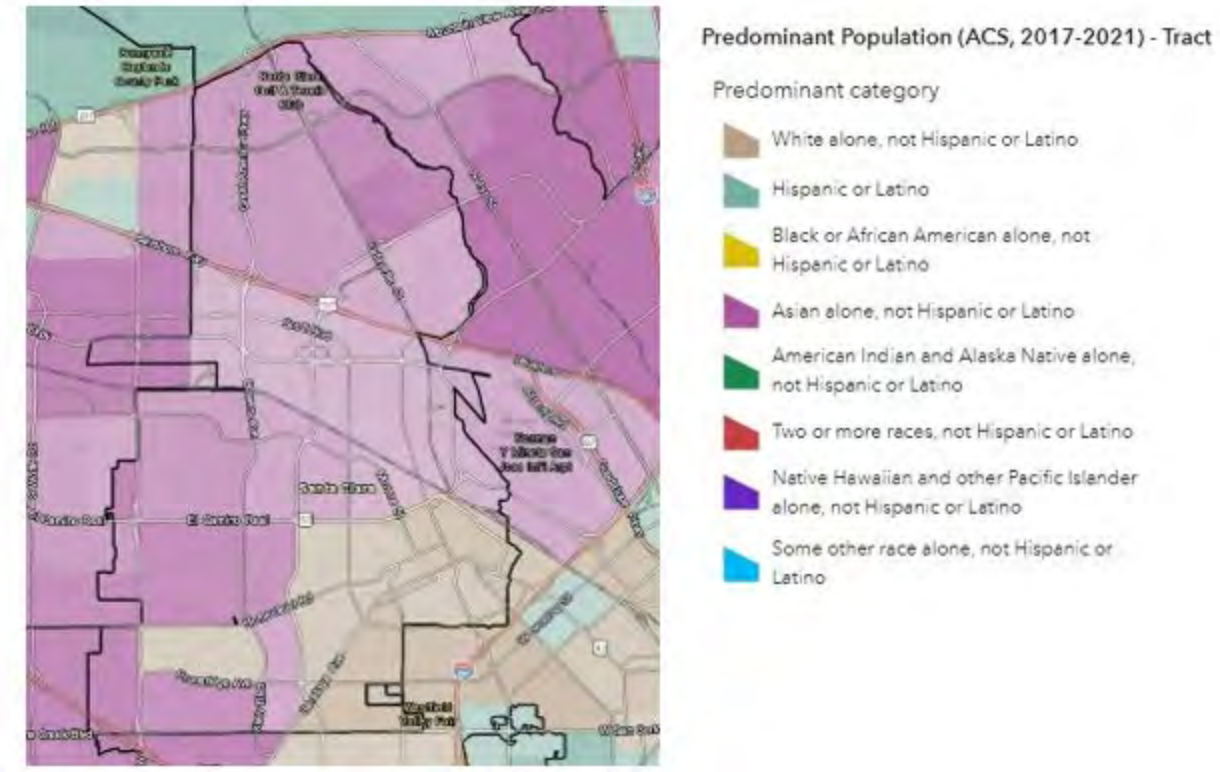


FIGURE 13.3-3: PREDOMINANT POPULATION OF SANTA CLARA (2017-2021)



Source: HCD AFFH 2.0 Data Viewer (May 2023).
Note: The intensity of the color corresponds with the percentage of the predominant population compared to the total population of the Census Tract (i.e., darker colors represent a greater percentage).

Overall, according to the 2022 ABAG isolation interactive maps and reports, racial isolation in the City is low for White, Hispanic or Latino, and non-Hispanic and Black or African American populations, and high for Asian or Pacific Islander segments (Table 13.3-7).

Table 13.3-7: Racial Isolation Index Values for Segregation within Santa Clara

Race	*Santa Clara*		
	2000	*2010*	*2020*
Asian/Pacific Islander	34.0	43.4	50.4
White	51.8	40.1	30.9
Hispanic/Latino	18.5	23.2	20.4
Black/African American	2.4	2.7	2.5

Source(s): IPUMS National Historical Geographic Information System (NHGIS). U.S. Census Bureau, 2020 Census State Redistricting Data (Public Law 94-171) Summary File, 2020 Census of Population and Housing, Table P002. Data from 2010 is from U.S. Census Bureau, Census 2010, Table P4. Data for 2000 is standardized to 2010 census tract geographies and is from U.S. Census Bureau, Census 2000, Table P004.

Another approach to measuring segregation employs the Divergence Index, which measures the difference between the overall population of a group in a region and the proportion of each group in a local area within that region. The Divergence Index provides a single measure of segregation for multiple racial groups. This index ranges between 0 (no segregation) to 1 (complete segregation) with low segregation (less than approximately 0.11), high segregation (above approximately 0.21), with moderate segregation levels in between.

According to a November 18, 2020 report (updated in October 11, 2021) by the Othering and Belonging Institute at UC Berkeley, the City of Santa Clara, with an inter-municipal divergence index score of 0.0592, is one of the most diverse and integrated cities in the Bay Area.

Table 13.3-8 shows the Divergence Index scores for cities/towns in Santa Clara County and their corresponding level of segregation.

Table 13.3-8: Divergence Index Scores within Santa Clara County

Cities/Towns	*Inter-Municipal Divergence*	*Level of Segregation*
Mountain View	0.0249	Low
Campbell	0.0467	Low
Santa Clara	**0.0592**	**Low**
San Jose	0.0676	Low
Sunnyvale	0.0923	Low
Morgan Hill	0.1054	Low
Palo Alto	0.1551	Moderate
Los Altos	0.2453	High
Saratoga	0.2573	High
Los Altos Hills	0.2632	High
Los Gatos	0.2673	High
Monte Sereno	0.2919	High
Gilroy	0.3196	High
Milpitas	0.3645	High
Cupertino	0.4294	High

Source: "The Most Segregated (and Integrated) Cities in the SF Bay Area". The Othering and Belonging Institute UC Berkeley. November 18, 2020 (updated October 11, 2021).

Central Santa Clara has higher areas of low to moderate income levels (LMI) (Figure 13.3-12). Central Santa Clara overlaps with LMI levels of 50 to 75 percent. There is a census tract in northern Santa Clara where LMI levels are between 75 to 100 percent. Central Santa Clara also overlaps with lower household incomes ($87,000) compared to the rest of the city (Figure 13.3-20). These lower incomes likely contribute to the higher rates of overpayment by renters in central Santa

Clara (40 to 60 percent) (Figure 13.3-40). Central Santa Clara is also identified as a low resource area using the TCAC scoring system (Figure 13.3-22) which considers economic, educational, and environmental factors. Lastly, CalEnviroScreen scores in Central Santa Clara are between 50 to 74 percent which indicate less healthy conditions (Figure 13.3-36).

Historic Context

Although the City of Santa Clara is a racially diverse community with relatively low levels of segregation, there are only small numbers of African American residents, both in the City of Santa Clara and in the county as a whole**.** This is a result of systemic racism in private lending practices, federal loan guarantees, and local zoning and infrastructure decisions in the postwar years, as documented in the book, "The Color of Law" by Richard Rothstein. Among other examples, the book documents the efforts of Ford workers and their union to get housing built for African American workers at the Milpitas Ford Plant in the 1950s.

After the Ford workers discovered that no Milpitas-area developers would sell homes to African Americans, they enlisted the help of a Quaker service group devoted to racial equity who helped find a willing lender to fund an integrated subdivision in unincorporated Mountain View, and is described in the excerpt from Rothstein's book below:

> "But when the builder's intent to sell both to blacks and whites became known, the Santa Clara Board of Supervisors rezoned the site from residential to industrial use. When he found a second plot, Mountain View officials told him that they would never grant the necessary approvals. He next identified a third tract of land in another town near the Ford plant; when officials discovered that the project would not be segregated, the town adopted a new zoning law increasing the minimum lot size from 6,000 to 8,000 square feet, making the project unfeasible for working class buyers. After he attempted to develop a fourth site on which he had an option, the seller of the land canceled the option upon learning that the project would be integrated. At that point, the builder gave up." (The Color of Law, p. 117)

The effects of those discriminatory practices and decisions linger on, both in Milpitas, and in Santa Clara County generally. Additionally, Rothstein continues to describe that "Milpitas is no longer all white - it now has many Hispanic and Asian families - but the effects of its earlier segregation remain visible: African Americans make up only 2 percent of the population." (The Color of Law, p. 121)

The City of Santa Clara has a similar history in the sense that today's Santa Clara is well-integrated and does not include a majority of any race or ethnicity. However, during the 1960 census, when the City's population exploded to 58,800, up from 11,702 in 1950, the City gained less than a thousand non-white residents, and remained 98% white. The City, which was

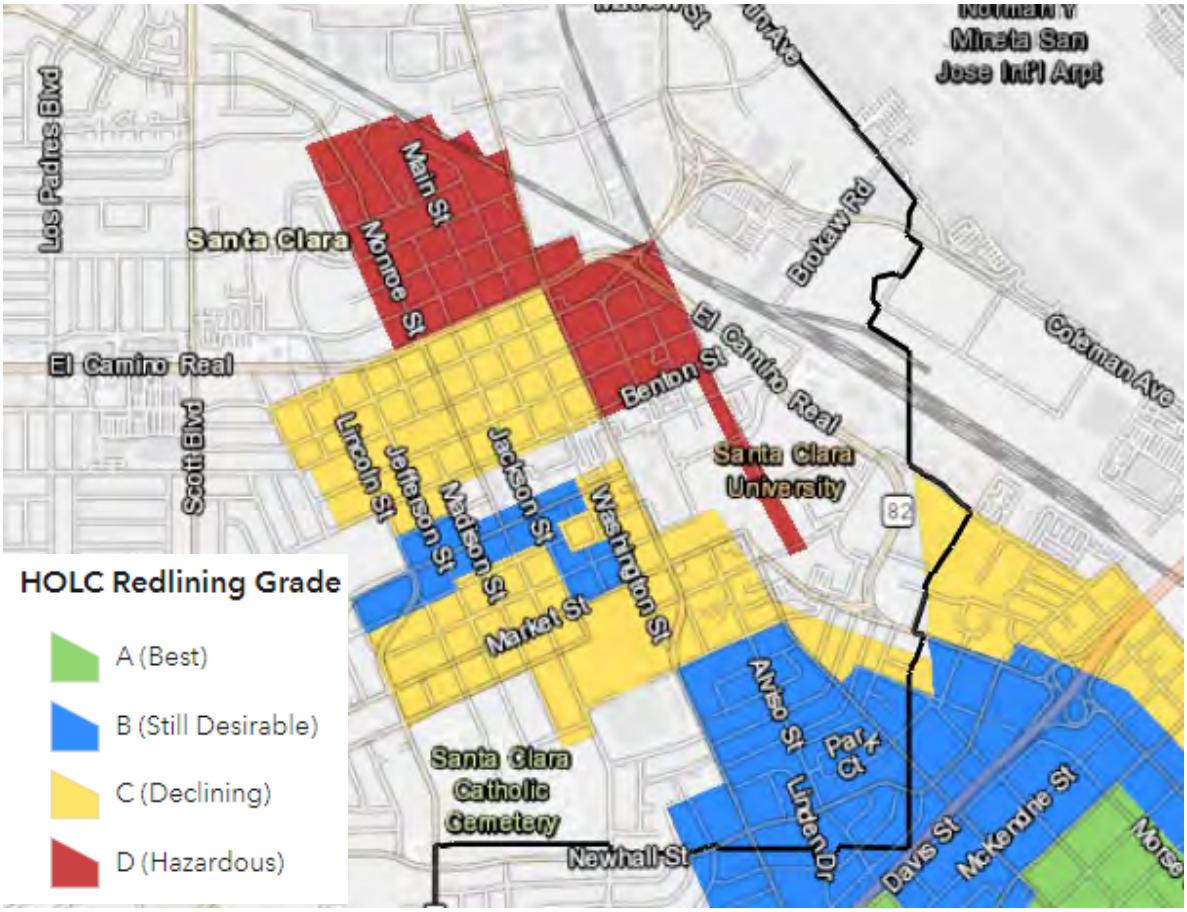
originally focused around downtown, Santa Clara University and the train station, initially added housing after World War II to the south of downtown. This was during the time that racial covenants and discriminatory lending practices were in full effect. Those neighborhoods south of downtown still have a significantly higher proportion of white residents (likely original purchasers of housing or their children) than other parts of Santa Clara.

More recently developed neighborhoods have been added to the north of Highway 101 and are more reflective of the City's diversity.

In the 1930s and 1940s, a federal agency called the Home Owners' Loan Corporation (HOLC), created maps of nearly 250 American cities, grading neighborhoods on a scale of A (Best) to D (Hazardous) for purposes of providing loan officers, appraisers, and real estate professionals with a tool for evaluating mortgage lending risk. Neighborhoods of color were far more likely to receive D or C grades with A or B grades reserved for white neighborhoods. Neighborhoods with a D (Hazardous) grade were often "redlined" by lending institutions, denying them access to credit, particularly mortgages.

The following figure shows HOLC redlining grades from 1937 indicating that portions of Santa Clara's Old Quad neighborhood to the north and south of El Camino Real were assigned either "(D) Hazardous" or "(C) Declining" grades.

FIGURE 13.3-4: HOLC REDLINING MAP (1937)



Source: HCD AFFH 2.0 Data Viewer HOLC Redlining Grade (University of Richmond, 2021)

Many of the same blocks that were categorized as declining or hazardous in 1937 have elevated levels of low and moderate income (LMI) households today as shown later in this chapter in Figure 13.3-12.

Persons with Disabilities

In 1988, Congress added protections against housing discrimination for persons with disabilities through the FHA, which protects against intentional discrimination and unjustified policies and practices with disproportionate effects. The FHA also includes the following unique provisions to persons with disabilities: (1) prohibits the denial of requests for reasonable accommodations for persons with disabilities, if necessary, to afford an individual equal opportunity to use and enjoy a dwelling; and (2) prohibits the denial of reasonable modification requests. With regards to fair housing, persons with disabilities have special housing needs because of the lack of accessible and affordable housing, and the higher health costs associated with their disability. In addition, many may be on fixed incomes that further limit their housing options.

Regional Trends

According to the 2015-2019 American Community Survey (ACS) 5-year estimates, 154,212 residents (eight percent of Santa Clara County's population) report having one of six disability types listed in the ACS (hearing, cognitive, ambulatory, self-care, and independent living). The percentage of residents detailed by disability are listed in Table 13.3-9. In both Santa Clara County and the City of Santa Clara, the percentage of individuals with disabilities increases with age, with the highest percentage of individuals being those 75 years or older.

In Santa Clara, seven percent of the population experiences a disability. This rate is slightly lower than that of the County. The disability rate is highest among residents who identify as White (not Hispanic or Latino) (11.4 percent) and Hispanic or Latino (of any race) (7.7 percent). In the County, the highest percentage of disabled residents by race is among American Indian and Alaska Native residents (14.4 percent) and Black or African American residents (10.7 percent). In Santa Clara, the most common disability is an ambulatory difficulty (3.6 percent) followed by an independent living difficulty (3.3 percent). In the County the same trend follows, the most common disability is those with an independent living difficulty (4.5 percent) followed by an ambulatory difficulty (4.4 percent)

Table 13.3-9: Populations of Persons with Disabilities– Santa Clara County & Santa Clara

	Santa Clara County Percent with a Disability	*Santa Clara Percent with a Disability*
Civilian non-institutionalized population	8%	7%
Race/ Ethnicity		
Black or African American alone	10.7%	7.5%
American Indian and Alaska Native alone	14.4%	2.9%
Asian alone	6.2%	3.8%
Native Hawaiian and Other Pacific Islander alone	9.4%	6.7%
Some other race alone	6.7%	5.4%
Two or more races	7%	6.1%
White alone, not Hispanic or Latino	10.6%	11.4%
Hispanic or Latino (of any race)	7.5%	7.7%
Age		
Under 5 years	0.7%	1.2%
5 to 17 years	3.1%	3.7%
18 to 34 years	3.9%	2.7%
35 to 64 years	6.2%	5.9%
65 to 74 years	18.2%	18.1%
75 years and over	48%	47.1%
Type		
Hearing difficulty	2.3%	2.1%

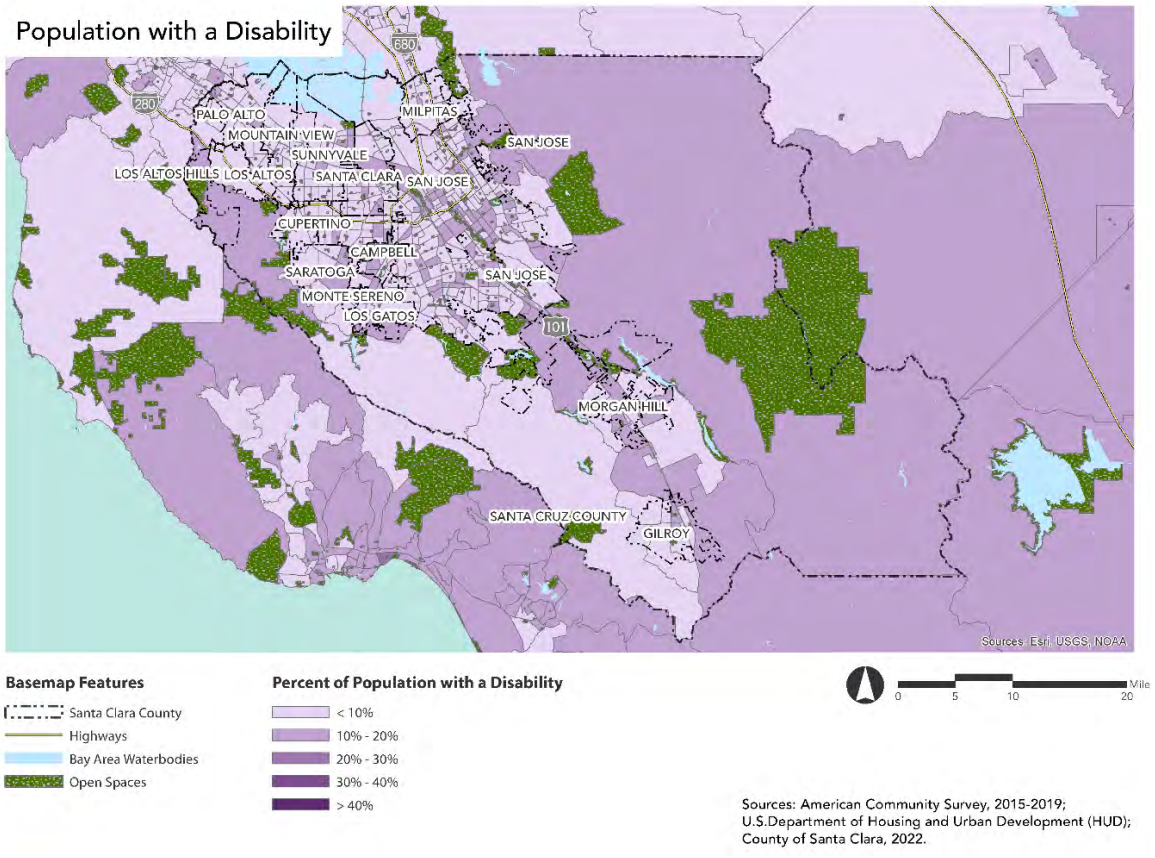
Table 13.3-9: Populations of Persons with Disabilities– Santa Clara County & Santa Clara

	Santa Clara County Percent with a Disability	Santa Clara Percent with a Disability
Vision difficulty	1.4%	1.2%
Cognitive difficulty	3.3%	2.7%
Ambulatory difficulty	4.4%	3.6%
Self-care difficulty	2.1%	1.6%
Independent living difficulty	4.5%	3.3%

Source(s): 2019 ACS 5-year Estimates, Table S1810

In terms of geographic dispersal, there is a patchwork pattern of persons with a disability throughout the County. There does appear to be a concentration of persons with disabilities within San Jose and expanding out to Santa Clara and Campbell. These areas of concentration have percentages of the population experiencing disabilities at 10 to 20 percent. The cities of Milpitas, Sunnyvale, Mountain View, and Palo Alto appear to have fewer tracts where residents experience disabilities above 10 percent. Nowhere in the County does the percentage of residents experiencing a disability exceed 20 percent.

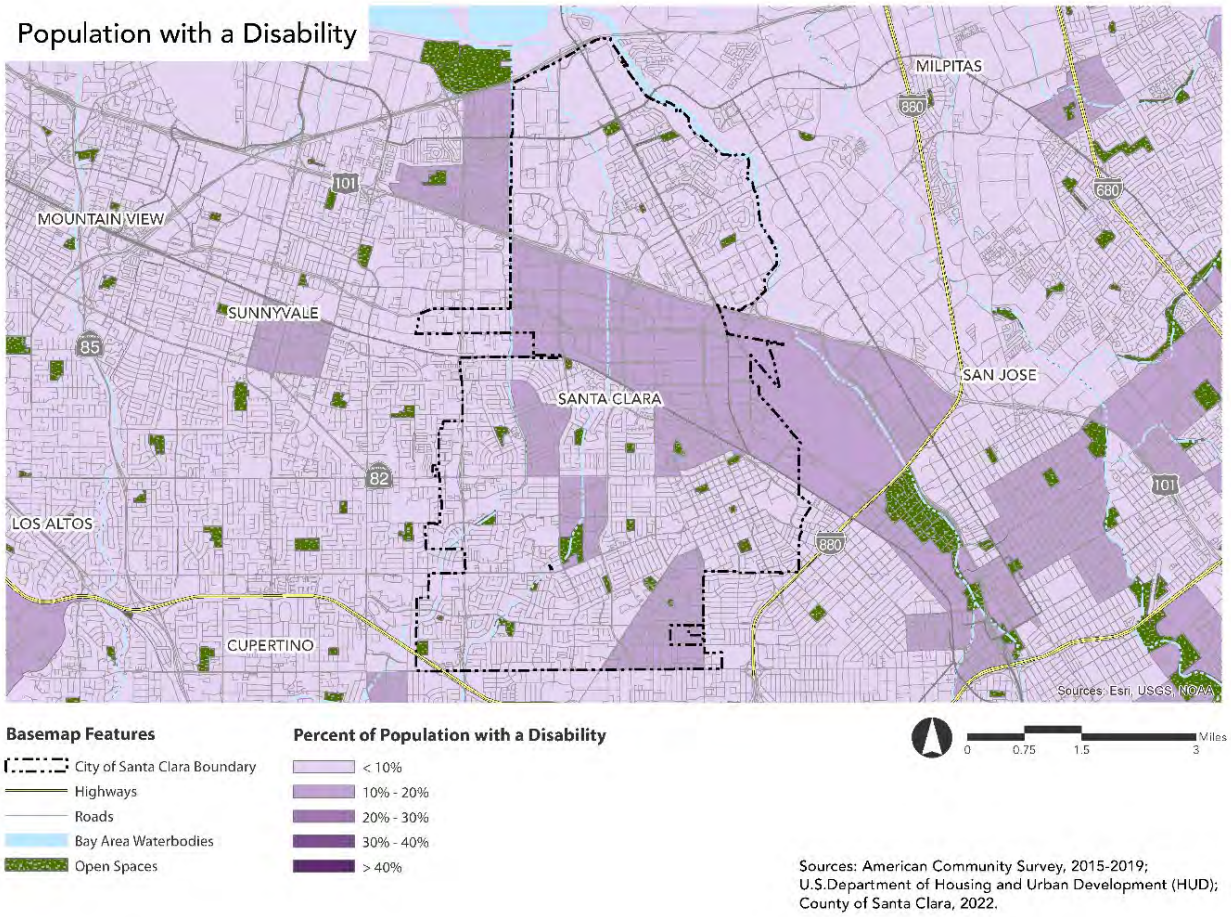
FIGURE 13.3-5: REGIONAL POPULATIONS OF PERSONS WITH DISABILITIES BY TRACT (2019)



Local Trends

Within Santa Clara there is a concentration of residents with a disability between 10 to 20 percent in the central part of the city. In the northern part of the city fewer than 10 percent of residents experience a disability. In the southern part of the city there are concentrations where the percentage of residents experiencing a disability rises above 10 percent. The higher rates of poverty in central Santa Clara overlap with higher rates of Low to Moderate Income populations (50 to 75 percent) (Figure 13.3-12). This low rate of residents with disabilities may be explained in part by the young age of Santa Clara residents. According to 2019 ACS data, only 11.4 percent of residents in Santa Clara are 65 and above while 50 percent of residents are between 15 and 44 years old. Comparing rates to the nearby cities of Mountain View, Sunnyvale, and Milpitas these cities have fewer geographic areas where the population experiencing a disability is between 10 to 20 percent.

FIGURE 13.3-6: PERCENT OF POPULATION WITH A DISABILITY – SANTA CLARA (2021)



The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The tables below show the population in Santa Clara County and Santa Clara with developmental disabilities by age (Table 13.3-10) and the population of adults with developmental disabilities by residence (Table 13.3-11).

Table 13.3-10: Population with Developmental Disabilities by Age

Age Group	*Santa Clara County*	*Santa Clara*
Under 18	4,016 (37%)	204 (33%)
18 and Older	6,737 (63%)	408 (67%)
Total	**10,753**	**612**

Sources: County-California Department of Developmental Services, Consumer Count by ZIP Code and Age Group (2020). Santa Clara-San Andreas Regional Center (November 2021)

Table 13.3-11: Adults with Developmental Disabilities by Residence

Residence Type	*Santa Clara County*	*Santa Clara*
Home of Parent / Family / Guardian	4,362 (65%)	269 (66%)
Community Care Facility	1,525 (23%)	69 (17%)
Independent / Supported Living	756 (11%)	66 (16%)
Other (includes homeless)	94 (1%)	4 (1%)
Total	**6,737**	**408**

Source: County-California Department of Developmental Services, Consumer Count by ZIP Code and Residence Type (2020) Santa Clara-San Andreas Regional Center (November 2021).

Approximately 67 percent of Santa Clara's population with developmental disabilities are adults.

Throughout Santa Clara County, according to California Department of Development Services estimates, there has been a 20 percent increase in the adult population with developmental disabilities between 2015-2021. For that same timeframe, the number of Santa Clara County residents with development disabilities age 62 and older grew by 35 percent.

The preferred living option for children with developmental disabilities continues to be the family home, but as those children become adults, additional residential options outside the family home will be required.

In summary, Santa Clara has a slightly lower percentage of persons with disability compared with the County. The racial and ethnic groups with the highest percentage of disability in Santa Clara are white (not Hispanic or Latino) and Hispanic/Latino. There are higher concentrations of persons with disabilities living in Central Santa Clara and selected areas in Southern Santa Clara. There is likely a need to create more supportive and accessible multifamily housing opportunities for this subpopulation as the development of single-story homes is less likely given the limited supply and high cost of land.

Familial Status

Under the Fair Housing Act, housing providers may not discriminate because of familial status. Familial status covers 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 (through, e.g., birth, adoption, 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.

Families with children often have special housing needs due to lower per capita income, the need for affordable childcare, the need for affordable housing, or the need for larger units with three or more bedrooms. Single parent households are also protected by fair housing law. Female-headed households are of particular consideration as they may experience greater housing affordability challenges due to typically lower household incomes compared to two-parent

households. Often, sex and familial status intersect to compound the discrimination faced by single mothers.

Regional Trends

In Santa Clara County, 27 percent of households have children under the age of 18. Within the County, the cities of Sunnyvale, Palo Alto, and San Jose have the highest percentages of households with children (28.6, 27.1, and 26.2 percent, respectively). Across all the cities listed below in Santa Clara County, there are higher percentages of single-parent female households than single-parent male households. Within the County, Palo Alto and San Jose have the highest percentages of single-parent female households (both 3.8 percent). While single-parent male households have a lower percentage overall, the cities of Palo Alto, San Jose, and Santa Clara have the highest percentages of single-parent male households (1.8, 1.2, and 1.2 percent respectively).

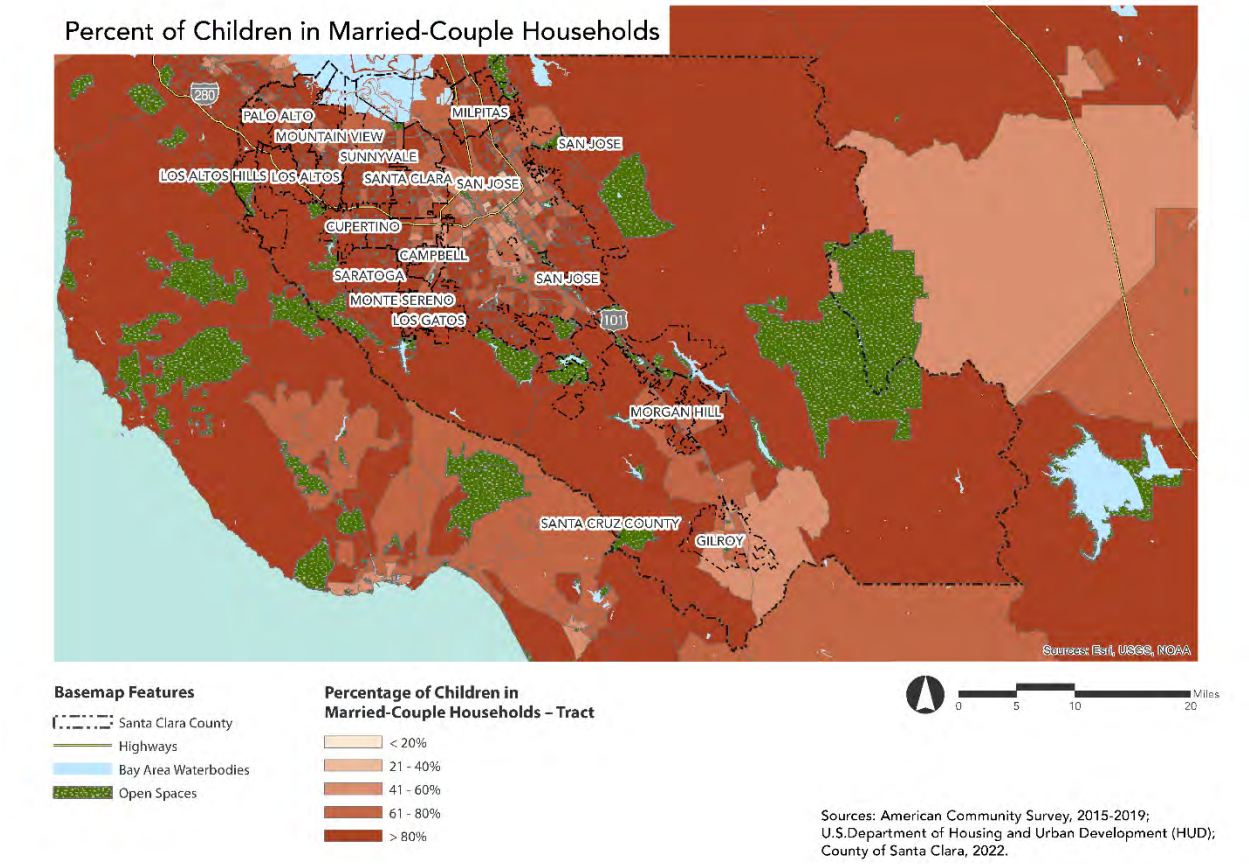
Table 13.3-12: Households with Children in Santa Clara County and Incorporated Cities

	Santa Clara County	Santa Clara	San Jose	Sunnyvale	Palo Alto	Mountain View
Married Couple with Children	27%	26.1%	26.2%	28.6%	27.1%	20.9%
Single-Parent, Male	1.1%	1.2%	1.2%	0.8%	1.8%	0.9%
Single-Parent, Female	3.3%	2.2%	3.8%	1.8%	3.8%	2.7%

Source(s): American Community Survey, 2015-2019 (5-Year Estimates), Table DP02

Figure 13.3-7 visualizes the variety of percentages of children in Santa Clara County living in married-couple households. San Jose has the largest variety with some areas showing below 20 percent of married-couple households with children and other areas showing above 80 percent of married-couple households with children. This lower percentage is concentrated around central San Jose and gets higher as the map moves out. Cities like Palo Alto, Los Altos, Cupertino, and Saratoga along the western part of the County show some of the highest rates of married-couple households with children. Gilroy is another area showing low rates of married-couple households with children (between 21 to 40 percent).

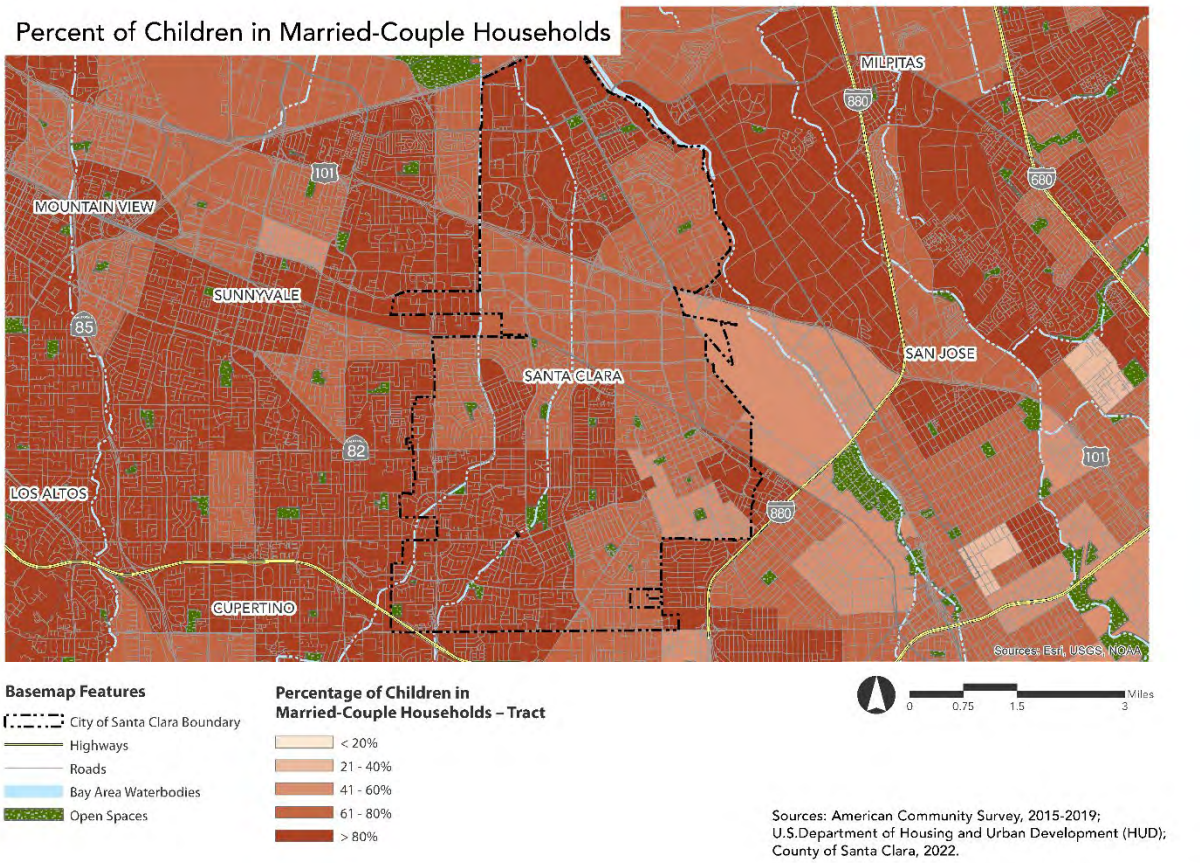
FIGURE 13.3-7: REGIONAL PERCENTAGE OF CHILDREN IN MARRIED-COUPLE HOUSEHOLDS BY TRACTS (2019)



Local Trends

The northern and southern parts of Santa Clara have higher rates of married couple households (between 61 to 80 percent). The central part of Santa Clara has a lower rate of married couple households at 41 to 60 percent. Central Santa Clara also has higher rates of low to moderate income levels (50 to 75 percent), lower incomes ($87,000) (Figure 13.3-12) and higher rates of overpayment (40 to 60 percent) (Figure 13.3-40) which may all be a factor of this lower rate of married couple and likely dual-income households. The nearby cities of Mountain View, Sunnyvale, and Milpitas have similar rates of married couple households.

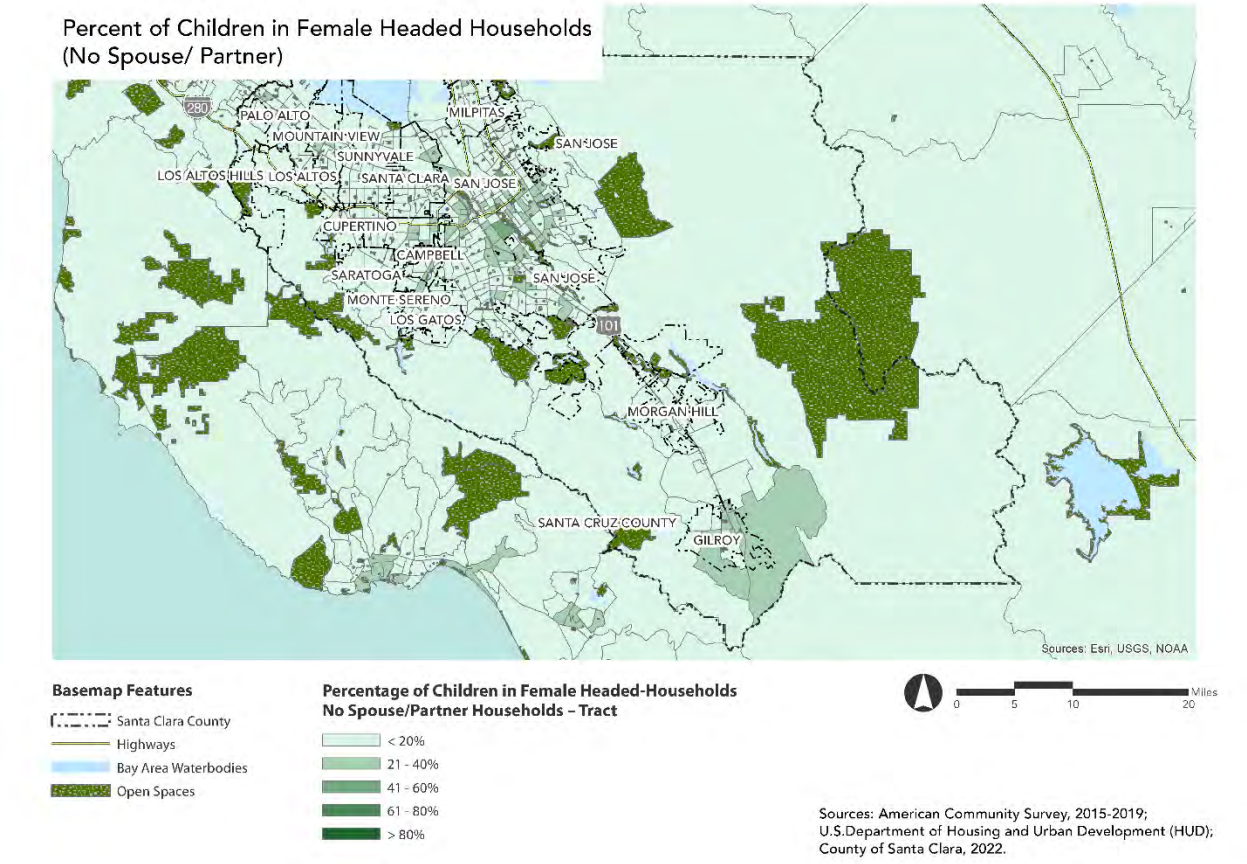
FIGURE 13.3-8: PERCENT OF CHILDREN IN MARRIED-COUPLE HOUSEHOLDS – SANTA CLARA (2021)



Regional Trends

Much of Santa Clara County shows rates of children in female-headed households below 21 to 40 percent. In San Jose there are areas where this percentage rises to 41 to 60 percent. Most cities in the County have some areas where the rate is between 21 to 40 percent, however, some cities along the western part of the County like Los Altos, Cupertino, and Saratoga appear to have rates below 20 percent for the entire city. San Jose, which has the highest concentration of single mother households also has higher rates of non-White populations (61 to 80 percent).

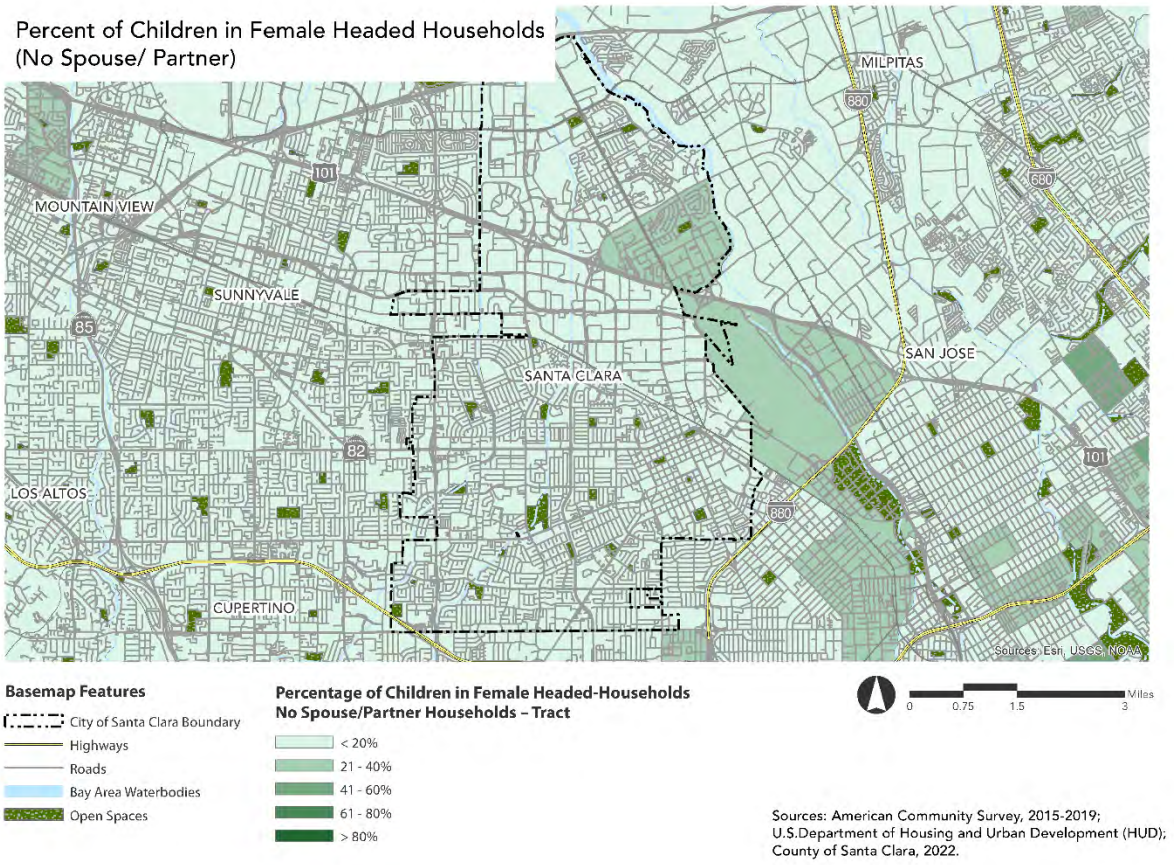
FIGURE 13.3-9: REGIONAL PERCENT OF CHILDREN IN FEMALE-HEADED HOUSEHOLDS BY TRACT (2019)



Local Trends

The majority of Santa Clara has below 20 percent of female headed households with children. There is one small section in northeast Santa Clara where this percentage rises to 21 to 40 percent. This area also overlaps with higher rates of HCV use (5 to 15 percent), higher rates of overpayment by renters (40 to 60 percent), and higher rates of household overcrowding (above 15 percent) (Figure 13.3-40). These trends may be explained in part by the higher rate of female headed households which may only be single income households. The nearby cities of Mountain View and Milpitas have rates below 20 percent for female headed households, and Mountain View has a small section where this rate rises between 21 to 40 percent, similar to Santa Clara.

FIGURE 13.3-10: PERCENT OF CHILDREN IN FEMALE HEADED HOUSEHOLDS – SANTA CLARA (2021)



In summary, Santa Clara has a higher percentage of single parent female parent households compared with single parent male households. Most of Santa Clara has rates of female headed households with children that are below 20% which is consistent with the rest of the County. The central portion of the City has lower rates of married couples with children. Single parent households generally have lower income which suggests a need to build a variety of affordable unit sizes for singles, couples, single parents with children, and couples with children.

Income Level

Each year, the HUD receives custom tabulations of American Community Survey (ACS) data from the U.S. Census Bureau. Known as the "CHAS" data (Comprehensive Housing Affordability Strategy), it demonstrates the number of households in need of housing assistance by estimating the number of households that have certain housing problems and have incomes low enough to qualify for HUD's programs (primarily 30, 50, and 80 percent of median income). HUD defines a Low to Moderate Income (LMI) area as a census tract or block group where over 51 percent of the population is LMI (based on HUD income definition of up to 80 percent of the Area Median Income).

Regional Trends

Table 13.3-13 lists Santa Clara County households by income category and tenure. Based on the above definition, 33.5 percent of Santa Clara County households are considered LMI, as they earn less than 80 percent of the HUD Area Median Family Income (HAMFI). About 45 percent of all renter households are considered LMI, compared to about 23 percent of owner households. In Santa Clara, about 32 percent of all households are considered LMI. Similar to the County, more renter households in the city are LMI (37.5 percent) than owner households (24 percent). Overall, Santa Clara has a slightly larger percentage of owner and renter households earning above the median area income (60.2 percent) compared to the County (58 percent).

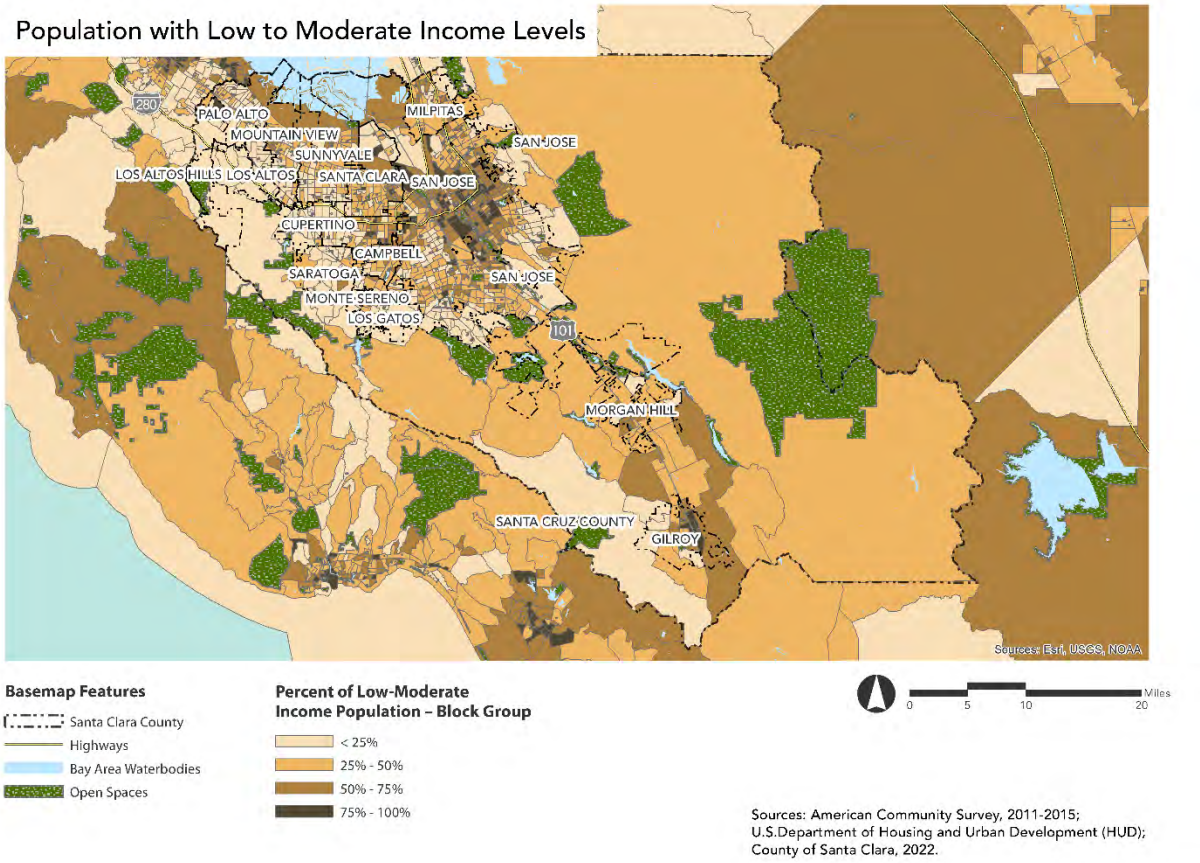
Table 13.3-13: Santa Clara County & Santa Clara Households by Income Category and Tenure

Santa Clara County			
Income Category	**Owner**	**Renter**	**Total**
0%-30% of AMI	7.7%	20.1%	13%
31%-50% of AMI	5.9%	13%	10%
51%-80% of AMI	9.5%	12.4%	10.5%
81%-100% AMI	7.9%	8.9%	8.3%
Greater than 100% of AMI	67.6%	45%	58%
Total	360,660	274,865	635,525
Santa Clara			
Income Category	**Owner**	**Renter**	**Total**
0%-30% of AMI	7.6%	15.6%	12.2%
31%-50% of AMI	8.4%	11.7%	10.3%
51%-80% of AMI	8%	10.2%	9.3%
81%-100% AMI	7.7%	7.9%	7.8%
Greater than 100% of AMI	68%	54%	60.2%
Total	18,930	25,150	44,080

Source(s): HUD CHAS (based on 2014-2018 ACS), 2020.

Figure 13.3-12 shows the LMI areas in Santa Clara County by block group. There are drastic geographic differences in the percentage of LMI populations. The largest concentration of LMI populations is in City of San Jose, where the percentage rises to 50 to 75 percent, and 75 to 100 percent. There are also a few concentrations in Palo Alto, Santa Clara, Campbell, and Gilroy where the LMI population is between 75 to 100 percent. In general, the cities to the west and south of San Jose have lower percentages of LMI populations. This higher LMI percentage in San Jose and the western part of the County may be explained in part by the higher percentages of non-White populations in this area, ranging between 61 to 80 percent, as these populations are more likely to be economically disadvantaged and have lower incomes.

FIGURE 13.3-11: REGIONAL CONCENTRATIONS OF LMI HOUSEHOLDS BY TRACT (2015)

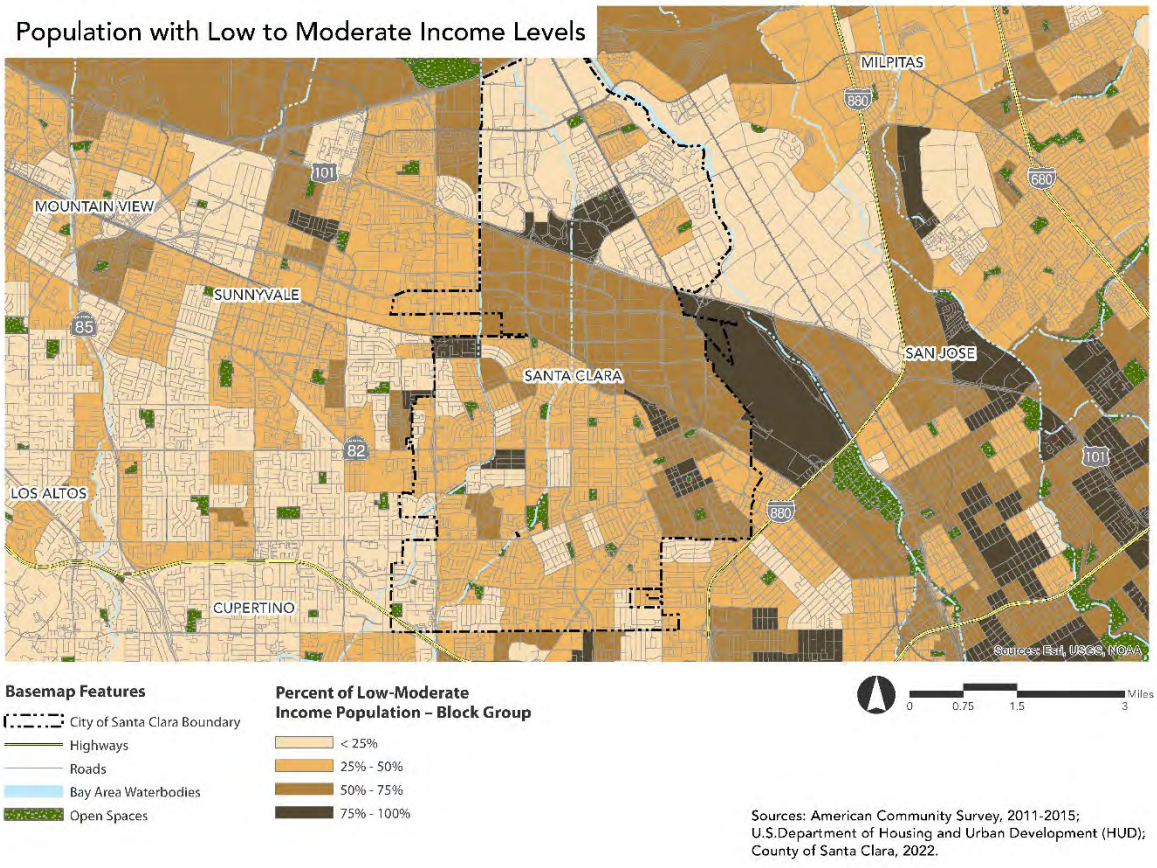


Sources: American Community Survey, 2011-2015; U.S.Department of Housing and Urban Development (HUD); County of Santa Clara, 2022.

Local Trends

In Santa Clara there are a few concentrations where the LMI populations are between 75 to 100 percent and a large area where the LMI percentage is between 50 to 75 percent. The rest of the city has block groups with LMI populations between 25 to 50 percent and below 25 percent. The largest LMI concentration between 75 to 100 percent is in the northern part of the city, where these block groups overlap with higher percentages of non-White population block groups (61 to 80 percent) and overcrowded households (12 percent).The large area of LMI population between 50 to 75 percent overlaps with block groups that have higher non-White populations (61 to 80 percent), lower median incomes (below $87,000), and higher rates of overpayment by renters (40 to 60 percent). All three of these factors may provide an explanation for the higher rate of LMI populations in central Santa Clara. Additionally, this area is between Highway 101 and the Union Pacific Railroad and is predominantly industrial, likely contributing to the higher LMI rates. Compared to the nearby cities of Mountain View, Sunnyvale, and Milpitas, Santa Clara has larger geographic areas with higher percentages of LMI populations.

FIGURE 13.3-12: POPULATION WITH LOW TO MODERATE INCOME LEVELS – SANTA CLARA (2021)



Housing Choice Vouchers

Housing Choice Vouchers (HCVs), a form of HUD rental subsidies, are issued to low-income households that promise to pay a certain amount of the household's rent. Prices, or payment standards, are set based on the rent in the metropolitan area, and voucher households must pay any difference between the rent and the voucher amount. Participants of the HCV program are free to choose any rental housing that meets program requirements.

An analysis of the trends in HCV concentration can be useful in examining the success of the program in improving the living conditions and quality of life of its holders. One of the objectives of the HCV program is to encourage participants to avoid high-poverty neighborhoods and encourage the recruitment of landlords with rental properties in low poverty neighborhoods. HCV programs are managed by Public Housing Agencies (PHAs), and the programs assessment structure (SEMAPS) includes an "expanding housing opportunities" indicator that shows whether the PHA has adopted and implemented a written policy to encourage participation by owners of units located outside areas of poverty or minority concentration.

A study prepared by HUD's Development Office of Policy Development and Research found a positive association between the HCV share of occupied housing and neighborhood poverty concentration and a negative association between rent and neighborhood poverty[1]. This means that HCV use was concentrated in areas of high poverty where rents tend to be lower. In areas where these patterns occur, the program has not succeeded in moving holders out of areas of poverty.

Regional Trends

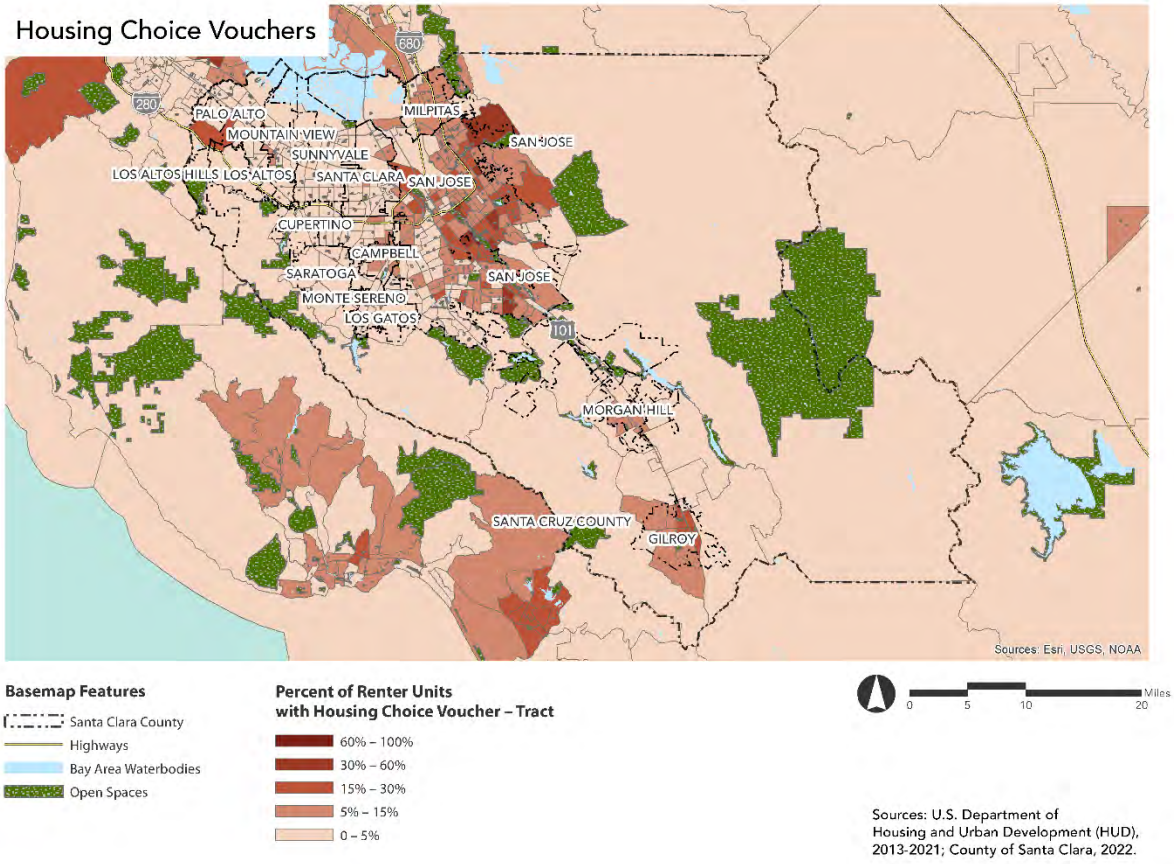
Santa Clara County Housing Authority (SCCHA) provides about 17,000 participants with housing choice vouchers, making it their largest rental assistance program. SCCHA housing choice voucher holders pay 30 percent of their monthly income toward rent. Voucher holders in the "Moving to work" program pay 32 percent of their monthly income towards rent (or a minimum of $50, whichever is higher). SCCHA pays the balance of the rent to the landlords on behalf of the household.

In the County, the cities of Santa Clara, Cupertino, Mountain View, Palo Alto, and Sunnyvale, the vast majority of Project-Based Section 8 units are 0-1 bedrooms. SCHHA generally has a very long waiting list and the average wait for a household to receive an HCV is between eight to 10 years.

HCV concentration is highest in the eastern part of Santa Clara County in the cities of San Jose, Campbell, and Milpitas. As identified earlier, these areas of the County have higher percentages of non-White populations. HCV use in these areas is between five to 15 percent, 15 to 30 percent, and 30 to 60 percent. Palo Alto, Mountain View, Santa Clara, Morgan Hill, and Gilroy also show lower percentages for HCV use while the rest of the County has rates below five percent.

[1] Devine, D.J., Gray, R.W., Rubin, L., & Taghavi, L.B. (2003). *Housing choice voucher location patterns: Implications for participant and neighborhood welfare*. Prepared for the U.S. Department of Housing and Urban Development, Office of Policy Development and Research, Division of Program Monitoring and Research.

FIGURE 13.3-13: REGIONAL HOUSING HCV CONCENTRATION BY TRACT (2021)

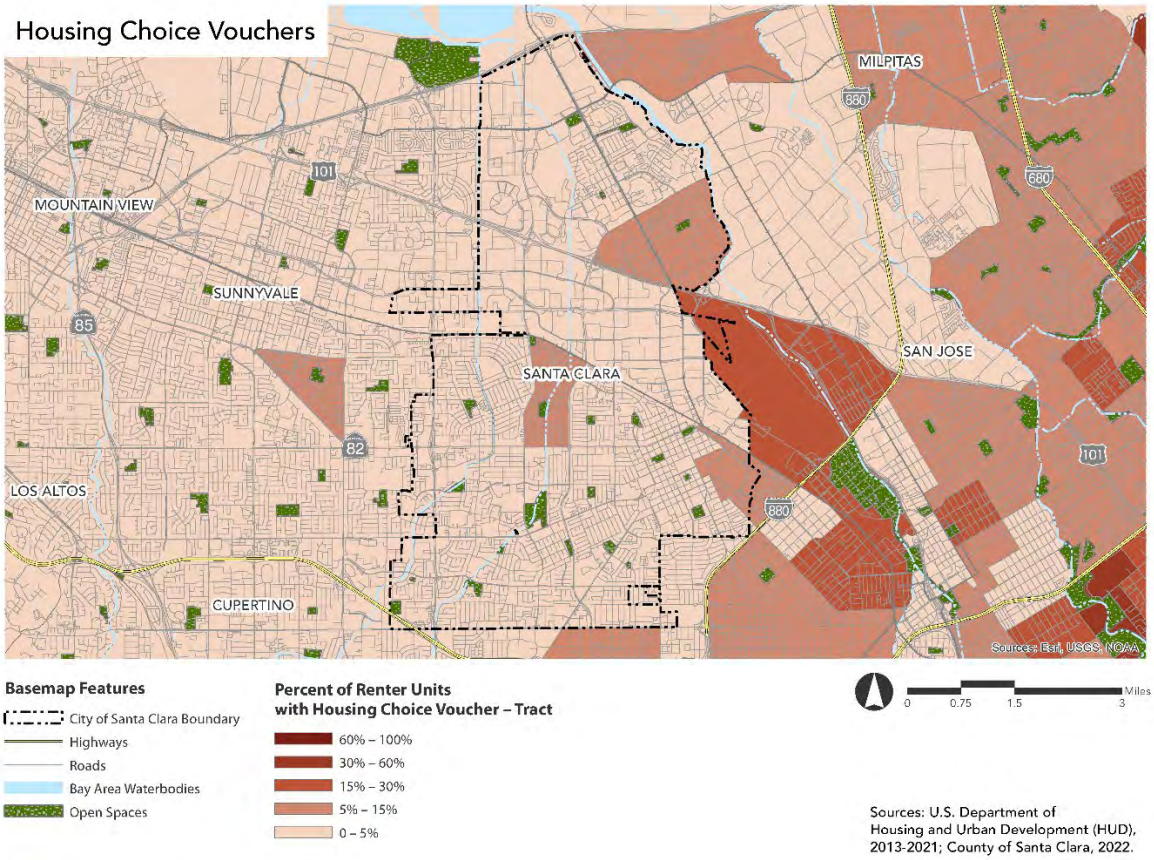


Local Trends

In Santa Clara there are 650 tenant-based vouchers in use and 129 project-based vouchers. There are three concentrations of tracts with HCV use between five to 15 percent while the rest of the City's HCV use is below five percent. There are concentrations of higher HCV use in the northern and southern part of the city. The higher HCV concentration in northern Santa Clara overlaps with the only area in the City with higher rates of female headed households (21 to 40 percent), as well as higher rates of overpayment by renters (40 to 60 percent), and higher rates of overcrowded households (above 15 percent). The areas of higher HCV use in the southern part of the City overlaps with higher rates of LMI households (25 to 50 percent) and higher rates of overpayment by renters (40 to 60 percent).

The northern part of Santa Clara has tracts with median gross rents of $2,500. The southern part of the City has a mix of rents between $1,000 and above $3,000. Central Santa Clara has an average median rent below $1,000. This area is more affordable than the rest of the city and households in this area have lower median incomes ($87,000) than the rest of the City. Santa Clara has similar rates of affordability compared to Sunnyvale, Mountain View, and Milpitas.

FIGURE 13.3-14: HOUSING CHOICE VOUCHERS – SANTA CLARA (2021)



Location Affordability

Regional Trends

Figure 13.3-15 shows the Location Affordability Index in Santa Clara County. The index was developed by HUD in collaboration with the Department of Transportation under the federal Partnership for Sustainable Communities. One objective of the partnership is to increase public access to data on housing, transportation, and land use. Before this index was established, there was no standardized national data source on household transportation expenses, which limited the ability of homebuyers and renters to fully account for the cost of living in a particular city or neighborhood.

The prevailing standard of affordability in the United States is paying 30 percent or less of a household's income on housing. However, this prevailing standard fails to account for transportation costs, and transportation costs have grown significantly as a proportion of household income since the standard was established. According to the Bureau of Labor Statistics, in the 1930s, American households spent just eight percent of their income on transportation. Since then, as a substantial proportion of the U.S. population has migrated from center cities to surrounding suburbs and exurbs and has come to rely more heavily (or

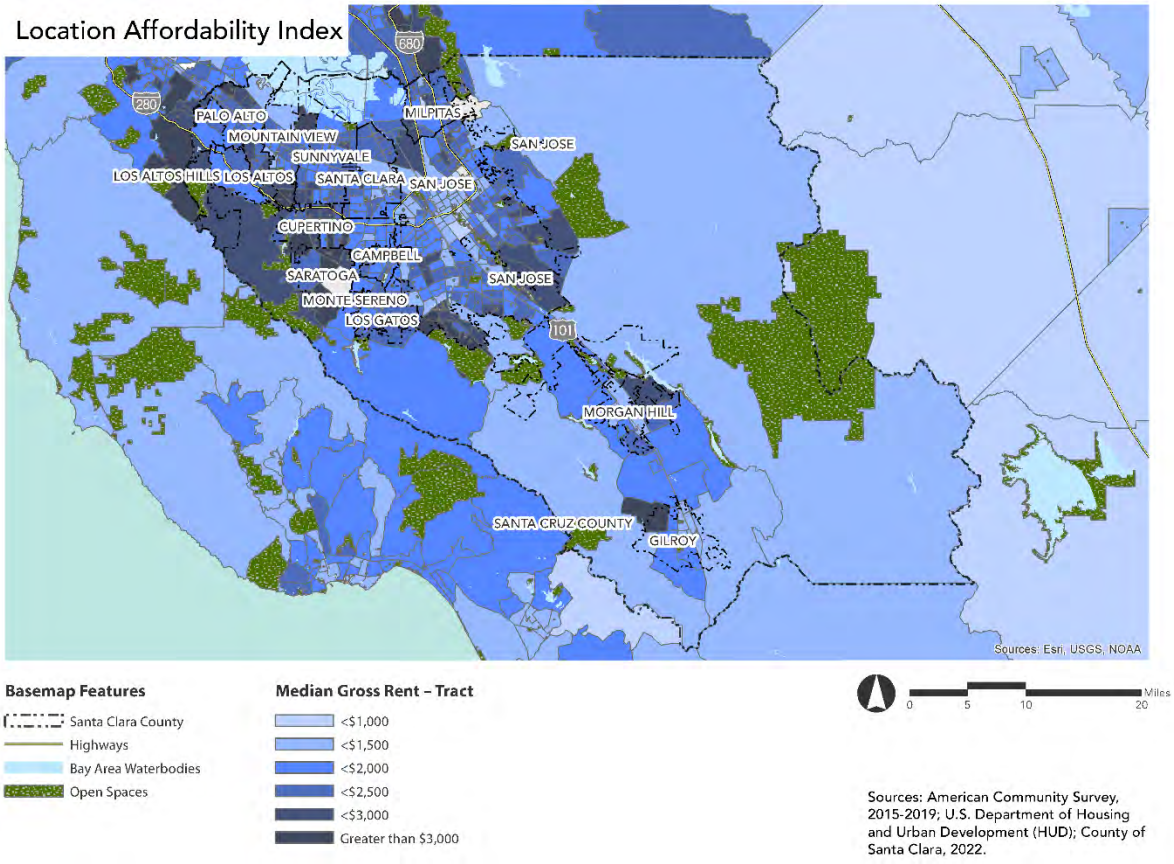
exclusively) on cars, that percentage has steadily increased, peaking at 19.1 percent in 2003. As of 2020, households spent on average about 17.4 percent of their annual income on transportation, second only to housing costs in terms of budget impact.[2] And for many working-class and rural households, transportation costs exceed housing costs.

In Santa Clara County, there is a mix of median gross rents. San Jose has areas with the lowest rents below $1,000 and areas with higher rents above $3,000. Most cities have a mix of rents between $2,000 to $3,000 and above. The most affordable tracts are in San Jose while the more expensive tracts are around the perimeter of the County in cities like Palo Alto, Los Altos, Cupertino, Los Gatos, and east San Jose.

Local Trends

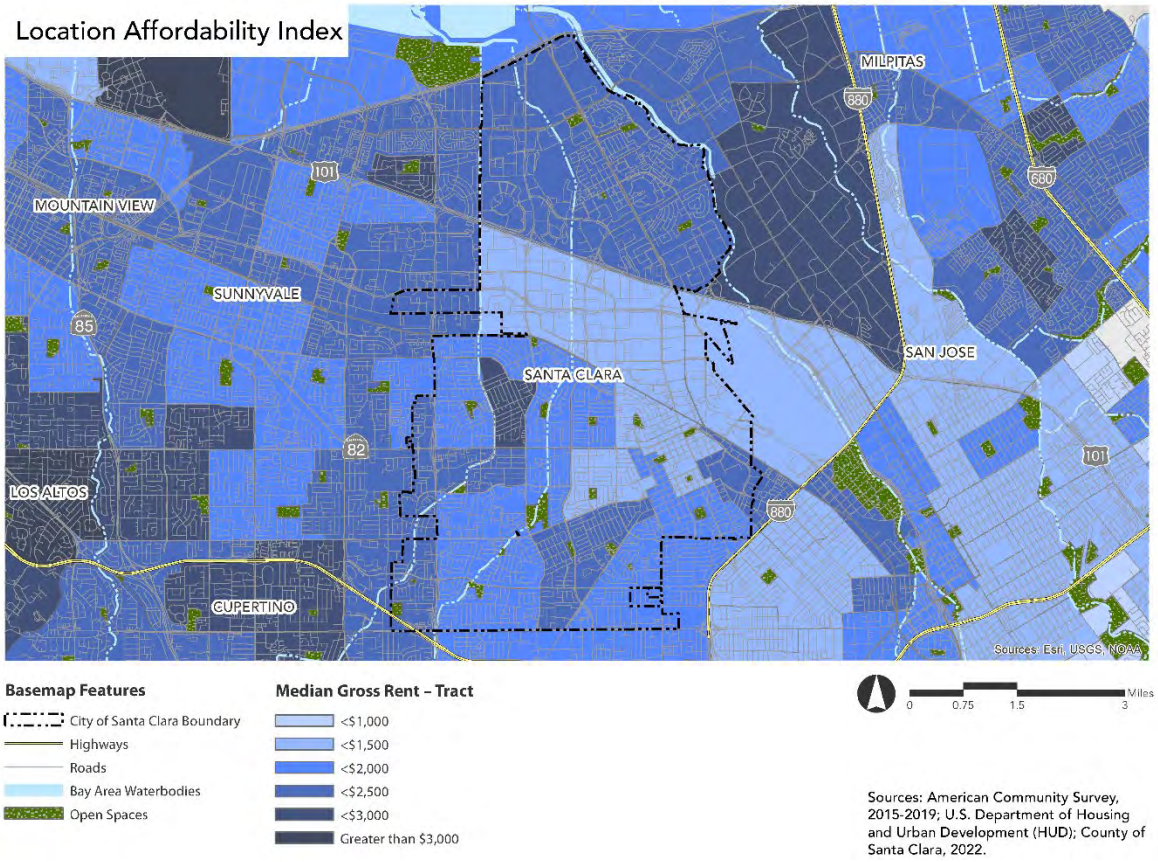
Figure 13.3-16 shows that median gross rents are highest in Northern Santa Clara and parts of Southern Santa Clara. The lowest rents are found in and adjacent to Central Santa Clara.

FIGURE 13.3-15: REGIONAL MEDIAN GROSS RENT/ AFFORDABILITY INDEX BY TRACT (2021)



[2] U.S. Department of Transportation, Bureau of Transportation Statistics, https://data.bts.gov/stories/s/ida7-k95k, accessed 4/26/22.

FIGURE 13.3-16: LOCATION AFFORDABILITY INDEX – SANTA CLARA (2021)



Racially and Ethnically Concentrated Areas of Poverty (R/ECAP)

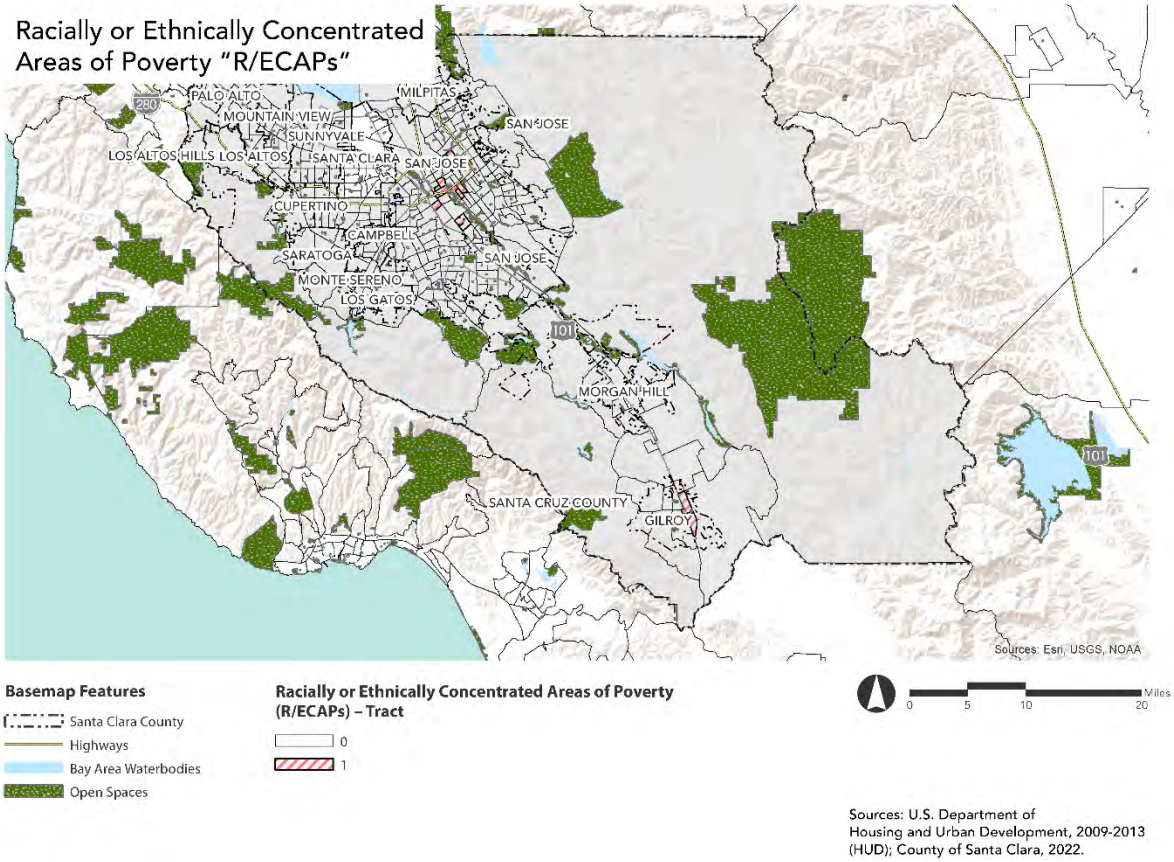
Racially and Ethnically Concentrated Areas of Poverty (R/ECAPs) are geographic areas with significant concentrations of poverty and minority populations. HUD developed a census-tract based definition of R/ECAP that relies on a racial and ethnic concentration threshold and a poverty test. The threshold states that an area with a non-White population of 50 percent or more would be identified as a R/ECAP; the poverty test defines areas of extreme poverty as areas where 40 percent or more of the population live below the federal poverty line or where the poverty rate is three times the average poverty rate for the metropolitan area (whichever is lower). Thus, an area that meets either the racial or ethnic concentration, and the poverty test would be classified as a R/ECAP. Identifying R/ECAPS facilitates an understanding of entrenched patterns of segregation and poverty due to the legacy effects of historically racist and discriminatory housing laws.

In Santa Clara County the only areas that meet the official definition of a R/ECAP are within San Jose and Gilroy.

Local Trends

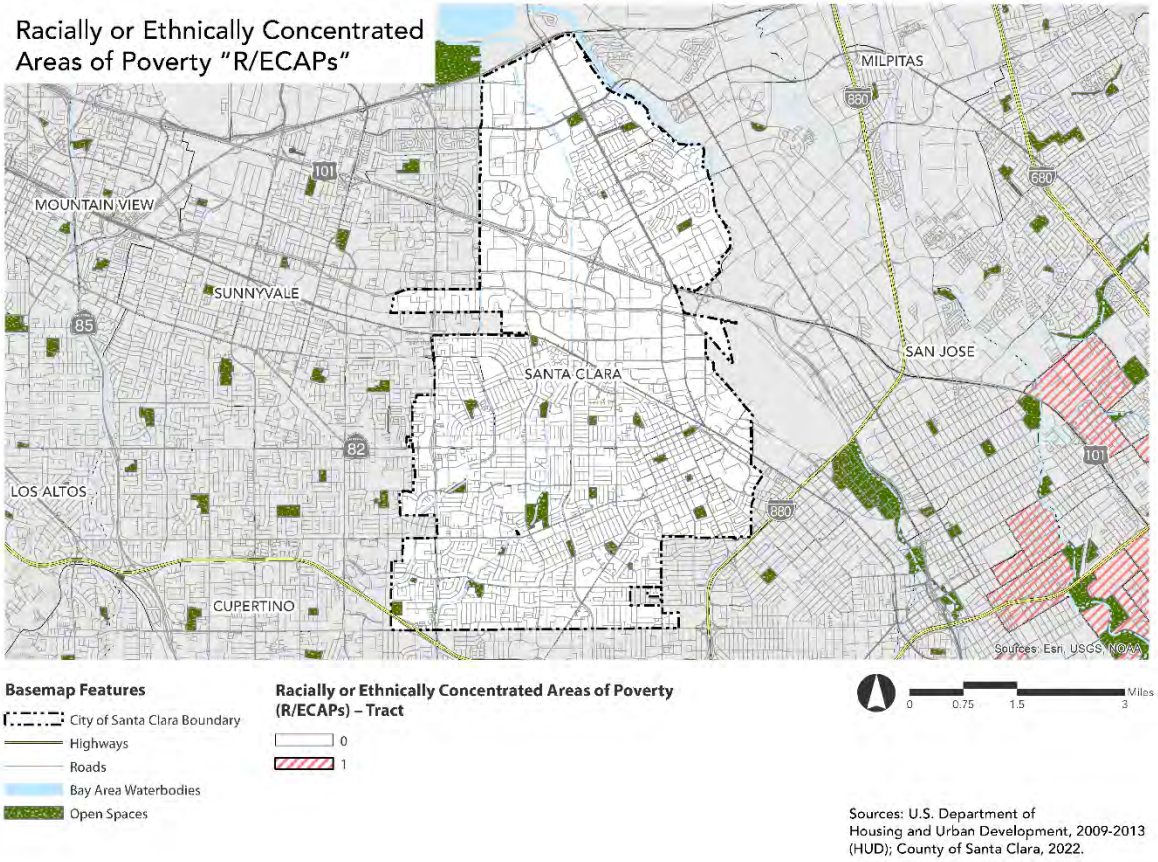
There are no R/ECAP areas in Santa Clara nor in the nearby cities of Mountain View or Sunnyvale.

FIGURE 13.3-17: REGIONAL RACIALLY AND ETHNICALLY CONCENTRATED AREAS OF POVERTY "R/ECAPS" (2021)



Sources: U.S. Department of Housing and Urban Development, 2009-2013 (HUD); County of Santa Clara, 2022.

FIGURE 13.3-18: RACIALLY OR ETHNICALLY CONCENTRATED AREAS OF POVERTY "R/ECAPS" – SANTA CLARA (2021)



Racially Concentrated Areas of Affluence (RCAAs)

Racially Concentrated Areas of Affluence (RCAAs) are defined by the HUD as communities with a large proportion of affluent and non-Hispanic White residents. According to a policy paper published by the HUD, non-Hispanic Whites are the most racially segregated group in the United States. In the same way neighborhood disadvantage is associated with concentrated poverty and high concentrations of people of color, distinct advantages are associated with residence in affluent, White communities. RCAAs are currently not available for mapping on the AFFH Data Viewer. As such, an alternate definition of RCAA from the University of Minnesota Humphrey School of Public Affairs is used in this analysis. RCAAs are defined as census tracts where (1) 80 percent or more of the population is white, and (2) the median household income is $125,000 or greater (slightly more than double the national median household income in 2016).

Regional Trends

Comparing Figure 13.3-1 and Figure 13.3-19 there are multiple areas where high White populations overlap with median incomes above $125,000. These areas are mostly located along

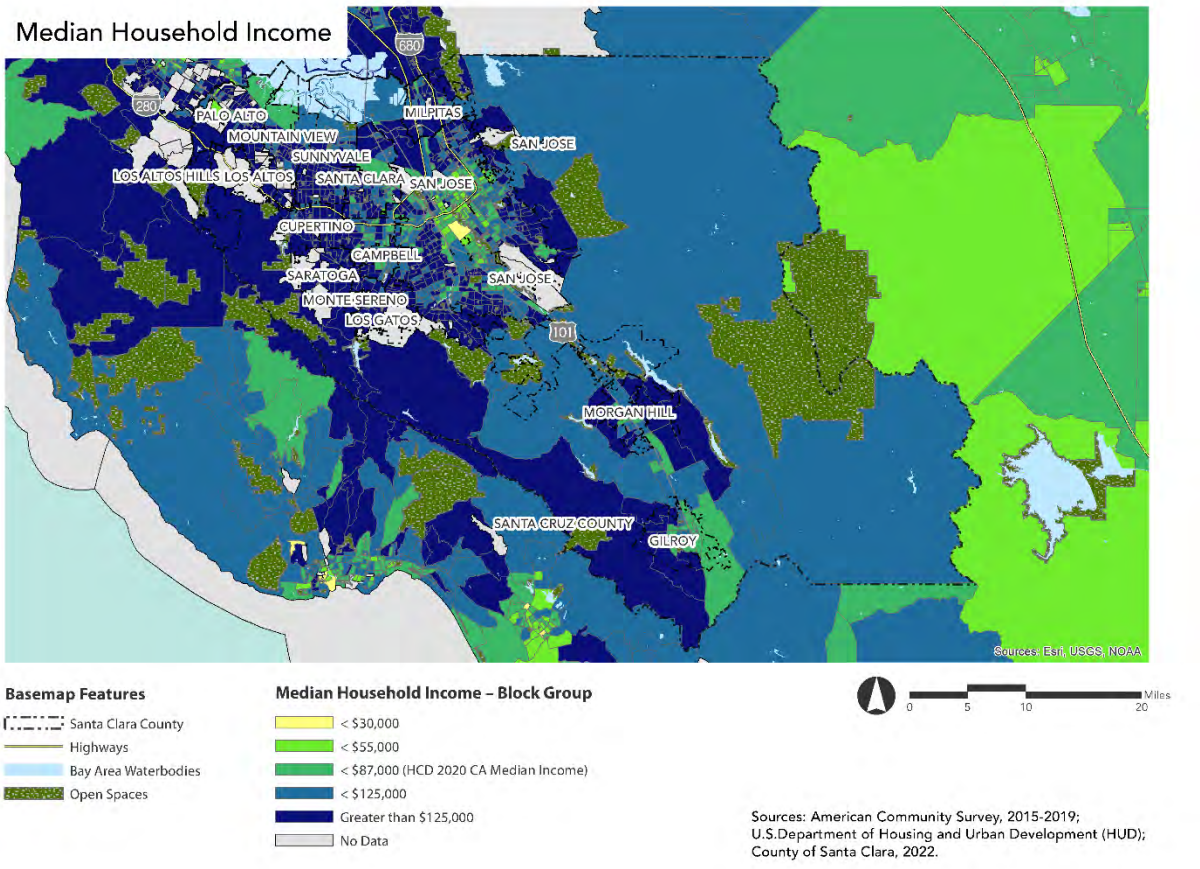
the eastern edge of the County. However, only one community qualifies as an RCAA. The unincorporated area called Lexington Hills located along the western edge of the County has a White population of 87.4 percent and a median household income of $166,932, meeting the alternate definition of a RCAA. This unincorporated area of 4.7 square miles is home to approximately 2,500 residents.

Table 13.3-14: White Population and Median Household Income of RCAAs in Santa Clara County

City	*White Population*	*Median Household Income (2019)*
Lexington Hills	87.4%	$166,932

Source(s): DataUSA.io (2019)

FIGURE 13.3-19: REGIONAL MEDIAN INCOME BY BLOCK GROUP (2021)

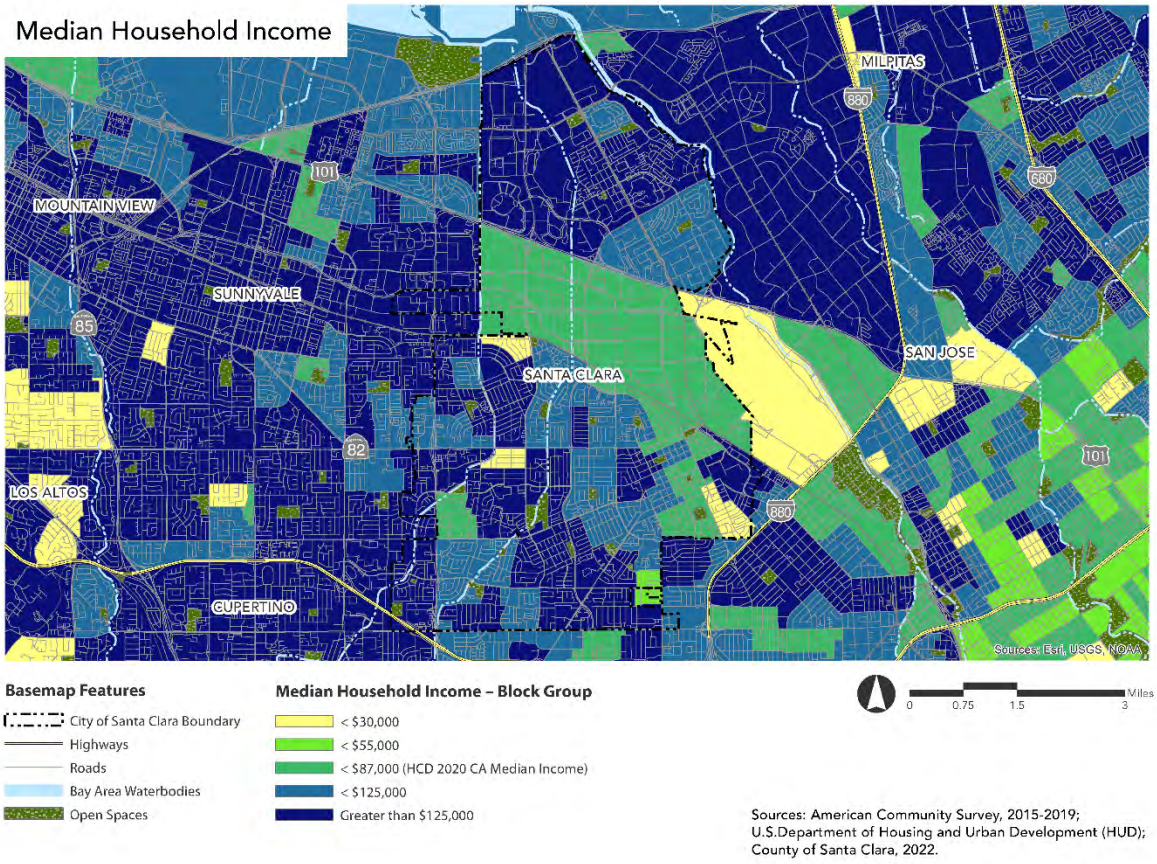


Local Trends

The northern part of Santa Clara has block groups that have households with a median income of $125,000 and above. The southern part of the city has a smaller section of median household incomes at $30,000, while most areas have incomes at $125,000 and above. Notably, Central Santa

Clara has median household incomes at $87,000 which is lower than the rest of the city but is the 2020 median income for California. The central part of Santa Clara also overlaps with higher rates of non-White populations, higher rates of residents with disabilities, and higher rates of overpayment for rent, all of which likely contribute to lower median incomes for households in this area. Mountain View, Sunnyvale, and Milpitas all have larger areas with higher household incomes and only a few small concentrations with lower median incomes.

FIGURE 13.3-20: MEDIAN INCOME – SANTA CLARA (2021)



In summary, Santa Clara has a lower percentage of low and moderate income (LMI) residents compared to the County, but there are several census blocks with higher concentrations of low income residents. These areas are located within or adjacent to Central Santa Clara. These small pockets of lower income residents suggest a need for proactive outreach to connect residents with new affordable housing opportunities as well as education about City services such as landlord tenant rights according to state laws as well as mediation services, home repair, and proactive code enforcement. Such outreach, education, and services could help increase mobility and improve living conditions in these areas.

Analysis above indicates that residents in Central Santa Clara include Asian/Pacific Islander, White, and Hispanic/Latino residents who are disproportionately overrepresented in this area. Proactive outreach in Central Santa Clara should be conducted in English, Spanish and other relevant languages to provide greater access to city programs and affordable housing opportunities throughout the City.

Access to Opportunities

Access to opportunity is a concept to approximate the link between place-based characteristics (e.g., education, employment, safety, and the environment) and critical life outcomes (e.g., health, wealth, and life expectancy). Ensuring access to opportunity means both improving the quality of life for residents of low-income communities, as well as supporting residents' mobility and access to 'high resource' neighborhoods.

TCAC Opportunity Maps

TCAC Maps are opportunity maps created by the California Fair Housing Task Force (a convening of the Department of Housing and Community Development (HCD) and the California Tax Credit Allocation Committee (TCAC)) to provide research and evidence-based policy recommendations to further HCD's fair housing goals of (1) avoiding further segregation and concentration of poverty and (2) encouraging access to opportunity through land use policy and affordable housing, program design, and implementation. These opportunity maps identify census tracts with highest to lowest resources, segregation, and poverty, which in turn inform the TCAC to distribute funding more equitably for affordable housing in areas with the highest opportunity through the Low-Income Housing Tax Credit (LIHTC) Program.

TCAC Opportunity Maps display areas by highest to lowest resources by assigning scores between 0–1 for each domain by census tracts where higher scores indicate higher "access" to the domain or higher "outcomes." Refer to Table 13.3-15 for a list of domains and indicators for opportunity maps. Composite scores are a combination score of the three domains that do not have a numerical value but rather rank census tracts by the level of resources (low, moderate, high, highest, and high poverty and segregation). The opportunity maps also include a measure or "filter" to identify areas with poverty and racial segregation. The criteria for these filters were:

- Poverty: Tracts with at least 30 percent of population under the federal poverty line;
- Racial Segregation: Tracts with location quotient higher than 1.25 for Blacks, Hispanics, Asians, or all people of color in comparison to the County

Table 13.3-15: Domains and List of Indicators for Opportunity Maps

Domain	*Indicator*
Economic	Poverty Adult Education Employment Job Proximity Median home value
Environmental	CalEnviroScreen 4.0 pollution Indicators and values
Education	Math proficiency Reading proficiency High School graduation rates Student poverty rates

Source(s): California Fair Housing Task Force, Methodology for the 2021 TCAC/ HCD Opportunity Maps, December 2020

High resource areas have high index scores for a variety of opportunity indicators such as high employment rates, low poverty rates, proximity to jobs, high educational proficiency, and limited exposure to environmental health hazards. High resource tracts are areas that offer low-income residents the best chance of a high quality of life, whether through economic advancement, high educational attainment, or clean environmental health. Moderate resource areas have access to many of the same resources as the high resource areas but may have fewer job opportunities, lower performing schools, lower median home values, or other factors that lower their indexes across the various economic, educational, and environmental indicators. Low resource areas are characterized as having fewer opportunities for employment and education, or a lower index for other economic, environmental, and educational indicators. These areas have greater quality of life needs and should be prioritized for future investment to improve opportunities for current and future residents.

Information from opportunity mapping can help highlight the need for housing element policies and programs that would help to remediate conditions in low resource areas or areas of high segregation and poverty, and to encourage better access for low and moderate income, and black, indigenous, and people of color (BIPOC) households to housing in high resource areas.

Regional Trends

Figure 13.3-21 provides a visual representation of TCAC Opportunity Areas in Santa Clara County based on a composite score, where each tract is categorized based on percentile rankings of the level of resources within the region. The western part of the County has cities with the highest resources such as Palo Alto, Cupertino, Saratoga, Monte Sereno, and Los Gatos. The central part of the County has a mix of resource scores of high, moderate, and low with the largest low resource areas in San Jose and Morgan Hill. The eastern part of San Jose has areas with both the lowest and highest resource scores.

Local Trends

Santa Clara has a mix of resource scores. The northern part of the city has moderate and high resources, the central part of the city has low resources, and the southern part of the city has a mix of low, moderate, high, and highest resources. The areas with low resources also overlap with higher CalEnviroScreen Scores (50 to 74 percent) (Figure 13.3-36), lower Healthy Places Index Scores (50 to 75) (Figure 13.3-38), higher rates of LMI households (50 to 75 percent) and areas with higher non-White populations (61 to 80 percent). The new TCAC opportunity area map below (Figure 13.3-23) shows a shift in resources in certain areas of the City. North of highway 101 and the San Tomas Freeway the northern part of the City which was previously moderate resource is now high resource. Since the advent of City Specific Plans, we see a trajectory towards higher resource areas with greater investment increasing amenities for neighborhoods. Figure 13.3-23 shows that the City's site inventory (purple shapes) are generally dispersed from existing subsidized housing (red dots).

FIGURE 13.3-21: REGIONAL TCAC COMPOSITE SCORES BY TRACT (2021)

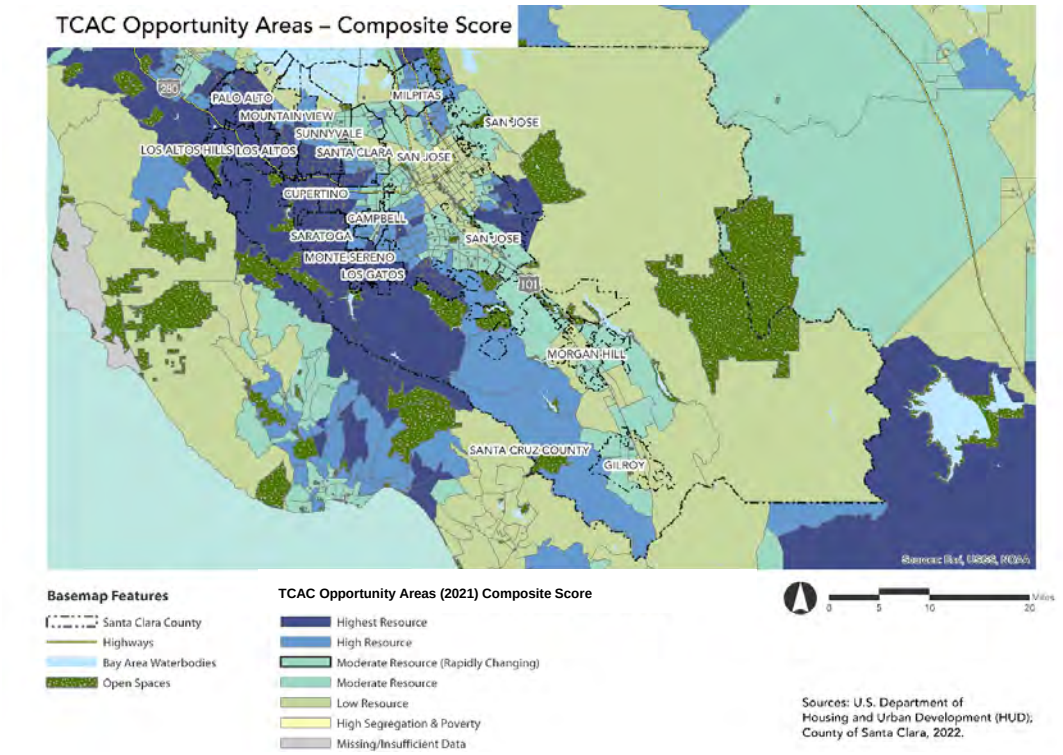


FIGURE 13.3-22: TCAC OPPORTUNITY AREAS – COMPOSITE SCORE – SANTA CLARA (2021)

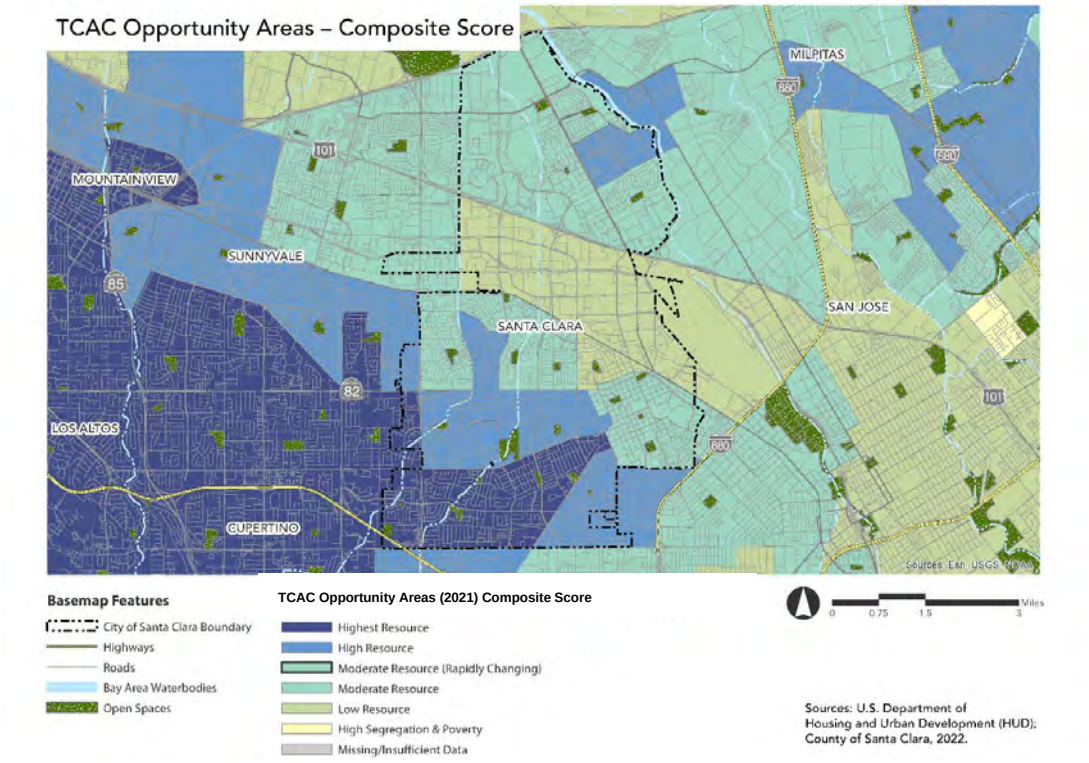
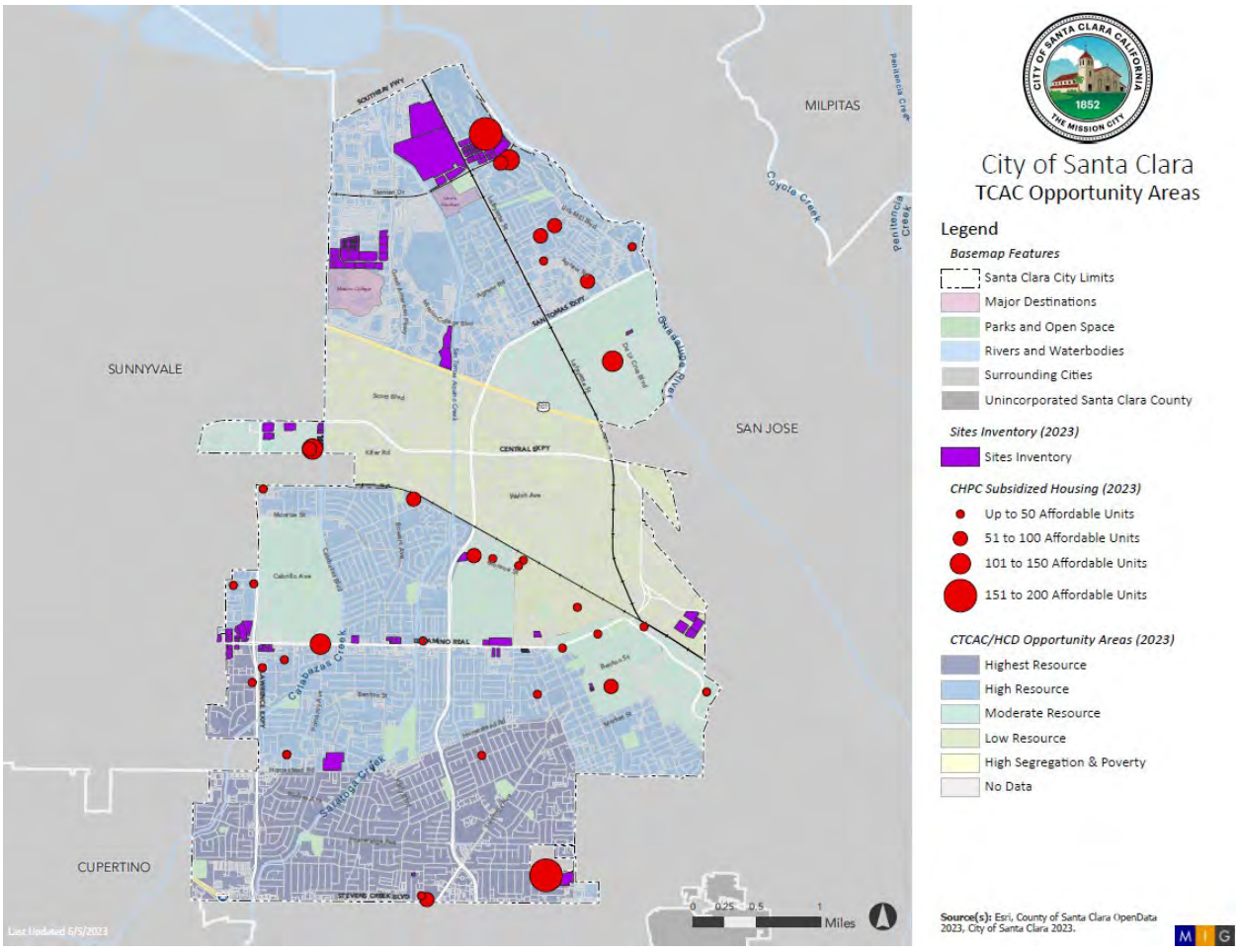


FIGURE 13.3-23: SITES INVENTORY, EXISTING AFFORDABLE HOUSING, AND TCAC OPPORTUNITY AREAS – COMPOSITE SCORE – SANTA CLARA (2023)



Opportunity Indices

This section presents the HUD-developed index scores based on nationally available data sources to assess residents' access to key opportunity assets in comparison to the County. Table 13.3-16 provides index scores or values (the values range from 0 to 100) for the following opportunity indicator indices:

- **School Proficiency Index:** The school proficiency index uses school-level data on the performance of 4th grade students on state exams to describe which neighborhoods have high-performing elementary schools nearby and which are near lower performing elementary schools. The higher the index value, the higher the school system quality is in a neighborhood.
- **Labor Market Engagement Index:** The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood. This is based upon the level of employment, labor force

participation, and educational attainment in a census tract. The higher the index value, the higher the labor force participation and human capital in a neighborhood.

- **Transit Trips Index:** This index is based on estimates of transit trips taken by a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region (i.e., the Core-Based Statistical Area (CBSA). The higher the transit trips index value, the more likely residents in that neighborhood utilize public transit.
- **Low Transportation Cost Index:** This index is based on estimates of transportation costs for a family that meets the following description: a 3-person single-parent family with income at 50 percent of the median income for renters for the region/CBSA. The higher the index value, the lower the cost of transportation in that neighborhood.
- **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/CBSA, with larger employment centers weighted more heavily. The higher the index value, the better the access to employment opportunities for residents in a neighborhood.
- **Environmental Health Index:** The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level. The higher the index value, the less exposure to toxins harmful to human health. Therefore, the higher the index value, the better the environmental quality of a neighborhood (where a neighborhood is a census block-group).

Table 13.3-16: Opportunity Indices by Race/ Ethnicity – Santa Clara County

	School Proficiency Index	*Labor Market Index*	*Transit Trip Index*	*Low Transportation Cost Index*	*Jobs Proximity Index*	*Environmental Health Index*
Santa Clara County						
Total Population						
White, Non-Hispanic	81.85	82.15	68.07	91.22	52.75	58.84
Black, Non-Hispanic	74.05	74.24	73.41	93.10	57.03	53.45
Hispanic	58.86	61.91	64.53	91.30	43.19	54.62
Asian or Pacific Islander, Non-Hispanic	85.32	83.26	71.35	91.36	51.68	61.59
Native American, Non-Hispanic	69.43	68.36	67.23	91.76	50.57	56.68
Population Below Federal Poverty Line						
White, Non-Hispanic	77.47	79.47	70	92.22	52.67	56.88
Black, Non-Hispanic	55.29	63.66	64.3	90.61	41	59.89
Hispanic	50.56	54.77	64.34	92.15	43.58	53.07
Asian or Pacific Islander, Non-Hispanic	72.77	73.73	67.96	91.39	52.68	57.31
Native American, Non-Hispanic	75.1	75.82	76.71	94.47	72.22	63.36

Note: American Community Survey Data are based on a sample and are subject to sampling variability. See page 31 for index score meanings.
Source(s): AFFHT Data Table 13.3-17; Data Sources: Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA

Education

Housing and school policies are mutually reinforcing, which is why it is important to analyze access to educational opportunities when assessing fair housing. At the most general level, school districts with the greatest amount of affordable housing tend to attract larger numbers of LMI families (largely composed of minorities). As test scores are a reflection of student demographics,

where Black/Hispanic/Latino students routinely score lower than their White peers, less diverse schools with higher test scores tend to attract higher income families to the school district. This is a fair housing issue because as higher income families move to the area, the overall cost of housing rises and an exclusionary feedback loop is created, leading to increased racial and economic segregation across districts as well as decreased access to high-performing schools for non-White students.

Regional Trends

The 2021 TCAC Opportunity Areas Education Composite Score for a census tract is based on math and reading proficiency, high school graduation rate, and student poverty rate indicators. The score is broken up by quartiles, with the highest quartile indicating more positive education outcomes and the lowest quartile signifying fewer positive outcomes.

Santa Clara County has 28 school districts. As of 2020, throughout the County there were 255 elementary schools, 61 middle schools, 55 high schools, 11 continuing education schools, 10 alternative schools, five junior high schools, four K-12 schools, two community day schools, and one special education school.[3] The map below shows the TCAC education score for the County with the central and southern parts of the County including San Jose, Morgan Hill, and Gilroy showing scores between 0.25 - 0.50 which are less positive education scores. The cities on the western side of the County and Milpitas have scores above 0.75 which is the more positive education outcome score. The areas with lower scores correspond to areas with higher non-White populations and the areas with higher scores correspond to areas with lower non-White populations. Table 13.3-17 indicates that index values for school proficiency are higher for White residents, indicating a greater access to high quality schools. For populations below the federal poverty line, index values for school proficiency are highest among White, Native American (Non-Hispanic), and Asian or Pacific Islander (Non-Hispanic).

Local Trends

The northern part of Santa Clara has a TCAC education score of 0.50 to 0.75 which trend toward the more positive educational outcome score. The central part of Santa Clara has a score of between 0.25 to 0.50 which trends toward the less positive educational outcome score (note there are no public schools located in the central part of the City). The southern part of Santa Clara has a mix of scores between 0.25 to 0.50, 0.50 to 0.75 and above 0.75. The nearby cities of Mountain View and Milpitas mostly have TCAC education scores above 0.75 while the city of Sunnyvale has a mix of scores similar to Santa Clara.

[3] Ed-data.org

According to the National Center for Education data from 2021, there were 23 public schools in Santa Clara (Figure 13.3-26). These public school rankings reflect the TCAC Education scores with schools in the northern part of the city receiving scores below the top 30 percent and schools in the southern part of the city receiving scores in the top 10 percent and above. There are no public schools located in the central part of the city.

FIGURE 13.3-24: REGIONAL TCAC EDUCATION SCORES (2021)

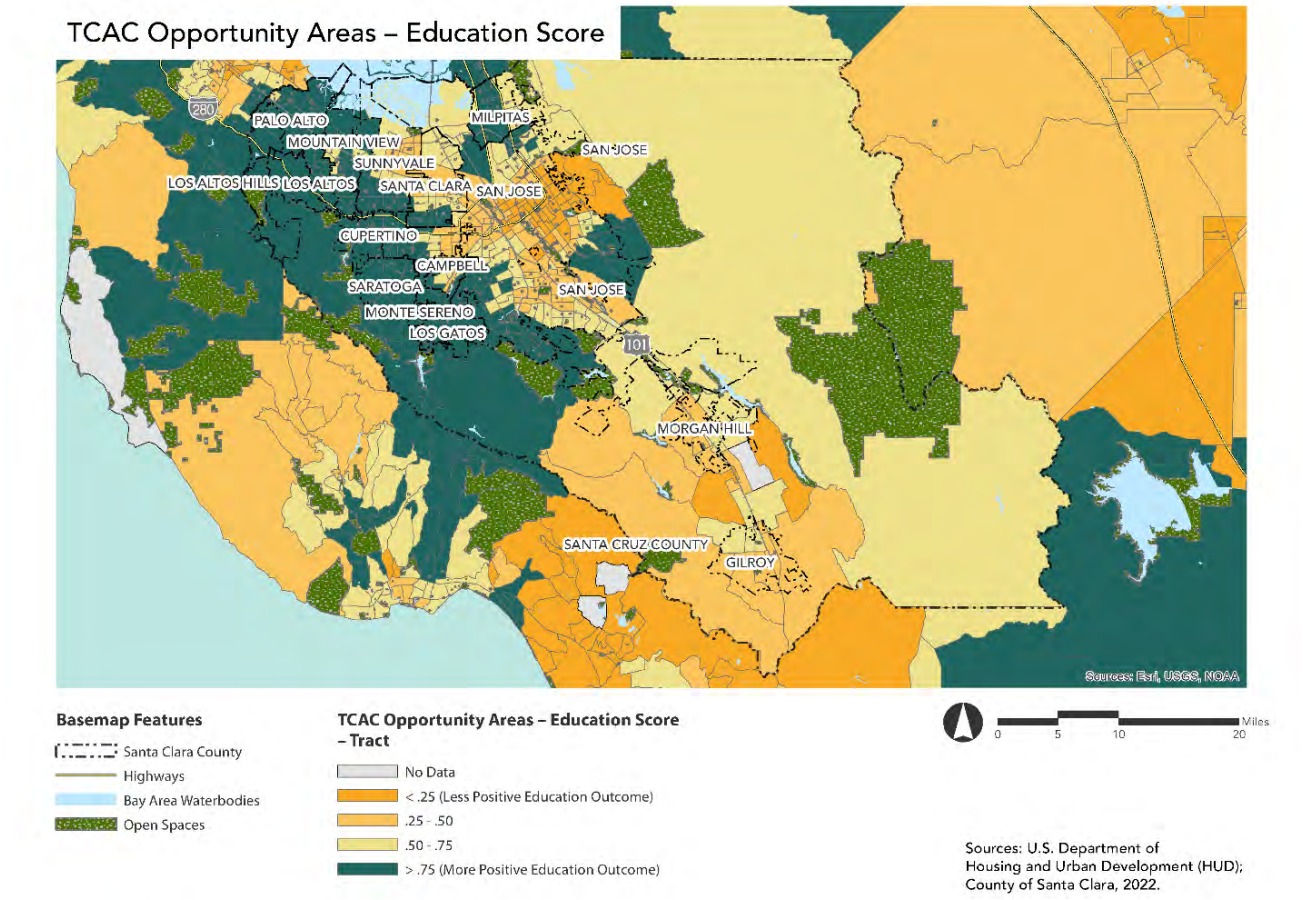


FIGURE 13.3-25: TCAC OPPORTUNITY AREAS – EDUCATION SCORE – SANTA CLARA (2021)

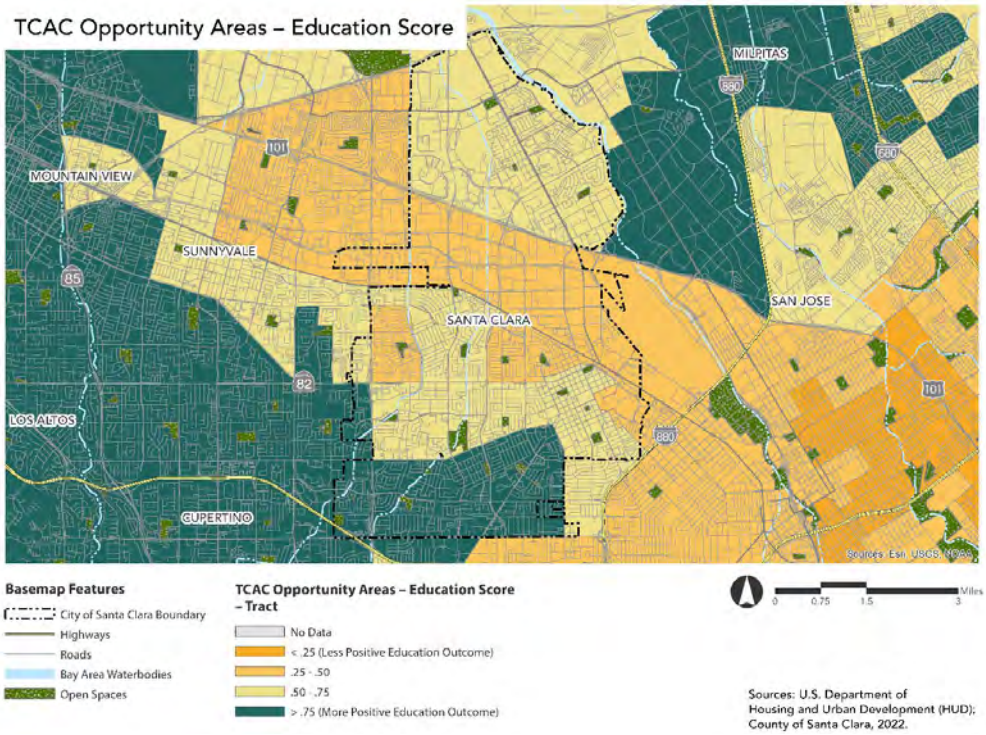
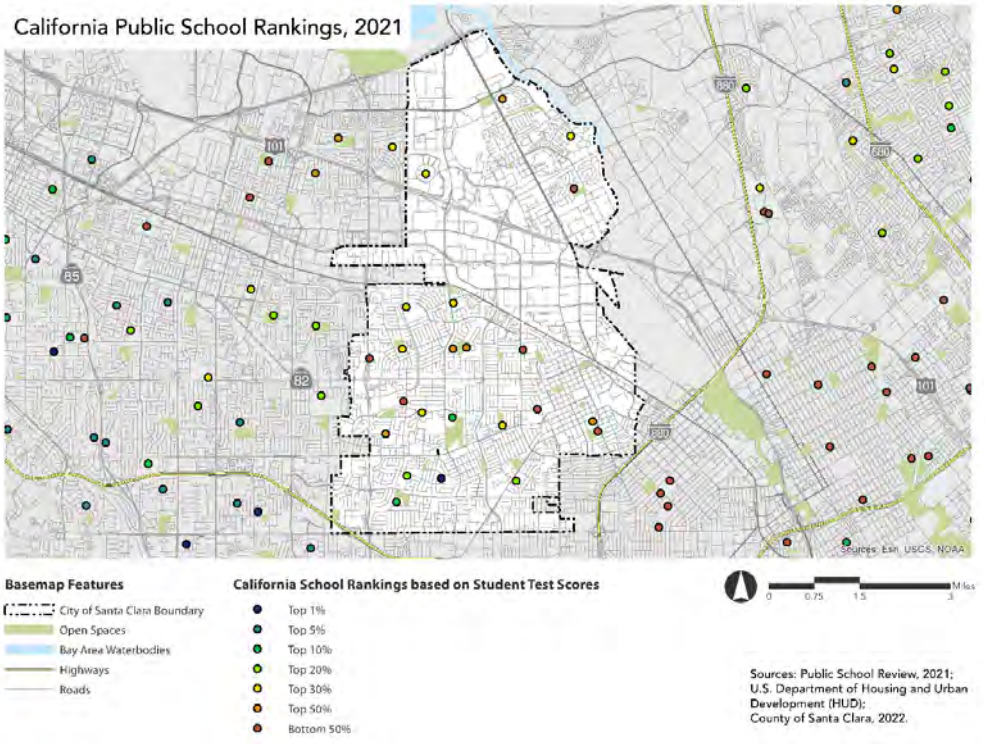


FIGURE 13.3-26: PUBLIC SCHOOL RANKINGS (2021)



Transportation

Access to public transit is of paramount importance to households affected by low incomes and rising housing prices, especially because lower income households are often transit dependent. Public transit should strive to link lower income persons, who are often transit dependent, to major employers where job opportunities exist. Access to employment via public transportation can reduce welfare usage and increase housing mobility, which enables residents to reside.in housing outside of traditionally low-income neighborhoods.

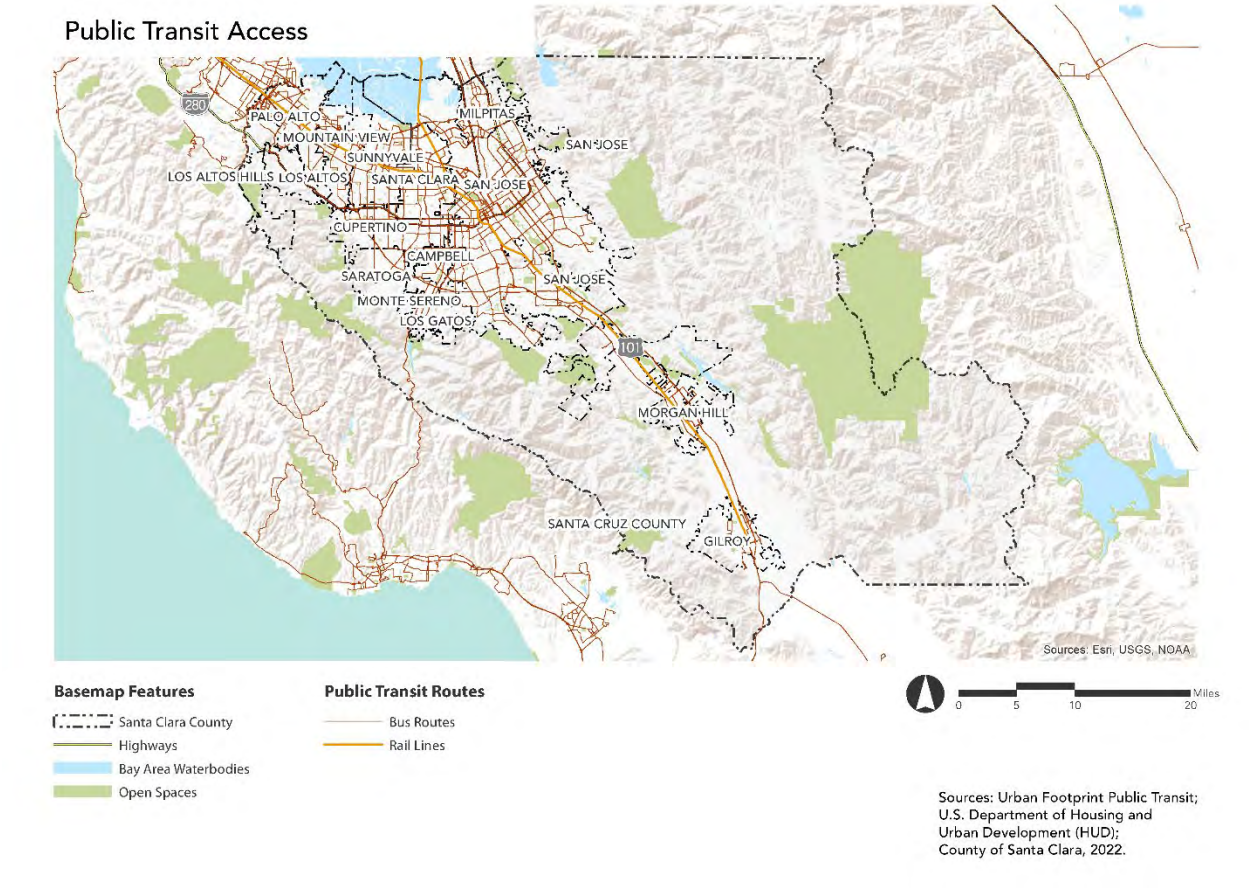
Transportation opportunities are depicted by two indices: (1) the transit trips index and (2) the low transportation cost index. The transit trips index measures how often low-income families in a neighborhood use public transportation. The index ranges from 0 to 100, with higher values indicating a higher likelihood that residents in a neighborhood utilize public transit. The low transportation cost index measures cost of transportation and proximity to public transportation by neighborhood. It too varies from 0 to 100, and higher scores point to lower transportation costs in that neighborhood.

Regional Trends

In Santa Clara County, neither transit index, regardless of poverty level, varies noticeably across racial/ethnic categories. All races and ethnicities score highly on both indices, with values close in magnitude. If these indices are accurate depictions of transportation accessibility, it might be concluded that all racial and ethnic classes have high and relatively equal access to transportation at both the jurisdictional and regional levels. If anything, both indices appear to take slightly higher values for non-Hispanic Black residents and non-Hispanic Native-American residents, suggesting greater access to and lower costs for transit for these protected groups.

Santa Clara County is served by Valley Transportation Authority (VTA) which includes bus and light rail service throughout the County. VTA runs three light rail lines, 19 rapid bus lines, 24 local bus lines, four express shuttles, and nine shuttles. The County is very well connected by public transit to the larger Bay Area region. The area is also served by Amtrak with stations in Santa Clara and San Jose. The eastern part of Santa Clara County is served by Bay Area Rapid Transit (BART). Both San Jose and Milpitas have BART stops and are served by the Green and Orange lines. The Orange line connects to Richmond and the Green line connects to San Francisco.

FIGURE 13.3-27: REGIONAL PUBLIC TRANSIT ACCESS (2021)



Local Trends

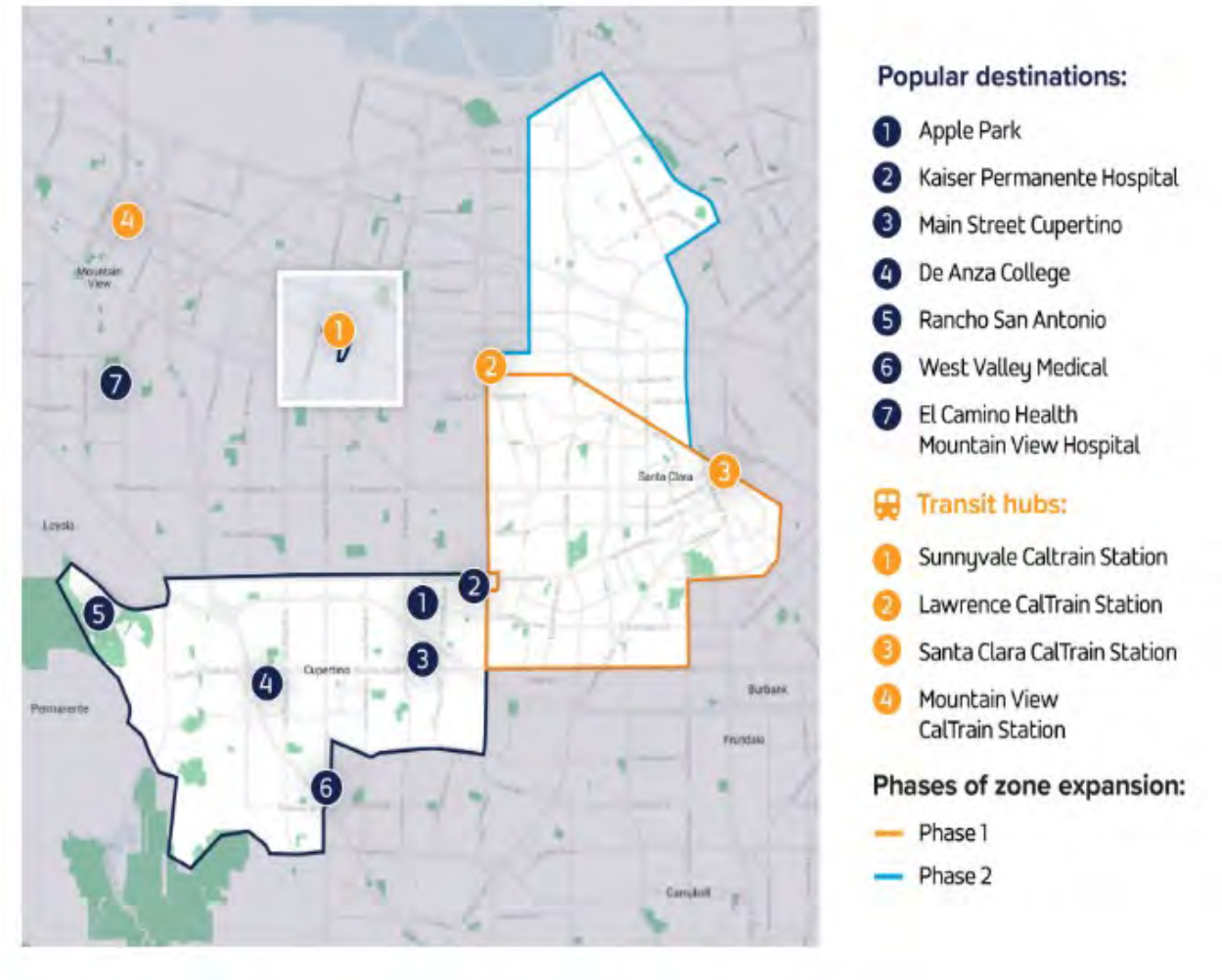
The City of Santa Clara is serviced by Valley Transportation Authority (VTA) including both bus and light rail service. The City of Santa Clara is serviced by two rapid bus lines, three local bus lines, two light rail line, the Altamont Corridor Express (ACE) and Amtrak rail. According to the website alltransit.cnt.org, Santa Clara has a transit performance score of seven (out of 10). This score is determined by the number of transit trips per week a household takes and the number of jobs accessible by transit for a geographic area. Nearby cities of Mountain View and Sunnyvale have higher transit scores of 7.7 and 7.2 respectively, while Milpitas has a lower score of 6.7. Transit access is significantly better in South Santa Clara where there are two rapid bus lines, three frequent bus lines, and the Santa Clara Caltrain Station which will be expanded to also accommodate a BART station connecting to San Jose and the East Bay. Central Santa Clara has a few local bus routes and the Lawrence Caltrain Station while North Santa Clara has several light rail stations with a less robust network of local bus routes. Figure 13.3-28 shows the VTA transit map.

FIGURE 13.3-28: VTA TRANSIT MAP (2023)



The cities of Cupertino and Santa Clara have partnered on the Silicon Valley Hopper app-based ride-share program. The program will provide seamless EV ride share services with a $3.50 fare between any two points within the service zone. The service will help residents get to major employment centers, hospitals, and rail transit stations. Phase I will serve South Santa Clara and Phase II will serve Central and North Santa Clara starting in 2027. Figure 13.3-29 shows a map of the Valley Hopper service area.

FIGURE 13.3-29: VALLEY HOPPER SERVICE AREA (2023)



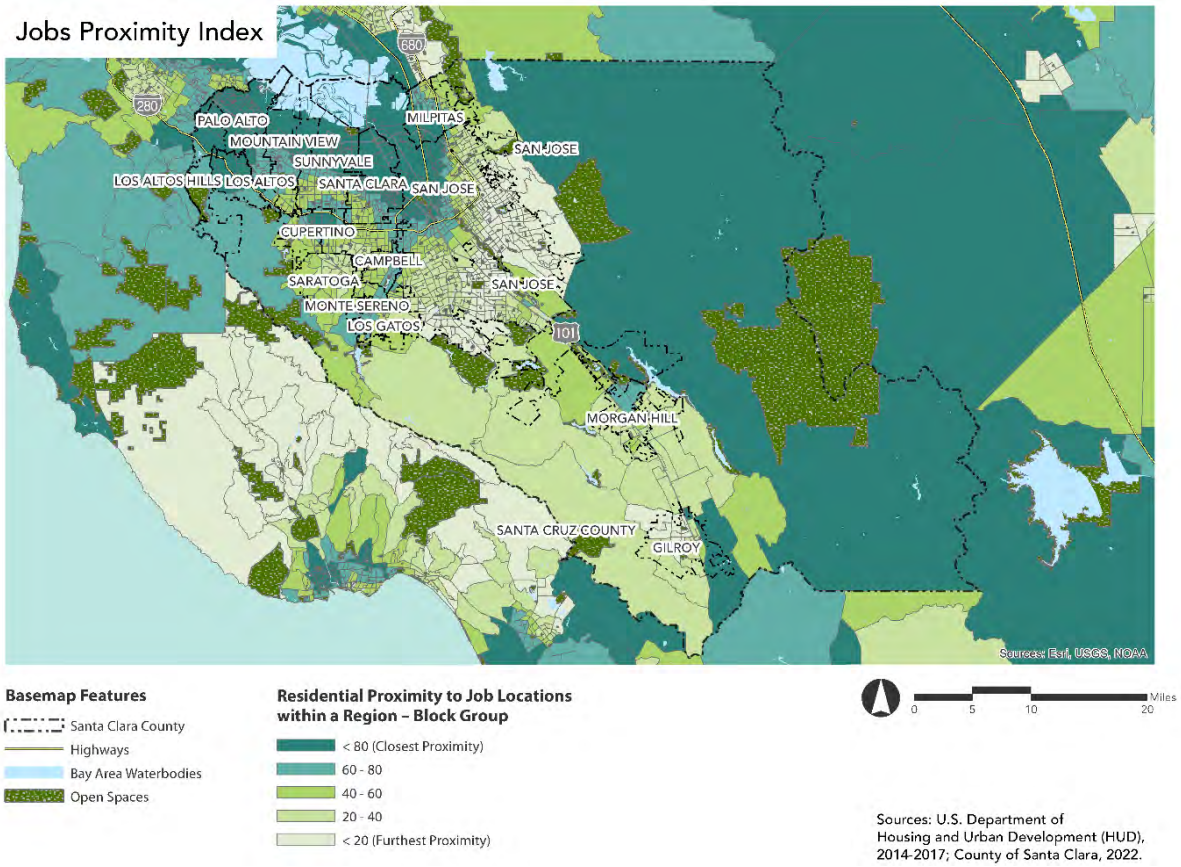
Economic Development

Employment opportunities are depicted by two indices: (1) the labor market engagement index and (2) the jobs proximity index. The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood, taking into account the unemployment rate, labor-force participation rate, and percent with a bachelor's degree or higher. The index ranges from 0 to 100, with higher values indicating higher labor force participation and human capital. The jobs proximity index quantifies the accessibility of a neighborhood to jobs in the region by measuring the physical distances between jobs and places of residence. It too varies from 0 to 100, and higher scores point to better accessibility to employment opportunities.

Regional Trends

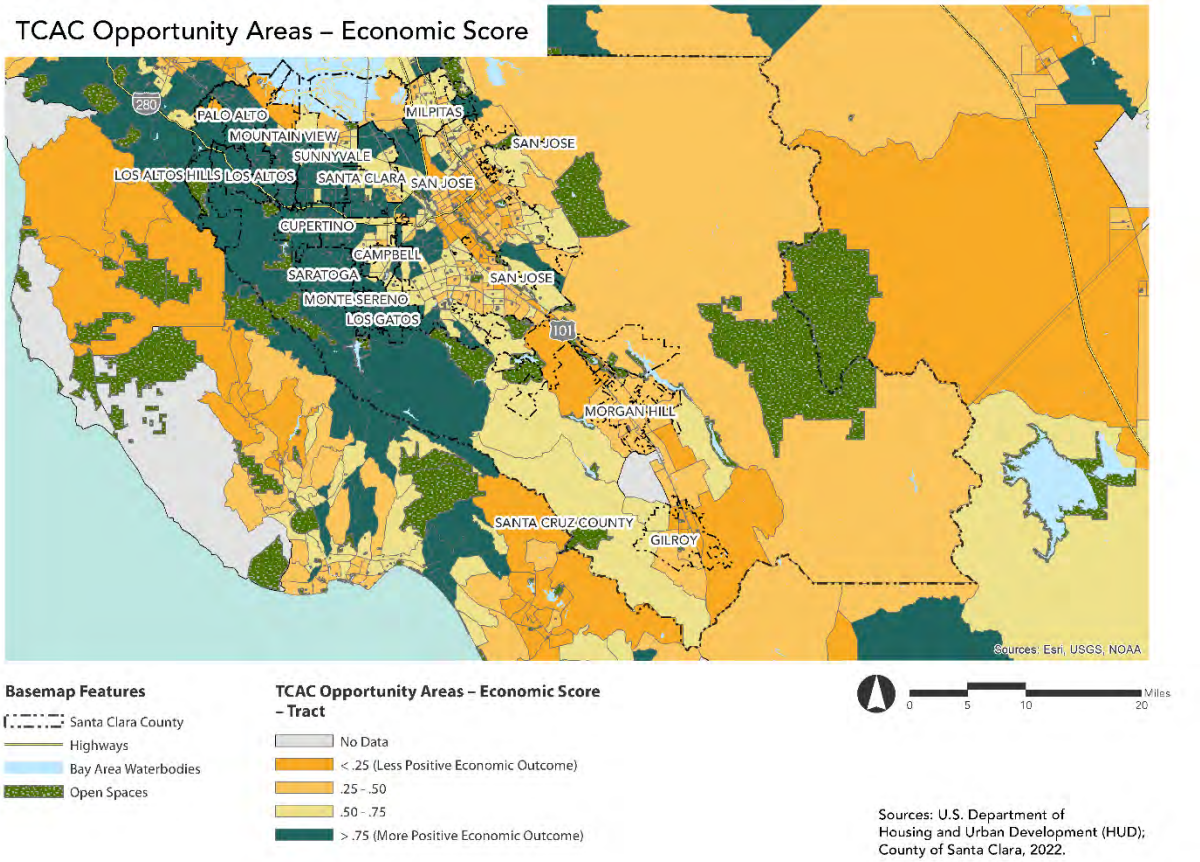
In Santa Clara County, Black Non-Hispanic, White Non-Hispanic, Native American Non-Hispanic, and Asian or Pacific Islander residents all have similar index scores around 50, while Hispanic residents have an index score of 43.19. The map below shows the spatial variability of jobs proximity in Santa Clara County. Cities in northern Santa Clara County along the southern part of San Francisco bay have the highest jobs proximity index of 60 to 80 and 80 and above. This likely reflects the fact that these cities are closer to major economic regions of Silicon Valley and San Francisco. Southern and eastern San Jose have lower jobs proximity index scores (between 40 to 60, 20 to 40, and below 20) as these areas are further away from the economic hubs to the west. The cities of Saratoga, Los Gatos, Morgan Hill, and Gilroy have lower jobs proximity index scores as they are more residential than the surrounding cities. Morgan Hill and Gilroy are also in the southern part of the County, geographically further away from economic hubs. The TCAC scores for the region have some overlap with jobs proximity index scores. The northern and western parts of the County have the highest TCAC scores (above 75) which is the most positive economic outcome, while the eastern, central, and southern parts of the County have scores between 50 to 75, 25 to 50 and below 25 which is the least positive economic outcome. Again, eastern San Jose, Morgan Hill, and Gilroy have lower TCAC scores than other cities in the County.

FIGURE 13.3-30: REGIONAL JOBS PROXIMITY INDEX (2021)



Sources: U.S. Department of Housing and Urban Development (HUD), 2014-2017; County of Santa Clara, 2022.

FIGURE 13.3-31: REGIONAL TCAC OPPORTUNITY AREAS – ECONOMIC SCORE (2021)



Local Trends

The northern and central parts of Santa Clara have the highest jobs proximity index scores (above 80) which indicates closest proximity. The southern part of the city has a mix of scores between 60 to 80 and 40 to 60, as they are further away from economic hubs in the northern and eastern parts of the County. The TCAC scores are more variable within the central part of the city with scores between 50 to 75, nearing the more positive economic outcome. Areas in the southern part of the City have scores as low as 25 to 50. The economic score takes into account levels of poverty, adult education, employment, job proximity, and median home value for the area. While job proximity is high for most of the city, income, education, and home values are more variable. Central Santa Clara has more LMI households and lower household median incomes, likely influencing this score. Nearby cities of Mountain, Sunnyvale, and Milpitas have similar jobs proximity index scores, while Milpitas has lower TCAC scores than the three other cities.

FIGURE 13.3-32: JOBS PROXIMITY INDEX – SANTA CLARA (2021)

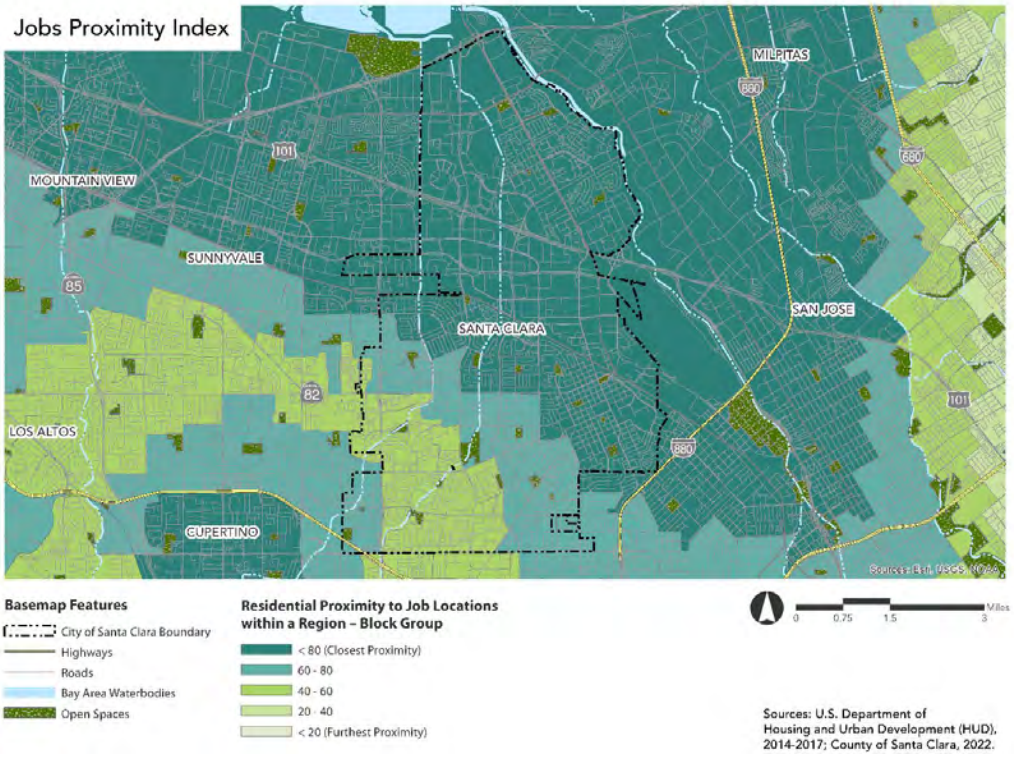
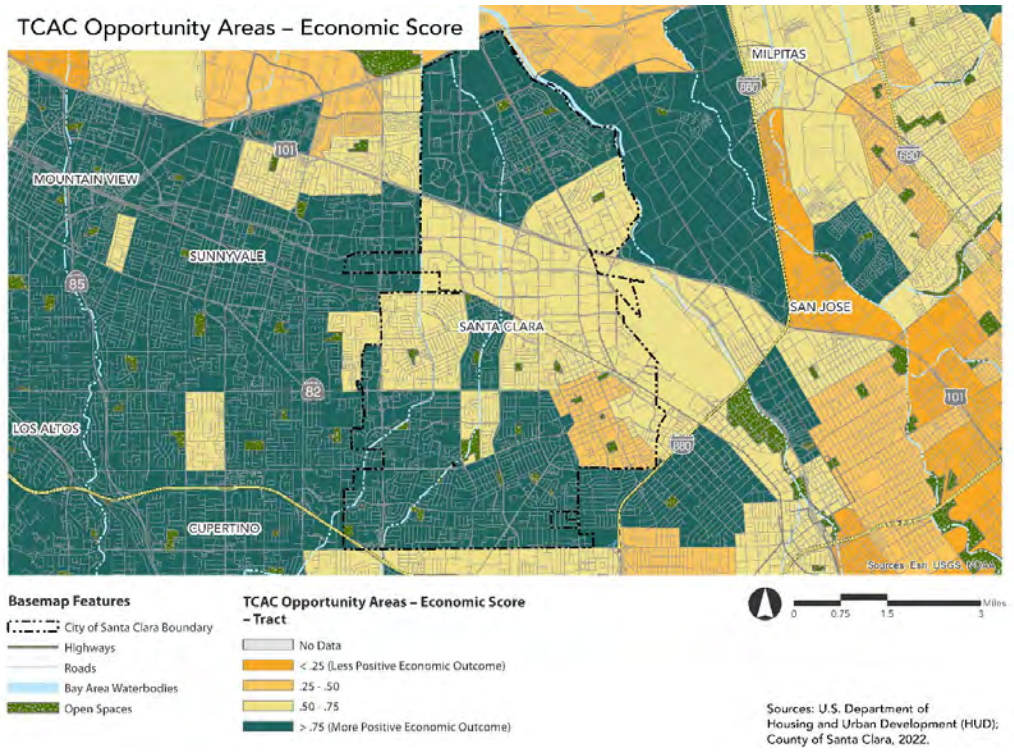


FIGURE 13.3-33: TCAC OPPORTUNITY AREA – ECONOMIC SCORE – SANTA CLARA (2021)



Environment

The Environmental Health Index summarizes potential exposure to harmful toxins at a neighborhood level. Index values range from 0 to 100 and the higher the index value, the less exposure to toxins harmful to human health. Therefore, the higher the value, the better the environmental quality of a neighborhood (where a neighborhood is a census block-group). Environmental health index scores are similar across all races, with scores in the mid-50s to 60. For populations below the poverty line, Native American Non-Hispanic residents have the highest score, of 63.36, while other groups have scores in the mid-50s.

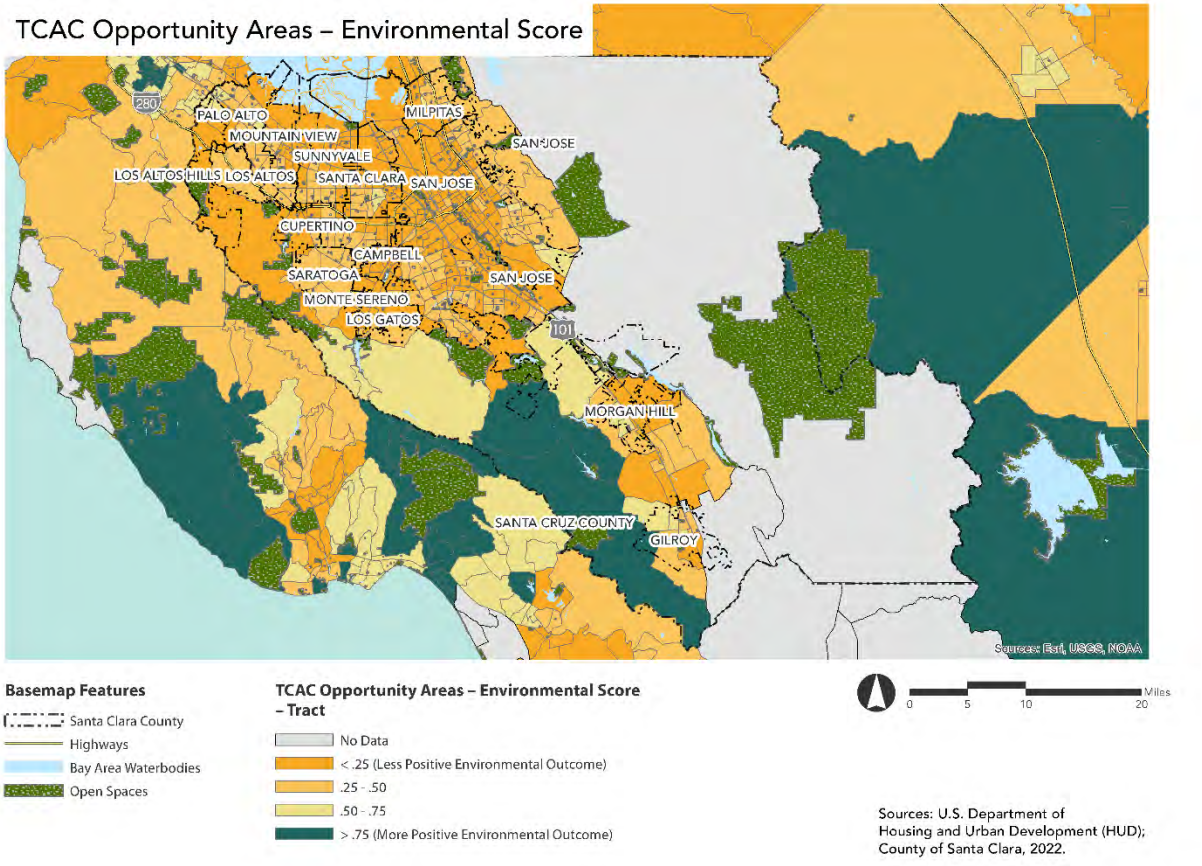
CalEnviroScreen was developed by the California Environmental Protection Agency (CalEPA) to evaluate pollution sources in a community while accounting for a community's vulnerability to the adverse effects of pollution. Measures of pollution burden and population characteristics are combined into a single composite score that is mapped and analyzed. Higher valued scores o indicate higher cumulative environmental burden and population impacts.

The California Office of Environmental Health Hazard Assessment (OEHHA) compiles these scores to help identify California communities disproportionately burdened by multiple sources of pollution. In addition to environmental factors (pollutant exposure, groundwater threats, toxic sites, and hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma, and low birth weight infants), CalEnviroScreen also considers socioeconomic factors such as educational attainment, linguistic isolation, poverty, and unemployment.

Regional Trends

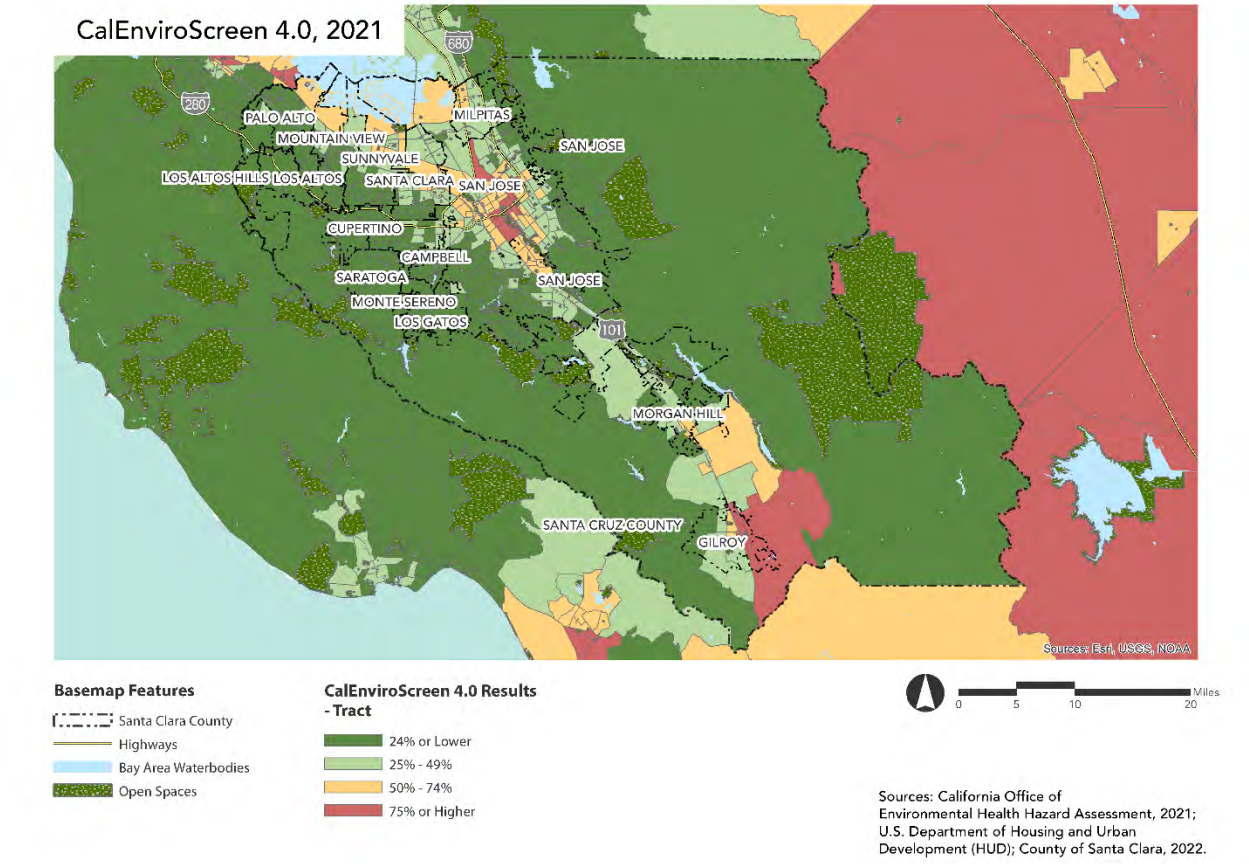
The map below displays the Environmental Score for Santa Clara County based on CalEnviroScreen 3.0 Pollution Indicators and Values that identify communities in California disproportionately burdened by multiple sources of pollution and that face vulnerability due to socioeconomic factors. Much of the County received scores below 25 to 50 percent, indicating a less positive environmental outlook. While these scores suggest high levels of vulnerable communities, the data has limitations. From the CalEnviroScreen website: "Opportunity mapping also has limitations. For example, maps' accuracy is dependent on the accuracy of the data behind them. Data may be derived from self-reported surveys of subsets of an area's population, and sometimes may not be recorded or reliable in some areas. Further, even the most recent publicly available datasets typically lag by two years, meaning they may not adequately capture conditions in areas undergoing rapid change. The methodology described in this document attempts to address each of these limitations to the degree possible."

FIGURE 13.3-34: REGIONAL TCAC OPPORTUNITY AREAS – ENVIRONMENTAL SCORE (2021)



The map below displays updated scores for CalEnviroScreen 4.0 released by the California Office of Environmental Health Hazard Assessment, suggesting a more positive environmental outlook for the area. Much of the county has scores below 25 to 49 percent suggesting fewer adverse environmental impacts. There is a concentration in and around San Jose where scores are between 50 to 74 percent and 75 percent and higher indicating high levels of adverse environmental impacts. The eastern edge of Gilroy also reports scores of 75 percent or higher.

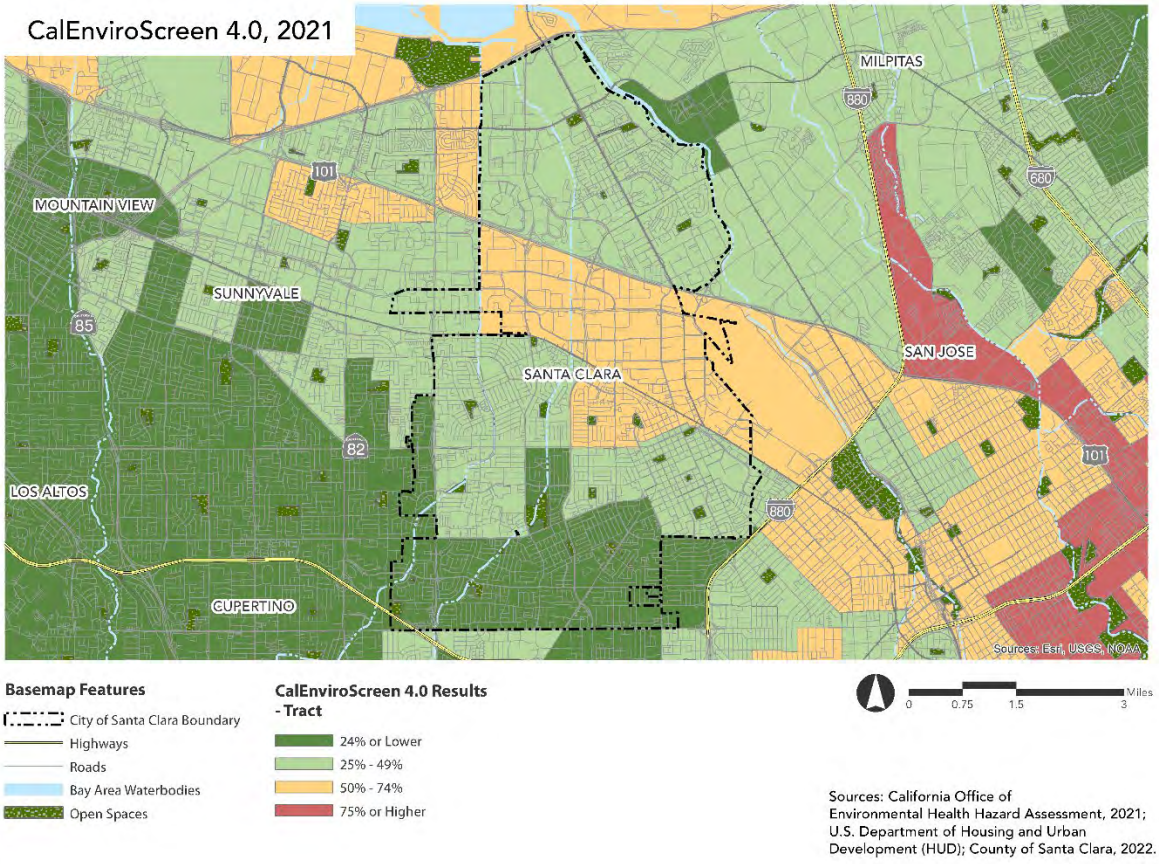
FIGURE 13.3-35: REGIONAL CALENVIROSCREEN 4.0 (2021)



Local Trends

The City of Santa Clara has the most positive CalEnviroScreen scores in the northern and southern parts of the city (25 to 49 percent and below 24 percent) while the central part of the city has scores between 50 to 74 percent. The central part of Santa Clara with less positive environmental scores is likely due to the fact that the area is predominantly industrial and is located between Highway 101 to the north, the Union Pacific Railroad Corridor to the south, and the San Jose International Airport to the east. The nearby cities of Mountain View, Sunnyvale, and Milpitas have CalEnviroScreen scores between 50 and 74 percent.

FIGURE 13.3-36: CALENVIROSCREEN 4.0 – SANTA CLARA (2021)



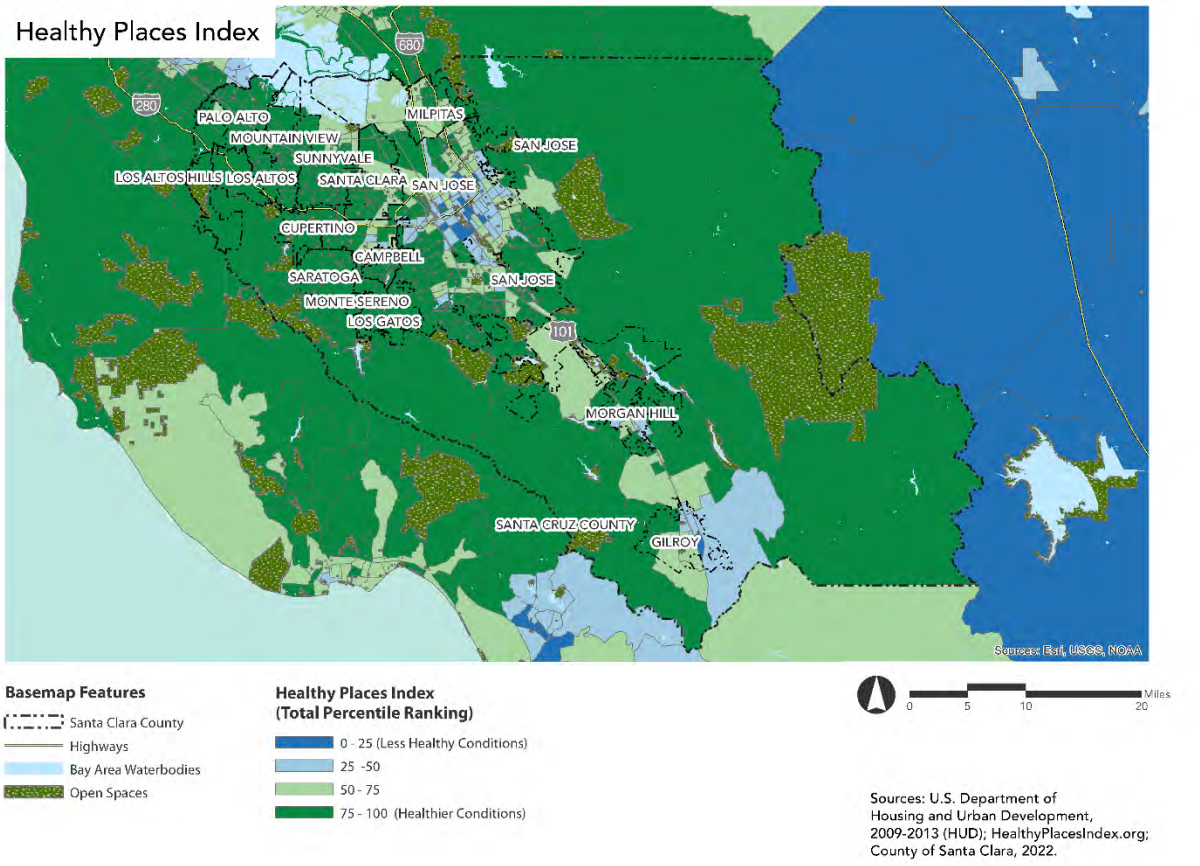
Health and Recreation

Residents should have the opportunity to live = in healthy communities. The Healthy Places Index (HPI) is a new tool that allows local officials to diagnose and change community conditions that affect health outcomes and the wellbeing of residents. The HPI tool was developed by the Public Health Alliance of Southern California to assist in comparing community conditions across the state, and combines 25 community characteristics such as housing, education, economic, and social factors into a single indexed HPI Percentile Score, where lower percentiles indicate less healthy conditions and higher scores indicate healthier conditions.

Regional Trends

The entire County has Healthy Places Index (HPI) scores between 50 to 75 and 75 to 100, indicating healthier conditions. The areas with the slightly lower scores of 50 to 75 are in Santa Clara, Milpitas, San Jose, Morgan Hill, and Gilroy.

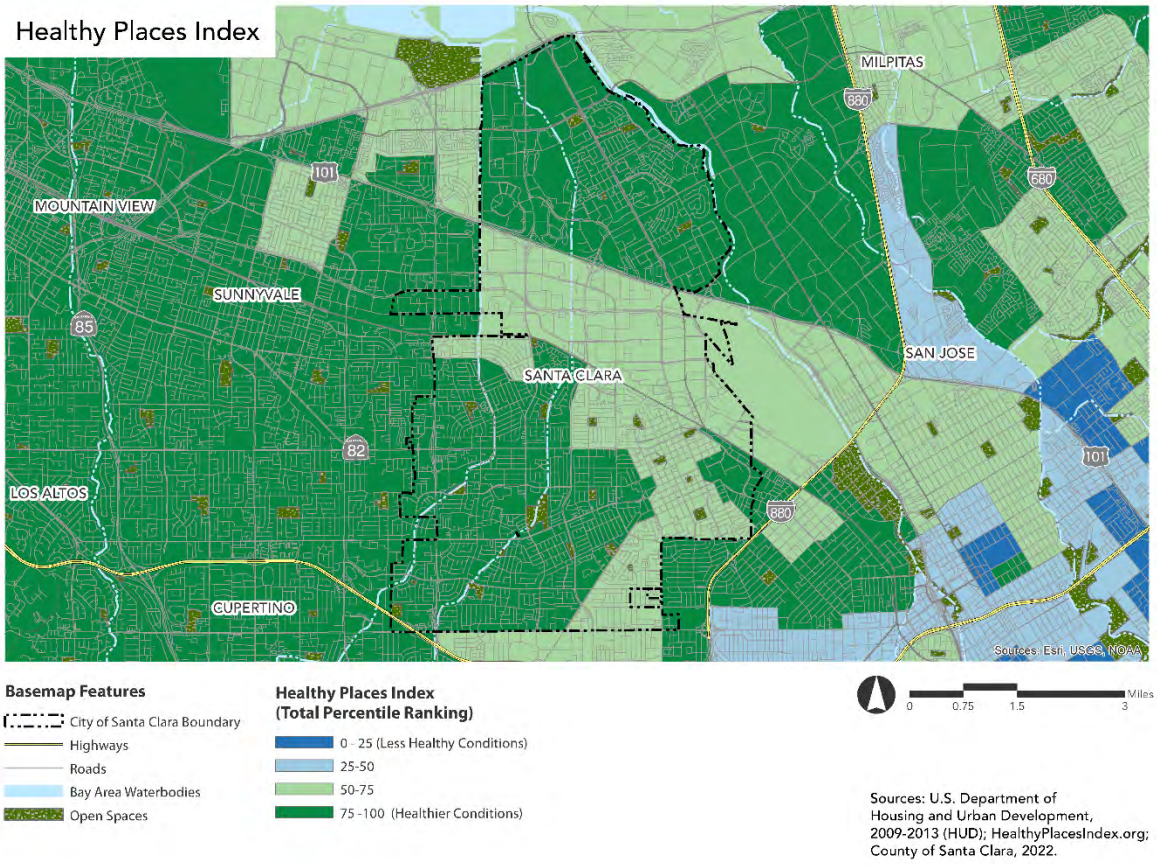
FIGURE 13.3-37: REGIONAL HEALTHY PLACES INDEX (2021)



Local Trends

Northern and southern parts of Santa Clara have HPI scores between 75 to 100 while central Santa Clara has scores between 50 to 75, reflecting the CalEnviroScreen scores. Mountain View and Sunnyvale have scores between 75 to 100 while Milpitas has more areas with scores between 50 to 75.

FIGURE 13.3-38: HEALTHY PLACES INDEX – SANTA CLARA (2021)



In summary Santa Clara has a mix of CTCAC opportunity area scores. The northern part of the city has moderate and high resources, the central part of the city has low resources, and the southern part of the city has a mix of low, moderate, high, and highest resources. The area with low resources also overlap with higher CalEnviroScreen Scores (more pollution), lower Healthy Places Index Scores, lower educational outcome scores, higher rates of LMI households, and areas with larger non-White populations. Job proximity is high for most of the city.

Disproportionate Needs

Disproportionate housing needs generally refers to a condition in which there are significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups, or the total population experiencing that category of housing need in the applicable geographic area. 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 Contra Costa County. Housing problems considered by CHAS include:

- Housing cost burden, including utilities, exceeding 30 percent of gross income;
- Severe housing cost burden, including utilities, exceeding 50 percent of gross income;

- Overcrowded conditions (housing units with more than one person per room); and
- Units with physical defects (lacking complete kitchen or bathroom)

According to the Santa Clara AFH, a total of 252,622 households (34.5 percent) in the County experience any one of the above housing problems; and 144,306 households (19.7 percent) experience severe housing problems. Based on relative percentage, Hispanic and Black households experience the highest rate of housing problems regardless of severity. Table 13.3-17 lists the demographics of households with housing problems in the County.

Table 13.3-17: Demographics of Households with Housing Problems in Santa Clara County

	Total Number of Households	*Households with Housing Problems*		*Households with Severe Housing Problems*	
White	88,554	329,170	26.9%	43,381	13%
Black	8,376	16,756	49.9%	4,813	28.7%
Asian/Pacific Islander	77,787	213,541	36.4%	44,730	20.9%
Native American	477	3,026	15.7%	286	9.4%
Other	6,137	48,509	12.65%	3,210	6.6%
Hispanic	71,291	213,541	36.4%	47,886	39.9%
Total	252,622	731,019	34.5%	144,306	19.7%

Source(s): Contra Costa County AI (2020)

Table 13.3-18: Household Type & Size in Santa Clara County

Household Type	*No. of Households with Housing Problems*
Family Households (< 5 people)	360,406
Family Households (> 5 people)	78,571
Non-family Households	171,734

Source(s): Contra Costa County AI (2020)

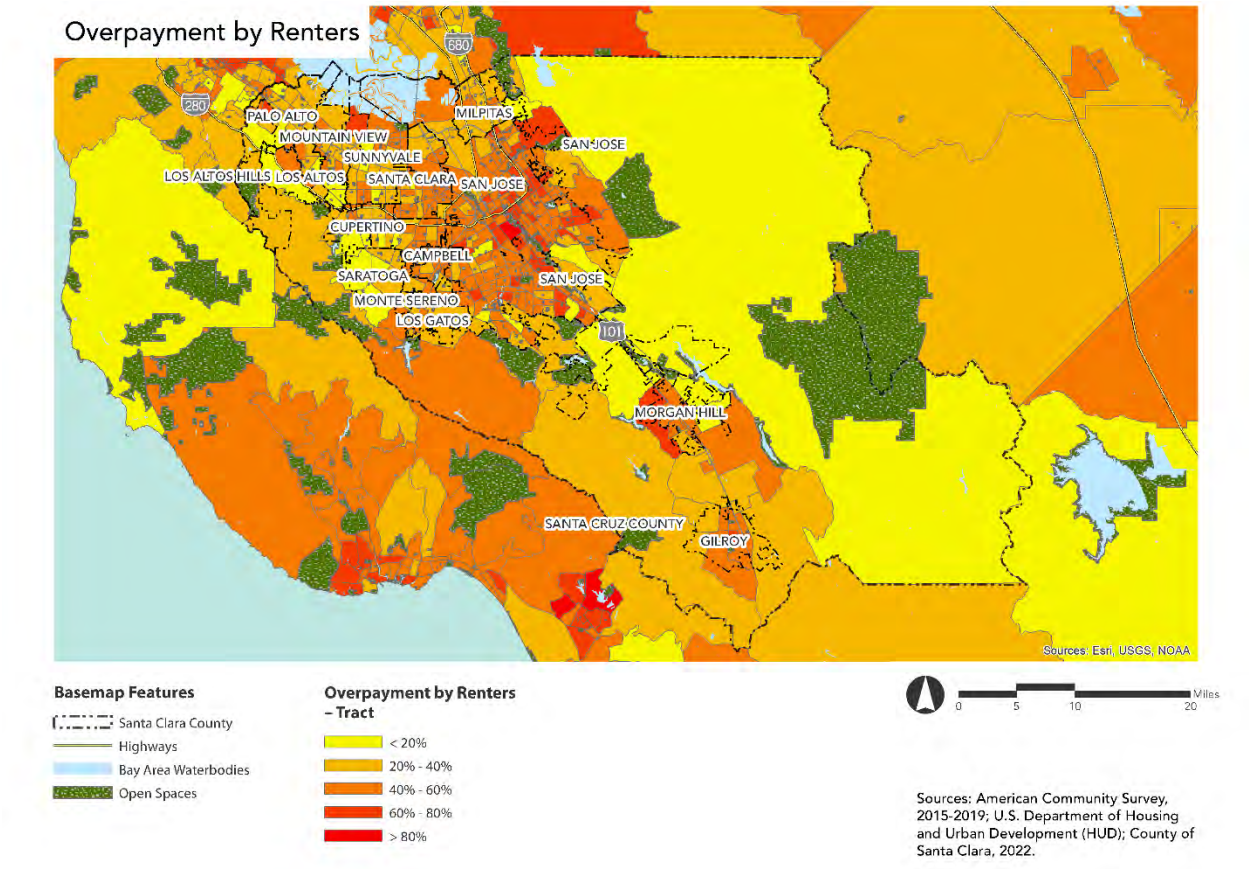
Cost Burden (Overpayment)

Housing cost burden, or overpayment, is defined as households paying 30 percent or more of their gross income on housing expenses, including rent or mortgage payments and utilities. Renters are more likely to overpay for housing costs than homeowners. Housing cost burden is considered a housing need because households that overpay for housing costs may have difficulty affording other necessary expenses, such as childcare, transportation, and medical costs.

Regional Trends

The map below identifies concentrations of cost-burdened renters in Mountain View, San Jose, and Morgan Hill. These cities have areas with renters experiencing overpayment above 80 percent. The rest of the County mostly has rates between 20 to 40 percent, 40 to 60 percent, and 60 to 80 percent. Areas along the eastern part of the County have lower overpayment rates below 20 percent.

FIGURE 13.3-39: REGIONAL OVERPAYMENT BY RENTERS (2021)



Local Trends

As presented in Table 13.3-19, ~~50.7~~34.3 percent of all households in Santa Clara experience cost burdens. This rate is much higher for renters than owners (~~63~~ 41.8 and ~~34.4~~24.4 percent, respectively). The rate of cost burden for all households in the County is slightly lower at ~~49.7~~34.2 percent, but the trend still stands with ~~64.2~~43.3 percent of renters experiencing cost burden versus ~~38.6~~27.3 percent of owners.

Table 13.3-19: Households that Experience Cost Burden by Tenure in Santa Clara County and Santa Clara

Santa Clara County

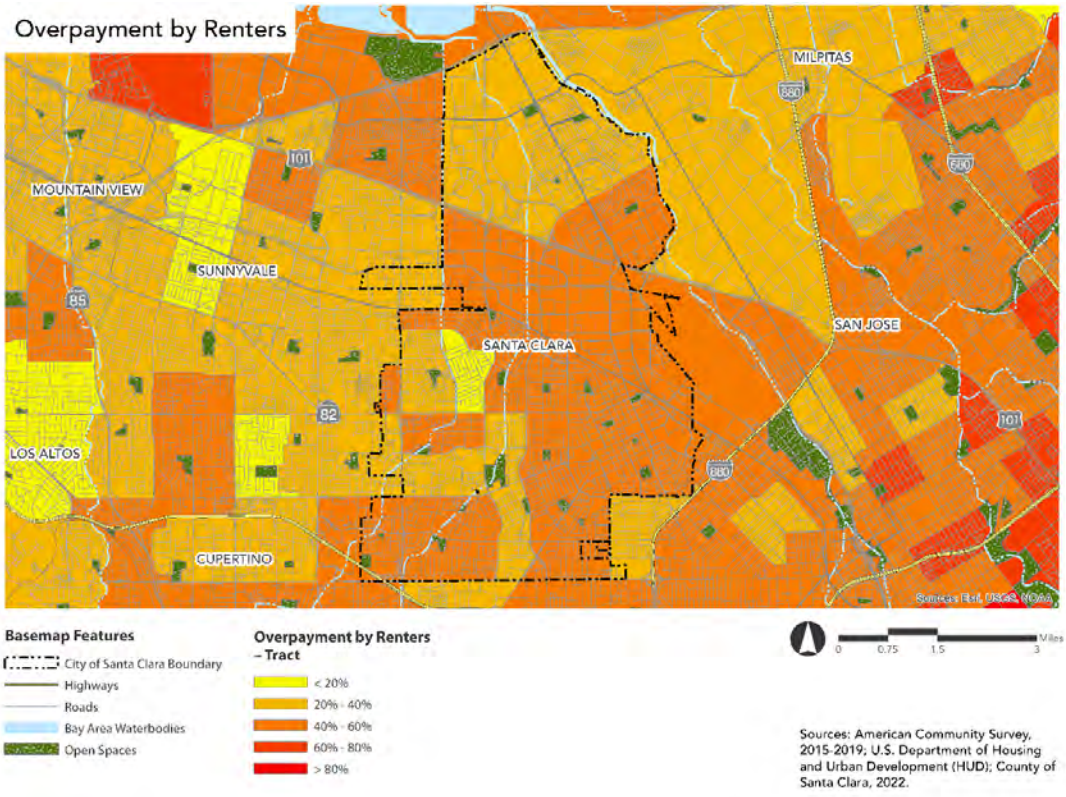
Total Number of Households		Cost burden ~~>~~ 30% ~~-~~ 50%	Cost burden > 50%	Percentage of Households that Experience Cost Burden
Owners Only	360,660	~~98,445~~57,535	40,910	~~38.6~~27.3%
Renters Only	274,865	~~118,960~~61,350	57,610	~~64.2~~43.3%
All Households	635,525	~~217,405~~118,885	98,520	~~49.7~~34.2%

Santa Clara

Total Number of Households		Cost burden ~~>~~ 30% ~~-~~ 50%	Cost burden > 50%	Percentage of Households that Experience Cost Burden
Owners Only	18,930	~~4,615~~2,715	1,900	~~34.4~~24.4%
Renters Only	25,150	~~10,505~~5,140	5,365	~~63~~41.8%
All Households	44,080	~~15,125~~7,500	7,625	~~50.7~~34.3%

Source(s): https://www.huduser.gov/portal/datasets/cp.html

FIGURE 13.3-40: OVERPAYMENT BY RENTERS – SANTA CLARA (2021)



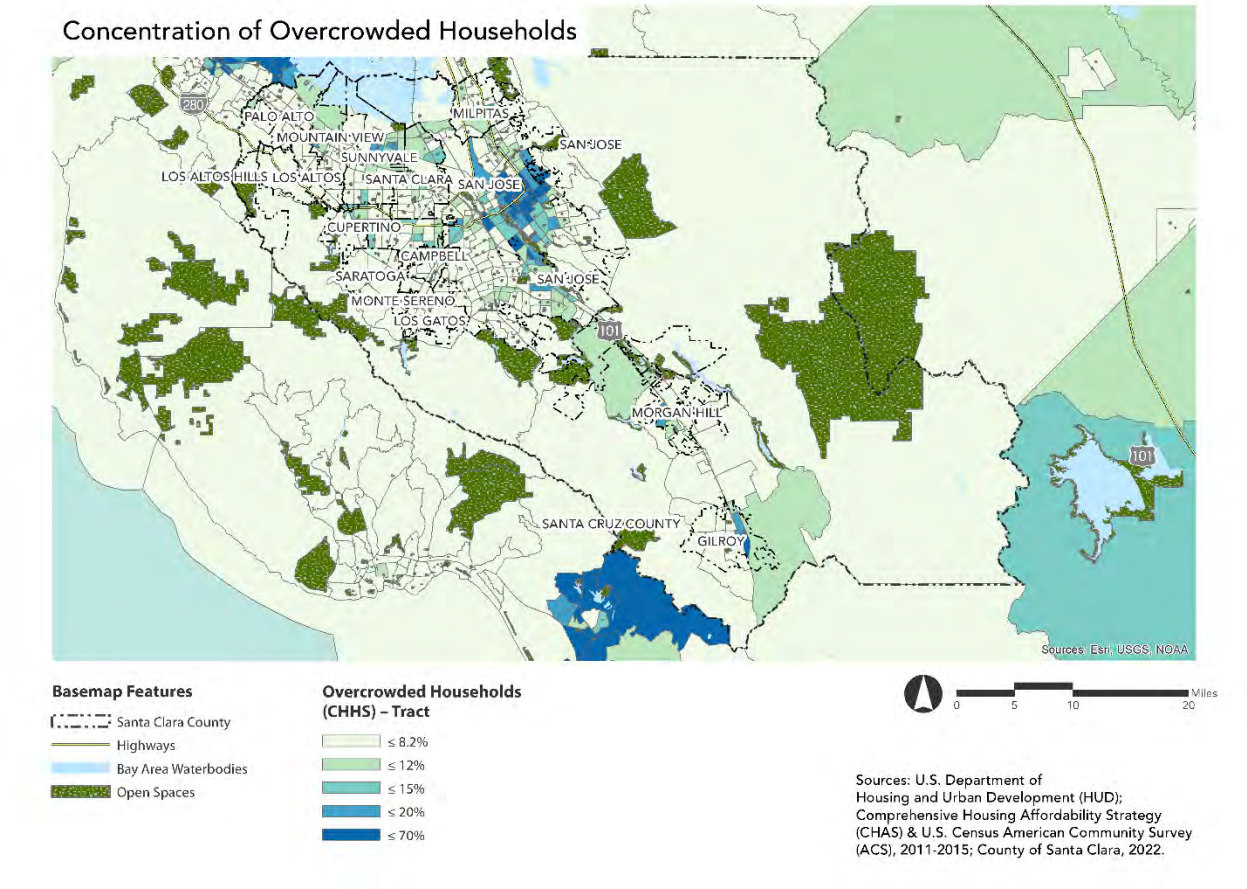
Overcrowded Households

Overcrowding is defined as housing units with more than one person per room (including dining and living rooms but excluding bathrooms and kitchen).

Regional Trends

Figure 13.3-41 indicates that most of the County has low rates of overcrowded households. San Jose has a concentration of overcrowded homes with percentages between 8.2 percent and as high as 70 percent. The rest of the County mostly has overcrowding rates below 12 percent.

FIGURE 13.3-41: REGIONAL OVERCROWDED HOUSEHOLDS BY TRACT (2015)



Local Trends

According to the 2019 five-year ACS estimates displayed in Table 13.3-20, 5.2 percent of County households are overcrowded, and 2.9 percent of households are severely overcrowded. These rates are higher for the City of Santa Clara with 6.2 percent of households experiencing overcrowding and 3.4 percent experiencing severe overcrowding. Across both the County and City, overcrowding and severe overcrowding rates are higher for renters than owners.

Table 13.3-20: Overcrowded Households – Santa Clara County and Santa Clara

	Santa Clara County		*Santa Clara*	
	Overcrowded (>1.0 to 1.5 persons per room)	*Severely Overcrowded (>1.5 persons per room)*	*Overcrowded (>1.0 to 1.5 persons per room)*	*Severely Overcrowded (>1.5 persons per room)*
Owner-Occupied	1.4%	0.4%	0.9%	0.3%
Renter-Occupied	3.7%	2.4%	5.2%	3.1%
All HH	5.2%	2.9%	6.2%	3.4%

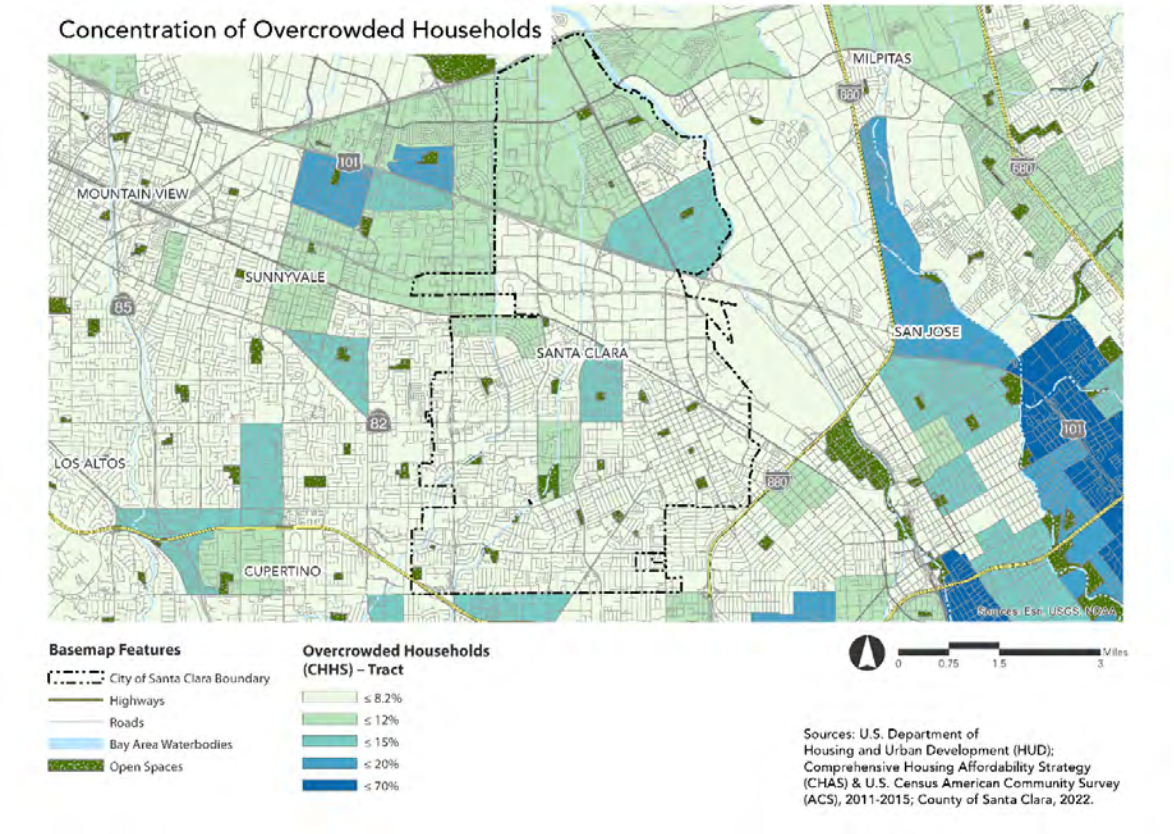
Source(s): American Community Survey, 2015-2019. Table B25014

The map below shows areas where overcrowding rates are higher in Santa Clara. The northern part of the city has overcrowding rates of 12 and 15 percent, with a small concentration in the southern part of the city with the same rates. The rest of the city has overcrowding rates below 8.2 percent. The northern part of the city has overcrowding rates of 12 and 15 percent and Asian residents are disproportionately concentrated in 3 out of 4 census tracts in this area. Hispanic and Latino residents are disproportionally concentrated in the census tract adjacent to De La Cruz Blvd. and Highway 101 with overcrowding rates at 15 percent. This census tract also overlaps with higher rates of HCV use (5 to 15 percent). The rest of the city has overcrowding rates below 8.2 percent.

In South Santa Clara the census tract north of El Camino Real bordered by San Tomas and Scott Blvd has an overcrowding rate of 15% and also has a disproportionately high number of Hispanic/Latino residents (24.5%). The census tract South of El Camino Real bounded by Kiely and San Tomas Expressway has an overcrowding rate of 12% and has a disproportionately high number of Asian residents (54%). The City's highest rates of overcrowding (15%) are impacting areas that are disproportionally populated by Hispanic/Latino residents.

The nearby city of Mountain View has overcrowding rates below 8.2 percent, while both Sunnyvale and Milpitas have overcrowding rates at 12 percent. Sunnyvale also has a few areas where the rate rises to 20 percent.

FIGURE 13.3-42: CONCENTRATION OF OVERCROWDED HOUSEHOLDS – SANTA CLARA (2021)



Substandard Conditions

Incomplete plumbing or kitchen facilities can be used to measure substandard housing conditions.

Regional Trends

According to 2015-2019 ACS estimates, 0.2 percent of households in Santa Clara County lack complete kitchen facilities and 0.2 percent of households lack complete plumbing facilities. Renter households are more likely to lack complete facilities compared to owner households.

Local Trends

In Santa Clara, 1.3 percent of households lack complete kitchen facilities and 0.2 percent lack complete plumbing facilities. Renter households are more likely to lack complete facilities compared to owner households. The City does not have recent citywide data on substandard conditions, however older lower rent apartment complexes are generally found along the west side of Lafayette north of Hwy 101, within the central city's industrial belt, and in the southeastern Old Quad area south of El Camino Real. These areas may experience a higher need for rehabilitation than other parts of the City that are predominantly single-family or newer multi-family homes. The City intends to gather more consistent data on substandard conditions

through a new proactive multifamily code enforcement program. Although Santa Clara does have an aging housing stock with 21 percent of homes built between 1950 and 1959, 19 percent built between 1960 and 1969, and 17 percent built between 1970 to 1979[4], rehabilitation programs have not been widely subscribed to. This may be due in part to the fact that housing stock is well maintained due to the high value of homes based on market conditions in the area. The City does recognize that housing stock continues to age therefore monitoring and enforcement will continue to be an ongoing operation as addressed by Action 4 of the Housing Plan which aims to maintain housing stock and specifically focus on rehabilitation for households with a gross income at or below 80 percent of the County median income.

Table 13.3-21: Substandard Housing Conditions – Santa Clara County and Santa Clara

	Santa Clara County			*Santa Clara*		
	Owner	*Renter*	*All HHs*	*Owner*	*Renter*	*All HHs*
Lacking complete kitchen facilities	0.2%	0.7%	0.9%	0.3%	1%	1.3%
Lacking complete plumbing facilities	0.1%	0.1%	0.2%	0.2%	.05%	0.2%

Source(s): American Community Survey, 2015-2019, Table B25053, B25049

In summary, by percentage Hispanic and Black households experience the highest rate of housing problems regardless of severity across Santa Clara County. Based on absolute numbers, Hispanic/Latino, Asian and Pacific Islander, and White households have the largest number of people with severe housing problems in the County. Overcrowding rates in the City of Santa Clara are higher than the County rates with 6.2 percent of households experiencing overcrowding and 3.4 percent experiencing severe overcrowding. The northern part of the city and a few areas in Southern Santa Clara have overcrowding rates of 12 and 15 percent. Overcrowding is occurring in areas that are disproportionately populated by Asian and Hispanic/Latino residents.

[4] Towncharts.com

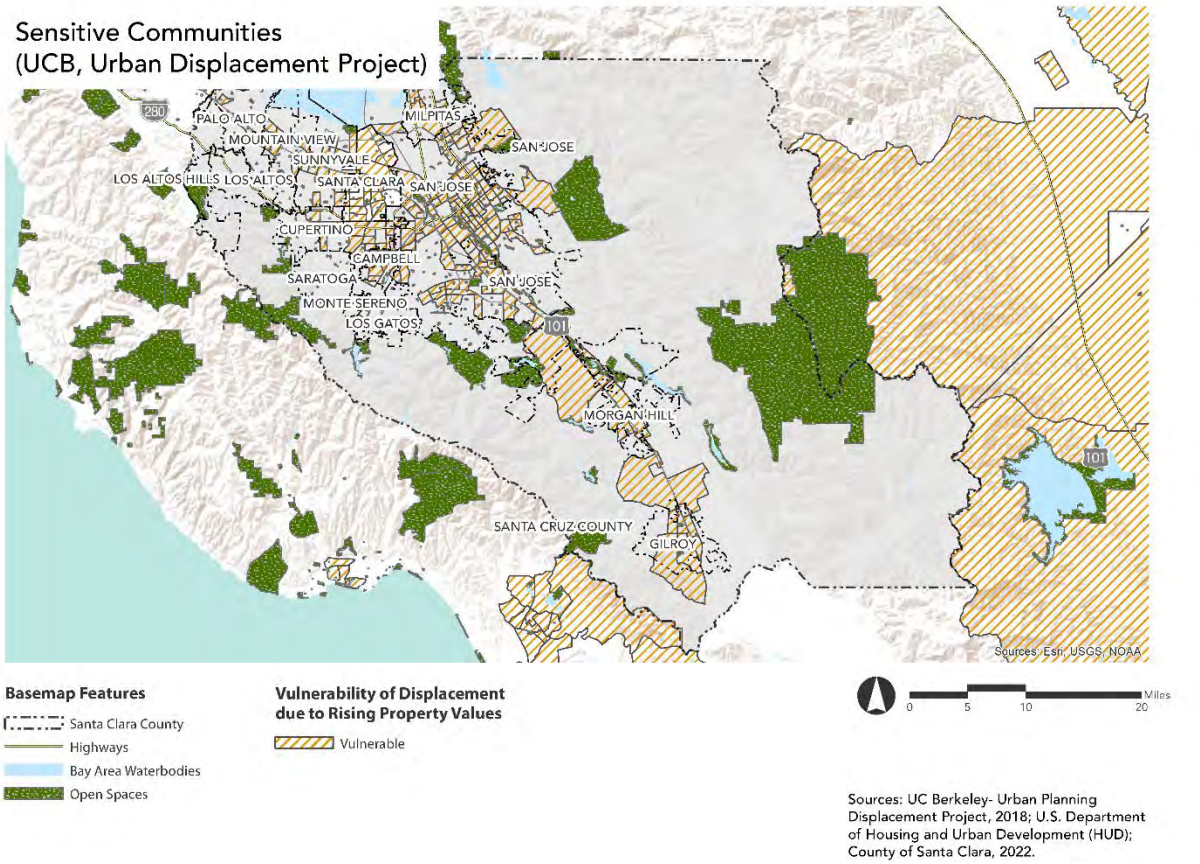
Displacement Risk

Displacement occurs when housing costs or neighboring conditions force current residents out and rents become so high that lower-income people are excluded from moving in. UC Berkeley's Urban Displacement Project states that a census tract is a sensitive community if the proportion of very low income residents was above 20 percent in 2017 and the census tracts meets two of the following criteria: (1) Share of renters above 40 percent in 2017; (2) Share of Non-White population above 50 percent in 2017; (3) Share of very low-income households (50 percent AMI or below) that are also severely rent burdened households above the county median in 2017; or (4) Nearby areas have been experiencing displacement pressures.

Regional Trends

Using this methodology, there are a number of areas in Santa Clara County identified as sensitive communities. Sensitives communities primarily lie along the Highway 101 corridor ranging from Sunnyvale to Gilroy and extend out to Cupertino in the west and east San Jose in the east. Housing prices in this area have continued to rise as the technology industries boom in Silicon Valley, explaining the high percentage of areas in the County identified as sensitive communities.

FIGURE 13.3-43: REGIONAL SENSITIVE COMMUNITIES AT RISK OF DISPLACEMENT BY TRACT (2021)

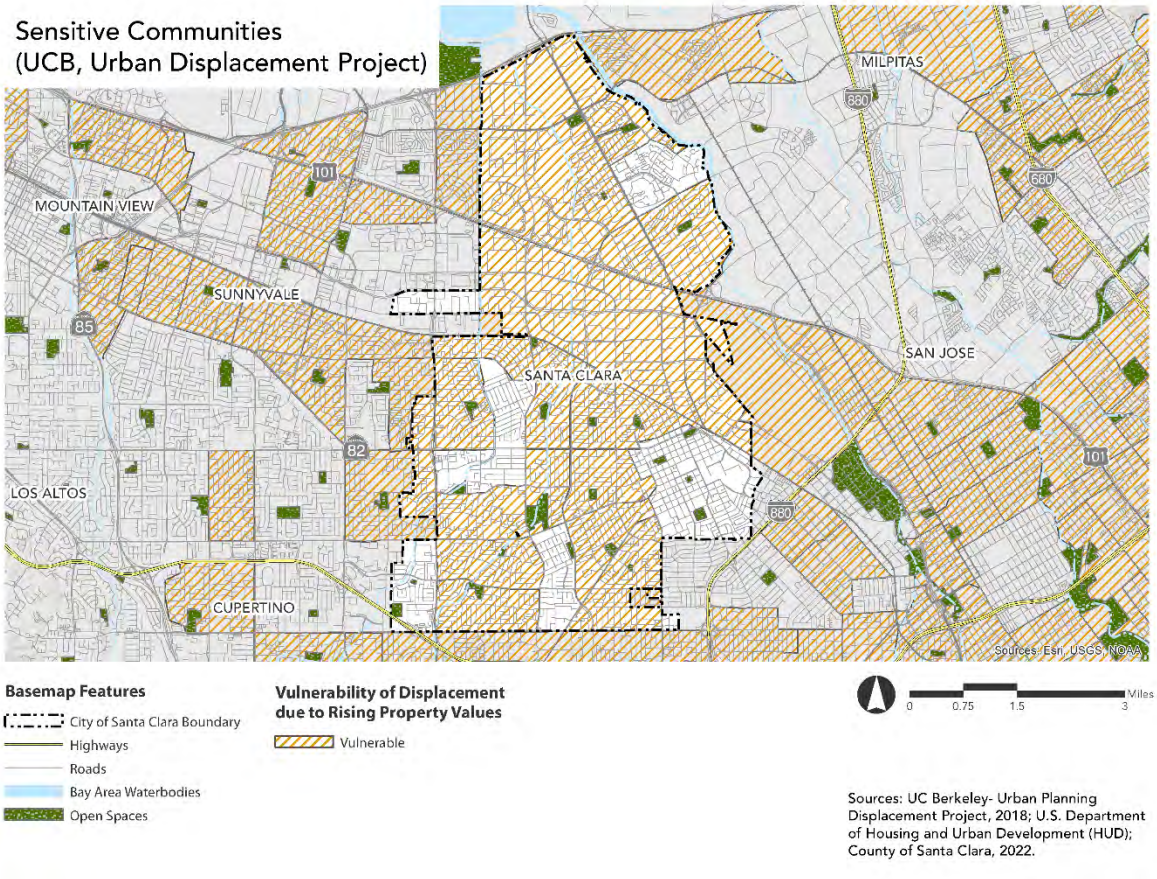


Sources: UC Berkeley- Urban Planning Displacement Project, 2018; U.S. Department of Housing and Urban Development (HUD); County of Santa Clara, 2022.

Local Trends

Most of Santa Clara was identified as a sensitive community, with only a few tracts in the south not identified as sensitive communities. Mountain View, Sunnyvale, and Milpitas also have areas identified as sensitive communities, albeit fewer than Santa Clara. Despite much of the City being identified as a sensitive community, the City has not yet seen much direct displacement of current residents as a result of redevelopment. Development in the City has primarily occurred with the rezoning of existing commercial and industrial properties into higher density multi-family housing. Despite the low current rate of displacement, the City has proactively developed actions to address the potential for future displacement. Both action 6 and action 13, outlined in Table 13.3-23 below actively work to mitigate residential displacement by exploring funding to support affordable housing acquisition and rehabilitation and program and policy development to prevent displacement.

FIGURE 13.3-44: SENSITIVE COMMUNITIES (UCB, URBAN DISPLACEMENT PROJECT) – SANTA CLARA (2021)



In summary while direct displacement due to redevelopment has not occurred often in recent years, it is likely that indirect displacement due to high rents and home prices across the Bay

Area is contributing to overcrowding and is forcing people to move away from Santa Clara. It is possible that development pressure has been focused on the City's specific plan areas and that once these areas are built out, developers may look to redevelop older lower density buildings that are naturally occurring affordable housing. This indicates a need to build more affordable housing, and policies that prevent a net loss of affordability if older market rate buildings are redeveloped, and to potentially require relocation assistance for displaced residents.

AFFH Analysis of the Sites Inventory

An important part of the AFFH analysis is looking at where the site inventory is directing housing growth and how that will replace segregated living patterns with integrated and balanced living patterns and convert any racially or ethnically concentrated areas that may exist into areas of opportunity for households at all income levels. The site inventory in chapter 13.3 places 82.58% of the City's housing growth over the next 8 years into in HCD/TCAC Opportunity Map High or Highest Resource areas. The site inventory includes a buffer of additional units above the required RHNA -so most of the following figures exceed 100%.

- 97.5 percent of the City's Very Low Income RHNA units are located in High or Highest Resource areas.
    - VLI RHNA = 2,872 units.
    - VLI Units in Sites Inventory: 252 in Highest Resource Areas (9% of VLI RHNA) and 2,541 in High Resource Areas (88.5% of VLI RHNA).
- 148 144 percent of the City's Low Income RHNA units located in High or Highest Resource areas.
    - LI RHNA = 1,653 units.
    - LI Units in Sites Inventory: 358 in Highest Resource Areas (22% of LI RHNA) and 2,017 in High Resource Areas (126122% of LI RHNA).
- 126 113 percent of the City's Moderate RHNA units located in High or Highest Resource areas.
    - Moderate RHNA = 1,981 units.
    - Moderate Units in Sites Inventory: 112 in Highest Resource Areas (6% of Moderate RHNA) and 2,114 in High Resource Areas (120107% of Moderate RHNA).
- 165 161 percent of the City's Above Moderate RHNA units located in High or Highest Resource areas.
    - Above Moderate RHNA = 5,126 units.
    - Above Moderate Units in Sites Inventory: 161 in Highest Resource Areas (3% of Above Moderate RHNA) and 8,294 116 in High Resource Areas (162158% of Above Moderate RHNA).

The following table provides additional details on which types of units are located in different HCD/TCAC opportunity Map Areas:

Table 13.3-22: Sites Inventory Units by HCD/TCAC Opportunity Map Area

	Affordability Category					HCD/TCAC Opportunity Map Areas														
						Highest Resource				High Resource				Moderate Resource				Low Resource			
Site/Credit Type	**VLI**	**LI**	**Mod.**	**Above Mod.**	**Total Capacity**	**VLI**	**LI**	**Mod.**	**Above Mod.**	**VLI**	**LI**	**Mod.**	**Above Mod.**	**VLI**	**LI**	**Mod.**	**Above Mod.**	**VLI**	**LI**	**Mod.**	**Above Mod.**
RHNA	**2,872**	**1,653**	**1,981**	**5,126**	**11,632**																
Pending and Approved Projects	710	794	~~512~~504	10,201	12,209	148	271	20	145	364	372	341	7,979	92	72	63	669	106	79	80	1,408
Tasman East Focus Area SP	*114*	*239*	*175*	*3,838*	*4,366*					*114*	*239*	*175*	*3,838*								
Patrick Henry Drive SP	*76*	*75*	*75*	*1,294*	*1,520*					*76*	*75*	*75*	*1,294*								
Lawrence Station Area ~~Plan~~	*39*	*45*	*58*	*635*	*777*									*39*	*45*	*58*	*635*				
Freedom Circle Focus Area	*54*	*54*	*54*	*913*	*1,075*					*54*	*54*	*54*	*913*								
Other	*427*	*381*	*142*	*3,521*	*4,471*	*148*	*271*	*20*	*145*	*120*	*4*	*37*	*1,934*	*53*	*27*	*5*	*34*	*106*	*79*	*80*	*1,408*
ADU Projection	**118**	**118**	**118**	**39**	**393**	**47**	**47**	**47**	**16**	**47**	**47**	**47**	**16**	**18**	**18**	**18**	**6**	**6**	**6**	**6**	**1**
Available Specific Plan Sites	**2,~~226~~138**	**1,~~652~~586**	**1,~~794~~728**	**140**	**5,~~812~~592**					**2,~~103~~015**	**1,~~561~~495**	**1,~~683~~17**	**121**	**123**	**91**	**111**	**19**				
Tasman East Focus Area SP	*~~356~~268*	*~~262~~196*	*~~384~~318*	*121*	*~~1,123~~903*					*~~356~~268*	*~~262~~196*	*~~384~~318*	*121*								
Patrick Henry Drive SP	*1,747*	*1,299*	*1,299*	*-*	*4,345*					*1,747*	*1,299*	*1,299*									
Lawrence Station Area ~~Plan~~	*123*	*91*	*111*	*19*	*344*									*123*	*91*	*111*	*19*				
El Camino Real Rezoning Sites	**~~560~~319**	**~~408~~236**	**~~432~~250**	**-**	**~~1,039~~805**	**57**	**40**	**45**	**-**	**~~337~~133**	**~~250~~103**	**~~263~~109**	**-**	**~~166~~129**	**~~118~~93**	**~~124~~96**	**-**	**-**	**-**	**-**	**-**
Total	**3,~~614~~285**	**2,~~972~~734**	**2,~~848~~600**	**10,380**	**~~19,233~~18,999**	**252**	**358**	**112**	**161**	**2,~~851~~541**	**2,~~230~~017**	**2,~~334~~114**	**8,116**	**~~3996~~2**	**~~2997~~4**	**~~3242~~88**	**~~7406~~94**	**112**	**85**	**86**	**1,409**
Surplus Units	*~~742~~413*	*1,~~319~~081*	*~~867~~619*	*5,254*	*~~8,182~~7,367*																
Surplus Percentage Above RHNA	*~~26~~14%*	*~~80~~65%*	*~~44~~31%*	*102%*	*~~70~~63%*																
						4.~~56~~5%	**Highest Resource**			**~~78~~77.~~82~~%**	**High Resource**			**~~8.6~~5%**	**Moderate Resource**			**~~8.5~~9%**	**Low Resource**		

Northern and Central Santa Clara

As shown in Figure 13.3-45, this area has large amounts of industrial, office and commercially designated land in the western portion of this area with existing neighborhoods to the east. The site inventory includes multifamily opportunities mostly in the Lawrence Station Area, Patrick Henry Drive Specific Plan Area, and the Tasman East Specific Plan Area where industrial and commercial land is being converted into mixed use residential areas near transit. The City assumes that accessory dwelling units (ADUs) will continue current trends and develop in single family areas throughout Northern Santa Clara. ADUs are an effective way to add lower income housing opportunities in existing single-family neighborhoods. ADUs will also help respond to higher rates of overcrowding in Northern Santa Clara. Figure 13.3-46 shows that the site inventory is mostly distributed in TCAC High Opportunity Areas.

FIGURE 13.3-45: NORTHERN AND CENTRAL SANTA CLARA SITES INVENTORY AND LAND USE

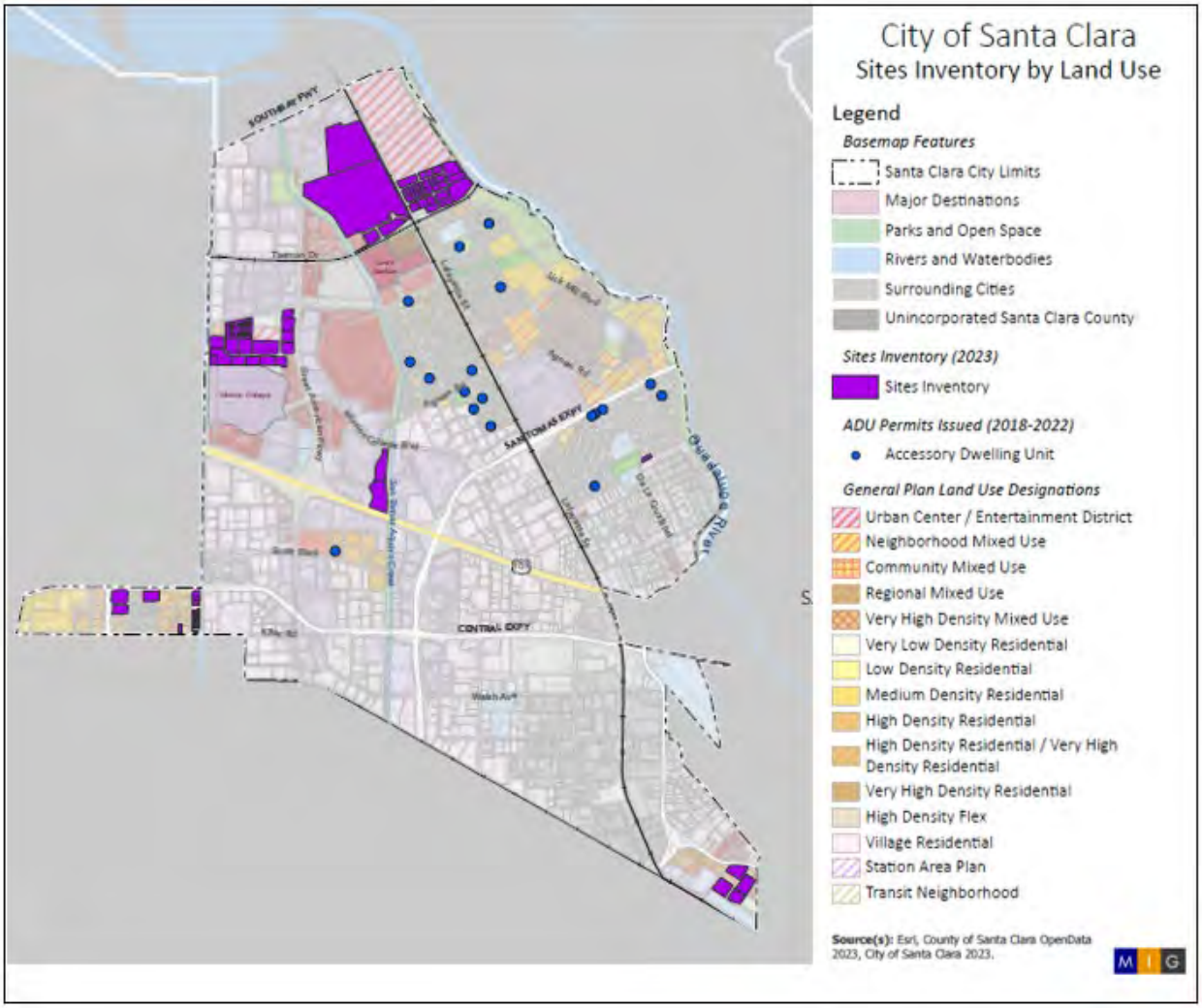
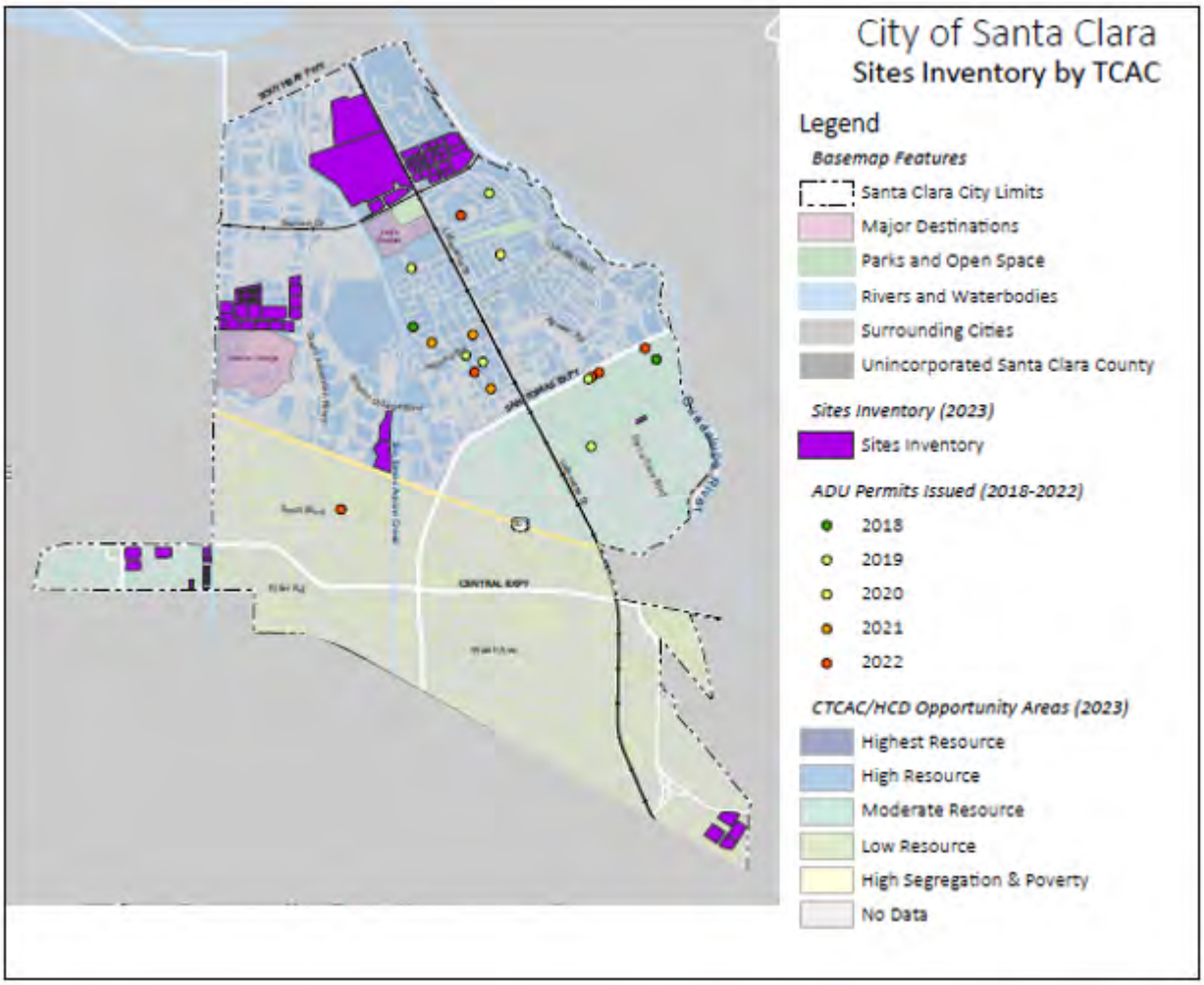


FIGURE 13.3-46: NORTHERN AND CENTRAL SANTA CLARA SITES INVENTORY AND TCAC OPPORTUNITY AREAS



Southern Santa Clara

The site inventory includes multifamily opportunities near transit, including along the El Camino Real corridor, and near the Santa Clara Station Area, and Downtown Santa Clara Precise Plan Area. The City assumes that accessory dwelling units (ADUs) will continue current trends and develop in single family areas throughout Southern Santa Clara. ADUs are an effective way to add lower income housing opportunities in existing single-family neighborhoods which are among the highest opportunity areas in the City. Figure 13.3-48 shows that the sites inventory is distributed across highest, high, and moderate resource TCAC High Opportunity Areas.

FIGURE 13.3-47: SOUTHERN SANTA CLARA SITE INVENTORY AND LAND USE

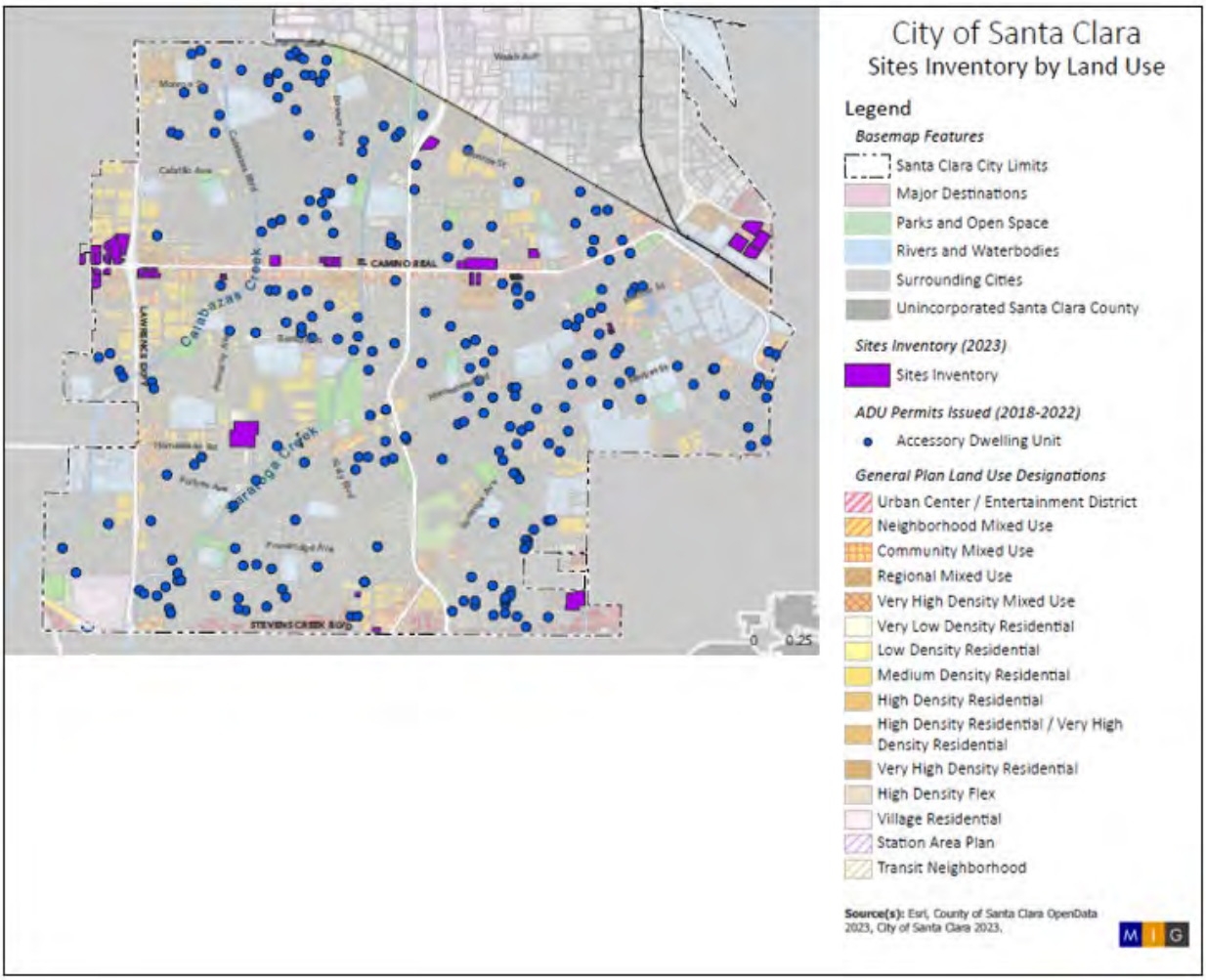
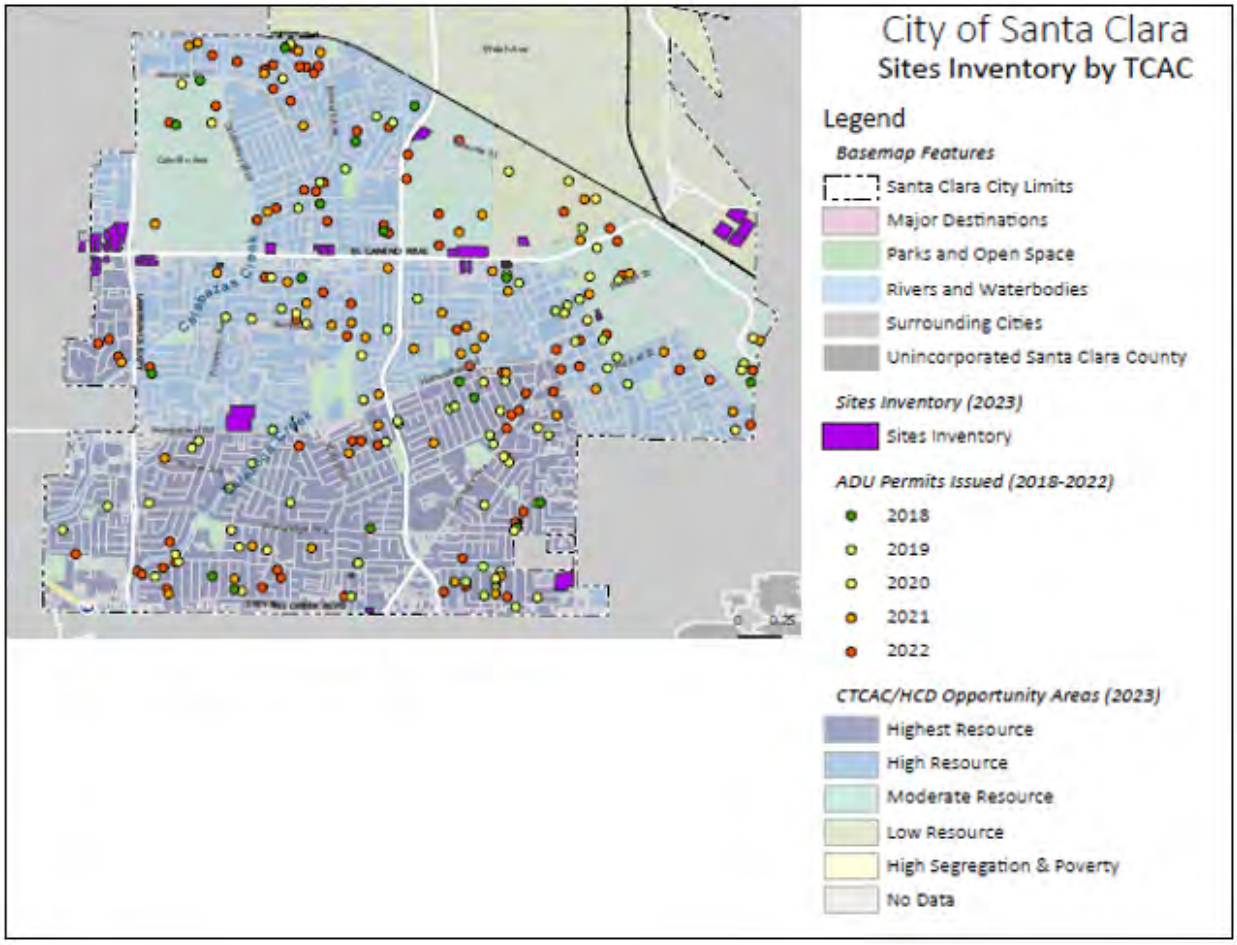


FIGURE 13.3-48: SOUTHERN SANTA CLARA SITES INVENTORY AND TCAC OPPORTUNITY AREAS



CONTRIBUTING FACTORS

Based on stakeholder outreach and the above analysis, the City has identified the following contributing factors to housing issues in Santa Clara. Table 13.3-23, prioritizes these contributing factors according to what would most limit or deny fair housing choice or access to opportunity. Meaningful actions listed in Chapter 13.2 that affirmatively further fair housing, promote housing opportunities throughout the community for protected classes, and address contributing factors are also included in the table.

Table 13.3-23: AFFH Meaningful Actions Matrix

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
Segregation/Integration Patterns and Disparities in Access to Opportunity					
It can still be difficult to find sites for single room occupancy, emergency shelter, low barrier navigation centers, permanent supportive housing, and residential care facilities.	Zoning requirements that make developing a diversity of housing types difficult. Type and size of affordable housing units	Action 1: Provision of Variety of Housing Types Adopt the comprehensive Zoning Ordinance Update with revised provisions to allow a variety of housing types by right. Residential Care Facilities will be permitted in all residential zones similar to other residential uses of the same type in the same zone. Annually explore regional and state funding sources to build more housing opportunities for persons with disabilities and extremely low-income households. And through the provisions of a notice of funding availability (NOFA), prioritize loans for the development of extremely low and very low-income housing alternatives. Support shared housing opportunities for persons with disabilities in higher income, higher resourced, and lower density neighborhoods within the northern and southern parts of the City (See Action 18)	December 2023 and 2026 December 2023 and January 2025 By 2026 Ongoing	Citywide with additional funding prioritized in high and highest opportunity areas within a half mile of high frequency bus and rail corridors.	HIGH
It is difficult to find low- and moderate-income rental housing in the City's highest opportunity areas.	South Santa Clara includes established single-family neighborhoods where home prices are out of reach for low- and moderate-income residents.	Action 17: Provision of a Variety of Housing Types Monitor ADU activity and report on the production of ADUs through the City's Annual Progress Report (APR). If the pace of ADU production falls below the level necessary to achieve 392 ADUs during the 2023-2031 planning period, present a plan to City Council to remove	Annually and by end of 2025	South Santa Clara and Citywide	HIGH

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
		barriers and/or further incentivize ADU production (e.g., through additional Zoning changes). Continue participating in the development and implementation of the Santa Clara County Planning Collaborative ADU Program, which will include a central online resource for making it easier to build ADUs, including an ADU Guidebook, gallery of ADU plans, examples/stories of real ADUs that have been built, and an ADU cost calculator. Increase Housing Choices and Affordability in Areas of Opportunity: - Monitor distribution of ADUs into Opportunity Areas. If less than 34 ADUs occur within Highest and High Opportunity Areas within the northern and southern parts of the City, in a given year, develop and present to City Council, as part of that year's APR, options to further promote ADU development in targeted areas. - Monitor lot spit and units created through implementation of SB 9 ordinances. If less than 4 occur per year, conduct targeted outreach to single family owners in higher resource lower density neighborhoods within the northern and southern parts of the City to promote more SB 9 lot splits/units. - Religious/Faith-Based Sites: - Create informational packet and conduct outreach to religious/faith-based institutions about new affordable housing development incentives that are allowed under state law. Connect interested landowners with experienced nonprofit affordable housing developers. - Through activities such as additional outreach and contact with affordable housing developers,	By end of 2026 By 2028	High Resource, High Opportunity, Low Density Neighborhoods	

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
		supporting funding applications, providing technical assistance, and granting incentives such as finding funding sources to reduce permit fees for applicants and reducing development standards, facilitate at least 50 units proposed on religious/faith-based sites in higher income, higher resourced, and lower density neighborhoods within the northern and southern parts of the City. - Support shared housing for persons with developmental disabilities in targeted areas. See Action 18. Action 5: Preservation of Assisted Rental Housing & NOAH Monitor preservation and conservation opportunities in and adjacent to South Santa Clara's high and highest TCAC opportunity areas.			
When housing is in short supply, tenants often do not report code violations for fear of retaliation and no cause eviction.	Private discrimination Code enforcement violations can arise when housing stock is not appropriately conserved and rehabilitated in a timely manner.	Action 7: Code Enforcement Program Establish multi-family residential housing inspection and educational programs that are self-funded and proactively respond to housing code violations. The City will also provide special attention to maintaining the stability of residential neighborhoods through development of minimum standards of allowed use of the City's streets, as well as maintenance of front and other yard areas visible from the public right-of-way. Conduct annual outreach and marketing to residential property owners, landlords, and tenants regarding their rights, responsibilities, and resources available for maintaining the habitability and safety of their properties.	By second half of ~~2024~~2025 Annually starting in 2025	Citywide	MEDIUM

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
Not all tenants and landlords are aware of their rights and responsibilities under state and local law which can result in the displacement of low-income tenants.	Fair housing issues exist everywhere but disproportionately impact low income households who may not have the resources to dispute unfair housing conditions or housing discrimination.	Action 16: Fair Housing Program Continue to provide fair housing services to residents including referrals, mediation, investigation of claims of discrimination, outreach and translated education materials, open house events to distribute information, and potentially setting a rent deposit limit Work with Project Sentinel to host two open house events per year and to distribute translated collateral in lower income census tracts explaining key landlord and tenant rights under current law	Ongoing and annually.	Citywide with proactive focus in census tracts with concentrations of persons with disabilities, disproportionate housing needs, and overcrowding.	HIGH
Transit station access is less robust in North and Central Santa Clara.	Industrial and commercial land uses in Central and North Santa Clara	Action ~~16~~21: ~~Fair Housing Program~~Place-Based Programs Market the Silicon Valley Hopper ride share service Citywide in Central and North Santa Clara once it becomes available in mid-~~2027~~2026 or later. This service will help connect lower income residents to major employment centers, VTA Light Rail, Caltrain and the future BART station.	Mid-~~2027~~2026	Citywide and Central and North Santa Clara	LOW
Place based investment is needed in lower income neighborhoods to increase access to opportunity.	Low-~~-~~income neighborhoods may require additional infrastructure to improve quality of life, access to transit, employment, health food, parks, and other resources.	~~Action 16: Fair Housing Program~~ ~~By June 2027, complete bike and pedestrian improvements at various locations along Cabrillo Ave, Lafayette St, Monroe St, Royal Dr, Scott Blvd, and Warburton Ave in Central Santa Clara to improve safety and mobility. This area overlaps with an MTC Equity Priority Community and is considered a Low Opportunity Area by TCAC.~~ Action 21: Place-Based Programs - By the end of November 2023, the City's Library will apply for a grant from the California State Library to fund two monthly pop-up events at Montague Park in north	~~June 2027 for bike pedestrian improvements.~~ ~~Fall 2028 for 2029 NOFA~~	MTC Equity Priority Communities, and HUD designated low-income and distressed areas of the City.	MEDIUM

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
		Santa Clara. These events will be marketed to the surrounding neighborhood which includes a concentration of lower income rental housing and a high rate of foreign-born households. If funded, the pop-ups will bring the City's bookmobile, resource partners, activities such as live performances, as well as information and workshops offered by Mission College, Second Harvest of Silicon Valley and various nonprofit service providers. The event is intended to invite residents from this isolated and under resourced neighborhood to the Northside Library and Montague Park. If the grant is funded by January 2024, the project will begin by Spring 2024 with regularly scheduled bookmobile stops in early 2024 to this neighborhood - By January 2027, the City's Department of Public Works is planning to complete construction of approximately 36 curb ramps, 12 curb bulb-outs, 2 new traffic signals, 2 new Pedestrian Hybrid Beacons, 2 new Rectangular Rapid Flashing Beacons, upgrade 2 existing traffic signals, install 10 streetlights, and install over 5,000 ft of Class II & III bike facilities at various locations along Cabrillo Ave, Lafayette St, Monroe St, Royal Dr, Scott Blvd, and Warburton Ave in Central Santa Clara to enhance safety and mobility. This area overlaps with an MTC Equity Priority Community and is considered a Low Opportunity Area by TCAC. - In 2024, market the Phase 1 (southern part of Santa Clara only) of the City's affordable on-demand rideshare service (also known as SV Hopper) as a viable transportation option for lower income residents to connect to nearby employment, retail services, and transit connections to Caltrain and the future BART Station. In mid-2026, during the planned Phase II of the SV Hopper program citywide, expand marketing of the Silicon Valley Hopper program citywide in Central and North Santa Clara. Phase II will provide service to other			

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
		major employment centers in the northern part of Santa Clara as well as VTA Light Rail. - By fall 2027, the City's Parks and Recreation Department will conduct community wide and targeted outreach as part of the City's Parks and Recreation Master Plan process. Targeted outreach will focus on reaching specific communities that are not well-represented in public decision-making. This plan will identify opportunities to expand access to quality parks, recreation facilities, programs, and services in low income and under resourced neighborhoods. - By fall ~~2028~~2026, the City's Community Development Department will develop a CDBG Notice of Funding Availability that awards additional points to capital projects that improve quality of life and access to opportunities in HUD designated low-income and distressed areas of the City. - Beginning in 2025, annually explore and apply for grants such as OBAG, AHSC, and CDBG funding that support 1-2 place-based improvement projects per year in lower resourced areas and relatively lower income areas with higher concentrations of poverty.			

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
Disproportionate Housing Needs					
Residents in Central Santa Clara and areas adjacent to central Santa Clara have lower income, lower access to opportunity, less access to parks, higher pollution, lower educational outcomes. Central Santa Clara has a mix of residents, but Hispanic/Latino residents are disproportionately concentrated in this area.	Older residential development is surrounded by industrial uses Lack of place-based outreach about affordable housing opportunities elsewhere in the City Possible need for better language access	Actions 2: Affordable Housing Ordinance and 16: Fair Housing Program Increase mobility by conducting proactive in person outreach in relevant languages once per year about the City's affordable housing opportunities and resources such as landlord and tenant rights under state law and mediation services.	Annually	Central Santa Clara and adjacent areas	HIGH
There are not enough licensed residential care facilities and shared housing sites to meet future demand for residents with developmental disabilities and seniors.	Family members cannot care for adult children with developmental disabilities once caregivers are elderly. Funding is needed to acquire and maintain single family homes as licensed care facilities. Multifamily development is not always designed to accommodate the needs of developmentally disabled tenants.	Action 1: Provision of Variety of Housing Types Increase the stock of extremely low and very low-income rental housing designed for persons with developmental disabilities by 35% from 56 in 2023 to 76 in 2030. Action 18: Shared Housing Evaluate the need for shared housing as part of the HUD Consolidated Plan Process. Set aside $2,000,000 from the City's affordable housing capital fund for low interest loans to help nonprofit developers acquire and/or rehabilitate 4 or more single family homes for conversion into affordable residential care facilities for persons with developmental disabilities in higher resource, higher income, lower density neighborhoods within the northern and southern parts of the City. ~~Additional points will be awarded in the request for proposals for homes located in moderate, high and highest opportunity census tracts~~. This relates to Action 1 and could increase housing for persons with developmental disabilities by 35%. ~~Continue to support the creation of new shared housing for lower income residents with developmental disabilities by including those project types in future Notices of Funding Availability.~~	2025 Ongoing Prior to 2026 By 2028	Citywide	MEDIUM
Displacement Risk					

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
Some landlords set very high deposits making it difficult for lower income tenants to secure housing or to relocate.	Landlords seek to manage financial risk. Low income tenants are rent burdened in this high cost market making it hard to save and give up a large amount of money for a deposit. Deposits are sometimes not returned to tenants even if the unit is left in good condition.	Action 13: Residential Displacement By the end of 2025 analyze the feasibility of setting a rent deposit limit and present findings from that analysis to the Housing Commission and City Council.	December 2025	Citywide	MEDIUM
Naturally occurring affordable housing stock is at risk of acquisition by for profit investors. Such acquisitions often result in direct displacement once rents are increased.	As Santa Clara builds out and land values increase, there will be increasing pressure to reposition or redevelop older residential buildings. Rehabilitation can sometimes be more profitable than new construction. Nonprofit developers don't always have a fair chance to make offers to purchase such properties.	Action 6: Acquisition of Multi-Family Housing Present to the City Council the findings from an analysis of the need/benefit and resources required to implement a Community Opportunity Purchase Act (COPA). Create a database of naturally occurring affordable housing and annually monitor property sales and/or permit applications to identify conversion trends early. ~~Present the findings on resources required to implement a Community Opportunity Purchase Act (COPA).~~ Explore funding sources available at the regional, state, and federal levels to support affordable housing developers with acquisition/rehabilitation opportunities. Work with nonprofit entities to acquire properties and rehabilitate existing multi-family structures to be maintained as or converted into affordable rental housing. Prioritize assistance for housing that is within one half mile of rail transit stations or that is in a high or highest opportunity area according to TCAC.	~~Early 2027 and annually~~ By the end of 2025 Annually	South Santa Clara and Citywide	MEDIUM

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
Direct and indirect displacement can increase overcrowding, displacement, longer commutes and homelessness.	Lower income households can experience displacement when new developments are built that are not affordable to existing residents and when regional housing prices rise faster than incomes. High security deposits can create barriers for lower income tenants moving between apartments. Landlords and Tenants may not be aware of their rights under state law.	Action 13: Residential Displacement Evaluate and provide recommendations to the City council on new programs and policies that prevent displacement such as no net loss, one year notification, and relocation benefits. Continue funding for dispute resolution services, the regional Homelessness Prevention System, and marketing below market rate rental and ownership opportunities.	By the end of 2025 ~~2027~~	Citywide	HIGH
Cost Burden					
Affordable housing is not affordable enough. The City needs more extremely low and very low-income units to house low wage workers, seniors, persons with disabilities and a variety of unit sizes to accommodate singles, couples, single parent households, and large families.	Market rate housing is out of reach for lower income residents. Seniors and households on fixed incomes cannot afford rent increases that are based on escalating HCD Income Limits. The City has limited funds for deep subsidies. Apartments for large families are less common then studios, one bedroom and two-bedroom apartments.	Action 1: Provision of Variety of Housing Types Increase the stock of income restricted three and four bedroom affordable rental housing units to serve large households in Santa Clara by 20% from 107 units in 2023 to 129 units in 2030. Increase the stock of extremely low and very low income rental housing designed for persons with developmental disabilities by 35% from 56 in 2023 to 76 in 2030. Action 2: Affordable Housing Ordinance Reassess the potential of updating the Citywide affordable ordinance to support deeper affordability requirements (5% very low income, 5% low income, and 5% moderate income) for rental and ownership projects. The City will also look into updating the definition of "moderate income" units from 120% AMI to 100% AMI or a percentage of market rents. Action 15: Homeownership for First-Time Homebuyers Determine the feasibility of keeping new Below Market Purchase homes deed restricted for 20-30 years vs. 5 years.	By the end of 2024 and annually By the end of 2025	Citywide with a proactive focus on landlords with multifamily sites located in high and highest opportunity census tracts.	HIGH

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
		Action 14: Housing Choice Voucher Program Advocate for additional project and person-based vouchers for seniors and other special needs groups through partnerships with affordable housing developers and local and County housing authorities. Promote incentives that encourage landlords to accept Housing Choice Vouchers (HCV) and continue to refer households in need to the Housing Authority's Housing Choice Voucher Application Portal.			
It is costly to build and operate affordable housing in Santa Clara County which limits the supply.	Affordable housing requires many sources of subsidies and coordination and partnership with local governments. High land costs make development more challenging.	Action 3: Affordable Housing Incentives and Facilitation Create an SB 35 Streamlining checklist, procedures Proactively encourage and facilitate development efforts and identify funding sources for developers and organizations in constructing affordable housing for lower income households particularly special needs groups. Conduct public outreach and issue a request for proposals to develop mixed income or 100% affordable housing on the vacant former site of the King's Highway Motel on El Camino Real.	By June 2023~~2~~ March 2024, and Annually ~~December~~ By end of ~~2024~~2025	Citywide and proactive outreach in the neighborhood surrounding the King's Highway Motel on El Camino Real.	HIGH
It is costly to build and operate affordable housing in Santa Clara County which limits the supply.	Much more funding is needed to realize the City's RHNA goals for lower income units.	Action 12: Affordable Housing Funding Explore additional funding sources for the development of affordable housing and annually evaluate Notices of Funding Availability (NOFA) from state, federal, and regional programs.	End of 2025, and Annually	Citywide	MEDIUM

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
It is difficult for low- and moderate-income households to buy a home or condo in Santa Clara.	Homeownership is cost prohibitive in much of the Bay Area including Santa Clara. Low- and moderate-income households are often shut out of the home ownership market. Below Market Purchase homes can be resold to market rate buyers after 5 years.	Action 15: Homeownership for First-Time Buyers Explore and present changes to the BMP program to keep homes affordable for longer than 5 years by requiring resale to income eligible homeowners. Promote homeownership for first time buyers through units that are income restricted, encourage program participation for households at all levels of income, and continue to promote homebuyers assistance programs through local and regional organizations.	By the end of ~~2024~~2025	Citywide	MEDIUM
Substandard Conditions					
As housing stock ages, it requires maintenance, repairs, and upgrades to remain safe, healthy, cost efficient to operate, and to conserve water and energy.	Lower income households and affordable housing operators may not have the necessary funds to rehabilitate or upgrade housing to meet current needs.	Action 4: Maintenance of Housing Stock Conduct outreach to single-family home residential care facilities to determine interest in and feasibility of including these properties in future CDBG/HOME Notices of Funding Availability to address rehabilitation and emergency repairs. Assist approximately 200 low, very low, and extremely low-income homeowners with rehabilitation and emergency repair assistance through loans and grants. Promote NOFA process for installation of HVAC improvements for sensitive populations especially seniors.	By the end of 2024 By 2031	Citywide	MEDIUM
Income restricted housing can be at-risk of converting to market rate when subsidies or affordability requirements expire leaving less affordable housing options available.	Rising inflation, labor and material costs are making income restricted housing more costly to maintain and operate.	Action 5: Preservation of Assisted and N.O.A.H. Rental Housing Extend the affordability of at risk low income housing units when funding is available by assisting with capital improvements to the property, establishing and maintaining contact with public and nonprofit agencies who may acquire at-risk units, and working with owners of at-risk housing to restructure loans to extend affordability restrictions.	Annually	Citywide	MEDIUM

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
When housing is in short supply, tenants are less likely to report code violations for fear of retaliation and eviction.	Some property owners choose to defer maintenance costs to increase financial gain. Code enforcement violations can arise when housing stock is not appropriately conserved and rehabilitated in a timely manner.	Action 7: Code Enforcement Program Establish multi-family residential housing inspection and educational programs that are self-funded and proactively respond to housing code violations. The City will also provide special attention to maintaining the stability of residential neighborhoods through development of minimum standards of allowed use of the City's streets, as well as maintenance of front and other yard areas visible from the public right-of-way.	By second half of ~~2024~~2025	Citywide with a proactive focus in census tracts with concentrations of persons with disabilities, disproportionate housing needs, and overcrowding.	MEDIUM
Targeted Fair Housing Outreach					
A forum is needed to gather community input on challenges and solutions relating to fair housing, CDBD/HOME investments, homelessness, and neighborhood issues.	Homelessness is caused by a complex set of factors and affects a wide variety of community members and requires coordination among a wide range of service providers. University students can have specific housing needs or living arrangements which are not always in line with existing neighborhood development.	Action 8: Neighborhood Relations Programs Form a Housing Commission or a community meeting outreach format, to advise on CDBG and HOME grant administration for capital projects and community services, and on the City's homelessness response efforts. The City will convene at least three public meetings per year. Improve the maintenance of student-occupied homes and behavior of occupants via owner outreach at the beginning of each school year to minimize impacts on neighborhoods surrounding Santa Clara University. As well as hold meetings with student tenants, landlords the University, and the City to address neighborhood issues and concerns. And ensure that student housing development is compatible with existing neighborhoods.	~~Early~~ Late 202~~4~~3	Citywide and in neighborhoods surrounding Santa Clara University.	MEDIUM
Homelessness in Santa Clara has increased in recent years creating hardship for unhoused residents and quality of life impacts for the broader community.	Insufficient affordable rental housing Insufficient interim and supportive housing Insufficient access to health care, behavioral health care, substance abuse programs, and other safety net social services.	Action 1: Provision of a Variety of Housing Types Increase access to interim housing units, rapid rehousing, and emergency shelter beds by 30% from 453 in 2023 to 589 in 2030. Action 17: Homeless Services	~~Late 2023~~By 2030 By Spring 2024	Citywide with proactive outreach at tent and RV/vehicle encampments	HIGH

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
		Adopt and begin implementation of the City's Homelessness Response Plan. Continue to provide street outreach especially to at-risk youth, seniors, and persons with disabilities to connect residents with VISPDAT assessment, emergency shelter, case management, and basic needs services			
Landlords and tenants are not always aware of recent state law changes related to source of income discrimination, no cause eviction, noticing and more.	Landlord tenant laws have changed in recent years. Landlords and tenants are not always educated about changes or know when they apply.	Action 16: Fair Housing Program Bring forward a proposal for City Council consideration to write an ordinance that requires landlords to provide a City approved multilingual brochure to all tenants with every lease signing that summarizes landlord and tenant rights under state law. If the ordinance is approved, conduct a series of educational workshops with local landlords and tenants.	~~December~~ By the end of 2025	Citywide	MEDIUM
It is difficult for special needs residents to find and apply for affordable housing.	A regional "universal housing application" system is still under development. Housing applications are increasingly online, but a digital divide persists. Language access barriers, Nonprofit staff and social workers may require additional training to help clients navigate the complex web of housing providers.	Actions 2: Affordable Housing Ordinance and 16: Fair Housing Program Plan in-person events to educate and assist seniors and special needs groups (including persons with limited English proficiency) on using the City's housing application system and/or BAHFA's regional housing portal once it is available in Santa Clara County Work with Project Sentinel to improve the City's webpage to include more landlord/tenant rights, reasonable accommodation rights, resources and contact information in a format that is easily translatable using a web browser. Explore the creation of an ordinance that requires landlords to provide a City approved multilingual brochure to all tenants with every lease signing that summarizes landlord and tenant rights under state law. Plan outreach to help Evaluate the need for shared housing services, explore ways to increase access to senior housing, improve staff capacity to help seniors and	Two times per year	Citywide	MEDIUM

Issues	Contributing Factors	Actions / Objectives (Specific Commitments)	Timeline / Metrics	Geographic Targeting	Priority (Low, Medium, High)
		special needs groups navigate the housing market and find subsidized housing, evaluate the need for shared housing services, and continue to support the creation of new shared housing for lower income persons with developmental disabilities.			

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Chapter 13.4
Housing Needs Assessment

Population and Employment Trends

Housing needs are influenced by population and employment trends. This section provides a summary of changes to the population size, age, and racial/ethnic composition of the City of Santa Clara. Moreover, to gain a deeper understanding of the housing needs in the City, an evaluation of the intersection of these demographic characteristics with housing statistics such as housing type and tenure, condition, cost, and vacancy provides the necessary bases for a proper housing needs assessment.

Current Population and Population Growth

Santa Clara, incorporated in 1852, is known as "The Mission City", reflecting its place as an early California settlement dating to 1777. Santa Clara has a rich agricultural past that extends from that early settlement period almost two centuries forward. However, the post-World War II housing boom and just as significantly, the emergence of the electronics industry in the early 1950s, rapidly transformed the community. Between 1950 to 1990, the population of Santa Clara ballooned from 11,702 to 93,000. Today, Santa Clara lies in the heart of the Silicon Valley and continues to grow as the technology industry continues to expand.

From 2010 to 2020, Santa Clara's population grew by approximately nine percent, from 116,468 to 127,000 residents. During the same period, Santa Clara County as a whole grew by 10 percent. The Association of Bay Area Governments (ABAG) growth forecasts predict a steady increase in population through 2040. From 2020 to 2040, ABAG estimates that the City's population will grow by 25.6 percent, staying relatively on track with the countywide projected growth of 31.09 percent (Table 13.4-1).

Table 13.4-1: Population Growth and Projected Growth

	2010	*2020*	*2040*	*% Change 2010-2020*	*% Change 2020-2040*
Santa Clara	116,468	127,647	159,500	9.6%	25 %
Santa Clara County	1,781,642	1,936,259	2,538,320	8.67%	31.09%

Source(s): ACS QuickFacts

In addition to population projections, several other demographic characteristics and trends define housing needs. Among these characteristics are age composition, racial and ethnic composition, and employment (Table 13.4-2).

Table 13.4-2: Age, Race and Ethnicity, and Employment by Industry

Demographic Profile	*2010*	*Percentage*	*2019*	*Percentage*
Age				
0-4	9,092	7.8%	8,730	7%
5-14	12,410	11%	13,267	10%
15-24	15,783	13.5%	17,822	14%
25-34	23,016	20%	26,932	21%
35-44	18,860	16%	19,874	16%
45-54	14,987	13%	15,025	12%
55-64	10,641	9%	11,557	9%
65-74	5,951	5%	8,056	6%
75-84	3,950	3%	4,316	3%
85+	1,778	2%	2,142	2%
Median Age	34.6		33.9	
Total Population	116,468		127,721	
Race/Ethnicity				
White (non-Hispanic)	42,026	36%	40,282	32%
Hispanic	22,589	19%	22,116	17%
Black	2,929	3%	3,697	3%
Asian/Pacific Islander	44,135	38%	55,905	44%
Other	4,549	4%	5,538	7%
Total Population	116,228		127,538	
Employment by Industry				
Educational services, and health care and social assistance	9,529	17%	13,420	19%
Retail trade	4,984	9%	5,004	7%
Manufacturing	11,778	21%	12,918	19%
Professional, scientific, and management, and administrative and waste management services	12,595	22%	19,573	28%
Construction	2,295	4%	1,997	3%
Arts, entertainment, and recreation, and accommodation and food services	3,963	7%	5,427	8%
Finance and insurance, and real estate and rental and leasing	2,473	4%	2,356	3%

Table 13.4-2: Age, Race and Ethnicity, and Employment by Industry

Demographic Profile	*2010*	*Percentage*	*2019*	*Percentage*
Other services, except public administration	2,070	4%	2,036	3%
Transportation and warehousing, and utilities	1,582	3%	2,170	3%
Public Administration	1,706	3%	1,494	2%
Wholesale Trade	1,164	2%	1,505	2%
Information	2,879	5%	4,148	6%
Agriculture, forestry, fishing and hunting, and mining	157	0.3%	122	0.2%
Total Employment	57,175		72,170	

Source(s): US Census Bureau 2010, American Community Survey 2014-2019 5-year estimate

Age

Population age distribution serves as an important indicator of housing needs because housing needs and preferences change as individuals or households grow older. Young families tend to focus more on cost and the ability to become first-time homebuyers. Table 13.4-2 shows the age groups of Santa Clara residents. The largest age group in 2010 was residents aged 25 to 34 at 20 percent. In 2010, the second largest age group was residents aged 35 to 44, at 16 percent. This trend stayed consistent in 2019, with the largest percentage of residents falling in the 25 to 34 age group, at 21 percent. The second largest age group in 2019 was residents aged 35 to 44, at 16 percent

The median age in Santa Clara is 33.9 years. Compared with the County (37.4 years) and the state (36.5 years), the City's population is younger. The large population of young adults means that demand for larger homes for families will likely continue to grow as residents move out of smaller homes and apartments and raise families.

Race and Ethnicity

Table 13.4-2 shows the racial/ethnic distribution of population in Santa Clara. Asian (43.2 percent) and White (non-Hispanic) (31.5 percent) residents make up most of the population. This breakdown is reflective of Santa Clara County, which is mostly Asian (36.5 percent) and White (31.5 percent) residents. The racial makeup of Santa Clara has stayed mostly consistent since 2010. The two largest racial groups in 2010 were Asian (38 percent) and White (36 percent). From 2010 to 2019, the White and Hispanic populations decreased while the Asian population increased, and the other racial groups stayed consistent. For example, the City of Santa Clara's Black or African American residents makes up 3 percent of the population, just over Santa Clara County's Black or African American population of 2.5 percent.

Employment

Santa Clara has 13,420 workers living within its borders who work across 13 major industrial sectors. Table 13.4-2 provides detailed employment information. Many Santa Clara residents work in professional, scientific, and management, and administrative and waste management services (19,573, 28 percent of total), reflects the predominant technology industry of Silicon Valley. The second largest industries are educational services, and health care and social assistance (19 percent) and manufacturing (19 percent). Between 2010 to 2019 the number of residents employed in educational services, health care, and social assistance and professional, scientific, and management, and administrative and waste management services increased, while the number of residents employed in manufacturing decreased.

These trends are important to understand, as certain industries are generally associated with lower median earnings. In the City, the median income for professional, scientific, and management, and administrative and waste management services is $100,235. The median income for manufacturing is $103,951, while the median income for educational services, health care, and social assistance is considerably lower at $45,931. The 10 principal employers in Santa Clara are presented in Table 13.4-3.

Table 13.4-3: 10 Principal Employers, 2020

Employer	Number of Employees	Percentage
Applied Materials, Inc.	8,500	22.8%
Intel Corporation	7,801	20.9%
Advanced Micro Devices Inc.	3,000	8.0%
California's Great America	2,500	6.7%
Avaya Inc.	2,000	5.4%
Santa Clara University	2,000	5.4%
City of Santa Clara	1,973	5.3%
Kaiser Foundation Hospitals	1,459	3.9%
Macy's	1,200	3.2%
Catalyst Semiconductor Inc.	1,100	2.9%

Source(s): City of Santa Clara Comprehensive Annual Financial Report, June 30, 2020

Household Characteristics

The characteristics of a community's households impact the type and tenure of housing needed in that community. Household type, income levels, the presence of special needs populations, and other household traits are all factors that affect the housing needs of a community and the strategies that the community must deploy to meet those needs.

Characteristics for Santa Clara households are summarized in Table 13.4-4. The number of households in Santa Clara have increased by 2,346 from 42,323 in 2010 to 44,669 in 2019. Renter-

occupied households increased by 2,566 from 22,960 households in 2010 to 25,525 in 2019. Owner-occupied households decreased by 220 from 19,363 households in 2010 to 19,143 in 2019.

Table 13.4-4: Household Characteristics by Tenure

Household Characteristic	*Owner Households*	*Renter Households*	*All Households*
Number of Households[1]	19,143 (42.8%)	25,526 (57%)	44,669
Median Household Income[1]	$155,718	$108,435	$126,006
Household Income Categories[2]			
Extremely Low Income (0-30% AMI)	1,339 (7%)	4,123 (16.7%)	5,462 (12.5%)
Very Low Income (30-50% AMI)	1,853 (9.8%)	3,215 (13.3%)	5,068 (11.6%)
Low Income (50-80% AMI)	1,884 (10%)	2,540 (10.3%)	4,424 (10%)
Moderate Income (80-100% AMI)	1,480 (7.8%)	2,185 (9%)	3,665 (8.4%)
Above Moderate Income (100% + AMI)	12,265 (65%)	12,544 (50.9%)	24,809 (57%)
Total	18,821	24,607	43,428
Overpayment			
All Households Overpaying for Housing	1,900 (10%)	5,365 (21%)	7,265 (16.4%)
Lower Income Households Overpaying for Housing (*0-80%)[2]	1,670 (36%)	5,265 (55%)	6,935 (49%)

Source(s):
1 US Census Bureau, American Community Survey 2014-2019 5-year estimates
2 U.S. Department of Housing and Urban Development Comprehensive Housing Affordability Strategy (CHAS) Tables 2013-2017

Income

According to the 2019 American Community Survey (ACS), the median household income for the City of Santa Clara was $126,006, which is slightly higher than the Santa Clara County median household income of $124,055. Median household income differs by tenure; in the City, owner households have a significantly higher median income than renter households (a difference of $47,283).

Census data estimates that 6.7 percent of the Santa Clara population lives in poverty, as defined by federal guidelines. This proportion is lower than in Santa Clara County, where 7.5 percent of residents live in poverty. Poverty thresholds vary by household type. In Santa Clara, the percentage of persons living in poverty is higher for Black residents, with 9.3 percent living in poverty, and much higher for female householders with no spouse present, at 16.7 percent.

Because poverty thresholds do not differ based on geographic differences, a better measure to understand income disparities can be to identify various percentages compared to the median income for a particular area. For housing planning and funding purposes, the Department of Housing and Urban Development (HUD) uses five income categories to evaluate housing need based on the Area Median Income (AMI) for the county:

- Extremely Low-Income Households earn 0-30 percent of AMI
- Very Low-Income Households earn 30-50 percent of AMI
- Low-Income Households earn 50-80 percent of AMI
- Moderate-Income Households earn 80-100 percent of AMI (HCD uses 120%)
- Above Moderate-Income Households earn over 100 percent of AMI (HCD uses 120%+)

Comprehensive Housing Affordability Strategy (CHAS) data provides special Census tabulations (developed for HUD) and calculates household income adjusted for family size and tenure. As shown in Table 13.4-4**,** in Santa Clara above moderate-income households make up the largest share of all households (57 percent), and extremely low-income households represent the second largest category (12.5 percent). Income also differs by tenure; as indicated in Table 13.4-4, more renter households are in the lower-income categories (0-80 percent AMI) than owner households.

Housing Overpayment

State and federal standards specify that households spending more than 30 percent of gross annual income on housing experience a housing cost burden. Housing cost burdens occur when housing costs increase faster than household income. When a household spends more than 30 percent of its income on housing costs, it has less disposable income for other necessities such as health care, child-care, and food. In the event of unexpected circumstances such as loss of employment or health problems, lower-income households with a housing cost burden are more likely to become homeless or double up with other households. In Santa Clara, 16.4 percent of households are overpaying for housing, with owner households and renter households overpaying 10 percent and 21 percent, respectively. Lower-income households have a much higher rate of overpayment at 49 percent whether it is an owner household or a renter household.

Extremely Low Income (ELI) Households

HCD defines ELI households as "a subset of very low income households. . . defined as 30 percent (or less) of the area median income". As stated above, ELI households make up 12.5 percent of all households in Santa Clara with more renter households than owner households (16% and 7% respectively). Lower income households experience overpayment at a much higher rate compared to all households. While 16 percent of all households in Santa Clara experience overpayment, lower income households experience overpayment by almost 50 percent. Lower income owner households are overpaying by 36 percent while lower income renter households

are overpayment by 55 percent. Stakeholder outreach for the Housing Element and the City's Homelessness Taskforce in 2022 indicated that ELI housing is sorely needed by a wide variety of groups including persons with disabilities, elderly adults, and persons who are at risk of becoming homeless. Many stakeholders shared that "low-income housing" isn't affordable anymore as income limits continue to increase with area median income. More ELI and VLI units are needed to assist residents whose income is not keeping pace with HCD income limits and inflation.

The City of Santa Clara adopted the Affordable Housing Ordinance in 2018 which required rental projects of 10 or more units to provide at least 15 percent of the units at affordable rental prices to extremely low, very low, and low income households. These units must also remain a part of the affordable rental program for fifty-five years. The distribution of affordable units must average to a maximum of one hundred percent (100%) area median income so the number of ELI units that are produced through inclusionary housing is limited.

In 2019 the City selected HouseKeys, Inc. as the City's affordable housing administrator, to create a "one stop shop" for new affordable rental and ownership opportunities in Santa Clara and to help with compliance monitoring. The City also updates an Affordable Housing Resource Guide twice per year which provides resources for emergency housing support, organizations that provide rental assistance, homeowner programs, and a list of affordable housing properties throughout the City. A list of existing properties with ELI units is included below in Table 5. The 233 existing ELI income restricted units is far lower than the 5,462 ELI households in Santa Clara.

The City has also worked to develop actions that specifically address extremely low and very low-income households which may experience greater cost burden. Action 2 in the housing plan will look at updating the Citywide affordable ordinance to support deeper affordability requirements. Action 3 facilities the development efforts for constructing affordable housing for lower income households particularly special needs groups. Action 6 explores funding sources to support affordable housing developers with acquiring and rehabilitating multi-family structures. Action 12 explores additional resources for providing funding for affordable housing. And Action 14 advocates for additional project and person-based vouchers for seniors and other special needs groups.

Table 13.4-5: Existing Properties with Extremely Low-Income Housing Units

Property Name	*Number of ELI Units*	*Address*
Monroe Apartments	16	2330 Monroe Street
Calabazas Apartments	80	2904 Corvin Street
Mainline North Apartments	16	2310 Called Del Mundo
Agrihood	54	90 North Winchester Blvd.
Kifer Senior	39	3335 Kifer Road
Peacock Commons	10	3661 Peacock Ct.
Belovida Senior Apartments	9	1820 Main Street

Cypress	5	455 N. Cypress Avenue
Presidio El Camino	4	1450 El Camino Real
TOTAL	**233**	

Source: City of Santa Clara

Supportive and transitional housing types which often serve extremely low income households are both permitted within R1-8L single family zones, R1-6L single family zones, duplex zones, low density multiple-dwelling zones, moderate density multiple-dwelling zones, and medium density multiple-dwelling zones.

Housing Stock Characteristics

Housing Stock

In 2022, the State Department of Finance estimated that in 2020 there were 47,004 occupied housing units in the City. Compared to 2010, the City's housing stock has increased by 3,983 units. Most of the City's housing stock is made up of multi-family units (55 percent) followed by single family units (40 percent). Census data indicates that 0.2 percent of owner units and four percent (see Table 13.4-6) of rental units are vacant, suggesting that the City should continue to increase housing construction to accommodate residents.

Construction of both single family homes (attached and detached) and multi-family homes has grown in Santa Clara since 2010. However, while single family homes have only grown by 125 units between 2010 and 2019, multi-family homes have grown by 2,641 units, likely due to the technology industry boom and the influx of younger adults moving to the area for jobs.

Table 13.4-6: Housing Stock Characteristics by Tenure – 2020

Housing Characteristic	*Owner Households*	*Renter Households*	*All Households*
Total Housing Units	19,271 (41%)	26,792 (57%)	47,004
Single Family Detached	No data	No data	19,543 (42%)
Single Family Attached			4,595 (9.8%)
Multi-Family Units			26,045 (55%)
Mobile home, other units			46 (.09%)
Average or median Household Size			2.65
Vacancy Rate	0.2%	4.0%	6.4%
Overcrowded Units	0.9%	5.2%	6.2%
Units Needing Replacement/Rehabilitation	N/A	N/A	None
Housing Cost – Average purchase price and monthly rent	$1,034,000	$2,396	N/A

Note: Total housing units does not sum to 100% due to vacant units
Source(s): US Census Bureau, American Community Survey 2015-2019 5-year estimates, California Department of Finance E-5 Population and Housing Estimates, 2021

Overcrowding

In response to a mismatch between household income and housing costs in a community, some households may not be able to buy or rent housing that provides a reasonable level of privacy and space. According to both California and federal standards, a housing unit is considered overcrowded if it is occupied by more than one person per room (excluding kitchens, bathrooms, and halls). In Santa Clara, 6.2 percent of housing units are overcrowded, compared to 5.2 percent in the County. Overcrowding is much more prevalent in renter households (5.2 percent) than owner households (0.9 percent).

Housing Condition

The condition of housing stock can be an indicator of potential rehabilitation needs. Based upon observations and experiences of the Housing & Community Services Division, the City estimates that on average fewer than 10 housing units per year are in severe need of substantial rehabilitation due to housing conditions.

Housing Cost

The cost of housing in a community is directly correlated to the number of housing problems and affordability issues. High housing costs can price low-income families out of the market, cause extreme cost burdens, or force households into overcrowded or substandard conditions. The Santa Clara median home price according to 2019 ACS data is $1,034,000. The median home price in Santa Clara County according to ACS data is $984,000, $50,00 lower than in the City.

According to the 2019 ACS, 57 percent of Santa Clara households are living in rental housing. Census data shows that the average rent in Santa Clara is $2,396 per month, with most (25.7 percent) paying between $2,000 and $2,499 in rent. Table 13.4-6 shows that the HUD-determined fair market rents for the City of Santa Clara fall within the range of the rents within the County. Therefore, the rental rates in Santa Clara generally are less than the HUD-determined fair market rents, indicating that certain parts of Santa Clara County are potentially more expensive than local rents.

Table 13.4-7: Fair Market Rents in Santa Clara County

Year	*Efficiency*	*One-Bedroom*	*Two-Bedroom*	*Three-Bedroom*	*Four-Bedroom*
FY 2020 FMR	$2,103	$2,458	$2,970	$3,943	$4,525

Source(s): FY2020 Fair Market Rents. U.S. Department of Housing and Urban Development (HUD)

According to Costar, the vacancy rate in Santa Clara in Q3 2022 was lower at 3.5% while the larger San Jose metro area's vacancy was 4.9%. In Q3 2022, vacancy for 3-bedroom units was much lower at 2.9% while vacancy for smaller unit types was closer to the overall average at 3.5%. Average effective rent per unit in Santa Clara trend higher at $3,094 compared with $2,880 for the larger San Jose metro area.

Table 13.4-8: Market Rents Per Unit by Bedroom – Q3 2022

Year	*Efficiency*	*One-Bedroom*	*Two-Bedroom*	*Three-Bedroom*
Q3, 2022	$2,498	$2,898	$3,525	$3,910

Source: Costar, November 11, 2023

Special Housing Needs

Housing-element law requires local governments to include an analysis of housing needs for residents in specific special needs groups and to address resources available to address these needs. The following analysis confirms public comments received indicating a particular need for more extremely low and very low income rental housing options for persons with disabilities, large families, seniors, and people experiencing homelessness. Based on the scale of this identified need, additional resources, beyond those currently available, will be required to realize meaningful increases in housing for people with special needs. The City's Housing Plan (Chapter 2), includes actions and objectives that will help address the gaps in resources to meet these needs.

Table 13.4-9: Special Needs Groups

Special Needs Category	*Count*	*Percent*
Persons with Disabilities[1]	8,966	7% of residents
Persons with Developmental Disabilities[2]	3,246	2.7% of residents
Elderly (65+ years) [1]	14,514	11.3% of residents
	3,249 households	7.2% of households
Large Households (5+ members) [1]	4,253 households	9.5% of households
Farmworkers[1]	122	0.2% of labor force
Migrant Worker Student Population	0	0% of labor force

Table 13.4-9: Special Needs Groups

Special Needs Category	*Count*	*Percent*
Female Headed Households[1]	3,571 households	7.9% households
Male Headed Households	1,924 households	4.3% households
Married Couple Households	24,719 households	55% households
Householder Living Alone	1,624 households	22% households
People Experiencing Homelessness[3]	326	N/A

Source(s):

1. US Census Bureau, American Community Survey 2015-2019 5-year estimates. There is no Census occupation or industry that discretely identifies an estimate for the number of farmworkers in the City of Santa Clara. This figure comes from the civilian employed population (16 years and over) in the industry that includes: agriculture, forestry, fishing and hunting, and mining.

2. California Department of Developmental Services, 2020, reflects the DDS consumer count by CA ZIP Codes 95050, 95051, 95052, 95053, 95054, 95055, 95056

3. Santa Clara County: Annual Point in Time Count Report

Persons with Disabilities including persons with Developmental Disabilities

Disabled residents face housing access and safety challenges. Disabled people, in many cases, are of limited incomes and often receive Social Security income only. As such, most of their monthly income is often devoted to housing costs. In addition, disabled persons may face difficulty finding accessible housing (housing that is made accessible to people with disabilities through the positioning of appliances and fixtures, the heights of installations and cabinets, layout of unit to facilitate wheelchair movement, etc.) because of the limited number of such units.

The following is a summary of the number of people in Santa Clara with different types of disabilities according to the 2019 ACS:

Ambulatory Difficulty	4,234
Independent Living Difficulty	3,372
Cognitive Difficulty	3,246
Self-care difficulty	1,885
Vision Difficulty	1,557

According to the 2019 ACS there are 8,966 residents with one or more of the above listed types of disabilities in Santa Clara, representing seven percent of residents. Most residents with a disability are 75 and older (47.1 percent), followed by those 65 to 74 years old (18 percent). The most commonly occurring disability amongst seniors 65 and older was an independent living difficulty, experienced by 14.5 percent of Santa Clara's seniors. The most common disabilities for people 35-64 years old was ambulatory difficulty followed by cognitive difficulty.

For those with a developmental disability, the majority reside in the home of a parent, guardian, or family member (78 percent). The second most common living situation for individuals with a developmental disability is a community care facility (9.6 percent).

Housing Choices is a local nonprofit focused on enhancing the lives of people with developmental and other disabilities and their families by creating and supporting quality, affordable housing opportunities. Housing Choices provided the following comments relating to the needs of developmentally disabled residents in Santa Clara County:

- Between September 2015 and June 2021, the Department of Developmental Services reported that the number of Santa Clara County residents with developmental disabilities age 62 and older grew by 35 percent. This increase is generally attributable to gains in life span which likely means that more adults with developmental disabilities will outlive their parents and family members who are by far the single largest source of housing for people with developmental disabilities in the City of Santa Clara.
- Because older adults currently occupying a licensed facility in Santa Clara County are living longer, this reduced rate of occupant turnover, coupled with closing facilities, will make it more difficult for middle-aged and senior adults who have been living with aging parents in the City of Santa Clara to transition to licensed care when their parents pass away. Notwithstanding 20 percent growth in Santa Clara County's total population of adults with developmental disabilities, the Department of Developmental Services has documented a 15 percent decline in the age group 42 to 51 in Santa Clara County between September 2015 and June 2021. In light of gains in life expectancy, this loss can reasonably be attributed to displacement from the county because of the lack of residential living options (either licensed facilities or affordable housing) when an elderly family caregiver passes away or becomes unable to house and care for the adult. Displacement takes a particular toll on adults with developmental disabilities who depend on familiarity with transit routes and shopping and services, as well as support from community-based services and informal networks built up over years of living in Santa Clara.

Santa Clara has responded to the need for community care facilities and there are several group homes and independent living options for Santa Clara residents with disabilities, shown in table 10 below. Action 18 in the housing plan will explore ways to increase special needs housing and support the creation of new shared housing options for residents with disabilities. Table 13.3-10 indicates there are only 56 units of income restricted housing set aside for persons with developmental disabilities in the Santa Clara area. This represents approximately 1.7% of the 3,246 people who have cognitive disabilities in Santa Clara. To meet rising demand, a 35% increase would require the construction of 76 new housing units for this special needs group. Given the scale of this need, multifamily housing options would be needed.

Table 13.4-10: Housing Properties for Persons with Disabilities

Property Name	*Number of Units*	*Address*
Group Homes		
Briarwood Cooperative	Shared single-family home with private bedrooms for 4 individuals with developmental disabilities	2114 Briarwood Drive Santa Clara, CA 95051
De La Cruz Cooperative	Shared single-family home with private bedrooms for 4, individuals with developmental disabilities	3779 De La Cruz Boulevard Santa Clara, CA 95054
Various Locations Life Services Alternative	3 five-person group homes for persons with physical or developmental disabilities	260 W. Hamilton Avenue Campbell, CA 95008
Independent Living		
Stoney Pine Villa	12 one-bedroom units, 8 two-bedroom units, 3 three-bedroom units	267 W California Street Sunnyvale, CA 94086
Monroe Commons (Under Construction)	10 of the 40 apartments will be set aside for persons with developmental disabilities.	2330 Monroe Street Santa Clara, CA 95050

Source: City of Santa Clara:

Elderly (65+ years)

Many senior-headed households have special needs due to their relatively low incomes, disabilities or limitations, and dependency needs. Specifically, many people aged 65 years and older live alone and may have difficulty maintaining their homes, are usually retired, and living on a limited income, and are more likely to have high health care costs and rely on public transportation, especially those with disabilities. The limited income of many elderly persons often makes it difficult for them to find affordable housing. There are 3,249 households headed by elderly residents, representing 7.2 percent of total households in Santa Clara. Of all the age groups in Santa Clara, elderly residents experience poverty at a lower rate (7.8 percent) than those aged 18 to 34 (8.8 percent) which is counter to trends in other cities where elderly residents are more likely to be low income. Seniors may experience specific housing needs and require special assistance in their living situations. The City of Santa Clara has several housing properties dedicated to seniors, including options for seniors who are more active and those who require assisted living. These properties are detailed in Table 13.4-11 below. Table 13.4-11 indicates that there are only 736 housing units for lower income seniors in Santa Clara. This represents approximately 13% of the 5,645 extremely low and very low-income seniors in Santa Clara as summarized in Table 13.4-13. The scale of need for senior housing indicates that more multifamily affordable rental housing with varying levels of support services will be needed. A twenty percent increase would translate into 148 new affordable units for seniors. To create deeply

affordable service enriched senior housing, additional sources of federal funding and vouchers will be needed.

Table 13.4-11: Housing Properties for Seniors

Property Name	*Number of Units*	*Address*
Active Seniors		
Belovida	27 one-bedroom units for seniors age 62 and older	1820 Main Street Santa Clara, CA 95050
Bracher Apartment	72 one-bedroom units for seniors age 62 and older	2665 South Drive Santa Clara, CA 95051
Camino del Rey	48 one-bedroom units for seniors age 55 and older	2525 El Camino Real Santa Clara, CA 95051
Gateway Santa Clara	40 one-bedroom units, 2 two-bedroom units for seniors age 55 and older	1000 El Camino Real Santa Clara, CA 95050
John Burns Gardens	95 one-bedroom units, 5 two-bedroom units for seniors age 62 and older	820 Agnew Road Santa Clara, CA 95054
Liberty Tower	60 studios, 41 one-bedroom units for seniors age 62 and older	890 Main Street Santa Clara, CA 95050
Valley Village	80 studios, 80, one-bedroom units, 140 two- bedroom units for seniors age 62 and older	390 N Winchester Boulevard Santa Clara, CA 95050
Agrihood (Under Construction)	109 apartments (studios, one-bedroom units, 2-bedroom units)	90 N. Winchester Blvd. Santa Clara, CA 95050
Kifer Senior Apartments (Under Construction)	30 studios, 45 one bedrooms, and 5 two bedrooms for formerly chronically homeless seniors and very low income seniors	3335 Kifer Road Santa Clara, CA 95051
Assisted Living		
Pacific Gardens	21 beds for seniors age 55 and older	2384 Pacific Drive Santa Clara, CA 95051

Source: City of Santa Clara:

Tables 13.4-12 and 13.4-13 demonstrate that lower income (0-50% AMI) senior households are cost-burdened (30-50% of income used for housing) or severely cost-burdened (50%+ income used for housing) at a much higher rate compared to all other senior households. 86 percent of ELI (0-30% AMI) and 50.6% of VLI (31-50% AMI) senior households are cost-burdened or severely cost-burdened.

Table 13.4-12: Senior Households by Income and Tenure

Income Group	*Owner Occupied*	*Renter Occupied*
0 – 30% AMI	755	1,435
31 – 50% AMI	1,115	525
51 – 80% AMI	880	284
81 – 100% AMI	465	165
Greater than 100% AMI	1,680	380
Totals	**4,895**	**2,789**

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Notes: For this table, senior households are those with a householder who is aged 62 or older

Table 13.4-13: Cost-Burdened Senior Households by Income Level

Income Group	*0 – 30% Income Used for Housing*	*30 – 50% Income Used for Housing*	*50%+ Income Used for Housing*
0 – 30% AMI	305	415	1,470
31 – 50% AMI	810	370	460
51 – 80% AMI	915	185	64
81 – 100% AMI	515	90	25
Greater than 100% AMI	1,895	145	20
Totals	**4,440**	**1,205**	**2,039**

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Notes: For this table, senior households are those with a householder who is aged 62 or older. Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

Large Households (5+ members)

Large households, defined by HCD as households containing five or more persons, have special housing needs due to the limited availability of adequately sized, affordable housing units. Larger units can be very expensive; as such, large households are often forced to reside in smaller, less expensive units or double-up with other families or extended families to save on housing costs, both of which may result in unit overcrowding. There are 4,253 large households in Santa Clara representing 9.5 percent of all households. A larger percentage of renter households (5 percent) are defined as large households as compared to owner households (4.5 percent).

In Santa Clara, 3.2 percent of families are living in poverty. For large households with five or six family members 2.7 percent live in poverty, this rate goes up drastically for families with seven or more people (7.1 percent). Table 12 below shows household size by tenure in Santa Clara. Two-person households make up the largest number of households with 32.5% being owner households and 34% being renter households.

The City's affordable rental housing portfolio contains 99 three-bedroom units and 8 four-bedroom units for larger households with five or more persons in Santa Clara. This represents approximately 4.7% of the 2,257 large families who rent in Santa Clara as summarized in Table 13.4-14. Data is not available on how many of these large households are lower income, but community outreach has indicated there is a need for larger affordable housing units in Santa Clara as most developments tend to build studios, one- and two-bedroom units. A twenty percent increase would translate into 21 new three- or four-bedroom units.

Table 13.4-14: Household Size by Tenure

	Owners		*Renters*		*Total*	
Household Size	*Number*	*Percent*	*Number*	*Percent*	*Number*	*Percent*
1-Person Household	3,822	20%	6,122	24%	9,944	22%
2-Person Household	6,222	32.5%	8,642	34%	14,864	33%
3-Person Household	3,946	20.6%	4,703	18.4%	8,649	19%
4-Person Household	3,157	16.4%	3,802	14.8%	6,959	15.5%
5+ Person Household	1,996	10.4%	2,257	9%	4,253	9.5%
Total	19,143	100%	25,526	100%	44,669	100%

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25009

Farmworkers

Farmworkers are considered a special housing needs group due to their limited income and the often-unstable nature of their employment. While many traditional affordable housing programs and policies will assist farmworkers, the unique needs and circumstances for agricultural workers need to be considered and explored in the City's Housing Element.

Although maps from the State of California Department of Conservation Farmland Mapping and Monitoring Program show no farmland in Santa Clara, agriculture continues to play a role in the regional economy, including in parts of Santa Clara County.

There is no Census occupation or industry category that discretely identifies an estimated number of farmworkers in the City of Santa Clara. However, the Census does estimate that there are 122 residents working in the industry category that includes agriculture, forestry, fishing and hunting, and mining. Assuming all those residents are farmworkers,, that represents approximately 0.2 percent of the City's working population.

Since 2002, there has been a decline in the total number of farmworkers in Santa Clara County and there has also been a shift to a more permanent workforce for many farms in Santa Clara County, which has shifted the bulk of need from seasonal housing for migrant workers to permanently affordable housing for lower income working families.

Table 13.4-15: Farm Operations and Farm Labor in Santa Clara County

Hired Farmworker	*2002*	*2007*	*2012*	*2017*
Permanent	1,696	2,842	2,243	2,418
Seasonal	3,760	2,747	1,994	1,757
Total	**5,456**	**5,589**	**4,237**	**4,175**

Source: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor
Note: farmworkers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days in a year are considered to be permanent workers for that farm.

Farmworkers in the Bay Area are generally categorized as either:

1. **Permanent Residents**. The majority of farmworkers in Santa Clara County are permanent residents. Depending on their work and family circumstances, they may require housing which can accommodate families.

2. **Migrant Farmworkers**. Migrant farmworkers perform agricultural labor on a seasonal basis and tend to need housing in the form of single occupancy rooms, bunkhouses, or dormitory style living.

3. **H-2A Visa Workers**. These are farmworkers who enter under a federal guest worker program for limited number of months (no more than 10) before they return to their

country of origin. H-2A visa workers require a sponsoring employer, who provides housing, meals, and transportation to the job site. H-2A visa workers can share homes, apartments, or be housed in bunkhouses, dormitories, or single occupancy rooms. Since very few bunkhouses exist, the employers of H-2A workers compete with permanent farmworkers for scarce affordable homes and apartments.

In Santa Clara, for the 2019-20 school year, there were 46 reported students of migrant workers. Since the 2016-17 school year, the trend for Santa Clara, the County, and the Bay Area shows a decline in the number of students of migrant workers.

Table 13.4-16: Migrant Worker Student Population

Geography	*2016-17*	*2017-18*	*2018-19*	*2019-20*
Santa Clara	109	90	91	46
Santa Clara County	978	732	645	492
Bay Area	4,630	4,607	4,075	3,976

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-17, 2017-18, 2018-19, 2019-20)
Note: Data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Due to the low number of agricultural workers in the City, the housing needs of migrant workers and/or farmworkers can be met through the City's general affordable housing programs. The City conducted specific focus group outreach to farmworker advocate groups in the City who identified that there may be a need for multi-generational housing options.

Female-Headed Households

Single-parent households require special consideration and assistance because of the greater need for day care, health care, and other services. In particular, female-headed households with children tend to have lower incomes and a greater need for affordable housing and accessible daycare and other supportive services. The relatively low incomes earned by female-headed households, combined with the increased need for supportive services, severely limit the housing options available to them. There are 3,571 female-headed households in Santa Clara, representing 7.9 percent of households. A total of 16.7 percent of female-headed households live in poverty, a much higher percentage than all households living in poverty at 6.7 percent. The largest household type in Santa Clara is married couple household (55 percent), followed by householders living alone (22 percent), and male-headed households (4.3 percent).

People Experiencing Homelessness

Population estimates for people experiencing homelessness is very difficult to quantify. Census information is often unreliable due to the difficulty of completely counting a population without

permanent residences. Given this impediment, local estimates of the homeless and anecdotal information are often the sources of population numbers. In 2022, the regional point in time count identified a total of 440 people who were unsheltered or living in emergency shelters in the City of Santa Clara. Data from Santa Clara County Office of Supportive Housing identified 769 clients in 2021. These individuals are affiliated with the City of Santa Clara, had an emergency shelter, transitional housing, or outreach enrollment during, or took a Vulnerability Index Service Prioritization Decision Assistance Tool in 2021. Of these identified clients, 58 percent were male, 42 percent were female. The most individuals indicated they were between 55 to 64 years old followed by those 25 to 44 years old. Over half of individuals (52%) identified as non-Hispanic White and 46 percent identified at Hispanic/Latinx. Of these 769 homeless clients, 43 indicated they were veterans, 453 reported to have a disabling condition, 384 had a chronically homeless status, 264 had a self-reported domestic violence background, and 82 clients self-reported currently fleeing domestic violence. In 2019 there were 326 people counted. During this same time period, Santa Clara County's point in time count increased by 3 percent. Comparing point in time count between 2019 and 2022, the number of unsheltered individuals in the City of Santa Clara rose from 264 to 375 and the number of sheltered individuals rose from 62 to 65. This suggests that the City of Santa Clara's overall increase in homelessness was due primarily to the growth in unsheltered homeless. Housing types for sheltered homeless individuals from 2021 can be found in table 13 below.

Table 13.4-17: Housing Inventory Count for Sheltered Individuals

Project Type	*2021 Housing Inventory Count*
Emergency Shelter	10
Transitional Housing	65
Rapid Rehousing	151
Permanent Supportive Housing	101
Other Permanent Housing	126
Grand Total	453

Source: 2021 Housing Inventory Count (HIC) Data for City of Santa Clara

The location of homeless encampments and RV parking shifts regularly. There are concentrations of overnight RV parking in the northern part of the City near Bassett Street, Hope Drive, Memorex Drive, and Richard Avenue. There are smaller concentrations in other parts of the City near De La Cruz Boulevard and Martin Avenue, Saratoga Avenue and Los Padres Boulevard, and certain portions of Stevens Creek Boulevard.

For encampments, there are concentrations on Saratoga Creek from Forbes Avenue, north along the creek to El Camino Real. Several segments of El Camino Real include unhoused residents camping near vacant buildings. On the north side of the City, the Guadalupe River trail from Highway 237 down to Trimble Road has a concentration of homeless encampments. Lastly, Calabazas Creek from Tasman Drive to Highway 101 has historically had several encampments.

Generally, encampments are located in areas adjacent to waterways or near unoccupied/vacant buildings. Action 17 in the housing plan chapter ensures that the City adopts and implements the Homelessness Response Plan by early 2023.

Table 13.4-18 lists nine sites in the City where persons in need of emergency shelter can seek shelter and other assistance.

Table 13.4-18: Emergency Housing Providers in the City of Santa Clara

Provider	*Target Population*	*Capacity/ Housing Type*
Bill Wilson Center, Bill Wilson House	Homeless teenagers	Six-person group home
Bill Wilson Center, Homeless Teen Parent Project	Homeless teen mothers and dependent children	Six-person group home and four transitional apartments
Bill Wilson Center, Runaway Youth Shelter	Runaway, homeless and other troubled youth	Short-term transitional
Bill Wilson Center, Transitional Housing for Foster Home Teenage Girls	Teenage girls	Six-person group home
Bill Wilson Center, Transitional Housing for Homeless Teens	Homeless teenagers	Six-person group home
HomeFirst, Sobrato Family Living Center	Homeless families	33-unit transitional
HomeFirst, Sobrato Family Living Center II	Homeless families	10-unit transitional and eight-unit permanent
Charities Housing Homesafe Santa Clara	Survivors of domestic violence	24-unit transitional
Silicon Valley Independence Living Center	Persons with disabilities	Four-bedroom transitional

Emergency Shelters are currently a permitted use in the ML Light Industrial district, allowed without discretionary review, provided that the existing number of shelter beds is less than required in the most recent annual count of homeless persons residing within the city. If there are more beds that required by the most recent annual count of homeless persons, then Emergency Shelters are a conditional use.

The total acreage in the ML – Light Industrial district is 1,413 acres, with parcel sizes averaging 2.24 acres in size. Vacancy rates for R&D buildings in Santa Clara currently stand at 10%, and a number of industrial buildings are available for re-use as emergency shelters.

Frequent transportation options (15 minute headways) within the industrial areas of Santa Clara include the Route 57 bus that runs up Bowers Avenue, which connects to the goods and services of El Camino Real, and the VTA light rail, with connections to amenities and services in North Sunnyvale, downtown Mountain View and downtown San Jose.

Portions of the area zoned ML Light Industrial are located within the Airport Influence Area of the San Jose International Airport and are subject to noise from aircraft overflights.

Existing constraints to the permitting of emergency shelters are proposed to be removed as part of the Zoning Ordinance update with emergency shelters permitted by-right subject to the following objective development standards:

1. A minimum distance of three hundred (300) feet shall be maintained from any other emergency shelter.
2. The maximum stay at the facility shall not exceed one hundred eighty (180) total days in a three hundred sixty-five (365)-day period.
3. On-site client waiting and intake areas shall be located inside the building and shall be screened from public and private property where feasible. If not feasible, an exterior waiting area shall be provided which:

   (A) Contains a minimum of ten square feet per bed provided at the facility; and

   (B) Shall be in a location not adjacent to the public right-of-way; and

   (C) Shall be visibly separated from public view by a minimum six-foot tall visual screening.

4. Hours of intake shall be between the hours of 5:00 P.M. to 9:00 P.M. Overnight occupants shall not be permitted to leave the facility on foot before 7:00 A.M. the following morning.

6. A minimum of one employee per fifteen (15) beds, in addition to security personnel, shall be on duty and remain on site during operational hours whenever occupants are on the site.

7. Security personnel shall be provided during operational hours whenever clients are on the site or when people are waiting outside the facility.

8. Exterior lighting shall be provided for the entire outdoor area of the site. Exterior lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and be of an intensity compatible with the neighborhood.

9. Off-street parking shall be provided at the rate of one parking space per emergency shelter employee or as set forth in Chapter 18.74 SCCC, whichever is least restrictive.

10. The shelter may provide the following services and facilities to occupants in a designated area separate from the sleeping areas:

    (A) A recreation area either inside or outside the shelter. If located outside, the area shall be screened from public view.

(B) A counseling center for job placement, educational, health care, legal, or mental health services.

(C) Laundry facilities to serve the number of occupants at the shelter.

(D) One or more kitchens for the preparation of meals.

(E) Dining hall.

(F) Client storage areas (i.e., for the overnight storage of bicycles and personal items).

(G) Similar services supporting the needs of homeless occupants.

11. The operator of the facility shall provide, at the City's request, an annual report of the use of the facility that demonstrates that the facility is in compliance with the requirements of this chapter and the development standards for the use.
12. Deliveries of goods to the shelter shall only be made within hours that are allowed by this Code.
13. The facility shall not generate lighting at levels adversely affecting surrounding properties.
14. Professional and on-site management, with experience managing emergency shelters, shall be provided at all times.
15. The facility shall develop and implement an emergency preparedness plan, including a shelter-in-place plan.

These objective standards are consistent with the allowable objective development standards as indicated in HCDs Zoning for a Variety of Housing Types guidance document.

The key constraint is the current permitting process, which limits the number of beds that can be permitted by right in the City of Santa Clara based on the prior year's count of people experiencing homelessness. That constraint is proposed to be removed as a part of the Zoning Ordinance Update, and the availability of potential locations for emergency shelters will be expanded with Emergency Shelters allowed by right. ~~in the~~ As a part of the Zoning Code Update (Action 9), the City is proposing to allow Emergency Shelters by right in the R-3 and R-4 Residential districts, the C-C and C-R Commercial districts, and the MU-VHD Mixed Use district. This would expand the total acreage available for emergency shelters to 1,599 acres and would potentially allow emergency shelters along commercial corridors such as Stevens Creek Boulevard~~, proximate to amenities and transit~~. R-3 and R-4 Residential districts, C-C and C-R Commercial districts, and the MU-VHD Mixed Use district are generally located along arterials that are well served by transportation and are proximate to a variety of services. Average parcel sizes in the R3 and R4 districts are 0.25 acres. Approximately 59% (2,436 out of 4,133) of the

structures build in the R3 and R4 districts are 40 years old or older, indicating that new uses such as emergency shelters are potentially viable. A total of 76% of the structures built within the R3 and R4 districts are within ½-mile of transit with 15-minute headways, and 98% of R3 and R4 parcels are within ½-mile of mixed-use or commercial parcels.

Additionally, Emergency Shelters would be allowed in the LI – Light Industrial and PQP – Public/Quasi-Public districts, subject to the approval of a Minor Use Permit heard by the Director of Community Development.

In addition to the various local resources for people experiencing homelessness and on the verge of experiencing homelessness there is a County wide Emergency Assistance Network available to anyone living in Santa Clara County. Organizations through this network offer one-time rent and mortgage payment assistance, -move -in costs for rental deposits, -information and referrals, food distributions, case management, job training, employment assistance, low-income utility programs, after school care, Veterans assistance, temporary shelter, and housing search assistance.

Table 13.4-19: Emergency Assistance Network

Organization	Location
Community Services Agency of Mountain View & Los Altos	204 Sterlin Rd. Mountain View, CA 94043
LifeMoves Georgia Travis House	260 Commercial Street San Jose, CA 95112
LifeMoves Opportunity Center	33 Encina Avenue Palo Alto, CA 94301
Sunnyvale Community Services	725 Kifer Rd. Sunnyvale, CA 94086
Sacred Heart Community Service	1381 S. First St. San Jose, CA 95110
Salvation Army	359 North 4th Street San Jose, CA 95109
Salvation Army	3090 Homestead Road Santa Clara, CA 95051
St. Joseph's Family Center	7950 Church St., Suite A Gilroy, CA 95020
West Valley Community Services	10104 Vista Drive Cupertino, CA 95014
Source: City of Santa Clara	

Energy Conservation Opportunities

The Housing Element should analyze opportunities for energy conservation in residential development. Energy-related housing costs can directly impact the affordability of housing. While State building code standards contain mandatory energy efficiency requirements for new development, the City and utility providers are also important resources to encourage and facilitate energy conservation and to help residents minimize energy-related expenses. Policies addressing climate change and energy conservation are integrated into the Santa Clara General Plan.

Santa Clara has two solar systems at City facilities, which have capacity to produce up to 500 kilowatts (kW) of energy combined. Pursuant to the City's Climate Action Plan (CAP), five more solar photovoltaic (PV) projects will be installed with a total capacity of three to five megawatts (MW). To encourage residential PV units, Silicon Valley Power (SVP) offers a Neighborhood Solar Program which matches resident and business contributions to the fund for nonprofit solar facilities in the City. SVP also provides rebates for local businesses and residents for solar electric system installation and expedited solar system permitting. SVP offers free home energy audits to residents to help identify energy efficiency improvements, and rebates, including energy efficient appliances, insulation, lighting, cooling, and process changes. The City is also working with the regional energy supplier PG&E to encourage residents and businesses to retrofit their natural gas systems.

At-Risk Housing Analyses

State housing law requires an inventory and analysis of government-assisted dwelling units eligible for conversion from lower income housing to market rate housing during the next 10 years. Reasons for this conversion may include expiration of subsidies, mortgage pre-payments or pay-offs, and concurrent expiration of affordability restrictions. Currently, four affordable housing properties in Santa Clara are at risk of converting to market rate housing in the next 10 years as shown in table 15 below.

Table 13.4-20: At-Risk Housing

Project Name	*Address*	*Total Units*	*Affordable Units*	*Funding Source*	*Date of Affordability End*
Benton House*	1885 Benton St	5	5	HCD	06/03/28
Clara Vista House*	723 Clara Vista St	6	6	HCD	06/03/28
Sobrato Family Living Center I**	1509 Agnew Rd	33	32	Local	05/21/29
Casa Del Maestro Apts (Phase I) 2001	3445 Lochinvar Ave	40	2	Local	10/02/31
Total		**84**	**45**		

Source(s): At Risk-Housing Report for City of Santa Clara, CHPC 2022
** zoned as single family residences*
***Currently being refinanced with a possible extension of the affordability period*

Transferring ownership of the affordable units to a nonprofit housing organization is a viable way to preserve affordable housing for the long term and increase the number of government resources available to the project. The City will seek to establish deeper relationships with non-profit affordable housing developers and supportive services providers (qualified entities) to identify and preserve at risk properties for preservation. Several qualified entities, including the Sobrato Family Foundation, BRIDGE Housing, and MidPen Housing have shared their interest with the City in acquisition and/or preservation of properties for affordable housing.

In Santa Clara, the estimated market value for the affordable units in the two multi-family at-risk projects is evaluated in Table 13.4-21 below. The current total market value for the 34 at-risk units in Casa del Maestro Apartments (2) and Sobrato Family Living Center (32) is estimated to be $11,313,922. The estimated replacement cost for the same units is approximately $13,005,000, with additional rent subsidies of $147,242 per year of deed restricted affordability, or $8,098,306 for the typical 55-year affordability requirement.

In order to assess the level of risk of a project converting to market rate, the expiration date of affordability covenants and the ownership structure of the project is considered. Nonprofit ownership generally indicates a lower likelihood of conversion than for-profit ownership.

Because Casa del Maestro Apartments and Sobrato Family Living Center are both owned/operated by nonprofit organizations and the expiration date of affordability covenants for both projects are at or toward the end of the 6th Housing Element Cycle, they are considered to be at low risk for conversion to market rate.

The two at-risk units at Casa del Maestro are part of a larger development that includes 20 other affordable units that will remain restricted until June 25, 2057.

The risk of the Sobrato Family Living Center's 32 affordable units converting to market rate is further reduced because there are provisions in their affordability agreement that would continue

to require income limitations and rent restrictions beyond the end of their current 30-year affordability term unless the owner was able to demonstrate that the project was no longer economically feasible (revenue equal to or exceeds operating expenses) or if they provided an equal number of equivalent units off-site without public financial assistance. In addition to receiving local funding (HomeFirst), this project has received federal funding that also requires the project to remain affordable.

Additionally, Sobrato Family Living Center is currently seeking to rehabilitate its units. Any local contribution to their proposed rehabilitation work would include a requirement for modification of their agreement to extend the affordability period of their project. Other properties with affordable units seeking similar assistance would be required to do the same. HCD administers programs to finance the acquisition of at-risk projects, and there are low-income housing tax credits, and bond financing. Locally, there are HUD CDBG rehabilitation funds.

Two small at-risk properties owned by Momentum for Mental Health are operated as supportive housing for people dealing with mental health concerns, and as a smaller operation valuation comparable would be similar to a single-family residence, and the replacement cost would mirror the cost of single-family construction. However, the replacement strategy for the smaller projects would most likely be a purchase and rehabilitation project. For a five to six room unit the costs would be approximately $1,200,000 to $1,700,000 for purchase and rehabilitation or construction. Momentum for Mental Health is a non-profit organization and will likely not be selling the properties in the coming years and will seek to refinance and rehabilitate the projects and seek subsidies to extend the affordability of the projects.

Table 13.4-21: Market Value of At-Risk Projects

Size of Unit	*Total Units*
1-Bedroom	8
2-Bedroom	18
3-Bedroom	8
Total	34
Gross Annual Income	$1,194,971
Operating Costs	$252,144
Net Annual Income	$942,827
Market Value	$11,313,922

Source(s): zumper.com, compiled by MIG
1. Median Rent: 1-bed = $2,402, 2-bed = $2,995, 3-bed = $3,962
2. Average Unit Size: 1-bed = 700 sq.ft., 2-bed = 900 sq.ft., 3-bed = 1,100 sq.ft.
3. Annual operating costs assume 5% vacancy rate and cost per square foot is 20% based on age of the building yielding expenses per square foot = $8.24
*4. Market value = Annual net project income*multiplication factor*
5. Multiplication factor based on building age and rent tier = 12

Table 13.4-22: Replacement Costs of At-Risk Projects

Size of Unit	*Total Units*	*Total Cost ($425 per sq.ft)*
1-Bedroom (700 sq. ft.)	8	$2,380,000
2-Bedroom (900 sq. ft.)	18	$6,885,000
3-Bedroom (1,100 sq. ft.)	8	$3,740,000
Total	**34**	**$13,500,000**

Source(s): RSMeans Data, 2022, 3-Story, Stick and Stucco; regional adjustment

1. Per unit cost: 1-BR, $340,000; 2-BR, $510,000; 3-BR, $595,000

2. Additional subsidies would be required of approximately $200 per bedroom (2020 Income Limits – Fair Market Rent)

Coastal Zone

The City of Santa Clara is not in a coastal zone and therefore is not subject to the requirements of Government Code 65588 (c) and (d).

Projected Housing Need (RHNA)

Housing Element law requires a quantification of each jurisdiction's share of the regional housing need as established in the RHNA-Plan prepared by the jurisdiction's council of governments. The California Department of Housing and Community Development (HCD), in conjunction with the ABAG, determine a projected housing need for the region covered by ABAG. This share, known as the Regional Housing Needs Allocation (RHNA), is 441,176 new housing units for the 2023-2031 planning period throughout the ABAG region. ABAG has, in turn, allocated this share among its constituent jurisdictions, distributing to each its own RHNA divided along income levels. The City of Santa Clara has a RHNA of 11,632 housing units to accommodate in the housing element period. The income distribution is as shown in Table 13.4-18.

Table 13.4-23: Regional Housing Needs Allocation 2023-2031

Income Group	*% of County AMI*	*Number of Units Allocated*	*Percent of Total Allocation*
Very Low[1]	<50%	2,872	25%
Low	50-80%	1,653	14%
Moderate	80-120%	1,981	17%
Above Moderate	>120%	5,126	44%
Total	---	11,632	100%

Note: Pursuant to AB 2634, local jurisdictions are also required to project the housing needs of extremely low-income households (0-30% AMI). In estimating the number of extremely low-income households, a jurisdiction can use 50% of the very low-income allocation or apportion the very low-income figure based on Census data. There are 5,462 extremely low- and 5,018 very low-income households. Therefore, the City's very low-income RHNA of 2,872 units can be split into 1,436 extremely low-income and 1,436 very low-income units.

Source(s): Association of Bay Area Governments

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Chapter 13.5
Constraints Analysis

Many factors can encourage or constrain the development, maintenance, and improvement of housing stock. These factors fall into two categories — governmental and non-governmental constraints — and include physical constraints, land availability, development economics, and governmental regulations, all of which impact the cost and amount of housing produced. These constraints may result in housing that is not affordable to low- and moderate-income households or may render residential construction economically infeasible for developers. Constraints to housing production significantly impact households with lower incomes and special needs.

This chapter addresses both the governmental and non-governmental constraints that impact the City of Santa Clara's housing market and production. State law requires that Housing Elements analyze potential and actual governmental and non-governmental constraints to the production, maintenance, and improvement of housing for persons of all income levels and disabilities. The constraints analysis must also demonstrate local efforts to remove or mitigate barriers to housing production and housing for persons with disabilities. Where constraints to housing production related to the City's regulations or land use controls are identified, appropriate programs to remove or mitigate these constraints are included in the Housing Plan.

Government Constraints

Governmental constraints for affordable housing development are defined as policies, standards, requirements, or actions imposed by the various levels of government upon land and housing development. Although State and federal agencies play a role in the imposition of governmental constraints, local government's ability to influence these agencies is generally limited. Housing constraints associated with these State and federal governmental constraints are, therefore, not significantly addressed in this document.

Municipal Boundaries

The City of Santa Clara is completely surrounded by the boundaries of other cities: San José to the north, east and south; and Cupertino and Sunnyvale to the west. Other than a small parcel on Homestead Road, there are no other developable lands potentially annexable to the City. The City's new housing opportunities, therefore, must come from within the existing City limits, and primarily through redevelopment of existing parcels.

Land Use Controls and Development Standards

Land use controls have helped maintain the quality of the City's residential neighborhoods, consistent with community established goals. These land use controls, however, can be viewed as constraints in that they determine the amount of land to be developed for housing and establish a limit on the number of units that can be built on a site. These standards have not been changed substantially since 1969.

General Plan

On November 16, 2010, the Santa Clara City Council adopted the 2010-2035 General Plan. The 2010-2035 General Plan includes a range of residential land use designations and densities, from Very Low Density Residential with a maximum density of 10 dwelling units per acre, to High Density Residential with a maximum density of 50 units per acre. The new General Plan has also established three mixed use designations: Neighborhood Mixed Use, which allows residential densities up to 36 dwelling units per acre; Community Mixed Use, which allows residential densities up to 36 dwelling units per acre; and Regional Mixed Use, which allows residential densities up to 50 dwelling units per acre. The Related Santa Clara Project, Lawrence Station Area Plan, the Tasman East Specific Plan, the Patrick Henry Drive Specific Plan, and the Gateway Crossings project added higher-density General Plan designations for a total of fifteen land use designations that allow for residential development, as shown in Table 13.5-1.

Because of high land costs in the City, sites that are zoned for high-density housing are typically occupied by multi-family housing developments. The City has few instances where single-family homes occupy sites that are zoned for higher density housing.

Table 13.5-1: 2010-2035 General Plan Land Use Designations (Residential)

Land Use Designation	*Density/ FAR*
Very Low Density Residential	0 to 10 du/acre
Low Density Residential	8 to 19 du/acre
Medium Density Residential	20 to 36 du/acre
High Density Residential	37 to 50 du/acre
Very High Density Residential	51 to 100 du/acre
High Density Flex	60 to 149 du/acre
Urban Village	100 to 149 du/acre
Village Residential	60 to 149 du/acre
Urban Center	120 to 250 du/acre
Urban Center/ Entertainment District	37 to 90 du/acre
Transit Neighborhood	Up to 350 du/acre Less than 1 acre, minimum 60 du/acre Greater or equal to 1 acre, minimum 100 du/ac
Very High Density Mixed Use	50 to 120 du/acre

Table 13.5-1: 2010-2035 General Plan Land Use Designations (Residential)

Land Use Designation	*Density/ FAR*
Neighborhood Mixed Use	Minimum 10 du/acre for sites < 1 acre Minimum 20 du/acre for sites >= 1 acre Maximum 36 du/ ac Minimum Commercial FAR of 0.10
Community Mixed Use	Residential 20 to 36 du/acre Minimum Commercial FAR of 0.10
Regional Mixed Use	Residential 37 to 50 du/acre Minimum Commercial FAR of 0.15

Source(s): Santa Clara General Plan, Lawrence Station Area Plan (LSAP), Patrick Henry Drive Specific Plan (PHD), Tasman East Specific Plan, Related Santa Clara Project, Gateway Crossings Project, City of Santa Clara June 2022

Zoning Ordinance

The type, location and density of residential development are primarily regulated through the zoning ordinance. Zoning regulations serve to protect and promote the health, safety, and general welfare of the residents of a community while also serving to implement the goals and policies of the General Plan. The City began a comprehensive update to their Zoning Ordinance to reflect the goals and policies of the City's 2010-2035 General Plan in early 2014. The City is in the process of completing an update to the Zoning Ordinance that will be implemented in early 2023, addressing California statutory requirements with regard to a variety of issues, including solar energy systems, family day care homes, affordable housing, group homes, alterations to legal non-conforming buildings, and historic resources.

Currently, residential uses are permitted in ten zoning districts and in the City's mixed use overlay and combining districts, allowing flexibility for mixing land uses and supporting large-scale and master-planned development projects.

Density Bonus

The City's Density Bonus Ordinance was updated in 2015. The City currently provides density bonuses or equivalent financial incentives for housing projects which include affordable and/or senior housing units, consistent with State law. Modifications to the City's Density Bonus Ordinance, in order to meet the requirements of Government Code Section 65915, were made in conjunction with the adoption of the 2015-2023 Housing Element.

The City's Zoning Ordinance update, which will be implemented in early 2023, will bring the City into compliance with State Density Bonus Law, including recently adopted legislation that goes into effect in 2023.

Currently, requests for density bonuses and other concessions or incentives are generally processed concurrently with an application for a Planned Development rezoning. With the Zoning Ordinance update, most properties could develop under a conventional zoning district,

including properties that will be rezoned to one of the new high density residential or mixed use zoning districts. Under the updated Zoning Ordinance, requests for density bonuses and other concessions or incentives will generally be evaluated through the Planning permit process required for the project. Residential developments would be subject to by right approval by the Director of Community Development, including provisions for additional units allowed via density bonuses. Density bonus agreements would ultimately be approved by the City Council.

Inclusionary Housing

The City has had an "inclusionary" housing policy in place since 1992. The Affordable Housing Ordinance of 2018 requires private development projects with more than 10 units to include at least 15 percent of new housing units as affordable. For residential ownership projects with fewer than 10 units, either one dwelling at an affordable housing cost for a household earning up to 100 percent of AMI may be provided, or an in-lieu fee identified for residential ownership projects in the Affordable Housing Master Fee Schedule may be paid. Residential rental projects of 10 or more units must also provide at least 15 percent of the units at a maximum average of 100 percent AMI. Residential rental projects with fewer than 10 units may either provide an affordable unit or pay an in-lieu fee identified for residential rental projects in the Affordable Housing Master Fee Schedule. The City Council can also authorize a developer to utilize an alternate means of compliance such as a dedication of land for affordable housing, the development of affordable units at an off-site location, or some combination thereof.

The City's Residential Density Bonus Standards make it clear that the provision of affordable units through the City's inclusionary housing ordinance count toward units provided for the purpose of receiving benefits under the state's density bonus law. As a part of the Action 2, Affordable Housing Ordinance, City staff will bring forward a revised affordable housing ordinance that includes deeper levels of affordability (5% at 50% AMI, 5% at 80% AMI and 5% at 120% AMI), which will make all development projects eligible for a density bonus. For non-residential projects, affordable housing requirements may be met through the payment of impact fees identified in the Affordable Housing Master Fee Schedule, calculated on a per square foot basis for net new gross floor area. This impact fee can be mitigated through the construction of affordable residential units on an appropriate housing site. For all new construction of mixed use projects that exceed 20,000 square feet, affordable housing requirements on the residential gross floor area portion of the mixed use project shall be met in line with the provisions of SCCC 17.40.080 or SCCC 17.40.090. Affordable housing requirements applicable on the non-residential gross floor area portion of the mixed use project shall be met in line with the provision of SCCC 17.40.100. As an alternative to the payment of an impact fee, a developer or owner may construct affordable residential units on an appropriate housing site.

As of 2021, the City has exceeded its fifth cycle RHNA goals by 3,013 units and has attained 289.1% of that goal without counting units permitted in 2022. This suggests that the City's

inclusionary housing ordinance is not impacting feasibility to the point that market rate development is not occurring to meet housing needs. In fact, staff received input during Housing Element outreach asking that the affordable housing ordinance require deeper levels of affordability because 100%AMI is no longer affordable for many households in Santa Clara. If the City does amend its required affordability, it would need to consult with market rate and affordable housing developers to balance concerns about the depth of affordability and project feasibility.

On May 5, 2022, City staff participated in a countywide listening session with market rate and affordable housing developers. Regarding inclusionary policies, developers suggested that allowing flexibility in the options available (i.e. land dedication) to market rate developers was very important and opened up possibilities to partner with affordable developers. The City's inclusionary ordinance does offer flexibility in meeting its obligations.

Residential Development Standards

The City's Zoning Ordinance contains development standards for each zoning district. Table 13.5-2 outlines the residential standards under each zoning classification and specific area plans, including minimum lot sizes, setbacks, widths, and densities, as well as restrictions on building and landscape coverage.

Table 13.5-2: Residential Development Standards

Residential Use Type	*R1-8L*	*R1-6L*	*R2-7L*	*R3-18D*	*R3-25D*	*R3-36D*	*R3-M*	*R3-RV*	*MU*	*TMU*	*LSAP*	*TN*	*PHD*
Minimum Lot Size (sq. ft.)	8,000	6,000	7,000	8,500	8,500	8,500	1,500	1,200	20,000	20,000	n/a	n/a	8,500 – 10,000
Maximum Density (du/ac)	5	7	12	18	25	36	10	n/a	25	45	100	350	250
Minimum Lot Width (ft.)	70	60	65	70	70	70	n/a	100	100	100	n/a	n/a	n/a
Maximum Height (ft.)	25	25	25	20	25	45	n/a	n/a	45	50	n/a	220	~~32~~135 - FAA[2]
Minimum Front Yard (ft.)	20	20	20	20	20	20	25	15	10	10	n/a	n/a	n/a
Minimum Side Yard (ft.)	6 & 9	5	5	10	10	10	15 & 25	5 & 15	10	10	n/a	n/a	n/a

Table 13.5-2: Residential Development Standards

Residential Use Type	*R1-8L*	*R1-6L*	*R2-7L*	*R3-18D*	*R3-25D*	*R3-36D*	*R3-M*	*R3-RV*	*MU*	*TMU*	*LSAP*	*TN*	*PHD*
Minimum Rear Yard (ft.)	20	20	15	15	15	20	15	n/a	20	20	n/a	n/a	n/a
Max. Building Coverage	40%	40%	45%	35%	35%	45%	n/a	n/a	30%	30%	n/a	n/a	n/a
Min. Landscape Coverage	n/a	n/a	40%	40%[1]	40%[1]	40%[1]	n/a	n/a	30%	30%	n/a	n/a	n/a

Source(s): Santa Clara Zoning Ordinance, (2014), Tasman East Focus Area Plan, Lawrence Station Area Plan (LSAP), Patrick Henry Drive Specific Plan (PHD)
Notes:
1 Each lot greater than 22,000 square feet in size shall have not less than forty-five percent (45%) of the lot area developed into permanently maintained open space.
2 In PHD, maximum heights range from 135-feet to the maximum allowed by the FAA.

The existing and proposed development standards do not act as a constraint on development. As an example, in the case of the R3-18D and R3-36D zoning districts, the proposed height limits and setbacks do not unnecessarily constrain development in those zoning districts (assuming 1,500 square foot units with garage parking). However, when considered cumulatively in combination with required coverage maximums, unit sizes need to be reduced to 1,000 square feet to meet maximum densities. In recognition of this analysis, the City is removing coverage maximums from the R3 and R4 districts, and increasing the allowed coverage from 45% to 60% in the R2 district. ~~the proposed height and coverage limits in those districts do not unnecessarily constrain development since sites that meet the minimum lot size requirement can develop the maximum number of units (assuming 1,00 square foot units with garage parking) allowed by the districts' respective densities.~~

In addition to the residential categories identified below, the Planned Development zoning district also permits residential development. It allows flexibility in both development standards and land use mix not permitted in other zones in order to adapt to specific site constraints without reducing housing density or adding costs to affordable housing units. An analysis of Santa Clara's development regulations compared with those of Mountain View, Sunnyvale, and San José, showed that these cities have fairly similar standards. Additionally, in 2014 the City initiated an update to its Zoning Ordinance. As part of that update, the City will establish appropriate minimum and maximum densities in residential and mixed use districts consistent with the 2010-2035 General Plan. In sum, the City's development standards do not substantially restrict the cost and supply of housing overall, or in particular, lower income housing

Parking Standards

Parking can substantially add to the cost of housing. The City's Zoning Ordinance currently requires two spaces per unit in both single-family and multi-family districts. However, the City has reduced parking requirements for a number of recent multi-family residential projects, including the Camino Del Rey Senior Apartments. The City's current parking standards are summarized in Table 13.5-3 below. Over the three most recently adopted Specific Plans (in order of adoption: Lawrence Station, Tasman East (Transit Neighborhood) and Patrick Henry Drive (PHD), residential parking requirements have been progressively reduced and now stand at one parking space per unit (or less) in both Tasman East and PHD. As part of the comprehensive Zoning Ordinance update, the City will review its citywide parking standards and will reduce residential parking requirements for multi-family uses, including unbundling and additional reductions according to housing type (e.g., housing for people with developmental and other disabilities) and according to proximity to transit. In addition, see Action 3: Affordable Housing Incentives and Facilitation, which includes an objective to apply those parking reforms to parcels within the El Camino Real Specific Plan and the Santa Clara Station Area Plan areas.

Table 13.5-3: Parking Standards

Housing Type/ Zoning District	*Requirements*
Single-Family Dwellings (R1-8L, R1-6L, and R2-7L zones)	Two garage or carport parking spaces
Dwellings (R3-18D, R3-25D, and R3-36D zones)	One garage or carport shall be provided for each dwelling unit, plus one parking space for each dwelling unit
Multi-Family Dwellings (MU and TMU zones)[1]	At least one garage or carport shall be provided for each dwelling unit, plus one parking space for each dwelling unit
Mobile Home Park[2]	One individually accessible and one tandem parking space per mobile home site
Recreational Vehicle Park	One visitor parking space shall be provided for every fifteen (15) recreational vehicle sites or fraction thereof
Emergency Shelters	One space per shelter employee
Accessory Dwelling Unit	No parking required
LSAP Studio and One Bedroom Residential Unit	One parking space per unit
LSAP Two or more bedroom Residential Unit	Two parking spaces per unit
Transit Neighborhood	One parking space per unit
PHD	One parking space per unit greater than 550 square feet and 0.5 spaces per unit less than 550 square feet

Source(s): Santa Clara Zoning Ordinance, 2022, Lawrence Station Area Plan (LSAP), Patrick Henry Drive Specific Plan (PHD)

2. R3-M zones exist in current zoning code but are not applied anywhere in the City and won't be used in the future.

3. R3-RV zones exist in current zoning code but are not applied anywhere in the City and won't be used in the future.

In the City's multi-family districts, the City is proposing to reduce the required parking from two spaces per unit to ~~1½~~one space~~s~~ per unit for studio and one-bedroom units and 1½ spaces per unit for larger units and to allow for unbundled parking for any additional spaces after the first parking space for each unit. Reduced parking rates of one space per unit for studio and one-bedroom units are already adopted for the LSAP zoning district. For the Tasman East and Patrick Henry Drive areas, a maximum of one parking space per unit is required, with units less than 550 square feet in area required to provide 0.5 spaces per unit.

The parking standards for the MU – Mixed Use and TMU – Transit-oriented Mixed Use districts deserve a special mention here. Those zoning districts have not been used to zone any parcels within the City of Santa Clara and have not been included in the City's Zoning Ordinance Update because there are no parcels with a corresponding General Plan Land Use designation. The impact of those parking standards on the provision of housing is therefore moot.

Provision for a Variety of Housing Types

State Housing Element law specifies that jurisdictions identify adequate sites to be made available through appropriate zoning and development standards to encourage the development of various types of housing for all economic segments of the population. This includes single-family housing, multi-family housing, factory-built or manufactured housing, emergency shelters, and transitional housing among others. Permitted housing types are described in Table 13.5-4. Although single-family uses are permitted in multi-family zones, this rarely occurs in the City on sites large enough for multi-family housing due to the high costs of housing and limited availability of vacant land.

Table 13.5-4: Permitted Housing Types Within Residential Zoning Classifications

	R1-8L	*R1-6L*	*R2-7L*	*R3-18D*	*R3-25D*	*R3-36D*	*R3-M*	*R3-RV*	*MU*	*TMU*	*ML*	*LSAP*	*TN*	*PHD*
Single-Family Dwellings	P	P	P	P	P	P						P		
Two-Family Dwellings			P	P	P	P						P		
Multi-Family Housing				P	P	P			P	P		P	P	P
Accessory Unit	P	P	P	P	P	P			P	P				P
Manufactured Housing	P	P												
Mobile Home Park							P							
Recreational Vehicle Park								P						

Table 13.5-4: Permitted Housing Types Within Residential Zoning Classifications

	R1-8L	*R1-6L*	*R2-7L*	*R3-18D*	*R3-25D*	*R3-36D*	*R3-M*	*R3-RV*	*MU*	*TMU*	*ML*	*LSAP*	*TN*	*PHD*
Residential Care Facilities (<6 persons)	P	P	P	P	P	P	P	P	P	P				P
Emergency Shelter											P			
Transitional Housing	P	P	P	P	P	P	P	P	P	P		P	P	P
Supportive Housing	P	P	P	P	P	P	P	P	P	P		P	P	P

Source(s): Santa Clara Zoning Ordinance, 2014, Lawrence Station Area Plan (LSAP), Patrick Henry Drive Specific Plan (PHD), Tasman East Focus Area Plan

Single-Family Dwellings

The majority of the residential areas in the City are composed of single-family districts. Single-family dwellings are permitted in all of the City's residential districts, with the exception of the mixed use and mobile home park zones. However, there are few instances where multi-family properties are developed with single-family homes.

Multi-Family Dwellings

Most residential construction in recent years has been for multi-family units. Multi-family dwellings are permitted in the R3-18D, R3-25D, and R3-36D districts, as well as in the City's mixed use zones. Existing development standards have not constrained multi-family development, which typically provide a good opportunity for affordable housing in the City.

Accessory Units

The 2021 update to the city's Accessory Unit Zoning Ordinance includes regulations which allow for both Accessory Dwelling Units (ADUs) and Junior ADUs (JADUs) on a property, allowance of ADUs in multi-family zoning districts, and reduction of the required setbacks. The Zoning Ordinance defines an accessory unit as "one additional dwelling unit that includes a single kitchen, sleeping quarters, not more than one bathroom, and not more than two bedrooms. The accessory unit may be attached to or part of the existing single-family unit or may be a detached structure and shall meet all other requirements of the Zoning Ordinance." From 2018 through 2022, 246 accessory units have been permitted in the City for an average of 49.2 units per year.

Manufactured Housing

Factory-built, modular homes constructed in compliance with the California Building Code (CBC), and mobile homes/manufactured housing units that comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, placed on permanent

foundations, are considered single-family dwellings and are generally treated as such. Currently, the City permits manufactured housing in all R-1, R-2, and R-3 zones. The City also permits mobile home parks and recreational vehicle parks in the R3-M and R3-RV zones, respectively.

Residential Care Facilities

Residential care facilities can be described as any family home, group care facility or similar facility, including some transitional housing facilities, for 24-hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living. In accordance with State law (Lanterman Developmental Disability Services Act, AB 846 (1977), composed of divisions 4.1, 4.5 and 4.7 of the Welfare and Institutions Code and Title 14 of the Government Code), the City permits residential care facilities serving six or fewer persons in all residential zones. The Zoning Ordinance does not explicitly address residential care facilities for more than six persons. As part of the comprehensive Zoning Code update to be completed in early 2023, the City will include the by-right approval of residential care facilities serving seven or more residents, subject to objective standards.

Emergency Shelters

An emergency shelter is defined as "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or households may be denied emergency shelter because of an inability to pay."

Emergency shelters are currently a permitted use in the ML (Light Industrial) zone, provided they meet the minimum property development standards in which they are located when, on the date that a complete shelter management plan is submitted to the City, the number of existing shelter beds within the City is fewer than the City's most recent annual count of homeless persons residing within the City.

If the demonstrated need has already been met, additional emergency shelters may be conditionally permitted in the ML (Light Industrial) zone, subject to conditions with the issuance of a use permit pursuant to Chapter 18.110 SCCC. The determination required by this subsection shall occur on the date the operator submits the materials.

The shelter bed maximum is the key constraint in the current permitting process for emergency shelters and limits the number of beds that can be permitted by right in the City of Santa Clara based on the prior year's count of people experiencing homelessness. That constraint is proposed to be removed as a part of the Zoning Ordinance Update, and the availability of potential locations for emergency shelters will be expanded. As a part of the Zoning Ordinance Update (Action 9), the City is proposing to allow emergency shelters by right in the R-3, ~~and~~ R-~~4~~, and R-5 Residential districts, the C-C and C-R Commercial districts, and the MU-VHD Mixed Use district. This would expand the total area available for emergency shelters to 1,573 acres and

would potentially allow emergency shelters along commercial corridors such as Stevens Creek Boulevard, proximate to amenities and transit.

The Zoning Ordinance update would also allow emergency shelters in the LI Light Industrial and PQP Public/Quasi-Public districts with the issuance of a Minor Use Permit.

Low Barrier Navigation Centers

A Low Barrier Navigation Center is defined as "a housing first, low-barrier, service-enriched shelter 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."

State law requires low barrier navigation centers be a use permitted by right in mixed-use zones and non-residential zones permitting multi-unit uses, if specified requirements are met.

In the City's comprehensive Zoning Ordinance update to be completed in early 2023, Low Barrier Navigation Centers will be listed as a by-right use in the R3, R4 and R5 multi-family residential districts, the MU-NC, MU-CC, MU-RC, MU-MD, and MU-VHD mixed use districts, the C-C, C-R, and C-D commercial districts. Like emergency shelters, Low Barrier Navigation centers would also be allowed in the LI Light Industrial and PQP Public/Quasi-Public districts subject to a Minor Use Permit.

Transitional Housing

Transitional housing is a type of housing used to facilitate the movement of homeless individuals and families to permanent housing. Transitional housing can take several forms, including group quarters with beds, single-family homes, and multi-family apartments, and typically offers case management and support services to return people to independent living (usually between six and 24 months).

California Government Code Section 65582 (h) defines "transitional housing" and "transitional housing development" as buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculation 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. Pursuant to SB 2 (2007), which amended Sections 65582, 65583 and 65589.5 of the Government Code, transitional housing that is a residential use should be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

Historically, the City has shown an ability to provide transitional housing through group homes and small apartment complexes. The Zoning Ordinance was amended, in conjunction with the adoption of the 2015-2023 Housing Element, to permit transitional housing in the same manner

as other residential dwellings of the same type in the same zone, per applicable State law. The Ordinance amendment was approved by the City Council on December 9, 2014.

Supportive Housing

State law requires local jurisdictions to address the provisions for supportive housing. California Government Code Sections 65582 (f)(g) defines "supportive housing" as housing with no limit on length of stay, that is occupied by the target population, and that is linked to an on-site or off-site 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.

As with emergency shelters and transitional housing, the City has previously been able to provide supportive housing through group homes and small apartment complexes. The Zoning Ordinance was amended, in conjunction with the adoption of the 2015-2023 Housing Element, to permit supportive housing in the same manner as other residential dwellings of the same type in the same zone, per applicable State law. The Ordinance amendment was approved by the City Council on December 9, 2014.

The Zoning Ordinance update will add supportive housing as a by-right use in all multi-family and mixed-use zones.

Single-Room Occupancy (SRO) Housing

The City's proposed Zoning Ordinance will allow Single-Room Occupancy (SRO) Facilities by right in the C-C Community Commercial, C-R Regional Commercial, C-D Downtown Commercial, MU-CC Mixed Use Community Commercial, and MU-RC Mixed Use Regional Commercial districts.

Employee Housing

The City's Zoning Ordinance does not currently include provisions for employee housing. Pursuant to the Health and Safety Code, employee housing for six or fewer employees is to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. As part of the comprehensive Zoning Ordinance update to be completed in early 2023, the City will amend the Zoning Ordinance to be consistent with these State requirements for employee housing.

Zoning and Land Use

Restrictive land use policies and zoning provisions can constrain the development of housing for persons with disabilities. Under the State Lanterman Developmental Disabilities Services Act (composed of divisions 4.1, 4.5 and 4.7 of the Welfare and Institutions Code and Title 14 of the Government Code), small licensed residential care facilities for six or fewer persons must be treated as regular residential uses and permitted by right in all residential districts. The City of

Santa Clara is compliant with the Lanterman Act. Furthermore, the Zoning Ordinance is being updated concurrent with the Housing Element update to address the provision of emergency shelters, transitional housing, and supportive housing – housing types that are suitable for occupancy by persons with disabilities (see discussions on the provision of a variety of housing types earlier). Specifically, the Zoning Code Update incorporates the following provisions to be consistent with State law:

- AB 2221 (2022): Adds front setbacks to the list of development standards that cannot preclude the development of an Accessory Dwelling Unit (ADU). Added to ADUs, Section 18.60.030 of the Zoning Code Update.
- SB 897 (2022): Increases the height limit to 18 feet for detached ADUs within ½ mile of transit or on lots with multifamily dwellings, and to 25 feet or the primary dwelling height for attached ADUs. Added to ADUs, Section 18.60.030 of the Zoning Code Update.
- SB 897 (2022): Clarifies that a Junior Accessory Dwelling Unit (JADU) can be within an attached garage; if a JADU does not have a separate bathroom, it needs to have both an interior connection to the main living unit and an exterior entry; also requires owner occupancy and deed restrictions for JADUs. Added to ADUs, Section 18.60.030 of the Zoning Code Update.
- AB 682 (2022): Allows Density Bonuses to be extended to shared housing projects. Added to Density Bonuses, Chapter 18.64 of the Zoning Code Update.
- SB 290 (2021): Changes standard language regarding incentives to not include the physical environment. Added to Density Bonuses, Chapter 18.64 of the Zoning Code Update.
- Low Barrier Navigation Centers: Adds a definition, an enumerated use, and a parking standard for Low-Barrier Navigation Centers to the Zoning Code Update. Allowed by right in the same districts that emergency shelters are allowed, and in all mixed-use districts.
- AB 2339 (2022): Changes where emergency shelters need to be zoned. In the proposed code update, Emergency Shelters are proposed to be allowed by right in the R-3 and R-4 Residential districts, the C-C and C-R Commercial districts, the MU-VHD Mixed Use district, and the LI Light Industrial district.
- AB 2162 (2018): Added Supportive Housing as a by-right use in all multi-family and mixed-use zones.
- Residential Care Facilities: Separated Residential Care Facilities from Community Care Facilities, which are non-residential in nature by adding a definition for Residential Care Facilities, and an enumerated use for residential care facilities with six or fewer residents, which are allowed by right in all residential districts, and for seven or more, which are allowed with a minor use permit, approved by the Director of Planning.

Definition of Family

A community's Zoning Ordinance can potentially restrict access to housing for households failing to qualify as a "family" by the definition specified in the Zoning Ordinance. Even if the code provides a broad definition, deciding what constitutes a "family" should be avoided by jurisdictions to prevent confusion or give the impression of restrictiveness.

California court cases have ruled that a definition of "family" that: 1) limits the number of persons in a family; 2) specifies how members of the family are related (i.e., by blood, marriage or adoption, etc.), or 3) a group of not more than a certain number of unrelated persons as a single housekeeping unit, is invalid. Court rulings stated that defining a family does not serve any legitimate or useful objective or purpose recognized under the zoning and land planning powers of the jurisdiction, and therefore violates rights of privacy under the California Constitution.

The Santa Clara Zoning Ordinance defines a family as "an individual or group of persons living together as a single housekeeping unit in a dwelling unit, including State or County licensed residence programs which comply with State law. Family shall not be construed to include a fraternity, sorority, club, or other group of persons occupying a hotel, boarding house, or similar institution." This definition is not overly restrictive and does not constrain access to, or the development of housing.

Reasonable Accommodation

Both the federal Fair Housing Amendments Act (FHAA) and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. The City conducted an analysis of its Zoning Ordinance, permitting procedures, development standards, and building codes to identify potential constraints for housing for persons with disabilities. The City's policies and regulations regarding housing for persons with disabilities are described below.

A request to retrofit an existing residence with accessibility equipment (i.e., a ramp, landing, lift, etc.) is typically approved "over the counter", if the proposal does not negatively impact the neighborhood or surrounding properties. When more review is required, the request is reviewed through the City's Development Review process. However, at times it may be reasonable to accommodate requests from persons with disabilities to waive specific standards or procedures of the Zoning Ordinance to ensure that homes are accessible to persons with disabilities. In conjunction with the adoption of the 2015-2023 Housing Element, the City adopted a reasonable accommodations ordinance. The Ordinance amendment was approved by the City Council on December 9, 2014. That ordinance is codified as Chapter 18.118 of the Zoning Code.

The required Zoning Code findings for approval or denial of a reasonable accommodation request are as follows (Section 18.118.040):

(f) Findings. A written determination to approve, approve with conditions, or deny a request for reasonable accommodation shall be based on the following factors:

(1) Whether the parcel and/or housing that is the subject of the request for reasonable accommodation will be used by an individual with a disability;

(2) Whether the request for reasonable accommodation is necessary to make the specific housing available to an individual with a disability;

(3) Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the City; and

(4) Whether the requested reasonable accommodation would require a fundamental alteration of the zoning or building laws, policies, and/or other procedures of the City.

Approvals of Reasonable Accommodation requests are made at staff level, by the Zoning Administrator.

The processing fee for a Reasonable Accommodation request is $846, or the equivalent of a Minor Amendment to an Approved Project. Processing times vary from less than week for over-the-counter approvals for things like a new access ramp to 2-3 months for larger projects requiring a public hearing.

The Zoning Ordinance Update also includes a staff-level Reasonable Accommodation process, approved by the Director of Community Development. The approval findings are largely the same, but include an extra consideration regarding other, different reasonable accommodations that might have an equivalent level of benefit (Finding F, below):

18.118.060 – Findings and Decision

The written decision to approve, conditionally approve, approve with modifications, or deny a request for Reasonable Accommodation shall be based on consideration of all of the following factors:

A. The physical attributes of the property and structures;

B. Whether the housing, which is the subject of the request, will be used by an individual with a disability;

C. Whether the request for Reasonable Accommodation is necessary to make specific housing available to an individual with a disability;

D. Whether the requested Reasonable Accommodation would impose an undue financial or administrative burden on the City;

E. Whether the requested Reasonable Accommodation would require a fundamental alteration in the nature of a City program, policy, procedure, or law, including but not limited to land use and zoning; and

F. Whether alternative Reasonable Accommodations may provide an equivalent level of benefit.

Building Codes and Enforcement

The City enforces Title 24 of the California Code of Regulations that regulates the access and adaptability of buildings to accommodate persons with disabilities. Government Code Section 12955.1 requires that 10 percent of the total dwelling units in multi-family buildings without elevators, consisting of three or more rental units or four or more condominium units, are subject to the following building standards for persons with disabilities:

- The primary entry to the dwelling unit shall be on an accessible route unless exempted by site impracticality tests.
- At least one powder room or bathroom shall be located on the primary entry level served by an accessible route.
- All rooms or spaces located on the primary entry level shall be served by an accessible route. Rooms and spaces located on the primary entry level and subject to this chapter may include but are not limited to kitchens, powder rooms, bathrooms, living rooms, bedrooms, or hallways.
- Common use areas shall be accessible.
- If common tenant parking is provided, accessible parking is required.

Compliance with Building Codes and State accessibility laws and regulations (California Code of Regulations (CCR) Title 24) may increase the cost of housing production and impact the viability of rehabilitating older properties. These regulations are minimum Statewide standards to ensure safety and accessibility and do not significantly contribute to governmental constraints regarding housing for persons with disabilities. In addition, the City does not impose supplemental local requirements with respect to accessibility. Compliance with provisions of the Code of Regulations, California Building Standards Code, and federal Americans with Disabilities Act (ADA) is assessed and enforced by the Building Division of the Community Development Department as a part of the building permit submittal process.

Planning and Development Fees

The City and other agencies assess a number of fees that affect the development and cost of housing. Utility service connection fees; upgrade of public curb, gutter, and sidewalk (and sewer lateral(s) if necessary); permit fees; and dedication requirements are similar or lower compared

to those in other communities in Santa Clara County and the Bay Area. In some cases, fees for street trees, drainage, and traffic mitigation are also collected. Table 13.5-5 provides a breakdown of all planning, engineering, and other development fees that may be pertinent to different types of residential projects.

Table 13.5-5: Planning and Development Fees

Application	*Fee*
Planning Fees	
Architectural Review	$813-$32,529
Development Agreement	$10,844-$32,529
Environmental Impact Report	$32,529
General Plan Amendment	$2,710-$37,950
Initial Study/ Negative Declaration	$21,686
Lot Line Adjustment	$5,422
Mills Act Application	$7,694
Rezoning	$8,338-$65,058
Tentative Parcel Map	$16,264 - $21,686
Tentative Subdivision Map	$5,422-$21,686
Use Permit	$5,725-$13,251
Variance	$3,187-$9,473
Vesting Tentative Parcel Map	$3,650-$4,950
Vesting Tentative Subdivision Map	$6,060-$8,970
Zoning Administrator Action	$463
Zoning Code Text Amendment	$24,397
Development Fees	
Sanitary Sewer Outlet Charge	$441.07 per unit; $1,658.38 per lot; $7,510.26 per acre
Sanitary Sewer Connection Fee	$1,140 per unit
Sanitary Sewer Conveyance Fee	$4,218 per unit
Street Improvements	$105.51 per foot
Sidewalk Improvements	$15.35per foot
Street Curb Improvements	$38.49 per foot
Electric	Varies
Storm Drain	$7,510.26 per acre
Storm Drain Improvements	$38.37 per foot
Recreation Tax	$15 for first bedroom; $5 for each additional
School Impact Fee	$4.08 per sq. ft.
Traffic Impact Fee	SF: $1,274.11 per unit MF: $566.27 per unit
Park Impact Fee	SF: $38,068 - $45,320 MF: $30,659 - $36,500

Source(s): City of Santa Clara, 2022
Notes: SF = Single Family, MF = Multi-family.
Park Impact Fee is based on type of project (SF or MF) and geographic location in the City.

Table 13.5-6 compares the planning and development fees calculated for three residential prototype projects in Santa Clara with all other jurisdictions in Santa Clara County using.

Generally, Los Altos Hills, Cupertino, and Sunnyvale charge the highest fees in the area while San Jose, the County, and Los Gatos charge the lowest fees. The City of Santa Clara's fees for residential projects are moderate within the County.

Table 13.5-6: Regional Comparison of Planning and Development Total Fees (includes entitlement, building permits, and impact fees) Per Unit

Jurisdiction	*Single Family*	*Small Multi-Family*	*Large Multi-Family*
Campbell	$72,556	$20,599	$18,541
Cupertino	$136,596	$77,770	$73,959
Gilroy	$69,219	$40,195	$39,135
Los Altos Hills	$146,631	N/A	N/A
Los Gatos	$32,458	$5,764	$3,269
Milpitas	$77,198	$74,326	$59,740
Monte Sereno	$33,445	$4,815	$4,156
Morgan Hill	$55,903	$41,374	$36,396
Mountain View	$90,423	$69,497	$82,591
San Jose	$9,919	$23,410	$23,410
Santa Clara	**$72,034**	**$64,980**	**$62,084**
Saratoga	$64,272	$17,063	$15,391
Sunnyvale	$133,389	$126,673	$98,292
Unincorporated County	$25,166	N/A	N/A

Source(s): Century Urban Report Spring 2022
Note: Prototype project details:
Single Family = 2,600 square foot with 500 square foot garage (total development costs $2,777,000)
Small Multi-Family = 10 units (total development costs $7,548,750).
Large Multi-Family = 100 units (total development costs $70,110,000).

In Santa Clara, the per dwelling unit fees are moderate when compared with other jurisdictions in the County, and the per dwelling unit fees for multi-family projects are less than for single family projects. The total fees for the three residential prototype projects represent only a small portion of total development costs (Single Family = 2.6%, Small Multi-Family = 8.6%, Large Multi-Family = 8.,8%).

Because planning and development fees in Santa Clara are moderate compared to other jurisdictions in the County and they represent a small percentage of overall development costs, they are not considered a significant constraint to the construction of market-rate or affordable housing. Lower per dwelling unit fees for multi-family projects, compared with fees for single family projects, supports the construction of more naturally affordable multi-family housing.

Planning and Development fees have not been a significant constraint to the development of housing in the City of Santa Clara as evidenced by the total of 12,216 units in 34 pending or approved housing projects throughout the City, including several under construction (see Table

13.6-2 Pending and Approved Projects). Most of these projects provide a range of units affordable to different income levels. Seven of these projects are 100-percent affordable at Low and Very Low Income levels.

On- and Off-Site Improvement Requirements

On- and off- site improvements, including public streets, curbing, sidewalks, streetlights, water, sewer, and drainage requirements, have an impact on the cost of residential development. Improvement requirements for new developments are regulated under the Subdivision Ordinance (Chapter 17.05 of the City Code). Off-site improvement requirements are less costly in a fully developed community since infrastructure needed to serve infill development is already in place. However, the financial burden of improvements as the City's infrastructure ages is a concern. To assist private developers and public projects in the development process, the City has published the Standard Details document which outlines construction standards for the most common improvement requirements, such as sidewalks, storm drains, and sewer connections. This publication is updated periodically and available on the City's website. The standards are as follows:

- Dedication of streets, alleys and other public rights-of-way or easements may be a condition of approval for a tentative, or parcel map. These requirements may be easements that are needed for streets, alleys, access, drainage, public greenways, scenic easements, public utilities, and other public purposes. In addition, these easements or dedications may include requirements for improvements.
- Required on-site street improvements can include construction of curbs, sidewalks, driveway approaches, and transitions.
- Storm drain systems must be designed to collect and convey storm water, avoid damage to adjacent properties, and support the ultimate development of the watershed. Off-site storm drain improvements may also be required to satisfy this requirement.
- Projects must connect to sewer, water, gas, and electric lines.
- Development located in the Utility Underground District, as designated in the current General Plan, is required to underground utility lines (or pay an in-lieu fee).

The City's Project Clearance Committee (a development review committee made up of representatives from different departments in the City) reviews new development applications and determines, pursuant to each City department, required infrastructure improvements and conditions of approval.

Local Processing and Permit Procedures

Development review can affect housing costs. Timelines for permit processing are estimated for various permit and approval types in Table 13.5-6 and Table 13.5-7. There are no constraints to affordable housing or multi-family housing over and above requirements for single-family and

market rate units. Moreover, permit processing in Santa Clara is consistent with, if not faster and more effective than, permitting in comparable nearby cities. Project processing, from initial submittal through discretionary review and building permit approval, averages six months for most residential developments.

Table 13.5-7: Planning and Permit Procedures

Type of Approval/ Permit	*Processing Time*	*Approval Body*
Ministerial Review	0 to 2 weeks	Staff
Conditional Use Permit	1 and ½ to 4 months	Planning Commission
Zone Change	4 to 9 months	City Council
General Plan Amendments	4 to 9 months	City Council
Site Plan Review	2 to 6 weeks	Staff
Architectural/ Design Review	3 to 12 weeks	Director of Community Development
Tentative Map (fewer than 5 parcels)	3 to 6 months	City Council
Tentative Map (more than 5 parcels)	3 to 6 months	City Council
Initial Environmental Study	3 to 6 months	Approval Body
Environmental Impact Report	12 to 18 months	Approval Body

Source(s): City of Santa Clara, 2022

The following review and hearing bodies would typically be involved in the approval process for a new housing or mixed use development project:

- Project Clearance Committee (PCC): The development review committee made up of representatives from different departments in the City typically including Planning, Public Works (Engineering and Traffic), Utilities (Water, Sewer, and Electric), Police, Fire, and the Building Division.
- Director of Community Development: The Director of Community Development or designee hears projects subject to the Architectural Review process.
- Historical Landmarks Commission (HLC): An appointed commission of members of the public who review proposals and make recommendations related to structures on the local, State, or national register of historic places, as well as applications for Mills Act contracts.
- Planning Commission (PC): An appointed commission of members of the public who review development applications for consistency with the General Plan and Zoning Ordinance of the City of Santa Clara and are the deciding body for variances and Conditional Use Permits.
- City Council (CC): A body of seven elected individuals who act as the governing body for the City of Santa Clara.

Architectural Review Process

Architectural review in Santa Clara is intended to ensure the implementation of Zoning Ordinance standards and General Plan policies. Architectural review is typically required for most residential projects, including multi-family developments, as well as single-family attached developments and developments taller than one story. This process does not provide any additional burden for affordable housing projects and therefore are not considered a constraint to development. This process is codified in Chapter 18.76 of the City's Zoning Ordinance, which was revised in 2020 to create a streamlined process by replacing a committee structure as the approval body for Architectural Review applications with the Director of Community Development.

Under this process, an applicant submits plans and drawings for any sign, building, structure, or alteration of the exterior of a structure in a form and detail prescribed by the Director of Community Development. The Community Development Director or designee limits decisions on multifamily projects to objective standards in conformance with the State of California's Housing Accountability Act. The following considerations are used by the Director of Community Development in rendering decisions on all Architectural Review applications, which also include commercial and industrial development proposals.

- Off-street parking areas, screening strips and other facilities and improvements must meet the Zoning Ordinance and General Plan intent. Any applicable state legislation that waives or reduces parking standards are applied.
- Design and location of the proposed development and its relation to neighboring developments and traffic will not impair the desirability of the neighborhood, will not create traffic congestion or hazard, and will not be detrimental to harmonious development. For multifamily residential projects, ensuring the application of objective development standards will be used to determine if the development meets this standard.
- Approval will not adversely impact the health, comfort or general welfare of persons residing or working in the neighborhood. For multifamily residential projects, ensuring the application of objective development standards will be used to determine if the development meets this standard.
- The Director of Community Development may require the applicant to modify buildings, parking areas, landscaping, signs, and other facilities and improvements to meet Zoning Ordinance and General Plan requirements.
- The granting of any architectural approval is an administrative function; therefore, the action is final and conclusive, except in the event of an appeal.
- In the event the applicant or others affected are not satisfied with the decision of the Director, they may appeal the decision to the City Council. In the case of permits for single-family homes, the affected parties first appeal is to the Planning Commission, and if still not satisfied, the affected party may appeal to City Council.

- Any architectural review approval granted shall be automatically revoked and terminated if not used within two years of original grant or within the period of any authorized extensions.

Since the City Council adopted the streamlined Architectural Review process in 2020, no Architectural Review applications for multi-family housing have been denied.

A typical residential development project in a standard zoning district would be required to obtain approval through the Development Review Hearing process, heard by the Director of Planning. Such a project would typically be subdivided, requiring a Tentative Map as well. Prior to obtaining these entitlements, projects go through the process of review by the project planner, and by the Project Clearance Committee to work out details and conditions from each City department. The associated environmental review per the California Environmental Quality Act (CEQA) would also be completed during this process. The time it takes to complete this process varies per project. However, from initial submittal to approval, the process typically takes four to six months, or four to 18 months if an EIR is required.

SB 35 Streamlining

In accordance with Government Code section 65913.4 (SB 35 (2017)), applications for multi-family residential development that include a minimum of 50 percent lower income units may be eligible for a streamlined, ministerial approval process if they meet objective standards as outlined in the Government Code. By March 2023, the City will create an SB 35 checklist and written procedures for processing SB 35 applications.

Planned Development

Many residential development projects in the City are processed via the Planned Development (PD) process to integrate uses, utilize imaginative planning and design concepts, subdivide land in a manner that results in units not having required frontage on a dedicated public street, or to create a community ownership project. Through the PD process, the number of units permitted is governed by the General Plan.

A development plan is required to process a PD. The plan must be designed to provide an environment of a stable and desirable character, and comply with the General plan land use designation, and justify the mixture of normally separated uses and exceptions to normal regulations (such as on-site parking, landscaping, building lot coverage, height limits, setback requirements, required distances, and buffering between residential and commercial components). An application for a planned development zoning must accompany the development plan. Construction of the project must begin within two years of the City Council approval. The time to process a PD is estimated between six and 12 months. Given that the City has created conventional/conforming zoning districts that allow densities of at least 100 DU/AC, the use of the PD zoning process is optional.

Table 13.5-8 presents the number of units applied for in the last three years, along with the permit process attached to each unit. Over the last three years a total of 2,730 residential units have been applied for with 220 units, or 8% of the total applied for using the PD zoning process. In addition, new permitting processes mandated by changes to state law such as SB 330 and AB 3194, have created alternate non-discretionary pathways for the approval of projects not consistent with the approved zoning ordinance.

Adoption of the Zoning Ordinance (Action 9 in the Housing Plan) will also eliminate barriers to the by-right non-discretionary approval of Housing projects by creating and applying mixed use zoning districts along the El Camino Real corridor, where PD zonings have typically been used to create housing projects in the absence of adopted zoning designations for the corridor,

Table 13.5-8. Residential permit process, 2020-2022

Year	Architectural Review	PD zoning	ADUs
2020	1,040	114	75
2021	529	106	83
2022	1,684	0	150
Total units applied for 2020-2022 = 2,730			

All new large-scale development projects of at least 25 contiguous acres where a mixture of residential with commercial, office, research and development and/or public uses is proposed are required to be rezoned to the Planned Development-Master Community (PD-MC) zoning district. An application for rezoning to the PD-MC district is submitted as a separate application from the site development application and must include a master community plan that, if approved by the City Council, will become a part of the zoning map of the City of Santa Clara. The master community plan must conform to the City's General Plan and overall residential density must also conform to the City's General Plan, though individual housing types could be greater or less than the average.

An application for development within a PD-MC district must include a development area plan, which may be submitted any time subsequent to submittal of the PD-MC district application. A development area plan must be a minimum of 20 percent of the total acreage of the project or 10 acres, whichever is less. If the development area includes property designated for a public use or is proposed for use as affordable housing, then no minimum acreage shall apply. The Director of Planning and Inspection also has the authority to waive the minimum acreage requirement under exceptional circumstances.

Consideration of development area plans will include notification to surrounding property owners and neighbors in the same fashion as the original master community plan hearings. The Planning Commission is responsible for considering the development area plan application concurrent with or after its consideration of the master community plan application. In general, the time for the processing and review of PD-MC applications averages 12-18 months. This is an appropriate timeframe given the scale of these types of projects, which usually require the preparation of an Environmental Impact Report (EIR). Construction in each development area must begin within two years of final development area plan approval by the City Council. The Planning Commission may also grant extensions of up to two years (per extension). Developments in the PD-MC district are not required to undergo the Architectural Review process. However, most residential development activities in the City do not require the processing of a PD-MC, just a Planned Development (PD) permit.

The Related Santa Clara project, located just north of the stadium is only the second development to use the PC-MC process. The first development, Rivermark, on the site of the Agnews Developmental Center campus, was approved in 2000. Given the constrained nature of the city boundaries and the fact that the city is built out, it is unlikely that developers will be using the PD-MC process in the future.

In the neighboring City of Cupertino, multi-family planned development projects take approximately four months to process, assuming no Environmental Impact Reports (EIR) would be required. However, if an EIR is required, the timeframe can be extended significantly. In Mountain View, another neighboring jurisdiction, the timeframe to process and review a large-scale development is approximately six to 12 months. Similarly, in Santa Clara, the timing for the processing and review of a PD or PD-MC application is largely dependent on the environmental clearance requirements.

The Zoning Ordinance update should reduce the number of projects that have historically relied on the PD process by including new high-density residential and mixed-use zoning districts that conform to the General Plan, and new provisions that streamline the permitting process for projects that meet new objective development standards.

Zoning Transparency

Per AB 1483 (2019), for purposes of zoning and fee transparency, the City of Santa Clara provides the following information online:

The Zoning Ordinance is available on the City's website at:
https://www.codepublishing.com/CA/SantaClara/#!/SantaClara18/SantaClara18.html

Zoning designations for every parcel with the City of Santa Clara is available at:
https://map.santaclaraca.gov/public/index.html?viewer=regional

The City's Planning Fee schedule is available at:
https://www.santaclaraca.gov/home/showpublisheddocument/56997/637291919770930000

Building Codes and Enforcement

Title 24 of the California Code of Regulations, also referred to as the California Building Standards Code (CBSC), governs the design and construction of buildings, facilities, and associated equipment throughout California.

The City of Santa Clara adopted the current 2019 Building Standards Code, with amendments, in November of 2018, and those standards have been in effect since January 1, 2020.

On October 18, 2022 the City Council adopted the 2022 CBSC, with local amendments, to be effective January 1, 2023. The local amendments, which are intended to address building safety concerns of relevance to the City of Santa Clara, include the following elements:

- 2022 California Building Code, Chapter 3 and Chapter 9: Additional automatic fire sprinkler requirements for Group R3 occupancies.
- 2022 California Building Code, Chapter 10: Additional requirements for safe stairway configuration and the routing of emergency exit paths to facilitate emergency egress out of multi-story buildings.
- 2022 California Building Code, Chapter 19: Additional requirements for Structural Plain Concrete in Seismic Design Category C, D, E, or F.

These amendments were found to be prudent and necessary based upon the City's climatic, topographical, and geological conditions and are intended to promote safety for future residents in the context of Santa Clara's urban environment, particularly as the City is increasingly granting land use entitlements for higher density Type III, and in some cases, Type I construction, including the use of towers located above podiums.

The City adopted its first "Reach Code" (optional local energy code amendments that exceed or enhance State cod standards) in November 2021, following a long public process. The 2021 Reach Code made local amendments to the 2019 version of the CBSC: specifically, the California Energy Code and the California Green Building Standards Code. The Reach Code mandates the use of electricity as a power source in new construction, limits installation of natural gas plumbing and meters, and increases requirements on new construction to install electric vehicle infrastructure. Non-substantive changes to the 2021 Reach Code were adopted on October 18, 2022 to reflect the 2022 update of the CBSC ("2022 Reach Code").

Existing single-family, duplex, and triplex units are inspected only when an owner seeks a permit for additional construction or when complaints are received. Certain types of major additions require the applicant to bring the building or portion thereof up to current codes. Site improvement standards for residential development in the City, with the exception of minimum parking requirements, are not more restrictive than those in surrounding jurisdictions. Parking

ratios for newer multi-family districts, including the Transit Neighborhood and the Patrick Henry Drive districts, are lower than for comparable zoning designations of neighboring cities.

Airport Noise and Use Limitations

The most significant governmental constraint in the City is the State-required airport noise and Airport Land Use Commission regulations that prohibit and limit new housing near the San José International Airport within noise and safety zones. The San José Norman Y. Mineta International Airport is located to the east of, and adjacent to, the City. Noise generated by aircraft using the Airport has a noticeable effect on Santa Clara residents in the area north of the U.S. 101. Proposed housing in these areas is potentially required to have noise limiting construction methods including specially designed windows, walls, and insulation. These additional construction requirements often burden the developer and limit new construction near the airport.

Environmental and Infrastructure Constraints

The parcels identified as housing resources in the 6th cycle Housing Element are largely located in areas with adopted Specific Plans, and those Specific Plans include infrastructure plans that document existing infrastructure and any needed infrastructure improvements to support build-out of those plans, and a strategy for funding those improvements. Further, each specific plan amendment to the General Plan has conducted and Environmental Impact Report (EIR) and the Housing Element itself, upon adoption, will be CEQA compliant.

Water Supply

The City of Santa Clara receives its potable water supply from the San Francisco Public Utilities Commission (SFPUC), the Santa Clara Valley Water District (SCVWD), and groundwater from City-owned wells. In the City's 2020 Urban Water Management Plan (UWMP), the City has confirmed that it is able to meet water demands under all potential hydrologic conditions, as demonstrated by the Drought Risk Assessment required by the State's Water Code.

UWMPs, which are updated every five years, must demonstrate that the water supplier has sufficient entitlements and infrastructure to meet future water demands in their service area. Future water demands are determined using population growth estimates from the relevant general plan. For the City of Santa Clara, water supply is not an identified constraint on housing production. This has been verified in the Environmental Impact Reports for the Specific Plan areas and other housing development projects that comprise the housing units identified in this Housing Element. The addendum to the 2010 General Plan Update for the 6th Cycle Housing Element Update consolidates this information into one place for decision-makers and the public, concluding that there is sufficient existing capacity to accommodate the City's RHNA.

The City's Water and Sewer Department is in the process of adopting specific procedures to grant priority water and sewer service to developments with units affordable to lower-income households. (Gov. Code, § 65589.7.) An implementing action (Action 20, Water and Sewer Affordable Housing Service Provisions) has been added to the Housing Plan.

The SCVWDs 2020 UWMP has also indicated that it will be able to provide all water demands for Santa Clara County (including the City of Santa Clara) through 2045.

Wastewater

Wastewater is collected by sewer systems in the cities of Santa Clara and San José and conveyed by pipeline to the San José - Santa Clara Regional Wastewater Facility (RWF). If existing water treatment facilities would be insufficient to service the increased population anticipated by a general plan, the UWMP must identify new or expanded water treatment facilities to meet the additional need. If a development project is compliant with its general plan, that project's impact to water treatment facilities would be captured and planned for in the corresponding UWMP. If a development project is not compliant with its general plan designation, it will require evaluation to determine if it independently triggers a need for new or expanded facilities. The Housing Element is compliant with the City's General Plan, as amended. As such, the project's water demand is consistent with City of Santa Clara's 2020 UWMP population growth projection. Therefore, the Housing Element's impact to water treatment facilities is captured in the City of Santa Clara's 2020 UWMP, and the identified housing resources in the Housing Element do not trigger a need for additional water treatment facilities. This impact would be less than significant, and no mitigation would be required.

Energy

The City of Santa Clara owns and operates the municipal electric utility, Silicon Valley Power (SVP), which services over 57,000 residential, commercial, and industrial customers in the City of Santa Clara. It owns, operates, and participates in more than 590 megawatts of electric generating resources supplemented by purchase agreements for 261 megawatts (MW) of additional capacity. In an average year, approximately 45 percent of SVP-owned generating capacity comes from renewable energy sources—either geothermal, hydroelectric, or wind. Residential electricity demand is low compared with the energy needs of data centers and other high-tech firms that are located in Santa Clara.

In 2022, the City updated the Santa Clara Climate Action Plan to establish GHG emissions reduction measures that the City will implement to achieve the State-recommended GHG emissions reductions which include a near term reduction in GHG emissions by 2030 (SB32). The Climate Action Plan's primary goals include a transition to clean renewable energy, diversion of waste, and promoting energy efficiency, water conservation, and climate resiliency.

Street System

Vehicular circulation in the City includes a wide network of surface streets. With the influx of workers into the job-rich City during the day, commute patterns are northbound in the morning and southbound in the evening. Existing and perceived future traffic delays are a major concern of Santa Clara residents, as expressed by during community outreach activities. Since most of the City streets are fully improved with limited opportunity for widening, alternative travel modes, such as public transit, bicycling, and walking, offer opportunities to address traffic constraints.

The parcels identified as housing resources in the 6th cycle Housing Element are located in areas with adopted Specific Plans which identify and accommodate infrastructure needs and requirements. Any mitigation required is identified in each specific plan's EIR.

Seismic, Geologic, and Soil Hazards

The San Francisco Bay Area is a seismically active region with numerous active faults. No active faults run through the City, although several are present in the surrounding region. Geologists with the U.S. Geological Survey and other agencies foresee a 62 percent probability of a magnitude 6.7 or greater earthquake in the San Francisco Bay region before 2032. Seismic, Geologic, and Soils Hazards are more specifically addressed in each specific plan's EIR.

Flooding

The principal surface water drainages in the City are the San Tomas Aquino Creek, Saratoga Creek, and Calabazas Creek, which all originate in the Santa Cruz Mountains and drain northward across the urbanized Santa Clara Valley floor before discharging into the San Francisco Bay. All of these creeks have been channelized and substantially modified to reduce flood hazards in the City. The City's storm drain system is managed by the City of Santa Clara Public Works Department and consists of curb inlets that collect and channel surface water into a series of pipelines beneath City public rights-of-way. Stormwater is conveyed through these underground pipelines to the channelized creeks within the City, which then flow into the San Francisco Bay. During severe storms, flooding can occur in localized areas along streams running through the City.

Flood zone mapping by the Federal Emergency Management Authority (FEMA) indicates that approximately ten percent of the City is located within a Special Flood Hazard Area (SFHA). None of the areas identified on the sites inventory/where housing development is approved/proposed are located in a SFHA.

Non-Governmental Constraints

Locally and regionally, there are several constraints that hinder the City's ability to accommodate the community's housing needs. The high cost of land, rising development costs, and neighborhood opposition make it expensive for developers to build affordable housing. These constraints may result in housing that is not affordable to low and moderate income households or may render residential construction economically infeasible for developers. While local government has little influence on larger market factors such as interest rates, its policies and regulations can act as constraints that affect both the amount of residential development that takes place and the affordability of housing.

Land Availability

In 2022, fewer than five acres of vacant parcels (including right-of-way properties) are zoned for residential or mixed use development throughout the City, including in the three focus areas for future development (El Camino Real, Lawrence Station, and Tasman East). Of those sites identified as appropriate for new housing, some are too small to accommodate higher density development unless combined with adjacent parcels. The City revised its General Plan designations in 2010, which were supplemented through the Specific Plan process, to encourage high-quality infill redevelopment that includes higher-density housing in addition to commercial businesses in some locations. According to the City of Santa Clara website, there are currently 64 development projects pending, approved, under construction or completed, with most projects clustered around El Camino Real, Lawrence Station, and Tasman East.

Community Resistance

Historically there has been community opposition to higher density residential infill development proposed along major transportation corridors, particularly when that development is located directly adjacent to long-established single-family neighborhoods. The relatively shallow depth of many of these properties can make the transition between existing low density single-family homes and proposed higher density residential challenging. Several substantial medium and high density developments have, however, been approved in spite of such opposition. Over the past 20 years, affordability for lower and moderate income households has not been the primary concern for community opposition to residential development. Instead, community resistance has been based on density, traffic impacts, and parking.

Approximately 247 acres of vacant and underutilized land has been approved, through adoption of Specific Plans, for new higher-density residential or mixed use redevelopment in three focus areas: Lawrence Station, Tasman East, and Patrick Henry Drive. Directing higher density housing to commercial areas, with convenient access to transportation and retail services, and separation from lower-density existing neighborhoods may reduce community opposition. City regulations

that require appropriate transitions between uses and densities, and adequate parking, could reduce some o community opposition to the approval of new housing.

In addition, the enactment of AB 2011 in 2022 mandates ministerial approval along commercial corridors of most residential projects that meet the minimum density requirements of that bill. Such projects must provide an affordability component to qualify, such as 15% low-income units, but this affordability percentage is already mandated by the City's inclusionary zoning ordinance, and so all projects with at least 10 units will meet the affordability requirement of AB 2011. Given that the City will no longer have the discretion to deny such projects, community resistance will not be able to stop such projects from going forward along commercial corridors.

National Construction Costs

Market constraints substantially influence the cost of housing and pose a challenge to providing housing affordable for all income levels. Land prices are typically the most significant component of the cost. The cost of land has increased rapidly over the past decade. Construction costs and fluctuating interest rates are also major contributors to the increasing cost of housing in the San Francisco Bay Area.

Construction costs vary widely according to the type of development, with multi-family housing generally less expensive to construct than single-family homes. However, wide variation within each construction type exists depending on the size of the unit and the number and quality of amenities provided. Construction costs can be broken down into two primary categories: materials and labor. A major component of the cost of housing is the cost of building materials, such as wood and wood-based products, cement, asphalt, roofing materials, and pipe. The availability and demand for such materials affect prices for these goods. An indicator of construction costs is Building Valuation Data compiled by the International Code Council (ICC). The unit costs compiled by the ICC include structural, electrical, plumbing, and mechanical work, in addition to interior finish and normal site preparation. The data is national and does not consider regional differences and does not include the price of the land upon which the building is built. The national average for development costs per square foot for apartments and single-family homes in the first quarter of 2022 are $150-$500 per square foot depending on size and type, with an average of approximately $200 per square foot.

For multi-family apartment buildings, the type of parking is a key variable in the overall cost of construction. For lower density buildings (2-4 story wood-frame buildings), in which surface parking is provided, construction costs are in the $175 per square foot range. For projects that include structured parking, the garage construction costs add about $20,000 per parking stall to the $175 per square foot for the units. Site-specific constraints, such as flood hazards, could add additional costs if mitigations are required. Again, depending on the size and type of construction the national average is $35,000 to $65,000 per unit.

These costs also exclude the cost of land and soft costs, such as entitlements and financing. Reduction in amenities and the quality of building materials (above a minimum acceptability for health, safety, and adequate performance) could lower costs and associated sales prices or rents. In addition, prefabricated factory-built housing may provide for lower priced housing by reducing construction and labor costs. Another factor related to construction costs is development density. As the number of units increases, overall costs generally decrease due to economies of scale. The City's ability to mitigate high construction costs is limited without direct subsidies.

Fee Analysis

Below is a fee analysis for two single family and two multifamily scenarios that illustrate the approximate fees for the hypothetical projects. Some fees are project specific and will be calculated based on the project type, location, and narrative.

Table 13.5-8: Fee Analysis Scenarios

Single-Family A new home on an empty lot in an existing neighborhood; no significant grading or other complicating factors	**Scenarios** *Single-Family* Small: 2,600 residential sq ft Large: 5,000 residential sq ft *Assuming no parking
Multi-Family A new multi-family project on an empty lot in an existing neighborhood; no significant grading or other complicating factors	*Multi-Family* Small: 10,000 residential sq ft + 3,750 parking sq ft; 10 units Large: 93,750 residential sq ft + 40,000 parking sq ft; 100 units

Table 13.5-9: Fee Analysis

Action/Activity	*Fee*
PLANNING ENTITLEMENT FEES	
Pre-Application	
- Single Family	$476 + Technology Fee (3.37%)
- Planning Review	$3,179 + Technology Fee (3.37%)
- Project Clearance Committee Review	$5,442 + Technology Fee (3.37%)

Table 13.5-9: Fee Analysis

Action/Activity	*Fee*
Architectural Review - Over the Counter - Single Family (that requires a Development Review Hearing) - New development/Non-Single Family - Design Consultant Review	 No Charge $893 + Technology Fee (3.37%) $32,529 + Technology Fee (3.37%) Deposit of Consultant Estimated Costs + Citywide Overhead + Technology Fee (3.37%)
Stormwater Management Plan Review	$813
BUILDING PERMIT FEES	
Single-Family/Duplex/ADU Residential Scaled Permit Fee	
Plan Check Project Size 1 to 250 sq. ft. 251 to 1,000 sq. ft. - First 250 sq. ft. - Each additional 100 sq. ft. or fraction thereof 1,001 to 3,000 sq. ft. - First 1,000 sq. ft. - Each additional 100 sq. ft. or fraction thereof 3,001 to + - First 3,000 sq. ft. - Each additional 100 sq. ft. or fraction thereof	 $656.55 +Technology Fee (3.37%) $656.55 + Technology Fee (3.37%) $262.62 + Technology Fee (3.37%) $2,626.23 + Technology Fee (3.37%) $131.31 + Technology Fee (3.37%) $5,252.45 + Technology Fee (3.37%) $65.66 + Technology Fee (3.37%)
Inspection Project Size 1 to 250 sq. ft. 251 to 1,000 sq. ft. - First 250 sq. ft. - Each additional 100 sq. ft. or fraction thereof 1,001 to 3,000 sq. ft. - First 1,000 sq. ft. - Each additional 100 sq. ft. or fraction thereof 3,001 to + - First 3,000 sq. ft. - Each additional 100 sq. ft. or fraction thereof	 $737.10 $737.10 $226.05 $2,432.42 $191.64 $6,265.31 $95.82

Table 13.5-9: Fee Analysis

Action/Activity	*Fee*
Commercial/Multi-Family/Industrial Scaled Permit Fee	
Plan Check	
Project Valuation	
$1 to $1,000	$109.42 + Technology Fee (3.37%)
$1,001 to $10,000	
- First $1,000	$109.42 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$18.23 + Technology Fee (3.37%)
$10,001 to $75,000	
- First $10,000	$273.56 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$15.99 + Technology Fee (3.37%)
$75,001 to $150,000	
- First $75,000	$1,313.12 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$20.34 + Technology Fee (3.37%)
$150,001 to $750,000	
- First $150,000	$2,845.07 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$7.10 + Technology Fee (3.37%)
$750,001 to $3,000,000	
- First $750,000	$7,112.69 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$5.00 + Technology Fee (3.37%)
$3,000,001 to $10,000,000	
- First $3,000,000	$18,383.57 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$2.93 + Technology Fee (3.37%)
$10,000,001 to +	
- First $10,000,000	$38,955.65 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$1.46 + Technology Fee (3.37%)
Inspection Permit	
$1 to $1,000	$92.13 + Technology Fee (3.37%)
$1,001 to $10,000	
- First $1,000	$92.13 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$38.90 + Technology Fee (3.37%)
$10,001 to $75,000	
- First $10,000	$441.47 + Technology Fee (3.37%)

Table 13.5-9: Fee Analysis

Action/Activity	*Fee*
- Each additional $1,000 or fraction thereof	$18.15 + Technology Fee (3.37%)
$75,001 to $150,000	
- First $75,000	$1,621.60 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$23.10 + Technology Fee (3.37%)
$150,001 to $750,000	
- First $150,000	$3,353.80 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$10.07 + Technology Fee (3.37%)
$750,001 to $3,000,000	
- First $750,000	$9,397.97 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$4.01 + Technology Fee (3.37%)
$3,000,001 to $10,000,000	
- First $3,000,000	$18,427.40 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$3.72 + Technology Fee (3.37%)
$10,000,001 to +	
- First $10,000,000	$44,502.16 + Technology Fee (3.37%)
- Each additional $1,000 or fraction thereof	$1.85 + Technology Fee (3.37%)
Technology Fee	3.37% of Building Permit Fee, Electrical Permit Fee, Plumbing Permit Fee, Mechanical Permit Fee, and Plan Check & Sign Fee
Building Conformance Fee	Valuation x $0.00032
Plan Review Fees	
Plan Review Fee (including building, mechanical, electrical & plumbing)	75% of building permit fee
Title 24 Energy Conservation Plan Review	20% of building permit fee
3-B Electrical Permit Fees	
Minimum Permit Fee Permit Issuance	$209 + Technology Fee (3.37%) $87 + Technology Fee (3.37%)
System Fee Schedule New Buildings or Alterations	
- Residential (per sq ft.)	$0.22/sq ft. + Technology Fee (3.37%)
- New Garages, Carports and Accessory Buildings (per sq ft.)	$0.08/sq ft + Technology Fee (3.37%)

Table 13.5-9: Fee Analysis

Action/Activity	*Fee*
3-C Mechanical Permit – New Buildings	
Residential	$0.08/sq ft. + Technology Fee (3.37%)
3-C Plumbing Permit – New Buildings	
Residential	$0.08/sq ft. + Technology Fee (3.37%)
3-G Grading Plan Review Fees 50 cubic yards or less 51 to 100 cubic yards 101 to 1,000 cubic yards 1,001 to 10,000 cubic yards 10,001 to 100,000 cubic yards – base Each additional 10,000 cubic yards 100,001 to 200,000 cubic yards – base Each additional 10,000 cubic yards 200,001 cubic yards or more – base Each additional 10,000 cubic yards	 No Fee $329.00 + Technology Fee (3.37%) $875.00 + Technology Fee (3.37%) $1,312.00 + Technology Fee (3.37%) $2,188.00 + Technology Fee (3.37%) $97.00 + Technology Fee (3.37%) $3,063.00 + Technology Fee (3.37%) $219.00 + Technology Fee (3.37%) $5,252.00 + Technology Fee (3.37%) $110 + Technology Fee (3.37%)
3-H Grading Permit Fees 100 cubic yards or less 101 to 1,000 cubic yards – base Each additional 100 cubic yards – base 1,001 to 10,000 cubic yards Each additional 1,000 cubic yards 10,001 to 100,000 cubic yards – base Each additional 10,000 cubic yards 100,001 cubic yards or more – base Each additional 10,000 cubic yards	 $441.00 + Technology Fee (3.37%) $441.00 + Technology Fee (3.37%) $73.00 + Technology Fee (3.37%) $1,106.00 + Technology Fee (3.37%) $49.00 + Technology Fee (3.37%) $1,547.00 + Technology Fee (3.37%) $196.00 + Technology Fee (3.37%) $3,316.00 + Technology Fee (3.37%) $98.00 + Technology Fee (3.37%)
Multi-Family Monitoring Fee	$119/unit
AHA Affordable Housing Agreements – For Sale	$3,771/agreement
Affordable Housing Application Fee	$50/application
AHA Affordable Housing Agreements – MF For Rental	$5,113/agreement
AHA Affordable Housing Agreements – Amendments	$1,990/agreement

Table 13.5-9: Fee Analysis

Action/Activity	*Fee*
DEVELOPMENT IMPACT FEES	
Affordable Housing Fees For Sale - Residential - Single Family Home - Townhome - Condominium Rental Residential Any tenure type	Fees shall be equal to the difference between the unrestricted appraised market value ("Initial Market Value") of the unit and the Affordable Sales Price of the unit, multiplied by the fractional amount due. The Initial Market Value of the last unit sold shall be the basis for calculating the in-lieu fee $22.22/sq ft
Traffic Impact Fee - Multi-family Residential - Single-family Residential	 $566.27/dwelling unit $1,274.11/dwelling unit
School Fee	$4.08/sq ft
Park Fee - Multi-family Residential - Single-family Residential	 $30,659 - $36,500 $38,068 - $45,320
ELECTRIC UTILITY	
Engineering Plan Check Electric, per sheet - 1st – 3rd check - 4th and subsequent review	 $292.48/sheet $41.63/sheet
Time of Use Meter Installation – Residential	$298.89/meter
FIRE/STATE MANDATED	
Building Plans - 30% of Building Department Fee - Minimum: 3.5 hours	$756
Planning Application Review	$865
Design Review/Consultation	$216/hour
Miscellaneous Inspections/Plan Reviews	$216/hour
PUBLIC WORKS	

Table 13.5-9: Fee Analysis

Action/Activity	*Fee*
Sanitary Sewer Outlet (choose the greatest) Residential – Single Family - Per unit - Per lot - Per acre Conveyance Fee Condo & Planned Unit Development - Per unit - Per acre Conveyance Fee	 $441.07/unit $1,658.38/lot $7,510.26/acre $4,218/dwelling unit $441.07/unit $7,510.26/acre $4,218/dwelling unit
Recreation Tax (Bedroom) New Construction Permit - First bedroom - Each additional	 $15 $5/bedroom
Project Clearance Committee Review: - Preliminary application - Architectural review	 $861.44 $861.44
Cost Analysis for Development - Minor (ADU, SFR, Up to 4 Residential Units) - Major	 $416.31 $1,011.95
Engineering Plan Review – Initial Review - First three (3) reviews - Fourth and subsequent review	 $168/sheet $34/sheet
WATER/SEWER	
Wastewater Treatment Plant Capacity Fee	Project Specific
Engineering Plan Review	Project Specific
Project Clearance Committee Review	$601

Hard Costs

Hard costs for a hypothetical 2,600 square foot home are about $420 per square foot, while for a 5,000 square foot home they are about $525 per square. For a hypothetical small multi-family unit, the hard costs are $415 per square foot, and $425 per square foot for a large multi-family unit.

Soft Costs

Soft costs are generally assumed to be around 30% of hard costs (plus 5% contingency). Generally, single family soft costs are $133 per square foot for small and $147 per square foot for large. Multifamily soft costs range between $165 and $159 per square foot.

Land Costs

According to the California Building Industry Association, the cost of land represents a substantial portion of the total housing development cost but has little impact on the maintenance and improvement of existing stock. In many markets, up to 25 percent of housing costs are attributable to land costs. The average land costs in California are significantly higher than land costs in other states.

Land costs for single family homes are between $210,000 and $2,510,000. Land costs for apartments and condos range between $400,000 and $1,600,000. Due in large part to limited land availability in the City, residential land has not been widely available for sale. High costs will continue to present challenges for the production of affordable housing in the City.

Availability of Financing

The availability of financing affects a person's ability to purchase or improve a home. The primary concern in a review of lending activity is to see whether home financing is generally available in the community. Financing new residential development can be a significant cost; however, residential financing for both single family and multiple family housing is generally available. Developers of single-family projects often secure loans for land acquisition, installation of improvements, and construction. Land acquisition and development loan rates are typically the prime rate plus 0.5 to 2 percent, which is currently, in 2022, between 3.99 to 5.4 percent. Mortgage rates were low for previous years but are now increasing. Apartment loan rates are generally lower. Developers of affordable housing face significant challenges in securing financing. Due to the limited possible return from rents or sales prices of affordable units, many private lenders are unable to finance affordable projects due to the rate of return. Thus, affordable developers must rely on community lending divisions, nonprofit institutions, grants and special loans, and local assistance.

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Chapter 13.6
Housing Resources

This section analyzes the resources available for the development, rehabilitation, and preservation of housing in Santa Clara. This includes an evaluation of the availability of land resources, the City's ability to satisfy its share of the region's future housing needs, the financial resources available to support the provision of affordable housing, and the administrative resources available to assist in implementing the City's housing programs.

Availability of Sites for Housing

A critical component of the Housing Element is the identification of land suitable for residential development including vacant sites and sites having the potential for redevelopment. Santa Clara is a highly urbanized community that has very little vacant, uncommitted land for new development. The following discussion summarizes the residential growth potential in each of these areas and concludes with an assessment of how these sites can address the City's share of regional housing needs.

Regional Housing Needs Allocation (RHNA)

California General Plan law requires that every city and county have properties appropriately zoned to accommodate their fair share of regional housing need. The California Department of Housing and Community Development (HCD) allocates a numeric regional housing goal to the Association of Bay Area Governments (ABAG). ABAG is then mandated to distribute the numerical goal among the cities and counties in the region. This share is known as the Regional Housing Needs Allocation (RHNA). The RHNA process' goal is to ensure a fair distribution of new housing construction among cities and counties in the region so that every community may plan for a mix of housing types for all economic segments. The housing allocation targets are not building requirements; rather, they are planning goals for each community to accommodate through appropriate planning policies and land use regulations. Allocation targets are intended to ensure that adequate sites and zoning are made available to address anticipated housing demand during the Housing Element planning period.

The sixth cycle RHNA for the ABAG region covers an eight-year planning period (January 31, 2023 – January 31, 2031) and is divided into four income categories: very low, low, moderate, and above moderate. HCD determined that the projected housing need for the Bay Area region (including the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma) is 444,176 new housing units for this Housing Element planning

period. As determined by ABAG, the City of Santa Clara's allocation for the 2023-2031 planning period is 11,632 housing units, with the units distributed among the four income categories as shown in Table 13.6-1.

Table 13.6-1 City of Santa Clara RHNA 2023-2031

Income Group	*Income Category (% AMI)*	*RHNA (Housing Units)*	*Percentage of Total Housing Units*
Very Low	<50%	2,872	25%
Low	50-80%	1,653	14%
Moderate	80-120%	1,981	17%
Above Moderate	>120%	5,126	44%
Total		**11,632**	**100%**

Source(s): Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031, Updated March 2022.
Note(s):
1 AMI = Area Median Income
2 Pursuant to AB 2634, local jurisdictions are required to project the housing needs of extremely low-income households (0-30% AMI) and consider this income group a subset of the very low-income category. In estimating the number of extremely low-income households, a jurisdiction can use 50% of the very low-income allocation or apportion the very low-income figure based on Census data.

Progress Toward the RHNA

Since the RHNA uses June 30, 2022, as the baseline for growth projections for the 2023-2031 Housing Element planning period, jurisdictions may claim units approved and proposed that are anticipated to be complete (have a Certificate of Occupancy) after June 30, 2022.

Approved and proposed residential development projects credited toward the RHNA include a variety of affordable and market-rate projects in various stages of the development process. Most of these projects are concentrated within Specific Plan areas and along major thoroughfares, where residential development is expected to continue throughout the planning period. These projects are credited toward the RHNA based on the affordability and unit count of the development. Combined, a total of ~~11,946~~12,209 units are expected to be completed within the planning period, as shown in Table 13.6-2.

Approved Projects

Approved residential development projects credited toward the 2023-2031 RHNA have been reviewed by Planning and other City departments for compliance with applicable Codes and regulations and have received all required planning entitlement approvals. The next step for these projects is to~~will~~ proceed through the building permit application review, issuance, and

construction process. All approved projects have~~with~~ anticipated completion and occupancy permits that will~~d~~ be finalized on or after June 30, 2022 and before January 31, 2031.

Historically, the drop-out rate (percentage of projects that do not develop after receiving entitlements) in the City of Santa Clara has been extremely low. Rather than drop-out completely after receiving entitlements, it is more common that projects will delay the start of construction until presented with more favorable market conditions. After receiving entitlements, the primary barrier to development has, and will likely continue to be, the availability of financing/market conditions.

Pending or Proposed Projects

~~Six~~ Five projects in various stages of planning review are included as proposed projects. These sites are included although there is no certainty those units will be achieved because the proposals have not been approved, are currently under staff review, or are pending a formal application submittal. The identified realistic capacity for these sites is the total units included in the preliminary proposals.

To help ensure that pending and proposed projects will complete the development process and result in new units, the City has included an additional ongoing objective under Action 10, Adequate Sites Inventory. The Planning Division will included a narrative and table within the City's Annual Progress Report that describes the status of projects listed in Table 13.6-2, Pending and Approved Projects, and when an entitlement is nearing expiration, the Planning Division will proactively notify applicants to apply for an extension.

In Addition, the Zoning Code Update will allow administrative extensions for entitlements Development approvals are generally permitted for 2 years initially, and then two 1-year administrative extensions are allowed, which saves time and eliminates that possibility of adding conditions. The current process requires going through entitlement process again for extension.

The administrative time extension process has been added to Action 9, Zoning Ordinance.

Since there is no guarantee that the projects will be approved or developed, in the case a proposed development falls through, the sites are still available to accommodate those identified units and may be able to count toward the lower-income RHNA depending on site density and size. Affordability for these projects is assumed based on the site's location per Specific Plan requirements, the City's inclusionary housing ordinance requirements, or a developer/affordable housing agreement. The status of the following projects is as of December ~~2022~~2023.

As shown in Table 13.6-2 below, the total of all pending and approved projects is 12,~~216~~ 209 units, which is ~~584~~ 577 units more than the City's total RHNA of 11,632 units. Because the majority of pending and approved projects fall within the above moderate affordability category (10,~~273~~ 201

units), the City has a remaining RHNA of 4,~~563~~ 498 units in the very low, low, and moderate affordability categories.

There are no known barriers to development of the pending and approved projects shown in Table 13.6-2 below within the planning period, including phasing and build out horizons and what is counted toward the RHNA. See Appendix C, Availability of Specific Plan Sites During the Planning Period for details on how the specific plan units identified in the Housing Element Sites Inventory relate to the capacity/phasing for each specific plan.

Table 13.6-2 Pending and Approved Projects

Site/Credit Type	AFFORDABILITY CATEGORIES					*Project Status* *(est. completion date)*	*Affordability*
	Very Low [0-50% AMI]	Low [50-80% AMI]	Moderate [80-120% AMI]	Above Moderate [above 120% AMI]	Total Units		
RHNA 2023-2031	**2,872**	**1,653**	**1,981**	**5,126**	**11,632**		
Tasman East Focus Area Specific Plan (TE)							
TE 2233 Calle Del Mundo (St. Anton)	37	158	-	1	**196**	~~Under Construction~~Occupied	*per Affordable Housing Agreement*
TE 2300 Calle De Luna (Related California)	-	-	-	684	**684**	Under Construction	*per Sect. 17.40.115 of City Code: 12% affordable at 100% AMI*[5]
TE 5123 Calle Del Sol (Ensemble) - Phase I & II	-	-	-	503	**503**	Approved/Under Construction [1]	*per Sect. 17.40.115 of City Code: 12% affordable at 100% AMI*[5]
TE 2200 Calle De Luna (Holland)	-	-	69	510	**579**	~~Approved/~~Under Construction	*per Sect. 17.40.115 of City Code: 12% affordable at 100% AMI*
TE 2225 Calle de Luna & 2232 Calle del Mundo	~~-~~3	~~-~~5	~~44~~40	~~326~~322	**370**	~~Approved~~ Under Construction	*per ~~Sect. 17.40.115 of City Code: 12% affordable at 100% AMI~~Affordable Housing Agreement*
TE 2263 Calle Del Mundo (Ensemble)	-	-	-	301	**301**	Approved (2027)	*per Sect. 17.40.115 of City Code: 12% affordable at 100% AMI*[5]
TE 2302/2310 Calle Del Mundo (Ensemble)	74	76	-	1	**151**	~~Approved /~~Under Construction	*per Affordable Housing Agreement*
TE 2343 Calle Del Mundo (Summerhill)	-	-	41	305	**346**	~~Approved~~Under Construction	*per Sect. 17.40.115 of City Code: 12% affordable at 100% AMI*
TE 2354 Calle Del Mundo (Ensemble)	-	-	10	78	**88**	Approved (2026)	*per Sect. 17.40.115 of City Code: 12% affordable at 100% AMI*
TE 2101 Tasman Drive (Related California)	-	-	-	950	**950**	Proposed	*per Sect. 17.40.115 of City Code: 12% affordable at 100% AMI*[5]
TE 5185 Lafayette Street (Ensemble)	-	-	15	183	**198**	Proposed (2028)	*per Sect. 17.40.115 of City Code: 12% affordable at 100% AMI*
subtotal TE project(s)	*~~111~~114*	*~~234~~239*	*~~179~~175*	*3,~~842~~838*	*4,366*		
Patrick Henry Drive Focus Area Specific Plan (PHD)							
PHD Summerhill	16	15	15	261	**307**	Approved (2030)	*per adopted SP: 15% affordable - 5/5/5 split at 50%/80%/120% AMI*
PHD Sares Regis	40	40	40	680	**800**	Pre-application [2]	*per adopted SP: 15% affordable - 5/5/5 split at 50%/80%/120% AMI*
PHD Walnut Hill	20	20	20	353	**413**	Pre-application [3]	*per adopted SP: 15% affordable - 5/5/5 split at 50%/80%/120% AMI*
subtotal PHD project(s)	*76*	*75*	*75*	*1,294*	*1,520*	-	
Lawrence Station Area Plan (LSAP)							
LSAP 3580 Rambla Pl (Summerhill)	-	5	48	233	**286**	Under Construction	*per Affordable Housing Agreement*
LSAP 2961 Corvin Drive (Toll Brothers)	-	-	4	34	**38**	Under Construction	*per Affordable Housing Agreement*
LSAP 3305 Kifer Road (Toll Brothers)	-	-	5	40	**45**	Under Construction	*per Affordable Housing Agreement*
LSAP 3517 Ryder St (Westlake Urban)	-	-	-	328	**328**	Approved (2027)	*Exempt, no affordability component*
LSAP 3323 Kifer Road (Kifer Senior Apartments)	39	40	1	-	**80**	Under Construction	*per Affordable Housing Agreement*
subtotal LSAP project(s)	~~-~~39	~~5~~45	~~57~~58	635	~~697~~777	-	

Site/Credit Type	AFFORDABILITY CATEGORIES					*Project Status (est. completion date)*	*Affordability*
	Very Low [0-50% AMI]	Low [50-80% AMI]	Moderate [80-120% AMI]	Above Moderate [above 120% AMI]	Total Units		
Freedom Circle Focus Area							
3905 Freedom Circle Mixed-Use Project (Greystar)	54	54	54	913	**1,075**	Approved (2030)	*per Affordable Housing Agreement: 15% affordable - 5/5/5 split at 50%/80%/120% AMI*
subtotal FC project(s)	*54*	*54*	*54*	*913*	*1,075*	-	
Other							
1601 Civic Center Drive	106		2		**108**	Approved (10/2026)	*Pending Affordable Housing Agreement*
80 Saratoga Avenue	40	158	2		**200**	Approved (12/2025)	*per Affordable Housing and Density Bonus Agreements*
3575 De La Cruz Boulevard	5	8	2		**15**	Approved (1/2026)	*Pending Disposition and Development Agreement*
2655 The Alameda	-	3	3	33	**39**	Approved (1/2026)	*per Inclusionary Ordinance: 15% affordable at 100% AMI*
Villa Bella Residential Project	-	4	4	48	**56**	Under Construction	*per ~~Inclusionary Ordinance: 15% affordable at 100% AMI~~Affordable Housing Agreement*
3035 El Camino Real Residential Project	-	-	4	44	**48**	Under Construction	*per Affordable Housing Agreement: 10% affordable at or below 100% AMI + 0.8 fractional in-lieu fee/distribution of affordable units - averages to a maximum of 100 percent Area Median Income*
3945 Stevens Creek Blvd - The Meridian	-	58	-	1	**59**	Under Construction	*per Density Bonus Agreement: 100% affordable at 80% AMI*
2330 Monroe Street Affordable Housing Project (Freebird)	48	16	-	1	**65**	Under Construction	*per Affordable Housing Agreement: 100% affordable (minus 1 managers unit) - 50/50 split at V LOW/LOW*
Agrihood Mixed-Use Development Project	108	55	18	144	**325**	Occupied/~~Under Construction~~Approved [4]	*per Affordable Housing Agreement: 160 mixed-income apartments (10% affordable at 120% AMI (16 units)) and 165 affordable senior apartments (54 units at 30% AMI; 55 units at 50% AMI; 54 units at 60% AMI; 2 units at 120% AMI)*
Laguna Clara II (Equity)	-	-	9	174	**183**	Under Construction	*Pending Affordable Housing Agreement: 5% affordable at 100% AMI*
Gateway Crossings (Hunter/Storm) - Phase 1	-	37	36	652	**725**	Under Construction	*per Developer Agreement, Phase 1: 37 affordable units at 80% AMI + 36 affordable units at 100% AMI*
Clara Gardens - 3550 El Camino Real	120	-	-	-	**120**	Under Construction	*Pending Affordable Housing Agreement: 100% affordable at 30-50% AMI*
1530-1540 Pomeroy Avenue Residential Project				8	**8**	Approved (2025)	*no affordability component*
Related Santa Clara - Phase 1	-	-	20	1,660	**1,680**	Approved (2027)	*per Development Area Plan: 20 affordable units (10% of 200) at 120% AMI [future phases, 50 affordable units at 120%]*

Site/Credit Type	AFFORDABILITY CATEGORIES					*Project Status (est. completion date)*	*Affordability*
	Very Low [0-50% AMI]	Low [50-80% AMI]	Moderate [80-120% AMI]	Above Moderate [above 120% AMI]	Total Units		
Gateway Crossings (Hunter/Storm) - Phase 2		42	42	756	**840**	Proposed	*per Developer Agreement, Phase 2: affordability TBD*
~~950 Monroe Street Mixed-Use Project~~	~~-~~	~~-~~	~~8~~	~~46~~	~~**54**~~	~~Proposed~~	~~*per Inclusionary Ordinance: 15% affordable at 100% AMI*~~
subtotal other project(s)	*427*	*~~378~~381*	*~~147~~142*	*3,~~534~~521*	*4,~~486~~471*		
Total Pending and Approved Projects	**~~668~~710**	**~~746~~794**	**~~529~~504**	**10,~~273~~201**	**12,~~216~~209**		
Remaining RHNA 2023-2031	**2,~~204~~162**	**~~907~~ 859**	**1,~~452~~477**	**(5,~~147~~075)**	**(~~584~~577)**		

Source(s): City of Santa Clara, April 2023.

Note(s): All calculations were rounded down. There are likely discrepancies due to rounding down between the row and column totals. Project Status "Approved" means a project has received all required Planning entitlements.

[1] Phase I building permit issued 4/18/22 for 311 units; the remaining 192 units are approved.

[2] Application expected early ~~2023~~2024.

[3] Application expected early ~~2023~~2024.

[4] 165 unit affordable senior apartment occupied.

[5] Project's affordable housing obligation consolidated into 2302 Calle Del Mundo

Sites Inventory Methodology and Assumptions

Default Density Assumptions

The California Government Code states that if a local government has adopted density standards consistent with the population-based criteria set by State law (at least 30 units per acre for Santa Clara), HCD is obligated to accept sites with those density standards (30 units per acre or higher) as appropriate for accommodating the jurisdiction's share of regional housing need for lower-income households. Default density is considered by the State as sufficient to provide market-based incentives for the development of housing for lower-income households.

The Santa Clara General Plan (adopted in 2010) identifies ten Focus Areas appropriate for higher density residential and mixed-use development. A detailed discussion of density assumptions and the affordability level of sites is included below.

Site Suitability and Lot Consolidation

Consistent with Housing Element law related to the suitability of small and large sites, the inventory of lower-income sites is limited to parcels between 0.5 and 10 acres in size. Due to the City's historical parcelization pattern, the inclusion of small sites in the inventory is expected. To adhere to State law and HCD guidance, small sites (under 0.5 acres) are not used to meet the lower-income RHNA. There are ~~10~~ four available sites included in the inventory with a parcel size under 0.5 acres. All of these are located in the Tasman East Specific Plan area and range between 0.458 and 0.482 acres. Parcels of similar size have been developed with residential within the last housing element cycle in the Tasman East Specific Plan area. While these sites have densities that are appropriate for lower-income RHNA sites and meet the default density standard, they are all credited toward the moderate- and above moderate-income categories. No sites in the inventory are larger than 10 acres. Although many of the parcels identified as sites are adjacent to one another, no lot consolidation is assumed unless the adjacent parcels have the same owner.

Realistic Capacity and Suitability of Non-Vacant Sites

Housing Element law requires jurisdictions to demonstrate that the land inventory is adequate to accommodate that jurisdiction's share of the region's projected growth. Santa Clara has a remaining RHNA of 4,~~563~~ 498 units to be achieved through the identification of sites. The City has various residential and mixed-use development opportunities on sites that are currently available, although all sites are non-vacant. ~~All~~ The majority of available sites are within Specific Plan areas. Each project within the Specific Plan areas shown in Table 13.6-3, demonstrates that

the project's actual density was developed higher than the minimum density allowed. Because each Specific Plan has its own distinct land use designations and affordability requirements, realistic capacity for available sites was calculated based on the average of percent above minimum density allowed per Specific Plan of existing and approved projects (see Table 13.6-3). Percent above the minimum density allowed was used to remain conservative, realistic, and to account for the wide range of Specific Plan densities allowed (from 20 du/ac in Lawrence Station to 350 du/ac maximum in Tasman East). In every case, claiming realistic capacity using the methodology and assumptions defined here yields total unit counts below the maximum density allowed.

State law also includes specific criteria for assessment of the realistic availability of non-vacant sites during the planning period. If non-vacant sites accommodate half or more of the lower-income need, the Housing Element must present "substantial evidence" that the existing use does not constitute an impediment to additional residential use on the site. Due to the built-out nature of Santa Clara, most sites have existing uses. Non-vacant sites included in the inventory have been selected using the following criteria, which are indicated for each non-vacant site in the detailed sites matrix included in Appendix B, and in the supplemental analysis provided in Appendix C. A site identified under criterion 1, 2, or 3 requires no further factors. These criteria have been applied to all available sites (this does not include pending project sites).

1) Interest: Developer interest or property owner interest to redevelop the site during the planning period, as confirmed during the Housing Element Update process through direct communication (letter, email, phone call) with the property owner and/or their representative.

2) Vacant Lots: Completely vacant lot.

3) City or County Ownership: Property is under City or County ownership, with defined intent to redevelop the site with a residential use at a higher density.

4) Redevelopment Trend for Existing Use: Uses that are similar to those that have been previously recycled in Santa Clara (e.g., industrial uses, small shopping centers, offices, stand-alone restaurants and retail uses, properties zoned exclusively for residential use that are currently developed well below the zoning capacity). ~~R~~See Appendix C, Table 13.C-2 for recent example commercial/office/industrial redevelopment to housing projects, including current/former use and housing redevelopment project details.~~:~~

   ~~1601 Civic Center Dr: 1.41-acre site with a 30,000 square foot 2-story office building (0.49 FAR) built in 1974. Approved with a 108 unit (76.6 du/ac) 100 percent affordable housing project.~~

- ~~80 Saratoga Ave: 1.98-acre site with 1-story and 2-story office buildings totaling 26,329 square feet (0.27 FAR) built in 1968. Approved with a 200 unit (101 du/ac) 100-percent affordable housing project.~~
- ~~3035 El Camino Real: 1.93-acre used car dealer with 1,456 square foot office (0.02 FAR) built in 1965. Approved with a 48-unit (24.9 du/ace) housing project. Currently under construction.~~
- ~~3550 El Camino Real: 1.12-acre site with 2-story motel in two buildings totaling approximately 29,356 square feet (0.6 FAR). Approved with 120 unit (107.1 du/ac) affordable housing project. Currently under construction.~~
- ~~3580 Rambla Pl: 2.57-acre site with 2 1-story industrial buildings totaling approximately 40,110 square feet (0.36 FAR). Approved with 286 units (111.3 du/ac). Currently under construction.~~
- ~~2233 Calle Del Mundo: 1.22-acre site with a 1-story industrial building approximately 15,910 square feet (0.3 FAR) built in 1983. Approved with a 196-unit (160 du/ac) housing project. Currently under construction.~~
- ~~2302 Calle Del Mundo: 0.77-acre site with a 1-story industrial building approximately 16,360 square feet (0.49 FAR) built in 1979. Approved with a 151-unit (196 du/ac) housing project. Currently under construction.~~
- ~~3323 Kifer Road: 0.53-acre site with a 1-story office building approximately 8,375 square feet (0.36 FAR) built in 1975. Approved with an 80-unit (151 d/ac) affordable senior housing project. Currently under construction.~~

5) Participation in Specific Plan planning process: Property is located within a defined Specific Plan area and/or the property owner participated in the Specific Plan planning process. This criterion is distinct from criterion 1 when a property owner (or their representative) participated in the Specific Plan planning process but did not provide direct communication to the City during the Housing Element Update process of their interest in redeveloping their site during the planning period.

6) Underutilized ~~Residential~~ Site. ~~Property~~ A non-vacant property that ~~is~~has a General Plan land use designation and/or zoning~~ed~~ district that allows redevelopment~~for~~ with residential use at a higher density than the existing (typically industrial or commercial) use ~~or property is zoned residential and existing use is non-conforming~~. Existing site utilization factors considered include building square footage, floor area ratio (FAR), number of stories, and if the existing use is entirely served by surface parking.

7) Building/Land Value: Property improvement value is less than ~~half of~~ the land value (ratio is less than 1.00), indicating substantial underinvestment and the ability of a property owner to achieve financial gain through redevelopment.

8) Year: Structure was built prior to ~~1985~~ 1987 (and therefore over 36 years of age) but is not a designated or eligible historic structure, indicating that properties may need substantial improvements or replacement for maximum financial return.

9) Lease: Site has no existing tenant lease(s) or lease(s) expires or lease(s) have buy-out clauses within in 6th cycle planning period (where known).

Development Trends and Realistic Capacity

Current development trends in the Specific Plan areas show that a range of medium to high residential density is feasible, realistic, and appropriate to accommodate housing for all income levels. Since the City's adoption of the Lawrence Station Area Plan and Tasman East Specific Plan, Santa Clara has seen an uptick in development and development interest. The following projects, shown in Table 13.6-3, show examples of high-density development coming in well above the minimum densities.

Table 13.6-3 High-Density Projects in Specific Plan Areas

Project Name	*Zoning*	*Density Range (du/ac)*	*Acres*	*# of Units*	*Actual Density*	*Status*	*Included in 6th Cycle*	*% above allowed minimum density*
Tasman East Focus Area Specific Plan								
TE 2233 Calle Del Mundo (St. Anton)[1]	Transit Neighborhood	100 to 350	1.22	196	160	~~Under Construction~~ Occupied	Yes	160%
TE 2200 Calle De Luna (Holland)	Transit Neighborhood	100 to 350	2.44	579	237	Approved	Yes	237%
TE 2300 Calle De Luna (Related CA)	Transit Neighborhood	100 to 350	5.02	700	139	Under Construction	Yes	139%
TE 2343 Calle Del Mundo (Summerhill)	Transit Neighborhood	100 to 350	2.63	347	131	~~Approved~~Under Construction	Yes	131%

Project Name	*Zoning*	*Density Range (du/ac)*	*Acres*	*# of Units*	*Actual Density*	*Status*	*Included in 6th Cycle*	*% above allowed minimum density*
TE 2302/2310 Calle Del Mundo (Ensemble)[1]	Transit Neighborhood	60 to 350	0.77	151	196	~~Approved~~Under Construction	Yes	327%
TE 2354 Calle Del Mundo (Ensemble)	Transit Neighborhood	60 to 350	0.50	89	178	Approved	Yes	297%
TE 5123 Calle Del Sol (Ensemble)	Transit Neighborhood	100 / 60 to 350	1.87 / 0.78	311 / 192	166 / 246 (avg. 206)	Under Construction / Approved	Yes	166% / 410% (avg. 288)
TE 2225 Calle De Luna/2232 Calle Del Mundo	Transit Neighborhood	100 to 350	2.13	370	174	Under Construction	Yes	174%
TE 2263 Calle Del Mundo (Ensemble)	Transit Neighborhood	60 to 350	1.94	301	155	Approved	Yes	258%
Patrick Henry Drive Focus Area Specific Plan								
3000 Patrick Henry Drive (Summerhill)	Urban Village	100 to 149	2.518	307	122	Approved	Yes	122%
2901 Patrick Henry Drive (Sares Regis)	Urban Village	100 to 149	6.497	800	123	Pre-Application	Yes	123%
4590 Patrick Henry Drive (Walnut Hill)	Urban Village	100 to 149	2.795	413	122	Pre-Application	Yes	148%
Lawrence Station Area Plan								
2904 Corvin Drive (Corvin Supportive Housing) [1]	LSAP/Very High Density Residential	51 to 100	1.08	145	134	Building Permit final June 2022	No	263%

Project Name	*Zoning*	*Density Range (du/ac)*	*Acres*	*# of Units*	*Actual Density*	*Status*	*Included in 6th Cycle*	*% above allowed minimum density*
3560 Rambla Pl (Summerhill)	LSAP/Very High Density Residential	51 to 100	2.49	251	100	Building Permit final Sept 2021	No	196%
3578 Rambla Pl (Summerhill)	LSAP/Very High Density Residential	51 to 100	1.72	126	73	Building Permit final March 2022	No	143%
3517 Ryder St (Westlake Urban)	LSAP/Very High Density Residential	51 to 100	3.92	328	83	Approved	Yes	163%
3323 Kifer Road (Kifer Senior Apts.)	LSAP/Very High Density Residential	51 to 100	0.53	80	151	Under Construction	Yes	296%

Source(s): City of Santa Clara, 2022.
Note: 1. The TE 2233 Calle Del Mundo (St. Anton) and TE 2302/2310 Calle Del Mundo (Ensemble), and LSAP 2904 Corvin Dr (Corvin Supportive Housing) -projects are 100% affordable

Realistic Capacity Calculations

These sites show sufficient capacity to meet and exceed the identified housing need. A detailed listing of sites, consistent with State law, is included in the document Appendix B.

Consistent with HCD Guidelines, the following methodology for determining realistic capacity on each identified site must account for land use controls and site improvements.

- Lower-density residential sites: realistic capacity for sites in land use designations that allow less than 30 units per acre is calculated at minimum density allowed. This includes the Medium Density Residential (20-36 du/ac) designation in the Lawrence Station Area Plan. The identified sites in these designations are non-vacant. Minimum density was used to calculate a more conservative realistic capacity.

- El Camino Real rezoning sites: As part of the Zoning Ordinance Update process, sites along the El Camino Real corridor that have a Regional Mixed Use General Plan land use designation (37-50 du/ac) will be rezoned from their current commercial zoning to the new Regional Mixed Use (RMU) zoning district. These sites are non-vacant, and although there are examples of sites along Santa Clara's commercial corridors, including recent examples along El Camino Real, redeveloping with residential uses at or above maximum densities, the minimum density was used to calculate a conservative realistic capacity for the El Camino Real rezoning sites. For Housing Element purposes, certain El Camino Real

rezoning sites have been excluded from the Housing Element Sites Inventory. See Appendix C for additional details. The El Camino Real rezoning sites are not required to accommodate a lower-income RHNA shortfall but have been included in the Sites Inventory for their contribution to the recommended RHNA buffer for lower-income units, particularly in the VLI affordability category.

- Specific Plan sites: All sites within adopted Specific Plan areas have been thoroughly vetted through City-led and community-focused planning processes. Specific Plan areas represent locations with opportunities for more intense development with limited impact on existing neighborhoods, per the City's 2010-2035 General Plan. All available sites within the Specific Plan areas have been rezoned to reflect the uses and densities set forth in the respective Specific Plans. These sites were selected for inclusion in this inventory due to their location, existing zoning that accommodate and incentivize higher densities, and potential for housing production.

  The following Specific Plan sites were excluded from the sites inventory because it was determined that they are unlikely to redevelop with residential uses within the timeframe of the Housing Element:

  - Lawrence Station Area Plan
    - 2960 – 3030 Corvin Drive (data centers)
    - 3350 – 3420 Central Expressway (Gemini Rosemont industrial campus)
  - Tasman East Specific Plan
    - 5101 Lafayette Street (data center)
    - 2203 Tasman Drive (retail strip)
  - Patrick Henry Drive Specific Plan
    - 4650 and 4700 Old Ironsides Drive (data centers)
    - 4600 Patrick Henry Drive (Drawbridge parcel)

  Each project shown in Table 13.6-3, demonstrates that the project's actual density was developed higher than the minimum density allowed. Because each Specific Plan has its own distinct land use designations and affordability requirements, realistic capacity for available sites within the Lawrence Station Area Plan and Tasman East Focus Area Specific Plan were calculated based on the average of percent above minimum density allowed per Specific Plan of existing and approved projects (see Table 13.6-3). In every case, claiming realistic capacity using the methodology and assumptions defined here yields total unit counts below the maximum density allowed.

The following averages were used to calculate realistic capacity, per Specific Plan area:

- Lawrence Station Area Plan: minimum densities x 191%
  - The minimum density for the ~~two~~ one remaining LSAP parcel~~s~~ designated Very High Density Residential (VHDR) is 51 du/ac. 191% of 51 du/ac = 97.4 du/ac. The ~~four~~ five approved/under construction LSAP projects that are designated VHDR have actual densities ranging from 73 to ~~134~~ 151 du/ac, with an average of ~~97.5~~108 du/ac. Although these approved, under construction, or occupied projects represent an average of 212% above minimum density, the previously calculated average of 191% above minimum density is used for determining a conservative realistic capacity.
- Tasman East Focus Area Specific Plan: minimum densities x 215%
  - The minimum density for the remaining Tasman East parcels designated Transit Neighborhood (TN) is either 60 du/ac (13 parcels < 1 ac) or 100 du/ac (one parcel ≥ 1 ac). 215% of 60 du/ac = 129 du/ac and 215% of 100 du/ac = 215 du/ac. The ~~six~~ nine approved, ~~/~~under construction, or occupied Tasman East projects, including two 100% affordable projects, that are designated TN have actual densities that range from ~~160~~ 131 to ~~196~~ 237 du/ac. Although these approved, under construction, or occupied projects represent an average of 223% above minimum density, the previously calculated average of 215% above minimum density is used for determining a conservative realistic capacity.
- Patrick Henry Focus Area Specific Plan: maximum densities x 72%
  - Based on Specific Plan assumptions about buildout phasing was used as there is currently only one approved project in the Patrick Henry Drive Specific Plan area.
    - Specific Plan Approved Residential Development Capacity: between 10,300 and 12,000 units (Average 11,150 units)
    - Specific Plan Buildout Estimate: 8,073 units (72% of 11,150)
      - Phase 1 (2025-2029): 5,839 units
      - Phase 2 (2030-2034): 2,234 units
    - Housing Element (2023-2031): 5,865 units (1,520 pending/approved + 4,345 sites)

- Ten remaining Patrick Henry Drive sites have maximum densities of 149 du/ac, one site has a maximum density of 250 du/ac, and one site has a maximum density of 99 du/ac.
- 72% of 149 du/ac = 107 du/ac. One approved Patrick Henry Drive project has a density of 122 du/ac (Summerhill). There are pre-applications on file for projects on two other sites that have proposed densities of 123 du/ac (Sares Regis) and 148 du/ac (Walnut Hill).

For the Lawrence Station area, the realistic capacity of the remaining sites is a total of ~~395~~ 344 units (~~144~~ 123 VLI, ~~106~~ 91 LI, ~~126~~ 111 Mod, and 19 Above Mod). See Table 13.6-5. The buildout horizon for these units falls within the 6th cycle.

For the Tasman East Specific Plan area, the realistic capacity of the remaining sites not tied to approved or proposed projects is ~~1,123~~903 units, per Table 13.6-5. When combined with the number of units already proposed or on file, the total number of units is ~~989~~ 769 units greater than the total number of units approved as a part of the adoption of the Tasman East Specific Plan. The City is currently processing a Specific Plan amendment to increase the capacity of the plan area by an additional 1,500 units. That effort is recognized as Action 19, Tasman East Specific Plan Amendment in the Housing Plan. The buildout horizon for ~~these~~ the Housing Element portion of these additional units is 2030.

For the Patrick Henry Drive Plan area, sites totaling 4,345 units are available during the planning period. Additionally, 1,520 units have either been proposed or approved in the Patrick Henry Drive area.

Given the fact that housing in all the City's Specific Plan areas and on the El Camino Real rezoning sites (with the adoption of the December 2023 Zoning Ordinance Amendment and spring 2024 Zoning Map Amendment) is allowed by right, the primary impediment to development of housing, according to feedback received from developers at stakeholder meetings, is the economic environment (construction and land costs) and the ability for developers to obtain financing and/or state funding (for affordable projects). Another potentially significant impediment is the provision of infrastructure, which has been addressed in the Tasman East and Patrick Henry Drive plan areas through the creation and administration of infrastructure fees for the respective areas. For the few remaining projects not yet built in the Lawrence Station Area, required infrastructure improvements will be addressed through the development review process.

Otherwise, there are no known barriers to development of the El Camino Real rezoning sites or the Specific Plan sites within the planning period, including, for the Specific Plan sites, phasing and build out horizons and what is counted toward the RHNA. See Appendix C, Availability of

Specific Plan Sites During the Planning Period for details on how the specific plan units identified in the Housing Element Sites Inventory relate to the capacity/phasing for each specific plan.

Densities Appropriate for Accommodating Lower-Income Housing

The capacity of sites that allow development densities of at least 30 units per acre are credited toward the lower-income RHNA based on State law. The California Government Code states that if a local government has adopted density standards consistent with the population-based criteria set by State law (at least 30 units per acre for Santa Clara), HCD is obligated to accept sites with those density standards (30 units per acre or higher) as appropriate for accommodating the jurisdiction's share of regional housing need for lower-income households. All available sites included in this inventory, except for three sites zoned Medium Density Residential (20-36 du/ac), have density standards of 30 units per acre or higher. Located within the Lawrence Station Area Plan, the three sites zoned Medium Density Residential (20 – 36 du/ac) are credited toward the moderate- and above-moderate income categories.

To create a more conservative and realistic estimate of affordability for Santa Clara, available sites that qualify for one hundred percent affordable units based on the allowed density are split between the very low-, low-, and moderate-income categories 40 percent, 30 percent, and 30 percent, respectively, which roughly follows the RHNA split for those same affordability categories.

Table 13.6-4 Specific Plan Land Use Designations

Land Use Designation	*Min./Max. Density*	*Meets Default Density*	*Number of Parcels Included in 6th Cycle*	*Total Acreage of Available Sites*
Tasman East Focus Area Specific Plan				
Transit Neighborhood (parcels less than 1 acre)	60 to 350	Yes	~~14~~13	~~8~~7.033
~~Transit Neighborhood (parcels equal to or greater than 1 acre)~~	~~100 to 350~~	~~Yes~~	~~1~~	~~1.026~~
Tasman East Specific Plan Subtotal			~~15~~13	~~97~~.033~~.059~~

Land Use Designation	*Min./Max. Density*	*Meets Default Density*	*Number of Parcels Included in 6th Cycle*	*Total Acreage of Available Sites*
Patrick Henry Drive Focus Area Specific Plan				
Very High Density Residential	51 to 99	Yes	1	3.8
Village Residential	60 to 149	Yes	1[1]	9.062
High Density Flex	60 to 149	Yes	4	9.568
Urban Village	100 to 149	Yes	5	12.986
Urban Center	120 to 250	Yes	1	3.821
Patrick Henry Drive Specific Plan Subtotal			*12*	*39.238*
Lawrence Station Area Plan				
Low Density Residential	8 to 19	No	0	0
Medium Density Residential	20 to 36	No	3	1.993
High Density Residential	37 to 50	Yes	0	0
Very High Density Residential	51 to 100	Yes	~~2~~1	3.~~67~~14
Lawrence Station Area Plan Subtotal			*~~5~~4*	*5.~~663~~133*

Source(s): Patrick Henry Drive Specific Plan, March 2022. Lawrence Station Area Plan, Neighborhood Transit-Oriented Development Plan, Nov. 2016. Tasman East Focus Area Specific Plan, Nov. 2020.
Note: 1. The Patrick Henry Drive site designated Village Residential includes 26 parcels for each condominium unit and an approximately 6.8-acre common area parcel (shared parking/circulation).

Re-use of Sites

AB 1397 (2017) requires that specific parameters be placed on sites that were used in previous Housing Element planning cycles but did not develop and are identified in the current Housing Element to meet the lower-income RHNA. However, as noted in HCD guidance documents, due to updates in the prior planning period to the General Plan or other planning activities, such as the creation of a specific plan, some sites previously identified in the Housing Element may have been rezoned during intervening years to allow a higher density, thereby increasing the potential housing capacity of the site. Because the zoning characteristics of such a site have changed, that site can be considered a new site for the purposes of the housing element inventory.

All sites, apart from several of the El Camino Real Rezoning sites, in this Housing Element are Specific Plan parcels, including some previously identified in the fifth cycle. Parcels identified in the fifth cycle subsequently rezoned to a higher density through their respective Specific Plan processes were not rezoned to accommodate a shortfall; rather, the rezoning was conducted to

implement General Plan policy. Thus, no sites, except for those El Camino Real rezoning sites noted in Appendix B, are subject to the reuse provisions of AB 1397 (2017).

~~For~~ Upon adoption of the Housing Element and in compliance with state law, for sites that are subject to the reuse provisions of AB 1397 (2017):~~,~~ 1) nonvacant sites previously identified in the 5th Cycle Housing Element, and 2) vacant sites previously identified in both the 5th and 4th Cycle Housing Elements, the City shall allow use-by-right approval for housing developments pursuant to Government Code 65583.2(i) when 20 percent or more of the units are affordable to lower income households.

"Use-by-right" means that the City review is ministerial and therefore the project must not require a conditional use permit or other discretionary review or approval that would constitute a "project" as defined in CEQA. A local ordinance can provide that "use-by-right" does not exempt the use from design review, consistent with the City's Zoning Ordinance requirements for design review, but the design review must be objective in accordance with Government Code 65589.5(f).

T~~t~~he Zoning Ordinance update (Chapter 2 Housing Plan Action 9) will include a provision that ~~any nonvacant site in the 6th Cycle Housing Element Sites Inventory that was identified in a previous (i.e., 5th or 4th Cycle) Housing Element would need to provide a minimum of 20 percent of the units affordable to lower income households in order to be approved by right~~reflects the above requirements for consistency with AB 1397 (2017).

No Net Loss Provision

Government Code Section 65863 stipulates that a jurisdiction must ensure that its Housing Element inventory can accommodate its share of the RHNA by income level throughout the 2023 to 2031 planning period. If a jurisdiction approves a housing project at a lower density or with fewer units by income category than identified in the Housing Element, it must quantify at the time of approval the remaining unmet housing need at each income level and determine whether there is sufficient capacity to meet that need. If not, the city must "identify and make available" additional adequate sites to accommodate the jurisdiction's share of housing need by income level within 180 days of approving the reduced-density project. This provision is commonly referred to as the "no net loss" provision of Housing Element law.

Site Selection

The Housing Element sites inventory, in addition to the list of pending and approved projects, includes accessory dwelling unit (ADU) projections, underutilized sites within Specific Plan areas zoned for high-density residential and mixed-use development, and the El Camino Real rezoning sites. These latter two categories have been used to demonstrate that the RHNA for the extremely low-, very low-, low- and moderate-income categories can be accommodated during the planning

period. As the discussion below concludes, the sites have no identified constraints that would prevent development or reuse during the Housing Element period. Table 13.6-5 summarizes the sites inventory.

Table 13.6-5 Sites to Meet the RHNA

Site/Credit Type	*Affordability Category*				*Total Capacity*
	Lower		Moderate	Above Moderate	
	Very Low [0-50% AMI]	Low [50-80% AMI]	[80-120% AMI]	[> 120% AMI]	
~~RHNA~~	~~2,872~~	~~1,653~~	~~1,981~~	~~5,126~~	~~11,632~~
Pending and Approved Projects	~~668~~710	~~746~~ 794	~~512~~ 504	10,~~218~~201	12,~~144~~209
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	~~2,187~~2,138	~~1,622~~1,586~~-~~	~~1,944~~1,728	~~314~~ 140	~~6,067~~5,592
Tasman East Focus Area Specific Plan	~~*214*~~*268*	~~*156*~~ *196*	~~*458*~~ *318*	~~*295*~~*121*	~~*1,123*~~*903*
Patrick Henry Drive Focus Area Specific Plan	*1,747*	*1,299*	*1,299*	-	*4,345*
Lawrence Station Area Plan	~~*144*~~*123*	~~*106*~~*91*	~~*126*~~ *111*	*19*	~~*395*~~*344*
El Camino Real Rezoning Sites	~~497~~319	~~378~~236	~~366~~250	-	~~1,242~~805
Total	**~~3,388~~3,285**	**~~2,803~~2,734**	**~~2,879~~2,600**	**~~10,571~~10,380**	**~~19,642~~18,999**
RHNA	2,872	1,653	1,981	5,126	11,632
Surplus (buffer above RHNA)	***33%***		***~~45~~31%***	***~~106~~102%***	***~~69~~63%***

Source(s): Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031, Updated March 2022. Technical Assistance for Local Planning, Housing – Using ADUs to Satisfy RHNA, Technical Memo, March 2022. Patrick Henry Drive Specific Plan, March 2022. Lawrence Station Area Plan, Neighborhood Transit-Oriented Development Plan, Nov. 2016. Tasman East Focus Area Specific Plan, Nov. 2020.
Note(s): AMI = Area Median Income

ADU Projection

Since 2017, the State legislature has passed a series of laws that significantly increase the potential for the development of ADUs and Junior ADUs (JADUs) by removing development barriers, allowing ADUs through ministerial permits, and requiring jurisdictions to include programs in their housing element that incentivize ADU development. Interest in constructing ADUs is high in Santa Clara and continues to grow. In 2018, the City issued 21 ADU building permits. In 2019,

the number increased to 51 annual building permits, with similar numbers in 2020 (45 ADU building permits) and 2021 (53 ADU building permits), then increasing in 2022 to 76 ADU building permits. This represents a 262 percent increase in ADU production in Santa Clara between 2018 and 2022. The City estimates that interest will continue to increase over the next few years, given the many single-family neighborhoods citywide that create capacity for additional ADUs. As of June 2022, 53 percent (or 16,103 parcels) of total parcels were zoned for single-family housing, totaling 2,504 acres. ADUs are permitted on single-family, multi-family, and mixed-use lots, including R1, R2, and R3 zone districts, which represent a significant number of lots in Santa Clara.

As an incentive to ADU production, the City does not charge a Planning fee for review/processing ADU requests. Also, State law allows jurisdictions to charge impact fees on ADUs over 750 square feet, but the City of Santa Clara does not. The City has also exempted ADUs/JADUs from providing parking (JADUs that convert a garage space/s are required to provide replacement parking for the primary dwelling).

The slight dip in ADU production in 2020 may be due to the COVD-19 pandemic and other events of 2020. In 2022, the City had the highest number of ADU building permits to date, which is likely more representative of ADU production moving forward based on ADU trends in Santa Clara, new and pending favorable ADU legislation that created new incentives and streamlined processes to build ADUs, and the pent-up demand for additional housing in the Bay Area.

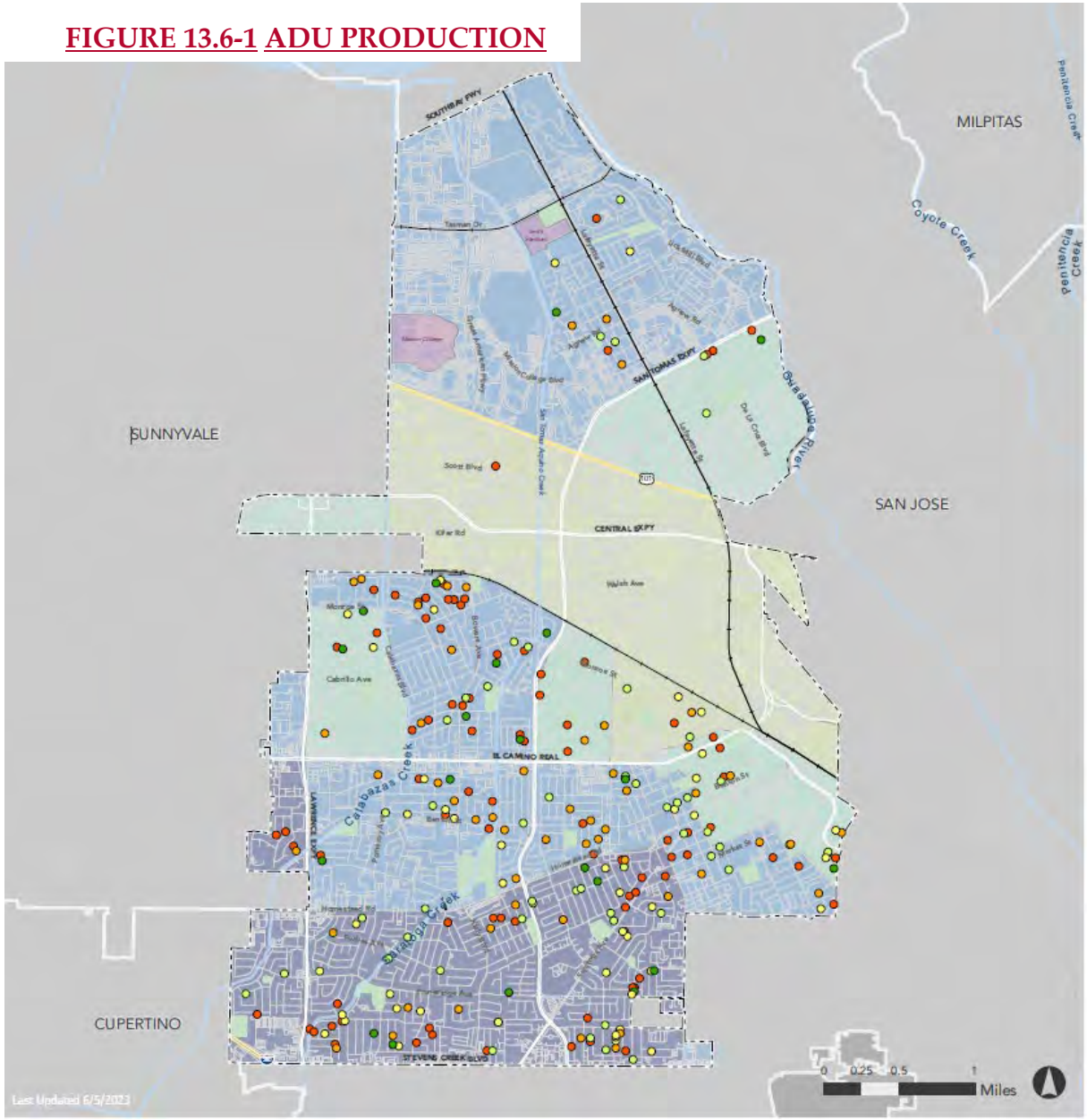
While it is impossible to predict with certainty the exact number of ADUs that will be developed during the planning period (2023-2031), the City conservatively estimates:

- An average of 49.2 ADUs per year will be constructed throughout the planning period. This reflects the average number of building permits issued for ADUs between 2018 and 2022. Given the anticipated increase in ADUs over the near term, this is a conservative estimate.
- A total of 393 ADUs can be predicted to be constructed during the planning period.

The affordability assumptions for ADU projections are based on ABAG's ADU affordability analysis pre-certified by HCD[1].

1 ABAG estimates an affordability breakdown of ADUs as follows: 30% very low-income, 30% low-income, 30% moderate-income, and 10% above moderate-income. Technical Assistance for Local Planning, Housing – Using ADUs to Satisfy RHNA, Technical Memo, March 2022.

FIGURE 13.6-1 ADU PRODUCTION



City of Santa Clara
ADU Production

Legend

Basemap Features

- Santa Clara City Limits
- Major Destinations
- Parks and Open Space
- Rivers and Waterbodies
- Surrounding Cities
- Unincorporated Santa Clara County

ADU Permits Issued (2018-2022)

- 2018 (21)
- 2019 (51)
- 2020 (45)
- 2021 (53)
- 2022 (76)

CTCAC/HCD Opportunity Areas (2023)

- Highest Resource
- High Resource
- Moderate Resource
- Low Resource
- High Segregation & Poverty
- No Data

Source(s): Esri, County of Santa Clara OpenData 2023, City of Santa Clara 2023.

Available Specific Plan Sites

Plan Bay Area 2050 Growth Geographies

After nearly four years of technical analysis and deep engagement with Bay Area residents and partners, the Metropolitan Transportation Commission (MTC) and ABAG jointly adopted Plan Bay Area 2050 in October 2021. Plan Bay Area 2050 was developed in collaboration with Bay Area residents, partner agencies, and nonprofit organizations. Thirty-five strategies make up the heart of the plan to improve housing, the economy, transportation, and the environment across the Bay Area's nine counties.

Throughout Plan Bay Area 2050, Growth Geographies are geographic areas used to guide where future growth in housing and jobs would be focused under the plan's strategies over the next 30 years. These geographies are identified for growth either by local jurisdictions or because of their proximity to transit or access to opportunity.

All sites included in this Housing Element are considered Priority Development Areas (PDAs), defined as areas generally near existing job centers or frequent transit that are locally identified (i.e., identified by towns, cities, or counties) for housing and job growth.

2010-2035 General Plan Focus Areas, Focus Area Plans, and Related Planning Efforts

In 2010, the City of Santa Clara adopted its comprehensive 2010-2035 General Plan, which included identification of nine focus areas throughout the City, listed in Table 13.6-6. These areas were chosen for their potential to significantly define Santa Clara's identity as a place in transition from a suburb to a regional economic center. The opportunity to develop at a higher density near transit is central to this new identity.

A comprehensive plan, such as a specific plan is a required prerequisite for new residential development within a focus area. The purpose of these plans and the prerequisite requirements ensure that new neighborhoods are self-sufficient, with easy access to retail, services, and public amenities. Specific Plans also ensure that adequate public services and facilities are provided in tandem with new development. In 2014, the City initiated updates to the Housing and Land Use Elements that identify and require future development to be comprehensively planned through the preparation of Specific Plans within the Lawrence Station and Tasman East Focus Areas.

Of the nine focus areas identified in the 2010-2035 General Plan, four have resulted in Specific Plans, three of which have been adopted. The Freedom Circle Future Focus Area was added to the General Plan in June 2022, while preparation of this sixth cycle Housing Element was well underway. A specific plan has not been drafted or adopted for this future focus area, and therefore the future focus area, with the exception of the Greystar site that had its own approved General Plan Amendment and Rezoning to allow residential development, was not included in

the sites inventory. However, properties within that planning area could become available during the planning period if a specific plan were adopted, helping to guard against the loss of affordable housing capacity.

Table 13.6-6 2010-2035 General Plan Focus Areas

2010-2035 General Plan Focus Area	*Related Planning Effort*	*Status*
Existing		
Downtown Focus Area	Santa Clara Downtown Precise Plan	~~Draft~~Adopted, ~~Nov~~. ~~2022~~Dec. 2023
Santa Clara Station Focus Area	None	
Stevens Creek Boulevard Focus Area	None	
El Camino Real Focus Area	El Camino Real Specific Plan	Draft, May 2021
Lawrence Station Focus Area	Lawrence Station Area Plan	Adopted, Nov. 2016
Tasman East Focus Area	Tasman East Focus Area Specific Plan	Adopted, Nov. 2018; Revised, Nov. 2020
Great America Parkway Focus Area	Patrick Henry Drive Focus Area Specific Plan	Adopted, Mar. 2022
Freedom Circle Focus Area	Freedom Circle Focus Area Plan	Adopted, June 2022
Future		
Central Expressway Focus Area	None	
De La Cruz Focus Area	None	

Source(s): City of Santa Clara 2010-2035 General Plan, Nov. 2010. Patrick Henry Drive Specific Plan, March 2022. Lawrence Station Area Plan, Neighborhood Transit-Oriented Development Plan, Nov. 2016. Tasman East Focus Area Specific Plan, Nov. 2020.

Mixed-Use Developments

Although opportunities for residential and mixed-use development exist throughout Santa Clara based on existing General Plan land use policy and implementing zoning, along major corridors such as along El Camino Real, the City has focused the sites inventory in areas where development of residential uses is most likely to occur within the Housing Element planning period. This is due to development standards allowing very high densities, developer interest in residential development within Specific Plan areas, site size and location (near transit, major corridors, and highways), and recent development trends in the immediate and surrounding areas. The inclusion of nonresidential uses within mixed-use developments complements a transit-oriented neighborhood and will not affect the potential capacity on site because all available sites have minimum density requirements.

Most parcels included in this sixth cycle sites inventory have zoning that allows nonresidential uses in the form of mixed-use developments. Only one land use designation/zone district allows

stand-alone nonresidential development.[2] This land use policy illustrates the City's commitment to incentivizing mixed-use districts and higher-density, transit-oriented residential development that addresses many goals: meeting the region's housing needs, encouraging housing near employment centers, increasing transit usage, and reducing greenhouse gas emissions.

Specific Plans

A considerable portion of Santa Clara is designated for specific plan development. The City has three approved Specific Plans with a significant number of sites and residential development capacity remaining. Combined, the sites identified in the Lawrence Station, Tasman East, and Patrick Henry Drive Specific Plan areas have enough capacity to satisfy the outstanding RHNA (i.e., the remaining RHNA after pending and proposed projects, and ADUs). The Specific Plan areas provide opportunities for development of market-rate and affordable housing. Development types authorized by the approved Specific Plans include multi-unit and mixed-use development. None of the listed Specific Plan areas have any site restrictions or governmental constraints that would impede development. Table 13.6-4 provides an overview of the City's Specific Plan densities. Further detail is provided in the following sections.

The Specific Plan sites have a high level of certainty to develop given that:

- Through the adoption and implementation of each City-initiated Specific Plan, all parcels within each area have been re-zoned to accommodate high density residential development.
- Specific parameters for densities, uses, development standards, and minimum affordability requirements have already been established.
- No recent, significant enhancements have been made to these sites.
- Infrastructure is either in place, or planned for, in support of proposed land uses, addressing transportation, wet utilities, solid waste management, and energy services and systems. For both the Tasman East and Patrick Henry Drive Specific Plans, an infrastructure fee has been created to apportion costs between developers in the Plan Areas.
- Redevelopment of nonresidential uses into high density residential and mixed-use has already occurred, illustrating developer and property owner interest and the financial feasibility of site redevelopment.
- All land use designations within the Specific Plan areas have established minimum densities.

2 Only one land use designation/zone district, in the Patrick Henry Drive Specific Plan area, allows stand-alone nonresidential development. See section "Specific Plan Sites" for additional detail.

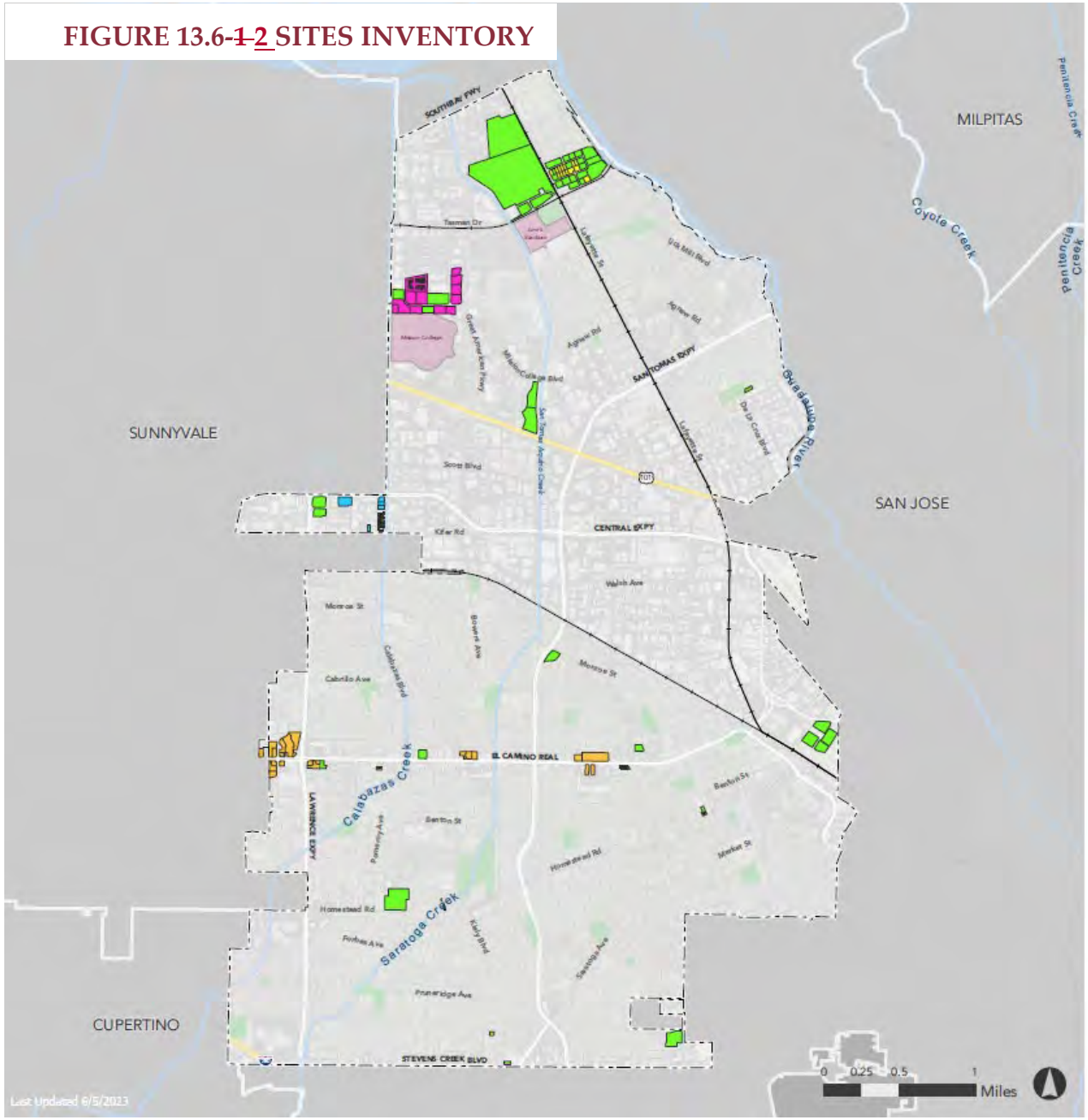
- No land use designation in the Tasman East Specific Plan or Lawrence Station Area Plan areas allows for stand-alone nonresidential uses.
- The City has financial resources available to support the development of affordable housing.

Affordability Requirements

- **Tasman East Focus Area Specific Plan.** All development in the Tasman East Focus Area Specific Plan area adheres to the affordable housing requirements referenced in Section 17.40.115 of the Santa Clara City Code. For-sale and rental affordable units shall be maintained as affordable housing for not less than 20 years applicable to for-sale units and 55 years applicable to rental units. Section 17.40.115 requires that 12% of total housing units be affordable.
- **Patrick Henry Focus Area Specific Plan.** In recognition of the conversion of employment uses to residential land, the Patrick Henry Drive Specific Plan calls for a deeper level of affordability than is required by the Citywide Affordable Housing ordinance. Affordable housing requirements for the Patrick Henry Drive Specific Plan are referenced in Section 17.40.116 of the Santa Clara City Code. Developments will provide 15 percent affordable units split equally between three affordability levels of 50 percent, 80 percent, and 120 percent of Area Median Income (AMI).
- **Lawrence Station Area Plan.** Projects must comply with the City's inclusionary ordinance in the Lawrence Station Area Plan area. There are some projects already developed that did not require affordable units, because the Lawrence Station Area Plan was adopted before the City's inclusionary ordinance.
- **Citywide Affordable Housing Requirements.** Effective February 2018, the City's inclusionary housing ordinance (Title 17, Chapter 17.40 Citywide Affordable Housing Requirements) requires residential ownership and rental projects of ten (10) or more units to provide at least fifteen percent (15%) of the units at affordable housing costs for extremely low, very low, low and moderate income households, or some combination of those income categories. A developer shall select income categories for each of the affordable units such that the average income of purchasers will not exceed 100 percent of AMI.
- **Affordability by Design.** Additionally, affordability by design in Specific Plan areas is encouraged, with the development of smaller units targeted for those who desire a walkable, urban lifestyle.
- **General Plan.** The General Plan also outlines other Affordable Housing incentives including encouraging and supporting public and private efforts to provide affordable

housing, density bonuses and other financial incentives for housing projects that include affordable and/or senior housing units, consistent with State law requirements.

FIGURE 13.6-~~1~~ 2 SITES INVENTORY



City of Santa Clara
Sites Inventory Map

Legend

Basemap Features

- Santa Clara City Limits
- Major Destinations
- Parks and Open Space
- Rivers and Waterbodies
- Surrounding Cities
- Unincorporated Santa Clara County

Sites Inventory (by Type)

- Approved or Pending Projects
- Lawrence Station Area Plan Sites
- Tasman East Specific Plan Sites
- Partick Henry Drive Specific Plan Sites
- Sites to be Rezoned*

Note(s): In conformance with the current General Plan (2010), most recently amended in 2022.

Source(s): Esri, County of Santa Clara OpenData 2023, City of Santa Clara 2023.

Tasman East Focus Area Specific Plan

Adopted in November 2018, the Tasman East Specific Plan regulates the development of 46.1 acres of land located near the City's northern boundary. Approved for the development of 4,500 units, ~~full buildout of the area will likely~~the 4,366 pending and approved units listed in 13.6-2 are expected to be completed ~~occur~~ by ~~2038~~2028. A pending amendment to the Specific Plan (Action 19) will allow an additional 1,500 units, with 903 units estimated to be completed by 2030. The Specific Plan area includes 34 parcels situated east of Lafayette Street, north of Tasman Drive, west of the Guadalupe River Trail, and south of the Santa Clara Tennis and Golf Club property. Each parcel of one acre or more in size is required to accommodate a minimum density of 100 dwelling units per acre. Each parcel of less than one acre in size is required to achieve a minimum density of 60 dwelling units per acre. There are no density maximums for individual parcels.

Approximately half of the Tasman East Specific Plan's parcels have either been re-developed or have projects with active applications, ~~or~~ are already under construction, or are recently occupied. This area is transitioning from a mix of low-intensity light industrial and business park uses to a high density residential neighborhood with a mix of uses at the ground floor.

Eleven projects on 18 parcels within the Specific Plan area were counted toward the sixth cycle RHNA as approved, proposed, or under construction. ~~Fifteen~~ Fourteen remaining parcels, on approximately 8 acres, have been identified as sites and remain to be re-developed. Not Viable sites were identified and excluded based on existing uses. Assuming realistic capacity, on a parcel-level, the Tasman East Focus Area Specific Plan sites identified in this Housing Element can accommodate a total of ~~1,123~~903 units (see Table 13.6-5). Appendix B provides a detailed list of all sites, including assumed affordability. Appendix C includes supplemental analysis of the sites inventory, including the availability of specific plan sites during the planning period and suitability of nonvacant sites.

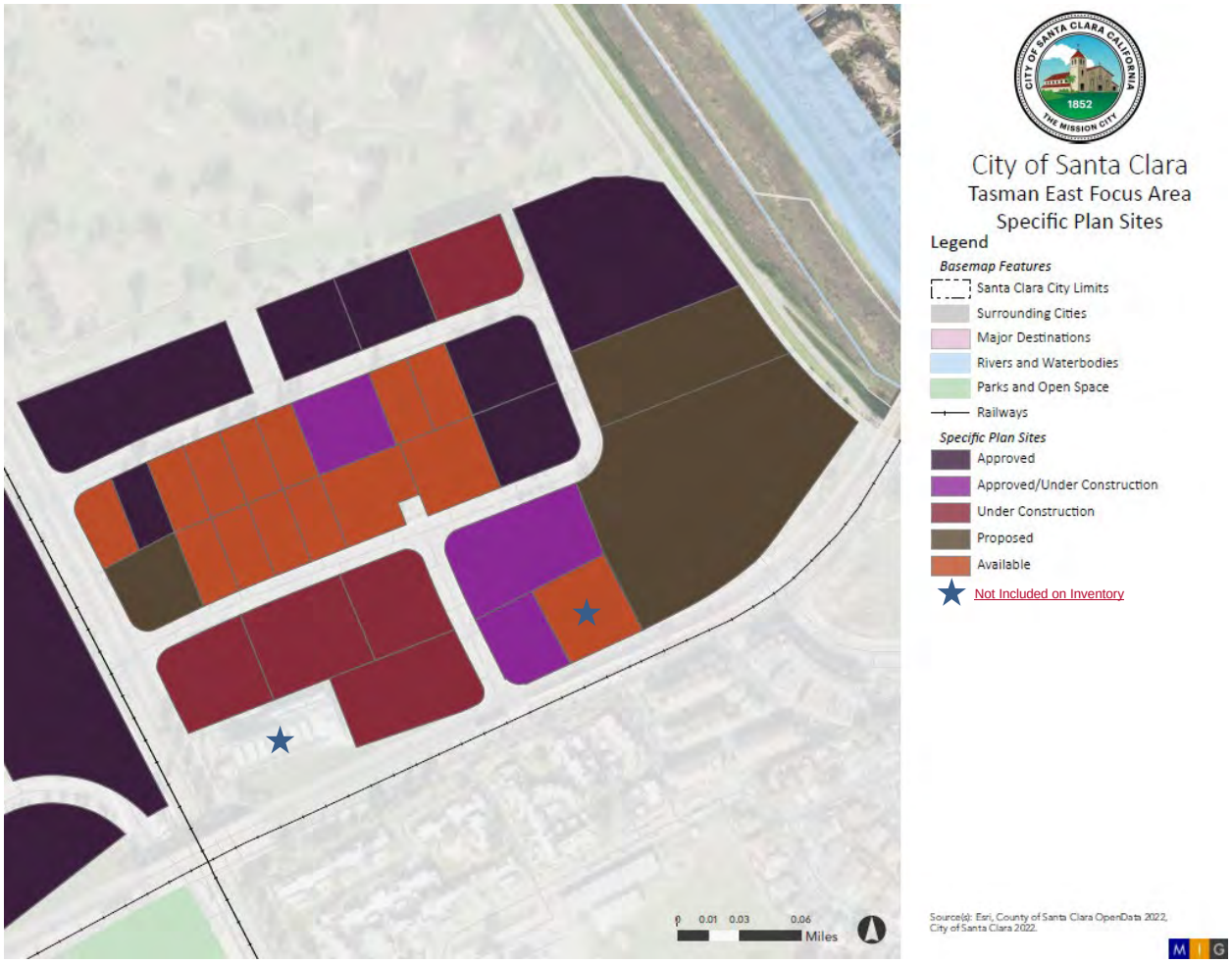
There are no City-specified buildout horizons that would prevent the 9 remaining sites ~~fifteen remaining~~(13 parcels) from being developed in this Housing Element cycle. Action 19 of the Housing Element, Tasman East Specific Plan Amendment will remove impediments from developing the remaining sites by creating additional capacity and providing streamlined environmental clearance through tiering for the 1,123 units recognized in for Tasman East in the sites inventory.

FIGURE 13.6-~~2~~ 3 TASMAN EAST LAND USE DIAGRAM



Figure 03-5-3 Land Use Framework

FIGURE 13.6-~~3~~ 4 TASMAN EAST SITES



Patrick Henry Drive Focus Area Specific Plan

In March 2022, the City Council approved the Patrick Henry Drive Specific Plan. The planning area encompasses approximately 73.59 acres bounded by Sunnyvale and Calabazas Creek to the west, the southern edge of San Francisco Public Utilities Commission right-of-way to the north, Great America Parkway to the east, and Mission College to the south. As one of the City's first high-density residential neighborhoods, Patrick Henry Drive will add thousands of units to better balance the City's jobs-housing ratio, a share of which will be income restricted to help meet regional and local affordability goals. Several regional destinations and amenities are nearby, including Levi's Stadium, Great America Theme Park, and the Santa Clara Convention Center. The VTA light rail station at Old Ironsides and Tasman Drive is just over one-half mile, or an approximately 10-minute walk, from the center of the Specific Plan area.

The Patrick Henry Drive Specific Plan resulted from a collaborative planning effort involving the City, area property owners, and the Santa Clara community. The plan will create a 73.59-acre high-density, residential neighborhood located near regional destinations, including job-centers, transit, and other amenities. At buildout, the project will accommodate up to 12,000 new residential dwelling units and 310,000 square feet of nonresidential uses, including 200,000 square feet of new neighborhood-serving retail and public facilities, such as libraries and community spaces. New and improved pedestrian and bicycle connections, trails, and parks will link neighborhoods and enhance connections to nearby amenities and recreation destinations. Careful planning will ensure adequate infrastructure and services to support the proposed new development. Targeted residential densities range from a minimum of 51 dwelling units per acre to a maximum of 250 units per acre. These densities will help meet the demand for housing that addresses job and retail growth in the City and region.

Three projects within the Specific Plan area were counted toward the sixth cycle RHNA as approved, proposed, or under construction. Twelve remaining parcels, on approximately 39.24 acres, have been identified as sites and remain to be re-developed. Not Viable sites were identified and excluded based on existing uses. Assuming realistic capacity, on a parcel-level, the Patrick Henry Drive Focus Area Specific Plan sites identified in this Housing Element can accommodate a total of 5,865 units (see Table 13.6-5). Appendix B provides a detailed list of all sites, including assumed affordability. Appendix C provides supplemental sites inventory analysis including the availability of specific plan sites during the planning period and suitability of nonvacant sites.

There are no regulatory constraints or City-specified buildout horizons that would prevent the twelve remaining parcels from being developed in this Housing Element cycle. Sites that are unlikely to be developed in this Housing Element cycle have not been included and are shown in the Patrick Henry Drive plan as being in a later build-out horizon. As a result of the adoption of the Patrick Henry Drive Specific Plan and the associated program EIR, regulatory impediments

to the development of those sites have been removed via a streamlined by-right approval process that includes CEQA tiering.

High Density Flex

Only one land use designation in the Patrick Henry Drive Specific Plan area allows for stand-alone nonresidential uses: High Density Flex. Six parcels are zoned High Density Flex, two of which were excluded because they are small sites and publicly owned utility parcels, owned by the Santa Clara Valley Transportation Authority (VTA) and the City of Santa Clara. APNs 104-04-130 and 104-04-072, respectively.

In the event that any of the four High Density Flex sites (totaling 9.6 total acres) develop with nonresidential uses only, the City will quantify at the time of approval the remaining unmet housing need at each income level and per law, identify and make available adequate sites to accommodate the RHNA by income level within 180 days of approving any such reduced-density project.

FIGURE 13.6-~~4~~5 PATRICK HENRY DRIVE LAND USE DIAGRAM

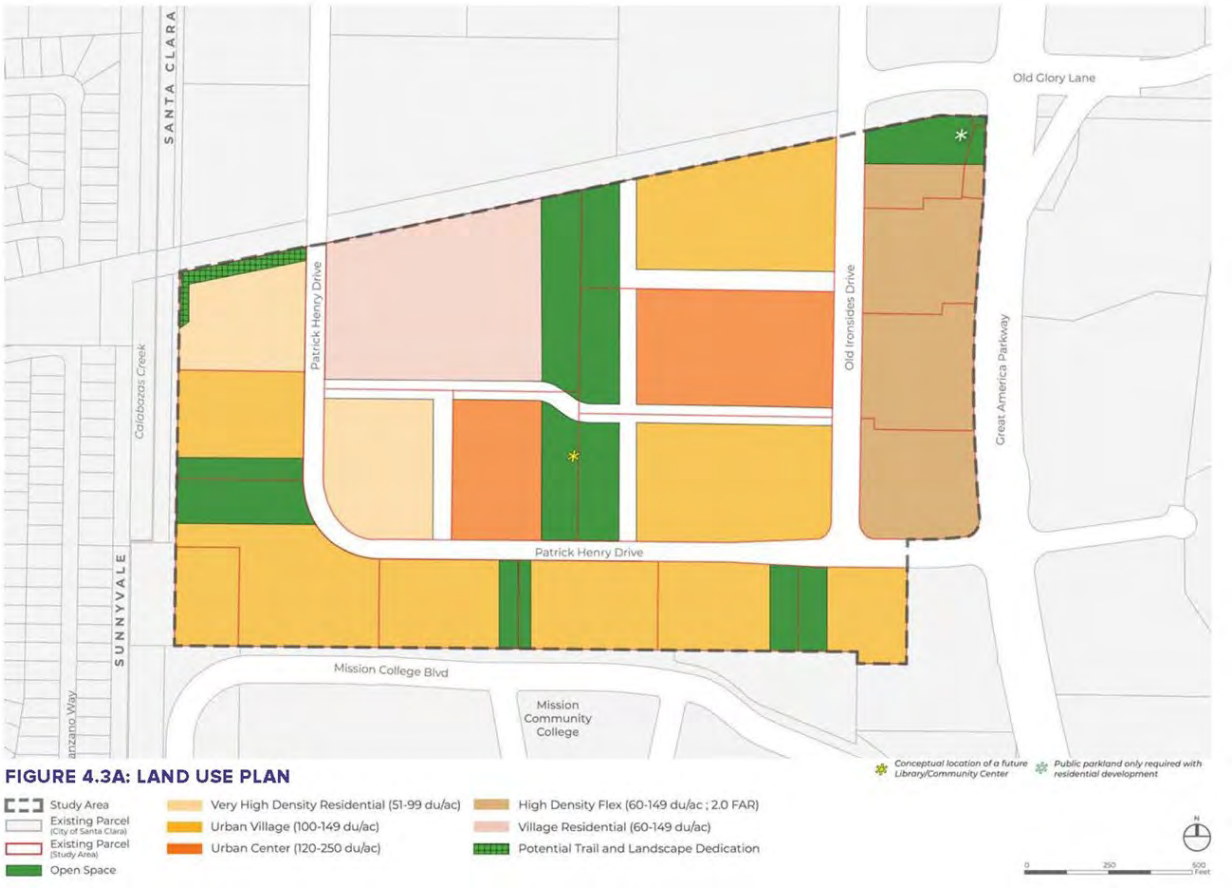
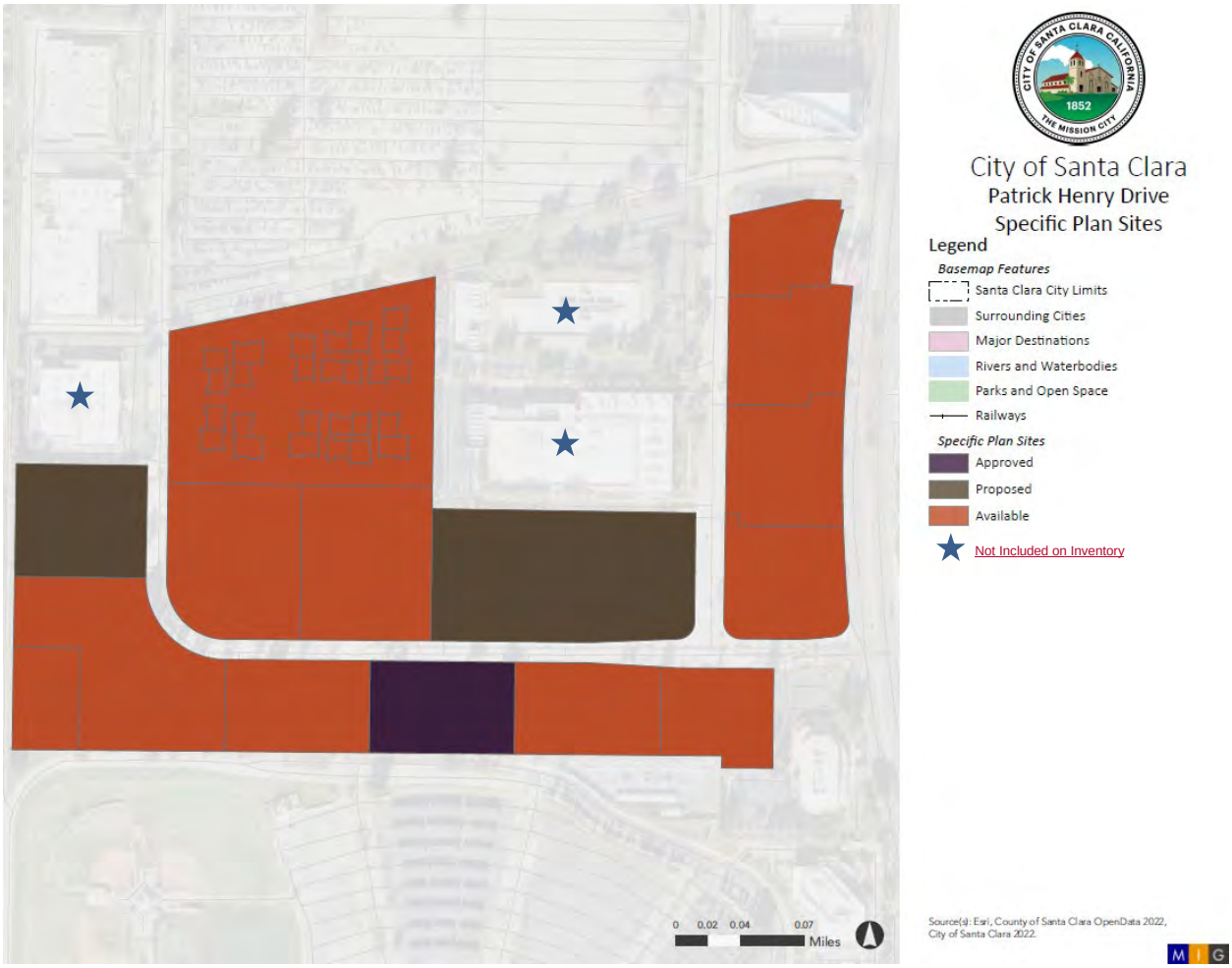


FIGURE 13.6-~~5~~ 6 PATRICK HENRY DRIVE SITES



Lawrence Station Area Plan

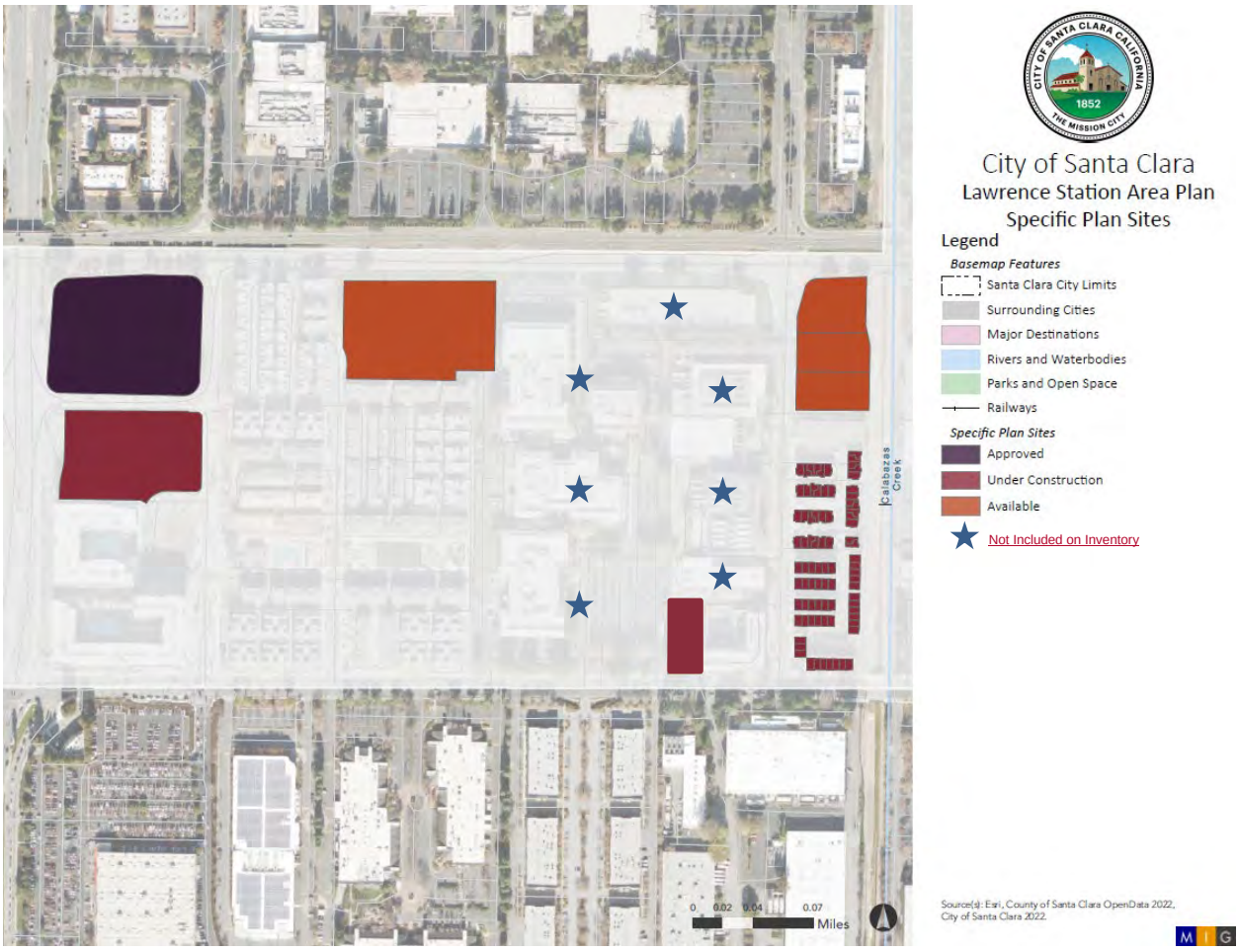
The Santa Clara Lawrence Station Area Plan Area is located northeast of the Lawrence Caltrain Station, bounded by Central Expressway to the north, Kifer Road to the South, Lawrence Expressway to the west, and Calabazas Creek to the east, encompassing approximately 72 acres (65 acres of developable land area excluding existing public right-of-way). Adopted in 2016, the Lawrence Station Area Plan is largely developed and was originally approved for the development of 3,500 units. Residential uses have replaced the areas original uses: one- and two-story buildings, generally occupied by light industrial (including manufacturing and warehousing uses), office, and various other commercial uses.

~~Four~~ Five projects within the Specific Plan area were counted toward the sixth cycle RHNA as approved, proposed, or under construction. ~~Five~~ Four remaining parcels, on approximately 5.~~7~~ 13 acres, have been identified as sites and remain to be re-developed. There are no regulatory constraints or City-specified buildout horizons that would prevent those parcels from being developed in this Housing Element cycle. As a result of the adoption of the Lawrence Station Area Plan and the associated program EIR, regulatory impediments to the development of those sites have been removed via a streamlined by-right approval process that includes CEQA tiering. Not Viable sites were identified and excluded based on existing uses. Assuming realistic capacity, on a parcel-level, the Lawrence Station Area Plan sites identified in this Housing Element can accommodate a total of ~~395~~ 344 units (see Table 13.6-5). Appendix B provides a detailed list of all sites, including assumed affordability. Appendix C provides supplemental sites inventory analysis, including the availability of specific plan sites during the planning period and suitability of nonvacant sites.

FIGURE 13.6-~~6~~ 7 LAWRENCE STATION LAND USE DIAGRAM



FIGURE 13.6-~~7~~ 8 LAWRENCE STATION SITES



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Chapter 13.7
Housing Element Program Accomplishments

This chapter analyzes program performance for the City of Santa Clara's 2015-2023 Housing Element programs. State law (California Government Code Section 65588[a]) requires each jurisdiction to review its Housing Element as frequently as appropriate and evaluate:

- The appropriateness of the housing goals, objectives, and policies in contributing to the attainment of the state housing goals
- The effectiveness of the Housing Element in attainment of the community's housing goals and objectives
- Progress in implementation of the Housing Element

This evaluation provides critical information on the extent to which programs have achieved stated objectives and whether these programs continue to be relevant to addressing current and future housing needs in Santa Clara. The evaluation provides the basis for recommended modifications to policies and programs and the establishment of new housing objectives. The Department of Housing and Community Development determined that the Santa Clara 2015-2023 Housing Element was in full compliance with State law. Following adoption in 2015, the City was tasked with following through on the commitments made in the housing programs. The City has analyzed the effectiveness of the 5th cycle Housing Plan actions, policies, and goals and has used this evaluation to inform the revised Housing Plan for the 6th cycle. While the fair housing analysis conducted in Chapter 3 relied upon contemporary data, the retroactive analysis of past program accomplishments depended on data points collected during program actions that, in some cases, did not align directly with the data points collected during the fair housing analysis conducted for the 6th cycle.

Specific attention was given in the evaluation of the cumulative effectiveness of past goals, policies, and related actions in meeting the housing needs of special populations. In cases where data was not available, institutional knowledge and staff interviews were used to provide context for the program evaluation. Generally, the effectiveness of the action was evaluated in terms of the:

- number of individuals served
- cost of the program/action based on the benefit to the individual served
- availability of funding and resources
- efficiency and effectiveness of the program partners and service providers

- the ability to satisfy expressed AFFH requirements in the next cycle.

Overall, the programs that targeted households showed that services were provided to a number of special needs households such as the elderly, persons with disabilities, female-headed households, and persons experiencing homelessness. Indirectly, the jurisdiction made efforts to increase affordability via policies supporting varied types and tenures and increase the affordable housing stock that generally improved the availability of housing that variably resulted in serving special needs households. Although no specific data points exist for some of the 5th cycle programs, it is expected that the populations served under many of the direct service actions align with those programs that did collect data, as shown in the matrix below. Overcrowded households were not identified in the 5th cycle as a targeted demographic for specific action, nor was farmworker housing as there are no active farms in the City of Santa Clara and no Agricultural Land Use Designations beyond the allowed use of community or urban gardens. However, during community engagement, an effort was made to identify farmworker populations that could be commuting to other jurisdictions or retired farmworkers that would be eligible for farmworker housing.

Anecdotally and statistically, we know that overcrowding is increasing due to affordability pressures on all households and the most vulnerable special needs populations will require additional attention beyond tenant protections. Therefore, many of the new program goals, policies, and actions are informed not only by the 5th cycle evaluation but the fair housing assessment and community input collected during the authoring of the Housing Element. Further, the City participated in a regional Assessment of Fair Housing process led by Santa Clara County -during the development of this document and facilitated a local homelessness taskforce and outreach process in 2022. Analyzing the cumulative effectiveness of the 5th cycle Housing Plan actions, policies, and goals in conjunction with the additional analyses conducted in this document along with community engagement, has provided clarity and focus on the development of the 6th cycle Housing Plan.

Following the evaluation table, the quantified objective performance is summarized. For the next cycle, 2023-2031 the Actions have been reprioritized and will be reordered based on the updated goals, policies, and the integration of HCD's new Affirmatively Furthering Fair Housing requirements.

5th Cycle Housing Plan

Table 13.7-1: Goals and Policies

Goal A: Create and maintain high-quality, livable, and unique residential neighborhoods and preserve established single-family neighborhoods.
Policy A-1 Maintain and improve the quality of residential neighborhoods, eliminate housing deficiencies and prevent future blight through the encouragement of ongoing maintenance, rehabilitation and conservation of existing housing stock.
Policy A-2 Provide code enforcement support for residential neighborhoods in conformance with City Code and Zoning Ordinance regulations.
Policy A-3 Promote compatibility between neighborhoods while respecting differences in neighborhood character.
Policy A-4 Promote consensus with City Design Guidelines.
Goal B: Manage growth in the City by designating suitable vacant or underutilized sites for new residential development and ensuring compatibility with community goals and existing neighborhoods.
Policy B-1 Disperse affordable housing units throughout the City to avoid a concentration in any one neighborhood.
Policy B-2 Encourage the building of higher density housing on appropriate vacant or underutilized sites.
Policy B-3 Encourage the annual construction of the number of housing units necessary to meet the City's regional housing needs determination through housing finance and reducing development constraints.
Policy B-4 Promote compatibility between neighborhoods while respecting differences in neighborhood character.
Policy B-5 Work towards the mitigation of jobs/housing ratio impacts created by developments with significant employment.
Policy B-6 Encourage higher density residential development in transit-oriented and mixed-use areas where appropriate.
Policy B-7 Encourage a mix of unit types and sizes in new housing development.
Goal C Provide housing within the community for persons of all economic levels, regardless of religion, gender, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or mental or physical disability.
Policy C-1 Construct and preserve affordable housing for lower and moderate-income households through the use of public subsidies, regulatory incentives and flexible development standards.
Policy C-2 Participate in local, regional, State and federal programs that support affordable, transitional, supportive and permanent housing.
Policy C-3 Create opportunities for affordable housing and housing to support special needs populations and extremely low-income households.
Policy C-4 Ensure equitable housing opportunities for all residents.
Goal D Provide an adequate variety of individual choices of housing tenure, type and location, including higher density where possible, especially for low and moderate income and special needs households.
Policy D-1 Promote a variety of housing types, indifferent locations to maintain social and economic diversity in the City.
Policy D-2 Participate in programs that provide support services to residents in need.
Policy D-3 Increase public outreach efforts to inform residents and potential developers of available City housing programs.

Table 13.7-1: Goals and Policies

Policy D-4 Encourage early participation from residents and other stakeholders in development of long-range plans and review of new development proposals.
Policy D-5 Ensure compliance with all State and federal regulations relating to housing opportunities and the prevention of discrimination.

Source(s): City of Santa Clara, 2022

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
Action 1	Neighborhood Conservation Improvement Program (NCIP). Assist approximately 424 homeowners with rehabilitation assistance, including approximately 160 extremely low-income households (ELI). Continue to conduct inspections of homes on a request and complaint basis, providing referrals to the NCIP and assistance where possible to correct identified issues and problems. Policy A-1	2022: The City increased funding for smaller grant funded projects that address accessibility and minor repairs. 2018-21: The Housing and Community Services division increased funding for this program (approximately $1 million annually) to assist more low-income and senior homeowners to improve the habitability, use and occupancy of owner-occupied housing. 2017: A NCIP Procedure Manual was updated and approved by the Loan Committee. 2015-16: An NCIP Procedural Manual is annually updated and approved by the Loan Committee.	Since 2014, the program has assisted over 121 low-income households of which 53 were seniors, and 37 were female headed households, and 11 were disabled.	Continue to offer these services, every two years the City could conduct proactive outreach to low-income homeowners who are elderly, have disabilities, or have large households. Renumbered and Renamed to Action 4: Maintenance of Housing Stock
Action 2	Preservation of Assisted Rental Housing. Continue to assist property owners of assisted housing by providing funding to make periodic improvements to the property, if available. Such assistance helps the project maintain its affordability.	Since 2014 the city has assisted with the preservation of Riverwood Place (146 units) by restructuring an existing City loan to allow for improvements and to extend affordability by 18 years. The City also helped preserve the 42-unit Westwood	Both projects serve lower income families	Continue to explore ways to preserve housing that serves a variety of groups pending

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
	Continue to monitor at risk project by maintaining contact with the property owner annually regarding long term plans for the project. Establish contact with public and nonprofit agencies interested in purchasing and/or managing units at risk. As necessary and feasible, the City will provide financial and technical assistance to these organizations. Provide tenant education on Section 8 rental subsidies and other available assistance through City and County agencies as well as nonprofit organizations. Notify tenants at least one year in advance of potential conversion to market rate housing. Provide information regarding tenant rights and conversion procedures. Policy B-1, Policy C-1, Policy C-2, Policy C-3, Policy D-1	Ambassador complex by restructuring our existing loan to allow for rehabilitation and to extend affordability by 27 years.		available CDBG and PHLA capital funding, housing vouchers, funding for supportive services, and the interest of property owners to collaborate. Renumbered to Action 5
Action 3	<u>Acquisition of Multi-Family Housing.</u> Annually explore funding sources available at the regional, State, and federal levels to support acquisition/rehabilitation opportunities. Work with nonprofit entities to acquire and rehabilitate existing multi-family structures to be maintained as affordable rental housing. Seek opportunities to identify and purchase deteriorated residential properties during depressed rental	Multi-Family Housing Acquisition and Rehabilitation Status: 2018-21: The City seeks opportunities to occupy deteriorated properties that, during times of depressed rental markets, cannot raise sufficient capital to rehabilitate. This is an active City program; however, market conditions have not provided compelling opportunities. In the meantime, the Housing and Community Services Division has launched a multi-family energy focused rehabilitation incentive for affordable	The City is not well positioned to regularly compete for land on the open market.	Continue to coordinate with affordable housing developers and to explore and prioritize sites for possible funding assistance from the City.

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
	markets, rehabilitate units, and convert from market rate to affordable levels. Policy B-1, Policy C-1, Policy C-2, Policy C-3, Policy D-1	projects in Santa Clara, with three projects currently in the pipeline. 2019-20: The City of Santa Clara has worked with Riverwood Place Associates, L.P. (MidPen Housing Corporation) to extend the affordable housing requirements for 148 rental units within the project located at 5090 Lick Mill Boulevard. MidPen approached the City of Santa Clara with a proposal to fund a solar panel installation as solar provides a great opportunity for long-term sustainability and cost savings. The estimated capital cost was estimated to be around $680,000. MidPen Housing also proposed, as part of the financing strategy, to modify the terms of the City's existing Promissory Note. Whereas the original Promissory Note entitled the City to 75% of residual cash flow receipts, the proposed modification would entail a conventional 50/50 split of residual receipts between the City and MidPen. In exchange for the requested modification, the City requested to increase the interest rate to 2% from the original 0% and to extend the affordability covenants maturity date from March 14, 2056 to March 14, 2074, thereby preserving 148 studio apartments serving special needs adults for an additional 18 years. 2015-17: The City seeks opportunities to occupy deteriorated properties that, during times of depressed rental markets, cannot raise sufficient capital to rehabilitate. This is an active City program. These units are then converted to affordable units.		Renumbered to Action 6

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
Action 4	Code Enforcement Program - Continue the multi-family residential housing inspection and educational programs. Aggressively respond to violations of housing codes. Provide special attention to maintaining the stability of residential neighborhoods through development and enforcement of minimum standards of allowed use of the City's streets, as well as maintenance of front and other yard areas visible from the public right-of-way. Policy A-1, Policy A-2, Policy A-3, Policy A-4	City has three full time code enforcement technicians and one building inspector dedicated to code enforcement. Program has been successful in removing blight and substandard housing.	On-going	Continue with modification to expand Inspection and Code Enforcement Program to include proactive Multi-family Residential Housing inspections and educational programs in a regular cycle, which is beyond the current program that solely responds to code enforcement complaints Renumbered to Action 7
Action 5	Neighborhood University Relations Program. Improve the maintenance of student-occupied homes and behavior of the occupants to minimize impacts on the	Improve Relationship between Santa Clara University Students and other city residents in neighborhoods adjacent to SCU 2015-17 Status: The Planning Division and Police Department continue cooperation and giving attention to this	On-going; SCU now requires freshman and sophomore	Continue, as is Renumbered to Action 8

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
	neighborhood surrounding Santa Clara University (SCU). Enhance code enforcement and special Police patrols to address the problems in the area. Continue to hold meetings three times per year with student tenants, landlords, SCU, residents and the City to allow opportunities for stakeholders to discuss neighborhood issues and concerns. Continue to work with neighbors (residents, businesses, and institutions such as Santa Clara University) to ensure that development is compatible with existing neighborhoods and that neighbors are satisfied with the design, density, and parking requirements of projects. Policy A-1, Policy A-2, Policy A-3, Policy A-4	area. Meetings of all parties involved occur at least monthly.	students to live on campus, with some exceptions	
Action 6	<u>Zoning Ordinance.</u> Complete the comprehensive update to the Zoning Ordinance by mid-2016. Continue to monitor the Zoning Ordinance for any potential constraints to the development of housing, particularly housing for persons with special needs (including those with developmental disabilities) and amend the Zoning Ordinance as necessary. Policy A-3, Policy A-4, Policy B-2, Policy C-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1, Policy D-5	Comprehensive Zoning Ordinance Update 2015-22 Status: The City is continuing to work on the comprehensive Zoning Ordinance Update, including the creation of more flexible mixed-use zoning districts that will be applied in the City's Focus Areas, including El Camino, Tasman East and Freedom Circle/Patrick Henry Drive.	The City has updated the zoning ordinance as the Specific Plans have been adopted. The City is currently updated the Zoning Ordinance	Continue, as is Renumbered to Action 9

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
			with an anticipated completion in 1Q2023.	
Action 7	<u>Adequate Sites Inventory.</u> Maintain an inventory of housing sites appropriate for a range of income levels and housing types, including supportive housing for persons with disabilities and developmental disabilities. Provide information and technical assistance on Federal and State funding sources or referrals to appropriate agencies. Disperse and monitor the location of affordable units in various areas of the City. Review housing sites inventory at time of development proposal to determine consistency with proposed density and assumed density in Housing Element. Maintain a zero net loss of units identified in the opportunity sites inventory of this Housing Element. If the assumed density is not entitled, a finding must be made that the displaced units can be redistributed to other opportunity sites. Encourage developments that are transit-based or in close proximity to transit when determining City affordable housing funding decision priorities.	Identify Housing Sites (including TOD and Mixed Use) in General Plan. Status: Sites were identified in the General Plan and new housing has been approved and built-in areas designated for mixed use, including El Camino Real. The underutilized sites inventory is used during consultations with prospective developers.	On-going; Lawrence Station, Tasman East and Patrick Henry Drive specific plans approved	Continue, with modification Renumbered to Action 10

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
	Encourage Mixed Use development where appropriate to provide increased opportunities for housing development. Notify owners of mixed use designated sites through an outreach/marketing program. Policy B-1, Policy B-2, Policy B-3, Policy B-5, Policy B-6, Policy B-7, Policy C-1, Policy C-3, Policy D-1, Policy D-3, Policy D-4			
Action 8	<u>Lot Consolidation.</u> Provide technical assistance regarding the lot consolidation process to interested parties. Provide the sites inventory to interested developers and assist in identifying sites with lot consolidation potential. Process lot consolidation applications concurrently with other applications for development. Policy B-2, Policy B-3, Policy C-1, Policy D-1	Consolidate lots for development 2015-17 Status: The City has been processing parcel maps and lot mergers to create larger, more easily developable sites, primarily occurring in the El Camino Real PDA.	This process has been successful when applied strategically	Discontinue
Action 9	<u>Impact Fees.</u> Assess if impact fees are constraining development or providing a competitive edge for the City. If City fees deviate significantly from those charged by comparable communities, take actions to adjust fees as appropriate. Policy B-2, Policy B-3, B-5, B-6, B-7, Policy C-3, Policy D-1	Explore Residential and Commercial Nexus Studies Status: 2017: The City completed both a residential and non-residential nexus study and has adopted residential and non-residential impact fees. 2016: The City has commissioned both a residential and non-residential nexus study and is currently doing outreach with stakeholders and the wider community.	The nexus studies have informed the Zoning Ordinance update	Continue Renumbered to Action 11

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
		2015: Studies have been required as part of environmental review of new employment-related developments, but conditioning and funding have only been accomplished where there were negotiations for a related Development Agreement.		
Action 10	<u>Provision of a Variety of Housing Types.</u> Promote the construction of accessory units to increase the type and size of the City's housing stock, with an objective of 25 units per year or 200 units over eight years. As part of the comprehensive Zoning Ordinance update (to be completed by mid-2016), reconsider, and revise if appropriate, requirements for accessory units. Conduct an ongoing promotional program, including mailings to owners of single-family properties with adequate size for accessory living units. Support development of low-income housing alternatives, such as single-room occupancy (SRO) units, senior housing, family housing, housing for persons with disabilities (including developmental disabilities) etc. Encourage affordable, compatible one- and two-story additions for upgrading single-family homes.	Fund Alternative Affordable Housing Types 2017-21 Status: The City is partnering with the County's Office of Supportive Housing to increase the supply of housing that is affordable and available to extremely low income and/or special needs households in the City through the use of funds from the 2016 Measure An Affordable Housing Bond. There are four active projects in the pipeline that total over 400 units. 165 of those units are for seniors, 134 of those units are set-aside for formerly homeless households, 15 units are set-aside for individuals who are disabled or have development disabilities, and 13 units are homeownership units. Encourage One- and Two-Story Additions 2015-21 Status: Almost 100% of proposed additions are approved, subject to Architectural Review, were consistent with zoning district standards. Modifications are typically approved for reduced rear yard for single story additions. Expand very low and extremely low-income units by following types of developments 2015-17 Status: SRO units, Senior Housing, Family Housing, etc. Support can be in the form of City	This program has been successful in increasing housing types	Continue, as is Renumbered to Action 1

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
	Provide increased flexibility for houses built prior to the current zoning requirements. Continue to require the Residential Green Checklist as part of the permit submittals for residential construction. Policy A-3, Policy B-1, Policy B-3, Policy C-1, Policy C-3, Policy C-4, Policy D-1, Policy D-3	funds to variances based on SROs unique characteristics. 2015-16 Status: Although not designed as Mixed-Use developments, residential units have been approved/constructed in areas designated Community Mixed Use. These projects will help to bolster the viability of mixed-use projects along the El Camino. Accessory Dwelling Units: The City now produces on the order of 50 ADUs/year, doubling the 2014 estimate.		
Action 11	<u>Inclusionary Housing Policy.</u> Continue to implement the Inclusionary Housing BMP and BMR programs. Annually monitor the effectiveness of the Inclusionary Housing Policy in expanding the housing supply and diversity in the community. Policy B-1, Policy B-2, Policy B-3, Policy B-7, Policy C-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1	Inclusionary Housing requirement 2015-21 Status: The City's has adopted an Affordable Housing Ordinance, which has increased the inclusionary requirement 15% on site provision for for-sale and rental project with 10 units or more (compared to the previous requirement of 10% for only for-sale projects with 10 or more units). RDA subsidies for inclusionary housing were eliminated under the BMP Program in 1997.	This policy has been applied successfully to housing developmen t projects and has produced low- and moderate-income housing.	Continue, with modification Renumbered and renamed to Action 2: Affordable Housing Ordinance
Action 12	<u>Affordable Housing Incentives.</u> Encourage and assist in efforts to combine public and private funds in joint housing ventures.	Develop Incentives for Affordable and Senior Housing Projects 2015-21 Status: The Zoning Code has been updated to reflect the current State density bonus provisions.	On-going	Continue, as is Renumbered and renamed to Action 3:

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
	As appropriate, support and/or partner with housing developers in the application for affordable housing funding, such as providing technical data, assistance in identifying available and appropriate sites, expediting review and processing of affordable housing, and providing local match as funding is available. Annually explore funding available at the regional, state, and federal levels for affordable housing development and programs. Continue to work with the Housing Authority of Santa Clara County to expand the Authority's ability to create low- and moderate-income housing. Participate with other local jurisdictions to provide affordable housing. Collaborate with neighboring jurisdictions to pursue funding opportunities for affordable housing programs. CDBG and HOME funds will continue to be used in conjunction with other cities' funds to construct shelters and to provide housing services. Continue to provide density bonuses or equivalent financial incentives for housing projects which include affordable and/or senior housing units, consistent with State law requirements.			Affordable Housing Incentives and Facilitation

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
	Encourage housing developers to use the City's Density Bonus Ordinance and the Planned Development Zone District, which allow for flexibility in the zoning regulations. Continue to pursue opportunities to acquire and rehabilitate existing multi-family structures to be maintained as affordable rental housing. Encourage the provision of specialized housing to meet the needs of those with disabilities (including developmental disabilities); or for group care, emergency housing and foster homes, where appropriate. Identify situations of overcrowding and educate families of local housing programs. Incentivize nonprofit developers to develop units for very low and extremely low households by identifying appropriate housing sites or rehabilitation projects and matching developers with funding sources. Continue to require the Residential Green Checklist as part of the permit submittals for residential construction. Consider, in 2015-2016, other feasible incentives to foster affordable housing development in the City. These may include fee deferral, reduction, or waivers.			

Table 13.7-2: Actions and Objectives

Action	Program Title & Objective	Achievements/Results	Evaluation	Recommendation
	Policy B-1, Policy B-2, Policy B-3, Policy B-7, Policy C-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1			
Action 13	Housing Mitigation Fee. Continue to require housing impact studies as part of project- related environmental reviews for new developments or businesses that generate a high number of jobs. Continue to require Housing Impact Studies through development agreements with new projects, to address the impact on the affordable housing supply. Consider, in 2015-2016, establishing an affordable housing mitigation fee for office and industrial developments that propose a significant square footage of area where persons are to be employed. Policy B-2, Policy B-3, Policy C-1, Policy D-1	Requirement of Housing Impact Fee Studies for the largest projects; Development of a Housing Impact Fee Program Status: 2017-21: The City has adopted an Affordable Housing Ordinance, consisting of inclusionary on-site requirement for residential projects, impact fees for residential projects with 9 or fewer units, for fractional units and for nonresidential development. These requirements became effective on February 22, 2018. 2015-16: The City is currently in the process of outreach with the community and stakeholder to determine appropriate Affordable Housing impact fees, residential and non-residential.	On-going	Discontinue
Action 14	Affordable Housing Funding. Identify a steady source of affordable housing funds. Pursue funding available from State, federal, and regional housing programs. Policy B-1, Policy B-2, Policy B-3, Policy B-7, Policy C-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1	In 2022 the City joined the Santa Clara County PHLA Housing Consortium and will be allocating 2019 and 2020 funding in 2023.2017-21: The City has adopted an Affordable Housing Ordinance, which includes a commercial linkage fee. The ordinance became effective on February 22, 2018, and since fall of 2021 has generated $5.6 million since to address affordable housing needs in Santa Clara. 2015-16: The City is currently participating in the drafting of a multi-city nexus study for the	On-going	Continue to plan and allocate PHLA funding and to look for additional ongoing funding sources. Renumbered to Action 12

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
		creation of both residential and commercial housing impact fees.		
Action 15	<u>Economic Displacement.</u> Evaluate programs and policies and provide recommendations to City Council within one years of Housing Element adoption. As necessary and appropriate, adopt programs and policies to address displacement within two years of Housing Element adoption. Monitor programs and policies bi-annually for effectiveness. Policy B-4, Policy B-5, Policy C-1	The City continues to provide Tenant Based Rental Assistance (TBRA) in the form of deposits and rental subsidies for up to 12 months, along with case management services, to families with children experiencing homelessness, those fleeing domestic violence, or families with children that are at risk of homelessness. Community Ownership Conversion Tenant Protections 2018-21 Status: In the case of condominium conversions, landlords are required to provide tenant protections, including advance notice requirements, right of first refusal, and relocation assistance 2019-20 - On March 24, 2020, the Santa Clara City Council approved Ordinances 2014 and 2015, establishing a temporary eviction moratorium in response to the COVID-19 pandemic. The moratorium went into effect immediately, March 24, and the Council subsequently extended the moratorium through August 31, 2020, at which time AB 3088 established a statewide prohibition on residential evictions. Provide Relocation Assistance to Residents Displaced by Redevelopment 2015-17: With the closure of the RDA, the City is exploring funding	The eviction moratorium has since expired, and state and pandemic related local rental assistance programs have ended. Additional programs may be needed to respond to displacement pressures.	Continue to provide TBRA and explore additional programs that respond to and prevent homelessness and displacement. Allocate the City's HOME ARP funding in 2023. Renumbered and renamed to Action 13: Residential Displacement

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
		streams, including housing linkage fees, for relocation assistance. The City actively encourages developers to provide advance notice and relocation assistance for displaced tenants.		
Action 16	Shared Housing. Continue to support programs designed to create shared housing arrangements for seniors, families, and persons with disabilities (including developmental disabilities). Annually evaluate the need for shared housing services as part of the CDBG annual plan process. Policy B-1, Policy C-2, Policy C-3, Policy C-4, Policy D-1, Policy D-2	Support Shared Living Facilities & Operations 2015-21 Status: The City encourages shared housing arrangements and group living arrangements for special populations who are very low income. In 2018 there was one official shared housing program for seniors in Santa Clara County and it was operated by Catholic Charities. This program ended because it was not sustainable, as it had too few landlords, too many renters, and it required a lot of staff facilitation. Some Seniors have indicated to City staff that they would prefer a 1 bedroom with support services for privacy and safety reasons.	Home sharing can work well for group homes, but less so for the elderly residents.	Continue to support the creation of new shared housing for persons with developmental disabilities. Explore service enhanced senior housing with rents capped at 30% of income versus based on AMI. Explore a new position to help seniors navigate the housing market and to access subsidized housing. Renumbered to Action 18
Action 17	Housing Choice Voucher Program. Continue to participate in and promote the Housing Choice Voucher Program.	Promote Section 8 Housing Program 2015 Status: Currently, the Housing Authority has 659 certificates/vouchers under contract within the City, 269 of which are elderly.	On-going	Continue, as is Renumbered to Action 14

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
	Encourage apartment owners to list properties with the Housing Authority for individual Housing Choice Vouchers. Policy B-1, Policy C-1, Policy C-2, Policy C-3, Policy D-1			
Action 18	<u>Homeownership for First-Time Buyers.</u> Continue to collaborate with NHSSV to implement the BMP program and provide assistance to approximately 10 to 15 lower, moderate-, and middle-income households during the 2015-2023 Housing Element planning period. Promote homeownership, particularly for first time buyers, through single-family, townhouse and condominium construction as well as conversion of rental to condominium ownership, where appropriate. Encourage program participation among moderate income households, as well as low-income households, while interest rates are low. Continue to promote homebuyer assistance programs through the Housing Trust Silicon Valley and the County of Santa Clara. Include links to these housing resources on City website by 2015. Policy B-1, Policy C-2, Policy D-1	Support and Fund First-Time Homebuyers (FTHB) 2015 Status: The Santa Clara's BMP (Below Market Purchase) program produced 4 first time homebuyers this year. They were all moderate income. There are 106 BMP owners in the current program since 2007 through October 28, 2022.	The current BMP program does not require BMP homes to stay affordable for more than five years. Policy changes could require resale to income qualified buyers and create more	Continue, with modification to require longer affordability terms on BMP homes. Renumbered to Action 15

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
			opportunities.	
Action 19	Fair Housing Program. Continue to refer tenant-landlord complaints to an agency offering meditation. Provide referral services and promotional support to link those experiencing discrimination in housing with public or private groups who handle complaints against discrimination. Seek state and federal enforcement of fair housing laws and continue to cooperate with local agencies investigating claims of discrimination in lending practices and predatory lending. Provide outreach and education materials about fair housing services, nonprofit partners (e.g., Project Sentinel). Continue to hold open house events and meetings to distribute fair housing information and resources to tenants and homeowners in need of assistance. Refer disputes between property owners to the County Human Relations Commission's Dispute Officer. Policy B-1, Policy C-2, Policy D-1	Contract with Non-Profit Agency for Mediation Services 2015 Status: Annual service contract with Project Sentinel to provide tenant-landlord dispute resolution service on city-wide basis Provide Referral Services and Support for Discrimination Concerns 2015 Status: Provision of fair housing services by the City is essential to meet federal and State requirements to affirmatively further fair housing. Housing projects funded by federal HOME funds must develop and implement an affirmative marketing plan.	This has been an important resource that will continue to expand in outreach	Continue, with modification Renumbered to Action 16
Action 20	Homeless Services. Assist in funding locally administered programs that provide shelter, food and clothing for those with transitional and supportive housing needs.	The City has invested several hundred units of permanent supportive housing and/or ELI/VLI housing for families, individuals, and seniors.	The City has invested in a variety of	Continue to fund services and complete the City's local

Table 13.7-2: Actions and Objectives

Action	*Program Title & Objective*	*Achievements/Results*	*Evaluation*	*Recommendation*
	Continue to support housing for at-risk youth. Policy B-1, Policy C-2, Policy D-1	The City has also invested in public services through its CDBG and HOME programs including Tenant Based Rental Assistance, the regional Homelessness Prevention System, case management services for permanent supportive housing, assistance for survivors of domestic violence, and more. In 2022 the City conducted a six-month Homelessness Task Force and outreach process and published a draft strategic framework.	services and is in the process of writing a local strategic plan to expand its efforts.	homelessness response plan and begin implementing new programs that respond to the identified gaps. Renumbered to Action 17

Source(s): City of Santa Clara, 2022

Quantified Objectives

Table 13.7-2 summarizes Santa Clara's quantified objectives for the 2015-2023 Housing Element planning period and the progress the City has made, including progress meeting the City's fifth cycle RHNA.

Table 13.7-3: Summary of 2015-2023 Housing Element Quantified Objectives (through 2022 APR)

Objectives	*Affordability Breakdown*					*Totals*
	Extremely Low	*Very Low*	*Low*	*Moderate*	*Above Moderate*	
Building Permit Objectives (RHNA)						
Goal	-	1,050	695	755	1,593	***4,093***
Progress	-	474	502	213	6,932	***5,266***
Single-Family Rehabilitation Objective						
Goal	424 (160 ELI)			-	-	***424***
Progress	121 (24 ELI)			-	-	***121***
At-Risk Housing Units to Preserve						
Goal	-	-	-	-	-	-
Progress	-	-	-	-	-	-

Source(s): City of Santa Clara, 2023

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Appendix A
Outreach

Summary

As part of the Housing Element update draft a Public Engagement Plan (PEP) was developed by City staff to provide the community public participation opportunities during the development of the Housing Element under Gov. Code Section 65583 (c)(9). Additionally, the City set up a housing element webpage: https://www.santaclaraca.gov/our-city/departments-a-f/community-development/planning-division/general-plan/housing-element-update; that provided continual updates as work on the 6th Cycle Housing Element progressed. The list-serv generated by this effort has 1,500 subscribers (as of January 3, 2023) that are notified when the page updates and notifications are posted regarding the Housing Element.

During the development of the PEP stakeholders were identified and interviewed, surveys were conducted in multiple languages, and comment on the draft element was received; all informing the final iteration of the 6th Cycle Housing Element.

Stakeholder interviews were conducted to help build a framework for the 6th Cycle Housing Element. The interview questionnaire and summary are included in **Appendix A-1: Stakeholder Interview Summary**. The stakeholders that were interviewed are a subset of interested parties that were contacted from a list of community members and organizations listed in **Appendix A-2: Stakeholder List.**

Shortly after the interviews were conducted, the City conducted an on-line survey to gather information about how residents were experiencing housing. The survey was conducted in English, Spanish, Vietnamese, and Chinese (Mandarin). There were well over 1,500 responses which are summarized in **Appendix A-3: Community Survey Summary**. The survey results were incorporated into the formulation of the 6th Cycle Housing Plan Goals, Policies, and Actions. Although, there was some demographic variance in the results of the survey, they were not statistically significant. Nonetheless, where there were apparent variances or interesting results, those were provided in the summary sections as additional result tables. Finally, feedback collected provided support for the Housing Plan actions focused on diverse outreach and engagement and services to protected classes.

Appendix A-4: Regional Santa Clara County AFFH Related Outreach and **Appendix A-5: Housing Element Specific Outreach** provide numerous instances of regional and local outreach activities that the City conducted or participated in. As stated in the introduction to this 6th Cycle Housing Element, outreach consisted of:

- Community Meetings
- Stakeholders Meetings, Questionnaires, and Interviews
- Digital Surveys: English, Spanish, Vietnamese, Chinese (Simple)
- Community Events
- Community Pop-ups
- Tenant Listening Sessions
- Homelessness Taskforce Meetings
- Planning Commission and City Council Meetings

At a high level, the community engagement was utilized to balance and align community input with State Housing Law requirements. With, consistent themes of affordability, housing type and tenure, housing choice, tenant protections, and homelessness the outreach process informed the Housing Plan actions, polices, and actions, and confirmed or highlighted trends identified by the demographic analysis. Specifically outreach informed the creation of the following new policies and ~~efforts~~ programs in the Housing Element ~~as~~ workplan~~follows~~:

- Respondents to outreach and commentors were concerned that the designated levels of affordability in the city's existing inclusionary ordinance are above market rate and increasingly not affordable for many residents. ~~The~~ Action #2 in Chapter 13.2~~Housing Element includes a planned effort to~~calls for an update to the inclusionary ordinance to ~~increase a greater number of units in the~~achieve deeper levels of affordability ~~categories~~ and to redefine the City's moderate affordability category to reflect a below market rate ~~lower~~ income range.

In response to Housing Choices call to expand deeply affordable housing choices, the City updated Action #1 in Chapter 13.2 to include a goal to increase the stock of extremely low and very low income rental housing designated for people with developmental disabilities by 35%. Also proposed ~~is~~are criteria that would prioritize City ~~including in the City's Notice of Funding Availability specifications criteria that would prioritize City~~ funding of Extremely Low Income and Very Low Income units.

-
- In response to comments received by stakeholders, the City updated Action #1 in Chapter 13.2 to include a goal to increase the stock of three and four bedroom rental units for large households by 20%.
- In response to input from SV @ Home regarding ongoing stakeholder outreach, the city added an objective to conduct in person outreach once per year in low and moderate resources

neighborhoods to educate residents about a variety of topics including upcoming housing opportunities, fair housing resources and more.

- In response to comments received from TransForm to reduce parking, the City added an objective under Action 3 to apply reduced parking requirements for transit-rich environments from the Zoning Code update to proposed long range plans such as El Camino Real Specific Plan and Santa Clara Station Area Plan.
- In response to comments from Dana Hooper at Life Services Alternatives (a housing provider for persons with developmental disabilities), the City added objectives in Action #1 and #4 to proactively market future construction and renovation program opportunities to residential care facility operators.
- Residents of affordable and special needs housing shared at listening sessions that they have been particularly affected by heat waves and wildfire smoke. In response to comments raised by residents at Riverwood Grove Apartments, the City added an action to outreach to potential housing providers who may need capital funding assistance to make HVAC improvements for sensitive populations living without air conditioning.
- In response to input on housing development, the City added an objective under Action 9 to update the zoning ordinance to grant the Director of Community Development authority to allow up to two one-year permit extensions administratively.
- ~~Also proposed is including in the City's Notice of Funding Availability specifications criteria that would prioritize City funding of Extremely Low Income and Very Low Income units.~~
- Consistent feedback was received through all outlets and demographics of respondents highlighting the need to better address homelessness. The City's newly created Homelessness Task Force comprised of service providers, advocates, and individuals with lived experience of being unhoused have provided recommendations. Some of these programs are already active or continuing, while others will be ~~that are being pursued through the creation of a Homelessness Response Plan with implementat~~implemented in ~~ion actions that will be adopted in early 2023.~~ 2024 and 2025.
- SV @ Home~~Commentors~~ provided feedback on the need for more displacement prevention. ~~The~~ Action 13 Chapter 13.2 ~~Housing Plan~~ includes the City Council's future consideration of new policies and programs that would require no net loss of income restricted units during construction or rehabilitation of existing housing; replacement of existing affordable housing units at the same or lower affordability levels; landlord and City notification and information for tenants affected by efforts that would cause relocation; require developers to provide relocation benefits beyond State requirements.
- SV @ Home commented that the City should do more to educate tenants and landlords about their rights under new state laws. In response the City added objectives under Action 16 to propose an ordinance that requires landlords to include a City approved informational brochure with each lease signing, to improve the City's webpage, and to do targeted outreach twice yearly.

- In response to comments from the Housing Action Coalition about site selection, the City significantly revised the Housing Resources chapter and added Appendix C Supplemental Sites Inventory Analysis.
- ~~Residents of affordable and special needs housing shared at listening sessions that they have been particularly affected by heat waves and wildfire smoke. As part of the City's CDBG program, the City will promote a Notice of Funding Availability process for installation of HVAC improvements for sensitive populations.~~

The City of Santa Clara asked for the public's comments on the Housing Element Draft via its website, list-serv, social media, printed/mailed newsletter (Inside Santa Clara), e-newsletter (City Hall News) and public meetings. The comments were collected via Konveio, a public comment platform for document review and via email. The public comments received on-line and via formal comment letter are included in **Appendix A-6: Public Review Draft Comments, Figures 1-9.** Following the public comment period on the Housing Element Update, commenters and stakeholders were invited to a stakeholder meeting to discuss the potential Housing Plan goals, policies, and actions that could address their questions and concerns.

Additionally, the City continued to engage in community outreach during the 90-day review period of the Housing Element Draft by HCD. The input collected during this period is subsumed in the housing element specific outreach mentioned above in **Appendix A-5**. Public and comment and formal letters continued to be addressed after the City received comments on the Housing Element Draft. Notably, the section on Housing Resources, was significantly revised based on formal comments regarding the City's process for site selection.

Appendix A-1 Stakeholder Interview Summary

Six interviews were held via telephone, zoom, and/or email with internal and external community stakeholders between May and June 2022.

FIGURE 1: INTERVIEWS AND SCHEDULE

Santa Clara Unified School District	May 9, 2022
Santa Clara Schools Foundation	May 13, 2022
Santa Clara Senior Center	May 13, 2022
PARS Equality Center	May 18, 2021
Momentum for Health	May 31, 2022

Calabazas Community Apartments, Adobe Services	June 8, 2022

STAKEHOLDER INTERVIEW QUESTIONS & KEY FINDINGS

1. What are the strengths and assets that make Santa Clara a great place to live?

   City of Santa Clara provides its residents with a safe, diverse, community driven environment. The public facilities and parks are a utilized asset in the community.

   - Weather
   - Diverse population (ethnically, economically, age)
   - Safe
   - Great public facilities, parks, libraries, recreation facilities
   - Great location, easily accessible to other areas in the Bay Area
   - Good transport
   - Venues, entertainment options
   - Small town, University/Community College town makes it a great location to live
   - High quality schools
   - Family and community oriented
   - Supports its residents

2. What are the most critical challenges related to residential development in Santa Clara?

   Due to the high cost of living and housing shortages, some residents are unable to afford rent or to buy homes. A shortage of affordable and low-income housing could push residents out of the city.

   - Cost of housing
   - County code prohibits acquiring homes and buildings
   - Shortage of affordable and low-income housing
   - The personal home buying process is difficult due to affordability and cash offers
   - Unable to place underhoused and unhoused community in shelters or affordable housing
   - Lack of land for new developments
   - Lack of housing and securing of more housing
   - Difficulty welcoming others, NIMBY
   - Congestion in existing developed areas
   - High cost of rent and living will push residents out of the area
   - Wait list for housing vouchers, Section 8 lottery
   - Cost of construction
   - Lacks character and a downtown

- Housing department is outsourcing housing assistance as well as creating barriers

3. What are your priorities for housing development in Santa Clara?

The priorities for the City of Santa Clara should be to provide affordable housing to the locals. Establishing creative housing programs is also a priority. Tackling homelessness should also be a priority.

- Financial assistance and programs for organizations to buy buildings for services such as mental illness facilities, homeless shelters
- Increase amount and accessibility of affordable housing
- Partnerships with organizations to allow for creativity
- Affordable housing for families who work in Santa Clara and send their children to public schools
- More affordable housing
- Subsidized housing options
- Facilities for people coming off the streets

4. What is your definition of affordable housing and who does it serve?

The key responses include: prioritizing the service industry, seniors, police officers, teachers, and locals. Residents should not have to pay more than 50% of their income for housing.

- Subsidized housing, based on income listed on tax returns
- Affordable housing and care for individuals with serious mental illnesses
- Serves people who are service workers/blue collar as well as the entire community
- Allows for a community to develop in a city
- Housing that is affordable for families to live in the city where they work
- Two working adults can afford rent without sacrificing food or a savings
- For teachers, seniors, police, only one senior housing development in the area

5. Are there housing projects (or general development trends) in other cities that are examples of what you would like to see in Santa Clara?

Below are examples of cities with housing projects or development trends suggested by the stakeholders.

- 41 South 11th Street house for housing and maintaining housing for groups of people
- Orange County Health Improvement Plan is a nonprofit that works with the county to train employees to operate housing buildings
- Short term rental assistance (TBRA)
- Charities Housing in Cupertino
- The Veranda Senior Housing
- Apartments/Condominiums with more than two bedrooms and in large buildings
- Multigenerational housing developments, co-ops: https://www.cotaticohousing.org/
- San Jose, community engagement
- Permanent supportive housing facility by PATH in San Jose: Villas on the Park

6. How do you see Santa Clara changing over the next 8-10 years? What role does housing play in these changes?

Providing children, elderly, and lower income residents with affordable housing options is critical to maintaining a sense of community in the City of Santa Clara. Creative and innovative housing approaches may pose challenges with locals.

- Shortage of professionals
- Something should be done about affordable housing
- Less people will want to live in the area if there are tents on the street
- Less taxes otherwise businesses won't thrive
- Give locals a reason to stay
- Expanding housing in a creative way could make people uncomfortable
- If housing doesn't change Santa Clara will not grow in a diverse way and live up to its potential
- Digitization of application processes for affordable housing
- Reduced waiting and processing time to meet demand
- Increased value in the area due to new Google development
- Crime should be addressed for safety
- Equitable quality of school districts
- Multi-bedroom units are needed for families to stay
- Increase in city policies and funding toward creating affordable housing for those in need
- Prioritize seniors and low income

7. Are there neighborhoods in the city that lack access to opportunities for healthy food, green space, transit, quality jobs and education?

Overall, the city provides access to opportunities for the residents of the City of Santa Clara. Some neighborhoods in the city could improve on access to food and transportation.

- Stakeholder is unfamiliar with the area or does not live in the city
- City provides access to opportunities
- Bicycle lane improvements
- Suburban neighborhoods lack walkability
- Transportation is infrequent and does not include enough routes
- Some neighborhoods (such as Lafayette) lacks access to nearby grocery stores

8. Can you share any thoughts or stories about housing discrimination and/or housing segregation in Santa Clara?

Overall, there is a stigma around low-income and affordable housing, particularly with landlords.

- Generally, not too prevalent in the city
- Discrimination and stigma from landlords regarding Section 8/low-income applicants
- Difficulties finding landlords willing to work with participants
- Limited supply of housing in the city
- Outdated stereotypes and stigmas about people with housing vouchers
- Upper class residents are less interested in providing the community with affordable or low-income housing developments
- Low-income housing lumped into one building
- Lower income apartments are located near title I schools and districts
- Families in low-income, one-bedroom apartments out of necessity

9. How can the City, in partnership with stakeholder groups, help to ensure inclusive and equitable fair housing outreach that includes all segments of the community?

Partnering with stakeholder groups is important to the community, however inclusive and equitable outreach are key. Residents would like the city to provide outreach to residents in multiple languages and with clearer guidelines to ensure fair housing.

- Understand the residents' needs
- Acknowledge subgroups other than those defined by race or ethnicity that need housing
- Ensure more affordable housing is implemented
- Prioritize teachers, law enforcement, nonprofit workers who want to stay in the city

- Regular outreach meetings to share community needs with the city
- Prioritize building multi bedroom housing
- Provide information about housing in multiple languages
- Provide clear guideline for who qualifies for housing programs
- City's emailing list does not reach all groups
- Not realistic to buy a house in the city of Santa Clara

10. Are there residential blocks or neighborhoods in the city that lack access to quality education and daycare, open space and parks, libraries, shopping, grocery stores, transit service, clean air, and/or other opportunities?

Below are examples of residential blocks or neighborhoods in the city that stakeholders suggest lack access to quality education and daycare, open space and parks, libraries, shopping, grocery stores, transit service, clean air, and/or other opportunities:

- Residential blocks exist in unincorporated areas with the east and south of the city - going towards the foothills (White Rd) and south of the City (Monterrey, Bernal Rd). These areas need more transportation.
- The state is investing resources in BART and the light rail, but they are not reaching those areas. There is a need for more community health clinics, subsidies for day cares throughout the city.
- The northwest of the city will lack an elementary school once all the units are constructed
- Some neighborhoods are further away from public amenities (such as libraries)
- Clean air is a problem in areas like Lawrence, Montague, Santa Moss, and El Camino
- Lafayette and Clyde is a very industrial block with factories and chemical release
- Noise pollution from the nearby San Jose airport, Levi's stadium, and major roads
- Not everybody has AC filters

11. Are there any other specific stakeholders we should be talking with?

    Below is a list of suggested stakeholders to speak with:

    - Teresa O'Neill – former city council member
    - First community housing (https://www.firstcommunityhousing.org/), 21 major projects in Santa Clara County - experts in housing regulations and they understand the basic needs.
    - African American Cultural Center
    - Donald, Executive Director of Pacific Clinics (Previously UpLift Family services) – he works with families, youth and can give a different perspective on other populations
    - Community Solutions
    - Religious centers such as churches

Appendix A-2: Stakeholder List

The stakeholder list initially identified potential organizations and individuals that could be interviewed and potentially participate in a stakeholder workshop(s). The organizations and individuals were contacted by e-mail and direct phone calls to participate in a formal interview.

Company/Organization	*Groups Served / Sector*									
	Elderly/ Seniors	Persons Experiencing Homelessness	Families (large families, female headed families)	Persons with disabilities	Persons with developmental disabilities	Lower income households	Farmworkers	Spanish speaking residents	Affordable Developer	Market Rate Developer
Santa Clara Housing Authority						x			x	
City of Santa Clara Youth Commission Safe Place										
City of Santa Clara Senior Advisory Commission	x									
Santa Clara Senior Center	x									
Heart of the Valley: Services for Seniors	x									
Santa Clara Lions Club										
Santa Clara Libraries		x				x				
West Valley-Mission Community College										
Santa Clara University		x	x			x		x		
Mission College Santa Clara			x		x	x				
Santa Clara Historical Society										
Santa Clara Unified School District										
Santa Clara City Library Foundation and Friends										
Santa Clara Youth Soccer League										
Santa Clara Lions Youth Football & Cheer										
Santa Clara Westside Little League										
Briarwood El Camino Little League										
Santa Clara Swim Club										
Sierra Club Loma Prieta										
Asian American Center of Santa Clara County	x					x				

Company/Organization	Groups Served / Sector									
	Elderly/ Seniors	Persons Experiencing Homelessness	Families (large families, female headed families)	Persons with disabilities	Persons with developmental disabilities	Lower income households	Farmworkers	Spanish speaking residents	Affordable Developer	Market Rate Developer
San Jose Japanese American Citizens League										
Hispanic Foundation of Silicon Valley								x		
CAIR California San Francisco Bay Area										
PARS Equity Center						x				
Jewish Family Services of Silicon Valley	x	x	x			x				
Santa Clara Women's League	x									
Elk's Lodge #2347										
Rotary Club of Santa Clara										
Santa Clara Kiwanis Club	x	x	x	x	x	x				
Sacred Heart Community Service	x	x	x			x				
Project Sentinel	x	x	x	x	x	x		x		
Bill Wilson Center		x								
SV@Home									x	
Abode Services		x							x	
Salvation Army (San Jose)	x	x	x	x	x	x				
Homelessness Task Force			x							
Planning Commission										
Santa Clara Unified School District (McKinney Vento homelessness prevention)		x	x							
City of Santa Clara Chamber of Commerce										
Catholic Charities of Santa Clara County	x	x	x	x	x	x				
Momentum for Health				x	x					
Roots Community Health Center	x	x	x	x	x	x				
American Legion Santa Clara Post 419 (Veterans Services)	x	x								
Working Partnerships USA			x			x		x		

Appendix A-3: Community Survey Summary

FIGURE 1: HOW LONG HAVE YOU LIVED IN THE CITY OF SANTA CLARA? (QUESTION 1; N=1,585)

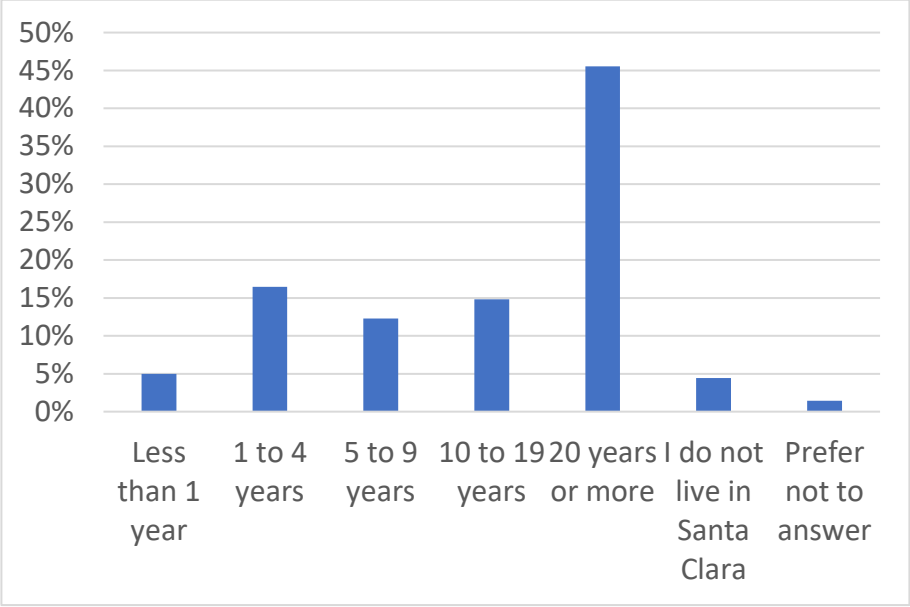


FIGURE 2: HOW LONG HAVE YOU LIVED IN THE CITY OF SANTA CLARA? (QUESTION 1; UNDER 18 – 44 YEARS OLD; N=471)

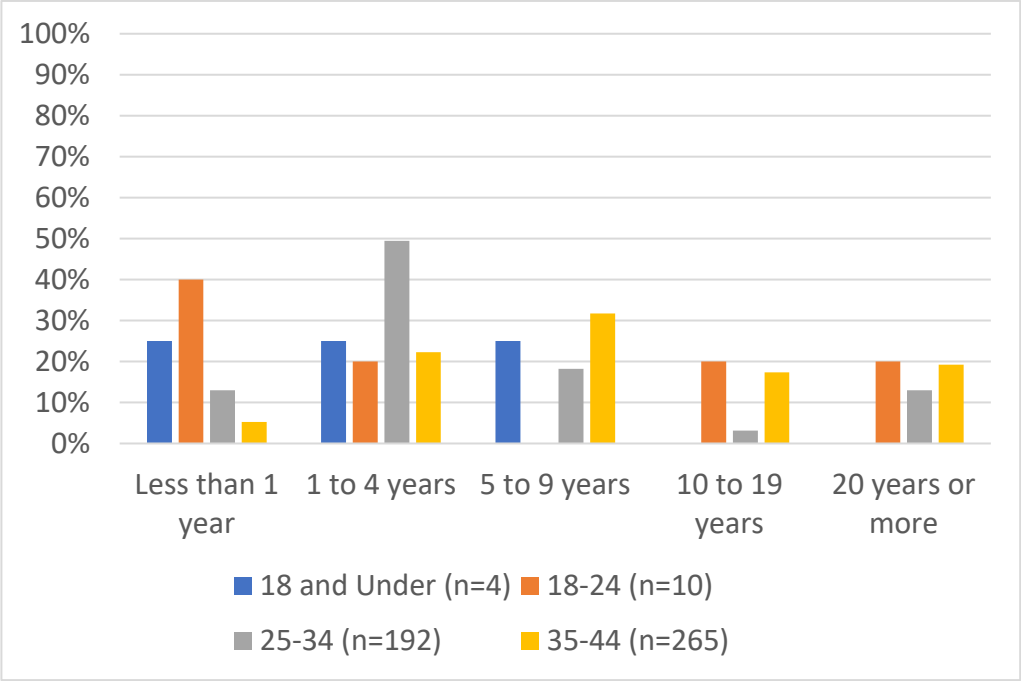

100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
Less than 1 year
1 to 4 years
5 to 9 years
10 to 19 years
20 years or more
18 and Under (n=4)
18-24 (n=10)
25-34 (n=192)
35-44 (n=265)

FIGURE 3: HOW LONG HAVE YOU LIVED IN THE CITY OF SANTA CLARA? (QUESTION 1; UNDER 45 YEARS OLD – 65 AND ABOVE; N=842)

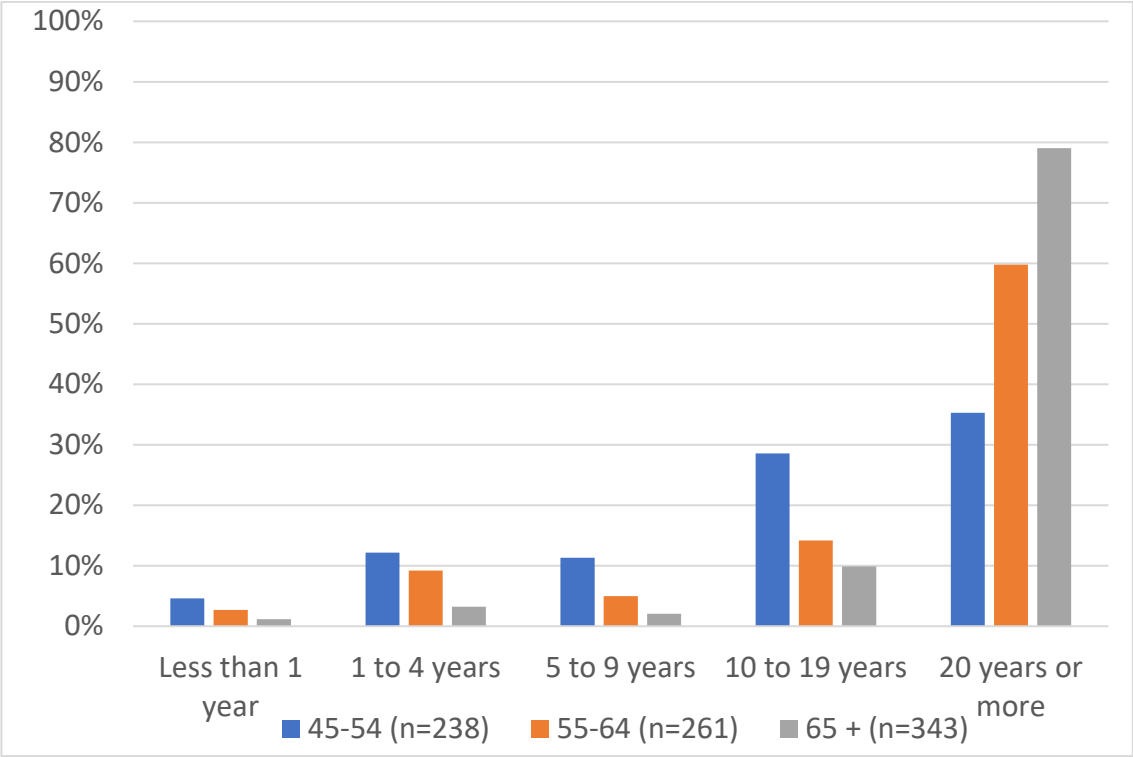


FIGURE 4: WHAT IS YOUR CURRENT HOUSING SITUATION? (QUESTION 2; N=1,651)

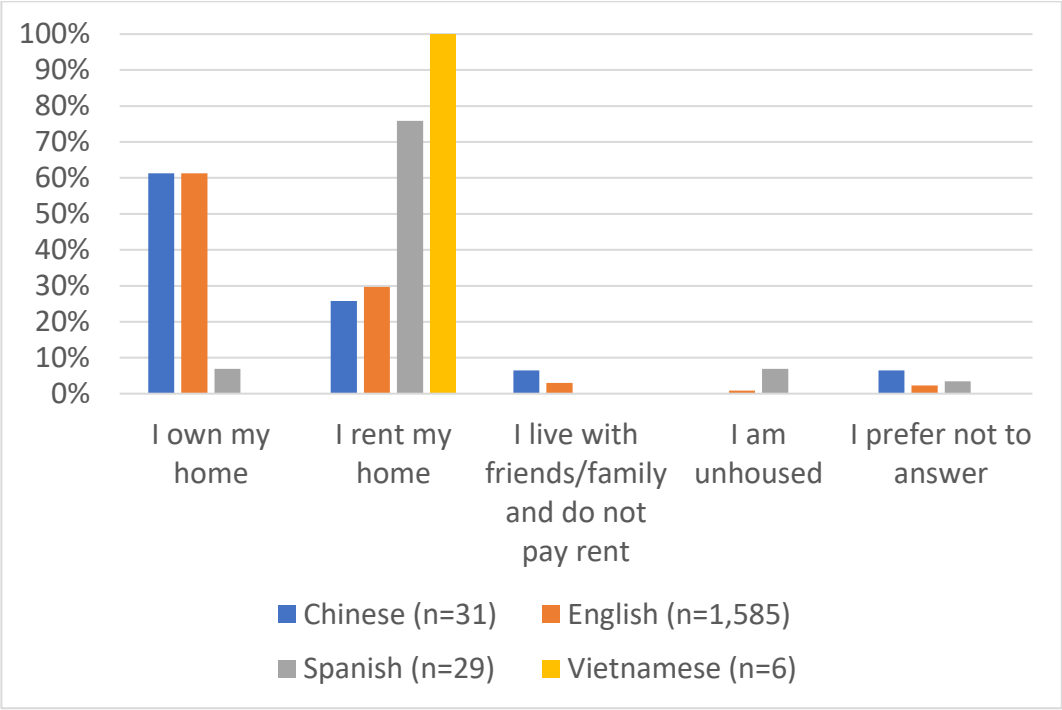


FIGURE 5: WHAT IS YOUR CURRENT HOUSING SITUATION BY AGE GROUPING? (QUESTION 2; UNDER 18 – 44 YEARS OLD; N=471)

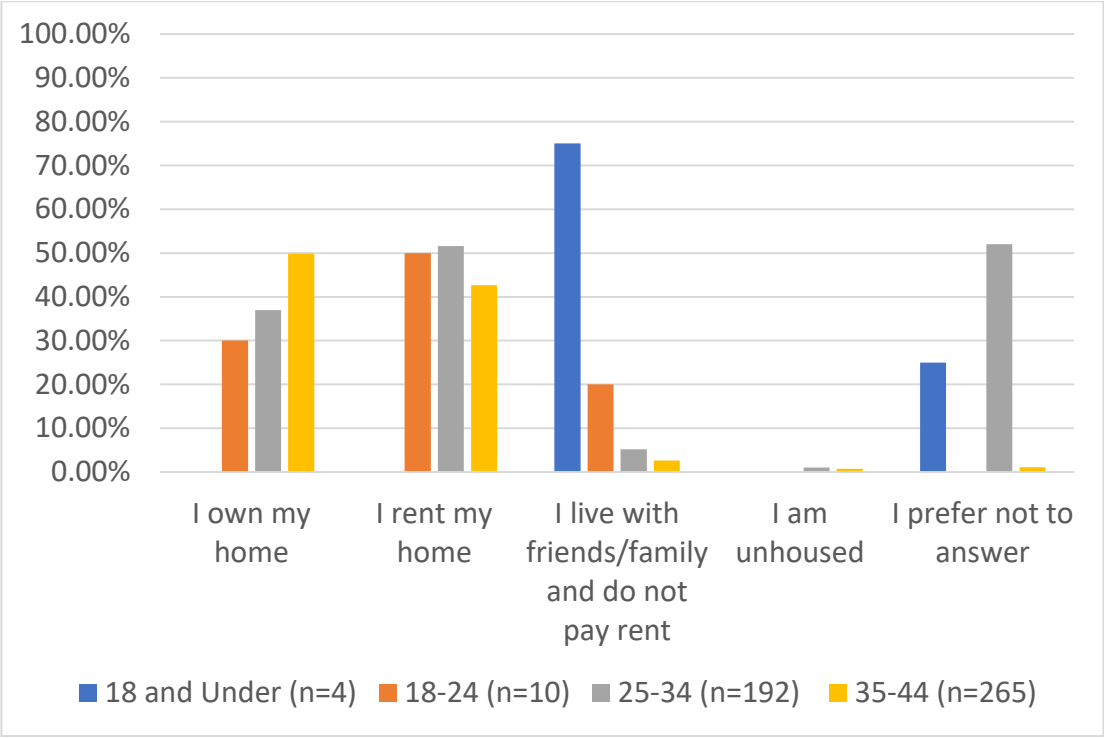


FIGURE 6: WHAT IS YOUR CURRENT HOUSING SITUATION BY AGE GROUPING? (QUESTION 2; UNDER 45 YEARS OLD – 65 AND ABOVE; N=1,651)

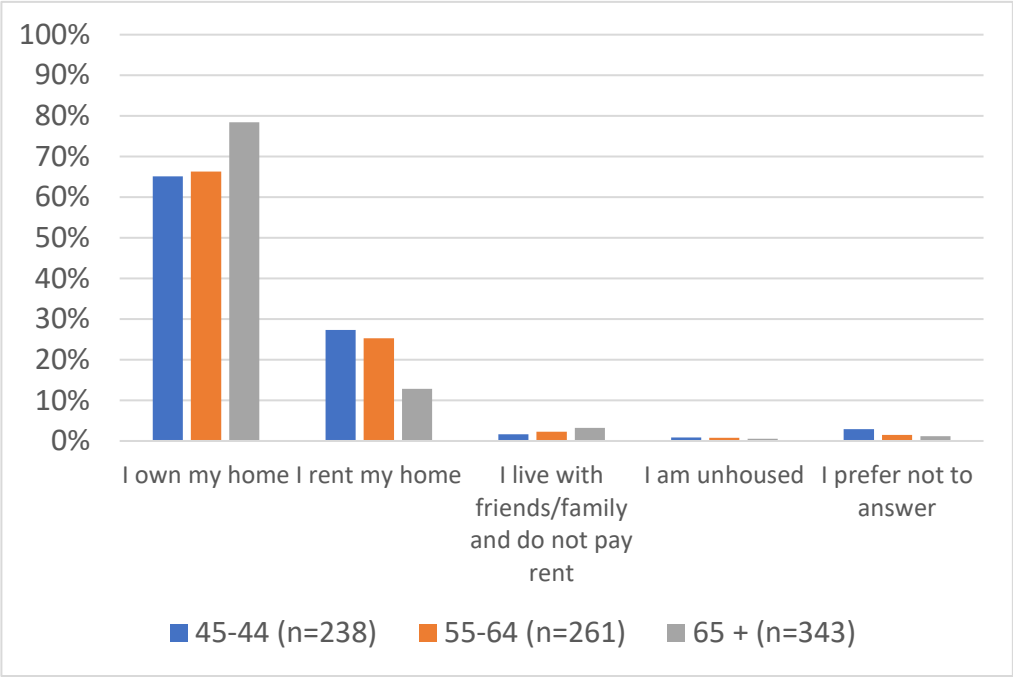
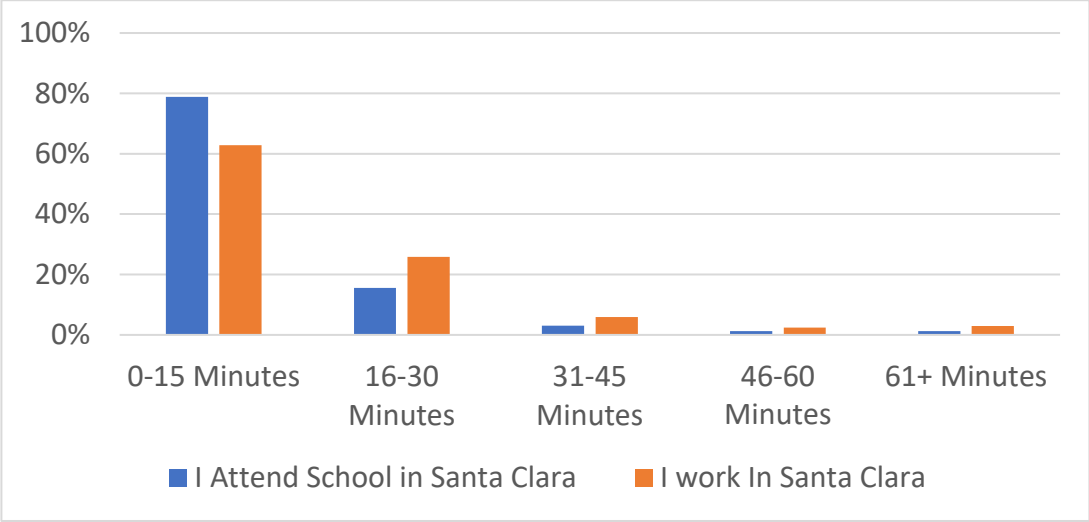


FIGURE 7: DO YOU WORK AND/OR ATTEND SCHOOL IN SANTA CLARA, AND HOW MUCH TIME DO YOU SPEND TRAVELING AND BY WHICH MODE OF TRANSIT? (QUESTION 3; N=722)



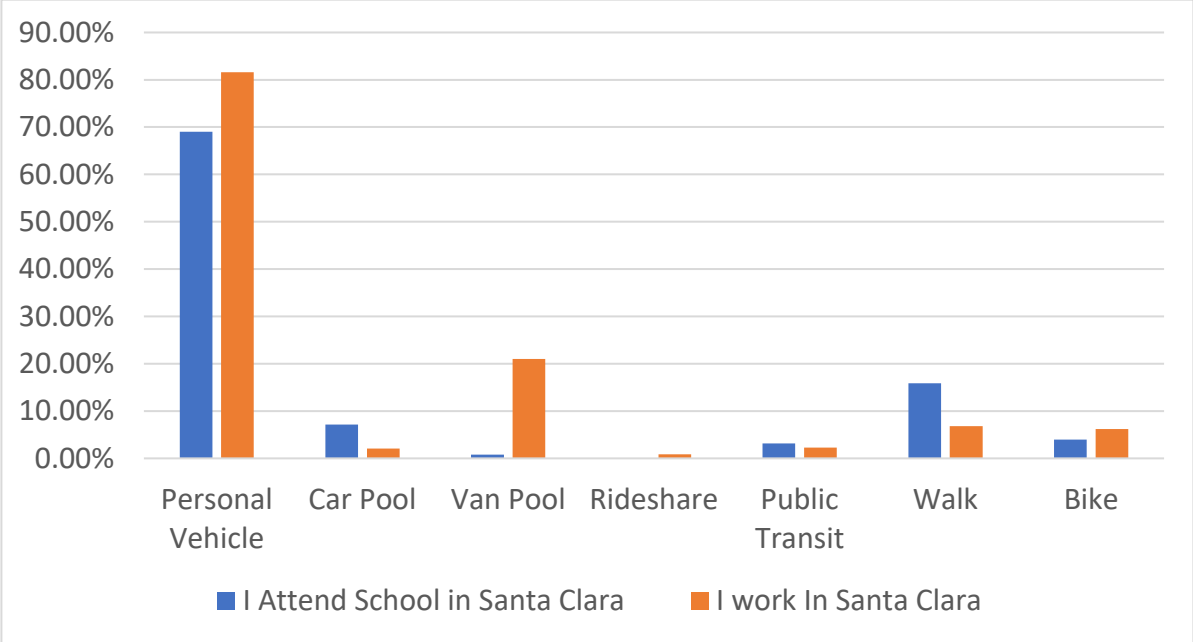


FIGURE 8: WHAT TYPE OF HOUSING DO YOU THINK SANTA CLARA NEEDS MORE OF (PICK YOUR TOP 3 – ENGLISH SURVEY RESULTS)? (QUESTION 4; N=1,474)

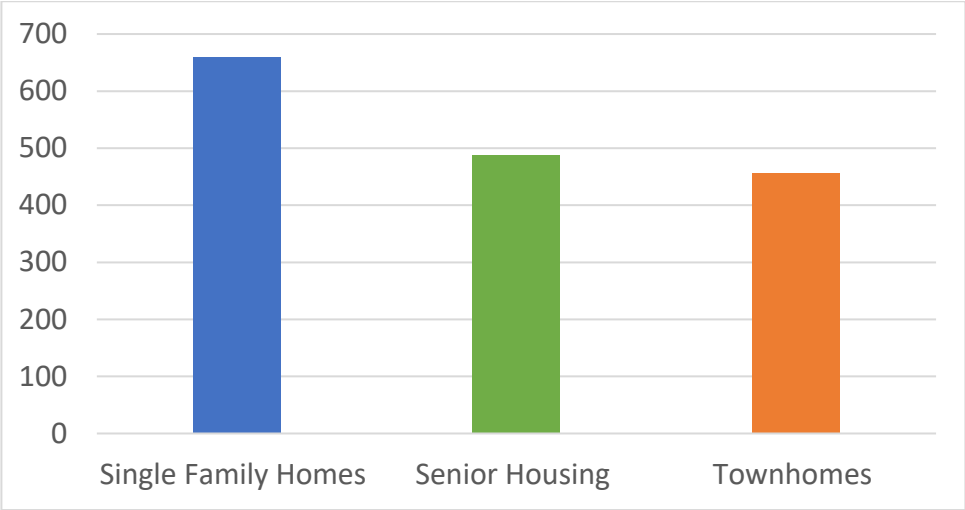
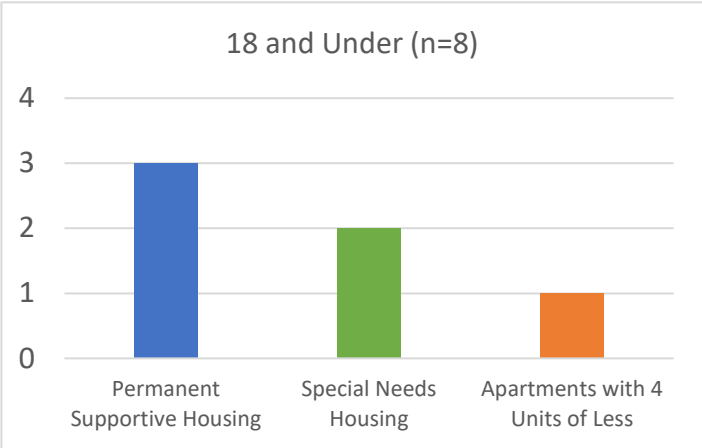
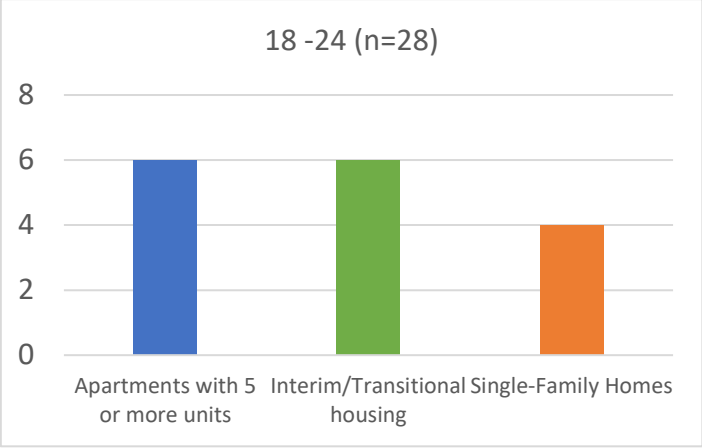
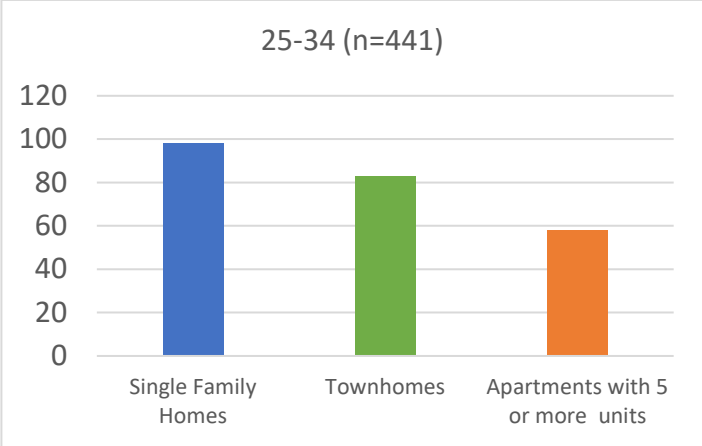
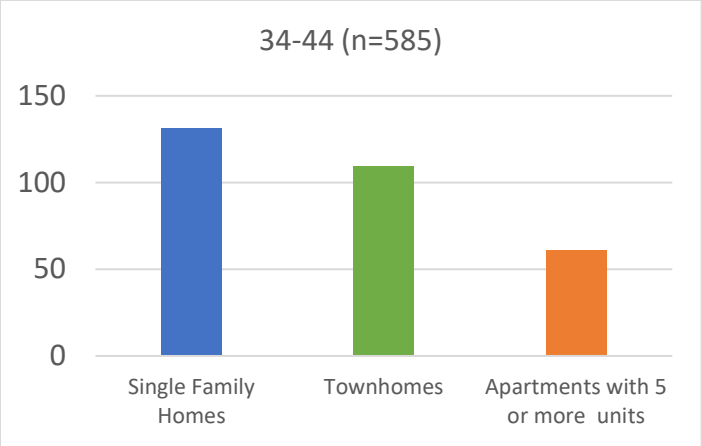


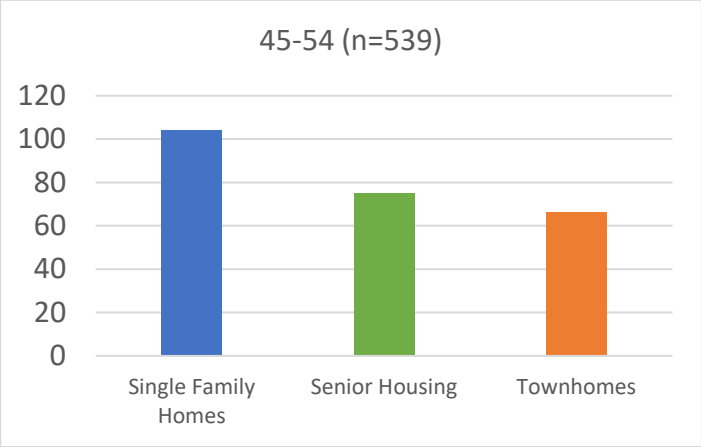
FIGURE 9: WHAT TYPE OF HOUSING DO YOU THINK SANTA CLARA NEEDS MORE OF (PICK YOUR TOP 3 – ENGLISH SURVEY RESULTS BY AGE GROUPINGS)? (QUESTION 4)

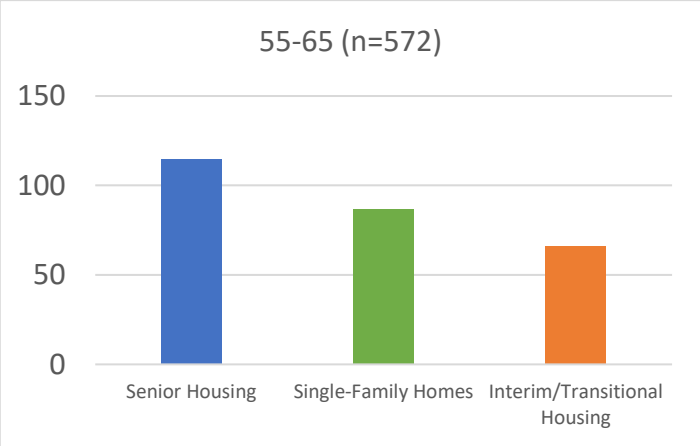









45-54 (n=539)
120
100
80
60
40
20
0
Single Family Homes
Senior Housing
Townhomes


55-65 (n=572)
150
100
50
0
Senior Housing
Single-Family Homes
Interim/Transitional Housing

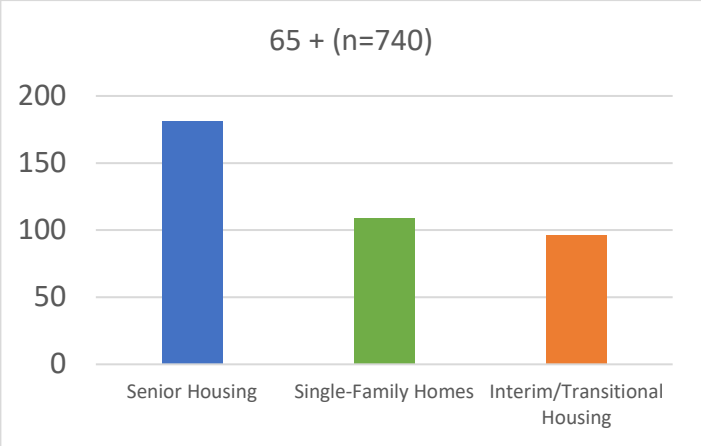

65 + (n=740)
200
150
100
50
0
Senior Housing
Single-Family Homes
Interim/Transitional Housing

FIGURE 10: WHAT TYPE OF HOUSING DO YOU THINK SANTA CLARA NEEDS MORE OF (PICK YOUR TOP 3 – ALL LANGUAGES SURVEY RESULTS)? (QUESTION 4; N=1,538)

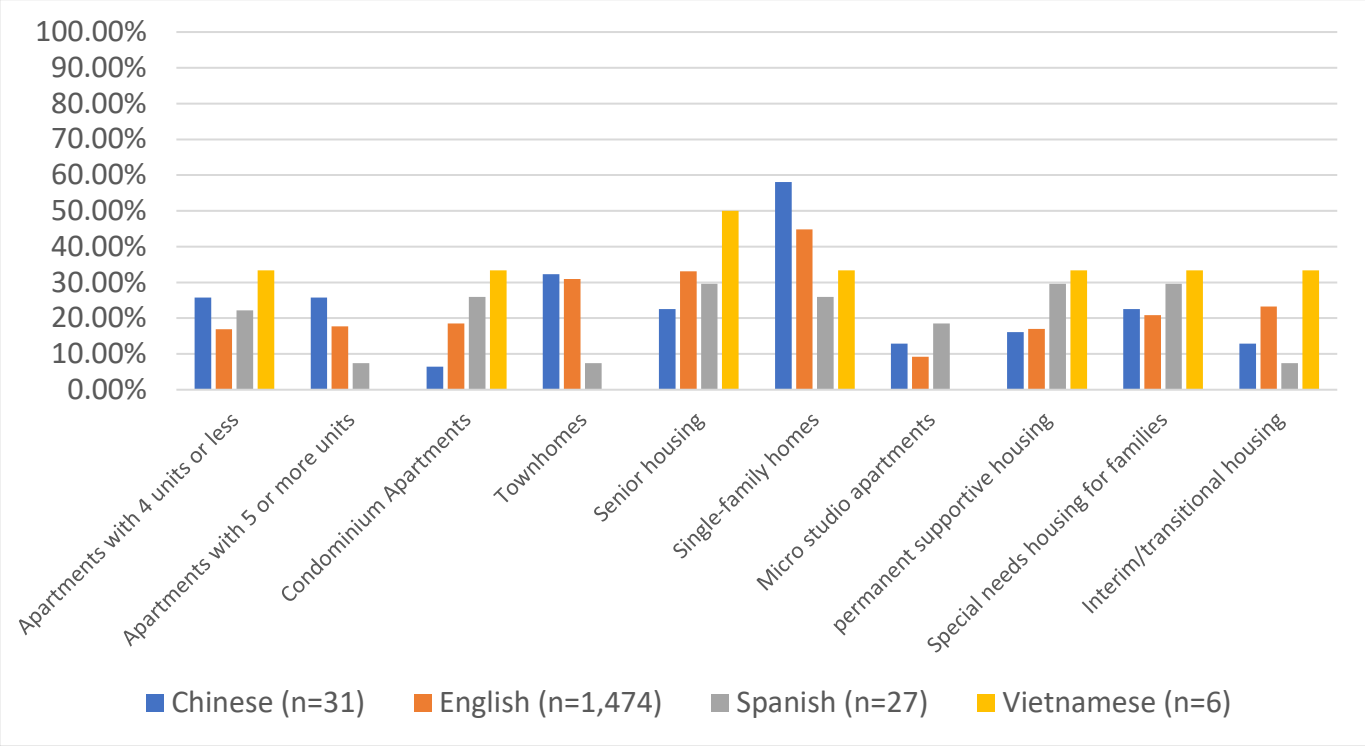


FIGURE 11: MORE HOUSING IS NEEDED FOR (ENGLISH SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; N=1,452)

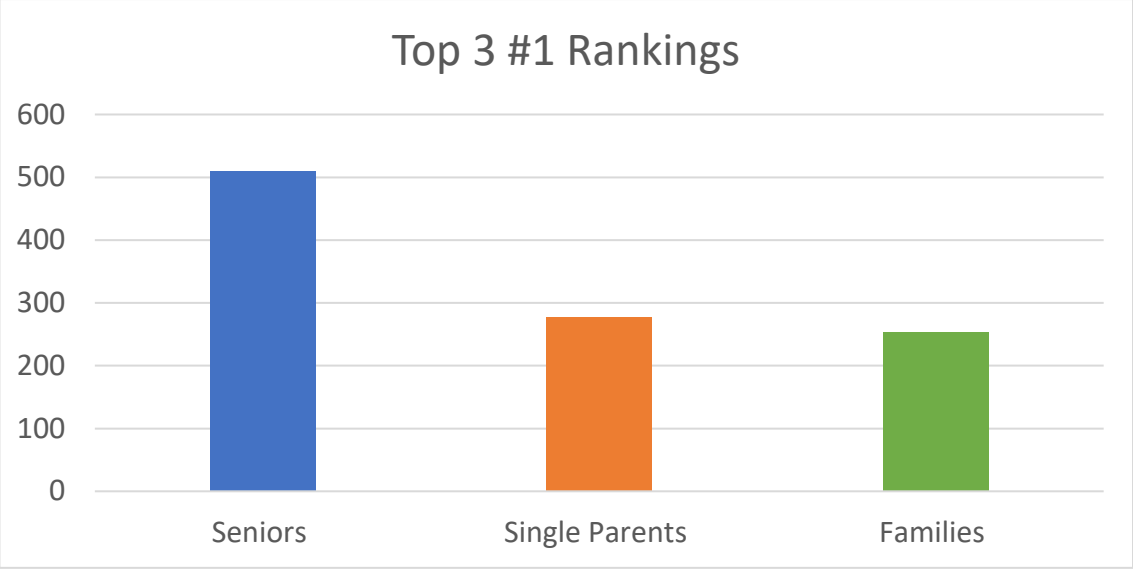


FIGURE 12: MORE HOUSING IS NEEDED FOR (SPANISH SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; N=29)

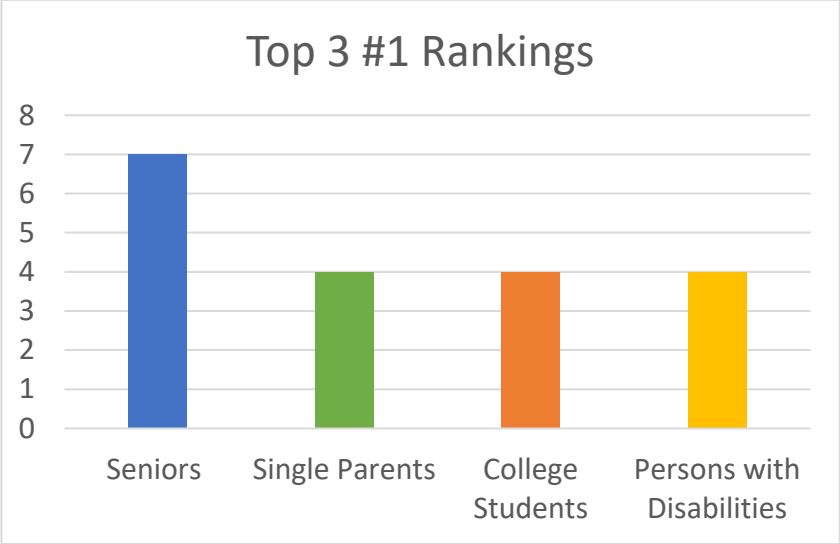


FIGURE 13: MORE HOUSING IS NEEDED FOR (CHINESE SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; N=31)

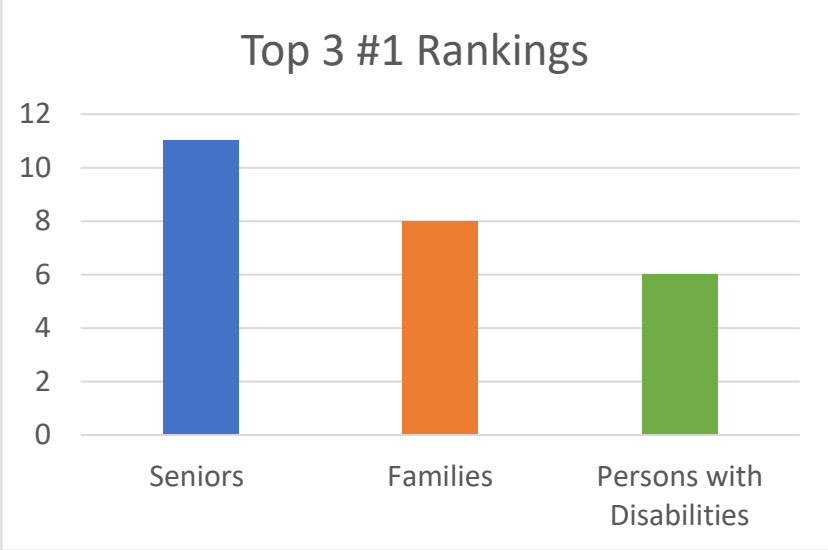


FIGURE 14: MORE HOUSING IS NEEDED FOR (VIETNAMESE SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; N=6)

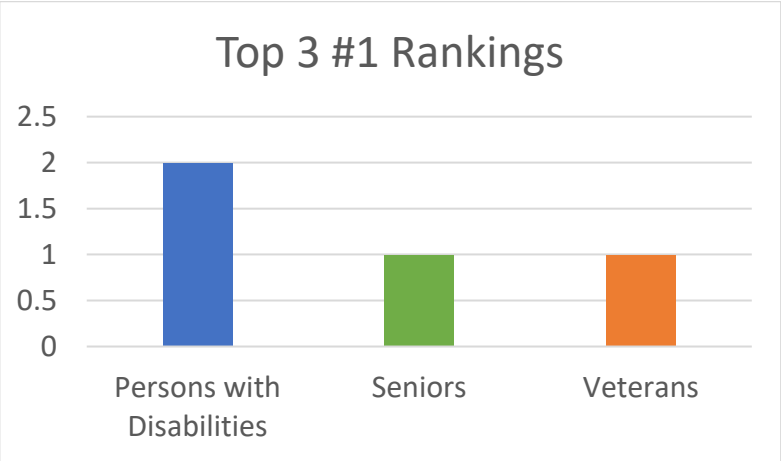


FIGURE 15: MORE HOUSING IS NEEDED FOR (ENGLISH SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; BY AGE GROUPINGS 18 AND UNDER 44 YEARS OLD; N=784)

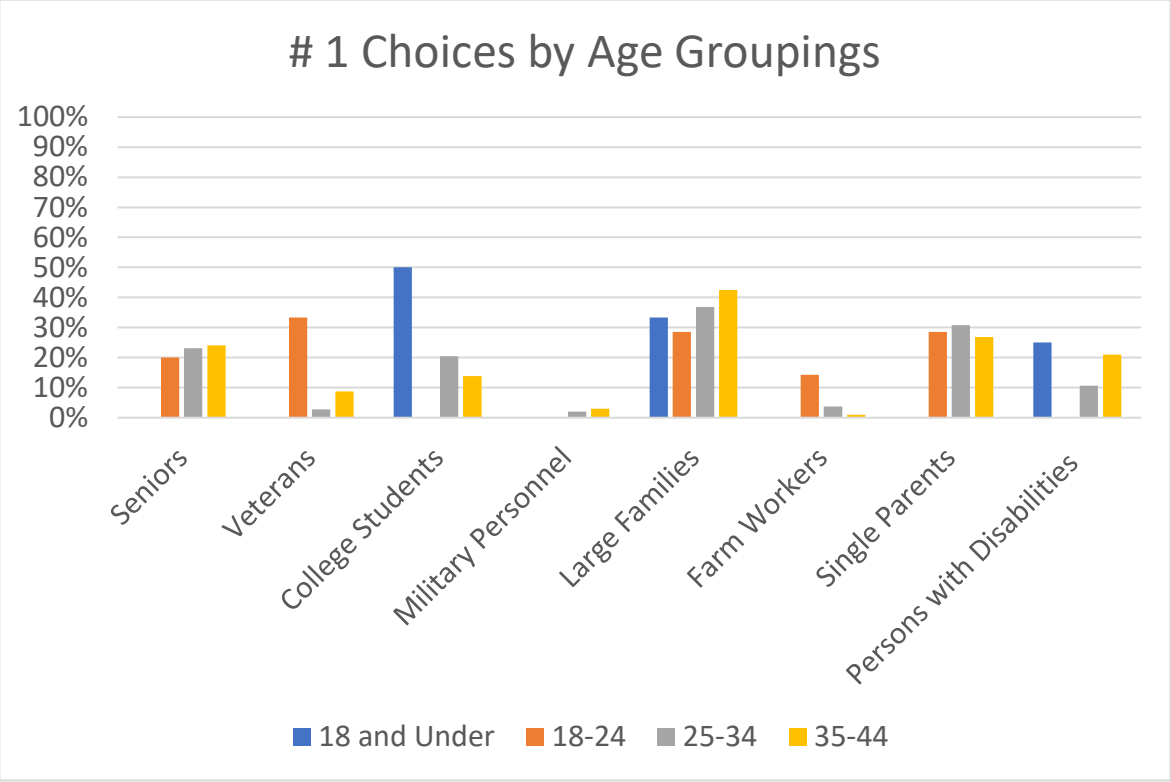


FIGURE 16: MORE HOUSING IS NEEDED FOR (ENGLISH SURVEY RESULTS): (RANK YOUR TOP 3) (QUESTION 5; BY AGE GROUPINGS 45 TO 65 AND ABOVE; N=784)

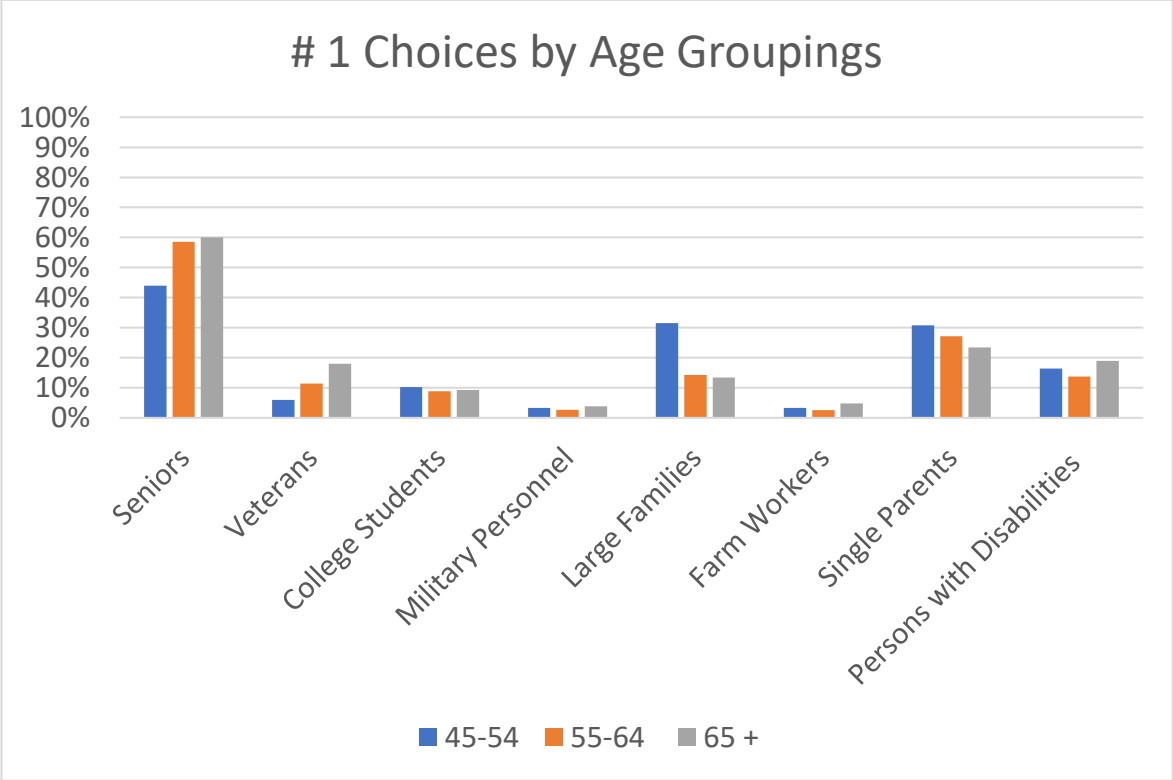


FIGURE 17: PLEASE TELL US HOW IMPORTANT THE FOLLOWING HOUSING ISSUES ARE TO YOU (0 IS UNIMPORTANT, 10 IS VERY IMPORTANT) (QUESTION 6-12)

Average Answers for questions 6-12

6. Ensure that children who grow up in Santa Clara can afford to live in Santa Clara: **8 (N=1,427)**

7. Provide opportunities for people who work in Santa Clara to live in Santa Clara: **8 (N=1,433)**

8. Provide more options for older residents to downsize and stay in the community: **7 (N=1,410)**

9. Streamline the process for new housing construction: **6 (N=1,407)**

10. Provide shelters and transitional housing for homeless families and individuals, along with services that help move people into permanent housing: **6 (N=1,415)**

11. Support programs to help homeowners at risk of mortgage default to keep their homes: **6 (N=1,401)**

12. Establish housing near public transit: **7 (N=1,416)**

FIGURE 18: PLEASE TELL US HOW IMPORTANT THE FOLLOWING PLANNING ISSUES ARE TO YOU (0 IS UNIMPORTANT, 10 IS VERY IMPORTANT) (QUESTION 13-15)

Average Answers for questions 13-17

13. Environmental risks (e.g., wetlands, air quality, flood, etc.): **8 (N=1,287)**
14. Potential traffic and congestion: **8 (N=1,393)**
15. Preserving community character: **7 (N=1,386)**

FIGURE 19: ANY OTHER COMMENTS OR ISSUES RELATED TO PLANNING FOR HOUSING IN THE CITY OF SANTA CLARA? (QUESTION 16; N=833)



FIGURE 20: ANY OTHER COMMENTS OR ISSUES RELATED TO PLANNING FOR HOUSING IN THE CITY OF SANTA CLARA? (QUESTION 16; SPANISH SURVEY; N=22)



FIGURE 21: ARE THERE ANY NEIGHBORHOODS IN SANTA CLARA THAT ARE LACKING GOOD ACCESS TO AMENITIES LIKE PARKS, LIBRARIES, GROCERY STORES, SCHOOLS, BIKE LANES, ETC.? (QUESTION 17; N=645)



FIGURE 22: ARE THERE ANY NEIGHBORHOODS IN SANTA CLARA THAT ARE LACKING GOOD ACCESS TO AMENITIES LIKE PARKS, LIBRARIES, GROCERY STORES, SCHOOLS, BIKE LANES, ETC.? (QUESTION 17; CHINESE SURVEY; N=10)



FIGURE 23: HOW OLD ARE YOU? (QUESTION 18; N=1,390)

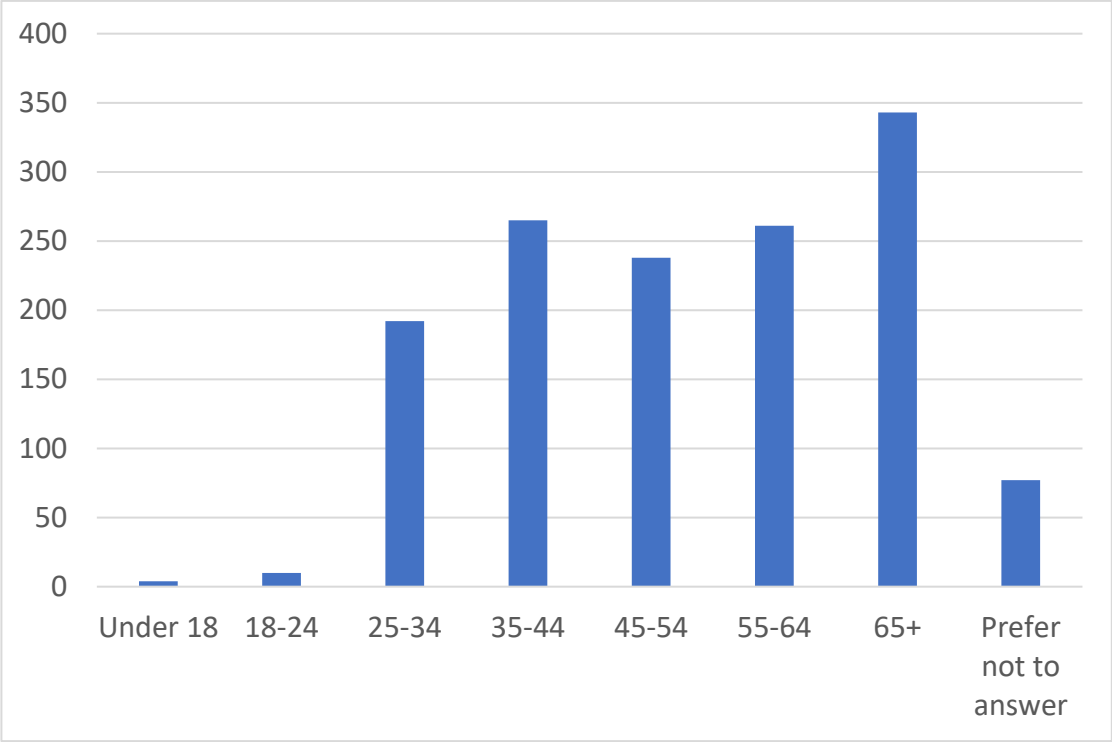


FIGURE 24: WHAT IS YOUR GENDER? (QUESTION 19; N=1,390)

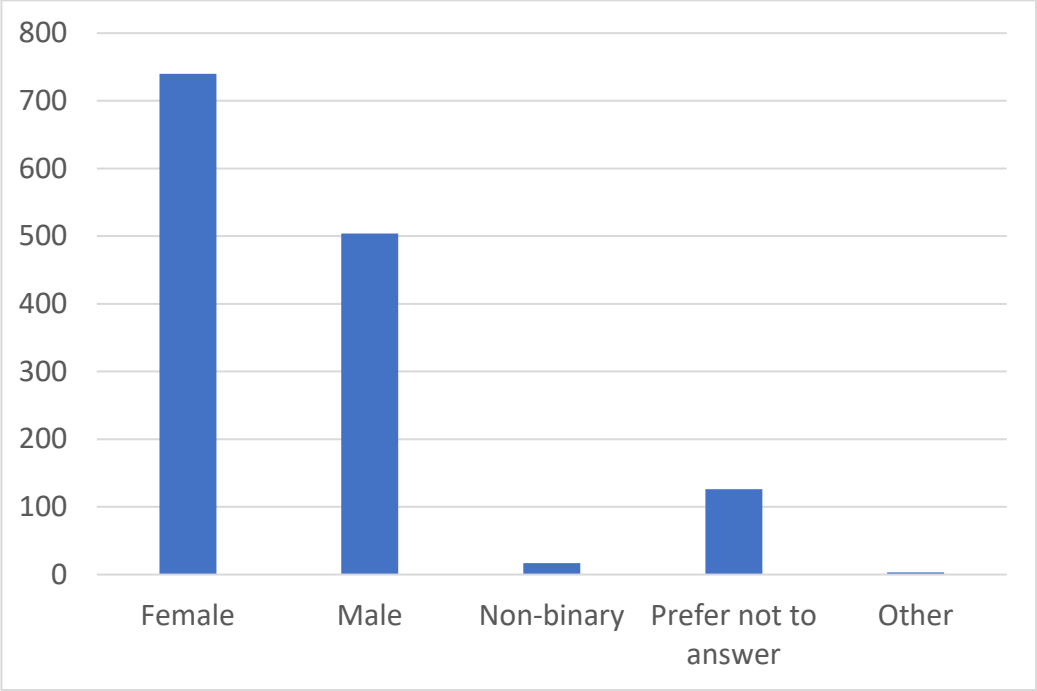


FIGURE 25: HOW DO YOU IDENTIFY YOUR RACE AND ETHNICITY? (QUESTION 20; N=1,390)

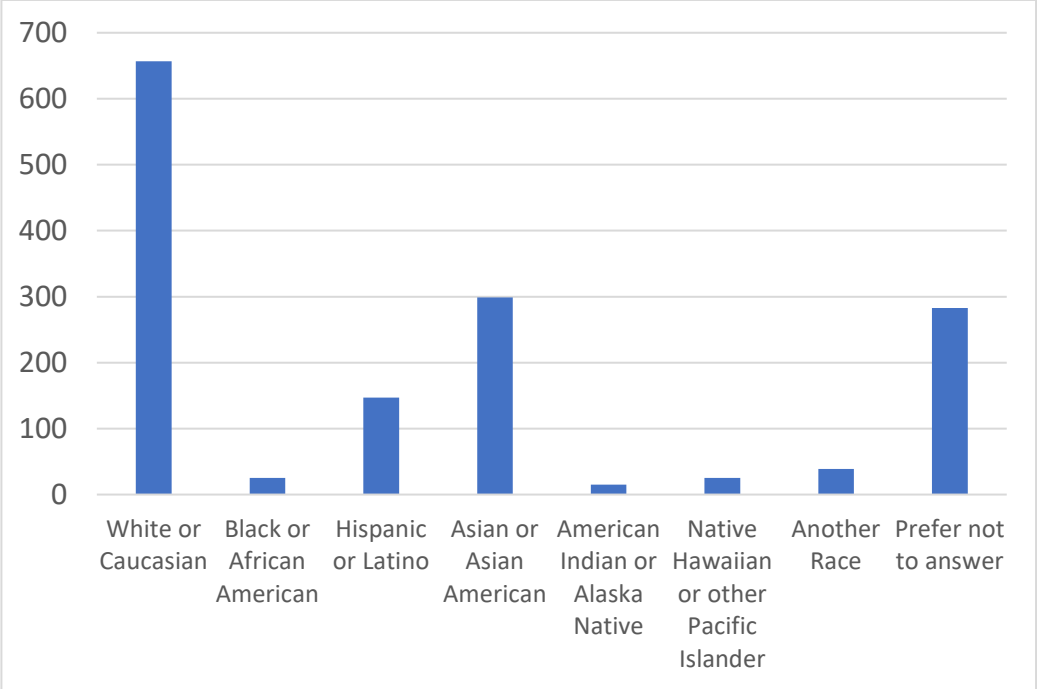
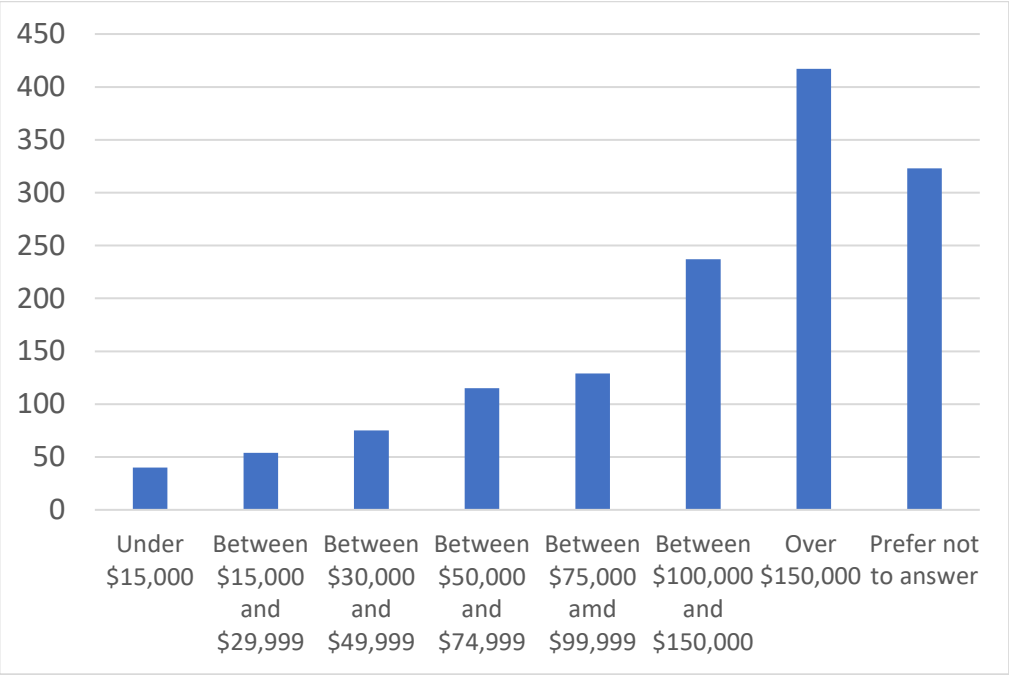


FIGURE 26: WHAT BEST DESCRIBES YOUR ANNUAL HOUSEHOLD INCOME (QUESTION 21; N=1,390)



Appendix A-4 Regional Santa Clara County AFFH Related Outreach

In 2019 Santa Clara County and Cities formed a consortium and hired a consultant to develop a regional Assessment of Fair Housing to meet both HUD and HCD requirements. The consortium hired the Lawyer's Committee for Civil Rights to conduct broad outreach, analysis, and to draft plans. The following is a summary of the interviews and meetings that were held throughout Santa Clara County as part of this early process. These meetings provided important regional context for the AFFH analysis in the Housing Element. The table below lists the meetings by category and the dates on which the meetings were held.

FIGURE 1: REGIONAL SANTA CLARA COUNTY AFFH RELATED OUTREACH (FUNDED IN PART BY CITY OF SANTA CLARA)

Regional Assessment of Fair Housing Meetings	
Meetings	**Date**
Public Community Meetings	
San José Evening Community Meeting	November 13, 2019
City of Santa Clara Community Meeting	November 14, 2019
San José Daytime Community Meeting	November 16, 2019
Urban County Community Meeting	December 11, 2019

Cupertino Meeting (group with other cities/areas)	December 19, 2019
Central County	January 14, 2020
South County	January 15, 2020
Focus Groups	
Formerly Incarcerated Individuals	December 12, 2019
Homeless Individuals and Families	December 12, 2019
Non-Profit Affordable Housing Developers	December 13, 2019
Women	December 13, 2019
Seniors	January 13, 2020
Central County	January 13, 2020
Health Trust for HIV/AIDS	January 14, 2020
Vietnamese Community	January 15, 2020
South County	January 15, 2020
Filipino Community	January 26, 2020
Schools/Educators	January 27, 2020
Seniors	January 29, 2020
Hispanic Community	January 29, 2020
Stakeholder Meetings	
Project Sentinel	October 1, 2019
San José NAACP	October 1, 2019
Asian Law Alliance	October 2, 2019
Law Foundation of Silicon Valley	October 2, 2019
Latinos United for a New America	October 21, 2019
California Apartment Association	October 21, 2019
The Silicon Valley Organization	October 21, 2019
Catalyze SV	October 21, 2019
Santa Clara County Housing Authority	October 21, 2019
International Children Assistance Network	October 21, 2019
Bay Area Legal Aid	October 22, 2019
Housing Trust Silicon Valley	October 22, 2019
Gilroy Compassion Center	October 22, 2019
City of Gilroy	October 22, 2019
Senior Adults Legal Assistance	October 22, 2019
Day Worker Center of Mountain View	October 22, 2019
Santa Clara County Association of Realtors	October 23, 2019
City of Santa Clara	October 23, 2019
City of Sunnyvale	October 23, 2019
Silicon Valley at Home	October 23, 2019

Bay Area Homeowners Network	October 23, 2019
Sunnyvale Community Services	November 12, 2019
SOMOS Mayfair	November 14, 2019
Amigos de Guadalupe	November 15, 2019
West Valley Community Services	November 15, 2019
Habitat for Humanity	December 10, 2019
Working Partnerships USA	December 11, 2019

Because of the breadth of these efforts and the diverse views of the individuals and organizations consulted, it is difficult to distill the information that these meetings yielded down to a few key themes. This summary attempts to, first, identify the range of topics that the meetings addressed and, second, to identify *either* consensus around those topics *or* the primary alternative views expressed.

Key topics addressed in the community engagement process included:

- Unlawful housing discrimination, including but not limited to racial discrimination, failures to provide reasonable accommodations, source of income discrimination, patterns and trends in housing discrimination, and barriers to effective enforcement.
- Demographic and housing data, including but not limited to how community members interpret data provided by the U.S. Department of Housing and Urban Development (HUD) and sources of local data.
- Zoning and land use laws, including but not limited to their impact on affordable housing development and how they interact with community opposition to affordable housing in certain areas.
- Funding and regulatory programs to create affordable housing, including but not limited to how effective they are at producing units, the income levels they reach, and the bedroom distribution of units produced.
- Supportive services programs for persons with disabilities and unhoused residents, including but not limited to how those programs are coordinated with housing programs.
- The connection between access to opportunity and patterns of segregation, including but not limited to with respect to education, employment, transportation, and environmental health.
- Tenant protections and access to legal services, including but not limited to rent stabilization, just cause eviction protections, and funding for tenant representation in eviction cases.

Housing Discrimination

Consistent with national and statewide trends, participants in the community engagement process reported that disability status is the most common alleged basis of discrimination in complaints submitted to service providers, the California Department of Fair Employment and

Housing and HUD. Among disability discrimination complaints, complaints regarding alleged denials of reasonable accommodation requests are the most common. The fact that disability status is the most frequently complained of type of discrimination does not necessarily mean that it is the most common type of discrimination occurring in the community. Because of the nature of the reasonable accommodation process, it may be more apparent to individuals with disabilities that they have been subjected to discrimination. By contrast, fair housing testing may be necessary to uncover national origin and race discrimination, in particular. Testing conducted by stakeholders confirmed that these types of discrimination remain common. Complaints of source of income discrimination also remain common despite the State's relatively recently enacted prohibition on such discrimination against household with Housing Choice Vouchers suggesting either or both inadequate awareness of the new law and/or inadequate enforcement of it.

Demographic and Housing Data

There was broad consensus that housing costs in Santa Clara County are extremely high and have rapidly become more expensive over time. These changes have not affected all communities equally and Hispanic or Latino, Black, and Vietnamese populations, which tend to have lower income levels, being particularly vulnerable to displacement. In light of income disparities among Asian American and Pacific Islander ancestry groups, participants in the community engagement process emphasized the importance of disaggregated data, which tends to show lower income levels among Vietnamese households but also relatively high rates of homeownership.

Zoning and Land Use

Concern about the extent to which zoning and land use laws play a role in fair housing issues varies significantly depending on one's location within Santa Clara County. Additionally, because zoning and land use laws often have consequences across city boundaries, the greatest concerns that community members and stakeholders articulated tended to pertain to different jurisdictions than those where participants lived, provided services, or engaged in advocacy. In particular, many involved in the community engagement process noted concerns about exclusionary zoning in the West Valley. Developer stakeholders, both of affordable and of market rate housing, also noted that long approval timelines were often as significant of a barrier to their efforts as were underlying regulations. They noted understaffing of planning departments as a principal driver of those delays.

Affordable Housing Programs

There was generally consensus around the need to provide more financial support for affordable housing across jurisdictions in Santa Clara County though there were some differences of opinion about how, if at all, to use regulatory tools like inclusionary housing to produce affordable housing. The details of input about affordable housing funding programs varied in relation to the different landscapes of existing programs in each municipality. Some stakeholders noted the high bar to passage for bond issues, including affordable housing bond issues, reflecting that, while the passage of Measure A was a big step forward for Santa Clara County, a similar bond issue in the City of San José had failed despite a large majority of support. Inclusionary housing was a frequent topic of discussion but not a point on which there was consensus. Most participants who discussed inclusionary housing voiced support for the adoption of requirements in more jurisdictions, deeper affordability targeting, and higher set aside requirements. Some participants opposed these types of changes on the basis of stated concerns about deterring new development.

Supportive Services

Participants in the community engagement process noted geographic unevenness in the availability of supportive services for persons with disabilities and unhoused populations, with communities in South County having less access than in North County. There was also criticism of the overall level of services that are available and concern that there were more adequate services available for chronically unhoused individuals with serious mental illness and/or substance abuse disorders but that other vulnerable populations, including disproportionately Hispanic or Latino unhoused families, domestic violence survivors, and medically fragile individuals, have less access to services. For formerly unhoused individuals living in permanent supportive housing, some expressed concern about whether persons with disabilities have true provider choice.

Access to Opportunity

Many stakeholders and residents expressed concern about public transportation in Santa Clara County. Issues raised include the overall level of service, the lack of service in some areas with high performing school in the West Valley, the lack of service in South County, and high fares on CalTrain. Bus riders mentioned long headways on some bus routes as a problem. Participants reflected on the expansion of BART service into Santa Clara County as both an opportunity and an occurrence that could lead to more displacement. With regard to environmental health, the most significant concerns articulated in the community engagement process related to issues in East and North San José. The connection between patterns of segregation and access to proficient schools was clear in the data analysis conducted for the Assessment of Fair Housing but was not heavily emphasized by participants in the community engagement process.

Tenant Protections

Tenant protections were a frequent topic of discussion albeit one that sharply divided opinion among participants in the community engagement process. Many participants urged robust tenant protections including rent stabilization with as few exemptions as are allowed by state law, just cause eviction protections, constraints on Ellis Act conversions, and requirements that landlords pay relocation expenses for displaced tenants. Other participants, particularly trade associations representing landlords, strongly opposed most or all of these policies. Small "mom and pop" landlords were particularly likely to express opposition to just cause eviction protections and stated more strenuous objections to that policy than they did to rent stabilization. Legal services providers noted that they did not have the resources or capacity to meet the total need for tenant representation in eviction cases absent additional funding. It is important to note that this input was gathered prior to the COVID-19 pandemic, and there was no opportunity to get input on the various government interventions to prevent evictions during the pandemic.

Appendix A-5 Housing Element Specific Outreach

FIGURE 1: HOUSING ELEMENT SPECIFIC OUTREACH

	Housing Element Specific Outreach		
	Meeting/Activity	**Date**	**Meeting Type**
1	Stakeholders Meeting re: Affordable Housing Ordinance Potential Amendments	March 12, 2021	Zoom
2	City Council Study Session	April 6, 2021	Zoom
3	Let's Talk Housing Community Meeting	August 30, 2021	Zoom 25 attendees from Santa Clara
4	Planning Commission Study Session	September 22, 2021	
5	City Council Study Session on Homelessness	November 9, 2021	
6	Joint City Council/Planning Commission Study Session 1	April 19, 2022	

7	Homelessness Taskforce Meeting #1	April 28, 2022	
8	Stakeholder Listening Session: Development Constraints Panel	May 5, 2022	Zoom
9	Community Survey (English, Spanish, Chinese, Vietnamese)	May - July 8, 2022	1,651 responses
10	Health and Wellness Fair	May 20, 2022	• 400 attendees, 50-60 people stopped by booth
11	Homelessness Taskforce Meeting #2	May 26, 2022	Zoom
12	June 2022 City Hall News (monthly e-newsletter)	June 2022	
13	Library Pop-Up Meetings (Central and Northside)	June 14th and 17th, 2022	In Person
14	Inside Santa Clara (summer 2022 edition)	June 18-22, 2022	Mailed to over 58,000 residents and businesses
15	Homelessness Taskforce Meeting #3	June 23, 2022	
16	Joint City Council/Planning Commission Study Session 2	July 12, 2022	
17	Housing Choices – Interview with Kalisha Webster	July 22, 2022	
18	Homelessness Taskforce Meeting #4	July 28, 2022	
19	Community Meeting	August 1, 2022	Zoom
20	Community Meeting Forum on Homelessness	August 9, 2022	Zoom
21	Life Services Alternatives (LSA) – Residential Care Home visit and interview with Dana Hooper and residents	August 12, 2022	In Person
22	Meeting with regional Equity Advisory Group	August 23, 2022	Zoom
23	Homelessness Taskforce Meeting #5	August 25, 2022	
24	40th Anniversary Art & Wine Festival	September 17-18, 2022	In Person

25	Meeting with Riverwood Grove residents (family housing)	September 19, 2022	In Person
26	Meeting with Bill Wilson Peacock Commons residents (Transition Age Youth)	September 20, 2022	In Person
27	Meeting with Liberty Tower residents (Seniors)	September 22, 2022	In Person
28	Homelessness Taskforce Meeting #6	October 27, 2022	
29	Housing Stakeholders Workshop	November 17, 2022	Zoom

Summaries from Select Meetings/Activities

1. March 12, 2021. Stakeholders meeting (Zoom). Approximately 30 individuals representing numerous development companies and related interests participated in a discussion regarding potential amendments to City's Affordable Housing Ordinance. Economic & Planning Systems, Inc. (EPS), the City's consultant, presented at the beginning of the meeting and shared the housing prototypes being analyzed for feasibility with the current Affordable Housing Ordinance and potential changes that would increase the number or depth of affordability the City could consider. A summary of stakeholder comments is available on the Housing Element Update page.

3. August 30, 2021. Let's Talk Housing Community Meeting (Zoom). A series of countywide meetings about the Housing Element update were held from August to September 2021. Each meeting offered Spanish-language interpretation and provided community members with an introduction the Housing Element update, why it matters, information on the Let's Talk Housing outreach effort and countywide trends. Breakout room discussions with individual cities and towns followed. In total 832 registered for the series. Of those who registered for the series, the majority identified as White and over half were 50 years or older. Over sixty percent lived over 21 years within the county, and over half were homeowners. Santa Clara was part of the August 30th, 2021 introductory meeting, along with Milpitas, Mountain View, and Sunnyvale. This meeting offered Vietnamese interpretation in addition to Spanish, courtesy of the City of Milpitas, and outreach for the meeting was conducted in the three languages. Twenty-five people who registered for the August 30th meeting identified as joining from Santa Clara. Of the Santa Clara participants, all indicated being homeowners and living in single family homes. In the breakout session, participants expressed that they valued living in Santa Clara due to its tight knit community, its rich history, ample job opportunities, and its mix of older and newer neighborhoods. However, participants pointed out older housing is becoming increasingly unaffordable and the general lack of moderate and affordable housing. Older adults, especially those who are moderate or low income, struggle to find housing and many adult children can't live close to their aging parents. Among ideas to address these needs were: transit-oriented development, increasing allowable densities, and developing an affordable

housing program for seniors. Among programs or policies that are already working well, participants shared that specific plans have been an effective tool for development and the El Camino Real Specific Plan in particular is a good example of extensive and comprehensive community outreach.

8. May 5, 2022. Stakeholder Listening Session: Development Constraints (Zoom). The presentation and summary from this meeting is available on the Santa Clara County Planning Collaborative page and on the Housing Element Update page.

14. June 18-22, 2022. Inside Santa Clara (summer 2022 edition). Full page article on the Housing Element Update. Printed newsletter sent to over 58,000 residents and businesses.

19. August 1, 2022. Community Meeting (Zoom). Community meeting with a presentation on the Housing Plan of the draft Housing Element Update; comments were made regarding tenant protections, housing for persons with disabilities, and increased housing type and tenure. There twelve (12) members of the community that attended representing individuals and advocacy organizations.

22. August 23, 2022. Regional Equity Advisory Group (EAG) Meeting (Zoom). Provided City with general feedback on how to improve engagement with stakeholders and community members. Suggested more direct outreach and importance of going to specific locations to reach targeted populations. Specific comments about locating housing in high/highest opportunity areas of the City and that ELI households experience the highest rates of housing cost burden, making them at the highest risk of homelessness or displacement.

24. September 17-18, 2022. 40th Annual Art & Wine Festival (In-person). 152 attendees participated in a dot exercise to identify what they felt were the biggest challenges/greatest needs facing the City of Santa Clara. Participants were provided different colored dots if they identified as a City of Santa Clara homeowner (111), City of Santa Clara renter (24), if they work (but don't live) in the City of Santa Clara (4), or if they don't live or work in the City of Santa Clara (13). From a list of 13 biggest challenges/greatest needs, the most votes were placed on 1. Addressing homelessness: programs, temporary housing/permanent supportive housing; 2. Housing that is affordable to low/minimum was earners (e.g., service/retail workers); 3. Providing more homeownership opportunities; and 4. Stabilizing rents (limit large rent increases and large deposit requirements).

Although Santa Clara homeowners and renters identified the same top four biggest challenges/greatest needs, the order was different. For homeowners addressing homelessness received the most votes and stabilizing rents received the fourth most votes. For renters stabilizing rents received the most votes and addressing homelessness received the fourth most votes.

Homeowners: 1. Addressing homelessness; 2. Housing that is affordable to low/minimum wage earners; 3. Providing more homeownership opportunities; 4. Stabilizing rents

Renters: 1. Stabilizing rents; 2. Housing that is affordable to low/minimum wage earners; 3. Providing more homeownership opportunities; 4. Addressing homelessness.

24, 25, 26. September 19, 2022. Riverwood Grove (family housing) Residents Meeting (In-person with 16 adults, 5 children); September 20, 2022. Bill Wilson Peacock Commons (transition age youth) Residents Meeting (In-person with 10 adults, 5 children); September 22, 2022. Liberty Tower (senior housing) Residents Meeting (In-person with 8 adults, 2 staff). Residents of the three housing developments were asked a series of questions, including about their personal experiences/challenges finding and living in affordable/supportive housing, and what they would like to see in terms of priorities for making their housing experience better. In addition to noting specific resources needs and concerns about traffic and safety, residents consistently noted the challenges of barriers to entry (affordability and wait/availability of units).

27. November 17, 2022. Stakeholders Workshop (Zoom). Zoom meeting that reviewed the Housing Element development process using a Mural Board. The meeting was primarily attended by housing and human service providers and advocacy organizations. Attendees mentioned the need for more emergency rental assistance, that state relocation assistance is inadequate, that ELI seniors in income restricted housing are increasingly rent burdened and at risk of homelessness, that seniors need in-person housing navigation assistance that homelessness prevention is less costly than crisis response, that city and county government should work on providing holistic housing services, the need for more social workers and case managers to help clients navigate programs, the need to financially support service providers so they can retain staff, the need to bring air conditioning and filters into affordable housing in response to heat and wildfire smoke climate change, and the need to proactively reach out to Latino/a, Vietnamese, and Filipino/a populations who are disproportionately in need of affordable housing.

Appendix A-6 Public Review Draft Comments

The City of Santa Clara asked for the public's comments on the Housing Element Update. The document to post public comments can be found here: https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=87#page=18. Below is a summary of the received comments.

FIGURE 1: HOUSING ELEMENT DRAFT PUBLIC COMMENTS

Date	Name	Comment	Comment Page	Sentiment	Comment link	Response
7/1/2022	Katherine Lanning	I love Santa Clara and would love to volunteer my time helping others in this beautiful city	18	Positive	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=87#page=18	
7/30/2022	Anne Paulson	The Housing Element isn't the place where the city talks about "exploring changes." The Housing Element is where the city talks about the result of the explorations that have already happened, and explains what the changes are and when exactly they will be accomplished.	22	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=98#page=22	
7/30/2022	Anne Paulson	What changes will you make, and when will they be made? These exceedingly weak explorations do nothing to achieve B-1 (look for sites for affordable housing), B-2 (encourage high density housing),or B-3 (look for funding for affordable housing). They don't do anything for the C goals either, which are about housing for people with special circumstances (disability, female-headed, large family). My suggestion is that you write objectives that would actually achieve your goals, and give time deadlines for them.	22	Negative	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=99#page=22	

7/12/2022	Jennifer	Where is Action #4? I see responsible agency and objectives, but no Action listed or Funding Source.	24	Negative	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=90#page=24
7/30/2022	Anne Paulson	How will you improve the maintenance of student housing, and when?	26	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=100#page=26
7/30/2022	Anne Paulson	When?	26	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=101#page=26
7/30/2022	Anne Paulson	When?	26	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=102#page=26
7/29/2022	Nick Leung	Yes, I would really like to see more upzoning/high density development while being conscious of existing transportation, or improving/adding more transportation to support new developments such that they reduce reliance on cars.	27	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=91#page=27
7/30/2022	Anne Paulson	How?	28	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=103#page=28
7/30/2022	Anne Paulson	How?	28	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=104#page=28

7/30/2022	Anne Paulson	What is the action here? I don't see any action.	33	Negative	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=105#page=33
7/29/2022	Nick Leung	If El Camino becomes densified, I'd like to see dedicated BRT.	77	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=92#page=77
7/29/2022	Nick Leung	We should lower the requirements for parking. Parking is poor land use (especially surface parking) which encourages more cars, which is bad for traffic and many reasons. In this area, so much land is already dedicated to cars (4+4 lane expressways, highways, garages, driveways, parking, etc.). We can increase the transportation connectivity and serve lower income residents better by lessening the emphasis on car-driven development.	117	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=93#page=117
7/30/2022	Anne Paulson	How can you say with a straight face that development standards aren't a constraint on building, when you require two parking spaces for a studio apartment? You're requiring more space for the cars than for the people.	118	Negative	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=96#page=118
7/30/2022	Anne Paulson	An SRO is not employee housing; it's rooms with or without kitchens that are rented separately. Why is the title SRO Housing, when the text doesn't talk about SRO housing? The Housing Element needs to explain how	120	Negative	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=97#page=120

		Santa Clara allows Single Room Occupancy housing.			
7/29/2022	Nick Leung	I think this is unfortunate, but it's obvious that this community opposition to densification has created disastrous effects for housing affordability for everyone. We can fight a lot of this community resistance with transit oriented and mixed use development, though I expect the community will find other ways to oppose it. We should still try. (Page 13.5-23) The Housing Element says that it will do a fee analysis of the four prototypical buildings. And then, it just doesn't. I'd like to know how much the 100 unit building would pay in fees, and I assumed that's what the analysis was going to give me, but it doesn't. Elsewhere in the document (p 13.5-13) it says that a large multifamily project pays $2156 per unit, but that doesn't look accurate, with all those big permit fees.	132	Negative	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=94#page=132
7/30/2022	Anne Paulson	The document needs to tell us what the fees are for these typical buildings.	134	Negative	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=95#page=134

7/30/2022	Anne Paulson	Sares Regis, 800 units???? Sares Regis is a building company, not an address or an identifier for a project. What project is this?	145	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=106#page=145
7/31/2022	Anne Paulson	Typo	149	Positive	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=107#page=149
7/31/2022	Anne Paulson	This has to be 34 REMAINING parcels. Otherwise the numbers don't add up: half the parcels are already built, 11 are approved or proposed, the remaining 17 are listed for below market housing in the table below.	158	Negative	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=108#page=158
7/31/2022	Anne Paulson	"Full buildout of the area will likely occur by 2038." So the capacity listed in 13.6-7 should be discounted by 50%, since since buildout will occur throughout the Sixth and Seventh RHNA cycles.	158	Neutral	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=109#page=158
7/1/2022	Katherine Lanning	I have great experience in developing business and marketing	173	Positive	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=89#page=173
7/1/2022	Katherine Lanning	I would love to volunteer my time to make this city a beautiful one with parks, museums and individual gardens	189	Positive	https://santaclaraca.konveio.com/city-santa-clara-housing-element-update?cid=88#page=189

8/16/2022	Dana Hooper	Thanks for taking the time to visit the LSA Cypress home. Cypress is a licensed residential care home. As I mentioned I had a chance to review chapter 13.2 Housing Plan and have some comments I'd like to share. My general comment is that otherwise eligible individuals should not be excluded because they choose to or are already living in a licensed residential care home. These individuals need the support just as much as there counterpart. Here are some additional comments to specific section in the Housing Plan. Action 1: The 4th objective – Support low-income housing alternatives such as housing for persons with disabilities should be expanded specifically to include licensed residential care homes. Action 3: Affordable Housing Incentives and Facilitation. The construction of affordable housing should also include residential care homes as a type of facility and funding to at least the same level per person as multiunit projects. Action 4: Maintenance of Housing Stock should include residential care homes in the definition of who is qualified to receive maintenance.	n/a	n/a		

Appendix A-7 Formal Comment Letters

FIGURE 1: HOUSING ELEMENT DRAFT – PUBLIC FORMAL LETTER COMMENTS

Date	Organization	From	Comment(s)
7/27/2022	TransForm	Kendra Ma, Housing Policy Analyst	1. Santa Clara needs to expand on its successful programs and initiate new ones, including: 1) Planning for growth in walkable areas near transit, 2) Reducing the amount of parking mandated for housing and providing incentives and programs to drive less (Transportation Demand Management), 3) Developing sufficient programs to meet affordable home targets of RHNA 2. Action 9 - revising zoning standards and potentially reducing/eliminating parking: lacks commitment to specific changes, such as what parking strategies the city will pursue. TransForm's recommendations: a) Fund a dedicated study of parking reforms b) Require unbundled parking for developments in "Transit Neighborhoods" c) Expand the Transportation Demand Management program 3. TransForm applauds policy C-1: cost-effective complement to strategies focused on housing production
7/1/2022	SV@Home	Matthew Reed, Policy Director	1. Concern over the lack of understanding and attention to the broader Housing Element requirements under Affirmatively Further Fair Housing (AFFH) in this Housing Element Update process. Santa Clara should consider the work and policy efforts conducted in Palo Alto to build upon and further the community's anti-displacement goals by addressing housing instability. See letter for specific recommendations.
7/15/2022	Housing Choices		-The City of Santa Clara needs to adopt more programs and policies related to affordable housing with coordinated services for persons living with developmental disabilities, examples include: a) Integration in typical affordable housing b) Coordination of housing with onsite supportive services c) A mix of unit sizes d) Location near public transit c) Deeply affordable housing -Population of adults living with developmental disabilities continues to increase in Santa Clara while beds available in licensed facilities are decreasing -Policy/Programming recommendations include: 1. Produce more extremely low-income housing 2. Establish and monitor a quantitative goal 3. Target city-owned land to dedicate to affordable housing 4. Local density bonus 5. Extremely low-income ADUs 6. Reduce parking requirements 7. Affirmative marketing of physically accessible units

8/8/2022	SV@Home	Matthew Reed, Policy Director	-The City of Santa Clara's Draft 6th Cycle Housing Element falls short of the statutory requirement at multiple levels, from its failure to elicit and reflect community input, to its deficient analysis of needs, to its absence of concrete programs with implementation details and timelines -The sites inventory falls significantly short of the AFFH requirements for this process -6th Cycle Housing Element Update is a unique process to fully assess the breadth of housing needs in Santa Clara and identify new tools to address housing constraints and needs -Opportunity to engage with the full community across incomes -SV@Home does not find that the Draft Housing Element Update shows evidence of the significant public engagement and community participation required to be compliant with guidance provided by the state -Lack of sufficient outreach and notification to public/community -The Housing Element does not a) provide a summary of public comments and b) explain how the comments were considered and incorporated, including comments that were not incorporated. -The Housing Needs Assessment does not incorporate local knowledge or analysis. -SV@Home recommends that the City of Santa Clara conduct additional outreach and analysis of the housing needs data in the draft with the goal of better understanding the housing needs of the city as they are experienced by residents of the city -SV@Home recommends that the assessment of the 5th Cycle Policies and Programs be incorporated into the more comprehensive assessment of housing needs, including concrete opportunities for public engagement around the lessons learned from these prior efforts. -Lack of connection between needs and solutions in the draft -SV@Home believes the lack of detail in the policies and programs included in the draft will not prove to be compliant. -SV@Home believes there is a general failure to substantively address housing instability and displacement experienced by protected classes under AFFH in Santa Clara. -SV@Home recommends that the City of Santa Clara confirm and remove any sites from the inventory that received building permits prior to June 30, 2022, whether listed as "Under Construction" or "Approved".
8/16/2022	Life Services Alternatives	Dana Hooper, Executive Director	General Comment: Otherwise eligible individuals should not be excluded because they choose to or are already living in a licensed residential care home. These individuals need the support just as much as there counterpart. Action 1: The 4th objective – Support low-income housing alternatives such as housing for persons with disabilities should be expanded specifically to include licensed residential care homes. Action 3: Affordable Housing Incentives and Facilitation. The construction of affordable housing should also include residential care homes as a type of facility and funding to at least the same level per person as multiunit projects. Action 4: Maintenance of Housing Stock should include residential care homes in the definition of who is qualified to receive maintenance.

8/1/2022	Anne Paulson	-The Local Processing Explanation Is Confusing and Lacks Necessary Information -Recommendations: • For each typical type of building (ADU, single family house, 10 unit multifamily, 100 unit multifamily, big project that requires rezoning), list each step the applicant must go through, in order, with the time it takes, the number of public meetings it requires, the approval body or bodies, and how much it costs • Make the fees table comprehensible '-Lack of clarity in the Local Processing Explanation Is Confusing and Lacks Necessary Information -Recommendations: • Be more specific about the stage of approval each project is in. • Discount pipeline project and site inventory capacity for the probability that the project doesn't get built' -What the Housing Element needs to do is explain how this capacity is going to be used to build the RHNA in the next eight years. The document needs to be far more clear and explicit about the entire process—the steps, how long the process takes, how much the fees are, what the project mortality is—and where each listed project is along the way - Santa Clara is nowhere close to building below market units at a rate that would satisfy its Sixth Cycle below market RHNA. So it would make sense for the Housing Element to include programs, with deadlines and milestones, to build more affordable housing. - The City Needs to Commit to Actual Measurable Actions and Deadlines -To further encourage all-affordable projects, the city should also • make all-affordable housing projects buildable by right, with ministerial approval • remove parking minimums for all-affordable projects • reduce fees for all-affordable projects If the city cannot take these actions now for whatever reason, it should identify the reason and commit to taking the action by a certain date within the planning period.

FIGURE 2: FORMAL COMMENT LETTER: TRANSFORM

TransForm
Our communities. Our transportation. Our future.

July 27, 2022

John Davidson, Principal Planner
1500 Waterburton Avenue
Santa Clara, CA 95050

Re: Santa Clara needs transformative parking measures to eliminate development constraints

Dear Mr. Davidson and City Councilmembers,

TransForm is a regional non-profit focused on creating connected and healthy communities that can meet climate goals, reduce traffic, and include housing affordable for everyone.

We applaud Santa Clara's work to date on the Draft Housing Element. However, to meet housing, transportation, and climate goals, Santa Clara needs to expand on its successful programs and initiate some new ones.

In particular, there will need to be an effective mix of:

- Planning for growth in walkable areas near transit
- Reducing the amount of parking mandated for housing and providing incentives and programs to drive less (Transportation Demand Management or TDM)
- Developing sufficient programs to meet affordable home targets of RHNA

We appreciate the consideration of parking as a massive constraint on development in Santa Clara in the Housing Element, especially related to meeting RHNA requirements. Santa Clara currently requires 1 or more spaces per unit in almost all zoning districts, and without any commitment to further reducing required parking, we see a disconnect between understanding parking as a constraint and taking additional action.

We are grateful for Santa Clara's inclusion of Action 9 which aims to revise zoning standards and potentially reduce/eliminate parking minimums. However we worry this action lacks a commitment to specific changes, such as what parking strategies the city may pursue. The need to eliminate or greatly reduce parking minimums is more important than ever. **Each new parking space costs $30,000-$80,000.**[1] With inflation driving up construction costs since these

[1] https://www.shoupdogg.com/wp-content/uploads/sites/10/2016/05/Cutting-the-Cost-of-Parking-Requirements.pdf

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estimates, two spaces may now cost up to $200,000. Beyond construction costs, parking takes up essential space that could provide more homes, services, or community amenities.

TransForm recommends that Santa Clara consider the following policies in the Housing Element:

1. Funding a dedicated study of parking reforms, particularly how smart parking policies could positively impact housing, transportation, and other goals.
2. Requiring unbundled parking for certain developments in "Transit Neighborhoods" across various zones; this is easier for building managers to implement now with new parking tech tools like Parkade.
3. Expanding the Transportation Demand Management program by requiring provision of transit pass memberships for each resident.

To show the tremendous transportation and climate benefits of these policies, as well as some of the financial savings for residents and reduced costs for development, we have used our GreenTRIP Connect tool to create scenarios for a potential future development site at 2203-2215 Tasman Drive. This site is identified in Santa Clara's draft Housing Element Site Inventory as a "Transit Neighborhood" and part of the Tasman East Specific Plan. The California Office of Planning and Research recommends GreenTRIP Connect as a tool to use while developing General Plans and is especially useful during the development of Housing Elements (the tool is free to use and supports better planning at the site and city-wide level).

At 2203 - 2215 Tasman Drive, GreenTRIP Connect projects the following benefits from implementing smart parking, transportation, and affordability strategies:

1. Implementing unbundling and providing transit passes at this site led to a 29% decrease in parking and resident transportation savings of $4,464 per year.
2. With right-sized parking, incorporating the benefits of good location, unbundled parking and free transit passes, the development would cost $2,509,500 less to build relative to current parking standards.
3. When combined with 100% affordable housing, these strategies resulted in an incredible 52% reduction in driving and greenhouse gas emissions for the site, compared to the city average.
4. If an affordable development with smart parking strategies were built on this site each household would drive 5,373 less miles per year, creating a greener and safer community.

By eliminating the high costs of parking, homes can be offered at more affordable prices, reducing the number of community members that face extreme housing cost burdens, getting priced out of their community, and/or becoming unsheltered. Residents, new and old alike, will greatly benefit from the reduction in vehicle traffic and associated air pollution (see the scenarios here).

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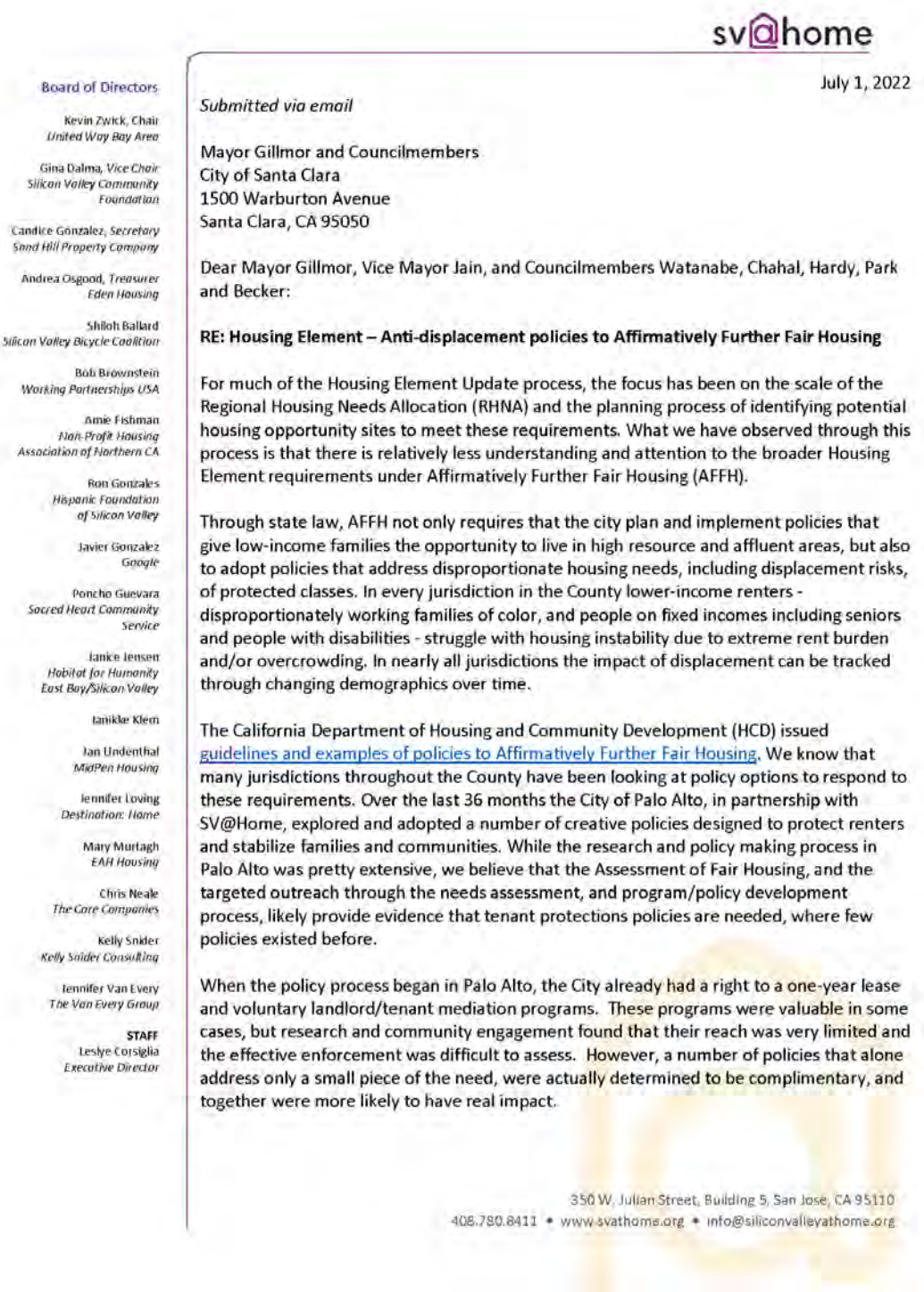
In addition to parking and transportation strategies, we applaud some of the proposed strategies to support more affordable homes, since these would have such tremendous benefits as noted in the GreenTRIP scenario. One of the most important is Policy C-1 which prioritizes collaborating with services agencies and housing developers to use grants towards more special needs and affordable housing. These programs are a cost-effective complement to strategies focused on housing production.

The GreenTRIP scenarios and the chart on the final page of our Scenario document also show the imperative of programs to accelerate development of affordable homes, like Policy C-1. Not only do these households use transit more and drive much less than average, but success in this area can help provide homes for unsheltered individuals and families. A commitment to these programs will show that Santa Clara is committed to planning for all levels of the 6,506 RHNA BMR units anticipated in this cycle.

Please let me know if you have any questions. TransForm hopes this information explains why Santa Clara should make parking reform a priority in the Housing Element update.

Sincerely,
Kendra Ma
Housing Policy Analyst
kendrama@transformca.org

FIGURE 3: FORMAL COMMENT LETTER: SILICON VALLEY AT HOME



sv@home

Board of Directors

Kevin Zwick, Chair
United Way Bay Area

Gina Dalma, *Vice Chair*
Silicon Valley Community Foundation

Candice Gonzalez, *Secretary*
Sand Hill Property Company

Andrea Osgood, *Treasurer*
Eden Housing

Shiloh Ballard
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July 1, 2022

Submitted via email

Mayor Gillmor and Councilmembers
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

Dear Mayor Gillmor, Vice Mayor Jain, and Councilmembers Watanabe, Chahal, Hardy, Park and Becker:

RE: Housing Element – Anti-displacement policies to Affirmatively Further Fair Housing

For much of the Housing Element Update process, the focus has been on the scale of the Regional Housing Needs Allocation (RHNA) and the planning process of identifying potential housing opportunity sites to meet these requirements. What we have observed through this process is that there is relatively less understanding and attention to the broader Housing Element requirements under Affirmatively Further Fair Housing (AFFH).

Through state law, AFFH not only requires that the city plan and implement policies that give low-income families the opportunity to live in high resource and affluent areas, but also to adopt policies that address disproportionate housing needs, including displacement risks, of protected classes. In every jurisdiction in the County lower-income renters - disproportionately working families of color, and people on fixed incomes including seniors and people with disabilities - struggle with housing instability due to extreme rent burden and/or overcrowding. In nearly all jurisdictions the impact of displacement can be tracked through changing demographics over time.

The California Department of Housing and Community Development (HCD) issued guidelines and examples of policies to Affirmatively Further Fair Housing. We know that many jurisdictions throughout the County have been looking at policy options to respond to these requirements. Over the last 36 months the City of Palo Alto, in partnership with SV@Home, explored and adopted a number of creative policies designed to protect renters and stabilize families and communities. While the research and policy making process in Palo Alto was pretty extensive, we believe that the Assessment of Fair Housing, and the targeted outreach through the needs assessment, and program/policy development process, likely provide evidence that tenant protections policies are needed, where few policies existed before.

When the policy process began in Palo Alto, the City already had a right to a one-year lease and voluntary landlord/tenant mediation programs. These programs were valuable in some cases, but research and community engagement found that their reach was very limited and the effective enforcement was difficult to assess. However, a number of policies that alone address only a small piece of the need, were actually determined to be complimentary, and together were more likely to have real impact.

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Based on the work in Palo Alto, and a number of other cities, below are a number of policies that the City of Santa Clara should consider, or build upon, to further the community's anti-displacement goals by addressing housing instability.

1) Rental Survey Program
   Rental survey systems collect basic information on rental housing – changes to tenancies, changes to rents - to empower cities to better understand the challenges faced by renters, and the effectiveness of state and local renter protections.

2) Tenant Relocation Assistance
   When tenants are displaced due to redevelopment of an existing rental property, or the conversion of that property to another use, this policy would require the property owner to provide assistance to the tenant to help them relocate to another home.

3) Eviction Reduction Program
   This expands on existing state law (AB 1482: The Tenant Protection Act of 2019), which limits the reasons a landlord can evict a tenant, to additional types of rental properties otherwise not covered by the state. Local jurisdictions can determine which loopholes they would like to close. Currently, state law exempts:
   a) Single family homes not owned by a corporation
   b) Rental property built within the past 15 years, including accessory dwelling units.
   c) Any duplex where the owner occupied the unit before the other unit's tenancy and continues to occupy the unit.
   d) Housing restricted by a deed, regulatory restrictions, or other recorded document limiting the affordability to low or moderate income households.
   e) Mobile homes.
   f) Rental property subject to local ordinances that restrict rent increases to less than 5% plus CPI.
   g) Single family homes where the owner occupies and rents at least 2 bedrooms or units (ADUs and JADUs).
   h) Owner occupied rental properties where the tenant shares bathroom or kitchen facilities with the owner.
   i) Hotels
   j) Rental property provided by non-profit hospitals, organizations such as churches, extended care for the elderly, adult care facilities etc.

4) Anti Rent-Gouging Policy
   This policy also expands on existing state law (AB 1482: The Tenant Protection Act of 2019), which limits annual rent increases to 5% plus the Consumer Price Index (CPI), by including additional units exempted by state law. Each city can determine which loopholes they would like to close. They can also adopt lower thresholds for maximum increases like San Jose (5%) and Mountain View (CPI). Currently, state law exempts:
   a) Single Family homes not owned by a corporation
   b) Rental property built within the past 15 years, including accessory dwelling units.
   c) Any duplex where the owner occupied the unit before the other unit's tenancy and continues to occupy the unit.
   d) Housing restricted by a deed, regulatory restrictions, or other recorded document limiting the affordability to low or moderate income households.
   e) Mobile homes.
   f) Hotels

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5) Security Deposit Limit
This policy would limit the amount that can be charged for security deposits to 1.5 times the monthly rent, and help reduce the financial obstacles to entry for low-income households.

6) Fair Chance Ordinance
This ordinance would limit landlords' ability to ask applicants about their history of interaction with the criminal justice system, which disproportionately impacts Black and brown households. The policy would not make it illegal for landlords to run background checks on tenants, but would make it illegal to include these questions on the initial rental application.

7) Right to Counsel
This program would provide tenants with legal assistance in eviction cases. Tenants experiencing housing instability will be better able to enjoy the rights they have, feel more empowered to exercise those rights, and be more likely to stay housed more often.

8) Tenant/Community Opportunity to Purchase (TOPA/COPA)
The local jurisdiction could provide tenants and/or community-based organizations notice of intended sale of rented property, and provide a specific time period during which the tenants and/or organization have the opportunity to purchase the property. Tenants at risk of being displaced through the sale of a building would be provided with another option to potentially stay in their home. A version of this policy is actively being explored and studied in the City of San Jose.

9) Proactive Rental Inspection
This establishes a program for code enforcement officers to routinely inspect the rental housing inventory. Through these programs tenants are more likely to be protected from living in substandard housing, and local jurisdictions may catch habitability issues before they become so large that they require "red tag" evictions.

10) Tenant Resource Center
As a response to the pandemic, the cities of San Jose and Mountain View created Eviction Help Centers where tenants and landlords could receive information on local laws, assistance to apply for rent relief and legal aid. These cities are now looking at making the centers a permanent tenant/housing resource center post-pandemic.

11) City-wide Affordable Rent Portals
A portal for submitting a common application for affordable housing would save the tremendous amount of time and energy it currently takes to submit the same information on separate applications for each affordable property. A clearinghouse of affordable housing opportunities would also allow the city or county to affirmatively market to vulnerable and hard to reach populations. Current examples of these portals include San Jose Doorways and Dalia in San Francisco.

12) Increase Multi-lingual engagement with city services and housing opportunities
Language barriers can keep many communities from accessing the housing opportunities and services they need. Taking steps to increase the city's capacity to engage under multiple languages can improve those outcomes.

13) Net-loss policy
SB 330 (The Housing Crisis Act of 2019) requires that protected units are replaced one-for-one in cases of the redevelopment of a rental property. These provisions are currently mandated by state law, but local jurisdictions

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can adopt permanent no-net-loss ordinances. This policy would protect critical sources of housing affordable to lower-income families, and incentivize higher-density infill redevelopment when paired with land use policies to support the feasibility of this redevelopment.

These policies have been developed with consideration of some of the major barriers to housing stability, and causes of displacement, which have been identified through an extensive research and engagement process in Palo Alto, and a few other jurisdictions in the county. Through the housing element, these anti-displacement policies should be considered a comprehensive package of responses to address the complexity of the challenges faced by renters in Santa Clara. For further information and if you have any questions, please feel free to reach out to our Preservation and Protection Associate, Emily Ann Ramos at emily@siliconvalleyathome.org.

Thank you for considering anti-displacement and tenant protections solutions to affirmatively further fair housing.

Sincerely,

Mathew Reed
Policy Director

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FIGURE 4: FORMAL COMMENT LETTER: HOUSING CHOICES

Housing Choices

DEVELOPMENTAL DISABILITIES COMMENTS FOR

CITY OF SANTA CLARA HOUSING ELEMENT

Introduction to Developmental Disabilities

California state law defines developmental disabilities as a disabling condition that emerged before age 18, is expected to be lifelong, and is a substantial disability attributable to major impairment of cognitive and/or social functioning. A substantial disability is defined as "significant functional limitations…in three or more of the following areas of major life activity, as appropriate to the person's age: Receptive and expressive language; Learning; Self-care; Mobility; Self-direction; Capacity for independent living; and/or Economic self-sufficiency". Developmental disabilities include intellectual disability, autism, Down syndrome, epilepsy, cerebral palsy, and other disabling conditions similar in their functional impact to an intellectual disability. A developmental disability by definition does not include conditions that are solely physical, psychiatric or learning disabilities (Section 4512 of the Welfare and Institutions Code and Section 54000-54002 of the Code of Regulations). Under California's Lanterman Developmental Disabilities Services Act and the U.S. Supreme Court's 1999 decision in *Olmstead v. L.C.*, people with developmental disabilities are entitled to receive community-based services that allow them to live in the least restrictive community setting of their choosing. In California these services are accessed through the state's 21 Regional Centers and funded by the Department of Developmental Disabilities. This shift to de-institutionalization has led to the closure of the most restrictive segregated settings and to the requirement, under SB 812, that local jurisdictions in their Housing Elements assess and plan specifically for the housing needs of people with developmental disabilities who receive supportive services from the Regional Center in order to live in their home community.

Demographic and Other Trends Affecting the Housing Needs of People with Developmental Disabilities

Higher Proportion of Adults with Developmental Disabilities in the City of Santa Clara. The City of Santa Clara is home to 612 people with developmental disabilities (Table __). Because the previous Housing Element 2014-2023 reported the population by zip codes there is overlap with surrounding jurisdictions which makes it difficult to estimate the change in population in the City of Santa Clara alone, however throughout Santa Clara County there has been a 14% increase in the population with

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developmental disabilities between 2015-2021, much faster than the general population. The table below shows that the City of Santa Clara requires more housing options for adults with developmental disabilities than other parts of the County because a greater proportion of City of Santa Clara's residents with developmental disabilities are adults (67%) as compared to the County's total population (63%).

Table ___ City of Santa Clara and Santa Clara County Population with Developmental Disabilities

Age	City of Santa Clara	City of Santa Clara % of total	Santa Clara County	Santa Clara County % of total
Under age 18	204	33%	4016	37%
18 and older	408	67%	6737	63%
Total	612	100%	10753	100%

Note: The City of Santa Clara population with developmental disabilities was provided by San Andreas Regional Center as of November 2021. The Santa Clara County population with developmental disabilities is based on county-level data published by the Department of Developmental Services as of June 2021.

Living Arrangements of City of Santa Clara Adults with Developmental Disabilities. Assessing the housing needs of adults with developmental disabilities is of particular importance because as they age the adults will require a residential option outside the family home, whereas the family home is the preferred living option for children with developmental disabilities. As of June 2021, San Andreas Regional Center (SARC) reported that the family home is the most prevalent living arrangement for the City of Santa Clara's adults with developmental disabilities, with 66% of adults continuing to live in the family home. Only 16% of City of Santa Clara adults with developmental disabilities have successfully transitioned to living in their own apartment, more than half of whom live at inclusive properties Estancia Apartments and Rivertown Apartments where a total of 38 units are set-aside for people with developmental disabilities who receive on-site supportive services to help them remain stably housed. As of 2021, 17% of City of Santa Clara adults were reported to be living in licensed care facilities, however, as discussed below, opportunities for adults to live in a licensed care facility are declining throughout the County. This decline is fueling the need for the City of Santa Clara to increase opportunities for adults with developmental disabilities to live in affordable housing with supportive services in order to decrease risk of homelessness or displacement when a parent or family member is no longer able to provide housing.

Decline in Licensed Care Facilities in Santa Clara County. The Department of Developmental Services reports that between September 2015 and June 2021, 5% fewer people with developmental disabilities were able to be housed in licensed care facilities (including Community Care Facilities, Intermediate Care Facilities, and Skilled Nursing Facilities) in Santa Clara County, even as the adult population in need of residential options outside the family home grew. This trend increases the need for affordable housing options coordinated with supportive services funded by the San Andreas Regional Center. The County's reduced supply of licensed care facilities increases the likelihood that City of Santa Clara adults with

developmental disabilities will be forced out of the county when their parents are no longer able to house them--unless there is a significant improvement in access to affordable housing.

Table ___ Living Arrangements of Adults with Developmental Disabilities in City of Santa Clara compared to Santa Clara County

Adult Living Arrangements	City of Santa Clara	City of Santa Clara Percent of Total	Santa Clara County	County Percent of Total
In the family home	269	66%	4,362	65%
Own apartment with supportive services	66	16%	756	11%
Licensed Facilities	69	17%	1,525	23%
Other (including homeless)	4	1%	94	1%
Total Adults	**408**	100%	**6,737**	100%

Note: The City of Santa Clara population with developmental disabilities was provided by San Andreas Regional Center as of November 2021. The Santa Clara County population with developmental disabilities is based on county-level data published by the Department of Developmental Services as of June 2021.

Longer Life Spans. Between September 2015 and June 2021, the Department of Developmental Services reports that the number of Santa Clara County residents with developmental disabilities age 62 and older grew by 35% (Table __). This increase is generally attributable to well-documented gains in life span, rather than to migration of seniors with developmental disabilities into Santa Clara County. Longer life spans mean that more adults with developmental disabilities will outlive their parents and family members who are by far the single largest source of housing for people with developmental disabilities in the City of Santa Clara. Because older adults currently occupying a licensed facility in Santa Clara County are living longer, this reduced rate of occupant turnover, coupled with closing facilities, will make it more difficult for middle-aged and senior adults who have been living with aging parents in the City of Santa Clara to transition to licensed care when their parents pass away.

Displacement. Notwithstanding 20% growth in Santa Clara County's total population of adults with developmental disabilities, the Department of Developmental Services has documented a 15% decline in the age group 42 to 51 in Santa Clara County between September 2015 and June 2021 (Table ___). In light of gains in life expectancy, this loss can reasonably be attributed to displacement from the county because of the lack of residential living options (either licensed facilities or affordable housing) when an elderly family caregiver passes away or becomes unable to house and care for the adult. Displacement takes a particular toll on adults with developmental disabilities who depend on familiarity with transit routes and shopping and services, as well as support from community-based services and informal networks built up over years of living in Santa Clara.

Increase of Autism Diagnosis Reflected in Increase in Adults in their 20s and 30s. Growth in the Santa Clara County adult population with developmental disabilities correlates with a well-documented annual

increase in the diagnosis of autism that began in the mid-1980s and did not level out until after 2015. The cumulative impact of this trend is already seen in the growth of the Santa Clara County population age 18 to 41 with developmental disabilities and will continue into the future. This trend has significant implications for housing needs among City of Santa Clara adults with developmental disabilities during the period of the 2023-2031 Housing Element, as the population can be expected to continue to grow at a faster rate than the general population.

Table __ Changes in Age Distribution of Adult Population in Santa Clara County

Age	2015 Number	2021 Number	% Change
18 to 31	2,767	3,515	27%
32 to 41	891	1,212	36%
42 to 51	833	705	-15%
52 to 61	702	744	6%
62 plus	416	561	35%
Total adults	5,609	6,737	20%

Source: Department of Developmental Services Quarterly Report by County.

Higher Rates of Physical Disabilities. People with developmental disabilities are more likely than the general population to have an accompanying physical disability. Almost 20% of Santa Clara County residents with developmental disabilities have limited mobility, and 15% have a vision or hearing impairment. The need for an accessible unit coupled with the need for coordinated supportive services compounds the housing barriers faced by those with both cognitive and physical disabilities.

Ineligibility for Many Affordable Rental Units. Some adults with developmental disabilities depend on monthly income of around $1,000 from the Supplemental Security Income (SSI) program, pricing them out of many of the limited number of affordable housing units in the City of Santa Clara. Those with employment tend to work part-time in the lowest paid jobs and also struggle to income-qualify for many of the affordable housing units now available for rent in the City of Santa Clara.

Transit-Dependent. Most adults with developmental disabilities do not drive or own a car and many rely on public transit as a means to integration in the larger community.

Best Practices for Inclusion of People with Developmental Disabilities in Typical Affordable Housing

The City of Santa Clara can meet the housing needs of people with developmental disabilities by adopting policies and programs to continue promoting their inclusion with coordinated services in typical affordable housing. The following considerations should guide the City of Santa Clara in this pursuit:

- **Integration in typical affordable housing** is a priority in order to affirmatively further fair housing for a group that has historically experienced no alternatives to segregated living and also to counter the displacement of adults with developmental disabilities out of the City of Santa Clara.
- **Coordination of housing with onsite supportive services** funded by the San Andreas Regional Center should be encouraged. These fully funded coordinated services provide a supported pathway for people with developmental disabilities to apply for and retain an affordable apartment and are often as essential to a person with a developmental disability as a physically modified unit is to a person with a mobility, vision, or hearing impairment.
- **A mix of unit sizes** at inclusive housing properties would address the needs of those who require live-in aides, want to live with roommates or partners, or have children.
- **Location near public transit** would accommodate the transit-dependency of most adults with developmental disabilities.
- **Deeply affordable housing is needed by people with developmental disabilities.** Per HCD guidance, the City should plan for at least 1,484 Extremely Low Income (ELI) units, or 50% of its Very Low Income RNHA allocation. ELI units are particularly important to people with developmental disabilities, and some of the City's planned production of ELI units should be subject to a preference for people with developmental disabilities.

Policy and Program Recommendations

The City of Santa Clara has a responsibility not simply to assess the housing needs of people with developmental disabilities but also to create and implement policy, zoning, program and other changes that make it more feasible for affordable housing developers to include people with developmental disabilities in their housing plans. Since its last Housing Element, the City of Santa Clara approved two new inclusive affordable housing projects, 2330 Monroe Street and The Meridian, which will create 26 new apartments subject to a preference for people with developmental disabilities who need coordinated onsite services funded by the San Andreas Regional Center. However, the city still has a long way to go in meeting the housing needs of adult residents with developmental disabilities. Over the course of the next Housing Element cycle the need for deeply affordable housing paired with coordinated supportive services will continue to increase as the population of adults with developmental disabilities continues to grow an outlive aging parents while beds available in licensed facilities continue to decline. In order to meet the increasing needs of the City's population of people with developmental disabilities, policies and programs that explicitly promote inclusion of people with developmental disabilities in affordable housing with coordinated services provided by the San Andreas Regional Center are required. Below are examples of programs and policies which can help to prevent homelessness or displacement of these vulnerable residents as well as to provide opportunities for people with developmental disabilities to live in the least restrictive setting of their choosing in line with the Olmstead Decision.

- **Affirmatively Further Fair Housing by Producing More Extremely Low-Income Housing.** Not only is disability the highest-ranked source of Fair Housing complaints in Santa Clara County, a

growing body of Santa Clara County data indicates that Black, Indigenous and other People of Color (BIPOC) with disabilities experience higher rates of severe rent burden than either BIPOC without disabilities or whites with disabilities. Such disparities in the experience of severe rent burden, housing instability and displacement from the City of Santa Clara are attributable to the shortage of housing priced to be affordable to Extremely Low Income (ELI) households with incomes below 30% of Area Median Income. Multiple barriers including high land and construction costs and limited funding make it difficult for developers to produce Extremely Low Income units that would help to reduce such disparities. Local zoning and other policies that lead to increased production of Extremely Low Income units, as well as city staff dedicated to implementing and overseeing those policies, will Affirmatively Further Fair Housing in the City of Santa Clara and decrease displacement and homelessness for the most at-risk residents, including people with developmental disabilities.

Sample Language: The City of Santa Clara's plans to Affirmatively Further Fair Housing for Black, Indigenous and other People of Color, particularly those with disabilities, shall include policies designed to increase the production of Extremely Low Income units, as well as adequate staff capacity to implement and monitor the impact of these policies.

- **Establish and monitor a quantitative goal.** Tracking the City's success in housing people with developmental disabilities is essential to determine whether policies and programs are having an effect in overcoming historic patterns of discrimination and exclusion of people with developmental disabilities from affordable housing. A goal of 100 new Extremely Low-Income housing units for City of Santa Clara residents with developmental disabilities over the period of the 2023-2031 Housing Element would represent meaningful progress towards the total unmet housing need of this special needs group.

  Sample Language: The City of Santa Clara shall monitor progress towards a quantitative goal of 100 new Extremely Low Income housing units that are subject to a preference for people with developmental disabilities needing the coordinated services provided by San Andreas Regional Center to live inclusively in affordable housing.

- **Target City-Owned Land, Land Dedicated to Affordable Housing under the Inclusionary Ordinance and City Housing Funds to Achieve City-Specific Priorities.** City-owned land, land dedicated to affordable housing in lieu of providing affordable units under the inclusionary ordinance, and city housing funds are often essential to the development of affordable housing that is financially feasible in the City of Santa Clara. In creating guidelines for the scoring of any competitive proposals for these scarce resources, the City should grant additional points to affordable housing projects that address the housing needs of the residents who are most difficult to house under existing state and federal housing finance programs--for example, by prioritizing proposals with a higher number of Extremely Low Income units or that make a percentage of units subject to a preference for identified categories of special needs people who would benefit from coordinated onsite services, including but not limited to people with developmental disabilities who benefit from services of the San Andreas Regional Center.

Sample Language: In publishing requests for competitive proposals for any city-owned land, land dedicated to affordable housing under the city's inclusionary ordinance or city housing funds, the City of Santa Clara shall grant additional points to proposals that address the city's most difficult to achieve housing priorities, by, for example, providing a greater number of Extremely Low-Income units or committing to make a percentage of the units subject to a preference for people with special needs who will benefit from coordinated onsite services, such as people with developmental disabilities who receive services from the San Andreas Regional Center.

- **Local Density Bonus.** Like many state and federal housing finance programs, the state density bonus program incentivizes the production of housing at the Low and Very Low Income level. But in counties like Santa Clara County, with one of the highest Area Median Incomes in the state, these incentives have the effect of making much of the available affordable housing out of reach for residents on fixed incomes (including seniors and persons with disabilities) or who are working in low wage jobs and are thus unable to meet minimum income requirements to afford the rent assigned to the Very Low Income category. The City of Santa Clara should add additional local incentives to the state density bonus law to make it more responsive to the impact of Santa Clara County's high Area Median Income on the affordability of housing for City of Santa Clara residents who are Extremely Low Income, including special needs populations, for example, people with developmental disabilities.

  Sample Language: In addition to implementing the California density bonus statute, the City shall provide an additional local density bonus, incentives, and/or concessions for housing projects that include at least 5% of the units for people at the Extremely Low-Income affordability level, including special needs populations, for example, people with developmental disabilities.

- **Extremely Low-Income Accessory Dwelling Units.** As part of a larger plan to increase the supply of Accessory Dwelling Units (ADUs), the City should consider creating a financing and/or incentives program for homeowners who build ADUs and rent them for at least 15 years at Extremely Low Income rent levels or that are subject to a preference for identified categories of special needs people who would benefit from coordinated onsite services, including but not limited to people with developmental disabilities who benefit from services of the San Andreas Regional Center.

  Sample Language: Subject to funding availability, the City shall devise a program of financing and/or incentives for Accessory Dwelling Units subject to rent restrictions for at least 15 years at Extremely Low-Income rent levels and/or target special needs populations, such as people with disabilities who will benefit from coordinated services provided by the San Andreas Regional Center.

- **Reduce Parking Requirements for People with Developmental and Other Disabilities.** Because most adults with developmental disabilities do not drive or own a car, the City of Santa Clara should revise its ordinances to limit parking required for affordable units for people with developmental disabilities to .5 space for each affordable studio or 1 bedroom unit and 1 space for an affordable 2 bedroom unit or larger. A similar reduction is recommended for affordable, physically accessible units.

  Sample Language: The City of Santa Clara shall encourage the inclusion of people with developmental and other disabilities in affordable housing by recognizing their transit dependence and establishing lower parking ratios for units targeted to people with developmental and other disabilities than would otherwise be required for affordable housing.

- **Affirmative Marketing of Physically Accessible Units:** Developers are allowed to affirmatively market accessible units to disability-serving organizations in Santa Clara County (i.e., San Andreas Regional Center, Housing Choices Coalition for Person with Developmental Disabilities, Silicon Valley Independent Living Center and others) but rarely take this step. Affirmative marketing is particularly needed by people with developmental disabilities who, because of cognitive, communication and social impairment, often rely on housing navigation services funded by the San Andreas Regional Center to learn about and apply for affordable housing.

  Sample Language: As a condition of the disposition of any city-owned land, the award of city financing, any density bonus concessions, or land use exceptions or waivers for any affordable housing project, the City of Santa Clara shall require that the housing developer implement an affirmative marketing plan for state-mandated physically accessible units which, among other measures, provides disability-serving organizations adequate prior notice of the availability of the accessible units and a process for supporting people with qualifying disabilities to apply.

FIGURE 5: FORMAL COMMENT LETTER: SILICON VALLEY AT HOME

sv@home

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The Core Companies

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Executive Director

TRANSMITTED VIA EMAIL

August 8, 2022

John Davidson
Principle Planner
Community Development, Planning Division
City of Santa Clara
1500 Warburton Avenue

Re: City of Santa Clara 6th Cycle Draft Housing Element Update

John Davidson,

SV@Home is the voice for affordable housing in the Silicon Valley. A membership organization, SV@Home works with a broad coalition of strategic partners to address the urgent housing need by boosting production of homes at all income levels, preserving existing affordable homes, and protecting the families in them.

The City of Santa Clara has been a leader in recent years in its commitment to, and success in entitling and building much needed housing. In the current 5th RHNA Cycle the city is on track to permit over 300% of their above moderate obligation. While the City continues to fall short of 5th Cycle obligations for lower-income production, it has demonstrated strong support for 100% affordable projects, and has an active affordable housing pipeline. In addition, Santa Clara has been active in specific area planning, adding planned capacity for thousands of future homes. With the exception of the initial failure of the El Camino Real Specific Plan, the City is moving forward with major planning for the redevelopment of the downtown and the area surrounding the future BART station.

The 6th Cycle Housing Element Update process is a qualitatively, as well as a quantitatively, different undertaking. This is a unique opportunity to more fully assess the breadth of housing needs in Santa Clara and to identify new tools to address these needs and constraints on developing housing. This process is also an opportunity to engage deliberately with the full community across incomes – especially those representative of populations that have been historically excluded and are at risk of displacement – to share their housing needs. This unique opportunity is one that is required to adhere to the clear legal guidance as outlined by the California Department of Housing & Community Development (HCD) in multiple documents interpreting state law.

This is not a simple process, and we appreciate the effort that the City of Santa Clara staff, elected and appointed representatives, and members of the community have invested over the last 6-9 months. As you know, however, the expectations for this process are high, and jurisdictions throughout the state have struggled to generate compliant housing elements for this cycle.

During the review of the current draft, there is still time to receive public input and plan for steps to address concerns prior to the full review of the Housing Element Update by the

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state Department of Housing and Community Development. Towards that end, SV@Home is submitting the following comments.

Outreach, Community Input, and targeted Affirmatively Furthering Fair Housing (AFFH) outreach as the foundation of the Housing Element Update process

We do not find that the Draft Housing Element Update shows evidence of the significant public engagement and community participation required to be compliant with guidance provided by the state. The importance of this public engagement and community participation to the development of the Housing Element Update is central to development of each component of the document from the assessment of needs, to the development of policies and programs to address those needs, to the strategies employed to select housing opportunity sites to fulfill the RHNA.

Community Participation means a solicitation of views and recommendations from members of the community and other interested parties, a consideration of the views and recommendations received, and a process for incorporating such views and recommendations into decisions and outcomes. To address these requirements, the housing element must describe meaningful, frequent, and ongoing public participation with key stakeholders. Under AB 686 (Affirmatively Furthering Fair Housing) this requires going beyond simply giving the public an opportunity to provide input and should be proactively and broadly conducted through a variety of methods to assure access and participation of those most impacted by the City's housing needs and least likely to have access to standard modes of community input.

The summary of community engagement efforts and community participation was not included in the Draft Update released for public comment. City Staff explained that an online community survey had closed after the draft was released and that stakeholder meetings were ongoing. During the joint Planning Commission and City Council study session held on July 12th, staff described outreach efforts targeted at increasing participation in the online survey but very little about the process or substance of any additional engagement and solicitation of input. Without the detailed description of this effort it is difficult to assess, but it is clear that the most robust community participation instrument, the online survey, was employed after the draft needs assessment, proposed policies and programs, and sites inventory had been completed.

SV@Home, which had established itself as an interested stakeholder in 2021, and participated in a community meeting and provided comment at an earlier council study session, was notified of the online survey through email on June 20th. I, as a resident of Santa Clara who had expressed an interest in receiving Housing Element Update process updates, received a link to the survey on June 27th. SV@Home was not notified that the draft had been released on July 1. Nor were we notified that a joint Planning Commission and City Council study session would take place on July 12th. We received no notification of earlier study sessions either.

While the participation in the online survey appears to have been significant, it comes too late to inform the draft and is predictably skewed towards older, wealthier, whiter, homeowners. These limits of the survey instrument were discussed at some length during the study session, as was the more specific need to understand the specific needs and priorities of lower-income renters and LatinX respondents. Lower-income, Black and LatinX, renters have been shown to have been disproportionately impacted by the multiple dimensions of the housing crisis. Their perspectives must be disaggregated in community input to reasonably understand their needs. Everybody's input is important, but this falls short of the targeted - early and often - engagement required under AFFH.

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As a result, the Housing Element does not a) provide a summary of public comments and b) explain how the comments were considered and incorporated, including comments that were not incorporated.

Housing Needs Assessment and Evaluation of Past Housing Element Performance

The Housing Needs Assessment does not incorporate local knowledge or analysis. The Housing Needs Assessment is almost entirely taken from the data packet of demographic information provided by the Association of Bay Area Governments. Given the limited outreach and public engagement prior to the release of the Draft Housing Element Update, it has been impossible for the public, or appointed and elected officials, to understand the assessment of needs presented in a way that allows them to comment on or expand the city's understanding of local housing needs. As a result, there is no evidence of any analysis of need, beyond the rudimentary assessment provided by the Association of Bay Area Governments (ABAG), incorporated into the Housing Needs Assessment. ABAG's materials state that the final step for completing the Housing Needs Assessment when using the provided data packets is to "Make meaning and find insights: Add the analysis that contextualizes this data for your jurisdiction and connects housing needs to policies and programs."

SV@Home recommends that the City of Santa Clara conduct additional outreach and analysis of the housing needs data in the draft with the goal of better understanding the housing needs of the city as they are experienced by residents of the city. We would draw particular attention to the AFFH requirement to assess the differences in experiences by race/ethnicity and across neighborhoods within the city. We find little effort to connect the data points showing that LatinX residents, and other members of protected classes, face greater incidents of housing instability and overlapping housing needs.

Lack of engagement on the assessment of the 5th Cycle Housing Element Update. The City failed to solicit and integrate public comment into the assessment of programs and policies adopted in the 5th Cycle Housing Element update. Neither was this assessment process integrated into the study sessions before the Planning Commission and/or the City Council. Partially as a result, what is provided is a less than thorough assessment of the progress made and the barriers that impeded progress during this period. In most cases, as is the pattern with the draft discussion of the proposed 6th Cycle programs and policies, the programs are simply noted as "ongoing" rather than attempting to assess the impact of specific actions taken. This is both less than we believe is required of this process and a missed opportunity to learn from some of the significant successes. City staff may feel it has a handle on these details, but failure to share through this process in a way that is publicly accessible (and accessible to a mostly new Planning Commission and City Council) is not compliant with state guidance and will significantly hamper ongoing public engagement.

SV@Home recommends that the assessment of the 5th Cycle Policies and Programs be incorporated into the more comprehensive assessment of housing needs, including concrete opportunities for public engagement around the lessons learned from these prior efforts. If most of these policy actions will be continued or have yet to be completed and are rolled over into the 6th Cycle update, it is critical that their impact be carefully reviewed. We believe this is a clear process requirement of this update.

Policies and Programs - Housing Needs Constraints and AFFH. An essential component of the Housing Element Update process is making connections for the plan to be responsive to its own findings – assessing the existing housing needs, and those that may be specific to enumerated populations under AFFH

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requirements, and then showing the work and closing the loop connecting them to specific policies and programs to be implemented in response. We have discussed our concerns with the outreach and engagement meant to inform this process. We have noted the limited assessment of existing programs. Subsequently, we struggle to track the connection between needs and solutions in the draft.

As with many other jurisdictions that we are tracking and reviewing across the state, we believe the lack of detail in the policies and programs included in the draft will not prove to be compliant. From our reading each of the policy and program areas presented are listed as "ongoing." There appear to be two pieces of policy work that are on a scheduled timeline: the comprehensive Zoning Code update initiated in 2014, which we understand as being part of the state mandate that there be objective development standards in place; and the update of the Inclusionary Housing program. With those exceptions, the proposed policies and programs lack a clear definition of work to be undertaken, provide no clear prioritization, and turn to "study," "consider," "continue to monitor,"and "review," rather than fully operationalizing the steps that will be taken. This portion of the update clearly falls short of the standards and guidance provided by the state and by numerous supporting documents made available from multiple sources over the past year. We have seen the lack of detail, discrete action steps, and clear timelines referenced in multiple HCD comments to another jurisdiction.

We would note that we believe there is a general failure to substantively address housing instability and displacement experienced by protected classes under AFFH in Santa Clara. We would also note that this failure was acknowledged during the study session held on July 16th, during which a number of "Potential Programs to Consider" were presented. Ideally, this is not the time to be taking the temperature of decision makers on key policies. These policies should be crafted in response to identified needs and public engagement. If an elected body is presented with a policy solution to address an identified need and chooses not to pursue that policy, this may or may not risk a non-compliant Housing Element. We believe, however, that identifying existing needs and developing specific policy and programmatic responses is required as a part of this process, and it falls to city staff to show their work and explain their recommended course of action.

> ***SV@Home recommends that the content and description of policies and programs to respond to housing needs and constraints should be made significantly more specific in order to be actionable during the 6th Cycle.***

Housing Opportunity Sites Inventory

Avoid Double-Counting 5th Cycle Completed Projects into the 6th Cycle Pipeline Inventory. The pipeline projects listed under Table 13.6-2 have sites labeled as "approved" or "Under Construction" but they do not specify whether they have approved building permits. In an initial review we found major projects listed as "Approved" that were already well under construction having received building permits. Similarly, a number of projects listed as "Under Construction" were found on the Annual Progress Report (APR) lists in prior years. The narrative provided on page 13.6-3 defines "Under Construction" projects as sites with anticipated completion and occupancy permits after June 30, 2022. According to the 5th Cycle Housing Element APR rules, however, projects that acquired their building permits within the planning period would count as progress

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towards a jurisdiction's RHNA.[1] As such, projects that have acquired their building permits would not qualify to be included in this 6th Cycle Draft Housing Element sites inventory.

> ***SV@Home recommends that the City of Santa Clara confirm and remove any sites from the inventory that received building permits prior to June 30, 2022, whether listed as "Under Construction" or "Approved".***

Overdependence on a few Specific Plan Areas, lacking assessment of development expectations. In general, cities should use an AFFH lens when initially reviewing sites to potentially include in the inventory and should not place too much reliance on sites in major plan areas located in lower-resourced areas. The sites inventory places 95% (4,590 units) of its lower-income sites in three major plan areas north of El Camino Real, all within moderate resourced areas with some sites abutting low-resourced areas. The ability of affordable developments to be competitive for state and federal financing will be more limited in moderate-resource areas. Beyond the failure to plan in higher-resourced areas, this over reliance raises a number of concerns: phasing for specific plan areas is often already planned and is subsequently better known than the potential timing for infill development sites; similarly, the developers' intent for specific sites – commercial, market-residential, affordable-residential – are also more generally more transparent. For these reasons the standard of evidence of likely development in these plan areas should reflect this knowledge.

Failure to incorporate AFFH requirement to spread lower-Income sites throughout the City, including higher-resourced areas. The sites inventory should identify and analyze the viability of placing lower-income housing units in high opportunity areas. The highest resourced areas in Santa Clara are located in the southerly sections of the city, which have the highest incomes and schools with the top ranking education scores, as shown in Figure 13.3-22 and Figure 13.3-23. Although investing in lower-resourced areas should also be a priority, **the City of Santa Clara must show efforts to provide access to affordable housing options throughout the entire city.** While located in more areas throughout the city, the distribution of pipeline projects alone does not satisfy this AFFH requirement, as they only make up 15% of the lower-income inventory and are not predominantly located in high resourced areas. [2]

Obvious areas of opportunities to build lower-income housing in higher-resourced areas would be in Santa Clara's downtown or near Stevens Creek Boulevard, which have General Plan Focus Areas. However, the sites inventory does not take advantage of these potential higher-resourced areas to meet AFFH, nor does the Draft Housing Element discuss why these particular areas should not be included. It is particularly disturbing that the prevalence of neighborhood opposition to new housing development is explicitly used as an explanation of why the sites inventory focuses entirely on plan areas where fewer people currently live. This is explicitly contrary to the state direction that the expectation of AFFH requirements open up areas and neighborhoods that have previously been exclusive and created barriers to economic integration and expanded access to opportunity.

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[1] HCD, Housing Element Annual Progress Report Instructions (pg 91)

[2] Site Inventory Guidebook, Attachment: Summary of New Laws Referenced in the Guidebook (pg. 39): "AB 686 requires jurisdictions to conduct an assessment of fair housing in the housing element, **prepare the housing element site inventory through the lens of affirmatively furthering fair housing**, and include program(s) to affirmatively further fair housing."

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> ***SV@Home recommends that the City of Santa Clara update the sites inventory to include sites in the General Plan Focus Areas located in high and highest resourced areas so as to achieve AFFH requirements of providing affordable housing opportunities throughout the city.*** [3]

HCD's base level standards for the sites inventory are high. Lower-income sites must: 1) provide substantial evidence, such as market conditions and stronger development trends than what was provided, that indicate existing non-residential use will be discontinued or will not be an impediment to future residential development, 2) demonstrate that there is clear developer interest in redeveloping each site within the planning period, and 3) incorporate potential constraints (e.g. environmental, parking, open space, etc.) into the inventory's realistic capacity calculations consistent with HCD's Site Inventory Guidebook (per Government Code section 65583.2(c)(2)). An explanation of the factors leading to these conclusions in the site-specific analysis should also be provided.

The policies and programs listed in the Draft Housing Element need to support the efforts to successfully build-out the sites inventory. Chapter 13.6 should summarize and be clearly reflective of the outcomes from the proposed policies and programs outlined in Chapter 13.2 of the Housing Plan in order to make the identified sites viable for development without foreseeable constraints, within the planning period.[4]

Closing
The City of Santa Clara's Draft 6th Cycle Housing Element falls short of the statutory requirement at multiple levels, from its failure to elicit and reflect community input, to its deficient analysis of needs, to its absence of concrete programs with implementation details and timelines. We also believe the sites inventory falls significantly short of the AFFH requirements for this process. We encourage HCD to issue findings that the Draft does not substantially comply with Housing Element Law and direct the City to correct these and other deficiencies which may be identified. We would acknowledge again, that City staff have made it clear that they intend to continue to solicit input and refine the current draft prior to final review and approval by the City Council. We believe this provides opportunities to address deficiencies, but these actions will need to be significant.

Sincerely,

Mathew Reed
Director of Policy

---

[3] Site Inventory Guidebook, Background/Purpose, Housing Element Site Inventory Requirements (pg. 3): "When determining sites to include in the inventory to meet the lower income housing need, HCD recommends that a local government **first identify development potential in high opportunity neighborhoods.** This will assist the local government in meeting its requirements to affirmatively further fair housing and ensure developments are more competitive for development financing... A site inventory and analysis will determine whether **program actions** must be adopted to "make sites available" with appropriate zoning, development standards, and infrastructure capacity to accommodate the new development need."

[4] ABAG Summary of Housing Element Reviews: Sites Inventory (pg. 3): "For non-vacant sites, most jurisdictions will need to provide substantial evidence that the existing use is not a barrier to redevelopment. This is a high bar and will require both *site-specific* analysis and a summary of development trends. Additionally, jurisdictions should **summarize policies and programs that support residential development on proposed redevelopment sites**"

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FIGURE 6: FORMAL COMMENT LETTER: LIFE SERVICES ALTERNATIVES

From: Dana Hooper <dhooper@lsahomes.org>
Sent: Tuesday, August 16, 2022 1:54 PM
To: Adam Marcus <amarcus@Santaclaraca.gov>
Cc: Hadiyah Fain <hfain@lsahomes.org>
Subject: comments to the 23-31 Housing Element

Hi Adam,

Thanks for taking the time to visit the LSA Cypress home. Cypress is a licensed residential care home.

As I mentioned I had a chance to review chapter 13.2 Housing Plan and have some comments I'd like to share.

My general comment is that otherwise eligible individuals should not be excluded because they choose to or are already living in a licensed residential care home. These individuals need the support just as much as there counterpart.

Here are some additional comments to specific section in the Housing Plan.

Action 1: The 4th objective – Support low-income housing alternatives such as housing for persons with disabilities should be expanded specifically to include licensed residential care homes.

Action 3: Affordable Housing Incentives and Facilitation. The construction of affordable housing should also include residential care homes as a type of facility and funding to at least the same level per person as multiunit projects.

Action 4: Maintenance of Housing Stock should include residential care homes in the definition of who is qualified to receive maintenance.

Best,

Dana

Dana Hooper
Executive Director
Life Services Alternatives
www.lsahomes.org

O: 408.728.9573 F: 408.762.1348

FIGURE 7: FORMAL COMMENT LETTER: ANNE PAULSON

From: Anne Paulson <anne.paulson@gmail.com>
Sent: Monday, August 01, 2022 4:11 PM
To: John Davidson <JDavidson@SantaClaraCA.gov>; HousingElements@hcd.ca.gov
Subject: City of Santa Clara Housing Element Update: Approvals and Pipelines

Dear John Davidson,

Santa Clara's Housing Element shows a city that is developing, and has a lot of areas where multifamily housing can be built. But the description of the approval process is vague and confusing, and parcels and projects are listed in the pipeline and the site inventory without regard to whether they will actually end up being permitted in the next eight years.

The Local Processing Explanation Is Confusing and Lacks Necessary Information

The section on Local Processing and Permit Procedures, (p 13-5.14 ff), is confusing and omits information. For each kind of project—single family housing, small multifamily, large multifamily, huge multi-acre project that requires a General Plan change— the reader wants to learn

- What are the steps, in order, from the initial approach to the city to the granting of a building permit, including General Plan amendments if those are required?
- How long does each one take, and which ones can be combined?
- How many public meetings are required?
- How much does each step cost?
- What is the average and the median time for each step, and **what is the average and median time from initial approach to the granting of the permit?**
- **What is the average/median cost for each type of project?**
- How many public meetings, in total, are required for each type of project?
- What fraction of proposed projects end up getting entitled?
- **What fraction of proposed projects end up getting building permits?**

The document does not give this information.

The document talks about various types of review (Architectural Review, Planned Development. etc.) but doesn't make clear their order, and which ones can be done in parallel. Table 13.5-8 promises Fee Analysis Scenarios, but they are not provided. They need to be provided, and another scenario should be added: a huge project (like 3905 Freedom Circle) that requires a General Plan Amendment.

The fees list, Table 13.5-9, is unclear. Since the document promises a fee analysis for a typical 100 unit project but doesn't provide it, I tried to compute that fee, but I couldn't. For example, the Plan Review Fee is 75% of the Building Permit Fee, but what counts as the Building Permit Fee? Moreover the Santa Clara numbers in the fee table, Table 13.5-6, seem to be much smaller than the fees listed in Table 13.5-9. And it seems that the Technology Fee computations could be streamlined if the city would just multiply the underlying numbers by 1.0337, rather than having readers attempt to work it out.

Recommendations:

- For each typical type of building (ADU, single family house, 10 unit multifamily, 100 unit multifamily, big project that requires rezoning), **list each step the applicant must go through, in order, with the time it takes, the number of public meetings it requires,**

the approval body or bodies, and how much it costs. I should be able to look at that table for each building type and know how long the whole process takes and how much the whole process costs.
- **Make the fees table comprehensible.** Combining fees might help.

Pipeline Projects and the Site Inventory

Turning to the pipeline projects, Table 13.6-2, I find similar unclarity. A total of 6753 units are listed in Approved projects. This is confusing: if Santa Clara has 6753 approved units in multifamily projects, why did the city only issue 2403 building permits in the last 4 years according to their 2018-2021 Annual Project Report? Why are all these projects not getting building permits, when they seem ready?

The answer is Santa Clara's definition of "approved." Normally, *approved* means a building has been approved on that parcel or those parcels, and the applicant now has only to draw up plans and submit them for a building permit. But that's not true here; instead, *approved* appears to mean that the project is somewhere along the approval cycle, not that it has been fully entitled and the next step is applying for a building permit.

Santa Clara has been rezoning entire industrial areas into neighborhoods for housing. Apparently, a project counts as approved if it's somewhere on the path from the initial General Plan change to the approval of an individual building. For an example, look at 3905 Freedom Circle (Greystar), listed as approved for 1,075 units. The Freedom Circle Focus Area Plan was only adopted in June 2022 (Table 13.6-4). Seemingly, Greystar has to go through some more approval steps before it can apply for a permit. What are those steps? This is what the document should explain, but does not. It looks like there's no certainty that Greystar is going to end up putting up buildings at 3905 Freedom Circle, though.

Instead of counting each approved project for the full number of units, Santa Clara should assume a mortality rate; neighboring San Jose assumes that only 60% of proposed projects will survive to be built. Moreover, the document needs to first make explicit what the full approval path is, and then explain where each project is along that path.

For Proposed projects, the situation is worse, and the projects are even more vague. A project called "Sares Regis" is listed for 300 units. Where is this project to be located? Sares Regis is a developer, not a location. The proposed projects should be listed with more specificity, and should be discounted for the substantial probability that they will not end up going forward.

The Site Inventory should also be discounting projects for the probability they won't be built. On p. 13.6-17, the document says, "full buildout of [the Tasman East Specific Plan] will likely occur by 2038." Then it proceeds to list every single available parcel in Tasman East in the Site Inventory. Since the site will be built out during the next two RHNA cycles, the capacity of those parcels should be discounted by 50%. The Site Inventory lists all the available parcels in the Lawrence State Plan and the Patrick Henry Drive Specific Plan area too, again without discounting. They should be discounted since the city knows the areas will not be built out in the Sixth RHNA Cycle projection period.

Recommendations:
- Be more specific about the stage of approval each project is in.

- **Discount pipeline project and site inventory capacity for the probability that the project doesn't get built.**

Conclusion

There is plainly a lot of capacity in Santa Clara. What the Housing Element needs to do is explain how this capacity is going to be used to build the RHNA *in the next eight years*. The document needs to be far more clear and explicit about the entire process—the steps, how long the process takes, how much the fees are, what the project mortality is—and where each listed project is along the way. If the analysis shows that Santa Clara is not on target to make the RHNA, then the steps need to be sped up and/or the process needs to be altered so that a higher fraction of projects end up surviving the process and receiving building permits.

Sincerely,

Anne Paulson

From: Anne Paulson <anne.paulson@gmail.com>
Sent: Monday, August 01, 2022 4:13 PM
To: John Davidson <JDavidson@SantaClaraCA.gov>; HousingElements@hcd.ca.gov
Subject: City of Santa Clara Housing Element Update: Programs for Affordable Housing

Dear John Davidson,

Like most jurisdictions, Santa Clara has been building mostly Above Moderate housing. Like other jurisdictions, Santa Clara is nowhere close to building below market units at a rate that would satisfy its Sixth Cycle below market RHNA.

So it would make sense for the Housing Element to include programs, with deadlines and milestones, to build more affordable housing. A few policies look like they might be relevant:

> **Policy B-1**: Identify potential sites for affordable housing units in areas of "high opportunity" as defined by the state.
>
> **Policy B-4**: Identify and potentially designate surplus land that can accommodate low, very-low, and extremely low-income residential development.
>
> **Policy D-1**: Continue to identify and apply for funding that supports the development of housing for lower-income and special needs households.

These policies look promising. But then, taking a look at the actions, they aren't actions, just more goals. Or they are vague statements of what the city plans to "explore," instead of what the city plans to do.

The City Needs to Commit to Actual Measurable Actions and Deadlines

The city must commit itself to take real actions, by concrete deadlines.

In Action 2: Affordable Housing Ordinance (p. 13.2-4) instead of "explor[ing] changes to the affordable housing ordinance," the document should *make* changes *by a certain time*. The same goes for changing the affordability requirements for moderate income inclusionary units: the document should say what the change will be and when it will be made.

In Action 1: Provision of a Variety of Housing Types (p. 13.2-4) instead of saying the city will *support* SROs, the housing element should *legalize* SROs and plan for a certain number of SRO units to be built by the end of the planning period. The same goes for homes for disabled people and seniors: the document should *allow* and *plan* for such special-need housing.

In Policy B-4 (p13.2-1) Instead of "potentially designating surplus land," the city should designate surplus land, or commit to doing so by a date certain.

To further encourage all-affordable projects, the city should also

- make all-affordable housing projects buildable by right, with ministerial approval
- remove parking minimums for all-affordable projects
- reduce fees for all-affordable projects

If the city cannot take these actions now for whatever reason, it should identify the reason and commit to taking the action by a certain date within the planning period.

Santa Clara needs to build more affordable housing. The Programs part of the Housing Element needs to say how it plans to achieve this, with specific actions and deadlines.

Sincerely,

Anne Paulson

FIGURE 7: FORMAL COMMENT LETTER: PARTNERSHIP FOR THE BAY'S FUTURE

August 24, 2022

PARTNERSHIP FOR THE BAY'S FUTURE

Submitted by email to: Adam Marcus, amarcus@SantaClaraCA.gov

RE: Santa Clara's 6th Cycle Housing Element Update

Dear City of Santa Clara:

Thank you for the opportunity to provide input on the city of Santa Clara's housing element. Your work supporting your community to meet its housing needs is critical in addressing the current housing affordability crisis. We understand that at this moment in the housing element process, your jurisdiction is waiting for comments from HCD. As such, we request that you incorporate additional equitable housing policies into your draft housing element during your next revision. We offer the attached equitable policy resources as well as potential technical assistance from Baird + Driskell Community Planning ("B+D") if your jurisdiction is interested in this level of support.

The Partnership for the Bay's Future ("PBF") is a public-private-nonprofit partnership working to create a more livable Bay Area in which diverse people of all walks of life can afford to live and thrive. To do so, we address the challenges of housing and protecting tenants through the support of equitable policy change as well as investing in the production and preservation of affordable housing.

In consultation with government leaders, housing policy experts, and communities, we have compiled a list of equitable housing priorities that we request Santa Clara incorporate into the new housing element. In some cases, these are policies that housing element law requires jurisdictions to address as a potential action or recommendation in their housing elements, but in other cases, these are suggested policies that we are raising up as PBF's equitable planning priorities. We are including the following resources for your review and consideration:

- a slide deck covering each priority policy idea, with template language for your jurisdiction to consider,
- examples of places where the policy has been adopted, and
- additional links and resources.

We believe that Santa Clara's current efforts already include some of the listed policies, which we applaud. We also believe that all Bay Area communities can take more steps to make their housing elements more equitable. The attached summaries can be used as resources for staff as they communicate with both decision makers and the public, and we are happy to provide further assistance to incorporate these policies into your housing element as well as help draft talking points that can be tailored for local implementation.

We believe the following policies can play an important role in meeting the requirements of this housing element and supporting thriving communities, and we request that Santa Clara include them in the next housing element draft:

1. Favorable Zoning and Land Use
    - Make multifamily infill easier to develop
    - Allow, require or encourage multifamily housing in more places
    - Allow or encourage missing middle housing in single-family neighborhoods
    - Provide incentives for affordable housing development
    - Provide incentives for affordable ADUs and "missing middle" housing
2. Accelerating Production Timeframes
    - Streamline development approvals and environmental review process for multifamily housing
    - Streamline permitting process for multifamily housing
3. Reducing Construction and Development Costs
    - Ensure local requirements are not making development more expensive without requisite benefits
    - Actively support the use of modular and factory-built construction methods
4. Providing Financial Subsidies: Generate new or dedicate existing revenue for affordable housing
5. Advocating for Rent Control and Just Cause for Eviction Policies
    - Adopt or update rent stabilization policies
    - Adopt or update just cause eviction policies
6. Advocating for Community Land Trusts (CLTs): Support the formation and operation of community land trusts
7. Advocating for Inclusionary Zoning and Impact Fees: Create or review/update inclusionary housing (including in-lieu fees) and commercial linkage fee requirements
8. Inventory of Sites: Ensure that land is equitably zoned for multifamily housing, especially in high-opportunity areas

If you have any questions, please contact me (krusso@sff.org) and our colleagues at Baird + Driskell (Kristy Wang, wang@bdplanning.com, and Joshua Abrams, abrams@bdplanning.com). We will follow up with you shortly to see if we can provide further support, including technical assistance from the B+D team to further explore some of these policies.

Thank you again for the opportunity to provide input into Santa Clara's housing element. We appreciate your efforts to address the housing needs of Bay Area and California residents.

Sincerely,



Khanh Russo
Vice President of Policy and Innovation
San Francisco Foundation

FIGURE 8: FORMAL COMMENT LETTER: CARPENTER'S UNION 405

CARPENTERS LOCAL UNION 405
SERVING SANTA CLARA & SAN BENITO COUNTIES

10/11/2022

Santa Clara City
Attn: John Davidson, Principal Planner
1500 Warburton Avenue
Santa Clara, CA, 95050
Via Email John Davidson

Re: Santa Clara City Draft Housing Element Update

Dear John Davidson,

Please accept these comments on the above referenced Housing Element Update on behalf of the members of Carpenters Local 405, which represents working men and women of Santa Clara City and Santa Clara County. We appreciate the opportunity and look forward to working together on this important endeavor.

To meet the urgent need for housing units outlined in the State's Regional Housing Needs Allocation (RHNA), as well as the policy goals outlined in the Santa Clara City Housing Element and larger General Plan, it is vital that Santa Clara City support efforts to build the local construction workforce. Local 405 has long been at the forefront of training the next generation of construction workers, opening pathways to the industry for diverse and traditionally underserved populations, and embracing new technologies and delivery methods to expedite the construction of much needed housing.

Without an intervention, Santa Clara City is not likely to reach its RHNA housing allocation. The City needs to build 11,632 housing units[1] over the next 8 years. The current Draft Housing Element has higher Moderate, Low, and Very Low Income housing unit allocations than the 5th Cycle Goals, all of which were not met. Critically, since 2014, only 16% of Very Low-Income, 26% of Low-Income, and 14% of Moderate-Income housing goals were met.[2] These issues raise concerns for the City's ability to meet affordable housing goals: a top concern for various city stakeholders, including community members.

There are practical solutions to address Santa Clara City's housing shortages. To support the policy goals of the Housing Element, Local 405 is requesting that the City add local hire and apprenticeship requirements to the final Housing Element for all residential construction projects larger than 10 units. The standards Local 405 is proposing in this comment letter would help to ensure greater benefits for the broader community, help ensure that construction labor

[1] Page 13.4-14: Draft Santa Clara City 2023-2031 Housing Element (Table 13.4-11: Regional Housing Needs Allocation)
[2] California Housing Partnership: Progress of Santa Clara County towards 5th Cycle RHNA

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needs are met, and guarantee that new residential development projects within the City are making needed investments in the region's skilled construction industry workforce.

The City Should Bar Issuance of Building Permits Unless Each Future Residential Development of 10 units or Above has a Viable Apprenticeship Program and Local Hiring Requirements

The Carpenters propose the following additions to the Municipal Code of Santa Clara City for any residential project larger than 10 units

Permitting requirements in the Municipal Code of Santa Clara City.

> A person, firm, corporation, or other entity applying for a building permit under the relevant section of the Municipal Code of Santa Clara City, California shall be required to comply with the apprenticeship, healthcare, and local hire requirements of the Housing Element and General Plan. Failure to comply with the requirements set forth in this section shall be deemed a violation of this article.

Apprenticeship:

> For every apprenticeable craft, each general contractor and each subcontractor (at every tier for the project) will sign a certified statement under penalty of perjury that it participates in a Joint Apprenticeship Program Approved by the State of California, Division of Apprenticeship Standards **OR** in an apprenticeship program approved by the State of California Division of Apprenticeship Standards that has a graduation rate of 50% or higher and has graduated at least thirty (30) apprentices each consecutive year for the five (5) years immediately preceding submission of the pre-qualification documents. The contractor or subcontractor will also maintain at least the ratio of apprentices required by California Labor Code section 1777.5.

Local Hire Policy:

> Contractor will be required to provide documentation that the contractor will hire a minimum of twenty-five percent (25%) of staff for any job classification with more than four (4) employees employed whose primary residence, which is not a post office box, is, and has been, within Santa Clara county within 180 days of the expected date of issuance of the Notice to Proceed for the project.

The housing infrastructure in Santa Clara City has not kept up with increased employment opportunities. From 2010-2035, there are projected to be 30% more job openings than available housing in Santa Clara County.[3] Additionally, 40.3% of people who work in Santa Clara

[3] Page 3-23: Santa Clara 2010-2035 General Plan

County do not live in the County.[4] Half of the workers who can afford to live in Santa Clara City are cost-burdened by housing expenses.[5] As Santa Clara City grows, a lack of diverse and affordable housing prevents workers from being able to live and work in the City. A commitment to supporting local residential construction workers and apprenticeship programs can bridge the gap between economic opportunities and suitable housing options in Santa Clara City.

Local 405 has implemented many programs that will enable the City to meet the General Plan and Housing Element goals. These programs include a robust Joint Apprenticeship Training Committee, vigorous utilization of apprentices in Santa Clara City, healthcare coverage for all members and their families, and innovation within the construction industry.

Joint Apprenticeship Training Committees (JATC's), such as the Carpenters Training Committee for Northern California (CTCNC), are a proven method of career training built around a strong partnership between employers, training programs and the government. This tripartite system is financially beneficial not only for the apprentice, but is a major benefit for the employer and the overall economy of Santa Clara City. The CTCNC monitors current market conditions and adjusts the workflow of apprentices to meet the needs of the community, heading off any shortage of skilled workers. History has demonstrated that strong utilization of apprentices throughout the private sector helped California builders produce millions of units of housing.

CTCNC recruitment strategies include robust diversity and inclusionary outreach programs, such as pre-apprenticeship, with proven results in representative workplaces and strong local economies. It is imperative that our underserved populations have supportive and effective pathways to viable construction careers, while ensuring that employers are able to find and develop the best and brightest talent needed to thrive in a competitive economy.

Employer-paid health insurance plans for our members and their families provides preventative services to stay healthy and prevent serious illness. Timely care reduces the fiscal burden for our members and their families, and significantly reduces the utilization of safety-net programs administered by Santa Clara City and Santa Clara County.

Embracing new technologies and delivery systems will have a significant impact on the construction industry, particularly the residential sector. Increasing housing delivery methods reduces project durations and provides Santa Clara City residents housing sooner. Local 405 is at the forefront of ensuring that new construction technologies deliver those benefits while also creating work opportunities for those already in the trades as well as those looking to begin a construction career.

Local 405 is in a unique position to address many of the key ideas outline in Santa Clara City Housing Element Update. By investing in the training and utilization of apprentices, performing

[4] United States Census Bureau: OnTheMap (Inflow/Outflow Job Counts for Santa Clara County in 2019-latest available data)
[5] Page 13.3-3: Draft Santa Clara City Housing Element (2023-2031)

outreach to ensure that the workforce closely mirrors the demographics of our local community, providing employer-paid healthcare for our members and their families, and promoting innovation in the residential construction sector, Local 405 is prepared to assist in closing the affordability gap in Santa Clara City and the Bay Area. We look forward to engaging City staff and elected leaders as the Housing Element moves forward and working cooperatively to bridge the needs of the City with the skills and tools of Local 405.

Thank you for your time and consideration of these comments.

Sincerely,

Samuel Munoz
Senior Field Representative
Carpenters Local 405

CC:

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FIGURE 9: FORMAL COMMENT LETTER: HOUSING ACTION COALITION

FARELLA BRAUN + MARTEL LLP

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November 30, 2022

Via E-mail

John Davidson
Principal Planner
E-Mail: JDavidson@SantaClaraCA.gov

Re: City of Santa Clara Draft Housing Element
Comments of Housing Action Coalition

Dear Mr. Davidson:

On behalf of the Housing Action Coalition,[1] we write to comment on the draft 2023-2031 Housing Element for the City of Santa Clara.

The draft Housing Element does not meet the City's obligation to plan and provide for affordable housing. Absent substantial revisions, it may be found in violation of state law.

A. The City Includes Sites That Are Not "Suitable And Available," Because They Do Not Have A "Realistic And Demonstrated Potential" For Redevelopment During The Planning Period To Meet The Need For Housing.

One of the most concrete aspects of any housing element is the inventory of land "suitable and available" for residential development to meet the city's regional housing need by income level. Government Code § 65583(a)(3); HCD Housing Element Site Inventory Guidebook at p. 1 (HAC Appendix Tab 1). The list is a specific means of evaluating whether the City has adequately planned for development of housing for all income levels, and to identify how much land will need to be rezoned to make it possible to provide for the housing needs of the community as it grows. Where nonvacant sites are listed, there must be a "realistic and demonstrated potential for redevelopment" during the next eight years. Government Code § 65583(a)(3). Where nonvacant sites are not zoned for residential development, the City must rezone them within a specified timeframe. *Id.* § 65583.2(a), 65583(c).

[1] The Housing Action Coalition is a nonprofit that advocates for building more homes at all levels of affordability to alleviate the Bay Area and California's housing shortage, displacement, and affordability crisis.

To address past abuses – including cities listing unrealistic sites – the California Legislature created a high standard for listing nonvacant sites, particularly where a city claims that the site is suitable and available for redevelopment as housing affordable to those with below average incomes. Where nonvacant sites are used to address over 50% of the need for affordable housing for those with lower incomes, the City must show the realistic and demonstrated potential for redevelopment by making formal findings that the existing use does not impede residential development "based on substantial evidence that the use is likely to be discontinued" during the planning period. Government Code § 65583.2(g)(2) (final sentence).

The current draft does not meet the requirement that it identify sufficient sites that are realistic, suitable and available. The City relies heavily on the speculative and unlikely assumption that existing uses of buildings in Santa Clara by the technology industry will cease during the next eight years, with research facilities and data centers being torn down to construct affordable housing. It relies on sites too small for practical development by affordable housing developers, and even lists a fire station that it has no plans to move. It also fails to address the fact that many of the sites are being re-listed, because they were not developed or approved for housing during the last eight years, without a commitment to rezone them for "by right" approval.

1. The Six Data Center Sites Are Not Likely To Be Redeveloped As Housing During The Next Eight Years.

(APN 216-33-033, 216-33-045, 216-33-025, 097-46-015, 104-04-076, and 104-04-077)

Several sites on the site inventory– those located at 2960 Corvin, 2970-3000 Corvin, 3030 Corvin, 5101 Lafayette, 4650 Old Ironsides, and 4700 Old Ironsides – are currently used as large-scale data centers.[2] Santa Clara is a favored location for data centers because its municipal electric utility provides power at less expensive rates than PG&E, and because its location in Silicon Valley reduces signal transmission times between the data center customer and the data center. *See* HAC Appendix Tab 2 ("In particular, Santa Clara has become the valley's principal data center hub . . . The municipal utility, Silicon Valley Power, offers slightly lower rates in Santa Clara than its competitor, PG&E, and this has attracted numerous data center developers."); HAC Appendix Tab 3. Santa Clara's optimal location and utility rates make it

[2] The sites were listed on the August 22, 2022 draft of the inventory using APN numbers 216-33-033, 216-33-045, 216-33-025, 097-46-015, 104-04-076, and 104-04-077. The current use was not identified, which if not corrected in the final draft would violate Government Code section 65583.2(b)(3). We note that the use of APN numbers throughout the housing inventory, without also stating the address and current use, makes it considerably more difficult for state reviewers and the public to see what the City plans, and to comment on its feasibility. Including both the current use and the evidence of why the current use is expected to be discontinued are required by state law, and we hope that the City will address this issue in the next draft by adding all of the required information.

particularly unlikely that an existing data center will stop operations and sell to an affordable housing developer for construction of low income housing.

Indeed, each of these data centers were the subject of relatively recent, high dollar acquisitions. The sites were not acquired by residential developers as would be expected if the property were soon to be developed for housing, but by data center operators, making it unrealistic to conclude that they will be demolished during the next eight years to build affordable housing:

- 4650 Old Ironsides (APN 104-04-077) is a 124,400 square foot, two story data center, and was acquired by Menlo Equities in September 2021 for $35.8 million. Menlo Equities focuses on acquiring data centers and describes the acquisition on their website as "Property is situated in a strong infill location that is the most desirable data center submarket in Silicon Valley." HAC Appendix Tab 4.

- The property next door, 4700 Old Ironsides (APN 104-04-076), was also acquired by Menlo Equities in September 2021. It is a 90,100 square feet data center, and was acquired for $28 million. A partner with Menlo Equities was quoted as explaining that the purpose of the acquisition was "because of the increase in the demand for data." HAC Appendix Tab 5.[3]

- The data center at 5101 Lafayette (APN 097-46-015) was acquired in November 2016 for $12.8 million. HAC Appendix Tab 6. The purchaser bought it to continue its use as a data center; the acquirer was a telecommunications provider, (HAC Appendix Tab 7), and it has been used as a data center in the six years since then, with no proposal for redevelopment as housing. The purchaser described their intention for the property as: "We have long targeted Northern California as an expansion opportunity for our zColo data center business."; "The quality and high-power density of this facility is perfectly matched to the requirements of our leading-edge, Bay Area customers." HAC Appendix Tab 6.

  Notably, this data center was on Santa Clara's 2015-2023 Housing Element, and despite the Tasman East Specific Plan, the property was acquired during the last Housing Element period for continued use as a data center, not for redevelopment as housing. Four parcels bordering it were combined for the 2300 Calle De Luna project by housing developer Related, but Related was apparently unable to acquire 5101 Lafayette to square off the project site, as would ordinarily be expected if the site were available for residential development.

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[3] As recently as September 2022, the Santa Clara building department approved re-roofing 4700 Old Ironsides for its existing commercial use, with a project cost of $150,000. Santa Clara Building Permit Number BLD22-66735.

- The data centers at 2960 Corvin, 2970 Corvin, 3000 Corvin, and 3030 Corvin (APN 216-33-033, 216-33-045, 216-33-025) were also included in the 2015-2023 Housing Element, and were not redeveloped. They were instead sold in a transaction that continues their existing use, even after the 2016 rezoning of the Lawrence Station area. In May 2017, data center company Equinix acquired them as part of a $3.6 billion acquisition of a number of data centers. *See* HAC Appendix Tab 3. The president for the Americas at Equinix explained that the acquisitions in Santa Clara were an attractive part of the package, given the high cost to construct new data centers in Silicon Valley.

  The planning department is undoubtedly familiar with the continuing intention to use this site as a data center; there have been a number of planning projects involving installation of additional power systems and energy servers at 2960 Corvin and 2970 Corvin, filed in 2021 and still pending. See Santa Clara Planning Department Record Numbers PLN2021-14844, PLN2021-14845, CEQ2021-01085 and -01086.

Under state housing law, when nonvacant sites are used to meet over 50% of the need for affordable housing – as is the case with Santa Clara's draft Housing Element – the city must meet a high standard: nonvacant sites are presumed under the law to impede residential development, and the City cannot rely on them without finding, based on substantial evidence, that the property is *likely* to become housing in the next eight years. Government Code § 65583.2(g)(2) (final sentence). Particularly given the recent acquisitions of the data centers by data center companies, and their declared business plans to use them as data centers rather than to re-sell them for development of affordable housing, Santa Clara lacks substantial evidence that these properties will meet the affordable housing needs of the next eight years, and cannot credibly conclude that it is "likely" that the data centers will stop operations. They do not count towards the City's obligation to plan for very low and low income housing development.

Without these six data center sites, the City's Housing Element is inadequate because it does not identify sufficient sites to meet the projected regional housing need for very low and low income housing. The draft Housing Element relies heavily on the unsuitable and unavailable data center sites to create the impression that it will meet the housing needs of those who can least afford housing:

APN/Address	Very Low	Low	Moderate
2960 Corvin APN 216-33-033	22	12	12
2970-3000 Corvin APN 216-33-045	79	39	39
3030 Corvin APN 216-33-025	25	13	13
5101 Lafayette APN 097-46-015	71	35	35
4650 Ironsides	390	195	195

APN 104-04-077			
4700 Ironsides APN 104-04-076	326	164	164
Totals:	**913**	**458**	**458**

See Draft Housing Element 8/22/22 at tables 13.6-9, 13.6-10, and 13.6-11. Without these sites, the City's claimed "RHNA Surplus" becomes a deficit:

	Very Low	Low	Moderate
Claimed Inventory[4]	3,592	1,972	2,781
Data Centers Not Appropriately Included in Inventory	(913)	(458)	(458)
Total Without Data Centers	2,679	1,514	2,323
RHNA Requirement	2,872	1,653	1,981
RHNA (Deficit)/Surplus	(193)	(139)	342 surplus

See draft at Table 13.6-5. The final Housing Element will need to identify additional, realistic sites for very low and low income housing in order to meet the requirements of state law.

2. The Gemini Rosemont Technology Park Is Not Likely To Be Redeveloped As Affordable Housing During The Next Eight Years

(APN 216-34-079, -083, -084, and -085)

Next, we address four other parcels from the inventory in the Lawrence Station area: APN 216-34-079, -083,[5] -084, and -085. These parcels are currently used as a research and development office park, under long term leases to Affymetrix (a subsidiary of Thermo Fisher), Cloudinary, Nissan North America, and Intuitive Surgical.

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[4] Based on combination of "Approved and Proposed Projects," "Total ADU Projections," and "Total Capacity – Specific Plan Sites" in table 13.6-5.

[5] To avoid confusion, note that -083 is listed twice on the inventory (second, and ninth, on the Lawrence Station table 13.6-10), with the acreage split between "high density residential" and "very high density residential."

As of the time of the passage of the Lawrence Station Area Plan in November 2016, there had been no proposal by the then-owner of these four parcels, Sobrato Organization, to develop any of them as residential. As the plan itself stated, "To date, this entity has not submitted a proposal for development; therefore, commencement of development of these properties is expected to occur subsequent to the proposals described in phase one." LSAP at section 11.4.[6]

Indeed, six years later, there still has been no proposal for redevelopment of these sites as housing. To the contrary, until 2019 Sobrato continued to lease out the space as a research and development office park, and spent nearly $62 million on renovations. HAC Appendix Tab 8. In 2018, Sobrato entered into a new ten year lease with Nissan North America for an expansion of their Northern California technology research, and a six year lease with Cloudinary.[7] In early 2019, shortly before selling the property, Sobrato entered into a long-term lease for 210,000 square feet to Intuitive Surgical. *See* HAC Appendix Tab 8.

In May 2019, three of the parcels – APN 216-34-083, -084, and -085 – were then sold for a whopping $170.52 million to Gemini Rosemont.[8] Gemini Rosemont shows no intention of redeveloping the properties as residential housing. To the contrary, in announcing the deal, its CEO explained that this was an office sector acquisition: "We're entering the next phase of our multi-pronged initiative to acquire Class A assets in the office sector in targeted, tech-centric coastal and gateway markets, and opportunistically in select target markets across the U.S.," said Ian Brownlow, chief executive officer for Gemini Rosemont at the time of the company's relocation. "We will leverage our deep market knowledge and our impressive 25-year track record to identify and acquire those office buildings in which we can unlock value, provide superior tenant services and deliver enhanced returns to our investors."

Meanwhile, tenant improvements continue to be made, even after the Sobrato sale to Gemini Rosemont. *See, e.g.*, BLD21-63262 (building permit for an estimated $300,000 of tenant improvements on the second floor of a 5,733 square foot space at 3410 Central Expressway). These are not dilapidated properties where the existing use is about to be discontinued; this is a vibrant and modern research and technology park where the tenants plan to remain.

In light of the current owner's expressed commitment to the office sector, the long-term leases with technology tenants headquartered in Santa Clara, the tens of millions of dollars recently spent on renovations, and the lack of any indication during the last eight years that anyone wants to redevelop the property as residential, the City cannot credibly claim that there is "substantial evidence" that the property is "likely" to be redeveloped for housing. This property is not going to meet the needs of those with very low, low, and moderate incomes for housing over the next eight years, and should not be counted as likely to meet the RHNA need.

The City's inventory indicates that it expects the technology park to supply 497 very low income, 249 low income, and 249 moderate income affordable units. The City will need to add

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[6] The Lawrence Station Area Plan, as approved, is at HAC Appendix Tab 9.
[7] *See* HAC Appendix Tab 10, Tab 11.
[8] *See* HAC Appendix Tab 8; *see also* Assessor Records at HAC Appendix Tab 12, 13, 14.

additional inventory to meet the needs for affordable housing on sites that are realistic, suitable, and available to meet the need in these categories.

3. The Pearlman/Himy Office Buildings At 4633, 4655, 4677, and 4699 Old Ironsides Are Not Likely To Be Redeveloped As Affordable Housing.

(APN 104-04-138, -139, -140, and -141)

The four four-story office buildings between Old Ironsides and Great America Parkway at the addresses 4633, 4655, 4677, and 4699 Old Ironsides – parcels numbered 104-04-138, -139, -140, and -141, owned by Pearlman/Himy – should not be considered "likely" to be redeveloped for affordable housing during the next eight years. During the Patrick Henry Drive Specific Plan planning process, the owner of those sites specifically asked for a zoning designation that would authorize building of completely non-residential uses: taller office buildings. The City acceded to this request by creating a new zoning designation, "High Density Flex."

By claiming that the properties have been rezoned so that it is theoretically possible to build housing on these four parcels, the City attempts to claim credit for meeting a large portion of its RHNA obligation: together, these parcels are claimed to meet the need for 286 "very low" income units, 144 low income units, and 144 units affordable for those with moderate income. As with other nonvacant sites, the City has the burden of citing substantial evidence that the property is "likely" to be used for housing. Here, the owner expressed a desire for "flexibility" – rejecting the City's initial proposal of housing-only zoning, and requesting creation of a special zoning designation that would allow the owner to build no housing at all. Indeed, at the owner's request, the Environmental Impact Report studied an alternative referred to as "Maximum Office." The City's study of "Maximum Office" alternative applies only to these parcels, since the other parcels in the Patrick Henry Drive Specific Plan area are zoned for residential with only first floor retail/office allowed. Given the strong signals from Pearlman/Himy that it does not have a current intention of building housing on these four parcels, the City does not meet the requirement of showing that it is "likely" that the property will be redeveloped for affordable housing during the next eight years. Meanwhile, the existing use also includes tenants with long-term leases, but the City has done nothing to analyze or investigate when these leases expire, whether the leases contain renewal rights, or whether the existing use would otherwise be an obstacle to the building of housing during the 2023-2031 period.[9]

Indeed, the City's draft Housing Element effectively concedes the City's doubt that the Pearlman/Himy properties will be developed as housing during the 2023-2031 period. If the Pearlman/Himy sites are developed as high density offices – and there is every indication that they will be – the City promises that six months after the approval of the office development, it will *then* identify adequate sites for housing development. This seems to be an ordinary

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[9] In fact, publicly available information shows that the four office buildings continue to be marketed for office leases. HAC Appendix Tab 15. The owner continues to sign new office leases, including during 2022. HAC Appendix Tab 16 and 17.

43,560 square feet, and 0.5 acres is 21,780 square feet. County records show that these parcels are in fact smaller than 0.5 acres:[11]

Address/APN	Recorded Size (Assessor Database)	Computed Size (Santa Clara County GIS)
2346 Calle Del Mundo APN 097-46-003	20,038 sq. ft	20,042 sq. ft.
2338 Calle Del Mundo APN 097-46-004	19,602 sq. ft	19,509 sq. ft
2330 Calle Del Mundo APN 097-46-005	20,038 sq. ft	20,042 sq. ft
2322 Calle Del Mundo APN 097-46-006	20,038 sq. ft	20,046 sq. ft
2301 Calle De Luna APN 097-46-007	20,038 sq. ft	20,002 sq. ft
2309 Calle De Luna APN 097-46-008	20,038 sq. ft	20,003 sq. ft
2317 Calle De Luna APN 097-46-009	20,038 sq. ft	19,706 sq. ft
2325 Calle De Luna APN 097-46-010	20,473 sq. ft	21,662 sq. ft
2272 Calle De Luna APN 097-46-025	21,344 sq. ft	21,064 sq. ft
2262 Calle De Luna APN 097-46-026	21,344 sq. ft	21,880*[12] sq. ft

Indeed, the City's own 2015-2023 Housing Element, which listed these same sites, described most of them (all but -025 and -026) as either 0.45 acres or 0.46 acres. *See* 2015-2023 Housing Element at table 8.12-6-4.

Parcels like these, which are smaller than 0.5 acres, cannot be used as part of the site inventory to satisfy the "very low" and "low" categories without a concrete showing, based on prior experience, of why it is realistic to expect that it will be developed for low income housing. The City's Housing Element contains no proof that affordable housing has successfully been

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[11] This information is available on the County of Santa Clara GIS map online, available at https://gis.secgov.org/discovergis/secmap; the square footage is available by clicking on the individual parcel, then choosing "Show Planning's Property Profile" to obtain this publicly available information from the Santa Clara County Department of Planning and Development.

[12] Note, the GIS Computed Size shows that -026 is slightly larger than 0.5 acres. In order to include it, the city would need to determine, as part of the Housing Element, that the County GIS system is more accurate than the county assessor's official records, which reflect that the property is smaller than 0.5 acres.

developed on sites of this size. The city's RHNA "surplus" is thus overstated by 142 very low, 70 low, and 70 moderate affordable units (and as explained above, is actually a deficit). The City should identify additional sites that are likely to be redeveloped as housing in the next eight years, and which are suitable as sites for affordable housing.

5. The City Has Inappropriately Listed Other Sites As Well.

(1) 3011 Corvin (APN 216-33-021).

Santa Clara City Fire Department Station # 9 serves the Lawrence Station area of the city. It is located at 3011 Corvin Drive. The parcel number is 216-33-021. The City has listed it on its housing inventory, and claims that it will meet part of the RHNA need, because it could be used to build 12 units of affordable housing for those with moderate incomes. However, as far as we are aware, the City has no present intention of selling this property or developing it for affordable housing. Indeed, the Lawrence Station Specific Plan shows that the City intends that the fire station will remain as a public use. The City also listed this parcel on the 2015-2023 Housing Element inventory, and took no steps to make it available for housing. It is not likely to be used for housing in the next eight years, given its existing use. It should be removed, or at least excluded from the totals. This will also help avoid it being used incorrectly as a buffer as part of any "no net loss" analysis during the 2023-2031 period.

(2) 2343 Calle Del Mundo (APN 097-05-111).

Parcel 097-05-111 in the Tasman East area appears to be part of the 2343 Calle Del Mundo project by Summerhill. The rest of the 2343 Calle Del Mundo project site is not listed in the site inventory, presumably because it is already under construction. The City may wish to reevaluate its designation of -111 based on the apparent common ownership with parcel 097-05-110. It should probably be removed, or at least excluded, to avoid being used as part of a "no net loss" analysis during the 2023-2031 period.

B. The Extensive Re-Use Of Sites Requires A New "Use By Right" Zoning Overlay.

In Government Code section 65583.2(c), nonvacant land listed in a prior housing element but not approved for development must be rezoned within three years so that any housing development in which at least 20 percent of the units are affordable to lower income households is entitled to "residential use by right." (i.e., no requirement for conditional use permit, planned development permit, or other discretionary local government review). This would prevent subjective and discretionary permit processes – for example, "architectural review" – from being used to block housing projects that provide affordable housing.

The draft Housing Element for 2023-2031 lists nonvacant land listed in a prior housing element but not approved for development: All of the Tasman East sites on the draft for 2023-2031 were already used on the site inventory for 2015-2023, and all of the Lawrence Station sites on the draft for 2023-2031 were already used on the site inventory for 2015-2023. *Compare*

2015-2023 Housing Element at tables 8.12-6-4 and 8.12-6-5 *with* draft 2023-2031 Housing Element at tables 13.6-9 and 13.6-10. Under section 65583.2(c), the City is therefore required to implement a program to rezone all of these sites by no later than three years from the adoption of the element, to permit "use by right" for housing developments if 20% of the units are affordable to low or very low income residents.

The City is aware of this requirement, but tries to argue around it, at page 13.6-7 of the draft, titled "Re-Use of Sites." The City argues that because it rezoned the Tasman East and Lawrence Station sites during the 2015-2023 cycle for a higher density to conform to the General Plan, it can count the sites as "new" for purposes of the 2023-2031 cycle, and ignore that they were identified in a prior housing element. The argument will not hold up in court. The statute unambiguously states that if the site is nonvacant, was "identified" in a prior housing element, and was not approved for development, it "shall not be deemed adequate to accommodate a portion of the housing need for lower incomes households . . ." unless rezoned in the new housing element for "use by right."

Nor does the City's "rezoning for higher density" argument fit the facts: The sites were rezoned as part of a Government Code section 65583(c) program (albeit late, as explained in the next section). Indeed, if they had not been rezoned, the city otherwise had a shortfall of sites to address the 2015-2023 RHNA. Moreover, some of them are zoned at the exact same density stated in the 2015-2023 Housing Element. *See, e.g.*, APN 216-33-037.

If the City does not wish to implement a "use by right" overlay, it should remove the Tasman East and Lawrence Station sites from the inventory; almost all of them are being (re-)used to satisfy the very low and low income needs that they were designated to meet in the last Housing Element, and in the absence of a "use by right" rezoning, they do not meet the criteria under 65583.2(c) for being re-used.

C. The City Must Address The Unaccommodated Need From The 2015 Regional Housing Needs Allocation.

The City also failed to implement fully its 2015-2023 Housing Element. The consequence of its failure is that it must address both the unaccommodated 2015-2023 need and the new 2023-2031 need.

Where a city fails to implement a housing element, the unaccommodated need must be quickly accommodated during the next period. Government Code § 65584.09(a). Here, Santa Clara failed to timely implement what it promised in its 2015 Housing Element. The unaccommodated need from that period – the failure to provide adequate sites for lower income housing – carries over, and the city cannot use the same sites to meet both the 2015 need and the 2023 need.

We start with a description of the City's failure to make available adequate sites to accommodate the regional need identified in 2014. In the 2015-2023 Housing Element, the City stated that it believed the housing need could be accommodated on sites in the El Camino Real,

Tasman East, and Lawrence Station "focus areas": areas that the City's general plan projected as suitable for rezoning as medium or high density residential, or mixed use, but which were not yet zoned to permit residential development. The Tasman East focus area and Lawrence Station focus area were zoned light industrial. The El Camino Real sites were zoned "thoroughfare commercial" or "community commercial": zoning that did not permit residential construction. No one could build housing on any of the sites in the inventory without rezoning.

Under 65583.02(a), the inventory can only include sites that are (1) vacant and zoned for residential use, (2) vacant and zoned to allow residential development, (3) residentially zoned and capable of being developed at a higher density, or (4) "zoned for nonresidential use that can be redeveloped for residential use, and for which the housing element includes a program to rezone the site, as necessary, to permit residential use . . ." The 2015 inventory was valid, if at all, because of a planned program to rezone all of the sites on the list under 65583.2(a)(4) and 65583(c).

A program to rezone sites to make them available is governed in part by Government Code section 65583(c)(1). That subsection required the City to "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 . . . share of the regional housing need for each income level that could not be accommodated on sites in the inventory . . . without rezoning . . . ." Under 65583(c), the City was required to "set forth a schedule of actions during the planning period, each with a timeline for implementation . . . such that there will be beneficial impacts of the programs within the planning period . . . ."

The City's 2015-2023 Housing Element explained how it would comply with the law: it would engage in a comprehensive rezoning of the entire city to conform with the general plan, "to bring consistency between the Zoning Ordinance and the General Plan, implementing the General Plan goals by facilitating mixed use development and higher density residential development, protecting existing neighborhoods, and incentivizing redevelopment by appropriate development standards and streamlined procedures." The City stated that it would complete this action by mid-2016. *See* 2015-2023 Housing Element at pp. 8.12-122 – 8.12-123 ("Action 6: Zoning Ordinance").

The mid-2016 deadline was important; the action needed to be scheduled "such that there will be beneficial impacts of the programs within the planning period," and also kept the plan for rezoning on track to take place within the required three years. Government Code § 65583(c)(1)(A). Housing could not be constructed unless it were approved; housing would face more hurdles to approval until the rezoning took place; and so removing the obstacle of light industrial or commercial district zoning needed to take place early in the planning period to provide developers the ability to propose and proceed with housing built to meet the needs during the 2015-2023 time period.

By mid-2016, the City still had not completed the comprehensive rezoning that it identified as Action 6. The City blamed problems with its outside consultant for not completing

it in 2016, and promised it would be done in 2017. But even then, it didn't complete it. The draft was finally circulated for public comment in summer 2022 – while the City was working on the 2023 Housing Element – and won't be voted on by the City Council until sometime in 2023. The draft 2023-2031 Housing Element acknowledges that Action 6 is incomplete, and now lists the comprehensive zoning ordinance update as Action 9 in the new plan: "expected to be completed in late 2022/early 2023" *See* 2023-2031 draft Housing Element see p. 13.7-5 ("The City is continuing to work on the comprehensive Zoning Ordinance Update"); and p. 13.2-10 ("Action 9: Zoning Ordinance"); *see also* p. 13.1-1 ("Additionally, the City is nearing completion of a comprehensive Zoning Code update which will further streamline processes with the inclusion of objective standards and new zoning districts that better align with the City's General Plan."); p. 13.2-4.

The City thus did not implement the 2015 Housing Element, and did not rezone, as promised, the sites listed in its 2015-2023 inventory. While the City listed 158 parcels along El Camino Real in its 2015-2023 plan as having the ability to satisfy the housing needs of the community, it left the commercial district zoning in place for the entire 2014-2022 period. To this day, anyone wanting to build housing on most of those parcels (excluding the few that went through the City's discretionary process for a rezoning) needs to apply for a zoning variance, contrary to state law which required not just an expectation of potential rezoning to match the general plan, but actual implementation of the Housing Element by the City. Meanwhile, the City planning staff proposed a rezoning of these sites repeatedly as part of the El Camino Real Specific Plan, but the City Council still has not taken action, and has deferred further discussion. The program actions in the 2015-2023 Housing Element to rezone or provide adequate sites were thus not fully implemented.

Having failed to implement the rezoning as required by state housing law and promised in the 2015-2023 Housing Element to take place by mid-2016, the City is now subject to section 65584.09, which provides:

> [I]f a city or county in the prior planning period failed to identify or make available adequate sites to accommodate that portion of the regional housing need allocated pursuant to Section 65584, then the city or county shall, within the first year of the planning period of the new housing element, zone or rezone adequate sites to accommodate the unaccommodated portion of the regional housing need allocation from the prior planning period.

Santa Clara easily accommodated the need for above-moderate income housing during the 2015-2023 period: it issued building permits for 4,606 units. It appears to have accommodated the 2015-2023 need for moderate income housing, at least if project approvals, rather than actually constructed units, are counted. But it fell seriously short for the "very low" and "low" income categories. The City granted building permits for only 289 "very low" income units, 246 low income units, and 125 units affordable to those with moderate incomes. This leaves a substantial shortfall to be addressed from the last period, in addition to the substantial new need for the new period.

Approvals of Affordable Housing: 1601 Civic Center	106	
Unaccommodated Portion Of 2015-2023 RHNA:	**358**	**236**

In determining the affordable housing requirements for its 2023-2031 Housing Element, the City is not allowed to use the same sites or projects to count toward both the 2015-2023 need and the 2023-2031 need. It must instead plan for both the unaccommodated need and the newly allocated need. *See* Government Code § 65584.09(b). This means that the City's analysis at page 13.6-2 is flawed because it engages in double-counting: the City is claiming that the building permits and approvals from 2015-2023 accommodated a portion of the housing need for that period *and* that the same building permits and approvals from 2015-2023 address the newly allocated need for 2023-2031.

Again, the City's failure to follow through on its 2015 Housing Element has a consequence: the City is now obliged to meet the unaccommodated need from the 2015-2022 period as well as the regional need identified for the 2023-2031 period. Adequate sites must be rezoned within one year to address this unaccommodated portion of the 2015-2023 RHNA need.

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the calculation itself using the information available to it; this calculation should be viewed as illustrative.

D. Conclusion: The City's Site Inventory Needs A Program To Rezone Many More Suitable And Available Sites To Accommodate Its Share Of The Regional Need.

A recap of the issues above, in chart form:

	Very Low	Low	Moderate
Draft Inventory[17]	3,592	1,972	2,781
Data Centers	-913	-458	-458
Gemini Rosemont Technology Park	-497	-249	-249
Sites Smaller Than 0.5 Acres	-142	-70	
4633, 4655, 4677, 4699 Old Ironsides	-286	-144	-144
Fire Station # 9 and Tasman Parcel -011			-35
Total Inventory Without Invalid Sites	**1,754**	**1,051**	**1,895**
RHNA Need for Affordable Housing	2,872	1,653	1,981
+ Unaccommodated Need from 2015-2023	+ 358	+ 236	
= Required Need For Affordable Housing In 2023-2031 Housing Element	= 3,230	= 1,889	1,981
Additional Rezoning Required	**1,476**	**838**	**86**

In addition, the City needs to add a plan to rezone the remaining Tasman East and Lawrence Station properties for residential "use by right" for any housing development proposing 20% affordable units, or find additional sites to cover an additional shortfall.

The City is not without potential solutions: the Planning Department has already prepared a specific plan for El Camino Real that would rezone a large number of sites that may be suitable for housing (this would have included, for example, the 100% affordable housing project at 1601 Civic Center Drive, which would not have then required rezoning after a contentious and years-long process).

[17] Based on combination of "Approved and Proposed Projects," "Total ADU Projections," and "Total Capacity – Specific Plan Sites" in table 13.6-5.

Looking at sites elsewhere in the City would also help address the requirement, noted in SV@Home's comment, to affirmatively further fair housing. The City's concentration of site inventory in the industrial parks on the furthest boundaries of the city, far away from the better resourced schools and parks of residential Santa Clara south of El Camino Real, appears to violate this obligation, and we hope that the next draft of the site inventory will show a greater dispersal of proposed housing sites.

Respectfully submitted,

Thomas B. Mayhew

TBM:tb

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FIGURE 10: FORMAL COMMENT LETTER: HOUSING ACTION COALITION

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January 22, 2023

Via E-mail

Santa Clara City Council and
Santa Clara Planning Commission
1500 Warburton Avenue
Santa Clara CA 95050

MayorAndCouncil@santaclaraca.gov
PlanningCommission@santaclaraca.gov

Re: City of Santa Clara Draft Housing Element
Comments of Housing Action Coalition

Dear Mayor, Vice Mayor, Members of the City Council, and Planning Commissioners:

On behalf of the Housing Action Coalition,[1] we write to provide comments on the most recent draft of the 2023-2031 Housing Element for the City of Santa Clara.

The current draft does not comply with state law. Among other problems, it overstates the inventory of realistic and available sites to meet Santa Clara's fair share of the regional need, particularly for lower income units, in two significant ways. First, the draft continues to include sites that are not vacant without proof that the existing use is likely to discontinue during the next eight years. Second, the draft overestimates the development potential, by selective use of data and a miscalculation of the average densities developed. The draft also fails to take constraints into account such as the rezoning of portions of certain parcels as open space/parks or public right-of-way, which would preclude developing housing on that portion. For these and other reasons described below and in our earlier letter, the draft does not comply with state law. The Planning Commission should not recommend it to the City Council, and the City Council should not adopt it. The Council should instead direct staff to revise it by identifying additional realistic and available sites to include on the inventory, geographically dispersed throughout the City, comply with the site inventory requirements and the legal duty to affirmatively further fair housing.

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1 The Housing Action Coalition is a nonprofit that advocates for building more homes at all levels of affordability to alleviate the Bay Area and California's housing shortage, displacement, and affordability crisis.

These comments supplement the earlier comment letter on behalf of Housing Action Coalition dated November 30, 2022.

A. The City Includes Sites That Are Not "Suitable And Available," And Do Not Have A "Realistic And Demonstrated Potential" For Redevelopment During The Planning Period To Meet The Need For Housing.

The City Council is called upon to make a special finding before adopting the Housing Element, and to do so based on evidence. Where, as here, the City claims that lower-income housing will be accommodated by sites that are currently used for other purposes, the City must "demonstrate that the existing use . . . does not constitute an impediment to additional residential development *during the period covered by the housing element*." And most significantly, state law requires a specific set of findings:

> 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.

Government Code § 65583.2(g)(2). The Council should therefore ask itself, for each and every site on the inventory: What is the existing use? And what is the evidence that the use is likely to be discontinued during the next eight years?

HCD has provided helpful guidance of what kinds of evidence the City Council should look for:

> Examples of substantial evidence that an existing use will likely be discontinued in the current planning period include, but are not limited to:
> - The lease for the existing use expires early within the planning period,
> - The building is dilapidated, and the structure is likely to be removed, or a demolition permit has been issued for the existing uses,
> - There is a development agreement that exists to develop the site within the planning period,
> - The entity operating the existing use has agreed to move to another location early enough within the planning period to allow residential development within the planning period.
> - The property owner provides a letter stating its intention to develop the property with residences during the planning period."

HCD further explained:

> [N]onvacant sites with differing existing uses and lacking in common ownership, whether contiguous or located in the same general area, may not rely on a generalized analysis. While the sites may be located in an area with common economic issues, individual owners may not wish to sell their property or redevelop their site with residential uses. In addition, each site's existing use,

> e.g., grocery store, retail shop, parking lot, and offices, may have lease agreements of different lengths of time or the owner may not wish to relocate or redevelop the site with a more intensive residential use. In this type of situation, use of the same findings for the multiple sites would not be appropriate.

HCD Site Inventory Guidebook (May 2020) at pp. 27-28.

Unfortunately, the current draft of the Housing Element does not meet any of the standards explained by HCD for the sites on the inventory:

- There are leases that extend well into the planning period.
- There are buildings that are not dilapidated, and in fact, some of them have been significantly remodeled and improved within the last ten or even five years.
- There are no demolition permits for existing uses.
- There are no development agreements for any site on the inventory.
- None of the existing uses have agreed to move to other locations early enough within the planning period to allow residential development within the planning period.
- The draft does not indicate that property owners have provided letters stating their intention to develop the property with residences during the planning period.
- The only analysis provided is generalized: that all of the properties are in areas that have been rezoned – in the case of Lawrence Station and Tasman East, many years ago – and others have chosen to develop their properties because of market demand.
- There are different owners and different uses; there are lease agreements with different lengths of time.
- There is no evidence presented that the owners wish to relocate or redevelop the sites with a more intensive residential use.

The lack of evidence or analysis on a site-by-site basis dooms the draft Housing Element; it does not comply with the law because the City Council lacks proof that existing uses are likely to discontinue at each of the sites on the inventory.

To illustrate this point further, we describe four specific examples to show that the City has failed to comply with its obligations under Government Code section 65583.2(c) and (g)(1) and (2) to analyze the evidence and determine which sites are realistic and likely to redevelop. The City Council should not sign off on findings that are not based on substantial evidence.

1. The Gemini Rosemont Technology Park Is Not Likely To Be Redeveloped As Affordable Housing During The Next Eight Years

(APN 216-34-079, -083, -084, and -085)

In the heart of the Lawrence Station Area Plan is a set of parcels – APN 216-34-079, -083,[2] -084, and -085 – currently used as a research and development office park, under long term leases to Affymetrix (a subsidiary of Thermo Fisher), Cloudinary, Nissan North America, and Intuitive Surgical. Under Government Code section 65583.2(g)(1), the Housing Element is required to engage in an "analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site . . ." Despite this legal requirement, the draft does not mention, much less analyze, the existing leases.

As of the time of the passage of the Lawrence Station Area Plan in November 2016, there had been no proposal by the then-owner of these four parcels, Sobrato Organization, to develop any of them as residential. As the plan itself stated, "To date, this entity has not submitted a proposal for development; therefore, commencement of development of these properties is expected to occur subsequent to the proposals described in phase one." LSAP at section 11.4.[3]

Indeed, over six years later, there still has been no plan for redevelopment of these sites as housing. To the contrary, until 2019 Sobrato continued to lease out the space as a research and development office park, and spent nearly $62 million on renovations shortly before the sale. HAC Appendix Tab 8. In 2018, Sobrato entered into a new ten-year lease with Nissan North America for an expansion of their Northern California technology research, and a six-year lease with Cloudinary.[4] In early 2019, shortly before selling the property, Sobrato entered into a long-term lease for 210,000 square feet with Intuitive Surgical. *See* HAC Appendix Tab 8.

In May 2019, three of the parcels – APN 216-34-083, -084, and -085 – were then sold for a whopping $170.52 million to Gemini Rosemont.[5] Gemini Rosemont shows no intention of redeveloping the properties as residential housing, and its tenants Nissan, Cloudinary, Intuitive Surgical, and Affymetrix show no signs of relocating. To the contrary, in announcing the deal, Gemini Rosemont's CEO explained that this was an office sector acquisition: "We're entering the next phase of our multi-pronged initiative to acquire Class A assets in the office sector in targeted, tech-centric coastal and gateway markets, and opportunistically in select target markets across the U.S.," said Ian Brownlow, chief executive officer for Gemini Rosemont at the time of the company's relocation. "We will leverage our deep market knowledge and our impressive 25-

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[2] To avoid confusion, note that -083 was listed twice on the inventory submitted to HCD (second, and ninth, on the Lawrence Station table 13.6-10), with the acreage split between "high density residential" and "very high density residential."
[3] The Lawrence Station Area Plan, as approved, is at HAC Appendix Tab 9.
[4] *See* HAC Appendix Tab 10, Tab 11.
[5] *See* HAC Appendix Tab 8; *see also* Assessor Records at HAC Appendix Tab 12, 13, 14.

year track record to identify and acquire those office buildings in which we can unlock value, provide superior tenant services and deliver enhanced returns to our investors."

Meanwhile, tenant improvements continue to be made, even after the Sobrato sale to Gemini Rosemont. *See, e.g.*, BLD21-63262 (building permit for an estimated $300,000 of tenant improvements on the second floor of a 5,733 square foot space at 3410 Central Expressway). These are not dilapidated properties where the existing use is about to be discontinued; this is a vibrant and modern research and technology park where the tenants plan to remain. The assertion at page 13.6-18 of the Adoption Draft that "No recent, significant enhancements have been made to these sites" is simply not true of the Gemini Rosemont Technology Office Park, where $62+ million in renovations has taken place during the last five years. Site-by-site analysis, rather than blanket assertions, is required to comply with Government Code section 65583.2(g)(2), but the City does not show that it has done so here.

In light of the current owner's expressed commitment to the office sector rather that redevelopment, the long-term leases with technology tenants headquartered in Santa Clara, the tens of millions of dollars recently spent on renovations, the lack of any indication during the last eight years that the owner wants to redevelop the property as residential, and the lack of any current information showing that the owner intends to evict the tenants before the end of the housing cycle and build housing on these parcels, the City Council cannot make a finding based on "substantial evidence" that the existing use is "likely" to discontinue. This property is not likely to meet the needs for 1,743 units of housing affordable to those with very low, low, and moderate incomes for housing over the next eight years, and should not be counted as such on the site inventory.

2. The Pearlman/Himy Office Buildings At 4633, 4655, 4677, and 4699 Old Ironsides Are Not Likely To Be Redeveloped As Affordable Housing.

(APN 104-04-138, -139, -140, and -141)

The four four-story office buildings between Old Ironsides and Great America Parkway at the addresses 4633, 4655, 4677, and 4699 Old Ironsides—parcels numbered 104-04-138, -139, -140, and -141, owned by Pearlman/Himy—should not be considered "likely" to be redeveloped for affordable housing during the next eight years. During the Patrick Henry Drive Specific Plan planning process, unlike the other owners responding to the Specific Plan proposal, the owner of those sites specifically asked for a zoning designation that would authorize building of completely non-residential uses: taller office buildings. The City acceded to this request by creating a new zoning designation, "High Density Flex."

By claiming that the properties have been rezoned so that it is theoretically possible to build housing on these four parcels, the City attempts to claim credit for meeting a large portion of its RHNA obligation: Together, these parcels are claimed to meet the need for 1,025 units affordable to those in the very low-, low-, and moderate-income categories. As with other

nonvacant sites, the City has the burden of citing substantial evidence that the property is "likely" to be used for housing.

Here, the owner expressed a desire for "flexibility" – rejecting the City's initial proposal of housing-only zoning, and requesting creation of a special zoning designation that would allow the owner to build no housing at all. Indeed, at the owner's request, the Environmental Impact Report then studied an alternative referred to as "Maximum Office." The City's study of "Maximum Office" alternative applies only to these parcels, since the other parcels in the Patrick Henry Drive Specific Plan area are zoned for residential development with only first floor retail/office allowed. Given the strong signals from Pearlman/Himy that it does not have a current commitment to building housing on these four parcels, the City does not meet the requirement of showing that it is "likely" that the property will be redeveloped for affordable housing during the next eight years. Claiming that redevelopment is likely to occur simply because the property has been rezoned to permit residential development, in the face of an owner request to rezone to permit a higher density office use, lacks substantial evidence.

Meanwhile, the existing use also includes tenants with long-term leases, but the City has done nothing to analyze or investigate when these leases expire, whether the leases contain renewal rights, or whether the existing use would otherwise be an obstacle to the building of housing during the 2023-2031 period.[6] This fails to meet the City's obligation under Government Code section 65583.2(g)(1).

Indeed, the City's draft Housing Element effectively concedes the City's doubt that the Pearlman/Himy properties will be developed as housing during the 2023-2031 period. If the Pearlman/Himy sites are developed as high-density offices – and there is every indication that they will be – the City promises that six months after the approval of the office development, it will *then* identify adequate sites for housing development. This seems to be an ordinary application of the no net loss rule, but the Planning Department describes it as the plan for this set of parcels alone. Instead of identifying adequate, available sites, the City includes the Pearlman/Himy sites despite the owner's uncertain intention so it can check the box on affordable housing, and asks those who need housing now to "wait and see." Affordable housing can't wait while the City uses the Pearlman/Himy sites as a placeholder.[7] The City cannot make

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[6] In fact, publicly available information shows that the four office buildings continue to be marketed for office leases, and new tenants continue to move in. *See* HAC Appendix Tabs 15-18. Indeed, in the less-than-two months since our November comment letter, it appears that four office spaces in these buildings that were on the market have recently been leased. *Compare* HAC Appendix Tab 15 with new HAC Appendix Tab 18 (attached) (Suites 230 and 355 in 4655 Old Ironsides, and Suites 304 and 438 in 4699 Old Ironsides, marketed for lease in November 2022 but not in January 2023).

[7] The City is already seriously behind in meeting its fair share of the regional need. While it promised in 2014 to rewrite its outdated zoning law by 2016, the process dragged on for years

the required findings and should not count the office buildings at 4633, 4655, 4677, and 4699 as meeting the need for suitable and available housing sites.

3. National Instruments Silicon Valley Headquarters Is Not Likely To Be Redeveloped As Affordable Housing In The Next Eight Years.

(APN 104-04-122)

In May 2013, Drawbridge Realty acquired 4600 Patrick Henry Drive, a 50,000 square foot Class A office building on 3.2 acres, at APN 104-04-122. Based on its website, Drawbridge Realty specializes exclusively in commercial and office leases, and does not develop residential projects. HAC Appendix Tab 19.

The long-term occupant at 4600 Patrick Henry was already in place when Drawbridge bought the property: The site is the Silicon Valley headquarters of National Instruments. National Instruments was formerly known as Texas Instruments (which acquired long-time Santa Clara semiconductor company National Semiconductor). The property was fully remodeled, inside and out, less than ten years ago. *See* HAC Appendix Tab 20 (showing photos; describing "Complete interior, exterior, and site renovations completed in May 2013").



The draft Housing Element does not contain any information about the lease between National Instruments and Drawbridge, or about whether National Instruments intends to continue occupancy on Patrick Henry. This is not a dilapidated building; it was completely renovated less than ten years ago. Rezoning and hoping for redevelopment does not satisfy Government Code section 65583.2(g)(1) or (g)(2). Pointing to redevelopment of other sites by residential developers doesn't show that this particular site's existing use is "likely to discontinue" during the next eight years. Absent substantial evidence that the existing use is likely to discontinue, the National Instruments facility should not be listed as meeting the need for very low- and low-income housing.

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and, eight years later, is still incomplete. The City was supposed to plan for 1,745 low and very low income units during the last eight years; instead, only 535 actually obtained a building permit.

4. Great America Technology Park.

(APN 104-53-1, -2, -3, -4, -5, -6, -7, -8, -9, -10, -11, -12, -13, -14, -15, -16, -17, -18, -19, -20, -21, -22, -23, -24, -25, -26, and -27)

At 4701 Patrick Henry Drive is a large office park that has been subdivided into 27 separate parcels, known as the Great America Technology Park. Separate buildings include a range of uses from technology companies to law firms to non-profit organizations. The City does not analyze each parcel, or the uses on each, as required by Government Code section 65583.2(g)(1).

The earlier draft submitted to HCD correctly showed, at Figure 13.6-7, that there was a large number of smaller parcels, as a result of earlier subdivision. We have included the parcel map from the Santa Clara County Assessor's Office, which shows that there are 27 parcels: 26 individual buildings, each with its own parcel number, plus a 27th parcel consisting of the Swiss-cheese common area surface parking lot that surrounds parcels APN 104-53-1 through -26. *See* HAC Appendix Tab 21.

In the Adoption Draft at Figure 13.6-5, parcel 104-53-016 is shown as a very large, single parcel. This is incorrect. As the parcel map shows, 104-53-016 is Parcel 24 in the sequence, and consists of just 3,408 square feet. By listing a single 3,408 square foot building parcel as covering 9+ acres, the draft seriously errs in providing information for the City Council to make an informed decision about the likelihood that the 26 buildings, each with their own business occupants, owners, and uses, will somehow coordinate and jointly develop their properties, and the common area, during the next eight years. It can be difficult for two adjacent owners to work together to combine parcels and pursue a joint development. Absent substantial evidence that the 27 parcels here have been united under common ownership and/or have a joint plan to cease all office/commercial uses in favor of residential development during the next eight years, this set of parcels should not be included in the site inventory, because the existing uses are presumed to continue and are an impediment to residential use. Government Code § 65583.2(g)(2).

B. The Density Calculations Overstate The Extent To Which The Existing Site Inventory Satisfies The RHNA Need.

Government Code section 65583.2(c) regulates how the number of housing units accommodated on each site is determined:

> The inventory shall specify for each site the number of units that can realistically be accommodated on that site and whether the site is adequate to accommodate lower-income housing, moderate-income housing, or above moderate-income housing. . . . The city or county shall determine the number of housing units that can be accommodated on each site as follows:

(1) If local law or regulations require the development of a site at a minimum density, the department shall accept the planning agency's calculation of the total housing unit capacity on that site based on the established minimum density. If the city or county does not adopt a law or regulation requiring the development of a site at a minimum density, then it shall demonstrate how the number of units determined for that site pursuant to this subdivision will be accommodated.

(2) The number of units calculated pursuant to paragraph (1) shall be adjusted as necessary, based on the land use controls and site improvements requirement identified in paragraph (5) of subdivision (a) of Section 65583 , the realistic development capacity for the site, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and on the current or planned availability and accessibility of sufficient water, sewer, and dry utilities. . . .

(3) For the number of units calculated to accommodate its share of the regional housing need for lower income households pursuant to paragraph (2), a city or county shall do either of the following:

(A) Provide an analysis demonstrating how the adopted densities accommodate this need. The analysis shall include, but is not limited to, factors such as market demand, financial feasibility, or information based on development project experience within a zone or zones that provide housing for lower income households.

(B) The following densities shall be deemed appropriate to accommodate housing for lower income households:

(i) For an incorporated city within a nonmetropolitan county and for a nonmetropolitan county that has a micropolitan area: sites allowing at least 15 units per acre.

(ii) For an unincorporated area in a nonmetropolitan county not included in clause (i): sites allowing at least 10 units per acre.

(iii) For a suburban jurisdiction: sites allowing at least 20 units per acre.

(iv) For a jurisdiction in a metropolitan county: sites allowing at least 30 units per acre.

Government Code § 65583.2(c)(1), (2) and (3). The draft fails to comply with this statute.

1. The Site Inventory Is Insufficient Based On Minimum Densities.

In the draft presented to and reviewed by HCD, the City relied on minimum densities as showing the capacity for each site. However, a number of large sites have now been removed from the inventory in response to earlier comments by HCD and others, including Housing Action Coalition. The total capacity of the inventory calculated at minimum density is 4,860, rather than the 7,810 claimed.

Notably, the statute arguably requires use of the minimum densities for cities that have them. Under section 65583.2(c)(1), "If local law or regulations require the development of a site at a minimum density, [HCD] shall accept the planning agency's calculation . . . based on the established minimum density." HCD is not given discretion to accept an alternative calculation. The remainder of section 65583.2(c)(1) explains that "If the city or county *does not* adopt a law or regulation requiring the development of a site at a minimum density, then it shall demonstrate how the number of units determined for that site pursuant to this subdivision will be accommodated." (emphasis added). Because Santa Clara law *does* require minimum densities, the calculation is governed by the first sentence, not the second. While HCD appears to interpret the statute as if it presents two options, the statutory text requires use of the minimum densities based on the zoning laws in effect in Santa Clara. If the statutory text is applied as written, the draft Housing Element fails to list sufficient inventory to meet the regional need.

2. The Site Inventory Is Insufficient Based On Santa Clara's Own Methodology.

The draft Housing Element discusses the "realistic capacity" calculation – the methodology the City uses to estimate the number of units that each parcel will accommodate for purposes of meeting the RHNA requirements – at pages 13.6-7 through 13.6-10. The draft says it calculates the "realistic capacity" by multiplying the parcel size by the minimum zoned density, and then multiplying by the "average," for existing and approved projects, of the percent by which each project in a particular Specific Plan exceeded minimum density. The "average" for Lawrence Station Area is claimed to be 191%; the "average" for Tasman East Focus Area Specific Plan is claimed to be 215%; the "average" for the Patrick Henry Focus Area Specific Plan is claimed to be 119%.

A major problem with the draft is that in calculating the "average," the draft excluded nearly half of the sites that should have been on the list. An average requires looking at all the data; only by listing all of the projects in each Specific Plan area can a true average be calculated. Here's a complete list of "very high density" projects developed in the Lawrence

Station Area, indicating in ***bold and italics*** the ones that were missing from Table 13.6-3:

Project Name	Min. density [du/ac]	Acres	Units	Actual density [du/ac]	% of minimum density [column 5 divided by column 2]
2904 Corvin	51 du/ac	1.08	145	134 du/ac	134/51 = 263%
2961 Corvin	***51 du/ac***	***1.69***	***38***	***22.49***	***22.49/51 = 44%***
3305 Kifer	***51 du/ac***	***0.94***	***45***	***47.87***	***47.87/51 = 94%***
3560 Rambla	51 du/ac	2.49	251	100 du/ac	100/51 = 196%
3578 Rambla	51 du/ac	1.72	126	73 du/ac	73/51 = 143%
3580 Rambla	***51 du/ac***	***2.58***	***286***	***110.85***	***110.85/51 = 217%***
3517 Ryder	51 du/ac	3.92	328	83 du/ac	83/51 = 163%
				ACTUAL AVERAGE:	**160%**

The same error of omission was made in calculating the Tasman East "average"; by ignoring half of the data for the Specific Plan area, the draft makes the average appear higher than it actually is:

Project Name	Min./max. density [du/ac]	Acres	Units	Units/Acres	% of minimum density [column 5 divided by column 2]
2233 Calle Del Mundo	100-350	1.22	196	160	160%
2200 Calle Del Mundo	100-350	2.44	580	237	237%
2300 Calle De Luna	100-350	***5.52***[8]	700	***127***	***127%***
2343 Calle Del Mundo	100-350	2.63	347	131	131%
2302/2310 Calle Del Mundo	60-350	0.77	151	196	327%
2354 Calle Del Mundo	***60-350***	***0.50***	***89***	***178***	***297%***
5123 Calle Del Sol	***100-350***	***2.62***	***503***	***192***	***192%***
5185 Lafayette	***100 to 350***	***1.12***	***271***	***242***	***242%***
2263 Calle Del Mundo	***100 to 350***	***1.95***	***301***	***154***	***154%***

[8] On the City's chart, this is listed as 5.02, which appears to be a typo. The City Planning Department project listing lists it as 5.52, as does the County Assessor's parcel map. We have corrected the other calculations accordingly.

2101 Tasman Dr.	***100 to 350***	***9.03***	***950***	***105***	***105%***
2354 Calle Del Mundo	***60 to 350***	***0.46***	***89***	***193***	***322%***
2225 Calle De Luna & 2232 Calle Del Mundo	***100 to 350***	***2.1***	***371***	***183***	***183%***
				ACTUAL AVERAGE:	**206%**

If applying the "average" by Specific Plan area is indeed the proper way to calculate density as the draft argues, then for Lawrence Station the average is 160% of the minimum density, not 191%; for Tasman East, the average is 206%, not 215%.[9] For Tasman East, the difference reduces the unit count by 43 units; for Lawrence Station, where the average was more skewed and more acreage is on the inventory, it has a bigger impact: 448 units.

This leaves the Patrick Henry area, where we cannot create a chart, because there is no valid data at all. The single proposed project (Pactron/Summerhill) listed on table 13.6-3 for the Patrick Henry area does not show an average or typical density of an existing or approved project. It does not show what even a single builder has succeeded in building at the listed percentage-of-minimum density. The statute directs that "typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction" is the relevant data set; a single proposed but-not-yet-approved project, and a market-rate one at that, doesn't meet the minimum test for consideration, because it is neither "typical" nor "existing or approved." Government Code § 65583.2(c)(2). This rule makes good sense: A proposed project may not be approved or ever built, and so has not been tested by the real world to determine if it reflects the "realistic" capacity[10]; City staff may not even have reviewed it for compliance with Santa Clara zoning laws. Meanwhile, "typical" requires more than a handful, and certainly more than one. Because no housing has been built in the Patrick Henry area at all, the City lacks data on which to argue that the statutory directive of applying minimum density based on densities should be ignored or adjusted based on real-world experience. Meanwhile, the City's calculations fail to account for the possibility that future projects may include commercial or office uses, even though several of the Patrick Henry zoning categories provide

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9 We also note that at Tasman East, many of the projects included in the average were approved or built before the change in the zoning to allow nonresidential uses on the second and third floors. This increase in the ability to have nonresidential uses may substantially impact the construction mix going forward, which the City has failed to account for.

10 *See* Government Code § 65583(a)(3) (requiring a site inventory to show the "realistic and demonstrated potential for redevelopment"); § 65583.2(c) ("The inventory shall specify for each site the number of units that can realistically be accommodated . . ."); § 65583.2(c)(2)(C) ("A site may be presumed to be realistic for development to accommodate lower income housing if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed *and approved* for development on that site.") (emphasis added).

this potential. The City should use the minimum densities as the fail-safe for this area of the City, where no housing has yet been built at all.[11]

3. The Site Inventory Is Insufficient Based On Typical Densities For Highly Affordable Housing Projects.

If a city uses the minimum density under section 65583.2(c)(1), it can also treat the site as appropriate to develop at that minimum density for lower income housing under section 65583.2(c)(3), which provides that sites with a zoned density of at least 30 units/acre are considered adequate for lower income housing. But if the city does not use the minimum density, as the latest draft now proposes, it must differentiate between market-rate and affordable housing projects in developing a realistic estimate. Here, the City's draft is seriously flawed, because it relies almost exclusively on market-rate, rather than affordable, housing projects in calculating the capacity of the inventory.

Section 65583.2(c)(2) was amended in 2017 (AB 1397) to emphasize that "typical densities" are not sufficient; the relevant evidence from which to make a capacity calculation higher than minimum is by comparison to "typical densities of existing or approved residential developments *at a similar affordability level in that jurisdiction.*" *See also* Government Code § 65583(a)(3) (requiring that sites have a "realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level.").

A market-rate developer may be able to afford to build 300 units on 2.51 acres, or even 800 units on 6.5 acres, as Sares Regis proposes to do at Patrick Henry. But it is well-recognized that a 100% affordable income development generally cannot afford a project of this magnitude. As the HCD Site Inventory Guidebook explains:

> To achieve financial feasibility, many assisted housing developments using state or federal resources are between 50 to 150 units. Parcels that are too small may not support the number of units necessary to be competitive and to access scarce

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[11] The drafters also made a last-minute change in the creation of Appendix B (the site inventory), claiming that the Patrick Henry area densities should be calculated based on a 72% "percentage of maximum" instead of a 119% "percentage of minimum." This seemingly minor change makes a big difference – about 728 units – but the current draft of the Housing Element does not "demonstrate" why it is valid or realistic, as required. Government Code § 65583.2(c). The draft of the Housing Element had said that a 119% "percentage of minimum" should be used. Only the Appendix B site inventory, which was not circulated until after 5 p.m. on Friday January 20, 2023 – the last business day before the Planning Commission hearing – shows the new methodology. Note also that in the Tasman East area, with arguably the most similar zoning rules to Patrick Henry, the average "percentage of maximum" based on built and approved market-rate projects is only 50%, further casting doubt on the "72% of maximum" claim for Patrick Henry.

> funding resources. Parcels that are large may require very large projects, which may lead to an over concentration of affordable housing in one location, or may add cost to a project by requiring a developer to purchase more land than is needed, or render a project ineligible for funding.

HCD Site Inventory Guidebook (May 2020) at p. 15. These limitations are why the Legislature provided in AB 1397 that sites smaller than 0.5 acres, or larger than 10 acres, are usually ineligible, absent a specific evidentiary showing, to accommodate the need for lower income housing. *Id.*; Government Code § 65583.2(c)(2)(A) and (B). Indeed, the same law that added section 65583.2(c)(2)(A) and (B) also added the "similar affordability level" language to subsection (c)(2); the Legislature simultaneously added several provisions to ensure that site inventories realistically evaluate whether affordable housing will be produced. AB 1397 (Stats. 2017 ch. 375).

In order to depart from the minimum density, the draft would therefore need to show not just that market-rate projects can achieve higher-than-minimum densities like the 160% average in Lawrence Station, or 206% average in Tasman East, but that "typical densities" for a 100% affordable housing project do so as well, including at the very high densities projected for these sites.

Santa Clara's draft fails to make this required showing. Of the projects on Table 13.6-3, or even the longer list discussed in the previous section, there is only one project that can be described as having a "similar" level of affordable housing (i.e., 100% affordable): the 1.08 acre project at 2904 Corvin. That project fits the general range of size for affordable housing – at 163 affordable units, it is close to the 50-150 unit range discussed by HCD. But it is one-of-a-kind: the first supportive housing in the City, heavily subsidized, and the only affordable housing project built in any of the three Specific Plan areas. One-of-a-kind is not "typical."

The remaining site inventory in Tasman East, Lawrence Station, and Patrick Henry is projected to meet the needs for very low-, low-, and moderate-incomes (*see* p. 13.6-10, splitting the capacity 33.33 percent each to very low-, low- and moderate-incomes). Yet the data to support the claimed densities is based exclusively on market-rate projects that did not have this mix of affordability. In the Tasman East area, table 13.6-2 shows that of eleven projects, building 4,459 units of housing, the number of units of very low- and low-income housing accommodated is: zero. This shows that there are not "typical densities of existing or approved residential developments at a similar level of affordability" for this area. As stated above, there has been no housing built or approved in the Patrick Henry area at all; there is no "typical" market-rate project there, much less a typical density for a project with the level of affordability calculated by the inventory.

If Santa Clara wants to estimate a realistic production of affordable housing in the Tasman East, Lawrence Station, and Patrick Henry areas, where large, high density market-rate projects are being built, then it should estimate how much lower-income housing will be built

there based on the actual data.[12] That data shows that housing affordable to those in the very low-, low-, and moderate-income categories is produced at a rate somewhat less than the 12% inclusionary housing mandate under city law. (Which, notably, leads mostly to inclusion of moderate units and no very low- or low-income units for a large number of projects, *see* Table 13.6-2 (Pending and Approved Projects)). The draft fails to make a showing sufficient to satisfy section 65583.2(c), as amended by AB 1397. The real data shows that the current site inventory will never achieve the claimed production of affordable housing that Santa Clara presents in the Housing Element, or that is necessary to accommodate the needs of the community.

The solution is to determine the realistic capacity of the new high-density neighborhoods by projecting market-rate projects with their typical complement of affordable units, and then to supplement it with smaller, geographically dispersed sites to accommodate the remainder of the very low-, low-, and moderate-income need on sites that are realistic in scale and density for affordable housing projects. The City's experience shows that affordable housing developers build within a half-mile of grocery stores and that they build projects in the range of 50-150 units. Building in the Patrick Henry area, for example, satisfies neither of these – the area is currently a food desert (more than one mile to a grocery store) – and the parcel size and minimum density exceeds anything that is realistic and demonstrated for a project with 100% affordable housing.[13] The City has numerous other opportunities for places where affordable housing developers could realistically build housing, e.g., along El Camino Real, or Stevens Creek Boulevard – if only the City would commit to rezoning to allow housing to be built there. Affordable housing developers should not have to run a years-long gauntlet of seeking special permission to build housing on realistic, underutilized sites, as was done with the Catholic Charities project at 1601 Civic Center. Adequate, available, realistic sites should be rezoned throughout the city to make it possible to realistically build the required amount of housing affordable to all income levels during the next eight years.

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[12] If the City instead wants to rely on statutory presumptions like the "deemed adequate" statutory rule of section 65583.2(c)(3) to claim that these sites can be used for lower income housing, it should limit itself to the minimum densities that state law compels HCD to accept. The City's planners may know that even the minimum densities are not realistic for the largest sites (given that the size of the projects substantially exceeds what affordable developers actually build), but they would be able to rely on the statutory presumption, rather than speculative and unrealistic math.

[13] For example, the projections that the need for 972 units of housing affordable to those with very low, low, or moderate incomes will be met by a project at 4701 Patrick Henry Drive, a 687-unit 100% affordable housing project at 3055 Patrick Henry, or a 664-unit 100% affordable housing project at 3350 Central Expressway, is simply not realistic. The City's experience with affordable projects matches well the HCD guidance about projects of 50-150 units.

C. Land Zoned As Parks And Roads Is Not Available For Housing, And Should Be Removed From The Site Inventory.

Santa Clara's Specific Plan process has had significant success in beginning to create new vibrant neighborhoods for housing in the city. As part of the Specific Plan process, industrial parks were rezoned as high-density residential. However, portions of each Specific Plan area were not zoned as residential, but instead were zoned as either public right of way or for open space/parks. These portions cannot be included on the site inventory, and the portions of the parcels that are zoned non-residential should not be counted towards the realistic capacity. *See* Government Code § 65583.2(a); 65583.2(c).[14]

The Lawrence Station Area Plan zoned a strip of land running east-west across the district for parkland, running along what is now named Feliz Road. Part of that park has been built on the portion of the area that has developed as housing: a basketball court between La Rambla and Copper, and the Nuevo Community Garden between Copper and Pancoast. At Pancoast – the edge of the office/R&D park owned by Gemini/Rosemont (see below) – the park and Feliz Road end. Under the zoning laws of Santa Clara, however, if the Gemini/Rosemont owned parcels do end up being developed, the portion zoned as a public right of way (the continuation of Feliz Road) and parkland will not be housing. By failing to deduct the portion of the site that has been zoned as a new public right of way, and as open space/park, Santa Clara overstates the acreage available for development. While the City may have better information on this, based on our rough measurement, it would appear that approximately 2.33 acres of parcels 216-34-084 and -085 are zoned for "public right of way" or "Parks/Open Space" based on the Lawrence Station Area Plan.

The Patrick Henry Specific Plan likewise has zoned a substantial amount of open space/parkland, and new public roadways, to support the development of this neighborhood. While some of these plans may not come to fruition – the two data centers on parcels APN 104-04-076 and -077 will likely not be developed as housing in the next eight years, and the City is unlikely to "take" the land from the data center parcels for a park as shown on the Specific Plan – but other parcels on the inventory do include portions that were zoned "Open Space" (shown in

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[14] Under Government Code section 65583.2(a), site inventory can include only (1) vacant sites zoned residential, (2) vacant sites zoned for nonresidential but where residential development is permitted, (3) residentially zoned sites that are capable of being developed at a higher density, or (4) sites that can be redeveloped as residential where there is a plan to rezone the site for residential use. Land zoned as open space, or as a public right-of-way, does not fall under any of these categories because under residential construction is not allowed.

A different way of reaching the same result is that the land not zoned as residential is not properly included in the buildable area of the parcel, affecting the realistic capacity calculation. *See* Government Code § 65583.2(c)(2) (requiring adjustment of the number of units based on "land use controls").

green on page 13.6-26). It thus appears that the following parcels should be adjusted on the inventory based on the portion zoned for residential use, as opposed to the portion zoned "Open Space" or where a new public roadway is indicated. While the City has better and more precise information, and is required to perform this analysis under section 65583.2(c)(2) as part of developing a realistic capacity estimate considering site constraints such as zoning laws, we offer the following estimate based on examination of Figure 13.6-4, and the provided scale, to illustrate that this issue materially affects the acreage available for residential housing:

APN	**Gross Acreage**	**Open Space and Right of Way Zoning**	**Estimated Net Acreage Zoned Residential**
104-04-124	4.7 ac	2.32 acres open space	2.38
104-04-128	2.5 ac	0.36 acres open space	2.14
104-04-094, -095	2.0 2.5	1.12 acres open space	3.38
104-04-131	3.8	0.96 acres public right-of-way	3.14
104-53-016	9.06[15]	2.17 acres open space and public right-of-way	5.12
104-04-136	3.8	1.42 acres open space and public right-of-way	2.6
104-04-138	1.7	1.12 acres open space[16]	0.58
TOTALS	30.06	9.47 acres open space or public right of way	20.59

For the Tasman East Specific Plan, the zoning situation is the murkiest. No zoning map was drawn showing where the open space/parks will go. Instead, the Specific Plan shows circles with the desired acreage of parkland, 5 acres in all, and describes that each zone of the Specific

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[15] For purposes of this argument, we will analyze the 27 parcels of the Great America Technology Park as if they were a single parcel with APN 104-53-016, as shown on Figure 13.6-5. As stated above, there are in fact 27 different parcels, and parcel APN 104-53-016 is only 3,800 square feet. *See* section A.4 above.

[16] The 1.12 acres of open space on this parcel are contingently zoned. If this parcel, zoned "High Density Flex" is developed for nonresidential use (i.e., a higher density office site), then the open space zoning does not apply. The zoning map indicates that the open space requirement only applies if the parcel is developed as high density residential. *See* * on figure 13.6-4 (" *Public parkland only required with residential development."). Because this argument assumes that the site is properly included on the inventory (*but see* section A.2 above, explaining why it should not be), the parkland requirement would need to be taken into account in evaluating the acreage available for residential development.

Plan is required to dedicate a certain acreage to parkland. *See* Draft Housing Element at Figure 13.6-2 (page 13.6-23); Tasman East Specific Plan at section 03.7 (p. 34).[17] It also shows two public rights-of-way being added, one going north in the vicinity of APN 097-05-058,[18] and the other going south to Tasman Drive across APN 097-05-056. The City does not explain (1) how much of the acreage on the inventory will be devoted to open space and park uses, instead of residential, or (2) how much a 100% affordable housing developer would need to pay the City to avoid this requirement. Assuming that the parkland constraint is in-kind, as the Specific Plan contemplates, then the remaining acreage would need to contribute approximately one acre,[19] instead of developing them for residential use.

In total, the open space/park zoning and public right-of-way zoning reduces considerably the inventory of (nonvacant) land available for residential development, and sharply reduces the number of units.

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[17] The Tasman East Specific Plan, as amended through 12/22/20, is available here: https://www.santaclaraca.gov/home/showpublisheddocument/72208/637503896853000000

[18] Here, Figure 13.6-2 would appear to imply that approved project 097-05-059 has dedicated land providing half of the roadway, and that 097-05-058 will be expected to contribute the other half, since the gap between them is approximately half the width of the other streets shown.

[19] This is a very rough estimate: It essentially takes the 1-acre parkland obligation of the "Center District" and treats it as the joint responsibility of all remaining sites. It assumes that the proposed projects have correctly accounted for their share of the parkland dedication obligation, such that their projects comply with City law, even though they have not yet been approved. If this assumption is incorrect, it would show a further problem with the Housing Element: an uncritical acceptance of a project proposal as reflecting a realistic estimate of capacity. The point here remains that it is the City's obligation to analyze these constraints, not the public's. Government Code § 65583.2(c)(2). The estimates we provide here are only to illustrate the significance of the issue to the Housing Element as a whole.

Summarizing the impact of the above discussion by using the same methodology applied in Appendix B:

Specific Plan	Acreage reduction for Parks/Right-of-Ways (Nonresidential Zoning)	Estimate of Units To Be Removed From Site Inventory Due To Non-Residential Zoning[20]
Lawrence Station	2.33 acres	227 units
Tasman East	~1 acre	215 units
Patrick Henry	9.47 acres	1,084 units
TOTAL		1,526 units to be removed in very low-, low-, and moderate-income categories

There are two solutions, one good and one awful. The good solution is to take the portion of the parcels zoned for parkland/open space or public rights-of-way off the inventory by reducing the acreage claimed on the inventory, to re-do the capacity math, and then to identify other places in the City that can realistically be redeveloped as affordable housing either based on existing zoning or on a plan to rezone. The awful one is amend the Specific Plans, rezone the open space and the street of these parcels as residential housing, and thwart all of the good land use planning work that the City did in adopting the Specific Plans to create livable neighborhoods from industrial parks. We urge the City to remove from the site inventory the claim that residential uses will be built on the open space and public right-of-way portions of the Tasman East, Lawrence Station, and Patrick Henry Specific Plans.

D. The Extensive Re-Use Of Sites Requires A New "Use By Right" Zoning Overlay.

In Government Code section 65583.2(c), nonvacant land listed in a prior housing element but not approved for development must be rezoned within three years so that any housing development in which at least 20 percent of the units are affordable to lower income households is entitled to "residential use by right." (i.e., no requirement for conditional use permit, planned development permit, or other discretionary local government review). This would prevent subjective and discretionary permit processes – for example, subjective standards for "architectural review" – from being used to block housing projects that provide affordable housing.

The draft Housing Element for 2023-2031 lists nonvacant land listed in a prior housing element but not approved for development: All of the Tasman East sites on the draft for 2023-

[20] For purposes of this chart, we assume that the City's projected densities – at 191% of the minimum for Lawrence Station, 215% of the minimum for Tasman East, or 72% of the maximum for Patrick Henry – are valid. *But see* section B above.

2031 were already used on the site inventory for 2015-2023, and all of the Lawrence Station sites on the draft for 2023-2031 were already used on the site inventory for 2015-2023. *Compare* 2015-2023 Housing Element at tables 8.12-6-4 and 8.12-6-5 *with* draft 2023-2031 Housing Element at tables 13.6-9 and 13.6-10. Under section 65583.2(c), the City is therefore required to implement a program to rezone all of these sites by no later than three years from the adoption of the element, to permit "use by right" for housing developments if 20% of the units are affordable to low or very low income residents.

The City is aware of this requirement, but tries to argue around it, at page 13.6-12 to 13.6-13 of the draft, titled "Re-Use of Sites." The City argues that because it rezoned the Tasman East and Lawrence Station sites during the 2015-2023 cycle for a higher density to conform to the General Plan, it can count the sites as "new" for purposes of the 2023-2031 cycle, and ignore that they were identified in a prior housing element. The argument will not hold up in court. The statute unambiguously states that if the site is nonvacant, was "identified" in a prior housing element, and was not approved for development, it "shall not be deemed adequate to accommodate a portion of the housing need for lower incomes households . . ." unless rezoned in the new housing element for "use by right."

Nor does the City's "rezoning for higher density" argument fit the facts: The sites were rezoned as part of a Government Code section 65583(c) program (albeit late, as explained in the next section). Indeed, if they had not been rezoned, the city would have had a shortfall of sites to address the 2015-2023 RHNA. Moreover, some of them are zoned at the exact same density stated in the 2015-2023 Housing Element. *See, e.g.*, APN 216-33-037.

If the City does not wish to implement a "use by right" overlay, it should remove the Tasman East and Lawrence Station sites from the inventory; almost all of them are being (re-)used to satisfy the very low and low income needs that they were designated to meet in the last Housing Element, and in the absence of a "use by right" rezoning, they do not meet the criteria under 65583.2(c) for being re-used.

E. The City Must Address The Unaccommodated Need From The 2015 Regional Housing Needs Allocation.

The City also failed to implement fully its 2015-2023 Housing Element. The consequence of its failure is that it must address both the unaccommodated 2015-2023 need and the new 2023-2031 need.

Where a city fails to implement a housing element, the unaccommodated need must be quickly accommodated during the next period. Government Code § 65584.09(a). Here, Santa Clara failed to timely implement what it promised in its 2015 Housing Element. The unaccommodated need from that period – the failure to provide adequate sites for lower income housing – carries over, and the city cannot use the same sites to meet both the 2015 need and the 2023 need.

We start with a description of the City's failure to make available adequate sites to accommodate the regional need identified in 2014. In the 2015-2023 Housing Element, the City stated that it believed the housing need could be accommodated on sites in the El Camino Real, Tasman East, and Lawrence Station "focus areas": areas that the City's general plan projected as suitable for rezoning as medium or high density residential, or mixed use, but which were not yet zoned to permit residential development. The Tasman East focus area and Lawrence Station focus area were zoned light industrial. The El Camino Real sites were zoned "thoroughfare commercial" or "community commercial": zoning that did not permit residential construction. No one could build housing on any of the sites in the inventory without rezoning.

Under section 65583.02(a), the inventory can only include sites that are (1) vacant and zoned for residential use, (2) vacant and zoned to allow residential development, (3) residentially zoned and capable of being developed at a higher density, or (4) "zoned for nonresidential use that can be redeveloped for residential use, and for which the housing element includes a program to rezone the site, as necessary, to permit residential use . . . ." The 2015 inventory was valid, if at all, because of the planned program to rezone all of the sites on the list under sections 65583.2(a)(4) and 65583(c).

A program to rezone sites to make them available is governed in part by Government Code section 65583(c)(1). That subsection required the City to "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 . . . share of the regional housing need for each income level that could not be accommodated on sites in the inventory . . . without rezoning . . . ." Under section 65583(c), the City was required to "set forth a schedule of actions during the planning period, each with a timeline for implementation . . . such that there will be beneficial impacts of the programs within the planning period . . . ."

The City's 2015-2023 Housing Element explained how it would comply with the law: It would engage in a comprehensive rezoning of the entire city to conform with the general plan, "to bring consistency between the Zoning Ordinance and the General Plan, implementing the General Plan goals by facilitating mixed use development and higher density residential development, protecting existing neighborhoods, and incentivizing redevelopment by appropriate development standards and streamlined procedures." The City stated that it would complete this action by mid-2016. *See* 2015-2023 Housing Element at pp. 8.12-122 – 8.12-123 ("Action 6: Zoning Ordinance").

The mid-2016 deadline was important; the action needed to be scheduled "such that there will be beneficial impacts of the programs within the planning period," and also kept the plan for rezoning on track to take place within the required three years. Government Code § 65583(c)(1)(A). Housing could not be constructed unless it were approved; housing would face more hurdles to approval until the rezoning took place; and so removing the obstacle of light industrial or commercial district zoning needed to take place early in the planning period to

provide developers the ability to propose and proceed with housing built to meet the needs during the 2015-2023 time period.

By mid-2016, the City still had not completed the comprehensive rezoning that it identified as Action 6. The City blamed problems with its outside consultant for not completing it in by the deadline of 2016, and promised it would be done in 2017. But even then, the City didn't complete it. The draft was finally circulated for public comment in summer 2022 – while the City was working on the 2023 Housing Element – and won't be voted on by the City Council until sometime in 2023. The draft 2023-2031 Housing Element acknowledges that Action 6 is incomplete, and now lists the comprehensive zoning ordinance update as Action 9 in the new plan: "Complete the comprehensive update to the Zoning Ordinance by early 2023." (p. 13.2-13).

The City thus did not implement the 2015 Housing Element, and did not rezone, as promised, the sites listed in its 2015-2023 inventory. While the City listed 158 parcels along El Camino Real in its 2015-2023 plan as having the ability to satisfy the housing needs of the community, it left the commercial district zoning in place for the entire 2014-2022 period. To this day, anyone wanting to build housing on most of those parcels (excluding the few that went through the City's discretionary process for a rezoning) needs to apply for a zoning variance, contrary to state law, which required not just an expectation of potential rezoning to match the general plan, but actual implementation of the Housing Element by the City. Meanwhile, the City planning staff proposed a rezoning of these sites repeatedly as part of the El Camino Real Specific Plan, but the City Council still has not taken action, and has deferred further discussion. The program actions in the 2015-2023 Housing Element to rezone or provide adequate sites were thus not fully implemented.

Having failed to implement the rezoning as required by state housing law and promised in the 2015-2023 Housing Element to take place by mid-2016, the City is now subject to section 65584.09, which provides:

> [I]f a city or county in the prior planning period failed to identify or make available adequate sites to accommodate that portion of the regional housing need allocated pursuant to Section 65584, then the city or county shall, within the first year of the planning period of the new housing element, zone or rezone adequate sites to accommodate the unaccommodated portion of the regional housing need allocation from the prior planning period.

Santa Clara easily accommodated the need for above-moderate income housing during the 2015-2023 period: It issued building permits for 4,606 units. It appears to have accommodated the 2015-2023 need for moderate income housing, at least if project approvals, rather than actually constructed units, are counted. But it fell seriously short for the "very low" and "low" income categories. The City granted building permits for only 289 very-low-income units, 246 low-income units, and 125 units affordable to those with moderate incomes. This leaves a substantial

shortfall to be addressed from the last period, in addition to the substantial new need for the new period.

Even if the City's rezoning of adequate sites – albeit ones where no affordable housing has been built, and may never be – is counted,[21] the City has a substantial shortfall:

	Very Low	Low
2015-2023 RHNA Need	**1,050**	**695**
Building Permits (from Table 13.7-2)	289	246
"Adequate" Sites Rezoned in Tasman East[22]	121	61
"Adequate" Sites Rezoned in Lawrence Station[23]	13	7
Approvals of Affordable Housing (from Table 13.6-2)[24]	163	145

[21] A reasonable interpretation of the term "unaccommodated portion of the regional housing need allocation" would exclude all deductions from the prior RHNA except affordable housing units actually built. After all, no one's actual needs are accommodated by housing that was never built. Using building permits as a proxy for this, the unaccommodated very-low-income need would be 761 units, and the unaccommodated low-income need would be 449. However, the distinction might make very little difference to the ultimate math below: Omitting the rezoned adequate sites in Tasman East and Lawrence Station, and omitting the approved affordable housing elsewhere in the City, would result in a higher number for the "unaccommodated portion," but these sites could then be counted as meeting the 2023-2031 need if they will result in new housing during the next eight years, as the City argues at p. 13.6-2. The critical point here, as explained in the text, is that the City cannot double-count.

We do not think the City can fairly consider the Patrick Henry rezoning as having accommodated any portion of the need from the prior Housing Element, even for those sites that might be considered adequate in the 2023-2031 cycle, given that it was rezoned so late in the period.

[22] We do not include the data center or the sites that are smaller than 0.5 acres, because these sites are not adequate, as the City has recognized by removing them from the inventory of sites adequate for lower income housing. We also put "adequate" in quotes here because we have not analyzed whether the other sites are in fact adequate for lower income housing sites (e.g., suitable, available, realistic); the City should do so as part of its analysis.

[23] We do not include the Gemini Rosemont Technology Park, or the data centers on Corvin that were included in the 2015 site inventory but have been deleted from the 2023 site inventory, because these sites are not adequate. We also put "adequate" in quotes here because we have not analyzed whether the other sites are in fact adequate for lower income housing sites (e.g., suitable, available, realistic); the City should do so as part of its analysis.

[24] In calculating this number, we attempted to count those projects listed as "approved" (since proposed projects did not meet the need for affordable housing in 2015-2023), and to

Approvals of Affordable Housing: 1601 Civic Center[25]	106	
Unaccommodated Portion Of 2015-2023 RHNA:	**358**	**236**

In determining the affordable housing requirements for its 2023-2031 Housing Element, the City is not allowed to use the same sites or projects to count toward both the 2015-2023 need and the 2023-2031 need. It must instead plan for both the unaccommodated need and the newly allocated need. *See* Government Code § 65584.09(b). This means that the City's analysis at page 13.6-2 is flawed because it engages in double-counting: The City is claiming that the building permits and approvals from 2015-2023 accommodated a portion of the housing need for that period *and* that the same building permits and approvals from 2015-2023 address the newly allocated need for 2023-2031.

Again, the City's failure to follow through on its 2015 Housing Element has a consequence: the City is now obliged to meet the unaccommodated need from the 2015-2022 period as well as the regional need identified for the 2023-2031 period. Adequate sites must be rezoned within one year to address this unaccommodated portion of the 2015-2023 RHNA need.

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avoid double-counting those projects that were counted towards building permit goals on Table 13.6-2. We believe that 3905 Freedom, Gateway, and Agrihood were not counted towards building permits, but that Clara Gardens, The Meridian, and 2330 Monroe each had building permits issued and were counted in Table 13.6-2. The City planning department should perform the calculation itself using the information available to it; this calculation should be viewed as illustrative.

[25] We note that this site is not included in the Housing Element. If the City has information that it will not be developed, or that the approval is not final, then it would be removed from this calculation.

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F. Conclusion: The Draft Housing Element Cannot Be Certified.

The issues identified in this letter show that the "Adoption Draft" is not yet ready for adoption at all. It contains unrealistic sites, unsupported projections, claims that lower income housing can be built on sites zoned as open space or even public right-of-ways, and other violations of state law. The City cannot make the required findings to support it, because it lacks the evidence to support the claims it makes about whether the existing inventory is sufficient to meet the considerable and pressing need for housing at all levels of affordability. While meeting the deadline is important, passing a valid Housing Element is even more so. It is better to be late than to be wrong, and the City should not want to see its Housing Element invalidated by the State or a court.

Respectfully submitted,

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FIGURE 11: FORMAL COMMENT LETTER: HOUSING ACTION COALITION

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February 23, 2023

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Re: City of Santa Clara Housing Element As Adopted
Comments of Housing Action Coalition

Dear Mr. McDougall and Mr. Jauregui:

This letter will address the capacity calculations the City of Santa Clara used in preparing the site inventory for its adopted Housing Element. As will be explained, the Housing Action Coalition[1] asks that you find the Housing Element not to be in substantial compliance because it overstates the capacity of the site inventory to accommodate Santa Clara's share of the regional need for housing, particularly for lower income categories.

As explained in further detail below, Santa Clara's capacity calculations are flawed because:

1. In the case of the Lawrence Station and Tasman East sites, they are based on incomplete data.
2. In the case of the Patrick Henry sites, they are based on no data.
3. In all three cases, they do not take into account AB 1397, requiring an analysis of typical densities of projects with "a similar affordability level in that jurisdiction."

[1] The Housing Action Coalition is a nonprofit that advocates for building more homes at all levels of affordability to alleviate the Bay Area and California's housing shortage, displacement, and affordability crisis.

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A. Background

First, for context, some background on the drafting of the capacity calculation portion of Santa Clara's Housing Element.

The capacity calculations issue is not one that HCD has previously reviewed for Santa Clara. In the earlier August 22, 2022 draft submitted to HCD, Santa Clara used minimum densities (the safe harbor under section 65583.2(c)(1)) to calculate the capacity of the site inventory to accommodate the RHNA. But in a comment letter on November 30, 2022, following HCD's comments, Housing Action Coalition pointed out that a number of sites on the inventory were unrealistic: they had existing uses that were not "likely to discontinue" during the planning period.

In response, Santa Clara removed a number of sites, including six large data centers and a fire station that were unlikely to be redeveloped as housing. But rather than identify new sites for the inventory, Santa Clara instead added only an upward adjustment of the number of units claimed for each site, and an argument that the remaining sites had the capacity to fully accommodate the RHNA.

The final draft of the site inventory, showing the new math, was not made public until after 5 p.m. on Friday, January 20, just days before the January 24 Planning Commission meeting and City Council meeting on January 31. This sharply limited the opportunity for public analysis and comment on this major change to the Housing Element.

We submitted a comment Sunday night, in advance of the Tuesday Planning Commission hearing, but this left limited time for staff to consider that their analysis had omitted important information. Given the approaching deadline of January 31, the Planning Commission and City Council quickly adopted the Housing Element without further changes, and without taking the time to correct any errors.

The Santa Clara Housing Element discusses the "realistic capacity" calculation – the methodology the City uses to estimate the number of units that each parcel will accommodate for purposes of meeting the RHNA requirements – at pages 13.6-7 through 13.6-10. The approach is described at page 13.6-10 in the final paragraph of the section:

> Because each Specific Plan has its own distinct land use designations and affordability requirements, realistic capacity for available sites was calculated based on the average of percent above minimum density allowed per Specific Plan of existing and approved projects (see Table 13.6-3). Percent above the minimum density allowed was used to remain conservative, realistic, and to account for the wide range of Specific Plan densities allowed (from 20 du/ac in Lawrence Station to 350 du/ac maximum in Tasman East). . . .

The following averages were used to calculate realistic capacity, per Specific Plan area:

- Lawrence Station Area Plan: minimum densities x 191%
- Tasman East Focus Area Specific Plan: minimum densities x 215%
- Patrick Henry Drive Specific Plan: maximum densities x 72% (based on Specific Plan assumptions) was used as there are currently no existing or approved projects in the Patrick Henry Drive Specific Plan area.

Housing Element at p. 13.6-10.

B. <u>The Lawrence Station And Tasman East "Averages" Are Based On Incomplete Data.</u>

An "average" is not an average unless it includes all of the data. Unfortunately, for both the Lawrence Station and Tasman East areas, Santa Clara's analysis omitted key data in calculating the multipliers of 191% for Lawrence Station and 215% for Tasman East. The actual averages are lower. While these errors alone might not show that the site inventory is insufficient to meet the RHNA, it is important to correct them because they will be used for No Net Loss calculations in the future.

1. The Tasman East Average Is Actually 160-201%, Not 215%.

At table 13.6-3, Santa Clara lists six projects, and calculates an average "% above allowed minimum density." However, the average is inaccurate because Santa Clara did not include all existing and approved projects from the Tasman East area. A comparison with Table 13.6-2 – which lists eleven pending and approved projects in the Tasman East area – reveals the error. The following chart shows the correct average, with ***bold and italics*** used to indicate the information that was incorrect or omitted from the table:

Project Name	Min./max. density [du/ac]	Acres	Units	Units/Acres	% of minimum density [column 5 divided by column 2]
2233 Calle Del Mundo	100-350	1.22	196	160	160%
2200 Calle Del Mundo	100-350	2.44	580	237	237%

2300 Calle De Luna	100-350	*5.52*[2]	700	*127*	*127%*
2343 Calle Del Mundo	100-350	2.63	347	131	131%
2302/2310 Calle Del Mundo	60-350	0.77	151	196	327%
2354 Calle Del Mundo	60-350	0.50	89	178	297%
5123 Calle Del Sol	***100-350***	***2.62***	***503***	***192***	***192%***
2263 Calle Del Mundo	***100 to 350***	***1.95***	***301***	***154***	***154%***
2225 Calle De Luna & 2232 Calle Del Mundo	***100 to 350***	***2.1***	***371***	***183***	***183%***
				AVERAGE (mean):	**201%**
				AVERAGE (median):	**160%**

Including all of the projects in the Tasman East area shows that the capacity calculation in the adopted Housing Element is inflated by these errors. Note, we have also excluded two additional projects that appear in table 13.6-2 because they are "proposed" rather than "approved":

5185 Lafayette	***100 to 350***	***1.12***	***271***	***242***	***242%***
2101 Tasman Dr.	***100 to 350***	***9.03***	***950***	***105***	***105%***

If these two additional projects were included in the list, the average percentage above minimum would go down further, to 196%.

If an average (mean) percentage of 201% is applied (instead of 215%), the total units on the inventory attributable to the Tasman East sites goes from 1,123 to 1,050, a decrease of 73 units. Not a huge difference, but potentially important to the people who might live in those units, as well as to determining when No Net Loss provisions will first apply.

Alternatively, HCD should consider whether a "median" is more appropriate than a "mean" in determining the average. A median avoids skewing the result based on outliers. The significant difference between the mean and the median here shows that outliers – two sites built at 327% and 297% of the minimum density – are leading to a high mean without being reflective of the data set. Using the median of 160% (instead of 215%) would reduce the total units on the inventory in Tasman East from 1,123 to 837 units, a decrease of 286 units.

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[2] On the City's chart, this is listed as 5.02, which appears to be a typo. The City Planning Department project listing lists it as 5.52, as does the County Assessor's parcel map. We have corrected the units/acres and % of minimum density calculations accordingly.

2. The Lawrence Station Average Is Actually 134%-140%, Not 191%.

Table 13.6-3 lists four sites in the Lawrence Station area, comprising 9.21 acres, and then calculates an "average" of 191%. Here too, the site inventory omits other sites developed in the Specific Plan area: the ones listed comprise less than 25% of the 38 acres developed or approved.

It is more difficult to calculate an "average" for the Lawrence Station area because a single project – the Summerhill Nuevo project, comprising 29.4 acres and 988 units – included a large number of parcels, and resulted in areas of higher and lower density mixed in with other public amenities like roads and open space/parks.[3] Santa Clara has ignored these elements that lowered the overall density of the project (which averaged just 33.6 du/ac), and instead lists only two (of the three) apartment buildings that were part of the project, as if those two apartment buildings were standalone projects.

Because the mix of density rules applied to the Summerhill project makes the "percentage of minimum" approach challenging to apply, we will present several ideas of how it could have been properly incorporated. Ultimately, however, the point is that Santa Clara's current approach, by claiming an average that was not based on all of the data, is invalid. Each of these approaches shows that the current multiplier of 191%-of-minimum-density overstates the typical densities in the Lawrence Station area.

The first idea is, as with the Tasman East analysis above, to adjust Table 13.6-3 to simply incorporate the missing data by adding in the other Lawrence Station area projects that were omitted, including the large Summerhill project, and then deleting the two subcomponents of the Summerhill project that were included in Table 13.6-3. The resulting chart would look like this,

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[3] In our comment letter to Santa Clara on January 21, 2023, we pointed out that the requirements of open space/parks and additional public right-of-ways would reduce the net buildable acreage, and that the site inventory should be adjusted accordingly. *See* Housing Action Coalition letter dated January 22, 2023 at pp. 16-19 (explaining that 2.33 acres of the Lawrence Station sites, and 9.47 acres of the Patrick Henry sites, are designated for parks or roadways, not zoned for housing). At the hearing before the Planning Commission, the City Attorney's office responded derisively that this was unnecessary because Santa Clara's minimum density rules are applied to gross acreage, inclusive of parks and roadways. However, if gross acreage is the appropriate measure as the City Attorney's office argued, it must be consistently applied: the City cannot cherry-pick the highly dense apartment parcels and ignore that they were approved and built as part of a package with dedicated open space and roadways as part of the same project. The densities of the projects shown on table 13.6-3 are inflated by omitting the "gross acreage" of the parkland and roadways that were dedicated to the City in order to obtain approvals of the high density apartment buildings. The City cannot use net buildable acreages for calculating the capacity multiplier, then apply that multiplier to gross acreages inclusive of parkland and roadway requirements.

with ***bold and italics*** for the missing information, and ~~strikethrough~~ text for the Summerhill Nuevo subcomponents:

Idea 1: Substitute the entire Summerhill project into the chart

Project Name	Min. density [du/ac]	Acres	Units	Actual density [du/ac]	% of minimum density [column 5 divided by column 2]
2904 Corvin	51 du/ac	1.08	145	134 du/ac	134/51 = 263%
2961 Corvin	***20 du/ac***	***1.69***	***38***	***22.49***	***22.49/20 = 112%***
3305 Kifer	***20 du/ac***	***1.91***	***45***	***23.6***	***23.6/20 = 118%***
~~3560 Rambla~~	~~51 du/ac~~	~~2.49~~	~~251~~	~~100 du/ac~~	~~100/51 = 196%~~
~~3578 Rambla~~	~~51 du/ac~~	~~1.72~~	~~126~~	~~73 du/ac~~	~~73/51 = 143%~~
3505 Kifer (Summerhill Nuevo)[4]	***26 du/ac[5]***	***29.4***	***988***	***33.6 du/ac***	***33.6/20 = 168%***
3517 Ryder	51 du/ac	3.92	328	83 du/ac	83/51 = 163%
				AVERAGE (mean):	**165%**
				AVERAGE (median):	**163%**

However, this first approach overweights the smaller sites to a very significant degree: a one acre site – and one which has very unique attributes, as will be discussed below – is given the same weight as the Summerhill Nuevo site, which used 29 times as much land. This inflates the percentage-of-minimum, and overestimates the site capacities.

The second approach breaks the Summerhill site into smaller components: leaving the two apartment buildings (3560 and 3578 Rambla) on the chart, but then adding the third

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[4] 3505 Kifer is the address for the entire Summerhill project – 988 units – in the Lawrence Station Area Plan. 3560 Rambla and 3578 Rambla are portions of the project (individual buildings), and so are stricken from this chart based on the inclusion of the larger project.

[5] Because there are three different minimum densities for the Summerhill Nuevo site – 51 du/ac west of Rambla, 8 du/ac north of Boyter, and 20 du/ac east of Rambla – we have estimated the rough proportions of each, and derived a weighted average minimum density. 3.5 acres at 8 du/ac, 17 acres at 20 du/ac, and 7.5 acres at 51 du/ac yields a total minimum number of units of 750 units, divided by 28 acres. The City may have more precise information about the acreage; figuring it out is more difficult because of the subdivision of the lots as part of the project, which renders the current County Assessor's Map unhelpful for this purpose.

apartment building, and three hypothetical projects that were also components of the Summerhill Nuevo development: (1) the 41 unit single family lots north of Boyton, (2) the 114 "E-towns" in the medium density portion, and (3) the 176 "Town Flats" in the medium density portion. The parkland and roadway dedications are distributed geographically with the site that they are adjacent to.

Idea 2: Substitute the components of the Summerhill project into the chart

Project Name	Min. density [du/ac]	Acres	Units	Actual density [du/ac]	% of minimum density [column 5 divided by column 2]
2904 Corvin	51 du/ac	1.08	145	134 du/ac	134/51 = 263%
2961 Corvin	***20 du/ac***	***1.69***	***38***	***22.49***	***22.49/20 = 112%***
3305 Kifer	***20 du/ac***	***1.91***	***45***	***23.56***	***23.56/20 = 118%***
3560 Rambla (Summerhill Nuevo)	51 du/ac	2.49	251	100 du/ac	100/51 = 196%
3578 Rambla (Summerhill Nuevo)	51 du/ac	1.72	126	73 du/ac	73/51 = 143%
3580 Rambla (Summerhill Nuevo)	***51 du/ac***	***2.58 + .91 = 3.49[6]***	***286***	***81.95 du/ac***	***81.95/51 = 161%***
Summerhill Nuevo – single family north of Boyton	***8 du/ac***	***3.5***	***41***	***11.71 du/ac***	***11.7/8 = 146%***
Summerhill Nuevo – "E-towns"	***20 du/ac***	***6.5***	***114***	***17.54 du/ac***	***17.5/20 = 88%[7]***

[6] The additional acreage is for the added roadway and community center that is bordered on three sides by the three apartment buildings. Rather than distribute the acreage to all three apartment buildings (and correct the acreage for 3560 and 3578 Rambla), we here assign all of the roadway and community center land west of Rambla to the largest of the three apartment buildings.

[7] Note that here, the percentage for these two subcomponents of the Summerhill Nuevo project is shown as less than the minimum density. This is because the bulk of the parkland for the entire project is in the area east of Rambla. If a portion of the parkland parcels was instead proportionally allocated to the apartment buildings including 3560 and 3578 Rambla– where the City used only the acreage of the parcels that the buildings are on – then all of the components of the Summerhill project would be compliant with the minimum density zoning rules. (See "Idea 3" below). There is an additional wrinkle that for a set of buildings north of Boyton, the Lawrence Station Area Plan zoned the land as "very high density" (minimum 51 du/ac), but the

Summerhill Nuevo – "Town Flats"	***20 du/ac***	***10.5***	***176***	***16.8 du/ac***	***16.8/20 = 84%***
3517 Ryder	51 du/ac	3.92	328	83 du/ac	83/51 = 163%
				AVERAGE (mean):	**147%**
				AVERAGE (median):	**143%-146%**

A third approach is to limit the analysis to those projects on the land zoned as high density, but to assign a proportionate share (by unit count) of the parkland and roadway dedications that were part of the Summerhill Nuevo project to the three apartment buildings for that project:

Idea 3: High Density Projects Only, But Including Open Space/Roadways

Project Name	Min. density [du/ac]	Acres	Units	Actual density [du/ac]	% of minimum density [column 5 divided by column 2]
2904 Corvin	51 du/ac	1.08	145	134 du/ac	134/51 = 263%
3560 Rambla	51 du/ac	2.49 + ***1.08 = 3.57***	251	***70 du/ac***	***70/51 = 137%***
3578 Rambla	51 du/ac	1.72 + ***0.54 = 2.26***	126	***56 du/ac***	***56/51 = 110%***
3580 Rambla	***51 du/ac***	***2.58 + 1.24 = 3.82***	***286***	***75 du/ac***	***75/51 = 147%***
3517 Ryder	51 du/ac	3.92	328	83 du/ac	83/51 = 163%
				AVERAGE (mean):	**164%**
				AVERAGE (median):	**147%**

One virtue of this last approach is that it is limited to a more apples-to-apples comparison: all of the sites had a minimum density of 51 du/ac, rather than trying to mix in with medium or low density projects. Particularly since, with one exception, the site inventory applies the multiplier

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final approved project included medium density on that portion of the site. We have not tried to adjust for that fractional portion, but instead have calculated the numbers as if it had a minimum of 20 du/ac, not 51 du/ac. Adjusting to take into accounting the 51 du/ac minimum north of Boyton and east of Copper would reduce the "percentage-of-minimum" further.

to those Lawrence Station sites with a minimum density of 51 du/ac, this approach is probably the most appropriate.

However, there is a last important piece to note, which materially affects all of the numbers above. The first site on Table 13.6-3, included in all of the charts above, i.e., 2904 Corvin, is an exceptional situation which is unrepresentative of projects likely to occur in the sites on the inventory. As explained on the City's website and in other press coverage,[8] 2904 Corvin is a 144 "micro-unit" affordable housing project, built primarily as supportive housing for those making a transition from homelessness, and including on-site support services. Because it has 144 units affordable to those with low or very low incomes (plus a two bedroom manager's unit), it was able to apply density bonuses to significantly exceed the maximum zoned density for the Lawrence Station Specific Plan (which would have limited it to 108 units; 1.08 acres times 100 du/ac). On completion, it will have 80 units reserved for the homeless: single occupancy, 300 square foot, "micro-studios" with a private bathroom and kitchenette. The construction was heavily subsidized by a county bond measure to build affordable housing specifically for the homeless. It is not representative of the likely density of a project that includes 30% moderate income or even 30% low income units, because most affordable housing projects build larger units that can accommodate families. It is thus not fairly considered in calculating a "typical" density. It should be excluded from the analysis to avoid distorting the capacity calculation. Without it, the averages (mean) above are significantly reduced: 140% for idea 1, 134% for idea 2, 139% for idea 3.[9]

Because Lawrence Station has a greater amount of land on the inventory, and because the "average" was distorted by more significant errors, the impact of adjusting the capacity multiplier is much higher than for Tasman East. If a percentage based on "average" (mean) above the minimum of 139% is applied – which we think would be the most principled, because it excludes the homeless supportive housing project at 2904 Corvin, and then limits the analysis to high or very high density sites, while taking due account of the parkland/roadway dedication issue and other omitted sites – the site inventory would be reduced by 572 units: 234 in the very low income category, 169 in the low income category, and 169 in the moderate income category.

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[8] https://www.santaclaraca.gov/Home/Components/BusinessDirectory/BusinessDirectory/280/2495?alpha=L; https://sanjosespotlight.com/santa-clara-first-supportive-housing-project-breaks-ground/

[9] The medians for the three are 118-163%, 143%, and 137-147%; a "median" when calculating an average based on four items in a data set is less helpful than when deriving a median from a longer data set. But the three medians here help support the validity of the 139% statistic; they do not diverge to the same significant degree as the Tasman East median and mean.

C. The Patrick Henry "Average" Is Based On No Data.

We turn next to the Patrick Henry area, where we cannot create a chart, because there is no valid data at all.

Here, Santa Clara used a multiplier of "maximum densities x 72%," and explains that it was used "as there are currently no existing or approved projects in the Patrick Henry Specific Plan area. Santa Clara included no rationale for the number in the Housing Element, contrary to the requirements in Government Code section 65583.2(c), which requires that the City "determine," "specify," "demonstrate," "calculate," and appropriately "adjust" a "realistic" number, using "typical densities of existing or approved residential developments." Absent sufficient information, Santa Clara is not permitted to simply imagine that 72% is an appropriate multiplier. It should instead use the established minimum density. Government Code § 65583.2(c)(1).

Based on the drafting history, the apparent inspiration of the 72% statistic is a single proposed project (Pactron/Summerhill) listed on table 13.6-3 for the Patrick Henry area. In the draft circulated the week before the final Planning Commission hearing, the draft had indicated that it would use a 119% "percentage of minimum" based on this proposal. The day before the Planning Commission hearing, staff made a last-minute change in the creation of Appendix B (the site inventory), claiming that the Patrick Henry area densities should be calculated based on a 72% "percentage of maximum" instead of a 119% "percentage of minimum." To the extent that the Pactron/Summerhill proposal is in fact the basis for the 72%, it is flawed.

First, this proposal does not show an average or typical density of an existing or approved project. It does not show what even a single builder has succeeded in building at the listed percentage-of-minimum density. The statute directs that "typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction" is the relevant data set; a single proposed but-not-yet-approved project, and a market-rate one at that, doesn't meet the minimum test for consideration, because it is neither "typical" nor "existing or approved." Government Code § 65583.2(c)(2). This rule makes good sense: A proposed project may not be approved or ever built, and so has not been tested by the real world to determine if it reflects the "realistic" capacity[10]; City staff may not even have reviewed it for compliance with Santa Clara zoning laws. Meanwhile, "typical" requires more than a handful, and certainly more than one. Because no housing has been built in the Patrick Henry area at all, the City lacks data on which to argue that the statutory directive of applying minimum density

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[10] *See* Government Code § 65583(a)(3) (requiring a site inventory to show the "realistic and demonstrated potential for redevelopment"); § 65583.2(c) ("The inventory shall specify for each site the number of units that can realistically be accommodated . . ."); § 65583.2(c)(2)(C) ("A site may be presumed to be realistic for development to accommodate lower income housing if, at the time of the adoption of the housing element, a development affordable to lower income households has been proposed *and approved* for development on that site.") (emphasis added).

based on densities should be ignored or adjusted based on real-world experience. Meanwhile, the City's calculations fail to account for the possibility that future projects may include commercial or office uses, even though several of the Patrick Henry zoning categories provide this potential. The City should use the minimum densities as the fail-safe for this area of the City, where no housing has yet been built at all.

Second, the last minute switch from a "percentage of minimum" (the approach used for Tasman East and Lawrence Station) to a 72% "percentage of maximum" was used to inflate the numbers based on the very high maximums used for Patrick Henry. This seemingly minor change makes a big difference – about 728 units – but the current draft of the Housing Element does not "demonstrate" why the "percentage of maximum" is valid or realistic, as required. Government Code § 65583.2(c). A "percentage of maximum" untethers the approach from reality: a jurisdiction could choose (to take an extreme example) a 1,000 du/ac "maximum" and then claim that lower income housing needs are accommodated even though no project has ever been built with that density. Note also that in the Tasman East area, with arguably the most similar zoning rules to Patrick Henry, the average "percentage of maximum" based on built and approved market-rate projects is only 50%, further casting doubt on the "72% of maximum" claim for Patrick Henry.

Absent a data-driven reason for the "72% of maximum" multiplier for the Patrick Henry area, Santa Clara fails to justify the upward adjustments it applied. The minimum density should be used instead. This makes a big difference: 3,207 units total for the Patrick Henry area, instead of 4,549, and a failure to meet the very low income RHNA.

D. Santa Clara Failed To Analyze The "Typical Densities Of Existing Or Approved Residential Developments *At A Similar Affordability Level*."

If a city uses the minimum density under section 65583.2(c)(1), it can also treat the site as appropriate to develop at that minimum density for lower income housing under section 65583.2(c)(3), which provides that sites with a zoned density of at least 30 units/acre are considered adequate for lower income housing. But if the city does not use the minimum density, as the latest draft now proposes, it must differentiate between market-rate and affordable housing projects in developing a realistic estimate. Government Code § 65583.2(c)(2). Here, the City's Housing Element is seriously flawed, because it relies almost exclusively on market-rate, rather than affordable, housing projects in calculating the capacity of the inventory.

Section 65583.2(c)(2) was amended in 2017 (AB 1397) to emphasize that "typical densities" are not sufficient; the relevant evidence from which to make a capacity calculation higher than minimum is by comparison to "typical densities of existing or approved residential developments *at a similar affordability level in that jurisdiction.*" *See also* Government Code § 65583(a)(3) (requiring that sites have a "realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level.").

A market-rate developer may be able to afford to build 300 units on 2.51 acres, or even 800 units on 6.5 acres, as Sares Regis proposes to do at Patrick Henry. But it is well-recognized that a 100% affordable income development generally cannot afford a project of this magnitude. As the HCD Site Inventory Guidebook explains:

> To achieve financial feasibility, many assisted housing developments using state or federal resources are between 50 to 150 units. Parcels that are too small may not support the number of units necessary to be competitive and to access scarce funding resources. Parcels that are large may require very large projects, which may lead to an over concentration of affordable housing in one location, or may add cost to a project by requiring a developer to purchase more land than is needed, or render a project ineligible for funding.

HCD Site Inventory Guidebook (May 2020) at p. 15. These limitations are why the Legislature provided in AB 1397 that sites smaller than 0.5 acres, or larger than 10 acres, are usually ineligible, absent a specific evidentiary showing, to accommodate the need for lower income housing. *Id.*; Government Code § 65583.2(c)(2)(A) and (B). Indeed, the same law that added section 65583.2(c)(2)(A) and (B) also added the "similar affordability level" language to subsection (c)(2); the Legislature simultaneously added several provisions to ensure that site inventories realistically evaluate whether affordable housing will be produced. AB 1397 (Stats. 2017 ch. 375).

In order to depart from the minimum density, Santa Clara would therefore need to show not just that market-rate projects can achieve higher-than-minimum densities like the 139% average in Lawrence Station, or 201% average in Tasman East, but that "typical densities" for a 100% affordable housing project do so as well, including at the very high densities projected for these sites.

Santa Clara's Housing Element fails to make this required showing. Of the projects on Table 13.6-3, or even the more complete lists discussed above, there is only one project that can be described as having a "similar" level of affordable housing (i.e., 100% below market rate): the 1.08 acre project at 2904 Corvin. That project fits the general range of size for affordable housing – at 145 affordable units, it is within the 50-150 unit range discussed by HCD. But it is one-of-a-kind: the first homeless supportive housing in the City, heavily subsidized, with single-occupancy "micro-units" that are only 300 square feet in size, and the only affordable housing project built in any of the three Specific Plan areas. One-of-a-kind is not "typical."

The remaining site inventory in Tasman East, Lawrence Station, and Patrick Henry is projected to meet the needs for very low-, low-, and moderate-incomes (*see* p. 13.6-10, splitting the capacity 33.33 percent each to very low-, low- and moderate-incomes). Yet the data to support the claimed densities is based exclusively on market-rate projects that did not have this mix of affordability. In the Tasman East area, table 13.6-2 shows that of eleven projects, building 4,459 units of housing, the number of units of very low- and low-income housing

accommodated is: zero. This shows that there are not "typical densities of existing or approved residential developments at a similar level of affordability" for this area. As stated above, there has been no housing built or approved in the Patrick Henry area at all; there is no "typical" market-rate project there, much less a typical density for a project with the level of affordability calculated by the inventory.

Moreover, as further explained in our letter of January 21, many of the sites include areas that have been zoned as parkland or right-of-ways. While the City Attorney's Office argued at the Planning Commission hearing that the gross acreage of the sites could nonetheless be included because a housing developer could use the gross acreage in calculating the minimum/maximum number of units permitted by the zoning, this ignores the practical reality: a more dense project (i.e., the same number of units, squeezed into a smaller buildable footprint) is a much more expensive one. Taking APN 104-04-124 as an example, 2.32 of the 4.7 acres is zoned for a park; any development would need to put all of the units on the remaining 2.38 acres. Instead of building a 502 unit project on 4.7 acres, Santa Clara apparently contends that an affordable housing developer will build 2.32 acres of park, and then build all 502 units on the 2.38 acres that remain (a built density of 211 du/ac). This speculation is not realistic. No affordable housing developer has ever built such a development in Santa Clara.

If Santa Clara wants to estimate a realistic production of affordable housing in the Tasman East, Lawrence Station, and Patrick Henry areas, where large, high density market-rate projects are being built (instead of using the safe harbor of minimum densities), then it should estimate how much lower-income housing will be built there based on the actual data of affordable housing production in market rate projects.[11] That data shows that housing affordable to those in the very low-, low-, and moderate-income categories is produced at a rate somewhat less than the 12% inclusionary housing mandate under city law. (Which, notably, leads mostly to inclusion of moderate units and no very low- or low-income units for a large number of projects, *see* Table 13.6-2 (Pending and Approved Projects)). The site inventory could include the high density projects, but should only include the realistic number of units in the lower income categories that are historically built in projects of this type. The current Housing Element fails to make a showing sufficient to satisfy section 65583.2(c), as amended by AB 1397. The real data shows that the current site inventory will never achieve the claimed production of affordable housing that Santa Clara presents in the Housing Element, or that is necessary to accommodate the needs of the community.

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[11] If the City instead wants to rely on statutory presumptions like the "deemed adequate" statutory rule of section 65583.2(c)(3) to claim that these sites can be used for lower income housing, it should limit itself to the minimum densities that state law compels HCD to accept. The City's planners may know that even the minimum densities are not realistic for the largest sites (given that the size of the projects substantially exceeds what affordable developers actually build), but they would be able to rely on the statutory presumption, rather than speculative and unrealistic math.

The solution is to determine the realistic capacity of the new high-density neighborhoods by projecting market-rate projects with their typical complement of affordable units, and then to supplement it with smaller, geographically dispersed sites to accommodate the remainder of the very low-, low-, and moderate-income need on sites that are realistic in scale and density for affordable housing projects. The City's experience shows that affordable housing developers generally build within a half-mile of grocery stores and that they build projects in the range of 50-150 units. Building in the Patrick Henry area, for example, satisfies neither of these – the area is currently a food desert (more than one mile to a grocery store) – and the parcel size and minimum density exceeds anything that is realistic and demonstrated for a project with 100% affordable housing.[12] The City has numerous other opportunities for places where affordable housing developers could realistically build housing, e.g., along El Camino Real, or Stevens Creek Boulevard – if only the City would commit to rezoning to allow housing to be built there. Affordable housing developers should not have to run a years-long gauntlet of seeking special permission to build housing on realistic, underutilized sites, as was done with the Catholic Charities project at 1601 Civic Center. Adequate, available, realistic sites should be rezoned throughout the city to make it possible to realistically build the required amount of housing affordable to all income levels during the next eight years.

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[12] For example, the projections that the need for 972 units of housing affordable to those with very low, low, or moderate incomes will be met by a project at 4701 Patrick Henry Drive, a 687-unit 100% affordable housing project at 3055 Patrick Henry, or a 664-unit 100% affordable housing project at 3350 Central Expressway, is simply not realistic. The City's experience with affordable projects matches well the HCD guidance about projects of 50-150 units.

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E. Conclusion

Applying a minimum density approach to capacities, as Santa Clara did with its earlier draft reviewed by HCD, is simple. When Santa Clara instead made its eleventh hour addition to the Housing Element, projecting much larger housing production for the same sites, it was required to do so based on actual evaluation of the typical densities for projects with a similar level of affordability. As explained above, Santa Clara's Housing Element did not comply with this statutory mandate. HCD should find that Santa Clara's Housing Element, as adopted on January 31, 2023, is not in substantial compliance with state law.

Respectfully submitted,

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FIGURE 12: FORMAL COMMENT LETTER: HOUSING ACTION COALITION

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Re: City of Santa Clara Housing Element As Adopted – June 27, 2023 version
Comments of Housing Action Coalition

Dear Mr. McDougall and Mr. Jauregui:

The City of Santa Clara adopted a new Housing Element on June 27, 2023 to replace the January 2023 version that was legally deficient. While the new Housing Element improves the site inventory – by removing additional sites that were known to be unrealistic and identifying 21 new parcels for rezoning along the El Camino Real – the Housing Element still fails to substantially comply with the law because (1) it still includes unrealistic sites and (2) unreasonably overestimates the capacity of others.

We also revisit one old issue and raise a new one: (3) that Santa Clara failed to rezone during the fifth cycle as it had promised in its Housing Element, and so should be required to accommodate additional carry-over units, and (4) that the new proposed El Camino rezoning is unduly restrictive, based potentially on a misreading of a statutory requirement governing re-use of sites listed in prior elements.

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1. The Site Inventory Continues To Include Sites Designated For Lower Income Without Evidence That Existing Uses Are Likely To Discontinue During The Period.

4701 Patrick Henry. We've previously discussed with you the largest unrealistic site on the inventory: 4701 Patrick Henry, a 27-parcel site with APN 104-53-001 through -027. Santa Clara calls this the "Marriott Center" site; the parking lot entrance has a sign for "Great America Technology Park" which we referred to in our prior letter. The parcels are not under common ownership: 26 parcels, each smaller than 0.5 acres (they range from 3,408-4,981 square feet, or 0.09 to 0.11 acres) are owned by 11 separate owners and used by a variety of businesses. The parking lot/common area parcel – APN 104-53-027 – is owned by the association for the benefit of all of the members.[1] The parcels collectively are claimed to meet the need for 681 very-low and low-income units, and 291 moderate.

Six of the eleven owners wanted to explore residential development of their property and voted to have the expenses of exploring it paid by the condo association. However, these six own only some of the small, isolated 0.09-0.11 acre properties; their properties are presumed not to be realistic for lower income housing because they are less than 0.5 acres. The properties can be realistically developed if, and only if, the parking area/common area parcel APN 104-53-027 is also developed. However, each of the members/owners has been granted a non-exclusive easement over the entire common area and parking lot, so that customers and employees can visit the businesses. *See* 20-1051 CC&R Staff Report at pdf page 46 of 92 (CC&R document, section 5.1) granting easements to all owners). In addition, the CC&Rs directly state that "residential use of any type" is specifically prohibited. *Id.* at 55 (section 8.2(a)). So as things stand today, unless all eleven owners agree, the property will not be redeveloped, both because it would violate the CC&Rs and because it would violate the easement rights of any objecting owners. Given the express opposition of some owners to paying for exploratory expenses back in 2020, there is no current evidentiary basis for concluding that all eleven owners will band together and redevelop their common property. There is no substantial evidence that this is likely to occur during the planning period. Because 4701 Patrick Henry/Marriott Center site is presumed not available as a realistic site for lower income housing, Santa Clara does not meet the RHNA for lower income units.

New El Camino Real sites. In the June 2023 version, the City added 21 new parcels for rezoning along the El Camino Real, and designated them as addressing the need for lower and moderate income housing. But it presents no site-specific evidence to explain why it contends the existing uses are likely to discontinue during the planning period, as required by Government

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1 The site inventory incorrectly states that the property does not have an assigned APN, and incorrectly states that it is 6.814311 acres. The parcel map, previously provided to HCD and the City in February 2023, shows it as being assigned APN 104-53-027, and comprising 6.787 acres.

Code section 65583.2(g)(2). None of the owners were contacted, and the City has not investigated whether leases are an obstacle to redevelopment. The City instead relies on the discredited argument that rezoning alone will cause redevelopment, despite repeatedly learning throughout this process that favorable zoning alone is insufficient.[2] A closer look would show that at least some of the existing uses are likely to continue.

For example, the Lawrence Expressway Plaza – a four parcel site comprising 10.44 acres that the City claims will meet the need for 270 lower income and 116 moderate income units[3] – contains a 24 Hour Fitness, a Lucky supermarket, a Big Lots discount store, a Denny's, a Mobil gas station, a Starbucks, a credit union, two Indian restaurants, and a Mexican restaurant. The 24 Hour Fitness opened last year – mid-2022 – after a very substantial remodel that included installing a new indoor pool and completely remodeling both the interior and exterior, as the City's own building department records show. *See, e.g.*, BLD2019-54759-TCO1 May 24, 2022 (temporary certification of occupancy for "Construct (n) [new] workout spaces, break room, pool, locker rooms. Remove (e) [existing] exterior walls and construct (n) [new] ones. Construct 1 in-ground and spa pool.").[4]

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[2] The City's first draft of the Housing Element argued that favorable high-density residential rezoning of Specific Plan areas alone would lead to redevelopment of data centers and a fire station; once it correctly examined site-specific information, the City concluded that these sites were unrealistic. In the new revisions since January 2023, the City acknowledged that because the Gemini Rosemont site had proposed a new R&D building to staff in November 2022, it was unrealistic to claim that it would redevelop; it also dropped the National Instruments building when it got no response from the owner indicating a desire to redevelop. Yet the City continues not to adequately investigate site-specific conditions at other sites before claiming that they meet the RHNA need for lower income housing.

[3] The Lawrence Expressway Center contains the following sites on the inventory:

Address	APN	Acreage	Claimed RHNA capacity (lower)	Claimed RHNA capacity (moderate)
3615 El Camino Real	213-34-004	3.58	93	40
3705 El Camino Real	213-34-010	4.47	116	50
3725 El Camino Real	213-34-008	0.56	14	6
3735 El Camino Real	213-34-012	1.83	47	20
	Totals:	10.44	270	116

[4] Building permits can be found here, https://aca-prod.accela.com/SANTACLARA/Cap/CapHome.aspx?module=Building&TabName=Building by searching by address. The referenced permit was under 3615 El Camino Real.



Photo of the new pool and hot tub, at the new 24 Hour Fitness located at 3615 El Camino Real, opened in mid-2022.

Yet the City has not evaluated whether the 24 Hour Fitness, or other uses, are likely to discontinue and move out in time for housing to be built that will meet a portion of the regional need. The Lucky grocery store at the site is one of only two Lucky stores in the city, and benefits significantly from its location at the intersection of the major north-south Lawrence Expressway and the major east-west El Camino Real highway.[5] While a number of sites along the El Camino Real have been redeveloped as apartments, that does not constitute substantial evidence that every site along the El Camino Real is likely to discontinue its existing use before January 31, 2031.

2. The Reasonable Capacity Estimate Is Inflated And Does Not Follow The Statutory Requirements.

The second major issue is the methodology for estimating the RHNA capacity for all twelve sites in the Patrick Henry Drive Focus Area. This issue is significant: these sites are claimed to meet over 60% of the RHNA for very-low income households and almost 79% of the RHNA for low income households. We previously commented to HCD about this issue in February 2023; the City's new draft does not address the concerns we expressed.

We explained in our earlier letter that using 72% of the maximum zoned density was an unrealistic approach and not permitted by Government Code section 65583.2(c) as amended by AB 1397 because:

1. It did not look at typical densities at a "similar affordability level" as required by Government Code section 65583.2(c)(2);

[5] The Lucky store here is well-positioned with limited competition. The only Safeway in Santa Clara is 2.3 miles away; the only Whole Foods is 3.3 miles away. The nearest groceries are two Indian markets on El Camino Real that the City has also listed as housing sites.

2. It did not consider that the resulting, very high estimate of units/acre, when applied to sites with large acreage, was far beyond the 50-150 unit size of most affordable housing projects;

3. It did not consider that certain sites have significant parkland or right-of-way zoning/dedication requirements, and so could only achieve the unit count by building a taller building, the financial feasibility of which was not analyzed; and

4. It did not consider that the City's actual experience is that on sites like this, 12% or less of the units are actually affordable to lower or moderate-income households.

The new draft did not address these comments:

1. The 72%-of-maximum turned out to be based on the City's several-years-old phasing projections for Patrick Henry buildout from 2025-2034,[6] not based on actual approved or built projects. It was not based on typical densities of projects with a similar level of affordability, or on typical densities of projects at any level of affordability. It does not address the statutory factors in 65583.2(c) at all.

   While two projects in the Tasman East plan[7] have a similar level of affordability, those projects (1) were much smaller than the sites in Patrick Henry,

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[6] The June 2023 draft's rationale – Patrick Henry Phase 1 and 2 buildout estimates divided by the total –does not address the goal of estimating the realistic capacity to satisfy the RHNA need *during the sixth cycle planning period*. While Phase 1 is from 2025-2029, most of Phase 2 is outside the sixth cycle: it extends from 2030-2034. Even if one accepts the questionable logic behind the draft's rationale – that the realistic capacity should be based on the phasing estimates – only a small portion of Phase 2 buildout should be used, because only a small portion of Phase 2 takes place before January 31, 2031 (the end of the sixth cycle). If a prorated portion of Phase 2 were used – one-fifth because only one of the five years of Phase 2 is in the sixth cycle – then this methodology would justify a percentage of only 56% of maximum, not 72% (5,839 + (2,234/5) = 6,286, and 6,286 divided by 11,150 is 56%). Regardless, merely recycling an old projection to create a new one, without any showing that the old one was based on facts, is not a valid way to project how much housing will be built.

[7] Because the twelve Patrick Henry sites are claimed to meet the very-low, low, and moderate income RHNA need – 100% affordable housing – a realistic capacity estimate would need to examine yields of 100% affordable projects in Specific Plan areas that are comparable. Here, the Tasman East Specific Plan area has the most similar land use controls to Patrick Henry, and there are two 100% affordable projects: 2233 Calle Del Mundo and 2302/2310 Calle Del Mundo. (See Table 13.6-3, Note 1). There were only 347 units approved on those 1.99 acres of land, for an average density of 174 du/ac. 174 du/ac is only 49.8% of the "maximum" density of

(2) developed at only 49.8% of the maximum density, not 72%, showing that 72%-of-maximum is invalid. They were not used or considered in developing the methodology, despite the statutory requirement.

2. The draft does not address the fact that the high estimate times high acreage leads to unrealistic estimates for affordable housing projects, and does not show any 100% affordable housing project that has ever built more than 200 units in Santa Clara, much less the 500+ unit estimates that are included on the inventory.

3. The draft still did not consider that certain sites have parkland or right-of-way zoning/dedication requirements, and so could only achieve the unit count by building a taller building, or analyze the financial feasibility of doing so.

4. The draft still did not consider the City's actual experience is that on sites like those in Patrick Henry, 12% or less of the units are actually affordable to lower or moderate income households. As the draft itself says at page 13.6-21, "Developments will provide 15 percent affordable units split equally between three affordability levels of 50 percent, 80 percent, and 120 percent of Area Median Income." A truly realistic analysis would be that the very large Patrick Henry sites, to the extent that the existing uses are discontinued in favor of redevelopment, will be developed as market rate projects, and will yield only 15% affordable units. (Indeed, each of the three projects proposed in Patrick Henry so far has proposed only 15% affordable units; there is no reason to expect that other developers will go further). Under that analysis, of the 4,345 units projected for the Patrick Henry sites, only 15% of them will address the need for affordable housing: 651 units total for the very low, low, and moderate income categories. We suspect that Santa Clara would rather claim the safe harbor of minimum density, rather than using this truly realistic estimate.

City staff may argue – as it did before City Council – that using a different methodology might show a higher result; for example, that using the average of the two Tasman East affordable housing projects could have supported an argument for 174 du/ac, so that the City's 72%-of-maximum estimate should be viewed as "conservative." The City's Housing Element requires a defensible methodology, not a hypothetical argument that a different methodology could have been used instead. If the City had picked the alternative methodology, we could and would then argue about its validity, including whether two sites of roughly one acre each are a valid method of estimating how much housing would be built on sites of 5 acres or more. But we shouldn't have to argue against methodologies that the City hasn't included in the Housing Element; there has been no chance for the public or even the City Council to evaluate and

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350 for those two sites, much less than the 72% percentage of maximum approach used by the June 2023 draft for Patrick Henry.

discuss them. Because the City chose 72%-of-maximum as its methodology, the validity of the Housing Element is decided based on whether that methodology is valid. For the reasons set forth above and in our earlier letter, Santa Clara's reasonable capacity estimate for Patrick Henry is invalid and should not be used. And without it, Santa Clara cannot claim that it meets the lower income RHNA.

3. Santa Clara Should Accommodate Additional Units Carried-Over From The Fifth Cycle Because It Did Not Comply With Its Fifth Cycle Housing Element.

We have raised this issue before, so we will keep this short. Santa Clara promised, in its fifth cycle (2015-2022) Housing Element that it would rezone 158 parcels on El Camino Real, and that it would do so by mid-2016. It did not do so. Under Government Code section 65584.09(a), a city that does not implement its Housing Element rezoning is required to address the unaccommodated need from the prior cycle as part of the next cycle. In other words, by failing to accomplish the required rezonings, Santa Clara has extra units tacked onto its sixth cycle RHNA. By enforcing this rule, HCD can ensure that cities don't just promise rezonings on paper and fail to follow through.

As explained in our prior letter, the lower income need was not met because of Santa Clara's failure to implement the promised rezonings. While Santa Clara would be better able to do the math (and should do so as part of the Housing Element), our calculation shows that Santa Clara is obliged to accommodate an additional 358 units in the very-low income category and 236 units in the low income category as a result of its violation of the statute. Please hold Santa Clara accountable for promising to rezone 158 parcels and then not doing what it promised during the last eight years.

4. Santa Clara Appears To Have Misread A Statutory Requirement, And Imposed An Unduly Restrictive New Zoning Rule As A Result.

For those parcels along the El Camino Real re-listed from the 2015 fifth cycle Housing Element, Santa Clara's newly adopted Element states that it will only allow development if the project contains at least 20% affordable housing. From page 13.6-15:

> For sites that are subject to the reuse provisions of AB 1397 (2017), the Zoning Ordinance update (Chapter 2 Housing Plan Action 9) will include a provision that any nonvacant site in the 6th Cycle Housing Element Sites Inventory that was identified in a previous (i.e., 5th or 4th Cycle) Housing Element would need to provide a minimum of 20 percent of the units affordable to lower income households in order to be approved by right.

This appears to be based on a misinterpretation of the re-use provision; it would be better to correct this misreading before it creates a new obstacle to the production of housing.

When parcels are re-used from a prior cycle's element, the city must provide that the property can be redeveloped "residential use by right" if it includes 20% affordable housing. Government Code § 65583.2(c). The statute provides:

> A nonvacant site identified pursuant to paragraph (3) or (4) of subdivision (a) in a prior housing element and a vacant site that has been included in two or more consecutive planning periods that was not approved to develop a portion of the locality's housing need shall not be deemed adequate to accommodate a portion of the housing need for lower income households that must be accommodated in the current housing element planning period unless the site is zoned at residential densities consistent with paragraph (3) of this subdivision **and the site is subject to a program in the housing element requiring rezoning** within three years of the beginning of the planning period **to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households.**

Id. (emphasis added). The statute does require a "minimum" of 20% or indicate that the City should prohibit residential housing if it does not; the purpose of the statute is to promote housing production by removing barriers, not creating new ones. By adding on a new rule that requires a minimum of 20% affordable housing on the new parcels, Santa Clara is creating a barrier to housing production; after all, the rest of the city only requires 15% affordable housing. Santa Clara does not analyze what the effect on housing production will be of this higher inclusionary requirement for the new sites.

If the reason for the 20% minimum affordable housing requirement for re-used sites is indeed because of AB1397 as codified in Government Code section 65583.2(c), Santa Clara should be informed that this is not actually required, and that it should permit residential development of these sites even for projects that only meet the city's other inclusionary housing requirements. If the reason for the 20% affordable housing requirement is that Santa Clara wants to impose a higher inclusionary minimum for these sites, then the Housing Element should include an analysis of the effect of this rule on housing production.

Conclusion

HCD should find that Santa Clara's Housing Element, as adopted on June 27, 2023, is not in substantial compliance with state law.

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Respectfully submitted,

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FIGURE 13: FORMAL COMMENT LETTER: HOUSING ACTION COALITION

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March 8, 2024

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Re: City of Santa Clara Revised Draft Housing Element (March 1, 2024 draft)
Comments of Housing Action Coalition

Dear Mr. Davidson and Ms. Brillot:

On behalf of the Housing Action Coalition,[1] we write to provide comments on the draft of the 2023-2031 Housing Element for the City of Santa Clara that was posted for public comment on March 1, 2024.

The revised draft overstates the site inventory that is realistic and available to meet Santa Clara's fair share of the regional need, particularly for lower income units, in two ways. First, the draft continues to include non-vacant sites without substantial evidence that the existing use is likely to discontinue during the next eight years. Second, the draft overestimates the development potential of its sites, due to Santa Clara's flawed approach to calculating the realistic capacity of sites to meet the regional need for housing. Additionally, as previously noted, Santa Clara failed to implement its Fifth Cycle Housing Element by failing to rezone 158 parcels that it had committed to rezoning, and is therefore required by state law to address the shortfall from that prior period in the lower and moderate income categories.

[1] The Housing Action Coalition is a nonprofit that advocates for building more homes at all levels of affordability to alleviate the Bay Area and California's housing shortage, displacement, and affordability crisis.

1. The Site Inventory Continues To Include Sites Designated For Lower Income Without Evidence That Existing Uses Are Likely To Discontinue During The Period.

As we have done previously, we comment on whether sites on the inventory are realistic and likely to develop during the planning period. *See* Government Code §§ 65583.2(g)(1) and (2). While we appreciate the City's progress in deleting some of the sites identified in our prior comment letter, other sites remain unlikely and the City should commit to additional rezoning to address the shortfall.

4701 Patrick Henry, "Marriott Center." We've previously commented to you about the largest unrealistic site on the inventory: 4701 Patrick Henry, a 27-parcel site with APN 104-53-001 through -027. Santa Clara calls this the "Marriott Center" site; the parking lot entrance has a sign for "Great America Technology Park." The parcels are not under common ownership: 26 parcels, each smaller than 0.5 acres (they range from 3,408-4,981 square feet, or 0.09 to 0.11 acres) are owned by 11 separate owners[2] and used by a variety of businesses. The parking lot/common area parcel – APN 104-53-027 – is owned by the association for the benefit of all of the members.[3] The parcels collectively are claimed to meet the need for 681 very-low and low-income units, and 291 moderate.

Six of the eleven owners wanted to explore residential development of their property and voted to have the expenses of exploring it paid by the condo association. However, these six own only some of the small, isolated 0.09-0.11 acre properties; their properties are presumed not to be realistic for lower income housing because they are less than 0.5 acres. The properties can

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[2] The buildings adjoin in pairs, and in a number of cases, even the pairs do not have common ownership:

Building 1	Gu-Guide	Building 13	Snaaz Office
Building 2	IYKP	Building 14	Bedrock Ventures
Building 3	Gu-Guide	Building 15	Benson Yeung
Building 4	IYKP	Building 16	IYKP
Buildings 5 and 6	Gu-Guide	Building 17	Chew Family
Building 7	IYKP	Building 18	IYKP
Building 8	Gu-Guide	Building 19	Arhant
Building 9 and 10	Kenneth Ngai	Building 20	Sai Gundavelli
Building 11	Cityland	Building 21	Mileweb
Building 12	IYKP	Building 22	IYKP
		Buildings 23 and 24, 25 and 26	IYKP

[3] The site inventory incorrectly states that the property does not have an assigned APN, and incorrectly states that it is 6.814311 acres. The parcel map, previously provided to HCD and the City in February 2023, shows it as being assigned APN 104-53-027, and comprising 6.787 acres.

be realistically developed if, and only if, the parking area/common area parcel APN 104-53-027 is also developed. Each of the members/owners has been granted a non-exclusive easement over the entire common area and parking lot, so that customers and employees can visit the businesses. *See* 20-1051 CC&R Staff Report at pdf page 46 of 92 (CC&R document, section 5.1) granting easements to all owners). In addition, the CC&Rs directly state that "residential use of any type" is specifically prohibited. *Id.* at 55 (section 8.2(a)). So as things stand today, unless all eleven owners agree, the property will not be redeveloped, both because it would violate the CC&Rs and because it would violate the easement rights of any objecting owners. Given the express opposition of some owners to paying for exploratory expenses back in 2020, and no more recent information, there is no current evidentiary basis for concluding that all eleven owners will band together and redevelop their common property, and there is no substantial evidence that this is likely to occur during the planning period.

2900 Patrick Henry, New Hope Christian Reformed Church. New Hope Church owns the building at 2900 Patrick Henry, and after an extensive remodel in 2006, holds three regular Sunday services in its sanctuary there. The parcel is claimed to meet the need for 149 lower income, and 63 moderate income units.

The City claims that the church property is a realistic site for redevelopment based on three "factors": 4, 5, and 8. Factor 4 is that "uses similar to those that have been previously recycled in Santa Clara." Draft at p. C-5. However, the City identifies no church or religious buildings that have been demolished recently to create housing. Factor 5 is whether the property is located in a specific plan area *or* the property owner participated in the specific plan process. *Id.* Given that the site inventory consists entirely of sites in specific plan areas, this factor does not help distinguish between sites that are likely to redevelop and those that are not. The data centers that Santa Clara listed are all in specific plan areas, yet the draft now acknowledges that they are unlikely to develop because of its existing use. The Santa Clara fire station on Corvin Road is in a specific plan area, yet unlikely to develop because of its existing use. This factor does not provide substantial evidence of whether a site is likely to develop during the planning period. Factor 8 is the year built (*id.*); the draft now claims that if a structure is over 36 years old (built before 1987), then it "may" need substantial improvements based solely on its age. This factor is weak and does not provide substantial evidence of likely redevelopment in the planning period; most of the buildings in Santa Clara are older than 36 years old, yet have many more years of productive use. The City provides no basis for concluding that properties older than 36 years, or even as old as 50 years, are likely to be redeveloped.

Moreover, for this property in particular, the City is aware from its own records that the church has in fact had substantial improvements. While the building was initially built in 1978, the interior was completely remodeled in 2005-2006, at a cost of over $850,000, when the church built the new sanctuary, offices, restrooms, youth classroom, and kitchen, along with new lighting and a new heating, ventilation and cooling system. *See* Building Permit Record BLD2005-08407. The building was also re-roofed in 2016 at an additional expense of nearly $100,000. BLD2016-43602. The City's assumption that the property needs substantial

improvements based on its age is incorrect given the City's records showing that it has indeed had substantial improvements designed for its religious use.

2950 Patrick Henry, Rocket EMS. Claimed as meeting the need for 189 lower income and 81 moderate income units, the light industrial facility at 2950 Patrick Henry has been occupied since 2011 by Rocket EMS [Electronic Manufacturing Services]. Rocket EMS manufactures prototypes, circuit boards, and other electronic equipment, reworks boards, assists with PCB (printed circuit board) layout, and offers other related services for other technology companies. The company has installed full production lines into the space at 2950 Patrick Henry. The facility includes a 36,000 square foot "clean room" for circuit board manufacturing and testing.[4] In 2014, for example, a building permit with an estimated job value of $1,000,000 installed custom tool machinery in the facility. BLD2014-34011.



Photo of circuit board manufacturing room at Rocket EMS Santa Clara facility in 2950 Patrick Henry.

See "Rocket Men: Silicon Valley's fastest-growing EMS is taking flight," https://www.circuitsassembly.com/ca/editorial/menu-features/32661-rocket-men.html (last visited March 5, 2024).

The Santa Clara facility employs 230 employees, and includes a custom-built robotics booth for PCB imaging. As of an article published in late 2019, demand was strong: the company reportedly had $60 million in annual sales, and the Santa Clara facility was running 2.5 shifts per day.

Given the heavy capital investments in the site, and the continuing demand for high tech services in Santa Clara, Rocket EMS is unlikely to move during the next seven years. The City's site inventory makes clear that it lacks substantial evidence that the existing use will discontinue. The inventory lists factors 4, 5, 7, and 8. As with the church, factor 4 is unconvincing: while some light industrial uses have been discontinued, none are described as having the level of capital investment and specialization that Rocket EMS has. Factor 5 – location in a specific plan area – does not distinguish Rocket EMS from other businesses that are unlikely to discontinue. Factor 8 is inapplicable given the substantial improvements since initial construction in 1977, including an extension of the exterior walls and the roof in 1994. *See, e.g.*, BLD1994-099898, -

[4] See description at https://www.rocketems.com/facilities/; https://www.us-tech.com/RelId/2231963/ISvars/default/It-Actually-%3CI%3Eis%3C-I.htm; and https://www.circuitsassembly.com/ca/editorial/menu-features/32661-rocket-men.html. (All sites visited as of March 5, 2024).

099585. Factor 7, claiming that there is "substantial underinvestment" at the site, is likewise inapplicable to this specific site, regardless of the calculated ratio, including because the City did not take into account the extension of the building footprint shown in its own records.

3100 (also known as 3118) Patrick Henry, O2Micro Global. This property is the headquarters for O_2 Micro Global, which leases a portion of its space to other technology industry tenants. O_2Micro owns the property; it does not lease it. O_2Micro Global was founded in Silicon Valley in 1995, and is a fabless semiconductor company: it designs, develops, and markets integrated semiconductor chips, primarily to manage power usage/flows for the computer, consumer, automotive, and industrial markets. It is thus part of the core industry that powers Santa Clara's economy. *See* Draft at 13.1-1 ("The historic agricultural nature of Santa Clara was forever changed with the invention of the semiconductor chip in the 1950's. Since then, the growth of the technology industry has fueled job growth and propelled Santa Clara to the current population of about 127,000 residents."). Before going private in 2022, SEC filings reported income of roughly $100 million per year.

The draft Housing Element does not suggest that O_2Micro has shown any interest in developing its headquarters as an apartment complex, which would be a substantial departure from its business, or in selling the property to someone who would do so. This existing use is presumed to be an obstacle to residential use, and absent substantial evidence that O_2Micro will discontinue its decades-long occupancy and use of its building, the site is not appropriately listed as meeting the need for 189 lower income and 89 moderate income units.

Consolidated site "R" (2322, 2330, and 2338 Calle Del Mundo), added back to the inventory in this draft (previously removed because each of the parcels was less than 0.5 acres) is three parcels owned by Leopold Pivk. His custom glass manufacturing business has made fine semiconductor quartzware products for the technology industry in Silicon Valley for 33 years from the same building. While some of his neighbors in the Tasman East industrial park sold their properties to developers, Mr. Pivk has so far consistently declined: he continues to run his longstanding business here with his family, and has not sold any of his three parcels. The City's site inventory, which claims that the three parcels meet the need for 124 lower income and 53 moderate income units, implicitly acknowledges that he has expressed no interest in redevelopment. General economic conditions are no substitute for site-specific analysis of whether the existing use will likely discontinue during the planning period. *See* HCD Site Inventory Guidebook at p. 28 ("[N]onvacant sites with differing existing uses and lacking in common ownership, whether contiguous or located in the same general area, may not rely on a generalized analysis. While the sites may be located in an area with common economic issues, individual owners may not wish to sell their property or redevelop their site with residential uses."). In the case of Mr. Pivk's properties, the City does exactly what HCD said not to: relying too heavily on a generalized approach (old buildings with fewer improvements in specific plan areas may develop) and has not attempted to figure out whether the Pivk family is likely to discontinue its glass business in the next seven years and redevelop.

Consolidated site "P" (3705/3735 El Camino Real), Lucky Grocery Store/Big Lots. This site, claimed to meet the need for 163 lower income and 71 moderate income units, is occupied by two national retailers: Lucky's and Big Lots.

The City does not analyze whether the existing uses on Consolidated Site P – two national retailers, including the only mainstream grocery in this part of the city, and some smaller businesses – are likely to discontinue. Instead it applies simplistic assertions that do not provide substantial evidence that the existing use will discontinue. The City makes a simplistic assertion that because the buildings' exterior walls were constructed in 1972, and that a grocery store has a large parking lot (and therefore low FAR and improvement ratio), housing might be built here. Draft at C-40. However, most grocery stores and discount retailers have large surface parking lots, and yet most grocery stores and discount retailers are unlikely to close or relocate during the next seven years so that housing can be built. As we noted in our June 2023 letter to HCD, the Lucky grocery store is also particularly well located, both in its convenience to a major crossroads within the city, and relative to other grocery stores.

Another reason why Consolidated P is not likely to develop during the next seven years is that it is only a portion of the Lawrence Expressway Plaza shopping center. The City now acknowledges that the recently remodeled 24 Hour Fitness in the same shopping center is not likely to redevelop. *See* Draft at C-54 to 55 ("the following sites have been excluded from the Sites Inventory since they are unlikely to redevelop with residential uses during the timeframe of the Housing Element: . . . 3615 El Camino Real (24 Hour Fitness)."

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The 24 Hour Fitness building is immediately next door to the Lucky grocery store building, and uses the same parking lot:



The photo on the left has labels from Google Maps: the Lucky store is the large square building in the upper center; Big Lots is the smaller square to the left of it; 24 Hour Fitness is the building in the upper left hand corner. The photo on the left, with blue shading, shows the parcel that 24 Hour Fitness is on; Consolidated Site P is the rest of the shopping center to the left of the blue shading.

The physical relationship between the admittedly unlikely 24 Hour Fitness site and Consolidated Site P reinforces why Site P, with Lucky and Big Lots is unlikely to develop during the planning period. The street access for the 24 Hour Fitness is on Site P; indeed, the entrance on El Camino Real could not be moved closer to a freeway offramp for safety reasons. Much of the parking for the gym is also on Consolidated Site P. The site inventory does not claim that the owners have indicated an interest in redeveloping Site P during the planning period, and the City does not say that it has analyzed whether the 24 Hour Fitness lease assures that 24 Hour Fitness customers and employees will be able to use the parking lot exit and portion of the parking lot that are on Site P. Similarly, the City has not analyzed whether Starbucks – located at 3605 El Camino Real, on the small parcel surrounded by the blue shading and adjacent to the freeway off-ramp, likewise has parking or ingress/egress rights over the parcels that comprise Site P.

The City continues not to engage in the required analysis for this site to assert that the existing use is not an obstacle to residential development, as required by 65583.2(g)(1) and (2).

2. The City's Realistic Capacity Calculations Are Flawed

The draft's methodology for estimating the RHNA capacity of eleven sites in the Patrick Henry Drive Specific Plan Area is flawed. Unlike its approach with other sites on the site inventory (which uses a percentage-of-minimum approach), for the twelve sites in the Patrick Henry Drive Focus Area, the draft estimates the realistic capacity to meet the RHNA by multiplying the maximum zoned density by 72%.

The 72% of maximum approach violates Government Code section 65583.2(c) concerning estimating realistic capacity. Because we have previously commented on this issue and the City has not substantively addressed this point, we will keep this short:

- The 72% number is not based on any of the statutory factors. It does not take into account what the statute says "shall" be used in determining the capacity of the sites to accommodate the RHNA: typical densities of approved or constructed projects with a similar level of affordability, the realistic development capacity of each site, site improvement requirements, or anything other than the "land use control" of maximum zoned density.

- The 72% is instead an estimate based on an estimate about the expected pace of development of the entire area: the "buildout" projections made when the Patrick Henry plan was adopted. The projections estimated that 72% of the units for the area as a whole would be built from 2025-2034. *See* Draft at 13.6-15 (calculating the 72% by dividing the total of phases 1 and 2 (2025-2029 and 20230-2034) by the total approved capacity for the area. The draft does not explain why Santa Clara now projects that the sites on the inventory will result in 72% of the total three years earlier than previously estimated, or why an estimate about the timing of development (how many units per year) provides useful information to estimate the density of development (number of units per acre).[5]

- Even if the 72% was a useful statistic, it is miscalculated in two ways. First, the numerator is wrong because it includes units that will be built outside the planning period: from 2031-2034. Adjusting the number downward to take this into account, the 2025-2030 projection is only 6,286. (*See* HAC's earlier comment letters). The denominator is also wrong. It was based on dividing the 2025-2034 total by 11,150 units, the midpoint between an estimate if the Pearlman office buildings pursued office construction (10,300) or residential

[5] The approach doesn't even work as applied to specific properties. The buildout estimate projected 1700 units to be built on the four Pearlman sites: 10,300 units for the area if Pearlman built offices, but 12,000 units if Pearlman built residential. But using the 72% estimate as a capacity number, Santa Clara now projects that the Pearlman sites (4633, 4655, 4677, and 4699 Old Ironsides) will accommodate only 1,045 units. An estimate about time can't be transplanted to an estimate about space.

(12,000). *See* Draft at 13.6-15. But the draft now assumes that the Pearlman properties (4633, 4655, 4577, and 4699 Old Ironsides) will all develop as residential. The larger total should thus be used: 12,000 not 11,150. Each of these mistakes means that 72% is higher than it should be, even if Santa Clara's logic is accepted.

- A "percentage of maximum" is not a rational approach. When a developer does not build to the maximum density permitted, it is because of other constraints on development (economic, structural), rather than a decision related to the maximum density permitted. The maximum density could be set at any arbitrary number – e.g., 3,500 instead of 350 units/acre – but the developer is unlikely to scale up the project in proportion to the maximum just because the maximum is higher. A methodology based on percentage of maximum fails to address the statutory requirements of realistic development capacity, typical densities, or accessibility of utilities.

- The 72% of maximum approach overestimates the capacity to accommodate below market rate (lower and moderate income) housing. By multiplying the very high density maximums of the Patrick Henry area times the very large acreages of the parcels there, the inventory projects that subsidized housing projects of 500-1,000 units could be built.

    - The City ignores this, claiming that "default" density rules require HCD to accept the sites for lower income without considering affordability in setting the capacity estimate, as long as the site is zoned for more than 30 units/acre. Draft at p. 13.6-17. This approach to realistic capacity is contrary to AB 1397 which directs the City to analyze typical densities at similar levels of affordability, and the data confirming that no 100% affordable development has ever been built at the scale projected for the Patrick Henry sites.

- The City also fails to take into account the land use controls that require parkland on a portion of certain sites. While the City Attorney's office has argued that the gross acreage of the site can be used in calculating the minimum/maximum density (ignoring that a portion is to be dedicated to parks), a realistic capacity analysis requires that the city analyze how the parkland dedication requirement would make it much more expensive to achieve the same density (because more units would have to be built on a more limited footprint), particularly for a 100% affordable project. In continuing to ignore this issue and pointing only to the "default density" rule, the City violates Government Code section 65583.2(c), which requires this analysis.

3. The City Must Address the Unaccommodated Need from the 2015 Regional Housing Needs Allocation

We have previously explained why the City is required to address a shortfall from the fifth cycle: the City promised in its Fifth Cycle Housing Element to rezone 158 sites on the El Camino Real, but then delayed – and still hasn't rezoned most of them – leaving the need for lower income housing unaccommodated during 2015-2022. Housing Element promises to rezone are supposed to matter, under Government Code section 65584.09(a).

While rezoning some of those sites now will help, under 65584.09 the City is required to meet not just the sixth cycle RHNA numbers, but also calculate and address the unaccommodated need from the prior planning period, as explained at greater length in our November 30, 2022 letter.

4. Conclusion: The Draft Housing Element Should be Revised

The issues identified in this letter show that the Revised Draft does not substantially comply with state law. It contains unrealistic sites and unsupported projections, and does not address the unaccommodated need from the City's failure to implement its 2015-2022 rezoning promises. The City should revise this draft by identifying additional realistic and available sites to include in the inventory, rezoning additional properties geographically dispersed throughout the City, and using a reasoned approach to calculate the realistic capacity of its proposed sites in a manner consistent with state law.

Respectfully submitted,

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Charles J. Higley

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Appendix B - Electronic Sites Inventory

Table A: Housing Element Sites Inventory

Jurisdiction Name	Site Address/Intersection	5 Digit ZIP Code	Assessor Parcel Number	Consolidated Sites	General Plan Designation (Current)	Zoning Designation (Current)	Minimum Density Allowed (units/acre)	Max Density Allowed (units/acre)	Parcel Size (Acres)	Existing Use/Vacancy	Infrastructure	Publicly-Owned	Site Status	Identified in Last/Last Two Planning Cycle(s)	Lower Income Capacity	Moderate Income Capacity	Above Moderate Income Capacity	Total Capacity	Optional Information1	Optional Information2	Optional Information3
SANTA CLARA	1601 Civic Center Drive	95050	224-49-006		DHRE	PD	37	50	1.495874	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	106	2	0	108	Rezoned to PD (PLN21-15206) / 53 ELI + 53 VLI		1601 Civic Center Drive
SANTA CLARA	1834 Worthington Circle/90 N. Winchester Blvd	95117	303-17-053		MDRE	PD	19	36	5.791808	Agricultural/open space	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	163	18	144	325	Rezoned to PD (PLN2016-12389) / Prior APNs: 303-17-055, -056, -057, -058, -059		Agrihood Mixed-Use Development Project
SANTA CLARA	2200 Calle De Luna	95054	097-05-058		DHRE	TN	100	350	3.699773	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	69	510	579			TE 2200 Calle De Luna (Holland)
SANTA CLARA	2233 Calle Del Mundo	95054	097-05-059		DHRE	TN	100	350	1.164296	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	195	0	1	196			TE 2233 Calle Del Mundo (St. Anton)
SANTA CLARA	2302/2310 Calle Del Mundo	95054	097-46-024		DHRE	TN	60	350	0.987249	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	150	0	1	151			TE 2302/2310 Calle Del Mundo (Ensemble)
SANTA CLARA	2330 Monroe Street	95050	224-37-068		MDRE	PD	19	36	2.690116	Under Construction (pending project)	YES - Current	YES - City-Owned	Pending Project	Not Used in Prior Housing Element	64	0	1	65	Rezoned to PD (PLN2019-13723)		2330 Monroe Street Affordable Housing Project (Freebird)
SANTA CLARA	2343 Calle Del Mundo	95054	097-05-110		DHRE	TN	100	350	2.666977	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	41	305	346	Prior APNs: 097-05-064, -063, and -062		TE 2343 Calle Del Mundo (Summerhill)
SANTA CLARA	2354 Calle Del Mundo	95054	097-46-002		DHRE	TN	60	350	0.458703	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	10	78	88			TE 2354 Calle Del Mundo (Ensemble)
SANTA CLARA	2901 Patrick Henry Drive	95054	104-04-078		UBVG	UV	100	149	6.496663	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	80	40	680	800		1	PHD Sares Regis
SANTA CLARA	3000 Patrick Henry Drive	95054	104-04-093		UBVG	UV	100	149	2.518497	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	31	15	261	307			PHD Summerhill
SANTA CLARA	3035 El Camino Real	95051	220-32-059		CMU	PD	19	36	1.879895	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	4	44	48	Rezoned to PD (PLN2018-13265)		3035 El Camino Real Residential Project
SANTA CLARA	3069 Lawrence Expressway	95051	216-34-052		VHDR	LSAP	51	100	3.82527	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	328	328			LSAP 3517 Ryder Street (Westlake Urban)
SANTA CLARA	3131 Homestead Road	95051	290-24-071		MDRE	R3-25D	19	36	12.522892	Residential	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	9	174	183	Pending project / higher densities approved per AB 3194		Laguna Clara II (Equity)
SANTA CLARA	3550 El Camino Real	95051	290-01-113		RMU	CT	37	50	1.147904	Hotel/motel	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	120	0	0	120	Pending project / higher densities approved per AB 3194 / SB 35 (PRE21-00023)		Clara Gardens - 3550 El Camino Real
SANTA CLARA	3575 De La Cruz Boulevard	95054	101-15-049		VLDR	B	1	18	0.696784	Vacant	YES - Current	YES - City-Owned	Pending Project	Not Used in Prior Housing Element	13	2	0	15	Pending project / higher densities approved per AB 3194 (PLN22-00518)		3575 De La Cruz Boulevard
SANTA CLARA	3580 Rambla Place	95051	216-59-001		VHDR	LSAP	51	100	2.57464	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	5	48	233	286			LSAP 3580 Rambla Place (Summerhill)
SANTA CLARA	3941 Stevens Creek Boulevard	95051	294-39-010		CMU	CT	19	36	0.589208	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	58	0	1	59	Pending project / higher densities approved per AB 3194 (PLN21-15213)		3941 Stevens Creek Blvd - The Meridian
SANTA CLARA	4590 Patrick Henry Drive	95054	104-04-123		UBVG	UV	100	149	2.795228	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	40	20	353	413		1	PHD Walnut Hill
SANTA CLARA	5185 Lafayette Street	95054	097-46-011		DHRE	TN	60	350	0.897176	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	15	183	198			TE 5185 Lafayette Street (Ensemble)
SANTA CLARA	80 Saratoga Avenue	95051	294-36-018		CMU	OG	19	36	0.409406	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	198	2	0	200	Pending project / higher densities approved per SB 35 (PLN21-15214)		80 Saratoga Avenue
SANTA CLARA	1205 Coleman Avenue	95050	230-60-001	A	VHDMU	VHDMU	50	120	3.695906	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	37	36	652	725			Gateway Crossings (Hunter/Storm) - Phase 1
SANTA CLARA	1205 Coleman Avenue	95050	230-60-002	A	VHDMU	VHDMU	50	120	4.025557	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			Gateway Crossings (Hunter/Storm) - Phase 1
SANTA CLARA	1205 Coleman Avenue	95050	230-60-003	B	VHDMU	VHDMU	50	120	2.758509	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	42	42	756	840			Gateway Crossings (Hunter/Storm) - Phase 2
SANTA CLARA	1205 Coleman Avenue	95050	230-60-004	B	VHDMU	VHDMU	50	120	3.958583	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			Gateway Crossings (Hunter/Storm) - Phase 2
SANTA CLARA																		0			
SANTA CLARA																		0			
SANTA CLARA																		0			
SANTA CLARA	1890 El Camino Real	95050	269-63-012	D	CMU	PD	19	36	0.016357	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	4	4	48	56	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-021	D	CMU	PD	19	36	0.016367	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-003	D	CMU	PD	19	36	0.016387	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-006	D	CMU	PD	19	36	0.016403	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-039	D	CMU	PD	19	36	0.016617	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-042	D	CMU	PD	19	36	0.016625	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-015	D	CMU	PD	19	36	0.016629	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-008	D	CMU	PD	19	36	0.018925	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-041	D	CMU	PD	19	36	0.020715	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-027	D	CMU	PD	19	36	0.023183	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-049	D	CMU	PD	19	36	0.02526	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-019	D	CMU	PD	19	36	0.025282	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-001	D	CMU	PD	19	36	0.025297	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-002	D	CMU	PD	19	36	0.025305	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-048	D	CMU	PD	19	36	0.025322	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-010	D	CMU	PD	19	36	0.025567	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-009	D	CMU	PD	19	36	0.025576	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-052	D	CMU	PD	19	36	0.025676	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-044	D	CMU	PD	19	36	0.025699	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-051	D	CMU	PD	19	36	0.028544	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-007	D	CMU	PD	19	36	0.03199	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-031	D	CMU	PD	19	36	0.032001	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-036	D	CMU	PD	19	36	0.032908	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-013	D	CMU	PD	19	36	0.032972	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1890 El Camino Real	95050	269-63-011	D	CMU	PD	19	36	0.032992	Commercial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2015-11361)		Villa Bella Residential Project
SANTA CLARA	1530 Pomeroy Avenue	95051	290-02-097	E	VLDR	PD	1	18	0.257028	Residential	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2016-12053). 1 existing residential unit		1530-1540 Pomeroy Avenue Residential Project
SANTA CLARA	1540 Pomeroy Avenue	95051	290-02-096	E	CMU	PD	19	36	0.207086	Residential	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	8	8	Rezoned to PD (PLN2016-12053). 1 existing residential unit		1530-1540 Pomeroy Avenue Residential Project
SANTA CLARA	2961 Corvin Drive	95051	216-66-033	F	MDRE	LSAP	20	36	0.012775	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	4	34	38			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-036	F	MDRE	LSAP	20	36	0.012779	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-031	F	MDRE	LSAP	20	36	0.013029	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-003	F	MDRE	LSAP	20	36	0.013386	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-004	F	MDRE	LSAP	20	36	0.013386	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-015	F	MDRE	LSAP	20	36	0.013388	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-016	F	MDRE	LSAP	20	36	0.01339	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-027	F	MDRE	LSAP	20	36	0.013542	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-021	F	MDRE	LSAP	20	36	0.01355	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-010	F	MDRE	LSAP	20	36	0.013556	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-030	F	MDRE	LSAP	20	36	0.01386	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-034	F	MDRE	LSAP	20	36	0.014202	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-035	F	MDRE	LSAP	20	36	0.014205	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-005	F	MDRE	LSAP	20	36	0.014359	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-002	F	MDRE	LSAP	20	36	0.014359	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-014	F	MDRE	LSAP	20	36	0.01436	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-017	F	MDRE	LSAP	20	36	0.014365	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-026	F	MDRE	LSAP	20	36	0.014816	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-009	F	MDRE	LSAP	20	36	0.014832	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-020	F	MDRE	LSAP	20	36	0.014843	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-037	F	MDRE	LSAP	20	36	0.016811	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-019	F	MDRE	LSAP	20	36	0.017459	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-025	F	MDRE	LSAP	20	36	0.017469	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-028	F	MDRE	LSAP	20	36	0.017469	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-022	F	MDRE	LSAP	20	36	0.017479	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-008	F	MDRE	LSAP	20	36	0.017487	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-011	F	MDRE	LSAP	20	36	0.017488	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-038	F	MDRE	LSAP	20	36	0.017874	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-023	F	MDRE	LSAP	20	36	0.018039	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-024	F	MDRE	LSAP	20	36	0.018147	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-018	F	MDRE	LSAP	20	36	0.018157	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-007	F	MDRE	LSAP	20	36	0.018166	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-013	F	MDRE	LSAP	20	36	0.018174	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-001	F	MDRE	LSAP	20	36	0.018175	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-012	F	MDRE	LSAP	20	36	0.018203	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-006	F	MDRE	LSAP	20	36	0.018212	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-032	F	MDRE	LSAP	20	36	0.019274	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2961 Corvin Drive	95051	216-66-029	F	MDRE	LSAP	20	36	0.019411	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 2961 Corvin Drive (Toll Brothers)
SANTA CLARA	2903 Corvin Drive 115	95051	216-63-017	G	MDRE	LSAP	20	36	0.017325	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2903 Corvin Drive 117	95051	216-63-016	G	MDRE	LSAP	20	36	0.015883	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2903 Corvin Drive 119	95051	216-63-015	G	MDRE	LSAP	20	36	0.015922	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2905 Noyce Place 169	95051	216-63-030	G	MDRE	LSAP	20	36	0.016189	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2905 Noyce Place 171	95051	216-63-029	G	MDRE	LSAP	20	36	0.014648	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	5	40	45			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2905 Noyce Place 173	95051	216-63-028	G	MDRE	LSAP	20	36	0.015128	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2905 Noyce Place 175	95051	216-63-027	G	MDRE	LSAP	20	36	0.014767	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2905 Noyce Place 177	95051	216-63-026	G	MDRE	LSAP	20	36	0.015246	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2905 Noyce Place 179	95051	216-63-025	G	MDRE	LSAP	20	36	0.016271	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2907 Corvin Drive 121	95051	216-63-014	G	MDRE	LSAP	20	36	0.016597	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2907 Corvin Drive 123	95051	216-63-013	G	MDRE	LSAP	20	36	0.014773	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2907 Corvin Drive 125	95051	216-63-012	G	MDRE	LSAP	20	36	0.015288	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2907 Corvin Drive 127	95051	216-63-011	G	MDRE	LSAP	20	36	0.014778	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2907 Corvin Drive 129	95051	216-63-010	G	MDRE	LSAP	20	36	0.015172	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2907 Corvin Drive 131	95051	216-63-009	G	MDRE	LSAP	20	36	0.016664	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2909 Corvin Drive 133	95051	216-63-036	G	MDRE	LSAP	20	36	0.016486	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2909 Corvin Drive 135	95051	216-63-035	G	MDRE	LSAP	20	36	0.015076	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2909 Corvin Drive 137	95051	216-63-034	G	MDRE	LSAP	20	36	0.015456	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2909 Corvin Drive 139	95051	216-63-033	G	MDRE	LSAP	20	36	0.015091	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2909 Corvin Drive 141	95051	216-63-032	G	MDRE	LSAP	20	36	0.015482	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2909 Corvin Drive 143	95051	216-63-031	G	MDRE	LSAP	20	36	0.01721	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2911 Noyce Place 181	95051	216-63-041	G	MDRE	LSAP	20	36	0.016675	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2911 Noyce Place 183	95051	216-63-040	G	MDRE	LSAP	20	36	0.01509	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2911 Noyce Place 185	95051	216-63-039	G	MDRE	LSAP	20	36	0.015603	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2911 Noyce Place 187	95051	216-63-038	G	MDRE	LSAP	20	36	0.015251	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2911 Noyce Place 189	95051	216-63-037	G	MDRE	LSAP	20	36	0.016692	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2913 Corvin Drive 145	95051	216-63-047	G	MDRE	LSAP	20	36	0.016728	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2913 Corvin Drive 147	95051	216-63-046	G	MDRE	LSAP	20	36	0.015283	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2913 Corvin Drive 149	95051	216-63-045	G	MDRE	LSAP	20	36	0.015696	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2913 Corvin Drive 151	95051	216-63-044	G	MDRE	LSAP	20	36	0.015311	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2913 Corvin Drive 153	95051	216-63-043	G	MDRE	LSAP	20	36	0.015695	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2913 Corvin Drive 155	95051	216-63-042	G	MDRE	LSAP	20	36	0.017455	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2915 Corvin Drive 157	95051	216-63-053	G	MDRE	LSAP	20	36	0.016921	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2915 Corvin Drive 159	95051	216-63-052	G	MDRE	LSAP	20	36	0.015462	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2915 Corvin Drive 161	95051	216-63-051	G	MDRE	LSAP	20	36	0.015863	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2915 Corvin Drive 163	95051	216-63-050	G	MDRE	LSAP	20	36	0.015453	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	2915 Corvin Drive 165	95051	216-63-049	G	MDRE	LSAP	20	36	0.015871	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)

Jurisdiction Name	Site Address/Intersection	5 Digit ZIP Code	Assessor Parcel Number	Consolidated Sites	General Plan Designation (Current)	Zoning Designation (Current)	Minimum Density Allowed (units/acre)	Max Density Allowed (units/acre)	Parcel Size (Acres)	Existing Use/Vacancy	Infrastructure	Publicly-Owned	Site Status	Identified in Last/Last Two Planning Cycle(s)	Lower Income Capacity	Moderate Income Capacity	Above Moderate Income Capacity	Total Capacity	Optional Information1	Optional Information2	Optional Information3
SANTA CLARA	2915 Corvin Drive 167	95051	216-63-048	G	MDRE	LSAP	20	36	0.01766	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	3303 Kifer Road 101	95051	216-63-024	G	MDRE	LSAP	20	36	0.017486	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	3303 Kifer Road 103	95051	216-63-023	G	MDRE	LSAP	20	36	0.014864	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	3303 Kifer Road 105	95051	216-63-022	G	MDRE	LSAP	20	36	0.015484	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	3303 Kifer Road 107	95051	216-63-021	G	MDRE	LSAP	20	36	0.014859	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	3303 Kifer Road 109	95051	216-63-020	G	MDRE	LSAP	20	36	0.015487	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	3303 Kifer Road 111	95051	216-63-019	G	MDRE	LSAP	20	36	0.014865	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	3303 Kifer Road 113	95051	216-63-018	G	MDRE	LSAP	20	36	0.017273	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			LSAP 3305 Kifer Road (Toll Brothers)
SANTA CLARA	3905 Freedom Circle	95054	104-40-036	H	VHDR	PD	51	100	5.136416	Vacant	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	108	54	913	1075	Rezoned to PD (PLN2017-12516)		3905 Freedom Circle Mixed-Use Project (Greystar)
SANTA CLARA	3905 Freedom Circle	95054	104-40-021	H	VHDR	PD	51	100	8.224978	Vacant	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD (PLN2017-12516)		3905 Freedom Circle Mixed-Use Project (Greystar)
SANTA CLARA	2101 Tasman Drive	95054	097-05-057	I	DHRE	TN	100	350	2.3864	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	950	950			TE 2101 Tasman Drive (Related California)
SANTA CLARA	2101 Tasman Drive	95054	097-05-056	I	DHRE	TN	100	350	6.635837	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			TE 2101 Tasman Drive (Related California)
SANTA CLARA	2263 Calle Del Mundo	95054	097-05-060	J	DHRE	TN	60	350	0.955107	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			TE 2263 Calle Del Mundo (Ensemble)
SANTA CLARA	2263 Calle Del Mundo	95054	097-05-061	J	DHRE	TN	60	350	0.98725	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	301	301			TE 2263 Calle Del Mundo (Ensemble)
SANTA CLARA	2300 Calle De Luna	95054	097-46-018	K	DHRE	TN	100	350	1.173241	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	684	684	Prior APNs: 097-46-031, 032, -033		TE 2300 Calle De Luna (Related California)
SANTA CLARA	2300 Calle De Luna	95054	097-46-016	K	DHRE	TN	100	350	1.287041	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Prior APNs: 097-46-031, 032, -033		TE 2300 Calle De Luna (Related California)
SANTA CLARA	2300 Calle De Luna	95054	097-46-017	K	DHRE	TN	100	350	1.531507	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Prior APNs: 097-46-031, 032, -033		TE 2300 Calle De Luna (Related California)
SANTA CLARA	2300 Calle De Luna	95054	097-46-028	K	DHRE	TN	100	350	1.609845	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Prior APNs: 097-46-031, 032, -033		TE 2300 Calle De Luna (Related California)
SANTA CLARA	5155 Stars & Stripes Drive	95054	104-03-039	L	UCED	PD-MC	37	90	2.990044	Vacant	YES - Current	YES - City-Owned	Pending Project	Not Used in Prior Housing Element	0	20	1660	1680	Rezoned to PD-MC (PLN2014-10554)		Related Santa Clara - Phase 1
SANTA CLARA	5155 Stars & Stripes Drive	95054	104-03-038	L	UCED	PD-MC	37	90	4.401292	Vacant	YES - Current	YES - City-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD-MC (PLN2014-10554)		Related Santa Clara - Phase 1
SANTA CLARA	5155 Stars & Stripes Drive	95054	104-01-102	L	UCED	PD-MC	37	90	35.853211	Vacant	YES - Current	YES - City-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD-MC (PLN2014-10554)		Related Santa Clara - Phase 1
SANTA CLARA	5155 Stars & Stripes Drive	95054	104-03-036	L	UCED	PD-MC	37	90	86.154927	Vacant	YES - Current	YES - City-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0	Rezoned to PD-MC (PLN2014-10554)		Related Santa Clara - Phase 1
SANTA CLARA	5123 Calle Del Sol	95054	097-46-029	M	DHRE	TN	60	350	0.782628	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	503	503			TE 5123 Calle Del Sol (Ensemble) - Phase I & II
SANTA CLARA	5123 Calle Del Sol	95054	097-46-019	M	DHRE	TN	100	350	1.865499	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			TE 5123 Calle Del Sol (Ensemble) - Phase I & II
SANTA CLARA	2225 Calle De Luna	95054	097-46-020	N	DHRE	TN	100	350	1.067009	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	0	0	0	0			TE 2225 Calle de Luna & 2232 Calle del Mundo
SANTA CLARA	2232 Calle Del Mundo	95054	097-46-027	N	DHRE	TN	100	350	1.066643	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	8	40	322	370			TE 2225 Calle de Luna & 2232 Calle del Mundo
SANTA CLARA																		0			
SANTA CLARA	2262 Calle Del Mundo	95054	097-46-026		TN	TN	60	350	0.482545	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	31	31	62		4, 5, 7, 8	
SANTA CLARA	2271 Calle De Luna	95054	097-46-021		TN	TN	60	350	0.929071	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	84	35	0	119		4, 5, 8	
SANTA CLARA	2272 Calle Del Mundo	95054	097-46-025		TN	TN	60	350	0.481745	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	31	31	62		4, 5, 8	
SANTA CLARA	2281 Calle De Luna	95054	097-46-023		TN	TN	60	350	0.939815	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	85	36	0	121		4, 5, 8	
SANTA CLARA	2301 Calle De Luna	95054	097-46-007	S	TN	TN	60	350	0.459185	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	124	53	0	177		4, 5, 8	
SANTA CLARA	2309 Calle De Luna	95054	097-46-008	S	TN	TN	60	350	0.459186	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	2317 Calle De Luna	95054	097-46-009	S	TN	TN	60	350	0.460984	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	2322 Calle Del Mundo	95054	097-46-006	R	TN	TN	60	350	0.459186	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	124	53	0	177		4, 5, 8	
SANTA CLARA	2325 Calle De Luna	95054	097-46-010		TN	TN	60	350	0.472659	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	30	30	60		4, 5, 8	
SANTA CLARA	2330 Calle Del Mundo	95054	097-46-005	R	TN	TN	60	350	0.459186	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	2338 Calle Del Mundo	95054	097-46-004	R	TN	TN	60	350	0.458805	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 7, 8	
SANTA CLARA	2346 Calle Del Mundo	95054	097-46-003		TN	TN	60	350	0.458668	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	30	29	59		4, 5, 7, 8	
SANTA CLARA	2900 Patrick Henry Drive	95054	104-04-095		UBVG	UV	100	149	1.983616	Educational/institutional/religious	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	149	63	0	212		4, 5, 8	
SANTA CLARA	2950 Patrick Henry Drive	95054	104-04-094		UBVG	UV	100	149	2.517905	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	189	81	0	270		4, 5, 7, 8	
SANTA CLARA	3031 Corvin Drive	95051	216-33-022		MDRE	LSAP	20	36	0.609543	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	6	6	12		4, 5, 7, 8	
SANTA CLARA	3051 Corvin Drive	95051	216-33-036		MDRE	LSAP	20	36	0.603888	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	6	6	12		4, 5, 8	
SANTA CLARA	3055 Patrick Henry Drive	95054	104-04-136		UC	UC	120	250	3.821098	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	481	206	0	687		4, 5, 7, 8	
SANTA CLARA	3071 Corvin Drive	95051	216-33-037		MDRE	LSAP	20	36	0.780375	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	8	7	15		4, 5, 7, 8	
SANTA CLARA	3100 Patrick Henry Drive	95054	104-04-128		UBVG	UV	100	149	2.519292	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	189	81	0	270		4, 5, 7, 8	
SANTA CLARA	3105 Patrick Henry Drive	95054	104-04-131		VHDR	VHDR	51	100	3.795996	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	189	81	0	270		4, 5, 7, 8	
SANTA CLARA	3200 Patrick Henry Drive	95054	104-04-089	T	UBVG	UV	100	149	1.285564	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	96	41	0	137		4, 5, 7, 8	
SANTA CLARA	3200 Patrick Henry Drive	95054	104-04-124	T	UBVG	UV	100	149	4.679705	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	352	150	0	502		4, 5, 7, 8	
SANTA CLARA	3323 Kifer Road	95051	216-33-035		VHDR	LSAP	51	100	0.531195	Industrial	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	79	1	0	80			LSAP 3323 Kifer Road (Kifer Senior Apartments)
SANTA CLARA	3450 Central Expressway	95051	216-34-079		VHDR	LSAP	51	100	3.139213	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	214	91	0	305	Previously 3450 Copper Place (APN 216-60-045)	1	
SANTA CLARA	4633 Old Ironsides Drive	95054	104-04-141		HDF	HDF	60	149	2.60243	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	196	83	0	279		1, 4, 5, 7, 8	
SANTA CLARA	4655 Old Ironsides Drive	95054	104-04-140		HDF	HDF	60	149	2.699689	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	203	86	0	289		1, 4, 5, 7, 8	
SANTA CLARA	4677 Old Ironsides Drive	95054	104-04-139		HDF	HDF	60	149	2.531554	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	190	81	0	271		1, 4, 5, 7, 8	
SANTA CLARA	4699 Old Ironsides Drive	95054	104-04-138		HDF	HDF	60	149	1.734805	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	131	55	0	186		1, 4, 5, 8	
SANTA CLARA	5191 Lafayette Street	95054	097-46-001		TN	TN	60	350	0.512947	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	47	19	0	66		4, 5, 7, 8	
SANTA CLARA	4701 Patrick Henry Drive	95054	See note	O	VR	VR	60	149	6.814311	Parking	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	681	291	0	972	Common area does not have an assigned APN / Common area assessed with units	1, 4, 5, 7, 8, 9	
SANTA CLARA	4701 Patrick Henry Drive Unit 1001	95054	104-53-007	O	VR	VR	60	149	0.078107	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 101	95054	104-53-001	O	VR	VR	60	149	0.091117	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 1101	95054	104-53-009	O	VR	VR	60	149	0.069394	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 7, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 1201	95054	104-53-008	O	VR	VR	60	149	0.078105	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 1301	95054	104-53-010	O	VR	VR	60	149	0.069385	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 7, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 1401	95054	104-53-011	O	VR	VR	60	149	0.078101	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 1501	95054	104-53-019	O	VR	VR	60	149	0.069387	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 1601	95054	104-53-018	O	VR	VR	60	149	0.078108	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 1701, Unit 1702	95054	104-53-021	O	VR	VR	60	149	0.113878	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 1801	95054	104-53-020	O	VR	VR	60	149	0.078105	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 1901	95054	104-53-022	O	VR	VR	60	149	0.090637	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 7, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 2001	95054	104-53-023	O	VR	VR	60	149	0.078111	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 7, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 201	95054	104-53-014	O	VR	VR	60	149	0.078105	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 2101	95054	104-53-024	O	VR	VR	60	149	0.113885	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 7, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 2201	95054	104-53-017	O	VR	VR	60	149	0.078107	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 2301	95054	104-53-025	O	VR	VR	60	149	0.113872	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 2401	95054	104-53-016	O	VR	VR	60	149	0.078105	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 2501	95054	104-53-026	O	VR	VR	60	149	0.091121	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 2601	95054	104-53-015	O	VR	VR	60	149	0.078107	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 301	95054	104-53-002	O	VR	VR	60	149	0.113874	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 401	95054	104-53-013	O	VR	VR	60	149	0.078114	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 7, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 501	95054	104-53-003	O	VR	VR	60	149	0.091121	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 7, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 601	95054	104-53-012	O	VR	VR	60	149	0.078106	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 701	95054	104-53-005	O	VR	VR	60	149	0.113879	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 801	95054	104-53-004	O	VR	VR	60	149	0.07811	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 8	
SANTA CLARA	4701 Patrick Henry Drive Unit 901	95054	104-53-006	O	VR	VR	60	149	0.091122	Industrial	YES - Current	NO - Privately-Owned	Available	Not Used in Prior Housing Element	0	0	0	0		4, 5, 7, 8	
SANTA CLARA	2655 The Alameda	95050	230-12-012		VHDR	PD	50	100	0.39	Vacant	YES - Current	NO - Privately-Owned	Pending Project	Not Used in Prior Housing Element	3	3	33	39			
SANTA CLARA																		0			
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Table B: Candidate Sites Identified to be Rezoned to Accommodate Shortfall Housing Need

Note: These sites are not required to meet a RHNA shortfall, but have been included in the Housing Element to meet the recommended buffer for lower income units.

Jurisdiction Name	Site Address/Intersection	5 Digit ZIP Code	Assessor Parcel Number	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Type of Shortfall	Parcel Size (Acres)	Current General Plan Designation	Current Zoning	Proposed General Plan (GP) Designation	Proposed Zoning	Minimum Density Allowed	Maximum Density Allowed	Total Capacity	Vacant/ Nonvacant	Description of Existing Uses	Infrastructure	Optional Information1 [Consolidated Sites]	Optional Information2 [Site Suitability]	Optional Information3
SANTA CLARA																						
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SANTA CLARA																						
SANTA CLARA	3775 El Camino Real	95051	213-35-035	32.00	24.00	25.00	0.00	Shortfall of Sites	2.185194	RMU	CC	RMU	MU-RC	37	50	81	Non-Vacant	Commercial	Yes - Current		6, 8	
SANTA CLARA																						
SANTA CLARA																						
SANTA CLARA																						
SANTA CLARA	2789 El Camino Real	95051	216-01-059	14.00	9.00	10.00	0.00	Shortfall of Sites	0.884352	RMU	CT	RMU	MU-RC	37	50	33	Non-Vacant	Commercial	Yes - Current		6	
SANTA CLARA	2213 El Camino Real	95050	224-15-029	19.00	13.00	14.00	0.00	Shortfall of Sites	1.22	RMU	CT	RMU	MU-RC	37	50	46	Non-Vacant	Commercial	Yes - Current		6, 8	
SANTA CLARA	2065 El Camino Real	95050	224-15-037	96.00	71.00	72.00	0.00	Shortfall of Sites	6.438	RMU	CC	RMU	MU-RC	37	50	239	Non-Vacant	Commercial	Yes - Current		6, 7, 8	
SANTA CLARA	3590 El Camino Real	95051	290-01-115	10.00	7.00	8.00	0.00	Shortfall of Sites	0.67	RMU	CT	RMU	MU-RC	37	50	25	Non-Vacant	Commercial	Yes - Current	Q	6, 7, 8	
SANTA CLARA	3580 El Camino Real	95051	290-01-116	23.00	17.00	18.00	0.00	Shortfall of Sites	1.56	RMU	CT	RMU	MU-RC	37	50	58	Non-Vacant	Hotel/motel	Yes - Current	Q	6, 7, 8	
SANTA CLARA	3570 El Camino Real	95051	290-01-117	6.00	4.00	5.00	0.00	Shortfall of Sites	0.39	RMU	CT	RMU	MU-RC	37	50	15	Non-Vacant	Commercial	Yes - Current	Q	6, 7, 8	
SANTA CLARA																						
SANTA CLARA	2200 El Camino Real	95050	290-10-078	14.00	10.00	11.00	0.00	Shortfall of Sites	0.945156	RMU	CC	RMU	MU-RC	37	50	35	Non-Vacant	Commercial	Yes - Current		6, 7, 8	
SANTA CLARA	3750 El Camino Real	95051	313-05-010	10.00	7.00	8.00	0.00	Shortfall of Sites	0.67	RMU	CC	RMU	MU-RC	37	50	25	Non-Vacant	Commercial	Yes - Current		6, 7, 8	
SANTA CLARA	1484 Halford Avenue	95051	313-05-011	19.00	14.00	15.00	0.00	Shortfall of Sites	1.29	RMU	CC	RMU	MU-RC	37	50	48	Non-Vacant	Commercial	Yes - Current		6, 7, 8	
SANTA CLARA	1460 Halford Avenue	95051	313-05-012	18.00	12.00	14.00	0.00	Shortfall of Sites	1.18	RMU	CC	RMU	MU-RC	37	50	44	Non-Vacant	Commercial	Yes - Current		6, 8	
SANTA CLARA	3740 El Camino Real	95051	313-06-003	10.00	7.00	8.00	0.00	Shortfall of Sites	0.66	RMU	CC	RMU	MU-RC	37	50	25	Non-Vacant	Commercial	Yes - Current		6, 7, 8	
SANTA CLARA	3530 El Camino Real	95051	290-01-114	8.00	6.00	6.00	0.00	Shortfall of Sites	0.54	RMU	CT	RMU	MU-RC	37	50	20	Non-Vacant	Commercial	Yes - Current		6, 7, 8	
SANTA CLARA	2232 El Camino Real	95050	290-10-091	30	22	23	0	Shortfall of Sites	2.03	RMU	CT	RMU	MU-RC	37	50	75	Non-Vacant	Commercial	YES - Current	U	6, 7, 8	
SANTA CLARA	2240 El Camino Real	95050	290-10-090	10	13	13	0	Shortfall of Sites	0.7	RMU	CT	RMU	MU-RC	37	50	36	Non-Vacant	Commercial	YES - Current	U	6, 7, 8	
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Table C: Land Use, Table Starts in A2

Zoning Designation From Table A, Column G and Table B, Columns L and N (e.g., "R-1")	General Land Uses Allowed (e.g., "Low-density residential")
A	Low-density residential (see Ch. 18.08) / Low- to moderate-density residential (per PD)
B	Pulbic Quasi-Public, and Public Park or Recreation
CC	Shopping centers (see Ch. 18.36) / Moderate-density residential (per PD)
CT	Large-scale and auto-oriented commercial (see Ch. 18.38) / High-density residential (per PD)
HT	Low-density residential (see Ch. 18.58) / Moderate-density residential (per PD)
OG	Administrative and business office centers (see Ch. 18.32) / Moderate-density residential (per PD)
PD	Any and all uses are permitted in this district / The density of the proposed project shall determine the corresponding zone (see Ch. 18.54)
PD-MC	Large-scale mixed-use development including residential with commercial, office, research and development, and/or public uses / Density determined per master community plan and development area plan. (see Ch. 18.56)
R3-18D	Low- to moderate-density residential (see Ch. 18.16)
R3-25D	Multi-unit housing at a moderate medium density (see Ch. 18.18)
VHDMU	Very high-density mixed-use: 50-120 du/ac (see Ch. 18.22, Article III)
TN	High-density, transit-oriented residential district with supportive retail services (see Ch. 18.25)
LSAP	High-density, transit-oriented residential district with supportive retail services (see Ch. 18.23)
HDF	PHD - Transit-oriented, multi-family residential development interspersed with office: 60-149 du/ac (see Ch. 18.27)

Zoning Designation From Table A, Column G and Table B, Columns L and N (e.g., "R-1")	General Land Uses Allowed (e.g., "Low-density residential")
UC	PHD - Transit-oriented, multi-family residential development at very high densities: 120-250 du/ac (see Ch. 18.27)
UV	PHD - Urban-scale, transit-oriented, multi-family residential development at very high densities: 100-149 du/ac (see Ch. 18.27)
VHDR	PHD - Very high-density residential: 51-100 du/ac (see Ch. 18.27)
VR	PHD - Multi-family residential development at very high densities: 60-149 du/ac (see Ch.18.27)
MU-RC	Regional Commercial and High Density Residential Uses: 37-50 du/ac (see GP Table 8.3-1: Matrix of Comparison of Land Use Designations)

C

Appendix C
Supplemental Sites Inventory Analysis [NEW]

Sites to Meet the RHNA

Santa Clara has taken concrete steps, including the recent adoption of multiple specific plans, to support a significant amount of new housing development within the City. There are 12,209 units in pending and approved projects with a status of either: proposed (i.e. awaiting Planning approval), approved (all required Planning entitlements secured), under construction, or occupied (See Table 13.6-2 Pending and Approved Projects).

The majority of pending and approved projects are market rate with the conservative assumption that assigns the 10,201 units from those projects into the Above Moderate (above 120% AMI) affordability category. The remaining pending and approved projects include over 2,000 restricted affordable units, because of the City's inclusionary requirements and/or the development of 100% affordable projects.

Although the total number of pending and approved units (12,209) exceeds the City's total RHNA of 11,632 units, as shown in the below table, these projects do not fully meet the City's RHNA requirement within the Very Low (0-50% AMI), Low (50-80% AMI), and Moderate (80-120% AMI) affordability categories.

In addition to the City's pending and approved projects (12,209 units) and projected ADU production (393 units), the Housing Element Sites Inventory includes redevelopment of available specific plan sites (5,592 units) and certain rezoning sites along the El Camino Real corridor (805 units).

The sites to meet the City's RHNA includes a surplus of units (buffer beyond the minimum RHNA target) in all affordability categories (i.e. Lower, Moderate, Above Moderate) above the 15 to 30-percent buffer recommended by HCD to comply with "no net loss" provisions of State Housing Element law, which requires jurisdictions to maintain a sufficient capacity to accommodate their RHNA throughout the planning period at all income levels.

Table 13.C-1 Sites to Meet the RHNA

Site/Credit Type	*Affordability Category*				*Total Capacity*
	Lower		Moderate	Above Moderate	
	Very Low [0-50% AMI]	Low [50-80% AMI]	[80-120% AMI]	[> 120% AMI]	
Pending and Approved Projects	710	794	504	10,201	12,209
Tasman East Focus Area	*114*	*239*	*175*	*3,838*	*4,366*
Patrick Henry Drive Focus	*76*	*75*	*75*	*1,294*	*1,520*
Lawrence Station Area Plan	*39*	*45*	*58*	*635*	*777*
Freedom Circle Focus Area	*54*	*54*	*54*	*913*	*1,075*
Other	*427*	*381*	*142*	*3,521*	*4,471*
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	2,138	1,586	1,728	140	5,592
Tasman East Focus Area	*268*	*196*	*318*	*121*	*903*
Patrick Henry Drive Focus Area	*1,747*	*1,299*	*1,299*	-	*4,345*
Lawrence Station Area Plan	*123*	*91*	*111*	*19*	*344*
El Camino Real Rezoning Sites	319	236	250	-	805
Total	**3,285**	**2,734**	**2,600**	**10,380**	**18,999**
RHNA	2,872	1,653	1,981	5,126	11,632
Surplus (buffer above RHNA)	***33%***		***31%***	***102%***	***63%***

Note: The El Camino Real rezoning sites are not required to accommodate a lower-income RHNA shortfall but have been included in the Sites Inventory for their contribution to the recommended RHNA buffer for lower-income units, particularly in the VLI affordability category.

C

Availability of Specific Plan Sites During the Planning Period

Planned Buildout Horizons

Tasman East Focus Area

- Specific Plan (6,000-unit capacity)
  - Phase 1 (4,500 units)
  - Phase 2 (1,500 units) *Action 19
- Housing Element (5,269 units):
  - Pending and Approved (4,366 units, estimated completion 2028)
    - 196 units occupied
    - 2,441 units under construction
    - 581 units approved (all Planning entitlements secured)
    - 1,148 units pending Planning approval
  - Available Sites (903 units, estimated completion 2030)

Patrick Henry Drive Focus Area

- Specific Plan (10,300 to 12,000-unit capacity)
  - Phase 1 (5,839 units, estimated completion 2025-2029)
  - Phase 2 (2,234 units, estimated completion 2030-2034)
- Housing Element (5,865 units, estimated completion 2030)
  - Pending and Approved (1,520 units)
    - 307 units approved (all Planning entitlements secured)
    - 1,213 units pending Planning approval
  - Available Sites (4,345 units)

Lawrence Station Area

- Specific Plan (3,500-unit capacity)
- Housing Element (846 units) completed in 5th Cycle
- Housing Element (1,121 units)
  - Pending and Approved (777 units, estimated completion 2024-2027)
    - 449 units under construction
    - 328 units approved (all Planning entitlements secured)
  - Available Sites (344 units, estimated completion 2030)

Suitability of Nonvacant Sites

Per California Government Code Sections 65583.2(b)(2) and 65583.2(g)(1), and Part D of HCDs Housing Element Site Inventory Guidebook, the City's inventory of land suitable for residential development shall, for nonvacant sites:

- Include a description of the existing use of each property, including additional details, such as whether the use is discontinued, land to value information, age and condition of the structure, known leases, developer or owner interest, whether the property is currently being marketed, degree of underutilization, etc.; and
- Specify the additional development potential for each site within the planning period and provide an explanation of the methodology used to determine the development potential.

Because non-vacant sites accommodate 50 percent or more of the City's lower income RHNA, the Housing Element must present "substantial evidence" that the existing use does not constitute an impediment to additional residential uses on the site. As part of the resolution adopting the housing element, findings are included, stating the uses on the identified nonvacant sites included in the Sites Inventory to accommodate the City's lower income RHNA are likely to be discontinued during the planning period and the factors used to make that determination.

Supplementing the information provided in Chapter 6 Housing Resources and Appendix B Sites Inventory, this section includes additional supporting information that demonstrate , based on the site evaluation criteria described below, how nonvacant sites in the City's available specific plans and on certain rezoning sites along the El Camino Real corridor are suitable candidates for housing redevelopment.

This section also includes an evaluation of the extent existing uses impede potential redevelopment of certain nonvacant sites. As noted below, and in Chapter 6, after this evaluation, certain sites were removed from consideration if, for example, structures were recently built, or if the site/building underwent recent substantial improvements, or if there are no recent examples of similar redevelopments.

Site Evaluation Criteria

Each site on the sites inventory (not including pending projects) has been evaluated against the following criteria to determine if the existing use constitutes an impediment to residential redevelopment of the sites. See Chapter 6 Housing Resources for descriptions of each criterion.

A site identified under criterion 1, 2, or 3 requires no further factors/evaluation.

1. Interest: Developer interest or property owner interest to redevelop the site during the planning period, as confirmed during the Housing Element Update process through direct communication (letter, email, phone call) with the property owner and/or their representative.

2. Vacant Lot: Completely vacant lot.

3. City or County Ownership: Property is under City or County ownership, with defined intent to redevelop the site with a residential use at a higher density.

4. Redevelopment Trend: Uses that are similar to those that have been previously recycled in Santa Clara (e.g., industrial uses, small shopping centers, offices, stand-alone restaurants and retail uses, properties zoned exclusively for residential use that are currently developed well below the zoning capacity). Recent examples of redevelopment trends in the City of Santa Clara are described in the Redevelopment Trends section and listed in Table 13.C-2 Prior Uses/Details of Pending/Approved/Constructed Projects below.

5. Specific Plan Process: Property is located within a defined Specific Plan area and/or the property owner participated in the Specific Plan planning process. This criterion is distinct from criterion 1 when a property owner (or their representative) participated in the Specific Plan planning process but did not provide direct communication to the City during the Housing Element Update process of their interest in redeveloping their site during the planning period.

6. Underutilized Site: A non-vacant property that has a General Plan land use designation and/or zoning district that allows redevelopment with residential use at a higher density that the existing (typically industrial or commercial) use. Existing site utilization factors considered include low floor area ratio (FAR under 0.5 industrial/office/R&D), number of stories (under 2), tenant vacancies, and if the existing use is entirely served by surface parking.

7. Building/Land Value: Property improvement value is less than the land value (ratio is less than 1.00), indicating substantial underinvestment and the ability of a property owner to achieve financial gain through redevelopment.

8. Year Built/Age: Structure was built prior to 1987 (and therefore over 36 years of age) but is not a designated or eligible historic structure, indicating that properties may need substantial improvements or replacement for maximum financial return.

9. Lease: Site has no existing tenant lease(s) or lease(s) expire(s) or lease(s) have buy-out clauses within planning period.

Impediments to the Availability of Sites for Development During Planning Period

All of the Housing Element sites identified in the City's Tasman East Focus Area, Patrick Henry Drive Focus Area, and Lawrence Station Area Specific Plans currently have General Plan land use designations and Zoning districts that support residential development at levels (i.e. number of units) that exceed those anticipated in the City's Housing Element (Criterion 6).

All of the El Camino real rezoning sites, that have a Regional Mixed Use (37-50 du/ac) General Plan land use designation will be rezoned as part of the Zoning Ordinance Update from their current commercial zoning districts, which do not allow residential, to a new mixed use zoning district that allows by-right residential redevelopment consistent with the General Plan (Criterion 6).

Redevelopment Trends

The following table includes details (square footage, stories, FAR, year built) of prior non-residential uses (e.g., industrial, retail, offices) for pending, approved, and constructed projects that will be or have recently redeveloped with residential. These example projects provide supporting evidence that existing industrial, office, and commercial uses have not been an impediment to residential redevelopment and that this redevelopment trend will continue for similar properties identified on the sites inventory (Criterion 4).

Table 13.C-2 Prior Uses/Details of Pending/Approved/Constructed Projects

		Current/Former Use Details					Redevelopment Details				
Site	Site (acres)	Use(s)	Building (sq. ft.)	Stories	FAR	Year Built	Use	Units	Density (du/ac)	FAR	Status
Tasman East Focus Area Specific Plan											
2233 Calle Del Mundo	1.22	Industrial	15,910	1	0.30	1983	Residential (100% Affordable)	196	160	3.37	Occupied
2300 Calle De Luna	5.52	Industrial	97,964	1	0.41	1979	Residential	684	124	3.53	Under Construction
5123 Calle Del Sol (1)	1.87	Industrial	29,000	1	0.36	1978	Residential	311	166	3.64	Under Construction
2200 Calle De Luna	3.91	Industrial	20,160	2	0.12	1978	Residential	579	148	2.97	Under Construction
2225 Calle De Luna	2.02	Industrial	27,000	1 and 2	0.31	1977/84	Residential	370	183	5.36	Under Construction
2302 Calle Del Mundo	0.77	Industrial	16,360	1	0.49	1979	Residential (100% Affordable)	151	196	4.7	Under Construction
2343 Calle Del Mundo	3.06	Industrial	54,558	1	0.41	1977/81/82	Residential	346	113	4.66	Under Construction
5123 Calle Del Sol (2)	0.75	Commercial	3,700	1	0.11	1997	Residential	192	256	7.53	Approved
2263 Calle Del Mundo	1.94	Industrial	33,960	1	0.40	1977/80	Residential	301	155	5.04	Approved
2354 Calle Del Mundo	0.46	Industrial	6,640	1	0.33	1979	Residential	88	191	4.69	Approved
2101 Tasman Dr	9.02	Industrial/Office	125,500	1 and 2	0.32	1980/84	Residential	950	105	3.17	Proposed
5185 Lafayette St	0.90	Industrial	14,200	1	0.36	1979	Residential	198	220	10	Proposed
Patrick Henry Drive Focus Area Specific Plan											
3000 Patrick Henry Dr	2.52	Industrial/Office	32,480	1	0.30	1980	Residential	307	122	2.87	Approved
2901 Patrick Henry Dr	6.50	Industrial/Office	50,500	1	0.18	1978	Residential	800	123	TBD	Pre-application
4590 Patrick Henry Dr	2.80	Industrial/Office	42,821	1	0.35	1990	Residential	413	148	4.98	Pre-application
Lawrence Station Area Specific Plan											
2904 Corvin Dr	1.08	Office/Warehouse	18,000	1	0.38	1975	Residential (100% Affordable)	145	135	1.88	Completed (5th C.)
2961 Corvin Dr	1.69	Industrial	29,100	1	0.40	1963	Residential	38	22	1.1	Under Construction
3305 Kifer Rd	1.91	Industrial	35,818	1	0.43	1964-79	Residential	45	24	1.13	Under Construction
3580 Rambla Pl	2.57	Industrial	40,110	1	0.36	1975	Residential	286	113	4	Under Construction
3323 Kifer Rd	0.53	Office	8,375	1	0.46	1975	Residential (100% Affordable)	80	151	2.57	Under Construction
3517 Ryder St	3.80	Industrial	63,375	1	0.38	1975	Residential	328	86	3.74	Approved
Other											
3945 Stevens Creek Bl	0.58	Retail/Car Wash	4,040	1	0.16	1996	Residential (100% Affordable)	59	102	3.5	Under Construction
3035 El Camino Real	1.93	Used Car Dealer	1,456	1	0.02	1965	Residential	48	25	1	Under Construction
3550 El Camino Real	1.12	Motel	29,356	2	0.60	1975	Residential (100% Affordable)	120	107	2.74	Under Construction
1601 Civic Center Dr	1.41	Office	30,000	2	0.49	1974	Residential (100% Affordable)	108	77	2.16	Approved
80 Saratoga Ave	1.98	Office	26,329	1 and 2	0.27	1968	Residential (100% Affordable)	200	101	3.18	Approved

Tasman East Focus Area

Housing Element Action 19 Tasman East Specific Plan Amendment will remove impediments to the availability and development of the remaining 9 sites (13 parcels) in the Tasman East Focus area by allowing 1,500 units of additional capacity within the Specific Plan and providing streamlined environmental clearance.

Two sites in the Tasman East Focus Area, 5101 Lafayette Street, which is an existing data center, and 2203 Tasman Drive, which is a retail strip center built in 1998, were excluded from the available sites inventory since they are unlikely to redevelop in the timeframe of the 6th cycle Housing Element.

Eleven projects on 18 parcels (58 percent of the parcels on the Sites Inventory) in the Tasman East Focus Area are pending or approved for redevelopment of low intensity light industrial/office uses to high density residential. This is an indicator of trends within the City's specific plans as they relate to redevelopment of nonvacant sites and that the market demand for new higher density residential development is greater than the demand for existing low-intensity industrial and office development. These redevelopments are facilitated by the City's adoption of the Tasman East Specific Plan (and the pending amendment to allow additional residential capacity), the Patrick Henry Drive Specific Plan, and the Lawrence Station Area Plan.

The remaining nine Tasman East Focus Area Specific Plan sites on 13 parcels (Criterion 5) are all nonvacant, and similarly developed with low intensity one-story industrial buildings and surface parking built between 1979 and 1984 with Floor Area Ratios (FARs) ranging from 0.34 to 0.47 (Criteria 6 and 8). Five of the sites have improvement to land value ratios that are less that 1.0 (Criterion 7). All nine remaining sites share similar characteristics with the prior uses and intensity of development on the 18 parcels that have been or are currently being redeveloped with high density housing (Criterion 4). Specific details for each of the nine remaining sites is provided below with each site evaluated for its potential for redevelopment within the timeframe of the Housing Element.

1. 5191 Lafayette Street (APN: 097-46-001)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
0.51	60	350	**7,928**	**0.35**	**1**	**All**	**0.2**	**1979**

Use(s): Electronics manufacturing; likely unoccupied.



This 0.51-acre industrial site was developed with an approximately 7,928 square foot one-story building (0.35 FAR) with surface parking in 1979.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 45 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- Adjacent to and nearby this site are properties that are in various stages of redevelopment from similar low-intensity industrial uses to high density residential projects including:
    - Approved - 2354 Calle del Mundo (east of site)
    - Proposed - 5185 Lafayette St (south of site)
    - Under construction - 2343 Calle del Mundo (north across street)

2. 2203 Tasman Drive (APN: 097-46-030) **Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA**

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
1.03	100	350	**7,210**	**0.16**	**1**	**All**	**0.77**	1998

Use(s): Restaurants (six).



Although the site is underutilized (low FAR, one-story, surface parking) with a low improvement ratio, and can be redeveloped with high density residential per the Tasman East Specific Plan, because the existing building is only about 25 years old, this site is less likely to redevelop during the planning period and has been excluded from the Sites Inventory.

3. 2262 Calle Del Mundo (APN: 097-46-026)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
0.48	60	350	**9,850**	**0.47**	**1**	**All**	**0.77**	**1980**

Use(s): Plating service.



This 0.48-acre industrial site was developed with an approximately 9,850 square foot one-story building (0.47 FAR) with surface parking in 1980.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 44 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- Adjacent to and nearby this site are properties that are in various stages of redevelopment from similar low-intensity industrial uses to high density residential projects including:
    - Approved - 2263 Calle del Mundo (north across street)
    - Occupied - 2233 Calle del Mundo (north across street)
    - Under construction - 2232 Calle del Mundo/2225 Calle del Luna (east of site)

4. 2271 Calle De Luna (APN: 097-46-021)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
0.93	60	350	**15,530**	**0.38**	**1**	**All**	6.0	**1979**

Use(s): Warehouse.



This 0.93-acre industrial site was developed with an approximately 15,530 square foot one-story building (0.38 FAR) with surface parking in 1979.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The existing building is almost 45 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- Adjacent to and nearby this site are properties that are in various stages of redevelopment from similar low-intensity industrial uses to high density residential projects including:
    - Under construction - 2232 Calle del Mundo/2225 Calle del Luna (east of site) and 5123 Calle del Sol (south across street)

5. 2272 Calle Del Mundo (APN: 097-46-025)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
0.48	60	350	**9,850**	**0.47**	**1**	**All**	1.38	**1980**

Use(s): Auto repair shop.



This 0.48-acre industrial site was developed with an approximately 9,850 square foot one-story building (0.47 FAR) with surface parking in 1980.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The existing building is almost 44 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- Adjacent to and nearby this site are properties that are in various stages of redevelopment from similar low-intensity industrial uses to high density residential projects including:
    - Approved - 2263 Calle del Mundo (north across street)
    - Under construction – 2202/2310 Calle del Mundo (west of site)

6. 2281 Calle De Luna (APN: 097-46-023)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
0.94	60	350	**14,420**	**0.35**	**1**	**All**	2.36	**1984**

Use(s): Medical equipment manufacturing.



This 0.94-acre industrial site was developed with an approximately 14,420 square foot one-story building (0.35 FAR) with surface parking in 1984.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

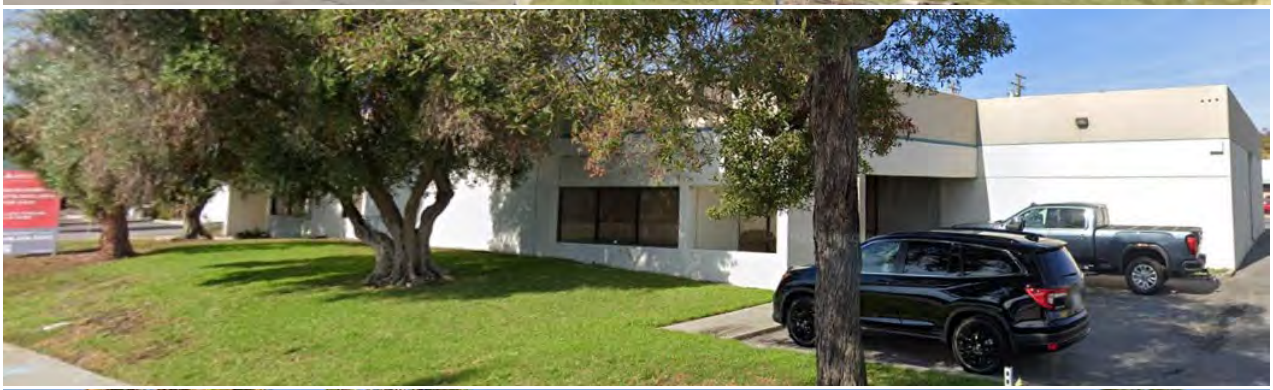
- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The existing building is almost 40 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- Adjacent to and nearby this site are properties that are in various stages of redevelopment from similar low-intensity industrial uses to high density residential projects including:
    - Under construction – 2202/2310 Calle del Mundo (west of site) and 2300 Calle de Luna (south across street)

7. 2301, 2309, 2317 Calle De Luna (APNs: 097-46-007, -008, 009) Consolidated Site "S" (same owner)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
1.38	60	350	**23,670**	**0.39**	**1**	**All**	2.84	**1979**

Use(s): Flooring sales, unoccupied, metal manufacturing.







This 1.38-acre industrial site (three parcels) was developed with approximately 23,670 square feet in three one-story buildings (0.39 FAR) with surface parking in 1979.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The existing buildings are almost 45 years old, indicating the buildings may need substantial improvements or replacement for maximum financial return.
- Adjacent to and nearby this site are properties that are in various stages of redevelopment from similar low-intensity industrial uses to high density residential projects including:
    - Under construction – 2300 Calle de Luna (south across street)
- The entire site (properties must be sold together) is listed available for sale (Cushman & Wakefield) and marketed for residential redevelopment.

8. 2338, 2330, 2322 Calle Del Mundo (APNs: 097-46-004, -005, -006) Consolidated Site "R" (same owner)

			Criteria 6 (Existing Site Utilization)				**Criteria 7**	**Criteria 8**
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
1.38	60	350	**20,740**	**0.34**	**1**	**All**	1.59	**1979**

Use(s): Unoccupied, unoccupied, glass manufacturing.







This 1.38-acre industrial site was developed with three one-story buildings totaling approximately 20,740 square feet (0.34 FAR) with surface parking in 1979.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), 1-story buildings, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site. The approved and under construction project on the adjacent 0.77-acre site to the east is an 8-story 151-unit 100% affordable project with a 4.7 FAR. In the Tasman East Specific Plan area, the 12 approved, under construction, or occupied projects have FARs ranging from 2.97 to 10.0 with an average FAR of 4.88.
- The existing buildings are almost 45 years old, indicating the buildings may need substantial improvements or replacement for maximum financial return.
- Adjacent to and nearby this site are properties that are in various stages of redevelopment from similar aged low-intensity industrial uses to high density residential projects including:
    - Under construction – 2202/2310 Calle del Mundo (east of site) and 2343 Calle del Mundo (north across street)
- The owner has been in conversations with real estate brokers about marketing their property for sale for residential redevelopment.
- Total Taxable Value of Site (land and improvements) vs. Comparable Sale Adjacent Site
    - $4.07M ($2.95M/acre) Total Taxable Value of Site
    - $9.65M ($9.75M/acre) Comparable Sale December 2022 adjacent project site to the east for residential redevelopment (under construction).

9. 2325 Calle De Luna (APN: 097-46-010)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
0.47	60	350	**6,920**	**0.34**	**1**	**All**	1.78	**1979**

Use(s): Unoccupied.



This 0.47-acre industrial site was developed with an approximately 6,920 square foot one-story building (0.34 FAR) with surface parking in 1979.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The existing building is almost 45 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- Adjacent to and nearby this site are properties that are in various stages of redevelopment from similar low-intensity industrial uses to high density residential projects including:
    - Under construction –2300 Calle de Luna (south across street)
    - Proposed – 5185 Lafayette St (west of site)

10. 2346 Calle Del Mundo (APN: 097-46-003)

			Criteria 6 (Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
0.46	60	350	**7,190**	**0.36**	**1**	**All**	**0.01**	**1979**

Use(s): General contractor.



This 0.46-acre industrial site was developed with an approximately 7,190 square foot one-story building (0.36 FAR) with surface parking in 1979.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 45 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- Adjacent to and nearby this site are properties that are in various stages of redevelopment from similar low-intensity industrial uses to high density residential projects including:
    - Under construction – 2343 Calle del Mundo (north across street)
    - Approved - 2354 Calle del Mundo (east of site)

Patrick Henry Drive Focus Area

Three sites in the Patrick Henry Drive Focus Area, 4650 and 4700 Old Ironsides Drive (existing data centers), and 4600 Patrick Henry Drive were excluded from the available sites inventory since they are unlikely to redevelop in the timeframe of the 6th cycle Housing Element.

Three projects in the Patrick Henry Drive Focus Area are pending or approved for redevelopment of low intensity light industrial to high density residential. See Table 13.C-2 above for prior use and redevelopment details and status for each project.

The remaining 11 Patrick Henry Drive Focus Area Specific Plan sites are all nonvacant, developed with mostly low intensity industrial buildings and surface parking built between 1978 and 1984 with Floor Area Ratios (FARs) ranging from 0.13 to 0.67 (Criteria 6 and 8). Eight of the sites have improvement to land value ratios that are less that 1.0 (Criterion 7). All 11 remaining sites share similar characteristics with the prior uses and intensity of development on the 18 parcels that have been or are currently being redeveloped with high density housing in the nearby Tasman East Focus Area and with the three pending or approved projects in the Patrick Henry Drive Focus Area (Criterion 4).

The development of the Patrick Henry Drive Specific Plan included regular, consistent participation on a monthly basis by 11 separate ownership groups representing 100% of the Patrick Henry Drive parcels included in the Housing Element sites inventory (Criterion 5).

Regarding 4633-4699 Old Ironsides Drive, the City received a letter dated April 24, 2023 from the planning consultant representing the property owners (Pearlman) noting their participation in the Patrick Henry Drive Specific Plan process, and their continued interest in developing residential uses on the property within the timeframe of the Housing Element (Criterion 1).

At the end of 2023 the overall vacancy rate in Silicon Valley for all classes of office space was 22.6%; an increase from 18.2% in the first quarter of 2023. For the City of Santa Clara, the overall office vacancy rate at the end of 2023 was 28.4%. (Cushman & Wakefield Q4 2023 Report).

Specific details for each of the 11 remaining sites is provided below with each site evaluated for its potential for redevelopment within the timeframe of the Housing Element.

1. 2900 Patrick Henry Drive (APN: 104-04-095)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
1.98	100	149	**27,430**	**0.32**	**1**	**All**	1.01	**1978**

Use(s): Church.



This 1.98-acre industrial site was developed with an approximately 27,430 square foot one-story building (0.32 FAR) with surface parking in 1978.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

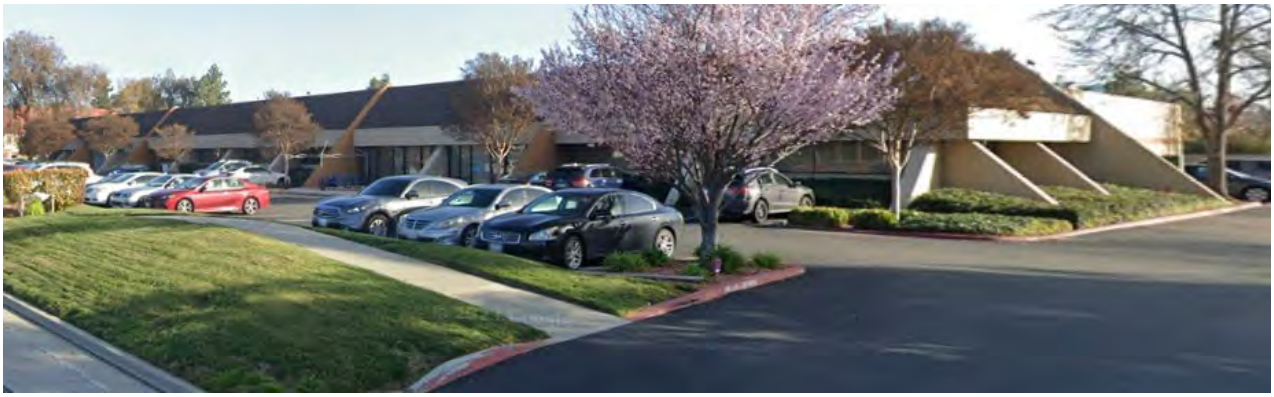
- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The existing building is almost 46 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- The owners of this site (San Jose New Hope Christian) were participants in the Patrick Henry Drive Specific Plan process.
- As an alternative to selling the property for residential redevelopment, the owner could partner with a housing developer to redevelop the property with a mix of residential uses and a new church facility that is sized to accommodate their total membership, which has been relatively stable for the past 19 years.
- The Urban Village Zoning District for this site has flexible development standards to facilitate redevelopment of this site, including a gross density maximum of 149 du/ac, height up to 160-feet and 12-stories, with no FAR maximum.
- The City has included a new program in the Housing Plan under Action 1 Provision of a Variety of Housing Types, Objective n.3 to increase housing choices and affordability in areas of opportunity on religious/faith-based sites. This program will include biennial outreach to religious/faith-based institutions, including New Hope Church, to inform them about recent

state law changes to facilitate affordable housing development on land owned by religious institutions. The City will also connect interested landowners with experienced nonprofit affordable housing developers. Additionally, the City will support funding applications, provide technical assistance, and grant incentives such as finding funding sources to reduce permit fees for applicants and providing relief from development standards under the City's density bonus provisions.

2. 2950 Patrick Henry Drive (APN: 104-04-094)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
2.52	100	149	**32,580**	**0.3**	**1**	**All**	**0.54**	**1978**

Use(s): Office.



This 2.52-acre industrial site was developed with an approximately 32,580 square foot one-story building (0.30 FAR) with surface parking in 1978.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), 1-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 46 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- The Urban Village Zoning District for this site has flexible development standards to facilitate redevelopment of this site, including a gross density maximum of 149 du/ac, height up to 160-feet and 12-stories, with no FAR maximum.

3. 3055 Patrick Henry Drive (APN: 104-04-136)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
3.82	120	250	**70,520**	**0.42**	**2**	**All**	**0.99**	**1981**

Use(s): unoccupied.



This 3.82-acre industrial site was developed with an approximately 70,520 square foot two-story building (0.42 FAR) with surface parking in 1981.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 43 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- The property has been unoccupied and was advertised for sale in February 2023; marketed for residential redevelopment.

4. 3100 Patrick Henry Drive (APN: 104-04-128)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
2.52	100	149	**32,800**	**0.3**	**1**	**All**	**0.86**	**1979**

Use(s): Office.



This 2.52-acre industrial site was developed with an approximately 32,800 square foot one-story building (0.30 FAR) with surface parking in 1979.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), one-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 45 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- The owner of this property (O2Micro Global) was a very active participant in the Patrick Henry Drive Specific Plan process, including providing public comment at all public hearings and community meetings, and requested/agreed to the redesignation of their property to allow residential redevelopment.
- The Urban Village Zoning District for this site has flexible development standards to facilitate redevelopment of this site, including a gross density maximum of 149 du/ac, height up to 160-feet and 12-stories, with no FAR maximum.
- The adjacent 2.52-acre property to the west (3000 Patrick Henry Drive) was approved for the demolition of the existing approximately 32,480 square foot one-story industrial building (0.30 FAR) built in 1980 to be replaced with a 307-unit high density residential project (122 du/ace and 2.87 FAR).

- A 2.8-acre property to the northwest (4590 Patrick Henry Drive) is nearing Planning approval for the demolition of the existing approximately 42,821 square foot one-story industrial building built in 1990 to be replaced with a 413-unit high density residential project (148 du/ac and 4.98 FAR).

5. 3105 Patrick Henry Drive (APN: 104-04-131)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
3.8	51	100	**51,610**	**0.31**	**1**	**All**	**0.82**	**1978**

Use(s): Manufacturing.



This 3.8-acre industrial site was developed with an approximately 51,610 square foot one-story building (0.31 FAR) with surface parking in 1978.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), one-story building, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 46 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

6. 3200 Patrick Henry Drive (APN: 104-04-089 and -124) Consolidated Stie "T" (Same owner)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
5.97	100	149	**105,120**	**0.4**	**2**	**All**	**0.23**	**1978**

Use(s): Office.



This 5.97-acre industrial site was developed with an approximately 105,120 square foot two-story building (0.40 FAR) with surface parking in 1978.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 46 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- Currently the building is approximately 48% unleased. An auction sale is scheduled for April 2024 (Kidder Mathews).

7. 4633 Old Ironsides Drive (APN: 104.04-141)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
2.6	60	149	**49,500**	**0.44**	**4**	**All**	**0.78**	**1983**

Use(s): Office.



This 2.6-acre industrial site was developed with an approximately 49,500 square foot four-story building (0.44 FAR) with surface parking in 1983.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- A letter from Eric Morley, planning consultant for the Pearlman Family, owners of the Pearlman sites located at 4633-4699 Old Ironsides Drive, dated April 24, 2023, indicates their participation throughout the Patrick Henry Drive Specific Plan process and their continued interest in redeveloping their property with residential uses within the timeframe of the Housing Element.
- This building is part of the Parkway Plaza development that includes a total of four multi-tenant Class B office buildings and approximately 198,000 square feet of leasable space. As of early 2024, there was approximately 26,280 square feet of office space available for lease.
- Per a follow-up email with Eric Morley, each of the four multi-tenant office buildings have a range of service and other business within them and all leases include a 24-month termination clause by the landlord to facilitate future redevelopment.

8. 4655 Old Ironsides Drive (APN: 104-04-140)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
2.7	60	149	**47,500**	**0.40**	**4**	**All**	**0.75**	**1983**

Use(s): Office.



This 2.7-acre industrial site was developed with an approximately 47,500 square foot four-story building (0.40 FAR) with surface parking in 1983.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- A letter from Eric Morley, planning consultant for the Pearlman Family, owners of the Pearlman sites located at 4633-4699 Old Ironsides Drive, dated April 24, 2023, indicates their participation throughout the Patrick Henry Drive Specific Plan process and their continued interest in redeveloping their property with residential uses within the timeframe of the Housing Element.
- This building is part of the Parkway Plaza development that includes a total of four multi-tenant Class B office buildings and approximately 198,000 square feet of leasable space. As of early 2024, there was approximately 26,280 square feet of office space available for lease.
- Per a follow-up email with Eric Morley, each of the four multi-tenant office buildings have a range of service and other business within them and all leases include a 24-month termination clause by the landlord to facilitate future redevelopment.

9. 4677 Old Ironsides Drive (APN: 104-04-139)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
2.53	60	149	**49,000**	**0.44**	**4**	**All**	**0.8**	**1983**

Use(s): Office.



This 2.53-acre industrial site was developed with an approximately 49,000 square foot four-story building (0.44 FAR) with surface parking in 1983.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- A letter from Eric Morley, planning consultant for the Pearlman Family, owners of the Pearlman sites located at 4633-4699 Old Ironsides Drive, dated April 24, 2023, indicates their participation throughout the Patrick Henry Drive Specific Plan process and their continued interest in redeveloping their property with residential uses within the timeframe of the Housing Element.
- This building is part of the Parkway Plaza development that includes a total of four multi-tenant Class B office buildings and approximately 198,000 square feet of leasable space. As of early 2024, there was approximately 26,280 square feet of office space available for lease.
- Per a follow-up email with Eric Morley, each of the four multi-tenant office buildings have a range of service and other business within them and all leases include a 24-month termination clause by the landlord to facilitate future redevelopment.

10. 4699 Old Ironsides Drive (APN: 104-04-138)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
1.73	60	149	**50,820**	**0.67**	**4**	**All**	1.3	**1984**

Use(s): Office.



This 1.73-acre industrial site was developed with an approximately 50,820 square foot four-story building (0.44 FAR) with surface parking in 1983.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- A letter from Eric Morley, planning consultant for the Pearlman Family, owners of the Pearlman sites located at 4633-4699 Old Ironsides Drive, dated April 24, 2023, indicates their participation throughout the Patrick Henry Drive Specific Plan process and their continued interest in redeveloping their property with residential uses within the timeframe of the Housing Element.
- This building is part of the Parkway Plaza development that includes a total of four multi-tenant Class B office buildings and approximately 198,000 square feet of leasable space. As of early 2024, there was approximately 26,280 square feet of office space available for lease.
- Per a follow-up email with Eric Morley, each of the four multi-tenant office buildings have a range of service and other business within them and all leases include a 24-month termination clause by the landlord to facilitate future redevelopment.

11. 4701 Patrick Henry Drive (APN: 104-53-001 through -026) Consolidated Site "O"

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
9.06	60	149	**52,920**	**0.13**	**1 & 2**	**All**	1.67	**1981**

Use(s): Office.



This 9.06-acre industrial site was developed with approximately 52,920 square feet in multiple, mostly one-story, with some two-story office buildings (0.13 FAR) with surface parking in 1981.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (less than 0.5), mostly one-story, all surface parking, indicate that the property is underutilized, particularly in comparison to the high density residential allowed on the site.
- The existing buildings are almost 43 years old, indicating they may need substantial improvements or replacement for maximum financial return.
- The Village Residential Zoning District for this site has flexible development standards to facilitate redevelopment of this site, including a gross density maximum of 149 du/ac, height up to 160-feet and 12-stories, with no FAR maximum.
- This site (Great America Technology Park / Marriott Center) is currently made up of 26 separate condominium map parcels (and 1 common area parcel) with 10 separate owners. Although there are multiple owners, several of them, including one property owner who own a majority of the parcels, actively participated in the drafting of the Patrick Henry Drive Specific Plan, which has as one of its primary purposes the redevelopment of sites like 4701 Patrick Henry Drive.
- In a March 2024 conversation between the City and the majority property owner and a follow-up conversation with the broker representing the majority owners, they expressed keen interest in redeveloping their site with residential uses and noted that their existing

leases have termination clauses that would facilitate redevelopment within the planning period. About half of the units are owner occupied and half are rented to tenants. Leases with a limited duration/termination clauses are typical for this property and provide the flexibility to accommodate residential redevelopment within the timeframe of the Housing Element.

- The Marriott Center Owners Association participated in the Patrick Henry Drive Specific Plan process and committed considerable time and resources, including changing their CC&R's, with approval by the Santa Clara City Council on November 17, 2022, to make future redevelopment of their site easier.
- As of early 2024 there were advertisements for leases totaling over 20,000 square feet of Class B office space in six buildings.
- Gross direct rent/square foot estimates for this site range from $1.80-$2.20 to $2.30-$2.80. One building recently (2024) advertised as available for $2.25/square foot; less than what the same space leased for in 2019 ($2.43/square foot). The rents for this site are below market asking rents for similar properties in the northern Santa Clara submarket at $3.61/square foot. (CoStar 2024)
- The vacancy rate for similar properties in the northern Santa Clara submarket is approximately 19% (2024) but is forecast to increase to over 25% in 2025. (CoStar 2024).

Lawrence Station Area

Four sites in the Lawrence Station Area, 2960, 2970 and 3030 Corvin Drive (existing data centers), and 3350-3420 Central Expressway (Gemini Rosemont industrial campus), designated Very High Density Residential (51-100 du/ac) on approximately 19 acres and High Density Residential (37-50 du/ac) on approximately 2.8 acres, were excluded from the available sites inventory since they are unlikely to redevelop in the timeframe of the 6th cycle Housing Element.

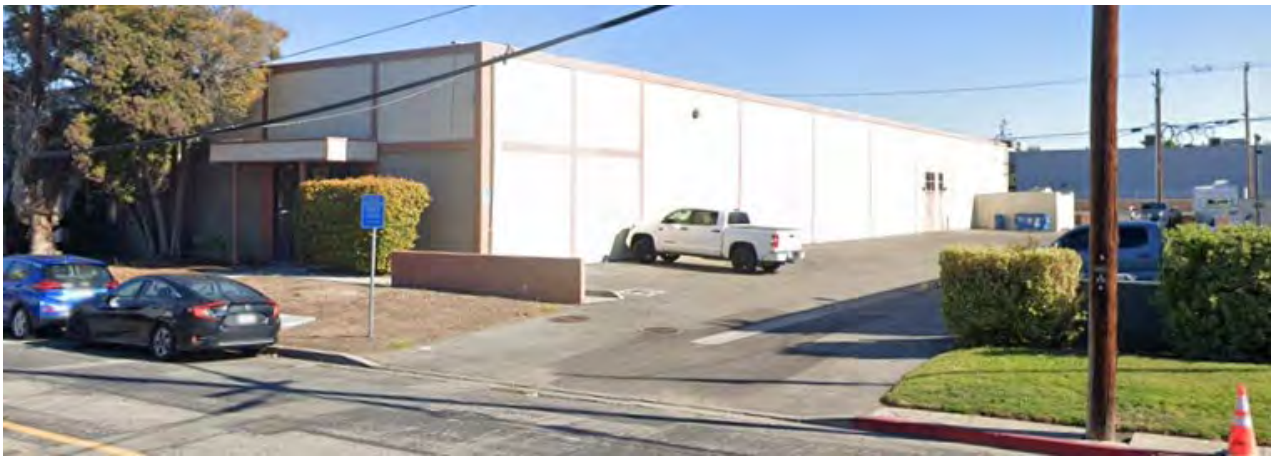
Five projects in the Lawrence Station Area are pending or approved for redevelopment of low intensity light industrial to medium and high density residential. See Table 13.C-2 above for prior use and redevelopment details and status for each project.

The remaining four available Lawrence Station Area Specific Plan sites (Criterion 5) are all nonvacant, developed with low intensity industrial buildings and surface parking built between 1970 and 1981 with Floor Area Ratios (FARs) ranging from 0.25 to 0.6 (Criteria 6 and 8). Four of the sites have improvement to land value ratios that are less that 1.0 (Criterion 7). All five remaining sites share similar characteristics with the prior uses and intensity of development on the parcels that have been or are currently being redeveloped with medium and high density housing in the balance of the Lawrence Station Area, including sites that were completed in the 5th Housing Element cycle (Criterion 4). Specific details for each of the four remaining available sites is provided below with each site evaluated for its potential for redevelopment during the timeframe of the Housing Element.

1. 3031 Corvin Drive (APN: 216-33-022)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
0.61	20	36	**15,730**	**0.59**	**1**	**All**	**0.86**	**1970**

Use(s): Light manufacturing.



This 0.61-acre industrial site was developed with an approximately 15,730 square foot one-story building (0.59 FAR) with surface parking in 1970.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 54 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

2. 3051 Corvin Drive (APN: 216-33-036)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
0.60	20	36	**15,660**	**0.6**	**1**	**All**	1.13	**1973**

Use(s): Light manufacturing.



This 0.60-acre industrial site was developed with an approximately 15,660 square foot one-story building (0.60 FAR) with surface parking in 1973.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The existing building is almost 51 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

3. 3071 Corvin Drive (APN: 216-33-037)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
0.78	20	36	**11,440**	**0.34**	**1**	**All**	**0.74**	**1979**

Use(s): Office.



This 0.78-acre industrial site was developed with an approximately 11,440 square foot one-story building (0.34 FAR) with surface parking in 1979.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 45 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

4. 3450 Central Expressway (APN: 216-34-079)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
3.14	51	100	**34,320**	**0.25**	**1**	**All**	**0.32**	**1981**

Use(s): Office.



This 3.14-acre industrial site was developed with an approximately 34,320 square foot one-story building (0.25 FAR) with surface parking in 1981.

The following factor was used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- In a phone conversation with the City's Community Development Director on April 25, 2023, the owner of this site (Sobrato Organization) expressed their continued interest in redeveloping the site with residential uses noting that the existing industrial tenant has a buy-out provision in their lease that would allow redevelopment of the site to move forward at any time in the next eight years.

El Camino Real Rezoning Sites

In the June 27, 2023 adopted Housing Element, the City expanded its Sites Inventory by adding select properties along the El Camino Real corridor that are between 0.5 and 10 acres in size, have a Regional Mixed Use General Plan land use designation, but are currently zoned only for commercial uses. These sites are proposed to be rezoned through the Zoning Ordinance update process (Action 9) to a new mixed use zoning district that will facilitate redevelopment of these commercial sites to residential uses consistent with the General Plan.

Although there are recent examples of residential development of properties along the City's commercial corridors, including El Camino real, that have been approved at or above maximum residential densities, for the purposes of the Housing Element, the minimum density was used to calculate a conservative realistic capacity for the El Camino Real rezoning sites.

Redevelopment of the El Camino Real rezoning sites is generally consistent with recent trends seen on commercial corridors in neighboring communities and throughout the City of Santa Clara, including on commercial properties along the El Camino Real Corridor (Criterion 4). See Table 13.C-2 above for prior use and redevelopment details and status for each example project listed in the "Other" category.

All of the El Camino Real rezoning sites are underutilized in that they have a General Plan land use designation that allows redevelopment of the existing low intensity commercial uses (FARs ranging from 0.05 to 0.57, all surface parking) with higher density residential uses (Criterion 6).

Eleven of the sites have improvement ratios less than 1.0 (Criterion 7) and sixteen of the sites were built 36 or more years ago (Criterion 8).

Specific details for each of the 20 El Camino Real rezoning sites is provided below with each site evaluated for its redevelopment potential

After evaluation, eight of the sites have been excluded from the available sites inventory since they are unlikely to redevelop in the timeframe of the 6th cycle Housing Element.

1. 4341 El Camino Real (APN: 213-37-015) ***Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA***

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
1.01	37	50	**18,393**	**0.42**	**2**	**All**	2.54	**1973**

Use(s): Hotel/motel.



2. 3775 El Camino Real (APN: 213-35-035)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
2.19	37	50	**43,638**	**0.46**	**1**	**All**	4.31	**1980**

Use(s): Strip commercial (3 buildings) – unoccupied, restaurants, salons, laundry.







This 2.19-acre commercial site was developed with approximately 46,638 square feet of one-story buildings (0.46 FAR) with surface parking in 1980.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story buildings with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The existing buildings are almost 44 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- One of the three buildings has remained unoccupied for almost three years.

3. 3755 El Camino Real (APN: 213-35-032) ***Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA***



			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
1.16	37	50	**12,600**	**0.25**	**2**	**All**	**0.58**	**1978**

Use(s): Standalone bank.

4. 3725 El Camino Real (APN: 213-34-008) ***Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA***

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
0.56	37	50	**1,690**	**0.07**	**1**	**All**	**0.4**	**1971**

Use(s): Gas station.



5. 3735 and 3705 El Camino Real (APN: 213-34-012 and -010) Consolidated site "P" (same owner) ***Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA***

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
6.3	37	50	**77,050**	**0.28**	**1**	**All**	**0.56**	**1972**

Use(s): Grocery store, discount store.



This 6.3-acre commercial site was developed with an approximately 77,050 square foot one-story building (0.28 FAR) with surface parking in 1972.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 52 years old, indicating the building may need substantial improvements or replacement for maximum financial return.
- This 6.3-acre site with a small 0.28 FAR and large surface parking area has the potential for a residential mixed-use redevelopment that could provide housing while retaining the existing grocery store and discount store. The site is also large enough to allow multiple reconfigurations that would preserve access to parking for the adjacent site currently occupied by 24-hour fitness and the small site currently occupied by Starbucks if those sites choose not to participate in a larger redevelopment plan for the entire shopping center.
- The Mixed-Use Regional Commercial Zoning District for this site has flexible development standards to facilitate redevelopment of this site, including a density maximum of 50 du/ac, small or no setbacks, height up to 60-feet and 6-stories, with no FAR maximum.

6. 3615 El Camino Real (APN: 213-34-004) ***Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA***

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
3.58	37	50	**40,700**	**0.26**	**1**	**All**	**0.34**	**1972**

Use(s): Fitness gym. Recently completed (summer 2022) renovations.



7. 1460 Halford Avenue (APN: 313-05-012)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
1.18	37	50	**11,600**	**0.23**	**1**	**All**	1.69	**1973**

Use(s): Strip commercial – liquor store, clinic, paint store, restaurant.



This 6.3-acre commercial site was developed with an approximately 11,600 square foot one-story building (0.23 FAR) with surface parking in 1973.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The existing building is almost 51 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

8. 1484 Halford Avenue (APN: 313-05-011)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
1.29	37	50	**9,700**	**0.17**	**1**	**All**	**0.13**	**1973**

Use(s): Strip commercial – restaurant, bakery, bar.



This 1.29-acre commercial site was developed with an approximately 9,700 square foot one-story building (0.17 FAR) with surface parking in 1973.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 51 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

9. 3750 El Camino Real (APN: 313-05-010)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
0.67	37	50	**2,760**	**0.09**	**1**	**All**	**0.2**	**1976**

Use(s): Fast food drive through.



This 0.67-acre commercial site was developed with an approximately 2,760 square foot one-story building (0.09 FAR) with surface parking in 1976.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 48 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

10. 3740 El Camino Real (APN: 313-06-003)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
0.66	37	50	**1,570**	**0.05**	**1**	**All**	**0.34**	**1968**

Use(s): Gas station/car wash.



This 0.66-acre commercial site was developed with an approximately 1,570 square foot one-story building (0.05 FAR) with surface parking in 1968.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 56 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

11. 3590, 3580, and 3570 El Camino Real (APN: 290-01-115, -116, and -117)
Consolidated site "Q" (same owner)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
2.62	37	50	**4,200** **22,224** **1,830**	**0.14** **0.33** **0.11**	**1** **2** **1**	**All**	**0.23**	**1967** **1970** **1968**

Use(s): Standalone restaurant, hotel/motel, auto service/repair.







This 2.62-acre commercial site (three parcels) was developed with an approximately 4,200 square foot one-story building (0.14 FAR) in 1967, a 22,224 square foot two-story motel building (0.33 FAR) in 1970, and a 1,830 square foot building (0.11 FAR) in 1968, all with surface parking.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FARs (under 0.50), one-story buildings with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing buildings are between 53 and 57 years old, indicating the buildings may need substantial improvements or replacement for maximum financial return.

12. 3530 El Camino Real (APN: 290-01-114)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
0.54	37	50	**2,512**	**0.11**	**1**	**All**	**0.26**	**1972**

Use(s): Standalone restaurant.



This 0.54-acre commercial site was developed with an approximately 2,512 square foot one-story building (0.11 FAR) with surface parking in 1972.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.

- The existing building is almost 52 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

13. 2789 El Camino Real (APN: 216-01-059)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
0.88	37	50	**11,750**	**0.31**	**1**	**All**	1.07	1991

Use(s): Strip commercial – restaurants.



This 0.88-acre commercial site was developed with an approximately 11,750 square foot one-story building (0.31 FAR) with surface parking in 1991.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The lower improvement ratio (close to 1.0) indicates underinvestment in the property and the potential for financial gain through redevelopment.

14. 2775 El Camino Real (APN: 216-01-058) ***Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA***

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
1.25	37	50	**15,920**	**0.29**	**1**	**All**	1.74	1991

Use(s): Strip commercial – restaurants, pet store.



15. 2725 El Camino Real (APN: 216-01-040) ***Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA***

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
1.15	37	50	**15,250**	**0.30**	**1**	**All**	1.03	**1987**

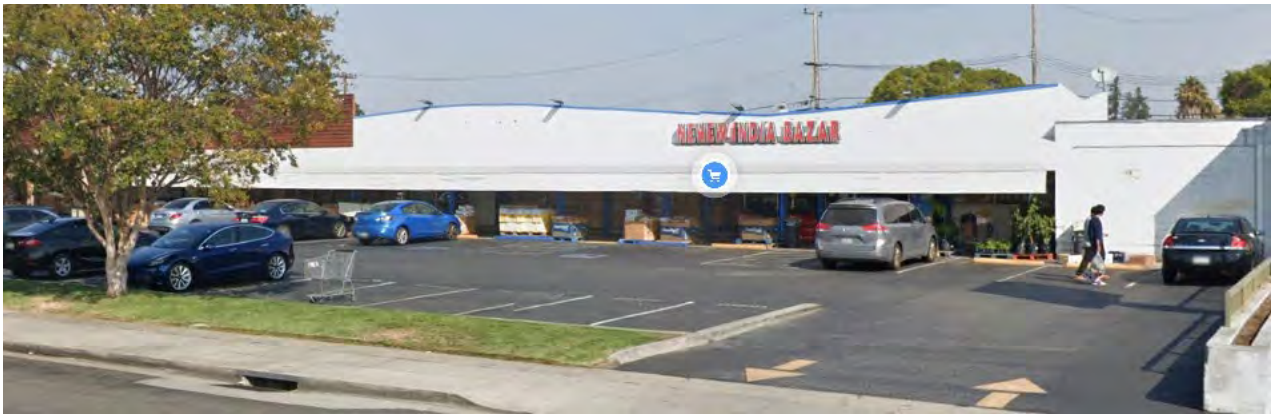
Use(s): Strip commercial – restaurants, bakery, dentist.



16. 2213 El Camino Real (APN: 224-15-029)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
1.22	37	50	**30,255**	**0.57**	**1**	**All**	1.0	**1962**

Use(s): Grocery store.



This 1.22-acre commercial site was developed with an approximately 30,255 square foot one-story building (0.57 FAR) with surface parking in 1962.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The lower improvement ratio (1.0) indicates underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 62 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

17. 2065 El Camino Real (APN: 224-15-037)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	Min. Density	Max. Density	Building Size (sf)	FAR	Stories	Surface Parking	Improvement Ratio	Year Built
6.44	37	50	**66,300**	**0.24**	**1**	**All**	**0.62**	**1952**

Use(s): Strip commercial – grocery, auto parts, shipping.







This 6.44-acre commercial site was developed with an approximately 66,300 square foot one-story building (0.24 FAR) with surface parking in 1952.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 72 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

18. 2200 El Camino Real (APN: 290-10-078)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
0.95	37	50	**6,618**	**0.16**	**1**	**All**	**0.25**	**1979**

Use(s): Standalone bank.



This 0.95-acre commercial site was developed with an approximately 6,618 square foot one-story building (0.16 FAR) with surface parking in 1979.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.

- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing building is almost 45 years old, indicating the building may need substantial improvements or replacement for maximum financial return.

19. 2120 El Camino Real (APN: 290-10-028) ***Site is Available for Redevelopment, but Not Included on Sites Inventory for Purposes of RHNA***

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
0.97	37	50	**12,180**	**0.29**	**1**	**All**	2.05	2013

Use(s): Standalone drug store.



20. 2232 and 2240 El Camino Real (APN: 290-10-091 and -190) Consolidated site "U" (same owner)

			Criteria 6 (Existing Site Utilization)				Criteria 7	Criteria 8
Acres	**Min. Density**	**Max. Density**	**Building Size (sf)**	**FAR**	**Stories**	**Surface Parking**	**Improvement Ratio**	**Year Built**
2.73	37	50	**24,725**	**0.21**	**1**	**All**	**0.0**	**1959/81**

Use(s): Three vacant commercial/retail buildings.



This 2.73-acre commercial site was developed with approximately 24,725 square feet of one-story buildings (0.21 FAR) with surface parking in 1959 and 1981.

The following factors were used to determine that the existing use does not constitute an impediment to additional residential uses on the site and that the existing use is likely to be discontinued during the planning period.

- The low FAR (under 0.50), one-story building with all surface parking, indicates that the property is underutilized, particularly in comparison to the higher density residential allowed on the site.
- The low improvement ratio (less than 1.0) indicates substantial underinvestment in the property and the potential for financial gain through redevelopment.
- The existing buildings is almost 65 and 43 years old, indicating the buildings may need substantial improvements or replacement for maximum financial return.
- All three buildings are unoccupied, and the site has been fenced-off since at least July 2019.

Table 13.C-2 Sites to Meet the RHNA - Hypothetical with 4701 Patrick Henry Drive Site Removed

Site/Credit Type	Affordability Category				Total Capacity
	Lower		Moderate	Above Moderate	
	Very Low [0-50% AMI]	Low [50-80% AMI]	[80-120% AMI]	[> 120% AMI]	
Pending and Approved Projects	710	794	504	10,201	12,209
Tasman East Focus Area	*114*	*239*	*175*	*3,838*	*4,366*
Patrick Henry Drive Focus	*76*	*75*	*75*	*1,294*	*1,520*
Lawrence Station Area Plan	*39*	*45*	*58*	*635*	*777*
Freedom Circle Focus Area	*54*	*54*	*54*	*913*	*1,075*
Other	*427*	*381*	*142*	*3,521*	*4,471*
ADU Projection	118	118	118	39	393
Available Specific Plan Sites	1,748	1,295	1,437	140	4,911
Tasman East Focus Area	*268*	*196*	*318*	*121*	*903*
Patrick Henry Drive Focus Area	*1,357*	*1,008*	*1,008*	-	*3,664*
Lawrence Station Area Plan	*123*	*91*	*111*	*19*	*344*
El Camino Real Rezoning Sites	319	236	250	-	805
Total	**2,895**	**2,443**	**2,309**	**10,380**	**18,318**
RHNA	2,872	1,653	1,981	5,126	11,632
Surplus (buffer above RHNA)	***18%***		***16.5%***	***102.5%***	***57.5%***

The City received public comment from the Housing Action Coalition on the adopted Housing Element objecting to the inclusion of several sites, including 4701 Patrick Henry Drive, on the sites inventory (see Appendix A Public Outreach).

Although the City continues to believe that 4701 Patrick Henry Drive is prime for redevelopment within the timeframe of the Housing Element (see evaluation criteria above), even if this site was removed from the inventory, the City would still have sufficient sites in its inventory to achieve its RHNA targets with a buffer at all affordability levels (see Table 13.C-2).

As described in Chapter 6 Housing Resources and reflected in Appendix B Electronic Sites Inventory and Appendix C Supplemental Sites Inventory Analysis, the following sites were also identified through public comments (see Appendix A Public Outreach) and have been excluded from the Sites Inventory since they are unlikely to redevelop with residential uses within the timeframe of the Housing Element:

- Tasman East Specific Plan
  - 5101 Lafayette Street (data center)
- Patrick Henry Drive Specific Plan
  - 4650 Old Ironsides Drive (data center)
  - 4700 Old Ironsides Drive (data center)
  - 4600 Patrick Henry Drive (Drawbridge parcel)
- Lawrence Station Area Plan
  - 2960 – 3030 Corvin Drive (data centers)
  - 3350 – 34420 Central Expressway (Gemini Rosemont industrial campus)
- El Camino Real Rezoning Sites
  - 3615 El Camino Real (24-hour Fitness)
  - 3735 and 3705 El Camino Real (Big Lots/Lucky)

As noted above (Appendix C), six additional El Camino Real rezoning sites and one Tasman East Specific Plan site were also excluded from the inventory because it was determined that they are less likely to redevelop in the planning period.